

PLANNED UNIT DEVELOPMENT INFORMATION
Montezuma County Planning (970) 565-2801

To have a more comprehensive understanding of the Montezuma County land development process. Please visit our website for a **FREE** copy of the Land Use Code www.co.montezuma.co.us click the menu that reads Departments click Planning click Montezuma County Land Use Code. If you prefer to have a hard copy you may obtain one through this office for a fee of \$10.00.

This information is intended to give pertinent information to the applicant for the purpose of completing the development application. Nothing in this information/application is intended to abrogate any policy, design guideline, or standard as set forth in the Montezuma County Land Use Code, Amended July 21, 2008, Resolution No. 7-2008.

- 1) **PROOF OF OWNERSHIP**: Must be provided in the form of a Certificate of Ownership from a title company or a title opinion from an attorney showing that the applicant is the owner of record a copy of the Warranty Deed.

- 2) **AGENT**: The owner may submit a letter designating an agent to act on their behalf in the application process. Any Agent must have express written authority to act on behalf of the owner(s).

- 3) **ZONING/REZONING APPLICATION** - The application fee is \$500.00.
Landowner-Initiated Zoning defined in Chapter 3, Section 1 and Specific standards for each zone are found in Chapter 3, Section 3, Zoning Regulations; requested zoning needs to be determined prior to accepting application. For further assistance in determination of zoning, contact your Montezuma County Planning Department.

- 4) **APPLICATION** – Application shall only be submitted on forms provided by Montezuma County:
 - The Montezuma County Subdivision Regulations do apply to Planned Unit Developments:
 - Submittals defined in Chapter 5; Section 4; Submittal Requirements of the Montezuma County Land Use Code.
 - A **non-refundable** development application fee of \$200.00 per lot and driveway permit application fee(s) shall be paid at the time the development application is submitted to the Planning Department.
 - The Planning Department Staff will review the application, along with the submittals. The determination of application completeness shall be made within fifteen (15) days of application filing. If an application is determined to be incomplete, the Planning Department shall supply written notice to the applicant along with an explanation of the application's deficiencies.
 - Upon receipt, by the planning office, of the completed and fully executed application(s), all required submittals, and initial fees are paid, the Planning Department will schedule the public review(s) and/or public hearing date(s) for the proposed development, as defined in Chapter 6, 6101, of the Montezuma County Land Use Code. The completed application, including supporting documents, shall be forwarded to the Planning Commission for their consideration at the earliest possible time consistent with the schedule and procedures of the Commission.
 - A public hearing before the Planning Commission shall be required for the establishment of, or change of zoning, to review planned unit developments and subdivisions as defined in Chapter 6; 6101-Public Review and Hearing Procedure of the Montezuma County Land Use Code.
 - The Planning Commission Review/Public hearing shall be conducted as set forth in Chapter 6; 6101.2-Planning Commission Review/Public Hearing section of the Montezuma Land Use Code.
 - Upon Conclusion of the public hearing(s), the Planning Commission shall render a decision regarding approval or denial. If the Planning Commission recommends *denial* of the development, the developer has thirty (30) days from the date of the Planning Commission hearing to petition for a public hearing before the Board of County Commissioners; this public hearing would then focus on the unresolved issues including relevant submittals and findings along with written and oral public comments made at the Planning Commission hearing.
 - After a public hearing before the Planning Commission for a zoning request, the Planning

Department will schedule a public hearing before the Board of County Commissioners. A public hearing before the Board of County Commissioners shall be required for the establishment of, or change of zoning, as provided for in Chapter 6; 6101 of the Land Use Code.

- Upon the Planning Commission recommendation on the application(s) for proposed development, applicant shall submit a final paper plat to the Planning Department for review. The Planning Department shall review the final plat for accuracy and compliance with the requirements of the Land Use Code and any conditions of Development Plan approval.
- If planning commission has recommended approval of the proposed development the Planning Department will request a meeting before the BOCC for Preliminary Plat review prior to the submittal of the Mylar. Upon approval of the Preliminary Plat, a public notice shall be published and vested rights shall be established as provided for in 1101.4 of the Land Use Code.
- Applicant or it's agent shall have all dates, signatures and information on Mylar prior to submitting to the Planning Department, including the original fully executed copy of any protective covenants, deed restrictions and/or any other conditions imposed during the review process for said development. See Chapter 5; Section 4; 5405.1 of the Montezuma Land Use Code.
- Remainder of application fees; signage fees; and recording fees will be due at the time the Mylar is submitted to the Planning Department. Covenants, deed restrictions or any other conditions imposed during the review process are submitted to planning for review by the Board of County Commissioners.
- Planning Department will, once final mylar and any supporting documents are submitted, schedule a meeting with the Board of County Commissioners for final review of the proposed development.
- Following approval by the Board, the executed mylar, including protective covenants, shall be recorded by the County in the office of the County Clerk and Recorder.
- Once mylar and any protective covenants/deed restrictions are recorded, the Planning Department will make copies and provide applicant with the following:
 - One (1) copy of the Recorded Mylar; and the
 - Original copy of the Protective Covenants/Deed Restrictions.

Payment for additional copies will be in accordance of the any Fee Schedule adopted by the Board of County Commissioners.

ESTABLISHMENTS OF PLANNED UNIT DEVELOPMENTS:

- See Chapter 4: Section 2-Establishment of Planned Unit Developments
 - Objectives to be achieved by the planned unit development
 - Map indicating the following:
- Regional location map; all existing and proposed roads with running surface and width indicated; access and utility easements shall be noted; property boundaries of the subject parcel with dimensions and area calculations, including locations of existing and proposed buildings and structures on this site; sufficient contours to determine lot slopes; delineated 100 year floodplain area; open space and no build zones;
- Plan. The Plan will contain a project description indicating a broad concept of the proposed development including, but not limited to, the following:
 - Development Schedule; Maximum number of dwelling units proposed; Minimum acreage to be dedicated to open space or agricultural; Types of all uses proposed and acreage developed to each; proposed water source; proposed method of sewage treatment; Request for the waiver or modification of certain threshold or other applicable standards, and reasons why such waiver or modification is necessary; copy of covenants; storm drainage and/or natural hazards statement; and any other information, plans, letters or approval, other documentation from responsible agencies to satisfy requirements listed under Threshold Standards or other applicable regulations.

5) OBJECTIVES TO BE ACHIEVED: To provide for necessary commercial, recreational and educational facilities conveniently located to housing, and to provide for well-located, clean, safe and pleasant

industrial sites involving a minimum strain on transportation facilities and minimum impact of traffic on streets and highways; to encourage a more efficient use of land, public services and facilities; to conserve the value of the land; and to provide a procedure which can relate the type, design, and layout of residential, commercial, and industrial development to the particular site, thereby encouraging preservation of the site's natural and agricultural characteristics.

- 6) **SEPTIC PERMIT**– Applications are obtained from the County Health Department, telephone: 565-3056, Ext. 225. with offices located at 106 W. North St., Cortez, CO. Review Chapter 5; Section 1; 5105.3; (F)-Sanitary Sewage Disposal and 5402.3(E)-Sewage and Waste Management; 5403.7-Sewage Treatment of the Montezuma Land Use Code. Also, review the Individual Sewage Disposal System Rules and Regulations; Section III; Administration and Enforcement; D; 3.13.
- 7) **DOMESTIC WATER** – See Chapter 5; Section 1; 5105.3(G)-Water Supply of the Montezuma County Land Use Code, which states:
- Subdivisions that are served by existing rural or municipal water systems require a formal commitment of water service from the appropriate water supplier, and the installation of water lines by the subdivider to the boundary of each lot. Applicant will need to provide the Planning Department with a letter from their water service provider.
 - If service and tap are in place for any lot within the proposed development, applicant will need to supply the Planning Department with a copy of the tap certificate.
 - If the Proposed development involves well water, permit(s) from the State Water Engineer are required.
 - Cisterns are only allowed in the event that a potable water supply is not otherwise available and may be installed by the lot buyer.
 - In the instance that cisterns are proposed as the primary water supply, provisions for fire protection within the proposed development must be approved by the appropriate fire protection district.
- 8) **DRIVEWAY PERMIT/SUBDIVISION ROAD CONSTRUCTION** – Driveway permits are \$125.00 each, payable to the Planning Department at the time of application. The driveway permit application/subdivision road information are forwarded, by the Planning Department, to the Road Department. The developer may contract the County Road Representative to set a time to discuss the access site and road construction. **All work must be signed off by the County Road Representative prior to final review by the Board of County Commissioners.** Road signage: \$50.00 per sign, will be paid for by the developer. Signage will be paid through the planning office. Once sign(s) are paid for and ordered, the Road Department will post. See Chapter 5; Section 1; 5105.3 (B-C)-Street Requirements and Driveways and Section 4; 5403.5-Roads of the Montezuma Land Use Code.

Standard Specifications for Road and Bridge Construction in Montezuma County have been adopted by the Board of County Commissioners. A current copy of the current specifications are in file at the Planning Department or on the County Website.

Access Applications will be reviewed by Jim Burton: 970/565-8525

Road Impact Fees – Chapter 5; Section 1; 5104 – Impact of Subdivisions and Planned Unit Developments on County Roads. Each unit shall be assessed \$2400.00, plus \$500.00 per lot/per mile to the nearest State Highway by way of road and section line upon the County map. These fees are due prior to the final signature process by the Board of County Commissioners. These fees are used to maintain the roads in the developed area.

- 9) **C.D.O.T.**- Developments with access off of a U.S. Highway will require an access permit from the Colo. Dept. of Transportation, 3803 Main Ave., Suite 300, Durango, CO. (970) 385-8362, Regional Access

Manager. Applicant will be required to provide the Planning Department with a copy of said access permit. Upon approval of subdivision the CDOT access permit must be recorded with the Clerk and Recorder \$6.00 for the first page \$5.00 for each additional page the full documents are required to be recorded.

10) UTILITIES: Preliminary Plan Submittal. Contact utility companies for information regarding easements, contracts or fees for providing service to the development. All utilities must be installed and mylar signed by a representative of each utility company prior to the Commissioners signing the final plat. The developer will supply each utility company with a preliminary plat for review and input regarding accessibility, easement, and Right-of Way.

11) COVENANTS - It is the responsibility of the Developer to draw up restrictive covenants. The covenants must contain, at a minimum, the Design Guidelines of the Montezuma County Land Use Code. Recording fees are \$6.00/first page, \$5.00/additional page, payable to the Clerk and Recorder's Office. Covenants are recorded consecutively with the Mylar. See Chapter 5; Section 1; 5103.1-Minimum requirements for covenants; Chapter 5; Section 4; 5403.11-Covenants or Restrictions; and 5405.4-Covenants provided by seller.

12) FIRE PLAN: If the proposed development includes a central water system or other features which will be utilized for fire suppression purposes, the preliminary plan shall include a map showing hydrants and other fire suppression features, see Chapter 5; Section 4-Submittal Requirements; 5403.9. If the proposed development does not include a central water system or other features, a letter of adequacy from responsible fire district will be required. See 5105.2

Land subject to hazardous conditions such as flooding, wildfire, or natural hazards, and polluted or non-potable water supply shall not be subdivided until the hazards have been eliminated, or will be eliminated, or satisfactorily modified by subdivision and construction plans.

13) WEED PLAN: Montezuma County Land Use Code, 5403.15, Pg. 67. A weed plan will be submitted by a Service Contractor regarding the status of your property as to the level of weed infestation and what, if any, action needs to occur for the mitigation of those weeds. In the event the Service Contractor recommends control measures we will require evidence in writing from the Service Contractor of the implementation/completion of the weed management plan. A copy of the Weed Management Plan will be submitted to LeeAnn Mililgan for her review.

Contractors:

IFA, Val Christensen, 10501 Hwy. 491, Cortez, (970)565-3077

Southwest Weed Control, Eddy Lewis, 26420 Road P, Cortez, (970) 565-3165

Tom Weaver, (970) 533-7833

Ed Zeutzius, Sunset Vegetation Management, Box 118, Mancos, (970) 533-7072 (970) 759-6175

14) GEOLOGIC INVESTIGATION: Preliminary Plan Submittal. For moderate and major developments. A geologic investigation shall address potentially hazardous conditions and shall indicate the suitability of types of soil. Contact: Rollin Lunders: 533-7674

15) CONSTRUCTION STORMWATER PERMIT: State law requires developers to obtain permit coverage or an R-Factor waiver to discharge stormwater from any construction activity that disturbs at least 1 acre of land (or is part of a larger common plan of development or sale that will disturb at least 1 acre). The applicant must apply 10 days prior to the start of construction activities. This may be a requirement for your development in the Preliminary Plan stage of the application process.

16) IRRIGATION WATER/PONDS: Have provisions been made for irrigation water for lawns, orchards, gardens, etc. Contact the Division of Water Resources (533-1333) for information on wells, ponds, etc. Where irrigation ditches and/or pipelines cross or adjoin the land proposed to be developed, adequate provisions shall be made to insure that the use of such irrigation ditches and/or pipelines, including the

maintenance thereof, can continue uninterrupted. Ditch rights-of-way shall not be interfered with and an adequate maintenance easement including gates at fences crossing ditch easements shall be provided. See Chapter 5; Section 1; 5103.2(D).

- 17) **FLOODPLAIN DEVELOPMENT PLAN**: Compliance with the Montezuma County Floodplain Resolution No. 12-08. Any development that is in an area identified by FEMA as a floodplain area, shall require the developer to submit evidence of compliance with the County Floodplain Resolution, as amended.
- 18) **MUNICIPAL REVIEW**: Urban influence restrictions applicable to all zoning and planned unit development designations. Three-Mile Area: Development may be required to conform to a major street plan of a municipality, in accordance with 31-23-212 et seq., C.R.S., as amended.
- 19) **WAIVER OR MODIFICATION OF CERTAIN THRESHOLD STANDARDS OR OTHER APPLICABLE STANDARDS**: The Montezuma County Subdivision Regulations apply to Planned Unit Developments. However, specific standards, specifications or requirements may be modified as part of the Planned Unit Development approval process to meet the unique circumstances and objectives of the Planned Unit Development.
- 20) **ADDITIONAL COSTS: PROFESSIONAL REVIEW FEE**:
The applicant shall pay all technical consultant fees, including, but not limited to, engineer, architect, and legal expenses incurred by the County, who may retain at its' sole discretion to review any application.
- 21) **MINERAL OWNERS/NOTIFICATION (CRS 31-23-215)**: A list of mineral owners must be obtained from the Assessor's office. The Applicant sends notification of the proposed development to the mineral owners.
- 22) **OTHER**: The Planning Commission or the Board of County Commissioners may require additional information as they deem necessary. Supporting information, plans, letters of approval, other documentation from responsible agencies and any other information to satisfy requirements listed under Threshold Standards or other applicable regulations.
- 23) **FUTURE DEVELOPMENT**: See Chapter 5: Section 4-Submittal Requirements. The presketch plan shall relate to all of the land proposed for immediate or future development.



Application Date: _____

Date of Zoning/Rezoning Hearing: _____

MONTEZUMA COUNTY ZONING APPLICATION

This application is intended to give pertinent information to the Planning Department of Montezuma County for the purpose of determining the review procedure for a proposed zoning request. Nothing in this application is intended to abrogate any policy, design guideline, or standard as set forth in the Montezuma County Land Use Code amended on 07/21/08, Resolution No. 7-2008.

Please initial here that you have a current copy of the Montezuma County Land Use Code _____.

- 1) Applicant Name(s)/Owner: _____
 Address _____
 Telephone Number () _____ Alternate Number: () _____
- 2) Agent(s) _____ Phone No. _____
(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) Proposed Development: Current Zoning: _____ Requested Zoning: _____
 Number of Lots: _____ Total Acres: _____
 A brief description of adjacent land usage: _____

Parcel I.D. Number: _____
Physical Address of Property: _____
Legal Description of Property: Section ____ Township _____ Range _____

Brief description of the proposed development: _____

Number of Lots: ____ Average Acreage per Lot: _____ Total Acres: _____

- 5) Applicant shall submit sufficient copies of a pre-sketch plan which shows the general location of the development in sufficient detail to evaluate the relationship between the development and the physical features of the land and abutting lands. See Chapter 5: Section 4:5401.3.

Presketch Plan Checklist:

- Location of proposed development areas upon the site
- Total acreage
- Abutting land uses, zoning designations, abutting land owners names and addresses
- Existing roads, streets and highways
- Major physical features including structures, buildings, boundary fencing irrigation ditches

and pipelines, utilities, topography, drainage, wetlands, noxious weed infestations and location of natural hazards.

- 6) Septic: Existing Infrastructure Yes No
Septic Permit Information Attached: Yes Permit Other: _____
 No
 In Process

Copies of permits for existing systems are required. Installation of new systems will require permitting through the Sanitation Department. An Engineer will determine the type of septic system.

- 7) Rural Water: Existing Infrastructure yes No
Copy of Existing Tap Certificate: yes No not applicable
Service provided by: _____
Letter attached: yes No Service Available for _____ Additional Residential use

- 8) Copy of Current Driveway/Access Permit from Montezuma County Road Department
 Yes No In Process
Access Permit can service up to _____ residential uses. Date on Permit: _____
Interior Road anticipated within development: Yes No

- 9) CDOT Access/Permit: Any development that will require a direct access off any highway shall require permitting through CDOT. Required Yes No Hwy: _____

- 10) Contact utility companies for information regarding any/all easements, contracts or fees for providing service to the development:
Electric: Empire Electric Other: _____
Telephone: Centrytel Qwest Farmers Other: _____
Gas Source: Greeley Gas Propane Other: _____

- 11) Geologic Investigation: (moderate & major developments ONLY, if required)

Required Not Required

Prepared by: _____

Required for all Moderate and Major Developments only.

12) Municipal Review: Cortez Dolores Mancos Not Applicable

14) Other: _____

15) Brief description of any planned or future development , including any application(s) being reviewed consecutively with the zoning request.

(Any further development will require the signature of all landowners on the amended plat)

PROHIBITION ON LEGAL ADVICE Staff members cannot give legal advice. This prohibition includes assisting or advising with documents to file or record, completing the documents, or assessing the legality or "correctness of a document(s)." If this type of assistance is required, contact your attorney or legal advisor. C.R.S. 12-5-101

The landowner by signing this acknowledges that all federal, state and local permits will be obtained.

Signature(s) of Landowner/Applicant

Signature(s) of Landowner/Applicant

Date: _____

Date: _____



Application Date _____

Date of Zoning/Rezoning Hearing _____ Date of Sketch Plan Review _____

Date of Agency Review _____ Date of Preliminary Plan Hearing _____

(All dates are subject to proper completion of submittals in preparation for the public hearing process.)

**MONTEZUMA COUNTY
PLANNED UNIT DEVELOPMENT APPLICATION**

This application is intended to give pertinent information to the Planning Department of Montezuma County for the purpose of determining the review procedure for a proposed development. Nothing in this application is intended to abrogate any policy, design guideline, or standard as set forth in the Montezuma County Land Use Code amended on July 21, 2008, in Resolution No. 7-2008.

Please initial here that you have a current copy of the Montezuma County Land Use Code _____.

1) Applicant Name(s)/Owner: _____
Address _____
Telephone Number () _____ Alternate Number: () _____
Proof of Ownership: Certificate Title Opinion from Attorney Other: _____

2) Agent(s) _____ Phone No. _____
(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.)
Agent Authorization Letter Provided: Yes In Process Other: _____

3) Proposed Development: Current Zoning: _____ Requested Zoning: _____
Parcel I.D. Number: _____
Physical Address of Property: _____
Legal Description of Property: Section _____ Township _____ Range _____
A brief description of adjacent land usage: _____

4) Type of PUD: Cluster Incentive General Commercial Industrial Mobile Home
Intended Land Uses: _____

Minimum Acreage Dedicated to: Agricultural Land, _____ Acres
 Open Space, _____ Acres
 Not Applicable

Total Acreage: _____ Total Preserved Acres: _____ Total Developed Acres: _____
Max Number of Dwelling Units: _____

- 5) Objectives to be achieved by PUD: _____

- 6) Septic: Existing Infrastructure yes No
 Septic Permit Information Attached: yes Permit Other: _____
 No
 In Process
Copies of permits for existing systems are required. Installation of new systems will require permitting through the Sanitation Department. An Engineer will determine the type of septic system.
- 7) Rural Water: Existing Infrastructure yes No
 Copy of Existing Tap Certificate: yes No Not applicable
 Service Provided by: _____
 Letter attached: yes No Service Available for _____ Additional Residential uses
- 8) Copy of Current Driveway/Access Permit from Montezuma County Road Department
 Yes No In Process
 Access Permit can service up to _____ residential uses. Date on Permit: _____
 Interior Road anticipated within development: Yes No
 Road Surface width: _____ feet built to Count Road & Bridge Specifications.
- 9) CDOT Access/Permit: Any development that will require a direct access off any highway shall require permitting through CDOT. Required Yes No Hwy: _____
- 10) Contact utility companies for information regarding any/all easements, contracts or fees for providing service to the development:
 Electric: Empire Electric Other: _____
 Telephone: Centurytel Qwest Farmers Other: _____
 Gas Source: Greeley Gas Propane Other: _____
- 11) Covenants Attached: Yes No
Draft Final Pages _____
Recording Fee: \$6.00 for the first page and \$5.00 each additional page
- 12) Fire Hazards Plan: Attached In Process: Prepared by: _____
- 13) Weed Control Plan: Attached In Process: Prepared by: _____
- 14) Geologic Investigation: Required Not Required
 If required: Attached In Process
 Prepared by: _____
Required for all Moderate and Major Developments only.
- 15) Storm Water Permit Required: Yes No Not Applicable
Required for Developments that disturb at least 1 acre of top soil in the process of developing.
- 16) Irrigation shares on proposed development: Yes No
 Irrigation Company which serves development: _____
 Total Shares: _____
- 17) If the property located in an area Identified in the FEMA Floodplain Map?

Yes No Not Applicable

18) Municipal Review: Cortez Dolores Mancos Not Applicable

19) Waiver or Modification of certain Threshold Standards or other applicable standards:

Attached Not Applicable

Standards within Waiver: _____

20) In accordance with CRS 31-23-215, all mineral rights owners and lessees of mineral owners should be notified regarding proposed subdivision of property. The following information can be obtained from the Assessor's Office.

NAMES AND CURRENT ADDRESS OF MINERAL RIGHTS OWNERS:

Name _____

Address _____

Name _____

Address _____

Name _____

Address _____

Name _____

Address _____

INSTRUCTIONS FOR MAILING MINERAL NOTIFICATION LETTERS:

- The Applicant is responsible for obtaining the list of mineral owners and current addresses from the Assessors Office.
- The Applicant will mail out the letters, via certified mail, to the mineral owners and keep copies of same in the file.

21) Other: _____

22) Brief description of any planned or future development, including any application(s) being reviewed consecutively with the zoning request.

ROHIBITION ON LEGAL ADVICE Staff members cannot give legal advice. This prohibition includes

assisting or advising with documents to file or record, completing the documents, or assessing the legality or "correctness of a document(s)." If this type of assistance is required, contact your attorney or legal advisor. C.R.S. 12-5-101

The landowner by signing this acknowledges that all federal, state and local permits will be obtained.

Signature(s) of Landowner/Applicant

Signature(s) of Landowner/Applicant

Date: _____

Date: _____

Owner:	
Agent:	Phone No.:
Type of Development:	Acreage:
Subdivision Name:	

- An application fee of \$100.00 per lot is due when the application is submitted and is **non-refundable**.
- Zoning/Rezoning fee of \$200.00 is due with the application and is **non-refundable**.
- The driveway permit is \$125.00 per site and is due with the application and is **non-refundable**.
- Floodplain Development Permit is \$250.00 per permanent structure on a foundation.
- The applicant shall be responsible for paying all applicable fees in effect at the time a completed and executed application, as determined by the Planning Director, and is accepted by the Planning Department.

Admin. Fees: Minor \$400.00 Moderate: 450.00/lot Major: \$550.00/lot

Zoning or Rezoning Fee: \$500.00 Paid: []Yes []No		TOTAL FEES: \$
Admin. Fees:	x \$ = \$	Driveway Permit \$
Road Impact:	x \$24000. = \$	Application fees: \$
\$500/lot/mile:	x \$ = \$	Zoning fee: \$
Driveway:	x \$125. = \$	Professional review fee \$1,000
Professional Review Fee	1,000	Due w/Application: \$ _____ Balance due: \$ _____

SIGNAGE IS PAID FOR BY THE APPLICANT. THE COST IS \$50.00 PER SIGN

Red designation sign	
Stop sign	
Yield sign	
Other:	

Restrictive Covenants are required for the development. You may draft comprehensive covenants, but the following are the minimum requirements which must be included in the Recorded Covenants. Please refer to 5103, *Design Guidelines (5103.1 – 5103.7)*.

**NAME OF SUBDIVISION
NAME(S) OF LANDOWNERS
ADDRESS OF PROPERTY
NUMBER OF LOTS/ACRES
LEGAL DESCRIPTION TO INCLUDE SECTION, TOWNSHIP, RANGE, N.M.P.M.
MONTEZUMA COUNTY, COLORADO**

- 1.) **Setbacks.** The following setbacks are required:
 - a) New fences are to be set back a minimum of 30 feet from the centerline of County roads.
 - b) Setbacks for dwellings are to be minimum of 50 feet from County Road rights-of-way, a minimum of 50 feet from the right-of-way of service roads or streets within a platted subdivision, and 50 feet from lot lines, where physically possible.
 - c) Setbacks for barns, garages, and other auxiliary structures shall be a minimum of 25 feet from County road rights-of-way and property lines not adjacent to roads and highways where physically possible.
 - d) Within the Dolores River Valley all new commercial and residential construction, including Individual Sewage Disposal Systems, shall be set back 100 feet from the existing stream bank.
- 2.) **Lighting.** All outdoor lighting shall be designed to illuminate only the premises and to minimize nuisance to adjoining landowners.
- 3.) **Drainage.** All open areas of any site, lot, tract or parcel shall be graded and planted as appropriate to provide proper drainage and minimize flooding, erosion and pollution.
- 4.) **Views and Sunlight.** Buildings and structures constructed in a subdivision shall be placed, so as to minimize undue obstruction of views and sunlight to existing dwellings on adjacent properties.
- 5.) **Noxious Weed Control.** Any subdivision will require inspection for noxious weed infestation under provisions of the Colorado Weed Management Act, the Montezuma County Comprehensive Weed Management Plan Resolution No. 4-93, as amended, and development and submittal of an approved weed management plan.
- 6.) **Sanitation.** Percolation tests or soils analysis, as determined by a Colorado Registered Professional Engineer, shall be required to adequately determine the type of standards for on-lot disposal systems. Prior to commencing construction, any person who wishes to install, alter, or repair an individual sewage disposal system in the County shall obtain a permit from the County Health Department.
- 7.) **Wildfire Mitigation.** All new subdivisions which are located completely or partially within areas identified on *A or B Community at Risk Map*, or other areas that fall outside of the A or B zone of the *Community at Risk Map* that have native vegetative cover deemed to be a wildfire risk, will require the submittal of a Comprehensive Wildfire Mitigation Plan. This Wildfire Mitigation Plan shall define defensible space standards to be met in the subdivision as recommended in *Colorado State University Fact Sheet No. 6.302, "Creating Wildfire Defensible Zones."* **Planning Department Review and Waiver.** All

new subdivisions which are not located completely or partially within areas identified on the *A or B Community at Risk Map*, or are located within the *A or B Community at Risk Map* but do not have vegetative cover may request a waiver from the Planning Department. Upon review and approval of the waiver request, the applicant may submit an affidavit with directional photographs of the property for which a development application was submitted. This affidavit shall define defensible space standards to be met in the subdivision as recommended in *Colorado State University Fact Sheet No. 6.302, "Creating Wildfire Defensible Zones."*

- a) The developer will be required to complete fuels mitigation in the subdivision, as defined in the Plan, to the following standards:
- b) Fuels mitigation to Zone 3 standards on all land within the development boundary.
- c) Fuels mitigation to Zone 2 standards on all land within existing and proposed roadway and utility easements.



Montezuma County Planning Department
 109 West Main, Rm. 305
 Cortez, CO 81321

DATE SUBMISSION FORM

Digital Format Drawings for the Montezuma County GIS Digital Land Use Map Updates
 Adopted on April 14, 2008

Name

Address

Plat Map Name (Subdivision)

Data File	
Data Source (Company)	
Contact Information	
Development Software	
File Type	
Projected Coordinate System	
Datum	
Scale	
Accuracy	
Additional Layering Features	
Survey Method	