

**LAND 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](http://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 7/21/08, 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 or a copy of a 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 or designations 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:
  - Submittals defined in Chapter 5; Section 4; Submittal Requirements of the Montezuma County Land Use Code.
  - Planning 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, all required submittals, and initial fees are paid, Planning will schedule the 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 its 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.
  - Public hearings shall be conducted as set forth in Chapter 6 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.
  - Upon approval of applicant's proposed development, applicant shall submit a final 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. Once these criteria's are met, Planning will request submittal of the Mylar. Applicant or its 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 preliminary approval, covenants, deed restrictions or any other conditions imposed during the review process are submitted to planning for signature by the Board of County Commissioners.
- Planning Department will at preliminary approval submit preliminary plat, findings, and any supporting documents to schedule a meeting with the Board of County Commissioners for reviewing, approving or denying, the preliminary plat.
- Following if approval was granted the Board, will meet again to sign the mylar and the execute by recording, including protective covenants, CDOT access permit shall be recorded by the County in the office of the County Clerk and Recorder. Planning will file the covenants, and CDOT access permit if applicable and and these should not be recorded prior to mylar.
- 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 (original is kept in the Assesor Office)
  - Original copy of the Protective Covenants/Deed Restrictions/CDOT Access Permit.

5) **SEPTIC PERMIT**– Applications are obtained from Melissa Wilson, Health Department, 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 Chapter 5; Section 1; 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.

6) **DOMESTIC WATER** – See Chapter 5; Section 1; (G)-Water supply of the Montezuma County Land Use Code.

- 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. Along with an affidavit from property owner stating they will use cistern and a letter of commitment from the water hauler.

- 7) **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.

- In the event your parcel **does not** access off a green signed road (a road that is owned and maintained by the county and is designated as such on the Montezuma County Official Road Map) you are required to submit documentation in the form of a site plan, map, survey and any recorded agreements proving out any and all applicable information: All easements and rights-of-way including irrigation ditches, pipelines, boundary fences, utility lines, roads and paths or trails shall be designated as such with bearings and dimensions given.
  - 5403.5 Roads. In all developments where streets or roads are intended for use by the general public, by lot or unit owners, or by anyone other than the applicant, the preliminary plan shall meet the Montezuma County Road and Bridge Standard Specifications. Driveway permit(s) from the Road Department or a highway access permit from Colorado Department of Transportation are required.
  - If your proposed subdivision accesses off a non-county maintained road proof of easement and or right of way from the point of the nearest green signed county road up and into the parcel is required along with upgrades of the red signed road(s) to county standards. The Montezuma County Road and Bridge Standards Specifications are online at [www.co.montezuma.co.us](http://www.co.montezuma.co.us) go to departments and then to Planning click on the link that reads the Montezuma County Road and Bridge Standards.
    - ✓ Within the Land Use Code 5105.3 Development Criteria it states
      - Minimum right-of-way widths for streets shall be 60'.
      - Roadbed construction shall meet the Montezuma County Road and Bridge Standard Specifications. Inspection of the roadway construction shall be made by the County Road Department in three phases: Phase 1 - road grade and structures. Phase 2 - Base material and application. Phase 3 - finish roadway. No work shall begin on the next phase until the previous phase has been completed and approved.
- 8) **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. 970-385-8360, Ask for the acting Regional Access Manager. Applicant will be required to provide the Planning Department with a copy of said access permit.

- 9) **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. The utility companies also require a copy of the final subdivision for their records.
- 10) **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.
- 11) **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 no-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.
- 12) **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
- 13) **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
- 14) **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.
- 15) **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).

- 16) **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.
- 17) **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.
- 18) **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.
- 19) **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.
- 20) **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.
- 21) **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.
- 22) **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 \_\_\_\_\_ Date of Sketch Plan Review \_\_\_\_\_

Date of Agency Review \_\_\_\_\_ Date of Development Plan Hearing \_\_\_\_\_

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

### MONTEZUMA COUNTY SUBDIVISION 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 7/21/08, Resolution No. 7-2008.

An applicant may pick up a hard copy of the Montezuma County Land Use Code for \$10.00 in office or go online for a free copy. We encourage all applicants to get a copy of the Land Use Code.

1) Applicant Name(s)/Owner: \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone Number ( ) \_\_\_\_\_ Alternate Number: ( ) \_\_\_\_\_  
Email \_\_\_\_\_

2) Agent(s) \_\_\_\_\_ Phone No. \_\_\_\_\_  
Email \_\_\_\_\_

Agent(s) \_\_\_\_\_ Phone No. \_\_\_\_\_  
Email \_\_\_\_\_

*(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 \_\_\_\_\_

4) Brief description of the proposed development: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 5) 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.*

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- 6) Rural Water:  Existing Infrastructure  yes  No  
 Copy of Existing Tap Certificate:  yes  No  not applicable  
 Service provided by: \_\_\_\_\_  
 Water Letter attached:  yes  No  
 Service Available for \_\_\_\_\_ Additional Residential uses

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- 7) 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

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

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- 9) Contact utility companies for information regarding any/all easements, contracts or fees for providing service to the development:

Electric:  Empire Electric  Other: \_\_\_\_\_  
 Evidence of Alternative Services Attached  
 Telephone:  Centrytel  Qwest  Farmers  Other: \_\_\_\_\_  
 Gas Source:  Atmos Gas  Propane  Other: \_\_\_\_\_

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- 10) Covenants Attached:  Yes  No  
 Draft  Final Pages \_\_\_\_\_

*Recording Fee: \$6.00 for the first page and \$5.00 each additional page*

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11) Fire Hazards Plan:  Attached  In Process:  
Prepared by: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12) Weed Control Plan:  Attached  In Process:  
Prepared by: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13) Geologic Investigation:  Required  Not Required  
Prepared by: \_\_\_\_\_  
  
Geologic Investigation required for Moderate and Major Development.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14) 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.*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15) Drainage Plan Required:  Yes  No  Not Applicable  
Known site characteristics: \_\_\_\_\_  
\_\_\_\_\_  
Mitigation Measures to be taken: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15) Irrigation shares on proposed development:  Yes  No  
Company: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

16) Floodplain Development Permit:  Yes  No  Not Applicable  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

17) Municipal Review:  Cortez  Dolores  Mancos  Not Applicable  
\_\_\_\_\_  
\_\_\_\_\_

18) 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: \_\_\_\_\_

19) Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

20) Brief description of any planned or future development:  
Are there any other development applications that effect the proposed development:  
 Yes, see attached     No  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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  
Date: \_\_\_\_\_

\_\_\_\_\_  
Signature(s) of Landowner/Applicant  
Date: \_\_\_\_\_

\_\_\_\_\_  
Agent  
Date: \_\_\_\_\_

\_\_\_\_\_  
Agent  
Date: \_\_\_\_\_

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

- An application fee of \$200.00 per lot is due when the application is submitted and is **non-refundable**.

**Admin. Fees: Minor: \$500 Moderate: \$550.00/lot Major: \$650.00/lot**

Zoning or Rezoning Fee: \$500.00 Paid: [ <input type="checkbox"/> Yes [ <input type="checkbox"/> No	TOTAL FEES: \$	
Admin. Fees:	x \$ _____ = \$ _____	Driveway Permit \$ 125.00
Road Impact:	x \$2400. = \$ _____	Application fees: \$ _____
\$500/lot/mile:	x \$ _____ = \$ _____	Zoning fee: \$ 500.00
Driveway:	x \$125. = \$ _____	<b>Balance due: \$ _____</b>

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

Red designation sign	\$50.00 Each
Stop sign	\$50.00 Each
Yield sign	\$50.00 Each
Other:	
Address Signs	\$25.00 Each

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

	<b>1. ZONING PUBLIC HEARING AND PRESKETCH REVIEW (5301)</b>
Due Date	<b>THREE WEEKS BEFORE THE ZONING PUBLIC HEARING: Zoning application and presketch plan</b> are due at Planning Office with Fees and initial submittals.
Meeting Date	
	<b>2. PUBLIC HEARING FOR SKETCH PLAN REVIEW (5402)</b>
Due Date	<b>*PLANNING COMMISSION MEETING: PUBLIC HEARING FOR SKETCH PLAN REVIEW (5402)</b> (Fourth Thursday of the month, meeting starts at 7:00 p.m.) In the Commissioners Room <b>three weeks before the sketch plan public hearing: sketch plan</b> are due at Planning Office with next stage submittals.
Meeting Date	
	<b>3. Referral of Preliminary Plat to Board of County Commissioners for approval or denial of subdivision</b>
Meeting Date	The Board of County Commissioners generally meet every Monday and the deadline to be placed on the agenda is Thursday by 12:00. A specific day/time will be set this is open to the public but not a public hearing.
	Meeting Minutes will serve as approval or denial
	<b>4. Upon Approval of all submittals, infrastructure, and mylar have been completed with all signatures the Board of County Commissioners will sign on mylar.</b>
Meeting Date	The Board of County Commissioners generally meet every Monday and the deadline to be placed on the agenda is Thursday by 12:00. A specific day time will be set this is open to the public but not a public hearing.