

RESOLUTION NO. 10 - 2025

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
MONTEZUMA COUNTY, DENYING THE HIGH IMPACT PERMIT APPLICATION  
SUBMITTED BY LEAF PROPERTIES, INC**

**WHEREAS**, Leaf Properties, Inc (Applicant) submitted a High Impact Permit Application for the property, consisting of 3.78 acres, more or less, and located at 27078 Road N, Dolores, CO to the Montezuma County Planning Department,

**WHEREAS**, this Application was heard by the Montezuma County Planning and Zoning Commission at a public hearing on March 14, 2024. The Commission recommended 5-0 that the application be denied because of significant adverse impacts to surrounding properties and the area including concerns about protecting the rural character of the county, traffic, property views, and impacting property values.

**WHEREAS**, pursuant to the procedures in the Montezuma County Land Use Code, the Applicant petitioned the BOCC to hear the application.

**WHEREAS**, the Montezuma County Board of County Commissioners held public hearings on the Application on April 23, 2024 and continued to April 30, 2024, when the Board denied such application. The denial was appealed, and ultimately the Montezuma County District Court remanded the case back to the Montezuma County Board of County Commissioners to address two due process issues – an opportunity for the Applicant to respond to documents submitted by the public during public comment, and to issue a written decision.

**WHEREAS**, the Montezuma County Board of County Commissioners held public hearings on remand on June 25, 2025 and continued to July 8, 2025.


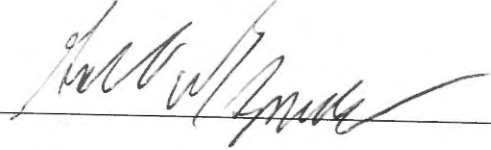
**WHEREAS**, Notice for each Public Hearing was posted and was advertised more than 10 days before the public hearing in the Cortez Journal.

**WHEREAS**, in the course of the public hearings on remand the Applicant had the opportunity to address the written submittals by the public.

**WHEREAS**, the Montezuma Board of County Commissioners hereby issues the following findings of fact and decision in this matter:

1. The subject property is zoned commercial, and is part of a commercial overlay zone.
2. The subject property is located in a rural area of the county.
3. The proposed type of use for the subject property is a retail sales use, which is a use-by-right in commercial zoning, but only to the extent the use by right does not exceed the County's rural threshold standards.



  
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