

WATERSHED PROTECTION OVERLAY ZONE CHECKLIST: The following information is required for all applications for a Land Use Permit in the Watershed Protection Overlay Zone: The applicant shall submit ____ copies of the Site Plan and documents listed below.

REVIEW CRITERIA. The application for a Land Use Permit in the Watershed Protection Overlay Zone must address the criteria below in a justification statement describing the request in addition to the General Review Criteria found in Article 5, Section 5.40. The Reports required and listed below may be referenced and used as a part of the justification statement. *(Reference Article 5, Section 5.40 L. and Costilla County Comprehensive Plan, Chapter 2, Environment & Natural Resources.)*

- All buildings and structures, including electric utilities, shall be integrated with their natural surroundings.
- Buildings and structures, including electric utilities, shall not be placed on a ridgeline that will create “skylining” the structure.
- Costilla County residents shall not subsidize the costs of timbering activities. Timbering operators shall be required to pay for the construction and maintenance of any capital improvements which may be necessitated by their activities.
- Costilla County residents shall benefit from timbering activities.
- All timbering activities shall be compatible with adjacent land uses, and designed to minimize conflicts with agricultural operations, residences, tourism and wildlife.
- All timbering activities shall include a plan to mitigate any potential environmental hazards.
- The Acequia ditch system shall be maintained in a natural state. Any development that occurs upstream of irrigated lands shall include measures to prevent adverse impacts on water supply for downstream agricultural operations.
- Development shall be avoided on slopes greater than 20%, and avoided by use of clustering or other techniques where slopes exceed 15%.
- A Geologic Hazard Report shall be required to identify areas unsuitable for building due to faults, slope failure, landslide, debris flow and other geologic hazards. An evaluation of soils, and the impact of soil types on septic design should be included in the Geologic Hazard Report.
- Native vegetation shall be preserved to the greatest possible extent by development activity. Vegetation shall not be removed without approval of a re-vegetation plan accompanied by a financial guaranty.
- Development in areas of high or very high impact on wildlife shall be avoided. Consultation with the Colorado Division of Wildlife and with U.S. Fish and Wildlife is recommended. The County may require a clearance letter from these agencies prior to issuing a Land Use Permit in sensitive wildlife areas.

Applicant

Land Use Administrator

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| <input type="checkbox"/> For all land uses other than single family residential, all items on the Non-Residential Land Use Permit Checklist will be required. (Include Checklist) | <input type="checkbox"/> |
| <input type="checkbox"/> For all residential land use permits, all items on a Sketch Plan or a Preliminary Plan Checklist will be required, as established in the Pre-application Meeting. (Include Checklist) | <input type="checkbox"/> |
| <input type="checkbox"/> Performance Guaranty | <input type="checkbox"/> |
| <input type="checkbox"/> Forest Management Plan | <input type="checkbox"/> |

GUIDELINES FOR WATERSHED OVERLAY DEVELOPMENT

- **Performance Guaranty Required.** Guaranty shall be sufficient to cover the full cost of restoring or mitigating any negative impacts to the watershed or aquatic environment caused during construction.
- **Increase in Pollution Prohibited.** Applicant shall demonstrate how all non-point and point sources of pollutants caused or associated with the activity are treated.
- **Drainage Alterations.** Applicant shall provide a drainage plan that demonstrates how drainages, water courses and water bodies are to be protected.
- **Timbering.** A Forest Management Plan shall be prepared for any timbering activity.
- **Damage to Waterworks Prohibited.** Applicant shall demonstrate that no activity shall cause impairment or damage to publicly-owned waterworks.
- **Construction in Water Bodies Prohibited.** Applicant shall provide detailed engineering drawings for any stream-bank reinforcement or repair, water diversion placement or repair, or stream crossings, proposed to be allowed by a Land Use Permit. All other construction within water bodies is prohibited.
- **Storage of Hazardous Materials Prohibited.** Review of the Land Use Permit shall insure that no pesticides, petroleum products, or other substances that have the potential to degrade water quality, including sand and salt for road de-icing, are proposed to be stored within one hundred (100) horizontal feet of any water body.
- **Ridgeline Development.** Within the Watershed Protection Zone, views of the mountain backdrop as viewed from municipalities, town-sites, and public roads shall be protected so that the mountain skyline is maintained in a natural appearance after construction of structures. A visual analysis may be required demonstrating compliance with this criterion. All Land Use Permits shall be subject to this review criterion. The following statements provide guidance to development on ridgelines:
 - Siting of homes. Design the building to fit the site, rather than modifying the site to fit the building and building sites should be selected so that construction occurs below the ridgeline. Homes need to be setback a far enough distance from cliffs or hilltops so that the structure does not appear to be perched on the edge.
 - Driveways. The maximum slope is not to be 20%. Consideration should be given to the placement of the house so that the driveway may be used to take up grade.
 - Site grading. Natural slope and vegetation should be incorporated in a manner which preserves the characteristics of the site. Stepping the home into the natural slope is preferred to either cuts or fills. Cuts are preferred to fills because they reduce the height of the home.
 - Color of Structures. Dark and earth tone colors should be used on the home and trim. Light and bright colors should be avoided (whites, yellows, blues)
 - Wind turbines. On site wind generators should be designed and located so as to be visually a part of the structure.
 - Solar Panels. Solar panels should be located so that they do not cause reflection or glare that may be seen from town sites, municipalities, and from public roads.
 - Preserve existing vegetation. Existing vegetation should be used to soften structural mass of the home so that it blends into the natural landscape.
- **Winter Access.** In areas where county maintenance of roads during winter months is not provided, the applicant shall address how access and public safety response shall be address and noticed to prospective lot purchasers. The Land Use Permit may be denied or conditioned based on the applicants proposed response to this issue.

- **Protection of Wildlife Habitat.** Applicant shall provide a wildlife analysis and demonstrate how wildlife values, migration routes, calving areas, and threatened and endangered species shall be protected and human activity mitigated by the development proposal.
- **Preservation of Native Vegetation.** Applicant shall demonstrate how native vegetation is to be preserved, and land disturbance minimized, by the proposed development.
- **Noxious Weed Control.** Applicant shall provide a plan to identify, control, and abate the occurrence of noxious weeds as defined by the Colorado Noxious Weed Act (C.R.S. 35-5.5) in 1990, revised 2006.