

Costilla County Planning and Zoning Department

Residential Development Policy and Procedure

Please read the following carefully before you begin any residential development in Costilla County. These guidelines are to be followed by the Planning and Zoning Department in reviewing all applications for approval. Property owners and developers must follow these steps to avoid Land Use Violations which can hinder development and lead to legal action by the County.

Permit applications are generally reviewed and approved or denied within 10-15 working days. If you live outside Costilla County and plan to visit to begin any development, contact the Planning and Zoning Department several weeks in advance to ensure that you are applying for the correct permits and that those permits are approved before your arrival.

Permits are valid for one (1) year from the date of issuance. Projects not completed within the term of the permit will require new permit applications and fees. Permits run with the land and are not transferable to other parcels.

Costilla County has adopted the 2018 International Residential Code.

All new structures in any Zone District require permits. Permits will not be issued for Accessory Structures such as sheds, garages, or greenhouses unless a Primary Structure (Residence) exists or is permitted and being constructed on the parcel.

Shipping and cargo containers are prohibited in all residential zones, however, a cargo container may be rented from a business during the construction of a home. Please check with the Planning and Zoning Office for details about renting a cargo container for your construction project. Other alternative structures may be required to be approved by a licensed professional engineer at the applicant's expense. Flat shipping pallets or tires shall not be used as residential building materials.

Physical addresses will only be assigned after an Occupancy Permit has been obtained, and structures must not be occupied until the Occupancy Permit has been issued. Doing so will result in the issuance of a Notice of Violation. A temporary physical address can be issued after a septic system is installed. Please check with the Planning and Zoning Office for details.

Unless specifically authorized by the Land Use Code, only one (1) dwelling is allowed per parcel. Placing multiple dwellings on a single parcel requires a Special Review application and final approval by the Board of County Commissioners.

Recreational Structures or other structures which would be considered Accessory Structures to a Residence which do not meet the requirements of a residence/dwelling and which will

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be placed on a parcel without a residence may require a Special Review application and/or final approval by the Board of County Commissioners.

It is the property owner/developer's responsibility to research and be familiar with subdivision Covenants associated with the parcel they are developing. The Costilla County Planning and Zoning Department will not be held responsible for any permits issued which may violate Home Owners Association or Land Owners Association rules. Permits issued which are later found to conflict with subdivision covenants will not be refunded. Developers are encouraged to contact subdivision HOA's and LOA's prior to applying for permits.

To prevent the issuance of permits which may violate the terms of any subdivision covenant, it is the responsibility of the subdivision HOA or LOA to inform the Planning and Zoning Department in writing of any development or land use restrictions they may have which are more stringent than our Land Use Code and office policies. The Planning and Zoning Department will not issue permits which violate subdivision covenants that we are aware of without written authorization for a variance from the HOA or LOA. However, it is not the responsibility of the Planning and Zoning Department to have detailed knowledge of covenants or to enforce covenant restrictions or requirements which exceed those of the Land Use Code and the Planning and Zoning Department.

Feel free to contact the Planning and Zoning Department during normal business hours (Monday through Thursday from 7:00 am to 5:30 pm) at 719-937-7668 Ext. 4 if you have any additional questions. Our office staff will be happy to assist you in any way possible.

Thank you for your cooperation and your interest in Costilla County.

1.) To apply for any permits you **MUST**:

- Provide proof of ownership or notarized authorization from the owner of record for the parcel for which you are applying
- **NOT** have any land use violations occurring on the parcel for which you are applying or violations on other parcels with which you are associated. All violation citations must be paid prior to issuance of new permits.
- **PROVIDE A SITE PLAN** – Applicants are encouraged to print pictures from Costilla County's GIS Property Search site to demonstrate placement of structures, wells,

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cisterns, septic systems, etc.. The link for this can be found on the County Assessor's web page.

- 2.) All undeveloped parcels will require a **Road Access** permit unless you can provide proof that a Road Access permit has been obtained for that parcel in the past.
- 3.) Road Access permits are to be accompanied by a **Minor Development** permit. One Minor Development permit will allow you to perform all of the following Land Use changes as long as they are all completed within one year of the issuance of the permit.
 - Driveway, Trench/Excavation, Deck (10x12 attached to structure), Culvert, Power Pole (up to 3 poles), Cistern, Well Drilling (State Permit also required).
 - A **Minor Development** permit is **Not** a construction permit for structures.
- 4.) An **On-Site Wastewater Treatment System (OWTS)** permit must be obtained prior to the issuance of a construction permit for a new residence unless the residence is to be served by a sewage treatment works, and no person shall construct or maintain any dwelling or other occupied structure which is not equipped with adequate facilities for the sanitary disposal of sewage. (25-10-112, C.R.S.)
 - Developers may be required to install the OWTS prior to being issued a construction permit.
 - Septic tanks must be 1250 gallons or larger.
 - Upon complete installation of an **OWTS**, you must contact the Planning and Zoning Department to schedule a final inspection.
 - Please see the attached list of systems contractors to contact about soil evaluation, system design, and system installation.
 - Professional installation is recommended.
 - Composting or incinerating toilets are not allowed where the property can accommodate a conforming OWTS.
 - **Occupying a parcel which is not served by a municipal sewage treatment works or an approved OWTS will result in Land Use Code and Public Health Code violations.**

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- 5.) Costilla County Planning and Zoning may require a water source such as a Well or Cistern to be installed prior to issuance of a construction permit.
 - Cisterns must be at least 500 gallons and buried at a sufficient depth to prevent freezing.
 - Contact the Division of Water Resources at 719-589-6683 to obtain a well permit.
- 6.) New Residential **Construction** permits will only be issued for structures 600 square feet or larger and only after all preliminary requirements have been met. Dwellings must contain a kitchen and bathroom. Applications must include a site plan showing the proposed location on the parcel and a drawing of the proposed structure showing:
 - Size and shape of the proposed structure, including dimensions.
 - A floor plan of the proposed structure, detailing the description, dimensions, and location of rooms to be built. e.g.; kitchen, bathrooms, bedrooms, living rooms, etc.
 - Graph paper is recommended for floor plans to assist with scale and readability.
- 7.) To obtain a permit to set a **Manufactured Home**, developers must also meet all requirements necessary to obtain a **Construction Permit** for a New Residence.
 - **Manufactured Homes** must be 1976 or newer.
 - **Manufactured Home** permit applications must include HUD Number and CO DOH Certificate.
 - State Plumbing and Electrical permits and inspections are required for Manufactured Home placement in Costilla County.
- 8.) To facilitate the building process, **Construction Permits** for **Accessory Structures** such as garages or storage sheds may be issued after all preliminary permits have been obtained, including a Construction Permit for a new residence or a Manufactured Home permit.
 - Garages and storage sheds may only be used to store building materials and tools during the construction of a New Residence.
 - Under NO circumstances shall an accessory structure be used as a temporary dwelling during the construction of a New Residence. Doing so will result in the issuance of a Notice of Violation.
 - Applications for Accessory Structures must also include adequate site plans.

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- Construction permits for Accessory Structures issued in conjunction with Construction permits for New Residences or Manufactured Home permits will be considered null and void if the applicant fails to complete the Primary project within the specified term. Such structures left alone on a parcel may be considered a nuisance which will result in a Notice of Violation.
- 9.) An **Occupancy Permit** may be obtained once a structure is ready to be occupied. An Occupancy inspection must be completed and an Occupancy Permit must be obtained before a structure may be occupied. Construction does not need to be complete to obtain an **Occupancy Permit**, however the following requirements must be met:
- **OWTS Permit #**, OWTS installation complete and inspected
 - Water Source installed, including: Well Permit #, Alternative Water System Type, or Water & Sanitation District
 - Electrical system installation complete along with CO State Electrical Permit # and final inspection certificate. Call 303-869-3449 to obtain electrical permits and schedule inspections.
 - Plumbing System installation complete along with CO State Plumbing Permit # and final inspection certificate. Call 303-869-3469 to obtain plumbing permits and schedule inspections.
 - Heating System installation complete
 - Front and Rear Steps installed
 - Smoke and Carbon Monoxide detectors installed
 - Roadway and Driveway drainage must meet Road Standards, e.g., culvert
 - Must meet setback requirements

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- 10.) A **Temporary RV Occupancy During Home Construction Permit** may be obtained if all of the following conditions are met.
- The RV will be hooked to an approved On-Site Wastewater Treatment System.
 - A Construction Permit has been obtained.
 - A well has been permitted or cistern installed.
 - There are no violations on the property of any County Code or State Statute or Regulation.
 - The placement of the RV conforms to any covenants of the property. It is the applicant's responsibility to research subdivision covenants. The Costilla County Planning and Zoning Department will not be held responsible for any permits issued which may violate HOA or LOA rules.
 - The applicant has proven ownership of the property.

In addition to these requirements, The Costilla County Planning and Zoning Department will review all applications prior to approval. **NOTE:** *If applicant is not the owner of the property, then a copy of a contract for sale or lease between applicant and owner or a notarized letter from the owner consenting to this application must be submitted.*