

**A RESOLUTION IN OPPOSITION TO STATEWIDE LAND USE
AND ZONING PREEMPTIONS IN SENATE BILL 23-213**

WHEREAS, longstanding state statutes and the constitution for the State of Colorado dictate that control of land use, planning, and zoning rests with local governments; and

WHEREAS, local control of land use, planning, and zoning must be controlled by local governing bodies such as counties and municipalities given that local governments are most familiar with, and accountable to, local lands and the citizens who occupy them; and

WHEREAS, zoning and land use deeply affect counties and municipalities in a myriad of ways, including affecting their ability to ensure adequate water and utilities for properties and structures, their ability to provide public safety services, their ability to ensure safety in local schools, and their ability to provide sufficient and safe infrastructure; and

WHEREAS, continuing to vest local control of zoning and land use with county and municipal governments is vital to ensuring that that development on local lands aligns with the economic goals of the local community; and

WHEREAS, the passage of Senate Bill 23-213 would apply statewide mandates to local land use matters and substitute the judgment of legislators and state regulators who lack the understanding needed to make decisions for local communities for the judgment of local governing officials who are familiar with, and accountable to, local communities; and

WHEREAS, the passage of Senate Bill 23-213 would undermine long-range planning efforts and would severely limit Montezuma County's ability to maintain reasonable zoning regulations and ensure a high quality of life and a sound economic environment for its current and future residents, workers, and business owners; and

WHEREAS, the passage of Senate Bill 23-213 could limit Montezuma County's ability to manage and preserve its limited water resources by allowing state regulators to mandate land use and zoning schemes that do not consider, or align with, local water shortages; and

WHEREAS, the passage of Senate Bill 23-213 would silence the voices of Montezuma County residents by taking away their right to provide input at public hearings prior to the issuance of decisions related to zoning and land use;

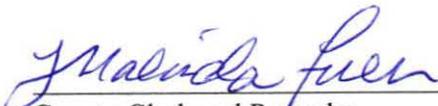
NOW, THEREFORE, BE IT RESOLVED by the Montezuma County Board of County Commissioners that:

1. It is the position of Montezuma County that municipalities and county governments are best suited to determine appropriate zoning and land use laws and standards for their communities.

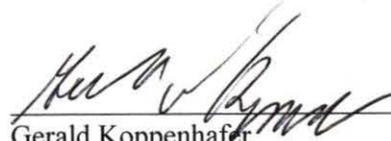
2. Top-down statewide mandates from the state government and the removal of decision-making authority from county and municipal governments will not provide a solution to Colorado's affordable housing problem.
3. The passage of Senate Bill 23-213 would further the dangerous and ever-increasing precedent of removing decision-making authority from local governing bodies in violation of longstanding provisions contained in state statute and the Colorado state constitution.
4. Montezuma County vehemently opposes Senate Bill 23-213 and strongly urges its legislators to vote NO on Senate Bill 23-213 and its unprecedented and irresponsible preemption of the rights of local governing bodies.

Approved and adopted this 11th day of April, 2023.

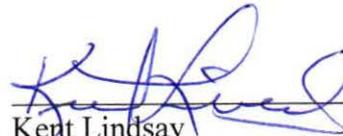
BOARD OF COUNTY COMMISSIONERS,
MONTEZUMA COUNTY, COLORADO



County Clerk and Recorder
Montezuma County, Colorado



Gerald Koppenhafer



Kent Lindsay





Jim Candalaria