

CITY OF CORTEZ RESOLUTION NO. 10,SERIES 2023

**A RESOLUTION OF THE CITY OF CORTEZ 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 municipalities and counties 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 municipalities and counties in a myriad of ways, including their ability to ensure adequate water and utilities, to provide public safety services, to ensure safety in local schools, recreational services, to provide sufficient and safe infrastructure; to align development with the community's economic goals; to prevent displacement of existing people; to preserve important historical sites; and to protect open space and the environment in general; and

WHEREAS, continuing to vest local control of zoning and land use with municipal and county 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 the ability of the City of Cortez 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 the City of Cortez'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 the City of Cortez 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 City of Cortez City Council
that:

1. It is the position of the City of Cortez 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 municipal and county 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 long-standing provisions contained in state statute and the Colorado state constitution.
4. The City of Cortez opposes Senate Bill 23-213 and strongly urges its legislators to vote NO on this unprecedented and irresponsible preemption of the rights of local governing bodies.

Approved and adopted this 25th day of April, 2023.



Rachel B. Medina, Mayor
City of Cortez



Donna Murphy
Deputy City Clerk
City of Cortez