

**TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2023-20**

**RESOLUTION OPPOSING STATEWIDE LAND USE AND ZONING
PREEMPTIONS IN SENATE BILL 23-213**

WHEREAS, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is the governing body of the Town and is vested with authority to administer the affairs of the Town; and

WHEREAS, for a century, the State of Colorado has committed both in statute and in the state constitution to the local control of land use planning and zoning because local governments are closest to the land and to the people that occupy the land; and

WHEREAS, zoning and land use cannot be viewed separately from the impacts of proposed uses of land on surrounding properties and a community as a whole, including the ability to ensure adequate water and utilities; to provide enough public safety services, schools, and recreational services; to make sure that sufficient and safe infrastructure is available to handle increased population or more intense uses; 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, on March 22, 2023, Senate Bill 23-213 was introduced; and

WHEREAS, Senate Bill 23-213 would place statewide mandates on hyper local land use matters and substitute the judgment of legislators and state regulators who lack the understanding needed to make the right decisions for the Town; and

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

WHEREAS, Senate Bill 23-213 silences the voices of the Town’s residents by taking away the right to be heard at public hearings on zoning matters or to use their constitutional rights of initiative or referendum to address zoning and land use matters; and

WHEREAS, the Town Council finds that adoption of this Resolution, opposing Senate Bill 23-231, is in the best interests of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. The Town of Johnstown's position is that municipalities are best suited to determine appropriate zoning laws for their respective communities and that collaboration and cooperation – not top-down statewide mandates and giveaways to special interests – are the solution to Colorado's affordable housing problem; and

Section 2. The Town of Johnstown firmly opposes Senate Bill 23-213 and strongly urges its legislators to vote NO on this unprecedented and irresponsible preemption.

PASSED, SIGNED, APPROVED, AND ADOPTED this ____ day of _____, 2023.

ATTEST:

TOWN OF JOHNSTOWN, COLORADO

By: _____
Hannah Hill, Town Clerk

By: _____
Gary Lebsack, Mayor