

**RESOLUTION OF THE  
TOWN OF GARDEN CITY BOARD OF TRUSTEES**

**RESOLUTION NO. 12-2023**

**A RESOLUTION OF THE TOWN OF GARDEN CITY IN OPPOSITION TO  
STATEWIDE LAND USE AND ZONING PREEMPTIONS IN SENATE BILL 23-213**

WHEREAS, the Board of Trustees (the “Board”) of the Town of Garden City, Colorado (the “Town”) pursuant to C.R.S. § 31-15-103, has the power to pass resolutions; 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 it;

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;

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 our community;

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

WHEREAS, Senate Bill 23-213 silences the voices of our 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.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF  
THE TOWN OF GARDEN CITY, COLORADO AS FOLLOW:**

Section 1. It is the position of the Town of Garden City that municipalities are best suited to determine appropriate zoning laws for their 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.

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

The foregoing Resolution was adopted at a regularly scheduled meeting of the Board of Trustees of the Town of Garden City, held on April 18, 2023, which meeting was duly and properly called.

PASSED, ADOPTED AND APPROVED this 18th day of April, 2023.

TOWN OF GARDEN CITY

By: \_\_\_\_\_  
Filbert Archuleta, Mayor

ATTEST:

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Lindsay Shoemaker, Town Deputy Clerk