

**TOWN OF SUPERIOR
BOARD OF TRUSTEES
RESOLUTION NO. R-23
SERIES 2023**

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

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;

WHEREAS, Superior is only partway through recovering from the Marshall Fire. Ensuring the Town of Superior has local control over building in our area ensures we don't bring new stress to our community;

WHEREAS, Superior currently has one of the highest densities in the greater metro area (6.68 residents/acre) yet this bill would do very little to bring jobs to Superior;

WHEREAS, Superior has an existing affordable housing ordinance. The proposed legislation does not address affordability just additional housing;

NOW, THEREFORE, be it resolved by the Board of Trustees of the Town of Superior, Colorado that:

1. It is the position of the Town of Superior 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;

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

ADOPTED this 10th day of April, 2023.



Neal Shah, Mayor Pro-Tem

ATTEST:



Lydia Yecke, Town Clerk

