

RESOLUTION 23-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, 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, Senate Bill 23-213 Removes our local discretion to place certain criteria on multifamily housing, such as parking requirements, along with other infrastructure improvements necessary for the high-density development envisioned by the bill. Parking is a key variable in residents' definition of quality of life, and adequate parking is critical for a community's long-term success;

WHEREAS, Senate Bill 23-213 overrides Castle Pines private homeowners legally binding HOA covenants, negatively impacting private property rights, changing community quality of life decisions impacting why and where people purchase homes, and reducing property values;

WHEREAS, the City of Castle Pines has carefully developed, with the input of its residents, commissions, and elected officials, the neighborhoods, commercial districts, infrastructure, community amenities, open space, and community vision that serve residents of all demographics;

WHEREAS, the City of Castle Pines is committed to a diversity of housing options and has demonstrated our commitment to housing growth, sustainable development, and attainable housing throughout the City;

WHEREAS, in 2018, over 73 percent of the residents in the City of Castle Pines voted to adopt a Home Rule Charter with the key intention to oversee local land use decisions under our constitutional right to local control;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CASTLE PINES, COLORADO, THAT:

Section 1. It is the position of the City of Castle Pines 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 City of Castle Pines opposes Senate Bill 23-213 and strongly urges its legislators to vote NO on this unprecedented and irresponsible preemption.

Section 3. Effective Date. This Resolution shall take effect upon its approval by the City Council.

INTRODUCED, READ, AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES BY A VOTE OF 7 IN FAVOR, 0 AGAINST, AND 0 ABSENT THIS 28th DAY OF APRIL 2023.



ATTEST:

Tobi Duffey

Tobi Duffey, MMC, City Clerk

Tracy Engerman
Tracy Engerman (May 4, 2023 21:34 MDT)

Tracy Engerman, Mayor

APPROVED AS TO FORM:

Linda C. Michow

Linda C. Michow, City Attorney