

RESOLUTION NO. R-2025-_____

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LA
PLATA COUNTY, COLORADO AMENDING PROVISIONS RELATED TO
SKETCH PLAN IN THE LA PLATA COUNTY CODE**

WHEREAS, pursuant to C.R.S. §§ 30-11-101(1)(e) and (2), 30-11-103, and 30-11-107(1)(e), the Board of County Commissioners of La Plata County, Colorado (the “Board”), has the legislative authority to manage the business and concerns of the County and to exercise such other and further powers as are conferred by law when deemed by the Board to be in the best interests of the County and its inhabitants, and is further authorized by *inter alia*, C.R.S. §§ 30-28-101, *et seq.*, C.R.S. §§ 30-28-201, *et seq.*, and C.R.S. §§ 29-20-101, *et seq.*, to adopt regulations for the protection of the public health, safety, and welfare of the inhabitants of La Plata County; and

WHEREAS, pursuant to the Colorado County Planning Code, the Board is empowered to plan and provide for the physical development of the unincorporated territory of La Plata County (the “County”). C.R.S. § 30-28-102; and

WHEREAS, the Local Government Land Use Control Enabling Act empowers the Board to plan for and regulate the use of land within the unincorporated territory of the County, including but not limited to: regulating the use of land on the basis of the impact thereof on the community or surrounding areas; regulating the location of activities and developments which may result in significant changes in population density; providing for phased development of services and facilities; and otherwise providing for the planned and orderly use of land and protection of the environment, in a manner consistent with constitutional rights. C.R.S. § 29-20-104; and

WHEREAS, the Colorado County Planning Code and Local Government Land Use Control Enabling Act constitutes a broad delegation of authority to the County, generally encompassing the subject of land use; and

WHEREAS, Colorado counties possess those powers enumerated by the Colorado Constitution and Colorado Revised Statutes, and such further incidental implied powers as are reasonably necessary to carry out their express powers; and

WHEREAS, County planning staff believes that revisions to the sketch plan process and standards could improve the tool and recommend that the Board revise sketch plan by amending portions of sections 62-5, 66-19, 66-21, 66-29, and 67-3 as set forth in Exhibit A; and

WHEREAS, on May 22, 2025, the Planning Commission held a public meeting and heard testimony that it would be in the best interest of the general health, safety and welfare of the people within the County to amend sections 62-5, 66-19, 66-21, 66-29, and 67-3 of the La Plata County Code, and made a recommendation to the Board to adopt the amendments substantially similar to those set forth in Exhibit A; and

WHEREAS, notice of a public hearing to be held before the Board on July ___, 2025 on the proposed amendments set forth in Exhibit A was published on June ___, 2025 in the Durango Herald, a newspaper of general circulation in the County; and

WHEREAS, in accordance with the published notice, on July ___, 2025, the Board held a public meeting and heard testimony that it would be in the best interest of the general health, safety and welfare of the people of La Plata County to amend sections 62-5, 66-19, 66-21, 66-29, and 67-3 of the La Plata County Code, as more particularly set forth in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LA PLATA, STATE OF COLORADO, AS FOLLOWS:

1. The foregoing recitals are incorporated herein and made a part of this resolution.
2. La Plata County Code sections 62-5, 66-19, 66-21, 66-29, and 67-3 are amended as set forth in Exhibit A.
3. This resolution shall apply within the unincorporated territory of La Plata County. This resolution shall in no way limit application and enforcement of any statutes of the State of Colorado, but shall be in addition thereto.
4. This resolution shall be liberally construed so as to further its purposes.
5. If any portion of this resolution is held invalid for any reason, such decision shall not affect the validity of the remaining portions of this resolution. The Board of County Commissioners hereby declares this resolution and the provisions contained in Exhibit A to be severable and further declares that it would have passed this resolution and each amendment to sections 62-5, 66-19, 66-21, 66-29, and 67-3 of the La Plata County Code irrespective of the fact that any one part of such section be declared invalid.
6. The proposed amendments are appropriate and lawful land use regulations for the unincorporated territory of the County and to address the County's needs for a code capable of use by the County in its future planning of development within the unincorporated parts of the County.
7. This resolution shall be effective [September 1, 2025? specific date 30 days after board meeting?] and shall supersede any and all prior resolutions or motions inconsistent with this resolution.
8. The County Attorney's Office is authorized to make additional form and style-type revisions, including but not limited to spelling, numbering, statutory references and other conforming-type revisions, but not revisions that are substantive in nature.

DONE AND ADOPTED IN DURANGO, COLORADO, this ____th day of July, 2025.

Attest:

LA PLATA COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS

Clerk to the Board

Marsha Porter-Norton, Chair

Matt Salka, Vice Chair

Clyde Church, Commissioner

EXHIBIT A

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