

RESOLUTION NO. 2016-15  
BOARD OF COUNTY COMMISSIONERS  
OF RIO BLANCO COUNTY,  
COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO, ADOPTING THE 2016 LAND USE REGULATION, AMENDING THE RIO BLANCO COUNTY LAND USE RESOLUTION OF 2001, AS AMENDED, THE RIO BLANCO COUNTY ZONING MAP OF 2010, AS AMENDED, AND THE EXISTING 1041 REGULATIONS. (AREAS AND ACTIVITIES OF STATE INTEREST)**

WHEREAS, Rio Blanco County is a legal and political subdivision of the State of Colorado for which the Board of County Commissioners (BOCC) is authorized to act; and

WHEREAS, the BOCC is authorized by Sections 29-20-101 through 104, 30-11-103, 30-28-111 through 115, 30-28-133 C.R.S. as amended and other powers authorized by the Constitution of the State of Colorado or Colorado State Statutes to adopt land use regulations governing the unincorporated areas of Rio Blanco County; and

WHEREAS, on the 13<sup>th</sup> day of November, 2001, the BOCC adopted Resolution 2001-18 concerning a Land Use Resolution for the County of Rio Blanco, State of Colorado; and

WHEREAS, the BOCC is authorized by the provisions of 30-28-116, C.R.S., as amended, and Section 135 of the Rio Blanco County Land Use Resolution to provide for the approval of amendments to the Land Use Resolution; and

WHEREAS, pursuant to Section 24-65.1-404, C.R.S., as amended, the BOCC may adopt regulations governing Areas and Activities of Statewide Interest; and

WHEREAS, the BOCC has determined it is necessary to amend the Rio Blanco County Land Use Resolution with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the County which will, in accordance with present and future needs, best promote health, safety, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, the promotion of safety from fire, flood waters, and other dangers, adequate provision for light and air, distribution of population, efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements; and

WHEREAS, the purpose of this Resolution is to adopt amendments to the text of the Rio Blanco County Land Use Resolution of 2001, as amended, the Rio Blanco County Land Use Map of 2010, and the existing 1041 Regulations (Areas of Statewide Interest) to the extent set forth in the 2016 Rio Blanco County Land Use Regulation (LUR) attached hereto as Exhibit "A"; and

WHEREAS, the Planning Commission held public hearings to consider the proposed LUR on February 17, 2016, March 3, 2016, March 10, 2016, March 17, 2016, and March 23, 2016, and voted unanimously to recommend to the BOCC, approval of the LUR and the Land Use Map of 2016 attached hereto as Exhibit "A"; and

WHEREAS, the BOCC has reviewed the proposed LUR, the materials submitted by members of the public at various meetings, has reviewed the Planning Commission recommendations, and conducted its own public hearings on May 16, and May 23, 2016, upon notice duly given; and

WHEREAS, the BOCC has reviewed the record and the requirements of State and Federal regulations, the Rio Blanco County Land Use Resolution, the Rio Blanco County Master Plan, and has deliberated thereon; and

WHEREAS, the BOCC closed the hearing and the record is deemed complete; and

WHEREAS, the BOCC, on the basis of the evidence produced at the aforementioned hearings, makes the following findings:

**NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO FINDS AS FOLLOWS:**

1. The BOCC is authorized by the provisions of Sections 30-28-116 and 30-28-133 C.R.S., as amended, and the provisions of Section 135 of the Rio Blanco County Land Use Resolution, to adopt amendments to the Rio Blanco County Land Use Resolution whenever the public necessity, health, safety and general welfare, justify such action.
2. The public hearings before the BOCC were extensive and complete. All pertinent facts, matters, and issues were submitted and all interested parties were heard at the hearing.
3. Proper public notice was provided as required by law and the Rio Blanco County Land Use Resolution.
4. The proposed amendments to the Rio Blanco County Land Use Resolution of 2001, as amended, are in compliance with the recommendations set forth in the Master Plan for the unincorporated areas of the County.
5. The proposed text amendments are in the best interests of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of Rio Blanco County.

**THEREFORE, BE IT RESOLVED THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO:**

- A. The BOCC hereby approves and adopts the 2016 Rio Blanco County Land Use Regulation in the form set forth in Exhibit "A" attached hereto and the Land Use Map of 2016, as set forth in Exhibit "A", attached hereto, as the full and complete Zoning Map and Zoning Plan for Rio Blanco County, Subdivision Regulations for Rio Blanco County and 1041 Regulations (Areas and Activities of State Interest) of Rio Blanco County, for the unincorporated area of Rio Blanco County;


- B. The BOCC hereby amends the text of the Rio Blanco County Land Use Resolution of 2001 as previously amended and the 1041 Regulations (Areas and Activities of State Interest) to the extent currently existing in Rio Blanco County, all as set forth in the 2016 Rio Blanco County Land Use Regulation. To the extent existing Resolutions and regulations are not consistent with or incorporated into the 2016 Rio Blanco County Land Use Regulation, and the Land Use Map of 2016, (Exhibit "A" attached hereto) those existing Resolutions and regulations are hereby repealed;
- C. The effective date of this Resolution and the effective date of the repeal of inconsistent Resolutions and regulations shall be the 1<sup>st</sup> of July, 2016;
- D. If any section, subsection, sentence, clause, phrase or portion of this Resolution and the attached Exhibit A are, for any reason, held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of County Commissioners of Rio Blanco County, Colorado declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, or portion herein, despite the fact that any one or more sections, subsections, sentences, clauses phrases, or portions would be declared invalid or unconstitutional.

**DULY MOVED, SECONDED, AND PASSED ON A VOTE OF 3 FOR AND 0 AGAINST, THIS 23 DAY OF MAY, 2016.**

THE BOARD OF COUNTY  
COMMISSIONERS OF  
RIO BLANCO COUNTY, COLORADO

ATTEST:

  
Boots Campbell  
Clerk to the Board

By:   
Shawn J. Bolton, Chairman

  
Jon D. Hill, Commissioner

  
Jeffrey D. Eskelson, Commissioner

