



STATE OF COLORADO)
)ss **RESOLUTION No. 2023-06-30-01**
COUNTY OF PHILLIPS)

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PHILLIPS COUNTY, COLORADO, TO REPEAL THE PHILLIPS COUNTY ZONING RESOLUTION, SUBDIVISION REGULATIONS, HOLYOKE AIRPORT REGULATIONS, AND HAXTUN AIRPORT REGULATIONS, AND REPLACE WITH THE NEW PHILLIPS COUNTY LAND USE CODE

WHEREAS, Phillips County, Colorado (the "County") is a statutory county duly and regularly organized and validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado; and

WHEREAS, C.R.S. Section 29-20-101, et seq., Local Government Land Use Control Enabling Act; C.R.S. 30-28-113, and C.R.S. 30-28-116 grant the County authority to plan for and regulate the use of land within the unincorporated County; and

WHEREAS, the Phillips County Zoning Resolution, Subdivision Regulations, Holyoke Airport Regulations, and Haxtun Airport Regulations were enacted nearly fifty years ago and have not been significantly amended since; and

WHEREAS, the Phillips County Planning Commission reviewed the proposed Land Use Code at a public hearing held on April 27, 2023, and on May 30, 2023, recommended adopting the Phillips County Land Use Code with revisions; and

WHEREAS, the Phillips County Board of County Commissioners conducted a public hearing on June 30, 2023, after duly publishing notice thereof to consider the Phillips County Land Use Code; and

WHEREAS, the Phillips County Board of County Commissioners has determined that it is in the best interest of the public health, safety, welfare and the environment of Phillips County and consistent with private property rights to repeal the Zoning Resolution, Subdivision Regulations, Holyoke Airport Regulations, and Haxtun Airport Regulations and adopt the Land Use Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PHILLIPS COUNTY, COLORADO, THAT,

Section 1. The Phillips County Zoning Resolution, Subdivision Regulations, Holyoke Airport Regulations, and Haxtun Airport Regulations are hereby repealed and replaced in their entirety with the Phillips County Land Use Code and the Airport Overlay Maps, as set forth in Exhibit A.

Section 2. Severability. If any section, sentence, clause, phrase, word or other provision of this resolution is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this resolution, or the validity of this resolution as an entirety, it being the legislative intent that this resolution shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 3. Savings Clause. Except as amended hereby, the Phillips County Floodplain Regulations and any other existing regulations not specifically mentioned herein shall remain valid and in full force and effect. Any provision of any resolution previously adopted by the County which is in conflict with this resolution is hereby repealed as the effective date hereof.

The foregoing resolution was presented by Commissioner Hofmeister for its adoption. Motion was seconded by Commissioner Timm and upon call of the roll, the Resolution was duly adopted. APPROVED AND ADOPTED this 30 day of June, 2023.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
COUNTY OF PHILLIPS, COLORADO

Beth Zilla
Clerk & Recorder, Beth Zilla

Garold S. Roberts
Garold Roberts, Chairman Aye / Nay

Terry Hofmeister
Terry Hofmeister Aye / Nay

Tom Timm
Tom Timm Aye / Nay

07/03/2023 11:04:08 AM Page 2 of 2 BOC20230038
BOCC - Resolution BETH ZILLA PHILLIPS COUNTY
REC FEE: 0.00 DOC FEE: TOTAL FEE: 0.00
