

**RESOLUTION
BOARD OF DIRECTORS
EVANS FIRE PROTECTION DISTRICT**

A RESOLUTION ADVOCATING COLORADO STATE LEGISLATORS OPPOSE SB23-213, LAND USE, INTRODUCED DURING THE 2023 COLORADO LEGISLATIVE SESSION

WHEREAS, the Evans Fire Protection District ("*Fire District*") is a political subdivision of the State of Colorado ("*State*"), organized pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, to provide fire suppression, fire prevention and public education, emergency medical, emergency rescue, and hazardous materials services to the citizens and property within its jurisdiction, and to individuals passing through its jurisdiction (collectively, "*Emergency Services*");

WHEREAS, in order to provide its Emergency Services, the Fire District must ensure that it has in place appropriately located fire stations, apparatus, and personnel to serve the current types of land uses and residential densities existing in its community, and is also adequately planning for the long-term development and location of its capital infrastructure and human resources as needed to serve future community growth;

WHEREAS, the Fire District relies upon the long-term local planning efforts of the City of Evans ("*City*"), in which the Fire District's jurisdiction exclusively lies, in order to anticipate and prepare for the coordinated provision of Emergency Services to new commercial and residential developments as they are constructed within the City;

WHEREAS, pursuant to the Special District Act, the Fire District is also empowered and obligated to enforce a Fire Code as mutually adopted by both the Fire District and the City within the City's boundaries in order to promote the preservation of life and property through the prevention and mitigation of structural fire hazards;

WHEREAS, Colorado Senate Bill 23-213 ("*SB23-213*"), entitled "Land Use", has been introduced in the Colorado Legislature as part of the 2023 Colorado Legislative Session. The ostensible purpose of SB23-213 is to promote affordable housing throughout the State of Colorado; however, SB23-213 seeks to accomplish this goal through the imposition of statewide regulation and displacement of local control with respect to zoning, residential densities, and other land use standards on home-rule municipalities and the local governments that serve their communities;

WHEREAS, the top-down regulations set forth in SB23-213 would be imposed on the City without any assurance of or funding for the sufficient availability of water, educational, and public safety services to the mandated residential and minimum density communities. As these communities may not have been anticipated by either the City or the Fire District as part of their long range-planning efforts, the District cannot guarantee that it would have the capability, infrastructure, or funding availability to provide adequate Emergency Services and Fire Code enforcement to them at the time of construction or afterward; and

WHEREAS, mandating the zoning of residential development that is unplanned for by the impacted local community and for which the sufficient provision of public services, including critical Emergency Services and Fire Code enforcement, is not provided for and may not be available in either the short or long term, imperils the safety and welfare of the individuals and their property residing within the State of Colorado, the City, and the Fire District, and creates an undue risk of degradation of life-saving public services to the very individuals that SB23-213 aims to assist.

NOW THEREFORE, be it resolved by the Board of Directors of the Evans Fire Protection District that, for all of the foregoing reasons, and to preserve the District's right, responsibility, and capability to engage in effective local planning and the provision of efficient and effective Emergency Services and Fire Code enforcement to all of its residents and their property, the Board of Directors of the Evans Fire Protection District urges Colorado's state legislators to oppose SB23-213 and to vote "no" on the passage of this legislation.

ADOPTED this 24th day of April, 2023.

BY THE BOARD OF DIRECTORS
EVANS FIRE PROTECTION DISTRICT



President



Treasurer



Director



Vice-President



Secretary