

RESOLUTION NO. _____, SERIES OF 2024

RESOLUTION EXTENDING IMPOSING A MORATORIUM ON ENFORCEMENT OF CERTAIN PROVISIONS OF THE FREMONT COUNTY ZONING RESOLUTION REGARDING COMMERCIAL DEVELOPMENT PLANS

WHEREAS, pursuant to §30-28-111 and 30-28-112, C.R.S., the Board of County Commissioners (“Board”) and the Planning Commission for Fremont County have authority to make and adopt a zoning plan for zoning all or any part of the unincorporated territory within the county; and

WHEREAS, on or about January 13, 2009, County duly adopted Resolution No. 9, Series of 2009, which enacted the Fremont County Zoning Resolution (FCZR), to serve the best interests of the inhabitants of Fremont County; and

WHEREAS, the County has been updating the Fremont County Zoning Resolution, which will include changes to the Commercial Development Plan requirements for existing businesses seeking to expand, enlarge, or improve without a change of use; and

WHEREAS, on November 8, 2022, the Board approved Resolution #34, Series of 2022, imposing a moratorium, eliminating the requirement of a CDP for existing businesses in Fremont County to expand, improve and enlarge their businesses by elimination of the requirement to go through the CDP process for these types of business changes; and extending the moratorium to November 7, 2023; and

WHEREAS, on November 16, 2023, the Board approved Resolution #40, Series of 2023, further extending the moratorium to June 1, 2024; and

WHEREAS, the Board has the power to impose a moratorium on a temporary basis to allow time to consider, draft, study, present and adopt an amendment to the FCZR to address the issue of requiring Commercial Development Plans; and

WHEREAS, the moratorium will expire on June 1, 2024, and the Board finds that reinstatement and extension of the November 8, 2022 moratorium is appropriate and should continue while zoning regulations are developed and approved.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR FREMONT COUNTY:

1. The November 8, 2022 Moratorium on enforcement of Section 8.15.7.4 of the FCZR requiring submission and approval of a Commercial Development Plan for any substantial expansion, improvements, and/or enlargement of an existing use in the Medium Density Residence, Neighborhood Business, Rural Highway Business, Business, Airport, Industrial Park and Industrial Zone Districts is hereby reinstated and extended to September 1, 2024.

2. This Moratorium shall not apply if the expansion, improvement, and/or enlargement of the existing use includes a change in actual use of the property.

3. This Moratorium shall not affect the requirement that all development and building setback requirements set out in the FCZR be met.

4. The purpose and intent of this moratorium shall be to provide opportunities for existing businesses and commercial enterprises to improve, expand and enlarge their business presence without unnecessary delay, cost and governmental oversight.

8. This moratorium shall expire on September 1, 2024, unless terminated earlier by Board of Commissioners action or by adoption of an amendment to, or re-enactment of the Fremont County Zoning Resolution addressing this issue.

Commissioner _____ moved for adoption of this Resolution, with a second by Commissioner _____. The roll call vote of the Board was as follows:

Debbie Bell	AYE	NAY	ABSTAIN	ABSENT
Kevin J. Grantham	AYE	NAY	ABSTAIN	ABSENT
Dwayne McFall	AYE	NAY	ABSTAIN	ABSENT

The Resolution was declared to be duly adopted.

Date: _____

Chairman

Attest: _____
Clerk