

RESOLUTION NO. 2014-19

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF LA PLATA COUNTY, COLORADO,
ADOPTING THE TRANSITIONAL AREA OVERLAY ZONE**

WHEREAS, pursuant to the Colorado Planning Code, C.R.S. §§ 30-28-101, *et seq.*, the Board of County Commissioners of La Plata County, Colorado (the "Board") is empowered to plan and provide for the physical development of the unincorporated territory of La Plata County (the "County");

WHEREAS, the Local Government Land Use Control Enabling Act, C.R.S. §§ 29-20-101, *et. seq.*, 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 planning for and regulating use of land so as to provide for the planned and orderly use of land;

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 the express powers;

WHEREAS, pursuant to the Colorado Planning Code, the Board is authorized to adopt a zoning plan for all or a portion of the unincorporated County after receiving certification of the zoning plan from the County Planning Commission;

WHEREAS, adoption of the Transitional Area Overlay Zone is consistent with the La Posta Road Area District Plan and Durango District Plan and would be in the best interest of the general health, safety and welfare of La Plata County citizens; and

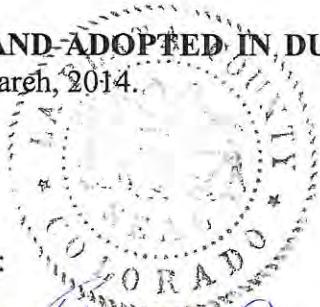
WHEREAS, the County Planning Commission held a duly noticed public hearing on February 27, 2014, and after receiving competent evidence at the hearing, certified to the Board the Transitional Area Overlay Zone, as identified in the map attached hereto as Exhibit A; and

WHEREAS, the Board held a duly noticed public hearing on March 18, 2014 and heard testimony and received competent evidence that the Transitional Area Overlay Zone as set forth in the map attached hereto as Exhibit A should be adopted.

NOW THEREFORE, BASED UPON THE EVIDENCE AND TESTIMONY PRESENTED AT THE PUBLIC HEARINGS, BE IT RESOLVED BY THE LA PLATA COUNTY BOARD OF COUNTY COMMISSIONERS:

1. That the Transitional Area Overlay Zone shall be and is hereby adopted as set forth in the attached Exhibit A.
2. The enactment of this Resolution is necessary for the immediate preservation of public health, safety and welfare and, therefore, this Resolution shall take effect on date of its adoption.

DONE AND ADOPTED IN DURANGO, LA PLATA COUNTY, COLORADO, this 18th day of March, 2014.

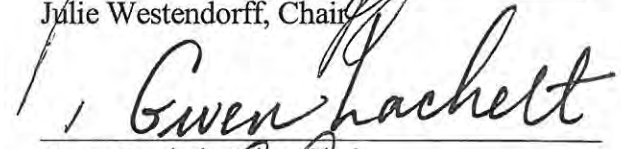


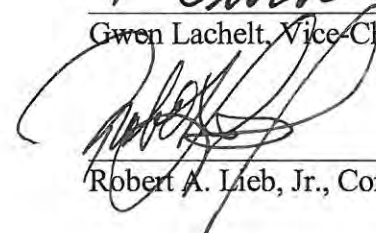
ATTEST:


Clerk to the Board

BOARD OF COUNTY COMMISSIONERS OF
LA PLATA COUNTY, COLORADO


Julie Westendorff, Chair


Gwen Lachelt, Vice-Chair


Robert A. Lieb, Jr., Commissioner

