

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 19-1274

BY REPRESENTATIVE(S) Snyder, Duran, Exum, Gray, Kraft-Tharp, Michaelson Jenet, Sullivan, Valdez A.;
also SENATOR(S) Hisey, Priola, Scott, Tate.

CONCERNING THE ABILITY OF THE BOARDS OF COUNTY COMMISSIONERS TO
DELEGATE TO COUNTY ADMINISTRATIVE OFFICIALS CERTAIN LAND
USE DETERMINATIONS AFFECTING SUBDIVISION PLATTING.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 30-28-133.5, **add** (1.5) as follows:

30-28-133.5. Review of plats and other plans. (1.5) (a) COUNTY RESOLUTIONS, ORDINANCES, OR REGULATIONS REQUIRED BY SUBSECTION (1) OF THIS SECTION MAY PROVIDE FOR THE DELEGATION BY A BOARD OF COUNTY COMMISSIONERS TO ONE OR MORE COUNTY ADMINISTRATIVE OFFICIALS THE AUTHORITY TO:

(I) APPROVE OR DENY FINAL PLATS, AMENDMENTS TO FINAL PLATS, AND CORRECTION PLATS INsofar AS THE FINDINGS REQUIRED BY SECTION 30-28-133 (6) HAVE PREVIOUSLY BEEN MADE BY EITHER THE BOARD OF

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

COUNTY COMMISSIONERS OF THE COUNTY OR BY ONE OR MORE COUNTY ADMINISTRATIVE OFFICIALS TO WHOM THE MATTER HAS BEEN DELEGATED IN CONNECTION WITH THE PRELIMINARY PLAN WITH WHICH THE FINAL PLAT COMPLIES;

(II) APPROVE SUBDIVISION IMPROVEMENT AGREEMENTS AND OTHER AGREEMENTS REQUIRED IN CONNECTION WITH A FINAL PLAT, AN AMENDMENT TO A FINAL PLAT, OR CORRECTION PLAT;

(III) REVIEW AND APPROVE THE DATA, SURVEYS, ANALYSES, STUDIES, PLANS, AND DESIGNS SUBMITTED IN CONNECTION WITH A FINAL PLAT, AMENDMENT TO A FINAL PLAT, OR CORRECTION PLAT; AND

(IV) REVIEW AND APPROVE ANY SUBDIVISION EXEMPTION AS AUTHORIZED BY SECTION 30-28-101 (10)(d).

(b) ANY DELEGATION OF AUTHORITY MADE PURSUANT TO SUBSECTION (1.5)(a) OF THIS SECTION SHALL NOT INCLUDE:

(I) THE APPROVAL OF ANY AGREEMENT FOR THE EXPENDITURE OF PUBLIC FUNDS; OR

(II) THE WAIVER OR RESTRICTION OF ANY APPEAL PROCESS PROVIDED BY COUNTY RESOLUTION, ORDINANCE, OR REGULATION.

(c) ANY DELEGATION OF AUTHORITY MADE PURSUANT TO SUBSECTION (1.5)(a) OF THIS SECTION MUST INCLUDE PROCEDURES FOR PUBLIC NOTICE AND THE SUBMISSION OF WRITTEN COMMENTS PRIOR TO THE ADMINISTRATIVE APPROVAL OR DENIAL OF A FINAL PLAT OR AMENDMENT TO A FINAL PLAT AND FOR THE APPEAL TO A BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUCH ADMINISTRATIVE APPROVAL OR DENIAL.

SECTION 2. Act subject to petition - effective date. This act takes effect September 1, 2019; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be

held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

KC Becker
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Leroy M. Garcia
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO