



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 19-1274

FISCAL NOTE

Drafting Number: LLS 19-0991
Prime Sponsors: Rep. Snyder

Date: April 1, 2019
Bill Status: House Trans. & Local Govt.
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Bill Topic: COUNTY COMMISSION DELEGATION SUBDIVISION PLATTING

- Summary of Fiscal Impact: State Revenue, State Expenditure (minimal), State Transfer, TABOR Refund, Local Government (minimal), Statutory Public Entity

This bill allows a Board of County Commissioners to delegate certain land use determinations to one or more county administrative officials. This bill increases state workload and impacts local government workload by a minimal amount on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the introduced bill.

Summary of Legislation

This bill allows a Board of County Commissioners (BOCC) to delegate certain land use determinations to one or more county administrative officials. The following BOCC duties may be delegated as long as the delegation includes procedures for providing public notice and the submission of written comments:

- subdivision improvement agreements; and
final plat, plat amendment, or plan correction review and approval.

The following duties may not be delegated:

- any exception to, waiver, or deviation from a state or county subdivision of land requirement;
approval of any agreement to spend public funds; and
the waiver or restriction of any appeals process.

Background

While final approval of county land use decisions rests with the BOCC, county planning commissions, with input from staff, generally review and decide on land use, planning, and zoning matters within the county, such as rezoning requests, land use code rules and regulations, land use amendments, and planning design standards.

### **State Expenditures**

For FY 2019-20 only, this bill increases workload by a minimal amount in the Division of Local Government in the Department of Local Affairs. The division provides training to counties on land use matters and workload is increased to update policies, procedures, and training materials.

### **Local Government**

By allowing county commission land use functions to be delegated, this bill shifts county land use workload and could create land use efficiencies beginning in FY 2019-20. However, such delegations could result in additional challenges to land use decisions. Overall, any impacts resulting from this bill are expected to be minimal.

### **Effective Date**

The bill takes effect September 1, 2019, if the General Assembly adjourns on May 3, 2019, as scheduled, and no referendum petition is filed.

### **State and Local Government Contacts**

Counties            Local Affairs