

RECEIVED

APR 06 2012

ELECTIONS/LICENSING  
SECRETARY OF STATE

S.WARD  
2:30 P.M.

#87  
Redline

Be It Enacted by the People of the State of Colorado:

**SECTION 1.** Part 1 of Article 28 of Title 30, In Colorado Revised Statutes, add 30-28-100.5 as follows: ~~is amended BY THE ADDITION OF A NEW SUBSECTION to read:~~

Formatted: Font: Bold  
Formatted: Indent: First line: 0.5"

30-28-100.5 Legislative declaration.

THE PEOPLE OF THE STATE OF COLORADO HEREBY FIND AND DECLARE THAT GROWTH, AND THE ABILITY OF LOCAL GOVERNMENTS TO MANAGE GROWTH, IS AN ISSUE OF WIDESPREAD PUBLIC CONCERN. THERE IS A STRONG TRADITION OF LOCAL CONTROL IN COLORADO OVER SUCH ISSUES. ~~CURRENT LAW IN EFFECT AS OF THE EFFECTIVE DATE OF THIS SECTION~~ PROHIBITS COUNTIES FROM IMPOSING SUBDIVISION REGULATIONS ON LAND DIVIDED INTO PARCELS OF THIRTY-FIVE OR MORE ACRES AND THEREBY OFTEN DENIES COUNTIES THE ABILITY TO EFFECTIVELY MANAGE GROWTH WITHIN THEIR BORDERS. THE PUBLIC HAS A SUBSTANTIAL INTEREST IN LOCAL OFFICIALS' DETERMINATION OF THE USES OF PARCELS OF LESS THAN ONE HUNDRED SIXTY ACRES, INCLUDING LAND THAT HAS BEEN SUBDIVIDED INTO PARCELS OF THIRTY-FIVE OR MORE ACRES AS OF THE DATE OF THE 2012 GENERAL ELECTION. AS A RESULT, AND IN ORDER TO EFFECTUATE COUNTY CONTROL OF LOCAL DEVELOPMENT, THE PEOPLE FIND AND DECLARE THAT COUNTIES SHOULD BE PERMITTED TO IMPOSE LOCAL SUBDIVISION REGULATIONS ON LAND DIVIDED INTO PARCELS OF LESS THAN ONE HUNDRED SIXTY ACRES.

Formatted: Small caps  
Formatted: Small caps

**SECTION 232.** In Colorado Revised Statutes, 30-298-101, amend (10)(b), (10)(c)(I), and (10)(c)(VIII); ~~as follows: Colorado Revised Statutes, are amended, and the said 30-28-101 is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:~~

Formatted: Font: Bold  
Formatted: Indent: First line: 0.5"  
Formatted: Font: Bold

30-28-101. Definitions. As used in this part 1, unless the context otherwise requires:

(10)(b) The terms "subdivision" and "subdivided land", as defined in paragraph (a) of this subsection (10), shall not apply to any division of land which creates parcels of land each of which comprises ~~thirty-five~~ ONE HUNDRED SIXTY or more acres of land and none of which is intended for use by multiple owners.

(c) Unless the method of disposition is adopted for the purpose of evading this part 1, the terms "subdivision" and "subdivided land", as defined in paragraph (a) of this subsection (10), shall not apply to any division of land:

(I) Which creates parcels of land, such that the land area of each of the parcels, when divided by the number of interests in any such parcel, results in ~~thirty-five~~ ONE HUNDRED SIXTY or more acres per interest;

(VIII) Which is created by the combination of contiguous parcels of land into one larger parcel. If the resulting parcel is less than ~~thirty-five~~ ONE HUNDRED SIXTY acres in land area,

only one interest in said land shall be allowed. If the resulting parcel is greater than ~~thirty-five~~ ONE HUNDRED SIXTY acres in land area, such land area, divided by the number of interests in the resulting parcel, must result in ~~thirty-five~~ ONE HUNDRED SIXTY or more acres per interest. Easements and rights-of-way shall not be considered interests for purposes of this subparagraph (VIII).

**SECTION 43.** In Colorado Revised Statutes, 30-28-110, amend (4)(e), Colorado Revised Statutes, is amended to read as follows:

Formatted: Font: Bold

Formatted: Indent: First line: 0.5"

(4)(e) This subsection (4) applies only with respect to parcels of land less than ~~thirty-five~~ ONE HUNDRED SIXTY acres in area.

**SECTION 54.** Effective date. This initiative shall take effect from and after the date of the official declaration of the vote thereon by the governor on November 7, 2012.

Formatted: Font: Bold

Formatted: Font: Bold