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Amending 30-28-101 (10) (a), 30-28-133, and 30-28-136 (2), Colorado Revised Statutes 1973, as Amended, Relating to Regulation of Subdivisions by County Government.

Colorado General Assembly

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Recommended Citation

Colorado General Assembly, "Amending 30-28-101 (10) (a), 30-28-133, and 30-28-136 (2), Colorado Revised Statutes 1973, as Amended, Relating to Regulation of Subdivisions by County Government." (1977). *Session Laws 1951-2000*. 7452.

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CHAPTER 412

GOVERNMENT — COUNTYCOUNTY PLANNING AND BUILDING CODES

HOUSE BILL NO. 1658, BY REPRESENTATIVES Dittmore, Spano, Valdez, and Witherspoon.

AN ACT

AMENDING 30-28-101 (10) (a), 30-28-133, AND 30-28-136 (2), COLORADO REVISED STATUTES 1973, AS AMENDED, RELATING TO REGULATION OF SUBDIVISIONS BY COUNTY GOVERNMENT.

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

Section 1. 30-28-101 (10) (a), Colorado Revised Statutes 1973, as amended, is amended to read:

30-28-101. Definitions. (10) (a) "Subdivision" or "subdivided land" means any parcel of land in the state which is to be used for condominiums, apartments, or any other multiple-dwelling units, unless such land when previously subdivided was accompanied by a filing which complied with the provisions of this part 1 with substantially the same density, or which is divided into two or more parcels, separate interests, or interests in common, unless exempted under paragraph (b), (c), or (d) of this subsection (10). AS USED IN THIS SECTION, "INTERESTS" INCLUDES ANY AND ALL INTERESTS IN THE SURFACE OF LAND BUT EXCLUDES ANY AND ALL SUBSURFACE INTERESTS.

Section 2. 30-28-133, Colorado Revised Statutes 1973, as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

30-28-133. Subdivision regulations. (9) The subdivision regulations adopted under this section may provide that, without a hearing or compliance with any of the submission, referral, or review requirements in this section and section 30-28-136, the board of county commissioners may approve a correction plat if the sole purpose of such correction plat is to correct one or more technical errors in an approved plat and where such correction plat is consistent with an approved preliminary plan.

Section 3. 30-28-136 (2), Colorado Revised Statutes 1973, is amended to read:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

30-28-136. Referral and review requirements. (2) The agencies named in this section shall make recommendations within ~~twenty-four~~ THIRTY-FIVE days after the mailing by the county or its authorized representative of such plans unless a necessary extension of not more than thirty days has been consented to by the subdivider and the board of county commissioners of the county in which the subdivision area is located. The failure of any agency to respond within ~~twenty-four~~ THIRTY-FIVE days or within the period of an extension shall, for the purpose of the hearing on the plan, be deemed an approval of such plan; except that, where such plan involves twenty or more dwelling units, a school district shall be required to submit within said time limit specific recommendations with respect to the adequacy of school sites and effective September 1, 1973; the adequacy of school structures.

Section 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 24, 1977