

First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 13-0808.01 Bob Lackner x4350

**SENATE BILL 13-258**

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**SENATE SPONSORSHIP**

**Hodge,**

**HOUSE SPONSORSHIP**

**Moreno,**

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**Senate Committees**  
Local Government

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING A CLARIFICATION THAT EACH APPLICATION INCLUDED IN**  
102 **THE DEFINITION OF DEVELOPMENT PERMIT CONSTITUTES A**  
103 **STAGE IN THE DEVELOPMENT PERMIT APPROVAL PROCESS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

With respect to the definition of "development permit" as used in connection with statutory provisions requiring that land development be supported by an adequate water supply, the bill modifies the definition to clarify that each application included in the definition of the term

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

SENATE  
Amended 2nd Reading  
April 19, 2013

constitutes a stage in the development permit approval process.

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

2 **SECTION 1.** In Colorado Revised Statutes, 29-20-301, **add** (1)  
3 (c) and (1) (d) as follows:

4 **29-20-301. Legislative declaration.** (1) The general assembly:

5 (c) FINDS THAT IT IS NECESSARY TO CLARIFY THAT, WHERE A  
6 LOCAL GOVERNMENT MAKES A DETERMINATION WHETHER AN APPLICANT  
7 FOR A DEVELOPMENT PERMIT HAS DEMONSTRATED THE PROPOSED WATER  
8 SUPPLY IS ADEQUATE TO MEET THE NEEDS OF THE DEVELOPMENT IN  
9 ACCORDANCE WITH THE REQUIREMENTS OF THIS PART 3, THE LOCAL  
10 GOVERNMENT, IN ITS SOLE DISCRETION, NOT ONLY MAKES THE  
11 DETERMINATION BUT ALSO POSSESSES THE FLEXIBILITY TO DETERMINE AT  
12 WHICH STAGE IN THE DEVELOPMENT PERMIT APPROVAL PROCESS THE  
13 DETERMINATION WILL BE MADE; AND

14 (d) FURTHER FINDS THAT IT IS ALSO NECESSARY TO CLARIFY THAT  
15 THE STAGES OF THE DEVELOPMENT PERMIT APPROVAL PROCESS ARE ANY  
16 OF THE APPLICATIONS, OR ANY COMBINATION OF THE APPLICATIONS,  
17 SPECIFIED IN SECTION 29-20-103 (1) AS DETERMINED BY THE LOCAL  
18 GOVERNMENT, AND THAT NONE OF THE STAGES ARE INTENDED TO  
19 CONSTITUTE SEPARATE DEVELOPMENT PERMIT APPROVAL PROCESSES FOR  
20 PURPOSES OF SECTION 29-20-303.

21 **SECTION 2.** In Colorado Revised Statutes, 29-20-103, **amend**  
22 (1) as follows:

23 **29-20-103. Definitions.** As used in this article, unless the context  
24 otherwise requires:

25 (1) "Development permit" means any preliminary or final

1 approval of an application for rezoning, planned unit development,  
2 conditional or special use permit, subdivision, development or site plan,  
3 or similar application for new construction; except that, SOLELY for  
4 purposes of part 3 of this article:

5 (a) EACH APPLICATION INCLUDED IN THE DEFINITION OF  
6 DEVELOPMENT PERMIT CONSTITUTES A STAGE IN THE DEVELOPMENT  
7 PERMIT APPROVAL PROCESS; AND

8 (b) "Development permit" is limited to an application regarding  
9 a specific project that includes new water use in an amount more than that  
10 used by fifty single-family equivalents, or fewer as determined by the  
11 local government.

12 **SECTION 3. Applicability.** This act applies to applications for  
13 development permits that are either pending on or are submitted on or  
14 after the effective date of this act.

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