

NOTE: This bill has been prepared for the signature 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.

2001



HOUSE BILL 01-1211

BY REPRESENTATIVE(S) Johnson, Decker, and Miller;
also SENATOR(S) Matsunaka, Hernandez, Hillman, McElhany, and
Musgrave.

CONCERNING THE MODIFICATION OF LAND USE REQUIREMENTS FOR CLUSTER
DEVELOPMENTS.

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

SECTION 1. 30-28-403 (1), Colorado Revised Statutes, is amended
to read:

30-28-403. Cluster development. (1) A cluster development is any
division of land that creates parcels containing less than thirty-five acres
each, for single-family residential purposes only, where ~~the tract is~~ ONE OR
MORE TRACTS ARE being divided pursuant to a rural land use process and
~~reserves~~ WHERE at least two-thirds of the total area of the tract OR TRACTS
IS RESERVED for the preservation of ~~contiguous~~ open space. No rural land
use process as authorized by this section shall approve a cluster
development that would exceed ~~two~~ ONE residential ~~units~~ UNIT for each
~~thirty-five~~ SEVENTEEN AND ONE-HALF acre increment.

SECTION 2. Effective date. This act shall take effect at 12:01

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

a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Doug Dean
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Stan Matsunaka
PRESIDENT OF
THE SENATE

Judith Rodrigue
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO