

Colorado Legislative Council Staff Fiscal Note
NO FISCAL IMPACT

Drafting Number: LLS 13-0808	Date: April 11, 2013
Prime Sponsor(s): Sen. Hodge Rep. Moreno	Bill Status: Senate Local Government
	Fiscal Analyst: Kirk Mlinek (303-866-2756)

TITLE: CONCERNING A CLARIFICATION THAT EACH APPLICATION INCLUDED IN THE DEFINITION OF DEVELOPMENT PERMIT CONSTITUTES A STAGE IN THE DEVELOPMENT PERMIT APPROVAL PROCESS.

Summary of Legislation

Under current law, a local government may not approve an application for a development permit unless it determines that the applicant has satisfactorily demonstrated that the proposed water supply will be adequate. The term "adequate" is defined to mean a water supply that will be sufficient for build-out of the proposed development in terms of quality, quantity, dependability and availability to provide a supply of water for the type of proposed development. A local government is permitted to make the adequacy determination only once during the development permit approval process.

The bill modifies the definition of the term "development permit" to clarify that the local government may determine the adequacy of water supply at the time of zoning, subdivision, site plan review, or other land use approval, but still only once.

The bill is effective upon signature of the Governor, or upon becoming law without his signature, and applies to applications for development permits submitted or after the bill's effective date.

Assessment

Clarifying the definition of the term "development permit" will not affect the revenue or expenditures of any state or local agencies. This change is not expected to increase the number of requests made by local governments that the State Engineer comment on water-adequacy documentation provided by applicants.

Departments Contacted

Local Affairs	Counties	Municipalities
Special Districts	Natural Resources	