



**“PREDICTABILITY IN PLANNING ACT”**

**HB 07-1246**

*The American Planning Association **SUPPORTS** the “Predictability in Planning Act”* as a tool that provides a choice for individual cities and counties to shape their future according to their vision for the community.

**What the Bill Does:**

- **The Bill eliminates obsolete language that a master plan is advisory only.** (Sec 30-28-106(3)(f) and Sec 31-23-206(3)). This bill provides the statutory framework to allow cities and counties to adopt and implement a Master Plan that is more than advisory. Therefore, cities and counties, and their citizens, will be able to make a local choice to have an advisory plan or an adopted plan that can be implemented. This fosters and encourages local control by allowing local governments and their citizens to make this decision based on their needs, resources and the vision of their community.
- **Respects the public’s vision for their community.** Communities with comprehensive plans spend a great deal of time involving the public in the development of the plan. Citizens involved in the process expect the vision in the plan to be implemented.
- **Provides the option for predictability and consistency for the development community.** An adopted, rather than “advisory only,” plan will provide developers a measure of predictability and reliability when making land use decisions. Developers can purchase land and make business decisions for the future with certainty. Communities that provide for this predictability will become more attractive to the development community and a positive synergy can occur.

**What the Bill Doesn’t Do:**

- **Does not limit growth.** The bill does not include any kind of growth limitations. How and how much a community grows is completely a local decision.
- **Does not increase state powers relative to local land use decisions.** The bill provides for additional local control.
- **Does not penalize those who choose to have an advisory plan only.** This bill provides community with additional land use tools but does not penalize those who choose not to use these tools.
- **Does not usurp the power of zoning.** This bill recognizes that master plans are visionary documents, separate and apart from zoning, which is tool used to enact the regulatory requirements of a community.
- **Does not conflict with master plans for the extraction of commercial mineral deposits.** This bill does not supersede or nullify Sec 34-1-304, C.R.S or any master plans for the extraction of commercial mineral deposits that were created under its authority.

*For further information please contact:*