

2026 Legislative Priority Proposal
Updated: 9/15/25

Eliminating 35-acre subdivision loophole	
Huerfano County (Commissioner Karl Sporleder)	
Preferred Contact:	Commissioners@huerfano.us
Co-Sponsoring Counties/Commissioners:	None.
Who is your subject matter expert?	Carl Young, County Administrator, Huerfano County, 719.225.3890
Has this proposal been approved by your BoCC?	Yes.
Have you reviewed the CCI Instructional Memo?	Yes.
Describe the problem your proposal will solve.	Huerfano County has experienced a significant uptick in the number of 35-acre subdivisions that turn productive agricultural land into vacant land hoping for residential development. When that sparse development happens, the County experiences heavier use of County roads and other services without the tax base to fund said services.
Areas of Impact:	Day-to-day operations of the county; Functionality of county programs or services; Power/Authority/Mandate of county government; General community advancement.
What is the ultimate source of this problem?	State Statute.
What is your initial proposal to solve this problem?	We propose to eliminate the 35-acre exemption contained in 30-28-101(10)(b) or raise the exemption from 35 acres to a size usable for grazing.
Please provide sample language for this solution.	Strike 30-28-101(10)(b) and remove other references to that section, which reads: (b) The terms “subdivision” and “subdivided land”, as defined in paragraph (a) of this subsection (10), shall not apply to any division of land which creates parcels of land each of which comprises thirty-five or more acres of land and none of which is intended for use by multiple owners.
Are there any solutions that do not require state-level legislation? Has your county	Huerfano County is preparing to publish for public comment significant revisions to our land use code that severely limit the ability to build on newly created exempt 35 acre lots. While this may ultimately be effective it makes it more complicated to develop in the County and increases bureaucracy.

explored these alternatives?	
Has CCI or any other organizations sought a solution to this problem before?	CCI has a published white paper that explains various attempts to get around this provision.
What possible organization(s) would support your proposed solution?	Agricultural groups.
What possible organization(s) would oppose your proposed solution?	Realtors, well drillers, large lot developers.
Have you spoken with any legislators about your proposed solution? If so, what was their response?	Not yet.
What are the financial implications of this problem to your county? Are there any financial implications to this solution either?	This problem drains the County's resources by increasing traffic along County Roads and pulling our staff into landowner disputes involving access. Many of these subdivisions only provide for access easements with no built roads. Easements may not take into account physical barriers to access.
What are the financial implications of this problem to any other impacted parties? What are the financial implications of this solution to any other impacted parties? <i>Please consider any relevant Colorado State Departments.</i>	This change will significantly impact businesses that specialize in creating these subdivisions.
Staff Feedback	<u>Risk/Difficulties:</u> Medium – This will likely come down to a rumble with housing advocates (both affordable and for-profit) and, potentially, the farming/agriculture/private property rights advocates. While some will be

	<p>sympathetic to the situation in Huerfano county, it has yet to be seen if it is enough to reverse this long-standing policy.</p> <p><u>Time Commitment:</u> Medium – It will come down to back 'n forth lobbying with these other groups, depending on their level of opposition.</p>
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