

**Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**REVISED**

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

LLS NO. 24-0469.03 Pierce Lively x2059

**HOUSE BILL 24-1304**

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**HOUSE SPONSORSHIP**

**Vigil and Woodrow**, Bacon, Boesenecker, deGruy Kennedy, Epps, Froelich, Hernandez, Herod, Jodeh, Joseph, Kipp, Mabrey, Rutinel, Sirota

**SENATE SPONSORSHIP**

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**House Committees**

Transportation, Housing & Local Government  
Appropriations

**Senate Committees**

Local Government & Housing

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**A BILL FOR AN ACT**

101     **CONCERNING PARKING REQUIREMENTS WITHIN METROPOLITAN**  
102     **PLANNING ORGANIZATIONS.**

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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://leg.colorado.gov>.)*

The bill prohibits a county or municipality, on or after January 1, 2025, from enforcing minimum parking requirements for real property that is within a metropolitan planning organization. This prohibition does not prohibit a county or municipality from:

- Lowering the protections provided for persons with disabilities;

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

SENATE  
Amended 2nd Reading  
May 3, 2024

HOUSE  
3rd Reading Unamended  
April 17, 2024

HOUSE  
Amended 2nd Reading  
April 16, 2024

- Preventing a county or municipality from enacting or enforcing a maximum parking requirement; or
- Preventing a county or municipality from enacting or enforcing a minimum parking requirement for bicycles.

The bill also allows a municipality or county, on or after January 1, 2025, to impose the following requirements on a motor vehicle parking space that is voluntarily provided in connection with a development project:

- That the owners of such a motor vehicle parking space charge for the use of the space; and
- That such a motor vehicle parking space allow for vehicle charging stations in accordance with existing law.

The bill requires a county or municipality that is subject to the bill, on or after June 30, 2025, to submit a report to the department of local affairs detailing the county or municipality's compliance with the requirements of the bill. The bill provides a process for the review of such a report.

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

2         **SECTION 1.** In Colorado Revised Statutes, **add** article 35 to title  
3 29 as follows:

4                                   **ARTICLE 35**

5                                   **Strategic Growth**

6         **29-35-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
7 FINDS, DETERMINES, AND DECLARES THAT:

8             (a) THERE IS AN EXTRATERRITORIAL IMPACT WHEN LOCAL  
9 GOVERNMENTS ENACT LAND USE DECISIONS THAT REQUIRE A MINIMUM  
10 AMOUNT OF PARKING SPACES;

11            (b) RESIDENTIAL DEVELOPMENTS FREQUENTLY HAVE MORE  
12 PARKING THAN IS UTILIZED, WHICH ADDS TO HOUSING COSTS AND  
13 ENCOURAGES ADDITIONAL VEHICLE OWNERSHIP AND VEHICLE MILES  
14 TRAVELED. ACCORDING TO THE REGIONAL TRANSPORTATION DISTRICT  
15 STUDY TITLED "RESIDENTIAL PARKING IN STATION AREAS: A STUDY OF  
16 METRO DENVER", UNSUBSIDIZED HOUSING DEVELOPMENTS NEAR

1 REGIONAL TRANSPORTATION DISTRICT STATIONS PROVIDE FORTY PERCENT  
2 MORE PARKING THAN RESIDENTS UTILIZE AT PEAK TIMES, AND  
3 INCOME-RESTRICTED HOUSING DEVELOPMENTS PROVIDE FIFTY PERCENT  
4 MORE PARKING THAN IS USED.

5 (c) THE 2021 STUDY "PARKING & AFFORDABLE HOUSING" OF  
6 PARKING UTILIZATION AT AFFORDABLE HOUSING DEVELOPMENTS ALONG  
7 THE FRONT RANGE FOUND THAT HALF OF PARKING SPACES BUILT ON  
8 AVERAGE GO UNUSED, AND THAT REQUIREMENTS CAN BE UP TO FIVE TIMES  
9 THE NEED ESPECIALLY FOR BUILDINGS SERVING LOWER AREA MEDIAN  
10 INCOMES;

11 (d) LOCAL GOVERNMENT LAND USE DECISIONS THAT REQUIRE A  
12 MINIMUM AMOUNT OF PARKING SPACES BEYOND WHAT IS NECESSARY TO  
13 MEET MARKET DEMAND INCREASE VEHICLE MILES TRAVELED AND  
14 ASSOCIATED GREENHOUSE GAS EMISSIONS. ACCORDING TO A UNIVERSITY  
15 OF CALIFORNIA INSTITUTE OF TRANSPORTATION STUDIES ARTICLE TITLED  
16 "WHAT DO RESIDENTIAL LOTTERIES SHOW US ABOUT TRANSPORTATION  
17 CHOICES?", HIGHER AMOUNTS OF FREE PARKING PROVIDED IN RESIDENTIAL  
18 DEVELOPMENTS CAUSE HIGHER RATES OF VEHICLE OWNERSHIP, HIGHER  
19 RATES OF VEHICLE MILES TRAVELED, AND LESS FREQUENT TRANSIT USE.

20 (e) ACCORDING TO THE STUDY "EFFECTS OF PARKING PROVISION  
21 ON AUTOMOBILE USE IN U.S. CITIES: INFERRING CAUSALITY" IN THE  
22 JOURNAL TRANSPORTATION RESEARCH RECORD, AN INCREASE IN PARKING  
23 PROVISIONS FROM ONE-TENTH TO ONE-HALF PARKING SPACE PER PERSON  
24 IS ASSOCIATED WITH AN INCREASE IN AUTOMOBILE MODE SHARE OF  
25 ROUGHLY THIRTY PERCENT;

26 (f) ACCORDING TO THE ARTICLE "HOUSEHOLDS WITH  
27 CONSTRAINED OFF-STREET PARKING DRIVE FEWER MILES" IN THE

1 JOURNAL TRANSPORTATION, VEHICLE OWNERSHIP RATES ARE FOURTEEN  
2 PERCENT HIGHER FOR HOUSEHOLDS WITH MORE THAN ONE AVAILABLE  
3 PARKING SPACE PER UNIT COMPARED TO THOSE WITH ONE OR FEWER, AND  
4 FOR EVERY ADDITIONAL VEHICLE PER HOUSEHOLD, THE HOUSEHOLD  
5 TRAVELS ON AVERAGE SEVENTEEN MORE MILES OF TOTAL VEHICLE MILES  
6 TRAVELED PER DAY;

7 (g) COLORADANS DRIVE MORE MILES PER PERSON THAN THEY USED  
8 TO, WHICH PUTS STRESS ON TRANSPORTATION INFRASTRUCTURE AND  
9 INCREASING HOUSEHOLD COSTS. SINCE 1981, PER CAPITA VEHICLE MILES  
10 TRAVELED IN COLORADO HAVE RISEN BY OVER TWENTY PERCENT  
11 ACCORDING TO DATA FROM THE FEDERAL HIGHWAY ADMINISTRATION.

12 (h) INCREASED VEHICLE OWNERSHIP AND THE RESULTING VEHICLE  
13 MILES TRAVELED IMPACT NEIGHBORING JURISDICTIONS BY INCREASING  
14 CONGESTION, ROADWAY INFRASTRUCTURE MAINTENANCE COSTS, AIR  
15 POLLUTION, NOISE, AND GREENHOUSE GAS EMISSIONS;

16 (i) GIVEN THE CLOSE PROXIMITY AND INTERCONNECTED NATURE  
17 OF JURISDICTIONS WITHIN COLORADO'S METROPOLITAN REGIONS, MANY  
18 RESIDENTS TRAVEL FREQUENTLY BETWEEN JURISDICTIONS FOR WORK,  
19 SHOPPING, RECREATION, AND OTHER TRIPS;

20 (j) IN COLORADO'S MAJOR CITIES, A SIGNIFICANT SHARE OF  
21 EMPLOYEES COMMUTE TO JOBS IN THE CITY BUT LIVE ELSEWHERE,  
22 INCLUDING SEVENTY PERCENT OF EMPLOYEES IN DENVER, FORTY-FIVE  
23 PERCENT IN COLORADO SPRINGS, SIXTY PERCENT IN FORT COLLINS, FIFTY  
24 PERCENT IN PUEBLO, AND SIXTY-FIVE PERCENT IN GRAND JUNCTION,  
25 ACCORDING TO 2021 DATA FROM THE FEDERAL CENSUS;

26 (k) EXCESSIVE PARKING REQUIREMENTS LIMIT COMPACT,  
27 WALKABLE DEVELOPMENT BY MANDATING ADDITIONAL SPACE BETWEEN

1 USES, WHICH THEN NECESSITATES DRIVING TO REACH MOST DESTINATIONS;

2

3 (l) LOWER DENSITY DEVELOPMENT HAS LOWERED REVENUE AND  
4 INCREASED CAPITAL AND MAINTENANCE COSTS COMPARED TO MORE  
5 COMPACT DEVELOPMENT. NATIONAL STUDIES, SUCH AS THE ARTICLE  
6 "RELATIONSHIPS BETWEEN DENSITY AND PER CAPITA MUNICIPAL  
7 SPENDING IN THE UNITED STATES", PUBLISHED IN URBAN SCIENCE, HAVE  
8 FOUND THAT LOWER DENSITY COMMUNITIES HAVE HIGHER GOVERNMENT  
9 CAPITAL AND MAINTENANCE COSTS FOR WATER, SEWER, AND  
10 TRANSPORTATION INFRASTRUCTURE AND LOWER PROPERTY AND SALES  
11 TAX REVENUE. THESE INCREASED COSTS ARE OFTEN BORNE BY BOTH  
12 STATE AND LOCAL GOVERNMENTS.

13 (m) VEHICLE TRAFFIC, WHICH INCREASES WHEN LAND USE  
14 PATTERNS ARE MORE DISPERSED, CONTRIBUTES TWENTY PERCENT OF  
15 NITROGEN OXIDE EMISSIONS, A KEY OZONE PRECURSOR, ACCORDING TO  
16 THE EXECUTIVE SUMMARY OF THE MODERATE AREA OZONE STATE  
17 IMPLEMENTATION PLAN FOR THE 2015 OZONE NATIONAL AMBIENT AIR  
18 QUALITY STANDARDS BY THE REGIONAL AIR QUALITY COUNCIL;

19 (n) THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
20 HAS CLASSIFIED THE DENVER METRO AREA AND THE NORTH FRONT RANGE  
21 AREA AS BEING IN SEVERE NONATTAINMENT FOR OZONE AND GROUND  
22 LEVEL OZONE, WHICH HAS SERIOUS IMPACTS ON HUMAN HEALTH,  
23 PARTICULARLY FOR VULNERABLE POPULATIONS;

24 (o) ACCORDING TO THE GREENHOUSE GAS POLLUTION REDUCTION  
25 ROADMAP, PUBLISHED BY THE COLORADO ENERGY OFFICE AND DATED  
26 JANUARY 14, 2021, THE TRANSPORTATION SECTOR IS THE SINGLE LARGEST  
27 SOURCE OF GREENHOUSE GAS POLLUTION IN COLORADO;

1 (p) NEARLY SIXTY PERCENT OF THE GREENHOUSE GAS EMISSIONS  
2 FROM THE TRANSPORTATION SECTOR COME FROM LIGHT-DUTY VEHICLES,  
3 THE MAJORITY OF CARS AND TRUCKS THAT COLORADANS DRIVE EVERY  
4 DAY;

5 (q) SECTION 43-1-128 (3) DIRECTS THE DEPARTMENT OF  
6 TRANSPORTATION TO ESTABLISH GREENHOUSE GAS REDUCTION TARGETS,  
7 GUIDELINES, AND PROCEDURES FOR STATE AND REGIONAL  
8 TRANSPORTATION PLANS, AND THE RESULTING GREENHOUSE GAS  
9 PLANNING RULE AND ASSOCIATED MITIGATION POLICY DIRECTIVES  
10 INCLUDE A LIST OF GREENHOUSE GAS MITIGATION MEASURES TO ACHIEVE  
11 THOSE TARGETS, INCLUDING THE ELIMINATION OF MINIMUM PARKING  
12 REQUIREMENTS AND OTHER PARKING MANAGEMENT STRATEGIES;

13 (r) LOCAL GOVERNMENT LAND USE DECISIONS THAT REQUIRE A  
14 MINIMUM AMOUNT OF PARKING SPACES INCREASE THE COST OF NEW  
15 RESIDENTIAL PROJECTS, WHICH INCREASES HOUSING COSTS. ACCORDING  
16 TO THE REGIONAL TRANSPORTATION DISTRICT STUDY TITLED  
17 "RESIDENTIAL PARKING IN STATION AREAS: A STUDY OF METRO  
18 DENVER", STRUCTURED PARKING SPACES IN THE DENVER METROPOLITAN  
19 AREA COST TWENTY-FIVE THOUSAND DOLLARS EACH TO BUILD IN 2020  
20 AND USE SPACE THAT WOULD OTHERWISE BE USED FOR REVENUE  
21 GENERATING RESIDENTIAL UNITS, DECREASING THE PROFITABILITY OF  
22 RESIDENTIAL DEVELOPMENT. AS A RESULT, PARKING REQUIREMENTS THAT  
23 NECESSITATE THE CONSTRUCTION OF STRUCTURED PARKING SPACES MAY  
24 DISCOURAGE DEVELOPERS FROM BUILDING NEW RESIDENTIAL PROJECTS,  
25 OR, IF THEY DO MOVE FORWARD WITH PROJECTS, FORCE THEM TO RECOUP  
26 THE COSTS OF BUILDING EXCESSIVE PARKING BY INCREASING HOUSING  
27 PRICES.

1           (s) OFF-STREET SURFACE PARKING COSTS UP TO TEN THOUSAND  
2 DOLLARS PER SPACE, AND EACH SPACE REQUIRES UP TO TWO AND  
3 ONE-HALF TIMES ITS SQUARE FOOTAGE TO ACCOMMODATE. AS A RESULT,  
4 OFF-STREET SURFACE PARKING REQUIREMENTS ALSO MAY DISCOURAGE  
5 DEVELOPERS FROM BUILDING NEW RESIDENTIAL PROJECTS, OR, IF THEY DO  
6 MOVE FORWARD WITH PROJECTS, FORCE THEM TO BUILD FEWER UNITS  
7 THAN THEY OTHERWISE COULD AND RECOUP THE EXCESSIVE COST BY  
8 INCREASING HOME PRICES AND RENTS. AN ANALYSIS CONDUCTED BY THE  
9 PARKING REFORM NETWORK FOUND THAT AN OFF-STREET PARKING SPACE  
10 CAN ADD BETWEEN TWO HUNDRED AND FIVE HUNDRED DOLLARS PER  
11 MONTH IN RENT. WHETHER THESE COSTS ARE NECESSARY VARIES FROM  
12 ONE BUILDING PROJECT TO THE NEXT, AND THOSE VARIABLES ARE NOT  
13 ACCOUNTED FOR IN MANDATED PARKING MINIMUMS.

14           (t) MINIMUM PARKING REQUIREMENTS PUT SMALL BUSINESSES AT  
15 A DISADVANTAGE RELATIVE TO LARGE CORPORATIONS. LARGE  
16 CORPORATIONS HAVE MORE CAPITAL AT THEIR DISPOSAL TO FULFILL  
17 COSTLY PARKING REQUIREMENTS AND ARE LESS RELIANT ON FOOT  
18 TRAFFIC, HUMAN-SCALE VISIBILITY, AND A SENSE OF PLACE TO ATTRACT  
19 CUSTOMERS.

20           (u) IMPERVIOUS SURFACES SUCH AS THOSE BUILT FOR VEHICLE  
21 PARKING CREATE AN URBAN HEAT ISLAND EFFECT, CONTRIBUTING TO  
22 RISING TEMPERATURES, INCREASING ENERGY COSTS FOR AIR  
23 CONDITIONING, AND WORSENING GROUND LEVEL AIR QUALITY. EXCESSIVE  
24 LAND COVERAGE OF THIS KIND MAKES STORMWATER MANAGEMENT  
25 DIFFICULT AND EXPENSIVE, AND CONTRIBUTES TO FLASH FLOODING AND  
26 EROSION, CAUSING INTERJURISDICTIONAL CONFLICTS AND LEGAL  
27 DISPUTES.

1 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT THE  
2 REQUIRED MINIMUM AMOUNT OF PARKING SPACES FOR A REAL PROPERTY  
3 IS A MATTER OF MIXED STATEWIDE AND LOCAL CONCERN.

4 **29-35-102. Definitions.** AS USED IN THIS ARTICLE 35, UNLESS THE  
5 CONTEXT OTHERWISE REQUIRES:

6 (1) "ADAPTIVE REUSE" MEANS THE CONVERSION OF AN EXISTING  
7 STRUCTURE FROM THE USE FOR WHICH IT WAS CONSTRUCTED TO A NEW  
8 USE BY MAINTAINING ELEMENTS OF THE STRUCTURE AND ADAPTING SUCH  
9 ELEMENTS TO A NEW USE.

10 (2) "APPLICABLE TRANSIT PLAN" MEANS A PLAN OF A TRANSIT  
11 AGENCY WHOSE SERVICE TERRITORY IS WITHIN A METROPOLITAN  
12 PLANNING ORGANIZATION, INCLUDING A SYSTEM OPTIMIZATION PLAN OR  
13 A TRANSIT MASTER PLAN THAT:

14 (a) HAS BEEN APPROVED BY THE GOVERNING BODY OF A TRANSIT  
15 AGENCY ON OR AFTER JANUARY 1, 2019, AND ON OR BEFORE JANUARY 1,  
16 2024;

17 (b) IDENTIFIES THE PLANNED FREQUENCY AND SPAN OF SERVICE  
18 FOR TRANSIT SERVICE OR SPECIFIC TRANSIT ROUTES; AND

19 (c) IDENTIFIES SPECIFIC TRANSIT ROUTES FOR SHORT-TERM  
20 IMPLEMENTATION ACCORDING TO THAT PLAN, OR IMPLEMENTATION  
21 BEFORE JANUARY 1, 2027.

22 (3) "APPLICABLE TRANSIT SERVICE AREA" MEANS AN AREA  
23 DESIGNATED BY THE MAP CREATED IN SECTION 29-35-106.

24 (4) "BUS RAPID TRANSIT SERVICE" MEANS A TRANSIT SERVICE  
25 THAT:

26 (a) IS IDENTIFIED AS BUS RAPID TRANSIT BY A TRANSIT AGENCY, IN  
27 A METROPOLITAN PLANNING ORGANIZATION'S FISCALLY CONSTRAINED



1 LONG RANGE TRANSPORTATION PLAN OR IN AN APPLICABLE TRANSIT PLAN;

2 AND

3 (b) INCLUDES ANY NUMBER OF THE FOLLOWING:

4 (I) SERVICE THAT IS SCHEDULED TO RUN EVERY FIFTEEN MINUTES  
5 OR LESS FOR FOUR HOURS OR MORE ON WEEKDAYS, EXCLUDING SEASONAL  
6 SERVICE;

7 (II) DEDICATED LANES OR BUSWAYS;

8 (III) TRAFFIC SIGNAL PRIORITY;

9 (IV) OFF-BOARD FARE COLLECTION;

10 (V) ELEVATED PLATFORMS; OR

11 (VI) ENHANCED STATIONS.

12 (5) "COMMUNITY-BASED ORGANIZATION" MEANS A  
13 COLORADO-BASED NONPROFIT ENTITY THAT:

14 (a) HAS A MISSION TO IMPROVE THE ENVIRONMENTAL, ECONOMIC,  
15 SOCIAL, CULTURAL, OR QUALITY OF LIFE CONDITIONS OF A COMMON  
16 COMMUNITY OF INTEREST;

17 (b) IS ACCESSIBLE FOR RESIDENTS OF ALL AGES, INCOMES,  
18 LANGUAGES, AND ABILITIES; OR

19 (c) ADDRESSES THE NEEDS OF DISPROPORTIONATELY IMPACTED  
20 AND MARGINALIZED COMMUNITIES IN THE REGION AND CENTERS VOICES  
21 OF MARGINALIZED COMMUNITIES IN TRANSPORTATION PLANNING, BOTH IN  
22 THEIR COMMUNITY AND AROUND THE REGION.

23 (6) "COMMUTER BUS RAPID TRANSIT SERVICE" MEANS A BUS RAPID  
24 TRANSIT SERVICE THAT OPERATES FOR A MAJORITY OF ITS ROUTE ON A  
25 FREEWAY WITH ACCESS THAT IS LIMITED TO GRADE-SEPARATED  
26 INTERCHANGES.

27 (7) "COUNTY" MEANS A COUNTY, INCLUDING A HOME RULE

1 COUNTY BUT EXCLUDING A CITY AND COUNTY.

2 (8) "LAND USE APPROVAL" MEANS ANY FINAL ACTION OF A LOCAL  
3 GOVERNMENT THAT HAS THE EFFECT OF AUTHORIZING THE USE OR  
4 DEVELOPMENT OF A PARTICULAR PARCEL OF REAL PROPERTY.

5 (9) "LOADING SPACE" MEANS AN OFF-STREET SPACE OR BERTH  
6 THAT:

7 (a) IS ON THE SAME SITE WITH A BUILDING OR CONTIGUOUS TO A  
8 GROUP OF BUILDINGS;

9 (b) IS DESIGNATED FOR THE TEMPORARY PARKING OF EITHER:

10 (I) A COMMERCIAL VEHICLE WHILE MATERIALS ARE LOADED IN OR  
11 UNLOADED FROM THE VEHICLE; OR

12 (II) A VEHICLE WHILE PASSENGERS BOARD OR DISEMBARK FROM  
13 THE VEHICLE; AND

14 (c) ABUTS UPON A STREET, ALLEY, OR OTHER MEANS OF ACCESS.

15 (10) "LOCAL GOVERNMENT" MEANS A MUNICIPALITY THAT IS  
16 WITHIN A METROPOLITAN PLANNING ORGANIZATION OR A COUNTY THAT  
17 HAS UNINCORPORATED AREAS WITHIN A METROPOLITAN PLANNING  
18 ORGANIZATION.

19 (11) "LOCAL LAW" MEANS ANY CODE, LAW, ORDINANCE, POLICY,  
20 REGULATION, OR RULE ENACTED BY A LOCAL GOVERNMENT THAT  
21 GOVERNS THE DEVELOPMENT AND USE OF LAND, INCLUDING LAND USE  
22 CODES, ZONING CODES, AND SUBDIVISION CODES.

23 (12) "MAXIMUM PARKING REQUIREMENT" MEANS A REQUIREMENT  
24 ESTABLISHED IN LOCAL LAW THAT LIMITS THE NUMBER OF █ PARKING  
25 SPACES █ THAT MAY BE MADE AVAILABLE IN CONNECTION WITH A REAL  
26 PROPERTY.

27 (13) "METROPOLITAN PLANNING ORGANIZATION" MEANS A

1 METROPOLITAN PLANNING ORGANIZATION UNDER THE "FEDERAL TRANSIT  
2 ACT OF 1998", 49 U.S.C. SEC. 5301 ET SEQ., AS AMENDED.

3 (14) "MINIMUM PARKING REQUIREMENT" MEANS A REQUIREMENT  
4 ESTABLISHED IN LOCAL LAW THAT A NUMBER OF █ PARKING SPACES █  
5 BE MADE AVAILABLE IN CONNECTION WITH A REAL PROPERTY.

6 (15) "MUNICIPALITY" MEANS A HOME RULE OR STATUTORY CITY  
7 OR TOWN, TERRITORIAL CHARTER CITY OR TOWN, OR CITY AND COUNTY.

8 (16) "PARKING SPACE" MEANS AN OFF-STREET \_\_\_\_\_ SPACE  
9 DESIGNATED FOR MOTOR VEHICLE PARKING. A PARKING SPACE DOES NOT  
10 INCLUDE A LOADING SPACE.

11 (17) "REGULATED AFFORDABLE HOUSING" MEANS AFFORDABLE  
12 HOUSING THAT:

13 (a) HAS RECEIVED LOANS, GRANTS, EQUITY, BONDS, OR TAX  
14 CREDITS FROM ANY SOURCE TO SUPPORT THE CREATION, PRESERVATION,  
15 OR REHABILITATION OF AFFORDABLE HOUSING THAT, AS A CONDITION OF  
16 FUNDING, ENCUMBERS THE PROPERTY WITH A RESTRICTED USE COVENANT  
17 OR SIMILAR RECORDED AGREEMENT TO ENSURE AFFORDABILITY, OR HAS  
18 BEEN INCOME-RESTRICTED UNDER A LOCAL INCLUSIONARY ZONING  
19 ORDINANCE OR OTHER REGULATION OR PROGRAM;

20 (b) RESTRICTS OR LIMITS MAXIMUM RENTAL OR SALE PRICE FOR  
21 HOUSEHOLDS OF A GIVEN SIZE AT A GIVEN AREA MEDIAN INCOME, AS  
22 ESTABLISHED ANNUALLY BY THE UNITED STATES DEPARTMENT OF  
23 HOUSING AND URBAN DEVELOPMENT; AND

24 (c) ENSURES OCCUPANCY BY LOW- TO MODERATE-INCOME  
25 HOUSEHOLDS FOR A SPECIFIED PERIOD DETAILED IN A RESTRICTIVE USE  
26 COVENANT OR SIMILAR RECORDED AGREEMENT.

27 **29-35-103. Limitations on minimum parking requirements.**

1 (1) ON OR AFTER JUNE 30, 2025, A MUNICIPALITY SHALL NEITHER ENACT  
2 NOR ENFORCE LOCAL LAWS THAT ESTABLISH A MINIMUM PARKING  
3 REQUIREMENT THAT APPLIES TO A LAND USE APPROVAL FOR A  
4 MULITFAMILY RESIDENTIAL DEVELOPMENT, ADAPTIVE RE-USE FOR  
5 RESIDENTIAL PURPOSES, OR ADAPTIVE RE-USE MIXED-USE PURPOSES  
6 WHICH INCLUDE AT LEAST FIFTY PERCENT OF USE FOR RESIDENTIAL  
7 PURPOSES THAT IS \_\_\_\_\_ WITHIN THE MUNICIPALITY, A METROPOLITAN  
8 PLANNING ORGANIZATION, AND AT LEAST PARTIALLY WITHIN AN  
9 APPLICABLE TRANSIT SERVICE AREA.

10 (2) ON OR AFTER JUNE 30, 2025, A COUNTY SHALL NEITHER ENACT  
11 NOR ENFORCE LOCAL LAWS THAT ESTABLISH A MINIMUM PARKING  
12 REQUIREMENT THAT APPLIES TO A LAND USE APPROVAL FOR A  
13 MULITFAMILY RESIDENTIAL DEVELOPMENT, ADAPTIVE RE-USE FOR  
14 RESIDENTIAL PURPOSES, OR ADAPTIVE RE-USE MIXED-USE PURPOSES  
15 WHICH INCLUDE AT LEAST FIFTY PERCENT OF USE FOR RESIDENTIAL  
16 PURPOSES THAT IS WITHIN \_\_\_\_\_ THE UNINCORPORATED AREA OF THE  
17 COUNTY, A METROPOLITAN PLANNING ORGANIZATION, AND AT LEAST  
18 PARTIALLY WITHIN AN APPLICABLE TRANSIT SERVICE AREA.

19 \_\_\_\_\_

20 (3) NOTHING IN THIS SECTION:

21 (a) LOWERS THE PROTECTIONS PROVIDED FOR PERSONS WITH  
22 DISABILITIES, INCLUDING THE NUMBER OF PARKING SPACES FOR PERSONS  
23 WHO ARE MOBILITY IMPAIRED, UNDER THE FEDERAL "AMERICANS WITH  
24 DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AND PARTS 6  
25 AND 8 OF ARTICLE 34 OF TITLE 24;

26 (b) PREVENTS A LOCAL GOVERNMENT FROM ENACTING OR  
27 ENFORCING LOCAL LAWS THAT ESTABLISH A MAXIMUM PARKING

1 REQUIREMENT;

2 (c) PREVENTS A LOCAL GOVERNMENT OR A DEVELOPER FROM  
3 BEING AWARDED FUNDING FOR AFFORDABLE HOUSING THAT REQUIRES A  
4 RATIO OF A CERTAIN NUMBER OF PARKING SPACES;

5 (d) AFFECTS THE ABILITY OF A LOCAL GOVERNMENT TO ENFORCE  
6 ANY AGREEMENT MADE IN CONNECTION WITH A LAND USE APPROVAL  
7 PRIOR TO THE EFFECTIVE DATE OF HOUSE BILL 24-1304, ENACTED IN 2024,  
8 TO PROVIDE REGULATED AFFORDABLE HOUSING IN EXCHANGE FOR  
9 REDUCING MINIMUM PARKING REQUIREMENTS;

10 (e) PREVENTS A LOCAL GOVERNMENT FROM ENACTING OR  
11 ENFORCING LOCAL LAWS THAT ESTABLISH A MINIMUM REQUIREMENT  
12 FOR BICYCLE PARKING; OR

13 (f) PREVENTS A LOCAL GOVERNMENT FROM IMPOSING THE  
14 FOLLOWING REQUIREMENTS ON A PARKING SPACE THAT IS  
15 VOLUNTARILY PROVIDED IN CONNECTION WITH A LAND USE APPROVAL:

16 (I) THAT THE OWNERS OF SUCH A PARKING SPACE CHARGE FOR  
17 THE USE OF THE SPACE;

18 (II) THAT THE OWNER OF A SUCH A PARKING SPACE CONTRIBUTE  
19 TO A PARKING ENTERPRISE, PERMITTING SYSTEM, OR SHARED PARKING  
20 PLAN; AND

21 (III) THAT SUCH A PARKING SPACE ALLOWS FOR ELECTRIC  
22 VEHICLE CHARGING STATIONS IN ACCORDANCE WITH EXISTING LAW.

23 **29-35-104. Limitations on minimum parking requirements.**

24 **(1) NOTWITHSTANDING SECTION 29-35-103, A LOCAL GOVERNMENT MAY**  
25 **IMPOSE OR ENFORCE A MINIMUM PARKING REQUIREMENT IN CONNECTION**  
26 **WITH A HOUSING DEVELOPMENT PROJECT THAT IS INTENDED TO CONTAIN**  
27 **TWENTY UNITS OR MORE OR CONTAIN REGULATED AFFORDABLE HOUSING**

1 BY REQUIRING NO MORE THAN ONE PARKING SPACE PER DWELLING UNIT IN  
2 THE HOUSING DEVELOPMENT.

3 (2) (a) IN ORDER TO IMPOSE A MINIMUM PARKING REQUIREMENT  
4 PURSUANT TO SUBSECTION (1) OF THIS SECTION IN CONNECTION WITH A  
5 HOUSING DEVELOPMENT PROJECT, A LOCAL GOVERNMENT MUST, NO LATER  
6 THAN NINETY DAYS AFTER RECEIVING A COMPLETED APPLICATION FOR THE  
7 HOUSING DEVELOPMENT PROJECT, PUBLICLY PUBLISH WRITTEN FINDINGS  
8 THAT FIND THAT NOT IMPOSING OR ENFORCING A MINIMUM PARKING  
9 REQUIREMENT IN CONNECTION WITH THE HOUSING DEVELOPMENT PROJECT  
10 WOULD HAVE A SUBSTANTIAL NEGATIVE IMPACT.

11 (b) A LOCAL GOVERNMENT'S WRITTEN FINDINGS PUBLISHED  
12 PURSUANT TO SUBSECTION (2)(a) MUST:

13 (I) BE SUPPORTED BY SUBSTANTIAL EVIDENCE THAT SUPPORTS THE  
14 FINDING OF A SUBSTANTIAL NEGATIVE IMPACT ON:

15 (A) SAFE PEDESTRIAN, BICYCLE, OR EMERGENCY ACCESS TO THE  
16 HOUSING DEVELOPMENT PROJECT; OR

17 (B) EXISTING ON- OR OFF-STREET PARKING SPACES WITHIN ONE  
18 EIGHTH-MILE OF THE HOUSING DEVELOPMENT PROJECT;

19 (II) BE REVIEWED AND APPROVED BY A PROFESSIONAL ENGINEER,  
20 AS DEFINED IN SECTION 12-120-202 (7).

21 (III) INCLUDE PARKING UTILIZATION DATA COLLECTED FROM THE  
22 AREA WITHIN ONE EIGHTH-MILE OF THE HOUSING DEVELOPMENT PROJECT;

23 AND

24 (IV) DEMONSTRATE THAT THE LOCAL GOVERNMENT  
25 IMPLEMENTATION OF STRATEGIES TO MANAGE DEMAND FOR ON-STREET  
26 PARKING FOR THE AREA WITHIN ONE EIGHTH-MILE OF THE HOUSING  
27 DEVELOPMENT PROJECT WOULD NOT BE EFFECTIVE TO MITIGATE A

1 SUBSTANTIAL NEGATIVE IMPACT FOUND PURSUANT TO THIS SECTION.

2 (3) ON OR BEFORE DECEMBER 31, 2026, AND EVERY DECEMBER  
3 31ST THEREAFTER, IF APPLICABLE, A LOCAL GOVERNMENT SHALL, IN A  
4 FORM AND MANNER DETERMINED BY THE DEPARTMENT OF LOCAL AFFAIRS,  
5 SUBMIT INFORMATION REGARDING A MINIMUM PARKING REQUIREMENT  
6 IMPOSED OR ENFORCED PURSUANT TO THIS SECTION TO THE DEPARTMENT  
7 OF LOCAL AFFAIRS.

8 (4) THE DEPARTMENT OF LOCAL AFFAIRS MAY ISSUE POLICIES AND  
9 PROCEDURES AS NECESSARY TO IMPLEMENT THIS SECTION.

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11 **29-35-105. Parking management technical assistance.**

12 (1) (a) ON OR BEFORE DECEMBER 31, 2024, THE DEPARTMENT OF LOCAL  
13 AFFAIRS, IN CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION,  
14 AND THE COLORADO ENERGY OFFICE, SHALL, WITHIN EXISTING  
15 RESOURCES, TO THE EXTENT FEASIBLE, DEVELOP AND PUBLISH BEST  
16 PRACTICES AND TECHNICAL ASSISTANCE MATERIALS CONCERNING  
17 OPTIMIZING PARKING SUPPLY AND MANAGING PARKING IN WAYS THAT  
18 INCREASE THE PRODUCTION OF AFFORDABLE HOUSING AND HOUSING  
19 SUPPLY. THESE BEST PRACTICES AND TECHNICAL ASSISTANCE MATERIALS  
20 MUST INCLUDE, BUT ARE NOT LIMITED TO, ELEMENTS RELATED TO:

21 (I) THE IMPLEMENTATION OF LOCAL PARKING MAXIMUMS;

22 (II) SAMPLE LANGUAGE TO REPLACE EXISTING LOCAL PARKING  
23 CODES WITH OTHER INCENTIVES FOR THE PRODUCTION OF AFFORDABLE  
24 HOUSING, TRANSPORTATION DEMAND MANAGEMENT STRATEGIES, AND  
25 OTHER DESIRED OUTCOMES;

26 (III) THE DESIGN AND IMPLEMENTATION OF PARKING BENEFIT  
27 DISTRICTS AND ON-STREET PARKING MANAGEMENT;

1 (IV) STRATEGIES FOR DEVELOPERS TO MANAGE THE SUPPLY AND  
2 PRICE OF PARKING SPACES TO MINIMIZE PARKING DEMAND BASED ON  
3 DIFFERENT LOCATION AND LAND USE CHARACTERISTICS AND TAKING INTO  
4 CONSIDERATION THE NUMBER OF RESIDENTS WHO NEED ACCESS TO  
5 PARKING AND ACCESS TO MASS TRANSIT;

6 (V) STRATEGIES THAT PRIORITIZE THE TRANSPORTATION NEEDS OF  
7 RESIDENTS OF REGULATED AFFORDABLE HOUSING, LOW-INCOME  
8 COMMUNITIES, AND COMMUNITIES WITH LOW RATES OF CAR OWNERSHIP;

9 (VI) STRATEGIES TO OPTIMIZE THE USE OF EXISTING PARKING  
10 THROUGH SHARED PARKING AGREEMENTS AND OTHER STRATEGIES; AND

11 (VII) INFORMATION FROM AFFORDABLE HOUSING PROVIDERS AND  
12 EXISTING STUDIES ON PARKING NEEDS FOR RESIDENTS OF REGULATED  
13 AFFORDABLE HOUSING BASED ON DIFFERENT LOCATION AND LAND USE  
14 CHARACTERISTICS.

15 (b) (I) IN DEVELOPING THE MATERIALS AND BEST PRACTICES  
16 DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION, THE DEPARTMENT OF  
17 LOCAL AFFAIRS SHALL CONSULT WITH VARIOUS STAKEHOLDERS,  
18 INCLUDING LOCAL GOVERNMENTS, METROPOLITAN PLANNING  
19 ORGANIZATIONS, DISPROPORTIONATELY IMPACTED COMMUNITIES,  
20 COMMUNITY-BASED ORGANIZATIONS, AFFORDABLE HOUSING PROVIDERS,  
21 TRANSIT AGENCIES, AND ACTIVE TRANSPORTATION ORGANIZATIONS. IN  
22 CONSULTING WITH THESE STAKEHOLDERS, THE DEPARTMENT OF LOCAL  
23 AFFAIRS MAY COLLECT THIS FEEDBACK THROUGH MULTIPLE MEANS,  
24 INCLUDING ONLINE OR IN-PERSON SURVEYS OR PUBLIC FEEDBACK  
25 SESSIONS.

26 (2) DURING THE FIRST REGULAR SESSION OF THE SEVENTY-FIFTH  
27 GENERAL ASSEMBLY, THE DEPARTMENT OF LOCAL AFFAIRS SHALL PRESENT



1 THE MATERIALS AND BEST PRACTICES DESCRIBED IN SUBSECTION (1)(a) OF  
2 THIS SECTION TO THE LOCAL GOVERNMENT AND HOUSING COMMITTEE OF  
3 THE SENATE AND THE TRANSPORTATION, HOUSING AND LOCAL  
4 GOVERNMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES OR THEIR  
5 SUCCESSOR COMMITTEES.

6

7

8 **29-35-106. Applicable transit service areas map. (1) ON OR**  
9 BEFORE SEPTEMBER 30, 2024, THE DEPARTMENT OF LOCAL AFFAIRS, IN  
10 CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, COLORADO  
11 ENERGY OFFICE, METROPOLITAN PLANNING ORGANIZATIONS, AND TRANSIT  
12 AGENCIES THAT OPERATE WITHIN METROPOLITAN PLANNING  
13 ORGANIZATIONS, SHALL PUBLISH A MAP THAT DESIGNATES APPLICABLE  
14 TRANSIT SERVICE AREAS TO BE USED BY LOCAL GOVERNMENTS IN  
15 COMPLYING WITH THIS PART 1.

16 (2) IN PUBLISHING THE MAP DESCRIBED IN SUBSECTION (1) OF THIS  
17 SECTION, THE DEPARTMENT OF LOCAL AFFAIRS SHALL DESIGNATE  
18 APPLICABLE TRANSIT SERVICE AREAS AS AREAS THAT ARE WITHIN:

19 (a) ONE QUARTER-MILE OF EXISTING STATIONS SERVED BY ROUTES  
20 IDENTIFIED IN AN APPLICABLE TRANSIT PLAN FOR:

21 (I) COMMUTER BUS RAPID TRANSIT;

22 (II) COMMUTER RAIL WITH PLANNED OR SCHEDULED SERVICE THAT  
23 IS SCHEDULED TO RUN EVERY THIRTY MINUTES OR MORE FREQUENT  
24 BETWEEN SEVEN A.M. AND TEN A.M. AND BETWEEN FOUR P.M. AND SEVEN  
25 P.M.;

26 (III) LIGHT RAIL WITH PLANNED OR SCHEDULED SERVICE THAT IS  
27 SCHEDULED TO RUN EVERY THIRTY MINUTES OR MORE FREQUENT

1 BETWEEN SEVEN A.M. AND TEN A.M. AND BETWEEN FOUR P.M. AND SEVEN  
2 P.M.; AND

3 (IV) A PUBLIC BUS ROUTE THAT HAS A PLANNED OR SCHEDULED  
4 FREQUENCY OF EVERY THIRTY MINUTES OR MORE FREQUENT FOR FOUR  
5 HOURS OR MORE ON WEEKDAYS, EXCLUDING SEASONAL SERVICE;

6 (b) ONE QUARTER-MILE OF CURRENTLY PLANNED OR EXISTING  
7 STATIONS AND STOPS SERVED BY PUBLIC BUS ROUTES THAT:

8 (I) HAVE A PLANNED OR SCHEDULED FREQUENCY OF EVERY THIRTY  
9 MINUTES OR MORE FREQUENT FOR FOUR HOURS OR MORE ON WEEKDAYS,  
10 EXCLUDING SEASONAL SERVICE; AND

11 (II) ARE IDENTIFIED WITHIN AN APPLICABLE TRANSIT PLAN FOR  
12 SHORT-TERM IMPLEMENTATION OR IMPLEMENTATION BEFORE JANUARY 1,  
13 2030, ACCORDING TO THAT PLAN; OR

14 (c) FOR TRANSIT AGENCIES WITHIN METROPOLITAN PLANNING  
15 ORGANIZATIONS THAT DO NOT HAVE APPLICABLE TRANSIT PLANS, ONE  
16 QUARTER-MILE OF PUBLIC BUS ROUTES WITH EXISTING TRANSIT SERVICE  
17 LEVELS AS OF JANUARY 1, 2024, WITH A SCHEDULED FREQUENCY OF  
18 EVERY THIRTY MINUTES OR MORE FREQUENT DURING THE FOUR HOURS OR  
19 MORE ON WEEKDAYS, EXCLUDING SEASONAL SERVICE.

20 **SECTION 2.** In Colorado Revised Statutes, 29-20-104, **amend**  
21 (1) introductory portion as follows:

22 **29-20-104. Powers of local governments - definition.**

23 (1) Except as expressly provided in section 29-20-104.2, ~~or~~ SECTION  
24 29-20-104.5, AND ARTICLE 35 OF THIS TITLE 29, the power and authority  
25 granted by this section does not limit any power or authority presently  
26 exercised or previously granted. Except as provided in section  
27 29-20-104.2, each local government within its respective jurisdiction has

1 the authority to plan for and regulate the use of land by:

2 **SECTION 3.** In Colorado Revised Statutes, 30-15-401, **amend**  
3 (1)(h)(I)(B) as follows:

4 **30-15-401. General regulations - definitions.** (1) In addition to  
5 those powers granted by sections 30-11-101 and 30-11-107 and by parts  
6 1, 2, and 3 of this article 15, the board of county commissioners may  
7 adopt ordinances for control or licensing of those matters of purely local  
8 concern that are described in the following enumerated powers:

9 (h) (I) To control and regulate the movement and parking of  
10 vehicles and motor vehicles on public property; except that:

11 (B) For the purposes of any minimum parking requirement a  
12 board of county commissioners imposes, the board of county  
13 commissioners is subject to ~~section 30-28-140~~ ARTICLE 35 OF TITLE 29  
14 AND SECTION 30-28-140; and

15 **SECTION 4. Act subject to petition - effective date.** This act  
16 takes effect at 12:01 a.m. on the day following the expiration of the  
17 ninety-day period after final adjournment of the general assembly; except  
18 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
19 of the state constitution against this act or an item, section, or part of this  
20 act within such period, then the act, item, section, or part will not take  
21 effect unless approved by the people at the general election to be held in  
22 November 2024 and, in such case, will take effect on the date of the  
23 official declaration of the vote thereon by the governor.