

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0978.02 Pierce Lively x2059

HOUSE BILL 24-1366

HOUSE SPONSORSHIP

Froelich and Brown,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING SUSTAINABLE LOCAL GOVERNMENT COMMUNITY
102 PLANNING.

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>.)

Section 1 of the bill requires state agencies to prioritize awarding grants that satisfy a list of criteria described in the bill.

Sections 2 and 3 require, beginning January 1, 2025, upon updating a county or municipal master plan, a county or municipality (local government) to include a climate action element in its master plan. A climate action element must include climate-related goals, plans, or

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.

strategies and a description of any money from the federal, state, or a local government that a local government has received for the implementation of any of the plans or goals described in the climate action element.

The bill requires a local government to provide the Colorado energy office (office) with the climate action element and then requires the office to deliver a copy of any climate element it receives to the department of local affairs, the Colorado department of transportation (CDOT), and any other state agency that the office determines.

Section 4 requires CDOT to coordinate with metropolitan planning organizations to establish criteria that define growth corridors and identify these growth corridors. Having identified these growth corridors, the department and metropolitan planning organizations shall coordinate with local governments to develop transportation demand management plans for these growth corridors.

Section 5 makes 2 changes related to the statewide transportation plan. First, the bill requires the statewide transportation plan to include:

- An examination of the impact of transportation decisions on land use patterns;
- The identification of highway segments where promotion of context-sensitive highway permitting and design can encourage the development of dense, walkable, and mixed-use neighborhoods in transit-oriented centers and neighborhood centers; and
- An emphasis on integrating planning efforts within CDOT to support multimodal transportation, neighborhood centers, and transit-oriented centers in infill areas as well as growth corridors through the associated transportation demand management corridor planning.

Second, the bill requires CDOT to conduct a study in connection with the statewide transportation plan that identifies:

- Policy barriers and opportunities for the implementation of context-sensitive design, complete streets, and pedestrian-bicycle safety measures in locally-identified urban centers and neighborhood centers; and
- The portions of state highways that pass through locally identified transit-oriented centers and neighborhood centers that are candidates for context-sensitive design, complete streets, and pedestrian-bicycle safety measures.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 1.3 to title

1 24 as follows:

2

ARTICLE 1.3

3

Prioritization Criteria For State Programs

4

24-1.3-101. Prioritization criteria for state programs.

5

(1) NOTWITHSTANDING ANY LAW TO THE CONTRARY, A STATE AGENCY

6

SHALL PRIORITIZE AWARDING GRANTS THAT RESULT IN THE FOLLOWING,

7

IN ADDITION TO SATISFYING ANY OTHER RELEVANT CRITERIA:

8

(a) INCENTIVIZING EFFICIENT DEVELOPMENT PATTERNS THAT

9

ALIGN WITH THE STATE'S CLIMATE AND AIR QUALITY GOALS, REDUCE

10

ENERGY USE, CONSERVE WATER, AND LOWER INFRASTRUCTURE BURDENS;

11

(b) ADDRESSING WATER CHALLENGES BY ENCOURAGING ACTIONS

12

OUTLINED IN THE COLORADO WATER PLAN TO INCREASE WATER

13

CONSERVATION ACROSS SECTORS; INCREASE WATER EFFICIENCY FOR

14

HOUSEHOLDS BY ADVANCING WATER-EFFICIENT OUTDOOR LANDSCAPES,

15

SUPPORTING INFILL, AND WATERSHED HEALTH; AND REDUCING WATER

16

SUPPLY, TREATMENT, AND DISTRIBUTION INFRASTRUCTURE COSTS;

17

(c) REDUCING DEVELOPMENT PRESSURES IN AGRICULTURAL AND

18

OPEN SPACE AREAS AND DISCOURAGING SPRAWL;

19

(d) INCENTIVIZING HOUSING DEVELOPMENT, PRODUCTION,

20

PRESERVATION, AND STABILITY FOR EVERY BUDGET THAT WILL

21

ACCOMMODATE EXPECTED POPULATION GROWTH; ALIGN WITH LIMITS IN

22

INFRASTRUCTURE AND RESOURCE AVAILABILITY; AND PROVIDE HOUSING

23

AFFORDABILITY, AVAILABILITY, AND ACCESSIBILITY;

24

(e) PROMOTING AND EXPANDING FREQUENT, RELIABLE, AND SAFE

25

TRANSIT SERVICE THAT ALIGNS WITH HOUSING GOALS AND PRIORITIZES

26

SAFE ACCESS TO TRANSIT AND PEOPLE'S DAILY NEEDS THROUGH COMPLETE

27

STREETS;

1 (f) ENSURING ADEQUATE AND SUSTAINABLE TRANSPORTATION
2 INFRASTRUCTURE THAT SAFELY AND EFFICIENTLY ALLOWS ACCESS AND
3 MOVEMENT AMONG COMMUNITIES;

4 (g) SUPPORTING ECONOMIC DEVELOPMENT IN DOWNTOWNS,
5 COMMERCIAL, MIXED-USE AREAS, INFILL DEVELOPMENT, AND
6 REVITALIZATION EFFORTS;

7 (h) IMPROVING ACCESS TO ECONOMIC MOBILITY BY PROVIDING
8 MORE AFFORDABLE AND ATTAINABLE HOUSING TO RENT OR OWN OPTIONS
9 AND TRANSPORTATION FOR PEOPLE CURRENTLY UNABLE TO AFFORD TO
10 LIVE IN HIGH-OPPORTUNITY NEIGHBORHOODS WITH CONNECTION TO
11 HIGH-QUALITY SERVICES THAT HELP PEOPLE ACHIEVE THEIR GOALS;

12 (i) ENSURING THAT STATE PROCESSES ARE EFFECTIVE AND
13 EFFICIENT, RESPONSIVE TO COMMUNITY NEEDS, AND REDUCE PAPERWORK
14 AND TIME BURDENS;

15 (j) REFORMING POLICIES THAT UNNECESSARILY DRIVE UP COSTS
16 AND ADD BARRIERS TO PUBLIC INFRASTRUCTURE, TRANSPORTATION, AND
17 LOCAL HOUSING DEVELOPMENT PROJECTS; AND

18 (k) CONSIDERING THE CONTEXT OF DIFFERENT REGIONS AND
19 COMMUNITIES ACROSS THE STATE, EMPOWERING AND PROMOTING LOCAL
20 INITIATIVES AND IDEAS THAT LEAD TO STRATEGIC GROWTH AND
21 RECOGNIZING THAT ALL COMMUNITIES HAVE UNIQUE NEEDS THAT OFTEN
22 CALL FOR ADDITIONAL FLEXIBILITY, ESPECIALLY RURAL AND RURAL
23 RESORT COMMUNITIES AND COMMUNITIES THAT ARE VULNERABLE TO
24 DISPLACEMENT.

25 **SECTION 2.** In Colorado Revised Statutes, 30-28-106, **add** (8)
26 as follows:

27 **30-28-106. Adoption of master plan - contents - definitions.**

1 (8) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ANY
2 MASTER PLAN OF A COUNTY OR REGION THAT A BOARD OF COUNTY
3 COMMISSIONERS ADOPTS ON OR AFTER JANUARY 1, 2025, MUST INCLUDE
4 A CLIMATE ACTION ELEMENT. A CLIMATE ACTION ELEMENT MUST
5 INCLUDE:

6 (I) GOALS, PLANS, AND STRATEGIES RELATED TO THE FOLLOWING:

7 (A) REDUCING GREENHOUSE GAS POLLUTION;

8 (B) CONVERTING MOTOR VEHICLES TO ELECTRIC MOTOR VEHICLES;

9 (C) SUPPORTING THE DEVELOPMENT OF ELECTRIC VEHICLE
10 CHARGING INFRASTRUCTURE;

11 (D) REDUCING EMISSIONS FROM WASTE THROUGH POLICIES AND
12 PROGRAMS THAT INCREASE RECYCLING AND COMPOSTING, INCREASE
13 WASTE DIVERSION RATES, AND REDUCE EMISSIONS FROM WASTE HAULING;

14 (E) REDUCING PER CAPITA VEHICLE MILES TRAVELED THROUGH
15 METHODS INCLUDING IMPROVEMENTS TO PUBLIC TRANSIT, IMPOSING
16 VEHICLE MILES TRAVELED FEES, ENCOURAGING EMPLOYER COMMUTE
17 PROGRAMS, AND DEVELOPING BICYCLE AND PEDESTRIAN
18 INFRASTRUCTURE;

19 (F) REDUCING PER CAPITA VEHICLE MILES TRAVELED, BUILDING
20 ENERGY USE, AND EMISSIONS FROM CONVERSION OF NATURAL AND
21 WORKING LANDS BY UPDATING LOCAL LAND USE CODES TO ALLOW AND
22 ENCOURAGE COMPACT DEVELOPMENT AND MINIMIZE GREENFIELD
23 DEVELOPMENT;

24 (G) PROTECTING OR RESTORING THE TREE CANOPY;

25 (H) SUPPORTING RENEWABLE ENERGY DEVELOPMENT;

26 (I) REDUCING EMISSIONS FROM THE BUILT ENVIRONMENT
27 THROUGH METHODS INCLUDING ADOPTING ENERGY EFFICIENCY BUILDING

1 CODES AND ENCOURAGING BUILDING ELECTRIFICATION; AND

2 (J) ANY OTHER CLIMATE-RELATED GOALS, PLANS, OR STRATEGIES;

3 AND

4 (II) A DESCRIPTION OF ANY MONEY FROM THE FEDERAL
5 GOVERNMENT, THE STATE, OR A LOCAL GOVERNMENT THAT THE COUNTY
6 OR REGION HAS RECEIVED FOR IMPLEMENTING A GOAL, PLAN, OR
7 STRATEGY DESCRIBED IN SUBSECTION (8)(a)(I) OF THIS SECTION.

8 (b) (I) UPON INCLUDING A CLIMATE ACTION ELEMENT IN A MASTER
9 PLAN PURSUANT TO SUBSECTION (8)(a) OF THIS SECTION, A BOARD OF
10 COUNTY COMMISSIONERS SHALL, IN A FORM AND MANNER DETERMINED BY
11 THE OFFICE, PROVIDE THE LOCAL CLIMATE ACTION PLAN TO THE OFFICE.

12 (II) UPON RECEIVING A LOCAL CLIMATE ACTION PLAN PURSUANT
13 TO SUBSECTION (8)(b)(I) OF THIS SECTION, THE OFFICE SHALL DELIVER A
14 COPY OF THE PLAN TO THE DEPARTMENT OF LOCAL AFFAIRS, THE
15 DEPARTMENT OF TRANSPORTATION, AND ANY OTHER STATE AGENCY THAT
16 THE OFFICE DETERMINES SHOULD RECEIVE IT.

17 (c) AS USED IN THIS SUBSECTION (8), UNLESS THE CONTEXT
18 OTHERWISE REQUIRES, "OFFICE" MEANS THE COLORADO ENERGY OFFICE
19 CREATED IN SECTION 24-38.5-101.

20 **SECTION 3.** In Colorado Revised Statutes, 31-23-206, **add** (8)
21 as follows:

22 **31-23-206. Master plan - definitions.** (8) (a) NOTWITHSTANDING
23 ANY OTHER PROVISION OF THIS SECTION, ANY MASTER PLAN THAT A
24 COMMISSION ADOPTS ON OR AFTER JANUARY 1, 2025, MUST INCLUDE A
25 CLIMATE ACTION ELEMENT. A CLIMATE ACTION ELEMENT MUST INCLUDE:

26 (I) GOALS, PLANS, AND STRATEGIES RELATED TO THE FOLLOWING:

27 (A) REDUCING GREENHOUSE GAS POLLUTION;

1 (B) CONVERTING MOTOR VEHICLES TO ELECTRIC MOTOR VEHICLES;

2 (C) SUPPORTING THE DEVELOPMENT OF ELECTRIC VEHICLE
3 CHARGING INFRASTRUCTURE;

4 (D) REDUCING EMISSIONS FROM WASTE THROUGH POLICIES AND
5 PROGRAMS THAT INCREASE RECYCLING AND COMPOSTING, INCREASE
6 WASTE DIVERSION RATES, AND REDUCE EMISSIONS FROM WASTE HAULING;

7 (E) REDUCING PER CAPITA VEHICLE MILES TRAVELED THROUGH
8 METHODS INCLUDING IMPROVEMENTS TO PUBLIC TRANSIT, IMPOSING
9 VEHICLE MILES TRAVELED FEES, ENCOURAGING EMPLOYER COMMUTE
10 PROGRAMS, AND DEVELOPING BICYCLE AND PEDESTRIAN
11 INFRASTRUCTURE;

12 (F) REDUCING PER CAPITA VEHICLE MILES TRAVELED AND
13 BUILDING ENERGY USE, AND REDUCING EMISSIONS FROM CONVERSION OF
14 NATURAL AND WORKING LANDS, BY UPDATING LOCAL LAND USE CODES TO
15 ALLOW AND ENCOURAGE COMPACT DEVELOPMENT AND MINIMIZE
16 GREENFIELD DEVELOPMENT;

17 (G) PROTECTING OR RESTORING THE TREE CANOPY;

18 (H) SUPPORTING RENEWABLE ENERGY DEVELOPMENT;

19 (I) REDUCING EMISSIONS FROM THE BUILT ENVIRONMENT
20 THROUGH METHODS INCLUDING ADOPTING ENERGY EFFICIENCY BUILDING
21 CODES AND ENCOURAGING BUILDING ELECTRIFICATION; AND

22 (J) ANY OTHER CLIMATE-RELATED GOALS, PLANS, OR STRATEGIES;

23 AND

24 (II) A DESCRIPTION OF ANY MONEY FROM THE FEDERAL
25 GOVERNMENT, THE STATE, OR A LOCAL GOVERNMENT THAT THE
26 MUNICIPALITY HAS RECEIVED FOR IMPLEMENTING A GOAL, PLAN, OR
27 STRATEGY DESCRIBED IN SUBSECTION (8)(a)(I) OF THIS SECTION.

1 (b) (I) UPON INCLUDING A CLIMATE ACTION ELEMENT IN A MASTER
2 PLAN PURSUANT TO SUBSECTION (8)(a) OF THIS SECTION, A COMMISSION
3 SHALL, IN A FORM AND MANNER DETERMINED BY THE OFFICE, PROVIDE THE
4 LOCAL CLIMATE ACTION PLAN TO THE OFFICE.

5 (II) UPON RECEIVING A LOCAL CLIMATE ACTION PLAN PURSUANT
6 TO SUBSECTION (8)(b)(I) OF THIS SECTION, THE OFFICE SHALL DELIVER A
7 COPY OF THE PLAN TO THE DEPARTMENT OF LOCAL AFFAIRS, THE
8 DEPARTMENT OF TRANSPORTATION, AND ANY OTHER STATE AGENCY THAT
9 THE OFFICE DETERMINES SHOULD RECEIVE IT.

10 (c) AS USED IN THIS SUBSECTION (8), UNLESS THE CONTEXT
11 OTHERWISE REQUIRES, "OFFICE" MEANS THE COLORADO ENERGY OFFICE
12 CREATED IN SECTION 24-38.5-101.

13 **SECTION 4.** In Colorado Revised Statutes, **add** 43-1-132 as
14 follows:

15 **43-1-132. Growth corridors - transportation demand**
16 **management plan - definitions.** (1) (a) ON OR BEFORE DECEMBER 31,
17 2024, THE DEPARTMENT SHALL COORDINATE WITH METROPOLITAN
18 PLANNING ORGANIZATIONS TO ESTABLISH CRITERIA THAT DEFINE GROWTH
19 CORRIDORS THAT HAVE A SUBSTANTIAL AMOUNT OF NEW DEVELOPMENT
20 AND ARE OUTSIDE OF 2020 CENSUS URBAN AREAS.

21 (b) ON OR BEFORE APRIL 1, 2025, THE DEPARTMENT SHALL
22 COORDINATE WITH METROPOLITAN PLANNING ORGANIZATIONS TO
23 IDENTIFY GROWTH CORRIDORS THAT MEET THE CRITERIA ESTABLISHED
24 PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION.

25 (2) (a) ON OR BEFORE DECEMBER 31, 2026, THE DEPARTMENT AND
26 RELEVANT METROPOLITAN PLANNING ORGANIZATIONS SHALL COORDINATE
27 WITH APPLICABLE LOCAL GOVERNMENTS TO JOINTLY DEVELOP A

1 TRANSPORTATION DEMAND MANAGEMENT PLAN FOR EACH GROWTH
2 CORRIDOR IDENTIFIED PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION.
3 AFTER DEVELOPING A TRANSPORTATION DEMAND MANAGEMENT PLAN,
4 THE DEPARTMENT AND RELEVANT METROPOLITAN PLANNING
5 ORGANIZATIONS SHALL UPDATE THE TRANSPORTATION DEMAND
6 MANAGEMENT PLAN EVERY FOUR YEARS.

7 (b) A TRANSPORTATION DEMAND MANAGEMENT PLAN DEVELOPED
8 OR UPDATED PURSUANT TO THIS SUBSECTION (2) MUST:

9 (I) ALIGN WITH THE DEPARTMENT'S INTERCHANGE POLICIES;

10 (II) IDENTIFY CORRIDOR-WIDE TRANSPORTATION DEMAND
11 MANAGEMENT STRATEGIES THAT WOULD ALLOW NEW OR MODIFIED
12 INTERCHANGES TO ACHIEVE A THREE PERCENT DAILY TRAFFIC REDUCTION
13 ON THE INTERCHANGE RAMPS;

14 (III) IDENTIFY ALL POTENTIAL NEW OR MODIFIED INTERCHANGES
15 WITHIN THE RELEVANT GROWTH CORRIDOR; AND

16 (IV) IDENTIFY EXISTING AND FUTURE LAND USE DEVELOPMENT
17 THAT IMPACTS THE INTERCHANGES WITHIN THE RELEVANT GROWTH
18 CORRIDOR, INCLUDING AREAS THAT MEET THE CRITERIA ESTABLISHED IN
19 LAW FOR NEIGHBORHOOD CENTERS.

20 (3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
21 REQUIRES, "METROPOLITAN PLANNING ORGANIZATION" MEANS A
22 METROPOLITAN PLANNING ORGANIZATION UNDER THE "FEDERAL TRANSIT
23 ACT OF 1998", 49 U.S.C. SEC. 5301 ET SEQ., AS AMENDED.

24 **SECTION 5.** In Colorado Revised Statutes, 43-1-1103, **amend**
25 (5)(b) and (5)(i); and **add** (5)(k), (5)(l), and (5.5) as follows:

26 **43-1-1103. Transportation planning.** (5) The department shall
27 integrate and consolidate the regional transportation plans for the

1 transportation planning regions into a comprehensive statewide
2 transportation plan. The formation of the state plan shall be accomplished
3 through a statewide planning process set by rules and regulations
4 promulgated by the commission. The state plan shall address but shall not
5 be limited to the following factors:

6 (b) An emphasis on coordination with county and municipal land
7 use planning, including examination of the impact of land use decisions
8 on transportation needs, AN EXAMINATION OF THE IMPACT OF
9 TRANSPORTATION DECISIONS ON LAND USE PATTERNS, and ~~the~~ AN
10 exploration of opportunities for preservation of transportation corridors;

11 (i) Effective, efficient, and safe freight transport; and

12 (k) THE IDENTIFICATION OF HIGHWAY SEGMENTS WHERE
13 PROMOTION OF CONTEXT-SENSITIVE HIGHWAY PERMITTING AND DESIGN
14 CAN ENCOURAGE THE DEVELOPMENT OF DENSE, WALKABLE, AND
15 MIXED-USE NEIGHBORHOODS IN TRANSIT-ORIENTED CENTERS AND
16 NEIGHBORHOOD CENTERS; AND

17 (l) AN EMPHASIS ON INTEGRATING PLANNING EFFORTS WITHIN THE
18 DEPARTMENT OF TRANSPORTATION TO SUPPORT MULTIMODAL
19 TRANSPORTATION, NEIGHBORHOOD CENTERS, AND TRANSIT-ORIENTED
20 CENTERS IN INFILL AREAS AS WELL AS GROWTH CORRIDORS THROUGH THE
21 ASSOCIATED TRANSPORTATION DEMAND MANAGEMENT CORRIDOR
22 PLANNING.

23 (5.5) IN ORDER TO INFORM THE NEXT STATE TRANSPORTATION
24 PLAN CREATED PURSUANT TO SUBSECTION (5) OF THIS SECTION, THE
25 DEPARTMENT SHALL CONDUCT A STUDY THAT IDENTIFIES:

26 (a) POLICY BARRIERS AND OPPORTUNITIES FOR THE
27 IMPLEMENTATION OF CONTEXT-SENSITIVE DESIGN, COMPLETE STREETS,

1 AND PEDESTRIAN-BICYCLE SAFETY MEASURES IN LOCALLY-IDENTIFIED
2 URBAN CENTERS AND NEIGHBORHOOD CENTERS; AND

3 (b) THE PORTIONS OF STATE HIGHWAY THAT PASS THROUGH
4 LOCALLY-IDENTIFIED TRANSIT-ORIENTED CENTERS AND NEIGHBORHOOD
5 CENTERS THAT ARE CANDIDATES FOR CONTEXT-SENSITIVE DESIGN,
6 COMPLETE STREETS, AND PEDESTRIAN-BICYCLE SAFETY MEASURES.

7 **SECTION 6. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly; except
10 that, if a referendum petition is filed pursuant to section 1 (3) of article V
11 of the state constitution against this act or an item, section, or part of this
12 act within such period, then the act, item, section, or part will not take
13 effect unless approved by the people at the general election to be held in
14 November 2024 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.