

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Boesenecker

1 Amend the Transportation, Housing, and Local Government Committee
2 Report, dated February 19, 2025, page 2, after line 2 insert:

3 "Page 7 of the printed bill, before line 15 insert:

4 **"29-35-504. Affordability requirements for qualifying**
5 **properties.** (1) A SUBJECT JURISDICTION SHALL NOT ALLOW A
6 RESIDENTIAL DEVELOPMENT CONTAINING RENTED DWELLING UNITS TO BE
7 CONSTRUCTED ON A QUALIFYING PROPERTY UNLESS THE RESIDENTIAL
8 DEVELOPMENT COMPLIES WITH THE FOLLOWING REQUIREMENTS:

9 (a) IF THE SUBJECT JURISDICTION HAS ADOPTED AN INCLUSIONARY
10 ZONING ORDINANCE OR OTHER AFFORDABLE HOUSING POLICY THAT
11 APPLIES TO THE QUALIFYING PROPERTY, THE RESIDENTIAL DEVELOPMENT
12 MUST COMPLY WITH THE INCLUSIONARY ZONING ORDINANCE OR OTHER
13 AFFORDABLE HOUSING POLICY;

14 (b) IF THE SUBJECT JURISDICTION HAS NOT ADOPTED AN
15 INCLUSIONARY ZONING ORDINANCE OR OTHER AFFORDABLE HOUSING
16 POLICY THAT APPLIES TO THE QUALIFYING PROPERTY AND THE MARKET
17 RATE RENT IN THE SUBJECT JURISDICTION, AS CALCULATED BY A
18 RECOGNIZED AND PUBLICLY AVAILABLE HOUSING INDUSTRY RESOURCE, IS
19 AT OR BELOW ONE HUNDRED TWENTY PERCENT OF THE MONTHLY AREA
20 MEDIAN INCOME AS ESTABLISHED ANNUALLY BY THE UNITED STATES
21 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE COUNTY IN
22 WHICH THE QUALIFYING PROPERTY IS LOCATED, THE RESIDENTIAL
23 DEVELOPMENT MUST ALIGN WITH THE SUBJECT JURISDICTION'S
24 DEMONSTRATED HOUSING NEEDS AS DETERMINED IN A HOUSING NEEDS
25 ASSESSMENT PUBLISHED IN ACCORDANCE WITH SECTION 24-32-3703 OR
26 24-32-3704; OR

27 (c) IF THE SUBJECT JURISDICTION HAS NOT ADOPTED AN
28 INCLUSIONARY ZONING ORDINANCE OR OTHER AFFORDABLE HOUSING
29 POLICY THAT APPLIES TO THE QUALIFYING PROPERTY AND THE MARKET
30 RATE RENT IN THE SUBJECT JURISDICTION, AS CALCULATED BY A
31 RECOGNIZED AND PUBLICLY AVAILABLE HOUSING INDUSTRY RESOURCE,
32 IS ABOVE ONE HUNDRED TWENTY PERCENT OF THE MONTHLY AREA
33 MEDIAN INCOME AS ESTABLISHED ANNUALLY BY THE UNITED STATES
34 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE COUNTY IN
35 WHICH THE QUALIFYING PROPERTY IS LOCATED, THEN AT LEAST TWENTY
36 PERCENT OF THE DWELLING UNITS RENTED IN THE RESIDENTIAL
37 DEVELOPMENT MUST HAVE A DESIGNATED IMPUTED INCOME LIMIT BY
38 HOUSEHOLD SIZE THAT DOES NOT EXCEED EIGHTY PERCENT OF THE AREA
39 MEDIAN INCOME."."

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