

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Local Government & Housing.

HB24-1313 be amended as follows:

1 Amend reengrossed bill, page 9 after line 26 insert:

2 "(3) "APPLICABLE TRANSIT PLAN" MEANS A PLAN OF A TRANSIT
3 AGENCY WHOSE SERVICE TERRITORY IS WITHIN A METROPOLITAN
4 PLANNING ORGANIZATION, INCLUDING A SYSTEM OPTIMIZATION PLAN OR
5 A TRANSIT MASTER PLAN THAT:

6 (a) HAS BEEN APPROVED BY THE GOVERNING BODY OF A TRANSIT
7 AGENCY ON OR AFTER JANUARY 1, 2019, AND ON OR BEFORE JANUARY 1,
8 2024;

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

11 (c) IDENTIFIES SPECIFIC TRANSIT ROUTES FOR SHORT-TERM
12 IMPLEMENTATION ACCORDING TO THAT PLAN, OR IMPLEMENTATION
13 BEFORE JANUARY 1, 2030.".

14 Renumber succeeding subsections.

15 Page 9, line 27, strike "BUS RAPID".

16 Page 10, line 2, strike "As" and substitute "THAT IS" and after
17 "IDENTIFIED" insert "AS BUS RAPID TRANSIT BY A TRANSIT AGENCY".

18 Page 10, lines 3 and 4, strike "A TRANSIT AGENCY'S MASTER PLAN;" and
19 substitute "IN AN APPLICABLE TRANSIT PLAN;".

20 Page 12, after line 3 insert:

21 "(15) "REGULATED AFFORDABLE HOUSING" MEANS AFFORDABLE
22 HOUSING THAT:

23 (a) HAS RECEIVED LOANS, GRANTS, EQUITY, BONDS, OR TAX
24 CREDITS FROM ANY SOURCE TO SUPPORT THE CREATION, PRESERVATION,
25 OR REHABILITATION OF AFFORDABLE HOUSING THAT, AS A CONDITION OF
26 FUNDING, ENCUMBERS THE PROPERTY WITH A RESTRICTED USE COVENANT
27 OR SIMILAR RECORDED AGREEMENT TO ENSURE AFFORDABILITY, OR HAS
28 BEEN INCOME-RESTRICTED UNDER A LOCAL INCLUSIONARY ZONING
29 ORDINANCE OR OTHER REGULATION OR PROGRAM;

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

34 (c) ENSURES OCCUPANCY BY LOW- TO MODERATE-INCOME

1 HOUSEHOLDS FOR A SPECIFIED PERIOD DETAILED IN A RESTRICTIVE USE
2 COVENANT OR SIMILAR RECORDED AGREEMENT.".

3 Renumber succeeding subsections accordingly.

4 Page 22, after line 27 insert:

5 "(7) "OPTIONAL TRANSIT AREA" MEANS THE TOTAL AREA,
6 MEASURED IN ACRES, WITHIN A TRANSIT-ORIENTED COMMUNITY THAT IS
7 WITHIN ONE-QUARTER MILE OF A PUBLIC BUS ROUTE OR BUS RAPID
8 TRANSIT CORRIDOR AS IDENTIFIED IN THE CRITERIA IN SUBSECTION
9 29-35-208 (4)".

10 Renumber succeeding subsections accordingly.

11 Page 23, strike lines 7 through 22.

12 Renumber succeeding subsections accordingly.

13 Page 24, line 4, strike "AND THAT EITHER:".

14 Page 24, strike lines 5 through 7 and substitute "AS IDENTIFIED IN THE
15 CRITERIA IN SECTION 29-35-208 (3)".

16 Page 24, lines 26 strike "STATION THAT SERVES ONE OR MORE THE".

17 Page 24, strike line 27.

18 Page 25, strike lines 1 through 6 and substitute: "STATION, AS IDENTIFIED
19 IN THE CRITERIA IN SECTION 29-35-208 (2)".

20 Page 25, line 9, strike "INCLUDING BUT NOT".

21 Page 25, strike lines 10 through 13 and substitute "AND AS CALCULATED
22 BY TOTALING THE NET HOUSING DENSITY OF ALL PARCELS WITHIN THE
23 AREA.

24 (15) "ZONING CAPACITY BUFFER" MEANS THE RATIO OF THE
25 NUMBER OF HOUSING UNITS ANTICIPATED TO BE CONSTRUCTED IN AN AREA
26 TO THE ZONING CAPACITY OF THE AREA.".

27 Page 25, line 14, strike "**collaboration.**" and substitute "**collaboration -**
28 **goals - transit-oriented community authority.**".

- 1 Page 26, line 16 after "FORTY" insert "DWELLING".
- 2 Page 28, line 7, strike "NOTIFY THE DEPARTMENT," and substitute "SUBMIT
3 A NOTICE," .
- 4 Page 28, line 8, strike "A WATER SUPPLY ENTITY," and substitute "THE
5 SUPPLY OF WATER FROM ALL WATER SUPPLY ENTITIES," .
- 6 Page 28, strike lines 9 through 11 and substitute:
 - 7 "29-20-302 (2), THAT SERVE THE TRANSIT-ORIENTED COMMUNITY IS
8 INSUFFICIENT".
 - 9 Page 28, line 12, strike "MOST RECENT" and substitute "NEXT".
 - 10 Page 28, line 14, strike "GOAL IN THAT AREA." and substitute "GOAL.".
 - 11 Page 28, line 15, strike "ENTITY" and substitute "ENTITIES".
 - 12 Page 28, strike lines 20 through 24 and substitute:
 - 13 "(I) AN ANALYSIS OF WATER DEMAND BASED ON:
14 (A) PROJECTED HOUSING AND POPULATION GROWTH, AS
15 ESTIMATED BY THE STATE DEMOGRAPHY OFFICE OR A RELEVANT
16 METROPOLITAN PLANNING ORGANIZATION; AND
17 (B) A REASONABLE ZONING CAPACITY BUFFER, AS ESTIMATED
18 BASED ON RELEVANT LOCAL, REGIONAL, OR STATE DATA.".
 - 19 Page 29 strike lines 6 through 11 and substitute:
 - 20 "(A) EVIDENCE THAT THE WATER SUPPLY ENTITY LACKS
21 ADEQUATE WATER SUPPLY TO PROVIDE THE AMOUNT WATER IDENTIFIED
22 IN SUBSECTION (5)(a)(II) OF THIS SECTION; AND
23 (B) A REQUEST FOR A MODIFICATION OF THE HOUSING
24 OPPORTUNITY GOAL DURING THE NEXT THREE YEAR PERIOD.".
 - 25 Page 34, line 1 strike "**Progress**" and substitute "**Status**".
 - 26 Page 39, strike lines 21 through 23 and substitute "DEPARTMENT THAT
27 MAY INCLUDE DIFFERENT CRITERIA FOR VARYING REGIONAL AND LOCAL
28 CONTEXTS, IDENTIFY AREAS THAT MEET THE FOLLOWING CRITERIA:
29 (I) ALLOW A NET HOUSING DENSITY THAT SUPPORTS".

1 Page 39, line 24, strike "PEDESTRIAN-ORIENTED" and after "MIXED-USE"
2 insert "PEDESTRIAN-ORIENTED".

3 Page 39, line 27, strike "ESTABLISH" and substitute "WITHIN CENSUS
4 URBANIZED AREAS, AS DEFINED IN THE LATEST FEDERAL DECENNIAL
5 CENSUS, ESTABLISH".

6 Page 40, line 13, strike "OPTIONAL" and substitute "POTENTIAL".

7 Page 40, line 14, after "DEPARTMENT" insert "OF TRANSPORTATION".

8 Page 40, line 20, after "map" insert "- **transit station area criteria -**
9 **transit corridor area criteria**".

10 Page 40, line 24, strike "MAP".

11 Page 40, strike lines 25 through 27.

12 Strike page 41.

13 Page 42, strike lines 1 through 11 and substitute:

14 "TRANSIT AREA MAP, OR TRANSIT AREA MAPS, BASED ON THE CRITERIA IN
15 SUBSECTIONS (2), (3), (4), (5) AND (6), OF THIS SECTION. ONLY TRANSIT
16 AREAS THAT ARE IDENTIFIED PURSUANT TO SUBSECTIONS (2) AND (3) OF
17 THIS SECTION AND IDENTIFIED ON A TRANSIT AREA MAP PURSUANT TO THIS
18 SUBSECTION (1) MUST BE INCLUDED IN THE CALCULATION OF A HOUSING
19 OPPORTUNITY GOAL PURSUANT TO SECTION 29-35-204 (2).

20 **(2) Transit station criteria.** THE DEPARTMENT SHALL DESIGNATE
21 TRANSIT STATION AREAS, FOR PURPOSES OF SUBSECTION (1) OF THIS
22 SECTION, BASED ON ROUTES IDENTIFIED IN AN APPLICABLE TRANSIT PLAN
23 FOR EXISTING STATIONS FOR:

24 (a) COMMUTER BUS RAPID TRANSIT;
25 (b) COMMUTER RAIL; AND
26 (c) LIGHT RAIL.

27 **(3) Transit corridor area criteria.** (a) THE DEPARTMENT SHALL
28 DESIGNATE TRANSIT CORRIDOR AREAS, FOR PURPOSES OF SUBSECTION (1)
29 OF THIS SECTION, BY IDENTIFYING TRANSIT ROUTES THAT MEET THE
30 FOLLOWING CRITERIA:

31 (I) AN URBAN BUS RAPID TRANSIT SERVICE THAT IS IDENTIFIED
32 WITHIN:

33 (A) A METROPOLITAN PLANNING ORGANIZATION'S
34 FISCALLY-CONSTRAINED, LONG-RANGE TRANSPORTATION PLAN ADOPTED

1 PRIOR TO JANUARY 1, 2024, AND PLANNED FOR IMPLEMENTATION,
2 ACCORDING TO THAT PLAN, PRIOR TO JANUARY 1, 2030; OR

3 (B) AN APPLICABLE TRANSIT PLAN THAT HAS BEEN PLANNED FOR
4 SHORT-TERM IMPLEMENTATION, ACCORDING TO THAT PLAN;

5 (II) A PUBLIC BUS ROUTE THAT:

6 (A) HAS A PLANNED FREQUENCY OR SCHEDULED FREQUENCY OF
7 FIFTEEN MINUTES OR MORE FREQUENT DURING THE HIGHEST FREQUENCY
8 SERVICE HOURS; AND

9 (B) IS IDENTIFIED WITHIN AN APPLICABLE TRANSIT PLAN FOR
10 SHORT-TERM IMPLEMENTATION OR IMPLEMENTATION BEFORE JANUARY 1,
11 2030, ACCORDING TO THAT PLAN.

12 (b) FOR TRANSIT AGENCIES WITHIN METROPOLITAN PLANNING
13 ORGANIZATIONS THAT DO NOT HAVE APPLICABLE TRANSIT PLANS, THE
14 DEPARTMENT SHALL DESIGNATE TRANSIT CORRIDOR AREAS, FOR PURPOSES
15 OF SUBSECTION (1) OF THIS SECTION, BY IDENTIFYING ANY PUBLIC BUS
16 ROUTES WITH EXISTING TRANSIT SERVICE LEVELS AS OF JANUARY 1, 2024,
17 WITH A SCHEDULED FREQUENCY OF FIFTEEN MINUTES OR MORE FREQUENT
18 DURING THE HIGHEST FREQUENCY SERVICE HOURS.

19 (c) NOTWITHSTANDING SUBSECTION (3)(a) AND (3)(b) OF THIS
20 SECTION, THE DEPARTMENT SHALL NOT DESIGNATE TRANSIT CORRIDOR
21 AREAS, FOR PURPOSES OF SUBSECTION (1) OF THIS SECTION, WITHIN A
22 TRANSIT-ORIENTED COMMUNITY THAT HAS DESIGNATED TWENTY PERCENT
23 OR MORE OF ITS AREA AS A MANUFACTURED HOME ZONING DISTRICT AS OF
24 JANUARY 1, 2024.

25 (4) **Optional transit area criteria.** (a) THE DEPARTMENT SHALL
26 DESIGNATE OPTIONAL TRANSIT AREAS, FOR PURPOSES OF SUBSECTION (1)
27 OF THIS SECTION, BASED ON THE FOLLOWING CRITERIA:

28 (I) A BUS RAPID TRANSIT SERVICE THAT IS IDENTIFIED WITHIN A
29 METROPOLITAN PLANNING ORGANIZATION'S FISCALLY-CONSTRAINED,
30 LONG-RANGE TRANSPORTATION PLAN ADOPTED PRIOR TO JANUARY 1,
31 2024, AND INTENDED FOR IMPLEMENTATION AFTER JANUARY 1, 2030, AND
32 BEFORE DECEMBER 31, 2050;

33 (II) PUBLIC BUS ROUTES OTHER THAN THOSE IDENTIFIED IN
34 SUBSECTION (3)(a)(II)(B) OF THIS SECTION THAT OPERATE AT A
35 FREQUENCY OF THIRTY MINUTES OR MORE FREQUENT DURING THE HIGHEST
36 FREQUENCY SERVICE HOURS AS IDENTIFIED BY:

37 (A) EXISTING SERVICE AS OF JANUARY 1, 2024; OR
38 (B) IDENTIFIED WITHIN AN APPLICABLE TRANSIT PLAN; AND
39 (III) OTHER AREAS PLANNED AS A MIXED-USE PEDESTRIAN
40 ORIENTED NEIGHBORHOODS.

41 (b) FOR PURPOSES OF SUBSECTION (4)(a)(III) OF THIS SECTION, A
42 TRANSIT ORIENTED COMMUNITY MAY REQUEST THAT THE DEPARTMENT
43 DESIGNATE A MIXED-USE PEDESTRIAN-ORIENTED NEIGHBORHOOD AS AN

1 OPTIONAL TRANSIT AREA. THE DEPARTMENT SHALL REVIEW AND APPROVE
2 OR REJECT SUCH A REQUEST BASED ON WHETHER THE MIXED-USE
3 PEDESTRIAN-ORIENTED NEIGHBORHOOD FULFILLS THE GOALS OF THIS PART
4 2 ESTABLISHED IN SECTION 29-35-203 (2).

5 **(5) Potential transit area criteria.** (a) THE DEPARTMENT SHALL
6 DESIGNATE AN AREA AS A POTENTIAL TRANSIT AREA, FOR PURPOSES OF
7 SUBSECTION (1) OF THIS SECTION, IF IT CONSISTS OF CORRIDORS, AS
8 IDENTIFIED BY THE DEPARTMENT OF TRANSPORTATION THAT:

9 (I) INCLUDE MAJOR TRAVELSHEDS, AS DEFINED BY COMMON
10 TRAVEL PATTERNS IN AN AREA, THAT IMPACT ANTICIPATED NEW OR
11 MODIFIED INTERCHANGES ON STATE-OWNED HIGHWAYS; AND

12 (II) ARE OUTSIDE OF CENSUS URBANIZED AREAS, AS IDENTIFIED IN
13 THE LATEST FEDERAL DECENTNIAL CENSUS;

14 (b) IN DESIGNATING POTENTIAL TRANSIT AREAS, FOR PURPOSES OF
15 SUBSECTION (1) OF THIS SECTION, THE DEPARTMENT SHALL ATTEMPT TO
16 IDENTIFY AREAS WHERE FUTURE TRANSIT SERVICE AND NEIGHBORHOOD
17 CENTERS COULD POTENTIALLY ALIGN TO PROVIDE INFORMATION FOR
18 STATE, REGIONAL, AND LOCAL PLANNING EFFORTS.

19 (c) IN UPDATING THE TRANSIT AREA MAP PURSUANT TO
20 SUBSECTION (1) OF THIS SECTION, THE DEPARTMENT SHALL IDENTIFY ANY
21 NEIGHBORHOOD CENTERS THAT A LOCAL GOVERNMENT HAS DESIGNATED
22 WITHIN A POTENTIAL TRANSIT AREA.".

23 Page 42, line 12, strike "(d)" and substitute "(6)".

24 Page 42, line 14, strike "(I)" and substitute "(a)".

25 Page 42, line 16, strike "(II)" and substitute "(b)".

26 Renumber succeeding subsection accordingly.

27 Page 42, strike lines 20 through 24 and substitute "AND GUIDANCE TO
28 SATISFY THE GOALS OF THIS PART 2 AS ESTABLISHED IN SECTION 29-35-203
29 (2) AND INTERPRET THE DENSITY AND DIMENSIONAL STANDARDS
30 ESTABLISHED IN SECTION 29-35-206 (1)(b) OF THIS SECTION WITH THE
31 INTENT OF PROVIDING SIMPLE AND EFFICIENT METHODS FOR LOCAL
32 GOVERNMENTS TO CALCULATE THE NET HOUSING DENSITY OF TRANSIT
33 CENTERS IN ORDER TO MEET THEIR HOUSING OPPORTUNITY GOALS. IN
34 PUBLISHING MODELS AND GUIDANCE, THE DEPARTMENT SHALL ESTABLISH
35 MODELS, GUIDANCE, AND TYPICAL BUILDING TYPOLOGIES FOR LOCAL
36 GOVERNMENTS WITH FORM-BASED CODES.".

37 Page 45, strike lines 24 and 25.

- 1 Page 47, line 12, strike "RESIDENTS WHO" and substitute "HOUSEHOLDS
- 2 THAT" and strike "HOUSEHOLDS;" and substitute "RENTERS;".
- 3 Page 49, line 2, strike "(3)." and substitute "(3)".
- 4 Page 61, line 24, strike "2024, 2025, AND" and substitute "2025 AND".
- 5 Page 62, line 3, strike "DIVISION" and substitute "DEPARTMENT".
- 6 Page 62, line 4, strike "DIVISION" and substitute "DEPARTMENT".
- 7 Strike "(4)" and substitute "(4)." on: **Page 56**, line 7; and **Page 57**, line 8.
- 8 Strike "(10)" and substitute "(10)." on: **Page 56**, line 9; and **Page 57**, line 8.
- 10 Strike "PROGRESS" and substitute "STATUS" on: **Page 23**, line 6; **Page 34**, lines 4, 10, 23, and 24; **Page 35**, lines 2, 3, and twice on 6.
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