

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 4, 2026
Date

Committee on Local Government & Housing.

After consideration on the merits, the Committee recommends the following:

HB26-1001 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 3, line 13, strike "SURROUNDING" and
2 substitute "NEARBY".

3 Page 8, after line 8 insert:

4 "(3) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES
5 THAT THIS HOUSE BILL 26-1001, ENACTED IN 2026, IS INTENDED TO:

6 (a) STREAMLINE RESIDENTIAL DEVELOPMENT PROCESSES TO
7 REDUCE HOUSING CONSTRUCTION COSTS WHILE ENSURING SUBJECT
8 JURISDICTIONS ARE ABLE TO APPLY ALL RELEVANT PUBLIC HEALTH AND
9 SAFETY CODES THAT TYPICALLY APPLY TO RESIDENTIAL DEVELOPMENT;

10 (b) ALLOW FLEXIBILITY FOR SUBJECT JURISDICTIONS TO
11 DETERMINE APPROPRIATE SITE DESIGN STANDARDS FOR RESIDENTIAL
12 DEVELOPMENTS BY USING STANDARDS THAT APPLY TO SIMILAR HOUSING
13 PURSUANT TO SECTION 29-35-504 (1)(d). FOR EXAMPLE, IF A SUBJECT
14 JURISDICTION RECEIVES A DEVELOPMENT APPLICATION TO BUILD
15 SINGLE-FAMILY DWELLINGS, THE SUBJECT JURISDICTION MAY APPLY SITE
16 DESIGN STANDARDS THAT ARE CONSISTENT WITH A ZONE DISTRICT THAT
17 ALLOWS SINGLE-FAMILY DWELLINGS BY-RIGHT. IF A SUBJECT JURISDICTION
18 RECEIVES A DEVELOPMENT APPLICATION FOR MULTI-UNIT DWELLINGS, THE
19 SUBJECT JURISDICTION MAY APPLY SITE DESIGN STANDARDS THAT ARE
20 CONSISTENT WITH A ZONE DISTRICT THAT ALLOWS MULTI-UNIT DWELLINGS
21 BY-RIGHT; AND

22 (c) BUILD UPON RECENT LAWS THAT AUTHORIZE AND ENCOURAGE
23 SCHOOL DISTRICTS AND LOCAL GOVERNMENTS TO PROMOTE AFFORDABLE
24 HOUSING, SUCH AS:

25 (I) HOUSE BILL 21-1117, CONCERNING THE ABILITY OF LOCAL
26 GOVERNMENTS TO PROMOTE THE DEVELOPMENT OF NEW AFFORDABLE

1 HOUSING UNITS PURSUANT TO THEIR EXISTING AUTHORITY TO REGULATE
2 LAND USE WITHIN THEIR TERRITORIAL BOUNDARIES;

3 (II) SENATE BILL 24-174, CONCERNING STATE SUPPORT FOR
4 SUSTAINABLE AFFORDABLE HOUSING; AND

5 (III) HOUSE BILL 25-1006, CONCERNING ALLOWING A SCHOOL
6 DISTRICT TO LEASE DISTRICT PROPERTY FOR ANY TERM OF YEARS, WHICH
7 ALLOWS A BOARD OF EDUCATION OF A SCHOOL DISTRICT TO LEASE LAND
8 FOR AFFORDABLE HOUSING FOR ANY TERM OF YEARS IF THE BOARD OF
9 EDUCATION DEVELOPS A POLICY THAT DEFINES AFFORDABLE HOUSING FOR
10 THE PROJECT."

11 Renumber succeeding subsection accordingly.

12 Page 9, after line 9 insert:

13 "(d) A PARCEL THAT IS ZONED OR USED PRIMARILY FOR
14 INDUSTRIAL USE, WHICH, FOR PURPOSES OF THIS SUBSECTION MEANS A
15 BUSINESS USE OR ACTIVITY AT A SCALE GREATER THAN HOME INDUSTRY
16 INVOLVING MANUFACTURING, FABRICATION, MINERAL OR GRAVEL
17 EXTRACTION, ASSEMBLY, WAREHOUSING, OR STORAGE;

18 (e) A PARCEL THAT IS SUBJECT TO AN INTERGOVERNMENTAL
19 AGREEMENT OR ANNEXATION AGREEMENT THAT LIMITS RESIDENTIAL
20 DEVELOPMENT;

21 (f) A PARCEL THAT IS ZONED FOR AGRICULTURAL USE;

22 (g) A PARCEL THAT IS ZONED FOR FORESTRY, NATURAL RESOURCE
23 PRESERVATION, OR OPEN SPACE;

24 (h) A PARCEL THAT IS IN A FLOODWAY OR IN A ONE-
25 HUNDRED-YEAR FLOODPLAIN, AS IDENTIFIED BY THE FEDERAL EMERGENCY
26 MANAGEMENT AGENCY;"

27 Reletter succeeding paragraphs accordingly.

28 Page 9, line 26, strike "THE LAST FIVE YEARS," and substitute "THE FIVE
29 YEARS PRECEDING THE NONPROFIT ORGANIZATION'S SUBMISSION OF A
30 DEVELOPMENT APPLICATION,"

31 Page 9, line 27, strike "PROJECTS WHICH HAVE RECEIVED" and substitute
32 "A PROJECT WHICH HAS RECEIVED A".

33 Page 10, line 1, strike "CREDITS OR" and substitute "CREDIT OR A".

34 Page 10, line 2, strike "CREDITS;" and substitute "CREDIT;"

1 Page 11, line 12, strike "MEANS A QUALIFYING PRIVATE" and substitute
2 "MEANS:

3 (a) A QUALIFYING PRIVATE PROPERTY THAT IS NOT ADJACENT TO
4 ANOTHER QUALIFYING PROPERTY CONTAINING FIVE OR LESS ACRES THAT
5 WAS PART OF A SUBDIVISION PROCESS THAT OCCURRED WITHIN THE PAST
6 FIVE YEARS, AND IS WITHIN:

7 (I) A MUNICIPALITY; OR

8 (II) A PORTION OF A COUNTY THAT IS WITHIN A CENSUS
9 DESIGNATED PLACE WITH A POPULATION OF FIVE THOUSAND OR MORE, AS
10 REPORTED IN THE MOST RECENT DECENNIAL CENSUS, THAT IS ALSO WITHIN
11 A THREE-MILE AREA EXTENDING IN ANY DIRECTION FROM ANY POINT IN A
12 MUNICIPALITY, AS DESCRIBED IN SECTION 31-12-105 (1)(e)(I); OR

13 (b) A QUALIFYING PUBLIC PROPERTY THAT IS NOT ADJACENT TO
14 ANOTHER QUALIFYING PROPERTY CONTAINING FIVE OR LESS ACRES THAT
15 WAS PART OF A SUBDIVISION PROCESS THAT OCCURRED WITHIN THE PAST
16 FIVE YEARS, AND IS WITHIN:

17 (I) A MUNICIPALITY; OR

18 (II) A PORTION OF A COUNTY THAT IS WITHIN A CENSUS
19 DESIGNATED PLACE WITH A POPULATION OF FIVE THOUSAND OR MORE, AS
20 REPORTED IN THE MOST RECENT DECENNIAL CENSUS, THAT IS ALSO WITHIN
21 A THREE-MILE AREA EXTENDING IN ANY DIRECTION FROM ANY POINT IN A
22 MUNICIPALITY, AS DESCRIBED IN SECTION 31-12-105 (1)(e)(I)."

23 Page 11, strike line 13.

24 Page 12, line 21, strike "PARCEL." and substitute "PARCEL; EXCEPT THAT,
25 IF ON DECEMBER 31, 2027, A SUBJECT JURISDICTION IS ACTIVELY IN THE
26 PROCESS OF UPDATING THE SUBJECT JURISDICTION'S ZONING OR
27 DEVELOPMENT CODE TO COMPLY WITH THE REQUIREMENTS OF THIS PART
28 5, THE SUBJECT JURISDICTION SHALL COMPLETE THE UPDATES AND SHALL
29 COMPLY WITH ALL REQUIREMENTS OF THIS PART 5 BY JUNE 31, 2028."

30 Page 13, line 26, strike "STANDARDS;" and substitute "STANDARDS IN
31 ACCORDANCE WITH SECTION 29-20-104;".

32 Page 15, line 13, strike "FORTY-FIVE FEET TALL;" and substitute
33 "THIRTY-EIGHT FEET TALL, UNLESS:

34 (I) THE SUBJECT JURISDICTION IS SERVED BY A FIRE PROTECTION
35 DISTRICT, FIRE DEPARTMENT, OR FIRE AUTHORITY WHOSE AERIAL
36 APPARATUS IS UNABLE TO SERVE A STRUCTURE THAT IS THREE STORIES
37 TALL; OR

38 (II) THE QUALIFYING PROPERTY IS LOCATED IN A HISTORIC
39 DISTRICT THAT DOES NOT ALLOW RESIDENTIAL STRUCTURES THAT ARE

1 THREE STORIES TALL;".

2 Page 14, after line 7 insert:

3 "(i) ENACTING OR APPLYING A LOCAL LAW THAT REQUIRES
4 NOTIFYING THE PUBLIC REGARDING A DEVELOPMENT APPLICATION OR
5 SOLICITING AND COLLECTING FEEDBACK FROM RESIDENTS OF THE SUBJECT
6 JURISDICTION;

7 (j) APPLYING LAWS AND POLICIES TO A QUALIFYING PROPERTY
8 PURSUANT TO ACCEPTED HOUSING NEEDS ASSESSMENTS AND ACCEPTED
9 HOUSING ACTION PLANS THAT ENCOURAGE THE DEVELOPMENT OF A RANGE
10 OF HOUSING TYPES IN ACCORDANCE WITH PART 37 OF ARTICLE 32 OF TITLE
11 24;

12 (k) OFFERING FUNDING, FINANCING INCENTIVES, OR DEVELOPMENT
13 INCENTIVES THAT MAY REQUIRE APPROVAL IN A PUBLIC HEARING TO A
14 DEVELOPER OF A RESIDENTIAL DEVELOPMENT, IF THE FUNDING OR
15 INCENTIVES WOULD LEAD TO THE DEVELOPMENT OF A GREATER AMOUNT
16 OF AFFORDABLE HOUSING UNITS THAN THE AMOUNT OF AFFORDABLE
17 HOUSING UNITS THAT WOULD BE DEVELOPED IN THE ABSENCE OF THE
18 FUNDING OR INCENTIVES AND THE DEVELOPER OF THE RESIDENTIAL
19 DEVELOPMENT IS NOT REQUIRED TO ACCEPT THE FUNDING OR
20 INCENTIVES;".

21 Reletter succeeding paragraphs accordingly.

22 Page 15, strike lines 1 through 6.

23 Page 16, line 15, strike "SETBACKS FROM OIL AND GAS FACILITIES AND
24 OPERATIONS." and substitute "OTHER OBJECTIVE SETBACK STANDARDS
25 THAT APPLY TO RESIDENTIAL DWELLINGS, INCLUDING SETBACKS FROM OIL
26 AND GAS FACILITIES, OIL AND GAS OPERATIONS, STREAM CORRIDORS,
27 RIPARIAN AREAS, WETLANDS, AND SENSITIVE WILDLIFE HABITATS."

28 Before "STANDARDS" insert "SITE DESIGN" on: **Page 13**, line 27; and **Page**
29 **16**, lines 1, 3, and 5.

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