

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 18, 2023
Date

Committee on Local Government & Housing.

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

SB23-213 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 8, line 19, strike "a current unmet housing need"
2 and substitute "an unmet housing need, as of 2022,".

3 Page 8, after line 23 insert:

4 "(E) Older adults represent the fastest growing segment of
5 Colorado's population and have diverse housing needs that are not being
6 adequately met in the current housing market, including the need for more
7 accessible and affordable housing units built with universal design and
8 located within age friendly communities. The housing and land use
9 policies of the state must be informed by the findings and
10 recommendations of the strategic action plan on aging, developed
11 pursuant to section 24-32-3406, and the lifelong Colorado initiative
12 created pursuant to section 26-11-302, including the eight realms of
13 livable and age friendly communities;".

14 Reletter succeeding sub-subparagraphs accordingly.

15 Page 9, line 11, strike the second "and".

16 Page 9, line 15, strike "growth." and substitute "growth; and

17 (J) Displacement from low income neighborhoods has occurred
18 in Colorado under current land use regulations as housing rents and prices
19 have increased faster than wages, which has fundamentally changed the
20 demographics of some areas. These pressures have led to both direct
21 displacement of individual households from homes they can no longer
22 afford and indirect displacement as the result of changes in the
23 neighborhood population as low-income residents move out and the

- 1 vacated units are no longer affordable to similar households. As the state
2 and local governments seek to increase housing options and affordability,
3 it is essential to take steps to mitigate further displacement and enable
4 residents to stay in their neighborhoods if they wish."
- 5 Page 9, line 24, after "commutes," insert "reduced options for older adults
6 to age in their community of choice,".
- 7 Page 10, line 24, strike "levels." and substitute "levels and accessible for
8 people of all ages and abilities."
- 9 Page 11, line 9, strike "state" and substitute "statewide".
- 10 Page 12, line 4, strike "2040" and substitute "2030".
- 11 Page 12, line 7, after "year." insert "According to the state demographer,
12 households headed by a household age sixty-five and above are expected
13 to increase by 197,000 from 2020 to 2030, meaning over half of the
14 growth in households across the state is expected to be households over
15 sixty-five."
- 16 Page 14, line 5, strike "and".
- 17 Page 15, line 3, strike "Planning." and substitute "Planning;".
- 18 Page 16, line 4, strike "Policy." and substitute "Policy; and".
- 19 Page 16, lines 5 and 6, strike "creating a holistic statewide water
20 management system," and substitute "advancing efficient water use,".
- 21 Page 16, line 9, strike "A holistic statewide water management system"
22 and replace with "Efficient water use".
- 23 Page 21, lines 5 and 6, strike "grew from two million to two million nine
24 hundred thousand," and substitute "increased by nearly fifty percent,".
- 25 Page 21, line 7, strike "(VI)" and substitute "(b)".
- 26 Page 22, line 15, strike "AND".
- 27 Page 22, line 20, strike "DATA." and substitute "DATA; AND
28 (VIII) THE AFFORDABLE HOUSING TRANSFORMATIONAL TASK
29 FORCE ESTABLISHED IN SECTION 24-75-229 (6)(a), IDENTIFIED A

1 STATEWIDE HOUSING NEEDS ASSESSMENT AND PRODUCTION STRATEGY AS
2 A TOP LEGISLATIVE PRIORITY FOR COLORADO IN THE TASK FORCE'S
3 FEBRUARY 23, 2022, REPORT TO THE GENERAL ASSEMBLY.

4 (b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT THE
5 DEVELOPMENT AND USE OF LAND IS A MATTER OF MIXED STATEWIDE AND
6 LOCAL CONCERN."

7 Page 22, strike lines 21 through 23.

8 Page 23, line 12, strike "INCOME." and substitute "INCOME ON HOUSING
9 COSTS."

10 Page 23, strike lines 13 through 22 and substitute:

11 "(4) "BROWNFIELD DEVELOPMENT" MEANS THE DEVELOPMENT OF
12 BROWNFIELD SITES, AS DEFINED IN SECTION 31-25-103 (3.1).

13 (5) "BUILDABLE LANDS ANALYSIS" MEANS AN EVALUATION OF
14 LANDS SUITABLE FOR DEVELOPMENT INCLUDING POTENTIAL GREYFIELD
15 DEVELOPMENT, BROWNFIELD DEVELOPMENT, AND GREENFIELD
16 DEVELOPMENT.

17 (6) "BUS RAPID TRANSIT" MEANS A BUS-BASED TRANSIT SERVICE
18 THAT INCLUDES AT LEAST THREE OF THE FOLLOWING:

19 (a) SERVICE THAT IS SCHEDULED TO RUN EVERY FIFTEEN MINUTES
20 OR LESS DURING THE HIGHEST FREQUENCY SERVICE HOURS;

21 (b) DEDICATED LANES OR BUSWAYS;

22 (c) TRAFFIC SIGNAL PRIORITY;

23 (d) OFF-BOARD FARE COLLECTION;

24 (e) ELEVATED PLATFORMS; OR

25 (f) ENHANCED STATIONS."

26 Renumber succeeding subsections accordingly.

27 Page 23, strike lines 26 and 27 and substitute:

28 "(8) "COTTAGE CLUSTER" MEANS A GROUPING OF TWO OR MORE
29 DETACHED HOUSING UNITS, EACH HOUSING UNIT HAVING A FOOTPRINT OF
30 NO MORE THAN NINE HUNDRED SQUARE FEET, AND THE GROUPING HAVING
31 A COMMON COURTYARD."

32 Page 24, strike lines 1 through 15 and substitute:

33 "(9) "DISCRETIONARY APPROVAL PROCESS" MEANS A
34 DEVELOPMENT APPROVAL PROCESS CONDUCTED PURSUANT TO LOCAL LAW

1 THAT REQUIRES A PUBLIC BODY OR OFFICIAL TO MAKE ONE OR MORE
2 SUBJECTIVE DETERMINATIONS, INCLUDING:
3 (a) EVALUATIONS OF CONSISTENCY OF AN APPLICATION WITH
4 LOCAL PLANS;
5 (b) COMPATIBILITY OR HARMONY OF AN APPLICATION WITH
6 SURROUNDING LAND USES OR DEVELOPMENT;
7 (c) INDIVIDUALIZED EVALUATIONS RELATING TO MITIGATION OF
8 IMPACTS; OR
9 (d) EVALUATION OF AN APPLICATION'S CONSISTENCY WITH PUBLIC
10 WELFARE.
11 (10) "DISPLACEMENT" MEANS THE INVOLUNTARY RELOCATION OF
12 RESIDENTS DUE TO:
13 (a) NEW DEVELOPMENT AND AN INFLUX OF WEALTHIER RESIDENTS
14 RESULTING IN THE GENTRIFICATION OF A NEIGHBORHOOD;
15 (b) HOMES BEING VACATED BY LOW-INCOME RESIDENTS AND
16 OTHER LOW-INCOME RESIDENTS BEING UNABLE TO AFFORD TO MOVE IN OR
17 FORCED TO VACATE BECAUSE RENTS AND SALES PRICES HAVE INCREASED
18 ABOVE WHAT LOW-INCOME RESIDENTS CAN AFFORD;
19 (c) DISCRIMINATORY POLICIES, SUCH AS BANNING TENANTS WITH
20 HOUSING VOUCHERS, ELIMINATING UNITS LARGE ENOUGH FOR
21 HOUSEHOLDS WITH CHILDREN, OR CHANGING LAND USE OR ZONING THAT
22 FOSTER A CHANGE IN THE CHARACTER OF THE RESIDENTIAL
23 DEVELOPMENT;
24 (d) GENTRIFICATION-INDUCED DISPLACEMENT, TAKING INTO
25 ACCOUNT RESIDENTS WHO HAVE ALREADY BEEN DISPLACED AND CURRENT
26 AND FUTURE RESIDENTS WHO ARE OR MAY BE DISPLACED INCLUDING
27 RENTERS, LOW-INCOME HOUSEHOLDS, PERSONS OF COLOR, HOUSEHOLDS
28 HEADED BY A RESIDENT WITHOUT A COLLEGE DEGREE, AND FAMILIES IN
29 POVERTY WITH CHILDREN;
30 (e) WIDESPREAD DISPLACEMENT OF SOCIAL AND CULTURAL
31 CONNECTIONS AND COMMUNITY-SERVING ENTITIES;
32 (f) DETERIORATION OF OR PHYSICAL CONDITIONS THAT RENDER
33 RESIDENCES UNINHABITABLE, WHICH MAY BE CAUSED BY LACK OF
34 RENOVATION OR REHABILITATION, OR DEMOLITION OR REDEVELOPMENT,
35 OF AGING AFFORDABLE HOUSING OR COMMERCIAL SPACES; OR
36 (g) INCREASED REAL ESTATE PRICES, RENTS, PROPERTY TAXES,
37 NEW DEVELOPMENT INCLUDING AMENITIES, AND OTHER ECONOMIC
38 FACTORS THAT LEAD TO GENTRIFICATION."

39 Renumber succeeding subsections accordingly.

40 Page 24, strike lines 24 through 27 and substitute:

1 "(13) "GREENFIELD DEVELOPMENT" MEANS NEW DEVELOPMENT ON
2 LANDS THAT HAVE PREVIOUSLY NOT BEEN DEVELOPED AND MAY EITHER
3 BE WITHIN CURRENT MUNICIPAL BOUNDARIES OR OUTSIDE THEM AND IN A
4 POTENTIAL ANNEXATION AREA.

5 (14) "GREYFIELD DEVELOPMENT" MEANS INFILL, REDEVELOPMENT,
6 OR NEW DEVELOPMENT WITHIN AN EXISTING MUNICIPALITY OR CENSUS
7 URBANIZED AREA ON VACANT, PARTIALLY VACANT, OR UNDERUTILIZED
8 LAND."

9 Renumber succeeding subsection accordingly.

10 Page 25, after line 3 insert:

11 "(16) "HISTORIC PROPERTY" MEANS A PROPERTY LISTED ON THE
12 NATIONAL REGISTER OF HISTORIC PLACES, LISTED ON THE COLORADO
13 STATE REGISTER OF HISTORIC PROPERTIES, OR LISTED AS A CONTRIBUTING
14 STRUCTURE OR HISTORIC LANDMARK BY A CERTIFIED LOCAL
15 GOVERNMENT, AS DEFINED IN SECTION 39-22-514.5 (2)(b).

16 (17) "KEY CORRIDORS" MEANS THE AREAS DESCRIBED IN SECTION
17 29-33-503 (1)(a) AND DESIGNATED AS KEY CORRIDORS IN THE KEY
18 CORRIDORS MAP PUBLISHED BY THE DEPARTMENT OF TRANSPORTATION
19 PURSUANT TO SECTION 29-33-503."

20 Page 25, strike lines 4 and 5 and substitute:

21 "(18) "LOCAL GOVERNMENT" MEANS A HOME RULE OR STATUTORY
22 CITY, TOWN, TERRITORIAL CITY OR TOWN, CITY AND COUNTY, OR COUNTY
23 AND HOME RULE COUNTY."

24 Renumber succeeding subsections accordingly.

25 Page 25, strike lines 10 through 12 and substitute "DEVELOPMENTS."

26 Page 25, line 15, strike "INCLUDING" and substitute "INCLUDING, BUT NOT
27 LIMITED TO,".

28 Page 25, strike lines 26 and 27 and substitute:

29 "(23) "MIXED-INCOME DEVELOPMENT" MEANS HOUSING WHERE
30 SOME OF THE HOUSING UNITS WITHIN A PARTICULAR DEVELOPMENT HAVE
31 RESTRICTED RENTAL OR FOR-SALE RATES THAT ARE AFFORDABLE FOR
32 LOW- AND MODERATE-INCOME HOUSEHOLDS AND SOME UNITS HAVE
33 HIGHER RENTAL OR FOR-SALE RATES."

- 1 Page 26, strike lines 1 and 2.
- 2 Page 26, line 5, strike "AN" and substitute "THE COMMITTEE ESTABLISHED
3 IN SECTION 29-33-103."
- 4 Page 26, strike lines 6 through 14.
- 5 Page 26, line 15, after the second "GROUP" insert "CREATED IN THE
6 DEPARTMENT OF LOCAL AFFAIRS".
- 7 Page 26, line 22, strike "RESIDENTIAL".
- 8 Page 26, after line 24 insert:
- 9 "(28) "MUNICIPALITY" MEANS A HOME RULE OR STATUTORY CITY
10 OR TOWN, TERRITORIAL CHARTER CITY OR TOWN, OR CITY AND COUNTY."
- 11 Renumber succeeding subsections accordingly.
- 12 Page 27, strike lines 14 and 15 and substitute:
- 13 "(32) "POPULATION" MEANS CURRENT POPULATION AS REPORTED
14 BY THE STATE DEMOGRAPHER."
- 15 Page 27, strike line 19 and substitute "RESTRICT OR LIMIT RENTAL OR SALE
16 PRICE AND RESTRICT RESIDENT INCOME LEVELS TO LOW-TO
17 MODERATE-INCOME HOUSEHOLDS LEVELS FOR A SPECIFIED PERIOD."
- 18 Page 27, line 20, after "(34)" insert "(a)".
- 19 Page 27, line 22, strike "(a)" and substitute "(I)".
- 20 Page 27, line 23 strike "(b)" and substitute "(II)".
- 21 Page 27, line 24, strike "(c)" and substitute "(III)".
- 22 Page 28, line 1, strike "(d)" and substitute "(IV)".
- 23 Page 28, line 3, strike "(e)" and substitute "(V)".
- 24 Page 28, line 5, strike "HEADWAY".
- 25 Page 28, after line 6 insert:

1 (b) FOR PURPOSES OF THIS SUBSECTION (34), "TRANSIT AGENCY"
2 MEANS:

3 (I) A REGIONAL SERVICE AUTHORITY PROVIDING SURFACE
4 TRANSPORTATION PURSUANT TO PART 1 OF ARTICLE 7 OF TITLE 32, A
5 REGIONAL TRANSPORTATION AUTHORITY CREATED PURSUANT TO PART 6
6 OF ARTICLE 4 OF TITLE 43, OR ANY OTHER POLITICAL SUBDIVISION OF THE
7 STATE, PUBLIC ENTITY, OR NONPROFIT CORPORATION PROVIDING MASS
8 TRANSPORTATION SERVICES TO THE GENERAL PUBLIC; AND

9 (II) ELIGIBLE TO RECEIVE MONEY UNDER A GRANT AUTHORIZED BY
10 49 U.S.C. SEC. 5307 OR 49 U.S.C. SEC. 5311."

11 Page 28, line 11, after "PAYMENT." insert "SUBJECT JURISDICTIONS MAY
12 APPLY THEIR OWN DEFINITION OF SHORT-TERM RENTAL FOR THE PURPOSES
13 OF THIS ARTICLE 33."

14 Page 28, strike lines 19 through 24 and substitute:

15 (c) IS IN AN AGRICULTURAL, FORESTRY, NATURAL RESOURCE
16 PRESERVATION, OR OPEN SPACE ZONING DISTRICT;

17 (d) IS A HISTORIC PROPERTY THAT IS NOT WITHIN A HISTORIC
18 DISTRICT; OR"

19 Page 29, line 9, strike "THAT IS:" and substitute "THAT:".

20 Page 29, line 10, strike "WITHIN" and substitute "IS WITHIN".

21 Page 29, strike lines 21 through 24 and substitute:

22 (40) "TOWNHOME" MEANS A SINGLE-UNIT DWELLING UNIT
23 CONSTRUCTED IN A GROUP OF ATTACHED UNITS IN WHICH EACH UNIT
24 EXTENDS FROM FOUNDATION TO ROOF AND HAS OPEN SPACE ON AT LEAST
25 TWO SIDES."

26 Page 30, line 1, strike "(36)," and substitute "(41),".

27 Page 30, after line 3 insert:

28 (42) "UNDEVELOPED URBAN LAND" MEANS GREENFIELD
29 DEVELOPMENT AREAS WITHIN AN EXISTING MUNICIPALITY THAT HAVE
30 REMAINED UNDEVELOPED BUT COULD ACCOMMODATE FUTURE
31 DEVELOPMENT."

32 Renumber succeeding subsections accordingly.

1 Page 30, strike lines 9 through 11 and substitute:

2 "(45) "USE BY RIGHT" MEANS A LAND USE, THE DEVELOPMENT OF
3 WHICH PROCEEDS UNDER OBJECTIVE STANDARDS SET FORTH IN ZONING OR
4 OTHER LOCAL LAWS, AND THAT DOES NOT HAVE A DISCRETIONARY
5 APPROVAL PROCESS."

6 Page 30, before line 12 insert:

7 **"29-33-103. Multi-agency advisory committee - rural resort**
8 **area committee - urban area advisory committee.** (1) THERE IS
9 HEREBY CREATED IN THE DEPARTMENT OF LOCAL AFFAIRS THE
10 MULTI-AGENCY ADVISORY COMMITTEE, REFERRED TO IN THIS SECTION AS
11 THE COMMITTEE.

12 (2) THE COMMITTEE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
13 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
14 FUNCTIONS UNDER THE DEPARTMENT OF LOCAL AFFAIRS.

15 (3) (a) THE COMMITTEE CONSISTS OF THIRTEEN VOTING MEMBERS
16 AS FOLLOWS:

17 (I) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
18 AFFAIRS, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

19 (II) THE EXECUTIVE DIRECTOR OF THE COLORADO ENERGY OFFICE,
20 OF THE EXECUTIVE DIRECTOR'S DESIGNEE;

21 (III) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
22 TRANSPORTATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

23 (IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL
24 RESOURCES, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

25 (V) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
26 AGRICULTURE, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

27 (VI) ONE MEMBER WHO IS A STAFF-LEVEL REPRESENTATIVE FROM
28 A METROPOLITAN PLANNING ORGANIZATION WHO IS APPOINTED BY THE
29 SPEAKER OF THE HOUSE OF REPRESENTATIVES;

30 (VII) ONE MEMBER WHO IS A STAFF-LEVEL REPRESENTATIVE FROM
31 A METROPOLITAN PLANNING ORGANIZATION WHO IS APPOINTED BY THE
32 MINORITY LEADER OF THE SENATE;

33 (VIII) ONE MEMBER WHO HAS A BACKGROUND IN LAND USE
34 PLANNING AND IS A STAFF-LEVEL REPRESENTATIVE FROM A TIER ONE
35 URBAN MUNICIPALITY WHO IS APPOINTED BY THE PRESIDENT OF THE
36 SENATE;

37 (IX) ONE MEMBER WHO HAS A BACKGROUND IN LAND USE
38 PLANNING AND IS A STAFF-LEVEL REPRESENTATIVE FROM A TIER ONE
39 URBAN MUNICIPALITY WHO IS APPOINTED BY THE GOVERNOR;

40 (X) ONE MEMBER WHO HAS A BACKGROUND IN LAND USE

1 PLANNING AND IS A STAFF-LEVEL REPRESENTATIVE FROM A RURAL RESORT
2 JOB CENTER MUNICIPALITY WHO IS APPOINTED BY THE GOVERNOR;
3 (XI) ONE MEMBER WHO HAS A BACKGROUND IN LAND USE
4 PLANNING AND IS A STAFF-LEVEL REPRESENTATIVE FROM A RURAL RESORT
5 JOB CENTER MUNICIPALITY WHO IS APPOINTED BY THE SPEAKER OF THE
6 HOUSE OF REPRESENTATIVES;
7 (XII) ONE MEMBER WHO IS A STAFF-LEVEL REPRESENTATIVE FROM
8 A COUNTY WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE; AND
9 (XIII) ONE MEMBER WHO IS A COMMUNITY REPRESENTATIVE WITH
10 HOUSING EXPERTISE WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE.
11 (b) INITIAL APPOINTMENTS TO THE COMMITTEE MUST BE MADE NO
12 LATER THAN SEPTEMBER 1, 2023.
13 (c) WHEN MAKING APPOINTMENTS TO THE MULTI-AGENCY
14 ADVISORY COMMITTEE, REASONABLE EFFORTS MUST BE MADE TO APPOINT
15 MEMBERS WHO REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY
16 OF THE ENTIRE STATE.
17 (4) EACH MEMBER OF THE COMMITTEE WHO IS APPOINTED
18 PURSUANT TO SUBSECTION (3) OF THIS SECTION SERVES AT THE PLEASURE
19 OF THE OFFICIAL WHO APPOINTED THE MEMBER. THE TERM OF
20 APPOINTMENT IS FOUR YEARS; EXCEPT THAT THE TERM OF EACH MEMBER
21 INITIALLY APPOINTED PURSUANT TO SUBSECTIONS (3) OF THIS SECTION IS
22 TWO YEARS AND THE TERM OF EACH MEMBER INITIALLY APPOINTED
23 PURSUANT TO SUBSECTIONS (3) OF THIS SECTION IS ONE YEAR. NO
24 APPOINTED MEMBER OF THE COMMITTEE SHALL SERVE MORE THAN TWO
25 CONSECUTIVE TERMS.
26 (5) (a) THE GOVERNOR SHALL CALL THE FIRST MEETING OF THE
27 COMMITTEE NO LATER THAN OCTOBER 1, 2023.
28 (b) THE COMMITTEE SHALL ELECT A CHAIR FROM AMONG ITS
29 MEMBERS TO SERVE FOR A TERM NOT TO EXCEED TWO YEARS, AS
30 DETERMINED BY THE COMMITTEE. A MEMBER IS NOT ELIGIBLE TO SERVE
31 AS CHAIR FOR MORE THAN TWO SUCCESSIVE TERMS.
32 (c) THE COMMITTEE SHALL MEET AT LEAST ONCE EVERY YEAR.
33 THE CHAIR MAY CALL SUCH ADDITIONAL MEETINGS AS ARE NECESSARY
34 FOR THE COMMITTEE TO COMPLETE ITS DUTIES.
35 (6) THE COMMITTEE SHALL COMPLETE ITS DUTIES AS REQUIRED BY
36 THIS ARTICLE 33.
37 (7) UPON REQUEST BY THE COMMITTEE, THE DEPARTMENT OF
38 LOCAL AFFAIRS SHALL PROVIDE OFFICE SPACE, EQUIPMENT, AND STAFF
39 SERVICES AS MAY BE NECESSARY TO IMPLEMENT THIS SECTION.
40 (8) (a) THERE IS CREATED AS PART OF THE MULTI-AGENCY
41 ADVISORY COMMITTEE THE RURAL RESORT AREA SUBCOMMITTEE.
42 (b) THE RURAL RESORT AREA SUBCOMMITTEE CONSISTS OF:
43 (I) THE MEMBERS OF THE MULTI-AGENCY ADVISORY COMMITTEE

1 APPOINTED PURSUANT TO SUBSECTIONS (3)(a)(I), (3)(a)(II), (3)(a)(III),
2 (3)(a)(IV), (3)(a)(V), (3)(a)(X), AND (3)(a)(XI) OF THIS SECTION; AND
3 (II) TWO MEMBERS WHO HAVE A BACKGROUND IN LAND USE
4 PLANNING AND ARE STAFF-LEVEL REPRESENTATIVES FROM RURAL RESORT
5 JOB CENTER MUNICIPALITIES WHO ARE APPOINTED BY THE GOVERNOR.
6 THESE TWO MEMBERS ARE NOT MEMBERS OF THE MULTI-AGENCY
7 ADVISORY COMMITTEE.
8 (c) THE GOVERNOR SHALL CALL THE FIRST MEETING OF THE RURAL
9 RESORT AREA SUBCOMMITTEE.
10 (d) THE RURAL RESORT AREA SUBCOMMITTEE SHALL ELECT A
11 CHAIR FROM AMONG ITS MEMBERS TO SERVE FOR A TERM NOT TO EXCEED
12 TWO YEARS, AS DETERMINED BY THE SUBCOMMITTEE. A MEMBER IS NOT
13 ELIGIBLE TO SERVE AS CHAIR FOR MORE THAN TWO SUCCESSIVE TERMS.
14 (e) IN ACCORDANCE WITH 29-33-109, THE RURAL RESORT AREA
15 SUBCOMMITTEE SHALL DEVELOP RECOMMENDATIONS TO PRESENT TO THE
16 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS
17 CONCERNING GUIDELINES RELATED TO RURAL RESORT JOB CENTER
18 MUNICIPALITIES. PRIOR TO FINALIZING ANY RECOMMENDATIONS, THE
19 RURAL RESORT AREA SUBCOMMITTEE SHALL PROVIDE A DRAFT OF THE
20 RECOMMENDATIONS TO ALL RURAL RESORT AREA JOB CENTER
21 MUNICIPALITIES AND SHALL HOLD A PUBLIC HEARING ON SUCH
22 RECOMMENDATIONS NO SOONER THAN SIXTY DAYS AFTER PROVIDING
23 THESE RECOMMENDATIONS.
24 (9) (a) THERE IS CREATED AS PART OF THE MULTI-AGENCY
25 ADVISORY COMMITTEE THE URBAN AREA SUBCOMMITTEE.
26 (b) THE URBAN AREA SUBCOMMITTEE CONSISTS OF THE MEMBERS
27 OF THE MULTI-AGENCY ADVISORY COMMITTEE APPOINTED PURSUANT TO
28 SUBSECTIONS (3)(a)(I), (3)(a)(II), (3)(a)(III), (3)(a)(IV), (3)(a)(V),
29 (3)(a)(VI), (3)(a)(VII), (3)(a)(VIII), (3)(a)(IX), AND (3)(a)(XIII) OF THIS
30 SECTION.
31 (c) THE GOVERNOR SHALL CALL THE FIRST MEETING OF URBAN
32 AREA SUBCOMMITTEE.
33 (d) THE URBAN AREA SUBCOMMITTEE SHALL ELECT A CHAIR FROM
34 AMONG ITS MEMBERS TO SERVE FOR A TERM NOT TO EXCEED TWO YEARS,
35 AS DETERMINED BY THE SUBCOMMITTEE. A MEMBER IS NOT ELIGIBLE TO
36 SERVE AS CHAIR FOR MORE THAN TWO SUCCESSIVE TERMS.
37 (e) IN ACCORDANCE WITH SECTION 29-33-109, THE URBAN AREA
38 SUBCOMMITTEE SHALL DEVELOP RECOMMENDATIONS TO PRESENT TO THE
39 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS
40 CONCERNING GUIDELINES RELATED TO URBAN CENTER MUNICIPALITIES.
41 (10) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2033.
42 BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN
43 ACCORDANCE WITH SECTION 24-34-104."

1 Renumber succeeding sections accordingly.

2 Page 30, line 17, strike "DEMOGRAPHY OFFICE," and substitute
3 "DEMOGRAPHER,".

4 Page 31, line 1, strike "AND".

5 Page 31, strike lines 2 through 5 and substitute:

6 "(III) ESTIMATE THE HOUSING NECESSARY TO ACCOMMODATE THE
7 DEMOGRAPHIC AND POPULATION TRENDS FORECAST BY THE STATE
8 DEMOGRAPHER, CATEGORIZED BY HOUSEHOLD SIZE; HOUSEHOLD TYPE,
9 INCLUDING FOR SUPPORTIVE, FOR-SALE, AND RENTAL HOUSING; AND
10 INCOME LEVEL, INCLUDING EXTREMELY LOW-INCOME, VERY LOW-INCOME,
11 AND LOW-INCOME HOUSEHOLDS AS DEFINED BY THE UNITED STATES
12 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND

13 "(IV) ENSURE LOCAL GOVERNMENT INPUT AND COORDINATION.".

14 Page 31, strike lines 7 through 9 and substitute:

15 "(I) ASSESS REGIONAL HOUSING NEEDS FOR EACH REGION, BASED
16 ON:".

17 Page 31, line 11, strike "LEVELS;" and substitute "LEVELS, INCLUDING
18 EXTREMELY LOW-INCOME, VERY LOW-INCOME, AND LOW-INCOME
19 HOUSEHOLDS AS DEFINED BY THE UNITED STATES DEPARTMENT OF
20 HOUSING AND URBAN DEVELOPMENT;".

21 Page 31, line 12, strike "AND".

22 Page 31, after line 12 insert:

23 "(C) CURRENT JOBS BY INCOME LEVEL;".

24 Reletter succeeding sub-subparagraph accordingly.

25 Page 31, after line 13 insert:

26 "(E) DEMOGRAPHIC AND POPULATION TRENDS FORECAST BY THE
27 STATE DEMOGRAPHER; AND".

28 Page 31, strike lines 19 through 22 and substitute:

1 "(c) FOR LOCAL HOUSING NEEDS ASSESSMENTS, METHODS TO
2 ASSESS LOCAL HOUSING NEEDS FOR EACH LOCAL GOVERNMENT, BASED
3 ON:".

4 Page 31, line 24, strike "LEVELS;" and substitute "LEVELS, INCLUDING
5 EXTREMELY LOW-INCOME, VERY LOW-INCOME, AND LOW-INCOME
6 HOUSEHOLDS AS DEFINED BY THE UNITED STATES DEPARTMENT OF
7 HOUSING AND URBAN DEVELOPMENT;".

8 Page 31, line 26, strike "BALANCE;" and substitute "BALANCE, INCLUDING
9 THE AVAILABILITY OF HOUSING AFFORDABLE TO LOW-INCOME WORKERS
10 IN THE LOCALITY;".

11 Page 32, line 2, strike "AND".

12 Page 32, strike line 3 and substitute:

13 "(VII) MEASURES OF HOMELESSNESS AND HOUSING INSTABILITY
14 IN THE LOCALITY; AND
15 (VIII) DEMOGRAPHIC AND POPULATION TRENDS FORECAST BY THE
16 STATE DEMOGRAPHER.".

17 Page 32, strike lines 14 through 16 and substitute:

18 "(I) HOUSING NEEDS IN THE AREA SORTED BY INCOME LEVELS,
19 INCLUDING EXTREMELY LOW-INCOME, VERY LOW-INCOME, AND
20 LOW-INCOME HOUSEHOLDS AS DEFINED BY THE UNITED STATES
21 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND UNIT TYPES,
22 INCLUDING ACCESSIBLE UNITS, SUPPORTIVE HOUSING, FOR-SALE HOUSING
23 AND RENTAL HOUSING;".

24 Page 32, line 21, strike "LOCAL GOVERNMENTS" and substitute
25 "MUNICIPALITIES".

26 Page 33, lines 7 and 8, strike "BOTH RURAL RESORT JOB CENTER
27 MUNICIPALITIES AND".

28 Page 33, lines 11 and 12, strike "RURAL RESORT JOB CENTER
29 MUNICIPALITY AND".

30 Page 33, line 17, strike "A RURAL RESORT JOB CENTER MUNICIPALITY OR"
31 and substitute "AN".

1 Page 33, lines 20 and 21, strike "RURAL RESORT JOB CENTER
2 MUNICIPALITY OR".

3 Page 33, after line 22 insert:

4 "(c) ON OR BEFORE JUNE 30, 2024, AND ON OR BEFORE JUNE 30
5 EVERY FIVE YEARS THEREAFTER, A TIER ONE OR TIER TWO URBAN
6 MUNICIPALITY WITH A POPULATION OF LESS THAN TWENTY-FIVE
7 THOUSAND AND AN ANNUAL MEDIAN HOUSEHOLD INCOME OF LESS THAN
8 FIFTY-FIVE THOUSAND DOLLARS NEED NOT SUBMIT A HOUSING NEEDS PLAN
9 TO THE DEPARTMENT OF LOCAL AFFAIRS, IF THE MUNICIPALITY INSTEAD
10 SENDS A LETTER TO THE DEPARTMENT IN A FORM AND MANNER
11 DETERMINED BY THE DEPARTMENT INDICATING THAT THE MUNICIPALITY
12 DOES NOT INTEND TO SUBMIT A HOUSING NEEDS PLAN."

13 Page 33, line 27, strike "RURAL RESORT JOB CENTER".

14 Page 34, line 1, strike "MUNICIPALITY OR".

15 Page 34, line 7, strike "RURAL RESORT JOB CENTER MUNICIPALITY OR".

16 Page 34, line 14, strike "GREENFIELD DEVELOPMENT ANALYSIS" and
17 substitute "BUILDABLE LANDS ANALYSIS".

18 Page 34, lines 15 and 16, strike "RURAL RESORT JOB CENTER
19 MUNICIPALITY OR".

20 Page 34, line 20, strike "RURAL RESORT JOB CENTER MUNICIPALITY OR".

21 Page 34, lines 22 and 23, strike "BOTH ADDRESS HOUSING NEEDS AND".

22 Page 34, strike line 25 and substitute:

23 "SUBJECT JURISDICTION'S LOCAL HOUSING NEEDS ASSESSMENT AND
24 ADDRESS AREAS AND HOUSING TYPES THAT PARTS 2 THROUGH 5 OF THIS
25 ARTICLE 33 APPLY TO IN THE SUBJECT JURISDICTION; AND".

26 Page 35, line 2, strike "A RURAL RESORT JOB CENTER MUNICIPALITY OR"
27 and substitute "AN".

28 Page 35, line 12, after "AREAS." insert "ON OR BEFORE JUNE 30, 2025, AN
29 URBAN MUNICIPALITY SHALL SUBMIT THIS INFORMATION TO THE
30 DEPARTMENT OF LOCAL AFFAIRS."

1 Page 35, lines 13 and 14, strike "A RURAL RESORT JOB CENTER
2 MUNICIPALITY OR" and substitute "AN".

3 Page 35, after line 15 insert:

4 "(6) AN URBAN MUNICIPALITY THAT ADOPTED A PLAN TO ADDRESS
5 LOCAL HOUSING NEEDS PRIOR TO THE EFFECTIVE DATE OF THIS SECTION
6 MAY, RATHER THAN DEVELOPING AND ADOPTING A NEW HOUSING NEEDS
7 PLAN PURSUANT TO SUBSECTION (3) OF THIS SECTION, UPDATE ITS
8 EXISTING PLAN TO ADDRESS ADDITIONAL NEEDS IDENTIFIED IN THE LOCAL
9 HOUSING NEEDS ASSESSMENT BEYOND WHAT THE MUNICIPALITY'S
10 EXISTING PLAN TO ADDRESS LOCAL HOUSING NEEDS INCLUDES, AND ANY
11 REQUIREMENTS IN SECTION 29-33-105 (4) NOT ALREADY INCLUDED IN THE
12 MUNICIPALITY'S EXISTING PLAN TO ADDRESS LOCAL HOUSING NEEDS.

13 (7) (a) A COUNTY OR MUNICIPALITY WITHIN A REGION DEFINED IN
14 THE REGIONAL HOUSING NEEDS ASSESSMENT MAY PARTICIPATE IN A
15 REGIONAL HOUSING NEEDS PLANNING PROCESS.

16 (b) A REGIONAL HOUSING NEEDS PLANNING PROCESS MAY BE LED
17 BY A REGIONAL ENTITY AND MUST ENCOURAGE PARTICIPATING COUNTIES
18 AND MUNICIPALITIES TO IDENTIFY STRATEGIES THAT IMPROVE
19 COORDINATION BETWEEN ENTITIES TO MEET THE HOUSING NEEDS
20 IDENTIFIED FOR THOSE LOCAL GOVERNMENTS IN THE REGIONAL AND
21 LOCAL HOUSING NEEDS ASSESSMENTS.

22 (8) (a) AS USED IN THIS SECTION UNLESS THE CONTEXT OTHERWISE
23 REQUIRES, "BUILDABLE LANDS ANALYSIS" MEANS A COMPREHENSIVE
24 ANALYSIS OF VACANT, PARTIALLY VACANT, AND UNDERUTILIZED LAND
25 WITHIN AN EXISTING MUNICIPALITY WHICH CAN ACCOMMODATE INFILL
26 DEVELOPMENT, REDEVELOPMENT, AND NEW DEVELOPMENT. THE
27 ANALYSIS INCLUDES GREYFIELD DEVELOPMENT, BROWNFIELD
28 DEVELOPMENT, AND UNDEVELOPED URBAN LAND WITHIN A MUNICIPALITY,
29 AS WELL AS GREENFIELD DEVELOPMENT.

30 (b) IN COMPLETING A BUILDABLE LANDS ANALYSIS, METROPOLITAN
31 PLANNING ORGANIZATIONS AND LOCAL GOVERNMENTS SHALL PRIORITIZE
32 GREYFIELD DEVELOPMENT AND DEVELOPMENT PATTERNS THAT SUPPORT
33 STRATEGIC GROWTH OBJECTIVES.

34 (c) IF GREENFIELD DEVELOPMENT IS DEEMED NECESSARY TO MEET
35 HOUSING NEEDS, THE ANALYSIS MUST DEMONSTRATE THAT SUCH NEEDS
36 CANNOT BE SATISFIED BY GREYFIELD DEVELOPMENT OR BROWNFIELD
37 DEVELOPMENT WITHIN THE EXISTING MUNICIPALITY OR CENSUS
38 URBANIZED AREA.

39 (d) A BUILDABLE LANDS ANALYSIS MUST:

40 (I) CLASSIFY POTENTIAL GREENFIELD DEVELOPMENT AREAS AS A
41 CONSERVATION AREA, EFFICIENT GROWTH AREA, OR GENERAL GROWTH

1 AREA. SUCH CLASSIFICATIONS MUST FURTHER THE STRATEGIC GROWTH
2 OBJECTIVES MOST RECENTLY PUBLISHED BY THE EXECUTIVE DIRECTOR OF
3 THE DEPARTMENT OF LOCAL AFFAIRS.

4 (II) ASSESS ALIGNMENT WITH THE NATURAL AND AGRICULTURAL
5 LAND VALUES PRIORITY REPORT IN THE CONSIDERATION OF GREENFIELD
6 DEVELOPMENT AND ANNEXATION OPPORTUNITIES;

7 (III) IDENTIFY INFRASTRUCTURE GAPS, INCLUDING BUT NOT
8 LIMITED TO TRANSPORTATION WATER, SEWER, STORMWATER, AND UTILITY
9 INFRASTRUCTURE, TO ASSESS DEVELOPMENT READINESS, AND IDENTIFY
10 POTENTIAL FUNDING AND POLICY SOLUTIONS TO ENABLE DEVELOPMENT;

11 (IV) ASSESS ALIGNMENT WITH STRATEGIC GROWTH OBJECTIVES
12 AND QUANTIFY THE IMPACTS OF PLANNED DEVELOPMENT ON HOUSING AND
13 TRANSPORTATION COSTS, HOUSEHOLD DRIVING AND GREENHOUSE GAS
14 EMISSIONS, WATER AND ENERGY CONSUMPTION, ACCESS TO JOBS AND
15 ESSENTIAL SERVICES, TRANSIT VIABILITY, COMMUTE MODE SHARE, GOALS
16 LISTED IN THE NATURAL AND AGRICULTURAL LAND VALUES PRIORITY
17 REPORT, AND OTHER METRICS DEEMED RELEVANT BY THE DEPARTMENT OF
18 LOCAL AFFAIRS; AND

19 (V) IDENTIFY THE WAYS IN WHICH STATE AND REGIONAL FUNDING
20 CAN BETTER SUPPORT DEVELOPMENT PLANS AND STRATEGIC GROWTH
21 OBJECTIVES.

22 (e) ON OR BEFORE DECEMBER 31, 2025, METROPOLITAN PLANNING
23 ORGANIZATIONS, IN CONSULTATION WITH COUNTIES AND MUNICIPALITIES,
24 SHALL COMPLETE A BUILDABLE LANDS ANALYSIS USING INFORMATION IN
25 CONJUNCTION WITH THE REGIONAL HOUSING NEEDS ASSESSMENT. ON OR
26 BEFORE DECEMBER 31, 2026, URBAN MUNICIPALITIES AND RURAL RESORT
27 JOB CENTER MUNICIPALITIES SHALL COMPLETE A BUILDABLE LANDS
28 ANALYSIS AND INCLUDE IT IN THEIR HOUSING NEEDS PLANS.

29 (f) THE DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT OF
30 LOCAL AFFAIRS, THE OFFICE OF ECONOMIC DEVELOPMENT AND
31 INTERNATIONAL TRADE, AND METROPOLITAN PLANNING ORGANIZATIONS
32 SHALL USE THE BUILDABLE LANDS ANALYSES TO INFORM THEIR PLANNING
33 PROCESSES, PROJECT PRIORITIZATION, AND GRANT FUNDING CRITERIA."

34 Renumber succeeding subsections.

35 Page 36, strike lines 2 through 24 and substitute:

36 **"29-33-106. Menu of urban municipality affordability**
37 **strategies.** (1) IN ORDER TO SUPPORT AFFORDABILITY AND ADVANCE
38 MEETING THE HOUSING NEEDS OF ALL INCOME LEVELS IDENTIFIED IN THE
39 LOCAL HOUSING NEEDS ASSESSMENT, INCLUDING EXTREMELY
40 LOW-INCOME, VERY LOW-INCOME, AND LOW-INCOME HOUSEHOLDS AS

1 DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
2 DEVELOPMENT, THE MENU OF AFFORDABILITY STRATEGIES FOR AN URBAN
3 MUNICIPALITY MUST INCLUDE THE FOLLOWING:

4 (a) IMPLEMENTATION OF A LOCAL INCLUSIONARY ZONING
5 ORDINANCE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS
6 29-20-104 (e.5) AND (e.7);

7 (b) THE CREATION OF A PROGRAM TO SUBSIDIZE OR OTHERWISE
8 REDUCE LOCAL DEVELOPMENT REVIEW OR FEES, INCLUDING:

9 (I) BUILDING PERMIT FEES;
10 (II) PLANNING WAIVERS;
11 (III) WATER AND SEWER TAP FEES; AND
12 (IV) INFRASTRUCTURE COSTS FOR REGULATED AFFORDABLE
13 HOUSING DEVELOPMENT;

14 (c) THE CREATION OF AN EXPEDITED DEVELOPMENT REVIEW
15 PROCESS FOR REGULATED AFFORDABLE HOUSING DEVELOPMENTS;

16 (d) THE ESTABLISHMENT OF A DENSITY BONUS PROGRAM THAT
17 GRANTS INCREASED FLOOR AREA RATIO, DENSITY, OR HEIGHT BEYOND
18 WHAT IS REQUIRED BY THIS ARTICLE 33 TO INCREASE THE CONSTRUCTION
19 OF REGULATED AFFORDABLE HOUSING UNITS;

20 (e) ENABLING REGULATED AFFORDABLE HOUSING AS A USE BY
21 RIGHT IN HOUSING TYPES AND AREAS BEYOND WHAT IS REQUIRED BY THIS
22 ARTICLE 33, SUCH AS ADDITIONAL ZONE DISTRICTS, HIGHER ALLOWED
23 DENSITIES, OR OTHER APPROACHES CONSISTENT WITH THE GOALS OF
24 INCREASING HOUSING AFFORDABILITY, SUPPLY, AND HOUSING UNIT TYPE
25 DIVERSITY;

26 (f) THE ESTABLISHMENT OF A POLICY OR PLAN TO LEVERAGE
27 MUNICIPALLY OWNED, SOLD, OR MANAGED LAND FOR REGULATED
28 AFFORDABLE HOUSING DEVELOPMENT.

29 (g) THE ESTABLISHMENT OF A DEDICATED LOCAL REVENUE SOURCE
30 FOR REGULATED AFFORDABLE HOUSING DEVELOPMENT, SUCH AS
31 INSTITUTING A LINKAGE FEE ON NEW DEVELOPMENTS;

32 (h) THE REGULATION OF SHORT-TERM RENTALS OR SECOND HOMES
33 IN A WAY THAT SUPPORTS LOCAL HOUSING NEEDS;

34 (i) THE ELIMINATION OF LOCAL PARKING REQUIREMENTS FOR
35 REGULATED AFFORDABLE HOUSING;

36 (j) MAKING COMMITMENT TO AND REMAINING ELIGIBLE FOR THE
37 STATE AFFORDABLE HOUSING FUND CREATED IN SECTION 29-32-102 (1);

38 (k) INCENTIVIZING OR CREATING A DEDICATED LOCAL PROGRAM
39 TO FACILITATE INVESTMENT IN LAND BANKING OR COMMUNITY LAND
40 TRUSTS; AND

41 (l) ANY OTHER STRATEGIES PROPOSED BY A LOCAL GOVERNMENT
42 OR THE MULTI-AGENCY ADVISORY COMMITTEE THAT ARE APPROVED BY
43 THE DEPARTMENT OF LOCAL AFFAIRS AND THAT SUPPORT EQUAL OR

1 GREATER AFFORDABILITY CONSISTENT WITH THE NEEDS IDENTIFIED IN THE
2 RELEVANT LOCAL HOUSING NEEDS ASSESSMENT.

3 (2) (a) URBAN MUNICIPALITIES SHALL DEMONSTRATE THE
4 ADOPTION OF THE NUMBER OF AFFORDABILITY STRATEGIES REQUIRED BY
5 SECTION 29-33-105 (4)(e)(I) AND SUBMIT A REPORT DETAILING THESE
6 STRATEGIES TO THE DEPARTMENT OF LOCAL AFFAIRS NO LATER THAN JUNE
7 30, 2025. IN DETERMINING WHICH STRATEGIES TO ADOPT, AN URBAN
8 MUNICIPALITY SHALL CONSIDER PREVIOUS PLANS ADDRESSING HOUSING
9 NEEDS OR OTHER AVAILABLE DATA TO INFORM THE SELECTION OF
10 STRATEGIES TO ADDRESS KNOWN HOUSING NEEDS.

11 (b) AN URBAN MUNICIPALITY CAN ONLY USE ONE OF THE
12 AFFORDABILITY STRATEGIES IDENTIFIED IN SUBSECTIONS (1)(c) AND (1)(j)
13 OF THIS SECTION TO SATISFY THE REQUIREMENTS OF SECTION 29-33-105
14 (4)(e)(I).

15 (3) NOTWITHSTANDING SECTION 29-33-105 (4)(e)(I), AN URBAN
16 MUNICIPALITY MAY SUBMIT EVIDENCE TO THE DEPARTMENT OF LOCAL
17 AFFAIRS CONCERNING AFFORDABILITY STRATEGIES THAT THE
18 MUNICIPALITY HAS ADOPTED OUTSIDE OF THOSE LISTED IN THIS SECTION,
19 OR THAT THE MUNICIPALITY ADOPTED PRIOR TO THE EFFECTIVE DATE OF
20 THIS SECTION, AND THE DEPARTMENT MAY DETERMINE WHETHER THOSE
21 STRATEGIES MAY QUALIFY AS AFFORDABILITY STRATEGIES FOR PURPOSES
22 OF SECTION 29-33-105 (4)(e)(I)."

23 Page 36, lines 25 and 26, strike "**mitigation measures for urban**
24 **municipalities.**" and substitute "**assessment.**".

25 Page 36, line 26, strike "DECEMBER 31, 2024," and substitute "MARCH
26 31, 2024,".

27 Page 37, line 1, strike "A MENU OF DISPLACEMENT MITIGATION
28 MEASURES" and substitute "A DISPLACEMENT ASSESSMENT, AFTER
29 CONSULTATION WITH COMMUNITY GROUPS EXPERIENCED IN WORKING
30 WITH INDIVIDUALS WHO HAVE BEEN DISPLACED OR PREVENTING
31 DISPLACEMENT, TO GUIDE LOCAL GOVERNMENTS IN CONDUCTING A
32 DISPLACEMENT ASSESSMENT TO GUIDE DISPLACEMENT MITIGATION
33 STRATEGIES AND POLICIES".

34 Page 37, line 2, after "MUNICIPALITIES." insert "THE ASSESSMENT SHALL
35 BE DESIGNED WITH THE GOAL OF PROVIDING URBAN MUNICIPALITIES WITH
36 ADEQUATE GUIDANCE AND TOOLS TO PREVENT DISPLACEMENT FROM
37 AREAS, COMMUNITIES, OR HOUSEHOLDS AT HIGH RISK FOR DISPLACEMENT,
38 PARTICULARLY IN AREAS IMPACTED BY, AND WHERE HOUSING
39 DEVELOPMENT IS ALLOWED BY, PARTS 2, 3, 4, AND 5 OF THIS ARTICLE 33."

1 Page 37, line 9, after "THE" insert "AREAS AT THE".

2 Page 37, line 10, strike "STANDARDS;" and substitute "STANDARDS. THIS
3 ASSESSMENT MUST INCLUDE FACTORS THAT CAN BE USED TO IDENTIFY
4 RISKS FOR DISPLACEMENT AT THE CENSUS TRACT OR OTHER SIMILAR
5 GEOGRAPHIC SCALE. THE FACTORS MUST INCLUDE, BUT ARE NOT LIMITED
6 TO, THE FOLLOWING:

7 (I) THE PERCENTAGE OF RESIDENTS WHO ARE LOW-INCOME;

8 (II) THE PERCENTAGE OF RESIDENTS WHO ARE RENTERS;

9 (III) THE PERCENTAGE OF COST-BURDENED HOUSEHOLDS, DEFINED
10 AS SPENDING MORE THAN THIRTY PERCENT OF THE RESIDENT'S INCOME ON
11 HOUSING NEEDS;

12 (IV) THE NUMBER OF ADULTS WHO ARE TWENTY-FIVE YEARS OF
13 AGE OR OLDER AND HAVE NOT EARNED AT LEAST A HIGH SCHOOL
14 DIPLOMA;

15 (V) THE PERCENTAGE OF HOUSEHOLDS IN WHICH THE PRIMARY
16 LANGUAGE THAT IS SPOKEN IS A LANGUAGE OTHER THAN ENGLISH;

17 (VI) THE PERCENTAGE OF RESIDENTS WHO WERE BORN OUTSIDE OF
18 THE UNITED STATES;

19 (VII) PERCENTAGE OF WORKERS WHO LIVE WITHIN A TEN-MILE
20 RADIUS OF THE URBAN MUNICIPALITY OR TWENTY-MILE RADIUS OF A
21 RURAL RESORT JOB CENTER;

22 (VIII) THE EMPLOYMENT RATE; AND

23 (IX) THE PERCENTAGE OF HOUSEHOLDS THAT DO NOT HAVE
24 INTERNET ACCESS."

25 Page 37, line 12, strike "ANTI-DISPLACEMENT" and substitute
26 "DISPLACEMENT MITIGATION".

27 Page 37, line 15, strike "CHOSE" and substitute "CHOOSE".

28 Page 37, after line 15 insert:

29 "(3) AN URBAN MUNICIPALITY MAY SUBMIT EVIDENCE TO THE
30 DEPARTMENT OF LOCAL AFFAIRS CONCERNING DISPLACEMENT MITIGATION
31 MEASURES THAT THE MUNICIPALITY ADOPTED PRIOR TO THE EFFECTIVE
32 DATE OF THIS SECTION, AND THE IMPACT OF THOSE MEASURES, AND THE
33 DEPARTMENT MAY DETERMINE WHETHER THOSE STRATEGIES MAY
34 QUALIFY AS A DISPLACEMENT MITIGATION MEASURE FOR PURPOSES OF
35 SECTION 29-33-105 (4)(g).

36 (4) THE DEPARTMENT OF LOCAL AFFAIRS SHALL PROVIDE
37 TECHNICAL ASSISTANCE AND FUNDING TO SUPPORT URBAN MUNICIPALITIES
38 IN CONDUCTING DISPLACEMENT ANALYSIS AND IN IDENTIFYING

1 DISPLACEMENT MITIGATION MEASURES TO ADDRESS THE RISK OF
2 DISPLACEMENT IN THE AREAS AT THE HIGHEST RISK OF DISPLACEMENT.".

3 Page 37, strike lines 17 through 27 and substitute:

4 "LATER THAN MARCH 31, 2024, THE EXECUTIVE DIRECTOR OF THE
5 DEPARTMENT OF LOCAL AFFAIRS SHALL PUBLISH A REPORT THAT
6 IDENTIFIES MULTI-AGENCY IMPLEMENTATION PRINCIPLES TO ACHIEVE
7 STRATEGIC GROWTH OBJECTIVES. THE EXECUTIVE DIRECTOR SHALL
8 UPDATE THIS REPORT EVERY FIVE YEARS.

9 (b) THE MULTI-AGENCY ADVISORY COMMITTEE SHALL, AS PART OF
10 THE PUBLIC COMMENT AND HEARING PROCESS ESTABLISHED IN SECTION
11 29-33-109 (2), DEVELOP RECOMMENDATIONS TO PROVIDE TO THE
12 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS
13 CONCERNING THE REPORT DESCRIBED IN SUBSECTION (1)(a) OF THIS
14 SECTION.

15 (2) STRATEGIC GROWTH OBJECTIVES SERVE AS BROAD GUIDANCE
16 TO STATE AGENCIES AND OTHER ENTITIES ENGAGED IN THE
17 IMPLEMENTATION OF SENATE BILL 23-213, ARE INTENDED TO AID IN
18 REACHING THE HOUSING AND LAND USE GOALS OF SENATE BILL 23-213 AS
19 IDENTIFIED IN SUBSECTION (4) OF THIS SECTION, AND ARE TO BE UTILIZED
20 IN DEVELOPING MULTI-AGENCY IMPLEMENTATION PRINCIPLES FOR
21 STRATEGIC GROWTH OBJECTIVES. STRATEGIC GROWTH OBJECTIVES MUST,
22 AT A MINIMUM:

23 (a) CONSIDER THE DIFFERENT CONTEXTS AND NEEDS OF STRATEGIC
24 GROWTH AREAS IN RURAL, RURAL RESORT, AND URBAN AREAS OF THE
25 STATE;

26 (b) PROMOTE STRATEGIC GROWTH AREAS THAT HAVE:

27 (I) A VARIETY OF HOUSING TYPES;

28 (II) TRANSIT-SUPPORTIVE DENSITIES IN NEW OR EXISTING TRANSIT
29 CORRIDORS;

30 (III) MIDDLE HOUSING AND MULTIFAMILY HOUSING IN EXISTING OR
31 NEW WALKABLE MIXED-USE NEIGHBORHOODS AND CENTERS; AND

32 (IV) SUFFICIENT WATER SUPPLIES AND ALLOCATIONS TO
33 AFFORDABLE AND WATER-EFFICIENT HOUSING TYPES;

34 (c) IN LOCATIONS WHERE GROWTH IS OCCURRING BEYOND
35 EXISTING CENSUS URBANIZED AREAS, DIFFERENTIATE BETWEEN STRATEGIC
36 GROWTH AREAS, GENERAL GROWTH AREAS, AND CONSERVATION AREAS;

37 (d) PROMOTE INVESTMENTS THAT SUPPORT STRATEGIC GROWTH
38 AREAS;

39 (e) STREAMLINE AGENCY PERMITTING PROCESSES TO SUPPORT
40 STRATEGIC GROWTH AREAS;

41 (f) REVIEW PROJECT PRIORITIZATION PROCESSES AND GRANT

1 PROGRAMS TO SUPPORT STRATEGIC GROWTH AREAS;
2 (g) CONSIDER STEPS TO SUPPORT STRATEGIC GROWTH OBJECTIVES
3 WHEN UPDATING PLANNING DOCUMENTS, INCLUDING PERFORMANCE
4 MEASURES AND PERFORMANCE TARGETS; AND
5 (h) IDENTIFY OTHER STRATEGIC GROWTH OBJECTIVES AS NEEDED
6 DURING THE IMPLEMENTATION OF THE MULTI-AGENCY IMPLEMENTATION
7 PRINCIPLES IDENTIFIED IN SUBSECTION (1)(a) OF THIS SECTION.
8 (3) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
9 AFFAIRS MAY IDENTIFY AND DEFINE ADDITIONAL STRATEGIC GROWTH
10 OBJECTIVES BEYOND THOSE IDENTIFIED IN SUBSECTION (2) OF THIS
11 SECTION.
12 (4) FOR THE PURPOSES OF THIS SECTION, THE HOUSING AND LAND
13 USE GOALS OF SENATE BILL 23-213 INCLUDE:
14 (a) PLANNING FOR FUTURE GROWTH;
15 (b) INCREASING HOUSING AFFORDABILITY;
16 (c) INCREASING ECONOMIC MOBILITY;
17 (d) ALIGNING WATER SUPPLY AND HOUSING PLANNING;
18 (e) BALANCING REGIONAL JOBS AND HOUSING;
19 (f) REDUCING AIR POLLUTION AND GREENHOUSE GAS EMISSIONS;
20 AND
21 (g) PRESERVING OPEN SPACE AND AGRICULTURAL LAND.
22 (5) (a) NO LATER THAN JUNE 30, 2025, THE MULTI-AGENCY GROUP
23 SHALL SUBMIT A REPORT TO THE EXECUTIVE DIRECTOR OF THE
24 DEPARTMENT OF LOCAL AFFAIRS WHO SHALL SUBMIT THE REPORT TO THE
25 GENERAL ASSEMBLY.
26 (b) THE REPORT MUST ASSESS BOTH:
27 (I) THE AVAILABILITY AND SUFFICIENCY OF WATER SUPPLIES IN
28 COUNTIES WITH A POPULATION GREATER THAN TWO HUNDRED AND FIFTY
29 THOUSAND TO PROVIDE FOR ANTICIPATED GROWTH AND DEVELOPMENT;
30 AND
31 (II) POLICY OPTIONS TO OPTIMIZE WATER SUPPLY AND
32 DEVELOPMENT."

33 Page 38, strike lines 1 through 21.

34 Page 38, line 25, after "COMMITTEE" insert "CREATED IN SECTION
35 29-33-103 (1), RURAL RESORT AREA SUBCOMMITTEE CREATED IN SECTION
36 29-33-103 (8), OR THE URBAN AREA SUBCOMMITTEE CREATED IN SECTION
37 29-33-103 (9),".

38 Page 39, line 2, strike "29-33-103" and substitute "29-33-104".

39 Page 39, line 4, strike "29-33-104" and substitute "29-33-105".

- 1 Page 39, line 14, strike "29-33-112." and substitute "29-33-113."
- 2 Page 39, line 17, after "COMMITTEE" insert "CREATED IN SECTION
3 29-33-103 (1), RURAL RESORT AREA SUBCOMMITTEE CREATED IN SECTION
4 29-33-103 (8), OR THE URBAN AREA SUBCOMMITTEE CREATED IN SECTION
5 29-33-103 (9),".
- 6 Page 39, line 19, strike "MEETINGS" and substitute "HEARINGS".
- 7 Page 39, line 24, strike "AND".
- 8 Page 39, line 25, after "RIGHTS," insert "RACIAL EQUITY AND
9 HOMELESSNESS PREVENTION,".
- 10 Page 39, line 26, strike "FIELDS." and substitute "FIELDS; AND
11 (e) ENSURE ACCESSIBILITY TO THE COMMENT AND HEARING
12 PROCESS BY PROVIDING TRANSLATED MATERIALS AND INTERPRETATION
13 SERVICES, PROVIDING AT LEAST ONE OF THE HEARINGS IN PERSON, AND
14 CONDUCTING OUTREACH TO ENCOURAGE PARTICIPATION FROM
15 UNDERREPRESENTED COMMUNITIES.".
- 16 Page 40, line 15, strike "30-28-106 (6.5)(d) AND 31-23-206 (6.5)(d)" and
17 substitute "30-28-106 AND 31-23-206".
- 18 Page 40, strike lines 16 through 27 and substitute:
- 19 **"29-33-111. Rural resort job center municipalities - existing**
20 **plans to address local housing needs - menu of affordability strategies**
21 **- regional housing needs planning process. (1) Existing plans to**
22 **address local housing needs.** A RURAL RESORT JOB CENTER
23 MUNICIPALITY THAT ADOPTS A PLAN TO ADDRESS LOCAL HOUSING NEEDS
24 PRIOR TO THE EFFECTIVE DATE OF THIS SECTION MAY, RATHER THAN
25 DEVELOPING AND ADOPTING A NEW HOUSING NEEDS PLAN PURSUANT TO
26 SECTION 29-33-112 (2), UPDATE ITS EXISTING PLAN TO ADDRESS
27 ADDITIONAL NEEDS IDENTIFIED IN THE LOCAL HOUSING NEEDS
28 ASSESSMENT BEYOND WHAT THE MUNICIPALITY'S EXISTING PLAN TO
29 ADDRESS LOCAL HOUSING NEEDS INCLUDES, AND ANY REQUIREMENTS IN
30 SECTION 29-33-105 (4) NOT ALREADY INCLUDED IN THE MUNICIPALITY'S
31 EXISTING PLAN TO ADDRESS LOCAL HOUSING NEEDS.
- 32 (2) **Menu of affordability strategies.** (a) IN ORDER TO SUPPORT
33 AFFORDABILITY AND ADVANCE MEETING THE HOUSING NEEDS OF ALL
34 INCOME LEVELS IDENTIFIED IN THE LOCAL HOUSING NEEDS ASSESSMENT,
35 THE MENU OF AFFORDABILITY STRATEGIES FOR A RURAL RESORT JOB

- 1 CENTER MUNICIPALITY MUST INCLUDE THE FOLLOWING:
- 2 (I) A STRATEGY DEFINED BY THE RURAL RESORT JOB CENTER
3 MUNICIPALITY THAT SETS PARAMETERS FOR THE CONSTRUCTION AND
4 PERMITTING OF ACCESSORY DWELLING UNITS WITH AFFORDABILITY
5 PROTECTIONS THAT MEET THE RURAL RESORT JOB CENTER MUNICIPALITY'S
6 HOUSING AFFORDABILITY NEEDS;
- 7 (II) A STRATEGY DEFINED BY THE RURAL RESORT JOB CENTER
8 MUNICIPALITY THAT SETS PARAMETERS FOR THE CONSTRUCTION AND
9 PERMITTING OF MIDDLE HOUSING AND MULTIFAMILY HOUSING THAT:
- 10 (A) IS WITHIN A WALKABLE DISTANCE OF TRANSIT STOPS, WHEN
11 POSSIBLE;
- 12 (B) INCORPORATES AFFORDABILITY PROTECTIONS SUCH AS DEED
13 RESTRICTIONS AND SHORT-TERM RENTAL RESTRICTIONS AS IDENTIFIED BY
14 THE RURAL RESORT JOB CENTER MUNICIPALITY; AND
- 15 (C) PROVIDES HOUSING THAT MEETS THE RURAL RESORT JOB
16 CENTER MUNICIPALITY'S HOUSING AFFORDABILITY NEEDS AND DOES NOT
17 ENCOURAGE OR REQUIRE ANY HOUSING THAT DOES NOT MEET THE RURAL
18 RESORT JOB CENTER MUNICIPALITY'S HOUSING AFFORDABILITY NEEDS;
- 19 (III) IMPLEMENTING A LOCAL INCLUSIONARY ZONING ORDINANCE
20 IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 29-20-104 (e.5)
21 AND (e.7);
- 22 (IV) THE CREATION OF A PROGRAM TO SUBSIDIZE OR OTHERWISE
23 REDUCE LOCAL DEVELOPMENT FEES THAT MAY INCLUDE:
- 24 (A) BUILDING PERMIT FEES;
- 25 (B) WATER AND SEWER TAP FEES; AND
- 26 (C) OTHER INFRASTRUCTURE COSTS FOR REGULATED AFFORDABLE
27 HOUSING DEVELOPMENT;
- 28 (V) CREATING AN EXPEDITED DEVELOPMENT REVIEW PROCESS FOR
29 REGULATED AFFORDABLE HOUSING DEVELOPMENTS;
- 30 (VI) ESTABLISHING A DENSITY BONUS PROGRAM THAT ALLOWS
31 INCREASED FLOOR AREA RATIO, DENSITY, OR HEIGHT BEYOND WHAT IS
32 OTHERWISE REQUIRED BY THIS ARTICLE 33 TO INCREASE THE
33 CONSTRUCTION OF REGULATED AFFORDABLE HOUSING UNITS;
- 34 (VII) ENABLING REGULATED AFFORDABLE HOUSING AS A USE BY
35 RIGHT;
- 36 (VIII) ESTABLISHING A POLICY OR PLAN TO LEVERAGE
37 MUNICIPALLY-OWNED LAND FOR THE DEVELOPMENT OF REGULATED
38 AFFORDABLE HOUSING;
- 39 (IX) ESTABLISHING A DEDICATED LOCAL REVENUE SOURCE FOR
40 THE DEVELOPMENT OF REGULATED AFFORDABLE HOUSING;
- 41 (X) REGULATING SHORT-TERM RENTALS OR SECOND HOMES;
- 42 (XI) REDUCING OR ELIMINATING LOCAL PARKING REQUIREMENTS
43 FOR REGULATED AFFORDABLE HOUSING;

1 (XII) MAKING A COMMITMENT TO AND REMAINING ELIGIBLE FOR
2 THE STATEWIDE AFFORDABLE HOUSING FUND CREATED IN SECTION
3 29-32-102 (1);

4 (XIII) ADOPTING A POLICY THAT RESULTS IN NON-CONSTRUCTION
5 SOLUTIONS TO INCREASE AFFORDABLE HOUSING, INCLUDING THE:

6 (A) ACQUISITION OF DEED RESTRICTIONS ON EXISTING
7 MARKET-RATE HOUSING UNITS;

8 (B) PRESERVATION OF EXISTING DEED RESTRICTIONS; OR

9 (C) PROGRAMS TO DISINCENTIVE THE USE OF HOMES AS
10 NON-PRIMARY RESIDENCES;

11 (XIV) ADOPTING A REGIONAL HOUSING NEEDS PLAN WITH
12 MULTI-JURISDICTIONAL COMMITMENTS TO MEET IDENTIFIED HOUSING
13 TARGETS TO INCREASE THE SUPPLY OF AFFORDABLE HOUSING;

14 (XV) ADOPTING A STRATEGY PROPOSED BY EITHER A LOCAL
15 GOVERNMENT OR THE MULTI-AGENCY ADVISORY COMMITTEE, AND THAT
16 IS APPROVED BY THE DEPARTMENT OF LOCAL AFFAIRS, THAT SUPPORTS
17 EQUAL OR GREATER HOUSING AFFORDABILITY CONSISTENT WITH THE
18 NEEDS IDENTIFIED IN THE RELEVANT LOCAL HOUSING NEEDS ASSESSMENT;
19 AND

20 (XVI) ADOPTING A POLICY OR REGULATORY TOOL THAT
21 INCENTIVIZES THE PROMOTION OF AFFORDABLE HOUSING DEVELOPMENT
22 AS IDENTIFIED IN SECTION 24-32-130 (3).

23 (b) RURAL RESORT JOB CENTER MUNICIPALITIES SHALL ADOPT AT
24 LEAST FIVE OF THE AFFORDABILITY STRATEGIES LISTED IN SUBSECTION
25 (2)(a) OF THIS SECTION AND SUBMIT A REPORT DETAILING THESE
26 STRATEGIES TO THE DEPARTMENT OF LOCAL AFFAIRS NO LATER THAN
27 DECEMBER 31, 2026. IN DETERMINING WHICH STRATEGIES TO ADOPT, A
28 RURAL RESORT JOB CENTER MUNICIPALITY SHALL CONSIDER PREVIOUS
29 PLANS ADDRESSING HOUSING NEEDS OR OTHER AVAILABLE DATA TO
30 INFORM THE SELECTION OF STRATEGIES TO ADDRESS KNOWN HOUSING
31 NEEDS.

32 (c) NOTWITHSTANDING SUBSECTION (2)(b) OF THIS SECTION, A
33 RURAL RESORT JOB CENTER MUNICIPALITY MAY SUBMIT EVIDENCE TO THE
34 DEPARTMENT OF LOCAL AFFAIRS CONCERNING AFFORDABILITY
35 STRATEGIES THAT THE MUNICIPALITY HAS ADOPTED OUTSIDE OF THOSE
36 LISTED IN THIS SECTION, OR THAT THE MUNICIPALITY ADOPTED PRIOR TO
37 THE EFFECTIVE DATE OF THIS SECTION, AND THE DEPARTMENT MAY
38 DETERMINE WHETHER THOSE STRATEGIES MAY QUALIFY AS
39 AFFORDABILITY STRATEGIES FOR PURPOSES OF SUBSECTION (2)(b) OF THIS
40 SECTION.

41 (3) **Regional housing needs planning process.** (a) (I) A COUNTY
42 OR MUNICIPALITY WITHIN A REGION DEFINED IN THE REGIONAL HOUSING
43 NEEDS ASSESSMENT MAY PARTICIPATE IN A REGIONAL HOUSING NEEDS

1 PLANNING PROCESS.

2 (II) THE COUNTIES OR MUNICIPALITIES THAT PARTICIPATE IN A
3 PLANNING PROCESS:

4 (A) MAY UTILIZE DATA AND INFORMATION FROM A RURAL RESORT
5 REGIONAL HOUSING NEEDS ASSESSMENT THAT IS NO MORE THAN FIVE
6 YEARS OLD TO INFORM THEIR PARTICIPATION IN THE PLANNING PROCESS;

7 (B) ARE ENCOURAGED TO INCORPORATE STRATEGIC GROWTH
8 OBJECTIVES AS DEFINED IN SECTION 29-33-108 IN THE PLANNING PROCESS;
9 AND

10 (C) ARE ENCOURAGED TO IDENTIFY STRATEGIES THAT ADDRESS
11 THE HOUSING NEEDS IDENTIFIED IN LOCAL HOUSING NEEDS ASSESSMENTS
12 THROUGH THE ADOPTION OF INTERJURISDICTIONAL STRATEGIES.

13 (III) IF NO EXISTING REGIONAL PLAN EXISTS, A GROUP OF COUNTIES
14 OR MUNICIPALITIES MAY REQUEST THAT THE RURAL RESORT AREA
15 SUBCOMMITTEE CREATED IN SECTION 29-33-103 (8) FACILITATE THE
16 CREATION OF A REGIONAL PLANNING PROCESS.

17 (IV) A REGIONAL HOUSING NEEDS PLANNING PROCESS MAY BE LED
18 BY A REGIONAL ENTITY AND MUST ENCOURAGE PARTICIPATING COUNTIES
19 AND MUNICIPALITIES TO IDENTIFY STRATEGIES THAT IMPROVE
20 COORDINATION BETWEEN ENTITIES TO MEET THE HOUSING NEEDS
21 IDENTIFIED FOR THOSE LOCAL GOVERNMENTS IN THE REGIONAL AND
22 LOCAL HOUSING NEEDS ASSESSMENTS.

23 (V) BY DECEMBER 31, 2024, THE RURAL RESORT AREA
24 SUBCOMMITTEE CREATED IN SECTION 29-33-103 (8) SHALL ISSUE A REPORT
25 TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS ON
26 THE STATUS, OPPORTUNITIES, AND CHALLENGES OF REGIONAL PLANNING
27 IN THE RURAL RESORT REGIONS, INCLUDING THE CONNECTION BETWEEN
28 HOUSING AND TRANSPORTATION. THE RURAL RESORT AREA
29 SUBCOMMITTEE CREATED IN SECTION 29-33-103 (8) SHALL ALSO
30 EVALUATE AND MAKE RECOMMENDATIONS ON THE USE OF DATA TO
31 CREATE AFFORDABILITY STRATEGIES IN REGIONAL AND LOCAL HOUSING
32 ASSESSMENTS AND REGIONAL AND LOCAL HOUSING PLANS THAT FOLLOW
33 STRATEGIC GROWTH OBJECTIVES AS DEFINED IN SECTION 29-33-108.

34 (b) (I) NO LATER THAN DECEMBER 31, 2026, AND EVERY FIVE
35 YEARS THEREAFTER, A RURAL RESORT JOB CENTER MUNICIPALITY SHALL
36 DEVELOP, ADOPT, AND SUBMIT TO THE DEPARTMENT OF LOCAL AFFAIRS A
37 HOUSING NEEDS PLAN. THE HOUSING NEEDS PLAN MUST INCLUDE THE
38 FOLLOWING:

39 (A) A NARRATIVE DESCRIPTION OF THE STAKEHOLDER
40 ENGAGEMENT CONDUCTED DURING THE DEVELOPMENT OF THE HOUSING
41 NEEDS PLAN;

42 (B) AN ANALYSIS OF HOW THE RURAL RESORT JOB CENTER
43 MUNICIPALITY WILL ADDRESS LOCAL HOUSING NEEDS AS IDENTIFIED FROM

1 A REGIONAL HOUSING ASSESSMENT, AND THE LOCAL HOUSING NEEDS
2 ASSESSMENT, INCLUDING THE DEMONSTRATED HOUSING NEEDS FOR
3 PERSONS OF DIFFERENT INCOME LEVELS;
4 (C) A NARRATIVE ANALYSIS OF ANY AREA AT ELEVATED RISK OF
5 RESIDENTIAL DISPLACEMENT THAT THE RURAL RESORT JOB CENTER
6 MUNICIPALITY HAS IDENTIFIED, AT THE DISCRETION OF EACH
7 MUNICIPALITY, AND A DESCRIPTION OF AN IMPLEMENTATION PLAN FOR
8 ANY DISPLACEMENT MITIGATION MEASURES THAT THE RURAL RESORT JOB
9 CENTER HAS CONSIDERED AS OPTIONS AND DECIDED TO USE, AT THE
10 DISCRETION OF EACH MUNICIPALITY, TO MITIGATE IDENTIFIED
11 DISPLACEMENT RISKS IN THESE AREAS; AND
12 (D) AN IMPLEMENTATION PLAN THAT DESCRIBES HOW THE RURAL
13 RESORT JOB CENTER MUNICIPALITY WILL COMPLY WITH THE SELECTED
14 AFFORDABILITY STRATEGIES FROM SECTION 29-33-106.
15 (II) BEFORE ADOPTING AND SUBMITTING A HOUSING NEEDS PLAN,
16 A RURAL RESORT JOB CENTER MUNICIPALITY SHALL PUBLISH THE MOST
17 RECENT DRAFT OF ITS HOUSING NEEDS PLAN AND PROVIDE NOTICE OF A
18 PUBLIC COMMENT PERIOD FOR THE RECEIPT OF WRITTEN COMMENTS
19 CONCERNING THE PLAN. THE RURAL RESORT JOB CENTER MUNICIPALITY
20 MAY ALSO CHOOSE TO HOLD A PUBLIC HEARING ON THE PLAN.
21 (III) THE DEPARTMENT OF LOCAL AFFAIRS SHALL POST THE
22 HOUSING NEEDS PLANS SUBMITTED BY RURAL RESORT JOB CENTER
23 MUNICIPALITIES PUBLICLY ON THE DEPARTMENT OF LOCAL AFFAIRS
24 WEBSITE."

25 Strike page 41.

26 Page 42, strike lines 1 through 20.

27 Page 43, line 10, after "ENTITY." insert "BEGINNING JANUARY 1, 2026,
28 AND EVERY YEAR THEREAFTER, THE DEPARTMENT OF LOCAL AFFAIRS
29 SHALL PROVIDE A REPORT ON THE ASSISTANCE REQUESTED BY LOCAL
30 GOVERNMENTS PURSUANT TO THIS SECTION, WHETHER OR NOT ADEQUATE
31 STATE FUNDING IS AVAILABLE TO MEET THE ASSISTANCE REQUESTED BY
32 LOCAL GOVERNMENTS, AND ANY ADDITIONAL RESOURCES THAT LOCAL
33 GOVERNMENTS HAVE IDENTIFIED THAT WOULD HELP COMPLETE ADVISORY
34 HOUSING NEEDS PLANS."

35 Page 44, line 9, after "2026," insert "AND NO LATER THAN DECEMBER 31
36 OF EACH YEAR THEREAFTER,".

37 Page 44, line 10, after "DATA" insert "FOR THE PREVIOUS CALENDAR
38 YEAR".

- 1 Page 44, line 11, strike "AFFAIRS ONCE EVERY YEAR:" and substitute
2 "AFFAIRS:".
- 3 Page 45, line 6, strike "DIVISION" and substitute "DEPARTMENT".
- 4 Page 47, line 12, strike "STATE" and substitute "STATEWIDE".
- 5 Page 47, strike lines 23 and 24 and substitute:
6 "(4) "SUBJECT JURISDICTION" MEANS A LOCAL GOVERNMENT."
- 7 Page 47, line 27, strike "SUBJECT JURISDICTION" and substitute "A
8 NON-URBAN MUNICIPALITY OR URBAN MUNICIPALITY".
- 9 Page 48, line 18, after "RIGHTS," insert "RACIAL EQUITY AND
10 HOMELESSNESS PREVENTION,".
- 11 Page 48, strike lines 21 through 24 and substitute:
12 "(a) ALLOW ACCESSORY DWELLING UNITS AS A USE BY RIGHT AS
13 AN ACCESSORY USE TO A SINGLE-UNIT DETACHED DWELLING:
14 (I) IN THE CASE OF A NON-URBAN MUNICIPALITY OR URBAN
15 MUNICIPALITY, IN ANY PART OF THE MUNICIPALITY THAT IS ZONED FOR
16 AGRICULTURAL USE, OR WHERE THE MUNICIPALITY ALLOWS SINGLE-UNIT
17 DETACHED DWELLINGS AS A USE BY RIGHT; AND
18 (II) IN THE CASE OF A SUBJECT JURISDICTION THAT IS NEITHER A
19 NON-URBAN MUNICIPALITY NOR AN URBAN MUNICIPALITY, ON PARCELS IN
20 AN AREA THAT IS ZONED FOR AGRICULTURAL USE OR IN AN
21 UNINCORPORATED AREA OF A COUNTY; AND
22 (b) PROHIBIT, IN THE CASE OF AN ACCESSORY DWELLING UNIT ON
23 A PARCEL IN AN AREA THAT IS ZONED FOR AGRICULTURAL USE OR IN AN
24 UNINCORPORATED AREA OF A COUNTY:
25 (I) THE IMPOSITION OF STRICTER SETBACK REQUIREMENTS FOR
26 ACCESSORY DWELLING UNITS THAN ALREADY EXIST FOR A PARCEL IN AN
27 AREA THAT IS ZONED FOR AGRICULTURAL USE OR IN AN UNINCORPORATED
28 AREA OF A COUNTY; AND
29 (II) ANY LOCALS LAWS REQUIRING THAT ACCESSORY DWELLING
30 UNITS BE SUPPORTED BY GREATER SEPTIC CAPACITY THAN REQUIRED TO
31 MEET STATE HEALTH, SAFETY, AND SANITARY STANDARDS; AND".
- 32 Reletter succeeding paragraph accordingly.
- 33 Page 49, line 1, after "OFF-STREET" insert "VEHICLE".
- 34 Page 49, strike lines 6 through 9 and substitute:

1 "(a) ALLOW ACCESSORY DWELLING UNITS AS A USE BY RIGHT AS
2 AN ACCESSORY USE TO A SINGLE-UNIT DETACHED DWELLING:

3 (I) IN THE CASE OF A NON-URBAN MUNICIPALITY OR URBAN
4 MUNICIPALITY, IN ANY PART OF THE MUNICIPALITY THAT IS ZONED FOR
5 AGRICULTURAL USE, OR WHERE THE MUNICIPALITY ALLOWS SINGLE-UNIT
6 DETACHED DWELLINGS AS A USE BY RIGHT; AND

7 (II) IN THE CASE OF A SUBJECT JURISDICTION THAT IS NEITHER A
8 NON-URBAN MUNICIPALITY NOR AN URBAN MUNICIPALITY, ON PARCELS IN
9 AN AREA THAT IS ZONED FOR AGRICULTURAL USE OR IN AN
10 UNINCORPORATED AREA OF A COUNTY;"

11 Page 49, line 17, after "NONCONFORMANCE;" insert "AND".

12 Page 49, strike lines 18 through 24 and substitute:

13 "(d) ALLOW ACCESSORY DWELLING UNIT SIZES BETWEEN FIVE
14 HUNDRED AND EIGHT HUNDRED SQUARE FEET. SUBJECT JURISDICTIONS
15 MAY ADDITIONALLY PERMIT SMALLER OR LARGER ACCESSORY DWELLING
16 UNITS AT THEIR DISCRETION."

17 Page 50, strike lines 1 through 6 and substitute:

18 "(a) APPLY STANDARDS CONCERNING ARCHITECTURAL STYLE,
19 BUILDING MATERIALS, OR LANDSCAPING THAT ARE MORE RESTRICTIVE
20 THAN THE STANDARDS THAT THE SUBJECT JURISDICTION APPLIES TO A
21 SINGLE-UNIT DETACHED DWELLING IN THE SAME ZONING DISTRICT;"

22 Page 50, after line 13 insert:

23 "(d) IN THE CASE OF AN ACCESSORY DWELLING UNIT ON A PARCEL
24 IN AN AREA THAT IS ZONED FOR AGRICULTURAL USE OR IN AN
25 UNINCORPORATED AREA OF A COUNTY, IMPOSE:

26 (I) STRICTER SETBACK REQUIREMENTS FOR ACCESSORY DWELLING
27 UNITS THAN ALREADY EXIST FOR A PARCEL IN AN AREA THAT IS ZONED FOR
28 AGRICULTURAL USE OR IN AN UNINCORPORATED AREA OF A COUNTY; AND

29 (II) ANY LOCALS LAWS REQUIRING THAT ACCESSORY DWELLING
30 UNITS BE SUPPORTED BY GREATER SEPTIC CAPACITY THAN REQUIRED TO
31 MEET STATE HEALTH, SAFETY, AND SANITARY STANDARDS."

32 Reletter succeeding paragraphs accordingly.

33 Page 50, line 17, after "OFF-STREET" insert "VEHICLE".

- 1 Page 50, line 20, strike "GREATER THAN FIVE FEET".
- 2 Page 50, line 21, strike "UNIT," and substitute "UNIT GREATER THAN THE
3 MINIMUM SIDE SETBACK REQUIRED FOR A SINGLE-UNIT DETACHED
4 DWELLING OR THE SETBACK REQUIRED FOR OTHER ACCESSORY BUILDINGS
5 IN THE SAME ZONING DISTRICT,".
- 6 Page 50, line 27, strike "DECEMBER 31, 2024," and substitute "JUNE 30,
7 2025,".
- 8 Page 51, lines 7 and 8, strike "JUNE 30, 2025," and substitute "DECEMBER
9 31, 2025,".
- 10 Page 51, line 9, strike "PARCELS," and substitute "PARCELS AND THE
11 SUBJECT JURISDICTION SHALL NOT DENY OR CONDITION APPROVAL OF AN
12 APPLICATION FOR AN ACCESSORY DWELLING UNIT ON ANY APPLICABLE
13 PARCEL ON ANY BASIS THAT IS INCONSISTENT WITH THE MODEL CODE," and
14 strike "29-33-303," and substitute "29-33-203,".
- 15 Page 51, line 10, after "JURISDICTION" insert "AND REMAINS IN EFFECT".
- 16 Page 51, line 15, after "SECTION," insert "THE SUBJECT JURISDICTION'S
17 ACCESSORY DWELLING UNIT DECISIONS SHALL BE CONSISTENT WITH THE
18 MODEL CODE AND".
- 19 Page 51, strike lines 22 through 27 and substitute:
- 20 "(4) (a) NO LATER THAN JUNE 30, 2024, A SUBJECT JURISDICTION
21 MAY NOTIFY THE DEPARTMENT OF LOCAL AFFAIRS THAT AN EXEMPTION OR
22 AN EXTENSION IS NECESSARY FROM THE REQUIREMENTS OF SUBSECTION
23 (1) OF THIS SECTION.
- 24 (b) THE NOTICE MUST DEMONSTRATE THAT THE WATER, SEWER,
25 WASTEWATER, OR STORMWATER SERVICES ARE CURRENTLY DEFICIENT IN
26 SPECIFIC GEOGRAPHIC AREAS OF THE SUBJECT JURISDICTION OR IN THE
27 SUBJECT JURISDICTION AS A WHOLE, OR THE SUBJECT JURISDICTION
28 EXPECTS THEM TO BECOME DEFICIENT IN THE NEXT FIVE YEARS. AS USED
29 IN THIS SUBSECTION (4)(b)(I), "DEFICIENT" INCLUDES, IN REFERENCE TO
30 THE SUBJECT JURISDICTION'S WATER SUPPLY MASTER PLAN, WATER
31 DISTRIBUTION AND WASTEWATER COLLECTION MASTER PLAN,
32 WASTEWATER MASTER PLAN, OR STORMWATER MASTER PLAN, IF
33 APPLICABLE, ISSUES CONCERNING:
- 34 (I) WATER SUPPLY;
- 35 (II) WASTEWATER TREATMENT CAPACITY;

1 (III) WATER DISTRIBUTION AND WASTEWATER COLLECTION
2 CAPACITY; OR

3 (IV) STORMWATER MANAGEMENT CAPACITY.

4 (c) IF A SUBJECT JURISDICTION SUBMITS A NOTICE TO THE
5 DEPARTMENT OF LOCAL AFFAIRS PURSUANT TO SUBSECTION (4)(b) OF THIS
6 SECTION, THE SUBJECT JURISDICTION MAY INCLUDE A PLAN OF ACTION TO
7 REMEDY THE DEFICIENT WATER SUPPLY, WATER OR WASTEWATER
8 TREATMENT CAPACITY, WATER DISTRIBUTION AND WASTEWATER
9 COLLECTION CAPACITY, OR STORMWATER MANAGEMENT CAPACITY IN THE
10 SPECIFIC AREAS IDENTIFIED IN A CAPITAL IMPROVEMENT PLAN IN THE
11 NOTICE."

12 Reletter succeeding paragraph accordingly.

13 Page 52, strike lines 1 through 10.

14 Page 52, line 14, strike "DECEMBER 31, 2024," and substitute "JUNE 30,
15 2025,".

16 Page 53, lines 3 and 4, strike "STANDARDS OR HAS ADOPTED THE MODEL
17 CODE." and substitute "STANDARDS."

18 Page 53, line 9, strike "AMENDED;" and substitute "AMENDED, OR TO
19 OTHERWISE PROVIDE PARKING SIGNED FOR USE BY PERSONS EXPERIENCING
20 DISABILITIES;

21 (b) ADOPTING GENERALLY-APPLICABLE REQUIREMENTS FOR THE
22 PAYMENT OF IMPACT FEES OR OTHER SIMILAR DEVELOPMENT CHARGES IN
23 CONFORMANCE WITH THE REQUIREMENTS OF SECTION 29-20-104.5 OR THE
24 MITIGATION OF IMPACTS IN CONFORMANCE WITH THE REQUIREMENTS OF
25 SECTION PART 2 OF ARTICLE 20 OF TITLE 29."

26 Reletter succeeding paragraphs accordingly.

27 Page 53, strike lines 15 and 16 and substitute:

28 "(e) APPLYING THE STANDARDS AND PROCEDURES OF A HISTORIC
29 DISTRICT TO A PARCEL ON WHICH AN ACCESSORY DWELLING UNIT IS
30 ALLOWED IN THAT HISTORIC DISTRICT, INCLUDING RULES RELATING TO
31 DEMOLITION."

32 Page 53, strike lines 20 through 27 and substitute:

33 "PART 3

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CORRIDORS AND CENTERS REQUIREMENTS

29-33-301. Legislative declaration. (1) (a) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

(I) LOCAL GOVERNMENT LAND USE DECISIONS CAN LIMIT DENSER MULTIFAMILY HOUSING DEVELOPMENT NEAR FREQUENT TRANSIT SERVICE AND IN COMMERCIAL AND INSTITUTIONAL AREAS;

(II) HOUSING SUPPLY IMPACTS HOUSING AFFORDABILITY;

(III) HOUSING PRICES ARE TYPICALLY HIGHER WHEN HOUSING SUPPLY IS RESTRICTED BY LOCAL LAND USE REGULATIONS IN A METROPOLITAN REGION, ACCORDING TO STUDIES SUCH AS THE NATIONAL BUREAU OF ECONOMIC RESEARCH WORKING PAPERS "REGULATION AND HOUSING SUPPLY", "THE IMPACT OF ZONING ON HOUSING AFFORDABILITY", AND "THE IMPACT OF LOCAL RESIDENTIAL LAND USE RESTRICTIONS ON LAND VALUES ACROSS AND WITHIN SINGLE FAMILY HOUSING MARKETS". INCREASING HOUSING SUPPLY MODERATES PRICE INCREASES AND IMPROVES HOUSING AFFORDABILITY ACROSS ALL INCOMES, ACCORDING TO STUDIES SUCH AS "THE ECONOMIC IMPLICATIONS OF HOUSING SUPPLY", IN THE JOURNAL OF ECONOMIC PERSPECTIVES, AND "SUPPLY SKEPTICISM: HOUSING SUPPLY AND AFFORDABILITY", IN THE JOURNAL HOUSING POLICY DEBATE.

(IV) MULTIFAMILY HOUSING IS TYPICALLY MORE AFFORDABLE THAN DETACHED SINGLE-UNIT DWELLINGS, AND LIVING NEAR TRANSIT, JOBS, AND SERVICES ENABLES HOUSEHOLDS TO SAVE ON TRANSPORTATION COSTS BY OWNING FEWER VEHICLES. IN 2019, COLORADO MULTIFAMILY UNITS COST BETWEEN FOURTEEN AND FORTY-THREE PERCENT LESS TO OWN, AND BETWEEN NINE AND EIGHTEEN PERCENT LESS TO RENT, DEPENDING ON THE SIZE OF THE BUILDING, COMPARED TO A SINGLE-UNIT DETACHED DWELLING, ACCORDING TO THE AMERICAN COMMUNITY SURVEY.

(V) THE TERNER CENTER FOR HOUSING INNOVATION AT THE UNIVERSITY OF CALIFORNIA BERKELEY FOUND IN ITS REPORT "RESIDENTIAL REDEVELOPMENT OF COMMERCIAL ZONED LAND IN CALIFORNIA" THAT THERE IS SIGNIFICANT POTENTIAL FOR RESIDENTIAL DEVELOPMENT IN COMMERCIAL ZONED AREAS, THAT MANY COMMERCIAL ZONE DISTRICTS DO NOT ALLOW RESIDENTIAL DEVELOPMENT, AND THAT ALLOWING USE BY RIGHT RESIDENTIAL DEVELOPMENT IN COMMERCIAL ZONE DISTRICTS CAN ENCOURAGE ADDITIONAL HOUSING SUPPLY;

(VI) ACCORDING TO THE NATIONAL ASSOCIATION OF REALTORS IN THEIR REPORT "ANALYSIS AND CASE STUDIES ON OFFICE-TO-HOUSING CONVERSIONS", OVER FIVE MILLION SEVEN HUNDRED THOUSAND SQUARE FEET OF OFFICE SPACE BECAME UNOCCUPIED IN THE DENVER

1 METROPOLITAN REAL ESTATE MARKET BETWEEN 2020 AND 2021, THE
2 DENVER MARKET COULD POTENTIALLY ADD OVER TWO THOUSAND NEW
3 RESIDENTIAL UNITS FROM OFFICE TO RESIDENTIAL CONVERSIONS IF IT
4 CONVERTED TWENTY PERCENT OF CURRENTLY VACANT OFFICE SPACE, AND
5 ONE OF THE MAJOR BARRIERS TO CONVERSIONS IS RESTRICTIVE LOCAL
6 LAND USE REGULATIONS THAT REQUIRE DISCRETIONARY APPROVALS;

7 (VII) ACCORDING TO THE NOTRE DAME LAW SCHOOL IN THEIR
8 ARTICLE "SHELLS OF THE STORES THEY ONCE WERE: RETURNING VACANT
9 RETAIL PROPERTY TO PRODUCTIVE USE IN THE MIDST OF THE RETAIL
10 APOCALYPSE", UNITED STATES RETAILERS HAVE BEEN CLOSING BRICK
11 AND MORTAR LOCATIONS IN LARGE NUMBERS SINCE AT LEAST 2017,
12 LEAVING BEHIND VACANT COMMERCIAL BUILDINGS AND PROPERTIES THAT
13 POSE PROBLEMS FOR PUBLIC HEALTH AND SAFETY, REDUCE LOCAL TAX
14 REVENUE, AND LEAD TO THE FLIGHT OF OTHER RETAIL BUSINESSES.
15 VACANT COMMERCIAL PROPERTIES PROVIDE OPPORTUNITIES FOR
16 RESIDENTIAL AND MIXED USE REDEVELOPMENT, BOTH THROUGH ADAPTIVE
17 REUSE OF EXISTING BUILDINGS, AND THROUGH NEW DEVELOPMENT, AND,
18 ACCORDING TO THE LOCAL GOVERNMENT COMMISSION IN COOPERATION
19 WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY IN THE
20 JOINT REPORT "CREATING GREAT NEIGHBORHOODS: DENSITY IN YOUR
21 COMMUNITY", INCREASED RESIDENTIAL DENSITY IS ASSOCIATED WITH THE
22 ECONOMIC SUCCESS OF NEARBY BUSINESSES AND CONTRIBUTES TO THE
23 REVITALIZATION OF NEIGHBORHOODS.

24 (VIII) MEETING HOUSING DEMAND THROUGH COMPACT INFILL
25 DEVELOPMENT CLOSE TO JOBS, SERVICES, AND TRANSIT DECREASES THE
26 NEED FOR NEW DISPERSED, LOW-DENSITY HOUSING. RELATIVE TO
27 DISPERSED LOW-DENSITY DEVELOPMENT, COMPACT INFILL HOUSING
28 DEVELOPMENT, INCLUDING MULTIFAMILY HOUSING DEVELOPMENT,
29 REDUCES WATER USE, GREENHOUSE GAS EMISSIONS, INFRASTRUCTURE
30 COSTS, AND HOUSEHOLD ENERGY AND TRANSPORTATION COSTS.

31 (IX) HOUSING WITH ACCESS TO FREQUENT TRANSIT ALLOWS
32 RESIDENTS TO TRAVEL TO WORK AND SERVICES WITHOUT DRIVING OR
33 WHILE DRIVING LESS, WHICH REDUCES HOUSEHOLD TRANSPORTATION
34 COSTS, GREENHOUSE GAS EMISSIONS, AND AIR POLLUTION. ANALYSES OF
35 TRANSIT-ORIENTED DEVELOPMENTS HAVE FOUND RESIDENTS TAKE AN
36 AVERAGE OF FORTY-FOUR PERCENT FEWER VEHICLE TRIPS, ACCORDING TO
37 THE ARTICLE "VEHICLE TRIP REDUCTION IMPACTS OF TRANSIT-ORIENTED
38 HOUSING" IN THE JOURNAL OF PUBLIC TRANSPORTATION. AND,
39 ACCORDING TO THE CALIFORNIA AIR RESOURCES BOARD REPORTS
40 "IMPACT OF JOBS-HOUSING BALANCE ON PASSENGER VEHICLE USE AND
41 GREENHOUSE GAS EMISSIONS" AND "IMPACTS OF LAND-USE MIX ON
42 PASSENGER VEHICLE USE AND GREENHOUSE GAS EMISSIONS",
43 CO-LOCATING RESIDENCES, JOBS, AND SERVICES ALSO REDUCES

1 HOUSEHOLD VEHICLE MILES TRAVELED.

2 (X) MULTIFAMILY HOUSING ALSO USES SIGNIFICANTLY LESS
3 ENERGY FOR HEATING AND COOLING PER UNIT THAN SINGLE-UNIT
4 DETACHED DWELLINGS DUE TO MULTIFAMILY HOUSING HAVING ATTACHED
5 WALLS AND SMALLER SIZE, WHICH REDUCES HOUSEHOLD ENERGY COSTS
6 AND GREENHOUSE GAS EMISSIONS. IN COLORADO, HOUSEHOLD ENERGY
7 DEMAND ON AVERAGE IS SEVENTY PERCENT LESS FOR MULTIFAMILY
8 HOUSING COMPARED TO SINGLE-UNIT DETACHED DWELLINGS, ACCORDING
9 TO THE NATIONAL RENEWABLE ENERGY LABORATORY RESSTOCK
10 ANALYSIS TOOL.

11 (b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT
12 INCREASED HOUSING SUPPLY IN KEY CORRIDORS IS A MATTER OF MIXED
13 STATEWIDE AND LOCAL CONCERN.

14 (2) (a) THE GENERAL ASSEMBLY FURTHER FINDS, DETERMINES,
15 AND DECLARES THAT:

16 (I) LOCAL GOVERNMENT LAND USE DECISIONS OFTEN LIMIT MIDDLE
17 HOUSING DEVELOPMENT;

18 (II) THE TEN LARGEST MUNICIPALITIES IN THE DENVER
19 METROPOLITAN AREA ALLOW SINGLE-UNIT DETACHED DWELLINGS AS A
20 USE BY RIGHT ON OVER EIGHTY-FIVE PERCENT OF THEIR RESIDENTIAL
21 LAND, COMPARED TO ALLOWING TOWNHOMES, DUPLEXES, TRIPLEXES, AND
22 QUADPLEXES AS A USE BY RIGHT ON LESS THAN THIRTY-FIVE PERCENT OF
23 THEIR RESIDENTIAL LAND, ACCORDING TO PUBLICLY AVAILABLE ZONING
24 DATA;

25 (III) LOCAL LAND USE REGULATIONS INFLUENCE WHAT TYPES OF
26 HOUSING ARE BUILT;

27 (IV) BETWEEN 2000 AND 2019, OVER SEVENTY PERCENT OF HOMES
28 BUILT IN COLORADO WERE SINGLE-UNIT DETACHED DWELLINGS, WHILE
29 LESS THAN THREE PERCENT OF HOMES BUILT IN COLORADO DURING THAT
30 TIME WERE DUPLEXES TO QUADPLEXES, ACCORDING TO THE AMERICAN
31 COMMUNITY SURVEY;

32 (V) MIDDLE HOUSING IS TYPICALLY MORE AFFORDABLE THAN
33 SINGLE-UNIT DETACHED DWELLINGS, IN PART BECAUSE LAND COSTS ARE
34 SHARED BETWEEN MORE HOUSEHOLDS;

35 (VI) IN 2019, COLORADO DUPLEXES COST ON AVERAGE FOURTEEN
36 PERCENT LESS TO OWN AND TWENTY-SIX PERCENT LESS TO RENT THAN
37 SINGLE-UNIT DETACHED DWELLINGS, AND TRIPLEXES AND QUADPLEXES
38 COST THIRTY-ONE PERCENT LESS TO OWN AND TWENTY-NINE PERCENT
39 LESS TO RENT, ACCORDING TO THE AMERICAN COMMUNITY SURVEY;

40 (VII) MIDDLE HOUSING OFFERS A WAY TO PROVIDE COMPACT
41 RELATIVELY AFFORDABLE HOUSING IN ESTABLISHED NEIGHBORHOODS
42 WITH MINIMAL INFRASTRUCTURE IMPACT AND SUPPLY NEW HOUSING
43 WITHOUT ADDING NEW DISPERSED LOW DENSITY HOUSING;

1 (VIII) MIDDLE HOUSING USES SIGNIFICANTLY LESS ENERGY FOR
2 HEATING AND COOLING PER UNIT THAN SINGLE-UNIT DETACHED
3 DWELLINGS DUE TO MIDDLE HOUSING HAVING ATTACHED WALLS AND
4 SMALLER UNIT SIZES, WHICH REDUCES HOUSEHOLD ENERGY COSTS AND
5 GREENHOUSE GAS EMISSIONS; AND

6 (IX) IN COLORADO, COMPARED TO SINGLE-UNIT DETACHED
7 DWELLINGS, HOUSEHOLD ENERGY DEMAND IS ON AVERAGE FORTY
8 PERCENT LESS FOR TOWNHOMES, FORTY-FIVE PERCENT LESS FOR
9 DUPLEXES, AND FIFTY-THREE PERCENT LESS FOR TRIPLEXES AND
10 QUADPLEXES, ACCORDING TO THE NATIONAL RENEWABLE ENERGY
11 LABORATORY RESSTOCK ANALYSIS TOOL.

12 (b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT THE
13 INCREASED SUPPLY OF HOUSING THROUGH MIDDLE HOUSING IS A MATTER
14 OF MIXED STATEWIDE AND LOCAL CONCERN.

15 **29-33-302. Applicability - transit-oriented areas model code**
16 **- transit-oriented areas minimum standards - adoption of model code**
17 **or minimum standards - definitions. (1) Definitions.** AS USED IN THIS
18 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

19 (a) "ELIGIBLE PARCEL" MEANS A PARCEL THAT IS NOT:

20 (I) A STANDARD EXEMPT PARCEL;

21 (II) PART OF A PARCEL THAT INCLUDES LAND THAT IS A PARK AND
22 OPEN SPACE, AS DEFINED IN SECTION 29-7.5-103 (2);

23 (III) A PARCEL THAT IS SUBJECT TO A CONSERVATION EASEMENT;

24 OR

25 (IV) ON OR A SITE THAT:

26 (A) IS CURRENTLY USED FOR AN INDUSTRIAL USE;

27 (B) CURRENTLY ALLOWS INDUSTRIAL USES;

28 (C) IS DESIGNATED FOR HEAVY INDUSTRIAL USE IN THE LATEST
29 VERSION OF A SUBJECT JURISDICTION'S MASTER PLAN;

30 (D) IS OWNED BY, USED AS, OR OPERATED BY AN AIRPORT; OR

31 (E) IS CURRENTLY USED AS A MOBILE HOME PARK, AS DEFINED IN
32 SECTION 38-12-201.5 (6).

33 (b) "MINIMUM STANDARDS" MEANS THE MINIMUM STANDARDS FOR
34 TRANSIT-ORIENTED AREAS ESTABLISHED IN SUBSECTION(4) OF THIS
35 SECTION.

36 (c) "MIXED-INCOME MULTIFAMILY HOUSING" MEANS MULTIFAMILY
37 HOUSING IN WHICH AT LEAST TEN PERCENT OF THE HOUSING UNITS ARE SET
38 ASIDE FOR HOUSEHOLDS THAT EARN NO MORE THAN EIGHTY PERCENT OF
39 THE AREA MEDIAN INCOME. FOR THE PURPOSES OF THIS SUBSECTION (1)(c)
40 "MIXED-INCOME MULTIFAMILY HOUSING" MEANS A SUBJECT JURISDICTION
41 WITH A LOCAL INCLUSIONARY ZONING ORDINANCE THAT APPLIES IN KEY
42 CORRIDORS MAY APPLY SUCH AN ORDINANCE'S PROVISIONS, INCLUDING
43 AREA MEDIAN INCOME THRESHOLDS AND REQUIREMENTS FOR THE

1 PERCENTAGE OF UNITS THAT MUST BE SET ASIDE FOR HOUSEHOLDS BELOW
2 THAT AREA MEDIAN INCOME.

3 (d) "MODEL CODE" MEANS THE TRANSIT-ORIENTED AREAS MODEL
4 CODE PROMULGATED BY THE DEPARTMENT OF LOCAL AFFAIRS PURSUANT
5 TO SUBSECTION (3) OF THIS SECTION.

6 (e) "SUBJECT JURISDICTION" MEANS A TIER ONE URBAN
7 MUNICIPALITY THAT CONTAINS A TRANSIT-ORIENTED AREA.

8 (2) **Applicability.** (a) THE REQUIREMENTS OF THIS SECTION ONLY
9 APPLY IN A TRANSIT-ORIENTED AREA IN A TIER ONE URBAN MUNICIPALITY.

10 (b) UNLESS A SUBJECT JURISDICTION DECIDES OTHERWISE, LOCAL
11 LAWS ADOPTED PURSUANT TO THIS SECTION ONLY APPLY TO ELIGIBLE
12 PARCELS THAT ALLOW COMMERCIAL, INSTITUTIONAL, MIXED USES,
13 MULTI-FAMILY HOUSING, OR OTHER NON-RESIDENTIAL USES AS PERMITTED
14 USES.

15 (c) IF A TRANSIT-ORIENTED AREA IS LOCATED WITHIN MULTIPLE
16 JURISDICTIONS, A SUBJECT JURISDICTION NEED ONLY MEET THE
17 REQUIREMENTS OF THIS SECTION IN THE PARTS OF A TRANSIT-ORIENTED
18 AREA LOCATED WITHIN THE SUBJECT JURISDICTION.

19 (d) WHERE THE REQUIREMENTS OF THIS SECTION APPLY TO
20 PARCELS OR LOTS TO WHICH PART 2 OF THIS ARTICLE 33 OR SECTIONS
21 29-33-303 AND 29-33-304 ALSO APPLY, THE REQUIREMENTS OF THIS
22 SECTION SHALL SUPERSEDE WHERE THERE IS CONFLICT WITH OTHER
23 RELEVANT SECTIONS OR PART 2.

24 (3) **Model code.** (a) (I) NO LATER THAN JUNE 30, 2024, THE
25 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL
26 PROMULGATE A TRANSIT-ORIENTED AREA MODEL CODE.

27 (II) THE MULTI-AGENCY ADVISORY COMMITTEE SHALL PROVIDE
28 RECOMMENDATIONS TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT
29 OF LOCAL AFFAIRS ON THE TRANSIT-ORIENTED AREA MODEL CODE
30 PURSUANT TO SECTION 29-33-305.

31 (b) AT A MINIMUM, THE MODEL CODE MUST INCLUDE:

32 (I) A REQUIREMENT THAT SUBJECT JURISDICTIONS MAY NOT
33 REQUIRE NEW OFF-STREET VEHICLE PARKING WITHIN TRANSIT-ORIENTED
34 AREAS FOR ANY USES IN CONJUNCTION WITH EITHER A MULTIFAMILY
35 DEVELOPMENT OR MIXED-INCOME MULTIFAMILY HOUSING DEVELOPMENT
36 PERMIT; AND

37 (III) A REQUIREMENT THAT SUBJECT JURISDICTIONS ALLOW
38 MIXED-INCOME MULTIFAMILY HOUSING OF UP TO AT LEAST SIXTY UNITS
39 PER ACRE NET DENSITY AS A USE BY RIGHT IN TRANSIT-ORIENTED AREAS.

40 (c) NOTHING IN THE MODEL CODE SHALL PREVENT A SUBJECT
41 JURISDICTION FROM UTILIZING SET ASIDE PERCENTAGE AND AREA MEDIAN
42 INCOME LEVEL REQUIREMENTS AS SPECIFIED IN THEIR LOCAL LAWS,
43 RATHER THAN AS SPECIFIED IN THE MODEL CODE, SO LONG AS THE SUBJECT

1 JURISDICTION HAS ADOPTED A LOCAL INCLUSIONARY ZONING ORDINANCE
2 THAT APPLIES WITHIN TRANSIT-ORIENTED AREAS.

3 (4) **Minimum standards.** (a) (I) NOTWITHSTANDING ANY LOCAL
4 LAW TO THE CONTRARY, A SUBJECT JURISDICTION THAT DOES NOT ADOPT
5 THE MODEL CODE SHALL CREATE OR UPDATE A ZONING DISTRICT WITHIN
6 EACH TRANSIT-ORIENTED AREA IN WHICH MULTIFAMILY HOUSING IS
7 ALLOWED AS A USE BY RIGHT AND A MINIMUM AVERAGE NET DENSITY OF
8 UP TO AT LEAST FORTY UNITS OF MULTIFAMILY HOUSING PER ACRE IS
9 ALLOWED. SUBJECT JURISDICTIONS MAY ESTABLISH SUBDISTRICTS WITHIN
10 THESE ZONING DISTRICTS THAT ALLOW A DIFFERENT DENSITY OF
11 MULTIFAMILY HOUSING DEVELOPMENT SO LONG AS EACH DISTRICT
12 ALLOWS AN AVERAGE NET DENSITY OF MULTIFAMILY HOUSING OF UP TO
13 AT LEAST FORTY UNITS PER ACRE. THE MINIMUM AREA OF THE ZONING
14 DISTRICT OR SUBDISTRICTS MUST IN TOTAL BE GREATER THAN OR EQUAL
15 TO FIFTY PERCENT OF THE AREA OF ELIGIBLE PARCELS IN EACH
16 TRANSIT-ORIENTED AREA IN A SUBJECT JURISDICTION. A SUBJECT
17 JURISDICTION MAY CHOOSE TO INCLUDE PARCELS THAT WOULD OTHERWISE
18 NOT QUALIFY AS ELIGIBLE PARCELS, WHEN CALCULATING THE AREA OF
19 ELIGIBLE PARCELS IN EACH TRANSIT-ORIENTED AREA IN A SUBJECT
20 JURISDICTION.

21 (II) NOTWITHSTANDING ANY LOCAL LAW TO THE CONTRARY, A
22 SUBJECT JURISDICTION THAT DOES NOT ADOPT THE MODEL CODE MAY
23 MEET THE AVERAGE NET DENSITY ESTABLISHED IN THE MINIMUM
24 STANDARDS BY ADOPTING LOCAL LAWS APPLICABLE TO A DISTRICT
25 COVERING AREAS OUTSIDE OF TRANSIT-ORIENTED AREAS SO LONG AS THE
26 DISTRICT IS AT LEAST THE SAME SIZE AS THE ELIGIBLE PARCELS IN THE
27 TRANSIT-ORIENTED AREAS, IF EITHER:

28 (A) SIGNIFICANT DEVELOPMENT CONSTRAINTS EXIST; OR

29 (B) THE SUBJECT JURISDICTION HAS ESTABLISHED PLANNING
30 AREAS FOR TRANSIT-COMPATIBLE USE IN ADJACENT AREAS.

31 (III) IN SATISFYING THE MINIMUM AVERAGE NET DENSITY
32 REQUIREMENTS OF SUBSECTION (4)(a)(I) OF THIS SECTION, A SUBJECT
33 JURISDICTION SHALL NOT INCLUDE MIDDLE HOUSING AREAS AS
34 DETERMINED PURSUANT TO SECTION 29-33-304 (2)(b).

35 (b) (I) NOTWITHSTANDING ANY LOCAL LAW TO THE CONTRARY, A
36 SUBJECT JURISDICTION THAT DOES NOT ADOPT THE MODEL CODE SHALL
37 NOT:

38 (A) APPLY LOCAL LAWS THAT MAKE THE PERMITTING, SITING, OR
39 CONSTRUCTION OF MULTIFAMILY HOUSING IN A TRANSIT-ORIENTED AREA
40 PHYSICALLY IMPOSSIBLE OR PRACTICALLY DIFFICULT;

41 (B) ADOPT LOCAL LAWS THAT INDIVIDUALLY OR CUMULATIVELY
42 MAKE A DENSITY OF UP TO AT LEAST FORTY UNITS PER ACRE PHYSICALLY
43 IMPOSSIBLE OR PRACTICALLY DIFFICULT; OR

1 (C) REQUIRE NEW OFF-STREET VEHICLE PARKING WITHIN
2 TRANSIT-ORIENTED AREAS FOR ANY USES IN CONJUNCTION WITH A
3 MULTIFAMILY HOUSING DEVELOPMENT PERMIT.

4 (II) IN SATISFYING THE NET DENSITY REQUIREMENTS OF
5 SUBSECTIONS (4)(b)(I)(A) AND (4)(b)(I)(B) OF THIS SECTION, A SUBJECT
6 JURISDICTION SHALL NOT INCLUDE MIDDLE HOUSING AREAS AS
7 DETERMINED PURSUANT TO SECTION 29-33-304 (2)(b).

8 (c) THE DEPARTMENT OF LOCAL AFFAIRS MAY PROMULGATE RULES
9 AS IT DEEMS NECESSARY TO UPDATE THE MINIMUM STANDARDS OR MODEL
10 CODE, UTILIZING A PUBLIC HEARING AND COMMENT PROCESS.

11 (5) **Adoption of model code or minimum standards.** (a) (I) NO
12 LATER THAN JUNE 30, 2025, A SUBJECT JURISDICTION SHALL EITHER:

13 (A) ADOPT LOCAL LAWS CONCERNING TRANSIT-ORIENTED AREAS
14 THAT SATISFY THE MINIMUM STANDARDS; OR

15 (B) ADOPT THE MODEL CODE.

16 (b) IF A SUBJECT JURISDICTION DOES NOT SATISFY THE
17 REQUIREMENTS OF SUBSECTION (5)(a)(I) OF THIS SECTION BEFORE
18 DECEMBER 31, 2025, THE MODEL CODE GOES INTO EFFECT IMMEDIATELY
19 FOR THE ELIGIBLE PARCELS, AND THE SUBJECT JURISDICTION SHALL NOT
20 DENY OR CONDITION APPROVAL OF AN APPLICATION FOR A MULTIFAMILY
21 HOUSING PROJECT ON ANY ELIGIBLE PARCEL ON ANY BASIS THAT IS
22 INCONSISTENT WITH THE MODEL CODE, AS SPECIFIED IN SUBSECTION (2) OF
23 THIS SECTION, IN THE SUBJECT JURISDICTION UNTIL THE DEPARTMENT OF
24 LOCAL AFFAIRS DETERMINES THAT THE SUBJECT JURISDICTION HAS
25 ADOPTED LAWS THAT COMPLY WITH THE MINIMUM STANDARDS.

26 (c) IF A SUBJECT JURISDICTION ADOPTS THE MODEL CODE OR THE
27 MODEL CODE IS OTHERWISE IN EFFECT FOR A SUBJECT JURISDICTION
28 PURSUANT TO SUBSECTION (5)(b) OF THIS SECTION, THE SUBJECT
29 JURISDICTION'S ACCESSORY DWELLING UNIT DECISIONS SHALL BE
30 CONSISTENT WITH THE MODEL CODE AND THE SUBJECT JURISDICTION
31 SHALL:

32 (I) USE OBJECTIVE PROCEDURES TO DETERMINE WHETHER A
33 PROJECT SATISFIES THE MODEL CODE AND, IF THE SUBJECT JURISDICTION
34 DETERMINES THAT THE PROJECT SATISFIES THE MODEL CODE, THE SUBJECT
35 JURISDICTION SHALL APPROVE THE PROJECT; AND

36 (II) NOT ADOPT, ENACT, OR ENFORCE ANY LOCAL LAWS THAT
37 CONTRAVENE THE MODEL CODE.

38 (6) **Subject jurisdiction restrictions.** NOTHING IN THIS PART 3,
39 IN THE MODEL CODE, OR IN THE MINIMUM STANDARDS PREVENTS A LOCAL
40 GOVERNMENT FROM:

41 (a) REQUIRING PARKING SPACES IN ACCORDANCE WITH THE
42 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
43 12101 ET SEQ., AS AMENDED, OR TO OTHERWISE PROVIDE PARKING SIGNED

- 1 FOR USE BY PERSONS EXPERIENCING DISABILITIES;
- 2 (b) ADOPTING GENERALLY-APPLICABLE REQUIREMENTS FOR THE
3 PAYMENT OF IMPACT FEES OR OTHER SIMILAR DEVELOPMENT CHARGES IN
4 CONFORMANCE WITH THE REQUIREMENTS OF SECTION 29-20-104.5 OR THE
5 MITIGATION OF IMPACTS IN CONFORMANCE WITH THE REQUIREMENTS OF
6 PART 2 OF ARTICLE 20 OF TITLE 29;
- 7 (c) APPLYING A LOCAL INCLUSIONARY ZONING ORDINANCE IN
8 TRANSIT-ORIENTED AREAS IN ACCORDANCE WITH THE REQUIREMENTS OF
9 SECTION 29-20-104 (e.5) AND (e.7) AND SUBJECT TO PART 2 OF ARTICLE
10 20 OF TITLE 29;
- 11 (d) IMPOSING REQUIREMENTS ON THE SHORT-TERM RENTAL OF
12 HOUSING IN TRANSIT-ORIENTED AREAS;
- 13 (e) PERMITTING MIXED-USE DEVELOPMENT IN A
14 TRANSIT-ORIENTED AREA;
- 15 (f) ALLOWING COMMERCIAL ONLY DEVELOPMENTS IN A
16 TRANSIT-ORIENTED AREA; OR
- 17 (g) APPLYING THE STANDARDS AND PROCEDURES OF A HISTORIC
18 DISTRICT TO A PARCEL ON WHICH HOUSING IN A TRANSIT-ORIENTED AREA
19 IS ALLOWED IN THAT HISTORIC DISTRICT, INCLUDING RULES RELATING TO
20 DEMOLITION.

21 **29-33-303. Key corridors map - applicability - key corridors**
22 **model code - key corridors minimum standards - adoption of model**
23 **code or minimum standards - definitions. (1) Definitions.** AS USED IN
24 THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

- 25 (a) "ELIGIBLE PARCEL" MEANS A PARCEL, EXCLUDING THE PARCELS
26 IDENTIFIED IN SUBSECTION (3)(c) OF THIS SECTION THAT ALLOWS
27 COMMERCIAL, INSTITUTIONAL, MIXED USE, MULTI-FAMILY, OR OTHER
28 NON-RESIDENTIAL USES AS PERMITTED USES.
- 29 (b) "INDUSTRIAL USE" MEANS A BUSINESS USE OR ACTIVITY AT A
30 SCALE GREATER THAN HOME INDUSTRY INVOLVING MANUFACTURING,
31 FABRICATION, ASSEMBLY, WAREHOUSING, OR STORAGE.
- 32 (c) "MINIMUM STANDARDS" MEANS THE KEY CORRIDORS MINIMUM
33 STANDARDS ESTABLISHED IN SUBSECTION (5) OF THIS SECTION.
- 34 (d) "MIXED-INCOME MULTIFAMILY HOUSING" MEANS MULTIFAMILY
35 HOUSING IN WHICH AT LEAST TEN PERCENT OF THE HOUSING UNITS ARE SET
36 ASIDE FOR HOUSEHOLDS THAT EARN NO MORE THAN EIGHTY PERCENT OF
37 THE AREA MEDIAN INCOME. FOR THE PURPOSES OF THIS SUBSECTION
38 (1)(d), "MIXED-INCOME MULTIFAMILY HOUSING" MEANS A SUBJECT
39 JURISDICTION WITH A LOCAL INCLUSIONARY ZONING ORDINANCE THAT
40 APPLIES IN KEY CORRIDORS MAY APPLY ITS ORDINANCE'S PROVISIONS
41 INCLUDING AREA MEDIAN INCOME THRESHOLDS AND REQUIREMENTS FOR
42 THE PERCENTAGE OF UNITS THAT MUST BE SET ASIDE FOR HOUSEHOLDS
43 BELOW THAT AREA MEDIAN INCOME.

1 (e) "MODEL CODE" MEANS THE KEY CORRIDORS MODEL CODE
2 PROMULGATED BY THE DEPARTMENT OF LOCAL AFFAIRS PURSUANT TO
3 SUBSECTION (4) OF THIS SECTION.

4 (f) "SUBJECT JURISDICTION" MEANS A TIER ONE URBAN
5 MUNICIPALITY.

6 (2) **Key corridors map.** (a) (I) NO LATER THAN MARCH 31, 2024,
7 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION
8 SHALL CREATE A KEY CORRIDORS MAP THAT DESIGNATES KEY CORRIDORS.

9 (II) THE MULTI-AGENCY ADVISORY COMMITTEE SHALL PROVIDE
10 RECOMMENDATIONS TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT
11 OF TRANSPORTATION CONCERNING THE CREATION OF THE KEY CORRIDORS
12 MAP PURSUANT TO SECTION 29-33-305.

13 (b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
14 TRANSPORTATION SHALL INCLUDE THE FOLLOWING AREAS WITHIN TIER
15 ONE URBAN MUNICIPALITIES IN THE KEY CORRIDORS MAP:

16 (I) AREAS WITHIN ONE-HALF MILE OF A BUS STOP ON A LIMITED
17 ACCESS HIGHWAY SERVED BY AN EXISTING OR PLANNED COMMUTER BUS
18 RAPID TRANSIT SERVICE; AND

19 (II) AREAS WITHIN ONE-QUARTER MILE OF:

20 (A) A BUS STOP NOT ON A LIMITED ACCESS HIGHWAY SERVED BY
21 AN EXISTING OR PLANNED COMMUTER BUS RAPID TRANSIT SERVICE;

22 (B) A ROADWAY SERVED BY AN EXISTING OR PLANNED URBAN BUS
23 RAPID TRANSIT SERVICE;

24 (C) A ROADWAY SERVED BY A BUS ROUTE THAT IS SCHEDULED TO
25 RUN EVERY FIFTEEN MINUTES OR LESS DURING THE HIGHEST FREQUENCY
26 SERVICE HOURS AND IS AT LEAST ONE MILE LONG; OR

27 (D) A BUS STOP SERVED BY A BUS ROUTE THAT IS SCHEDULED TO
28 RUN EVERY FIFTEEN MINUTES OR LESS DURING THE HIGHEST FREQUENCY
29 SERVICE HOURS, IS AT LEAST ONE MILE LONG, AND THAT RUNS ON A
30 LIMITED ACCESS HIGHWAY.

31 (c) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
32 TRANSPORTATION SHALL DESIGNATE AN AREA AS A KEY CORRIDOR BASED
33 ON:

34 (I) TRANSIT SERVICE LEVELS AS OF JANUARY 1, 2023;

35 (II) TRANSIT SERVICE LEVELS PLANNED AND APPROVED BY A
36 TRANSIT AGENCY'S BOARD AS OF JANUARY 1, 2023, FOR IMPLEMENTATION
37 BEFORE JANUARY 1, 2028; OR

38 (III) FUTURE TRANSIT SERVICE LEVELS, PLANNED AS OF JANUARY
39 1, 2023, AS DESCRIBED IN FEDERALLY REQUIRED TRANSPORTATION PLANS.

40 (d) IN DESIGNATING KEY CORRIDORS, THE DEPARTMENT OF
41 TRANSPORTATION SHALL NOT RELY ON PLANNING DOCUMENTS ADOPTED
42 AFTER JANUARY 1, 2023.

43 (e) WHERE THE REQUIREMENTS OF THIS SECTION APPLY TO

1 PARCELS OR LOTS TO WHICH PART 2 OF THIS ARTICLE 33 OR SECTIONS
2 29-33-302 AND 29-33-304 ALSO APPLY, THE REQUIREMENTS OF THIS
3 SECTION SHALL SUPERSEDE WHERE THERE IS CONFLICT WITH OTHER
4 RELEVANT SECTIONS OR PART 2.

5 (3) **Applicability.** (a) IF A SUBJECT JURISDICTION ADOPTS THE
6 MODEL CODE, OR THE MODEL CODE IS OTHERWISE IN EFFECT, THE MODEL
7 CODE SHALL APPLY TO ALL ELIGIBLE PARCELS.

8 (b) UNLESS A SUBJECT JURISDICTION DECIDES OTHERWISE, LOCAL
9 LAWS ADOPTED PURSUANT TO THIS SECTION ONLY APPLY TO PARCELS
10 THAT ARE NOT:

11 (I) A STANDARD EXEMPT PARCEL;

12 (II) THE PORTION OF A PARCEL THAT INCLUDES LAND THAT IS A
13 PARK AND OPEN SPACE, AS DEFINED IN SECTION 29-7.5-103 (2);

14 (III) A PARCEL THAT IS SUBJECT TO A CONSERVATION EASEMENT;

15 OR

16 (IV) ON A SITE THAT:

17 (A) IS CURRENTLY USED FOR AN INDUSTRIAL USE;

18 (B) CURRENTLY ALLOWS INDUSTRIAL USES;

19 (C) IS DESIGNATED FOR HEAVY INDUSTRIAL USE IN THE LATEST
20 VERSION OF A SUBJECT JURISDICTION'S MASTER PLAN;

21 (D) IS OWNED BY, USED AS, OR OPERATED BY AN AIRPORT; OR

22 (E) IS CURRENTLY USED AS A MOBILE HOME PARK, AS DEFINED IN
23 SECTION 38-12-201.5 (6).

24 (c) THE REQUIREMENTS OF THIS SECTION SHALL NOT APPLY TO A
25 TIER ONE URBAN MUNICIPALITY WITH BOTH A POPULATION OF LESS THAN
26 TWENTY-FIVE THOUSAND AND AN ANNUAL MEDIAN HOUSEHOLD INCOME
27 OF LESS THAN FIFTY-FIVE THOUSAND DOLLARS, IF THE MUNICIPALITY
28 SENDS A LETTER TO THE DEPARTMENT OF LOCAL AFFAIRS, IN A FORM AND
29 MANNER DETERMINED BY THE DEPARTMENT, INDICATING THAT THE
30 MUNICIPALITY DOES NOT INTEND TO COMPLY WITH THIS SECTION.

31 (4) **Model code.** (a) (I) NO LATER THAN JUNE 30, 2024, THE
32 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL
33 PROMULGATE A KEY CORRIDOR MODEL CODE.

34 (II) THE MULTI-AGENCY ADVISORY COMMITTEE SHALL PROVIDE
35 RECOMMENDATIONS TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT
36 OF LOCAL AFFAIRS ON THE MODEL CODE PURSUANT TO SECTION 29-33-305.

37 (b) AT A MINIMUM, THE MODEL CODE MUST INCLUDE:

38 (I) A REQUIREMENT THAT SUBJECT JURISDICTIONS ALLOW
39 MIXED-INCOME MULTIFAMILY HOUSING AS A USE BY RIGHT IN KEY
40 CORRIDORS WITH DENSITIES UP TO AT LEAST:

41 (A) FORTY DWELLING UNITS PER ACRE NET DENSITY IN AREAS
42 DESIGNATED IN A KEY CORRIDORS MAP DUE TO THEIR PROXIMITY TO
43 COMMUTER BUS RAPID TRANSIT SERVICE OR URBAN BUS RAPID TRANSIT

1 SERVICE; AND

2 (B) THIRTY DWELLING UNITS PER ACRE NET DENSITY FOR ALL
3 OTHER AREAS DESIGNATED AS A KEY CORRIDOR;

4 (c) AFFORDABLE UNITS WITHIN MIXED-INCOME MULTIFAMILY
5 HOUSING DEVELOPMENTS MUST BE OF A SIMILAR SIZE AS THE OTHER UNITS
6 IN THE DEVELOPMENT.

7 (d) THE MODEL CODE MUST NOT ALLOW MINIMUM PARKING
8 REQUIREMENTS IN CONNECTION WITH THE CONSTRUCTION OR PERMITTING
9 OF MULTIFAMILY HOUSING IN KEY CORRIDORS THAT ARE GREATER THAN
10 ONE-HALF OF A PARKING SPACE PER DWELLING UNIT, WHICH MAY BE
11 ROUNDED UP.

12 (5) **Minimum standards.** (a) NOTWITHSTANDING ANY LOCAL LAW
13 TO THE CONTRARY, A SUBJECT JURISDICTION THAT DOES NOT ADOPT THE
14 MODEL CODE SHALL CREATE A ZONING DISTRICT OR DISTRICTS WITHIN KEY
15 CORRIDORS IN WHICH MULTIFAMILY HOUSING IS ALLOWED AS A USE BY
16 RIGHT.

17 (b) (I) THE MINIMUM AREA OF THE ZONING DISTRICT OR DISTRICTS
18 REQUIRED BY SUBSECTION (5)(a) OF THIS SECTION AND ALLOWED BY
19 SUBSECTION (5)(e) OF THIS SECTION MUST IN TOTAL BE GREATER THAN OR
20 EQUAL TO THE GREATER OF:

21 (A) TWENTY-FIVE PERCENT OF THE AREA OF ELIGIBLE PARCELS IN
22 KEY CORRIDORS IN THE SUBJECT JURISDICTION; OR

23 (B) TEN PERCENT OF THE TOTAL AREA OF ELIGIBLE PARCELS IN THE
24 SUBJECT JURISDICTION.

25 (II) A SUBJECT JURISDICTION MAY CHOOSE TO INCLUDE PARCELS
26 THAT ARE NOT ELIGIBLE PARCELS IN THE CALCULATION OF THE AREA OF
27 ELIGIBLE PARCELS IN KEY CORRIDORS IN THE SUBJECT JURISDICTION.

28 (c) (I) WITHIN THE ZONING DISTRICT OR DISTRICTS REQUIRED BY
29 SUBSECTION (5)(a) OF THIS SECTION, A SUBJECT JURISDICTION SHALL
30 ALLOW MULTIFAMILY HOUSING AS A USE BY RIGHT AT AN AVERAGE NET
31 DENSITY OF UP TO AT LEAST TWENTY-FIVE DWELLING UNITS PER ACRE.

32 (II) IN SATISFYING THE NET DENSITY REQUIREMENTS OF
33 SUBSECTION (5)(c)(I) OF THIS SECTION, A SUBJECT JURISDICTION SHALL
34 NOT INCLUDE MIDDLE HOUSING AREAS AS DETERMINED PURSUANT TO
35 SECTION 39-22-304 (2)(b).

36 (d) SUBJECT JURISDICTIONS MAY ESTABLISH MULTIPLE ZONING
37 DISTRICTS THAT ALLOW DIFFERENT DENSITIES OF MULTIFAMILY HOUSING,
38 SO LONG AS THE AVERAGE NET DENSITY IS MET ACROSS ALL OF THE
39 ZONING DISTRICT OR DISTRICTS REQUIRED BY SUBSECTION (5)(a) OF THIS
40 SECTION IN THE SUBJECT JURISDICTION. SUBJECT JURISDICTIONS ARE
41 ENCOURAGED TO LOCATE DISTRICTS IN CENTERS OR ALONG CORRIDORS
42 THAT ARE PLANNED FOR MIXED-USE, WALKABLE AREAS.

43 (e) NOTWITHSTANDING ANY LOCAL LAW TO THE CONTRARY, A

1 SUBJECT JURISDICTION THAT DOES NOT ADOPT THE MODEL CODE MAY
2 MEET THE AVERAGE NET DENSITY REQUIREMENTS ESTABLISHED IN THE
3 MINIMUM STANDARDS BY ADOPTING LOCAL LAWS APPLICABLE TO A
4 ZONING DISTRICT OR ZONING DISTRICTS COVERING AREAS OUTSIDE OF KEY
5 CORRIDORS, SO LONG AS THE ZONING DISTRICT OR ZONING DISTRICTS
6 SATISFY THE AREA REQUIREMENTS OF SUBSECTION (5)(b) OF THIS SECTION,
7 AND IF EITHER:

- 8 (I) SIGNIFICANT DEVELOPMENT CONSTRAINTS EXIST; OR
- 9 (II) THE SUBJECT JURISDICTION HAS ESTABLISHED PLANNING
10 AREAS FOR TRANSIT-COMPATIBLE USE IN OTHER AREAS.

11 (f) NOTWITHSTANDING ANY LOCAL LAW TO THE CONTRARY, A
12 SUBJECT JURISDICTION THAT DOES NOT ADOPT THE MODEL CODE SHALL
13 NOT, IN THE DISTRICTS IT ESTABLISHES PURSUANT TO SUBSECTION (5)(d)(I)
14 OF THIS SECTION:

15 (I) APPLY STANDARDS THAT MAKE THE PERMITTING, SITING, OR
16 CONSTRUCTION OF MULTIFAMILY HOUSING IN KEY CORRIDORS PHYSICALLY
17 IMPOSSIBLE OR PRACTICALLY DIFFICULT;

18 (II) ADOPT, ENACT, OR ENFORCE LOCAL LAWS THAT MAKE THE
19 DENSITY REQUIREMENTS ESTABLISHED IN SUBSECTION (5)(c) OF THIS
20 SECTION PHYSICALLY IMPOSSIBLE OR PRACTICALLY DIFFICULT; OR

21 (III) APPLY MINIMUM OFF-STREET VEHICLE PARKING
22 REQUIREMENTS IN CONNECTION WITH THE CONSTRUCTION OR PERMITTING
23 OF MULTIFAMILY HOUSING IN KEY CORRIDORS THAT ARE GREATER THAN
24 ONE-HALF OF A PARKING SPACE PER DWELLING UNIT, WHICH MAY BE
25 ROUNDED UP.

26 (g) THE DEPARTMENT OF LOCAL AFFAIRS MAY PROMULGATE RULES
27 AS IT DEEMS NECESSARY TO UPDATE THE MINIMUM STANDARDS OR MODEL
28 CODE, UTILIZING A PUBLIC HEARING AND COMMENT PROCESS.

29 (h) THE DEPARTMENT OF LOCAL AFFAIRS MAY PROVIDE TECHNICAL
30 ASSISTANCE OR FUNDING TO METROPOLITAN PLANNING ORGANIZATIONS
31 AND SUBJECT JURISDICTIONS TO ADOPT MINIMUM STANDARDS FOR KEY
32 CORRIDORS THAT SUPPORT REGIONAL PLANNING GOALS.

33 **(6) Adoption of model code and minimum standards.** (a) No
34 LATER THAN JUNE 30, 2025, A SUBJECT JURISDICTION SHALL EITHER:

35 (I) ADOPT LOCAL LAWS CONCERNING KEY CORRIDORS THAT
36 SATISFY THE MINIMUM STANDARDS; OR

37 (II) ADOPT THE MODEL CODE.

38 (b) IF A SUBJECT JURISDICTION DOES NOT SATISFY THE
39 REQUIREMENTS OF SUBSECTION (6)(a) OF THIS SECTION BEFORE
40 DECEMBER 31, 2025, THE MODEL CODE GOES INTO EFFECT IMMEDIATELY
41 FOR THE ELIGIBLE PARCELS IN THE SUBJECT JURISDICTION AND REMAINS IN
42 EFFECT UNTIL THE DEPARTMENT OF LOCAL AFFAIRS DETERMINES THAT THE
43 SUBJECT JURISDICTION HAS ADOPTED LAWS THAT COMPLY WITH THE

1 MINIMUM STANDARDS AND THE SUBJECT JURISDICTION SHALL NOT DENY
2 OR CONDITION THE APPROVAL OF AN APPLICATION FOR A MULTIFAMILY
3 HOUSING PROJECT ON ANY ELIGIBLE PARCEL ON ANY BASIS THAT IS
4 INCONSISTENT WITH THE MODEL CODE.

5 (c) IF A SUBJECT JURISDICTION ADOPTS THE MODEL CODE OR THE
6 MODEL CODE IS OTHERWISE IN EFFECT FOR A SUBJECT JURISDICTION
7 PURSUANT TO SUBSECTION (6)(b) OF THIS SECTION, THE SUBJECT
8 JURISDICTION'S KEY CORRIDOR DECISIONS SHALL BE CONSISTENT WITH THE
9 MODEL CODE AND THE SUBJECT JURISDICTION SHALL:

10 (I) USE OBJECTIVE PROCEDURES TO DETERMINE WHETHER A
11 PROJECT SATISFIES THE MODEL CODE AND, IF THE SUBJECT JURISDICTION
12 DETERMINES THAT THE PROJECT SATISFIES THE MODEL CODE, THE SUBJECT
13 JURISDICTION SHALL APPROVE THE PROJECT; AND

14 (II) NOT ADOPT, ENACT, OR ENFORCE ANY LOCAL LAWS THAT
15 CONTRAVENE THE MODEL CODE.

16 (7) **Subject jurisdiction restrictions.** (a) NOTHING IN THIS PART
17 PREVENTS A SUBJECT JURISDICTION FROM:

18 (I) REQUIRING PARKING SPACES IN ACCORDANCE WITH THE
19 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
20 12101 ET SEQ., AS AMENDED;

21 (II) ADOPTING GENERALLY-APPLICABLE REQUIREMENTS FOR THE
22 PAYMENT OF IMPACT FEES OR OTHER SIMILAR DEVELOPMENT CHARGES IN
23 CONFORMANCE WITH THE REQUIREMENTS OF SECTION 29-20-104.5 OR THE
24 MITIGATION OF IMPACTS IN CONFORMANCE WITH THE REQUIREMENTS OF
25 SECTION PART 2 OF ARTICLE 20 OF TITLE 29;

26 (III) APPLYING A LOCAL INCLUSIONARY ZONING ORDINANCE IN
27 KEY CORRIDORS IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION
28 29-20-104 (e.5) AND (e.7) AND SUBJECT TO PART 2 OF ARTICLE 20 OF TITLE
29 29;

30 (IV) IMPOSING REQUIREMENTS ON THE SHORT-TERM RENTAL OF
31 HOUSING IN KEY CORRIDORS;

32 (V) PERMITTING MIXED-USE DEVELOPMENT IN A KEY CORRIDOR;

33 (VI) ALLOWING COMMERCIAL ONLY DEVELOPMENTS IN A KEY
34 CORRIDOR; OR

35 (VII) APPLYING THE STANDARDS AND PROCEDURES OF A HISTORIC
36 DISTRICT TO A PARCEL ON WHICH HOUSING IN KEY CORRIDORS IS ALLOWED
37 IN THAT HISTORIC DISTRICT, INCLUDING RULES RELATING TO DEMOLITION.

38 **29-33-304. Middle housing applicability - middle housing**
39 **model code - middle housing minimum standards - adoption of model**
40 **code or minimum standards - subject jurisdiction restrictions -**
41 **definitions. (1) Definitions.** AS USED IN THIS SECTION, UNLESS THE
42 CONTEXT OTHERWISE REQUIRES:

43 (a) "MIDDLE HOUSING AREA" MEANS THE AREA WITHIN A MIDDLE

1 HOUSING SUBJECT JURISDICTION THAT IS IDENTIFIED BY THE SUBJECT
2 JURISDICTION PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION.

3 (b) "MINIMUM STANDARDS" MEANS THE MIDDLE HOUSING
4 MINIMUM STANDARDS ESTABLISHED IN SUBSECTION (4) OF THIS SECTION.

5 (c) "MODEL CODE" MEANS THE MIDDLE HOUSING MODEL CODE
6 PROMULGATED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
7 LOCAL AFFAIRS PURSUANT TO SUBSECTION (3) OF THIS SECTION.

8 (2) **Applicability.** (a) (I) THE REQUIREMENTS OF THIS SECTION
9 SHALL ONLY APPLY IN TIER ONE URBAN MUNICIPALITIES.

10 (II) THE REQUIREMENTS OF THIS SECTION SHALL NOT APPLY TO A
11 TIER ONE URBAN MUNICIPALITY WITH BOTH A POPULATION OF LESS THAN
12 TWENTY-FIVE THOUSAND AND AN ANNUAL MEDIAN HOUSEHOLD INCOME
13 OF LESS THAN FIFTY-FIVE THOUSAND DOLLARS, IF THE MUNICIPALITY
14 SENDS A LETTER TO THE DEPARTMENT OF LOCAL AFFAIRS, IN A FORM AND
15 MANNER DETERMINED BY THE DEPARTMENT, INDICATING THAT THE
16 MUNICIPALITY DOES NOT INTEND TO COMPLY WITH THIS SECTION.

17 (b) (I) A TIER ONE URBAN MUNICIPALITY THAT ADOPTS LOCAL
18 LAWS THAT SATISFY THE MINIMUM STANDARDS SHALL CREATE ZONING
19 DISTRICTS THAT CONSTITUTE A MIDDLE HOUSING AREA. THE TOTAL AREA
20 OF THE ZONING DISTRICTS WITHIN THE APPLICABLE HOUSING AREA MUST
21 BE EQUAL TO OR GREATER THAN THE GREATER OF:

22 (A) THE TOTAL AREA OF LAND IN WHICH SINGLE-UNIT DETACHED
23 DWELLINGS ARE ALLOWED AS A USE BY RIGHT WITHIN THE TIER ONE
24 URBAN MUNICIPALITY THAT IS EITHER A KEY CORRIDOR OR A
25 TRANSIT-ORIENTED AREA; OR

26 (B) THIRTY PERCENT OF THE TOTAL AREA OF LAND IN WHICH
27 SINGLE-UNIT DETACHED DWELLINGS ARE ALLOWED AS A USE BY RIGHT
28 WITHIN THE TIER ONE URBAN MUNICIPALITY.

29 (II) A TIER ONE URBAN MUNICIPALITY MAY LOCATE A MIDDLE
30 HOUSING AREA WITHIN OR ADJACENT TO TRANSIT-ORIENTED AREAS AND
31 KEY CORRIDORS; AND IN WALKABLE MIXED-USE NEIGHBORHOOD CENTERS.
32 IN DETERMINING THE LOCATION OF A MIDDLE HOUSING AREAS, A TIER ONE
33 MUNICIPALITY SHALL CONSIDER THE NARRATIVE ANALYSIS THAT IT
34 COMPLETED OF ANY AREA AT ELEVATED RISK OF RESIDENTIAL
35 DISPLACEMENT PURSUANT TO SECTION 29-33-105 (4)(g).

36 (c) UNLESS A TIER ONE URBAN MUNICIPALITY DECIDES OTHERWISE,
37 LOCAL LAWS ADOPTED PURSUANT TO THIS SECTION MUST NOT APPLY TO
38 STANDARD EXEMPT PARCELS.

39 (3) **Model code.** (a) (I) NO LATER THAN JUNE 30, 2024, THE
40 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL
41 PROMULGATE A HOUSING MODEL CODE.

42 (II) THE MULTI-AGENCY ADVISORY COMMITTEE SHALL PROVIDE
43 RECOMMENDATIONS TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT

1 OF LOCAL AFFAIRS ON THE MODEL CODE PURSUANT TO SECTION 29-33-305.
2 (b) THE MODEL CODE MUST, AT A MINIMUM, ESTABLISH OBJECTIVE
3 STANDARDS FOR ALL THE ELEMENTS IN THE MINIMUM STANDARDS TO BE
4 ALLOWED AS A USE BY RIGHT IN ANY PART OF A TIER ONE URBAN
5 MUNICIPALITY THAT IS BOTH:
6 (I) WITHIN ONE MILE OF FIXED ROUTE SYSTEM, AS DEFINED IN 49
7 CFR 37; AND
8 (II) IN AN AREA THAT A TIER ONE URBAN MUNICIPALITY ALLOWS
9 SINGLE-UNIT DETACHED DWELLINGS AS A USE BY RIGHT.
10 (c) THE MODEL CODE MUST NOT ALLOW MINIMUM OFF-STREET
11 VEHICLE PARKING REQUIREMENTS IN CONNECTION WITH THE
12 CONSTRUCTION OR PERMITTING OF MIDDLE HOUSING THAT ARE GREATER
13 THAN ONE-HALF OF A PARKING SPACE PER DWELLING UNIT, WHICH MAY BE
14 ROUNDED UP.
15 (4) **Minimum standards.** (a) NOTWITHSTANDING ANY LOCAL LAW
16 TO THE CONTRARY, A TIER ONE URBAN MUNICIPALITY THAT DOES NOT
17 ADOPT THE MODEL CODE SHALL:
18 (I) ALLOW MIDDLE HOUSING AS A USE BY RIGHT IN THE
19 APPLICABLE HOUSING AREA IDENTIFIED BY THE MUNICIPALITY;
20 (II) ONLY ADOPT OR ENFORCE LOCAL LAWS CONCERNING MIDDLE
21 HOUSING THAT USE OBJECTIVE STANDARDS AND PROCEDURES;
22 (III) ALLOW ADDITIONS TO, OR THE CONVERSION OF, AN EXISTING
23 SINGLE-UNIT DETACHED DWELLING TO CREATE MIDDLE HOUSING SO LONG
24 AS THE ADDITION OR CONVERSION DOES NOT INCREASE NONCONFORMANCE
25 WITH APPLICABLE OBJECTIVE STANDARDS, UNLESS LOCAL LAWS ALLOW
26 FOR SUCH AN INCREASE IN NONCONFORMANCE; AND
27 (IV) ALLOW PROPERTIES ON WHICH MIDDLE HOUSING IS ALLOWED
28 TO BE SUBDIVIDED USING OBJECTIVE STANDARDS AND PROCEDURES.
29 (b) NOTWITHSTANDING ANY LOCAL LAW TO THE CONTRARY, A TIER
30 ONE URBAN MUNICIPALITY THAT DOES NOT ADOPT THE MODEL CODE
31 SHALL NOT:
32 (I) APPLY STANDARDS PERTAINING TO ARCHITECTURAL
33 COMPATIBILITY, BUILDING MATERIALS, OR LANDSCAPING THAT ARE MORE
34 RESTRICTIVE THAN THE STANDARDS THAT THE SUBJECT JURISDICTION
35 APPLIES TO A SINGLE-UNIT DETACHED DWELLING IN THE SAME ZONING
36 DISTRICT;
37 (II) APPLY MINIMUM SETBACKS, LOT WIDTHS, LOT DEPTHS, OR LOT
38 SIZE STANDARDS TO MIDDLE HOUSING THAT ARE MORE RESTRICTIVE THAN
39 THE STANDARDS THAT THE TIER ONE URBAN MUNICIPALITY WOULD APPLY
40 TO SINGLE-UNIT DETACHED DWELLINGS ON THE SAME PROPERTY;
41 (III) APPLY LOWER MAXIMUM HEIGHT STANDARDS TO MIDDLE
42 HOUSING THAN THE TIER ONE URBAN MUNICIPALITY WOULD APPLY TO
43 SINGLE-UNIT DETACHED DWELLINGS ON THE SAME PROPERTY;

1 (IV) APPLY LIMITS ON THE SCALE OF MIDDLE HOUSING BUILDINGS
2 THROUGH FLOOR AREA RATIOS, LOT OR BUILDING COVERAGE, OR OTHER
3 SIMILAR STANDARDS THAT ARE MORE RESTRICTIVE THAN THE STANDARDS
4 THAT THE SUBJECT JURISDICTION APPLIES TO A SINGLE-UNIT DETACHED
5 DWELLINGS IN THE SAME ZONING DISTRICT;

6 (V) AMEND, DEVELOP, OR INTERPRET A LOCAL LAW APPLICABLE
7 TO MIDDLE HOUSING IN A MANNER THAT INTERFERES WITH THE INTENT OF
8 THIS SECTION; OR

9 (VI) APPLY MINIMUM OFF-STREET VEHICLE PARKING
10 REQUIREMENTS IN CONNECTION WITH THE CONSTRUCTION OR PERMITTING
11 OF MIDDLE HOUSING THAT ARE GREATER THAN ONE-HALF OF A PARKING
12 SPACE PER DWELLING UNIT, WHICH MAY BE ROUNDED UP IN THE CASE OF
13 AN ODD-NUMBER OF DWELLING UNITS.

14 (c) THE DEPARTMENT OF LOCAL AFFAIRS MAY PROMULGATE RULES
15 AS IT DEEMS NECESSARY TO UPDATE THE MINIMUM STANDARDS OR MODEL
16 CODE, UTILIZING A PUBLIC HEARING AND COMMENT PROCESS.

17 (5) **Adoption of model code or minimum standards.** (a) (I) No
18 LATER THAN JUNE 30, 2025, A TIER ONE URBAN MUNICIPALITY SHALL
19 EITHER:

20 (A) ADOPT LOCAL LAWS CONCERNING MIDDLE HOUSING THAT
21 SATISFY THE MINIMUM STANDARDS; OR

22 (B) ADOPT THE MODEL CODE.

23 (II) IF A TIER ONE URBAN MUNICIPALITY DOES NOT SATISFY THE
24 REQUIREMENTS OF SUBSECTION (5)(a)(I) OF THIS SECTION BEFORE
25 DECEMBER 31, 2025, THE MODEL CODE GOES INTO EFFECT IMMEDIATELY
26 FOR THE PARCELS DESCRIBED IN SUBSECTION (2) OF THIS SECTION, AND
27 THE TIER ONE URBAN MUNICIPALITY SHALL NOT DENY OR CONDITION
28 APPROVAL OF AN APPLICATION FOR A MIDDLE HOUSING PROJECT ON ANY
29 APPLICABLE PARCEL ON ANY BASIS THAT IS INCONSISTENT WITH THE
30 MODEL CODE, AS SPECIFIED IN SECTION 29-33-304, IN THE SUBJECT
31 JURISDICTION AND REMAINS IN EFFECT UNTIL THE DEPARTMENT OF LOCAL
32 AFFAIRS DETERMINES THAT THE TIER ONE URBAN MUNICIPALITY HAS
33 ADOPTED LAWS THAT COMPLY WITH THE MINIMUM STANDARDS.

34 (b) IF A TIER ONE URBAN MUNICIPALITY ADOPTS THE MODEL CODE,
35 OR THE MODEL CODE IS OTHERWISE IN EFFECT, THE MUNICIPALITY SHALL:

36 (I) USE OBJECTIVE PROCEDURES TO DETERMINE WHETHER A
37 PROJECT SATISFIES THE MODEL CODE AND, IF THE SUBJECT JURISDICTION
38 DETERMINES THAT THE PROJECT SATISFIES THE MODEL CODE, THE SUBJECT
39 JURISDICTION SHALL APPROVE THE MIDDLE HOUSING PROJECT;

40 (II) MAKE MIDDLE HOUSING DECISIONS CONSISTENT WITH THE
41 MODEL CODE; AND

42 (III) NOT ADOPT, ENACT, OR ENFORCE ANY LOCAL LAWS THAT
43 CONTRAVENE THE MODEL CODE.

1 **(6) Subject jurisdiction restrictions.** (a) NOTHING IN THIS
2 SECTION PREVENTS A TIER ONE URBAN MUNICIPALITY FROM:

3 (I) REQUIRING PARKING SPACES IN ACCORDANCE WITH THE
4 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
5 12101 ET SEQ., AS AMENDED, OR TO OTHERWISE PROVIDE PARKING SIGNED
6 FOR USE BY PERSONS EXPERIENCING DISABILITIES;

7 (II) ADOPTING GENERALLY-APPLICABLE REQUIREMENTS FOR THE
8 PAYMENT OF IMPACT FEES OR OTHER SIMILAR DEVELOPMENT CHARGES IN
9 CONFORMANCE WITH THE REQUIREMENTS OF SECTION 29-20-104.5 OR THE
10 MITIGATION OF IMPACTS IN CONFORMANCE WITH THE REQUIREMENTS OF
11 SECTION PART 2 OF ARTICLE 20 OF TITLE 29;

12 (III) APPLYING A LOCAL INCLUSIONARY ZONING ORDINANCE TO
13 MIDDLE HOUSING IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION
14 29-20-104 (e.5) AND (e.7) AND SUBJECT TO PART 2 OF ARTICLE 20 OF TITLE
15 29;

16 (IV) IMPOSING REQUIREMENTS ON THE SHORT-TERM RENTAL OF
17 MIDDLE HOUSING;

18 (V) ALLOWING SINGLE-UNIT DETACHED DWELLINGS IN AN AREA
19 ZONED FOR SINGLE-UNIT DETACHED DWELLINGS; OR

20 (VI) APPLYING THE STANDARDS AND PROCEDURES OF A HISTORIC
21 DISTRICT TO A PARCEL ON WHICH MIDDLE HOUSING IS ALLOWED IN THAT
22 HISTORIC DISTRICT, INCLUDING RULES RELATING TO DEMOLITION.

23 (b) NOTHING IN THIS SECTION REQUIRES A TIER ONE URBAN
24 MUNICIPALITY TO PERMIT AN ACCESSORY DWELLING UNIT PROJECT AND A
25 MIDDLE HOUSING PROJECT ON THE SAME PARCEL OR LOT.

26 **29-33-305. Public comment and hearing process.** (1) IN
27 DEVELOPING RECOMMENDATIONS CONCERNING GUIDANCE FOR THE
28 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS, THE
29 MULTI-AGENCY ADVISORY COMMITTEE CREATED IN SECTION 29-33-103
30 (1), RURAL RESORT AREA SUBCOMMITTEE CREATED IN SECTION 29-33-103
31 (8), OR THE URBAN AREA SUBCOMMITTEE CREATED IN SECTION 29-33-103
32 (9), SHALL CONDUCT A PUBLIC COMMENT AND HEARING PROCESS ABOUT
33 CREATING:

34 (a) A MODEL FOR TRANSIT-ORIENTED AREAS PURSUANT TO
35 SECTION 29-33-302 (3)(a)(I);

36 (b) A KEY CORRIDORS MAP PURSUANT TO SECTION 29-33-303
37 (2)(a);

38 (c) A KEY CORRIDOR MODEL CODE PURSUANT TO SECTION
39 29-33-303 (4)(a); AND

40 (d) A MODEL CODE FOR MIDDLE HOUSING PURSUANT TO SECTION
41 29-33-304 (3)(a)(I).

42 (2) IN DEVELOPING RECOMMENDATIONS TO PROVIDE TO THE
43 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS ON THE

1 MODEL CODE, THE MULTI-AGENCY ADVISORY COMMITTEE SHALL:
2 (a) PROVIDE PUBLIC NOTICE AND HOLD AT LEAST TWO PUBLIC
3 MEETINGS AT WHICH MEMBERS OF THE PUBLIC HAVE AN OPPORTUNITY TO
4 COMMENT ON THE MODEL CODE;
5 (b) ALLOW THE SUBMISSION OF WRITTEN COMMENTS ON THE
6 MODEL CODE;
7 (c) CONDUCT OUTREACH TO AND SOLICIT FEEDBACK FROM LOCAL
8 GOVERNMENTS AND REGIONAL PLANNING AGENCIES; AND
9 (d) CONSULT WITH EXPERTS IN DISABILITY RIGHTS, RACIAL EQUITY
10 AND HOMELESSNESS PREVENTION, AFFORDABLE HOUSING, FAIR HOUSING,
11 PLANNING, ZONING, AND RELATED FIELDS.

12 **29-33-306. Exemption or extension.** (1) NO LATER THAN JUNE
13 30, 2024, A TIER ONE MUNICIPALITY MAY NOTIFY THE DEPARTMENT OF
14 LOCAL AFFAIRS THAT AN EXEMPTION OR AN EXTENSION IS NECESSARY
15 FROM THE REQUIREMENTS OF SECTIONS 29-33-302 (5), 29-33-303 (6), OR
16 29-33-304 (5).

17 (2) THE NOTICE MUST DEMONSTRATE THAT THE WATER, SEWER,
18 WASTEWATER, OR STORMWATER SERVICES ARE CURRENTLY DEFICIENT IN
19 SPECIFIC GEOGRAPHIC AREAS OF THE SUBJECT JURISDICTION OR IN THE
20 SUBJECT JURISDICTION AS A WHOLE, OR THE SUBJECT JURISDICTION
21 EXPECTS THEM TO BECOME DEFICIENT IN THE NEXT FIVE YEARS. AS USED
22 IN THIS SUBSECTION (2), "DEFICIENT" INCLUDES, IN REFERENCE TO THE
23 SUBJECT JURISDICTION'S WATER SUPPLY MASTER PLAN, WATER
24 DISTRIBUTION AND WASTEWATER COLLECTION MASTER PLAN,
25 WASTEWATER MASTER PLAN, OR STORMWATER MASTER PLAN, IF
26 APPLICABLE, ISSUES CONCERNING:
27 (a) WATER SUPPLY;
28 (b) WASTEWATER TREATMENT CAPACITY;
29 (c) WATER DISTRIBUTION AND WASTEWATER COLLECTION
30 CAPACITY; OR
31 (d) STORMWATER MANAGEMENT CAPACITY.

32 (3) IF A SUBJECT JURISDICTION SUBMITS A NOTICE TO THE
33 DEPARTMENT OF LOCAL AFFAIRS PURSUANT TO SUBSECTION (2) OF THIS
34 SECTION, THE SUBJECT JURISDICTION MAY INCLUDE A PLAN OF ACTION TO
35 REMEDY THE DEFICIENT WATER SUPPLY, WATER OR WASTEWATER
36 TREATMENT CAPACITY, WATER DISTRIBUTION AND WASTEWATER
37 COLLECTION CAPACITY, OR STORMWATER MANAGEMENT CAPACITY IN THE
38 SPECIFIC AREAS IDENTIFIED IN A CAPITAL IMPROVEMENT PLAN IN THE
39 NOTICE.

40 (4) THE DEPARTMENT OF LOCAL AFFAIRS MAY ADOPT RULES OR
41 PROMULGATE GUIDANCE AS NECESSARY TO IMPLEMENT THIS SECTION.

42 **29-33-307. Report.** (1) NO LATER THAN DECEMBER JUNE 30,
43 2025, A TIER ONE URBAN MUNICIPALITY SUBJECT TO SHALL SUBMIT TO THE

1 DEPARTMENT OF LOCAL AFFAIRS, IN A FORM AND MANNER DETERMINED BY
2 THE DEPARTMENT OF LOCAL AFFAIRS, REPORTS CONCERNING THE
3 IMPLEMENTATION OF THE MODEL CODES REQUIRED BY SECTIONS
4 29-33-302 (3), 29-33-303 (4), AND 29-33-304 (3) OR LOCAL LAWS THAT
5 COMPLY WITH THE MINIMUM STANDARDS DESCRIBED IN SECTIONS
6 29-33-302 (4), 29-33-303 (4), AND 29-33-304 (3).

7 (b) WITHIN NINETY DAYS OF RECEIVING A REPORT DESCRIBED IN
8 SUBSECTION (7)(a) OF THIS SECTION, THE DEPARTMENT OF LOCAL AFFAIRS
9 SHALL REVIEW AND APPROVE THE SUBMITTED REPORTS OR REJECT THE
10 REPORTS AND PROVIDE FEEDBACK TO THE TIER ONE URBAN MUNICIPALITY.
11 THE DEPARTMENT OF LOCAL AFFAIRS MAY GRANT A JURISDICTION AN
12 ADDITIONAL ONE HUNDRED TWENTY DAYS TO CORRECT THE RELEVANT
13 LOCAL LAWS AND RESUBMIT REPORTS.

14 (c) IF THE DEPARTMENT OF LOCAL AFFAIRS REJECTS A TIER ONE
15 URBAN MUNICIPALITY'S REPORT, THE RELEVANT MODEL CODE GOES INTO
16 EFFECT IMMEDIATELY FOR THE TIER ONE URBAN MUNICIPALITY UNTIL THE
17 DEPARTMENT OF LOCAL AFFAIRS DETERMINES THAT THE TIER ONE URBAN
18 MUNICIPALITY HAS ADOPTED LAWS THAT COMPLY WITH THE RELEVANT
19 MINIMUM STANDARDS."

20 Strike pages 54 through 84.

21 Page 85, strike lines 1 through 14.

22 Page 85, after line 14 insert:

23 "SECTION 3. In Colorado Revised Statutes, 24-34-104, add
24 (34)(a)(VIII) as follows:

25 **24-34-104. General assembly review of regulatory agencies**
26 **and functions for repeal, continuation, or reestablishment - legislative**
27 **declaration - repeal.** (34) (a) The following agencies, functions, or
28 both, are scheduled for repeal on September 1, 2033:

29 (VIII) THE MULTI-AGENCY ADVISORY COMMITTEE CREATED IN
30 SECTION 29-33-103."

31 Renumber succeeding sections accordingly.

32 Page 88, line 2, after "CORRIDORS" insert "IN THE JURISDICTIONS AND
33 AREAS TO WHICH ARTICLE 33 OF TITLE 29 APPLIES AND".

34 Page 88, after line 2 insert:

35 "(b) ANY PROVISION OF A PLANNED UNIT DEVELOPMENT APPROVED

1 PRIOR TO THE ADOPTION OF SUBSECTION (5.5)(a) OF THIS SECTION, AND
2 WHICH FAILS TO CONFORM TO THE REQUIREMENTS OF THAT SUBSECTION,
3 SHALL BE DEEMED TO BE SUPERSEDED BY THE ADOPTION OF A LOCAL
4 REGULATION OR IMPLEMENTATION OF A MODEL CODE PURSUANT TO
5 ARTICLE 33 OF TITLE 29. NOTWITHSTANDING THIS SUBSECTION (5.5)(b),
6 A LOCAL GOVERNMENT MAY ADOPT CONFORMING AMENDMENTS TO ANY
7 SUCH PLANNED UNIT DEVELOPMENT."

8 Reletter succeeding paragraph accordingly.

9 Page 88, line 7, strike "CORRIDOR" and substitute "CORRIDORS".

10 Page 88, line 10, strike "29-33-102 (18)." and substitute "29-33-102
11 (22)."

12 Page 88, line 12, strike "29-33-102 (36)." and substitute "29-33-102
13 (39)."

14 Page 88, line 22, strike "29-33-102 (30)." and substitute "29-33-102
15 (35)."

16 Page 89, strike lines 1 through 27 and substitute:

17 "(b) "LOCAL GOVERNMENT" MEANS A HOME RULE OR STATUTORY
18 CITY, TOWN, TERRITORIAL CITY OR TOWN, CITY AND COUNTY, OR COUNTY
19 OR HOME RULE COUNTY.

20 **SECTION 10.** In Colorado Revised Statutes, 30-28-106, **repeal**
21 **and reenact, with amendments,** (3)(a); and **add** (3)(a.5), (8), and (9) as
22 follows:

23 **30-28-106. Adoption of master plan - contents.** (3) (a) THE
24 MASTER PLAN OF A COUNTY OR REGION, WITH THE ACCOMPANYING MAPS,
25 PLATS, CHARTS, AND DESCRIPTIVE AND EXPLANATORY MATTER, MUST
26 SHOW THE COUNTY OR REGIONAL PLANNING COMMISSION'S
27 RECOMMENDATIONS FOR THE DEVELOPMENT OF THE TERRITORY COVERED
28 BY THE PLAN. THE MASTER PLAN OF A COUNTY OR REGION IS AN ADVISORY
29 DOCUMENT TO GUIDE LAND DEVELOPMENT DECISIONS; HOWEVER, THE
30 PLAN OR ANY PART THEREOF MAY BE MADE BINDING BY INCLUSION IN THE
31 COUNTY'S OR REGION'S ADOPTED SUBDIVISION, ZONING, PLATTING,
32 PLANNED UNIT DEVELOPMENT, OR OTHER SIMILAR LAND DEVELOPMENT
33 REGULATIONS AFTER SATISFYING NOTICE, DUE PROCESS, AND HEARING
34 REQUIREMENTS FOR LEGISLATIVE OR QUASI-JUDICIAL PROCESSES AS
35 APPROPRIATE. A MASTER PLAN ADOPTED ON OR AFTER JUNE 30, 2024,
36 MUST INCLUDE:

1 (I) NATURAL AND AGRICULTURAL LAND PRIORITIES IN
2 ACCORDANCE WITH THE NATURAL AND AGRICULTURAL LAND PRIORITIES
3 REPORT CREATED IN SECTION 29-33-110;

4 (II) A HOUSING ELEMENT;

5 (III) FOR COUNTIES WITH A POPULATION OF GREATER THAN TWO
6 HUNDRED FIFTY THOUSAND, A BUILDABLE LANDS ANALYSIS THAT IS
7 CONDUCTED IN THE SAME MANNER AND ON THE SAME TIMELINE AS THE
8 ANALYSIS REQUIRED IN SECTION 29-33-105 (4)(d);

9 (IV) (A) THE GENERAL LOCATION AND EXTENT OF AN ADEQUATE
10 AND SUITABLE SUPPLY OF WATER;

11 (B) IN COMPLETING A WATER SUPPLY ELEMENT, THE PLANNING
12 COMMISSION SHALL CONSULT WITH THE ENTITIES THAT SUPPLY WATER FOR
13 USE WITHIN THE COUNTY OR REGION TO ENSURE COORDINATION ON WATER
14 SUPPLY AND FACILITY PLANNING, AND THE WATER SUPPLY ELEMENT MUST
15 IDENTIFY WATER SUPPLIES AND FACILITIES SUFFICIENT TO MEET THE NEEDS
16 OF THE PUBLIC AND PRIVATE INFRASTRUCTURE REASONABLY ANTICIPATED
17 OR IDENTIFIED IN THE PLANNING PROCESS;

18 (C) THE WATER SUPPLY ELEMENT MUST INCLUDE WATER
19 CONSERVATION POLICIES, TO BE DETERMINED BY THE COUNTY, WHICH
20 MAY INCLUDE GOALS SPECIFIED IN THE STATE WATER PLAN ADOPTED
21 PURSUANT TO SECTION 37-60-106.3 AND MAY INCLUDE POLICIES TO
22 IMPLEMENT WATER CONSERVATION AND OTHER STATE WATER PLAN GOALS
23 AS A CONDITION OF DEVELOPMENT APPROVALS, INCLUDING SUBDIVISIONS,
24 PLANNED UNIT DEVELOPMENTS, SPECIAL USE PERMITS, AND ZONING
25 CHANGES.

26 (D) THE DEPARTMENT OF LOCAL AFFAIRS CREATED IN SECTION
27 24-1-125 MAY HIRE AND EMPLOY ONE FULL-TIME EMPLOYEE TO PROVIDE
28 EDUCATIONAL RESOURCES AND ASSISTANCE TO COUNTIES THAT INCLUDE
29 WATER CONSERVATION POLICIES IN THEIR MASTER PLANS AS DESCRIBED
30 IN SUBSECTION (3)(a)(IV)(C) OF THIS SECTION.

31 (a.5) AFTER CONSIDERATION OF EACH OF THE FOLLOWING, WHERE
32 APPLICABLE OR APPROPRIATE, THE MASTER PLAN MAY INCLUDE:

33 (I) THE GENERAL LOCATION, CHARACTER, AND EXTENT OF
34 EXISTING, PROPOSED, OR PROJECTED STREETS OR ROADS, RIGHTS-OF-WAY,
35 VIADUCTS, BRIDGES, WATERWAYS, WATERFRONTS, PARKWAYS,
36 HIGHWAYS, MASS TRANSIT ROUTES AND CORRIDORS, AND ANY
37 TRANSPORTATION PLAN PREPARED BY ANY METROPOLITAN PLANNING
38 ORGANIZATION THAT COVERS ALL OR A PORTION OF THE COUNTY OR
39 REGION AND THAT THE COUNTY OR REGION HAS RECEIVED NOTIFICATION
40 OF OR, IF THE COUNTY OR REGION IS NOT LOCATED IN AN AREA COVERED
41 BY A METROPOLITAN PLANNING ORGANIZATION, ANY TRANSPORTATION
42 PLAN PREPARED BY THE DEPARTMENT OF TRANSPORTATION THAT THE
43 COUNTY OR REGION HAS RECEIVED NOTIFICATION OF AND THAT APPLIES TO

1 THE COUNTY OR REGION;

2 (II) THE GENERAL LOCATION OF PUBLIC PLACES OR FACILITIES,
3 INCLUDING PUBLIC SCHOOLS, CULTURALLY, HISTORICALLY, OR
4 ARCHAEOLOGICALLY SIGNIFICANT BUILDINGS, SITES, AND OBJECTS,
5 PLAYGROUNDS, FORESTS, RESERVATIONS, SQUARES, PARKS, AIRPORTS,
6 AVIATION FIELDS, MILITARY INSTALLATIONS, AND OTHER PUBLIC WAYS,
7 GROUNDS, OPEN SPACES, TRAILS, AND DESIGNATED FEDERAL, STATE, AND
8 LOCAL WILDLIFE AREAS. FOR PURPOSES OF THIS SECTION, "MILITARY
9 INSTALLATION" HAS THE SAME MEANING AS SPECIFIED IN SECTION
10 29-20-105.6 (2)(b).

11 (III) THE GENERAL LOCATION AND EXTENT OF PUBLIC UTILITIES,
12 TERMINALS, CAPITAL FACILITIES, AND TRANSFER FACILITIES, WHETHER
13 PUBLICLY OR PRIVATELY OWNED, FOR WATER, LIGHT, POWER, SANITATION,
14 TRANSPORTATION, COMMUNICATION, HEAT, AND OTHER PURPOSES, AND
15 ANY PROPOSED OR PROJECTED NEEDS FOR CAPITAL FACILITIES AND
16 UTILITIES, INCLUDING THE PRIORITIES, ANTICIPATED COSTS, AND FUNDING
17 PROPOSALS FOR SUCH FACILITIES AND UTILITIES;

18 (IV) THE ACCEPTANCE, WIDENING, REMOVAL, EXTENSION,
19 RELOCATION, NARROWING, VACATION, ABANDONMENT, MODIFICATION, OR
20 CHANGE OF USE OF ANY OF THE PUBLIC WAYS, RIGHTS-OF-WAY, INCLUDING
21 THE COORDINATION OF SUCH RIGHTS-OF-WAY WITH THE RIGHTS-OF-WAY
22 OF OTHER COUNTIES, REGIONS, OR MUNICIPALITIES, GROUNDS, OPEN
23 SPACES, BUILDINGS, PROPERTIES, UTILITIES, OR TERMINALS, REFERRED TO
24 IN SUBSECTIONS (1)(a.5)(I) THROUGH (1)(a.5)(IV) OF THIS SECTION;

25 (V) METHODS FOR ASSURING ACCESS TO APPROPRIATE CONDITIONS
26 FOR SOLAR, WIND, OR OTHER ALTERNATIVE ENERGY SOURCES, INCLUDING
27 GEOTHERMAL ENERGY USED FOR WATER HEATING OR SPACE HEATING OR
28 COOLING IN A SINGLE BUILDING, FOR SPACE HEATING FOR MORE THAN ONE
29 BUILDING THROUGH A PIPELINE NETWORK, OR FOR ELECTRICITY
30 GENERATION;

31 (VI) THE GENERAL CHARACTER, LOCATION, AND EXTENT OF
32 COMMUNITY CENTERS, TOWNSITES, HOUSING DEVELOPMENTS, WHETHER
33 PUBLIC OR PRIVATE, THE EXISTING, PROPOSED, OR PROJECTED LOCATION
34 OF RESIDENTIAL NEIGHBORHOODS AND SUFFICIENT LAND FOR FUTURE
35 HOUSING DEVELOPMENT FOR THE EXISTING AND PROJECTED ECONOMIC
36 AND OTHER NEEDS OF ALL CURRENT AND ANTICIPATED RESIDENTS OF THE
37 COUNTY OR REGION, AND URBAN CONSERVATION OR REDEVELOPMENT
38 AREAS. IF A COUNTY OR REGION HAS ENTERED INTO A REGIONAL PLANNING
39 AGREEMENT, SUCH AGREEMENT MAY BE INCORPORATED BY REFERENCE
40 INTO THE MASTER PLAN.

41 (VII) THE GENERAL SOURCE AND EXTENT OF FORESTS,
42 AGRICULTURAL AREAS, FLOOD CONTROL AREAS, AND OPEN DEVELOPMENT
43 AREAS FOR PURPOSES OF CONSERVATION, FOOD AND WATER SUPPLY,

1 SANITARY AND DRAINAGE FACILITIES, FLOOD CONTROL, OR THE
2 PROTECTION OF URBAN DEVELOPMENT;

3 (VIII) A LAND CLASSIFICATION AND UTILIZATION PROGRAM;

4 (IX) PROJECTIONS OF POPULATION GROWTH AND HOUSING NEEDS
5 TO ACCOMMODATE THE PROJECTED POPULATION FOR SPECIFIED
6 INCREMENTS OF TIME. THE COUNTY OR REGION MAY BASE THESE
7 PROJECTIONS UPON DATA FROM THE DEPARTMENT OF LOCAL AFFAIRS AND
8 UPON THE COUNTY'S OR REGION'S LOCAL OBJECTIVES.

9 (X) THE LOCATION OF AREAS CONTAINING STEEP SLOPES,
10 GEOLOGICAL HAZARDS, ENDANGERED OR THREATENED SPECIES,
11 WETLANDS, FLOODPLAINS, FLOODWAYS, AND FLOOD RISK ZONES, HIGHLY
12 ERODIBLE LAND OR UNSTABLE SOILS, AND WILDFIRE HAZARDS. FOR
13 PURPOSES OF DETERMINING THE LOCATION OF SUCH AREAS, THE PLANNING
14 COMMISSION SHALL CONSIDER THE FOLLOWING SOURCES FOR GUIDANCE:

15 (A) THE COLORADO GEOLOGICAL SURVEY FOR DEFINING AND
16 MAPPING GEOLOGICAL HAZARDS;

17 (B) THE UNITED STATES FISH AND WILDLIFE SERVICE OF THE
18 UNITED STATES DEPARTMENT OF THE INTERIOR AND THE PARKS AND
19 WILDLIFE COMMISSION CREATED IN SECTION 33-9-101, FOR LOCATING
20 AREAS INHABITED BY ENDANGERED OR THREATENED SPECIES;

21 (C) THE UNITED STATES ARMY CORPS OF ENGINEERS AND THE
22 UNITED STATES FISH AND WILDLIFE SERVICE NATIONAL WETLANDS
23 INVENTORY FOR DEFINING AND MAPPING WETLANDS;

24 (D) THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR
25 DEFINING AND MAPPING FLOODPLAINS, FLOODWAYS, AND FLOOD RISK
26 ZONES;

27 (E) THE NATURAL RESOURCES CONSERVATION SERVICE OF THE
28 UNITED STATES DEPARTMENT OF AGRICULTURE FOR DEFINING AND
29 MAPPING UNSTABLE SOILS AND HIGHLY ERODIBLE LAND; AND

30 (F) THE COLORADO STATE FOREST SERVICE FOR LOCATING
31 WILDFIRE HAZARD AREAS.

32 (8) IN ADOPTING OR AMENDING A MASTER PLAN, THE COMMISSION
33 SHALL IDENTIFY, PROVIDE NOTICE TO, AND CONSULT WITH RELEVANT
34 ENTITIES TO ENSURE THAT THE ADOPTION OR AMENDING OF THE MASTER
35 PLAN IS AN INCLUSIVE PROCESS.

36 (9) NO MORE THAN THIRTY DAYS AFTER ADOPTING OR AMENDING
37 THE MASTER PLAN, THE COMMISSION SHALL SUBMIT THE MASTER PLAN TO
38 THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL
39 AFFAIRS. THE DIVISION OF LOCAL GOVERNMENT SHALL REVIEW THESE
40 MASTER PLANS TO ENSURE THEY COMPLY WITH THE REQUIREMENTS OF
41 THIS SECTION."

42 Strike page 90.

1 Page 91, strike lines 1 through 8.

2 Page 91, line 24, strike "(5)(b)(I)(C);" and substitute "(5)(b)(I)(A) and
3 (5)(b)(I)(B)".

4 Page 91, lines 24 and 25, strike "(5)(b)(I.5); and **repeal** (5)(b)(II)" and
5 substitute "(5)(b)(I.5)".

6 Page 92, strike lines 1 through 24 and substitute:

7 "(III) "MANUFACTURED HOME" HAS THE SAME MEANING AS SET
8 FORTH IN SECTION 24-32-3302 (20).

9 (IV) "MODULAR HOME" HAS THE SAME MEANING AS SET FORTH IN
10 SECTION 24-32-3302 (25).".

11 Page 93, strike lines 2 through 10 and substitute:

12 "(A) Homes certified by the division of housing created in section
13 24-32-704 or a party authorized to act on its behalf; THE APPROVAL
14 PROCESSES OF MODULAR HOMES SHALL BE BASED ON OBJECTIVE
15 STANDARDS AND ADMINISTRATIVE REVIEW THAT ARE EQUIVALENT TO
16 THAT REQUIRED FOR SITE-BUILT HOMES, UNLESS A MUNICIPALITY
17 REGULATES SITE-BUILT HOMES THROUGH A SUBJECTIVE REVIEW PROCESS,
18 IN WHICH CASE A MUNICIPALITY MAY USE AN EQUIVALENT REVIEW
19 PROCESS FOR A MODULAR HOME AND A SITE-BUILT HOME;

20 (B) Homes certified by the United States department of housing
21 and urban development through its office of manufactured housing
22 programs, a successor agency, or a party authorized to act on its behalf.
23 THE APPROVAL PROCESSES OF MANUFACTURED HOMES SHALL BE BASED
24 ON OBJECTIVE STANDARDS AND ADMINISTRATIVE REVIEW THAT ARE
25 EQUIVALENT TO THAT REQUIRED FOR SITE-BUILT HOMES, UNLESS A
26 MUNICIPALITY REGULATES SITE-BUILT HOMES THROUGH A SUBJECTIVE
27 REVIEW PROCESS, IN WHICH CASE A MUNICIPALITY MAY USE AN
28 EQUIVALENT REVIEW PROCESS FOR A MANUFACTURED HOME AND A
29 SITE-BUILT HOME. ~~or~~".

30 Page 93, line 11, before "(I.5)" insert "(b)".

31 Page 93, strike lines 23 through 27.

32 Page 94, strike lines 1 and 2.

33 Page 94, strike lines 3 through 27 and substitute:

1 **"SECTION 13.** In Colorado Revised Statutes, 31-23-206, **repeal**
2 **and reenact, with amendments,** (1); and **add** (1.5), (8), and (9) as
3 follows:

4 **31-23-206. Master plan.** (1) IT IS THE DUTY OF THE COMMISSION
5 TO MAKE AND ADOPT A MASTER PLAN FOR THE PHYSICAL DEVELOPMENT
6 OF THE MUNICIPALITY, INCLUDING ANY AREAS OUTSIDE ITS BOUNDARIES,
7 SUBJECT TO THE APPROVAL OF THE GOVERNMENTAL BODY HAVING
8 JURISDICTION THEREOF, THAT IN THE COMMISSION'S JUDGMENT BEAR
9 RELATION TO THE PLANNING OF THE MUNICIPALITY. THE MASTER PLAN OF
10 A MUNICIPALITY IS AN ADVISORY DOCUMENT TO GUIDE LAND
11 DEVELOPMENT DECISIONS; HOWEVER, THE PLAN OR ANY PART THEREOF
12 MAY BE MADE BINDING BY INCLUSION IN THE MUNICIPALITY'S ADOPTED
13 SUBDIVISION, ZONING, PLATTING, PLANNED UNIT DEVELOPMENT, OR OTHER
14 SIMILAR LAND DEVELOPMENT REGULATIONS AFTER SATISFYING NOTICE,
15 DUE PROCESS, AND HEARING REQUIREMENTS FOR LEGISLATIVE OR
16 QUASI-JUDICIAL PROCESSES AS APPROPRIATE. WHEN A COMMISSION
17 DECIDES TO ADOPT A MASTER PLAN, THE COMMISSION SHALL CONDUCT
18 PUBLIC HEARINGS, AFTER NOTICE OF SUCH PUBLIC HEARINGS HAS BEEN
19 PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE
20 MUNICIPALITY IN A MANNER SUFFICIENT TO NOTIFY THE PUBLIC OF THE
21 TIME, PLACE, AND NATURE OF THE PUBLIC HEARING, PRIOR TO FINAL
22 ADOPTION OF A MASTER PLAN IN ORDER TO ENCOURAGE PUBLIC
23 PARTICIPATION IN AND AWARENESS OF THE DEVELOPMENT OF SUCH PLAN
24 AND SHALL ACCEPT AND CONSIDER ORAL AND WRITTEN PUBLIC COMMENTS
25 THROUGHOUT THE PROCESS OF DEVELOPING THE PLAN. THE PLAN,
26 ADOPTED OR AMENDED ON OR AFTER JUNE 30, 2024, WITH THE
27 ACCOMPANYING MAPS, PLATS, CHARTS, AND DESCRIPTIVE MATTER, MUST
28 INCLUDE:

29 (a) A HOUSING ELEMENT THAT USES BEST AVAILABLE DATA, SUCH
30 AS THE MOST RECENT LOCAL HOUSING NEEDS PLAN CREATED PURSUANT
31 TO SECTION 29-33-104 OR OTHER RECENT HOUSING ANALYSES;

32 (b) NATURAL AND AGRICULTURAL LAND PRIORITIES IN
33 ACCORDANCE WITH THE NATURAL AND AGRICULTURAL LAND PRIORITIES
34 REPORT CREATED IN SECTION 29-33-110;

35 (c) A BUILDABLE LANDS ANALYSIS THAT IS CONDUCTED IN THE
36 SAME MANNER AS THE ANALYSIS REQUIRED IN SECTION 29-33-105 (4)(d);

37 (d) (I) THE GENERAL LOCATION AND EXTENT OF AN ADEQUATE
38 AND SUITABLE SUPPLY OF WATER;

39 (II) IN COMPLETING THE WATER SUPPLY ELEMENT, THE PLANNING
40 COMMISSION SHALL CONSULT WITH THE ENTITIES THAT SUPPLY WATER FOR
41 USE WITHIN THE MUNICIPALITY TO ENSURE COORDINATION ON WATER
42 SUPPLY AND FACILITY PLANNING, AND THE WATER SUPPLY ELEMENT MUST
43 IDENTIFY WATER SUPPLIES AND FACILITIES SUFFICIENT TO MEET THE NEEDS

1 OF THE PUBLIC AND PRIVATE INFRASTRUCTURE REASONABLY ANTICIPATED
2 OR IDENTIFIED IN THE PLANNING PROCESS;

3 (III) THE WATER SUPPLY ELEMENT MUST INCLUDE WATER
4 CONSERVATION POLICIES, TO BE DETERMINED BY THE MUNICIPALITY,
5 WHICH MAY INCLUDE GOALS SPECIFIED IN THE STATE WATER PLAN
6 ADOPTED PURSUANT TO SECTION 37-60-106.3 AND MAY INCLUDE POLICIES
7 TO IMPLEMENT WATER CONSERVATION AND OTHER STATE WATER PLAN
8 GOALS AS A CONDITION OF DEVELOPMENT APPROVALS, INCLUDING
9 SUBDIVISIONS, PLANNED UNIT DEVELOPMENTS, SPECIAL USE PERMITS, AND
10 ZONING CHANGES;

11 (V) NOTHING IN THIS SUBSECTION (1)(d) SHALL BE CONSTRUED TO
12 SUPERSEDE, ABROGATE, OR OTHERWISE IMPAIR THE ALLOCATION OF
13 WATER PURSUANT TO THE STATE CONSTITUTION OR LAWS, THE RIGHT TO
14 BENEFICIALLY USE WATER PURSUANT TO DECREES, CONTRACTS, OR OTHER
15 WATER USE AGREEMENTS, OR THE OPERATION, MAINTENANCE, REPAIR,
16 REPLACEMENT, OR USE OF ANY WATER FACILITY.

17 (e) THE MOST RECENT VERSION OF THE PLAN REQUIRED BY
18 SECTION 31-12-105 (1)(e) OR A SIMILAR ELEMENT ANALYZING AND
19 MAKING A PLAN FOR AREAS OF POTENTIAL GROWTH WITHIN THREE MILES
20 OF THE MUNICIPAL BOUNDARY.

21 (1.5) A MASTER PLAN MAY INCLUDE:

22 (a) THE GENERAL SOURCE, CHARACTER, AND EXTENT OF EXISTING,
23 PROPOSED, OR PROJECTED STREETS, ROADS, RIGHTS-OF-WAY, BRIDGES,
24 WATERWAYS, WATERFRONTS, PARKWAYS, HIGHWAYS, MASS TRANSIT
25 ROUTES AND CORRIDORS, AND ANY TRANSPORTATION PLAN PREPARED BY
26 ANY METROPOLITAN PLANNING ORGANIZATION THAT COVERS ALL OR A
27 PORTION OF THE MUNICIPALITY AND THAT THE MUNICIPALITY HAS
28 RECEIVED NOTIFICATION OF OR, IF THE MUNICIPALITY IS NOT LOCATED IN
29 AN AREA COVERED BY A METROPOLITAN PLANNING ORGANIZATION, ANY
30 TRANSPORTATION PLAN PREPARED BY THE DEPARTMENT OF
31 TRANSPORTATION THAT THE MUNICIPALITY HAS RECEIVED NOTIFICATION
32 OF AND THAT COVERS ALL OR A PORTION OF THE MUNICIPALITY;

33 (b) THE GENERAL LOCATION OF PUBLIC PLACES OR FACILITIES,
34 INCLUDING PUBLIC SCHOOLS, CULTURALLY, HISTORICALLY, OR
35 ARCHAEOLOGICALLY SIGNIFICANT BUILDINGS, SITES, AND OBJECTS,
36 PLAYGROUNDS, SQUARES, PARKS, AIRPORTS, AVIATION FIELDS, MILITARY
37 INSTALLATIONS, AND OTHER PUBLIC WAYS, GROUNDS, OPEN SPACES,
38 TRAILS, AND DESIGNATED FEDERAL, STATE, AND LOCAL WILDLIFE AREAS.
39 FOR PURPOSES OF THIS SECTION, "MILITARY INSTALLATION" HAS THE SAME
40 MEANING AS SPECIFIED IN SECTION 29-20-105.6 (2)(b).

41 (c) THE GENERAL LOCATION AND EXTENT OF PUBLIC UTILITIES
42 TERMINALS, CAPITAL FACILITIES, AND TRANSFER FACILITIES, WHETHER
43 PUBLICLY OR PRIVATELY OWNED OR OPERATED, FOR WATER, LIGHT,

1 SANITATION, TRANSPORTATION, COMMUNICATION, POWER, AND OTHER
2 PURPOSES, AND ANY PROPOSED OR PROJECTED NEEDS FOR CAPITAL
3 FACILITIES AND UTILITIES, INCLUDING THE PRIORITIES, ANTICIPATED
4 COSTS, AND FUNDING PROPOSALS FOR SUCH FACILITIES AND UTILITIES;

5 (d) THE ACCEPTANCE, REMOVAL, RELOCATION, WIDENING,
6 NARROWING, VACATING, ABANDONMENT, MODIFICATION, CHANGE OF USE,
7 OR EXTENSION OF ANY OF THE PUBLIC WAYS, RIGHTS-OF-WAY, INCLUDING
8 THE COORDINATION OF SUCH RIGHTS-OF-WAY WITH THE RIGHTS-OF-WAY
9 OF OTHER MUNICIPALITIES, COUNTIES, OR REGIONS, GROUNDS, OPEN
10 SPACES, BUILDINGS, PROPERTY, UTILITY, OR TERMINALS, REFERRED TO IN
11 SUBSECTIONS (1.5) (a) THROUGH (a) OF THIS SECTION AND SUBSECTION
12 (1)(d) OF THIS SECTION;

13 (e) A ZONING PLAN FOR THE CONTROL OF THE HEIGHT, AREA, BULK,
14 LOCATION, AND USE OF BUILDINGS AND PREMISES. SUCH A ZONING PLAN
15 MAY PROTECT AND ASSURE ACCESS TO APPROPRIATE CONDITIONS FOR
16 SOLAR, WIND, OR OTHER ALTERNATIVE ENERGY SOURCES, INCLUDING
17 GEOTHERMAL ENERGY USED FOR WATER HEATING OR SPACE HEATING OR
18 COOLING IN A SINGLE BUILDING, FOR SPACE HEATING FOR MORE THAN ONE
19 BUILDING THROUGH A PIPELINE NETWORK, OR FOR ELECTRICITY
20 GENERATION; HOWEVER, REGULATIONS AND RESTRICTIONS OF THE HEIGHT,
21 NUMBER OF STORIES, SIZE OF BUILDINGS AND OTHER STRUCTURES, AND
22 THE HEIGHT AND LOCATION OF TREES AND OTHER VEGETATION SHALL NOT
23 APPLY TO EXISTING BUILDINGS, STRUCTURES, TREES, OR VEGETATION
24 EXCEPT FOR NEW GROWTH ON SUCH VEGETATION.

25 (f) THE GENERAL CHARACTER, LOCATION, AND EXTENT OF
26 COMMUNITY CENTERS, HOUSING DEVELOPMENTS, WHETHER PUBLIC OR
27 PRIVATE, THE EXISTING, PROPOSED, OR PROJECTED LOCATION OF
28 RESIDENTIAL NEIGHBORHOODS AND SUFFICIENT LAND FOR FUTURE
29 HOUSING DEVELOPMENT FOR THE EXISTING AND PROJECTED ECONOMIC
30 AND OTHER NEEDS OF ALL CURRENT AND ANTICIPATED RESIDENTS OF THE
31 MUNICIPALITY, AND REDEVELOPMENT AREAS. IF A MUNICIPALITY HAS
32 ENTERED INTO A REGIONAL PLANNING AGREEMENT, SUCH AGREEMENT
33 MAY BE INCORPORATED BY REFERENCE INTO THE MASTER PLAN.

34 (g) A MASTER PLAN FOR THE EXTRACTION OF COMMERCIAL
35 MINERAL DEPOSITS PURSUANT TO SECTION 34-1-304;

36 (h) A PLAN FOR THE LOCATION AND PLACEMENT OF PUBLIC
37 UTILITIES THAT FACILITATES THE PROVISION OF SUCH UTILITIES TO ALL
38 EXISTING, PROPOSED, OR PROJECTED DEVELOPMENTS IN THE
39 MUNICIPALITY;

40 (i) PROJECTIONS OF POPULATION GROWTH AND HOUSING NEEDS TO
41 ACCOMMODATE THE PROJECTED POPULATION FOR SPECIFIED INCREMENTS
42 OF TIME. THE MUNICIPALITY MAY BASE THESE PROJECTIONS UPON DATA
43 FROM THE DEPARTMENT OF LOCAL AFFAIRS AND UPON THE MUNICIPALITY'S

1 LOCAL OBJECTIVES.

2 (j) THE AREAS CONTAINING STEEP SLOPES, GEOLOGICAL HAZARDS,
3 ENDANGERED OR THREATENED SPECIES, WETLANDS, FLOODPLAINS,
4 FLOODWAYS, AND FLOOD RISK ZONES, HIGHLY ERODIBLE LAND OR
5 UNSTABLE SOILS, AND WILDFIRE HAZARDS. FOR PURPOSES OF
6 DETERMINING THE LOCATION OF SUCH AREAS, THE PLANNING COMMISSION
7 SHALL CONSIDER THE FOLLOWING SOURCES FOR GUIDANCE:

8 (I) THE COLORADO GEOLOGICAL SURVEY FOR DEFINING AND
9 MAPPING GEOLOGICAL HAZARDS;

10 (II) THE UNITED STATES FISH AND WILDLIFE SERVICE OF THE
11 UNITED STATES DEPARTMENT OF THE INTERIOR AND THE PARKS AND
12 WILDLIFE COMMISSION CREATED IN SECTION 33-9-101, FOR LOCATING
13 AREAS INHABITED BY ENDANGERED OR THREATENED SPECIES;

14 (III) THE UNITED STATES ARMY CORPS OF ENGINEERS AND THE
15 UNITED STATES FISH AND WILDLIFE SERVICE NATIONAL WETLANDS
16 INVENTORY FOR DEFINING AND MAPPING WETLANDS;

17 (IV) THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR
18 DEFINING AND MAPPING FLOODPLAINS, FLOODWAYS, AND FLOOD RISK
19 ZONES;

20 (V) THE NATURAL RESOURCES CONSERVATION SERVICE OF THE
21 UNITED STATES DEPARTMENT OF AGRICULTURE FOR DEFINING AND
22 MAPPING UNSTABLE SOILS AND HIGHLY ERODIBLE LAND; AND

23 (VI) THE COLORADO STATE FOREST SERVICE FOR LOCATING
24 WILDFIRE HAZARD AREAS.

25 (8) IN ADOPTING OR AMENDING A MASTER PLAN, THE COMMISSION
26 SHALL IDENTIFY, PROVIDE NOTICE TO, AND CONSULT WITH RELEVANT
27 ENTITIES TO ENSURE THAT THE ADOPTING OR AMENDING OF THE MASTER
28 PLAN IS AN INCLUSIVE PROCESS.

29 (9) NO MORE THAN THIRTY DAYS AFTER ADOPTING OR AMENDING
30 THE MASTER PLAN, THE COMMISSION SHALL SUBMIT THE MASTER PLAN TO
31 THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL
32 AFFAIRS. THE DIVISION OF LOCAL GOVERNMENT SHALL REVIEW THESE
33 MASTER PLANS TO ENSURE THEY COMPLY WITH THE REQUIREMENTS OF
34 THIS SECTION."

35 Strike page 95.

36 Page 96, strike lines 1 through 20.

37 Page 96, line 24, strike "29-33-102 (33)" and substitute "29-33-102 (38)".

38 Page 96, line 25, strike "29-33-102 (34)" and substitute "29-33-102 (39)".

1 Page 98, line 6, strike "LESS LANDSCAPED" and substitute "SMALLER
2 IRRIGATED LANDSCAPE".

3 Page 100, strike lines 3 through 27 and substitute:

4 "(d) **Water loss program requirements.** (I) NO LATER THAN
5 JANUARY 1, 2025, THE BOARD SHALL ADOPT GUIDELINES FOR THE
6 CONDUCT OF STANDARDIZED VALIDATED WATER LOSS AUDITS BY
7 COVERED ENTITIES.

8 (II) NO LATER THAN JUNE 30, 2026, EACH COVERED ENTITY SHALL
9 SUBMIT A COMPLETED AND VALIDATED WATER LOSS AUDIT REPORT FOR
10 THE PREVIOUS CALENDAR YEAR. FOR REPORTS SUBMITTED IN SUBSEQUENT
11 YEARS, EACH COVERED ENTITY SHALL SUBMIT A COMPLETED AND
12 VALIDATED WATER LOSS AUDIT REPORT COVERING THE PREVIOUS
13 CALENDAR YEAR NO LATER THAN JUNE 30 CONCURRENT WITH SECTION
14 37-60-126 (4.5)(a)."

15 Strike page 101.

16 Page 102, strike lines 1 through 18.

17 Page 103, line 2, strike "CORRIDORS." and substitute "CORRIDORS IN THE
18 JURISDICTION AND AREAS TO WHICH ARTICLE 33 OF TITLE 29 APPLIES."

19 Page 103, line 3, strike "ACCESSORY DWELLING UNITS OR MIDDLE
20 HOUSING" and substitute "ACCESSORY DWELLING UNITS, MIDDLE HOUSING,
21 HOUSING IN TRANSIT-ORIENTED AREAS, AND HOUSING IN KEY CORRIDORS".

22 Page 103, line 13, strike "29-33-102 (18)" and substitute "29-33-102
23 (22)".

24 Page 103, line 15, strike "29-33-102 (36)" and substitute "29-33-102
25 (41)".

26 Page 104, after line 2 insert:

27 "(c) SUBSECTION (3)(a) OF THIS SECTION SHALL NOT APPLY TO
28 REASONABLE RESTRICTIONS ON ACCESSORY DWELLING UNITS. AS USED IN
29 THIS SUBSECTION (3)(c), "REASONABLE RESTRICTION" MEANS A
30 RESTRICTION THAT DOES NOT UNREASONABLY INCREASE THE COST TO
31 CONSTRUCT, EFFECTIVELY PROHIBIT THE CONSTRUCTION OF, OR
32 EXTINGUISH THE ABILITY TO OTHERWISE CONSTRUCT, AN ACCESSORY
33 DWELLING UNIT CONSISTENT WITH THE PROVISIONS OF THIS SECTION."

- 1 Page 104, line 6, after "DECEMBER 31, 2024," insert "OR BEFORE THE
2 NEXT REGIONAL TRANSPORTATION PLANNING CYCLE BEGINS,".
- 3 Page 105, strike lines 4 through 6 and substitute "- **revenue sources for**
4 **fund - use of fund.** (2) (e) FEE REVENUES FROM THE MULTIMODAL
5 TRANSPORTATION OPTIONS FUND GENERATED ON OR AFTER JANUARY 1,
6 2025, AND OTHER STATE FUNDS TRANSFERRED TO THE MULTIMODAL
7 TRANSPORTATION OPTIONS FUND ON OR AFTER JULY 1, 2024, SHALL".
- 8 Page 105, line 9, strike "OBJECTIVES." and substitute "OBJECTIVES, AS
9 DETERMINED IN SECTION 29-33-108.".
- 10 Page 105, line 12, strike "29-33-111 (3)," and substitute "29-33-112 (3),".
- 11 Page 105, line 14, after "appropriation." insert "Any unexpended and
12 unencumbered money appropriated to the department of local affairs for
13 state fiscal year 2023-24 remains available for expenditure by the division
14 of local government in the department of local affairs or local government
15 grantees through state fiscal year 2026-27 without further appropriation
16 for the department of local affairs and local grantees to comply with
17 planning requirements in the legislation.".
- 18 Strike "29-33-105" and substitute "29-33-106" on: **Page 34**, line 22; and
19 **Page 39**, line 7.
- 20 Strike "29-33-106" and substitute "29-33-107" on: **Page 35**, line 11; and
21 **Page 39**, line 9.
- 22 Strike "29-33-107" and substitute "29-33-108" on: **Page 39**, line 11; and
23 **Page 104**, line 17.
- 24 Strike "29-33-108" and substitute "29-33-109" on: **Page 30**, line 18; **Page**
25 **33**, line 3; **Page 37**, line 5; and **Page 44**, line 3.
- 26 Page 2, strike lines 104 and 105.
- 27 Page 2, line 106, strike "HIGHWAY ACCESS CODE,".

** *** ** *** **