

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

February 27, 2024
Date

Committee on Transportation, Housing & Local Government.

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

HB24-1152 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 3, line 5, strike "**Affordable Housing**" and
2 substitute "**Strategic Growth**".

3 Page 6, strike lines 1 through 5 and substitute "BETTER USE OF EXISTING
4 INFRASTRUCTURE."

5 Page 10, strike lines 7 through 27.

6 Page 11, strike lines 1 through 21 and substitute:

7 "(5)(a) "ADMINISTRATIVE APPROVAL PROCESS" MEANS A PROCESS
8 IN WHICH:

9 (I) A DEVELOPMENT PROPOSAL FOR A SPECIFIED PROJECT IS
10 APPROVED, APPROVED WITH CONDITIONS, OR DENIED BY LOCAL
11 GOVERNMENT ADMINISTRATIVE STAFF BASED SOLELY ON ITS COMPLIANCE
12 WITH OBJECTIVE STANDARDS SET FORTH IN LOCAL LAWS; AND

13 (II) DOES NOT REQUIRE, AND CANNOT BE ELEVATED TO REQUIRE,
14 A PUBLIC HEARING, A RECOMMENDATION, OR A DECISION BY AN ELECTED
15 OR APPOINTED PUBLIC BODY OR A HEARING OFFICER.

16 (b) NOTWITHSTANDING SUBSECTION (5)(a) OF THIS SECTION, AN
17 ADMINISTRATIVE APPROVAL PROCESS MAY REQUIRE AN APPOINTED
18 HISTORIC PRESERVATION COMMISSION TO MAKE A DECISION, OR TO MAKE
19 A RECOMMENDATION TO LOCAL GOVERNMENT ADMINISTRATIVE STAFF,
20 REGARDING A DEVELOPMENT APPLICATION INVOLVING A PROPERTY THAT
21 THE LOCAL GOVERNMENT HAS DESIGNATED AS A HISTORIC PROPERTY,
22 PROVIDED THAT:

23 (I) THE STATE HISTORIC PRESERVATION OFFICE WITHIN HISTORY
24 COLORADO HAS DESIGNATED THE LOCAL GOVERNMENT AS A CERTIFIED

1 LOCAL GOVERNMENT; AND
2 (II) THE APPOINTED HISTORIC PRESERVATION COMMISSION'S
3 DECISION OR RECOMMENDATION IS BASED ON STANDARDS EITHER SET
4 FORTH IN LOCAL LAW OR ESTABLISHED BY THE SECRETARY OF THE
5 INTERIOR OF THE UNITED STATES."

6 Page 11, strike lines 24 and 25 and substitute:

7 "(7) "DEPARTMENT" MEANS THE DEPARTMENT OF LOCAL
8 AFFAIRS."

9 Page 13, after line 7 insert:

10 "(17) "OBJECTIVE STANDARD" MEANS A STANDARD THAT:
11 (a) IS A DEFINED BENCHMARK OR CRITERION THAT ALLOWS FOR
12 DETERMINATIONS OF COMPLIANCE TO BE CONSISTENTLY DECIDED
13 REGARDLESS OF THE DECISION MAKER; AND
14 (b) DOES NOT REQUIRE A SUBJECTIVE DETERMINATION
15 CONCERNING A DEVELOPMENT PROPOSAL, INCLUDING BUT NOT LIMITED TO
16 WHETHER THE APPLICATION FOR THE DEVELOPMENT PROPOSAL IS:
17 (I) CONSISTENT WITH MASTER PLANS, OR OTHER DEVELOPMENT
18 PLANS;
19 (II) COMPATIBLE WITH THE LAND USE OR DEVELOPMENT OF THE
20 AREA SURROUNDING THE AREA DESCRIBED IN THE APPLICATION; OR
21 (III) CONSISTENT WITH PUBLIC WELFARE, COMMUNITY
22 CHARACTER, OR NEIGHBORHOOD CHARACTER."

23 Renumber succeeding subsections accordingly.

24 Page 14, line 3, strike "(18)," and substitute "(19),".

25 Page 14, line 7, strike "(15)(a)" and substitute "(19)(a)".

26 Page 16, line 20, strike "PROGRAMS," and substitute "PROGRAMS
27 INCLUDING THROUGH DEED RESTRICTIONS,".

28 Page 20, line 24, after "ASSISTANCE," insert "DEVELOP A TOOLKIT TO
29 SUPPORT LOCAL GOVERNMENTS IN ENCOURAGING ACCESSORY DWELLING
30 UNIT CONSTRUCTION,".

31 Page 22, line 3, strike "AND".

32 Page 22, line 7, strike "29-35-104 (1)(a)(II)." and substitute "29-35-104

1 (1)(a)(II); AND
2 (c) PROVIDE OFFSETS FOR, OR WAIVE A GREATER NUMBER OF
3 ACCESSORY DWELLING UNIT FEES FOR:
4 (I) LOW- AND MODERATE-INCOME HOUSEHOLDS; OR
5 (II) ACCESSORY DWELLING UNITS THAT ARE RENTED TO LOW- AND
6 MODERATE-INCOME HOUSEHOLDS."

7 Page 22, line 9, strike "TEN" and substitute "FIFTEEN".

8 Page 23, line 15, strike the second "OR" and substitute "AND".

9 Page 25, after line 3 insert:

10 "SECTION 2. In Colorado Revised Statutes, 24-32-3305, add
11 (3.3) as follows:

12 **24-32-3305. Rules - advisory committee - enforcement.**

13 (3.3) THE DEPARTMENT SHALL CREATE FOR FACTORY-BUILT STRUCTURES,
14 INCLUDING THOSE THAT WOULD BE CONSIDERED ACCESSORY DWELLING
15 UNITS, MODEL PUBLIC SAFETY CODE REQUIREMENTS RELATED TO
16 GEOGRAPHIC OR CLIMATIC CONDITIONS, SUCH AS WEIGHT RESTRICTIONS
17 FOR ROOF SNOW LOADS, WIND SHEAR FACTORS, OR WILDFIRE RISK, FOR
18 LOCAL GOVERNMENTS TO CONSIDER AND ADOPT PURSUANT TO SECTION
19 24-32-3318 (2)(a)."

20 Renumber succeeding sections accordingly.

21 Page 25, line 8, after "(q)" insert "(I)".

22 Page 25, line 10, after the first "THE" insert "CREATION AND".

23 Page 25, line 11, strike "PROGRAMS TO BENEFIT RESIDENTS OF" and
24 substitute "PROGRAMS, PRIORITIZING THOSE PROGRAMS THAT BENEFIT
25 LOW- AND MODERATE-INCOME BORROWERS AND TENANTS IN".

26 Page 25, strike lines 13 and 14 and substitute "JURISDICTIONS BY THE
27 DEPARTMENT OF LOCAL AFFAIRS:".

28 Page 25, line 15, strike "(I)" and substitute "(A)" and strike "LOSS
29 RESERVE" and substitute "CREDIT ENHANCEMENT".

30 Page 25, line 16, strike "OFFERS" and substitute "SUPPORTS LENDERS
31 OFFERING" after "LOANS" insert "TO ELIGIBLE LOW- AND
32 MODERATE-INCOME BORROWERS".

- 1 Page 25, line 18, strike "(II)" and substitute "(B)".
- 2 Page 25, line 19, after "MADE" insert "TO ELIGIBLE LOW- AND
3 MODERATE-INCOME BORROWERS".
- 4 Page 25, line 21, strike "(III)" and substitute "(C)".
- 5 Page 25, line 22, strike "UNITS; AND" and substitute "UNITS, PRINCIPAL
6 REDUCTION ON LOANS TO ELIGIBLE LOW- AND MODERATE-INCOME
7 BORROWERS MADE IN CONNECTION WITH ACCESSORY DWELLING UNITS, OR
8 BOTH; OR".
- 9 Page 25, line 23, strike "(IV)" and substitute "(D)".
- 10 Page 25, line 24, strike "DIRECT LOANS IN CONNECTION WITH" and
11 substitute "LOANS, REVOLVING LINES OF CREDIT, OR GRANTS TO ELIGIBLE
12 NON-PROFITS, PUBLIC HOUSING AUTHORITIES, AND COMMUNITY
13 DEVELOPMENT FINANCIAL INSTITUTIONS TO MADE DIRECT LOANS OR
14 GRANTS TO SUPPORT".
- 15 Page 25, line 25, strike "UNITS." and substitute "UNITS FOR LOW- AND
16 MODERATE-INCOME BORROWERS OR TENANTS.".
- 17 Page 25, after line 25 insert:
- 18 "(II) ANY CONTRACT MADE BY THE COMMISSION WITH THE
19 COLORADO HOUSING AND FINANCE AUTHORITY PURSUANT TO THIS
20 SUBSECTION (1)(q) MAY INCLUDE NORMAL AND CUSTOMARY FEES AND
21 EXPENSES FOR ADMINISTRATING THE PROGRAMS DESCRIBED IN THIS
22 SUBSECTION (1)(q).".
- 23 Page 27, line 9, strike "(20)" and substitute "(21)".
- 24 Page 28, line 13, strike "(20)" and substitute "(21)".
- 25 Strike "DIVISION" insert "DEPARTMENT" on **Page 9**, line 27; **Page 16**, line
26 27; **Page 17**, lines 1 and 2; **Page 18**, lines 2, 10, and 14; **Page 19**, lines 4,
27 7, 9, 13, 15, 18, and 21; **Page 20**, lines 2, 22, and 27; **Page 21**, lines 2, 4,
28 and 26; **Page 22**, 1, 8, 21, and 26; **Page 23**, 1, 24, and 25; and **Page 24**,
29 line 11.

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