

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 6, 2024
Date

Committee on Transportation, Housing & Local Government.

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

HB24-1313 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 8, line 21, strike "THAT SATISFIES" and
2 substitute "THAT:
3 (a) SATISFIES".

- 4 Page 8, line 23, strike "AMENDED AND INCORPORATES UNIVERSAL
5 DESIGN." and substitute "AMENDED;
6 (b) INCORPORATES UNIVERSAL DESIGN; OR
7 (c) IS A TYPE A DWELLING UNIT, AS DEFINED IN SECTION 9-5-101
8 (10); A TYPE A MULTISTORY DWELLING UNIT, AS DEFINED IN SECTION
9 9-5-101 (11); A TYPE B DWELLING UNITY, AS DEFINED IN SECTION 9-5-101
10 (12); OR A TYPE B MULTISTORY DWELLING UNIT, AS DEFINED IN SECTION
11 9-5-101 (13).".

- 12 Page 9, line 20, strike "EITHER".

- 13 Page 9, line 21, strike "SERVICE INCLUDED" and substitute "SERVICE:
14 (a) AS IDENTIFIED".

- 15 Page 9, strike lines 23 and 24 and substitute "PLAN OR A TRANSIT
16 AGENCY'S MASTER PLAN; AND
17 (b) THAT TYPICALLY INCLUDES ANY NUMBER OF THE FOLLOWING:".

- 18 Page 9, line 25, strike "(a)" and substitute "(I)".

- 19 Page 9, line 27, strike "(b)" and substitute "(II)".

- 20 Page 10, line 1, strike "(c)" and substitute "(III)".

1 Page 10, line 2, strike "(d)" and substitute "(IV)".

2 Page 10, line 3, strike "(e)" and substitute "(V)".

3 Page 10, line 4, strike "(f)" and substitute "(VI)".

4 Page 10, line 6, after "OPERATES" insert "FOR A MAJORITY OF ITS ROUTE"
5 and strike "LIMITED-ACCESS HIGHWAY FOR" and substitute "FREEWAY
6 WITH ACCESS THAT IS LIMITED TO GRADE-SEPARATED INTERCHANGES."

7 Page 10, strike line 7.

8 Page 10, strike line 11, and substitute "COUNTY, BUT EXCLUDING A CITY
9 AND COUNTY."

10 Page 10, strikes lines 13 through 15, and substitute:

11 "(8) "DISPLACEMENT" MEANS:

12 (a) THE INVOLUNTARY RELOCATION, DUE TO INCREASED REAL
13 ESTATE PRICES, RENTS, PROPERTY REHABILITATION, REDEVELOPMENT,
14 DEMOLITION, OR OTHER ECONOMIC FACTORS, OF LOW-INCOME RESIDENTS
15 OR LOCALLY-OWNED COMMUNITY-SERVICE BUSINESSES AND INSTITUTIONS
16 IN LOW-INCOME AREAS; AND

17 (b) INDIRECT DISPLACEMENT RESULTING FROM CHANGES IN
18 NEIGHBORHOOD POPULATION, IF, WHEN LOW-INCOME HOUSEHOLDS MOVE
19 OUT OF HOUSING UNITS, THOSE SAME HOUSING UNITS DO NOT REMAIN
20 AFFORDABLE TO OTHER LOW-INCOME HOUSEHOLDS."

21 Page 15, strike lines 6 through 11, and substitute:

22 "(I) SCENARIOS ANALYZED FOR THE "COLORADO WATER AND
23 GROWTH DIALOGUE FINAL REPORT" WITH HIGHER PERCENTAGE OF
24 FUTURE HOUSING SHIFTING TO HIGHER DENSITIES WERE ESTIMATED TO
25 ACHIEVE A TOTAL DECREASE IN WATER DEMAND BETWEEN FOUR AND
26 EIGHT TENTHS PERCENT AND NINETEEN AND FOUR TENTHS PERCENT;"

27 Page 16, after line 19 insert:

28 "(r) TRANSIT-ORIENTED DEVELOPMENT, INCLUDING CONNECTING
29 HOUSING OPPORTUNITIES AND SERVICES WITH SAFE MULTIMODAL
30 INFRASTRUCTURE AND PUBLIC TRANSIT, IMPROVES THE ACCESSIBILITY OF
31 CITIES FOR PEOPLE WITH DISABILITIES AND THOSE WITH LIMITED MOBILITY.
32 PEOPLE WITH DISABILITIES ARE MORE LIKELY TO LIVE IN HOUSEHOLDS

- 1 WITH ZERO CARS, ARE LESS LIKELY TO DRIVE, AND ARE MORE LIKELY TO
2 RELY ON PUBLIC TRANSIT OR PARATRANSIT, ACCORDING TO THE 2017
3 "NATIONAL HOUSEHOLD TRAVEL SURVEY";".
- 4 Reletter succeeding paragraphs accordingly.
- 5 Page 19, strike lines 26 and 27.
- 6 Page 20, strike line 1.
- 7 Renumber succeeding subsections accordingly.
- 8 Page 20, line 5, strike "(5);" and substitute "(5), AND NOT SERVED BY A
9 WELL WITH A PERMIT THAT CAN SUPPLY AN ADDITIONAL DWELLING UNIT;".
- 10 Page 20, line 11, strike "(2)(c)," and substitute "(1)(c),".
- 11 Page 22, strikes lines 14 through 19 and substitute:
- 12 (a) HAS RECEIVED LOANS, GRANTS, EQUITY, BONDS, OR TAX
13 CREDITS FROM ANY SOURCE TO SUPPORT THE CREATION, PRESERVATION,
14 OR REHABILITATION OF AFFORDABLE HOUSING THAT, AS A CONDITION OF
15 FUNDING, ENCUMBERS THE PROPERTY WITH A RESTRICTED USE COVENANT
16 OR SIMILAR RECORDED AGREEMENT TO ENSURE AFFORDABILITY, OR HAS
17 BEEN INCOME-RESTRICTED UNDER A LOCAL INCLUSIONARY ZONING
18 ORDINANCE OR OTHER REGULATION OR PROGRAM;
- 19 (b) RESTRICTS OR LIMITS MAXIMUM RENTAL OR SALE PRICE FOR
20 HOUSEHOLDS OF A GIVEN SIZE AT A GIVEN AREA MEDIAN INCOME, AS
21 ESTABLISHED ANNUALLY BY THE UNITED STATES DEPARTMENT OF
22 HOUSING AND URBAN DEVELOPMENT; AND
- 23 (c) ENSURES OCCUPANCY BY LOW- TO MODERATE-INCOME
24 HOUSEHOLDS FOR A SPECIFIED PERIOD DETAILED IN A RESTRICTIVE USE
25 COVENANT OR SIMILAR RECORDED AGREEMENT."
- 26 Page 22, line 21, strike "(14)" and substitute "(13)".
- 27 Page 22, line 22, strike "(12)" and substitute "(11)".
- 28 Page 25, line 9, strike "(a)".
- 29 Page 25, line 13 and 14, strike "AN AVERAGE ZONED HOUSING DENSITY
30 OF".

- 1 Page 25, strike lines 15 through 20.
- 2 Page 25, line 22, strike "JANUARY 31, 2025," and substitute "APRIL 30,
3 2025,".
- 4 Page 26, after line 5 insert:
- 5 "(b) IF APPLICABLE, A TRANSIT-ORIENTED COMMUNITY MAY
6 INCLUDE IN THE REPORT DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION
7 ANY AFFORDABILITY OR DISPLACEMENT STRATEGIES THAT THE
8 TRANSIT-ORIENTED COMMUNITY HAS IMPLEMENTED."
- 9 Reletter the succeeding paragraph accordingly.
- 10 Page 27, line 21, strike "COMMUNITY THAT" and substitute
11 "COMMUNITY;".
- 12 Page 27, strike lines 22 through 27.
- 13 Page 28, strike lines 1 and 2.
- 14 Renumber succeeding subparagraphs accordingly.
- 15 Page 28, strike lines 8 through 10 and substitute:
- 16 "(III) (A) AN APPLICATION OF THE ANALYSIS IN SUBSECTION
17 (5)(a)(II) TO THE ESTIMATED WATER NEEDED TO SUPPLY DOMESTIC".
- 18 Page 28, line 16, strike "(5)(a)(IV);" and substitute "(5)(a)(III);".
- 19 Page 28, line 20, after "(5);" insert "AND."
- 20 Page 28, line 27, strike "(5)(a)(IV)" and substitute "(5)(a)(III)".
- 21 Page 29, line 4, strike "(5)(a)(VI)" and substitute "(5)(a)(III)".
- 22 Page 29, line 7, after "IMPLEMENT" insert "OR HAS ALREADY
23 IMPLEMENTED".
- 24 Page 30, line 19, strike "(2)" and substitute "(3)".
- 25 Page 31, line 2, after "DEPARTMENT." insert: "PURSUANT TO SECTION
26 29-35-211 (5), UPON THE SUBMISSION AND APPROVAL BY THE

1 DEPARTMENT OF THE REPORT, A TRANSIT-ORIENTED COMMUNITY BECOMES
2 ELIGIBLE FOR THE AWARD OF A TRANSIT-ORIENTED COMMUNITIES
3 INFRASTRUCTURE GRANT PROGRAM GRANT."

4 Page 31, line 13, after "STRATEGIES" insert "IDENTIFIED".

5 Page 31, line 16, after "STRATEGIES" insert "IDENTIFIED".

6 Page 31, line 18, strike "AND" and insert:

7 "(VI) A DESCRIPTION OF COMMUNITY ENGAGEMENT THAT THE
8 TRANSIT-ORIENTED COMMUNITY CONDUCTED IN THE PROCESS OF MEETING
9 ITS HOUSING OPPORTUNITY GOAL, IDENTIFYING AFFORDABILITY
10 STRATEGIES PURSUANT TO SUBSECTION (6)(b)(I)(A) AND (6)(b)(I)(B) OF
11 THIS SECTION AND IDENTIFYING DISPLACEMENT MITIGATION STRATEGIES
12 PURSUANT TO SUBSECTION (7)(a) OF THIS SECTION; AND".

13 Renumber succeeding subparagraph accordingly.

14 Page 33, strike lines 9 through 13 and substitute "DETERMINED BY THE
15 DEPARTMENT THAT CONFIRMS THAT THE TRANSIT-ORIENTED COMMUNITY
16 IS STILL MEETING THE REQUIRED ELEMENTS".

17 Page 33, line 16, strike "SECTION; AND" and substitute "SECTION."

18 Page 33, strike lines 17 through 22.

19 Page 36, line 12, strike "THREE" and substitute "FIVE".

20 Page 36, strike lines 24 through 27 and substitute "SURFACE PARKING;
21 EXCEPT THAT SEVEN-TENTHS OF PARKING SPACES PER DWELLING UNIT
22 MAY BE COUNTED AS STRUCTURED PARKING WITHIN THE BUILDING
23 FOOTPRINT; AND

24 (III) ASSUME AN AVERAGE HOUSING UNIT SIZE, AS DETERMINED
25 BASED ON EITHER THE TYPICAL SIZE OF A MULTIFAMILY HOUSING UNIT
26 THAT WAS RECENTLY BUILT IN COLORADO AS ESTABLISHED IN THE
27 CENSUS'S AMERICAN HOUSING SURVEY OR THE TYPICAL SIZE OF A
28 MULTIFAMILY HOUSING UNIT IN THE TRANSIT-ORIENTED COMMUNITY
29 ACCORDING TO LOCAL DATA;"

30 Page 37 strike line 1.

31 Page 37, line 19, strike "BEYOND" and substitute "IN A LOCATION OTHER

- 1 THAN".
- 2 Page 37, line 20, after "REQUEST" insert "FOR LOCATIONAL FLEXIBILITY".
- 3 Page 37, strike lines 23 through 27.
- 4 Page 38, strike lines 1 through 4, and substitute:
- 5 "COMMUNITY, THE TRANSIT-ORIENTED COMMUNITY HAS:
- 6 (I) ADOPTED A PLAN TO ENCOURAGE AND SUPPORT FUTURE
- 7 INVESTMENT AND EXPANSION OF INFRASTRUCTURE TO SERVE
- 8 MULTIFAMILY HOUSING AND ESTABLISHED ZONING CAPACITY THAT IS AS
- 9 HIGH AS PRACTICABLE TO PROVIDE OPPORTUNITIES FOR MULTIFAMILY
- 10 HOUSING; AND
- 11 (II) REMOVED DIMENSIONAL AND OTHER".
- 12 Page 38, line 5, strike "THAT MAXIMIZES" and substitute "IN ORDER TO
- 13 MAXIMIZE".
- 14 Page 38, line 9, after "REQUESTING" insert "LOCATIONAL FLEXIBILITY".
- 15 Page 38, line 11, strike "ADEQUATE INFRASTRUCTURE;" and substitute
- 16 "PLANNED OR EXISTING INFRASTRUCTURE AND PLANNED OR EXISTING
- 17 MULTIMODAL ACCESS TO A TRANSIT STATION;".
- 18 Page 38, line 13, after "BENEFITS" insert "CONSISTENT WITH THE
- 19 PURPOSES OF THIS PART 2".
- 20 Page 39, line 3, strike "AN AVERAGE ZONED" and substitute "A NET".
- 21 Page 40, line 12 strike "WITHIN A METROPOLITAN" and substitute
- 22 "WITHIN:".
- 23 Page 40, strike lines 13 through 19 and substitute:
- 24 "(A) A METROPOLITAN PLANNING ORGANIZATION'S
- 25 FISCALLY-CONSTRAINED LONG RANGE TRANSPORTATION PLAN ADOPTED
- 26 PRIOR TO JANUARY 1, 2024, AND PLANNED FOR IMPLEMENTATION,
- 27 ACCORDING TO THAT PLAN, PRIOR TO JANUARY 1, 2030; OR
- 28 (B) THE TRANSIT MASTER PLAN OF A TRANSIT AGENCY PLANNED
- 29 FOR SHORT-TERM IMPLEMENTATION, ACCORDING TO THAT PLAN;".
- 30 (II) A PLAN FOR TRANSIT SERVICE THAT:
- 31 (A) HAS BEEN APPROVED BY THE GOVERNING BODY OF A TRANSIT

- 1 AGENCY AFTER JANUARY 1, 2019, AND ON OR BEFORE JANUARY 1, 2024;
2 (B) IDENTIFIES THE FREQUENCY OF TRANSIT SERVICE ON SPECIFIC
3 TRANSIT ROUTES; AND
4 (C) IDENTIFIES ROUTES IN SUBSECTION (1)(b)(II)(B) OF THIS
5 SECTION FOR SHORT-TERM IMPLEMENTATION OR IMPLEMENTATION BEFORE
6 JANUARY 1, 2030; OR".
- 7 Page 41, line 23, strike "(1)(b)." and substitute "(1)(b), INCLUDING
8 MODELS AND GUIDANCE FOR LOCAL GOVERNMENTS WITH FORM-BASED
9 CODES."
- 10 Page 42, line 1, strike "THAT INCLUDES" insert "AND SHALL UPDATE THIS
11 MENU AS NECESSARY. THE MENU MUST INCLUDE:".
- 12 Page 42, line 4, strike "CONSIDERS" and substitute "ACCOUNTS FOR".
- 13 Page 42, line 5, after "MAXIMIZE" insert "REGULATED" and strike
14 "PRODUCTION," and substitute "PRODUCTION BY LEVERAGING PUBLIC
15 RESOURCES,".
- 16 Page 43, line 5, after "VISITABLE" insert "REGULATED".
- 17 Page 43, line 10, strike "THAT INCLUDES" and substitute "AND SHALL
18 UPDATE THIS MENU AS NECESSARY. THE MENU MUST INCLUDE".
- 19 Page 43, line 14, after "ON" insert "MARKET RATE HOUSING DEVELOPMENT
20 TO SUPPORT".
- 21 Page 44, line 4, strike "OR".
- 22 Page 44, strike line 6 and substitute "OR
23 (IV) INCENTIVIZING AFFORDABLE CONDOMINIUM DEVELOPMENTS;
24 AND".
- 25 Page 44, line 10, strike "LAW," and substitute "LAW OR PROGRAM,".
- 26 Page 44, line 13, after "LAW" insert "OR PROGRAM".
- 27 Page 44, line 15, after "LAW" insert "OR PROGRAM".
- 28 Page 44, lines 15 and 16, strike "HOUSING AFFORDABILITY AND
29 ACCESSIBILITY" and substitute "OPPORTUNITY FOR REGULATED
30 AFFORDABLE HOUSING AND ACCESSIBLE UNITS".

1 Page 44, line 20, strike "(a) No" and substitute "ON OR BEFORE JUNE 30,
2 2025, THE DEPARTMENT SHALL CONDUCT AN ASSESSMENT THAT INCLUDES
3 RECOMMENDATIONS IDENTIFYING THE RESOURCES NECESSARY TO
4 IMPLEMENT THE DISPLACEMENT MITIGATION STRATEGIES IN THE
5 DISPLACEMENT RISK MITIGATION STRATEGIES MENU DESCRIBED IN
6 SUBSECTION (3) OF THIS SECTION. THE ASSESSMENT MUST IDENTIFY:

7 (a) APPROPRIATE LOCAL, REGIONAL, OR NONPROFIT ENTITIES TO
8 ASSIST RESIDENTS AT ELEVATED RISK OF DISPLACEMENT, WITH A FOCUS ON
9 RESIDENTS IN LOCAL GOVERNMENTS THAT HAVE A SMALLER POPULATION
10 AND FEWER FINANCIAL RESOURCES THAN OTHER LOCAL GOVERNMENTS
11 WITHIN THE SAME METROPOLITAN PLANNING ORGANIZATION; AND

12 (b) APPROPRIATE SOURCES OF FINANCIAL AND OTHER RESOURCES
13 TO IMPLEMENT THE DISPLACEMENT MITIGATION STRATEGIES IN THE
14 DISPLACEMENT RISK MITIGATION STRATEGIES MENU DESCRIBED IN
15 SUBSECTION (3) OF THIS SECTION, WHILE TAKING INTO ACCOUNT REGIONAL
16 DISPARITIES IN RESOURCES.

17 (2) (a) No".

18 Renumber succeeding subsections accordingly.

19 Page 44, line 24, after "STRATEGIES." insert "THE DEPARTMENT SHALL
20 UPDATE THIS GUIDANCE AS NECESSARY."

21 Page 44, line 26, strike "(1)(a)" and substitute "(2)(a)".

22 Page 45, line 14, strike "RENTERS;" and substitute "HOUSEHOLDS;".

23 Page 46, line 6, after "DISPLACEMENT" insert "RISK" and strike "THAT
24 INCLUDES" and substitute "AND SHALL UPDATE THIS MENU AS NECESSARY.
25 THE MENU MUST INCLUDE".

26 Page 47, line 1, strike "(2)." and substitute "(3)".

27 Page 47, line 3, strike "(2)." and substitute "(3)".

28 Page 48, line 2, strike "REGULATED".

29 Page 48, line 3, strike "HOUSING" and substitute "HOUSING, INCLUDING
30 REGULATED AFFORDABLE HOUSING,".

31 Page 48, line 6, strike "REGULATED".

32 Page 48, line 7, strike "HOUSING" and substitute "HOUSING, INCLUDING

1 REGULATED AFFORDABLE HOUSING,".

2 Page 49, line 9, after "DEPARTMENT." insert "A TRANSIT-ORIENTED
3 COMMUNITY MAY ONLY SUBMIT AN APPLICATION TO THE DEPARTMENT
4 AFTER THE DEPARTMENT HAS APPROVED THE TRANSIT-ORIENTED
5 COMMUNITY'S HOUSING OPPORTUNITY GOAL REPORT PURSUANT TO
6 SECTION 29-35-204 (8).".

7 Page 50, line 5, strike "DEVELOPMENT;" and substitute "DEVELOPMENT,
8 AND PERMANENT SUPPORTIVE HOUSING;".

9 Page 53, line 27, strike "(5)." and substitute "(4)".

10 Page 54, line 2 strike "(11)." and substitute "(10)".

11 Page 55, line 1, strike "(5)." and substitute "(4)".

12 Page 55, line 3, strike "(11)." and substitute "(10)".

13 Page 55, line 9, strike "(5)." and substitute "(4)".

14 Page 55, line 11, strike "(11)." and substitute "(10)".

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