

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 23-0890.01 Pierce Lively x2059

SENATE BILL 23-213

SENATE SPONSORSHIP

Moreno,

HOUSE SPONSORSHIP

Jodeh and Woodrow,

Senate Committees

Local Government & Housing
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING STATE LAND USE REQUIREMENTS, AND, IN CONNECTION**
102 **THEREWITH, ESTABLISHING A PROCESS TO DIAGNOSE AND**
103 **ADDRESS HOUSING NEEDS ACROSS THE STATE, PROHIBITING A**
104 **LOCAL GOVERNMENT FROM ENFORCING CERTAIN OCCUPANCY**
105 **LIMITS, MODIFYING THE CONTENT REQUIREMENTS FOR COUNTY**
106 **AND MUNICIPAL MASTER PLANS, CRITERIA FOR CERTAIN GRANT**
107 **PROGRAMS, AND EXPENDITURES FROM THE MULTIMODAL**
108 **TRANSPORTATION OPTIONS FUND TO ALIGN WITH STATE**
109 **STRATEGIC GROWTH OBJECTIVES, AND MAKING AN**
110 **APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Housing needs planning. The executive director of the department of local affairs (director) shall, no later than December 31, 2024, and every 5 years thereafter, issue methodology for developing statewide, regional, and local housing needs assessments. The statewide housing needs assessment must determine existing statewide housing stock and current and future housing needs. The regional housing needs assessments must allocate the addressing of housing needs identified in the statewide housing needs assessment to regions of the state. Similarly, the local housing needs assessments must allocate the addressing of the housing needs allocated in the regional housing needs assessment to localities in the relevant region.

The director shall, no later than December 31, 2024, issue guidance on creating a housing needs plan for both a rural resort job center municipality and an urban municipality. Following this guidance, no later than December 31, 2026, and every 5 years thereafter, a rural resort job center municipality and an urban municipality shall develop a housing needs plan and submit that plan to the department of local affairs (department). A housing needs plan must include, among other things, descriptions of how the plan was created, how the municipality will address the housing needs it was assigned in the local housing needs assessment, affordability strategies the municipality has selected to address its local housing needs assessment, an assessment of displacement risk and any strategies selected to address identified risks, and how the locality will comply with other housing requirements in this bill.

The director shall, no later than December 31, 2024, develop and publish a menu of affordability strategies to address housing production, preservation, and affordability. Rural resort job center municipalities and urban municipalities shall identify at least 2 of these strategies that they intend to implement in their housing plan, and urban municipalities with a transit-oriented area must identify at least 3.

The director shall, no later than December 31, 2024, develop and publish a menu of displacement mitigation measures. This menu must, among other things, provide guidance for how to identify areas at the highest risk for displacement and identify displacement mitigation measures that a locality may adopt. An urban municipality must identify which of these measures it intends to implement in its housing plan to address any areas it identifies as at an elevated risk for displacement.

The director shall, no later than March 31, 2024, publish a report that identifies strategic growth objectives that will incentivize growth in

transit-oriented areas and infill areas and guide growth at the edges of urban areas. The multi-agency advisory committee shall, no later than March 31, 2024, submit a report to the general assembly concerning the strategic growth objectives.

The bill establishes a multi-agency advisory committee and requires that committee to conduct a public comment and hearing process on and provide recommendations to the director on:

- Methodologies for developing statewide, regional, and local housing needs assessments;
- Guidance for creating housing needs plans;
- Developing a menu of affordability strategies;
- Developing a menu of displacement mitigation measures;
- Identifying strategic growth objectives; and
- Developing reporting guidance and templates.

A county or municipality within a rural resort region shall participate in a regional housing needs planning process. This process must encourage participating counties and municipalities to identify strategies that, either individually or through intergovernmental agreements, address the housing needs assigned to them. A report on this process must be submitted to the department. Further, within 6 months of completing this process, a rural resort job center municipality shall submit a local housing needs plan to the department. Once a year, both rural resort job centers and urban municipalities shall report to the department on certain housing data.

A multi-agency group created in the bill and the division of local government within the department shall provide assistance to localities in complying with the requirements of this bill. This assistance must include technical assistance and a grant program.

Accessory dwelling units. The director shall promulgate an accessory dwelling unit model code that, among other things, requires accessory dwelling units to be allowed as a use by right in any part of a municipality where the municipality allows single-unit detached dwellings as a use by right. The committee shall provide recommendations to the director for promulgating this model code. In developing these recommendations, the committee shall conduct a public comment and hearing process.

Even if a municipality does not adopt the accessory dwelling unit model code, the municipality shall adhere to accessory dwelling unit minimum standards established in the bill and by the department. These minimum standards, among other things, must require a municipality to:

- Allow accessory dwelling units as a use by right in any part of the municipality where the municipality allows single-unit detached dwellings as a use by right;
- Only adopt or enforce local laws concerning accessory dwelling units that use objective standards and procedures;

- Not adopt, enact, or enforce local laws concerning accessory dwelling units that are more restrictive than local laws concerning single-unit detached dwellings; and
- Not apply standards that make the permitting, siting, or construction of accessory dwelling units infeasible.

Middle housing. The director shall promulgate a middle housing model code that, among other things, requires middle housing to be allowed as a use by right in any part of a rural resort job center municipality or a tier one urban municipality where the municipality allows single-unit detached dwellings as a use by right. The committee shall provide recommendations to the director for promulgating this model code. In developing these recommendations, the committee shall conduct a public comment and hearing process.

Even if a rural resort job center municipality or a tier one urban municipality does not adopt the middle housing model code, the municipality shall adhere to middle housing minimum standards established in the bill and by the department. These minimum standards, among other things, must require a municipality to:

- Allow middle housing as a use by right in certain areas;
- Only adopt or enforce local laws concerning middle housing that use objective standards and procedures;
- Allow properties on which middle housing is allowed to be split by right using objective standards and procedures;
- Not adopt, enact, or enforce local laws concerning middle housing that are more restrictive than local laws concerning single-unit detached dwellings; and
- Not apply standards that make the permitting, siting, or construction of middle housing infeasible.

Transit-oriented areas. The director shall promulgate a transit-oriented area model code that, among other things, imposes minimum residential density limits for multifamily residential housing and mixed-income multifamily residential housing and allows these developments as a use by right in the transit-oriented areas of tier one urban municipalities. The committee shall provide recommendations to the director for promulgating this model code. In developing these recommendations, the committee shall conduct a public comment and hearing process.

Even if a tier one urban municipality does not adopt the transit-oriented model code, the municipality shall adhere to middle housing minimum standards established in the bill and by the department. These minimum standards, among other things, must require a municipality to:

- Create a zoning district within a transit-oriented area in which multifamily housing meets a minimum residential density limit and is allowed as a use by right; and

- Not apply standards that make the permitting, siting, or construction of multifamily housing in transit-oriented areas infeasible.

Key corridors. The director shall promulgate a key corridor model code that applies to key corridors in rural resort job center municipalities and tier one urban municipalities. The model code must, among other things, include requirements for:

- The percentage of units in mixed-income multifamily residential housing that must be reserved for low- and moderate-income households;
- Minimum residential density limits for multifamily residential housing; and
- Mixed-income multifamily residential housing that must be allowed as a use by right in key corridors.

The committee shall provide recommendations to the director for promulgating this model code. In developing these recommendations, the committee shall conduct a public comment and hearing process.

Even if a rural resort job center municipality or a tier one urban municipality does not adopt the key corridor model code, the municipality shall adhere to key corridor minimum standards promulgated by the director and developed by the department. These minimum standards, among other things, must identify a net residential zoning capacity for a municipality and must require a municipality to:

- Allow multifamily residential housing within key corridors that meets the net residential zoning capacity as a use by right;
- Not apply standards that make the permitting, siting, or construction of multifamily housing in certain areas infeasible; and
- Not adopt, enact, or enforce local laws that make satisfying the required minimum residential density limits infeasible.

The committee shall provide recommendations to the director on promulgating these minimum standards. In developing these recommendations, the committee shall conduct a public comment and hearing process.

Adoption of model codes and minimum standards. A relevant municipality shall adopt either the model code or local laws that satisfy the minimum standards concerning accessory dwelling units, middle housing, transit-oriented areas, and key corridors. Furthermore, a municipality shall submit a report to the department demonstrating that it has done so. If a municipality fails to adopt either the model code or local laws that satisfy the minimum standards by a specified deadline, the relevant model code immediately goes into effect, and municipalities shall then approve any proposed projects that meet the standards in the model code using objective procedures. However, a municipality may

apply to the department for a deadline extension for a deficiency in water or wastewater infrastructure or supply.

Additional provisions. The bill also:

- Requires the advisory committee on factory-built structures and tiny homes to produce a report on the opportunities and barriers in state law concerning the building of manufactured homes, mobile homes, and tiny homes;
- Removes the requirements that manufacturers of factory-built structures comply with escrow requirements of down payments and provide a letter of credit, certificate of deposit issued by a licensed financial institution, or surety bond issued by an authorized insurer;
- Prohibits a planned unit development resolution or ordinance for a planned unit with a residential use from restricting accessory dwelling units, middle housing, housing in transit-oriented areas, or housing in key corridors in a way not allowed by this bill;
- Prohibits a local government from enacting or enforcing residential occupancy limits that differ based on the relationships of the occupants of a dwelling;
- Modifies the content requirements for a county and municipal master plan, requires counties and municipalities to adopt or amend master plans as part of an inclusive process, and requires counties and municipalities to submit master plans to the department;
- Allows a municipality to sell and dispose of real property and public buildings for the purpose of providing property to be used as affordable housing, without requiring the sale to be submitted to the voters of the municipality;
- Requires the approval process for manufactured and modular homes to be based on objective standards and administrative review equivalent to the approval process for site-built homes;
- Prohibits a municipality from imposing more restrictive standards on manufactured and modular homes than the municipality imposes on site-built homes;
- Prohibits certain municipalities from imposing minimum square footage requirements for residential units in the approval of residential dwelling unit construction permits;
- Requires certain entities to submit to the Colorado water conservation board (board) a completed and validated water loss audit report pursuant to guidelines that the board shall adopt;
- Allows the board to make grants from the water efficiency grant program cash fund to provide water loss audit report

- validation assistance to covered entities;
- Allows the board and the Colorado water resources and power development authority to consider whether an entity has submitted a required audit report in deciding whether to release financial assistance to the entity for the construction of a water diversion, storage, conveyance, water treatment, or wastewater treatment facility;
- Prohibits a unit owners' association from restricting accessory dwelling units, middle housing, housing in transit-oriented areas, or housing in key corridors;
- Requires the department of transportation to ensure that the prioritization criteria for any grant program administered by the department are consistent with state strategic growth objectives, so long as doing so does not violate federal law;
- Requires any regional transportation plan that is created or updated to address and ensure consistency with state strategic growth objectives;
- Requires that expenditures for local and state multimodal projects from the multimodal transportation options fund are only to be made for multimodal projects that the department determines are consistent with state strategic growth objectives; and
- For state fiscal year 2023-24, appropriates \$15,000,000 from the general fund to the housing plans assistance fund and makes the department responsible for the accounting related to the appropriation.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. In Colorado Revised Statutes, add article 33 to title**
 3 **29 as follows:**

4 **ARTICLE 33**
 5 **State Land Use Requirements For Affordable Housing**

6 **PART 1**
 7 **HOUSING NEEDS PLANNING**

1 **29-33-101. Legislative declaration. (1) THE GENERAL ASSEMBLY**
2 **HEREBY FINDS, DETERMINES, AND DECLARES THAT:**

3 **(a) COLORADO LACKS A COORDINATED PROCESS TO SET GOALS,**
4 **DEVELOP SOLUTIONS, AND TRACK PROGRESS TOWARDS MEETING**
5 **STATEWIDE, REGIONAL, AND LOCAL HOUSING NEEDS;**

6 **(b) CONSISTENT INFORMATION ABOUT STATEWIDE, REGIONAL, AND**
7 **LOCAL HOUSING NEEDS IS ESSENTIAL IN DEVELOPING EQUITABLE AND**
8 **EFFECTIVE HOUSING POLICIES AND STRATEGIES AND IMPROVING EFFORTS**
9 **TO INCREASE HOUSING AFFORDABILITY OVER TIME;**

10 **(c) HOUSING MARKETS EXPAND BEYOND THE BORDERS OF**
11 **INDIVIDUAL LOCAL GOVERNMENTS, AND INFORMATION IS REQUIRED ON A**
12 **LOCAL, REGIONAL, AND STATEWIDE SCALE TO MAKE A HOLISTIC PLAN FOR**
13 **ADDRESSING HOUSING NEEDS;**

14 **(d) ALTHOUGH SOME LOCAL GOVERNMENTS WORK TO ASSESS AND**
15 **ADDRESS HOUSING NEEDS, THESE LOCAL GOVERNMENTS USE DIFFERENT**
16 **METHODOLOGIES, DO THIS WORK AT DIFFERENT TIMES, AND LACK**
17 **REGIONAL COORDINATION;**

18 **(e) LOCAL GOVERNMENTS THAT DO NOT ALLOW HOUSING SUPPLY**
19 **TO KEEP PACE WITH HOUSEHOLD AND JOB GROWTH IN THEIR JURISDICTIONS**
20 **EXPORT THEIR HOUSING NEEDS TO NEIGHBORING COMMUNITIES, CAUSING**
21 **REGIONAL IMBALANCES THAT IMPACT EQUITY, POLLUTION,**
22 **INFRASTRUCTURE COSTS, AND QUALITY OF LIFE;**

23 **(f) REQUIRING LOCAL GOVERNMENTS TO PLAN FOR AND**
24 **IMPLEMENT STRATEGIES TO MEET AN EQUITABLE AMOUNT OF THEIR**
25 **REGION'S HOUSING DEMAND WILL HELP MITIGATE THESE IMBALANCES AND**
26 **THEIR NEGATIVE IMPACTS;**

27 **(g) THE STATE MANAGES MULTIPLE GRANT-BASED PROGRAMS**

1 DESIGNED TO HELP LOCAL GOVERNMENTS ASSESS AND MEET HOUSING
2 NEEDS, AND THESE PROGRAMS WILL BE ABLE TO MORE EFFECTIVELY
3 ADDRESS HOUSING ISSUES WITH MORE COMPREHENSIVE AND CONSISTENT
4 INFORMATION INFORMED BY REGIONAL AND STATEWIDE DATA; AND

5 (h) THE AFFORDABLE HOUSING TRANSFORMATIONAL TASK FORCE
6 ESTABLISHED IN SECTION 24-75-229 (6)(a), IDENTIFIED A STATEWIDE
7 HOUSING NEEDS ASSESSMENT AND PRODUCTION STRATEGY AS A TOP
8 LEGISLATIVE PRIORITY FOR COLORADO IN THE TASK FORCE'S FEBRUARY
9 23, 2022, REPORT TO THE GENERAL ASSEMBLY.

10 **29-33-102. Definitions.** AS USED IN THIS ARTICLE 33, UNLESS THE
11 CONTEXT OTHERWISE REQUIRES:

12 (1) "ACCESSIBLE UNIT" MEANS A HOUSING UNIT THAT SATISFIES
13 THE REQUIREMENTS OF THE FEDERAL "FAIR HOUSING ACT", 42 U.S.C. SEC.
14 3601 ET SEQ., AS AMENDED.

15 (2) "ACCESSORY DWELLING UNIT" MEANS AN INTERNAL,
16 ATTACHED, OR DETACHED RESIDENTIAL DWELLING UNIT THAT:

17 (a) PROVIDES COMPLETE INDEPENDENT LIVING FACILITIES FOR ONE
18 OR MORE PERSONS;

19 (b) IS LOCATED ON THE SAME LOT AS A PROPOSED OR EXISTING
20 PRIMARY RESIDENCE; AND

21 (c) INCLUDES PROVISIONS FOR LIVING, SLEEPING, EATING,
22 COOKING, AND SANITATION.

23 (3) "AFFORDABLE HOUSING" MEANS HOUSING FOR WHICH LOW-
24 AND MODERATE-INCOME HOUSEHOLDS DO NOT SPEND MORE THAN THIRTY
25 PERCENT OF THEIR HOUSEHOLD INCOME ON HOUSING COSTS.

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

1 (5) "BUILDABLE LANDS ANALYSIS" MEANS AN EVALUATION OF
2 LANDS SUITABLE FOR DEVELOPMENT INCLUDING POTENTIAL GREYFIELD
3 DEVELOPMENT, BROWNFIELD DEVELOPMENT, AND GREENFIELD
4 DEVELOPMENT.

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

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

9 (b) DEDICATED LANES OR BUSWAYS;

10 (c) TRAFFIC SIGNAL PRIORITY;

11 (d) OFF-BOARD FARE COLLECTION;

12 (e) ELEVATED PLATFORMS; OR

13 (f) ENHANCED STATIONS.

14 (7) "COMMUTER BUS RAPID TRANSIT" MEANS A BUS RAPID TRANSIT
15 SERVICE THAT OPERATES ON A LIMITED-ACCESS HIGHWAY FOR THE
16 MAJORITY OF ITS ROUTE.

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

21 (9) "DISCRETIONARY APPROVAL PROCESS" MEANS A DEVELOPMENT
22 APPROVAL PROCESS CONDUCTED PURSUANT TO LOCAL LAW THAT
23 REQUIRES A PUBLIC BODY OR OFFICIAL TO MAKE ONE OR MORE SUBJECTIVE
24 DETERMINATIONS, INCLUDING:

25 (a) EVALUATIONS OF CONSISTENCY OF AN APPLICATION WITH
26 LOCAL PLANS;

27 (b) COMPATIBILITY OR HARMONY OF AN APPLICATION WITH

1 SURROUNDING LAND USES OR DEVELOPMENT;
2 (c) INDIVIDUALIZED EVALUATIONS RELATING TO MITIGATION OF
3 IMPACTS; OR
4 (d) EVALUATION OF AN APPLICATION'S CONSISTENCY WITH PUBLIC
5 WELFARE.
6 (10) "DISPLACEMENT" MEANS THE RELOCATION OF RESIDENTS DUE
7 TO:
8 (a) INCREASED REAL ESTATE PRICES, RENTS, PROPERTY TAXES, OR
9 OTHER ECONOMIC FACTORS;
10 (b) CAUSES SUCH AS EMINENT DOMAIN, LEASE NONRENEWALS,
11 AND EVICTIONS;
12 (c) PHYSICAL CONDITIONS AND NEGLECT THAT RENDER
13 RESIDENCES UNINHABITABLE;
14 (d) PHYSICAL DISPLACEMENT WHEREIN EXISTING HOUSING UNITS
15 ARE LOST DUE TO PROPERTY REHABILITATION, REDEVELOPMENT, OR
16 DEMOLITION; OR
17 (e) INDIRECT DISPLACEMENT THAT OCCURS WHEN LOW-INCOME
18 RESIDENTS VACATE UNITS AND THOSE UNITS ARE NO LONGER AFFORDABLE
19 TO OTHER LOW-INCOME HOUSEHOLDS.
20 (11) "DWELLING UNIT" MEANS A SINGLE UNIT PROVIDING
21 COMPLETE INDEPENDENT LIVING FACILITIES FOR ONE OR MORE PERSONS,
22 INCLUDING PERMANENT PROVISIONS FOR COOKING, EATING, LIVING,
23 SANITATION, AND SLEEPING.
24 (12) "FIXED-RAIL TRANSIT" MEANS PASSENGER RAIL TRANSIT THAT
25 USES AND OCCUPIES A SEPARATE RIGHT-OF-WAY OR RAIL LINE, INCLUDING
26 COMMUTER RAIL AND LIGHT RAIL.
27 (13) "GREENFIELD DEVELOPMENT" MEANS NEW DEVELOPMENT ON

1 LAND THAT HAS NOT BEEN PREVIOUSLY DEVELOPED AND THAT IS EITHER
2 WITHIN A MUNICIPALITY OR OUTSIDE OF A MUNICIPALITY, BUT IS WITHIN
3 A POTENTIAL ANNEXATION AREA.

4 (14) "GREYFIELD DEVELOPMENT" MEANS INFILL, REDEVELOPMENT,
5 OR NEW DEVELOPMENT WITHIN AN EXISTING MUNICIPALITY OR CENSUS
6 URBANIZED AREA ON VACANT, PARTIALLY VACANT, OR UNDERUTILIZED
7 LAND THAT TAKES INTO CONSIDERATION DEVELOPMENT READINESS AND
8 MARKET FACTORS.

9 (15) "KEY CORRIDORS" MEANS ROADWAYS AND TRANSIT STOPS
10 SERVED BY URBAN BUS RAPID TRANSIT SERVICES, COMMUTER BUS RAPID
11 TRANSIT SERVICES, AND FREQUENT BUS SERVICES. FOR PURPOSES OF THIS
12 SUBSECTION (15), "FREQUENT BUS SERVICE" MEANS A BUS ROUTE THAT IS
13 SCHEDULED TO RUN AT LEAST EVERY FIFTEEN MINUTES DURING THE
14 HIGHEST FREQUENCY SERVICE HOURS AND IS AT LEAST ONE MILE LONG.

15 (16) "LOCAL GOVERNMENT" MEANS A HOME RULE OR STATUTORY
16 CITY, TOWN, TERRITORIAL CITY OR TOWN, CITY AND COUNTY, OR COUNTY
17 AND HOME RULE COUNTY.

18 (17) "LOCAL INCLUSIONARY ZONING ORDINANCE" MEANS A LOCAL
19 LAW ENACTED PURSUANT TO SECTION 29-20-104 (1)(e.5) TO EITHER
20 REQUIRE OR INCENTIVIZE THE CONSTRUCTION OF AFFORDABLE OR
21 REGULATED AFFORDABLE HOUSING UNITS WITHIN MIXED-INCOME
22 DEVELOPMENTS.

23 (18) "LOCAL LAW" MEANS ANY CODE, LAW, ORDINANCE, POLICY,
24 REGULATION, OR RULE ENACTED BY A LOCAL GOVERNMENT THAT
25 GOVERNS THE DEVELOPMENT AND USE OF LAND, INCLUDING, BUT NOT
26 LIMITED TO, LAND USE CODES, ZONING CODES, AND SUBDIVISION CODES.

27 (19) "METROPOLITAN PLANNING ORGANIZATION" MEANS A

1 METROPOLITAN PLANNING ORGANIZATION UNDER THE "FEDERAL TRANSIT
2 ACT OF 1998", 49 U.S.C. SEC. 5301 ET SEQ., AS AMENDED.

3 (20) (a) "MIDDLE HOUSING" MEANS A TYPE OF HOUSING THAT
4 INCLUDES BETWEEN TWO AND FOUR SEPARATE UNITS IN:

5 (I) A BUILDING DESIGNED AS A SINGLE STRUCTURE;

6 (II) A TOWNHOME BUILDING; OR

7 (III) A COTTAGE CLUSTER.

8 (b) MUNICIPALITIES MAY DEFINE "MIDDLE HOUSING" TO INCLUDE
9 ADDITIONAL HOUSING TYPES AND EXPANDED HOUSING UNIT AMOUNTS, SO
10 LONG AS THE MUNICIPALITY'S DEFINITION IS NOT MORE RESTRICTIVE THAN
11 THE DEFINITION OF "MIDDLE HOUSING" IN SUBSECTION (20)(a) OF THIS
12 SECTION.

13 (21) "MIXED-INCOME DEVELOPMENT" MEANS HOUSING WHERE
14 SOME OF THE HOUSING UNITS WITHIN A PARTICULAR DEVELOPMENT HAVE
15 RESTRICTED RENTAL OR FOR-SALE RATES THAT ARE AFFORDABLE FOR
16 LOW- AND MODERATE-INCOME HOUSEHOLDS AND SOME OF THE UNITS
17 HAVE HIGHER RENTAL OR FOR-SALE RATES.

18 (22) "MIXED-USE DEVELOPMENT" MEANS A DEVELOPMENT
19 PROJECT THAT INTEGRATES MULTIPLE LAND USE TYPES.

20 (23) "MULTI-AGENCY ADVISORY COMMITTEE" MEANS THE
21 COMMITTEE ESTABLISHED IN SECTION 29-33-103.

22 (24) "MULTI-AGENCY GROUP" MEANS A GROUP CREATED IN THE
23 DEPARTMENT OF LOCAL AFFAIRS COMPOSED OF STAFF FROM:

24 (a) THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF
25 LOCAL AFFAIRS;

26 (b) THE COLORADO ENERGY OFFICE;

27 (c) THE DEPARTMENT OF NATURAL RESOURCES; AND

- 1 (d) THE DEPARTMENT OF TRANSPORTATION.
- 2 (25) "MULTIFAMILY HOUSING" MEANS A BUILDING OR GROUP OF
3 BUILDINGS ON THE SAME LOT WITH SEPARATE LIVING UNITS FOR THREE OR
4 MORE HOUSEHOLDS.
- 5 (26) "MUNICIPALITY" MEANS A HOME RULE OR STATUTORY CITY
6 OR TOWN, TERRITORIAL CHARTER CITY OR TOWN, OR CITY AND COUNTY.
- 7 (27) "OBJECTIVE STANDARD" MEANS A STANDARD THAT BOTH:
8 (a) DOES NOT REQUIRE A PUBLIC BODY OR OFFICIAL TO MAKE A
9 PERSONAL OR SUBJECTIVE JUDGMENT; AND
10 (b) IS UNIFORMLY VERIFIABLE OR ASCERTAINABLE BY REFERENCE
11 TO AN EXTERNAL OR UNIFORM BENCHMARK OR CRITERION THAT IS
12 AVAILABLE AND KNOWABLE BY THE DEVELOPMENT APPLICANT OR
13 PROPONENT AND THE PUBLIC BODY OR OFFICIAL PRIOR TO THE
14 DEVELOPMENT APPLICANT OR PROPONENT'S FILING OF A DEVELOPMENT
15 PROPOSAL.
- 16 (28) "POPULATION" MEANS THE CURRENT POPULATION AS
17 REPORTED BY THE STATE DEMOGRAPHY OFFICE.
- 18 (29) "REGULATED AFFORDABLE HOUSING" MEANS AFFORDABLE
19 HOUSING THAT:
20 (a) IS CREATED OR SUPPORTED BY PUBLIC SUBSIDIES, LOCAL
21 INCLUSIONARY ZONING ORDINANCES, OR OTHER REGULATIONS OR
22 PROGRAMS;
23 (b) RESTRICTS OR LIMITS RENTAL OR SALE PRICE; AND
24 (c) RESTRICTS RESIDENT INCOME LEVELS TO LOW- TO
25 MODERATE-INCOME HOUSEHOLD LEVELS FOR A SPECIFIED PERIOD.
- 26 (30) (a) "RURAL RESORT JOB CENTER MUNICIPALITY" MEANS A
27 MUNICIPALITY THAT:

1 (I) IS NOT WITHIN A METROPOLITAN PLANNING ORGANIZATION;

2 (II) HAS A POPULATION OF ONE THOUSAND OR MORE;

3 (III) HAS AT LEAST ONE THOUSAND TWO HUNDRED JOBS
4 ACCORDING TO THE MOST RECENT UNITED STATES CENSUS BUREAU
5 LONGITUDINAL EMPLOYER-HOUSEHOLD DYNAMICS ORIGIN-DESTINATION
6 EMPLOYMENT STATISTICS;

7 (IV) HAS A MINIMUM JOBS-TO-POPULATION RATIO OF SIXTY-FOUR
8 HUNDREDTHS; AND

9 (V) HAS A TRANSIT STOP SERVICED BY A TRANSIT AGENCY THAT
10 SERVES AT LEAST TWO MUNICIPALITIES AND WITH SERVICE THAT INCLUDES
11 AN AVERAGE OF AT LEAST TWENTY TRIPS PER DAY, AS OF JANUARY 1,
12 2023.

13 (b) FOR PURPOSES OF THIS SUBSECTION (30), "TRANSIT AGENCY"
14 MEANS AN ENTITY THAT IS BOTH:

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

21 (II) ELIGIBLE TO RECEIVE MONEY UNDER A GRANT AUTHORIZED BY
22 49 U.S.C. SEC. 5307 OR 49 U.S.C. SEC. 5311.

23 (31) "SHORT-TERM RENTAL" MEANS THE RENTAL OF A LODGING
24 UNIT FOR LESS THAN THIRTY DAYS. AS USED IN THIS SUBSECTION (31),
25 "LODGING UNIT" MEANS ANY PROPERTY OR PORTION OF A PROPERTY THAT
26 IS AVAILABLE FOR LODGING; EXCEPT THAT THE TERM EXCLUDES A HOTEL
27 UNIT. LOCAL GOVERNMENTS MAY APPLY THEIR OWN DEFINITION OF

1 "SHORT-TERM RENTAL" FOR THE PURPOSES OF THIS ARTICLE 33.
2 (32) "SINGLE-UNIT DETACHED DWELLING" MEANS A DETACHED
3 BUILDING WITH A SINGLE DWELLING UNIT AND ON A SINGLE LOT.
4 (33) "STRATEGIC GROWTH AREA" MEANS AN AREA IDENTIFIED
5 PURSUANT TO SECTION 29-33-108 (2)(a) THAT HAS THE POTENTIAL FOR
6 GROWTH AND CHARACTERISTICS THAT MAKE IT A PRIORITY AREA FOR
7 GROWTH IN RELATION TO THE GOALS OF THIS SENATE BILL 23-213.
8 (34) "STRATEGIC GROWTH AND HOUSING MIX ANALYSIS" MEANS
9 A COMPREHENSIVE ANALYSIS THAT IDENTIFIES STRATEGIC GROWTH AREAS,
10 AS DEFINED IN SECTION 29-33-108 (3)(a), THAT CAN BOTH ACCOMMODATE
11 THE HOUSING NEEDS IDENTIFIED IN HOUSING NEEDS ASSESSMENTS AND BE
12 UTILIZED IN THE STRATEGIC GROWTH ELEMENT OF MASTER PLANS, AS
13 DEFINED IN SECTION 31-23-206.
14 (35) "TIER ONE URBAN MUNICIPALITY" MEANS EITHER:
15 (a) A MUNICIPALITY THAT:
16 (I) IS WITHIN A METROPOLITAN PLANNING ORGANIZATION THAT
17 HAS A POPULATION OF ONE MILLION OR MORE;
18 (II) HAS AT LEAST TEN PERCENT OF ITS LAND WITHIN AN AREA
19 THAT IS DESIGNATED AS AN URBANIZED AREA BY THE MOST RECENT
20 FEDERAL DECENNIAL CENSUS WITH A POPULATION GREATER THAN
21 SEVENTY-FIVE THOUSAND; AND
22 (III) HAS A POPULATION OF AT LEAST ONE THOUSAND; OR
23 (b) A MUNICIPALITY THAT:
24 (I) IS WITHIN A METROPOLITAN PLANNING ORGANIZATION THAT
25 HAS A POPULATION OF LESS THAN ONE MILLION; AND
26 (II) HAS A POPULATION OF AT LEAST TWENTY-FIVE THOUSAND.
27 (36) "TIER TWO URBAN MUNICIPALITY" MEANS A MUNICIPALITY

1 THAT DOES NOT SATISFY THE DEFINITION OF A TIER ONE URBAN
2 MUNICIPALITY AND:

3 (a) IS WITHIN A METROPOLITAN PLANNING ORGANIZATION;

4 (b) HAS A POPULATION OF BETWEEN FIVE THOUSAND AND
5 TWENTY-FIVE THOUSAND; AND

6 (c) IS IN A COUNTY WITH A POPULATION OF TWO HUNDRED FIFTY
7 THOUSAND OR MORE.

8 (37) "TOWNHOME" MEANS A SINGLE-UNIT DWELLING UNIT
9 CONSTRUCTED IN A GROUP OF ATTACHED UNITS IN WHICH EACH UNIT
10 EXTENDS FROM FOUNDATION TO ROOF AND HAS OPEN SPACE ON AT LEAST
11 TWO SIDES.

12 (38) "TRANSIT-ORIENTED AREA" MEANS AN AREA WHERE ALL
13 PARCELS HAVE AT LEAST TWENTY-FIVE PERCENT OF THEIR AREA WITHIN
14 ONE-HALF MILE OF AN EXISTING FIXED-RAIL TRANSIT STATION. FOR THE
15 PURPOSES OF THIS SUBSECTION (38), A FIXED-RAIL TRANSIT STATION IS A
16 FIXED-RAIL TRANSIT SERVICE BOARDING AND EXITING LOCATION OR
17 STATION FOR THE GENERAL PUBLIC.

18 (39) "URBAN BUS RAPID TRANSIT SERVICE" MEANS A BUS RAPID
19 TRANSIT SERVICE THAT OPERATES ON A SURFACE STREET FOR THE
20 MAJORITY OF ITS ROUTE.

21 (40) "URBAN MUNICIPALITY" MEANS BOTH A TIER ONE AND A TIER
22 TWO URBAN MUNICIPALITY.

23 **29-33-103. Multi-agency advisory committee - rural resort**
24 **area committee - urban area advisory committee. (1) THERE IS**
25 **HEREBY CREATED IN THE DEPARTMENT OF LOCAL AFFAIRS THE**
26 **MULTI-AGENCY ADVISORY COMMITTEE, REFERRED TO IN THIS SECTION AS**
27 **THE COMMITTEE.**

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

4 (3) (a) THE COMMITTEE CONSISTS OF THIRTEEN VOTING MEMBERS
5 AS FOLLOWS:

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

8 (II) THE EXECUTIVE DIRECTOR OF THE COLORADO ENERGY OFFICE,
9 OF THE EXECUTIVE DIRECTOR'S DESIGNEE;

10 (III) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
11 TRANSPORTATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

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

14 (V) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
15 AGRICULTURE, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

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

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

22 (VIII) ONE MEMBER WHO HAS A BACKGROUND IN LAND USE
23 PLANNING, IS A STAFF-LEVEL REPRESENTATIVE FROM A TIER ONE URBAN
24 MUNICIPALITY, AND IS APPOINTED BY THE PRESIDENT OF THE SENATE;

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

1 (X) ONE MEMBER WHO HAS A BACKGROUND IN LAND USE
2 PLANNING, IS A STAFF-LEVEL REPRESENTATIVE FROM A RURAL RESORT JOB
3 CENTER MUNICIPALITY, AND IS APPOINTED BY THE GOVERNOR;

4 (XI) ONE MEMBER WHO HAS A BACKGROUND IN LAND USE
5 PLANNING, IS A STAFF-LEVEL REPRESENTATIVE FROM A RURAL RESORT JOB
6 CENTER MUNICIPALITY, AND IS APPOINTED BY THE SPEAKER OF THE HOUSE
7 OF REPRESENTATIVES;

8 (XII) ONE MEMBER WHO IS A STAFF-LEVEL REPRESENTATIVE FROM
9 A COUNTY WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE; AND

10 (XIII) ONE MEMBER WHO IS A COMMUNITY REPRESENTATIVE WITH
11 HOUSING EXPERTISE WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE.

12 (b) INITIAL APPOINTMENTS TO THE COMMITTEE MUST BE MADE NO
13 LATER THAN SEPTEMBER 1, 2023.

14 (c) WHEN MAKING APPOINTMENTS TO THE MULTI-AGENCY
15 ADVISORY COMMITTEE, REASONABLE EFFORTS MUST BE MADE TO APPOINT
16 MEMBERS WHO REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY
17 OF THE ENTIRE STATE.

18 (4) EACH MEMBER OF THE COMMITTEE WHO IS APPOINTED
19 PURSUANT TO SUBSECTION (3) OF THIS SECTION SERVES AT THE PLEASURE
20 OF THE OFFICIAL WHO APPOINTED THE MEMBER. THE TERM OF
21 APPOINTMENT IS FOUR YEARS; EXCEPT THAT THE TERM OF EACH MEMBER
22 INITIALLY APPOINTED PURSUANT TO SUBSECTIONS (3)(a)(I), (3)(a)(II),
23 (3)(a)(III), (3)(a)(IV), AND (3)(a)(V) OF THIS SECTION IS TWO YEARS AND
24 THE TERM OF EACH MEMBER INITIALLY APPOINTED PURSUANT TO
25 SUBSECTIONS (3)(a)(VI), (3)(a)(VII), (3)(a)(VIII), (3)(a)(IX), (3)(a)(X),
26 (3)(a)(XI), (3)(a)(XII), AND (3)(a)(XIII) OF THIS SECTION IS ONE YEAR. NO
27 APPOINTED MEMBER OF THE COMMITTEE SHALL SERVE MORE THAN TWO

1 CONSECUTIVE TERMS.

2 (5) (a) THE GOVERNOR SHALL CALL THE FIRST MEETING OF THE
3 COMMITTEE NO LATER THAN OCTOBER 1, 2023.

4 (b) THE COMMITTEE SHALL ELECT A CHAIR FROM AMONG ITS
5 MEMBERS TO SERVE FOR A TERM NOT TO EXCEED TWO YEARS, AS
6 DETERMINED BY THE COMMITTEE. A MEMBER IS NOT ELIGIBLE TO SERVE
7 AS CHAIR FOR MORE THAN TWO SUCCESSIVE TERMS.

8 (c) THE COMMITTEE SHALL MEET AT LEAST ONCE EVERY YEAR.
9 THE CHAIR MAY CALL SUCH ADDITIONAL MEETINGS AS ARE NECESSARY
10 FOR THE COMMITTEE TO COMPLETE ITS DUTIES.

11 (6) THE COMMITTEE SHALL COMPLETE ITS DUTIES AS REQUIRED BY
12 THIS ARTICLE 33.

13 (7) UPON REQUEST BY THE COMMITTEE, THE DEPARTMENT OF
14 LOCAL AFFAIRS SHALL PROVIDE OFFICE SPACE, EQUIPMENT, AND STAFF
15 SERVICES AS MAY BE NECESSARY TO IMPLEMENT THIS SECTION.

16 (8) (a) THERE IS CREATED AS PART OF THE MULTI-AGENCY
17 ADVISORY COMMITTEE THE RURAL RESORT AREA SUBCOMMITTEE.

18 (b) THE RURAL RESORT AREA SUBCOMMITTEE CONSISTS OF AT
19 LEAST ONE OF THE MEMBERS OF THE MULTI-AGENCY COMMITTEE
20 APPOINTED PURSUANT TO SUBSECTION (3)(a)(X) OR (3)(a)(XI) OF THIS
21 SECTION, WHO SHALL SERVE AS THE CHAIR OF THE SUBCOMMITTEE, AND
22 OTHER MEMBERS AS DETERMINED BY THE MULTI-AGENCY'S COMMITTEE
23 BYLAWS TO ENSURE COMMUNITY ENGAGEMENT ACROSS RURAL RESORT
24 JOB CENTER MUNICIPALITIES.

25 (c) IN ACCORDANCE WITH SECTION 29-33-109, THE RURAL RESORT
26 AREA SUBCOMMITTEE SHALL DEVELOP RECOMMENDATIONS TO PRESENT
27 TO THE MULTI-AGENCY COMMITTEE CONCERNING MATTERS RELATED TO

1 RURAL RESORT JOB CENTER MUNICIPALITIES. PRIOR TO FINALIZING ANY
2 RECOMMENDATIONS, THE RURAL RESORT AREA SUBCOMMITTEE SHALL
3 PROVIDE A DRAFT OF THE RECOMMENDATIONS TO ALL RURAL RESORT
4 AREA JOB CENTER MUNICIPALITIES AND SHALL HOLD A PUBLIC HEARING ON
5 SUCH RECOMMENDATIONS NO SOONER THAN SIXTY DAYS AFTER
6 PROVIDING THESE RECOMMENDATIONS.

7 (9) (a) THERE IS CREATED AS PART OF THE MULTI-AGENCY
8 ADVISORY COMMITTEE THE URBAN AREA SUBCOMMITTEE.

9 (b) THE URBAN AREA SUBCOMMITTEE CONSISTS OF AT LEAST ONE
10 OF THE MEMBERS OF THE MULTI-AGENCY COMMITTEE APPOINTED
11 PURSUANT TO SUBSECTIONS (3)(a)(VI), (3)(a)(VII), (3)(a)(VIII), AND
12 (3)(a)(IX) OF THIS SECTION, WHO SHALL SERVE AS THE CHAIR OF THE
13 SUBCOMMITTEE, AND OTHER MEMBERS AS DETERMINED BY THE
14 MULTI-AGENCY'S COMMITTEE BYLAWS TO ENSURE COMMUNITY
15 ENGAGEMENT ACROSS TIER ONE AND TWO URBAN MUNICIPALITIES.

16 (c) IN ACCORDANCE WITH SECTION 29-33-109, THE URBAN AREA
17 SUBCOMMITTEE SHALL DEVELOP RECOMMENDATIONS TO PRESENT TO THE
18 MULTI-AGENCY COMMITTEE CONCERNING MATTERS RELATED TO URBAN
19 MUNICIPALITIES. PRIOR TO FINALIZING ANY RECOMMENDATIONS, THE
20 URBAN AREA SUBCOMMITTEE SHALL PROVIDE A DRAFT OF THE
21 RECOMMENDATION TO ALL TIER ONE AND TIER TWO MUNICIPALITIES AND
22 SHALL HOLD A PUBLIC HEARING ON SUCH RECOMMENDATIONS NO SOONER
23 THAN SIXTY DAYS AFTER PROVIDING THESE RECOMMENDATIONS.

24 **29-33-104. Housing needs assessments - methodology.**

25 (1)(a) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS
26 SHALL ISSUE A METHODOLOGY FOR DEVELOPING STATEWIDE, REGIONAL,
27 AND LOCAL HOUSING NEEDS ASSESSMENTS.

1 (b) THE MULTI-AGENCY ADVISORY COMMITTEE, IN CONSULTATION
2 WITH THE STATE DEMOGRAPHY OFFICE, SHALL, AS PART OF THE PUBLIC
3 COMMENT AND HEARING PROCESS ESTABLISHED IN SECTION 29-33-109(2),
4 DEVELOP RECOMMENDATIONS TO PROVIDE TO THE EXECUTIVE DIRECTOR
5 OF THE DEPARTMENT OF LOCAL AFFAIRS CONCERNING THE METHODOLOGY
6 FOR DEVELOPING STATEWIDE, REGIONAL, AND LOCAL HOUSING NEEDS
7 ASSESSMENTS.

8 (2) THE METHODOLOGY FOR DEVELOPING HOUSING NEEDS
9 ASSESSMENTS MAY INCLUDE:

10 (a) FOR THE STATEWIDE HOUSING NEEDS ASSESSMENT, METHODS
11 TO:

12 (I) ESTIMATE EXISTING HOUSING STOCK;

13 (II) CONDUCT A HOUSING SHORTAGE ANALYSIS;

14 (III) ESTIMATE THE HOUSING NECESSARY TO ACCOMMODATE THE
15 DEMOGRAPHIC AND POPULATION TRENDS FORECAST BY THE STATE
16 DEMOGRAPHY OFFICE, CATEGORIZED BY HOUSEHOLD SIZE; HOUSEHOLD
17 TYPE, INCLUDING FOR SUPPORTIVE, FOR-SALE, AND RENTAL HOUSING; AND
18 INCOME LEVEL, INCLUDING EXTREMELY LOW-INCOME, VERY LOW-INCOME,
19 AND LOW-INCOME HOUSEHOLDS AS DEFINED BY THE UNITED STATES
20 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND

21 (IV) ENSURE LOCAL GOVERNMENT INPUT AND COORDINATION.

22 (b) FOR REGIONAL HOUSING NEEDS ASSESSMENTS, METHODS TO:

23 (I) ASSESS REGIONAL HOUSING NEEDS FOR EACH REGION, BASED
24 ON:

25 (A) EXISTING AND PROJECTED HOUSING SHORTAGES AND
26 SURPLUSES FOR DIFFERENT HOUSEHOLD TYPES AND INCOME LEVELS,
27 INCLUDING EXTREMELY LOW-INCOME, VERY LOW-INCOME, AND

1 LOW-INCOME HOUSEHOLDS AS DEFINED BY THE UNITED STATES
2 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT;

3 (B) EXISTING HOUSING DIVERSITY AND STOCK;

4 (C) CURRENT JOBS BY INCOME LEVEL;

5 (D) FUTURE POPULATION AND JOB GROWTH PROJECTIONS; AND

6 (E) DEMOGRAPHIC AND POPULATION TRENDS FORECAST BY THE
7 STATE DEMOGRAPHY OFFICE; AND

8 (II) DESIGNATE REGIONS BASED ON THE BOUNDARIES OF
9 METROPOLITAN PLANNING ORGANIZATIONS, RURAL REGIONS, AND RURAL
10 RESORT REGIONS. THE DESIGNATION OF RURAL REGIONS AND RURAL
11 RESORT REGIONS MUST BE BASED ON REGIONAL COMMUTING PATTERNS
12 AMONG OTHER FACTORS.

13 (c) FOR LOCAL HOUSING NEEDS ASSESSMENTS, METHODS TO
14 ASSESS LOCAL HOUSING NEEDS FOR EACH LOCAL GOVERNMENT, BASED ON:

15 (I) THE CURRENT PROPORTION OF THE LOCALITY'S POPULATION IN
16 DIFFERENT HOUSEHOLD INCOME LEVELS, INCLUDING EXTREMELY
17 LOW-INCOME, VERY LOW-INCOME, AND LOW-INCOME HOUSEHOLDS AS
18 DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
19 DEVELOPMENT;

20 (II) THE LOCALITY'S CURRENT MEDIAN INCOME;

21 (III) THE LOCALITY'S JOB-HOUSING BALANCE, INCLUDING THE
22 AVAILABILITY OF HOUSING AFFORDABLE TO LOW-INCOME WORKERS IN THE
23 LOCALITY;

24 (IV) THE LOCALITY'S POPULATION AND DEMOGRAPHICS;

25 (V) MEASURES OF LOCAL RESOURCES IN THE LOCALITY;

26 (VI) VACANCY RATES IN THE LOCALITY;

27 (VII) MEASURES OF HOMELESSNESS AND HOUSING INSTABILITY IN

1 THE LOCALITY; AND

2 (VIII) DEMOGRAPHIC AND POPULATION TRENDS FORECAST BY THE
3 STATE DEMOGRAPHY OFFICE.

4 (3) (a) NO LATER THAN DECEMBER 31, 2024, AND EVERY SIX
5 YEARS THEREAFTER, IN ACCORDANCE WITH THE METHODOLOGIES FOR
6 DEVELOPING HOUSING NEEDS ASSESSMENTS, THE EXECUTIVE DIRECTOR OF
7 THE DEPARTMENT OF LOCAL AFFAIRS, WITH INPUT FROM THE
8 MULTI-AGENCY ADVISORY COMMITTEE, SHALL PRODUCE STATEWIDE,
9 REGIONAL, AND LOCAL HOUSING NEEDS ASSESSMENTS WITH TWENTY-YEAR
10 PLANNING FORECASTS.

11 (b) EACH OF THE ASSESSMENTS MUST INCLUDE FOR THE RELEVANT
12 AREA, BASED ON STATE DEMOGRAPHIC DATA DURING THE TWENTY-YEAR
13 PLANNING PERIOD, ESTIMATES OF:

14 (I) HOUSING NEEDS IN THE AREA SORTED BY INCOME LEVELS,
15 INCLUDING EXTREMELY LOW-INCOME, VERY LOW-INCOME, AND
16 LOW-INCOME HOUSEHOLDS AS DEFINED BY THE UNITED STATES
17 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND UNIT TYPES,
18 INCLUDING ACCESSIBLE UNITS, SUPPORTIVE HOUSING, FOR-SALE HOUSING
19 AND RENTAL HOUSING;

20 (II) THE NUMBER OF HOUSEHOLDS IN THE AREA;

21 (III) THE NUMBER OF JOBS IN THE AREA;

22 (IV) THE AREA'S POPULATION AND DEMOGRAPHICS; AND

23 (V) THE AREA'S EXISTING HOUSING STOCK;

24 (c) MUNICIPALITIES THAT ARE REQUIRED TO COMPLETE HOUSING
25 NEEDS PLANS MAY USE THE LOCAL AND REGIONAL HOUSING NEEDS
26 ASSESSMENTS TO INFORM THEIR HOUSING NEEDS PLANS.

27 **29-33-105. Housing needs plans - guidance - definition.**

1 (1) (a) NO LATER THAN DECEMBER 31, 2024, THE EXECUTIVE DIRECTOR
2 OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL ISSUE GUIDANCE FOR
3 CREATING A HOUSING NEEDS PLAN.

4 (b) THE MULTI-AGENCY ADVISORY COMMITTEE SHALL, AS PART OF
5 THE PUBLIC COMMENT AND HEARING PROCESS ESTABLISHED IN SECTION
6 29-33-109 (2), DEVELOP RECOMMENDATIONS TO PROVIDE TO THE
7 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS
8 CONCERNING GUIDANCE FOR CREATING A HOUSING NEEDS PLAN.

9 (2) THE GUIDANCE FOR CREATING A HOUSING NEEDS PLAN MUST
10 INCLUDE GUIDANCE SPECIFICALLY FOR URBAN MUNICIPALITIES.

11 (3) (a) NO LATER THAN DECEMBER 31, 2026, AND EVERY SIX
12 YEARS THEREAFTER, IN ACCORDANCE WITH THE GUIDANCE FOR CREATING
13 A HOUSING NEEDS PLAN, EVERY URBAN MUNICIPALITY SHALL DEVELOP,
14 ADOPT, AND SUBMIT TO THE DEPARTMENT OF LOCAL AFFAIRS A HOUSING
15 NEEDS PLAN. THE DEPARTMENT OF LOCAL AFFAIRS SHALL POST THE
16 SUBMITTED PLANS PUBLICLY ON ITS WEBSITE.

17 (b) BEFORE ADOPTING AND SUBMITTING A HOUSING NEEDS PLAN,
18 AN URBAN MUNICIPALITY SHALL PUBLISH THE MOST RECENT DRAFT OF ITS
19 HOUSING NEEDS PLAN AND PROVIDE NOTICE OF A PUBLIC COMMENT PERIOD
20 FOR THE RECEIPT OF WRITTEN COMMENTS CONCERNING THE PLAN. THE
21 URBAN MUNICIPALITY MAY ALSO CHOOSE TO HOLD A PUBLIC HEARING ON
22 THE PLAN.

23 (c) ON OR BEFORE JUNE 30, 2024, AND ON OR BEFORE JUNE 30
24 EVERY SIX YEARS THEREAFTER, A TIER ONE OR TIER TWO URBAN
25 MUNICIPALITY WITH A POPULATION OF LESS THAN TWENTY-FIVE
26 THOUSAND AND AN ANNUAL MEDIAN HOUSEHOLD INCOME OF LESS THAN
27 FIFTY-FIVE THOUSAND DOLLARS NEED NOT SUBMIT A HOUSING NEEDS PLAN

1 TO THE DEPARTMENT OF LOCAL AFFAIRS, IF THE MUNICIPALITY INSTEAD
2 SENDS A LETTER TO THE DEPARTMENT IN A FORM AND MANNER
3 DETERMINED BY THE DEPARTMENT INDICATING THAT THE MUNICIPALITY
4 DOES NOT INTEND TO SUBMIT A HOUSING NEEDS PLAN.

5 (4) A HOUSING NEEDS PLAN MUST INCLUDE:

6 (a) A NARRATIVE DESCRIPTION OF THE STAKEHOLDER
7 ENGAGEMENT CONDUCTED DURING THE DEVELOPMENT OF THE HOUSING
8 NEEDS PLAN;

9 (b) AN ANALYSIS OF HOW THE URBAN MUNICIPALITY WILL PROVIDE
10 A REALISTIC OPPORTUNITY FOR DEVELOPMENT THAT WILL ADDRESS ITS
11 LOCAL HOUSING NEEDS ASSESSMENT, INCLUDING THE DEMONSTRATED
12 HOUSING NEEDS FOR PERSONS OF DIFFERENT AGES AND INCOME LEVELS,
13 OVER THE NEXT TWENTY YEARS WITH AN EQUITABLE DISTRIBUTION OF
14 HOUSING WITHIN THE JURISDICTION;

15 (c) A HOUSING NEEDS IMPLEMENTATION PLAN, WHICH MUST
16 DESCRIBE THE STRATEGIES THAT THE URBAN MUNICIPALITY WILL PURSUE
17 TO MEET ITS HOUSING NEEDS, INCLUDING THE IDENTIFICATION OF HOUSING
18 RESOURCES, CHANGES TO LOCAL LAWS, AND OTHER STRATEGIES SUCH AS
19 THOSE IN THE MENU OF AFFORDABILITY STRATEGIES CREATED IN SECTION
20 29-33-106;

21 (d) A DESCRIPTION OF ANY STRATEGIES THAT THE URBAN
22 MUNICIPALITY ADOPTS OR HAS PREVIOUSLY ADOPTED FROM THE MENU OF
23 AFFORDABILITY STRATEGIES DESCRIBED IN SECTION 29-33-106. THESE
24 STRATEGIES SHOULD MAKE PROGRESS TOWARD MEETING DEMONSTRATED
25 HOUSING NEEDS ACROSS ALL HOUSEHOLD INCOMES AND TYPES; AND

26 (e) IN THE CASE OF AN URBAN MUNICIPALITY, A NARRATIVE
27 ANALYSIS OF ANY AREA AT ELEVATED RISK OF RESIDENTIAL

1 DISPLACEMENT THAT THE URBAN MUNICIPALITY HAS IDENTIFIED AND A
2 DESCRIPTION OF AND IMPLEMENTATION PLAN FOR ANY STRATEGIES FROM
3 THE MENU OF DISPLACEMENT MITIGATION MEASURES DESCRIBED IN
4 SECTION 29-33-107, THAT THE URBAN MUNICIPALITY WILL USE TO
5 MITIGATE IDENTIFIED DISPLACEMENT RISKS IN THESE AREAS.

6 (5) WHEN UPDATING ITS MASTER PLAN, AN URBAN MUNICIPALITY
7 SHALL INCLUDE ITS MOST RECENT HOUSING NEEDS PLAN IN ITS MASTER
8 PLAN.

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

18 (7) (a) A COUNTY OR MUNICIPALITY WITHIN A REGION DEFINED IN
19 THE REGIONAL HOUSING NEEDS ASSESSMENT MAY PARTICIPATE IN A
20 REGIONAL HOUSING NEEDS PLANNING PROCESS.

21 (b) A REGIONAL HOUSING NEEDS PLANNING PROCESS MAY BE LED
22 BY A REGIONAL ENTITY AND MUST ENCOURAGE PARTICIPATING COUNTIES
23 AND MUNICIPALITIES TO IDENTIFY STRATEGIES THAT IMPROVE
24 COORDINATION BETWEEN ENTITIES TO MEET THE HOUSING NEEDS
25 IDENTIFIED FOR THOSE LOCAL GOVERNMENTS IN THE REGIONAL AND
26 LOCAL HOUSING NEEDS ASSESSMENTS.

27 (8) (a) THE MULTI-AGENCY COMMITTEE CREATED IN SECTION

1 29-33-103 SHALL PROVIDE GUIDANCE FOR THE COMPLETION OF A
2 STRATEGIC GROWTH AND HOUSING MIX ANALYSIS.

3 (b) IN COMPLETING A STRATEGIC GROWTH AND HOUSING MIX
4 ANALYSIS, A METROPOLITAN PLANNING ORGANIZATION OR A
5 MUNICIPALITY MUST:

6 (I) COMPREHENSIVELY IDENTIFY AREAS THAT CAN BE DEVELOPED
7 OR REDEVELOPED AND THAT QUALIFY AS STRATEGIC GROWTH AREAS;

8 (II) PRIORITIZE STRATEGIC GROWTH AREAS WITHIN EXISTING
9 CENSUS-DEFINED URBANIZED AREAS, AND INCLUDE GUIDANCE FOR THE
10 LOCATION OF MIDDLE AND MULTIFAMILY HOUSING;

11 (III) DEVELOP SCENARIOS THAT EVALUATE THE IMPACTS OF
12 PRIORITIZING GROWTH IN STRATEGIC GROWTH AREAS IN COMPARISON TO
13 EXISTING GROWTH PATTERNS. THESE SCENARIOS MUST ADDRESS THE
14 FISCAL IMPACTS ON INFRASTRUCTURE OF GROWTH PATTERNS IN ADDITION
15 TO OTHER PERFORMANCE MEASURES AS IDENTIFIED BY THE
16 METROPOLITAN PLANNING ORGANIZATION. METROPOLITAN PLANNING
17 ORGANIZATIONS AND MUNICIPALITIES MAY UTILIZE PREVIOUS SCENARIO
18 ANALYSES IN SATISFYING THIS SUBSECTION (8)(b)(III).

19 (IV) EVALUATE THE EXISTING ZONING AND DENSITY PERMITTED
20 WITHIN STRATEGIC GROWTH AREAS; AND

21 (V) USE A METHOD THAT ALLOWS A MUNICIPALITY TO EFFICIENTLY
22 UTILIZE THE INFORMATION IN THE STRATEGIC GROWTH AND HOUSING MIX
23 ANALYSIS IN THE DEVELOPMENT OF THE STRATEGIC GROWTH ELEMENT OF
24 THE MUNICIPALITY'S MASTER PLAN, REQUIRED PURSUANT TO SECTION
25 31-23-206.

26 (c) (I) ON OR BEFORE DECEMBER 31, 2025, A METROPOLITAN
27 PLANNING ORGANIZATION WITH A POPULATION OF TWO HUNDRED FIFTY

1 THOUSAND OR MORE SHALL, IN CONSULTATION WITH THE RELEVANT
2 COUNTIES AND MUNICIPALITIES, COMPLETE A STRATEGIC GROWTH AND
3 HOUSING MIX ANALYSIS.

4 (II) ON OR BEFORE DECEMBER 31, 2025, A MUNICIPALITY WITH A
5 POPULATION OF FIFTY THOUSAND OR MORE THAT IS WITHIN A
6 METROPOLITAN PLANNING ORGANIZATION WITH A POPULATION OF LESS
7 THAN TWO HUNDRED FIFTY THOUSAND SHALL COMPLETE A STRATEGIC
8 GROWTH AND HOUSING MIX ANALYSIS.

9 **29-33-106. Menu of urban municipality affordability**
10 **strategies.** IN ORDER TO SUPPORT AFFORDABILITY AND ADVANCE
11 MEETING THE HOUSING NEEDS OF ALL INCOME LEVELS IDENTIFIED IN THE
12 LOCAL HOUSING NEEDS ASSESSMENT, INCLUDING EXTREMELY
13 LOW-INCOME, VERY LOW-INCOME, AND LOW-INCOME HOUSEHOLDS AS
14 DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
15 DEVELOPMENT, THE MENU OF AFFORDABILITY STRATEGIES FOR AN URBAN
16 MUNICIPALITY MUST INCLUDE THE FOLLOWING:

17 (1) IMPLEMENTATION OF A LOCAL INCLUSIONARY ZONING
18 ORDINANCE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS
19 29-20-104 (e.5) AND (e.7);

20 (2) THE CREATION OF A PROGRAM TO SUBSIDIZE OR OTHERWISE
21 REDUCE LOCAL DEVELOPMENT REVIEW OR FEES, INCLUDING:

- 22 (a) BUILDING PERMIT FEES;
- 23 (b) PLANNING WAIVERS;
- 24 (c) WATER AND SEWER TAP FEES; AND
- 25 (d) INFRASTRUCTURE COSTS FOR REGULATED AFFORDABLE
26 HOUSING DEVELOPMENT;

27 (3) THE CREATION OF AN EXPEDITED DEVELOPMENT REVIEW

1 PROCESS FOR REGULATED AFFORDABLE HOUSING DEVELOPMENTS;

2 (4) THE ESTABLISHMENT OF A DENSITY BONUS PROGRAM THAT
3 GRANTS INCREASED FLOOR AREA RATIO, DENSITY, OR HEIGHT TO INCREASE
4 THE CONSTRUCTION OF REGULATED AFFORDABLE HOUSING UNITS;

5 (5) ENABLING REGULATED AFFORDABLE HOUSING AS A USE BY
6 RIGHT IN HOUSING TYPES AND AREAS CONSISTENT WITH THE GOALS OF
7 INCREASING HOUSING AFFORDABILITY, SUPPLY, AND HOUSING UNIT TYPE
8 DIVERSITY;

9 (6) THE ESTABLISHMENT OF A POLICY OR PLAN TO LEVERAGE
10 MUNICIPALLY OWNED, SOLD, OR MANAGED LAND FOR REGULATED
11 AFFORDABLE HOUSING DEVELOPMENT;

12 (7) THE ESTABLISHMENT OF A DEDICATED LOCAL REVENUE SOURCE
13 FOR REGULATED AFFORDABLE HOUSING DEVELOPMENT, SUCH AS
14 INSTITUTING A LINKAGE FEE ON NEW DEVELOPMENTS;

15 (8) THE REGULATION OF SHORT-TERM RENTALS OR SECOND HOMES
16 IN A WAY THAT SUPPORTS LOCAL HOUSING NEEDS;

17 (9) THE ELIMINATION OF LOCAL PARKING REQUIREMENTS FOR
18 REGULATED AFFORDABLE HOUSING;

19 (10) MAKING COMMITMENT TO AND REMAINING ELIGIBLE FOR THE
20 STATE AFFORDABLE HOUSING FUND CREATED IN SECTION 29-32-102 (1);

21 (11) INCENTIVIZING OR CREATING A DEDICATED LOCAL PROGRAM
22 TO FACILITATE INVESTMENT IN LAND BANKING OR COMMUNITY LAND
23 TRUSTS;

24 (12) ADOPTING A WATER ALLOCATION POLICY BY A UTILITY
25 PROVIDER THAT PRIORITIZES WATER SUPPLIES FOR AFFORDABLE OR DENSE
26 HOUSING TYPES OVER LESS EFFICIENT HOUSING OR OTHER LESS CRITICAL
27 USES;

1 (13) ESTABLISHING A POLICY TO ALIGN INFRASTRUCTURE
2 STRATEGIES WITH THE NEEDS IDENTIFIED IN THE RELEVANT LOCAL
3 HOUSING NEEDS ASSESSMENT. POLICIES MAY INCLUDE THE PRIORITIZATION
4 OF UTILITIES AND AVAILABLE AND USABLE WATER RIGHTS, COST
5 EXEMPTIONS, AND DISCOUNTS, FOR REGULATED AFFORDABLE HOUSING
6 THAT MEETS ANY NEEDS IDENTIFIED IN THE RELEVANT LOCAL HOUSING
7 NEEDS ASSESSMENT; AND

8 (14) ANY OTHER STRATEGIES PROPOSED BY A LOCAL GOVERNMENT
9 OR THE MULTI-AGENCY ADVISORY COMMITTEE THAT ARE APPROVED BY
10 THE DEPARTMENT OF LOCAL AFFAIRS AND THAT SUPPORT EQUAL OR
11 GREATER AFFORDABILITY CONSISTENT WITH THE NEEDS IDENTIFIED IN THE
12 RELEVANT LOCAL HOUSING NEEDS ASSESSMENT.

13 **29-33-107. Displacement assessments - displacement**
14 **mitigation measures. (1) (a) No LATER THAN MARCH 31, 2024, THE**
15 **EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL**
16 **DEVELOP GUIDANCE, AFTER CONSULTATION WITH COMMUNITY GROUPS**
17 **EXPERIENCED IN WORKING WITH INDIVIDUALS WHO HAVE BEEN DISPLACED**
18 **OR PREVENTING DISPLACEMENT, TO GUIDE MUNICIPALITIES IN**
19 **CONDUCTING DISPLACEMENT ASSESSMENTS AND ADOPTING DISPLACEMENT**
20 **MITIGATION MEASURES. THE ASSESSMENT SHALL BE DESIGNED WITH THE**
21 **GOAL OF PROVIDING URBAN MUNICIPALITIES WITH ADEQUATE GUIDANCE**
22 **AND TOOLS TO PREVENT DISPLACEMENT FROM AREAS, COMMUNITIES, OR**
23 **HOUSEHOLDS AT HIGH RISK FOR DISPLACEMENT.**

24 (b) THE MULTI-AGENCY ADVISORY COMMITTEE SHALL, AS PART OF
25 THE PUBLIC COMMENT AND HEARING PROCESS ESTABLISHED IN SECTION
26 29-33-109 (2), DEVELOP RECOMMENDATIONS TO PROVIDE TO THE
27 EXECUTIVE DIRECTOR OF LOCAL AFFAIRS CONCERNING THE DEVELOPMENT

1 OF A MENU OF DISPLACEMENT MITIGATION MEASURES.

2 (2) THE MENU OF DISPLACEMENT MITIGATION MEASURES MUST:

3 (a) PROVIDE GUIDANCE TO IDENTIFY THE AREAS AT THE HIGHEST

4 RISKS FOR DISPLACEMENT USING OBJECTIVE STANDARDS. THIS

5 ASSESSMENT MUST INCLUDE FACTORS THAT CAN BE USED TO IDENTIFY

6 RISKS FOR DISPLACEMENT AT THE CENSUS TRACT OR OTHER SIMILAR

7 GEOGRAPHIC SCALE. THE FACTORS MUST INCLUDE, BUT ARE NOT LIMITED

8 TO, THE FOLLOWING:

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

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

11 (III) THE PERCENTAGE OF COST-BURDENED HOUSEHOLDS, DEFINED

12 AS SPENDING MORE THAN THIRTY PERCENT OF THE RESIDENT'S INCOME ON

13 HOUSING NEEDS;

14 (IV) THE NUMBER OF ADULTS WHO ARE TWENTY-FIVE YEARS OF

15 AGE OR OLDER AND HAVE NOT EARNED AT LEAST A HIGH SCHOOL

16 DIPLOMA;

17 (V) THE PERCENTAGE OF HOUSEHOLDS IN WHICH THE PRIMARY

18 LANGUAGE THAT IS SPOKEN IS A LANGUAGE OTHER THAN ENGLISH;

19 (VI) THE PERCENTAGE OF RESIDENTS WHO WERE BORN OUTSIDE OF

20 THE UNITED STATES;

21 (VII) PERCENTAGE OF WORKERS WHO LIVE WITHIN A TEN-MILE

22 RADIUS OF THE URBAN MUNICIPALITY OR TWENTY-MILE RADIUS OF A

23 RURAL RESORT JOB CENTER;

24 (VIII) THE EMPLOYMENT RATE; AND

25 (IX) THE PERCENTAGE OF HOUSEHOLDS THAT DO NOT HAVE

26 INTERNET ACCESS;

27 (b) PROVIDE GUIDANCE AND RECOMMENDATIONS FOR HOW A

1 LOCAL GOVERNMENT SHALL INCORPORATE DISPLACEMENT MITIGATION
2 MEASURES INTO A HOUSING NEEDS PLAN; AND

3 (c) INCLUDE DISPLACEMENT MITIGATION MEASURES LOCAL
4 GOVERNMENTS MAY CHOOSE FROM IN DEVELOPING A HOUSING NEEDS
5 PLAN.

6 (3) THE DEPARTMENT OF LOCAL AFFAIRS SHALL PROVIDE
7 TECHNICAL ASSISTANCE AND FUNDING TO SUPPORT URBAN MUNICIPALITIES
8 IN CONDUCTING DISPLACEMENT ASSESSMENT AND IN IDENTIFYING
9 DISPLACEMENT MITIGATION MEASURES TO ADDRESS THE RISK OF
10 DISPLACEMENT IN THE AREAS AT THE HIGHEST RISK OF DISPLACEMENT.

11 **29-33-108. Strategic growth objectives - reporting.** (1) (a) No
12 LATER THAN MARCH 31, 2024, THE EXECUTIVE DIRECTOR OF THE
13 DEPARTMENT OF LOCAL AFFAIRS SHALL PUBLISH A REPORT THAT
14 IDENTIFIES MULTI-AGENCY IMPLEMENTATION PRINCIPLES TO ACHIEVE
15 STRATEGIC GROWTH OBJECTIVES. THE EXECUTIVE DIRECTOR SHALL
16 UPDATE THIS REPORT EVERY SIX YEARS.

17 (b) THE MULTI-AGENCY ADVISORY COMMITTEE SHALL, AS PART OF
18 THE PUBLIC COMMENT AND HEARING PROCESS ESTABLISHED IN SECTION
19 29-33-109 (2), DEVELOP RECOMMENDATIONS TO PROVIDE TO THE
20 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS
21 CONCERNING THE REPORT DESCRIBED IN SUBSECTION (1)(a) OF THIS
22 SECTION.

23 (2) STRATEGIC GROWTH OBJECTIVES SERVE AS BROAD GUIDANCE
24 TO STATE AGENCIES AND OTHER ENTITIES ENGAGED IN THE
25 IMPLEMENTATION OF SENATE BILL 23-213, ARE INTENDED TO AID IN
26 REACHING THE HOUSING AND LAND USE GOALS OF SENATE BILL 23-213 AS
27 IDENTIFIED IN SUBSECTION (4) OF THIS SECTION, AND ARE TO BE UTILIZED

1 IN DEVELOPING MULTI-AGENCY IMPLEMENTATION PRINCIPLES FOR
2 STRATEGIC GROWTH OBJECTIVES. STRATEGIC GROWTH OBJECTIVES MUST
3 BE DRAFTED IN A WAY THAT, AT A MINIMUM:

4 (a) DEFINES STRATEGIC GROWTH AREAS AS AREAS WITHIN
5 EXISTING CENSUS URBANIZED AREAS THAT INCLUDE AREAS:

6 (I) WITHIN KEY CORRIDORS AND TRANSIT-ORIENTED AREAS;

7 (II) THAT ARE VACANT, PARTIALLY VACANT, AND UNDERUTILIZED
8 LAND;

9 (III) THAT CAN ACCOMMODATE INFILL DEVELOPMENT,
10 REDEVELOPMENT, AND NEW DEVELOPMENT;

11 (IV) THAT CAN ACCOMMODATE INFILL DEVELOPMENT,
12 REDEVELOPMENT, AND NEW DEVELOPMENT;

13 (V) THAT INCLUDE GREYFIELD DEVELOPMENT, BROWNFIELD
14 DEVELOPMENT, AND GREENFIELD DEVELOPMENT;

15 (VI) THAT INCLUDE A VARIETY OF HOUSING TYPES AT DENSITY
16 LEVELS THAT SUPPORT FREQUENT TRANSIT SERVICE, FOR BOTH EXISTING
17 AND FUTURE TRANSIT CORRIDORS;

18 (VII) THAT INCLUDE MIDDLE HOUSING AND MULTIFAMILY
19 HOUSING IN EXISTING OR FUTURE WALKABLE MIXED-USE NEIGHBORHOODS
20 AND CENTERS;

21 (VIII) WITH SUFFICIENT WATER SUPPLIES AND ALLOCATIONS TO
22 AFFORDABLE AND WATER-EFFICIENT HOUSING TYPES; AND

23 (IX) BEYOND EXISTING A CENSUS URBANIZED AREA EXPERIENCING
24 GROWTH MAY BE CONSIDERED A STRATEGIC GROWTH AREA IF IT MEETS
25 THE CRITERIA IN SUBSECTIONS (2)(a)(VI), (2)(a)(VII), AND (2)(a)(VIII) OF
26 THIS SECTION;

27 (b) REQUIRES STATE AGENCIES TO CONSIDER THE DIFFERENT

1 CONTEXTS AND NEEDS OF STRATEGIC GROWTH AREAS IN RURAL, RURAL
2 RESORT, AND URBAN AREAS OF THE STATE;

3 (c) PROMOTES INVESTMENTS THAT SUPPORT STRATEGIC GROWTH
4 AREAS;

5 (d) STREAMLINES AGENCY PERMITTING PROCESSES TO SUPPORT
6 STRATEGIC GROWTH AREAS;

7 (e) REQUIRES PROJECT PRIORITIZATION PROCESSES AND GRANT
8 PROGRAMS TO SUPPORT STRATEGIC GROWTH AREAS;

9 (f) CONSIDERS STEPS TO SUPPORT STRATEGIC GROWTH OBJECTIVES
10 WHEN UPDATING PLANNING DOCUMENTS, INCLUDING PERFORMANCE
11 MEASURES AND PERFORMANCE TARGETS; AND

12 (g) ALLOWS FOR THE IDENTIFICATION OF NEW STRATEGIC GROWTH
13 OBJECTIVES AS NEEDED DURING THE IMPLEMENTATION OF THE
14 MULTI-AGENCY IMPLEMENTATION PRINCIPLES IDENTIFIED IN SUBSECTION
15 (1)(a) OF THIS SECTION.

16 (3) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
17 AFFAIRS MAY IDENTIFY AND DEFINE ADDITIONAL STRATEGIC GROWTH
18 OBJECTIVES BEYOND THOSE IDENTIFIED IN SUBSECTION (2) OF THIS
19 SECTION.

20 (4) FOR THE PURPOSES OF THIS SECTION, THE HOUSING AND LAND
21 USE GOALS OF SENATE BILL 23-213 INCLUDE:

22 (a) PLANNING FOR FUTURE GROWTH;

23 (b) INCREASING HOUSING AFFORDABILITY AND ACCESSIBILITY;

24 (c) INCREASING ECONOMIC MOBILITY;

25 (d) ALIGNING WATER SUPPLY AND HOUSING PLANNING;

26 (e) BALANCING REGIONAL JOBS AND HOUSING;

27 (f) REDUCING AIR POLLUTION AND GREENHOUSE GAS EMISSIONS;

1 AND

2 (g) PRESERVING OPEN SPACE AND AGRICULTURAL LAND.

3 (5) (a) NO LATER THAN JUNE 30, 2025, THE MULTI-AGENCY GROUP
4 SHALL SUBMIT A REPORT TO THE EXECUTIVE DIRECTOR OF THE
5 DEPARTMENT OF LOCAL AFFAIRS WITH REVIEW AND CO-SUBMITTAL FROM
6 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES
7 WHO SHALL SUBMIT THE REPORT TO THE GENERAL ASSEMBLY.

8 (b) THE REPORT MUST ASSESS BOTH:

9 (I) THE AVAILABILITY AND SUFFICIENCY OF WATER SUPPLIES IN
10 COUNTIES WITH A POPULATION GREATER THAN TWO HUNDRED AND FIFTY
11 THOUSAND TO PROVIDE FOR ANTICIPATED GROWTH AND DEVELOPMENT;

12 AND

13 (II) POLICY OPTIONS TO OPTIMIZE WATER SUPPLY AND
14 DEVELOPMENT.

15 (6) ON OR BEFORE DECEMBER 31, 2023, THE MULTI-AGENCY
16 COMMITTEE CREATED IN SECTION 29-33-103 SHALL SUBMIT A REPORT TO
17 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION,
18 WHO SHALL SUBMIT THE REPORT TO THE GENERAL ASSEMBLY,
19 IDENTIFYING KEY CORRIDORS FOR URBAN BUS RAPID TRANSIT SERVICE AND
20 FREQUENT BUS SERVICE.

21 (7) NO LATER THAN DECEMBER 31, 2023, THE MULTI-AGENCY
22 COMMITTEE CREATED IN SECTION 29-33-103 SHALL DELIVER A REPORT TO
23 THE GENERAL ASSEMBLY CONCERNING LEGISLATIVE AND ADMINISTRATIVE
24 RECOMMENDATIONS TO ADDRESS LONG-TERM HOUSING SUPPLY AND
25 AFFORDABILITY NEEDS, IN A MANNER THAT CONSERVES WATER, OPEN
26 SPACE AND AGRICULTURAL LAND, REDUCES GREENHOUSE GAS AND AIR
27 POLLUTION, AND REDUCES LONG-TERM INFRASTRUCTURE COSTS.

1 **29-33-109. Public comment and hearing process.** (1) IN
2 DEVELOPING RECOMMENDATIONS CONCERNING GUIDANCE FOR THE
3 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS, THE
4 MULTI-AGENCY ADVISORY COMMITTEE CREATED IN SECTION 29-33-103
5 (1), RURAL RESORT AREA SUBCOMMITTEE CREATED IN SECTION 29-33-103
6 (8), OR THE URBAN AREA SUBCOMMITTEE CREATED IN SECTION 29-33-103
7 (9), SHALL CONDUCT A PUBLIC COMMENT AND HEARING PROCESS ABOUT:
8 (a) DEVELOPING METHODOLOGY FOR THE DEVELOPMENT OF
9 STATEWIDE, REGIONAL, AND LOCAL HOUSING NEEDS ASSESSMENTS
10 PURSUANT TO SECTION 29-33-104;
11 (b) CREATING A HOUSING NEEDS PLAN PURSUANT TO SECTION
12 29-33-105;
13 (c) DEVELOPING A MENU OF AFFORDABILITY STRATEGIES THAT
14 INCLUDES STRATEGIES TO ADDRESS HOUSING PRODUCTION,
15 PRESERVATION, AND AFFORDABILITY PURSUANT TO SECTION 29-33-106;
16 (d) DEVELOPING A MENU OF DISPLACEMENT MITIGATION
17 MEASURES FOR URBAN MUNICIPALITIES PURSUANT TO SECTION 29-33-107;
18 (e) PUBLISHING A REPORT THAT IDENTIFIES STRATEGIC GROWTH
19 OBJECTIVES PURSUANT TO SECTION 29-33-108; AND
20 (f) DEVELOPING REPORTING GUIDANCE AND TEMPLATES FOR
21 RURAL RESORT JOB CENTER MUNICIPALITIES AND URBAN MUNICIPALITIES
22 PURSUANT TO SECTION 29-33-113.
23 (2) TO CONDUCT THE PUBLIC COMMENT AND HEARING PROCESS
24 REQUIRED BY SUBSECTION (1) OF THIS SECTION, THE MULTI-AGENCY
25 ADVISORY COMMITTEE CREATED IN SECTION 29-33-103 (1), RURAL RESORT
26 AREA SUBCOMMITTEE CREATED IN SECTION 29-33-103 (8), OR THE URBAN
27 AREA SUBCOMMITTEE CREATED IN SECTION 29-33-103 (9), SHALL:

1 (a) PROVIDE PUBLIC NOTICE AND HOLD AT LEAST TWO PUBLIC
2 HEARINGS AT WHICH MEMBERS OF THE PUBLIC HAVE AN OPPORTUNITY TO
3 COMMENT ON THE SUBJECT OF THE HEARING;

4 (b) ALLOW THE SUBMISSION OF WRITTEN COMMENTS ON THE
5 SUBJECT OF THE HEARING;

6 (c) CONDUCT OUTREACH TO AND SOLICIT FEEDBACK FROM LOCAL
7 GOVERNMENTS AND REGIONAL PLANNING AGENCIES;

8 (d) CONSULT WITH EXPERTS IN DISABILITY RIGHTS, RACIAL EQUITY
9 AND HOMELESSNESS PREVENTION, AFFORDABLE HOUSING, FAIR HOUSING,
10 PLANNING AND ZONING, AND RELATED 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 **29-33-110. Natural and agricultural land priorities report.**

17 (1) NO LATER THAN DECEMBER 31, 2024, THE OFFICE OF CLIMATE
18 PREPAREDNESS CREATED IN SECTION 24-38.8-102 (1) SHALL CONSULT
19 WITH THE DEPARTMENT OF AGRICULTURE, THE DIVISION OF PARKS AND
20 WILDLIFE WITHIN THE DEPARTMENT OF NATURAL RESOURCES, THE
21 OUTDOOR RECREATION INDUSTRY OFFICE IN THE OFFICE OF ECONOMIC
22 DEVELOPMENT, THE COLORADO TOURISM OFFICE, AND THE MULTI-AGENCY
23 GROUP TO DEVELOP A REPORT THAT IDENTIFIES INTERJURISDICTIONAL
24 PRIORITIES THAT METROPOLITAN PLANNING ORGANIZATIONS SHOULD
25 APPLY TO ACHIEVE BOTH:

26 (a) CONNECTIVITY TO OPEN SPACE, WILDLIFE HABITAT, AND OTHER
27 PRIORITY LANDSCAPES; AND

1 (b) PRESERVATION OF AGRICULTURAL LAND, HISTORIC AND
2 CULTURAL RESOURCES, URBAN PARKS AND GREEN SPACES, EXURBAN OPEN
3 SPACE, RECREATIONAL RESOURCES, WILDLIFE HABITATS, AND ECOSYSTEMS
4 WITH THE GREATEST NEED FOR CONSERVATION.

5 (2) THE REPORT MUST INTEGRATE AND INCLUDE INFORMATION
6 FROM RELEVANT EXISTING AND UNDER DEVELOPMENT STATE PLANS,
7 INCLUDING THE DIVISION OF PARKS AND WILDLIFE'S STATE WILDLIFE
8 ACTION PLAN, THAT ADDRESS CONSERVATION, RECREATION, AND CLIMATE
9 ADAPTATION, AND MUST BE UPDATED TO INCORPORATE RESULTS OF NEW
10 PLANS, DATA, OR ANALYSES THAT ARE COMPLETED AFTER THE INITIAL
11 COMPLETION OF THE REPORT.

12 (3) THE DEPARTMENT OF LOCAL AFFAIRS SHALL PUBLISH THE
13 REPORT AND MAKE IT AVAILABLE AS A RESOURCE FOR LOCAL
14 GOVERNMENTS FOR USE IN DEVELOPING MASTER PLANS PURSUANT TO
15 SECTIONS 30-28-106 AND 31-23-206 AS APPLICABLE.

16 **29-33-111. Rural resort job center municipalities - existing**
17 **plans to address local housing needs - menu of affordability strategies**
18 **- regional housing needs planning process. (1) Existing plans to**
19 **address local housing needs. A RURAL RESORT JOB CENTER**
20 **MUNICIPALITY THAT ADOPTS A PLAN TO ADDRESS LOCAL HOUSING NEEDS**
21 **PRIOR TO THE EFFECTIVE DATE OF THIS SECTION MAY, RATHER THAN**
22 **DEVELOPING AND ADOPTING A NEW HOUSING NEEDS PLAN PURSUANT TO**
23 **SUBSECTION (3)(b) OF THIS SECTION, UPDATE ITS EXISTING PLAN TO**
24 **ADDRESS ADDITIONAL NEEDS IDENTIFIED IN THE LOCAL HOUSING NEEDS**
25 **ASSESSMENT BEYOND WHAT THE MUNICIPALITY'S EXISTING PLAN TO**
26 **ADDRESS LOCAL HOUSING NEEDS INCLUDES, AND ANY REQUIREMENTS IN**
27 **SECTION 29-33-105 (4) NOT ALREADY INCLUDED IN THE MUNICIPALITY'S**

1 EXISTING PLAN TO ADDRESS LOCAL HOUSING NEEDS.

2 (2) Menu of affordability strategies. IN ORDER TO SUPPORT
3 AFFORDABILITY AND ADVANCE MEETING THE HOUSING NEEDS OF ALL
4 INCOME LEVELS IDENTIFIED IN THE LOCAL HOUSING NEEDS ASSESSMENT,
5 THE MENU OF AFFORDABILITY STRATEGIES FOR A RURAL RESORT JOB
6 CENTER MUNICIPALITY MUST INCLUDE THE FOLLOWING:

7 (a) A STRATEGY DEFINED BY THE RURAL RESORT JOB CENTER
8 MUNICIPALITY THAT SETS PARAMETERS FOR THE CONSTRUCTION AND
9 PERMITTING OF ACCESSORY DWELLING UNITS WITH AFFORDABILITY
10 PROTECTIONS THAT MEET THE RURAL RESORT JOB CENTER MUNICIPALITY'S
11 HOUSING AFFORDABILITY NEEDS;

12 (b) A STRATEGY DEFINED BY THE RURAL RESORT JOB CENTER
13 MUNICIPALITY THAT SETS PARAMETERS FOR THE CONSTRUCTION AND
14 PERMITTING OF MIDDLE HOUSING AND MULTIFAMILY HOUSING THAT:

15 (I) IS WITHIN A WALKABLE DISTANCE OF TRANSIT STOPS, WHEN
16 POSSIBLE;

17 (II) INCORPORATES AFFORDABILITY PROTECTIONS SUCH AS DEED
18 RESTRICTIONS AND SHORT-TERM RENTAL RESTRICTIONS AS IDENTIFIED BY
19 THE RURAL RESORT JOB CENTER MUNICIPALITY; AND

20 (III) PROVIDES HOUSING THAT MEETS THE RURAL RESORT JOB
21 CENTER MUNICIPALITY'S HOUSING AFFORDABILITY NEEDS AND DOES NOT
22 ENCOURAGE OR REQUIRE ANY HOUSING THAT DOES NOT MEET THE RURAL
23 RESORT JOB CENTER MUNICIPALITY'S HOUSING AFFORDABILITY NEEDS;

24 (c) IMPLEMENTING A LOCAL INCLUSIONARY ZONING ORDINANCE IN
25 ACCORDANCE WITH THE REQUIREMENTS OF SECTION 29-20-104 (e.5) AND
26 (e.7);

27 (d) THE CREATION OF A PROGRAM TO SUBSIDIZE OR OTHERWISE

1 REDUCE LOCAL DEVELOPMENT FEES THAT MAY INCLUDE:
2 (I) BUILDING PERMIT FEES;
3 (II) WATER AND SEWER TAP FEES; AND
4 (III) OTHER INFRASTRUCTURE COSTS FOR REGULATED
5 AFFORDABLE HOUSING DEVELOPMENT;
6 (e) CREATING AN EXPEDITED DEVELOPMENT REVIEW PROCESS FOR
7 REGULATED AFFORDABLE HOUSING DEVELOPMENTS;
8 (f) ESTABLISHING A DENSITY BONUS PROGRAM THAT ALLOWS
9 INCREASED FLOOR AREA RATIO, DENSITY, OR HEIGHT BEYOND WHAT IS
10 OTHERWISE REQUIRED BY THIS ARTICLE 33 TO INCREASE THE
11 CONSTRUCTION OF REGULATED AFFORDABLE HOUSING UNITS;
12 (g) ENABLING REGULATED AFFORDABLE HOUSING AS A USE BY
13 RIGHT;
14 (h) ESTABLISHING A POLICY OR PLAN TO LEVERAGE
15 MUNICIPALLY-OWNED LAND FOR THE DEVELOPMENT OF REGULATED
16 AFFORDABLE HOUSING;
17 (i) ESTABLISHING A DEDICATED LOCAL REVENUE SOURCE FOR THE
18 DEVELOPMENT OF REGULATED AFFORDABLE HOUSING;
19 (j) REGULATING SHORT-TERM RENTALS OR SECOND HOMES;
20 (k) REDUCING OR ELIMINATING LOCAL PARKING REQUIREMENTS
21 FOR REGULATED AFFORDABLE HOUSING;
22 (l) MAKING A COMMITMENT TO AND REMAINING ELIGIBLE FOR THE
23 STATEWIDE AFFORDABLE HOUSING FUND CREATED IN SECTION 29-32-102
24 (1);
25 (m) ADOPTING A POLICY THAT RESULTS IN NON-CONSTRUCTION
26 SOLUTIONS TO INCREASE AFFORDABLE HOUSING, INCLUDING THE:
27 (I) ACQUISITION OF DEED RESTRICTIONS ON EXISTING

1 MARKET-RATE HOUSING UNITS;
2 (II) PRESERVATION OF EXISTING DEED RESTRICTIONS; OR
3 (III) PROGRAMS TO DISINCENTIVE THE USE OF HOMES AS
4 NON-PRIMARY RESIDENCES;
5 (n) ADOPTING A REGIONAL HOUSING NEEDS PLAN WITH
6 MULTI-JURISDICTIONAL COMMITMENTS TO MEET IDENTIFIED HOUSING
7 TARGETS TO INCREASE THE SUPPLY OF AFFORDABLE HOUSING;
8 (o) ADOPTING A STRATEGY PROPOSED BY EITHER A LOCAL
9 GOVERNMENT OR THE MULTI-AGENCY ADVISORY COMMITTEE, AND THAT
10 IS APPROVED BY THE DEPARTMENT OF LOCAL AFFAIRS, THAT SUPPORTS
11 EQUAL OR GREATER HOUSING AFFORDABILITY CONSISTENT WITH THE
12 NEEDS IDENTIFIED IN THE RELEVANT LOCAL HOUSING NEEDS ASSESSMENT;
13 AND
14 (p) ADOPTING A POLICY OR REGULATORY TOOL THAT INCENTIVIZES
15 THE PROMOTION OF AFFORDABLE HOUSING DEVELOPMENT AS IDENTIFIED
16 IN SECTION 24-32-130 (3).
17 **(3) Regional housing needs planning process. (a) (I) A COUNTY**
18 **OR MUNICIPALITY WITHIN A REGION DEFINED IN THE REGIONAL HOUSING**
19 **NEEDS ASSESSMENT MAY PARTICIPATE IN A REGIONAL HOUSING NEEDS**
20 **PLANNING PROCESS.**
21 (II) THE COUNTIES OR MUNICIPALITIES THAT PARTICIPATE IN A
22 PLANNING PROCESS:
23 (A) MAY UTILIZE DATA AND INFORMATION FROM A RURAL RESORT
24 REGIONAL HOUSING NEEDS ASSESSMENT THAT IS NO MORE THAN FIVE
25 YEARS OLD TO INFORM THEIR PARTICIPATION IN THE PLANNING PROCESS;
26 (B) ARE ENCOURAGED TO INCORPORATE STRATEGIC GROWTH
27 OBJECTIVES AS DEFINED IN SECTION 29-33-108 IN THE PLANNING PROCESS;

1 AND
2 (C) ARE ENCOURAGED TO IDENTIFY STRATEGIES THAT ADDRESS
3 THE HOUSING NEEDS IDENTIFIED IN LOCAL HOUSING NEEDS ASSESSMENTS
4 THROUGH THE ADOPTION OF INTERJURISDICTIONAL STRATEGIES AND
5 AFFORDABILITY STRATEGIES FROM THE MENU IN SUBSECTION (2) OF THIS
6 SECTION.

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

11 (IV) A REGIONAL HOUSING NEEDS PLANNING PROCESS MAY BE LED
12 BY A REGIONAL ENTITY AND MUST ENCOURAGE PARTICIPATING COUNTIES
13 AND MUNICIPALITIES TO IDENTIFY STRATEGIES THAT IMPROVE
14 COORDINATION BETWEEN ENTITIES TO MEET THE HOUSING NEEDS
15 IDENTIFIED FOR THOSE LOCAL GOVERNMENTS IN THE REGIONAL AND
16 LOCAL HOUSING NEEDS ASSESSMENTS.

17 (V) BY DECEMBER 31, 2024, THE RURAL RESORT AREA
18 SUBCOMMITTEE CREATED IN SECTION 29-33-103 (8) SHALL ISSUE A REPORT
19 TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS ON
20 THE STATUS, OPPORTUNITIES, AND CHALLENGES OF REGIONAL PLANNING
21 IN THE RURAL RESORT REGIONS, INCLUDING THE CONNECTION BETWEEN
22 HOUSING AND TRANSPORTATION AND REGIONAL EQUITY IN REGARDS TO
23 COMMUNITIES THAT HOUSE THE WORKFORCE AND THOSE THAT ARE RURAL
24 RESORT JOB CENTER MUNICIPALITIES. THE RURAL RESORT AREA
25 SUBCOMMITTEE CREATED IN SECTION 29-33-103 (8) SHALL ALSO
26 EVALUATE AND MAKE RECOMMENDATIONS ON THE USE OF DATA TO
27 CREATE AFFORDABILITY STRATEGIES IN REGIONAL AND LOCAL HOUSING

1 ASSESSMENTS AND REGIONAL AND LOCAL HOUSING PLANS THAT FOLLOW
2 STRATEGIC GROWTH OBJECTIVES AS DEFINED IN SECTION 29-33-108.

3 (b) (I) No LATER THAN DECEMBER 31, 2026, AND EVERY SIX
4 YEARS THEREAFTER, A RURAL RESORT JOB CENTER MUNICIPALITY SHALL
5 DEVELOP, ADOPT, AND SUBMIT TO THE DEPARTMENT OF LOCAL AFFAIRS A
6 HOUSING NEEDS PLAN. THE HOUSING NEEDS PLAN MUST INCLUDE THE
7 FOLLOWING:

8 (A) A NARRATIVE DESCRIPTION OF THE STAKEHOLDER
9 ENGAGEMENT CONDUCTED DURING THE DEVELOPMENT OF THE HOUSING
10 NEEDS PLAN;

11 (B) AN ANALYSIS OF HOW THE RURAL RESORT JOB CENTER
12 MUNICIPALITY WILL ADDRESS LOCAL HOUSING NEEDS AS IDENTIFIED FROM
13 A REGIONAL HOUSING ASSESSMENT, AND THE LOCAL HOUSING NEEDS
14 ASSESSMENT, INCLUDING THE DEMONSTRATED HOUSING NEEDS FOR
15 PERSONS OF DIFFERENT INCOME LEVELS;

16 (C) A NARRATIVE ANALYSIS OF ANY AREA AT ELEVATED RISK OF
17 RESIDENTIAL DISPLACEMENT THAT THE RURAL RESORT JOB CENTER
18 MUNICIPALITY HAS IDENTIFIED, AT THE DISCRETION OF EACH
19 MUNICIPALITY, AND A DESCRIPTION OF AN IMPLEMENTATION PLAN FOR
20 ANY DISPLACEMENT MITIGATION MEASURES THAT THE RURAL RESORT JOB
21 CENTER HAS CONSIDERED AS OPTIONS AND DECIDED TO USE, AT THE
22 DISCRETION OF EACH MUNICIPALITY, TO MITIGATE IDENTIFIED
23 DISPLACEMENT RISKS IN THESE AREAS; AND

24 (D) AN IMPLEMENTATION PLAN THAT DESCRIBES HOW THE RURAL
25 RESORT JOB CENTER MUNICIPALITY WILL COMPLY WITH ANY SELECTED
26 AFFORDABILITY STRATEGIES FROM SECTION 29-33-106.

27 (II) BEFORE ADOPTING AND SUBMITTING A HOUSING NEEDS PLAN,

1 A RURAL RESORT JOB CENTER MUNICIPALITY SHALL PUBLISH THE MOST
2 RECENT DRAFT OF ITS HOUSING NEEDS PLAN AND PROVIDE NOTICE OF A
3 PUBLIC COMMENT PERIOD FOR THE RECEIPT OF WRITTEN COMMENTS
4 CONCERNING THE PLAN. THE RURAL RESORT JOB CENTER MUNICIPALITY
5 MAY ALSO CHOOSE TO HOLD A PUBLIC HEARING ON THE PLAN.

6 (III) THE DEPARTMENT OF LOCAL AFFAIRS SHALL POST THE
7 HOUSING NEEDS PLANS SUBMITTED BY RURAL RESORT JOB CENTER
8 MUNICIPALITIES PUBLICLY ON THE DEPARTMENT OF LOCAL AFFAIRS
9 WEBSITE.

10 **29-33-112. Water supply forecast.** (1) NO LATER THAN JUNE 30,
11 2025, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS
12 IN CONSULTATION WITH THE COLORADO WATER CONSERVATION BOARD
13 SHALL SUBMIT A JOINT REPORT TO THE GENERAL ASSEMBLY CONFORMING
14 TO THE COLORADO WATER PLAN ADOPTED IN JANUARY 2023 THAT
15 ASSESSES:

16 (a) THE AVAILABILITY AND SUFFICIENCY OF WATER SUPPLIES IN
17 COUNTIES TO PROVIDE FOR ANTICIPATED GROWTH AND DEVELOPMENT;

18 (b) A FRAMEWORK TO GUIDE INVESTMENTS IN DEVELOPMENT AND
19 CONSERVATION; AND

20 (c) A RANGE OF POLICY OPTIONS TO MAXIMIZE EFFICIENCY OF
21 EXISTING WATER SUPPLY AND IDENTIFY IMPACTS OF FUTURE
22 DEVELOPMENT.

23 (2) THE DIRECTOR SHALL CONSULT WATER PROVIDERS AND
24 PUBLISHED WATER SUPPLY MASTER PLANS IN THE PREPARATION OF THE
25 REPORT.

26 **29-33-113. Technical assistance - housing plans assistance**
27 **fund - definition.** (1) THE DIVISION OF LOCAL GOVERNMENT WITHIN THE

1 DEPARTMENT OF LOCAL AFFAIRS SHALL PROVIDE TECHNICAL ASSISTANCE
2 MATERIALS, BRIEFINGS, CONSULTING SERVICES, TEMPLATES, TOOLS,
3 TRAININGS, WEBINARS, OR OTHER GUIDANCE TO AID LOCAL GOVERNMENTS
4 AND METROPOLITAN PLANNING ORGANIZATIONS IN UPDATING LOCAL LAWS
5 AND OTHERWISE COMPLYING WITH THIS ARTICLE 33.

6 (2) TO ASSIST LOCAL GOVERNMENTS IN COMPLYING WITH THIS
7 ARTICLE 33, THE DIVISION OF LOCAL GOVERNMENT WITHIN THE
8 DEPARTMENT OF LOCAL AFFAIRS, WITH THE SUPPORT OF THE
9 MULTI-AGENCY GROUP, SHALL PROVIDE TECHNICAL ASSISTANCE FUNDING
10 THROUGH EITHER A GRANT PROGRAM OR THE PROVISION OF CONSULTANT
11 SERVICES THROUGH SUBJECT JURISDICTIONS OR BOTH A GRANT PROGRAM
12 AND PROVISION OF CONSULTANT SERVICES. THE DIVISION OF LOCAL
13 GOVERNMENT MAY ALSO PROVIDE TECHNICAL ASSISTANCE FUNDING
14 THROUGH A METROPOLITAN PLANNING ORGANIZATION OR OTHER
15 REGIONAL ENTITY. BEGINNING JANUARY 1, 2026, AND EVERY YEAR
16 THEREAFTER, THE DEPARTMENT OF LOCAL AFFAIRS SHALL PROVIDE A
17 REPORT ON THE ASSISTANCE REQUESTED BY LOCAL GOVERNMENTS
18 PURSUANT TO THIS SECTION, WHETHER OR NOT ADEQUATE STATE FUNDING
19 IS AVAILABLE TO MEET THE ASSISTANCE REQUESTED BY LOCAL
20 GOVERNMENTS, AND ANY ADDITIONAL RESOURCES THAT LOCAL
21 GOVERNMENTS HAVE IDENTIFIED THAT WOULD HELP COMPLETE ADVISORY
22 HOUSING NEEDS PLANS.

23 (3) (a) THE HOUSING PLANS ASSISTANCE FUND IS CREATED IN THE
24 STATE TREASURY. THE FUND CONSISTS OF ANY MONEY THAT THE GENERAL
25 ASSEMBLY MAY TRANSFER OR APPROPRIATE TO THE FUND FOR
26 IMPLEMENTATION OF THE GRANT PROGRAM, AND GIFTS, GRANTS, OR
27 DONATIONS CREDITED TO THE FUND. THE STATE TREASURER SHALL CREDIT

1 ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT
2 OF MONEY IN THE HOUSING PLANS ASSISTANCE CASH FUND TO THE FUND.

3 (b) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
4 ASSEMBLY, THE DEPARTMENT OF LOCAL AFFAIRS MAY EXPEND MONEY
5 FROM THE FUND FOR THE PURPOSES OF PROVIDING TECHNICAL ASSISTANCE
6 AND IMPLEMENTING A GRANT PROGRAM PURSUANT TO SUBSECTIONS (1)
7 AND (2) OF THIS SECTION.

8 **29-33-114. Reporting requirements. (1) (a) NO LATER THAN**
9 **DECEMBER 31, 2025, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF**
10 **LOCAL AFFAIRS SHALL DEVELOP REPORTING GUIDANCE AND TEMPLATES**
11 **FOR RURAL RESORT JOB CENTER MUNICIPALITIES AND URBAN**
12 **MUNICIPALITIES.**

13 (b) THE MULTI-AGENCY ADVISORY COMMITTEE SHALL, AS PART OF
14 THE PUBLIC COMMENT AND HEARING PROCESS ESTABLISHED IN SECTION
15 29-33-109 (2), PROVIDE RECOMMENDATIONS TO THE EXECUTIVE DIRECTOR
16 OF THE DEPARTMENT OF LOCAL AFFAIRS CONCERNING THE DEVELOPMENT
17 OF REPORTING GUIDANCE AND TEMPLATES FOR RURAL RESORT JOB CENTER
18 MUNICIPALITIES AND URBAN MUNICIPALITIES.

19 (2) AT A MINIMUM, RURAL RESORT JOB CENTER MUNICIPALITIES
20 AND URBAN MUNICIPALITIES SHALL REPORT, NO LATER THAN DECEMBER
21 31, 2026, AND NO LATER THAN DECEMBER 31 OF EACH YEAR THEREAFTER,
22 IN A FORM AND MANNER DETERMINED BY THE DEPARTMENT OF LOCAL
23 AFFAIRS, THE FOLLOWING HOUSING DATA FOR THE PREVIOUS CALENDAR
24 YEAR TO THE DEPARTMENT OF LOCAL AFFAIRS:

25 (a) THE NUMBER OF PERMITS THAT THE MUNICIPALITY ISSUED FOR
26 NEW HOUSING UNITS CATEGORIZED BY THE NUMBER OF UNITS IN EACH
27 STRUCTURE TYPE;

1 (b) THE NUMBER OF NEW HOUSING UNITS CATEGORIZED BY THE
2 NUMBER OF UNITS IN EACH STRUCTURE TYPE, IN THE MUNICIPALITY ON
3 WHICH CONSTRUCTION HAS BEGUN;

4 (c) TIMEFRAMES TO COMPLETE RESIDENTIAL PERMIT REVIEWS BY
5 HOUSING TYPE;

6 (d) WORKFORCE ASSIGNED TO DEVELOPMENT REVIEW BY POSITION
7 TYPE;

8 (e) THE IMPLEMENTATION STATUS OF THE STRATEGIES IDENTIFIED
9 IN THE MUNICIPALITY'S HOUSING NEEDS PLAN;

10 (f) ZONING INFORMATION THAT MAY INCLUDE GEOSPATIAL DATA
11 SPECIFYING ZONING DISTRICTS, ALLOWED USES AND DENSITIES, AND
12 OTHER DATA IN A STANDARD FORMAT; AND

13 (g) THE NUMBER OF INTERGOVERNMENTAL AGREEMENTS THAT
14 THE MUNICIPALITY HAS ENTERED INTO TO ADDRESS ITS LOCAL AND
15 REGIONAL HOUSING NEEDS ASSESSMENTS AND A DESCRIPTION OF THESE
16 AGREEMENTS.

17 (3) UPON RECEIVING THE REPORTS FROM THE RURAL RESORT JOB
18 CENTER MUNICIPALITIES AND URBAN MUNICIPALITIES PURSUANT TO
19 SUBSECTION (2) OF THIS SECTION, THE DEPARTMENT OF LOCAL AFFAIRS
20 SHALL PUBLISH AN ANALYSIS ON A PUBLICLY AVAILABLE DASHBOARD
21 THAT INCLUDES ALL OF THE INFORMATION IN THE REPORTS.

22 **29-33-115. Compliance.** No LATER THAN JUNE 30, 2027, THE
23 DEPARTMENT OF LOCAL AFFAIRS SHALL CONDUCT A COMPLIANCE REVIEW
24 AND APPROVE HOUSING NEEDS PLANS OR PROVIDE FEEDBACK TO RURAL
25 RESORT JOB CENTER MUNICIPALITIES AND URBAN MUNICIPALITIES AS
26 NEEDED. THE SUBMISSION OF A COMPLIANT HOUSING NEEDS PLAN MUST BE
27 CONSIDERED IN THE DEVELOPMENT OF STRATEGIC GROWTH OBJECTIVES.

1 **SECTION 2.** In Colorado Revised Statutes, 24-32-705, **add** (8)
2 as follows:

3 **24-32-705. Functions of division.** (8) THE DIVISION SHALL
4 CONSULT WITH THE MULTI-AGENCY ADVISORY COMMITTEE CREATED IN
5 SECTION 29-33-103 ON FACTORY-BUILT STRUCTURES AND TINY HOME
6 CREATED IN SECTION 24-32-3305 (3), TO PRODUCE A REPORT NO LATER
7 THAN JUNE 30, 2024, ON THE OPPORTUNITIES AND BARRIERS IN CURRENT
8 STATE LAWS AND REGULATIONS CONCERNING THE BUILDING OF
9 MANUFACTURED HOMES, MODULAR HOMES, AND TINY HOMES.

10 **SECTION 3.** In Colorado Revised Statutes, 24-32-3303, **amend**
11 (1)(c) as follows:

12 **24-32-3303. Division of housing - powers and duties - rules.**

13 (1) The division has the following powers and duties pursuant to this part
14 33:

15 (c) To review and approve quality assurance representatives that
16 intend to perform FINAL CONSTRUCTION PLAN REVIEWS, inspections, and
17 issue insignia of approval pursuant to this part 33;

18 **SECTION 4.** In Colorado Revised Statutes, **add** 29-20-110 as
19 follows:

20 **29-20-110. Local government residential occupancy limits -**
21 **definitions.** (1) NOTWITHSTANDING ANY OTHER PROVISION TO THE
22 CONTRARY, A LOCAL GOVERNMENT SHALL NOT ENACT OR ENFORCE
23 RESIDENTIAL OCCUPANCY LIMITS THAT DIFFER BASED ON THE
24 RELATIONSHIPS OF THE OCCUPANTS OF A DWELLING.

25 (2) NOTHING IN THIS SECTION PREVENTS A LOCAL GOVERNMENT
26 FROM ESTABLISHING RESIDENTIAL OCCUPANCY LIMITS FOR DWELLING
27 UNITS FOR SHORT-TERM RENTALS, AS DEFINED IN SECTION 29-33-102 (35).

1 (3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
2 REQUIRES:

3 (a) "DWELLING" MEANS ANY IMPROVED REAL PROPERTY, OR
4 PORTION THEREOF, THAT IS USED OR INTENDED TO BE USED AS A
5 RESIDENCE.

6 (b) "LOCAL GOVERNMENT" MEANS A HOME RULE OR STATUTORY
7 CITY, TOWN, TERRITORIAL CITY OR TOWN, CITY AND COUNTY, OR COUNTY
8 OR HOME RULE COUNTY.

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

12 **30-28-106. Adoption of master plan - contents. (3) (a) THE**
13 MASTER PLAN OF A COUNTY OR REGION, WITH THE ACCOMPANYING MAPS,
14 PLATS, CHARTS, AND DESCRIPTIVE AND EXPLANATORY MATTER, MUST
15 SHOW THE COUNTY OR REGIONAL PLANNING COMMISSION'S
16 RECOMMENDATIONS FOR THE DEVELOPMENT OF THE TERRITORY COVERED
17 BY THE PLAN. THE MASTER PLAN OF A COUNTY OR REGION IS AN ADVISORY
18 DOCUMENT TO GUIDE LAND DEVELOPMENT DECISIONS; HOWEVER, THE
19 PLAN OR ANY PART THEREOF MAY BE MADE BINDING BY INCLUSION IN THE
20 COUNTY'S OR REGION'S ADOPTED SUBDIVISION, ZONING, PLATTING,
21 PLANNED UNIT DEVELOPMENT, OR OTHER SIMILAR LAND DEVELOPMENT
22 REGULATIONS AFTER SATISFYING NOTICE, DUE PROCESS, AND HEARING
23 REQUIREMENTS FOR LEGISLATIVE OR QUASI-JUDICIAL PROCESSES AS
24 APPROPRIATE. A MASTER PLAN ADOPTED ON OR AFTER JUNE 30, 2024,
25 MUST INCLUDE:

26 (I) NATURAL AND AGRICULTURAL LAND PRIORITIES IN
27 ACCORDANCE WITH THE NATURAL AND AGRICULTURAL LAND PRIORITIES

1 REPORT CREATED IN SECTION 29-33-110;
2 (II) A HOUSING ELEMENT;
3 (III) FOR COUNTIES WITH A POPULATION OF GREATER THAN TWO
4 HUNDRED FIFTY THOUSAND, A STRATEGIC GROWTH ELEMENT THAT MUST
5 INCLUDE;
6 (A) THE INFORMATION RELEVANT TO THE MUNICIPALITY
7 CONTAINED IN THE REGIONAL STRATEGIC GROWTH AND HOUSING MIX
8 ANALYSIS CONDUCTED PURSUANT TO SECTION 29-33-105 (8)(a) AND AN
9 ANALYSIS OF HOW THE MUNICIPALITY IS INCLUDING THIS INFORMATION IN
10 THE MASTER PLAN;
11 (B) THE IDENTIFICATION OF ADDITIONAL LOCAL STRATEGIC
12 GROWTH AREAS;
13 (C) THE IDENTIFICATION OF TRANSPORTATION, UTILITY, AND
14 OTHER INFRASTRUCTURE GAPS AND INFRASTRUCTURE PROJECTS,
15 PREFERABLY WITHIN A CAPITAL IMPROVEMENT PLAN, THAT WOULD
16 ENABLE STRATEGIC GROWTH AREAS TO BE DEVELOPED OR REDEVELOPED;
17 AND
18 (D) THE IDENTIFICATION OF ZONING REFINEMENTS AND DENSITIES
19 NECESSARY TO ACCOMMODATE THE HOUSING NEEDS INCLUDED IN
20 HOUSING NEEDS ASSESSMENTS, AND TO MEET STRATEGIC GROWTH
21 OBJECTIVES FOR STRATEGIC GROWTH AREAS.
22 (IV) (A) THE GENERAL LOCATION AND EXTENT OF AN ADEQUATE
23 AND SUITABLE SUPPLY OF WATER;
24 (B) IN COMPLETING A WATER SUPPLY ELEMENT, THE PLANNING
25 COMMISSION SHALL CONSULT WITH THE ENTITIES THAT SUPPLY WATER FOR
26 USE WITHIN THE COUNTY OR REGION TO ENSURE COORDINATION ON WATER
27 SUPPLY AND FACILITY PLANNING, AND THE WATER SUPPLY ELEMENT MUST

1 IDENTIFY WATER SUPPLIES AND FACILITIES SUFFICIENT TO MEET THE NEEDS
2 OF THE PUBLIC AND PRIVATE INFRASTRUCTURE REASONABLY ANTICIPATED
3 OR IDENTIFIED IN THE PLANNING PROCESS;

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

12 (D) THE DEPARTMENT OF LOCAL AFFAIRS CREATED IN SECTION
13 24-1-125 MAY HIRE AND EMPLOY ONE FULL-TIME EMPLOYEE TO PROVIDE
14 EDUCATIONAL RESOURCES AND ASSISTANCE TO COUNTIES THAT INCLUDE
15 WATER CONSERVATION POLICIES IN THEIR MASTER PLANS AS DESCRIBED
16 IN SUBSECTION (3)(a)(IV)(C) OF THIS SECTION.

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

19 (I) THE GENERAL LOCATION, CHARACTER, AND EXTENT OF
20 EXISTING, PROPOSED, OR PROJECTED STREETS OR ROADS, RIGHTS-OF-WAY,
21 VIADUCTS, BRIDGES, WATERWAYS, WATERFRONTS, PARKWAYS,
22 HIGHWAYS, MASS TRANSIT ROUTES AND CORRIDORS, AND ANY
23 TRANSPORTATION PLAN PREPARED BY ANY METROPOLITAN PLANNING
24 ORGANIZATION THAT COVERS ALL OR A PORTION OF THE COUNTY OR
25 REGION AND THAT THE COUNTY OR REGION HAS RECEIVED NOTIFICATION
26 OF OR, IF THE COUNTY OR REGION IS NOT LOCATED IN AN AREA COVERED
27 BY A METROPOLITAN PLANNING ORGANIZATION, ANY TRANSPORTATION

1 PLAN PREPARED BY THE DEPARTMENT OF TRANSPORTATION THAT THE
2 COUNTY OR REGION HAS RECEIVED NOTIFICATION OF AND THAT APPLIES TO
3 THE COUNTY OR REGION;

4 (II) THE GENERAL LOCATION OF PUBLIC PLACES OR FACILITIES,
5 INCLUDING PUBLIC SCHOOLS, CULTURALLY, HISTORICALLY, OR
6 ARCHAEOLOGICALLY SIGNIFICANT BUILDINGS, SITES, AND OBJECTS,
7 PLAYGROUNDS, FORESTS, RESERVATIONS, SQUARES, PARKS, AIRPORTS,
8 AVIATION FIELDS, MILITARY INSTALLATIONS, AND OTHER PUBLIC WAYS,
9 GROUND, OPEN SPACES, TRAILS, AND DESIGNATED FEDERAL, STATE, AND
10 LOCAL WILDLIFE AREAS. FOR PURPOSES OF THIS SECTION, "MILITARY
11 INSTALLATION" HAS THE SAME MEANING AS SPECIFIED IN SECTION
12 29-20-105.6 (2)(b).

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

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

27 (V) METHODS FOR ASSURING ACCESS TO APPROPRIATE CONDITIONS

1 FOR SOLAR, WIND, OR OTHER ALTERNATIVE ENERGY SOURCES, INCLUDING
2 GEOTHERMAL ENERGY USED FOR WATER HEATING OR SPACE HEATING OR
3 COOLING IN A SINGLE BUILDING, FOR SPACE HEATING FOR MORE THAN ONE
4 BUILDING THROUGH A PIPELINE NETWORK, OR FOR ELECTRICITY
5 GENERATION;

6 (VI) THE GENERAL CHARACTER, LOCATION, AND EXTENT OF
7 COMMUNITY CENTERS, TOWNSITES, HOUSING DEVELOPMENTS, WHETHER
8 PUBLIC OR PRIVATE, THE EXISTING, PROPOSED, OR PROJECTED LOCATION
9 OF RESIDENTIAL NEIGHBORHOODS AND SUFFICIENT LAND FOR FUTURE
10 HOUSING DEVELOPMENT FOR THE EXISTING AND PROJECTED ECONOMIC
11 AND OTHER NEEDS OF ALL CURRENT AND ANTICIPATED RESIDENTS OF THE
12 COUNTY OR REGION, AND URBAN CONSERVATION OR REDEVELOPMENT
13 AREAS. IF A COUNTY OR REGION HAS ENTERED INTO A REGIONAL PLANNING
14 AGREEMENT, SUCH AGREEMENT MAY BE INCORPORATED BY REFERENCE
15 INTO THE MASTER PLAN.

16 (VII) THE GENERAL SOURCE AND EXTENT OF FORESTS,
17 AGRICULTURAL AREAS, FLOOD CONTROL AREAS, AND OPEN DEVELOPMENT
18 AREAS FOR PURPOSES OF CONSERVATION, FOOD AND WATER SUPPLY,
19 SANITARY AND DRAINAGE FACILITIES, FLOOD CONTROL, OR THE
20 PROTECTION OF URBAN DEVELOPMENT;

21 (VIII) A LAND CLASSIFICATION AND UTILIZATION PROGRAM;

22 (IX) PROJECTIONS OF POPULATION GROWTH AND HOUSING NEEDS
23 TO ACCOMMODATE THE PROJECTED POPULATION FOR SPECIFIED
24 INCREMENTS OF TIME. THE COUNTY OR REGION MAY BASE THESE
25 PROJECTIONS UPON DATA FROM THE DEPARTMENT OF LOCAL AFFAIRS AND
26 UPON THE COUNTY'S OR REGION'S LOCAL OBJECTIVES.

27 (X) THE LOCATION OF AREAS CONTAINING STEEP SLOPES,

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

6 (A) THE COLORADO GEOLOGICAL SURVEY FOR DEFINING AND
7 MAPPING GEOLOGICAL HAZARDS;

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

12 (C) THE UNITED STATES ARMY CORPS OF ENGINEERS AND THE
13 UNITED STATES FISH AND WILDLIFE SERVICE NATIONAL WETLANDS
14 INVENTORY FOR DEFINING AND MAPPING WETLANDS;

15 (D) THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR
16 DEFINING AND MAPPING FLOODPLAINS, FLOODWAYS, AND FLOOD RISK
17 ZONES;

18 (E) THE NATURAL RESOURCES CONSERVATION SERVICE OF THE
19 UNITED STATES DEPARTMENT OF AGRICULTURE FOR DEFINING AND
20 MAPPING UNSTABLE SOILS AND HIGHLY ERODIBLE LAND; AND

21 (F) THE COLORADO STATE FOREST SERVICE FOR LOCATING
22 WILDFIRE HAZARD AREAS.

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

27 (9) NO MORE THAN THIRTY DAYS AFTER ADOPTING OR AMENDING

1 THE MASTER PLAN, THE COMMISSION SHALL SUBMIT THE MASTER PLAN TO
2 THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL
3 AFFAIRS. THE DIVISION OF LOCAL GOVERNMENT SHALL REVIEW THESE
4 MASTER PLANS TO ENSURE THEY COMPLY WITH THE REQUIREMENTS OF
5 THIS SECTION.

6 (10) NOT LESS THAN SIXTY DAYS PRIOR TO ADOPTING OR
7 AMENDING THE MASTER PLAN, A COUNTY OR REGIONAL PLANNING
8 COMMISSION SHALL SUBMIT THE MASTER PLAN TO THE DIVISION OF LOCAL
9 GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS. THE DIVISION OF
10 LOCAL GOVERNMENT SHALL REVIEW THESE MASTER PLANS TO ENSURE
11 THEY COMPLY WITH THE REQUIREMENTS OF THIS SECTION. THE DIVISION
12 SHALL PROVIDE COMMENTS IN WRITING DESCRIBING THE EXTENT TO
13 WHICH THE MASTER PLAN MEETS OR DOES NOT MEET THE REQUIREMENTS
14 OF THIS SECTION. THE DEPARTMENT OF LOCAL AFFAIRS MAY HIRE AND
15 EMPLOY ONE FULL-TIME EMPLOYEE TO PROVIDE EDUCATIONAL RESOURCES
16 AND ASSISTANCE TO ENSURE COMPLIANCE WITH THE REQUIREMENTS OF
17 THIS SECTION.

18 **SECTION 6.** In Colorado Revised Statutes, 31-15-713, **add**
19 **(1)(d)** as follows:

20 **31-15-713. Power to sell public works - real property.** (1) **The**
21 **governing body of each municipality has the power:**

22 (d) **NOTWITHSTANDING SUBSECTIONS (1)(a) AND (1)(b) OF THIS**
23 **SECTION, TO SELL AND DISPOSE OF, BY ORDINANCE, ANY PUBLIC BUILDING**
24 **OR REAL PROPERTY OWNED BY A MUNICIPALITY THAT IS HELD FOR**
25 **GOVERNMENT PURPOSES OTHER THAN PARK PURPOSES, IF THE SALE AND**
26 **DISPOSITION OF THE PUBLIC BUILDING OR REAL PROPERTY IS FOR THE**
27 **PURPOSE OF PROVIDING PROPERTY TO BE USED FOR THE DEVELOPMENT OF**

1 AFFORDABLE HOUSING, AS THE TERM IS DEFINED IN SECTION 29-33-102 (3).
2 THE GOVERNING BODY SHALL DETERMINE THE TERMS AND CONDITIONS OF
3 THE SALE AND DISPOSITION AT A REGULAR OR SPECIAL MEETING AND
4 SHALL MAKE THESE TERMS AND CONDITIONS PUBLICLY AVAILABLE.

5 **SECTION 7.** In Colorado Revised Statutes, 31-23-301, **amend**
6 **(5)(b)(I)(A) and (5)(b)(I)(B); add (5)(a)(III), (5)(a)(IV), (5)(a)(V), and**
7 **(5)(b)(I.5) as follows:**

8 **31-23-301. Grant of power.** (5) (a) As used in this subsection
9 (5), unless the context otherwise requires:

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

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

14 (b) (I) No municipality may have or enact zoning regulations,
15 subdivision regulations, or any other regulation affecting development
16 that exclude or have the effect of excluding homes from the municipality
17 that are:

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

26 (B) Homes certified by the United States department of housing
27 and urban development through its office of manufactured housing

1 programs, a successor agency, or a party authorized to act on its behalf.
2 THE APPROVAL PROCESSES OF MANUFACTURED HOMES SHALL BE BASED
3 ON OBJECTIVE STANDARDS AND ADMINISTRATIVE REVIEW THAT ARE
4 EQUIVALENT TO THAT REQUIRED FOR SITE-BUILT HOMES, UNLESS A
5 MUNICIPALITY REGULATES SITE-BUILT HOMES THROUGH A SUBJECTIVE
6 REVIEW PROCESS, IN WHICH CASE A MUNICIPALITY MAY USE AN
7 EQUIVALENT REVIEW PROCESS FOR A MANUFACTURED HOME AND A
8 SITE-BUILT HOME. or

9 (b) (I.5) A MUNICIPALITY SHALL NOT IMPOSE MORE RESTRICTIVE
10 STANDARDS ON MANUFACTURED AND MODULAR HOMES THAN THOSE THE
11 MUNICIPALITY APPLIES TO SITE BUILT HOMES IN THE SAME RESIDENTIAL
12 ZONES. RESTRICTIVE STANDARDS INCLUDE ZONING REGULATIONS,
13 SUBDIVISION REGULATIONS, AND ANY OTHER REGULATION AFFECTING
14 DEVELOPMENT SUCH AS REQUIREMENTS RELATING TO:

- 15 (A) PERMANENT FOUNDATIONS;
- 16 (B) MINIMUM FLOOR SPACE;
- 17 (C) HOME SIZE OR SECTIONAL REQUIREMENTS;
- 18 (D) IMPROVEMENT LOCATION STANDARDS;
- 19 (E) SIDE YARD STANDARDS; AND
- 20 (F) SETBACK STANDARDS.

21 **SECTION 8.** In Colorado Revised Statutes, 31-23-206, **repeal**
22 **and reenact, with amendments, (1); and add (1.5), (8), (9), (10), and**
23 **(11) as follows:**

24 **31-23-206. Master plan.** (1) IT IS THE DUTY OF THE COMMISSION
25 TO MAKE AND ADOPT A MASTER PLAN FOR THE PHYSICAL DEVELOPMENT
26 OF THE MUNICIPALITY, INCLUDING ANY AREAS OUTSIDE ITS BOUNDARIES,
27 SUBJECT TO THE APPROVAL OF THE GOVERNMENTAL BODY HAVING

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

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

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

1 (c) A STRATEGIC GROWTH ELEMENT THAT MUST INCLUDE:

2 (I) THE INFORMATION RELEVANT TO THE MUNICIPALITY
3 CONTAINED IN THE REGIONAL STRATEGIC GROWTH AND HOUSING MIX
4 ANALYSIS CONDUCTED PURSUANT TO SECTION 29-33-105 (8)(a) AND AN
5 ANALYSIS OF HOW THE MUNICIPALITY IS INCLUDING THIS INFORMATION IN
6 THE MASTER PLAN;

7 (II) THE IDENTIFICATION OF ADDITIONAL LOCAL STRATEGIC
8 GROWTH AREAS;

9 (III) THE IDENTIFICATION OF TRANSPORTATION, UTILITY, AND
10 OTHER INFRASTRUCTURE GAPS AND INFRASTRUCTURE PROJECTS,
11 PREFERABLY WITHIN A CAPITAL IMPROVEMENT PLAN, THAT WOULD
12 ENABLE STRATEGIC GROWTH AREAS TO BE DEVELOPED OR REDEVELOPED;
13 AND

14 (IV) THE IDENTIFICATION OF ZONING REFINEMENTS AND DENSITIES
15 NECESSARY TO ACCOMMODATE THE HOUSING NEEDS INCLUDED IN
16 HOUSING NEEDS ASSESSMENTS, AND TO MEET STRATEGIC GROWTH
17 OBJECTIVES FOR STRATEGIC GROWTH AREAS.

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

20 (II) IN COMPLETING THE WATER SUPPLY ELEMENT, THE PLANNING
21 COMMISSION SHALL CONSULT WITH THE ENTITIES THAT SUPPLY WATER FOR
22 USE WITHIN THE MUNICIPALITY TO ENSURE COORDINATION ON WATER
23 SUPPLY AND FACILITY PLANNING, AND THE WATER SUPPLY ELEMENT MUST
24 IDENTIFY WATER SUPPLIES AND FACILITIES SUFFICIENT TO MEET THE NEEDS
25 OF THE PUBLIC AND PRIVATE INFRASTRUCTURE REASONABLY ANTICIPATED
26 OR IDENTIFIED IN THE PLANNING PROCESS;

27 (III) THE WATER SUPPLY ELEMENT MUST INCLUDE WATER

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

8 (IV) THE DEPARTMENT OF LOCAL AFFAIRS CREATED IN SECTION
9 24-1-125 MAY HIRE AND EMPLOY ONE FULL-TIME EMPLOYEE TO PROVIDE
10 EDUCATIONAL RESOURCES AND ASSISTANCE TO MUNICIPALITIES THAT
11 INCLUDE WATER CONSERVATION POLICIES IN THEIR MASTER PLANS AS
12 DESCRIBED IN SUBSECTION (1)(d)(III) OF THIS SECTION;

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

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

23 (1.5) AFTER CONSULTATION ON EACH OF THE FOLLOWING, WHERE
24 APPLICABLE OR APPROPRIATE, THE MASTER PLAN MAY INCLUDE:

25 (a) THE GENERAL SOURCE, CHARACTER, AND EXTENT OF EXISTING,
26 PROPOSED, OR PROJECTED STREETS, ROADS, RIGHTS-OF-WAY, BRIDGES,
27 WATERWAYS, WATERFRONTS, PARKWAYS, HIGHWAYS, MASS TRANSIT

1 ROUTES AND CORRIDORS, AND ANY TRANSPORTATION PLAN PREPARED BY
2 ANY METROPOLITAN PLANNING ORGANIZATION THAT COVERS ALL OR A
3 PORTION OF THE MUNICIPALITY AND THAT THE MUNICIPALITY HAS
4 RECEIVED NOTIFICATION OF OR, IF THE MUNICIPALITY IS NOT LOCATED IN
5 AN AREA COVERED BY A METROPOLITAN PLANNING ORGANIZATION, ANY
6 TRANSPORTATION PLAN PREPARED BY THE DEPARTMENT OF
7 TRANSPORTATION THAT THE MUNICIPALITY HAS RECEIVED NOTIFICATION
8 OF AND THAT COVERS ALL OR A PORTION OF THE MUNICIPALITY;

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

17 (c) THE GENERAL LOCATION AND EXTENT OF PUBLIC UTILITIES
18 TERMINALS, CAPITAL FACILITIES, AND TRANSFER FACILITIES, WHETHER
19 PUBLICLY OR PRIVATELY OWNED OR OPERATED, FOR WATER, LIGHT,
20 SANITATION, TRANSPORTATION, COMMUNICATION, POWER, AND OTHER
21 PURPOSES, AND ANY PROPOSED OR PROJECTED NEEDS FOR CAPITAL
22 FACILITIES AND UTILITIES, INCLUDING THE PRIORITIES, ANTICIPATED
23 COSTS, AND FUNDING PROPOSALS FOR SUCH FACILITIES AND UTILITIES;

24 (d) THE ACCEPTANCE, REMOVAL, RELOCATION, WIDENING,
25 NARROWING, VACATING, ABANDONMENT, MODIFICATION, CHANGE OF USE,
26 OR EXTENSION OF ANY OF THE PUBLIC WAYS, RIGHTS-OF-WAY, INCLUDING
27 THE COORDINATION OF SUCH RIGHTS-OF-WAY WITH THE RIGHTS-OF-WAY

1 OF OTHER MUNICIPALITIES, COUNTIES, OR REGIONS, GROUNDS, OPEN
2 SPACES, BUILDINGS, PROPERTY, UTILITY, OR TERMINALS, REFERRED TO IN
3 SUBSECTIONS (1.5) (a) THROUGH (a) OF THIS SECTION AND SUBSECTION
4 (1)(d) OF THIS SECTION;

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

17 (f) THE GENERAL CHARACTER, LOCATION, AND EXTENT OF
18 COMMUNITY CENTERS, HOUSING DEVELOPMENTS, WHETHER PUBLIC OR
19 PRIVATE, THE EXISTING, PROPOSED, OR PROJECTED LOCATION OF
20 RESIDENTIAL NEIGHBORHOODS AND SUFFICIENT LAND FOR FUTURE
21 HOUSING DEVELOPMENT FOR THE EXISTING AND PROJECTED ECONOMIC
22 AND OTHER NEEDS OF ALL CURRENT AND ANTICIPATED RESIDENTS OF THE
23 MUNICIPALITY, AND REDEVELOPMENT AREAS. IF A MUNICIPALITY HAS
24 ENTERED INTO A REGIONAL PLANNING AGREEMENT, SUCH AGREEMENT
25 MAY BE INCORPORATED BY REFERENCE INTO THE MASTER PLAN.

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

1 (h) A PLAN FOR THE LOCATION AND PLACEMENT OF PUBLIC
2 UTILITIES THAT FACILITATES THE PROVISION OF SUCH UTILITIES TO ALL
3 EXISTING, PROPOSED, OR PROJECTED DEVELOPMENTS IN THE
4 MUNICIPALITY;

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

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

16 (I) THE COLORADO GEOLOGICAL SURVEY FOR DEFINING AND
17 MAPPING GEOLOGICAL HAZARDS;

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

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

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

1 (V) THE NATURAL RESOURCES CONSERVATION SERVICE OF THE
2 UNITED STATES DEPARTMENT OF AGRICULTURE FOR DEFINING AND
3 MAPPING UNSTABLE SOILS AND HIGHLY ERODIBLE LAND; AND

4 (VI) THE COLORADO STATE FOREST SERVICE FOR LOCATING
5 WILDFIRE HAZARD AREAS.

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

10 (9) NO MORE THAN THIRTY DAYS AFTER ADOPTING OR AMENDING
11 THE MASTER PLAN, THE COMMISSION SHALL SUBMIT THE MASTER PLAN TO
12 THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL
13 AFFAIRS. THE DIVISION OF LOCAL GOVERNMENT SHALL REVIEW THESE
14 MASTER PLANS TO ENSURE THEY COMPLY WITH THE REQUIREMENTS OF
15 THIS SECTION.

16 (10) NOT LESS THAN SIXTY DAYS PRIOR TO ADOPTING OR
17 AMENDING THE MASTER PLAN, THE COMMISSION SHALL SUBMIT THE
18 MASTER PLAN TO THE DIVISION OF LOCAL GOVERNMENT IN THE
19 DEPARTMENT OF LOCAL AFFAIRS. THE DIVISION OF LOCAL GOVERNMENT
20 SHALL REVIEW THESE MASTER PLANS TO ENSURE THEY COMPLY WITH THE
21 REQUIREMENTS OF THIS SECTION. THE DIVISION SHALL PROVIDE
22 COMMENTS IN WRITING DESCRIBING THE EXTENT TO WHICH THE MASTER
23 PLAN MEETS OR DOES NOT MEET THE REQUIREMENTS OF THIS SECTION. THE
24 DEPARTMENT OF LOCAL AFFAIRS MAY HIRE AND EMPLOY ONE FULL-TIME
25 EMPLOYEE TO PROVIDE EDUCATIONAL RESOURCES AND ASSISTANCE TO
26 ENSURE COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.

27 (11) AN URBAN MUNICIPALITY, AS DEFINED IN SECTION 29-33-102

1 (40), SUBJECT TO THIS SECTION SHALL REVIEW AND, IF NEEDED, REVISE ITS
2 MASTER PLAN TO ENSURE THE PLAN COMPLIES WITH THE REQUIREMENTS
3 OF THIS SECTION AT LEAST EVERY TEN YEARS. AN URBAN MUNICIPALITY
4 MAY UTILIZE EXISTING PLANNING INFORMATION AND ANALYSIS TO SATISFY
5 THE REQUIREMENTS OF THIS SUBSECTION (11), SO LONG AS THE
6 INFORMATION OR ANALYSIS IS NOT MORE THAN FIVE YEARS OLD.

7 **SECTION 9.** In Colorado Revised Statutes, 43-1-106, amend
8 (15)(d) as follows:

9 **43-1-106. Transportation commission - powers and duties -**
10 **rules - definitions - efficiency and accountability committee.** (15) In
11 addition to any other duties required by law, the commission shall have
12 the following charges:

13 (d) To study and make recommendations for existing and future
14 transportation systems in Colorado with a focus of such study and
15 recommendations being a ten-year plan for each mode of transportation.
16 ~~Such~~ THE ten-year plan ~~shall~~ MUST be based on what can be reasonably
17 expected to be implemented with the estimated revenues which are likely
18 to be available AND MUST INCLUDE PRIORITIZATION CRITERIA THAT ARE
19 CONSISTENT WITH STATE STRATEGIC GROWTH OBJECTIVES FOR
20 REGIONALLY SIGNIFICANT TRANSPORTATION PROJECTS.

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

1 **SECTION 10.** In Colorado Revised Statutes, 43-1-113, **add** (20)
2 as follows:

3 **43-1-113. Funds - budgets - fiscal year - reports and**
4 **publications.** (20) BEFORE DECEMBER 31, 2024, OR BEFORE THE NEXT
5 REGIONAL TRANSPORTATION PLANNING CYCLE BEGINS, THE DEPARTMENT
6 SHALL ENSURE THAT THE PRIORITIZATION CRITERIA FOR ANY GRANT
7 PROGRAM ADMINISTERED BY THE DEPARTMENT ARE CONSISTENT WITH
8 STATE STRATEGIC GROWTH OBJECTIVES, AS DETERMINED IN SECTION
9 29-33-108, SO LONG AS DOING SO DOES NOT VIOLATE FEDERAL LAW. THE
10 STATE GROWTH OBJECTIVES MUST BE CLEARLY ARTICULATED IN A
11 PROJECT'S REQUIREMENTS OF PROSPECTIVE FUNDING RECIPIENTS.

12 **SECTION 11.** In Colorado Revised Statutes, 43-1-1103, **amend**
13 **(5)(i) and (5)(j); and add (2.5) and (5)(k) as follows:**

14 **43-1-1103. Transportation planning. (2.5)** BEGINNING
15 DECEMBER 31, 2024, ANY REGIONAL TRANSPORTATION PLAN THAT IS
16 CREATED OR UPDATED MUST ADDRESS AND ENSURE CONSISTENCY WITH
17 STATE STRATEGIC GROWTH OBJECTIVES AS DETERMINED IN SECTION
18 29-33-108.

19 (5) The department shall integrate and consolidate the regional
20 transportation plans for the transportation planning regions into a
21 comprehensive statewide transportation plan. The formation of the state
22 plan shall be accomplished through a statewide planning process set by
23 rules and regulations promulgated by the commission. The state plan shall
24 address but shall not be limited to the following factors:

- 25 (i) Effective, efficient, and safe freight transport; and
- 26 (j) Reduction of greenhouse gas emissions; AND
- 27 (k) BEGINNING DECEMBER 31, 2024, ADDRESS AND ENSURE

1 CONSISTENCY WITH STATE STRATEGIC GROWTH OBJECTIVES.

2 **SECTION 12.** In Colorado Revised Statutes, 43-4-1103, add
3 (2)(e) as follows:

4 **43-4-1103. Multimodal transportation options fund - creation**
5 **- revenue sources for fund - use of fund.** (2) (e) FEE REVENUES FROM
6 THE MULTIMODAL TRANSPORTATION OPTIONS FUND GENERATED ON OR
7 AFTER JANUARY 1, 2025, AND OTHER STATE FUNDS TRANSFERRED TO THE
8 MULTIMODAL TRANSPORTATION OPTIONS FUND ON OR AFTER JULY 1, 2024,
9 SHALL ONLY BE MADE FOR MULTIMODAL PROJECTS THAT THE DEPARTMENT
10 DETERMINES ARE CONSISTENT WITH STATE STRATEGIC GROWTH
11 OBJECTIVES, AS DETERMINED IN SECTION 29-33-108. THE STATE GROWTH
12 OBJECTIVES MUST BE CLEARLY ARTICULATED IN A PROJECT'S
13 REQUIREMENTS OF PROSPECTIVE FUNDING RECIPIENTS.

14 **SECTION 13. Appropriation.** (1) For the 2023-24 state fiscal
15 year, \$15,000,000 is appropriated to the housing plans assistance fund
16 created in section 29-33-112 (3)(a), C.R.S. This appropriation is from the
17 general fund. The department of local affairs is responsible for the
18 accounting related to this appropriation.

19 (2) For the 2023-24 state fiscal year, \$15,102,556 is appropriated
20 to the department of local affairs. This appropriation consists of \$102,556
21 from the general fund and \$15,000,000 reappropriated funds from the
22 housing plans assistance fund received under subsection (1) of this
23 section. To implement this act, the department may use this appropriation
24 as follows:

25 (a) \$60,838 general fund for use by the state demography office
26 for program costs, which amount is based on an assumption that the
27 office will require an additional 0.6 FTE;

1 (b) \$37,708 general fund for use by the division of housing for
2 personal services, which amount is based on an assumption that the office
3 will require an additional 0.5 FTE;

4 (c) \$4,010 general fund for use by the division of housing for
5 operating expenses; and

6 (d) \$15,000,000 reappropriated funds from the housing plans
7 assistance fund received under subsection (1) of this section for use by the
8 division of local government for the local land use assistance program,
9 which amount is based on an assumption that the division will require an
10 additional 10.4 FTE. Any money appropriated in this subsection (2)(d)
11 not expended prior to July 1, 2024 is further appropriated for the 2024-25
12 and 2025-26 state fiscal years for the same purpose.

13 (3) For the 2023-24 state fiscal year, \$78,529 is appropriated to
14 the department of natural resources. This appropriation is from the
15 general fund. To implement this act, the department may use this
16 appropriation as follows:

17 (a) \$70,509 for use by the executive director's office for personal
18 services, which amount is based on an assumption that the office will
19 require an additional 0.9 FTE; and

20 (b) \$8,020 for use by the executive director's office for operating
21 expenses.

22 (4) For the 2023-24 state fiscal year, \$27,001 is appropriated to
23 the office of the governor for use by the Colorado energy office. This
24 appropriation is from the general fund and is based on an assumption that
25 the office will require an additional 0.2 FTE. To implement this act, the
26 office may use this appropriation for program administration.

27 **SECTION 14. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, or safety.