

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

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 24-0469.03 Pierce Lively x2059

HOUSE BILL 24-1304

HOUSE SPONSORSHIP

Vigil and Woodrow, Bacon, Boesenecker, deGruy Kennedy, Epps, Froelich, Hernandez, Herod, Jodeh, Joseph, Kipp, Mabrey, Rutinel, Sirota

SENATE SPONSORSHIP

Priola and Hinrichsen,

House Committees

Transportation, Housing & Local Government
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PARKING REQUIREMENTS WITHIN METROPOLITAN**
102 **PLANNING ORGANIZATIONS.**

Bill Summary

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

The bill prohibits a county or municipality, on or after January 1, 2025, from enforcing minimum parking requirements for real property that is within a metropolitan planning organization. This prohibition does not prohibit a county or municipality from:

- Lowering the protections provided for persons with disabilities;

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.

HOUSE
3rd Reading Unamended
April 17, 2024

HOUSE
Amended 2nd Reading
April 16, 2024

- Preventing a county or municipality from enacting or enforcing a maximum parking requirement; or
- Preventing a county or municipality from enacting or enforcing a minimum parking requirement for bicycles.

The bill also allows a municipality or county, on or after January 1, 2025, to impose the following requirements on a motor vehicle parking space that is voluntarily provided in connection with a development project:

- That the owners of such a motor vehicle parking space charge for the use of the space; and
- That such a motor vehicle parking space allow for vehicle charging stations in accordance with existing law.

The bill requires a county or municipality that is subject to the bill, on or after June 30, 2025, to submit a report to the department of local affairs detailing the county or municipality's compliance with the requirements of the bill. The bill provides a process for the review of such a report.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 35 to title
3 29 as follows:

4 **ARTICLE 35**

5 **Strategic Growth**

6 **29-35-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY
7 FINDS, DETERMINES, AND DECLARES THAT:

8 (a) THERE IS AN EXTRATERRITORIAL IMPACT WHEN LOCAL
9 GOVERNMENTS ENACT LAND USE DECISIONS THAT REQUIRE A MINIMUM
10 AMOUNT OF PARKING SPACES;

11 (b) RESIDENTIAL DEVELOPMENTS FREQUENTLY HAVE MORE
12 PARKING THAN IS UTILIZED, WHICH ADDS TO HOUSING COSTS AND
13 ENCOURAGES ADDITIONAL VEHICLE OWNERSHIP AND VEHICLE MILES
14 TRAVELED. ACCORDING TO THE REGIONAL TRANSPORTATION DISTRICT
15 STUDY TITLED "RESIDENTIAL PARKING IN STATION AREAS: A STUDY OF
16 METRO DENVER", UNSUBSIDIZED HOUSING DEVELOPMENTS NEAR

1 REGIONAL TRANSPORTATION DISTRICT STATIONS PROVIDE FORTY PERCENT
2 MORE PARKING THAN RESIDENTS UTILIZE AT PEAK TIMES, AND
3 INCOME-RESTRICTED HOUSING DEVELOPMENTS PROVIDE FIFTY PERCENT
4 MORE PARKING THAN IS USED.

5 (c) THE 2021 STUDY "PARKING & AFFORDABLE HOUSING" OF
6 PARKING UTILIZATION AT AFFORDABLE HOUSING DEVELOPMENTS ALONG
7 THE FRONT RANGE FOUND THAT HALF OF PARKING SPACES BUILT ON
8 AVERAGE GO UNUSED, AND THAT REQUIREMENTS CAN BE UP TO FIVE TIMES
9 THE NEED ESPECIALLY FOR BUILDINGS SERVING LOWER AREA MEDIAN
10 INCOMES;

11 (d) LOCAL GOVERNMENT LAND USE DECISIONS THAT REQUIRE A
12 MINIMUM AMOUNT OF PARKING SPACES BEYOND WHAT IS NECESSARY TO
13 MEET MARKET DEMAND INCREASE VEHICLE MILES TRAVELED AND
14 ASSOCIATED GREENHOUSE GAS EMISSIONS. ACCORDING TO A UNIVERSITY
15 OF CALIFORNIA INSTITUTE OF TRANSPORTATION STUDIES ARTICLE TITLED
16 "WHAT DO RESIDENTIAL LOTTERIES SHOW US ABOUT TRANSPORTATION
17 CHOICES?", HIGHER AMOUNTS OF FREE PARKING PROVIDED IN RESIDENTIAL
18 DEVELOPMENTS CAUSE HIGHER RATES OF VEHICLE OWNERSHIP, HIGHER
19 RATES OF VEHICLE MILES TRAVELED, AND LESS FREQUENT TRANSIT USE.

20 (e) ACCORDING TO THE STUDY "EFFECTS OF PARKING PROVISION
21 ON AUTOMOBILE USE IN U.S. CITIES: INFERRING CAUSALITY" IN THE
22 JOURNAL TRANSPORTATION RESEARCH RECORD, AN INCREASE IN PARKING
23 PROVISIONS FROM ONE-TENTH TO ONE-HALF PARKING SPACE PER PERSON
24 IS ASSOCIATED WITH AN INCREASE IN AUTOMOBILE MODE SHARE OF
25 ROUGHLY THIRTY PERCENT;

26 (f) ACCORDING TO THE ARTICLE "HOUSEHOLDS WITH
27 CONSTRAINED OFF-STREET PARKING DRIVE FEWER MILES" IN THE

1 JOURNAL TRANSPORTATION, VEHICLE OWNERSHIP RATES ARE FOURTEEN
2 PERCENT HIGHER FOR HOUSEHOLDS WITH MORE THAN ONE AVAILABLE
3 PARKING SPACE PER UNIT COMPARED TO THOSE WITH ONE OR FEWER, AND
4 FOR EVERY ADDITIONAL VEHICLE PER HOUSEHOLD, THE HOUSEHOLD
5 TRAVELS ON AVERAGE SEVENTEEN MORE MILES OF TOTAL VEHICLE MILES
6 TRAVELED PER DAY;

7 (g) COLORADANS DRIVE MORE MILES PER PERSON THAN THEY USED
8 TO, WHICH PUTS STRESS ON TRANSPORTATION INFRASTRUCTURE AND
9 INCREASING HOUSEHOLD COSTS. SINCE 1981, PER CAPITA VEHICLE MILES
10 TRAVELED IN COLORADO HAVE RISEN BY OVER TWENTY PERCENT
11 ACCORDING TO DATA FROM THE FEDERAL HIGHWAY ADMINISTRATION.

12 (h) INCREASED VEHICLE OWNERSHIP AND THE RESULTING VEHICLE
13 MILES TRAVELED IMPACT NEIGHBORING JURISDICTIONS BY INCREASING
14 CONGESTION, ROADWAY INFRASTRUCTURE MAINTENANCE COSTS, AIR
15 POLLUTION, NOISE, AND GREENHOUSE GAS EMISSIONS;

16 (i) GIVEN THE CLOSE PROXIMITY AND INTERCONNECTED NATURE
17 OF JURISDICTIONS WITHIN COLORADO'S METROPOLITAN REGIONS, MANY
18 RESIDENTS TRAVEL FREQUENTLY BETWEEN JURISDICTIONS FOR WORK,
19 SHOPPING, RECREATION, AND OTHER TRIPS;

20 (j) IN COLORADO'S MAJOR CITIES, A SIGNIFICANT SHARE OF
21 EMPLOYEES COMMUTE TO JOBS IN THE CITY BUT LIVE ELSEWHERE,
22 INCLUDING SEVENTY PERCENT OF EMPLOYEES IN DENVER, FORTY-FIVE
23 PERCENT IN COLORADO SPRINGS, SIXTY PERCENT IN FORT COLLINS, FIFTY
24 PERCENT IN PUEBLO, AND SIXTY-FIVE PERCENT IN GRAND JUNCTION,
25 ACCORDING TO 2021 DATA FROM THE FEDERAL CENSUS;

26 (k) EXCESSIVE PARKING REQUIREMENTS LIMIT COMPACT,
27 WALKABLE DEVELOPMENT BY MANDATING ADDITIONAL SPACE BETWEEN

1 USES, WHICH THEN NECESSITATES DRIVING TO REACH MOST DESTINATIONS;

2

3 (l) LOWER DENSITY DEVELOPMENT HAS LOWERED REVENUE AND
4 INCREASED CAPITAL AND MAINTENANCE COSTS COMPARED TO MORE
5 COMPACT DEVELOPMENT. NATIONAL STUDIES, SUCH AS THE ARTICLE
6 "RELATIONSHIPS BETWEEN DENSITY AND PER CAPITA MUNICIPAL
7 SPENDING IN THE UNITED STATES", PUBLISHED IN URBAN SCIENCE, HAVE
8 FOUND THAT LOWER DENSITY COMMUNITIES HAVE HIGHER GOVERNMENT
9 CAPITAL AND MAINTENANCE COSTS FOR WATER, SEWER, AND
10 TRANSPORTATION INFRASTRUCTURE AND LOWER PROPERTY AND SALES
11 TAX REVENUE. THESE INCREASED COSTS ARE OFTEN BORNE BY BOTH
12 STATE AND LOCAL GOVERNMENTS.

13 (m) VEHICLE TRAFFIC, WHICH INCREASES WHEN LAND USE
14 PATTERNS ARE MORE DISPERSED, CONTRIBUTES TWENTY PERCENT OF
15 NITROGEN OXIDE EMISSIONS, A KEY OZONE PRECURSOR, ACCORDING TO
16 THE EXECUTIVE SUMMARY OF THE MODERATE AREA OZONE STATE
17 IMPLEMENTATION PLAN FOR THE 2015 OZONE NATIONAL AMBIENT AIR
18 QUALITY STANDARDS BY THE REGIONAL AIR QUALITY COUNCIL;

19 (n) THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
20 HAS CLASSIFIED THE DENVER METRO AREA AND THE NORTH FRONT RANGE
21 AREA AS BEING IN SEVERE NONATTAINMENT FOR OZONE AND GROUND
22 LEVEL OZONE, WHICH HAS SERIOUS IMPACTS ON HUMAN HEALTH,
23 PARTICULARLY FOR VULNERABLE POPULATIONS;

24 (o) ACCORDING TO THE GREENHOUSE GAS POLLUTION REDUCTION
25 ROADMAP, PUBLISHED BY THE COLORADO ENERGY OFFICE AND DATED
26 JANUARY 14, 2021, THE TRANSPORTATION SECTOR IS THE SINGLE LARGEST
27 SOURCE OF GREENHOUSE GAS POLLUTION IN COLORADO;

1 (p) NEARLY SIXTY PERCENT OF THE GREENHOUSE GAS EMISSIONS
2 FROM THE TRANSPORTATION SECTOR COME FROM LIGHT-DUTY VEHICLES,
3 THE MAJORITY OF CARS AND TRUCKS THAT COLORADANS DRIVE EVERY
4 DAY;

5 (q) SECTION 43-1-128 (3) DIRECTS THE DEPARTMENT OF
6 TRANSPORTATION TO ESTABLISH GREENHOUSE GAS REDUCTION TARGETS,
7 GUIDELINES, AND PROCEDURES FOR STATE AND REGIONAL
8 TRANSPORTATION PLANS, AND THE RESULTING GREENHOUSE GAS
9 PLANNING RULE AND ASSOCIATED MITIGATION POLICY DIRECTIVES
10 INCLUDE A LIST OF GREENHOUSE GAS MITIGATION MEASURES TO ACHIEVE
11 THOSE TARGETS, INCLUDING THE ELIMINATION OF MINIMUM PARKING
12 REQUIREMENTS AND OTHER PARKING MANAGEMENT STRATEGIES;

13 (r) LOCAL GOVERNMENT LAND USE DECISIONS THAT REQUIRE A
14 MINIMUM AMOUNT OF PARKING SPACES INCREASE THE COST OF NEW
15 RESIDENTIAL PROJECTS, WHICH INCREASES HOUSING COSTS. ACCORDING
16 TO THE REGIONAL TRANSPORTATION DISTRICT STUDY TITLED
17 "RESIDENTIAL PARKING IN STATION AREAS: A STUDY OF METRO
18 DENVER", STRUCTURED PARKING SPACES IN THE DENVER METROPOLITAN
19 AREA COST TWENTY-FIVE THOUSAND DOLLARS EACH TO BUILD IN 2020
20 AND USE SPACE THAT WOULD OTHERWISE BE USED FOR REVENUE
21 GENERATING RESIDENTIAL UNITS, DECREASING THE PROFITABILITY OF
22 RESIDENTIAL DEVELOPMENT. AS A RESULT, PARKING REQUIREMENTS THAT
23 NECESSITATE THE CONSTRUCTION OF STRUCTURED PARKING SPACES MAY
24 DISCOURAGE DEVELOPERS FROM BUILDING NEW RESIDENTIAL PROJECTS,
25 OR, IF THEY DO MOVE FORWARD WITH PROJECTS, FORCE THEM TO RECOUP
26 THE COSTS OF BUILDING EXCESSIVE PARKING BY INCREASING HOUSING
27 PRICES.

1 (s) OFF-STREET SURFACE PARKING COSTS UP TO TEN THOUSAND
2 DOLLARS PER SPACE, AND EACH SPACE REQUIRES UP TO TWO AND
3 ONE-HALF TIMES ITS SQUARE FOOTAGE TO ACCOMMODATE. AS A RESULT,
4 OFF-STREET SURFACE PARKING REQUIREMENTS ALSO MAY DISCOURAGE
5 DEVELOPERS FROM BUILDING NEW RESIDENTIAL PROJECTS, OR, IF THEY DO
6 MOVE FORWARD WITH PROJECTS, FORCE THEM TO BUILD FEWER UNITS
7 THAN THEY OTHERWISE COULD AND RECOUP THE EXCESSIVE COST BY
8 INCREASING HOME PRICES AND RENTS. AN ANALYSIS CONDUCTED BY THE
9 PARKING REFORM NETWORK FOUND THAT AN OFF-STREET PARKING SPACE
10 CAN ADD BETWEEN TWO HUNDRED AND FIVE HUNDRED DOLLARS PER
11 MONTH IN RENT. WHETHER THESE COSTS ARE NECESSARY VARIES FROM
12 ONE BUILDING PROJECT TO THE NEXT, AND THOSE VARIABLES ARE NOT
13 ACCOUNTED FOR IN MANDATED PARKING MINIMUMS.

14 (t) MINIMUM PARKING REQUIREMENTS PUT SMALL BUSINESSES AT
15 A DISADVANTAGE RELATIVE TO LARGE CORPORATIONS. LARGE
16 CORPORATIONS HAVE MORE CAPITAL AT THEIR DISPOSAL TO FULFILL
17 COSTLY PARKING REQUIREMENTS AND ARE LESS RELIANT ON FOOT
18 TRAFFIC, HUMAN-SCALE VISIBILITY, AND A SENSE OF PLACE TO ATTRACT
19 CUSTOMERS.

20 (u) IMPERVIOUS SURFACES SUCH AS THOSE BUILT FOR VEHICLE
21 PARKING CREATE AN URBAN HEAT ISLAND EFFECT, CONTRIBUTING TO
22 RISING TEMPERATURES, INCREASING ENERGY COSTS FOR AIR
23 CONDITIONING, AND WORSENING GROUND LEVEL AIR QUALITY. EXCESSIVE
24 LAND COVERAGE OF THIS KIND MAKES STORMWATER MANAGEMENT
25 DIFFICULT AND EXPENSIVE, AND CONTRIBUTES TO FLASH FLOODING AND
26 EROSION, CAUSING INTERJURISDICTIONAL CONFLICTS AND LEGAL
27 DISPUTES.

1 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT THE
2 REQUIRED MINIMUM AMOUNT OF PARKING SPACES FOR A REAL PROPERTY
3 IS A MATTER OF MIXED STATEWIDE AND LOCAL CONCERN.

4 **29-35-102. Definitions.** AS USED IN THIS ARTICLE 35, UNLESS THE
5 CONTEXT OTHERWISE REQUIRES:

6 (1) "COMMUNITY-BASED ORGANIZATION" MEANS A
7 COLORADO-BASED NONPROFIT ENTITY THAT:

8 (a) HAS A MISSION TO IMPROVE THE ENVIRONMENTAL, ECONOMIC,
9 SOCIAL, CULTURAL, OR QUALITY OF LIFE CONDITIONS OF A COMMON
10 COMMUNITY OF INTEREST;

11 (b) IS ACCESSIBLE FOR RESIDENTS OF ALL AGES, INCOMES,
12 LANGUAGES, AND ABILITIES; OR

13 (c) ADDRESSES THE NEEDS OF DISPROPORTIONATELY IMPACTED
14 AND MARGINALIZED COMMUNITIES IN THE REGION AND CENTERS VOICES
15 OF MARGINALIZED COMMUNITIES IN TRANSPORTATION PLANNING, BOTH IN
16 THEIR COMMUNITY AND AROUND THE REGION.

17 (2) "COUNTY" MEANS A COUNTY, INCLUDING A HOME RULE
18 COUNTY BUT EXCLUDING A CITY AND COUNTY.

19 (3) "LAND USE APPROVAL" MEANS ANY FINAL ACTION OF A LOCAL
20 GOVERNMENT THAT HAS THE EFFECT OF AUTHORIZING THE USE OR
21 DEVELOPMENT OF A PARTICULAR PARCEL OF REAL PROPERTY.

22 (4) "LOADING SPACE" MEANS AN OFF-STREET SPACE OR BERTH
23 THAT:

24 (a) IS ON THE SAME SITE WITH A BUILDING OR CONTIGUOUS TO A
25 GROUP OF BUILDINGS;

26 (b) IS DESIGNATED FOR THE TEMPORARY PARKING OF EITHER:

27 (I) A COMMERCIAL VEHICLE WHILE MATERIALS ARE LOADED IN OR

1 UNLOADED FROM THE VEHICLE; OR

2 (II) A VEHICLE WHILE PASSENGERS BOARD OR DISEMBARK FROM

3 THE VEHICLE; AND

4 (c) ABUTS UPON A STREET, ALLEY, OR OTHER MEANS OF ACCESS.

5 (5) "LOCAL GOVERNMENT" MEANS A MUNICIPALITY THAT IS

6 WITHIN A METROPOLITAN PLANNING ORGANIZATION OR A COUNTY THAT

7 HAS UNINCORPORATED AREAS WITHIN A METROPOLITAN PLANNING

8 ORGANIZATION.

9 (6) "LOCAL LAW" MEANS ANY CODE, LAW, ORDINANCE, POLICY,

10 REGULATION, OR RULE ENACTED BY A LOCAL GOVERNMENT THAT

11 GOVERNS THE DEVELOPMENT AND USE OF LAND, INCLUDING LAND USE

12 CODES, ZONING CODES, AND SUBDIVISION CODES.

13 (7) "MAXIMUM PARKING REQUIREMENT" MEANS A REQUIREMENT

14 ESTABLISHED IN LOCAL LAW THAT LIMITS THE NUMBER OF █ PARKING

15 SPACES █ THAT MAY BE MADE AVAILABLE IN CONNECTION WITH A REAL

16 PROPERTY.

17 (8) "METROPOLITAN PLANNING ORGANIZATION" MEANS A

18 METROPOLITAN PLANNING ORGANIZATION UNDER THE "FEDERAL TRANSIT

19 ACT OF 1998", 49 U.S.C. SEC. 5301 ET SEQ., AS AMENDED.

20 (9) "MINIMUM PARKING REQUIREMENT" MEANS A REQUIREMENT

21 ESTABLISHED IN LOCAL LAW THAT A NUMBER OF █ PARKING SPACES █

22 BE MADE AVAILABLE IN CONNECTION WITH A REAL PROPERTY.

23 (10) "MUNICIPALITY" MEANS A HOME RULE OR STATUTORY CITY

24 OR TOWN, TERRITORIAL CHARTER CITY OR TOWN, OR CITY AND COUNTY.

25 (11) "PARKING SPACE" MEANS AN OFF-STREET OR CURBSIDE SPACE

26 DESIGNATED FOR MOTOR VEHICLE PARKING. A PARKING SPACE DOES NOT

27 INCLUDE A LOADING SPACE.

1 (12) "REGULATED AFFORDABLE HOUSING" MEANS AFFORDABLE
2 HOUSING THAT:

3 (a) HAS RECEIVED LOANS, GRANTS, EQUITY, BONDS, OR TAX
4 CREDITS FROM ANY SOURCE TO SUPPORT THE CREATION, PRESERVATION,
5 OR REHABILITATION OF AFFORDABLE HOUSING THAT, AS A CONDITION OF
6 FUNDING, ENCUMBERS THE PROPERTY WITH A RESTRICTED USE COVENANT
7 OR SIMILAR RECORDED AGREEMENT TO ENSURE AFFORDABILITY, OR HAS
8 BEEN INCOME-RESTRICTED UNDER A LOCAL INCLUSIONARY ZONING
9 ORDINANCE OR OTHER REGULATION OR PROGRAM;

10 (b) RESTRICTS OR LIMITS MAXIMUM RENTAL OR SALE PRICE FOR
11 HOUSEHOLDS OF A GIVEN SIZE AT A GIVEN AREA MEDIAN INCOME, AS
12 ESTABLISHED ANNUALLY BY THE UNITED STATES DEPARTMENT OF
13 HOUSING AND URBAN DEVELOPMENT; AND

14 (c) ENSURES OCCUPANCY BY LOW- TO MODERATE-INCOME
15 HOUSEHOLDS FOR A SPECIFIED PERIOD DETAILED IN A RESTRICTIVE USE
16 COVENANT OR SIMILAR RECORDED AGREEMENT.

17 **29-35-103. Limitations on minimum parking requirements.**

18 (1) ON OR AFTER JUNE 30, 2025, A MUNICIPALITY SHALL NEITHER ENACT
19 NOR ENFORCE LOCAL LAWS THAT ESTABLISH A MINIMUM PARKING
20 REQUIREMENT THAT APPLIES TO REAL PROPERTY THAT IS BOTH WITHIN THE
21 MUNICIPALITY AND A METROPOLITAN PLANNING ORGANIZATION.

22 (2) ON OR AFTER JUNE 30, 2025, A COUNTY SHALL NEITHER ENACT
23 NOR ENFORCE LOCAL LAWS THAT ESTABLISH A MINIMUM PARKING
24 REQUIREMENT THAT APPLIES TO REAL PROPERTY THAT IS WITHIN BOTH THE
25 UNINCORPORATED AREA OF THE COUNTY AND A METROPOLITAN PLANNING
26 ORGANIZATION.

27 (3) NOTWITHSTANDING ANY LAW TO THE CONTRARY, A LOCAL

1 GOVERNMENT THAT SATISFIES THE REQUIREMENTS OF SUBSECTIONS (1) OR
2 (2) OF THIS SECTION IS NOT ELIGIBLE FOR A STATE GIFT, GRANT, OR AWARD
3 THAT IS GIFTED, GRANTED, OR AWARDED BY THE STATE DUE, EITHER IN
4 WHOLE OR IN PART, TO THE LOCAL GOVERNMENT REDUCING A PARKING
5 REQUIREMENT OR ELIMINATING A MINIMUM PARKING REQUIREMENT.

6 (4) NOTHING IN THIS SECTION:

7 (a) LOWERS THE PROTECTIONS PROVIDED FOR PERSONS WITH
8 DISABILITIES, INCLUDING THE NUMBER OF PARKING SPACES FOR PERSONS
9 WHO ARE MOBILITY IMPAIRED, UNDER THE FEDERAL "AMERICANS WITH
10 DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AND PARTS 6
11 AND 8 OF ARTICLE 34 OF TITLE 24;

12 (b) PREVENTS A LOCAL GOVERNMENT FROM ENACTING OR
13 ENFORCING LOCAL LAWS THAT ESTABLISH A MAXIMUM PARKING
14 REQUIREMENT;

15 (c) PREVENTS A LOCAL GOVERNMENT OR A DEVELOPER FROM
16 BEING AWARDED FUNDING FOR AFFORDABLE HOUSING THAT REQUIRES A
17 RATIO OF A CERTAIN NUMBER OF PARKING SPACES;

18 (d) AFFECTS THE ABILITY OF A LOCAL GOVERNMENT TO ENFORCE
19 ANY AGREEMENT MADE IN CONNECTION WITH A LAND USE APPROVAL
20 PRIOR TO THE EFFECTIVE DATE OF HOUSE BILL 24-1304, ENACTED IN 2024,
21 TO PROVIDE REGULATED AFFORDABLE HOUSING IN EXCHANGE FOR
22 REDUCING MINIMUM PARKING REQUIREMENTS;

23 (e) PREVENTS A LOCAL GOVERNMENT FROM ENACTING OR
24 ENFORCING LOCAL LAWS THAT ESTABLISH A MINIMUM REQUIREMENT
25 FOR BICYCLE PARKING; OR

26 (f) PREVENTS A LOCAL GOVERNMENT FROM IMPOSING THE
27 FOLLOWING REQUIREMENTS ON A PARKING SPACE THAT IS

1 VOLUNTARILY PROVIDED IN CONNECTION WITH A LAND USE APPROVAL:

2 (I) THAT THE OWNERS OF SUCH A █ PARKING SPACE CHARGE FOR
3 THE USE OF THE SPACE; █

4 (II) THAT THE OWNER OF A SUCH A PARKING SPACE CONTRIBUTE
5 TO A PARKING ENTERPRISE, PERMITTING SYSTEM, OR SHARED PARKING
6 PLAN; AND

7 (III) THAT SUCH A █ PARKING SPACE ALLOWS FOR ELECTRIC
8 VEHICLE CHARGING STATIONS IN ACCORDANCE WITH EXISTING LAW.

9 **29-35-104. Minimum parking requirements reporting.**

10 (1) (a) ON OR BEFORE DECEMBER 31, 2025, █ A LOCAL GOVERNMENT
11 SHALL SUBMIT TO THE DEPARTMENT OF LOCAL AFFAIRS, IN A FORM AND
12 MANNER DETERMINED BY THE DEPARTMENT, A REPORT DEMONSTRATING
13 EVIDENCE OF THE LOCAL GOVERNMENT'S COMPLIANCE WITH THE
14 REQUIREMENTS OF THIS ARTICLE 35.

15 (b) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION, THE
16 DEPARTMENT OF LOCAL AFFAIRS MAY ALLOW A LOCAL GOVERNMENT TO
17 SUBMIT THE REPORT DESCRIBED IN SUBSECTION (1) OF THIS SECTION NO
18 MORE THAN SIX MONTHS AFTER DECEMBER 31, 2025, IF THE LOCAL
19 GOVERNMENT DEMONSTRATES, IN A FORM AND MANNER DETERMINED BY
20 THE DEPARTMENT, THAT THE LOCAL GOVERNMENT HAS:

21 (I) A PLAN AND TIMELINE TO UPDATE ITS LOCAL LAWS AS
22 NECESSARY TO COMPLY WITH THE REQUIREMENTS OF THIS ARTICLE 35;

23 (II) INITIATED THE PLAN DESCRIBED IN SUBSECTION (1)(b)(I) OF
24 THIS SECTION; AND

25 (III) PROVIDED AN EXPLANATION FOR NOT BEING ABLE TO MEET
26 THE DEADLINES DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION.

27 █ █

1 (2) THE DEPARTMENT OF LOCAL AFFAIRS, IN CONSULTATION WITH
2 THE DEPARTMENT OF TRANSPORTATION AND THE COLORADO ENERGY
3 OFFICE, MAY DEVELOP POLICIES AND PROCEDURES AS NECESSARY TO
4 IMPLEMENT THIS SECTION.

5 (3) THE DEPARTMENT OF LOCAL AFFAIRS, THE DEPARTMENT OF
6 TRANSPORTATION, AND THE COLORADO ENERGY OFFICE SHALL
7 IMPLEMENT AND ADMINISTER THIS SECTION WITHIN EXISTING RESOURCES.

8 **29-35-105. Parking use and needs studies.** (1) (a) ON OR
9 BEFORE DECEMBER 31, 2024, THE DEPARTMENT OF LOCAL AFFAIRS, IN
10 CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, AND THE
11 COLORADO ENERGY OFFICE, SHALL, WITHIN EXISTING RESOURCES, TO THE
12 EXTENT FEASIBLE, DEVELOP AND PUBLISH BEST PRACTICES AND
13 TECHNICAL ASSISTANCE MATERIALS CONCERNING OPTIMIZING PARKING
14 SUPPLY AND MANAGING PARKING. THESE BEST PRACTICES AND TECHNICAL
15 ASSISTANCE MATERIALS MUST INCLUDE, BUT ARE NOT LIMITED TO,
16 ELEMENTS RELATED TO:

17 (I) THE IMPLEMENTATION OF LOCAL PARKING MAXIMUMS;

18 (II) SAMPLE LANGUAGE TO REPLACE EXISTING LOCAL PARKING
19 CODES WITH OTHER INCENTIVES FOR THE PRODUCTION OF AFFORDABLE
20 HOUSING, TRANSPORTATION DEMAND MANAGEMENT STRATEGIES, AND
21 OTHER DESIRED OUTCOMES;

22 (III) THE DESIGN AND IMPLEMENTATION OF PARKING BENEFIT
23 DISTRICTS AND ON-STREET PARKING MANAGEMENT;

24 (IV) STRATEGIES FOR DEVELOPERS TO MANAGE THE SUPPLY AND
25 PRICE OF PARKING SPACES TO MINIMIZE PARKING DEMAND BASED ON
26 DIFFERENT LOCATION AND LAND USE CHARACTERISTICS AND TAKING INTO
27 CONSIDERATION THE NUMBER OF RESIDENTS WHO NEED ACCESS TO

1 PARKING AND ACCESS TO MASS TRANSIT;

2 (V) STRATEGIES TO OPTIMIZE THE USE OF EXISTING PARKING
3 THROUGH SHARED PARKING AGREEMENTS AND OTHER STRATEGIES; AND

4 (VI) INFORMATION FROM AFFORDABLE HOUSING PROVIDERS AND
5 EXISTING STUDIES ON PARKING NEEDS FOR RESIDENTS OF REGULATED
6 AFFORDABLE HOUSING BASED ON DIFFERENT LOCATION AND LAND USE
7 CHARACTERISTICS.

8 (b) (I) IN DEVELOPING THE MATERIALS AND BEST PRACTICES
9 DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION, THE DEPARTMENT OF
10 LOCAL AFFAIRS SHALL CONSULT WITH VARIOUS STAKEHOLDERS,
11 INCLUDING DISPROPORTIONATELY IMPACTED COMMUNITIES,
12 COMMUNITY-BASED ORGANIZATIONS, AFFORDABLE HOUSING PROVIDERS,
13 TRANSIT AGENCIES, AND ACTIVE TRANSPORTATION ORGANIZATIONS. IN
14 CONSULTING WITH THESE STAKEHOLDERS, THE DEPARTMENT OF LOCAL
15 AFFAIRS MAY COLLECT THIS FEEDBACK THROUGH MULTIPLE MEANS,
16 INCLUDING ONLINE OR IN-PERSON SURVEYS OR PUBLIC FEEDBACK
17 SESSIONS.

18 (2) DURING THE 2025 REGULAR SESSION, THE DEPARTMENT OF
19 LOCAL AFFAIRS SHALL PRESENT THE MATERIALS AND BEST PRACTICES
20 DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION TO THE LOCAL
21 GOVERNMENT AND HOUSING COMMITTEE OF THE SENATE AND THE
22 TRANSPORTATION, HOUSING AND LOCAL GOVERNMENT COMMITTEE OF THE
23 HOUSE OF REPRESENTATIVES OR THEIR SUCCESSOR COMMITTEES.

24
25 (3) IN CONDUCTING THE STUDY, THE ENTITY THAT CONDUCTS THE
26 STUDY DESCRIBED IN THIS SECTION SHALL CONSULT WITH LOCAL
27 GOVERNMENTS, METROPOLITAN PLANNING ORGANIZATIONS, AND ACTIVE

1 TRANSPORTATION ORGANIZATIONS.

2 **SECTION 2.** In Colorado Revised Statutes, 29-20-104, **amend**
3 (1) introductory portion as follows:

4 **29-20-104. Powers of local governments - definition.**

5 (1) Except as expressly provided in section 29-20-104.2, ~~or~~ SECTION
6 29-20-104.5, AND ARTICLE 35 OF THIS TITLE 29, the power and authority
7 granted by this section does not limit any power or authority presently
8 exercised or previously granted. Except as provided in section
9 29-20-104.2, each local government within its respective jurisdiction has
10 the authority to plan for and regulate the use of land by:

11 **SECTION 3.** In Colorado Revised Statutes, 30-15-401, **amend**
12 (1)(h)(I)(B) as follows:

13 **30-15-401. General regulations - definitions.** (1) In addition to
14 those powers granted by sections 30-11-101 and 30-11-107 and by parts
15 1, 2, and 3 of this article 15, the board of county commissioners may
16 adopt ordinances for control or licensing of those matters of purely local
17 concern that are described in the following enumerated powers:

18 (h) (I) To control and regulate the movement and parking of
19 vehicles and motor vehicles on public property; except that:

20 (B) For the purposes of any minimum parking requirement a
21 board of county commissioners imposes, the board of county
22 commissioners is subject to ~~section 30-28-140~~ ARTICLE 35 OF TITLE 29
23 AND SECTION 30-28-140; and

24 **SECTION 4. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly; except
27 that, if a referendum petition is filed pursuant to section 1 (3) of article V

1 of the state constitution against this act or an item, section, or part of this
2 act within such period, then the act, item, section, or part will not take
3 effect unless approved by the people at the general election to be held in
4 November 2024 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.