

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

LLS NO. 24-0151.01 Pierce Lively x2059

SENATE BILL 24-174

SENATE SPONSORSHIP

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Senate Committees
Local Government & Housing

House Committees

A BILL FOR AN ACT

101 **CONCERNING STATE SUPPORT FOR SUSTAINABLE AFFORDABLE**
102 **HOUSING, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **APPROPRIATION.**

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>.)

Housing needs assessments. The bill requires the executive director of the department of local affairs (director), no later than December 31, 2024, to develop reasonable methodologies for conducting statewide, regional, and local housing needs assessments and reasonable guidance for a local government to identify areas at elevated risk of

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.

displacement.

The bill requires the director, no later than November 30, 2027, and every 6 years thereafter, to conduct a statewide housing needs assessment that analyzes existing and future statewide housing needs and to publish a report identifying current housing stock and estimating statewide housing needs.

The bill requires each local government, beginning December 31, 2026, and every 6 years thereafter, to conduct and publish a local housing needs assessment. The bill outlines the process for a local government conducting a local housing needs assessment and for determining when a local government is exempt from conducting a local housing needs assessment. The bill requires local governments to submit local housing needs assessments to the department of local affairs (department), which shall publish those assessments on the department's website.

Relatedly, the bill allows a regional entity to conduct a regional housing needs assessment. If a regional entity conducts a regional housing needs assessment, the bill requires the regional entity to submit the assessment both to each local government in the region and to the department, which shall publish those assessments on the department's website.

Housing action plans. A housing action plan is an advisory document that demonstrates a local government's commitment to address housing needs and that guides a local government in developing legislative actions, promoting regional coordination, and informing the public of the local government's efforts to address housing needs in the local government's jurisdiction. The bill requires a local government with a population of 1,000 or more to make a housing action plan no later than January 1, 2028, and every 6 years thereafter. The bill identifies the specific elements that a housing action plan must include, explains how a local government may update a housing action plan, requires a local government to report its progress in implementing the plan to the department, and requires a local government to submit a housing action plan to the department, which shall publish those assessments on the department's website.

Publishing of reports. The bill requires the director to publish reports on the following no later than December 31, 2024:

- A directory of housing and land use strategies to guide local governments in encouraging the development of a range of housing types with a primary focus on increasing housing affordability; and
- A directory of housing and land use strategies to guide local governments in avoiding, reducing, and mitigating the impact of displacement.

The bill establishes the minimum required elements for both types of directories of housing and land use strategies. The bill also requires the

director to develop and publish:

- No later than June 30, 2025, in consultation with the Colorado water conservation board, a joint report concerning water supply; and
- No later than December 31, 2025, in coordination with relevant state agencies, a natural land and agricultural interjurisdictional opportunities report.

Technical assistance. The bill requires the division of local government (division) to provide technical assistance and guidance through a grant program, the provision of consultant services, or both to aid local governments in:

- Establishing regional entities;
- Creating local and regional housing needs assessments;
- Making a housing action plan;
- Enacting laws and policies that encourage the development of a range of housing types or mitigate the impact of displacement; and
- Creating strategic growth elements in master plans.

The bill creates the continuously appropriated housing needs planning technical assistance fund to contain the money necessary for the division to provide this technical assistance and guidance. The bill requires the state treasurer to transfer \$15 million from the general fund to this fund.

Further, the bill directs the division to serve as a clearing house for the benefit of local governments and regional entities in accomplishing the goals of the bill. The division shall report on the assistance requested and provided under the bill.

Grant program prioritization criteria. On and after December 1, 2027, for any grant program conducted by the department, the Colorado energy office, the office of economic development the department of transportation, the department of natural resources, the department of public health and environment, and the department of personnel and administration that awards grants to local governments for the primary purpose of supporting land use planning or housing, the bill requires the awarding entity to prioritize awarding grants to a local government that:

- Is the subject of a completed and filed housing needs assessment;
- Has adopted a housing action plan that has been accepted by the department;
- Has reported progress to the department regarding the adoption of any strategies or changes to local laws identified in the housing action plan; and
- Is the subject of a master plan that includes a water element and a strategic growth element.

In the case of a local government that is not required to do any of the above, the department is required to prioritize that local government in the same way that it prioritizes a local government that has done all of the above.

Master plans. The bill modifies the requirements of both county and municipal master plans so that those master plans must include:

- A narrative description of the procedure used for the development and adoption of the master plan;
- No later than December 31, 2026, a water supply element; and
- No later than December 31, 2026, a strategic growth element, so long as the county or municipality meets certain requirements.

The water element in a county or municipal master plan must identify the general location and extent of an adequate and suitable supply of water, identify supplies and facilities sufficient to meet the needs of local infrastructure, and include water conservation policies.

The strategic growth element in a master plan must include:

- A buildable sites analysis that identifies vacant, partially vacant, and underutilized land that can accommodate infill development, redevelopment, and new development without the development of previously undeveloped land;
- An identification of areas within a reasonable distance of rail transit and frequent bus service that can accommodate the development of housing to address the housing needs of current and future residents at all income levels; and
- A description of existing and needed infrastructure, transportation, and public facilities and services to serve these sites.

The bill requires both counties and municipalities to submit their master plan and any separately approved water or strategic growth element to the division for the division's review.

Prohibition contrary to public policy. The bill prohibits a unit owners' association of a common interest community from, through any declaration or bylaw, rules, or regulation adopted or amended by an association on or after July 1, 2024, prohibiting or restricting the construction of accessory dwelling units or middle housing, if the zoning laws of the association's local jurisdiction would otherwise allow such construction.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 37 to article

1 32 of title 24 as follows:

2 PART 37

3 HOUSING NEEDS PLANNING

4 **24-32-3701. Definitions.** AS USED IN THIS PART 37, UNLESS THE
5 CONTEXT OTHERWISE REQUIRES:

6 (1) "ACCESSIBLE HOUSING" OR "ACCESSIBLE UNIT" MEANS
7 HOUSING THAT SATISFIES THE REQUIREMENTS OF THE FEDERAL "FAIR
8 HOUSING ACT", 42 U.S.C. SEC. 3601 ET SEQ., AS AMENDED, AND
9 INCORPORATES UNIVERSAL DESIGN.

10 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF LOCAL AFFAIRS.

11 (3) "DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE
12 DEPARTMENT OF LOCAL AFFAIRS.

13 (4) "DISPLACEMENT" MEANS:

14 (a) THE INVOLUNTARY RELOCATION OF RESIDENTS, PARTICULARLY
15 LOW-INCOME RESIDENTS, OR LOCALLY OWNED COMMUNITY SERVING
16 BUSINESSES AND INSTITUTIONS DUE TO:

17 (I) INCREASED REAL ESTATE PRICES OR RENTS, PROPERTY
18 REHABILITATION, REDEVELOPMENT, DEMOLITION, OR OTHER ECONOMIC
19 FACTORS;

20 (II) PHYSICAL CONDITIONS RESULTING FROM NEGLECT AND
21 UNDERINVESTMENT THAT RENDER A RESIDENCE UNINHABITABLE; OR

22 (III) PHYSICAL DISPLACEMENT WHEREIN EXISTING HOUSING UNITS
23 AND COMMERCIAL SPACES ARE LOST DUE TO PROPERTY REHABILITATION,
24 REDEVELOPMENT, OR DEMOLITION; OR

25 (b) INDIRECT DISPLACEMENT RESULTING FROM CHANGES IN
26 NEIGHBORHOOD POPULATION, IF, WHEN LOW-INCOME HOUSEHOLDS MOVE
27 OUT OF HOUSING UNITS, THOSE SAME HOUSING UNITS DO NOT REMAIN

1 AFFORDABLE TO OTHER LOW-INCOME HOUSEHOLDS IN THE
2 NEIGHBORHOOD, OR DEMOGRAPHIC CHANGES THAT REFLECT THE
3 RELOCATION OF EXISTING RESIDENTS FOLLOWING WIDESPREAD
4 RELOCATION OF THEIR COMMUNITY AND COMMUNITY SERVING ENTITIES.

5 (5) "DIVISION OF LOCAL GOVERNMENT" MEANS THE DIVISION OF
6 LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS CREATED IN
7 SECTION 24-32-103.

8 _____
9 (6) "DWELLING UNIT" MEANS A SINGLE UNIT PROVIDING COMPLETE
10 INDEPENDENT LIVING FACILITIES FOR ONE OR MORE INDIVIDUALS,
11 INCLUDING PERMANENT PROVISIONS FOR COOKING, EATING, LIVING,
12 SANITATION, AND SLEEPING.

13 _____
14 (7) "LOCAL GOVERNMENT" MEANS A HOME RULE, TERRITORIAL, OR
15 STATUTORY COUNTY, CITY AND COUNTY, CITY, OR TOWN.

16 (8) "MAJOR TRANSIT STOP" MEANS A STATION FOR BOARDING AND
17 EXITING GENERAL PUBLIC PASSENGER RAIL, INCLUDING COMMUTER RAIL
18 AND LIGHT RAIL, OR A STOP ON A BUS ROUTE WITH A SERVICE FREQUENCY
19 OF NO MORE THAN EVERY FIFTEEN MINUTES FOR THE MAJORITY OF A DAY.

20 (9) "MULTIFAMILY RESIDENTIAL HOUSING" MEANS A BUILDING OR
21 GROUP OF BUILDINGS ON A LOT WITH FIVE OR MORE SEPARATE DWELLING
22 UNITS.

23 _____
24 (10) "PUBLIC FACILITIES" MEANS PUBLIC STREETS, ROADS,
25 HIGHWAYS, SIDEWALKS, STREET- AND ROAD-LIGHTING SYSTEMS, TRAFFIC
26 SIGNALS, DOMESTIC WATER SYSTEMS, STORM AND SANITARY SEWER
27 SYSTEMS, PARKS AND RECREATIONAL FACILITIES, BUILDINGS USED IN THE

1 PROVISION OF PUBLIC SERVICES, AND SCHOOLS.

2 (11) "PUBLIC SERVICES" MEANS FIRE PROTECTION AND
3 SUPPRESSION, LAW ENFORCEMENT, PUBLIC HEALTH, EDUCATION,
4 RECREATION, ENVIRONMENTAL PROTECTION, STORMWATER
5 MANAGEMENT, WASTEWATER MANAGEMENT, PUBLIC TRANSPORTATION,
6 PUBLIC INFRASTRUCTURE MAINTENANCE, WATER, SOCIAL SERVICES, AND
7 OTHER SERVICES TRADITIONALLY PROVIDED BY GOVERNMENT.

8 (12) "REGION" OR "REGIONAL" MEANS A DEFINED GEOGRAPHIC
9 AREA CONSISTING OF TERRITORY FROM MORE THAN ONE LOCAL
10 GOVERNMENT WITH A SUBSTANTIAL INTERCONNECTION IN COMMUTING
11 PATTERNS, ECONOMY, WORKFORCE, TRANSPORTATION AND TRANSIT
12 SYSTEMS, PUBLIC SERVICES, COMMUNITIES OF INTEREST, OR OTHER
13 FACTORS RELATED TO POPULATION AND HOUSING.

14 (13) "REGIONAL ENTITY" MEANS A COUNCIL OF GOVERNMENTS, A
15 PUBLIC ENTITY FORMED BY THE VOLUNTARY AGREEMENT OF LOCAL
16 GOVERNMENTS IN THE REGION, OR A REGIONAL PLANNING COMMISSION.

17 (14) "REGULATED AFFORDABLE HOUSING" MEANS AFFORDABLE
18 HOUSING THAT:

19 (a) HAS RECEIVED LOANS, GRANTS, EQUITY, BONDS, OR TAX
20 CREDITS FROM ANY SOURCE TO SUPPORT THE CREATION, PRESERVATION,
21 OR REHABILITATION OF AFFORDABLE HOUSING THAT, AS A CONDITION OF
22 FUNDING, ENCUMBERS THE PROPERTY WITH A RESTRICTED USE COVENANT
23 OR SIMILAR RECORDED AGREEMENT TO ENSURE AFFORDABILITY, OR HAS
24 BEEN INCOME-RESTRICTED UNDER A LOCAL INCLUSIONARY ZONING
25 ORDINANCE OR OTHER REGULATION OR PROGRAM;

26 (b) RESTRICTS OR LIMITS MAXIMUM RENTAL OR SALE PRICE FOR
27 HOUSEHOLDS OF A GIVEN SIZE AT A GIVEN AREA MEDIAN INCOME, AS

1 ESTABLISHED ANNUALLY BY THE UNITED STATES DEPARTMENT OF
2 HOUSING AND URBAN DEVELOPMENT; AND

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

6 (15) "SINGLE-UNIT DETACHED DWELLING" MEANS A DETACHED
7 BUILDING WITH A SINGLE DWELLING UNIT LOCATED ON A SINGLE LOT.

8 (16) "SUPPORTIVE HOUSING" OR "SUPPORTIVE UNIT" MEANS A
9 COMBINATION OF HOUSING AND SERVICES INTENDED AS A COST-EFFECTIVE
10 WAY TO HELP PEOPLE LIVE MORE STABLE, PRODUCTIVE LIVES, AND
11 TYPICALLY COMBINES AFFORDABLE HOUSING WITH INTENSIVE
12 COORDINATED SERVICES TO HELP PEOPLE MAINTAIN STABLE HOUSING AND
13 RECEIVE APPROPRIATE HEALTH CARE.

14 (17) "UNIVERSAL DESIGN" MEANS ANY DWELLING UNIT DESIGNED
15 AND CONSTRUCTED TO BE SAFE AND ACCESSIBLE FOR ANY INDIVIDUAL
16 REGARDLESS OF AGE OR ABILITIES.

17 (18) "VISITABLE HOUSING" OR "VISITABLE UNIT" MEANS A
18 DWELLING UNIT THAT A PERSON WITH A DISABILITY CAN ENTER, MOVE
19 AROUND THE PRIMARY ENTRANCE FLOOR OF, AND USE THE BATHROOM IN.

20 **24-32-3702. Housing needs assessment methodology -**
21 **statewide housing needs assessment - population growth projections**
22 **- displacement risk guidance.** (1) (a) No LATER THAN DECEMBER 31,
23 2024, THE DIRECTOR SHALL DEVELOP REASONABLE METHODOLOGIES FOR
24 CONDUCTING STATEWIDE, REGIONAL, AND LOCAL HOUSING NEEDS
25 ASSESSMENTS. THE METHODOLOGIES DESCRIBED IN THIS SUBSECTION
26 (1)(a) MUST ESTABLISH BASELINE STANDARDS THAT SEEK TO PRODUCE
27 ACCURATE DATA FOR INTERNAL STATE AGENCY PLANNING AND GRANT

1 PROGRAMS AND EFFICIENTLY PROCURE DATA FOR USE BY REGIONS AND
2 LOCAL GOVERNMENTS FOR PLANNING PURPOSES, BUT MUST ALSO BE _____
3 _NARROWLY TAILORED TO IMPOSE THE LEAST FISCAL BURDEN ON ENTITIES
4 CONDUCTING HOUSING NEEDS ASSESSMENTS. IN DEVELOPING THE REPORTS
5 DESCRIBED IN THIS SUBSECTION (1), THE DIRECTOR SHALL CONSULT WITH
6 LOCAL GOVERNMENTS AND EXPERTS IN PLANNING AND ZONING,
7 AFFORDABLE HOUSING, DISABILITY RIGHTS, HOMELESSNESS RESOLUTION
8 AND PREVENTION, TENANTS' RIGHTS, AND OTHER FIELDS FOCUSED ON
9 HOUSING NEEDS PLANNING.

10 (b) NO LATER THAN NOVEMBER 30, 2027, AND EVERY SIX YEARS
11 THEREAFTER, THE DIRECTOR SHALL CONDUCT A STATEWIDE HOUSING
12 NEEDS ASSESSMENT THAT ANALYZES EXISTING AND FUTURE STATEWIDE
13 HOUSING NEEDS. THE DIRECTOR SHALL PUBLISH A REPORT BASED ON THE
14 STATEWIDE HOUSING NEEDS ASSESSMENT AND REGIONAL AND LOCAL
15 HOUSING NEEDS ASSESSMENTS ACCEPTED BY THE DEPARTMENT PURSUANT
16 TO SECTION 24-32-3703 (3) OR 24-32-3704 (3) THAT IDENTIFIES CURRENT
17 HOUSING STOCK AND ESTIMATES THE NUMBER AND TYPE OF DWELLING
18 UNITS NEEDED TO ACCOMMODATE FUTURE HOUSING NEEDS OF THE STATE
19 BASED ON POPULATION GROWTH PROJECTIONS. THE REPORT SHALL
20 CATEGORIZE STATEWIDE HOUSING NEEDS BY HOUSEHOLD SIZE;
21 HOUSEHOLD TYPE, INCLUDING ACCESSIBLE, VISITABLE, SUPPORTIVE,
22 FOR-SALE, AND RENTAL HOUSING; AND INCOME LEVELS, INCLUDING
23 EXTREMELY LOW-, VERY LOW-, LOW-, MODERATE-, AND MIDDLE-INCOME
24 HOUSEHOLDS AS DESIGNATED BY THE UNITED STATES DEPARTMENT OF
25 HOUSING AND URBAN DEVELOPMENT.

26 (c) THE METHODOLOGY FOR CONDUCTING A REGIONAL HOUSING
27 NEEDS ASSESSMENT MUST INCLUDE METHODS FOR A REGIONAL ENTITY TO:

1 (I) ESTIMATE EXISTING HOUSING STOCK IN THE REGION AND IN
2 EACH LOCAL JURISDICTION THAT FORMS THE REGION;

3 (II) ESTIMATE HOUSING NEEDS IN THE REGION AND EACH LOCAL
4 GOVERNMENT'S JURISDICTION THAT FORMS THE REGION, SORTED BY
5 INCOME LEVEL AND DWELLING TYPE, INCLUDING ACCESSIBLE UNITS,
6 SUPPORTIVE UNITS, FOR-SALE UNITS, AND RENTAL UNITS;

7 (III) ESTIMATE THE NUMBER OF HOUSEHOLDS IN THE REGION AND
8 EACH LOCAL GOVERNMENT'S JURISDICTION THAT FORMS THE REGION;

9 (IV) ESTIMATE THE NUMBER OF JOBS IN THE REGION AND EACH
10 LOCAL GOVERNMENT'S JURISDICTION THAT FORMS THE REGION, SORTED BY
11 ANNUAL SALARY AND WAGE;

12 (V) ESTIMATE AN ALLOCATION OF HOUSING NEEDS IDENTIFIED IN
13 SUBSECTION (1)(c)(II) OF THIS SECTION TO EACH LOCAL GOVERNMENT IN
14 THE REGION OR CONTRIBUTING TO HOUSING NEEDS IN THE REGION BASED
15 ON THE NUMBER OF JOBS AND EACH LOCAL GOVERNMENT'S DEPENDENCE
16 ON JOBS IN THE REGION, AMONG OTHER FACTORS, TO PROMOTE A BALANCE
17 OF JOBS AT ALL SALARY LEVELS AND HOMES AFFORDABLE TO PERSONS IN
18 THE REGION HOLDING JOBS AT ALL INCOME LEVELS IN THE REGION;

19 (VI) IDENTIFY AREAS AT ELEVATED RISK OF DISPLACEMENT IN THE
20 REGION AND EACH LOCAL GOVERNMENT'S JURISDICTION THAT FORMS THE
21 REGION;

22 (VII) ESTIMATE THE WATER SUPPLY NEEDS FOR THE DWELLING
23 UNITS IDENTIFIED IN SUBSECTIONS (1)(c)(I) AND (1)(c)(II) OF THIS
24 SECTION; AND

25 (VIII) ASSESS MARKET LIMITATIONS ON THE DEVELOPMENT OF
26 FOR-SALE MULTIFAMILY RESIDENTIAL HOUSING IN THE REGION.

27 (d) THE METHODOLOGY FOR CONDUCTING A LOCAL HOUSING

1 NEEDS ASSESSMENT MUST INCLUDE METHODS AND ACCEPTABLE PUBLICLY
2 AVAILABLE DATA SOURCES FOR A LOCAL GOVERNMENT TO:

3 (I) ESTIMATE EXISTING HOUSING STOCK IN THE LOCAL
4 GOVERNMENT'S JURISDICTION;

5 (II) ESTIMATE HOUSING NEEDS WITHIN THE LOCAL GOVERNMENT'S
6 JURISDICTION, SORTED BY INCOME LEVEL AND DWELLING TYPE, INCLUDING
7 ACCESSIBLE UNITS, VISITABLE UNITS, SUPPORTIVE UNITS, FOR-SALE UNITS,
8 AND RENTAL UNITS;

9 (III) ESTIMATE THE NUMBER OF HOUSEHOLDS IN THE LOCAL
10 GOVERNMENT'S JURISDICTION;

11 (IV) ESTIMATE THE NUMBER OF JOBS IN THE LOCAL GOVERNMENT'S
12 JURISDICTION SORTED BY ANNUAL SALARY AND WAGE;

13 (V) INCORPORATE A PORTION OF HOUSING NEEDS IDENTIFIED IN
14 ANY APPLICABLE STATE AND REGIONAL HOUSING NEEDS ASSESSMENT FOR
15 THE LOCAL GOVERNMENT, AS APPROPRIATE, BASED ON THE NUMBER OF
16 JOBS AND EACH LOCAL GOVERNMENT'S DEPENDENCE ON JOBS IN THE
17 REGION, AMONG OTHER FACTORS, TO PROMOTE A BALANCE OF JOBS AT ALL
18 SALARY LEVELS AND HOMES AFFORDABLE TO PERSONS IN THE REGION
19 HOLDING JOBS AT ALL INCOME LEVELS;

20 (VI) IDENTIFY AREAS AT ELEVATED RISK OF DISPLACEMENT IN THE
21 LOCAL GOVERNMENT'S JURISDICTION;

22 (VII) ESTIMATE WATER SUPPLY NEEDS FOR THE DWELLING UNITS
23 IDENTIFIED IN SUBSECTIONS (1)(d)(I) AND (1)(d)(II) OF THIS SECTION; AND

24 (VIII) ASSESS MARKET LIMITATIONS ON THE DEVELOPMENT OF ==
25 == HOUSING IN THE LOCAL GOVERNMENT'S JURISDICTION.

26 (2) THE METHODOLOGIES FOR ESTIMATING HOUSING NEEDS IN ==
27 == HOUSING NEEDS ASSESSMENTS MUST BE BASED ON THE FOLLOWING

1 BASELINE COMPONENTS FOR EACH REGION AND LOCAL GOVERNMENT:

2 (a) EXISTING AND PROJECTED HOUSING SHORTAGES AND
3 SURPLUSES FOR DIFFERENT HOUSEHOLD TYPES AND INCOME LEVELS,
4 INCLUDING EXTREMELY LOW-, VERY LOW-, LOW-, MODERATE-, AND
5 MIDDLE-INCOME HOUSEHOLDS AS DESIGNATED BY THE UNITED STATES
6 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT;

7 (b) EXISTING HOUSING DIVERSITY AND STOCK;

8 (c) CURRENT JOBS BY INCOME LEVEL;

9 (d) CURRENT MEDIAN INCOME;

10 (e) FUTURE POPULATION GROWTH PROJECTIONS, JOB GROWTH
11 PROJECTIONS, AND DEMOGRAPHIC TRENDS FORECASTED BY THE STATE
12 DEMOGRAPHY OFFICE;

13 (f) POPULATION AND DEMOGRAPHICS;

14 (g) MEASURES OF LOCAL RESOURCES DEDICATED TO THE
15 DEVELOPMENT OF AFFORDABLE HOUSING;

16 (h) VACANCY RATES;

17 (i) MEASURES OF HOMELESSNESS AND HOUSING INSTABILITY; AND

18 (j) THE JOB-HOUSING BALANCE, INCLUDING THE AVAILABILITY OF
19 HOUSING FOR LOW-INCOME WORKERS.

20 (3) NO LATER THAN DECEMBER 31, 2024, THE DIRECTOR SHALL
21 DEVELOP GUIDANCE FOR REGIONS AND LOCAL GOVERNMENTS TO CONDUCT
22 A DISPLACEMENT RISK ASSESSMENT. IN DEVELOPING THE GUIDANCE, THE
23 DEPARTMENT SHALL INCLUDE METHODS, WITH VARIATIONS FOR DIFFERENT
24 LOCAL CONTEXTS INCLUDING THE SIZE AND RESOURCE LEVELS OF LOCAL
25 GOVERNMENTS, FOR LOCAL GOVERNMENTS TO USE TO:

26 (a) GATHER FEEDBACK THROUGH COMMUNITY ENGAGEMENT; AND

27 (b) IDENTIFY INFORMATION FROM NEIGHBORHOOD-LEVEL EARLY

1 DISPLACEMENT WARNING AND RESPONSE SYSTEMS OR, IF THOSE SYSTEMS
2 ARE UNAVAILABLE, IDENTIFY THE BEST AVAILABLE LOCAL, REGIONAL,
3 STATE, OR FEDERAL DATA THAT CAN BE ANALYZED TO IDENTIFY
4 RESIDENTS AT ELEVATED DISPLACEMENT RISK, WHICH MAY INCLUDE:

5 (I) THE PERCENTAGE OF HOUSEHOLDS THAT ARE EXTREMELY
6 LOW-, VERY LOW-, AND LOW-INCOME, AS DESIGNATED BY THE UNITED
7 STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT;

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

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

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

15 (V) THE PERCENTAGE OF HOUSEHOLDS IN WHICH ENGLISH IS NOT
16 THE PRIMARY SPOKEN LANGUAGE; AND

17 (VI) THE PERCENTAGE OF HOUSING STOCK BUILT PRIOR TO 1970;

18 (c) IDENTIFY THE LOCATION OF MANUFACTURED HOME PARKS; AND

19 (d) IDENTIFY AREAS THAT QUALIFY AS DISADVANTAGED AS
20 DETERMINED WITH THE CLIMATE AND ECONOMIC JUSTICE SCREENING TOOL
21 DEVELOPED BY THE COUNCIL ON ENVIRONMENTAL QUALITY IN THE OFFICE
22 OF THE PRESIDENT OF THE UNITED STATES; AND

23 (i) AREAS THAT WILL EXPERIENCE INCREASED ZONING CAPACITY
24 ON OR AFTER JANUARY 1, 2025.

25 _____
26 (4) ANY METHODOLOGY OR GUIDANCE DEVELOPED BY THE
27 DIRECTOR PURSUANT TO THIS SECTION MUST PERMIT THE SUBSTITUTION OF

1 AN ASSESSMENT OF HOUSING NEEDS OR DISPLACEMENT RISK CONDUCTED
2 PURSUANT TO THE REQUIREMENTS OF ANY OTHER FEDERAL OR STATE LAW
3 OR REGULATION.

4 **24-32-3703. Local housing needs assessments - procedure -**
5 **exempt local governments.** (1) (a) NO LATER THAN DECEMBER 31, 2026,
6 EACH LOCAL GOVERNMENT THAT HAS A POPULATION OF ONE THOUSAND
7 OR MORE SHALL CONDUCT AND PUBLISH A LOCAL HOUSING NEEDS
8 ASSESSMENT THAT CONFORMS TO THE METHODOLOGY FOR CONDUCTING
9 LOCAL HOUSING NEEDS ASSESSMENTS DEVELOPED BY THE DIRECTOR
10 PURSUANT TO SECTION 24-32-3702 (1)(d) FOR THE TERRITORY COVERED
11 BY THE LOCAL GOVERNMENT'S MASTER PLAN.

12 (b) A HOUSING NEEDS ASSESSMENT CONDUCTED BY A LOCAL
13 GOVERNMENT AFTER JANUARY 1, 2023, QUALIFIES AS HAVING SATISFIED
14 THE REQUIREMENT OF SUBSECTION (1)(a) OF THIS SECTION, IF THE
15 ASSESSMENT INCLUDES THE ESTIMATES REQUIRED FOR A REGIONAL
16 HOUSING NEEDS ASSESSMENT PURSUANT TO SECTION 24-32-3702 (1)(c) OR
17 FOR A LOCAL HOUSING NEEDS ASSESSMENT PURSUANT TO SECTION
18 24-32-3702 (1)(d).

19 (2) BEGINNING ON DECEMBER 31, 2026, A LOCAL GOVERNMENT
20 WITH A POPULATION OF ONE THOUSAND OR MORE SHALL COMPLETE A
21 HOUSING NEEDS ASSESSMENT NO LESS OFTEN THAN EVERY SIX YEARS,
22 EXCEPT AS PROVIDED IN THIS SECTION.

23 (3) UPON CONDUCTING A LOCAL GOVERNMENT HOUSING NEEDS
24 ASSESSMENT PURSUANT TO SUBSECTION (1) OF THIS SECTION, A LOCAL
25 GOVERNMENT'S GOVERNING BODY SHALL CONSIDER THE LOCAL HOUSING
26 NEEDS ASSESSMENT AT A PUBLIC MEETING. WITHIN SIXTY DAYS OF
27 CONSIDERING THE LOCAL HOUSING NEEDS ASSESSMENT AT A PUBLIC

1 MEETING, THE LOCAL GOVERNMENT SHALL SUBMIT THE HOUSING NEEDS
2 ASSESSMENT ALONG WITH ANY COMMENTS OF THE LOCAL GOVERNMENT'S
3 GOVERNING BODY TO THE DEPARTMENT. THE DEPARTMENT SHALL NOT
4 ACCEPT A HOUSING NEEDS ASSESSMENT FROM A LOCAL GOVERNMENT
5 THAT DOES NOT INCLUDE THE ELEMENTS LISTED IN SECTION 24-32-3702
6 (1)(d)(I) THROUGH (VI) AND DEMONSTRATE CONSIDERATION OF THE
7 BASELINE COMPONENTS LISTED IN SECTION 24-32-3702 (2). THE
8 DEPARTMENT SHALL NOTIFY A LOCAL GOVERNMENT IF IT DOES NOT
9 ACCEPT AN ASSESSMENT. THE DEPARTMENT SHALL POST THE HOUSING
10 NEEDS ASSESSMENT ON ITS WEBSITE AFTER ACCEPTING THE ASSESSMENT.

11 (4) A LOCAL GOVERNMENT IS EXEMPT FROM THE REQUIREMENTS
12 OF THIS SECTION IF:

13 (a) THE LOCAL GOVERNMENT HAS A POPULATION OF LESS THAN
14 FIVE THOUSAND AND PARTICIPATES IN THE CREATION OF A REGIONAL
15 HOUSING NEEDS ASSESSMENT PURSUANT TO SECTION 24-32-3704 THAT IS
16 UPDATED NO LESS OFTEN THAN EVERY SIX YEARS, PROVIDED THAT, TO BE
17 EXEMPT FROM THE REQUIREMENT TO CONDUCT AND PUBLISH A LOCAL
18 HOUSING NEEDS ASSESSMENT BY DECEMBER 31, 2026, THE REGIONAL
19 HOUSING NEEDS ASSESSMENT MUST BE COMPLETED BY DECEMBER 31,
20 2026; OR

21 (b) THE LOCAL GOVERNMENT HAS A POPULATION OF LESS THAN
22 ONE THOUSAND, UNLESS THE LOCAL GOVERNMENT RECEIVES FUNDING TO
23 CONDUCT A LOCAL HOUSING NEEDS ASSESSMENT FROM THE DEPARTMENT
24 PURSUANT TO SECTION 24-32-3710.

25 (5) POPULATION AND OTHER DATA BY WHICH A LOCAL
26 GOVERNMENT IS DETERMINED TO BE SUBJECT TO THE PROVISIONS OF THIS
27 SECTION MUST BE DETERMINED TWO YEARS PRIOR TO THE DATE THAT THE

1 LOCAL GOVERNMENT IS REQUIRED TO COMPLETE A HOUSING NEEDS
2 ASSESSMENT PURSUANT TO THIS SECTION.

3 **24-32-3704. Regional housing needs assessments.** (1) A
4 REGIONAL ENTITY MAY CONDUCT AND PUBLISH A REGIONAL HOUSING
5 NEEDS ASSESSMENT THAT CONFORMS TO THE METHODOLOGY FOR
6 CONDUCTING REGIONAL HOUSING NEEDS ASSESSMENTS DEVELOPED BY
7 THE DIRECTOR PURSUANT TO SECTION 24-32-3702 (1)(c) FOR THE
8 TERRITORY COVERED BY THE MASTER PLAN OF ANY LOCAL GOVERNMENT
9 IN THE REGION.

10 (2) UPON CONDUCTING A REGIONAL HOUSING NEEDS ASSESSMENT
11 PURSUANT TO SUBSECTION (1) OF THIS SECTION, A REGIONAL ENTITY
12 SHALL PROVIDE THE REGIONAL HOUSING NEEDS ASSESSMENT TO EACH
13 LOCAL GOVERNMENT INCLUDED IN THE REGION. WITHIN SIXTY DAYS OF
14 RECEIVING THE REGIONAL HOUSING NEEDS ASSESSMENT, A LOCAL
15 GOVERNMENT'S GOVERNING BODY SHALL REVIEW THE ASSESSMENT AT A
16 PUBLIC MEETING AND SHALL SUBMIT COMMENTS TO THE REGIONAL
17 ENTITY.

18 (3) WITHIN SIXTY DAYS OF RECEIVING THE LOCAL GOVERNMENTS'
19 COMMENTS ON THE REGIONAL HOUSING NEEDS ASSESSMENT PURSUANT TO
20 SUBSECTION (2) OF THIS SECTION, A REGIONAL ENTITY SHALL SUBMIT THE
21 HOUSING NEEDS ASSESSMENT ALONG WITH THE COMMENTS OF EACH
22 LOCAL GOVERNMENT TO THE DEPARTMENT. THE DEPARTMENT SHALL NOT
23 ACCEPT A HOUSING NEEDS ASSESSMENT FROM A REGIONAL ENTITY THAT
24 DOES NOT INCLUDE THE ELEMENTS LISTED IN SECTION 24-32-3702 (1)(c)(I)
25 THROUGH (VI) AND DEMONSTRATE CONSIDERATION OF THE BASELINE
26 COMPONENTS LISTED IN SECTION 24-32-3702 (2). THE DEPARTMENT SHALL
27 NOTIFY A REGIONAL ENTITY IF IT DOES NOT ACCEPT AN ASSESSMENT. THE

1 DEPARTMENT SHALL POST THE HOUSING NEEDS ASSESSMENT ON ITS
2 WEBSITE AFTER ACCEPTING THE ASSESSMENT.

3 **24-32-3705. Housing action plan.** (1) BY JANUARY 1, 2028, AND
4 NO LESS THAN EVERY SIX YEARS THEREAFTER, A LOCAL GOVERNMENT
5 THAT HAS A POPULATION OF ONE THOUSAND OR MORE SHALL MAKE A
6 HOUSING ACTION PLAN, WHICH PLAN IS SUBJECT TO APPROVAL BY THE
7 GOVERNING BODY FOLLOWING A PUBLIC HEARING. A HOUSING ACTION
8 PLAN MUST BE RESPONSIVE TO AN ACCEPTED HOUSING NEEDS ASSESSMENT
9 AND DEMONSTRATE THE LOCAL GOVERNMENT'S COMMITMENT TO ADDRESS
10 DEMONSTRATED HOUSING NEEDS AND GUIDES THE LOCAL GOVERNMENT
11 IN DEVELOPING LEGISLATIVE ACTIONS, PROMOTING REGIONAL
12 COORDINATION, AND INFORMING THE PUBLIC OF THE LOCAL
13 GOVERNMENT'S EFFORTS TO ADDRESS HOUSING NEEDS IN THE LOCAL
14 GOVERNMENT'S JURISDICTION.

15 (2) A LOCAL GOVERNMENT SHALL MAKE A HOUSING ACTION PLAN
16 THROUGH AN INCLUSIVE PROCESS WITH PUBLIC OUTREACH AND
17 ENGAGEMENT THROUGHOUT THE PROCESS, INCLUDING OUTREACH TO AND
18 ENGAGEMENT OF COMMUNITIES AT RISK OF DISPLACEMENT AND
19 CONSIDERATION FOR PARTICIPATION BY PERSONS UNABLE TO ATTEND
20 MEETINGS IN PERSON OR AT THE LOCAL GOVERNMENT'S REGULAR MEETING
21 TIMES. A HOUSING ACTION PLAN MUST CONSIDER ANY APPLICABLE
22 HOUSING NEEDS ASSESSMENTS, APPLICABLE REGIONAL AND LOCAL PLANS,
23 AND ANY AVAILABLE ASSESSMENTS OF THE ADEQUACY OF PUBLIC
24 SERVICES AND PUBLIC FACILITIES IN THE LOCAL GOVERNMENT'S
25 JURISDICTION. A PROPOSED HOUSING ACTION PLAN MUST BE POSTED
26 PUBLICLY ON A LOCAL GOVERNMENT'S WEBSITE AT LEAST THIRTY DAYS
27 BEFORE THE PUBLIC HEARING ON THE PLAN.

1 (3) A HOUSING ACTION PLAN MUST INCLUDE THE FOLLOWING
2 COMPONENTS:

3 (a) A SUMMARY REPORT OF THE LOCAL GOVERNMENT'S PROGRESS
4 TOWARDS ADDRESSING THE FINDINGS OF THE APPLICABLE HOUSING NEEDS
5 ASSESSMENT WITHIN THE LOCAL GOVERNMENT'S JURISDICTION. THE
6 SUMMARY REPORT MUST INCLUDE THE NUMBER OF DWELLING UNITS
7 CONSTRUCTED OR PERMITTED IN THE LOCAL GOVERNMENT'S JURISDICTION
8 DURING THE PRECEDING SIX YEARS, IF SUCH INFORMATION IS AVAILABLE.

9 (b) AN ASSESSMENT OF AND RESPONSE TO ANY ALLOCATION OF
10 HOUSING NEEDS TO THE LOCAL GOVERNMENT IN ANY APPLICABLE HOUSING
11 NEEDS ASSESSMENT;

12 (c) AN ASSESSMENT OF THE EFFECT OF EXISTING ZONING AND
13 DENSITY PERMITTED IN THE LOCAL GOVERNMENT'S JURISDICTION ON THE
14 DEVELOPMENT OF THE NUMBER AND TYPES OF DWELLING UNITS
15 IDENTIFIED IN THE APPLICABLE HOUSING NEEDS ASSESSMENT;

16 (d) A PLAN TO PROMOTE THE EQUITABLE AND EFFICIENT
17 DEVELOPMENT OF THE NUMBER AND TYPES OF DWELLING UNITS
18 IDENTIFIED THROUGH ANY APPLICABLE HOUSING NEEDS ASSESSMENT AS
19 NECESSARY TO SATISFY HOUSING NEEDS IN THE LOCAL GOVERNMENT'S
20 JURISDICTION AT DIFFERENT INCOME LEVELS, INCLUDING EXTREMELY
21 LOW-, VERY LOW-, MODERATE-, AND MIDDLE-INCOME HOUSEHOLDS AS
22 DESIGNATED BY THE UNITED STATES DEPARTMENT OF HOUSING AND
23 URBAN DEVELOPMENT, SUBJECT TO THE AVAILABILITY OF ADEQUATE
24 PUBLIC FACILITIES, PUBLIC SERVICES, AND WATER SUPPLY;

25 (e) LOCALLY-APPROPRIATE GOALS, STRATEGIES, AND ACTIONS FOR
26 PROMOTING AFFORDABLE HOUSING DEVELOPMENT AND REGULATED
27 AFFORDABLE HOUSING, INCLUDING AT LEAST TWO STRATEGIES INCLUDED

1 IN THE STANDARD AFFORDABILITY STRATEGIES DIRECTORY DESCRIBED IN
2 SECTION 24-32-3706 (1) AND ONE STRATEGY INCLUDED IN THE
3 LONG-TERM AFFORDABILITY STRATEGIES DIRECTORY DESCRIBED IN
4 SECTION 24-32-3706 (2) THAT ARE SELECTED TO ADDRESS THE
5 DEMONSTRATED HOUSING NEEDS IN THE LOCAL GOVERNMENT'S
6 JURISDICTION AND ARE SUITABLE FOR THE JURISDICTION;

7 (f) A NARRATIVE ANALYSIS OF ANY AREA THAT THE LOCAL
8 GOVERNMENT HAS IDENTIFIED AS BEING AT ELEVATED RISK OF
9 DISPLACEMENT AND A PLAN TO MITIGATE DISPLACEMENT IN THAT AREA,
10 INCLUDING THE IDENTIFICATION OF AT LEAST ONE DISPLACEMENT
11 MITIGATION STRATEGY INCLUDED IN THE DISPLACEMENT RISK MITIGATION
12 STRATEGIES DIRECTORY DESCRIBED IN SECTION 24-32-3706 (4) THAT THE
13 LOCAL GOVERNMENT SELECTS TO ADDRESS THE FINDINGS OF THE LOCAL
14 GOVERNMENT'S NARRATIVE ANALYSIS AND IS SUITABLE FOR THE
15 JURISDICTION;

16 (g) A PLAN FOR THE LEGISLATIVE CONSIDERATION FOR ADOPTION
17 OF THE STRATEGIES IDENTIFIED IN SUBSECTIONS (3)(e) AND (3)(f) OF THIS
18 SECTION;

19 (h) ANY RECOMMENDED CHANGES TO LOCAL LAWS AFFECTING
20 ZONING AND DENSITY IN THE LOCAL GOVERNMENT'S JURISDICTION BEFORE
21 THE LOCAL GOVERNMENT CONDUCTS THE NEXT HOUSING ACTION PLAN;

22 (i) AN ANALYSIS OF OPPORTUNITIES TO ACHIEVE THE
23 DEVELOPMENT OF HIGHER-DENSITY AND REGULATED AFFORDABLE
24 HOUSING WITHIN A REASONABLE DISTANCE OF MAJOR TRANSIT STOPS IN
25 THE JURISDICTION; _____

26 (j) A NARRATIVE DESCRIPTION OF THE PUBLIC OUTREACH AND
27 ENGAGEMENT PROCESS FOR THE HOUSING ACTION PLAN; AND

1 (k) A DESCRIPTION OF OPPORTUNITIES FOR INTERGOVERNMENTAL
2 COORDINATION TO ADDRESS LOCAL AND REGIONAL HOUSING NEEDS AND
3 ANY SUCH INTERGOVERNMENTAL COORDINATION EFFORTS UNDERTAKEN
4 BY THE LOCAL GOVERNMENT.

5 (4) WITHIN SIXTY DAYS OF APPROVAL BY THE GOVERNING BODY,
6 THE LOCAL GOVERNMENT SHALL SUBMIT THE HOUSING ACTION PLAN
7 DEVELOPED PURSUANT TO SUBSECTION (3) OF THIS SECTION TO THE
8 DEPARTMENT AND, IF APPLICABLE, TO THE REGIONAL ENTITY THAT
9 CONDUCTED A REGIONAL HOUSING NEEDS ASSESSMENT THAT APPLIES TO
10 THE LOCAL GOVERNMENT. THE DEPARTMENT SHALL NOT ACCEPT A
11 HOUSING ACTION PLAN THAT DOES NOT INCLUDE THE COMPONENTS
12 REQUIRED BY SECTION 24-32-3705 (3). THE DEPARTMENT SHALL NOTIFY
13 A LOCAL GOVERNMENT IF IT DOES NOT ACCEPT A HOUSING ACTION PLAN.
14 THE DEPARTMENT SHALL POST THE HOUSING ACTION PLAN ON THE
15 DEPARTMENT'S WEBSITE AFTER ACCEPTING THE PLAN.

16 (5) A LOCAL GOVERNMENT THAT ADOPTED A PLAN THAT
17 SUBSTANTIALLY MEETS THE REQUIREMENTS OF SUBSECTION (3) OF THIS
18 SECTION AND WAS THE SUBJECT OF A PUBLIC HEARING HELD NO EARLIER
19 THAN JANUARY 1, 2024, AND NO LATER THAN JULY 1, 2024, IS NOT
20 REQUIRED TO CONDUCT A HOUSING ACTION PLAN UNTIL FIVE YEARS AFTER
21 THE DATE OF THE ADOPTION OF THE PLAN THAT SUBSTANTIALLY MEETS
22 THE REQUIREMENTS OF SUBSECTION (3) OF THIS SECTION,
23 NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION.

24 (6) THREE YEARS AFTER ADOPTING A HOUSING ACTION PLAN, A
25 LOCAL GOVERNMENT SHALL REPORT PROGRESS TO THE DEPARTMENT
26 REGARDING THE ADOPTION OF ANY STRATEGIES OR CHANGES TO LOCAL
27 LAWS IDENTIFIED IN THE HOUSING ACTION PLAN.

1 (7) A LOCAL GOVERNMENT MAY UPDATE A HOUSING ACTION PLAN
2 AT ANY TIME BY FOLLOWING THE PROCESS IN SUBSECTION (2) OF THIS
3 SECTION. A LOCAL GOVERNMENT SHALL SUBMIT ANY UPDATE TO A
4 HOUSING ACTION PLAN TO THE DEPARTMENT AND, IF APPLICABLE, A
5 REGIONAL ENTITY AS PROVIDED IN SUBSECTION (4) OF THIS SECTION. THE
6 DEPARTMENT SHALL NOT ACCEPT ANY UPDATE THAT WOULD RESULT IN A
7 HOUSING ACTION PLAN THAT DOES NOT INCLUDE THE COMPONENTS
8 REQUIRED BY SECTION 24-32-3705 (3). THE DEPARTMENT SHALL NOTIFY
9 THE LOCAL GOVERNMENT IF IT DOES NOT ACCEPT AN UPDATE. THE
10 DEPARTMENT SHALL POST THE UPDATE ON ITS WEBSITE, AFTER ACCEPTING
11 THE UPDATE.

12 **24-32-3706. Directories of housing and land use strategies -**
13 **development of housing and increasing housing affordability -**
14 **displacement impact mitigation.** (1) NO LATER THAN JUNE 30, 2025,
15 THE DEPARTMENT SHALL DEVELOP A STANDARD AFFORDABILITY
16 STRATEGIES DIRECTORY THAT INCLUDES THE FOLLOWING STRATEGIES:

17 (a) IMPLEMENTING A LOCAL INCLUSIONARY ZONING ORDINANCE
18 THAT CONSIDERS LOCAL HOUSING MARKET CONDITIONS THAT IS CRAFTED
19 TO MAXIMIZE AFFORDABLE HOUSING PRODUCTION AND COMPLIES WITH
20 THE REQUIREMENTS OF SECTION 29-20-104 (1)(e.5) AND (1)(e.7);

21 (b) ADOPTING A LOCAL LAW OR PLAN TO LEVERAGE PUBLICLY
22 OWNED, SOLD, OR MANAGED LAND FOR REGULATED AFFORDABLE HOUSING
23 DEVELOPMENT;

24 (c) CREATING OR EXPANDING A PROGRAM TO SUBSIDIZE OR
25 OTHERWISE REDUCE IMPACT FEES OR OTHER SIMILAR DEVELOPMENT
26 CHARGES FOR REGULATED AFFORDABLE HOUSING DEVELOPMENT;

27 (d) ESTABLISHING A DENSITY BONUS PROGRAM THAT GRANTS

1 INCREASED FLOOR AREA RATIO, DENSITY, OR HEIGHT OF REGULATED
2 AFFORDABLE HOUSING UNITS;

3 (e) CREATING A PROGRAM TO PRIORITIZE AND EXPEDITE
4 DEVELOPMENT APPROVALS FOR REGULATED AFFORDABLE HOUSING
5 DEVELOPMENT;

6 (f) UNLESS OTHERWISE REQUIRED BY LAW, REDUCING LOCAL
7 PARKING REQUIREMENTS FOR REGULATED AFFORDABLE HOUSING TO
8 ONE-HALF SPACE PER UNIT OF REGULATED AFFORDABLE HOUSING
9 WITHOUT LOWERING THE PROTECTIONS PROVIDED FOR INDIVIDUALS WITH
10 DISABILITIES, INCLUDING THE NUMBER OF PARKING SPACES FOR
11 INDIVIDUALS WHO ARE MOBILITY IMPAIRED, UNDER THE FEDERAL
12 "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET
13 SEQ., AND PARTS 6 AND 8 OF ARTICLE 34 OF TITLE 24;

14 (g) ENACTING LOCAL LAWS THAT INCENTIVIZE THE CONSTRUCTION
15 OF ACCESSIBLE AND VISITABLE AFFORDABLE HOUSING UNITS; AND

16 (h) ANY OTHER STRATEGY DESIGNATED BY THE DEPARTMENT
17 THAT OFFERS A COMPARABLE IMPACT ON LOCAL HOUSING AFFORDABILITY.

18 (2) ON OR BEFORE JUNE 30, 2025, THE DEPARTMENT SHALL
19 DEVELOP A LONG-TERM AFFORDABILITY STRATEGIES DIRECTORY THAT
20 INCLUDES THE FOLLOWING STRATEGIES:

21 (a) ESTABLISHING A DEDICATED LOCAL REVENUE SOURCE FOR
22 REGULATED AFFORDABLE HOUSING DEVELOPMENT, SUCH AS INSTITUTING
23 A LINKAGE FEE ON NEW, REGULATED AFFORDABLE HOUSING
24 DEVELOPMENTS;

25 (b) REGULATING SHORT-TERM RENTALS, SECOND HOMES, OR
26 OTHER UNDERUTILIZED OR VACANT UNITS IN A WAY, SUCH AS VACANCY
27 FEES FOR UNDERUTILIZED UNITS, THAT PROMOTES MAXIMIZING THE USE OF

1 LOCAL HOUSING STOCK FOR LOCAL HOUSING NEEDS;
2 (c) MAKING A COMMITMENT TO AND REMAINING ELIGIBLE TO
3 RECEIVE FUNDING PURSUANT TO ARTICLE 32 OF THIS TITLE 29;
4 (d) INCENTIVIZING OR CREATING A DEDICATED LOCAL PROGRAM
5 THAT FACILITATES INVESTMENT IN LAND BANKING OR COMMUNITY LAND
6 TRUSTS;
7 (e) ESTABLISHING AN AFFORDABLE HOMEOWNERSHIP STRATEGY
8 SUCH AS:
9 (I) ACQUIRING OR PRESERVING DEED RESTRICTIONS ON CURRENT
10 HOUSING UNITS;
11 (II) ESTABLISHING AN INCENTIVE PROGRAM TO ENCOURAGE
12 REALTORS TO WORK WITH LOW-INCOME AND MINORITY PROSPECTIVE
13 HOME BUYERS; OR
14 (III) ESTABLISHING AN AFFORDABLE RENT-TO-OWN PROGRAM;
15 AND
16 (f) ANY OTHER STRATEGY DESIGNATED BY THE DEPARTMENT THAT
17 OFFERS A COMPARABLE IMPACT ON LOCAL HOUSING AFFORDABILITY.
18 (3) A LOCAL GOVERNMENT MAY SUBMIT AN EXISTING OR
19 PROPOSED LOCAL LAW, IN A FORM AND MANNER DETERMINED BY THE
20 DEPARTMENT, TO THE DEPARTMENT, AND THE DEPARTMENT MAY
21 DETERMINE THAT THE ADOPTION OF THAT LOCAL LAW QUALIFIES AS AN
22 AFFORDABILITY STRATEGY FOR PURPOSES OF THIS SECTION, SO LONG AS
23 THE LOCAL LAW SUPPORTS EQUAL OR GREATER HOUSING AFFORDABILITY
24 AND ACCESSIBILITY THAN THE STRATEGIES DESCRIBED IN SUBSECTIONS (1)
25 AND (2) OF THIS SECTION.
26 (4) NO LATER THAN JUNE 30, 2025, THE DEPARTMENT SHALL
27 DEVELOP A DISPLACEMENT RISK MITIGATION STRATEGIES DIRECTORY. THE

1 DIRECTORY MUST INCLUDE THE FOLLOWING STRATEGIES:

2 (a) CREATING A LOCALLY FUNDED AND ADMINISTERED RENTAL
3 AND MORTGAGE ASSISTANCE PROGRAM;

4 (b) CREATING AN EVICTION AND FORECLOSURE NO-COST LEGAL
5 REPRESENTATION PROGRAM;

6 (c) ESTABLISHING A HOUSING COUNSELING AND NAVIGATION
7 PROGRAM;

8 (d) CREATING A PROPERTY TAX AND DOWN PAYMENT ASSISTANCE
9 PROGRAM;

10 (e) DEVELOPING A PROGRAM TO OFFER TECHNICAL ASSISTANCE
11 AND FINANCIAL SUPPORT FOR COMMUNITY ORGANIZATIONS TO DEVELOP
12 INDEPENDENT COMMUNITY LAND TRUSTS;

13 (f) PRIORITIZING LOCAL MONEY TOWARD REGULATED AFFORDABLE
14 HOUSING UNIT PRESERVATION OR IMPLEMENTING OR CONTINUING DEED
15 RESTRICTIONS FOR AFFORDABLE HOUSING UNITS;

16 (g) IDENTIFYING PARTNERSHIPS WITH REGIONAL AND NONPROFIT
17 ENTITIES TO IMPLEMENT STRATEGIES; AND

18 (h) OTHER STRATEGIES IDENTIFIED BY THE DEPARTMENT THAT
19 PROVIDE DISPLACEMENT MITIGATION THAT IS EQUIVALENT TO THE OTHER
20 STRATEGIES DESCRIBED IN THIS SUBSECTION (4).

21 **24-32-3707. Statewide strategic growth report.** (1) NO LATER
22 THAN DECEMBER 1, 2026, THE DIRECTOR SHALL SUBMIT TO THE GENERAL
23 ASSEMBLY A STATEWIDE STRATEGIC GROWTH REPORT. THE REPORT MUST
24 SUPPLEMENT THE STATEWIDE CLIMATE PREPAREDNESS STRATEGIC PLAN
25 AND ROADMAP PUBLISHED PURSUANT TO SECTION 24-38.8-103 AND ANY
26 OTHER CURRENT REPORT OF A STATE AGENCY OR TASK FORCE ADDRESSING
27 THE MATTERS COVERED IN THIS SECTION.

1 (2) THE STRATEGIC GROWTH REPORT DESCRIBED IN SUBSECTION
2 (1) OF THIS SECTION MUST:

3 (a) INCLUDE AN ANALYSIS OF POLICY-DRIVEN LAND USE
4 SCENARIOS, INCLUDING A STRATEGIC GROWTH SCENARIO, AND EXAMINE
5 THE IMPACTS OF THESE SCENARIOS ON THE COST AND AVAILABILITY OF
6 HOUSING, INFRASTRUCTURE, CLIMATE AND AIR QUALITY, WATER SUPPLY,
7 TRANSPORTATION AND TRANSIT, PARKS AND OPEN SPACE, RESOURCE
8 LANDS, WILDFIRE RISK, AND CRITICAL AREAS;

9 (b) INCLUDE AN ANALYSIS OF THE IMPACT OF EXISTING STATE
10 POLICIES AND PROGRAMS ON LAND USE DEVELOPMENT PATTERNS AND THE
11 ENCOURAGEMENT OF SPRAWL;

12 (c) CONSIDER THE CONTEXT OF DIFFERENT REGIONS AND
13 COMMUNITIES ACROSS THE STATE, EMPOWER AND PROMOTE LOCAL
14 INITIATIVES AND IDEAS THAT LEAD TO STRATEGIC GROWTH, AND
15 RECOGNIZE THAT ALL COMMUNITIES HAVE UNIQUE NEEDS THAT OFTEN
16 CALL FOR ADDITIONAL FLEXIBILITY WHEN APPLYING STRATEGIC GROWTH
17 GOALS, ESPECIALLY COMMUNITIES OUTSIDE OF METROPOLITAN AREAS AND
18 COMMUNITIES VULNERABLE TO DISPLACEMENT; AND

19 (d) INCLUDE RECOMMENDATIONS FOR STATE LEGISLATION AND
20 LOCAL LAWS, TO ENCOURAGE ENVIRONMENTALLY AND FISCALLY
21 SUSTAINABLE GROWTH, INCLUDING BUT NOT LIMITED TO ECONOMIC
22 INCENTIVES, FINANCING TOOLS, ACCESS CHARGES, URBAN GROWTH AREAS,
23 THREE MILE PLANS, TRANSFER OF DEVELOPMENT RIGHTS, ANNEXATION,
24 AND SPECIAL DISTRICTS.

25 (3) IN DEVELOPING THE STRATEGIC GROWTH REPORT DESCRIBED
26 IN SUBSECTION (1) OF THIS SECTION, THE DIRECTOR SHALL CONSULT WITH
27 STATE AGENCIES AND LOCAL GOVERNMENTS WITH FUNCTIONS OR

1 JURISDICTION REGARDING THE MATTERS COVERED IN THIS SECTION AND
2 LOCAL GOVERNMENTS, REGIONAL PLANNING AGENCIES, WATER
3 PROVIDERS, UTILITY PROVIDERS, ECONOMIC DEVELOPMENT ENTITIES, AND
4 EXPERTS IN FIELDS RELATED TO STRATEGIC GROWTH.

5
6 **24-32-3708. Natural land and agricultural interjurisdictional**

7 **opportunities report.** (1) NO LATER THAN DECEMBER 31, 2025, THE
8 DIRECTOR, IN CONSULTATION WITH RELEVANT STATE AGENCIES INCLUDING
9 THE DEPARTMENT OF AGRICULTURE, THE DIVISION OF PARKS AND WILDLIFE
10 IN THE DEPARTMENT OF NATURAL RESOURCES, THE OUTDOOR RECREATION
11 INDUSTRY OFFICE IN THE OFFICE OF ECONOMIC DEVELOPMENT, AND THE
12 COLORADO TOURISM OFFICE, SHALL DEVELOP AND PUBLISH A NATURAL
13 LAND AND AGRICULTURAL INTERJURISDICTIONAL OPPORTUNITIES REPORT
14 THAT MUST INCLUDE:

15 (a) OPPORTUNITIES FOR LOCAL GOVERNMENTS AND
16 METROPOLITAN PLANNING ORGANIZATIONS TO ACHIEVE CONNECTIVITY TO
17 OPEN SPACE, WILDLIFE HABITAT, AND OTHER PRIORITY LANDSCAPES;

18 (b) OPPORTUNITIES FOR LOCAL GOVERNMENTS AND
19 METROPOLITAN PLANNING ORGANIZATIONS TO ACHIEVE THE
20 PRESERVATION OF AGRICULTURAL LAND, HISTORIC AND CULTURAL
21 RESOURCES, URBAN PARKS AND GREEN SPACES, EXURBAN OPEN SPACES,
22 RECREATIONAL RESOURCES, WILDLIFE HABITATS, AND ECOSYSTEMS WITH
23 THE GREATEST NEED FOR CONSERVATION AND MITIGATION OF HAZARDS;
24 AND

25 (c) BEST PRACTICES, TOOLS, AND RESOURCES RELATED TO
26 SUBSECTIONS (1)(a) AND (1)(b) OF THIS SECTION.

27 (2) THE NATURAL LAND AND AGRICULTURAL

1 INTERJURISDICTIONAL OPPORTUNITIES REPORT MUST INTEGRATE AND
2 INCLUDE INFORMATION FROM RELEVANT STATE, REGIONAL, AND LOCAL
3 PLANS THAT ADDRESS THE SUBJECT MATTERS IDENTIFIED IN SUBSECTION
4 (1) OF THIS SECTION.

5 **24-32-3709. Technical assistance.** (1) THE DIVISION OF LOCAL
6 GOVERNMENT SHALL PROVIDE TECHNICAL ASSISTANCE, MATERIALS,
7 BRIEFINGS, CONSULTING SERVICES, TEMPLATES, TOOLS, TRAININGS,
8 WEBINARS, OR OTHER GUIDANCE TO ASSIST LOCAL GOVERNMENTS IN:

9 (a) ESTABLISHING REGIONAL ENTITIES;

10 (b) CREATING HOUSING NEEDS ASSESSMENTS PURSUANT TO
11 SECTIONS 24-32-3703 AND 24-32-3704;

12 (c) CONDUCTING A DISPLACEMENT RISK ANALYSIS WITH A
13 STATE-CREATED TOOL;

14 (d) IDENTIFYING AND IMPLEMENTING STRATEGIES, INCLUDING IN
15 THE DIRECTORIES DESCRIBED IN SECTION 24-32-3706;

16 (e) MAKING AND ADOPTING A HOUSING ACTION PLAN IN
17 ACCORDANCE WITH SECTION 24-32-3705;

18 (f) ENACTING LAWS AND POLICIES PURSUANT TO ACCEPTED
19 HOUSING NEEDS ASSESSMENTS AND ACCEPTED HOUSING ACTION PLANS
20 THAT ENCOURAGE THE DEVELOPMENT OF A RANGE OF HOUSING TYPES,
21 INCLUDING REGULATED AFFORDABLE HOUSING, OR MITIGATE THE IMPACT
22 OF DISPLACEMENT IN ACCORDANCE WITH SECTION 24-32-3706; AND

23 (e) CREATING STRATEGIC GROWTH ELEMENTS IN MASTER PLANS AS
24 DESCRIBED IN SECTION 30-28-106 (3)(a.5)(III) OR SECTION 31-23-206
25 (1.5)(d).

26 (2) IN DETERMINING TO WHOM IT WILL PROVIDE ASSISTANCE
27 PURSUANT TO SUBSECTION (1) OF THIS SECTION, THE DIVISION OF LOCAL

1 GOVERNMENT SHALL PRIORITIZE REQUESTS FOR TECHNICAL ASSISTANCE
2 RELATED TO:

3 (a) FORMING REGIONAL ENTITIES; AND

4 (b) ENACTING LAWS AND POLICIES TO PRESERVE OR CREATE
5 REGULATED AFFORDABLE HOUSING, MITIGATE DISPLACEMENT, OR
6 INCREASE OPPORTUNITIES FOR MULTIFAMILY RESIDENTIAL HOUSING NEAR
7 MAJOR TRANSIT STOPS.

8 (3) IN ASSISTING LOCAL GOVERNMENTS PURSUANT TO SUBSECTION
9 (1) OF THIS SECTION, THE DIVISION OF LOCAL GOVERNMENT SHALL
10 PROVIDE FUNDING THROUGH EITHER A GRANT PROGRAM, THE PROVISION
11 OF CONSULTANT SERVICES, OR BOTH DIRECTLY TO LOCAL GOVERNMENTS
12 OR THROUGH A REGIONAL ENTITY AND SHALL PRIORITIZE FUNDING AND
13 GRANT PROGRAMS ADMINISTERED BY THE DEPARTMENT FOR THE
14 PURPOSES OF THIS SECTION, SO LONG AS DOING SO IS NOT INCONSISTENT
15 WITH FEDERAL OR STATE LAW.

16 (4) BEGINNING JANUARY 1, 2025, AND EVERY YEAR THEREAFTER,
17 THE DIVISION OF LOCAL GOVERNMENT SHALL PROVIDE A REPORT ON THE
18 ASSISTANCE REQUESTED BY LOCAL GOVERNMENTS PURSUANT TO THIS
19 SECTION, WHETHER OR NOT ADEQUATE STATE FUNDING IS AVAILABLE TO
20 PROVIDE THE ASSISTANCE REQUESTED BY LOCAL GOVERNMENTS, AND ANY
21 ADDITIONAL RESOURCES THAT THE DIVISION OF LOCAL GOVERNMENT OR
22 LOCAL GOVERNMENTS HAVE IDENTIFIED THAT WOULD ASSIST LOCAL
23 GOVERNMENTS IN IDENTIFYING AND IMPLEMENTING LAWS AND POLICIES
24 THAT WOULD INCREASE THE AVAILABILITY OF HOUSING IN COLORADO.

25 (5) (a) THE DIVISION OF LOCAL GOVERNMENT SHALL SERVE AS A
26 CLEARING HOUSE, FOR THE BENEFIT OF LOCAL GOVERNMENTS AND
27 REGIONAL ENTITIES, OF INFORMATION RELATING TO THIS PART 37 AND

1 SHALL REFER LOCAL GOVERNMENTS TO STATE AND FEDERAL RESOURCES
2 AND APPROPRIATE DEPARTMENTS OR AGENCIES OF THE STATE OR FEDERAL
3 GOVERNMENT FOR ADVICE, ASSISTANCE, OR AVAILABLE SERVICES
4 RELATING TO THIS PART 37.

5 (b) THE DIVISION OF LOCAL GOVERNMENT SHALL IDENTIFY
6 OPPORTUNITIES FOR, ENCOURAGE, AND, WHEN SO REQUESTED, ASSIST
7 COOPERATIVE EFFORTS AMONG LOCAL GOVERNMENTS IN SOLVING
8 COMMON PROBLEMS RELATED TO POPULATION GROWTH AND THE
9 IMPLEMENTATION OF THIS PART 37.

10 (c) THE DEPARTMENT MAY ATTEMPT TO MEDIATE DISPUTES
11 BETWEEN LOCAL GOVERNMENTS REGARDING THE ENACTMENT OF LOCAL
12 LAWS OR POLICIES RELATED TO THE CREATION OF HOUSING NEEDS
13 ASSESSMENTS AND HOUSING ACTION PLANS PURSUANT TO THIS PART 37,
14 INTERJURISDICTIONAL COORDINATION OR DISPUTES REGARDING THE
15 DEVELOPMENT OF LAND FOR RESIDENTIAL USES, INCLUDING REGULATED
16 AFFORDABLE HOUSING USES, AND ANYTHING ELSE COVERED BY THIS PART
17 37 OR REFER LOCAL GOVERNMENTS TO THE LIST OF MEDIATORS
18 MAINTAINED PURSUANT TO SECTION 24-32-3209 TO ASSIST IN THE
19 RESOLUTION OF SUCH DISPUTES.

20 (6) (a) THE HOUSING NEEDS PLANNING TECHNICAL ASSISTANCE
21 FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF GIFTS,
22 GRANTS, AND DONATIONS CREDITED TO THE FUND AND ANY OTHER MONEY
23 THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE
24 FUND. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME
25 DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE HOUSING
26 NEEDS PLANNING TECHNICAL ASSISTANCE FUND TO THE FUND.

27 (b) MONEY IN THE HOUSING NEEDS PLANNING TECHNICAL

1 ASSISTANCE FUND IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT
2 FOR THE PURPOSES OF PROVIDING TECHNICAL ASSISTANCE AND
3 IMPLEMENTING A GRANT PROGRAM PURSUANT TO THIS SECTION.

4 (c) ON JULY 1, 2024, THE STATE TREASURER SHALL TRANSFER
5 FIFTEEN MILLION DOLLARS FROM THE GENERAL FUND TO THE HOUSING
6 NEEDS PLANNING TECHNICAL ASSISTANCE FUND.

7 **24-32-3710. Prioritization for conformity with planning**
8 **expectations.** (1) ON OR AFTER DECEMBER 1, 2027, ANY GRANT
9 PROGRAM ADMINISTERED BY THE DEPARTMENT, THE COLORADO ENERGY
10 OFFICE, THE OFFICE OF ECONOMIC DEVELOPMENT, THE DEPARTMENT OF
11 TRANSPORTATION, THE DEPARTMENT OF NATURAL RESOURCES, THE
12 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, OR THE
13 DEPARTMENT OF PERSONNEL AND ADMINISTRATION THAT AWARDS
14 GRANTS TO COUNTIES AND MUNICIPALITIES FOR THE PRIMARY PURPOSE OF
15 SUPPORTING LAND USE PLANNING OR HOUSING, EXCLUDING LAND USE
16 PLANNING OR HOUSING PURSUANT TO ARTICLE 32 OF TITLE 29, MUST, SO
17 LONG AS DOING SO IS NOT INCONSISTENT WITH FEDERAL LAW OR THE
18 STATE CONSTITUTION, INCLUDE PRIORITIZATION CRITERIA THAT CONSIDER
19 WHETHER:

20 (a) A CURRENT LOCAL OR REGIONAL HOUSING NEEDS ASSESSMENT
21 HAS BEEN COMPLETED FOR THE LOCAL GOVERNMENT AND HAS BEEN
22 ACCEPTED BY THE DEPARTMENT PURSUANT TO SECTION 24-32-3703 OR
23 24-32-3704;

24 (b) A HOUSING ACTION PLAN HAS BEEN ADOPTED BY THE LOCAL
25 GOVERNMENT AND ACCEPTED BY THE DEPARTMENT PURSUANT TO SECTION
26 24-32-3705;

27 (c) A REPORT HAS BEEN SUBMITTED BY THE LOCAL GOVERNMENT

1 AND ACCEPTED BY THE DEPARTMENT PURSUANT TO SECTION 24-32-3705
2 (6); AND

3 (d) THE MASTER PLAN FOR THE LOCAL GOVERNMENT INCLUDES A
4 WATER SUPPLY ELEMENT AND STRATEGIC GROWTH ELEMENT AS
5 DESCRIBED IN SECTIONS 30-28-106 (3)(a.5) AND 31-23-206 (1.5).

6 (2) IN CONSIDERING AWARDING A GRANT TO A LOCAL
7 GOVERNMENT THAT IS NOT SUBJECT TO ANY OF THE PROVISIONS
8 IDENTIFIED IN THE PRIORITIZATION CRITERIA DESCRIBED IN SUBSECTION (1)
9 OF THIS SECTION, THE DEPARTMENT SHALL TREAT THE LOCAL
10 GOVERNMENT AS IF IT HAS SATISFIED THE PRIORITIZATION CRITERIA IN
11 SUBSECTION (1) OF THIS SECTION.

12 **SECTION 2.** In Colorado Revised Statutes, 30-28-106, **amend**
13 **(1); repeal and reenact, with amendments, (3)(a); and add (3)(a.3),**
14 **(3)(a.5), (3)(a.7), (3)(a.9), and (8) as follows:**

15 **30-28-106. Master plan - definition.** (1) It is the duty of a
16 county planning commission to make and adopt a master plan for the
17 physical development of the unincorporated territory of the county,
18 SUBJECT TO THE APPROVAL OF THE COUNTY COMMISSION HAVING
19 JURISDICTION THEREOF. When a county planning commission decides to
20 adopt a master plan, the commission shall conduct public hearings, after
21 notice of such public hearings has been published in a newspaper of
22 general circulation in the county in a manner sufficient to notify the
23 public of the time, place, and nature of the public hearing, prior to final
24 adoption of a master plan in order to encourage public participation in and
25 awareness of the development of such plan and shall accept and consider
26 oral and written public comments throughout the process of developing
27 the plan.

1 (3) (a) THE MASTER PLAN OF A COUNTY OR REGION, WITH THE
2 ACCOMPANYING MAPS, PLATS, CHARTS, AND DESCRIPTIVE AND
3 EXPLANATORY MATTER, MUST SHOW THE COUNTY OR REGIONAL PLANNING
4 COMMISSION'S RECOMMENDATIONS FOR THE DEVELOPMENT OF THE
5 TERRITORY COVERED BY THE MASTER PLAN. THE MASTER PLAN OF A
6 COUNTY OR REGION IS AN ADVISORY DOCUMENT TO GUIDE LAND
7 DEVELOPMENT DECISIONS; HOWEVER, THE MASTER PLAN OR ANY PART
8 THEREOF MAY BE MADE BINDING BY INCLUSION IN THE COUNTY'S OR
9 REGION'S ADOPTED SUBDIVISION, ZONING, PLATTING, PLANNED UNIT
10 DEVELOPMENT, OR OTHER SIMILAR LAND DEVELOPMENT REGULATIONS
11 AFTER SATISFYING NOTICE, DUE PROCESS, AND HEARING REQUIREMENTS
12 FOR LEGISLATIVE OR QUASI-JUDICIAL PROCESSES AS APPROPRIATE.

13 (a.3) (I) THE COUNTY OR REGIONAL PLANNING COMMISSION SHALL
14 FOLLOW THE PROCEDURES IN SECTION 24-32-3209. FOR PURPOSES OF THIS
15 SECTION, ANY SPECIAL DISTRICT THAT SUPPLIES WATER TO THE AREA
16 COVERED BY THE MASTER PLAN IS A NEIGHBORING JURISDICTION AS
17 DEFINED IN SECTION 24-32-3209 (1)(h).

18 (II) IN ADOPTING OR AMENDING A MASTER PLAN, THE COUNTY OR
19 REGIONAL PLANNING COMMISSION SHALL CONSIDER THE FOLLOWING,
20 WHERE APPLICABLE OR APPROPRIATE, AND ANY OTHER INFORMATION
21 DEEMED RELEVANT BY THE COUNTY OR REGIONAL PLANNING COMMISSION:

22 (A) THE APPLICABLE HOUSING NEEDS ASSESSMENTS PUBLISHED
23 PURSUANT TO SECTIONS 24-32-3702 (1)(b), 24-32-3703, AND 24-32-3704;

24 (B) THE STATEWIDE STRATEGIC GROWTH REPORT CREATED
25 PURSUANT TO SECTION 24-32-3707;

26 _____
27 (C) THE NATURAL LAND AND AGRICULTURAL OPPORTUNITIES

1 REPORT PUBLISHED PURSUANT TO SECTION 24-32-3708; AND

2 (D) THE COLORADO WATER PLAN ADOPTED PURSUANT TO SECTION
3 37-60-106.3.

4 (a.5) THE MASTER PLAN MUST INCLUDE:

5 (I) A NARRATIVE DESCRIPTION OF THE PROCEDURE USED FOR THE
6 DEVELOPMENT AND ADOPTION OF THE MASTER PLAN, INCLUDING A
7 SUMMARY OF ANY OBJECTIONS TO THE MASTER PLAN MADE BY
8 NEIGHBORING JURISDICTIONS AS DEFINED IN SECTION 24-32-3209 (1)(h)
9 AND A DESCRIPTION OF THE RESOLUTION OR OUTCOME OF THE OBJECTIONS;

10 (II) (A) A WATER SUPPLY ELEMENT DEVELOPED IN CONSULTATION
11 WITH ENTITIES THAT SUPPLY WATER FOR USE WITHIN THE COUNTY OR
12 REGION TO ENSURE COORDINATION ON WATER SUPPLY AND FACILITY
13 PLANNING. NOTHING IN THIS SECTION REQUIRES THE PUBLIC DISCLOSURE
14 OF CONFIDENTIAL INFORMATION RELATED TO WATER SUPPLY OR
15 FACILITIES.

16 (B) THE WATER SUPPLY ELEMENT MUST ESTIMATE A RANGE OF
17 WATER SUPPLIES AND FACILITIES NEEDED TO SUPPORT THE POTENTIAL
18 PUBLIC AND PRIVATE DEVELOPMENT DESCRIBED IN THE MASTER PLAN, AND
19 _____ INCLUDE WATER CONSERVATION POLICIES, TO BE DETERMINED BY
20 THE COUNTY OR LOCAL GOVERNMENTS WITHIN A REGION, WHICH MAY
21 INCLUDE GOALS SPECIFIED IN THE COLORADO WATER PLAN ADOPTED
22 PURSUANT TO SECTION 37-60-106.3 AND POLICIES TO IMPLEMENT WATER
23 CONSERVATION AND OTHER COLORADO WATER PLAN GOALS AS A
24 CONDITION OF DEVELOPMENT APPROVAL, FOR SUBDIVISIONS, PLANNED
25 UNIT DEVELOPMENTS, SPECIAL USE PERMITS, AND ZONING CHANGES.

26 (C) A COUNTY OR REGION WITH A MASTER PLAN THAT INCLUDES
27 A WATER SUPPLY ELEMENT SHALL ENSURE THAT ITS MASTER PLAN

1 INCLUDES WATER CONSERVATION POLICIES AT THE FIRST AMENDING OF
2 THE MASTER PLAN, BUT NOT LATER THAN JULY 1, 2025.

3 (D) NOTHING IN THIS SUBSECTION (3)(a.5)(II) SUPERSEDES,
4 ABROGATES, OR OTHERWISE IMPAIRS THE ALLOCATION OF WATER
5 PURSUANT TO THE STATE CONSTITUTION OR ANY OTHER PROVISION OF
6 LAW, THE RIGHT TO BENEFICIALLY USE WATER PURSUANT TO DECREES,
7 CONTRACTS, OR OTHER WATER USE AGREEMENTS, OR THE OPERATION,
8 MAINTENANCE, REPAIR, REPLACEMENT, OR USE OF ANY WATER FACILITY.

9 (E) THE DEPARTMENT OF LOCAL AFFAIRS MAY HIRE AND EMPLOY
10 ONE FULL-TIME EMPLOYEE TO PROVIDE EDUCATIONAL RESOURCES AND
11 ASSISTANCE TO A COUNTY OR REGION THAT INCLUDES WATER
12 CONSERVATION POLICIES IN THE WATER SUPPLY ELEMENTS OF MASTER
13 PLANS AS REQUIRED BY THIS SUBSECTION (3)(a.5)(II).

14 (III) A STRATEGIC GROWTH ELEMENT THAT INTEGRATES ELEMENTS
15 OF THE MASTER PLAN TO DISCOURAGE SPRAWL AND PROMOTE THE
16 DEVELOPMENT OR REDEVELOPMENT OF VACANT AND UNDERUTILIZED
17 PARCELS IN URBAN AREAS TO ADDRESS THE DEMONSTRATED HOUSING
18 NEEDS OF THE COUNTY OR REGION AND MITIGATE THE NEED FOR
19 EXTENSION OF INFRASTRUCTURE AND PUBLIC SERVICES TO DEVELOP
20 NATURAL AND AGRICULTURAL LANDS FOR RESIDENTIAL USES. THE
21 STRATEGIC GROWTH ELEMENT MUST INCLUDE:

22 (A) A DESCRIPTION OF EXISTING AND POTENTIAL POLICIES AND
23 TOOLS TO PROMOTE STRATEGIC GROWTH AND PREVENT SPRAWL;

24 (B) AN ANALYSIS OF VACANT AND UNDERUTILIZED SITES THAT
25 IDENTIFIES VACANT, PARTIALLY VACANT, AND UNDERUTILIZED LAND NEAR
26 EXISTING OR PLANNED TRANSIT OR JOB CENTERS THAT COULD BE USED FOR
27 INFILL DEVELOPMENT, REDEVELOPMENT, AND NEW DEVELOPMENT OF

1 HOUSING; ASSESSES THE GENERAL FEASIBILITY OF THE DEVELOPMENT OR
2 REDEVELOPMENT OF SUCH SITES FOR RESIDENTIAL USE BASED ON EXISTING
3 AND NEEDED INFRASTRUCTURE, TRANSPORTATION CAPACITY, ACCESS TO
4 PUBLIC TRANSIT, AND PUBLIC FACILITIES AND SERVICES TO SERVE SUCH
5 SITES; DESCRIBES THE PUBLIC BENEFITS OF THE DEVELOPMENT OR
6 REDEVELOPMENT OF SUCH SITES TO THE COUNTY OR REGION AS AN
7 ALTERNATIVE TO THE DEVELOPMENT OF PREVIOUSLY UNDEVELOPED
8 NATURAL OR AGRICULTURAL LAND; AND IN A MANNER THAT IS
9 CONSISTENT WITH THE MASTER PLAN, DESIGNATES SUCH SITES FOR WHICH
10 DEVELOPMENT OR REDEVELOPMENT IS DEEMED TO BE GENERALLY
11 FEASIBLE FOR FUTURE USES THAT INCLUDE RESIDENTIAL USES IN A
12 MANNER THAT ADDRESSES THE DEMONSTRATED HOUSING NEEDS OF THE
13 COUNTY OR REGION AT ALL INCOME LEVELS; AND

14 (C) AN ANALYSIS OF UNDEVELOPED SITES THAT IDENTIFIES
15 PREVIOUSLY UNDEVELOPED PARCELS THAT ARE NOT ADJACENT TO
16 DEVELOPED LAND, INCLUDING EXISTING NATURAL AND AGRICULTURAL
17 LAND, AND, FOR A COUNTY OR REGION IN A METROPOLITAN PLANNING
18 ORGANIZATION ESTABLISHED UNDER THE "FEDERAL TRANSIT ACT OF
19 1998," 49 U.S.C. SEC. 5301 ET SEQ., AS AMENDED, LAND OUTSIDE OF
20 CENSUS URBAN AREAS AS DEFINED BY THE UNITED STATES BUREAU OF
21 THE CENSUS; ASSESSES THE GENERAL FEASIBILITY OF THE DEVELOPMENT
22 OF SUCH SITES FOR RESIDENTIAL USE BASED ON EXISTING AND NEEDED
23 INFRASTRUCTURE, TRANSPORTATION CAPACITY, ACCESS TO PUBLIC
24 TRANSIT, AND PUBLIC FACILITIES AND SERVICES TO SERVE SUCH SITES; AND
25 DESCRIBES THE LONG-TERM FISCAL IMPACT TO THE COUNTY OR REGION OF
26 THE CONSTRUCTION, OWNERSHIP, MAINTENANCE, AND REPLACEMENT OF
27 INFRASTRUCTURE AND PUBLIC FACILITIES AND THE PROVISION OF PUBLIC

1 SERVICES TO SERVE DEVELOPMENT OF SUCH SITES;

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3 (IV) THE MOST RECENT HOUSING ACTION PLAN OR PLANS ADOPTED
4 BY THE COUNTY OR MUNICIPALITIES WITHIN THE REGION PURSUANT TO
5 SECTION 24-32-3705; AND

6 (V) FOR A MASTER PLAN BY A REGIONAL PLANNING COMMISSION,
7 THE MOST RECENT VERSION OF THE MASTER PLAN REQUIRED BY SECTION
8 31-12-105 (1)(e) BY EACH MUNICIPALITY THAT IS PART OF THE REGIONAL
9 PLANNING COMMISSION AND A DESCRIPTION OF HOW EACH JURISDICTION
10 WILL INTEGRATE THAT PLAN INTO THE MASTER PLAN.

11 (a.7) (I) A COUNTY OR REGION WITH A MASTER PLAN SHALL
12 ENSURE THAT ITS MASTER PLAN INCLUDES A WATER SUPPLY ELEMENT AND
13 A STRATEGIC GROWTH ELEMENT AS REQUIRED BY SUBSECTION (3)(a.5) OF
14 THIS SECTION AT THE FIRST AMENDING OF THE MASTER PLAN THAT OCCURS
15 ON OR AFTER JANUARY 1, 2026, BUT NOT LATER THAN DECEMBER 31,
16 2026. THE MASTER PLAN OF A COUNTY OR REGION ADOPTED OR AMENDED
17 AFTER DECEMBER 31, 2026, MUST INCLUDE A WATER SUPPLY ELEMENT
18 AND STRATEGIC GROWTH ELEMENT AS REQUIRED BY SUBSECTION (3)(a.5)
19 OF THIS SECTION. THE COUNTY OR REGION MUST UPDATE THE WATER
20 SUPPLY ELEMENT AND STRATEGIC GROWTH ELEMENT NO LESS
21 FREQUENTLY THAN EVERY FIVE YEARS.

22 (II) A COUNTY OR REGION WITH A MASTER PLAN IS NOT REQUIRED
23 TO INCLUDE A STRATEGIC GROWTH ELEMENT, IF THE COUNTY OR REGION
24 HAS NOT RECEIVED FUNDING TO INCLUDE THE STRATEGIC GROWTH
25 ELEMENT PURSUANT TO SECTION 24-32-3710 AND EITHER:

26 (A) HAS A POPULATION OF TWENTY THOUSAND OR LESS AND HAS
27 EXPERIENCED NEGATIVE POPULATION GROWTH IN THE MOST RECENT

1 DECENNIAL CENSUS; OR

2 (B) HAS A POPULATION OF FIVE THOUSAND OR LESS.

3 (a.9) THE MASTER PLAN MAY INCLUDE, WHERE APPLICABLE OR
4 APPROPRIATE:

5 (I) THE GENERAL LOCATION, CHARACTER, AND EXTENT OF
6 EXISTING, PROPOSED, OR PROJECTED STREETS OR ROADS, RIGHTS-OF-WAY,
7 VIADUCTS, BRIDGES, WATERWAYS, WATERFRONTS, PARKWAYS,
8 HIGHWAYS, MASS TRANSIT ROUTES AND CORRIDORS, AND ANY
9 TRANSPORTATION PLAN PREPARED BY ANY METROPOLITAN PLANNING
10 ORGANIZATION THAT COVERS ALL OR A PORTION OF THE COUNTY OR
11 REGION AND THAT THE COUNTY OR REGION HAS RECEIVED NOTIFICATION
12 OF OR, IF THE COUNTY OR REGION IS NOT LOCATED IN AN AREA COVERED
13 BY A METROPOLITAN PLANNING ORGANIZATION, ANY TRANSPORTATION
14 PLAN PREPARED BY THE DEPARTMENT OF TRANSPORTATION THAT THE
15 COUNTY OR REGION HAS RECEIVED NOTIFICATION OF AND THAT APPLIES TO
16 THE COUNTY OR REGION;

17 (II) THE GENERAL LOCATION OF PUBLIC PLACES OR FACILITIES,
18 INCLUDING PUBLIC SCHOOLS; CULTURALLY, HISTORICALLY, OR
19 ARCHAEOLOGICALLY SIGNIFICANT BUILDINGS, SITES, AND OBJECTS;
20 PLAYGROUNDS, FORESTS, RESERVATIONS, SQUARES, PARKS, AIRPORTS,
21 AVIATION FIELDS, MILITARY INSTALLATIONS; AND OTHER PUBLIC WAYS,
22 GROUNDS, OPEN SPACES, TRAILS, AND DESIGNATED FEDERAL, STATE, AND
23 LOCAL WILDLIFE AREAS. FOR PURPOSES OF THIS SECTION, "MILITARY
24 INSTALLATION" HAS THE SAME MEANING AS SPECIFIED IN SECTION
25 29-20-105.6 (2)(b).

26 (III) THE GENERAL LOCATION AND EXTENT OF PUBLIC UTILITIES,
27 TERMINALS, CAPITAL FACILITIES, AND TRANSFER FACILITIES, WHETHER

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

6 (IV) THE ACCEPTANCE, WIDENING, REMOVAL, EXTENSION,
7 RELOCATION, NARROWING, VACATION, ABANDONMENT, MODIFICATION, OR
8 CHANGE OF USE OF ANY OF THE PUBLIC WAYS, RIGHTS-OF-WAY, INCLUDING
9 THE COORDINATION OF SUCH RIGHTS-OF-WAY WITH THE RIGHTS-OF-WAY
10 OF OTHER COUNTIES, REGIONS, OR MUNICIPALITIES, GROUNDS, OPEN
11 SPACES, BUILDINGS, PROPERTIES, UTILITIES, OR TERMINALS REFERRED TO
12 IN SUBSECTIONS (3)(a.5)(II)(C), (3)(a.9)(I), (3)(a.9)(II), AND (3)(a.9)(III)
13 OF THIS SECTION;

14 (V) METHODS FOR ASSURING ACCESS TO APPROPRIATE CONDITIONS
15 FOR SOLAR, WIND, OR OTHER ALTERNATIVE ENERGY SOURCES, INCLUDING
16 GEOTHERMAL ENERGY USED FOR WATER HEATING OR SPACE HEATING OR
17 COOLING IN A SINGLE BUILDING, FOR SPACE HEATING FOR MORE THAN ONE
18 BUILDING THROUGH A PIPELINE NETWORK, OR FOR ELECTRICITY
19 GENERATION;

20 (VI) THE GENERAL CHARACTER, LOCATION, AND EXTENT OF
21 COMMUNITY CENTERS, TOWNSITES, HOUSING DEVELOPMENTS, WHETHER
22 PUBLIC OR PRIVATE; THE EXISTING, PROPOSED, OR PROJECTED LOCATION
23 OF RESIDENTIAL NEIGHBORHOODS AND SUFFICIENT LAND FOR FUTURE
24 HOUSING DEVELOPMENT FOR THE EXISTING AND PROJECTED ECONOMIC
25 AND OTHER NEEDS OF ALL CURRENT AND ANTICIPATED RESIDENTS OF THE
26 COUNTY OR REGION; AND URBAN CONSERVATION OR REDEVELOPMENT
27 AREAS. IF A COUNTY OR REGION HAS ENTERED INTO A REGIONAL PLANNING

1 AGREEMENT, THE AGREEMENT MAY BE INCORPORATED BY REFERENCE
2 INTO THE MASTER PLAN.

3 (VII) THE GENERAL LOCATION AND EXTENT OF FORESTS,
4 AGRICULTURAL AREAS, FLOOD CONTROL AREAS, AND OPEN DEVELOPMENT
5 AREAS FOR PURPOSES OF CONSERVATION, FOOD AND WATER SUPPLY,
6 SANITARY AND DRAINAGE FACILITIES, FLOOD CONTROL, OR THE
7 PROTECTION OF URBAN DEVELOPMENT;

8 (VIII) A LAND CLASSIFICATION AND UTILIZATION PROGRAM;

9 (IX) PROJECTIONS OF POPULATION GROWTH AND HOUSING NEEDS
10 TO ACCOMMODATE THE PROJECTED POPULATION FOR SPECIFIED
11 INCREMENTS OF TIME. THE COUNTY OR REGION MAY BASE THESE
12 PROJECTIONS UPON DATA FROM THE DEPARTMENT OF LOCAL AFFAIRS AND
13 UPON THE COUNTY'S OR REGION'S LOCAL OBJECTIVES.

14 (X) THE LOCATION OF AREAS CONTAINING STEEP SLOPES,
15 GEOLOGICAL HAZARDS, ENDANGERED OR THREATENED SPECIES,
16 WETLANDS, FLOODPLAINS, FLOODWAYS, AND FLOOD RISK ZONES, HIGHLY
17 ERODIBLE LAND OR UNSTABLE SOILS, AND WILDFIRE HAZARDS. FOR
18 PURPOSES OF DETERMINING THE LOCATION OF SUCH AREAS, THE PLANNING
19 COMMISSION SHOULD CONSIDER THE FOLLOWING SOURCES FOR GUIDANCE:

20 (A) THE COLORADO GEOLOGICAL SURVEY FOR DEFINING AND
21 MAPPING GEOLOGICAL HAZARDS;

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

26 (C) THE UNITED STATES ARMY CORPS OF ENGINEERS AND THE
27 UNITED STATES FISH AND WILDLIFE SERVICE NATIONAL WETLANDS

1 INVENTORY FOR DEFINING AND MAPPING WETLANDS;

2 (D) THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR
3 DEFINING AND MAPPING FLOODPLAINS, FLOODWAYS, AND FLOOD RISK
4 ZONES;

5 (E) THE NATURAL RESOURCES CONSERVATION SERVICE OF THE
6 UNITED STATES DEPARTMENT OF AGRICULTURE FOR DEFINING AND
7 MAPPING UNSTABLE SOILS AND HIGHLY ERODIBLE LAND; AND

8 (F) THE COLORADO STATE FOREST SERVICE FOR LOCATING
9 WILDFIRE HAZARD AREAS.

10 (8) A COUNTY OR REGIONAL PLANNING COMMISSION SHALL SUBMIT
11 THE MASTER PLAN AND ANY SEPARATELY APPROVED WATER SUPPLY
12 ELEMENT AND STRATEGIC GROWTH ELEMENT TO THE DIVISION OF LOCAL
13 GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS. THE DIVISION OF
14 LOCAL GOVERNMENT SHALL REVIEW MASTER PLANS AND MAY PROVIDE
15 COMMENTS TO THE COMMISSION.

16 **SECTION 3.** In Colorado Revised Statutes, 31-23-206, **repeal**
17 **and reenact, with amendments,** (1); and **add** (1.3), (1.5), (1.7), (1.9),
18 and (8) as follows:

19 **31-23-206. Master plan.** (1) IT IS THE DUTY OF THE COMMISSION
20 TO MAKE AND ADOPT A MASTER PLAN FOR THE PHYSICAL DEVELOPMENT
21 OF THE MUNICIPALITY, INCLUDING ANY AREAS OUTSIDE ITS BOUNDARIES,
22 SUBJECT TO THE APPROVAL OF THE GOVERNMENTAL BODY HAVING
23 JURISDICTION THEREOF, THAT IN THE COMMISSION'S JUDGMENT BEAR
24 RELATION TO THE PLANNING OF THE MUNICIPALITY. THE MASTER PLAN OF
25 A MUNICIPALITY IS AN ADVISORY DOCUMENT TO GUIDE LAND
26 DEVELOPMENT DECISIONS; HOWEVER, THE MASTER PLAN OR ANY PART
27 THEREOF MAY BE MADE BINDING BY INCLUSION IN THE MUNICIPALITY'S

1 ADOPTED SUBDIVISION, ZONING, PLATTING, PLANNED UNIT DEVELOPMENT,
2 OR OTHER SIMILAR LAND DEVELOPMENT REGULATIONS AFTER SATISFYING
3 NOTICE, DUE PROCESS, AND HEARING REQUIREMENTS FOR LEGISLATIVE OR
4 QUASI-JUDICIAL PROCESSES AS APPROPRIATE. THE MASTER PLAN, WITH
5 THE ACCOMPANYING MAPS, PLATS, CHARTS, AND DESCRIPTIVE MATTER,
6 MUST SHOW THE COMMISSION'S RECOMMENDATIONS FOR THE
7 DEVELOPMENT OF THE MUNICIPALITY AND OUTLYING AREAS.

8 (1.3) (a) WHEN A COMMISSION DECIDES TO ADOPT A MASTER PLAN,
9 THE COMMISSION SHALL CONDUCT PUBLIC HEARINGS, AFTER NOTICE OF
10 SUCH PUBLIC HEARINGS HAS BEEN PUBLISHED IN A NEWSPAPER OF
11 GENERAL CIRCULATION IN THE MUNICIPALITY IN A MANNER SUFFICIENT TO
12 NOTIFY THE PUBLIC OF THE TIME, PLACE, AND NATURE OF THE PUBLIC
13 HEARING, PRIOR TO FINAL ADOPTION OF A MASTER PLAN IN ORDER TO
14 ENCOURAGE PUBLIC PARTICIPATION IN AND AWARENESS OF THE
15 DEVELOPMENT OF THE MASTER PLAN AND SHALL ACCEPT AND CONSIDER
16 ORAL AND WRITTEN PUBLIC COMMENTS THROUGHOUT THE PROCESS OF
17 DEVELOPING THE MASTER PLAN.

18 (b) THE COMMISSION SHALL FOLLOW THE PROCEDURES IN SECTION
19 24-32-3209. FOR PURPOSES OF THIS SECTION, ANY SPECIAL DISTRICT THAT
20 SUPPLIES WATER TO THE AREA COVERED BY THE MASTER PLAN IS A
21 NEIGHBORING JURISDICTION AS DEFINED IN SECTION 24-32-3209 (1)(h).

22 (c) FOR ANY MASTER PLAN ADOPTED AFTER JANUARY 1, 2026, THE
23 COMMISSION SHALL CONSIDER THE FOLLOWING, WHERE APPLICABLE OR
24 APPROPRIATE, AND ANY OTHER INFORMATION DEEMED RELEVANT BY THE
25 COMMISSION:

26 (I) THE APPLICABLE HOUSING NEEDS ASSESSMENTS PUBLISHED
27 PURSUANT TO SECTION 24-32-3702 (1)(b), 24-32-3703, OR 24-32-3704;

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(II) THE STATEWIDE STRATEGIC GROWTH REPORT CREATED PURSUANT TO SECTION 24-32-3707;

(III) THE NATURAL LAND AND AGRICULTURAL OPPORTUNITIES REPORT PUBLISHED PURSUANT TO SECTION 24-32-3708; AND

(IV) THE COLORADO WATER PLAN ADOPTED PURSUANT TO SECTION 37-60-106.3.

(1.5) THE MASTER PLAN MUST INCLUDE:

(a) A NARRATIVE DESCRIPTION OF THE PROCEDURE USED FOR THE DEVELOPMENT AND ADOPTION OF THE MASTER PLAN, INCLUDING A SUMMARY OF ANY OBJECTIONS TO THE MASTER PLAN MADE BY NEIGHBORING JURISDICTIONS PURSUANT TO SECTION 24-32-3209 AND A DESCRIPTION OF THE RESOLUTION OR OUTCOME OF THE OBJECTIONS;

(b) THE MOST RECENT VERSION OF THE MASTER PLAN REQUIRED BY SECTION 31-12-105 (1)(e) OR A SIMILAR MASTER PLAN FOR AREAS OF POTENTIAL GROWTH WITHIN THREE MILES OF THE MUNICIPALITY'S EXISTING BOUNDARIES AND A DESCRIPTION OF HOW THE MUNICIPALITY INTENDS TO INTEGRATE THAT PLAN INTO THE MASTER PLAN;

(c) (I) A WATER SUPPLY ELEMENT DEVELOPED IN CONSULTATION WITH ENTITIES THAT SUPPLY WATER FOR USE WITHIN THE MUNICIPALITY TO ENSURE COORDINATION ON WATER SUPPLY AND FACILITY PLANNING. NOTHING IN THIS SECTION REQUIRES THE PUBLIC DISCLOSURE OF CONFIDENTIAL INFORMATION RELATED TO WATER SUPPLY OR FACILITIES.

(II) THE WATER SUPPLY ELEMENT MUST:

(A) ESTIMATE A RANGE OF WATER SUPPLIES AND FACILITIES NEEDED TO SUPPORT THE POTENTIAL PUBLIC AND PRIVATE DEVELOPMENT DESCRIBED IN THE MASTER PLAN; AND

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

8 (III) A MUNICIPALITY WITH A MASTER PLAN THAT INCLUDES A
9 WATER SUPPLY ELEMENT SHALL ENSURE THAT ITS MASTER PLAN INCLUDES
10 WATER CONSERVATION POLICIES AT THE FIRST AMENDING OF THE MASTER
11 PLAN, BUT NOT LATER THAN JULY 1, 2025;

12 (IV) NOTHING IN THIS SUBSECTION (1.5)(c) SUPERSEDES,
13 ABROGATES, OR OTHERWISE IMPAIRS THE ALLOCATION OF WATER
14 PURSUANT TO THE STATE CONSTITUTION OR ANY OTHER PROVISION OF
15 LAW, THE RIGHT TO BENEFICIALLY USE WATER PURSUANT TO DECREES,
16 CONTRACTS, OR OTHER WATER USE AGREEMENTS, OR THE OPERATION,
17 MAINTENANCE, REPAIR, REPLACEMENT, OR USE OF ANY WATER FACILITY;
18 AND

19 (V) THE DEPARTMENT OF LOCAL AFFAIRS MAY HIRE AND EMPLOY
20 ONE FULL-TIME EMPLOYEE TO PROVIDE EDUCATIONAL RESOURCES AND
21 ASSISTANCE TO MUNICIPALITIES THAT INCLUDE WATER CONSERVATION
22 POLICIES IN THE WATER SUPPLY ELEMENTS OF MASTER PLANS AS REQUIRED
23 BY THIS SUBSECTION (1.5)(c).

24 (d) A STRATEGIC GROWTH ELEMENT THAT INTEGRATES ELEMENTS
25 OF THE MASTER PLAN TO DISCOURAGE SPRAWL AND PROMOTE THE
26 DEVELOPMENT OR REDEVELOPMENT OF VACANT AND UNDERUTILIZED
27 PARCELS IN URBAN AREAS TO ADDRESS THE MUNICIPALITY'S

1 DEMONSTRATED HOUSING NEEDS AND MITIGATE THE NEED FOR EXTENSION
2 OF INFRASTRUCTURE AND PUBLIC SERVICES TO DEVELOP NATURAL AND
3 AGRICULTURAL LANDS FOR RESIDENTIAL USES. THE STRATEGIC GROWTH
4 ELEMENT MUST INCLUDE:

5 (I) A DESCRIPTION OF EXISTING AND POTENTIAL POLICIES AND
6 TOOLS TO PROMOTE STRATEGIC GROWTH AND PREVENT SPRAWL;

7 (II) AN ANALYSIS OF VACANT AND UNDERUTILIZED SITES THAT:

8 (A) IDENTIFIES VACANT, PARTIALLY VACANT, AND UNDERUTILIZED
9 LAND NEAR EXISTING OR PLANNED TRANSIT OR JOB CENTERS THAT COULD
10 BE USED FOR INFILL DEVELOPMENT, REDEVELOPMENT, AND NEW
11 DEVELOPMENT OF HOUSING;

12 (B) ASSESSES THE GENERAL FEASIBILITY OF THE DEVELOPMENT OR
13 REDEVELOPMENT OF SUCH SITES FOR RESIDENTIAL USE BASED ON EXISTING
14 AND NEEDED INFRASTRUCTURE, TRANSPORTATION CAPACITY, ACCESS TO
15 PUBLIC TRANSIT, AND PUBLIC FACILITIES AND SERVICES TO SERVE SUCH
16 SITES;

17 (C) DESCRIBES THE PUBLIC BENEFITS OF THE DEVELOPMENT OR
18 REDEVELOPMENT OF SUCH SITES TO THE MUNICIPALITY AS AN
19 ALTERNATIVE TO THE DEVELOPMENT OF PREVIOUSLY UNDEVELOPED
20 NATURAL OR AGRICULTURAL LAND; AND

21 (D) IN A MANNER THAT IS CONSISTENT WITH THE MASTER PLAN,
22 DESIGNATES SUCH SITES FOR WHICH DEVELOPMENT OR REDEVELOPMENT
23 IS DEEMED TO BE GENERALLY FEASIBLE FOR FUTURE USES THAT INCLUDE
24 RESIDENTIAL USES IN A MANNER THAT ADDRESSES THE MUNICIPALITY'S
25 DEMONSTRATED HOUSING NEEDS AT ALL INCOME LEVELS; AND

26 (III) AN ANALYSIS OF UNDEVELOPED SITES THAT:

27 (A) IDENTIFIES PREVIOUSLY UNDEVELOPED PARCELS THAT ARE

1 NOT ADJACENT TO DEVELOPED LAND, INCLUDING EXISTING NATURAL AND
2 AGRICULTURAL LAND, AND, FOR A MUNICIPALITY IN A METROPOLITAN
3 PLANNING ORGANIZATION ESTABLISHED UNDER THE "FEDERAL TRANSIT
4 ACT OF 1998," 49 U.S.C. SEC. 5301 ET SEQ., AS AMENDED, LAND OUTSIDE
5 OF CENSUS URBAN AREAS AS DEFINED BY THE UNITED STATES BUREAU OF
6 THE CENSUS;

7 (B) ASSESSES THE GENERAL FEASIBILITY OF THE DEVELOPMENT OF
8 SUCH SITES FOR RESIDENTIAL USE BASED ON EXISTING AND NEEDED
9 INFRASTRUCTURE, TRANSPORTATION CAPACITY, ACCESS TO PUBLIC
10 TRANSIT, AND PUBLIC FACILITIES AND SERVICES TO SERVE SUCH SITES; AND

11 (C) DESCRIBES THE LONG-TERM FISCAL IMPACT TO THE
12 MUNICIPALITY OF THE CONSTRUCTION, OWNERSHIP, MAINTENANCE, AND
13 REPLACEMENT OF INFRASTRUCTURE AND PUBLIC FACILITIES AND THE
14 PROVISION OF PUBLIC SERVICES TO SERVE DEVELOPMENT OF SUCH SITES;
15 AND

16 (e) THE MOST RECENT HOUSING ACTION PLAN ADOPTED BY THE
17 MUNICIPALITY PURSUANT TO SECTION 24-32-3705.

18 (1.7) (a) A MUNICIPALITY WITH A MASTER PLAN SHALL ENSURE
19 THAT ITS MASTER PLAN INCLUDES A WATER SUPPLY ELEMENT AND
20 STRATEGIC GROWTH ELEMENT AS REQUIRED BY SUBSECTION (1.5) OF THIS
21 SECTION AT THE FIRST AMENDING OF THE MASTER PLAN THAT OCCURS ON
22 OR AFTER JANUARY 1, 2026, BUT NOT LATER THAN DECEMBER 31, 2026.
23 THE MASTER PLAN OF A MUNICIPALITY ADOPTED OR AMENDED AFTER
24 DECEMBER 31, 2026, MUST INCLUDE A WATER SUPPLY ELEMENT AND
25 STRATEGIC GROWTH ELEMENT AS REQUIRED BY SUBSECTION (1.5) OF THIS
26 SECTION. A MUNICIPALITY SHALL UPDATE THE WATER SUPPLY ELEMENT
27 AND STRATEGIC GROWTH ELEMENT AS REQUIRED BY SUBSECTION (1.5) OF

1 THIS SECTION NO LESS FREQUENTLY THAN EVERY FIVE YEARS.

2 (b) A MUNICIPALITY WITH A MASTER PLAN IS NOT REQUIRED TO
3 INCLUDE A STRATEGIC GROWTH ELEMENT IF THE MUNICIPALITY HAS NOT
4 RECEIVED FUNDING TO INCLUDE THE STRATEGIC GROWTH ELEMENT
5 PURSUANT TO SECTION 24-32-3710 AND EITHER:

6 (I) HAS A POPULATION OF TWENTY THOUSAND OR LESS AND HAS
7 EXPERIENCED NEGATIVE POPULATION GROWTH IN THE MOST RECENT
8 DECENNIAL CENSUS; OR

9 (II) HAS A POPULATION OF TWO THOUSAND OR LESS.

10 (1.9) THE MASTER PLAN MAY INCLUDE, WHERE APPLICABLE OR
11 APPROPRIATE:

12 (a) THE GENERAL LOCATION, CHARACTER, AND EXTENT OF
13 EXISTING, PROPOSED, OR PROJECTED STREETS, ROADS, RIGHTS-OF-WAY,
14 BRIDGES, WATERWAYS, WATERFRONTS, PARKWAYS, HIGHWAYS, MASS
15 TRANSIT ROUTES AND CORRIDORS, AND ANY TRANSPORTATION PLAN
16 PREPARED BY ANY METROPOLITAN PLANNING ORGANIZATION THAT
17 COVERS ALL OR A PORTION OF THE MUNICIPALITY AND THAT THE
18 MUNICIPALITY HAS RECEIVED NOTIFICATION OF OR, IF THE MUNICIPALITY
19 IS NOT LOCATED IN AN AREA COVERED BY A METROPOLITAN PLANNING
20 ORGANIZATION, ANY TRANSPORTATION PLAN PREPARED BY THE
21 DEPARTMENT OF TRANSPORTATION THAT THE MUNICIPALITY HAS
22 RECEIVED NOTIFICATION OF AND THAT COVERS ALL OR A PORTION OF THE
23 MUNICIPALITY;

24 (b) THE GENERAL LOCATION OF PUBLIC PLACES OR FACILITIES,
25 INCLUDING PUBLIC SCHOOLS, CULTURALLY, HISTORICALLY, OR
26 ARCHAEOLOGICALLY SIGNIFICANT BUILDINGS, SITES, AND OBJECTS,
27 PLAYGROUNDS, SQUARES, PARKS, AIRPORTS, AVIATION FIELDS, MILITARY

1 INSTALLATIONS, AND OTHER PUBLIC WAYS, GROUNDS, OPEN SPACES,
2 TRAILS, AND DESIGNATED FEDERAL, STATE, AND LOCAL WILDLIFE AREAS.
3 FOR PURPOSES OF THIS SECTION, "MILITARY INSTALLATION" HAS THE SAME
4 MEANING AS SPECIFIED IN SECTION 29-20-105.6 (2)(b).

5 (c) THE GENERAL LOCATION AND EXTENT OF PUBLIC UTILITIES
6 TERMINALS, CAPITAL FACILITIES, AND TRANSFER FACILITIES, WHETHER
7 PUBLICLY OR PRIVATELY OWNED OR OPERATED, FOR WATER, LIGHT,
8 SANITATION, TRANSPORTATION, COMMUNICATION, POWER, AND OTHER
9 PURPOSES AND ANY PROPOSED OR PROJECTED NEEDS FOR CAPITAL
10 FACILITIES AND UTILITIES, INCLUDING THE PRIORITIES, ANTICIPATED
11 COSTS, AND FUNDING PROPOSALS FOR SUCH FACILITIES AND UTILITIES;

12 (d) THE ACCEPTANCE, REMOVAL, RELOCATION, WIDENING,
13 NARROWING, VACATING, ABANDONMENT, MODIFICATION, CHANGE OF USE,
14 OR EXTENSION OF ANY OF THE PUBLIC WAYS, RIGHTS-OF-WAY, INCLUDING
15 THE COORDINATION OF SUCH RIGHTS-OF-WAY WITH THE RIGHTS-OF-WAY
16 OF OTHER MUNICIPALITIES, COUNTIES, OR REGIONS, GROUNDS, OPEN
17 SPACES, BUILDINGS, PROPERTY, UTILITY, OR TERMINALS REFERRED TO IN
18 SUBSECTIONS (1.5)(c), (1.7)(a), AND (1.7)(b) OF THIS SECTION;

19 (e) A ZONING PLAN FOR THE CONTROL OF THE HEIGHT, AREA, BULK,
20 LOCATION, AND USE OF BUILDINGS AND PREMISES. SUCH A ZONING PLAN
21 MAY PROTECT AND ASSURE ACCESS TO APPROPRIATE CONDITIONS FOR
22 SOLAR, WIND, OR OTHER ALTERNATIVE ENERGY SOURCES, INCLUDING
23 GEOTHERMAL ENERGY USED FOR WATER HEATING OR SPACE HEATING OR
24 COOLING IN A SINGLE BUILDING, FOR SPACE HEATING FOR MORE THAN ONE
25 BUILDING THROUGH A PIPELINE NETWORK, OR FOR ELECTRICITY
26 GENERATION; HOWEVER, REGULATIONS AND RESTRICTIONS OF THE HEIGHT,
27 NUMBER OF STORIES, SIZE OF BUILDINGS AND OTHER STRUCTURES, AND

1 THE HEIGHT AND LOCATION OF TREES AND OTHER VEGETATION SHALL NOT
2 APPLY TO EXISTING BUILDINGS, STRUCTURES, TREES, OR VEGETATION
3 EXCEPT FOR NEW GROWTH ON SUCH VEGETATION;

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

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

15 (h) A PLAN FOR THE LOCATION AND PLACEMENT OF PUBLIC
16 UTILITIES THAT FACILITATES THE PROVISION OF SUCH UTILITIES TO ALL
17 EXISTING, PROPOSED, OR PROJECTED DEVELOPMENTS IN THE
18 MUNICIPALITY;

19 (i) PROJECTIONS OF POPULATION GROWTH AND HOUSING NEEDS TO
20 ACCOMMODATE THE PROJECTED POPULATION FOR SPECIFIED INCREMENTS
21 OF TIME. THE MUNICIPALITY MAY BASE THESE PROJECTIONS UPON DATA
22 FROM THE DEPARTMENT OF LOCAL AFFAIRS AND UPON THE MUNICIPALITY'S
23 LOCAL OBJECTIVES;

24 (j) THE AREAS CONTAINING STEEP SLOPES, GEOLOGICAL HAZARDS,
25 ENDANGERED OR THREATENED SPECIES, WETLANDS, FLOODPLAINS,
26 FLOODWAYS, AND FLOOD RISK ZONES, HIGHLY ERODIBLE LAND OR
27 UNSTABLE SOILS, AND WILDFIRE HAZARDS. FOR PURPOSES OF

1 DETERMINING THE LOCATION OF SUCH AREAS, THE PLANNING COMMISSION
2 SHOULD CONSIDER THE FOLLOWING SOURCES FOR GUIDANCE:

3 (I) THE COLORADO GEOLOGICAL SURVEY FOR DEFINING AND
4 MAPPING GEOLOGICAL HAZARDS;

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

9 (III) THE UNITED STATES ARMY CORPS OF ENGINEERS AND THE
10 UNITED STATES FISH AND WILDLIFE SERVICE NATIONAL WETLANDS
11 INVENTORY FOR DEFINING AND MAPPING WETLANDS;

12 (IV) THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR
13 DEFINING AND MAPPING FLOODPLAINS, FLOODWAYS, AND FLOOD RISK
14 ZONES;

15 (V) THE NATURAL RESOURCES CONSERVATION SERVICE OF THE
16 UNITED STATES DEPARTMENT OF AGRICULTURE FOR DEFINING AND
17 MAPPING UNSTABLE SOILS AND HIGHLY ERODIBLE LAND; AND

18 (VI) THE COLORADO STATE FOREST SERVICE FOR LOCATING
19 WILDFIRE HAZARD AREAS.

20 (8) THE COMMISSION SHALL SUBMIT THE MASTER PLAN AND ANY
21 SEPARATELY APPROVED WATER SUPPLY ELEMENT AND STRATEGIC
22 GROWTH ELEMENT TO THE DIVISION OF LOCAL GOVERNMENT IN THE
23 DEPARTMENT OF LOCAL AFFAIRS. THE DIVISION OF LOCAL GOVERNMENT
24 SHALL REVIEW MASTER PLANS AND MAY PROVIDE COMMENTS TO THE
25 COMMISSION.

26 **SECTION 4.** In Colorado Revised Statutes, 38-33.3-106.5, **add**
27 (3) as follows:

1 **38-33.3-106.5. Prohibitions contrary to public policy -**
2 **patriotic, political, or religious expression - public rights-of-way - fire**
3 **prevention - renewable energy generation devices - affordable**
4 **housing - drought prevention measures - child care - definitions.**

5 (3) (a) AN ASSOCIATION SHALL NOT PROHIBIT OR RESTRICT THE
6 CONSTRUCTION OF ACCESSORY DWELLING UNITS OR MIDDLE HOUSING IF
7 THE ZONING LAWS OF THE LOCAL JURISDICTION WOULD OTHERWISE ALLOW
8 SUCH USES ON A PROPERTY. THIS SUBSECTION (3)(a) APPLIES ONLY TO ANY
9 DECLARATION RECORDED ON OR AFTER JULY 1, 2024, OR IN ANY BYLAWS
10 OR RULES AND REGULATIONS OF THE ASSOCIATION ADOPTED OR AMENDED
11 ON OR AFTER JULY 1, 2024, UNLESS THE DECLARATION, BYLAWS, OR RULES
12 AND REGULATIONS CONTAINED SUCH A RESTRICTION AS OF THE EFFECTIVE
13 DATE OF THIS SUBSECTION (3)(a).

14 (b) AS USED IN THIS SUBSECTION (3), UNLESS THE CONTEXT
15 OTHERWISE REQUIRES:

16 (I) "ACCESSORY DWELLING UNIT" MEANS AN INTERNAL,
17 ATTACHED, OR DETACHED DWELLING UNIT THAT IS LOCATED ON THE SAME
18 LOT AS A PROPOSED OR EXISTING PRIMARY RESIDENCE.

19 (II) "MIDDLE HOUSING" MEANS A RESIDENTIAL STRUCTURE OR
20 STRUCTURES THAT INCLUDE BETWEEN TWO AND FOUR SEPARATE
21 DWELLING UNITS IN A STRUCTURE, A TOWNHOME BUILDING, OR A COTTAGE
22 CLUSTER OF UP TO FOUR UNITS.

23 **SECTION 5. Safety clause.** The general assembly finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, or safety or for appropriations for
26 the support and maintenance of the departments of the state and state
27 institutions.