

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 30, 2024  
Date

Committee on Local Government & Housing.

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

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

1 Amend reengrossed bill, page 9 after line 26 insert:

2           "(3) "APPLICABLE TRANSIT PLAN" MEANS A PLAN OF A TRANSIT  
3 AGENCY WHOSE SERVICE TERRITORY IS WITHIN A METROPOLITAN  
4 PLANNING ORGANIZATION, INCLUDING A SYSTEM OPTIMIZATION PLAN OR  
5 A TRANSIT MASTER PLAN THAT:

6           (a) HAS BEEN APPROVED BY THE GOVERNING BODY OF A TRANSIT  
7 AGENCY ON OR AFTER JANUARY 1, 2019, AND ON OR BEFORE JANUARY 1,  
8 2024;

9           (b) IDENTIFIES THE PLANNED FREQUENCY AND SPAN OF SERVICE  
10 FOR TRANSIT SERVICE OR SPECIFIC TRANSIT ROUTES; AND

11           (c) IDENTIFIES SPECIFIC TRANSIT ROUTES FOR SHORT-TERM  
12 IMPLEMENTATION ACCORDING TO THAT PLAN, OR IMPLEMENTATION  
13 BEFORE JANUARY 1, 2030."

14 Renumber succeeding subsections.

15 Page 9, line 27, strike "BUS RAPID".

16 Page 10, line 2, strike "AS" and substitute "THAT IS" and after  
17 "IDENTIFIED" insert "AS BUS RAPID TRANSIT BY A TRANSIT AGENCY".

18 Page 10, lines 3 and 4, strike "A TRANSIT AGENCY'S MASTER PLAN;" and  
19 substitute "IN AN APPLICABLE TRANSIT PLAN;".

20 Page 10 strike lines 23 through 27.

21 Page 11, strike lines 1 through 4 and substitute:

1           "(a) THE INVOLUNTARY RELOCATION OF RESIDENTS,  
2 PARTICULARLY LOW-INCOME RESIDENTS, OR LOCALLY-OWNED  
3 COMMUNITY-SERVING BUSINESSES AND INSTITUTIONS DUE TO:  
4           (I) INCREASED REAL ESTATE PRICES, RENTS, PROPERTY  
5 REHABILITATION, REDEVELOPMENT, DEMOLITION, OR OTHER ECONOMIC  
6 FACTORS;  
7           (II) PHYSICAL CONDITIONS RESULTING FROM NEGLECT AND  
8 UNDERINVESTMENT THAT RENDER A RESIDENCE UNINHABITABLE; OR  
9           (III) PHYSICAL DISPLACEMENT WHEREIN EXISTING HOUSING UNITS  
10 AND COMMERCIAL SPACES ARE LOST DUE TO PROPERTY REHABILITATION,  
11 REDEVELOPMENT, OR DEMOLITION;  
12           (b) INDIRECT DISPLACEMENT RESULTING FROM CHANGES IN  
13 NEIGHBORHOOD POPULATION, IF, WHEN LOW-INCOME HOUSEHOLDS MOVE  
14 OUT OF HOUSING UNITS, THOSE SAME HOUSING UNITS DO NOT REMAIN  
15 AFFORDABLE TO OTHER LOW-INCOME HOUSEHOLDS IN THE  
16 NEIGHBORHOOD, OR DEMOGRAPHIC CHANGES THAT REFLECT THE  
17 RELOCATION OF EXISTING RESIDENTS FOLLOWING WIDESPREAD  
18 RELOCATION OF THEIR COMMUNITY AND COMMUNITY-SERVING ENTITIES."

19 Page 12, after line 3 insert:

20           "(16) "REGULATED AFFORDABLE HOUSING" MEANS AFFORDABLE  
21 HOUSING THAT:  
22           (a) HAS RECEIVED LOANS, GRANTS, EQUITY, BONDS, OR TAX  
23 CREDITS FROM ANY SOURCE TO SUPPORT THE CREATION, PRESERVATION,  
24 OR REHABILITATION OF AFFORDABLE HOUSING THAT, AS A CONDITION OF  
25 FUNDING, ENCUMBERS THE PROPERTY WITH A RESTRICTED USE COVENANT  
26 OR SIMILAR RECORDED AGREEMENT TO ENSURE AFFORDABILITY, OR HAS  
27 BEEN INCOME-RESTRICTED UNDER A LOCAL INCLUSIONARY ZONING  
28 ORDINANCE OR OTHER REGULATION OR PROGRAM;  
29           (b) RESTRICTS OR LIMITS MAXIMUM RENTAL OR SALE PRICE FOR  
30 HOUSEHOLDS OF A GIVEN SIZE AT A GIVEN AREA MEDIAN INCOME, AS  
31 ESTABLISHED ANNUALLY BY THE UNITED STATES DEPARTMENT OF  
32 HOUSING AND URBAN DEVELOPMENT; AND  
33           (c) ENSURES OCCUPANCY BY LOW- TO MODERATE-INCOME  
34 HOUSEHOLDS FOR A SPECIFIED PERIOD DETAILED IN A RESTRICTIVE USE  
35 COVENANT OR SIMILAR RECORDED AGREEMENT."

36 Renumber succeeding subsections accordingly.

37 Page 20, after line 21 insert:

1           "(1) "CERTIFIED TRANSIT-ORIENTED COMMUNITY" MEANS A  
2 TRANSIT-ORIENTED COMMUNITY THAT HAS MET THE REQUIREMENTS OF  
3 SECTION 29-35-204 (4)(a).".

4 Renumber succeeding subsections accordingly.

5 Page 20, strike lines 26 and 27 and substitute "SECTION 24-65.1-104 (5),  
6 IS SERVED BY A WELL THAT IS NOT CONNECTED TO A WATER DISTRIBUTION  
7 SYSTEM, AS DEFINED IN SECTION 25-9-102 (6), OR IS SERVED BY A SEPTIC  
8 TANK, AS DEFINED IN SECTION 25-10-103 (18);".

9 Page 21, line 8, after "FABRICATION," insert "MINERAL OR GRAVEL  
10 EXTRACTION,".

11 Page 21, after line 11 insert:

12           "(e) ANY PART OF A PARCEL THAT, AS OF JANUARY 1, 2024, IS  
13 SUBJECT TO AN EASEMENT FOR A MAJOR ELECTRIC OR NATURAL GAS  
14 FACILITY, AS DEFINED IN SECTION 29-20-108 (3);".

15 Reletter succeeding paragraphs accordingly.

16 Page 21, line 22, strike "FEDERAL OR STATE".

17 Page 21, strike line 23 and substitute "OWNED BY A FEDERAL, STATE, OR  
18 LOCAL GOVERNMENT ENTITY;".

19 Page 21, strike line 26 and substitute "29-7.5-103 (2);

20           (m) A PARCEL THAT AS OF JANUARY 1, 2024, IS OWNED BY A  
21 SCHOOL DISTRICT, AS DEFINED IN SECTION 22-30-103 (13); OR

22           (n) ANY PART OF A PARCEL'S ZONING CAPACITY WHERE  
23 RESIDENTIAL USE IS EXPRESSLY PREVENTED OR LIMITED TO LESS THAN  
24 FORTY DWELLING UNITS PER ACRE BY STATE REGULATION, FEDERAL  
25 REGULATION, OR DEED RESTRICTION PURSUANT TO EITHER:

26           (I) FEDERAL AVIATION ADMINISTRATION RESTRICTIONS PURSUANT  
27 TO 14 CFR PART 77; OR

28           (II) AN ENVIRONMENTAL COVENANT PURSUANT TO SECTION  
29 25-15-318 TO SECTION 25-15-323.".

30 Page 22, line 19, after "HEIGHT." insert "NOTHING IN THIS SUBSECTION (5)  
31 MEANS THAT, IN CALCULATING NET HOUSING DENSITY FOR AN AREA, A  
32 LOCAL GOVERNMENT SHALL INCLUDE AN AREA OF AN INDIVIDUAL PARCEL  
33 REQUIRED FOR STORMWATER DRAINAGE OR A UTILITY EASEMENT.".

- 1 Page 22, strike lines 20 through 27.
- 2 Renumber succeeding subsections accordingly.
- 3 Page 22, after line 27 insert:
  - 4 "(7) "OPTIONAL TRANSIT AREA" MEANS THE TOTAL AREA,
  - 5 MEASURED IN ACRES, WITHIN A TRANSIT-ORIENTED COMMUNITY THAT IS
  - 6 WITHIN ONE-QUARTER MILE OF A PUBLIC BUS ROUTE OR BUS RAPID
  - 7 TRANSIT CORRIDOR AS IDENTIFIED IN THE CRITERIA IN SUBSECTION
  - 8 29-35-208 (4).".
- 9 Renumber succeeding subsections accordingly.
- 10 Page 23, strike lines 7 through 22.
- 11 Renumber succeeding subsections accordingly.
- 12 Page 24, line 4, strike "AND THAT EITHER:".
- 13 Page 24, strike lines 5 through 7 and substitute "AS IDENTIFIED IN THE
- 14 CRITERIA IN SECTION 29-35-208 (3).".
- 15 Page 24, lines 26 strike "STATION THAT SERVES ONE OR MORE THE".
- 16 Page 24, strike line 27.
- 17 Page 25, strike lines 1 through 6 and substitute: "STATION, AS IDENTIFIED
- 18 IN THE CRITERIA IN SECTION 29-35-208 (2).".
- 19 Page 25, line 9, strike "INCLUDING BUT NOT".
- 20 Page 25, strike lines 10 through 13 and substitute "AND AS CALCULATED
- 21 BY TOTALING THE NET HOUSING DENSITY OF ALL PARCELS WITHIN THE
- 22 AREA.
- 23 (15) "ZONING CAPACITY BUFFER" MEANS THE RATIO OF THE
- 24 NUMBER OF HOUSING UNITS ANTICIPATED TO BE CONSTRUCTED IN AN AREA
- 25 TO THE ZONING CAPACITY OF THE AREA.".
- 26 Page 25, line 14, strike "**collaboration.**" and substitute "**collaboration -**
- 27 **goals - transit-oriented community authority.**" and before "AS" insert
- 28 "(1)".

1 Page 25, line 18, after "REQUIREMENTS" insert "AND GOALS".

2 Page 25, after line 18 insert:

3 "(2) THE GOALS OF THIS PART 2 ARE TO:

4 (a) PROVIDE BENEFITS INCLUDING REGULATED AFFORDABLE  
5 HOUSING, ACCESSIBLE HOUSING, REGIONAL EQUITY THROUGH A BALANCE  
6 OF JOBS AND HOUSING, IMPROVED AND EXPANDED TRANSIT SERVICE, AND  
7 MULTIMODAL ACCESS TO DAILY NEEDS WITHIN MIXED-USE  
8 PEDESTRIAN-ORIENTED NEIGHBORHOODS; AND

9 (b) INCREASE OPPORTUNITIES FOR HOUSING PRODUCTION BY  
10 PROVIDING APPROPRIATE ZONING CAPACITY BUFFERS.

11 (3) NOTHING IN THIS PART 2 PREVENTS A TRANSIT-ORIENTED  
12 COMMUNITY, OR OTHER RELEVANT ENTITY, FROM:

13 (a) ENFORCING INFRASTRUCTURE STANDARDS IN LOCAL LAW THAT  
14 RESULT IN THE DENIAL OR CONDITIONING OF PERMITS OR APPROVALS FOR  
15 SPECIFIC HOUSING PROJECTS IN A TRANSIT CENTER, INCLUDING BUT NOT  
16 LIMITED TO UTILITIES, TRANSPORTATION, OR PUBLIC WORKS CODES OR  
17 STANDARDS;

18 (b) ADOPTING GENERALLY APPLICABLE REQUIREMENTS FOR THE  
19 PAYMENT OF IMPACT FEES OR OTHER SIMILAR DEVELOPMENT CHARGES, IN  
20 ACCORDANCE WITH SECTION 29-20-104.5, OR THE MITIGATION OF IMPACTS  
21 IN ACCORDANCE WITH PART 2 OF ARTICLE 20 OF THIS TITLE 29;

22 (c) APPROVING A DEVELOPMENT APPLICATION AT A LOWER NET  
23 HOUSING DENSITY THAN THE MAXIMUM ALLOWED HOUSING DENSITY;

24 (d) ALLOWING A HIGH AMOUNT OF ZONING CAPACITY IN ONE  
25 TRANSIT AREA, WHILE ALLOWING A VERY LOW AMOUNT OF OR NO ZONING  
26 CAPACITY IN ANOTHER TRANSIT AREA;

27 (e) IMPLEMENTING DISCRETIONARY APPROVAL PROCESSES FOR  
28 SUBDIVISIONS, REZONINGS, VARIANCES, OR OTHER PROCESSES IN TRANSIT  
29 CENTERS OUTSIDE OF PROJECT-SPECIFIC ZONING STANDARDS;

30 (f) CREATING AN OPTIONAL DISCRETIONARY REVIEW PROCESS  
31 THAT MAY APPROVE GREATER DENSITY OR OTHER MORE PERMISSIVE  
32 STANDARDS THAN THE OBJECTIVE STANDARDS SUBJECT TO  
33 ADMINISTRATIVE APPROVAL IN A TRANSIT CENTER;

34 (g) CREATING A DISCRETIONARY REVIEW PROCESS IN TRANSIT  
35 CENTERS THAT IS AVAILABLE AT THE APPLICANT'S OPTION AND IS SUBJECT  
36 TO CRITERIA CONSISTENT WITH THE PURPOSES OF THIS PART 2 AS  
37 ESTABLISHED IN SECTION 29-35-203 (2), INCLUDING PROCESSES SUCH AS  
38 PLANNED UNIT DEVELOPMENTS; AND

39 (h) PUBLICLY DISCLOSING ANY CONFIDENTIAL INFORMATION  
40 RELATED TO WATER SUPPLIES OR FACILITIES."

- 1 Page 26, line 15, strike "AREAS" and substitute "AREAS, AS DEFINED IN  
2 THE TRANSIT AREAS MAP CREATED PURSUANT TO SECTION 29-35-208 (1),".
- 3 Page 26, line 16 after "FORTY" insert "DWELLING".
- 4 Page 26, line 19, strike "APRIL" and substitute "JUNE".
- 5 Page 27, strike lines 12 through 20 and substitute:  
6 "(4) **Housing opportunity goal compliance.** ON OR BEFORE  
7 DECEMBER 31, 2027, A TRANSIT-ORIENTED COMMUNITY SHALL SATISFY  
8 THE FOLLOWING CRITERIA, WHICH MUST BE SATISFIED TO QUALIFY AS A  
9 CERTIFIED TRANSIT-ORIENTED COMMUNITY. A TRANSIT COMMUNITY  
10 SHALL:".
- 11 Page 27, line 21, strike "(I)" and substitute "(a)".
- 12 Page 27, line 24, strike "(II)" and substitute "(b)".
- 13 Page 27, line 27, strike "AND".
- 14 Page 28, line 1, strike "(III)" and substitute "(c)".
- 15 Page 28, line 3, strike "SECTION." and substitute "SECTION; AND  
16 (d) THREE YEARS AFTER A SUBMITTING A HOUSING OPPORTUNITY  
17 GOAL REPORT PURSUANT TO SUBSECTION (8) OF THIS SECTION, AND EVERY  
18 THREE YEARS THEREAFTER, SUBMIT A STATUS REPORT PURSUANT TO  
19 SUBSECTION (9) OF THIS SECTION THAT IS APPROVED BY THE  
20 DEPARTMENT.".
- 21 Page 28, line 7, strike "NOTIFY THE DEPARTMENT," and substitute "SUBMIT  
22 A NOTICE,".
- 23 Page 28, line 8, strike "A WATER SUPPLY ENTITY," and substitute "THE  
24 SUPPLY OF WATER FROM ALL WATER SUPPLY ENTITIES,".
- 25 Page 28, strike lines 9 through 11 and substitute:  
26 "29-20-302 (2), THAT SERVE THE TRANSIT-ORIENTED COMMUNITY IS  
27 INSUFFICIENT".
- 28 Page 28, line 12, strike "MOST RECENT" and substitute "NEXT".
- 29 Page 28, line 14, strike "GOAL IN THAT AREA." and substitute "GOAL.".

1 Page 28, line 15, strike "ENTITY" and substitute "ENTITIES".

2 Page 28, strike lines 20 through 24 and substitute:

3 "(I) AN ANALYSIS OF WATER DEMAND BASED ON:

4 (A) PROJECTED HOUSING AND POPULATION GROWTH, AS  
5 ESTIMATED BY THE STATE DEMOGRAPHY OFFICE OR A RELEVANT  
6 METROPOLITAN PLANNING ORGANIZATION; AND

7 (B) A REASONABLE ZONING CAPACITY BUFFER, AS ESTIMATED  
8 BASED ON RELEVANT LOCAL, REGIONAL, OR STATE DATA."

9 Page 29 strike lines 6 through 11 and substitute:

10 "(A) EVIDENCE THAT THE WATER SUPPLY ENTITY LACKS  
11 ADEQUATE WATER SUPPLY TO PROVIDE THE AMOUNT WATER IDENTIFIED  
12 IN SUBSECTION (5)(a)(II) OF THIS SECTION; AND

13 (B) A REQUEST FOR A MODIFICATION OF THE HOUSING  
14 OPPORTUNITY GOAL DURING THE NEXT THREE YEAR PERIOD."

15 Page 30, line 4, strike "29-35-209 (1)" and substitute "29-35-208 (1)".

16 Page 30, line 8, strike "29-35-209 (2)" and substitute "29-35-208 (2)".

17 Page 30, line 18, strike "29-35-209 (1)(e) AND 29-35-209 (2)(c)" and  
18 substitute "29-35-208 (1)(e) AND 29-35-208 (2)(c)".

19 Page 30, line 27, strike "ANY" and substitute "ONE" and strike  
20 "STRATEGIES" and substitute "STRATEGY".

21 Page 31, line 1 after "THE" insert "LONG-TERM".

22 Page 31, line 3, strike "29-35-210 (3)" and substitute "29-35-209 (3)".

23 Page 31, line 13, strike "PURSUANT TO SECTION".

24 Page 31, strike lines 14 through 16.

25 Page 31, line 17, strike "INFRASTRUCTURE GRANT PROGRAM GRANT." and  
26 substitute "If A TRANSIT-ORIENTED COMMUNITY CANNOT INCLUDE ANY OF  
27 THE FOLLOWING ITEMS IN ITS HOUSING OPPORTUNITY GOAL REPORT ON OR  
28 BEFORE DECEMBER 31, 2026, THE TRANSIT-ORIENTED COMMUNITY SHALL  
29 INDICATE WHY IT CANNOT DO SO AND ITS PROGRESS TOWARDS BEING ABLE  
30 TO INCLUDE THOSE ITEMS IN ITS HOUSING OPPORTUNITY GOAL REPORT."

- 1 Page 31, line 23, strike "(4)(c)" and substitute "(4)(b)".
- 2 Page 32, line 25, strike "QUALIFIED" and substitute "CERTIFIED".
- 3 Page 33, strike lines 3 through 20.
- 4 Page 33, line 21, strike "(III)" and substitute "(c)".
- 5 Page 33, line 23, after "2027," insert "THE DEPARTMENT SHALL PROVIDE
- 6 THE TRANSIT-ORIENTED COMMUNITY WRITTEN NOTICE THAT".
- 7 Page 33, line 24, strike "2, AND THE DEPARTMENT MAY".
- 8 Page 33, strike lines 25 through 27 and substitute "2 AND IS NOT A
- 9 CERTIFIED TRANSIT-ORIENTED COMMUNITY.
- 10 (d) (I) THE DEPARTMENT SHALL IDENTIFY CERTIFIED
- 11 TRANSIT-ORIENTED COMMUNITIES FOR THE PURPOSE OF ESTABLISHING
- 12 ELIGIBILITY FOR STATE GRANT AND INCENTIVE PROGRAMS.
- 13 (II) PURSUANT TO SECTION 29-35-210 (5), A CERTIFIED
- 14 TRANSIT-ORIENTED COMMUNITY IS ELIGIBLE FOR THE AWARD OF A
- 15 TRANSIT-ORIENTED COMMUNITIES INFRASTRUCTURE GRANT PROGRAM
- 16 GRANT.".
- 17 Page 34, line 1 strike "**Progress**" and substitute "**Status**".
- 18 Page 34, line 6, strike "MEETING THE REQUIRED".
- 19 Page 34, strike lines 7 through 9 and substitute "A CERTIFIED
- 20 TRANSIT-ORIENTED COMMUNITY.".
- 21 Page 34, line 17, strike "QUALIFIED" and substitute "CERTIFIED".
- 22 Page 34, line 27, after "WILL" insert "NOT".
- 23 Strike page 35.
- 24 Page 36, strike lines 1 through 18 and substitute "CERTIFIED
- 25 TRANSIT-ORIENTED COMMUNITY.".
- 26 Renumber succeeding C.R.S. sections accordingly.
- 27 Page 37, line 2, after "AREA." insert "AS PART OF THE GUIDANCE THE
- 28 DEPARTMENT DEVELOPS PURSUANT TO SECTION 29-35-208 (5), THE



- 1 DEPARTMENT SHALL PROVIDE LOCAL GOVERNMENTS WITH SIMPLE AND  
2 EFFECTIVE METHODS OF CALCULATING NET HOUSING DENSITY.".
- 3 Page 37, line 4, strike "INCORPORATE ANY" and substitute "REFLECT ANY  
4 SIGNIFICANT".
- 5 Page 37, line 9, strike "HEIGHT;" and substitute "HEIGHT. WHERE A  
6 DIMENSIONAL RESTRICTION HAS MULTIPLE POTENTIAL OUTCOMES WITHIN  
7 THE SAME ZONING DISTRICT OR WITHIN RELATED ZONING DISTRICTS, THE  
8 AVERAGE OUTCOME OF THE DIMENSIONAL RESTRICTION MAY BE UTILIZED  
9 BY THE TRANSIT-ORIENTED COMMUNITY TO MEASURE NET HOUSING  
10 DENSITY.".
- 11 Page 37, line 11, strike "SEVEN-TENTHS OF PARKING SPACES" and  
12 substitute "THREE-FOURTHS OF A PARKING SPACE".
- 13 Page 37, line 13, strike "AND".
- 14 Page 37, after line 19 insert:
- 15 "(IV) NOTHING IN THIS SUBSECTION (1)(b) REQUIRES A LOCAL  
16 GOVERNMENT TO INCLUDE AREAS OF INDIVIDUAL PARCELS REQUIRED FOR  
17 STORMWATER DRAINAGE OR UTILITY EASEMENTS IN CALCULATING NET  
18 HOUSING DENSITY; AND  
19 (V) IF A PARCEL'S EXISTING RESIDENTIAL USES HAVE A HIGHER NET  
20 HOUSING DENSITY THAN THE NET HOUSING DENSITY ALLOWED FOR THE  
21 PARCEL BY CURRENT RESTRICTIONS IN LOCAL LAW, THE NET HOUSING  
22 DENSITY OF THE EXISTING RESIDENTIAL USE MAY BE COUNTED;".
- 23 Page 38, strike lines 4 through 7 and substitute:
- 24 "(e) ENSURE THAT THE AREA OF A TRANSIT CENTER IS COMPOSED  
25 OF PARCELS THAT ARE LOCATED WHOLLY OR PARTIALLY WITHIN EITHER:  
26 (I) A TRANSIT AREA OR OPTIONAL TRANSIT AREA; OR  
27 (II) ONE-QUARTER MILE FROM THE BOUNDARY OF A TRANSIT AREA  
28 OR OPTIONAL TRANSIT AREA.".
- 29 Page 38, line 8, after "(2)" insert "(a)".
- 30 Page 38, line 9, after "MAY" insert "ONLY".
- 31 Page 38, strike lines 10 through 27.

1 Page 39, strike lines 1 through 16 and substitute:

2 "CENTER WITHIN AN OPTIONAL TRANSIT AREA AS DESCRIBED IN SECTION  
3 29-35-208 (4), IF THE TRANSIT-ORIENTED COMMUNITY HAS PROVIDED  
4 REASONABLE EVIDENCE IN THE HOUSING OPPORTUNITY GOAL REPORT  
5 SUBMITTED PURSUANT TO SECTION 29-35-204 (8) THAT:

6 (I) TO THE MAXIMUM EXTENT FEASIBLE, AN AVERAGE NET  
7 HOUSING DENSITY OF AT LEAST FORTY DWELLING UNITS PER ACRE IS  
8 ALLOWED ON ALL PARCELS WITHIN THE TRANSIT AREA THAT ARE BOTH  
9 ONE-HALF ACRE OR MORE IN SIZE AND NOT EXEMPT PARCELS; AND

10 (II) AREAS WITHIN THE OPTIONAL TRANSIT AREA HAVE FEWER  
11 BARRIERS TO HOUSING DEVELOPMENT THAN AREAS WITHIN THE TRANSIT  
12 AREA.

13 (b) FOR PURPOSES OF SUBSECTION (2)(a)(II) OF THIS SECTION,  
14 BARRIERS TO HOUSING DEVELOPMENT MAY INCLUDE:

15 (I) AN ANTICIPATED LACK OF WATER SUPPLY, AFTER ACCOUNTING  
16 FOR A REASONABLE ZONING CAPACITY BUFFER;

17 (II) AN ANTICIPATED LACK OF SUFFICIENT FUTURE  
18 INFRASTRUCTURE CAPACITY, INCLUDING WATER TREATMENT PLANTS,  
19 WASTEWATER TREATMENT PLANTS, OR ELECTRICAL POWER NETWORKS IN  
20 THE AREA, AFTER ACCOUNTING FOR A REASONABLE ZONING CAPACITY  
21 BUFFER;

22 (III) UNIQUE SITE CHARACTERISTICS WHICH CONTRIBUTE TO A  
23 HIGH COST OF HOUSING DEVELOPMENT; OR

24 (IV) SITES THAT ARE INFEASIBLE FOR HOUSING DEVELOPMENT."

25 Page 39, strike lines 21 through 23 and substitute "DEPARTMENT THAT  
26 MAY INCLUDE DIFFERENT CRITERIA FOR VARYING REGIONAL AND LOCAL  
27 CONTEXTS, IDENTIFY AREAS THAT MEET THE FOLLOWING CRITERIA:

28 (I) ALLOW A NET HOUSING DENSITY THAT SUPPORTS".

29 Page 39, line 24, strike "PEDESTRIAN-ORIENTED" and after "MIXED-USE"  
30 insert "PEDESTRIAN-ORIENTED".

31 Page 39, line 27, strike "ESTABLISH" and substitute "WITHIN CENSUS  
32 URBANIZED AREAS, AS DEFINED IN THE LATEST FEDERAL DECENNIAL  
33 CENSUS, ESTABLISH".

34 Page 40, line 13, strike "OPTIONAL" and substitute "POTENTIAL".

35 Page 40, line 14, after "DEPARTMENT" insert "OF TRANSPORTATION".

36 Page 40, line 14, strike "29-35-208 (1)(c)." and substitute "29-35-207

1 (1)(c)."

2 Page 40, line 20, after "map" insert "- transit station area criteria -  
3 transit corridor area criteria".

4 Page 40, lines 21 and 22, strike "JULY 31, 2024," and substitute  
5 "SEPTEMBER 30, 2024,".

6 Page 40, line 24, strike "MAP".

7 Page 40, strike lines 25 through 27.

8 Strike page 41.

9 Page 42, strike lines 1 through 11 and substitute:

10 "TRANSIT AREA MAP, OR TRANSIT AREA MAPS, BASED ON THE CRITERIA IN  
11 SUBSECTIONS (2), (3), (4), (5) AND (6), OF THIS SECTION. ONLY TRANSIT  
12 AREAS THAT ARE IDENTIFIED PURSUANT TO SUBSECTIONS (2) AND (3) OF  
13 THIS SECTION AND IDENTIFIED ON A TRANSIT AREA MAP PURSUANT TO THIS  
14 SUBSECTION (1) MUST BE INCLUDED IN THE CALCULATION OF A HOUSING  
15 OPPORTUNITY GOAL PURSUANT TO SECTION 29-35-204 (2).

16 (2) **Transit station criteria.** THE DEPARTMENT SHALL DESIGNATE  
17 TRANSIT STATION AREAS, FOR PURPOSES OF SUBSECTION (1) OF THIS  
18 SECTION, BASED ON ROUTES IDENTIFIED IN AN APPLICABLE TRANSIT PLAN  
19 FOR EXISTING STATIONS FOR:

20 (a) COMMUTER BUS RAPID TRANSIT;

21 (b) COMMUTER RAIL; AND

22 (c) LIGHT RAIL.

23 (3) **Transit corridor area criteria.** (a) THE DEPARTMENT SHALL  
24 DESIGNATE TRANSIT CORRIDOR AREAS, FOR PURPOSES OF SUBSECTION (1)  
25 OF THIS SECTION, BY IDENTIFYING TRANSIT ROUTES THAT MEET THE  
26 FOLLOWING CRITERIA:

27 (I) AN URBAN BUS RAPID TRANSIT SERVICE THAT IS IDENTIFIED  
28 WITHIN:

29 (A) A METROPOLITAN PLANNING ORGANIZATION'S  
30 FISCALLY-CONSTRAINED, LONG-RANGE TRANSPORTATION PLAN ADOPTED  
31 PRIOR TO JANUARY 1, 2024, AND PLANNED FOR IMPLEMENTATION,  
32 ACCORDING TO THAT PLAN, PRIOR TO JANUARY 1, 2030; OR

33 (B) AN APPLICABLE TRANSIT PLAN THAT HAS BEEN PLANNED FOR  
34 SHORT-TERM IMPLEMENTATION, ACCORDING TO THAT PLAN;

35 (II) A PUBLIC BUS ROUTE THAT:

36 (A) HAS A PLANNED FREQUENCY OR SCHEDULED FREQUENCY OF

1 FIFTEEN MINUTES OR MORE FREQUENT FOR EIGHT HOURS OR MORE ON  
2 WEEKDAYS; AND

3 (B) IS IDENTIFIED WITHIN AN APPLICABLE TRANSIT PLAN FOR  
4 SHORT-TERM IMPLEMENTATION OR IMPLEMENTATION BEFORE JANUARY 1,  
5 2030, ACCORDING TO THAT PLAN.

6 (b) FOR TRANSIT AGENCIES WITHIN METROPOLITAN PLANNING  
7 ORGANIZATIONS THAT DO NOT HAVE APPLICABLE TRANSIT PLANS, THE  
8 DEPARTMENT SHALL DESIGNATE TRANSIT CORRIDOR AREAS, FOR PURPOSES  
9 OF SUBSECTION (1) OF THIS SECTION, BY IDENTIFYING ANY PUBLIC BUS  
10 ROUTES WITH EXISTING TRANSIT SERVICE LEVELS AS OF JANUARY 1, 2024,  
11 WITH A SCHEDULED FREQUENCY OF FIFTEEN MINUTES OR MORE FREQUENT  
12 DURING THE HIGHEST FREQUENCY SERVICE HOURS.

13 (c) NOTWITHSTANDING SUBSECTION (3)(a) AND (3)(b) OF THIS  
14 SECTION, THE DEPARTMENT SHALL NOT DESIGNATE TRANSIT CORRIDOR  
15 AREAS, FOR PURPOSES OF SUBSECTION (1) OF THIS SECTION, WITHIN A  
16 TRANSIT-ORIENTED COMMUNITY THAT HAS DESIGNATED TWENTY PERCENT  
17 OR MORE OF ITS AREA AS A MANUFACTURED HOME ZONING DISTRICT AS OF  
18 JANUARY 1, 2024.

19 (4) **Optional transit area criteria.** (a) THE DEPARTMENT SHALL  
20 DESIGNATE OPTIONAL TRANSIT AREAS, FOR PURPOSES OF SUBSECTION (1)  
21 OF THIS SECTION, BASED ON THE FOLLOWING CRITERIA:

22 (I) A BUS RAPID TRANSIT SERVICE THAT IS IDENTIFIED WITHIN A  
23 METROPOLITAN PLANNING ORGANIZATION'S FISCALLY-CONSTRAINED,  
24 LONG-RANGE TRANSPORTATION PLAN ADOPTED PRIOR TO JANUARY 1,  
25 2024, AND INTENDED FOR IMPLEMENTATION AFTER JANUARY 1, 2030, AND  
26 BEFORE DECEMBER 31, 2050;

27 (II) PUBLIC BUS ROUTES OTHER THAN THOSE IDENTIFIED IN  
28 SUBSECTION (3)(a)(II)(B) OF THIS SECTION THAT OPERATE AT A  
29 FREQUENCY OF THIRTY MINUTES OR MORE FREQUENT FOR EIGHT HOURS OR  
30 MORE ON WEEKDAYS AS IDENTIFIED BY:

31 (A) EXISTING SERVICE AS OF JANUARY 1, 2024; OR

32 (B) IDENTIFIED WITHIN AN APPLICABLE TRANSIT PLAN; AND

33 (III) OTHER AREAS PLANNED AS A MIXED-USE PEDESTRIAN  
34 ORIENTED NEIGHBORHOODS.

35 (b) FOR PURPOSES OF SUBSECTION (4)(a)(III) OF THIS SECTION, A  
36 TRANSIT ORIENTED COMMUNITY MAY REQUEST THAT THE DEPARTMENT  
37 DESIGNATE A MIXED-USE PEDESTRIAN-ORIENTED NEIGHBORHOOD AS AN  
38 OPTIONAL TRANSIT AREA. THE DEPARTMENT SHALL REVIEW AND APPROVE  
39 OR REJECT SUCH A REQUEST BASED ON WHETHER THE MIXED-USE  
40 PEDESTRIAN-ORIENTED NEIGHBORHOOD FULFILLS THE GOALS OF THIS PART  
41 2 ESTABLISHED IN SECTION 29-35-203 (2).

42 (5) **Potential transit area criteria.** (a) THE DEPARTMENT SHALL  
43 DESIGNATE AN AREA AS A POTENTIAL TRANSIT AREA, FOR PURPOSES OF

1 SUBSECTION (1) OF THIS SECTION, IF IT CONSISTS OF CORRIDORS, AS  
2 IDENTIFIED BY THE DEPARTMENT OF TRANSPORTATION THAT:

3 (I) INCLUDE MAJOR TRAVELSHEDS, AS DEFINED BY COMMON  
4 TRAVEL PATTERNS IN AN AREA, THAT IMPACT ANTICIPATED NEW OR  
5 MODIFIED INTERCHANGES ON STATE-OWNED HIGHWAYS; AND

6 (II) ARE OUTSIDE OF CENSUS URBANIZED AREAS, AS IDENTIFIED IN  
7 THE LATEST FEDERAL DECENNIAL CENSUS;

8 (b) IN DESIGNATING POTENTIAL TRANSIT AREAS, FOR PURPOSES OF  
9 SUBSECTION (1) OF THIS SECTION, THE DEPARTMENT SHALL ATTEMPT TO  
10 IDENTIFY AREAS WHERE FUTURE TRANSIT SERVICE AND NEIGHBORHOOD  
11 CENTERS COULD POTENTIALLY ALIGN TO PROVIDE INFORMATION FOR  
12 STATE, REGIONAL, AND LOCAL PLANNING EFFORTS.

13 (c) IN UPDATING THE TRANSIT AREA MAP PURSUANT TO  
14 SUBSECTION (1) OF THIS SECTION, THE DEPARTMENT SHALL IDENTIFY ANY  
15 NEIGHBORHOOD CENTERS THAT A LOCAL GOVERNMENT HAS DESIGNATED  
16 WITHIN A POTENTIAL TRANSIT AREA."

17 Page 42, line 12, strike "(d)" and substitute "(6)".

18 Page 42, line 14, strike "(I)" and substitute "(a)".

19 Page 42, line 16, strike "(II)" and substitute "(b)".

20 Renumber succeeding subsection accordingly.

21 Page 42, line 19, strike "DECEMBER 1, 2024," and substitute "FEBRUARY  
22 28, 2025,".

23 Page 42, strike lines 20 through 24 and substitute "AND GUIDANCE TO  
24 SATISFY THE GOALS OF THIS PART 2 AS ESTABLISHED IN SECTION 29-35-203  
25 (2) AND INTERPRET THE DENSITY AND DIMENSIONAL STANDARDS  
26 ESTABLISHED IN SECTION 29-35-206 (1)(b) OF THIS SECTION WITH THE  
27 INTENT OF PROVIDING SIMPLE AND EFFICIENT METHODS FOR LOCAL  
28 GOVERNMENTS TO CALCULATE THE NET HOUSING DENSITY OF TRANSIT  
29 CENTERS IN ORDER TO MEET THEIR HOUSING OPPORTUNITY GOALS. IN  
30 PUBLISHING MODELS AND GUIDANCE, THE DEPARTMENT SHALL ESTABLISH  
31 MODELS, GUIDANCE, AND TYPICAL BUILDING TYPOLOGIES FOR LOCAL  
32 GOVERNMENTS WITH FORM-BASED CODES."

33 Page 43, lines 7 and 8, strike "HOUSING PRODUCTION BY LEVERAGING  
34 PUBLIC RESOURCES," and substitute "HOUSING,".

35 Page 44, strike line 9 and substitute:

1           "(h) ENACTING LOCAL LAWS THAT SUPPORT HOUSING FOR  
2 FAMILIES, SUCH AS INCENTIVIZING CONSTRUCTION OF HOUSING UNITS WITH  
3 MULTIPLE BEDROOMS; AND".

4 Reletter succeeding paragraph.

5 Page 45, strike lines 24 and 25.

6 Page 47, line 12, strike "RESIDENTS WHO" and substitute "HOUSEHOLDS  
7 THAT" and strike "HOUSEHOLDS;" and substitute "RENTERS;".

8 Page 48, strike lines 3 through 24 and substitute:

9           "(3) ON OR BEFORE JUNE 30, 2025, THE DEPARTMENT SHALL  
10 DEVELOP A LONG-TERM DISPLACEMENT MITIGATION STRATEGIES MENU  
11 THAT INCLUDES THE FOLLOWING STRATEGIES:

12           (a) DEVELOPING A PROGRAM TO OFFER TECHNICAL ASSISTANCE  
13 AND FINANCIAL SUPPORT FOR COMMUNITY ORGANIZATIONS TO DEVELOP  
14 INDEPENDENT COMMUNITY LAND TRUSTS;

15           (b) PRIORITIZING SPENDING ON REGULATED AFFORDABLE HOUSING  
16 UNIT PRESERVATION OR IMPLEMENTING OR CONTINUING DEED  
17 RESTRICTIONS FOR REGULATED AFFORDABLE HOUSING UNITS;

18           (c) PROVIDING HOMESTEAD TAX EXEMPTIONS FOR EITHER  
19 LONG-TIME HOMEOWNERS IN NEIGHBORHOODS THAT A DISPLACEMENT  
20 RISK ASSESSMENT IDENTIFIES AS VULNERABLE TO DISPLACEMENT OR LOW-  
21 TO MODERATE-INCOME HOMEOWNERS WITHIN, OR WITHIN ONE-HALF MILE  
22 OF, A DESIGNATED TRANSIT CENTER;

23           (d) REQUIRING MULTIFAMILY HOUSING DEVELOPERS TO CREATE A  
24 COMMUNITY BENEFITS AGREEMENT WITH AFFECTED POPULATIONS WITHIN  
25 ONE-QUARTER MILE OF A DEVELOPMENT BUILT IN AN AREA THAT IS  
26 VULNERABLE TO DISPLACEMENT;

27           (e) ENSURING NO NET LOSS WITHIN THE DESIGNATED AREA OF  
28 AFFORDABLE UNITS SUCH THAT AFFORDABILITY LEVELS ARE EQUAL OR  
29 GREATER THAN EXISTING LEVELS OF FAMILY SERVING UNITS THAT  
30 INCLUDE THREE OR MORE BEDROOMS;

31           (f) ESTABLISHING A PROGRAM TO PROVIDE COMMUNITY OR SMALL  
32 LOCAL BUSINESS INVESTMENT IN AN AREA THAT IS VULNERABLE TO  
33 DISPLACEMENT; AND".

34 Reletter succeeding paragraph accordingly.

35 Page 49, line 2, strike "(3)." and substitute "(3)".

- 1 Page 49, line 20, strike "**transit-oriented communities highway users**  
2 **tax account** -".
- 3 Page 50, line 18, strike "SUBJECT TO".
- 4 Page 50, strike lines 19 through 27.
- 5 Page 51, strike lines 1 and 2.
- 6 Page 51, strike lines 10 through 13 and substitute "DEPARTMENT."
- 7 Page 51, line 15, strike "SECTION." and substitute "SECTION AND SHALL  
8 ONLY AWARD GRANTS TO CERTIFIED TRANSIT-ORIENTED COMMUNITIES."
- 9 Page 51, line 22, strike "CENTER;" and substitute "CENTER. IF A PROJECT  
10 IS A LARGE-SCALE INFILL DEVELOPMENT PROJECT, SUBJECT TO A  
11 DISCRETIONARY APPROVAL PROCESS, AND ADJACENT TO AN ESTABLISHED  
12 NEIGHBORHOOD, THE DEPARTMENT SHALL GIVE PRIORITY TO SUCH A  
13 PROJECT IF A COMMUNITY BENEFITS AGREEMENT HAS BEEN ESTABLISHED  
14 IN CONNECTION WITH THE PROJECT."
- 15 Page 52, line 12, strike "29-35-210;" and substitute "29-35-209;".
- 16 Page 52, line 20, strike "ACCOUNT" and substitute "FUND".
- 17 Page 53, line 7, strike "FUND, EXCLUSIVE OF MONEY IN THE ACCOUNT,"  
18 and substitute "FUND".
- 19 Page 53, strike lines 11 through 27.
- 20 Page 54, strike lines 1 through 4.
- 21 Page 54, strike lines 17 through 19.
- 22 Reletter succeeding paragraphs accordingly.
- 23 Page 56, after line 9 insert:
- 24 "SECTION 3. In Colorado Revised Statutes, 29-20-203, **amend**  
25 (1); and **add** (1.5) as follows:  
26 **29-20-203. Conditions on land-use approvals.** (1) In imposing  
27 conditions upon the granting of land-use approvals, no local government  
28 shall require an owner of private property to dedicate real property to the

1 public, or pay money or provide services to a public entity in an amount  
2 that is determined on an individual and discretionary basis OR ON THE  
3 BASIS OF A LEGISLATIVELY ADOPTED FORMULA OR CALCULATION, unless  
4 there is an essential nexus between the dedication or payment and a  
5 legitimate local government interest, and the dedication or payment is  
6 roughly proportional both in nature and extent to the impact of the  
7 proposed use or development of such property. ~~This section shall not  
8 apply to any legislatively formulated assessment, fee, or charge that is  
9 imposed on a broad class of property owners by a local government.~~

10 (1.5) WHEN REQUIRING AN OWNER OF PRIVATE PROPERTY TO  
11 DEDICATE REAL PROPERTY TO THE PUBLIC, IF THE SUBJECT PROPERTY DOES  
12 NOT MEET LOCAL GOVERNMENT STANDARDS FOR DEDICATION AS  
13 DETERMINED BY THE LOCAL GOVERNMENT, INCLUDING DEDICATION TO  
14 THE PARKS, TRAILS, OR OPEN SPACE SYSTEMS, A LOCAL GOVERNMENT  
15 SHALL PROVIDE THE PRIVATE PROPERTY OWNER THE OPTION OF PAYING A  
16 FEE IN LIEU OF DEDICATION."

17 Renumber succeeding sections accordingly.

18 Page 57, strike lines 11 through 27.

19 Strike pages 58 through 68 of the bill.

20 Page 69 of the bill, strike lines 1 through 22.

21 Renumber succeeding sections accordingly.

22 Page 69, after line 22 insert:

23 "SECTION 8. In Colorado Revised Statutes, 43-1-1103, **add**  
24 (5.5) as follows:

25 **43-1-1103. Transportation planning.** (5.5) THE DEPARTMENT OF  
26 TRANSPORTATION SHALL CONDUCT A STUDY THAT IDENTIFIES:

27 (a) POLICY BARRIERS AND OPPORTUNITIES WITHIN THE  
28 DEPARTMENT THAT INCLUDES AN EXAMINATION OF POLICIES WITHIN THE  
29 STATE ACCESS CODE, ROADWAY DESIGN STANDARDS, AND THE  
30 TREATMENT OF PEDESTRIAN AND BICYCLE CROSSINGS. THE STUDY SHALL  
31 EXAMINE THE IMPACT OF THESE POLICIES ON NEIGHBORHOOD CENTERS  
32 AND TRANSIT CENTERS, INCLUDING THE IMPACT ON HOUSING PRODUCTION,  
33 THE IMPLEMENTATION OF CONTEXT-SENSITIVE DESIGN, COMPLETE  
34 STREETS, AND PEDESTRIAN-BICYCLE SAFETY MEASURES; AND

35 (b) THE PORTIONS OF STATE HIGHWAY THAT PASS THROUGH  
36 LOCALLY-IDENTIFIED TRANSIT CENTERS AND NEIGHBORHOOD CENTERS



1 THAT ARE APPROPRIATE FOR CONTEXT-SENSITIVE DESIGN, COMPLETE  
2 STREETS AS DEFINED IN THE "INFRASTRUCTURE INVESTMENT AND JOBS  
3 ACT", PUB.L. 117-5, AND PEDESTRIAN-BICYCLE SAFETY MEASURES."  
4 Renumber the succeeding section accordingly.  
5 Page 70, line 6, strike "29-35-211 (8)(a)(I)," and substitute "29-35-210  
6 (8)(a)(I),".  
7 Strike "29-35-207" and substitute "29-35-206" on: **Page 22**, line 8; and  
8 **Page 55**, lines 8, 16, and 25.  
9 Strike "PROGRESS" and substitute "STATUS" on: **Page 23**, line 6; and **Page**  
10 **34**, lines 4, 10, 23, and 24.  
11 Strike "29-35-206" and substitute "29-35-205" on: **Page 23**, line 27; **Page**  
12 **27**, line 23; **Page 31**, line 27; and **Page 55**, line 7.  
13 Strike "29-35-209" and substitute "29-35-208" on: **Page 30**, line 21; and  
14 **Page 52**, line 5.  
15 Strike "(4)" and substitute "(4)." on: **Page 56**, line 7; and **Page 57**, line 8.  
16 Strike "(10)" and substitute "(10)." on: **Page 56**, line 9; and **Page 57**, line  
17 8.

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