

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Local Government & Housing.

SB23-213 be amended as follows:

1 Amend printed bill page 36, strike lines 2 through 24 and substitute:

2 **"29-33-106. Menu of urban municipality affordability**
3 **strategies.** (1) IN ORDER TO SUPPORT AFFORDABILITY AND ADVANCE
4 MEETING THE HOUSING NEEDS OF ALL INCOME LEVELS IDENTIFIED IN THE
5 LOCAL HOUSING NEEDS ASSESSMENT, INCLUDING EXTREMELY
6 LOW-INCOME, VERY LOW-INCOME, AND LOW-INCOME HOUSEHOLDS AS
7 DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
8 DEVELOPMENT, THE MENU OF AFFORDABILITY STRATEGIES FOR AN URBAN
9 MUNICIPALITY MUST INCLUDE THE FOLLOWING:

10 (a) IMPLEMENTATION OF A LOCAL INCLUSIONARY ZONING
11 ORDINANCE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS
12 29-20-104 (e.5) AND (e.7);

13 (b) THE CREATION OF A PROGRAM TO SUBSIDIZE OR OTHERWISE
14 REDUCE LOCAL DEVELOPMENT REVIEW OR FEES, INCLUDING:

15 (I) BUILDING PERMIT FEES;

16 (II) PLANNING WAIVERS;

17 (III) WATER AND SEWER TAP FEES; AND

18 (IV) INFRASTRUCTURE COSTS FOR REGULATED AFFORDABLE
19 HOUSING DEVELOPMENT;

20 (c) THE CREATION OF AN EXPEDITED DEVELOPMENT REVIEW
21 PROCESS FOR REGULATED AFFORDABLE HOUSING DEVELOPMENTS;

22 (d) THE ESTABLISHMENT OF A DENSITY BONUS PROGRAM THAT
23 GRANTS INCREASED FLOOR AREA RATIO, DENSITY, OR HEIGHT BEYOND
24 WHAT IS REQUIRED BY THIS ARTICLE 33 TO INCREASE THE CONSTRUCTION
25 OF REGULATED AFFORDABLE HOUSING UNITS;

26 (e) ENABLING REGULATED AFFORDABLE HOUSING AS A USE BY
27 RIGHT IN HOUSING TYPES AND AREAS BEYOND WHAT IS REQUIRED BY THIS
28 ARTICLE 33, SUCH AS ADDITIONAL ZONE DISTRICTS, HIGHER ALLOWED
29 DENSITIES, OR OTHER APPROACHES CONSISTENT WITH THE GOALS OF
30 INCREASING HOUSING AFFORDABILITY, SUPPLY, AND HOUSING UNIT TYPE
31 DIVERSITY;

32 (f) THE ESTABLISHMENT OF A POLICY OR PLAN TO LEVERAGE
33 MUNICIPALLY OWNED, SOLD, OR MANAGED LAND FOR REGULATED
34 AFFORDABLE HOUSING DEVELOPMENT.

35 (g) THE ESTABLISHMENT OF A DEDICATED LOCAL REVENUE SOURCE
36 FOR REGULATED AFFORDABLE HOUSING DEVELOPMENT, SUCH AS
37 INSTITUTING A LINKAGE FEE ON NEW DEVELOPMENTS;

38 (h) THE REGULATION OF SHORT-TERM RENTALS OR SECOND HOMES
39 IN A WAY THAT SUPPORTS LOCAL HOUSING NEEDS;

40 (i) THE ELIMINATION OF LOCAL PARKING REQUIREMENTS FOR

1 REGULATED AFFORDABLE HOUSING;
2 (j) MAKING COMMITMENT TO AND REMAINING ELIGIBLE FOR THE
3 STATE AFFORDABLE HOUSING FUND CREATED IN SECTION 29-32-102 (1);
4 (k) INCENTIVIZING OR CREATING A DEDICATED LOCAL PROGRAM
5 TO FACILITATE INVESTMENT IN LAND BANKING OR COMMUNITY LAND
6 TRUSTS; AND
7 (l) ANY OTHER STRATEGIES PROPOSED BY A LOCAL GOVERNMENT
8 OR THE MULTI-AGENCY ADVISORY COMMITTEE THAT ARE APPROVED BY
9 THE DEPARTMENT OF LOCAL AFFAIRS AND THAT SUPPORT EQUAL OR
10 GREATER AFFORDABILITY CONSISTENT WITH THE NEEDS IDENTIFIED IN THE
11 RELEVANT LOCAL HOUSING NEEDS ASSESSMENT.
12 (2) (a) URBAN MUNICIPALITIES SHALL DEMONSTRATE THE
13 ADOPTION OF THE NUMBER OF AFFORDABILITY STRATEGIES REQUIRED BY
14 SECTION 29-33-105 (4)(e)(I) AND SUBMIT A REPORT DETAILING THESE
15 STRATEGIES TO THE DEPARTMENT OF LOCAL AFFAIRS NO LATER THAN JUNE
16 30, 2025. IN DETERMINING WHICH STRATEGIES TO ADOPT, AN URBAN
17 MUNICIPALITY SHALL CONSIDER PREVIOUS PLANS ADDRESSING HOUSING
18 NEEDS OR OTHER AVAILABLE DATA TO INFORM THE SELECTION OF
19 STRATEGIES TO ADDRESS KNOWN HOUSING NEEDS.
20 (b) AN URBAN MUNICIPALITY CAN ONLY USE ONE OF THE
21 AFFORDABILITY STRATEGIES IDENTIFIED IN SUBSECTIONS (1)(c) AND (1)(j)
22 OF THIS SECTION TO SATISFY THE REQUIREMENTS OF SECTION 29-33-105
23 (4)(e)(I).
24 (3) NOTWITHSTANDING SECTION 29-33-105 (4)(e)(I), AN URBAN
25 MUNICIPALITY MAY SUBMIT EVIDENCE TO THE DEPARTMENT OF LOCAL
26 AFFAIRS CONCERNING AFFORDABILITY STRATEGIES THAT THE
27 MUNICIPALITY HAS ADOPTED OUTSIDE OF THOSE LISTED IN THIS SECTION,
28 OR THAT THE MUNICIPALITY ADOPTED PRIOR TO THE EFFECTIVE DATE OF
29 THIS SECTION, AND THE DEPARTMENT MAY DETERMINE WHETHER THOSE
30 STRATEGIES MAY QUALIFY AS AFFORDABILITY STRATEGIES FOR PURPOSES
31 OF SECTION 29-33-105 (4)(e)(I).
32 Renumber succeeding sections accordingly.

** **