

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Local Government & Housing.

SB23-213 be amended as follows:

1 Amend printed bill, page 40, strike lines 16 through 27 and substitute:

2 **"29-33-111. Rural resort job center municipalities - existing**
3 **plans to address local housing needs - menu of affordability strategies**
4 **- regional housing needs planning process. (1) Existing plans to**
5 **address local housing needs. A RURAL RESORT JOB CENTER**
6 **MUNICIPALITY THAT ADOPTS A PLAN TO ADDRESS LOCAL HOUSING NEEDS**
7 **PRIOR TO THE EFFECTIVE DATE OF THIS SECTION MAY, RATHER THAN**
8 **DEVELOPING AND ADOPTING A NEW HOUSING NEEDS PLAN PURSUANT TO**
9 **SECTION 29-33-112 (2), UPDATE ITS EXISTING PLAN TO ADDRESS**
10 **ADDITIONAL NEEDS IDENTIFIED IN THE LOCAL HOUSING NEEDS**
11 **ASSESSMENT BEYOND WHAT THE MUNICIPALITY'S EXISTING PLAN TO**
12 **ADDRESS LOCAL HOUSING NEEDS INCLUDES, AND ANY REQUIREMENTS IN**
13 **SECTION 29-33-105 (4) NOT ALREADY INCLUDED IN THE MUNICIPALITY'S**
14 **EXISTING PLAN TO ADDRESS LOCAL HOUSING NEEDS.**

15 **(2) Menu of affordability strategies. (a) IN ORDER TO SUPPORT**
16 **AFFORDABILITY AND ADVANCE MEETING THE HOUSING NEEDS OF ALL**
17 **INCOME LEVELS IDENTIFIED IN THE LOCAL HOUSING NEEDS ASSESSMENT,**
18 **THE MENU OF AFFORDABILITY STRATEGIES FOR A RURAL RESORT JOB**
19 **CENTER MUNICIPALITY MUST INCLUDE THE FOLLOWING:**

20 **(I) A STRATEGY DEFINED BY THE RURAL RESORT JOB CENTER**
21 **MUNICIPALITY THAT SETS PARAMETERS FOR THE CONSTRUCTION AND**
22 **PERMITTING OF ACCESSORY DWELLING UNITS WITH AFFORDABILITY**
23 **PROTECTIONS THAT MEET THE RURAL RESORT JOB CENTER MUNICIPALITY'S**
24 **HOUSING AFFORDABILITY NEEDS;**

25 **(II) A STRATEGY DEFINED BY THE RURAL RESORT JOB CENTER**
26 **MUNICIPALITY THAT SETS PARAMETERS FOR THE CONSTRUCTION AND**
27 **PERMITTING OF MIDDLE HOUSING AND MULTIFAMILY HOUSING THAT:**

28 **(A) IS WITHIN A WALKABLE DISTANCE OF TRANSIT STOPS, WHEN**
29 **POSSIBLE;**

30 **(B) INCORPORATES AFFORDABILITY PROTECTIONS SUCH AS DEED**
31 **RESTRICTIONS AND SHORT-TERM RENTAL RESTRICTIONS AS IDENTIFIED BY**
32 **THE RURAL RESORT JOB CENTER MUNICIPALITY; AND**

33 **(C) PROVIDES HOUSING THAT MEETS THE RURAL RESORT JOB**
34 **CENTER MUNICIPALITY'S HOUSING AFFORDABILITY NEEDS AND DOES NOT**
35 **ENCOURAGE OR REQUIRE ANY HOUSING THAT DOES NOT MEET THE RURAL**
36 **RESORT JOB CENTER MUNICIPALITY'S HOUSING AFFORDABILITY NEEDS;**

37 **(III) IMPLEMENTING A LOCAL INCLUSIONARY ZONING ORDINANCE**
38 **IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 29-20-104 (e.5)**
39 **AND (e.7);**

1 (IV) THE CREATION OF A PROGRAM TO SUBSIDIZE OR OTHERWISE
2 REDUCE LOCAL DEVELOPMENT FEES THAT MAY INCLUDE:
3 (A) BUILDING PERMIT FEES;
4 (B) WATER AND SEWER TAP FEES; AND
5 (C) OTHER INFRASTRUCTURE COSTS FOR REGULATED AFFORDABLE
6 HOUSING DEVELOPMENT;
7 (V) CREATING AN EXPEDITED DEVELOPMENT REVIEW PROCESS FOR
8 REGULATED AFFORDABLE HOUSING DEVELOPMENTS;
9 (VI) ESTABLISHING A DENSITY BONUS PROGRAM THAT ALLOWS
10 INCREASED FLOOR AREA RATIO, DENSITY, OR HEIGHT BEYOND WHAT IS
11 OTHERWISE REQUIRED BY THIS ARTICLE 33 TO INCREASE THE
12 CONSTRUCTION OF REGULATED AFFORDABLE HOUSING UNITS;
13 (VII) ENABLING REGULATED AFFORDABLE HOUSING AS A USE BY
14 RIGHT;
15 (VIII) ESTABLISHING A POLICY OR PLAN TO LEVERAGE
16 MUNICIPALLY-OWNED LAND FOR THE DEVELOPMENT OF REGULATED
17 AFFORDABLE HOUSING;
18 (IX) ESTABLISHING A DEDICATED LOCAL REVENUE SOURCE FOR
19 THE DEVELOPMENT OF REGULATED AFFORDABLE HOUSING;
20 (X) REGULATING SHORT-TERM RENTALS OR SECOND HOMES;
21 (XI) REDUCING OR ELIMINATING LOCAL PARKING REQUIREMENTS
22 FOR REGULATED AFFORDABLE HOUSING;
23 (XII) MAKING A COMMITMENT TO AND REMAINING ELIGIBLE FOR
24 THE STATEWIDE AFFORDABLE HOUSING FUND CREATED IN SECTION
25 29-32-102 (1);
26 (XIII) ADOPTING A POLICY THAT RESULTS IN NON-CONSTRUCTION
27 SOLUTIONS TO INCREASE AFFORDABLE HOUSING, INCLUDING THE:
28 (A) ACQUISITION OF DEED RESTRICTIONS ON EXISTING
29 MARKET-RATE HOUSING UNITS;
30 (B) PRESERVATION OF EXISTING DEED RESTRICTIONS; OR
31 (C) PROGRAMS TO DISINCENTIVE THE USE OF HOMES AS
32 NON-PRIMARY RESIDENCES;
33 (XIV) ADOPTING A REGIONAL HOUSING NEEDS PLAN WITH
34 MULTI-JURISDICTIONAL COMMITMENTS TO MEET IDENTIFIED HOUSING
35 TARGETS TO INCREASE THE SUPPLY OF AFFORDABLE HOUSING;
36 (XV) ADOPTING A STRATEGY PROPOSED BY EITHER A LOCAL
37 GOVERNMENT OR THE MULTI-AGENCY ADVISORY COMMITTEE, AND THAT
38 IS APPROVED BY THE DEPARTMENT OF LOCAL AFFAIRS, THAT SUPPORTS
39 EQUAL OR GREATER HOUSING AFFORDABILITY CONSISTENT WITH THE
40 NEEDS IDENTIFIED IN THE RELEVANT LOCAL HOUSING NEEDS ASSESSMENT;
41 AND
42 (XVI) ADOPTING A POLICY OR REGULATORY TOOL THAT
43 INCENTIVIZES THE PROMOTION OF AFFORDABLE HOUSING DEVELOPMENT

1 AS IDENTIFIED IN SECTION 24-32-130 (3).

2 (b) RURAL RESORT JOB CENTER MUNICIPALITIES SHALL ADOPT AT
3 LEAST FIVE OF THE AFFORDABILITY STRATEGIES LISTED IN SUBSECTION
4 (2)(a) OF THIS SECTION AND SUBMIT A REPORT DETAILING THESE
5 STRATEGIES TO THE DEPARTMENT OF LOCAL AFFAIRS NO LATER THAN
6 DECEMBER 31, 2026. IN DETERMINING WHICH STRATEGIES TO ADOPT, A
7 RURAL RESORT JOB CENTER MUNICIPALITY SHALL CONSIDER PREVIOUS
8 PLANS ADDRESSING HOUSING NEEDS OR OTHER AVAILABLE DATA TO
9 INFORM THE SELECTION OF STRATEGIES TO ADDRESS KNOWN HOUSING
10 NEEDS.

11 (c) NOTWITHSTANDING SUBSECTION (2)(b) OF THIS SECTION, A
12 RURAL RESORT JOB CENTER MUNICIPALITY MAY SUBMIT EVIDENCE TO THE
13 DEPARTMENT OF LOCAL AFFAIRS CONCERNING AFFORDABILITY
14 STRATEGIES THAT THE MUNICIPALITY HAS ADOPTED OUTSIDE OF THOSE
15 LISTED IN THIS SECTION, OR THAT THE MUNICIPALITY ADOPTED PRIOR TO
16 THE EFFECTIVE DATE OF THIS SECTION, AND THE DEPARTMENT MAY
17 DETERMINE WHETHER THOSE STRATEGIES MAY QUALIFY AS
18 AFFORDABILITY STRATEGIES FOR PURPOSES OF SUBSECTION (2)(b) OF THIS
19 SECTION.

20 (3) **Regional housing needs planning process.** (a) (I) A COUNTY
21 OR MUNICIPALITY WITHIN A REGION DEFINED IN THE REGIONAL HOUSING
22 NEEDS ASSESSMENT MAY PARTICIPATE IN A REGIONAL HOUSING NEEDS
23 PLANNING PROCESS.

24 (II) THE COUNTIES OR MUNICIPALITIES THAT PARTICIPATE IN A
25 PLANNING PROCESS:

26 (A) MAY UTILIZE DATA AND INFORMATION FROM A RURAL RESORT
27 REGIONAL HOUSING NEEDS ASSESSMENT THAT IS NO MORE THAN FIVE
28 YEARS OLD TO INFORM THEIR PARTICIPATION IN THE PLANNING PROCESS;

29 (B) ARE ENCOURAGED TO INCORPORATE STRATEGIC GROWTH
30 OBJECTIVES AS DEFINED IN SECTION 29-33-108 IN THE PLANNING PROCESS;
31 AND

32 (C) ARE ENCOURAGED TO IDENTIFY STRATEGIES THAT ADDRESS
33 THE HOUSING NEEDS IDENTIFIED IN LOCAL HOUSING NEEDS ASSESSMENTS
34 THROUGH THE ADOPTION OF INTERJURISDICTIONAL STRATEGIES.

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

39 (IV) A REGIONAL HOUSING NEEDS PLANNING PROCESS MAY BE LED
40 BY A REGIONAL ENTITY AND MUST ENCOURAGE PARTICIPATING COUNTIES
41 AND MUNICIPALITIES TO IDENTIFY STRATEGIES THAT IMPROVE
42 COORDINATION BETWEEN ENTITIES TO MEET THE HOUSING NEEDS
43 IDENTIFIED FOR THOSE LOCAL GOVERNMENTS IN THE REGIONAL AND

1 LOCAL HOUSING NEEDS ASSESSMENTS.

2 (V) BY DECEMBER 31, 2024, THE RURAL RESORT AREA
3 SUBCOMMITTEE CREATED IN SECTION 29-33-103 (8) SHALL ISSUE A REPORT
4 TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS ON
5 THE STATUS, OPPORTUNITIES, AND CHALLENGES OF REGIONAL PLANNING
6 IN THE RURAL RESORT REGIONS, INCLUDING THE CONNECTION BETWEEN
7 HOUSING AND TRANSPORTATION. THE RURAL RESORT AREA
8 SUBCOMMITTEE CREATED IN SECTION 29-33-103 (8) SHALL ALSO
9 EVALUATE AND MAKE RECOMMENDATIONS ON THE USE OF DATA TO
10 CREATE AFFORDABILITY STRATEGIES IN REGIONAL AND LOCAL HOUSING
11 ASSESSMENTS AND REGIONAL AND LOCAL HOUSING PLANS THAT FOLLOW
12 STRATEGIC GROWTH OBJECTIVES AS DEFINED IN SECTION 29-33-108.

13 (b) (I) NO LATER THAN DECEMBER 31, 2026, AND EVERY FIVE
14 YEARS THEREAFTER, A RURAL RESORT JOB CENTER MUNICIPALITY SHALL
15 DEVELOP, ADOPT, AND SUBMIT TO THE DEPARTMENT OF LOCAL AFFAIRS A
16 HOUSING NEEDS PLAN. THE HOUSING NEEDS PLAN MUST INCLUDE THE
17 FOLLOWING:

18 (A) A NARRATIVE DESCRIPTION OF THE STAKEHOLDER
19 ENGAGEMENT CONDUCTED DURING THE DEVELOPMENT OF THE HOUSING
20 NEEDS PLAN;

21 (B) AN ANALYSIS OF HOW THE RURAL RESORT JOB CENTER
22 MUNICIPALITY WILL ADDRESS LOCAL HOUSING NEEDS AS IDENTIFIED FROM
23 A REGIONAL HOUSING ASSESSMENT, AND THE LOCAL HOUSING NEEDS
24 ASSESSMENT, INCLUDING THE DEMONSTRATED HOUSING NEEDS FOR
25 PERSONS OF DIFFERENT INCOME LEVELS;

26 (C) A NARRATIVE ANALYSIS OF ANY AREA AT ELEVATED RISK OF
27 RESIDENTIAL DISPLACEMENT THAT THE RURAL RESORT JOB CENTER
28 MUNICIPALITY HAS IDENTIFIED, AT THE DISCRETION OF EACH
29 MUNICIPALITY, AND A DESCRIPTION OF AN IMPLEMENTATION PLAN FOR
30 ANY DISPLACEMENT MITIGATION MEASURES THAT THE RURAL RESORT JOB
31 CENTER HAS CONSIDERED AS OPTIONS AND DECIDED TO USE, AT THE
32 DISCRETION OF EACH MUNICIPALITY, TO MITIGATE IDENTIFIED
33 DISPLACEMENT RISKS IN THESE AREAS; AND

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

37 (II) BEFORE ADOPTING AND SUBMITTING A HOUSING NEEDS PLAN,
38 A RURAL RESORT JOB CENTER MUNICIPALITY SHALL PUBLISH THE MOST
39 RECENT DRAFT OF ITS HOUSING NEEDS PLAN AND PROVIDE NOTICE OF A
40 PUBLIC COMMENT PERIOD FOR THE RECEIPT OF WRITTEN COMMENTS
41 CONCERNING THE PLAN. THE RURAL RESORT JOB CENTER MUNICIPALITY
42 MAY ALSO CHOOSE TO HOLD A PUBLIC HEARING ON THE PLAN.

43 (III) THE DEPARTMENT OF LOCAL AFFAIRS SHALL POST THE

1 HOUSING NEEDS PLANS SUBMITTED BY RURAL RESORT JOB CENTER
2 MUNICIPALITIES PUBLICLY ON THE DEPARTMENT OF LOCAL AFFAIRS
3 WEBSITE.".

4 Strike page 41.

5 Page 42, strike lines 1 through 20.

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