

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation, Housing & Local Government.

SB23-213 be amended as follows:

1 Amend reengrossed bill, page 7, after line 1 insert:

2 **"SECTION 1. Legislative declaration.** (1) (a) (I) The general
3 assembly finds and declares that:

4 (A) Colorado housing is currently among the most expensive in
5 the nation. In 2021, Colorado had the sixth highest median home values
6 and the fourth highest median gross rent but only the tenth highest median
7 income, according to the state demographer;

8 (B) Between 2010 and 2021, the percentage of Coloradans
9 making less than seventy-five thousand dollars a year who were housing
10 cost-burdened, meaning they spend more than thirty percent of their
11 income on housing needs, increased from fifty-four percent to sixty-one
12 percent, and, for renters making less than seventy-five thousand dollars
13 a year, that percentage increased from fifty-nine percent to seventy-three
14 percent, according to the American Community Survey;

15 (C) Colorado's housing supply has not kept pace with population
16 growth. Between 2010 and 2020, the state added one hundred twenty-six
17 thousand fewer housing units than in the prior decade, despite the
18 population increasing by a similar amount in each decade. The state has
19 an unmet housing need, as of 2022, of between sixty-five thousand and
20 ninety thousand units, according to the state demographer;

21 (D) Many cities restrict the development of more compact
22 affordable home types, such as accessory dwelling units, townhomes,
23 duplexes, and multifamily homes, on most of their residential land;

24 (E) Older adults represent the fastest growing segment of
25 Colorado's population and have diverse housing needs that are not being
26 adequately met in the current housing market, including the need for more
27 accessible and affordable housing units built with universal design and
28 located within age-friendly communities. The housing and land use
29 policies of the state must be informed by the findings and
30 recommendations of the strategic action plan on aging, developed
31 pursuant to section 24-32-3406, prior to the repeal of that section, and the
32 lifelong Colorado initiative created in section 26-11-302, including the
33 eight realms of livable and age-friendly communities.

34 (F) The ten largest municipalities in the Denver metropolitan area
35 allow single-unit detached dwellings as a use by right on over eighty-five
36 percent of their residential land, compared to allowing as a use by right
37 an estimated twenty-four percent of their residential land for accessory
38 dwelling units, thirty-three percent of their residential land for
39 townhomes, thirty-one percent of their residential land for duplexes up to
40 quadplexes, and thirty-five percent of their residential land for

1 multifamily homes, according to publicly available zoning data;

2 (G) The ten largest municipalities in the Denver metropolitan area

3 require a minimum lot size of over five thousand square feet on more than

4 half of their residential land, according to publicly available zoning data;

5 (H) These types of common zoning practices make it difficult to

6 build more affordable home types and have historically been used to

7 exclude low-income residents and renters;

8 (I) To stabilize housing prices and ensure development of housing

9 to meet the state's growing need, the state must increase its housing

10 supply to address the unmet housing need from the past decade and plan

11 for future household growth; and

12 (J) Displacement from low-income neighborhoods has occurred

13 in Colorado under current land use regulations as housing rents and prices

14 have increased faster than wages, which has fundamentally changed the

15 demographics of some areas. These pressures have led to both direct

16 displacement of individual households from homes they can no longer

17 afford and indirect displacement as the result of changes in the

18 neighborhood population as low-income residents move out and the

19 vacated units are no longer affordable to similar households. As the state

20 and local governments seek to increase housing options and affordability,

21 it is essential to take steps to mitigate further displacement and enable

22 residents to stay in their neighborhoods if they wish.

23 (II) Therefore, the general assembly finds, determines and

24 declares that the lack of housing is a critical problem that threatens the

25 economic, environmental, and social quality of life in Colorado.

26 (b) (I) The general assembly finds and declares that:

27 (A) The consequences of land use policies that limit housing

28 supply and diversity include a lack of housing that is affordable to

29 Coloradans of low and moderate incomes, a lack of housing to support

30 employment growth, an imbalance in jobs and housing, segregated and

31 unequal communities, reduced mobility and long commutes, reduced

32 options for older adults to age in their community of choice, loss of open

33 space and agricultural land, high water usage, and increased greenhouse

34 gas and air pollution;

35 (B) When a local government's policies reduce and limit the

36 supply of housing, neighboring local governments are also affected by

37 more people seeking affordable housing; and

38 (C) People are not able to live near where they work, leading to

39 longer commutes, putting additional strain on Colorado's roads, and

40 increasing pollution.

41 (II) Therefore, the general assembly finds, determines, and

42 declares that the lack of housing supply and unsustainable development

43 patterns are partially caused by local government policies that effectively

1 limit the construction of a diverse range of housing types in areas already
2 served by infrastructure or in close proximity to jobs and public transit.

3 (c) (I) The general assembly further finds and declares that the
4 general assembly and the people of Colorado have made historic
5 investments in affordable housing, including the following:

6 (A) In 2021 and 2022, the general assembly approved close to one
7 billion dollars for affordable housing investments funded primarily by the
8 federal "American Rescue Plan Act of 2021", Pub.L. 117-2, and the
9 general fund; and

10 (B) In the November 2022 election, Colorado voters approved
11 Proposition 123, which will dedicate an estimated three hundred million
12 dollars per year to affordable housing.

13 (II) Therefore, the general assembly finds, determines, and
14 declares that, coupled with historic investments in affordable housing,
15 reforms to local land use regulations can accelerate an increase in housing
16 supply that is affordable at all income levels and accessible for people of
17 all ages and abilities.

18 (A) National studies, such as the article "Relationships between
19 Density and per Capita Municipal Spending in the United States",
20 published in Urban Science, have found that lower density communities
21 have higher government capital and maintenance costs for water, sewer,
22 and transportation infrastructure, and lower property and sales tax
23 revenues. These increased costs are often borne by both state and local
24 governments.

25 (B) A study for a rural resort municipality in Colorado found that
26 doubling the average residential density for future growth would save
27 thirty-one percent in capital and maintenance costs over twenty years.

28 (2) The general assembly finds and declares that the availability
29 of affordable housing is a matter of mixed statewide and local concern.
30 Therefore, it is the intent of the general assembly in enacting this act to:

31 (a) Create a more consistent ability statewide to develop a variety
32 of housing types, limit the ability of local governments to reduce density
33 or render infeasible housing development projects that can address the
34 state's housing shortage for all parts of the income spectrum, and support
35 more fiscally and environmentally sustainable development patterns;

36 (b) Improve regional collaboration and outcomes by reducing the
37 ability of individual local governments' land use restrictions to negatively
38 influence regional concerns such as housing affordability, open space,
39 traffic, and air pollution; and

40 (c) Increase housing supply, allow more compact development,
41 encourage more affordable housing, encourage more environmentally and
42 fiscally sustainable development patterns, encourage housing patterns that
43 conserve water resources, and encourage housing units that are located in

1 close proximity to public transit, places of employment, and everyday
2 needs.

3 (3) In finding and declaring that land use policies that affect
4 housing supply are matters of mixed statewide and local concern, the
5 general assembly finds and declares that there is a need for uniformity in
6 policies that affect housing supply because:

7 (a) The state has an interest in planning for future growth. The
8 state demographer estimates that between 2023 and 2030 the state will
9 add an average of thirty-five thousand households per year, and that
10 between 2030 and 2040 the state will add an additional twenty-nine
11 thousand six hundred households per year. According to the state
12 demographer, households headed by a household age sixty-five and above
13 are expected to increase by 197,000 from 2020 to 2030, meaning over
14 half of the growth in households across the state is expected to be
15 households over sixty-five.

16 (b) Housing supply impacts housing affordability. Housing prices
17 are typically higher when housing supply is restricted by local land use
18 regulations in the metropolitan region, according to studies such as the
19 National Bureau of Economic Research's working papers "Regulation and
20 Housing Supply", "The Impact of Zoning on Housing Affordability", and
21 "The Impact of Local Residential Land Use Restrictions on Land Values
22 Across and Within Single Family Housing Markets".

23 (c) Increasing housing supply moderates price increases and
24 improves housing affordability across all incomes, according to studies
25 such as "The Economic Implications of Housing Supply" in the Journal
26 of Economic Perspectives and "Supply Skepticism: Housing Supply and
27 Affordability" in Housing Policy Debate;

28 (d) Academic research such as "The Impact of Building
29 Restrictions on Housing Affordability" in the Federal Reserve Bank of
30 New York Economic Policy Review has identified zoning and other land
31 use controls as a primary driver of rising housing costs in the most
32 expensive housing markets;

33 (e) Local land use regulations influence what types of housing are
34 built throughout the state and can restrict more affordable housing
35 options;

36 (f) Between 2000 and 2019, over seventy percent of homes built
37 in Colorado were single-unit detached dwellings, while less than three
38 percent of homes were duplexes to quadplexes, and less than twenty-five
39 percent of homes were homes in multifamily buildings with five or more
40 units, according to the American Community Survey;

41 (g) Middle housing and multifamily housing types are more
42 affordable than detached dwellings, in part because land costs are shared
43 between more households;

- 1 (h) In 2019, Colorado duplexes and larger multifamily housing
2 units cost between fourteen to forty-three percent less to own, and
3 between nine to twenty-six percent less to rent, than single-unit detached
4 dwellings depending on the type of housing, according to the American
5 Community Survey;
- 6 (i) Proposed market-rate and affordable housing projects are
7 routinely delayed or denied due to discretionary and subjective political
8 processes and land use regulations that limit denser development either
9 directly or indirectly;
- 10 (j) According to a 2022 article titled "Does Discretion Delay
11 Development?", in the American Planning Association Journal,
12 residential projects using by-right approval processes are approved
13 twenty-eight percent faster than those using discretionary approval
14 processes, and faster approval times reduce developer costs and therefore
15 housing costs;
- 16 (k) Compact housing types such as duplexes, townhomes, and
17 multifamily homes also use significantly less energy for heating, cooling,
18 and electricity than detached dwellings, which saves residents money and
19 results in lower emissions;
- 20 (l) In Colorado, household energy savings range from forty
21 percent less for townhomes to seventy percent less for larger multifamily
22 homes compared to single-unit detached dwellings, according to
23 residential housing stock data from the National Renewable Energy
24 Laboratory;
- 25 (m) The state has an interest in ensuring economic mobility by
26 increasing affordable housing opportunities throughout the state:
- 27 (I) Researchers have demonstrated that restrictive local land use
28 regulations help explain segregation income within metropolitan areas,
29 which leads to disparate incomes and access to opportunities;
- 30 (II) In Colorado, households with the lowest incomes experienced
31 the highest rates of housing cost burden, according to the American
32 Community Survey;
- 33 (III) Housing costs can dictate the quality of a child's education,
34 and the highest performing schools are located in areas with the highest
35 housing costs;
- 36 (IV) According to a Brookings Institution report entitled "Housing
37 Costs, Zoning, and Access to High Scoring Schools" that analyzed the
38 one hundred largest metropolitan areas in the United States, housing costs
39 an average of two and four-tenths times as much near a high-scoring
40 public school than near a low-scoring one. The same study found that
41 metro areas with the least restrictive zoning have housing cost gaps
42 between high-scoring and low-scoring schools that are sixty-three percent
43 lower than metro areas with the most restrictive zoning.

- 1 (V) Researchers have also found that upward mobility is
2 significantly greater in more compact development areas than in low
3 density areas, primarily due to better job accessibility by multiple
4 transportation modes, according to the study "Does urban sprawl hold
5 down upward mobility?", published in the journal of Landscape and
6 Urban Planning.
- 7 (VI) Nationwide, cities with the highest housing costs and lowest
8 vacancy rates experience the highest rates of homelessness, according to
9 a report by the Urban Institute, "Unsheltered Homelessness Trends,
10 Characteristics, and Homeless Histories". These indicators explain a
11 greater portion of the variation in regional rates of homelessness than
12 other commonly assumed factors, such as poverty rate, substance use, or
13 mental illness, according to a study in the European Journal of Housing
14 Policy, "The Economics of Homelessness: The Evidence from North
15 America".
- 16 (VII) Through legislation such as House Bill 21-1266 and Senate
17 Bill 21-272, the state has made significant efforts to identify
18 disproportionately impacted communities and to prioritize benefits to
19 these communities;
- 20 (VIII) Researchers in the article "Housing Constraints and Spatial
21 Misallocation", in the American Economic Journal, found that restrictions
22 on new housing supply in high productivity places limit the number of
23 workers who have access to jobs in those places, which over the past
24 several decades they estimate has lowered aggregate economic growth in
25 the United States by thirty-six percent;
- 26 (IX) Researchers in the study "Unaffordable Housing and Local
27 Employment Growth", published by the Federal Reserve Bank of Boston,
28 found that metropolitan areas in the United States and counties with lower
29 housing affordability experience significantly less employment growth;
30 and
- 31 (X) Within regions, national surveys have found that a lack of
32 affordable housing within a reasonable commuting distance impacts
33 businesses' ability to attract and retain workers, according to a literature
34 review conducted by the Center for Housing Policy; and
- 35 (n) The state has an interest in advancing efficient water use, and
36 local government decisions that encourage dispersed, low density
37 development negatively affect the state's water supply:
- 38 (I) Efficient water use is essential for creating vibrant
39 communities that balance water supply and demand needs to create a
40 sustainable urban landscape, according to the vision laid out in the
41 Colorado water plan;
- 42 (II) Compact infill development reduces water demand and
43 infrastructure costs through shorter pipes that reduce losses, less

1 landscaped space per unit, and better use of existing infrastructure; and
2 (III) Compared to a single-unit detached dwelling, accessory
3 dwelling units use twenty-two percent less water, small multifamily
4 homes sixty-three percent less, and larger multifamily homes eighty-six
5 percent less, based on data from Denver and Aurora water users analyzed
6 for the Colorado water and growth dialogue Final Report in 2018.
7 (4) (a) The general assembly finds and declares that there is an
8 extraterritorial impact when local governments enact local ordinances that
9 have impacts that cross jurisdictional lines because:
10 (I) Local restrictions on housing push people further from their
11 work and increase driving commute times;
12 (II) Communities with the most restrictive local land use
13 regulations often enable job growth while limiting the ability of housing
14 growth to keep pace, which affects the pace of housing development in
15 neighboring jurisdictions. This results in regional imbalances between
16 jobs and housing that researchers have found have a significant impact on
17 vehicle miles traveled and commute times, according to studies such as
18 "Which Reduces Vehicle Travel More: Jobs-Housing Balance or
19 Retail-Housing Mixing?", published in the Journal of the American
20 Planning Association.
21 (III) In the ten rural resort municipalities with the highest jobs to
22 housing ratios in the state, over ninety percent of workers commute from
23 other jurisdictions, according to housing data from the 2020 federal
24 decennial Census and jobs and commuting data from the Longitudinal
25 Employer-Household Dynamics Origin-Destination Employment Dataset
26 from the Census;
27 (IV) The ten rural resort municipalities with the highest jobs to
28 housing ratios in the state added eighteen percent fewer housing units per
29 capita and their commute times for workers were seventeen percent
30 longer on average than jurisdictions in rural resort counties as a whole,
31 according to data from the 2020 federal decennial Census, American
32 Community Survey, and the Longitudinal Employer-Household Dynamics
33 Origin-Destination Employment Dataset from the Census;
34 (V) Nationwide, the number of jobs within the typical commute
35 distance for residents in major metropolitan areas has declined over time
36 according to a report by the Brookings Institution titled "The Growing
37 Distance Between People and Jobs in Metropolitan America";
38 (VI) Coloradans drive more miles per person than they used to, in
39 part due to dispersed, low-density development patterns, putting stress on
40 transportation infrastructure and increasing household costs;
41 (VII) Since 1981, per capita vehicle miles traveled in Colorado
42 have risen by over twenty percent according to data from the Federal
43 Highway Administration;

1 (VIII) High transportation costs impact low-income households
2 in particular, with households making less than forty-thousand dollars per
3 year in the western United States spending over twenty-four percent of
4 their income on transportation, when spending more than fifteen percent
5 of income on transportation is considered cost burdened, according to
6 data from the Bureau of Labor Statistics Consumer Expenditure Surveys;
7 and

8 (IX) In Colorado, households in more dense areas, census tracts
9 with more than four thousand units per square mile or about fifteen units
10 per acre, drive twenty percent less than the state average, and higher
11 density areas, census tracts with more than ten thousand units per square
12 mile or about forty units per acre, drive forty percent less than the state
13 average, according to data from the 2017 National Household Travel
14 Survey; and

15 (b) The increase in vehicle traffic due to local land use restrictions
16 also has an environmental extraterritorial impact:

17 (I) Vehicle traffic, which increases when land use patterns are
18 more dispersed, contributes twenty percent of nitrogen oxides emissions,
19 a key ozone precursor, according to the Executive Summary of the
20 Moderate Area Ozone SIP for the 2015 Ozone NAAQS by the Regional
21 Air Quality Council;

22 (II) The United States environmental protection agency has
23 classified the Denver Metro/North Front Range area as being in severe
24 non-attainment for ozone and ground level ozone, which has serious
25 impacts on human health, particularly for vulnerable populations;

26 (III) According to the greenhouse gas pollution reduction
27 roadmap, published by the Colorado energy office and dated January 14,
28 2021, the transportation sector is the single largest source of greenhouse
29 gas pollution in Colorado;

30 (IV) Nearly sixty percent of the greenhouse gas emissions from
31 the transportation sector come from light-duty vehicles, the majority of
32 cars and trucks that Coloradans drive every day;

33 (V) As part of the greenhouse gas pollution reduction roadmap,
34 a strategic action plan to achieve legislatively adopted targets of reducing
35 greenhouse gas pollution economy-wide by fifty percent below 2005
36 levels by 2030 and ninety percent by 2050, the state committed to
37 reducing emissions from the transportation sector by forty-one percent by
38 2030 from a 2005 baseline;

39 (VI) The Greenhouse Gas Transportation Planning Standard
40 adopted by the Transportation Commission in 2021 set a target to reduce
41 transportation greenhouse gas emissions through the transportation
42 planning process by one million five hundred thousand tons by 2030;

43 (VII) Local government land use decisions that require a

1 minimum amount of parking spaces beyond what is necessary to meet
2 market demand increase vehicle miles traveled and associated greenhouse
3 gas emissions. According to the UCLA Institute of Transportation Studies
4 article titled "What Do Residential Lotteries Show Us About
5 Transportation Choices", higher amounts of free parking provided in
6 residential developments cause higher rates of vehicle ownership, higher
7 rates of vehicle miles traveled, and less frequent transit use.

8 (VIII) Local government land use decisions that require a
9 minimum amount of parking spaces increase the cost of new residential
10 projects, which increases housing costs. According to the Regional
11 Transportation District study "Residential Parking in Station Areas: A
12 Study of Metro Denver", structured parking spaces in the Denver
13 metropolitan areas cost twenty-five thousand dollars each to build in
14 2020, and use space which would otherwise be used for revenue
15 generating residential units, decreasing the profitability of residential
16 development. As a result, parking requirements may discourage
17 developers from building new residential projects, or, if they do move
18 forward with projects, force them to recoup the costs of building
19 excessive parking by increasing housing prices.

20 (5) (a) Local land use policies that encourage dispersed, low
21 density development have an impact on open space and agricultural land,
22 and exposure to climate hazards outside of their jurisdictional limits:

23 (I) A study of urbanized areas in the United States, "The Effect of
24 Land-Use Controls on the Spatial Size of U.S. Urbanized Areas", in the
25 Journal of Regional Science, found that the presence of density
26 restrictions such as minimum lot sizes and floor area ratio limits result in
27 larger urbanized areas;

28 (II) Enabling denser housing near transit and in already developed
29 areas can limit continued loss of agricultural and natural lands;

30 (III) Between 1982 and 2017, Colorado lost over twenty-five
31 percent of its agricultural cropland, according to data from the National
32 Resources Inventory published by the United States department of
33 agriculture, and, over the same time period, the size of urban and built-up
34 areas grew faster than the population by over one hundred percent
35 compared to eighty-three percent;

36 (IV) Encouraging growth in infill locations is an important
37 strategy for minimizing wildfire risk by limiting the growth of households
38 in fire-prone areas; and

39 (V) Between 2012 and 2017, the number of people living in the
40 wildland-urban interface increased by nearly fifty percent according to the
41 Colorado state forest service.

42 (b) Therefore, the general assembly finds, determines and declares
43 that local government land use decisions that limit housing and encourage

1 dispersed low-density development impact local and state government
2 fiscal health and the business community."

3 Renumber succeeding sections accordingly.

4 Page 9, after line 21 insert:

5 "(2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT THE
6 DEVELOPMENT AND USE OF LAND IS A MATTER OF MIXED STATEWIDE AND
7 LOCAL CONCERN."

8 Page 10, strike lines 8 through 11 and substitute:

9 "(3) "AFFORDABLE HOUSING" MEANS HOUSING FOR WHICH LOW-
10 AND MODERATE-INCOME HOUSEHOLDS DO NOT SPEND MORE THAN THIRTY
11 PERCENT OF THEIR HOUSEHOLD INCOME ON HOUSING COSTS."

12 Page 10, strike lines 14 through 17.

13 Renumber succeeding subsections accordingly.

14 Page 13, strike lines 9 through 14 and substitute:

15 "(14) "HISTORIC DISTRICT" MEANS A DISTRICT ESTABLISHED BY
16 LOCAL LAW THAT MEETS THE DEFINITION OF "DISTRICT" SET FORTH IN 36
17 CFR 60.3 (d).

18 (15) "HISTORIC PROPERTY" MEANS A PROPERTY LISTED ON THE
19 NATIONAL REGISTER OF HISTORIC PLACES, LISTED ON THE COLORADO
20 STATE REGISTER OF HISTORIC PROPERTIES, OR LISTED AS A CONTRIBUTING
21 STRUCTURE OR HISTORIC LANDMARK BY A CERTIFIED LOCAL
22 GOVERNMENT, AS DEFINED IN SECTION 39-22-514.5 (2)(b).

23 (16) "INDUSTRIAL USE" MEANS A BUSINESS USE OR ACTIVITY AT A
24 SCALE GREATER THAN HOME INDUSTRY INVOLVING MANUFACTURING,
25 FABRICATION, ASSEMBLY, WAREHOUSING, OR STORAGE."

26 Renumber succeeding subsections accordingly.

27 Page 15, after line 9 insert:

28 "(28) "NET DENSITY" MEANS THE NUMBER OF RESIDENTIAL UNITS
29 PER ACRE OF TOTAL RESIDENTIAL LAND AREA, EXCLUDING LAND OCCUPIED
30 BY PUBLIC RIGHTS-OF-WAY AND ANY RECREATIONAL, CIVIC, COMMERCIAL,
31 AND OTHER NONRESIDENTIAL USES.

1 (29) "OBJECTIVE PROCEDURE" MEANS A DEVELOPMENT REVIEW
2 PROCEDURE OR PROCESS THAT DOES NOT INVOLVE A DISCRETIONARY
3 APPROVAL PROCESS."

4 Renumber succeeding subsections accordingly.

5 Page 17, after line 6 insert:

6 "(36) "STANDARD EXEMPT PARCEL" MEANS A PARCEL THAT:
7 (a) LIES ENTIRELY OUTSIDE OF AN AREA THAT IS DESIGNATED AS
8 AN URBANIZED AREA BY THE MOST RECENT FEDERAL DECENNIAL CENSUS;
9 (b) IS NOT SERVED BY A DOMESTIC WATER AND SEWAGE
10 TREATMENT SYSTEM, AS DEFINED IN SECTION 24-65.1-104 (5);
11 (c) IS IN AN AGRICULTURAL, FORESTRY, NATURAL RESOURCE
12 PRESERVATION, OR OPEN SPACE ZONING DISTRICT;
13 (d) IS A HISTORIC PROPERTY THAT IS NOT WITHIN A HISTORIC
14 DISTRICT; OR
15 (e) IS IN A FLOODWAY OR IN A ONE HUNDRED YEAR FLOODPLAIN,
16 AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY."

17 Page 19, after line 1 insert:

18 "(46) "USE BY RIGHT" MEANS A LAND USE, THE DEVELOPMENT OF
19 WHICH PROCEEDS UNDER OBJECTIVE STANDARDS SET FORTH IN ZONING OR
20 OTHER LOCAL LAWS, AND THAT DOES NOT HAVE A DISCRETIONARY
21 APPROVAL PROCESS."

22 Page 24, line 27, after "OFFICE;" insert "AND".

23 Page 25, strike line 1.

24 Renumber succeeding subparagraph accordingly.

25 Page 26, line 16, strike "AND" and substitute "OR".

26 Page 26, line 19, strike "STOCK;" and substitute "STOCK."

27 Page 26, line 21, strike "MAY" and substitute "MUST".

28 Page 26, line 23, strike "**Housing**" and substitute "**Urban municipality**
29 **housing**".

30 Page 27, strike lines 5 and 6.

- 1 Renumber succeeding subsections accordingly.
- 2 Page 28, strike lines 14 through 16 and substitute "IDENTIFICATION OF
3 HOUSING RESOURCES AND CHANGES TO LOCAL LAWS;".
- 4 Page 28, strike line 19 and substitute:
- 5 "(e) A DESCRIPTION OF AND AN IMPLEMENTATION PLAN FOR AT
6 LEAST ONE STRATEGY THAT THE".
- 7 Page 29, strike lines 1 through 4 and substitute:
- 8 "(f) IN THE CASE OF AN URBAN MUNICIPALITY WITH A
9 TRANSIT-ORIENTED AREA, AT LEAST TWO STRATEGIES FROM THE LIST OF
10 AFFORDABLE DEVELOPMENT STRATEGIES IN SECTION 29-33-106 (1) AND
11 AT LEAST ONE STRATEGY FROM THE LIST OF LONG-TERM AFFORDABILITY
12 STRATEGIES IN SECTION 29-33-106 (2); AND".
- 13 Reletter succeeding paragraphs accordingly.
- 14 Page 29, line10 strike "AREAS; AND".
- 15 Page 29, strike lines 11 through 15 and substitute "AREAS".
- 16 Page 29, line 17, after "PLAN" insert "OR INFORMATION FROM THAT
17 ANALYSIS".
- 18 Page 29, line 27, strike "PLAN TO ADDRESS LOCAL HOUSING NEEDS." and
19 substitute "PLAN".
- 20 Page 30, line 1, strike "COUNCIL OF GOVERNMENT," and substitute
21 "METROPOLITAN PLANNING ORGANIZATION,".
- 22 Page 30, line 3, strike "SHALL" and substitute "MAY".
- 23 Page 30, line 4, strike "COUNCILS OF GOVERNMENT," and substitute
24 "METROPOLITAN PLANNING ORGANIZATION,".
- 25 Page 30, line 8, strike "PARTICIPATION IN THE" and substitute "REGIONAL".
- 26 Page 30, line 10, after "THE" insert "REGIONAL".
- 27 Page 30, line 12, strike "STRATEGIES" and substitute "HOUSING

- 1 PRODUCTION STRATEGIES AND COMMITMENTS".
- 2 Page 30, line 17, strike "COUNCILS OF GOVERNMENT," and substitute "A
3 METROPOLITAN PLANNING ORGANIZATION,".
- 4 Page 30, line 22, strike "COUNCILS OF GOVERNMENT," and substitute
5 "METROPOLITAN PLANNING ORGANIZATIONS,".
- 6 Page 30, strike lines 26 and 27.
- 7 Page 31, strike lines 1 through 11.
- 8 Page 31, line 12, after "(8)" insert "**Strategic growth and housing mix**
9 **analysis.**".
- 10 Page 31, line 21, strike "CENSUS-DEFINED" and substitute "CENSUS".
- 11 Page 32, line 1, after "TO" insert "RECENT AND".
- 12 Page 32, strike lines 2 through 5 and substitute "EXISTING GROWTH
13 PATTERNS. METROPOLITAN PLANNING".
- 14 Page 33, strike lines 12 through 17 and substitute:
- 15 "(b) THE CREATION OF A PROGRAM TO PRIORITIZE DEVELOPMENT
16 PERMITS AND SUBSIDIZE OR OTHERWISE REDUCE IMPACT FEES OR OTHER
17 SIMILAR DEVELOPMENT CHARGES FOR REGULATED AFFORDABLE HOUSING
18 DEVELOPMENT WHERE APPLICABLE;".
- 19 Page 33, line 21, after "HEIGHT" insert "BEYOND WHAT IS REQUIRED BY
20 THIS ARTICLE 33".
- 21 Page 33, line 24, after "AREAS" insert "BEYOND WHAT IS REQUIRED BY
22 THIS ARTICLE 33, SUCH AS ADDITIONAL ZONE DISTRICTS, HIGHER ALLOWED
23 DENSITIES, OR OTHER APPROACHES THAT ARE".
- 24 Page 34, strike lines 5 through 8.
- 25 Reletter succeeding paragraphs accordingly.
- 26 Page 34, lines 9 and 10, strike "MIDDLE HOUSING, KEY CORRIDOR," and
27 substitute "KEY CORRIDOR".

- 1 Page 34, line 10, strike "DENSITIES" and substitute "ZONING DISTRICTS".
- 2 Page 34, strike lines 12 through 18.
- 3 Reletter succeeding paragraphs accordingly.
- 4 Page 36, strike lines 15 through 19 and substitute "KNOWN HOUSING
5 NEEDS".
- 6 Page 37, strike lines 3 through 15 and substitute "**strategies.** (1) (a) No
7 LATER THAN DECEMBER 31, 2024, THE EXECUTIVE DIRECTOR OF THE
8 DEPARTMENT OF LOCAL AFFAIRS SHALL DEVELOP GUIDANCE FOR
9 MUNICIPALITIES TO CONDUCT A DISPLACEMENT RISK ASSESSMENT AND
10 IMPLEMENT DISPLACEMENT MITIGATION STRATEGIES AND PROVIDE
11 GUIDANCE REGARDING THE NUMBER OF STRATEGIES THAT MUST BE
12 SELECTED TO SUPPORT URBAN MUNICIPALITIES AND RURAL RESORT JOB
13 CENTER MUNICIPALITIES IN PREVENTING DISPLACEMENT AS PART OF THE
14 REQUIRED HOUSING NEEDS PLAN PURSUANT TO SECTION 29-33-105.
- 15 (b) THE DISPLACEMENT ASSESSMENT, DISPLACEMENT MITIGATION
16 STRATEGIES, AND NUMBER OF DISPLACEMENT MITIGATION STRATEGIES
17 MUST PROVIDE ADEQUATE GUIDANCE AND TOOLS FOR MUNICIPALITIES TO
18 MITIGATE DISPLACEMENT OF LOW-INCOME HOUSEHOLDS FROM AREAS AT
19 HIGH RISK FOR DISPLACEMENT."
- 20 Page 37, strike lines 19 and 20 and substitute "LOW-INCOME RESIDENTS
21 OF THE COMMUNITY IN ADDITION TO DATA ANALYZED AT THE CENSUS
22 TRACT LEVEL OR SIMILAR GEOGRAPHY;"
- 23 Page 37, line 21, strike "NEIGHBORHOOD-LEVEL" and substitute
24 "INFORMATION FROM ANY NEIGHBORHOOD-LEVEL".
- 25 Page 37, line 23, strike "GET AHEAD OF TRENDS AND PREDICTIONS OF" and
26 substitute "ANTICIPATE".
- 27 Page 37, lines 25 and 26, strike "THE INCLUSION OF OTHER DATA POINTS"
28 and substitute "OTHER DATA SOURCES".
- 29 Page 37, strike line 27.
- 30 Page 38, strike lines 1 through 15 and substitute:
- 31 "(IV) QUALITATIVE AND QUANTITATIVE INDICATORS OF
32 NEIGHBORHOOD CHANGE, INCLUDING DEMOGRAPHIC AND ECONOMIC

- 1 CHANGE; AND
- 2 (V) QUALITATIVE AND QUANTITATIVE INDICATORS OF
- 3 NEIGHBORHOOD REVITALIZATION, WHICH REFERS TO INCREASED
- 4 ECONOMIC ACTIVITY OR VALUE IN A NEIGHBORHOOD, OFTEN
- 5 ACCOMPANIED BY PUBLIC OR PRIVATE INVESTMENT."
- 6 Page 38, line 16, strike "MUST" and substitute "MAY".
- 7 Page 38, line 17, after "FOLLOWING" insert "QUANTITATIVE".
- 8 Page 38, strike line 19 and substitute "SCALE FOR WHICH DATA IS
- 9 AVAILABLE;".
- 10 Page 39, strike lines 12 through 15.
- 11 Renumber succeeding subparagraphs accordingly,
- 12 Page 39, line 17, strike "MARKET;" and substitute "MARKET WHERE THIS
- 13 INFORMATION IS READILY AVAILABLE;".
- 14 Page 39, strike lines 18 through 22 and substitute:
- 15 "(XI) CHANGE IN LAND PRICES, RENTAL PRICES, PROPERTY
- 16 VALUES, AND OTHER REAL ESTATE AND HOUSING INDICATORS;".
- 17 Page 39, line 27, strike "AMOUNT; AND" and substitute "AMOUNT WHERE
- 18 THIS INFORMATION IS READILY AVAILABLE; AND".
- 19 Page 40, line 1, after "OF" insert "SMALL".
- 20 Page 40, line 2, strike "ASSESSMENT." and substitute "ASSESSMENT WHERE
- 21 THIS INFORMATION IS READILY AVAILABLE.
- 22 (c) IN DEVELOPING A DISPLACEMENT RISK ASSESSMENT, URBAN
- 23 MUNICIPALITIES AND RURAL RESORT JOB CENTER MUNICIPALITIES MUST
- 24 ALSO CONDUCT INCLUSIVE COMMUNITY ENGAGEMENT WITH RESIDENTS OF
- 25 AREAS IDENTIFIED AS BEING AT ELEVATED RISK FOR DISPLACEMENT TO
- 26 ADDRESS QUALITATIVE INDICATORS OF DISPLACEMENT, WHICH MAY
- 27 INCLUDE:
- 28 (I) FACTORS REFERENCED IN THE GOALS IN SUBSECTION (2)(a) OF
- 29 THIS SECTION; AND
- 30 (II) EXISTING AFFORDABLE HOUSING STOCK AT RISK OF
- 31 DISPLACING CURRENT RESIDENTS DUE TO MARKET FORCES,
- 32 NEIGHBORHOOD CHANGES, OR AGING STRUCTURES."

- 1 Reletter succeeding paragraphs accordingly.
- 2 Page 40, strike line 3 and substitute:
- 3 "(c) MUNICIPALITIES ARE ENCOURAGED TO DEVELOP A
4 DISPLACEMENT RISK ASSESSMENT IN".
- 5 Page 40, line 5, strike "NECESSARY".
- 6 Page 40, line 9, strike "GOAL" and substitute "GOALS".
- 7 Page 40, line 10, strike "IS" and substitute "ARE" and strike "THAT".
- 8 Page 41, strike lines 4 and 5 and substitute "THE DISPLACEMENT RISK
9 ASSESSMENT.".
- 10 Page 41, line 7, strike "TIER ONE AND TWO" and substitute "URBAN".
- 11 Page 41, line 9, strike "THESE" and substitute "THIS MENU OF".
- 12 Page 41, line 10, strike "MUST" and substitute "MAY".
- 13 Page 41, line 13, strike "SECTION;" and substitute "SECTION INTO A
14 HOUSING NEEDS PLAN;".
- 15 Page 41, line 15, strike "LOCAL GOVERNMENTS" and substitute
16 "MUNICIPALITIES".
- 17 Page 41, strike lines 25 through 27.
- 18 Page 42, strike line 1 and substitute:
- 19 "(C) IMPLEMENTING LOCAL RIGHT OF FIRST REFUSAL FOR EXPIRING
20 REGULATED AFFORDABLE HOUSING UNITS, PRIORITIZING LOCAL FUNDS
21 TOWARD AFFORDABLE UNIT PRESERVATION, OR IMPLEMENTING OR
22 CONTINUING DEED RESTRICTED AFFORDABLE HOUSING UNITS; AND".
- 23 Page 42, line 5, strike "ONE HALF-MILE OF" and substitute "CLOSE
24 PROXIMITY TO NEW".
- 25 Page 42, line 6, after "BUILD" insert "NEW LARGE MULTIFAMILY".
- 26 Page 42, line 9, strike "WITHIN".

- 1 Page 42, strike line 10 and substitute "IN CLOSE PROXIMITY TO THE
2 DEVELOPMENT;".
- 3 Page 42, strike lines 11 through 27.
- 4 Page 43, strike lines 1 and 2 and substitute and substitute:
- 5 "(IV) PROVIDING A PRIORITIZATION POLICY FOR CURRENT
6 RESIDENTS IN NEW REGULATED AFFORDABLE HOUSING IN A MULTIFAMILY
7 DEVELOPMENT FOR THE FIRST FEW MONTHS THAT UNITS ARE LEASED
8 AFTER CONSTRUCTION.".
- 9 Renumber succeeding subparagraph accordingly.
- 10 Page 43, line 8, strike "AND".
- 11 Page 43, line 10, strike "PROGRAM." and substitute "PROGRAM; AND
12 "(E) ANY OTHER STRATEGIES PROPOSED BY A LOCAL GOVERNMENT
13 OR THE MULTI-AGENCY ADVISORY COMMITTEE THAT ARE APPROVED BY
14 THE DEPARTMENT OF LOCAL AFFAIRS AND THAT SUPPORT THE GOALS OF
15 THIS SECTION.".
- 16 Page 43, line 11, strike "A" and substitute "THE".
- 17 Page 43, line 12, strike "STRATEGIES.".
- 18 Page 43, strike lines 13 through 22 and substitute "STRATEGIES AS
19 DETERMINED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
20 AFFAIRS.".
- 21 Page 44, line 2, strike "2024, AND EVERY FIVE" and substitute "2025, AND
22 EVERY SIX".
- 23 Page 44, lines 4 and 5, strike "TIER ONE AND TWO".
- 24 Page 44, line 10, after "29-33-105." insert "THE STRATEGIES THAT A
25 MUNICIPALITY SELECTS MUST BE EVIDENCE-BASED AND INFORMED BY ITS
26 DISPLACEMENT ASSESSMENT AND THE MEDIAN INCOME OF AREAS
27 IDENTIFIED AS AT RISK OF DISPLACEMENT. AN URBAN MUNICIPALITY AND
28 RURAL RESORT JOB CENTER MUNICIPALITY SHALL PROVIDE SUPPORTING
29 INFORMATION AND A NARRATIVE TO DEMONSTRATE HOW THE STRATEGIES
30 WILL MITIGATE DISPLACEMENT AS IDENTIFIED IN THE DISPLACEMENT
31 ASSESSMENT.".

- 1 Page 44, lines 14 and 15, strike "TIER ONE OR TIER TWO".
- 2 Page 44, line 17, strike "THE EVIDENCE-BASED".
- 3 Page 44, line 26, strike "THE LOCAL COMMUNITY GROUPS" and substitute
- 4 "LOCAL COMMUNITY GROUPS AND COMMUNITY MEMBERS".
- 5 Page 45, line 2, after "RIGHTS;" insert "AND".
- 6 Page 45, strike lines 3 and 4.
- 7 Reletter succeeding paragraph accordingly.
- 8 Page 45, line 7, strike "THE DRAFT AND FINAL".
- 9 Page 45, strike line 8.
- 10 Page 45, line 9, strike "MITIGATION STRATEGIES OR OTHER RELATED".
- 11 Page 45, lines 12 and 13, strike " "TIER ONE AND TWO".
- 12 Page 45, lines 17 and 18, strike "NO LATER THAN DECEMBER 25, 2025,
- 13 THE" and substitute "THE".
- 14 Page 45, line 21, strike "FOR".
- 15 Page 45, line 22, strike "(3)(c)(I)" and substitute "(1)(a)".
- 16 Page 51, lines 1 and 2, strike "AND THE MULTI-AGENCY GROUP" and
- 17 substitute "THE MULTI-AGENCY GROUP, AND EXPERTS IN RELATED FIELDS".
- 18 Page 51, line 4, strike "ACHIEVE BOTH:" and substitute "ACHIEVE:"
- 19 Page 51, line 6, strike "AND".
- 20 Page 51, line 10, strike "CONSERVATION." and substitute "CONSERVATION
- 21 AND MITIGATING HAZARDS; AND
- 22 (c) IDENTIFICATION OF BEST PRACTICES, TOOLS AND RESOURCES
- 23 RELATED TO SUBSECTIONS (1)(a) AND (1)(b) OF THIS SECTION."
- 24 Page 53, strike lines 11 through 17 and substitute:
- 25 "(d) THE CREATION OF A PROGRAM TO PRIORITIZE DEVELOPMENT

- 1 PERMITS AND SUBSIDIZE OR OTHERWISE REDUCE IMPACT FEES OR OTHER
2 SIMILAR DEVELOPMENT CHARGES FOR REGULATED AFFORDABLE HOUSING
3 DEVELOPMENT WHERE APPLICABLE;".
- 4 Page 53, line 18, after "FOR" insert "REGULATED".
- 5 Page 53, strike lines 21 through 23 and substitute "INCREASED FLOOR
6 AREA RATIO, DENSITY, OR HEIGHT TO INCREASE THE CONSTRUCTION OF
7 REGULATED AFFORDABLE HOUSING UNITS;".
- 8 Page 53, line 24, after "ENABLING" insert "REGULATED".
- 9 Page 53, strike lines 25 through 27 and substitute "HOUSING TYPES AND
10 AREAS CONSISTENT WITH THE GOALS OF INCREASING".
- 11 Page 54, line 3, after "OF" insert "REGULATED".
- 12 Page 54, line 6, after "OF" insert "REGULATED".
- 13 Page 54, strike line 7.
- 14 Reletter succeeding paragraphs accordingly.
- 15 Page 54, strike lines 10 through 12.
- 16 Reletter succeeding paragraphs accordingly.
- 17 Page 54, line 14, after "INCREASE" insert "REGULATED".
- 18 Page 54, strike lines 23 through 27.
- 19 Page 55, strike lines 1 through 5 and substitute:
- 20 "(o) PRIORITIZING WATER SUPPLIES FOR AFFORDABLE OR DENSE
21 HOUSING TYPES OVER LESS EFFICIENT HOUSING OR OTHER LESS CRITICAL
22 USES THROUGH A WATER POLICY ESTABLISHED BY THE MUNICIPALITY OR
23 IN COORDINATION WITH A UTILITY PROVIDER.".
- 24 Reletter succeeding paragraphs accordingly.
- 25 Page 56, strike lines 21 through 27.
- 26 Page 57, strike lines 1 through 3 and substitute:

1 "(4) (a) A".

2 Page 57, line 8, after "SECTION." add "IN DETERMINING WHICH
3 STRATEGIES TO ADOPT, A RURAL RESORT JOB CENTER MUNICIPALITY SHALL
4 CONSIDER PREVIOUS PLANS ADDRESSING HOUSING NEEDS, THE LOCAL AND
5 REGIONAL HOUSING NEEDS ASSESSMENTS, AND OTHER AVAILABLE DATA
6 TO INFORM THE SELECTION OF STRATEGIES TO ADDRESS KNOWN HOUSING
7 NEEDS."

8 Reletter succeeding paragraph accordingly.

9 Page 58, line 4, after "LOCAL" insert "AND REGIONAL".

10 Page 60, strike lines 19 through 27.

11 Page 61, strike lines 1 through 4 and substitute:

12 "AND THE DIVISION OF WATER RESOURCES SHALL SUBMIT A JOINT
13 REPORT TO THE GENERAL ASSEMBLY UTILIZING DATA AND ANALYSES FROM
14 THE MOST RECENT COLORADO WATER PLAN AND BASIN IMPLEMENTATION
15 PLANS THAT CONSIDERS THE FOLLOWING:

16 (a) THE AVAILABILITY AND SUFFICIENCY OF WATER SUPPLIES PER
17 BASIN TO PROVIDE FOR ANTICIPATED POPULATION GROWTH;

18 (b) A FRAMEWORK TO GUIDE INVESTMENTS IN WATER
19 CONSERVATION FOR PUBLIC WATER PROVIDERS; AND

20 (c) A RANGE OF POLICY OPTIONS TO MAXIMIZE EFFICIENCY OF
21 EXISTING WATER SUPPLY AND MINIMIZE THE IMPACT OF POPULATION
22 GROWTH ON OTHER SECTORS OR REGIONS.

23 (2) THE DIRECTOR SHALL CONSULT WATER PROVIDERS IN THE
24 PREPARATION OF THE REPORT."

25 Page 61, line 27, strike "ADVISORY".

26 Page 63, strike lines 4 through 8.

27 Reletter succeeding paragraphs accordingly.

28 Page 63, line 11, strike "TYPE AND INCOME LEVEL;" and substitute
29 "TYPE;"

30 Page 63, line 13, strike "ON".

31 Page 63, strike line 14 and substitute "FOR WHICH A CERTIFICATE OF

- 1 OCCUPANCY HAS BEEN ISSUED, A FINAL INSPECTION HAS BEEN COMPLETED,
2 OR OTHER VERIFICATION EXISTS THAT THE PROJECT IS COMPLETE AND
3 SUITABLE FOR OCCUPANCY;".
- 4 Page 63, line 21, after "PERMITS" insert "ISSUED".
- 5 Page 63, line 22, strike "COMMUNITIES;" and substitute "COMMUNITIES, IF
6 APPLICABLE;".
- 7 Page 63, line 27, strike "ENTERED INTO" and substitute "IN PLACE".
- 8 Page 64, line 3, strike "UPON" and substitute "AFTER".
- 9 Page 64, line 13, strike "DEVELOPMENT" and substitute
10 "IMPLEMENTATION".
- 11 Page 64, line 16, strike "ALONG" and substitute "IN COORDINATION".
- 12 Page 68, line 21, strike "24-1-117 (11)(a)(I)" and substitute "24-1-136
13 (11)(a)(I)".
- 14 Page 69, line 8, strike "29-33-116" and substitute "29-33-117".
- 15 Page 71, line 5, strike "HOUSING;" and substitute "HOUSING OR IS A
16 REPRESENTATIVE OF AN ASSOCIATION OF MARKET RATE HOUSING
17 DEVELOPERS;".
- 18 Page 75, line 18, strike "COMMITTEES" and substitute "COMMITTEE AND
19 SUBCOMMITTEES".
- 20 Page 79, strike line 6 and substitute "**definitions.** (1) THE GENERAL
21 ASSEMBLY FINDS AND DECLARES THAT OCCUPANCY LIMITS AND THE
22 INCREASED AVAILABILITY OF HOUSING IS A MATTER OF MIXED STATEWIDE
23 AND LOCAL CONCERN.
24 (2) NOTWITHSTANDING ANY OTHER PROVISION TO THE"
- 25 Renumber succeeding paragraphs accordingly.
- 26 Page 79, line 22, after "(9)," strike "and".
- 27 Page 79, line 23, after "(10)" insert ", and (11)".
- 28 Page 80, line 10, strike "2024" and substitute "2025".

- 1 Page 81, line 18, after "GOALS" insert "AND ACTIONS".
- 2 Page 85, strike lines 12 through 17.
- 3 Page 85, strike line 18 and substitute:
- 4 "(9) NOT LESS THAN SIXTY DAYS PRIOR TO ADOPTING OR".
- 5 Page 86, after line 2 insert:
- 6 "(10) NO MORE THAN THIRTY DAYS AFTER ADOPTING OR
7 AMENDING THE MASTER PLAN, THE COMMISSION SHALL SUBMIT THE
8 MASTER PLAN TO THE DIVISION OF LOCAL GOVERNMENT IN THE
9 DEPARTMENT OF LOCAL AFFAIRS. THE DIVISION OF LOCAL GOVERNMENT
10 SHALL REVIEW THE MASTER PLAN TO ENSURE THE MASTER PLAN COMPLIES
11 WITH THE REQUIREMENTS OF THIS SECTION. THE DIVISION OF LOCAL
12 GOVERNMENT SHALL PUBLISH AND MAINTAIN A DATABASE OF ADOPTED
13 AND AMENDED MASTER PLANS THAT HAVE BEEN SUBMITTED IN
14 ACCORDANCE WITH THIS SECTION; AND
- 15 (11) A COUNTY SUBJECT TO THIS SECTION SHALL REVIEW AND, IF
16 NEEDED, REVISE ITS MASTER PLAN TO ENSURE THE MASTER PLAN COMPLIES
17 WITH THE REQUIREMENTS OF THIS SECTION AT LEAST EVERY TEN YEARS.
18 A COUNTY MAY UTILIZE EXISTING PLANNING INFORMATION AND ANALYSIS
19 TO SATISFY THE REQUIREMENTS OF THIS SUBSECTION (11) IF THE
20 INFORMATION OR ANALYSIS IS NOT MORE THAN FIVE YEARS OLD."
- 21 Page 86, line 18, after "(5)(a)(V)," strike "and".
- 22 Page 86, strike line 19 and substitute "(5)(b)(I.5), and (5)(c) as follows".
- 23 Page 88, after line 7 insert:
- 24 "(c) FOR PURPOSES OF SUBSECTION (5)(b) OF THIS SECTION, THE
25 GENERAL ASSEMBLY FINDS AND DECLARES THAT CREATING ADDITIONAL
26 HOUSING BY ALLOWING MANUFACTURED HOMES AND MODULAR HOMES IS
27 A MATTER OF MIXED STATEWIDE AND LOCAL CONCERN.
- 28 **SECTION 9.** In Colorado Revised Statutes, 31-23-301, **add** (6)
29 as follows:
- 30 **31-23-301. Grant of power.** (6) NEITHER A TIER ONE URBAN
31 MUNICIPALITY AS DEFINED IN SECTION 29-33-102 (33) OR A TIER TWO
32 URBAN MUNICIPALITY AS DEFINED IN SECTION 29-33-102 (34) SHALL
33 IMPOSE MINIMUM SQUARE FOOTAGE REQUIREMENTS FOR RESIDENTIAL
34 UNITS IN THE APPROVAL OF RESIDENTIAL DWELLING UNIT CONSTRUCTION
35 PERMITS UNLESS DOING SO IS NECESSARY FOR HEALTH AND SAFETY IN THE

1 URBAN MUNICIPALITY."

2 Renumber succeeding sections accordingly.

3 Page 89, line 6, strike "2024" and substitute "2025".

4 Page 90, line 16, after "GOALS" insert "AND ACTIONS".

5 Page 94, strike lines 24 through 27.

6 Page 95, strike lines 1 through 3 and substitute:

7 "(9) NOT LESS THAN SIXTY DAYS PRIOR TO ADOPTING OR".

8 Page 95, after line 13 insert:

9 "(10) NO MORE THAN THIRTY DAYS AFTER ADOPTING OR
10 AMENDING THE MASTER PLAN, THE COMMISSION SHALL SUBMIT THE
11 MASTER PLAN TO THE DIVISION OF LOCAL GOVERNMENT IN THE
12 DEPARTMENT OF LOCAL AFFAIRS. THE DIVISION OF LOCAL GOVERNMENT
13 SHALL REVIEW THE MASTER PLAN TO ENSURE IT COMPLIES WITH THE
14 REQUIREMENTS OF THIS SECTION. THE DIVISION OF LOCAL GOVERNMENT
15 SHALL PUBLISH AND MAINTAIN A DATABASE OF ADOPTED AND AMENDED
16 MASTER PLANS THAT HAVE BEEN SUBMITTED IN ACCORDANCE WITH THIS
17 SECTION."

18 Page 95, after line 20 insert:

19 "SECTION 11. In Colorado Revised Statutes, 38-33.3-106.5, add
20 (3) and (4) as follows:

21 **38-33.3-106.5. Prohibition contrary to public policy - patriotic,**
22 **political, or religious express - public rights-of-way - fire prevention**
23 **- renewable energy generation devices - affordable housing - drought**
24 **prevention measure - child care - definitions. (3)**

25 (a) NOTWITHSTANDING ANY PROVISION IN THE DECLARATION, BYLAWS,
26 OR RULES AND REGULATIONS OF THE ASSOCIATION TO THE CONTRARY, AN
27 ASSOCIATION SHALL NOT PROHIBIT ACCESSORY DWELLING UNITS, HOUSING
28 IN TRANSIT-ORIENTED AREAS, AND HOUSING IN KEY CORRIDORS IN THE
29 JURISDICTIONS AND AREAS TO WHICH ARTICLE 33 OF TITLE 29 APPLIES.
30 ANY SUCH PROHIBITION ON THE PERMITTING OF ACCESSORY DWELLING
31 UNITS, HOUSING IN TRANSIT-ORIENTED AREAS, AND HOUSING IN KEY
32 CORRIDORS IS VOID AS A MATTER OF PUBLIC POLICY IN ANY WAY THAT IS
33 PROHIBITED BY ARTICLE 33 OF TITLE 29.

1 (b) AS USED IN THIS SUBSECTION (3), UNLESS THE CONTEXT
2 OTHERWISE REQUIRES:
3 (I) "ACCESSORY DWELLING UNIT" HAS THE SAME MEANING AS SET
4 FORTH IN SECTION 29-33-102 (2).
5 (II) "KEY CORRIDORS" HAS THE SAME MEANING AS SET FORTH IN
6 SECTION 29-33-303 (1) (b).
7 (III) "TRANSIT-ORIENTED AREA" HAS THE SAME MEANING AS SET
8 FORTH IN SECTION 29-33-102 (41).
9 (c) SUBSECTION (3)(a) OF THIS SECTION SHALL NOT APPLY TO
10 REASONABLE RESTRICTIONS ON ACCESSORY DWELLING UNITS. AS USED IN
11 THIS SUBSECTION (3)(c), "REASONABLE RESTRICTION" MEANS A
12 RESTRICTION THAT DOES NOT UNREASONABLY INCREASE THE COST TO
13 CONSTRUCT, EFFECTIVELY PROHIBIT THE CONSTRUCTION OF, OR
14 EXTINGUISH THE ABILITY TO OTHERWISE CONSTRUCT, AN ACCESSORY
15 DWELLING UNIT CONSISTENT WITH THE PROVISIONS OF THIS SECTION.
16 (4)(a) NOTWITHSTANDING ANY PROVISION IN THE DECLARATION,
17 BYLAWS, OR RULES AND REGULATIONS OF THE ASSOCIATION TO THE
18 CONTRARY, AN ASSOCIATION SHALL NOT ENACT OR ENFORCE RESIDENTIAL
19 OCCUPANCY LIMITS THAT DIFFER BASED ON THE RELATIONSHIPS OF THE
20 OCCUPANTS OF A DWELLING.
21 (b) NOTHING IN THIS SECTION PREVENTS AN ASSOCIATION FROM
22 ESTABLISHING RESIDENTIAL OCCUPANCY LIMITS FOR DWELLING UNITS FOR
23 SHORT-TERM RENTALS, AS DEFINED IN SECTION 29-33-102 (35).
24 (c) AS USED IN THIS SUBSECTION (4), UNLESS THE CONTEXT
25 OTHERWISE REQUIRES, "DWELLING" MEANS ANY IMPROVED REAL
26 PROPERTY OR PORTION THEREOF THAT IS USED OR INTENDED TO BE USED
27 AS A RESIDENCE."

28 Renumber succeeding sections accordingly.

29 Page 1, strike lines 102 through 109 and substitute "THEREWITH,
30 MAKING AN".

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