

First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 23-0890.01 Pierce Lively x2059

SENATE BILL 23-213

SENATE SPONSORSHIP

Moreno,

HOUSE SPONSORSHIP

Jodeh and Woodrow,

Senate Committees

Local Government & Housing
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING STATE LAND USE REQUIREMENTS, AND, IN CONNECTION**
102 **THEREWITH, ESTABLISHING A PROCESS TO DIAGNOSE AND**
103 **ADDRESS HOUSING NEEDS ACROSS THE STATE, PROHIBITING A**
104 **LOCAL GOVERNMENT FROM ENFORCING CERTAIN OCCUPANCY**
105 **LIMITS, MODIFYING THE CONTENT REQUIREMENTS FOR COUNTY**
106 **AND MUNICIPAL MASTER PLANS, CRITERIA FOR CERTAIN GRANT**
107 **PROGRAMS, AND EXPENDITURES FROM THE MULTIMODAL**
108 **TRANSPORTATION OPTIONS FUND TO ALIGN WITH STATE**
109 **STRATEGIC GROWTH OBJECTIVES, AND MAKING AN**
110 **APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does

*Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

SENATE
Amended 2nd Reading
April 27, 2023

not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Housing needs planning. The executive director of the department of local affairs (director) shall, no later than December 31, 2024, and every 5 years thereafter, issue methodology for developing statewide, regional, and local housing needs assessments. The statewide housing needs assessment must determine existing statewide housing stock and current and future housing needs. The regional housing needs assessments must allocate the addressing of housing needs identified in the statewide housing needs assessment to regions of the state. Similarly, the local housing needs assessments must allocate the addressing of the housing needs allocated in the regional housing needs assessment to localities in the relevant region.

The director shall, no later than December 31, 2024, issue guidance on creating a housing needs plan for both a rural resort job center municipality and an urban municipality. Following this guidance, no later than December 31, 2026, and every 5 years thereafter, a rural resort job center municipality and an urban municipality shall develop a housing needs plan and submit that plan to the department of local affairs (department). A housing needs plan must include, among other things, descriptions of how the plan was created, how the municipality will address the housing needs it was assigned in the local housing needs assessment, affordability strategies the municipality has selected to address its local housing needs assessment, an assessment of displacement risk and any strategies selected to address identified risks, and how the locality will comply with other housing requirements in this bill.

The director shall, no later than December 31, 2024, develop and publish a menu of affordability strategies to address housing production, preservation, and affordability. Rural resort job center municipalities and urban municipalities shall identify at least 2 of these strategies that they intend to implement in their housing plan, and urban municipalities with a transit-oriented area must identify at least 3.

The director shall, no later than December 31, 2024, develop and publish a menu of displacement mitigation measures. This menu must, among other things, provide guidance for how to identify areas at the highest risk for displacement and identify displacement mitigation measures that a locality may adopt. An urban municipality must identify which of these measures it intends to implement in its housing plan to address any areas it identifies as at an elevated risk for displacement.

The director shall, no later than March 31, 2024, publish a report that identifies strategic growth objectives that will incentivize growth in

transit-oriented areas and infill areas and guide growth at the edges of urban areas. The multi-agency advisory committee shall, no later than March 31, 2024, submit a report to the general assembly concerning the strategic growth objectives.

The bill establishes a multi-agency advisory committee and requires that committee to conduct a public comment and hearing process on and provide recommendations to the director on:

- Methodologies for developing statewide, regional, and local housing needs assessments;
- Guidance for creating housing needs plans;
- Developing a menu of affordability strategies;
- Developing a menu of displacement mitigation measures;
- Identifying strategic growth objectives; and
- Developing reporting guidance and templates.

A county or municipality within a rural resort region shall participate in a regional housing needs planning process. This process must encourage participating counties and municipalities to identify strategies that, either individually or through intergovernmental agreements, address the housing needs assigned to them. A report on this process must be submitted to the department. Further, within 6 months of completing this process, a rural resort job center municipality shall submit a local housing needs plan to the department. Once a year, both rural resort job centers and urban municipalities shall report to the department on certain housing data.

A multi-agency group created in the bill and the division of local government within the department shall provide assistance to localities in complying with the requirements of this bill. This assistance must include technical assistance and a grant program.

Accessory dwelling units. The director shall promulgate an accessory dwelling unit model code that, among other things, requires accessory dwelling units to be allowed as a use by right in any part of a municipality where the municipality allows single-unit detached dwellings as a use by right. The committee shall provide recommendations to the director for promulgating this model code. In developing these recommendations, the committee shall conduct a public comment and hearing process.

Even if a municipality does not adopt the accessory dwelling unit model code, the municipality shall adhere to accessory dwelling unit minimum standards established in the bill and by the department. These minimum standards, among other things, must require a municipality to:

- Allow accessory dwelling units as a use by right in any part of the municipality where the municipality allows single-unit detached dwellings as a use by right;
- Only adopt or enforce local laws concerning accessory dwelling units that use objective standards and procedures;

- Not adopt, enact, or enforce local laws concerning accessory dwelling units that are more restrictive than local laws concerning single-unit detached dwellings; and
- Not apply standards that make the permitting, siting, or construction of accessory dwelling units infeasible.

Middle housing. The director shall promulgate a middle housing model code that, among other things, requires middle housing to be allowed as a use by right in any part of a rural resort job center municipality or a tier one urban municipality where the municipality allows single-unit detached dwellings as a use by right. The committee shall provide recommendations to the director for promulgating this model code. In developing these recommendations, the committee shall conduct a public comment and hearing process.

Even if a rural resort job center municipality or a tier one urban municipality does not adopt the middle housing model code, the municipality shall adhere to middle housing minimum standards established in the bill and by the department. These minimum standards, among other things, must require a municipality to:

- Allow middle housing as a use by right in certain areas;
- Only adopt or enforce local laws concerning middle housing that use objective standards and procedures;
- Allow properties on which middle housing is allowed to be split by right using objective standards and procedures;
- Not adopt, enact, or enforce local laws concerning middle housing that are more restrictive than local laws concerning single-unit detached dwellings; and
- Not apply standards that make the permitting, siting, or construction of middle housing infeasible.

Transit-oriented areas. The director shall promulgate a transit-oriented area model code that, among other things, imposes minimum residential density limits for multifamily residential housing and mixed-income multifamily residential housing and allows these developments as a use by right in the transit-oriented areas of tier one urban municipalities. The committee shall provide recommendations to the director for promulgating this model code. In developing these recommendations, the committee shall conduct a public comment and hearing process.

Even if a tier one urban municipality does not adopt the transit-oriented model code, the municipality shall adhere to middle housing minimum standards established in the bill and by the department. These minimum standards, among other things, must require a municipality to:

- Create a zoning district within a transit-oriented area in which multifamily housing meets a minimum residential density limit and is allowed as a use by right; and

- Not apply standards that make the permitting, siting, or construction of multifamily housing in transit-oriented areas infeasible.

Key corridors. The director shall promulgate a key corridor model code that applies to key corridors in rural resort job center municipalities and tier one urban municipalities. The model code must, among other things, include requirements for:

- The percentage of units in mixed-income multifamily residential housing that must be reserved for low- and moderate-income households;
- Minimum residential density limits for multifamily residential housing; and
- Mixed-income multifamily residential housing that must be allowed as a use by right in key corridors.

The committee shall provide recommendations to the director for promulgating this model code. In developing these recommendations, the committee shall conduct a public comment and hearing process.

Even if a rural resort job center municipality or a tier one urban municipality does not adopt the key corridor model code, the municipality shall adhere to key corridor minimum standards promulgated by the director and developed by the department. These minimum standards, among other things, must identify a net residential zoning capacity for a municipality and must require a municipality to:

- Allow multifamily residential housing within key corridors that meets the net residential zoning capacity as a use by right;
- Not apply standards that make the permitting, siting, or construction of multifamily housing in certain areas infeasible; and
- Not adopt, enact, or enforce local laws that make satisfying the required minimum residential density limits infeasible.

The committee shall provide recommendations to the director on promulgating these minimum standards. In developing these recommendations, the committee shall conduct a public comment and hearing process.

Adoption of model codes and minimum standards. A relevant municipality shall adopt either the model code or local laws that satisfy the minimum standards concerning accessory dwelling units, middle housing, transit-oriented areas, and key corridors. Furthermore, a municipality shall submit a report to the department demonstrating that it has done so. If a municipality fails to adopt either the model code or local laws that satisfy the minimum standards by a specified deadline, the relevant model code immediately goes into effect, and municipalities shall then approve any proposed projects that meet the standards in the model code using objective procedures. However, a municipality may

apply to the department for a deadline extension for a deficiency in water or wastewater infrastructure or supply.

Additional provisions. The bill also:

- Requires the advisory committee on factory-built structures and tiny homes to produce a report on the opportunities and barriers in state law concerning the building of manufactured homes, mobile homes, and tiny homes;
- Removes the requirements that manufacturers of factory-built structures comply with escrow requirements of down payments and provide a letter of credit, certificate of deposit issued by a licensed financial institution, or surety bond issued by an authorized insurer;
- Prohibits a planned unit development resolution or ordinance for a planned unit with a residential use from restricting accessory dwelling units, middle housing, housing in transit-oriented areas, or housing in key corridors in a way not allowed by this bill;
- Prohibits a local government from enacting or enforcing residential occupancy limits that differ based on the relationships of the occupants of a dwelling;
- Modifies the content requirements for a county and municipal master plan, requires counties and municipalities to adopt or amend master plans as part of an inclusive process, and requires counties and municipalities to submit master plans to the department;
- Allows a municipality to sell and dispose of real property and public buildings for the purpose of providing property to be used as affordable housing, without requiring the sale to be submitted to the voters of the municipality;
- Requires the approval process for manufactured and modular homes to be based on objective standards and administrative review equivalent to the approval process for site-built homes;
- Prohibits a municipality from imposing more restrictive standards on manufactured and modular homes than the municipality imposes on site-built homes;
- Prohibits certain municipalities from imposing minimum square footage requirements for residential units in the approval of residential dwelling unit construction permits;
- Requires certain entities to submit to the Colorado water conservation board (board) a completed and validated water loss audit report pursuant to guidelines that the board shall adopt;
- Allows the board to make grants from the water efficiency grant program cash fund to provide water loss audit report

- validation assistance to covered entities;
- Allows the board and the Colorado water resources and power development authority to consider whether an entity has submitted a required audit report in deciding whether to release financial assistance to the entity for the construction of a water diversion, storage, conveyance, water treatment, or wastewater treatment facility;
- Prohibits a unit owners' association from restricting accessory dwelling units, middle housing, housing in transit-oriented areas, or housing in key corridors;
- Requires the department of transportation to ensure that the prioritization criteria for any grant program administered by the department are consistent with state strategic growth objectives, so long as doing so does not violate federal law;
- Requires any regional transportation plan that is created or updated to address and ensure consistency with state strategic growth objectives;
- Requires that expenditures for local and state multimodal projects from the multimodal transportation options fund are only to be made for multimodal projects that the department determines are consistent with state strategic growth objectives; and
- For state fiscal year 2023-24, appropriates \$15,000,000 from the general fund to the housing plans assistance fund and makes the department responsible for the accounting related to the appropriation.

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

2 **SECTION 1. In Colorado Revised Statutes, add article 33 to title**
 3 **29 as follows:**

4 **ARTICLE 33**
 5 **State Land Use Requirements For Affordable Housing**

6 **PART 1**
 7 **HOUSING NEEDS PLANNING**

1 **29-33-101. Legislative declaration. (1) THE GENERAL ASSEMBLY**
2 HEREBY FINDS, DETERMINES, AND DECLARES THAT:

3 (a) COLORADO LACKS A COORDINATED PROCESS TO SET GOALS,
4 DEVELOP SOLUTIONS, AND TRACK PROGRESS TOWARDS MEETING
5 STATEWIDE, REGIONAL, AND LOCAL HOUSING NEEDS;

6 (b) CONSISTENT INFORMATION ABOUT STATEWIDE, REGIONAL, AND
7 LOCAL HOUSING NEEDS IS ESSENTIAL IN DEVELOPING EQUITABLE AND
8 EFFECTIVE HOUSING POLICIES AND STRATEGIES AND IMPROVING EFFORTS
9 TO INCREASE HOUSING AFFORDABILITY OVER TIME;

10 (c) HOUSING MARKETS EXPAND BEYOND THE BORDERS OF
11 INDIVIDUAL LOCAL GOVERNMENTS, AND INFORMATION IS REQUIRED ON A
12 LOCAL, REGIONAL, AND STATEWIDE SCALE TO MAKE A HOLISTIC PLAN FOR
13 ADDRESSING HOUSING NEEDS;

14 (d) ALTHOUGH SOME LOCAL GOVERNMENTS WORK TO ASSESS AND
15 ADDRESS HOUSING NEEDS, THESE LOCAL GOVERNMENTS USE DIFFERENT
16 METHODOLOGIES, DO THIS WORK AT DIFFERENT TIMES, AND LACK
17 REGIONAL COORDINATION;

18 (e) ALTHOUGH SOME LOCAL GOVERNMENTS WORK TO BECOME
19 AGE-FRIENDLY COMMUNITIES, THESE LOCAL GOVERNMENTS USE
20 DIFFERENT APPROACHES TO ADDRESS OLDER ADULT HOUSING NEEDS, AND
21 MANY LOCAL GOVERNMENTS DO NOT SPECIFICALLY PLAN FOR STRATEGIES
22 TO ADDRESS OLDER ADULT HOUSING NEEDS. OLDER ADULTS REPRESENT
23 THE FASTEST GROWING SEGMENT OF COLORADO'S POPULATION AND HAVE
24 DIVERSE HOUSING NEEDS. LOCAL GOVERNMENTS THAT DO NOT PLAN TO
25 ADEQUATELY MEET THE NEED FOR MORE ACCESSIBLE AND AFFORDABLE
26 HOUSING UNITS BUILT WITH UNIVERSAL DESIGN AND LOCATED WITHIN AGE
27 FRIENDLY COMMUNITIES, CONTRIBUTE TO AN IMBALANCE IN THE LOCAL,

1 REGIONAL, AND STATEWIDE HOUSING MARKETS.

2 (f) LOCAL GOVERNMENTS THAT DO NOT ALLOW HOUSING SUPPLY
3 TO KEEP PACE WITH HOUSEHOLD AND JOB GROWTH AND CHANGING
4 DEMOGRAPHICS IN THEIR JURISDICTIONS EXPORT THEIR HOUSING NEEDS TO
5 NEIGHBORING COMMUNITIES, CAUSING REGIONAL IMBALANCES THAT
6 IMPACT EQUITY, POLLUTION, INFRASTRUCTURE COSTS, AND QUALITY OF
7 LIFE;

8 (g) REQUIRING LOCAL GOVERNMENTS TO PLAN FOR AND
9 IMPLEMENT STRATEGIES TO MEET AN EQUITABLE AMOUNT OF THEIR
10 REGION'S HOUSING DEMAND WILL HELP MITIGATE THESE IMBALANCES AND
11 THEIR NEGATIVE IMPACTS;

12 (h) THE STATE MANAGES MULTIPLE GRANT-BASED PROGRAMS
13 DESIGNED TO HELP LOCAL GOVERNMENTS ASSESS AND MEET HOUSING
14 NEEDS, AND THESE PROGRAMS WILL BE ABLE TO MORE EFFECTIVELY
15 ADDRESS HOUSING ISSUES WITH MORE COMPREHENSIVE AND CONSISTENT
16 INFORMATION INFORMED BY REGIONAL AND STATEWIDE DATA; AND

17 (i) THE AFFORDABLE HOUSING TRANSFORMATIONAL TASK FORCE
18 ESTABLISHED IN SECTION 24-75-229 (6)(a), IDENTIFIED A STATEWIDE
19 HOUSING NEEDS ASSESSMENT AND PRODUCTION STRATEGY AS A TOP
20 LEGISLATIVE PRIORITY FOR COLORADO IN THE TASK FORCE'S FEBRUARY
21 23, 2022, REPORT TO THE GENERAL ASSEMBLY.

22 **29-33-102. Definitions.** AS USED IN THIS ARTICLE 33, UNLESS THE
23 CONTEXT OTHERWISE REQUIRES:

24 (1) "ACCESSIBLE UNIT" MEANS A HOUSING UNIT THAT SATISFIES
25 THE REQUIREMENTS OF THE FEDERAL "FAIR HOUSING ACT", 42 U.S.C. SEC.
26 3601 ET SEQ., AS AMENDED AND INCORPORATES UNIVERSAL DESIGN.

27 (2) "ACCESSORY DWELLING UNIT" MEANS AN INTERNAL,

- 1 ATTACHED, OR DETACHED RESIDENTIAL DWELLING UNIT THAT:
- 2 (a) PROVIDES COMPLETE INDEPENDENT LIVING FACILITIES FOR ONE
- 3 OR MORE PERSONS;
- 4 (b) IS LOCATED ON THE SAME LOT AS A PROPOSED OR EXISTING
- 5 PRIMARY RESIDENCE; AND
- 6 (c) INCLUDES PROVISIONS FOR LIVING, SLEEPING, EATING,
- 7 COOKING, AND SANITATION.
- 8 (3) "AFFORDABLE HOUSING" MEANS HOUSING FOR FULL-TIME
- 9 RESIDENTIAL OCCUPANCY WHICH MEETS THE NEEDS OF THE COMMUNITY
- 10 AS IDENTIFIED IN THE HOUSING NEEDS ASSESSMENT OF THE LOCAL
- 11 JURISDICTION.
- 12 (4) "BROWNFIELD DEVELOPMENT" MEANS THE DEVELOPMENT OF
- 13 BROWNFIELD SITES, AS DEFINED IN SECTION 31-25-103 (3.1).
- 14 (5) "BUILDABLE LANDS ANALYSIS" MEANS AN EVALUATION OF
- 15 LANDS SUITABLE FOR DEVELOPMENT INCLUDING POTENTIAL GREYFIELD
- 16 DEVELOPMENT, BROWNFIELD DEVELOPMENT, AND GREENFIELD
- 17 DEVELOPMENT.
- 18 (6) "BUS RAPID TRANSIT" MEANS A BUS-BASED TRANSIT SERVICE
- 19 THAT INCLUDES AT LEAST THREE OF THE FOLLOWING:
- 20 (a) SERVICE THAT IS SCHEDULED TO RUN EVERY FIFTEEN MINUTES
- 21 OR LESS DURING THE HIGHEST FREQUENCY SERVICE HOURS;
- 22 (b) DEDICATED LANES OR BUSWAYS;
- 23 (c) TRAFFIC SIGNAL PRIORITY;
- 24 (d) OFF-BOARD FARE COLLECTION;
- 25 (e) ELEVATED PLATFORMS; OR
- 26 (f) ENHANCED STATIONS.
- 27 (7) "COMMUTER BUS RAPID TRANSIT" MEANS A BUS RAPID TRANSIT

1 SERVICE THAT OPERATES ON A LIMITED-ACCESS HIGHWAY FOR THE
2 MAJORITY OF ITS ROUTE.

3 (8) "COTTAGE CLUSTER" MEANS A GROUPING OF TWO OR MORE
4 DETACHED HOUSING UNITS, EACH HOUSING UNIT HAVING A FOOTPRINT OF
5 NO MORE THAN NINE HUNDRED SQUARE FEET, AND THE GROUPING HAVING
6 A COMMON COURTYARD.

7 (9) "DISCRETIONARY APPROVAL PROCESS" MEANS A DEVELOPMENT
8 APPROVAL PROCESS CONDUCTED PURSUANT TO LOCAL LAW THAT
9 REQUIRES A PUBLIC BODY OR OFFICIAL TO MAKE ONE OR MORE SUBJECTIVE
10 DETERMINATIONS, INCLUDING:

11 (a) EVALUATIONS OF CONSISTENCY OF AN APPLICATION WITH
12 LOCAL PLANS;

13 (b) COMPATIBILITY OR HARMONY OF AN APPLICATION WITH
14 SURROUNDING LAND USES OR DEVELOPMENT;

15 (c) INDIVIDUALIZED EVALUATIONS RELATING TO MITIGATION OF
16 IMPACTS; OR

17 (d) EVALUATION OF AN APPLICATION'S CONSISTENCY WITH PUBLIC
18 WELFARE.

19 (10) "DISPLACEMENT" MEANS THE INVOLUNTARY RELOCATION OF
20 RESIDENTS DUE TO:

21 (a) NEW DEVELOPMENT AND AN INFLUX OF WEALTHIER RESIDENTS
22 RESULTING IN THE GENTRIFICATION OF A NEIGHBORHOOD;

23 (b) HOMES BEING VACATED BY LOW-INCOME RESIDENTS AND
24 OTHER LOW-INCOME RESIDENTS BEING UNABLE TO AFFORD TO MOVE IN OR
25 FORCED TO VACATE BECAUSE RENTS AND SALES PRICES HAVE INCREASED
26 ABOVE WHAT LOW-INCOME RESIDENTS CAN AFFORD;

27 (c) DISCRIMINATORY POLICIES, SUCH AS BANNING TENANTS WITH

1 HOUSING VOUCHERS, ELIMINATING UNITS LARGE ENOUGH FOR
2 HOUSEHOLDS WITH CHILDREN, OR CHANGING LAND USE OR ZONING THAT
3 FOSTER A CHANGE IN THE CHARACTER OF THE RESIDENTIAL
4 DEVELOPMENT;

5 (d) GENTRIFICATION-INDUCED DISPLACEMENT, TAKING INTO
6 ACCOUNT RESIDENTS WHO HAVE ALREADY BEEN DISPLACED AND CURRENT
7 AND FUTURE RESIDENTS WHO ARE OR MAY BE DISPLACED INCLUDING
8 RENTERS, LOW-INCOME HOUSEHOLDS, PERSONS OF COLOR, HOUSEHOLDS
9 HEADED BY A RESIDENT WITHOUT A COLLEGE DEGREE, AND FAMILIES IN
10 POVERTY WITH CHILDREN;

11 (e) WIDESPREAD DISPLACEMENT OF SOCIAL AND CULTURAL
12 CONNECTIONS AND COMMUNITY-SERVING ENTITIES;

13 (f) DETERIORATION OF OR PHYSICAL CONDITIONS THAT RENDER
14 RESIDENCES UNINHABITABLE, WHICH MAY BE CAUSED BY LACK OF
15 RENOVATION OR REHABILITATION, OR DEMOLITION OR REDEVELOPMENT,
16 OF AGING AFFORDABLE HOUSING OR COMMERCIAL SPACES; OR

17 (g) INCREASED REAL ESTATE PRICES, RENTS, PROPERTY TAXES,
18 NEW DEVELOPMENT INCLUDING AMENITIES, AND OTHER ECONOMIC
19 FACTORS THAT LEAD TO GENTRIFICATION.

20 (11) "DWELLING UNIT" MEANS A SINGLE UNIT PROVIDING
21 COMPLETE INDEPENDENT LIVING FACILITIES FOR ONE OR MORE PERSONS,
22 INCLUDING PERMANENT PROVISIONS FOR COOKING, EATING, LIVING,
23 SANITATION, AND SLEEPING.

24 (12) "FIXED-RAIL TRANSIT" MEANS PASSENGER RAIL TRANSIT THAT
25 USES AND OCCUPIES A SEPARATE RIGHT-OF-WAY OR RAIL LINE, INCLUDING
26 COMMUTER RAIL AND LIGHT RAIL.

27 (13) "GREENFIELD DEVELOPMENT" MEANS NEW DEVELOPMENT ON

1 LAND THAT HAS NOT BEEN PREVIOUSLY DEVELOPED AND THAT IS EITHER
2 WITHIN A MUNICIPALITY OR OUTSIDE OF A MUNICIPALITY, BUT IS WITHIN
3 A POTENTIAL ANNEXATION AREA.

4 (14) "GREYFIELD DEVELOPMENT" MEANS INFILL, REDEVELOPMENT,
5 OR NEW DEVELOPMENT WITHIN AN EXISTING MUNICIPALITY OR CENSUS
6 URBANIZED AREA ON VACANT, PARTIALLY VACANT, OR UNDERUTILIZED
7 LAND THAT TAKES INTO CONSIDERATION DEVELOPMENT READINESS AND
8 MARKET FACTORS.

9 (15) "KEY CORRIDORS" MEANS ROADWAYS AND TRANSIT STOPS
10 SERVED BY URBAN BUS RAPID TRANSIT SERVICES, COMMUTER BUS RAPID
11 TRANSIT SERVICES, AND FREQUENT BUS SERVICES. FOR PURPOSES OF THIS
12 SUBSECTION (15), "FREQUENT BUS SERVICE" MEANS A BUS ROUTE THAT IS
13 SCHEDULED TO RUN AT LEAST EVERY FIFTEEN MINUTES DURING THE
14 HIGHEST FREQUENCY SERVICE HOURS AND IS AT LEAST ONE MILE LONG.

15 (16) "LOCAL GOVERNMENT" MEANS A HOME RULE OR STATUTORY
16 CITY, TOWN, TERRITORIAL CITY OR TOWN, CITY AND COUNTY, OR COUNTY
17 AND HOME RULE COUNTY.

18 (17) "LOCAL INCLUSIONARY ZONING ORDINANCE" MEANS A LOCAL
19 LAW ENACTED PURSUANT TO SECTION 29-20-104 (1)(e.5) TO EITHER
20 REQUIRE OR INCENTIVIZE THE CONSTRUCTION OF AFFORDABLE OR
21 REGULATED AFFORDABLE HOUSING UNITS WITHIN MIXED-INCOME
22 DEVELOPMENTS.

23 (18) "LOCAL LAW" MEANS ANY CODE, LAW, ORDINANCE, POLICY,
24 REGULATION, OR RULE ENACTED BY A LOCAL GOVERNMENT THAT
25 GOVERNS THE DEVELOPMENT AND USE OF LAND, INCLUDING, BUT NOT
26 LIMITED TO, LAND USE CODES, ZONING CODES, AND SUBDIVISION CODES.

27 (19) "METROPOLITAN PLANNING ORGANIZATION" MEANS A

1 METROPOLITAN PLANNING ORGANIZATION UNDER THE "FEDERAL TRANSIT
2 ACT OF 1998", 49 U.S.C. SEC. 5301 ET SEQ., AS AMENDED.

3 (20) (a) "MIDDLE HOUSING" MEANS A TYPE OF HOUSING THAT
4 INCLUDES BETWEEN TWO AND FOUR SEPARATE UNITS IN:

5 (I) A BUILDING DESIGNED AS A SINGLE STRUCTURE;

6 (II) A TOWNHOME BUILDING; OR

7 (III) A COTTAGE CLUSTER.

8 (b) MUNICIPALITIES MAY DEFINE "MIDDLE HOUSING" TO INCLUDE
9 ADDITIONAL HOUSING TYPES AND EXPANDED HOUSING UNIT AMOUNTS, SO
10 LONG AS THE MUNICIPALITY'S DEFINITION IS NOT MORE RESTRICTIVE THAN
11 THE DEFINITION OF "MIDDLE HOUSING" IN SUBSECTION (20)(a) OF THIS
12 SECTION. THIS MAY INCLUDE AGE RESTRICTED HOUSING, WHICH MEANS
13 HOUSING DEVELOPMENTS FOR OLDER ADULTS THAT HAVE MINIMUM AGE
14 REQUIREMENTS FOR RESIDENCY.

15 (21) "MIXED-INCOME DEVELOPMENT" MEANS HOUSING WHERE
16 SOME OF THE HOUSING UNITS WITHIN A PARTICULAR DEVELOPMENT HAVE
17 RESTRICTED RENTAL OR FOR-SALE RATES THAT ARE AFFORDABLE FOR
18 LOW- AND MODERATE-INCOME HOUSEHOLDS AND SOME OF THE UNITS
19 HAVE HIGHER RENTAL OR FOR-SALE RATES.

20 (22) "MIXED-USE DEVELOPMENT" MEANS A DEVELOPMENT
21 PROJECT THAT INTEGRATES MULTIPLE LAND USE TYPES THAT INCLUDE
22 RESIDENTIAL AND NON-RESIDENTIAL USES.

23 (23) "MULTI-AGENCY ADVISORY COMMITTEE" MEANS THE
24 COMMITTEE ESTABLISHED IN SECTION 29-33-103.

25 (24) "MULTI-AGENCY GROUP" MEANS A GROUP CREATED IN THE
26 DEPARTMENT OF LOCAL AFFAIRS COMPOSED OF STAFF FROM:

27 (a) THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF

1 LOCAL AFFAIRS;
2 (b) THE COLORADO ENERGY OFFICE;
3 (c) THE DEPARTMENT OF NATURAL RESOURCES; AND
4 (d) THE DEPARTMENT OF TRANSPORTATION.
5 (25) "MULTIFAMILY HOUSING" MEANS A BUILDING OR GROUP OF
6 BUILDINGS ON THE SAME LOT WITH SEPARATE LIVING UNITS FOR THREE OR
7 MORE HOUSEHOLDS.
8 (26) "MUNICIPALITY" MEANS A HOME RULE OR STATUTORY CITY
9 OR TOWN, TERRITORIAL CHARTER CITY OR TOWN, OR CITY AND COUNTY.
10 (27) "OBJECTIVE STANDARD" MEANS A STANDARD THAT BOTH:
11 (a) DOES NOT REQUIRE A PUBLIC BODY OR OFFICIAL TO MAKE A
12 PERSONAL OR SUBJECTIVE JUDGMENT; AND
13 (b) IS UNIFORMLY VERIFIABLE OR ASCERTAINABLE BY REFERENCE
14 TO AN EXTERNAL OR UNIFORM BENCHMARK OR CRITERION THAT IS
15 AVAILABLE AND KNOWABLE BY THE DEVELOPMENT APPLICANT OR
16 PROPONENT AND THE PUBLIC BODY OR OFFICIAL PRIOR TO THE
17 DEVELOPMENT APPLICANT OR PROPONENT'S FILING OF A DEVELOPMENT
18 PROPOSAL.
19 (28) "POPULATION" MEANS THE CURRENT POPULATION AS
20 REPORTED BY THE STATE DEMOGRAPHY OFFICE.
21 (29) "REGULATED AFFORDABLE HOUSING" MEANS AFFORDABLE
22 HOUSING THAT:
23 (a) IS CREATED OR SUPPORTED BY PUBLIC SUBSIDIES, LOCAL
24 INCLUSIONARY ZONING ORDINANCES, OR OTHER REGULATIONS OR
25 PROGRAMS;
26 (b) RESTRICTS OR LIMITS RENTAL OR SALE PRICE; AND
27 (c) RESTRICTS RESIDENT INCOME LEVELS TO LOW- TO

1 MODERATE-INCOME HOUSEHOLD LEVELS FOR A SPECIFIED PERIOD.
2 (30) (a) "RURAL RESORT JOB CENTER MUNICIPALITY" MEANS A
3 MUNICIPALITY THAT:
4 (I) IS NOT WITHIN A METROPOLITAN PLANNING ORGANIZATION;
5 (II) HAS A POPULATION OF ONE THOUSAND OR MORE;
6 (III) HAS AT LEAST ONE THOUSAND TWO HUNDRED JOBS
7 ACCORDING TO THE MOST RECENT UNITED STATES CENSUS BUREAU
8 LONGITUDINAL EMPLOYER-HOUSEHOLD DYNAMICS ORIGIN-DESTINATION
9 EMPLOYMENT STATISTICS;
10 (IV) HAS A MINIMUM JOBS-TO-POPULATION RATIO OF SIXTY-FOUR
11 HUNDREDTHS; AND
12 (V) HAS A TRANSIT STOP SERVICED BY A TRANSIT AGENCY THAT
13 SERVES AT LEAST TWO MUNICIPALITIES AND WITH SERVICE THAT INCLUDES
14 AN AVERAGE OF AT LEAST TWENTY TRIPS PER DAY BETWEEN THE
15 MUNICIPALITY AND OTHER MUNICIPALITIES, AS OF JANUARY 1, 2023.
16 (b) FOR PURPOSES OF THIS SUBSECTION (30), "TRANSIT AGENCY"
17 MEANS AN ENTITY THAT IS BOTH:
18 (I) A REGIONAL SERVICE AUTHORITY PROVIDING SURFACE
19 TRANSPORTATION PURSUANT TO PART 1 OF ARTICLE 7 OF TITLE 32, A
20 REGIONAL TRANSPORTATION AUTHORITY CREATED PURSUANT TO PART 6
21 OF ARTICLE 4 OF TITLE 43, OR ANY OTHER POLITICAL SUBDIVISION OF THE
22 STATE, PUBLIC ENTITY, OR NONPROFIT CORPORATION PROVIDING MASS
23 TRANSPORTATION SERVICES TO THE GENERAL PUBLIC; AND
24 (II) ELIGIBLE TO RECEIVE MONEY UNDER A GRANT AUTHORIZED BY
25 49 U.S.C. SEC. 5307 OR 49 U.S.C. SEC. 5311.
26 (31) "SHORT-TERM RENTAL" MEANS THE RENTAL OF A LODGING
27 UNIT FOR LESS THAN THIRTY DAYS. AS USED IN THIS SUBSECTION (31),

1 "LODGING UNIT" MEANS ANY PROPERTY OR PORTION OF A PROPERTY THAT
2 IS AVAILABLE FOR LODGING; EXCEPT THAT THE TERM EXCLUDES A HOTEL
3 UNIT. LOCAL GOVERNMENTS MAY APPLY THEIR OWN DEFINITION OF
4 "SHORT-TERM RENTAL" FOR THE PURPOSES OF THIS ARTICLE 33.

5 (32) "SINGLE-UNIT DETACHED DWELLING" MEANS A DETACHED
6 BUILDING WITH A SINGLE DWELLING UNIT AND ON A SINGLE LOT.

7 (33) "STRATEGIC GROWTH AREA" MEANS AN AREA IDENTIFIED
8 PURSUANT TO SECTION 29-33-108 (2)(a) THAT HAS THE POTENTIAL FOR
9 GROWTH AND CHARACTERISTICS THAT MAKE IT A PRIORITY AREA FOR
10 GROWTH IN RELATION TO THE GOALS OF THIS SENATE BILL 23-213.

11 (34) "STRATEGIC GROWTH AND HOUSING MIX ANALYSIS" MEANS
12 A COMPREHENSIVE ANALYSIS THAT IDENTIFIES STRATEGIC GROWTH AREAS,
13 AS DEFINED IN SECTION 29-33-108 (2)(a), THAT CAN BOTH ACCOMMODATE
14 THE HOUSING NEEDS IDENTIFIED IN HOUSING NEEDS ASSESSMENTS AND BE
15 UTILIZED IN THE STRATEGIC GROWTH ELEMENT OF MASTER PLANS, AS
16 DEFINED IN SECTION 31-23-206.

17 (35) "TIER ONE URBAN MUNICIPALITY" MEANS EITHER:

18 (a) A MUNICIPALITY THAT:

19 (I) IS WITHIN A METROPOLITAN PLANNING ORGANIZATION THAT
20 HAS A POPULATION OF ONE MILLION OR MORE;

21 (II) HAS AT LEAST TEN PERCENT OF ITS LAND WITHIN AN AREA
22 THAT IS DESIGNATED AS AN URBANIZED AREA BY THE MOST RECENT
23 FEDERAL DECENNIAL CENSUS WITH A POPULATION GREATER THAN
24 SEVENTY-FIVE THOUSAND; AND

25 (III) HAS A POPULATION OF AT LEAST ONE THOUSAND; OR

26 (b) A MUNICIPALITY THAT:

27 (I) IS WITHIN A METROPOLITAN PLANNING ORGANIZATION THAT

1 HAS A POPULATION OF LESS THAN ONE MILLION; AND
2 (II) HAS A POPULATION OF AT LEAST TWENTY-FIVE THOUSAND.
3 (36) "TIER TWO URBAN MUNICIPALITY" MEANS A MUNICIPALITY
4 THAT DOES NOT SATISFY THE DEFINITION OF A TIER ONE URBAN
5 MUNICIPALITY AND:
6 (a) IS WITHIN A METROPOLITAN PLANNING ORGANIZATION;
7 (b) HAS A POPULATION OF BETWEEN FIVE THOUSAND AND
8 TWENTY-FIVE THOUSAND; AND
9 (c) IS IN A COUNTY WITH A POPULATION OF TWO HUNDRED FIFTY
10 THOUSAND OR MORE.
11 (37) "TOWNHOME" MEANS A SINGLE-UNIT DWELLING UNIT
12 CONSTRUCTED IN A GROUP OF ATTACHED UNITS IN WHICH EACH UNIT
13 EXTENDS FROM FOUNDATION TO ROOF AND HAS OPEN SPACE ON AT LEAST
14 TWO SIDES.
15 (38) "TRANSIT-ORIENTED AREA" MEANS AN AREA WHERE ALL
16 PARCELS HAVE AT LEAST TWENTY-FIVE PERCENT OF THEIR AREA WITHIN
17 ONE-HALF MILE OF AN EXISTING FIXED-RAIL TRANSIT STATION. FOR THE
18 PURPOSES OF THIS SUBSECTION (38), A FIXED-RAIL TRANSIT STATION IS A
19 FIXED-RAIL TRANSIT SERVICE BOARDING AND EXITING LOCATION OR
20 STATION FOR THE GENERAL PUBLIC.
21 (39) "UNIVERSAL DESIGN" MEANS ANY DWELLING UNIT DESIGNED
22 AND CONSTRUCTED THAT IS SAFE AND ACCESSIBLE FOR EVERYONE,
23 REGARDLESS OF AGE, PHYSICAL ABILITY, OR STATURE.
24 (40) "URBAN BUS RAPID TRANSIT SERVICE" MEANS A BUS RAPID
25 TRANSIT SERVICE THAT OPERATES ON A SURFACE STREET FOR THE
26 MAJORITY OF ITS ROUTE.
27 (41) "URBAN MUNICIPALITY" MEANS BOTH A TIER ONE AND A TIER

1 TWO URBAN MUNICIPALITY.

2 **29-33-103. Multi-agency advisory committee - rural resort**
3 **area committee - urban area advisory committee.** (1) THERE IS
4 HEREBY CREATED IN THE DEPARTMENT OF LOCAL AFFAIRS THE
5 MULTI-AGENCY ADVISORY COMMITTEE, REFERRED TO IN THIS SECTION AS
6 THE COMMITTEE.

7 (2) THE COMMITTEE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
8 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
9 FUNCTIONS UNDER THE DEPARTMENT OF LOCAL AFFAIRS.

10 (3) (a) THE COMMITTEE CONSISTS OF FOURTEEN VOTING MEMBERS
11 AS FOLLOWS:

12 (I) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
13 AFFAIRS, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

14 (II) THE EXECUTIVE DIRECTOR OF THE COLORADO ENERGY OFFICE,
15 OF THE EXECUTIVE DIRECTOR'S DESIGNEE;

16 (III) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
17 TRANSPORTATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

18 (IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL
19 RESOURCES, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

20 (V) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
21 AGRICULTURE, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

22 (VI) ONE MEMBER WHO IS A STAFF-LEVEL REPRESENTATIVE FROM
23 A METROPOLITAN PLANNING ORGANIZATION WHO IS APPOINTED BY THE
24 SPEAKER OF THE HOUSE OF REPRESENTATIVES;

25 (VII) ONE MEMBER WHO IS A STAFF-LEVEL REPRESENTATIVE FROM
26 A METROPOLITAN PLANNING ORGANIZATION WHO IS APPOINTED BY THE
27 MINORITY LEADER OF THE SENATE;

1 (VIII) ONE MEMBER WHO HAS A BACKGROUND IN LAND USE
2 PLANNING, IS A STAFF-LEVEL REPRESENTATIVE FROM A TIER ONE URBAN
3 MUNICIPALITY, AND IS APPOINTED BY THE PRESIDENT OF THE SENATE;

4 (IX) ONE MEMBER WHO HAS A BACKGROUND IN LAND USE
5 PLANNING, IS A STAFF-LEVEL REPRESENTATIVE FROM A TIER ONE URBAN
6 MUNICIPALITY, AND IS APPOINTED BY THE GOVERNOR;

7 (X) ONE MEMBER WHO HAS A BACKGROUND IN LAND USE
8 PLANNING, IS A STAFF-LEVEL REPRESENTATIVE FROM A RURAL RESORT JOB
9 CENTER MUNICIPALITY, AND IS APPOINTED BY THE GOVERNOR;

10 (XI) ONE MEMBER WHO HAS A BACKGROUND IN LAND USE
11 PLANNING, IS A STAFF-LEVEL REPRESENTATIVE FROM A RURAL RESORT JOB
12 CENTER MUNICIPALITY, AND IS APPOINTED BY THE SPEAKER OF THE HOUSE
13 OF REPRESENTATIVES;

14 (XII) ONE MEMBER WHO IS A STAFF-LEVEL REPRESENTATIVE FROM
15 A COUNTY WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE;

16 (XIII) ONE MEMBER WHO IS A COMMUNITY REPRESENTATIVE WITH
17 HOUSING EXPERTISE WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE;

18 AND

19 (XIV) ONE MEMBER WHO REPRESENTS SPECIAL DISTRICTS AND IS
20 APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF
21 REPRESENTATIVES.

22 (b) INITIAL APPOINTMENTS TO THE COMMITTEE MUST BE MADE NO
23 LATER THAN SEPTEMBER 1, 2023.

24 (c) WHEN MAKING APPOINTMENTS TO THE MULTI-AGENCY
25 ADVISORY COMMITTEE, REASONABLE EFFORTS MUST BE MADE TO APPOINT
26 MEMBERS WHO REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY
27 OF THE ENTIRE STATE.

1 (4) EACH MEMBER OF THE COMMITTEE WHO IS APPOINTED
2 PURSUANT TO SUBSECTION (3) OF THIS SECTION SERVES AT THE PLEASURE
3 OF THE OFFICIAL WHO APPOINTED THE MEMBER. THE TERM OF
4 APPOINTMENT IS FOUR YEARS; EXCEPT THAT THE TERM OF EACH MEMBER
5 INITIALLY APPOINTED PURSUANT TO SUBSECTIONS (3)(a)(I), (3)(a)(II),
6 (3)(a)(III), (3)(a)(IV), AND (3)(a)(V) OF THIS SECTION IS TWO YEARS AND
7 THE TERM OF EACH MEMBER INITIALLY APPOINTED PURSUANT TO
8 SUBSECTIONS (3)(a)(VI), (3)(a)(VII), (3)(a)(VIII), (3)(a)(IX), (3)(a)(X),
9 (3)(a)(XI), (3)(a)(XII), (3)(a)(XIII), AND (3)(a)(XIV) OF THIS SECTION IS
10 ONE YEAR. NO APPOINTED MEMBER OF THE COMMITTEE SHALL SERVE
11 MORE THAN TWO CONSECUTIVE TERMS.

12 (5) (a) THE GOVERNOR SHALL CALL THE FIRST MEETING OF THE
13 COMMITTEE NO LATER THAN OCTOBER 1, 2023.

14 (b) THE COMMITTEE SHALL ELECT A CHAIR FROM AMONG ITS
15 MEMBERS TO SERVE FOR A TERM NOT TO EXCEED TWO YEARS, AS
16 DETERMINED BY THE COMMITTEE. A MEMBER IS NOT ELIGIBLE TO SERVE
17 AS CHAIR FOR MORE THAN TWO SUCCESSIVE TERMS.

18 (c) THE COMMITTEE SHALL MEET AT LEAST THREE TIMES EVERY
19 YEAR. THE CHAIR MAY CALL SUCH ADDITIONAL MEETINGS AS ARE
20 NECESSARY FOR THE COMMITTEE TO COMPLETE ITS DUTIES.

21 (6) THE COMMITTEE SHALL COMPLETE ITS DUTIES AS REQUIRED BY
22 THIS ARTICLE 33.

23 (7) UPON REQUEST BY THE COMMITTEE, THE DEPARTMENT OF
24 LOCAL AFFAIRS SHALL PROVIDE OFFICE SPACE, EQUIPMENT, AND STAFF
25 SERVICES AS MAY BE NECESSARY TO IMPLEMENT THIS SECTION.

26 (8) (a) THERE IS CREATED AS PART OF THE MULTI-AGENCY
27 ADVISORY COMMITTEE THE RURAL RESORT AREA SUBCOMMITTEE.

1 (b) THE RURAL RESORT AREA SUBCOMMITTEE CONSISTS OF AT
2 LEAST ONE OF THE MEMBERS OF THE MULTI-AGENCY COMMITTEE
3 APPOINTED PURSUANT TO SUBSECTION (3)(a)(X) OR (3)(a)(XI) OF THIS
4 SECTION, WHO SHALL SERVE AS THE CHAIR OF THE SUBCOMMITTEE, AND
5 OTHER MEMBERS AS DETERMINED BY THE MULTI-AGENCY'S COMMITTEE
6 BYLAWS TO ENSURE COMMUNITY ENGAGEMENT ACROSS RURAL RESORT
7 JOB CENTER MUNICIPALITIES.

8 (c) IN ACCORDANCE WITH SECTION 29-33-109, THE RURAL RESORT
9 AREA SUBCOMMITTEE SHALL DEVELOP RECOMMENDATIONS TO PRESENT
10 TO THE MULTI-AGENCY COMMITTEE CONCERNING MATTERS RELATED TO
11 RURAL RESORT JOB CENTER MUNICIPALITIES. PRIOR TO FINALIZING ANY
12 RECOMMENDATIONS, THE RURAL RESORT AREA SUBCOMMITTEE SHALL
13 PROVIDE A DRAFT OF THE RECOMMENDATIONS TO ALL RURAL RESORT
14 AREA JOB CENTER MUNICIPALITIES AND SHALL HOLD A PUBLIC HEARING ON
15 SUCH RECOMMENDATIONS NO SOONER THAN SIXTY DAYS AFTER
16 PROVIDING THESE RECOMMENDATIONS.

17 (9) (a) THERE IS CREATED AS PART OF THE MULTI-AGENCY
18 ADVISORY COMMITTEE THE URBAN AREA SUBCOMMITTEE.

19 (b) THE URBAN AREA SUBCOMMITTEE CONSISTS OF AT LEAST ONE
20 OF THE MEMBERS OF THE MULTI-AGENCY COMMITTEE APPOINTED
21 PURSUANT TO SUBSECTIONS (3)(a)(VI), (3)(a)(VII), (3)(a)(VIII), AND
22 (3)(a)(IX) OF THIS SECTION, WHO SHALL SERVE AS THE CHAIR OF THE
23 SUBCOMMITTEE, AND OTHER MEMBERS AS DETERMINED BY THE
24 MULTI-AGENCY'S COMMITTEE BYLAWS TO ENSURE COMMUNITY
25 ENGAGEMENT ACROSS TIER ONE AND TWO URBAN MUNICIPALITIES.

26 (c) IN ACCORDANCE WITH SECTION 29-33-109, THE URBAN AREA
27 SUBCOMMITTEE SHALL DEVELOP RECOMMENDATIONS TO PRESENT TO THE

1 MULTI-AGENCY COMMITTEE CONCERNING MATTERS RELATED TO URBAN
2 MUNICIPALITIES. PRIOR TO FINALIZING ANY RECOMMENDATIONS, THE
3 URBAN AREA SUBCOMMITTEE SHALL PROVIDE A DRAFT OF THE
4 RECOMMENDATION TO ALL URBAN MUNICIPALITIES AND SHALL HOLD A
5 PUBLIC HEARING ON SUCH RECOMMENDATIONS NO SOONER THAN SIXTY
6 DAYS AFTER PROVIDING THESE RECOMMENDATIONS.

7 **29-33-104. Housing needs assessments - methodology.**

8 (1)(a) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS
9 SHALL ISSUE A METHODOLOGY FOR DEVELOPING STATEWIDE, REGIONAL,
10 AND LOCAL HOUSING NEEDS ASSESSMENTS.

11 (b) THE MULTI-AGENCY ADVISORY COMMITTEE, IN CONSULTATION
12 WITH THE STATE DEMOGRAPHY OFFICE, SHALL, AS PART OF THE PUBLIC
13 COMMENT AND HEARING PROCESS ESTABLISHED IN SECTION 29-33-109(2),
14 DEVELOP RECOMMENDATIONS TO PROVIDE TO THE EXECUTIVE DIRECTOR
15 OF THE DEPARTMENT OF LOCAL AFFAIRS CONCERNING THE METHODOLOGY
16 FOR DEVELOPING STATEWIDE, REGIONAL, AND LOCAL HOUSING NEEDS
17 ASSESSMENTS.

18 (2) THE METHODOLOGY FOR DEVELOPING HOUSING NEEDS
19 ASSESSMENTS MAY INCLUDE:

20 (a) FOR THE STATEWIDE HOUSING NEEDS ASSESSMENT, METHODS
21 TO:

- 22 (I) ESTIMATE EXISTING HOUSING STOCK;
- 23 (II) CONDUCT A HOUSING SHORTAGE ANALYSIS;
- 24 (III) DETERMINE THE NEED FOR ACCESSORY DWELLING UNITS;
- 25 (IV) ESTIMATE THE HOUSING NECESSARY TO ACCOMMODATE THE
26 DEMOGRAPHIC AND POPULATION TRENDS FORECAST BY THE STATE
27 DEMOGRAPHY OFFICE, CATEGORIZED BY HOUSEHOLD SIZE; HOUSEHOLD

1 TYPE, INCLUDING FOR SUPPORTIVE, FOR-SALE, AND RENTAL HOUSING; AND
2 INCOME LEVEL, INCLUDING EXTREMELY LOW-INCOME, VERY LOW-INCOME,
3 LOW-INCOME, MODERATE-INCOME, AND MIDDLE-INCOME HOUSEHOLDS AS
4 DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
5 DEVELOPMENT;

6 (V) ENSURE LOCAL GOVERNMENT INPUT AND COORDINATION; AND

7 (VI) ASSESS AND PROVIDE DATA REGARDING ANY HOME
8 OWNERSHIP OR RENTAL HOUSING INEQUITIES IMPACTING POPULATIONS
9 THAT MAY HAVE BEEN HISTORICALLY EXCLUDED FROM HOME OWNERSHIP
10 OR RENTAL HOUSING OPPORTUNITIES. THIS DATA MAY INCLUDE, BUT IS
11 NOT LIMITED TO, HOUSING STATUS BY VETERAN STATUS, GENDER, AGE,
12 FAMILY STATUS, INCOME, RACE AND ETHNICITY, AND SPEAKING ENGLISH
13 LESS THAN VERY WELL.

14 (b) FOR REGIONAL HOUSING NEEDS ASSESSMENTS, METHODS TO:

15 (I) ASSESS REGIONAL HOUSING NEEDS FOR EACH REGION, BASED
16 ON:

17 (A) EXISTING AND PROJECTED HOUSING SHORTAGES AND
18 SURPLUSES FOR DIFFERENT HOUSEHOLD TYPES AND INCOME LEVELS,
19 INCLUDING EXTREMELY LOW-INCOME, VERY LOW-INCOME, LOW-INCOME,
20 MODERATE-INCOME, AND MIDDLE-INCOME HOUSEHOLDS AS DEFINED BY
21 THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
22 DEVELOPMENT;

23 (B) EXISTING HOUSING DIVERSITY AND STOCK;

24 (C) CURRENT JOBS BY INCOME LEVEL;

25 (D) FUTURE POPULATION AND JOB GROWTH PROJECTIONS; AND

26 (E) DEMOGRAPHIC AND POPULATION TRENDS FORECAST BY THE
27 STATE DEMOGRAPHY OFFICE;

1 (II) DETERMINE THE NEED FOR ACCESSORY DWELLING UNITS; AND
2 (III) DESIGNATE REGIONS BASED ON THE BOUNDARIES OF
3 METROPOLITAN PLANNING ORGANIZATIONS, RURAL REGIONS, AND RURAL
4 RESORT REGIONS. THE DESIGNATION OF RURAL REGIONS AND RURAL
5 RESORT REGIONS MUST BE BASED ON REGIONAL COMMUTING PATTERNS
6 AMONG OTHER FACTORS.

7 (c) FOR LOCAL HOUSING NEEDS ASSESSMENTS, METHODS TO
8 ASSESS LOCAL HOUSING NEEDS FOR EACH LOCAL GOVERNMENT, ALIGNED
9 WITH REGIONAL AND STATE HOUSING NEEDS ASSESSMENTS, BASED ON:

10 (I) THE CURRENT PROPORTION OF THE LOCALITY'S POPULATION IN
11 DIFFERENT HOUSEHOLD INCOME LEVELS, INCLUDING EXTREMELY
12 LOW-INCOME, VERY LOW-INCOME, LOW-INCOME, MODERATE-INCOME, AND
13 MIDDLE-INCOME HOUSEHOLDS AS DEFINED BY THE UNITED STATES
14 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT;

15 (II) THE LOCALITY'S CURRENT MEDIAN INCOME;

16 (III) THE LOCALITY'S JOB-HOUSING BALANCE, INCLUDING THE
17 AVAILABILITY OF HOUSING AFFORDABLE TO LOW-INCOME WORKERS IN THE
18 LOCALITY;

19 (IV) THE LOCALITY'S POPULATION AND DEMOGRAPHICS;

20 (V) MEASURES OF LOCAL RESOURCES IN THE LOCALITY;

21 (VI) VACANCY RATES IN THE LOCALITY;

22 (VII) MEASURES OF HOMELESSNESS AND HOUSING INSTABILITY IN
23 THE LOCALITY; AND

24 (VIII) DEMOGRAPHIC AND POPULATION TRENDS FORECAST BY THE
25 STATE DEMOGRAPHY OFFICE.

26 (3) (a) NO LATER THAN DECEMBER 31, 2024, AND EVERY SIX
27 YEARS THEREAFTER, IN ACCORDANCE WITH THE METHODOLOGIES FOR

1 DEVELOPING HOUSING NEEDS ASSESSMENTS, THE EXECUTIVE DIRECTOR OF
2 THE DEPARTMENT OF LOCAL AFFAIRS, WITH INPUT FROM THE
3 MULTI-AGENCY ADVISORY COMMITTEE, SHALL PRODUCE STATEWIDE,
4 REGIONAL, AND LOCAL HOUSING NEEDS ASSESSMENTS WITH TWENTY-YEAR
5 PLANNING FORECASTS.

6 (b) EACH OF THE ASSESSMENTS MUST INCLUDE FOR THE RELEVANT
7 AREA, BASED ON STATE DEMOGRAPHIC DATA DURING THE TWENTY-YEAR
8 PLANNING PERIOD, ESTIMATES OF:

9 (I) HOUSING NEEDS IN THE AREA SORTED BY INCOME LEVELS,
10 INCLUDING EXTREMELY LOW-INCOME, VERY LOW-INCOME, LOW-INCOME,
11 MODERATE-INCOME, AND MIDDLE-INCOME HOUSEHOLDS AS DEFINED BY
12 THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
13 DEVELOPMENT; AND UNIT TYPES, INCLUDING ACCESSIBLE UNITS,
14 SUPPORTIVE HOUSING, FOR-SALE HOUSING AND RENTAL HOUSING;

15 (II) THE NUMBER OF HOUSEHOLDS IN THE AREA;

16 (III) THE NUMBER OF JOBS IN THE AREA BY ANNUAL SALARY AND
17 WAGE;

18 (IV) THE AREA'S POPULATION AND DEMOGRAPHICS; AND

19 (V) THE AREA'S EXISTING HOUSING STOCK;

20 (c) MUNICIPALITIES THAT ARE REQUIRED TO COMPLETE HOUSING
21 NEEDS PLANS MAY USE THE LOCAL AND REGIONAL HOUSING NEEDS
22 ASSESSMENTS TO INFORM THEIR HOUSING NEEDS PLANS.

23 **29-33-105. Housing needs plans - guidance - definition.**

24 (1) (a) NO LATER THAN DECEMBER 31, 2024, THE EXECUTIVE DIRECTOR
25 OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL ISSUE GUIDANCE FOR
26 CREATING A HOUSING NEEDS PLAN.

27 (b) THE MULTI-AGENCY ADVISORY COMMITTEE SHALL, AS PART OF

1 THE PUBLIC COMMENT AND HEARING PROCESS ESTABLISHED IN SECTION
2 29-33-109 (2), DEVELOP RECOMMENDATIONS TO PROVIDE TO THE
3 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS
4 CONCERNING GUIDANCE FOR CREATING A HOUSING NEEDS PLAN.

5 (2) THE GUIDANCE FOR CREATING A HOUSING NEEDS PLAN MUST
6 INCLUDE GUIDANCE SPECIFICALLY FOR URBAN MUNICIPALITIES.

7 (3) (a) NO LATER THAN DECEMBER 31, 2026, AND EVERY SIX
8 YEARS THEREAFTER, IN ACCORDANCE WITH THE GUIDANCE FOR CREATING
9 A HOUSING NEEDS PLAN, EVERY URBAN MUNICIPALITY SHALL DEVELOP,
10 ADOPT, AND SUBMIT TO THE DEPARTMENT OF LOCAL AFFAIRS A HOUSING
11 NEEDS PLAN. THE DEPARTMENT OF LOCAL AFFAIRS SHALL POST THE
12 SUBMITTED PLANS PUBLICLY ON ITS WEBSITE.

13 (b) BEFORE ADOPTING AND SUBMITTING A HOUSING NEEDS PLAN,
14 AN URBAN MUNICIPALITY SHALL PUBLISH THE MOST RECENT DRAFT OF ITS
15 HOUSING NEEDS PLAN AND PROVIDE NOTICE OF A PUBLIC COMMENT PERIOD
16 FOR THE RECEIPT OF WRITTEN COMMENTS CONCERNING THE PLAN. THE
17 URBAN MUNICIPALITY MAY ALSO CHOOSE TO HOLD A PUBLIC HEARING ON
18 THE PLAN.

19 (c) ON OR BEFORE JUNE 30, 2024, AND ON OR BEFORE JUNE 30
20 EVERY SIX YEARS THEREAFTER, AN URBAN MUNICIPALITY WITH A
21 POPULATION OF LESS THAN TWENTY-FIVE THOUSAND AND AN ANNUAL
22 MEDIAN HOUSEHOLD INCOME OF LESS THAN FIFTY-FIVE THOUSAND
23 DOLLARS NEED NOT SUBMIT A HOUSING NEEDS PLAN TO THE DEPARTMENT
24 OF LOCAL AFFAIRS, IF THE MUNICIPALITY INSTEAD SENDS A LETTER TO THE
25 DEPARTMENT IN A FORM AND MANNER DETERMINED BY THE DEPARTMENT
26 INDICATING THAT THE MUNICIPALITY DOES NOT INTEND TO SUBMIT A
27 HOUSING NEEDS PLAN.

1 (4) A HOUSING NEEDS PLAN MUST INCLUDE:

2 (a) A NARRATIVE DESCRIPTION OF THE STAKEHOLDER
3 ENGAGEMENT CONDUCTED DURING THE DEVELOPMENT OF THE HOUSING
4 NEEDS PLAN;

5 (b) AN ANALYSIS OF HOW THE URBAN MUNICIPALITY WILL PROVIDE
6 A REALISTIC OPPORTUNITY FOR DEVELOPMENT THAT WILL ADDRESS ITS
7 LOCAL HOUSING NEEDS ASSESSMENT, INCLUDING THE DEMONSTRATED
8 HOUSING NEEDS FOR PERSONS OF DIFFERENT AGES, FAMILY STATUS AND
9 SIZE, AND INCOME LEVELS, OVER THE NEXT TWENTY YEARS WITH AN
10 EQUITABLE DISTRIBUTION OF HOUSING WITHIN THE JURISDICTION;

11 (c) A HOUSING NEEDS IMPLEMENTATION PLAN, WHICH MUST
12 DESCRIBE THE STRATEGIES THAT THE URBAN MUNICIPALITY WILL PURSUE
13 TO MEET ITS DEMONSTRATED HOUSING NEEDS, INCLUDING THE
14 IDENTIFICATION OF HOUSING RESOURCES, CHANGES TO LOCAL LAWS, AND
15 OTHER STRATEGIES SUCH AS THOSE IN THE MENU OF AFFORDABILITY
16 STRATEGIES CREATED IN SECTION 29-33-106;

17 (d) AN ANALYSIS OF ADDITIONAL FUNDING NEEDED TO IMPLEMENT
18 THE HOUSING PLAN;

19 (e) (I) A DESCRIPTION OF AT LEAST TWO STRATEGIES THAT THE
20 URBAN MUNICIPALITY ADOPTS FROM THE MENU OF AFFORDABLE
21 DEVELOPMENT AND AT LEAST ONE STRATEGY FROM THE MENU OF
22 LONG-TERM AFFORDABILITY STRATEGIES DESCRIBED IN SECTION
23 29-33-106. THESE STRATEGIES MUST BOTH ADDRESS HOUSING NEEDS AND
24 MAKE PROGRESS TOWARD MEETING DEMONSTRATED HOUSING NEEDS FOR
25 LOW- AND MODERATE-INCOME HOUSEHOLDS AS DEFINED BY THE UNITED
26 STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND
27 HOUSING TYPES IDENTIFIED IN THE LOCAL HOUSING NEEDS ASSESSMENT;

1 AND

2 (II) AN IMPLEMENTATION PLAN AND THE ANTICIPATED OUTCOMES
3 FOR EACH OF THE STRATEGIES ADOPTED PURSUANT TO THIS SUBSECTION
4 (4)(e):

5 (f) A NARRATIVE ANALYSIS OF ANY AREA AT ELEVATED RISK OF
6 RESIDENTIAL DISPLACEMENT THAT THE URBAN MUNICIPALITY HAS
7 IDENTIFIED AND A DESCRIPTION OF AND IMPLEMENTATION PLAN FOR ANY
8 STRATEGIES FROM THE MENU OF DISPLACEMENT MITIGATION MEASURES
9 DESCRIBED IN SECTION 29-33-107, THAT THE URBAN MUNICIPALITY WILL
10 USE TO MITIGATE IDENTIFIED DISPLACEMENT RISKS IN THESE AREAS; AND

11 (g) IN THE CASE OF AN URBAN MUNICIPALITY WITH A
12 TRANSIT-ORIENTED AREA, AT LEAST THREE STRATEGIES FROM THE LIST OF
13 AFFORDABLE DEVELOPMENT STRATEGIES IN SECTION 29-33-106 (1) AND
14 AT LEAST ONE STRATEGY FROM THE LIST OF LONG-TERM AFFORDABILITY
15 STRATEGIES IN SECTION 29-33-106 (2).

16 (5) WHEN UPDATING ITS MASTER PLAN, AN URBAN MUNICIPALITY
17 SHALL INCLUDE ITS MOST RECENT HOUSING NEEDS PLAN IN ITS MASTER
18 PLAN.

19 (6) AN URBAN MUNICIPALITY THAT ADOPTED A PLAN TO ADDRESS
20 LOCAL HOUSING NEEDS PRIOR TO THE EFFECTIVE DATE OF THIS SECTION
21 MAY, RATHER THAN DEVELOPING AND ADOPTING A NEW HOUSING NEEDS
22 PLAN PURSUANT TO SUBSECTION (3) OF THIS SECTION, UPDATE ITS
23 EXISTING PLAN TO ADDRESS ADDITIONAL NEEDS IDENTIFIED IN THE LOCAL
24 HOUSING NEEDS ASSESSMENT BEYOND WHAT THE MUNICIPALITY'S
25 EXISTING PLAN TO ADDRESS LOCAL HOUSING NEEDS INCLUDES, AND ANY
26 REQUIREMENTS IN SECTION 29-33-105 (4) NOT ALREADY INCLUDED IN THE
27 MUNICIPALITY'S EXISTING PLAN TO ADDRESS LOCAL HOUSING NEEDS.

1 (7) (a) A COUNTY, COUNCIL OF GOVERNMENT, OR MUNICIPALITY
2 WITHIN A REGION DEFINED IN THE REGIONAL HOUSING NEEDS ASSESSMENT
3 SHALL PARTICIPATE IN A REGIONAL HOUSING NEEDS PLANNING PROCESS.

4 (b) THE COUNTIES, COUNCILS OF GOVERNMENT, OR
5 MUNICIPALITIES THAT PARTICIPATE IN A PLANNING PROCESS:

6 (I) MAY UTILIZE DATA AND INFORMATION FROM A RELEVANT
7 REGIONAL HOUSING NEEDS ASSESSMENT THAT IS NO MORE THAN FIVE
8 YEARS OLD TO INFORM THEIR PARTICIPATION IN THE PLANNING PROCESS;

9 (II) ARE ENCOURAGED TO INCORPORATE STRATEGIC GROWTH
10 OBJECTIVES AS DEFINED IN SECTION 29-33-108 IN THE PLANNING PROCESS;

11 AND

12 (III) ARE ENCOURAGED TO IDENTIFY STRATEGIES THAT ADDRESS
13 THE HOUSING NEEDS IDENTIFIED IN LOCAL HOUSING NEEDS ASSESSMENTS
14 THROUGH THE ADOPTION OF INTERJURISDICTIONAL STRATEGIES AND
15 AFFORDABILITY STRATEGIES IDENTIFIED IN SECTION 29-33-106.

16 (c) IF NO EXISTING REGIONAL PLAN EXISTS, A GROUP OF COUNTIES,
17 COUNCILS OF GOVERNMENT, OR MUNICIPALITIES MAY REQUEST THAT THE
18 URBAN AREA SUBCOMMITTEE CREATED IN SECTION 29-33-103 (9)
19 FACILITATE THE CREATION OF A REGIONAL PLANNING PROCESS.

20 (d) A REGIONAL HOUSING NEEDS PLANNING PROCESS MAY BE LED
21 BY A REGIONAL ENTITY AND MUST ENCOURAGE PARTICIPATING COUNTIES,
22 COUNCILS OF GOVERNMENT, AND MUNICIPALITIES TO IDENTIFY
23 STRATEGIES THAT IMPROVE COORDINATION BETWEEN ENTITIES TO MEET
24 THE HOUSING NEEDS IDENTIFIED FOR THOSE LOCAL GOVERNMENTS IN THE
25 REGIONAL AND LOCAL HOUSING NEEDS ASSESSMENTS.

26 (e) BY DECEMBER 31, 2024, THE URBAN AREA SUBCOMMITTEE
27 CREATED IN SECTION 29-33-103 (9) SHALL ISSUE A REPORT TO THE

1 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS ON THE
2 STATUS, OPPORTUNITIES, AND CHALLENGES OF REGIONAL PLANNING IN THE
3 URBAN REGIONS, INCLUDING THE CONNECTION BETWEEN HOUSING,
4 TRANSPORTATION, AND REGIONAL EQUITY IN REGARD TO COMMUNITIES
5 THAT HOUSE THE WORKFORCE AND THOSE THAT ARE URBAN
6 MUNICIPALITIES. THE URBAN AREA SUBCOMMITTEE CREATED IN SECTION
7 29-33-103 (9) SHALL ALSO EVALUATE AND MAKE RECOMMENDATIONS ON
8 THE USE OF DATA TO CREATE AFFORDABILITY STRATEGIES IN REGIONAL
9 AND LOCAL HOUSING ASSESSMENTS AND REGIONAL AND LOCAL HOUSING
10 PLANS THAT FOLLOW STRATEGIC GROWTH OBJECTIVES AS DEFINED IN
11 SECTION 29-33-108.

12 (8) (a) THE MULTI-AGENCY COMMITTEE CREATED IN SECTION
13 29-33-103 SHALL PROVIDE GUIDANCE FOR THE COMPLETION OF A
14 STRATEGIC GROWTH AND HOUSING MIX ANALYSIS.

15 (b) IN COMPLETING A STRATEGIC GROWTH AND HOUSING MIX
16 ANALYSIS, A METROPOLITAN PLANNING ORGANIZATION OR A
17 MUNICIPALITY MUST:

18 (I) COMPREHENSIVELY IDENTIFY AREAS THAT CAN BE DEVELOPED
19 OR REDEVELOPED AND THAT QUALIFY AS STRATEGIC GROWTH AREAS;

20 (II) PRIORITIZE STRATEGIC GROWTH AREAS WITHIN EXISTING
21 CENSUS-DEFINED URBANIZED AREAS, AND INCLUDE GUIDANCE FOR THE
22 LOCATION OF MIDDLE AND MULTIFAMILY HOUSING THAT SUPPORTS THE
23 GOALS OF SENATE BILL 23-213 WHICH INCLUDE BUT ARE NOT LIMITED TO
24 MEETING THE STATE'S HOUSING NEEDS FOR PEOPLE OF ALL INCOME
25 LEVELS, AGE, AND FAMILY STATUS AND REDUCING
26 TRANSPORTATION-RELATED CLIMATE AND AIR QUALITY IMPACTS;

27 (III) DEVELOP SCENARIOS THAT EVALUATE THE IMPACTS OF

1 PRIORITIZING GROWTH IN STRATEGIC GROWTH AREAS IN COMPARISON TO
2 EXISTING GROWTH PATTERNS. THESE SCENARIOS MUST ADDRESS THE
3 FISCAL IMPACTS ON INFRASTRUCTURE OF GROWTH PATTERNS IN ADDITION
4 TO OTHER PERFORMANCE MEASURES AS IDENTIFIED BY THE
5 METROPOLITAN PLANNING ORGANIZATION. METROPOLITAN PLANNING
6 ORGANIZATIONS AND MUNICIPALITIES MAY UTILIZE PREVIOUS SCENARIO
7 ANALYSES IN SATISFYING THIS SUBSECTION (8)(b)(III).

8 (IV) EVALUATE THE EXISTING ZONING AND DENSITY PERMITTED
9 WITHIN STRATEGIC GROWTH AREAS; AND

10 (V) USE A METHOD THAT ALLOWS A MUNICIPALITY TO EFFICIENTLY
11 UTILIZE THE INFORMATION IN THE STRATEGIC GROWTH AND HOUSING MIX
12 ANALYSIS IN THE DEVELOPMENT OF THE STRATEGIC GROWTH ELEMENT OF
13 THE MUNICIPALITY'S MASTER PLAN, REQUIRED PURSUANT TO SECTION
14 31-23-206.

15 (c) (I) ON OR BEFORE DECEMBER 31, 2025, A METROPOLITAN
16 PLANNING ORGANIZATION WITH A POPULATION OF TWO HUNDRED FIFTY
17 THOUSAND OR MORE SHALL, IN CONSULTATION WITH THE RELEVANT
18 COUNTIES AND MUNICIPALITIES, COMPLETE A STRATEGIC GROWTH AND
19 HOUSING MIX ANALYSIS.

20 (II) ON OR BEFORE DECEMBER 31, 2025, A MUNICIPALITY WITH A
21 POPULATION OF FIFTY THOUSAND OR MORE THAT IS WITHIN A
22 METROPOLITAN PLANNING ORGANIZATION WITH A POPULATION OF LESS
23 THAN TWO HUNDRED FIFTY THOUSAND SHALL COMPLETE A STRATEGIC
24 GROWTH AND HOUSING MIX ANALYSIS.

25 **29-33-106. Menu of urban municipality affordability and**
26 **accessibility strategies. (1) IN ORDER TO SUPPORT AFFORDABILITY AND**
27 **ADVANCE MEETING THE HOUSING NEEDS OF LOW-INCOME,**

1 MODERATE-INCOME, AND MEDIUM-INCOME HOUSEHOLDS, AS DEFINED BY
2 THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
3 DEVELOPMENT, THE MENU OF AFFORDABILITY STRATEGIES FOR AN URBAN
4 MUNICIPALITY MUST INCLUDE BOTH AFFORDABLE DEVELOPMENT
5 STRATEGIES AND LONG-TERM AFFORDABILITY STRATEGIES. THE
6 AFFORDABLE DEVELOPMENT STRATEGIES INCLUDED IN THE MENU OF
7 AFFORDABILITY STRATEGIES FOR AN URBAN MUNICIPALITY MUST INCLUDE
8 THE FOLLOWING:

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

12 (b) THE CREATION OF A PROGRAM TO SUBSIDIZE OR OTHERWISE
13 REDUCE LOCAL DEVELOPMENT FEES FOR REGULATED AFFORDABLE
14 HOUSING DEVELOPMENT THAT MAY INCLUDE:

15 (I) BUILDING PERMIT FEES;

16 (II) WATER AND SEWER TAP FEES; AND

17 (III) INFRASTRUCTURE COSTS;

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

20 (d) THE ESTABLISHMENT OF A DENSITY BONUS PROGRAM THAT
21 GRANTS INCREASED FLOOR AREA RATIO, DENSITY, OR HEIGHT TO INCREASE
22 THE CONSTRUCTION OF REGULATED AFFORDABLE HOUSING UNITS;

23 (e) ENABLING REGULATED AFFORDABLE HOUSING AS A USE BY
24 RIGHT IN HOUSING TYPES AND AREAS CONSISTENT WITH THE GOALS OF
25 INCREASING AND PRESERVING HOUSING AFFORDABILITY, SUPPLY, AND
26 HOUSING UNIT TYPE DIVERSITY;

27 (f) THE ESTABLISHMENT OF A POLICY OR PLAN TO LEVERAGE

1 MUNICIPALLY OWNED, SOLD, OR MANAGED LAND FOR REGULATED
2 AFFORDABLE HOUSING DEVELOPMENT;

3 (g) THE ELIMINATION OF LOCAL PARKING REQUIREMENTS FOR
4 REGULATED AFFORDABLE HOUSING;

5 (h) PRIORITIZING WATER SUPPLIES FOR AFFORDABLE OR DENSE
6 HOUSING TYPES OVER LESS EFFICIENT HOUSING OR OTHER LESS CRITICAL
7 USES THROUGH A WATER POLICY ESTABLISHED BY THE MUNICIPALITY OR
8 IN COORDINATION WITH A UTILITY PROVIDER;

9 (i) THE PRIORITIZED APPLICATION OF MIDDLE HOUSING, KEY
10 CORRIDOR, AND TRANSIT-ORIENTED AREA DENSITIES IN THE
11 MUNICIPALITY'S HIGHEST-INCOME CENSUS TRACTS;

12 (j) ESTABLISHING A POLICY TO ALIGN INFRASTRUCTURE
13 STRATEGIES WITH THE NEEDS IDENTIFIED IN THE RELEVANT LOCAL
14 HOUSING NEEDS ASSESSMENT. POLICIES MAY INCLUDE THE PRIORITIZATION
15 OF UTILITIES AND AVAILABLE AND USABLE WATER RIGHTS, COST
16 EXEMPTIONS, AND DISCOUNTS, FOR REGULATED AFFORDABLE HOUSING
17 THAT MEETS ANY NEEDS IDENTIFIED IN THE RELEVANT LOCAL HOUSING
18 NEEDS ASSESSMENT;

19 (k) ESTABLISHING HOUSING AND LAND USE POLICIES INFORMED BY
20 THE FINDINGS AND RECOMMENDATIONS OF THE STRATEGIC ACTION PLAN
21 ON AGING, DEVELOPED PURSUANT TO SECTION 24-32-3406, AND THE
22 LIFELONG COLORADO INITIATIVE CREATED PURSUANT TO SECTION
23 26-11-302, INCLUDING THE EIGHT REALMS OF LIVABLE AND AGE FRIENDLY
24 COMMUNITIES; AND

25 (l) ANY OTHER STRATEGIES PROPOSED BY A LOCAL GOVERNMENT
26 OR THE MULTI-AGENCY ADVISORY COMMITTEE THAT ARE APPROVED BY
27 THE DEPARTMENT OF LOCAL AFFAIRS AND THAT SUPPORT EQUAL OR

1 GREATER AFFORDABILITY AND ACCESSIBILITY CONSISTENT WITH THE
2 NEEDS IDENTIFIED IN THE RELEVANT LOCAL HOUSING NEEDS ASSESSMENT.

3 (2) THE LONG-TERM AFFORDABILITY STRATEGIES INCLUDED IN THE
4 MENU OF AFFORDABILITY STRATEGIES FOR AN URBAN MUNICIPALITY MUST
5 INCLUDE THE FOLLOWING:

6 (a) THE ESTABLISHMENT OF A DEDICATED LOCAL REVENUE SOURCE
7 FOR REGULATED AFFORDABLE HOUSING DEVELOPMENT, SUCH AS
8 INSTITUTING A LINKAGE FEE ON NEW DEVELOPMENTS;

9 (b) THE REGULATION OF SHORT-TERM RENTALS, SECOND HOMES,
10 OR OTHER VACANT UNITS IN A WAY THAT PROMOTES THE MAXIMUM USE
11 OF LOCAL HOUSING STOCK FOR LOCAL HOUSING NEEDS AS DETERMINED
12 THROUGH A HOUSING NEEDS ASSESSMENT. THIS REGULATION MAY
13 INCLUDE EXACTING A VACANCY FEE ON UNDERUTILIZED UNITS.

14 (c) MAKING COMMITMENT TO AND REMAINING ELIGIBLE FOR THE
15 STATE AFFORDABLE HOUSING FUND CREATED IN SECTION 29-32-102 (1);

16 (d) PRESERVING AFFORDABILITY OF BOTH REGULATED AND
17 UNREGULATED HOUSING THROUGH INTERVENTIONS SUCH AS CAPITAL
18 INVESTMENTS IN PROPERTY RESTORATION OR REHABILITATION, LOCAL
19 RIGHT OF FIRST REFUSAL PROGRAMS, OR PROGRAMS THAT TRANSITION
20 EXISTING HOUSING STOCK TO REGULATED AFFORDABLE HOUSING;

21 (e) INCENTIVIZING OR CREATING A DEDICATED LOCAL PROGRAM TO
22 FACILITATE INVESTMENT IN LAND BANKING OR COMMUNITY LAND TRUSTS;

23 (f) THE ESTABLISHMENT OF AN AFFORDABLE HOMEOWNERSHIP
24 STRATEGY SUCH AS:

25 (I) THE ACQUISITION OR PRESERVATION OF DEED RESTRICTIONS ON
26 CURRENT HOUSING UNITS;

27 (II) THE ESTABLISHMENT OF AN INCENTIVE PROGRAM TO

1 ENCOURAGE REALTORS TO WORK WITH PROSPECTIVE LOW-INCOME AND
2 MINORITY HOMEBUYERS; OR

3 (III) THE ESTABLISHMENT OF AN AFFORDABLE RENT-TO-OWN
4 PROGRAM; AND

5 (g) PRIORITIZING THE USE OF MUNICIPALLY OWNED DEVELOPABLE
6 LAND FOR AFFORDABLE HOUSING DEVELOPMENT, INCLUDING
7 AFFORDABILITY DEED RESTRICTIONS OF AT LEAST SEVENTY-FIVE YEARS.

8 (3) URBAN MUNICIPALITIES SHALL DEMONSTRATE THE ADOPTION
9 OF THE NUMBER OF THE AFFORDABILITY STRATEGIES SPECIFIED IN SECTION
10 29-33-105 (4)(d)(I) AND SUBMIT A REPORT DETAILING THESE STRATEGIES
11 TO THE DEPARTMENT OF LOCAL AFFAIRS NO LATER THAN JUNE 30, 2025.
12 IN DETERMINING WHICH STRATEGIES TO ADOPT, AN URBAN MUNICIPALITY
13 SHALL CONSIDER PREVIOUS PLANS ADDRESSING HOUSING NEEDS OR OTHER
14 AVAILABLE DATA TO INFORM THE SELECTION OF STRATEGIES TO ADDRESS
15 KNOWN HOUSING NEEDS. URBAN MUNICIPALITIES MUST ADOPT AT LEAST
16 TWO STRATEGIES FROM THE LIST OF AFFORDABLE DEVELOPMENT
17 STRATEGIES IN SUBSECTION (1) OF THIS SECTION AND AT LEAST ONE
18 STRATEGY FROM THE LIST OF LONG-TERM AFFORDABILITY STRATEGIES IN
19 SUBSECTION (2) OF THIS SECTION.

20 (4) NOTWITHSTANDING SECTION 29-33-105 (4)(d)(I), AN URBAN
21 MUNICIPALITY MAY SUBMIT EVIDENCE TO THE DEPARTMENT OF LOCAL
22 AFFAIRS CONCERNING AFFORDABILITY STRATEGIES THAT THE
23 MUNICIPALITY HAS ADOPTED OUTSIDE OF THOSE LISTED IN THIS SECTION,
24 OR THAT THE MUNICIPALITY ADOPTED PRIOR TO THE EFFECTIVE DATE OF
25 THIS SECTION, AND THE IMPACT OF THOSE STRATEGIES. THE DEPARTMENT
26 MAY DETERMINE WHETHER THOSE STRATEGIES MAY QUALIFY AS
27 AFFORDABILITY STRATEGIES FOR PURPOSES OF SECTION 29-33-105

1 (4)(d)(I).

2 **29-33-107. Displacement risk assessment and mitigation**
3 **strategies. (1) (a) NO LATER THAN DECEMBER 31, 2024, THE EXECUTIVE**
4 **DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL DEVELOP A**
5 **DISPLACEMENT RISK ASSESSMENT, DEVELOP DISPLACEMENT MITIGATION**
6 **STRATEGIES, AND DETERMINE THE NUMBER OF STRATEGIES THAT MUST BE**
7 **SELECTED TO GUIDE TIER ONE AND TIER TWO URBAN MUNICIPALITIES AND**
8 **RURAL RESORT JOB CENTER MUNICIPALITIES IN PREVENTING**
9 **DISPLACEMENT AS PART OF THE REQUIRED HOUSING NEEDS PLAN**
10 **PURSUANT TO SECTION 29-33-105.**

11 **(b) THE DISPLACEMENT ASSESSMENT, DISPLACEMENT MITIGATION**
12 **STRATEGIES, AND NUMBER OF DISPLACEMENT MITIGATION STRATEGIES**
13 **MUST PROVIDE ADEQUATE GUIDANCE AND TOOLS TO PREVENT**
14 **DISPLACEMENT FROM AREAS, COMMUNITIES, OR HOUSEHOLDS AT HIGH**
15 **RISK FOR DISPLACEMENT.**

16 **(2) Displacement risk assessment. (a) A DISPLACEMENT RISK**
17 **ASSESSMENT MUST CONSIDER:**

18 **(I) GEOGRAPHY AS DETERMINED BY FEEDBACK GATHERED FROM**
19 **THE RESIDENTS OF THE COMMUNITY AND NOT NECESSARILY BY CENSUS**
20 **TRACTS;**

21 **(II) NEIGHBORHOOD-LEVEL EARLY WARNING AND RESPONSE**
22 **SYSTEMS THAT CAN HELP MUNICIPALITIES AND COMMUNITY ADVOCATES**
23 **GET AHEAD OF TRENDS AND PREDICTIONS OF FUTURE CHANGE WITH A**
24 **FOCUS ON DISPLACEMENT DUE TO RISING HOUSING COSTS;**

25 **(III) BASELINE CENSUS DATA AND THE INCLUSION OF OTHER DATA**
26 **POINTS THAT ARE UPDATED ON A FREQUENT BASIS;**

27 **(IV) NEIGHBORHOOD CHANGE, WHICH MEANS THE CONSIDERATION**

1 OF DATA THAT CAPTURES THE FULL SPECTRUM OF BOTH POSITIVE AND
2 NEGATIVE ECONOMIC, RACIAL OR ETHNIC, AND STRUCTURAL CHANGES IN
3 A GEOGRAPHIC AREA;

4 (V) NEIGHBORHOOD REVITALIZATION, WHICH MEANS CHANGE
5 VIEWED AS POSITIVE, USUALLY ACCOMPANIED BY NEW PUBLIC OR PRIVATE
6 INVESTMENT;

7 (VI) GENTRIFICATION CHANGES THAT CAPTURE THE
8 TRANSFORMATION OF AREAS HISTORICALLY INHABITED BY MARGINALIZED
9 GROUPS, USUALLY RACIAL, ETHNIC, OR CLASS GROUPS, INTO AREAS USED
10 BY THE DOMINANT CLASS OR RACIAL OR ETHNIC GROUP. THIS TYPE OF
11 CHANGE MAY BE CHARACTERIZED BY INCREASED INVESTMENTS IN AREAS
12 THAT HAVE SEEN LONG-TERM DISINVESTMENT.

13 (VII) DISPLACEMENT, AS DEFINED IN SECTION 29-33-102.
14 DISPLACEMENT IS DISTINCT FROM RESIDENTIAL MOBILITY, WHICH
15 INCLUDES VOLUNTARY HOUSEHOLD MOVEMENT.

16 (b) A DISPLACEMENT RISK ASSESSMENT MUST INCLUDE THE
17 FOLLOWING FACTORS THAT CAN BE USED TO IDENTIFY RISKS FOR
18 DISPLACEMENT AT THE CENSUS TRACT OR OTHER SIMILAR GEOGRAPHIC
19 SCALE, AS DETERMINED BY THE RESIDENTS OF A GIVEN COMMUNITY:

20 (I) THE PERCENTAGE OF HOUSEHOLDS WHO ARE EXTREMELY
21 LOW-INCOME, VERY LOW-INCOME, AND LOW-INCOME, AS DEFINED BY THE
22 UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT;

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

24 (III) THE PERCENTAGE OF COST-BURDENED HOUSEHOLDS;

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

1 (V) THE PERCENTAGE OF HOUSEHOLDS IN WHICH THE PRIMARY
2 LANGUAGE THAT IS SPOKEN IS A LANGUAGE OTHER THAN ENGLISH;

3 (VI) THE PERCENTAGE OF RESIDENTS WHO WERE BORN OUTSIDE OF
4 THE UNITED STATES ACCORDING TO PUBLICLY AVAILABLE STATE AND
5 FEDERAL INFORMATION;

6 (VII) THE EMPLOYMENT RATE;

7 (VIII) THE PERCENTAGE OF WORKERS WHO LIVE WITHIN A
8 TEN-MILE RADIUS OF AN URBAN MUNICIPALITY OR TWENTY-MILE RADIUS
9 OF A RURAL RESORT JOB CENTER;

10 (IX) THE PERCENTAGE OF HOUSEHOLDS THAT DO NOT HAVE
11 INTERNET ACCESS;

12 (X) EXISTING AFFORDABLE HOUSING STOCK AT RISK OF
13 DISPLACING CURRENT RESIDENTS DUE TO MARKET FORCES, REVISED
14 NEIGHBORHOOD ARCHITECTURAL DESIGN CHANGES, OR AGING
15 STRUCTURES;

16 (XI) INSTITUTIONAL INVESTOR REAL ESTATE ACTIVITY IN THE
17 FOR-SALE MARKET;

18 (XII) AN EVALUATION OF INCREASED LAND PRICES, RENTAL
19 PRICES, PROPERTY VALUES, AND OTHER REAL ESTATE AND HOUSING
20 AFFORDABILITY IMPACTS THAT COULD CREATE A VULNERABILITY TO, OR
21 ELEVATED RISK OF, DISPLACEMENT FOR RESIDENTS CURRENTLY LIVING IN
22 THE AREA OR COMMUNITY;

23 (XIII) THE NUMBER OF RENTERS WHO WERE LEGALLY EVICTED FOR
24 NONPAYMENT OF RENT IN THE PRIOR CALENDAR YEAR, FOR ALL AREAS
25 WHERE THIS INFORMATION IS READILY AVAILABLE;

26 (XIV) THE NUMBER OF SMALL BUSINESSES, AS MEASURED BY
27 ANNUAL GROSS SALES AMOUNT; AND

1 (XV) THE CHANGE IN THE NUMBER OF BUSINESSES OVER FIVE
2 YEARS PRIOR TO ASSESSMENT.

3 (c) THE DISPLACEMENT RISK ASSESSMENT MUST BE DEVELOPED IN
4 A MANNER THAT ALLOWS FOR MUNICIPALITIES TO CONDUCT AN INITIAL
5 DISPLACEMENT RISK ASSESSMENT, NECESSARY SUBSEQUENT
6 DISPLACEMENT RISK ASSESSMENTS, AND DISPLACEMENT RISK
7 ASSESSMENTS OF SPECIFIC PROJECTS TO DETERMINE THE PROJECT'S
8 DISPLACEMENT RISK.

9 (3) Displacement mitigation strategies. (a) THE GOAL OF
10 DISPLACEMENT MITIGATION STRATEGIES IS TO ENSURE THAT:

11 (I) VULNERABLE HOMEOWNERS AND RENTERS IN GENTRIFYING
12 NEIGHBORHOODS ARE NOT DISPLACED FROM THEIR CURRENT HOMES AND
13 NEIGHBORHOODS;

14 (II) THE EXISTING AFFORDABLE HOUSING STOCK, BOTH SUBSIDIZED
15 AND UNSUBSIDIZED, IN GENTRIFYING NEIGHBORHOODS IS PRESERVED SO
16 THAT DWELLING UNITS ARE IN GOOD CONDITION WHILE REMAINING
17 AFFORDABLE TO LOW-INCOME RESIDENTS;

18 (III) CITY PLANNING AND LAND USE DECISIONS INCORPORATE
19 INCLUSIVE AND EQUITABLE DISPLACEMENT MITIGATION STRATEGIES, AND
20 LOW-INCOME PERSONS AND COMMUNITIES OF COLOR ARE EMPOWERED TO
21 PARTICIPATE EARLY AND MEANINGFULLY IN LAND USE DECISIONS THAT
22 SHAPE THEIR HOMES, NEIGHBORHOODS, AND COMMUNITIES;

23 (IV) NEW AFFORDABLE HOUSING OPTIONS ARE CREATED TO SERVE
24 CURRENT AND FUTURE VULNERABLE HOUSEHOLDS IN GENTRIFYING
25 NEIGHBORHOODS;

26 (V) VULNERABLE RESIDENTS ARE ABLE TO REMAIN IN OR RETURN
27 TO THEIR COMMUNITIES BY ACCESSING THE NEW AFFORDABLE HOUSING

1 OPPORTUNITIES IN THEIR NEIGHBORHOODS; AND
2 (VI) AN EQUAL OR GREATER AMOUNT OF AFFORDABLE HOUSING
3 IS PROVIDED IN AREAS IDENTIFIED AS AT-RISK OF DISPLACEMENT BASED ON
4 THE DISPLACEMENT RISK ASSESSMENT. THIS IS A CENTRAL TENANT OF THE
5 DISPLACEMENT MITIGATION STRATEGIES.
6 (b) EACH OF THE DISPLACEMENT MITIGATION STRATEGIES MUST BE
7 ABLE TO BE INCORPORATED BY TIER ONE AND TWO MUNICIPALITIES AND
8 RURAL RESORT JOB CENTER MUNICIPALITIES INTO THE MUNICIPALITY'S
9 HOUSING NEEDS PLAN AS REQUIRED BY SECTION 29-33-105. THESE
10 DISPLACEMENT MITIGATION STRATEGIES MUST INCLUDE:
11 (I) GUIDANCE AND RECOMMENDATIONS FOR HOW A LOCAL
12 GOVERNMENT SHALL INCORPORATE THE DISPLACEMENT RISK ASSESSMENT
13 REQUIRED PURSUANT TO SUBSECTION (1) OF THIS SECTION;
14 (II) LONG-TERM DISPLACEMENT MITIGATION MEASURES FROM
15 WHICH LOCAL GOVERNMENTS MUST CHOOSE TO ADDRESS AREAS
16 IDENTIFIED IN THE DISPLACEMENT RISK ASSESSMENT REQUIRED BY
17 SUBSECTION (2) OF THIS SECTION, INCLUDING:
18 (A) DEVELOPING A PROGRAM TO OFFER TECHNICAL ASSISTANCE
19 AND FINANCIAL SUPPORT FOR COMMUNITY ORGANIZATIONS TO DEVELOP
20 INDEPENDENT COMMUNITY LAND TRUSTS;
21 (B) LOCAL GOVERNMENT PLANNING FOR ACQUISITION AND
22 REHABILITATING OF NATURALLY OCCURRING AFFORDABLE RENTALS,
23 EITHER TO ENTER INTO LAND TRUST OR TO INCLUDE AFFORDABILITY DEED
24 RESTRICTIONS;
25 (C) IMPLEMENTING LOCAL RIGHT OF FIRST REFUSAL FOR EXPIRING
26 REGULATED AFFORDABLE UNITS, PRIORITIZE LOCAL FUNDS TOWARD
27 AFFORDABLE UNIT RECAPTURE, AND IMPLEMENTING OR CONTINUING DEED

1 RESTRICTED AFFORDABILITY; AND
2 (D) PROVIDING HOMESTEAD TAX EXEMPTIONS FOR LONGTIME
3 HOMEOWNERS IN NEIGHBORHOODS IDENTIFIED AS VULNERABLE TO
4 DISPLACEMENT AND FOR LOW- TO MODERATE-INCOME HOMEOWNERS
5 WITHIN ONE-HALF MILE OF LARGE MULTIFAMILY DEVELOPMENTS;
6 (III) REQUIRING MULTIFAMILY DEVELOPERS WHO BUILD
7 DEVELOPEMNTS IN AREAS AT RISK OF DISPLACEMENT, AS IDENTIFIED BY
8 THE DISPLACEMENT RISK ASSESSMENT, TO CREATE A COMMUNITY
9 BENEFITS AGREEMENT WITH AFFECTED POPULATIONS WITHIN
10 ONE-QUARTER MILE OF THE DEVELOPMENT;
11 (IV) PROVIDING A PRIORITIZATION POLICY FOR CURRENT
12 RESIDENTS IN THIRTY PERCENT OF ANY NEW MULTIFAMILY DEVELOPMENT
13 FOR THE FIRST TWO MONTHS OF WHEN UNITS ARE LEASED AFTER
14 CONSTRUCTION IN A MULTIFAMILY DEVELOPMENT;
15 (V) REQUIRING GREATER AFFORDABILITY REQUIREMENTS FOR
16 MISSING MIDDLE HOUSING IN AREAS THAT ARE IDENTIFIED AS AT-RISK OF
17 DISPLACEMENT PURSUANT TO THE DISPLACEMENT RISK ASSESSMENT
18 REQUIRED IN SUBSECTION (1) OF THIS SECTION:
19 (A) IN AREAS WITH SINGLE FAMILY ZONING, ONE IN THREE UNITS
20 IN ANY TRIPLEX MUST BE AFFORDABLE TO PEOPLE WITH INCOMES AT OR
21 BELOW ONE HUNDRED PERCENT OF THE LOCAL NEIGHBORHOOD AREA
22 MEDIAN INCOME; AND
23 (B) IN AREAS ZONED FOR USE BY SINGLE FAMILY DWELLINGS THAT
24 ARE REZONED FOR MULTIFAMILY UNITS WITH THREE TO FOUR UNITS, FIFTY
25 PERCENT OF THE UNITS MUST BE AFFORDABLE TO PEOPLE WITH INCOMES
26 AT OR BELOW ONE HUNDRED PERCENT OF THE LOCAL NEIGHBORHOOD
27 AREA MEDIAN INCOME; AND

1 (VI) SHORT-TERM DISPLACEMENT MITIGATION MEASURES FROM
2 WHICH LOCAL GOVERNMENTS SHALL CHOOSE, INCLUDING:

3 (A) THE CREATION OF A LOCALLY FUNDED AND ADMINISTERED
4 RENTAL AND MORTGAGE ASSISTANCE PROGRAM;

5 (B) THE CREATION OF AN EVICTION AND FORECLOSURE NO-COST
6 LEGAL REPRESENTATION PROGRAM;

7 (C) THE ESTABLISHMENT OF A HOUSING COUNSELING AND
8 NAVIGATION PROGRAM; AND

9 (D) THE CREATION OF A PROPERTY TAX AND DOWN PAYMENT
10 ASSISTANCE PROGRAM.

11 (c) MUNICIPALITIES SHALL ADOPT A MINIMUM NUMBER OF
12 SHORT-TERM AND LONG-TERM DISPLACEMENT MITIGATION STRATEGIES.

13 (I) THE NUMBER OF SHORT-TERM AND LONG-TERM
14 EVIDENCE-BASED DISPLACEMENT MITIGATION STRATEGIES THAT AN
15 URBAN OR RURAL RESORT JOB CENTER MUNICIPALITY SHALL ADOPT IS
16 DETERMINED BASED ON THE PERCENTAGE OF THE POPULATION FOUND TO
17 BE VULNERABLE TO DISPLACEMENT ACCORDING TO THE DISPLACEMENT
18 RISK ASSESSMENT.

19 (II) THE STRATEGIES A MUNICIPALITY SELECTS MUST BE
20 EVIDENCED-BASED AND PROVIDE SUPPORTING INFORMATION AND A
21 NARRATIVE TO DEMONSTRATE HOW THE STRATEGIES WILL MITIGATE
22 DISPLACEMENT AS IDENTIFIED IN THE DISPLACEMENT RISK ASSESSMENT.

23 (d) AN URBAN AND RURAL RESORT JOB CENTER MUNICIPALITY
24 SHALL PROVIDE A NARRATIVE AND EVIDENCE FOR HOW EACH
25 DISPLACEMENT MITIGATION STRATEGY IT ADOPTS CORRESPONDS TO THE
26 NEIGHBORHOOD MEDIAN INCOME OF DISPLACEMENT-VULNERABLE AREAS
27 AS DETERMINED BY THE DISPLACEMENT RISK ASSESSMENT.

1 (4) Assessment and strategies. NO LATER THAN DECEMBER 31,
2 2024, AND EVERY FIVE YEARS THEREAFTER, IN ACCORDANCE WITH THE
3 GUIDANCE FOR CREATING A DISPLACEMENT RISK ASSESSMENT AND THE
4 SELECTION OF DISPLACEMENT MITIGATION STRATEGIES, EVERY TIER ONE
5 AND TWO URBAN MUNICIPALITY AND RURAL RESORT JOB CENTER
6 MUNICIPALITY SHALL DEVELOP, ADOPT, AND SUBMIT A DISPLACEMENT
7 RISK ASSESSMENT AND A DESCRIPTION OF THE EVIDENCE-BASED
8 DISPLACEMENT MITIGATION STRATEGIES IT SELECTED TO THE
9 DEPARTMENT OF LOCAL AFFAIRS AS PART OF A HOUSING NEEDS PLAN
10 REQUIRED UNDER SECTION 29-33-105. THE DEPARTMENT OF LOCAL
11 AFFAIRS SHALL POST THE SUBMITTED PLANS PUBLICLY ON ITS WEBSITE.

12 (5) Public comment. BEFORE ADOPTING AND SUBMITTING A FINAL
13 DISPLACEMENT RISK ASSESSMENT AND MAKING A FINAL SELECTION OF
14 EVIDENCE-BASED DISPLACEMENT MITIGATION STRATEGIES, A TIER ONE OR
15 TIER TWO URBAN MUNICIPALITY AND A RURAL RESORT JOB CENTER
16 MUNICIPALITY SHALL PUBLISH THE MOST RECENT DRAFT OF ITS
17 DISPLACEMENT RISK ASSESSMENT AND THE EVIDENCE-BASED
18 DISPLACEMENT MITIGATION STRATEGIES IT SELECTED AND ENGAGE IN A
19 PUBLIC COMMENT PROCESS. THAT PUBLIC COMMENT PROCESS MUST
20 INCLUDE:

21 (a) PROVIDING PUBLIC NOTICE AND HOLDING AT LEAST TWO PUBLIC
22 HEARINGS AT WHICH MEMBERS OF THE PUBLIC HAVE AN OPPORTUNITY TO
23 COMMENT;

24 (b) ALLOWING SUBMISSION OF WRITTEN COMMENTS;

25 (c) CONDUCTING OUTREACH TO AND SOLICITING FEEDBACK FROM
26 THE LOCAL COMMUNITY GROUPS THAT ARE MOST AT-RISK OF
27 DISPLACEMENT;

1 (d) CONSULTING WITH EXPERTS IN DISABILITY RIGHTS,
2 HOMELESSNESS PREVENTION, AFFORDABLE HOUSING, AND TENANT RIGHTS;

3 (e) CONDUCTING OUTREACH TO COMMUNITIES AT RISK OF
4 DISPLACEMENT; AND

5 (f) AN ENCOURAGEMENT OF PARTICIPATION IN THE PUBLIC
6 COMMENT PROCESS, ENSURING ACCESSIBILITY TO THE COMMENT AND
7 HEARING PROCESS BY PROVIDING TRANSLATIONS OF THE DRAFT AND FINAL
8 DISPLACEMENT RISK ASSESSMENT, EVIDENCE-BASED DISPLACEMENT
9 MITIGATION STRATEGIES, OR OTHER RELATED MATERIALS AND BY
10 PROVIDING INTERPRETATION IN LANGUAGES PREDOMINANTLY SPOKEN IN
11 EACH COMMUNITY FOR HEARINGS AND OUTREACH.

12 **(6) Prior displacement efforts.** By JANUARY 1, 2025, TIER ONE
13 AND TWO URBAN MUNICIPALITIES AND RURAL RESORT JOB CENTER
14 MUNICIPALITIES MAY SUBMIT EVIDENCE-BASED MITIGATION STRATEGIES
15 LINKED TO DISPLACEMENT RISK ASSESSMENTS AND THE IMPACT OF THE
16 MEASURES THAT THE MUNICIPALITY ADOPTED PRIOR TO THE EFFECTIVE
17 DATE OF THIS SECTION TO THE DEPARTMENT OF LOCAL AFFAIRS. NO LATER
18 THAN DECEMBER 25, 2025, THE DEPARTMENT MAY DETERMINE WHETHER
19 THOSE STRATEGIES QUALIFY AS A DISPLACEMENT MITIGATION LONG-TERM
20 OR SHORT-TERM MEASURE TO GO TOWARDS SATISFYING THE NUMBER OF
21 MEASURES THAT MUST BE ADOPTED FOR PURSUANT TO SUBSECTION
22 **(3)(c)(I)** OF THIS SECTION.

23 **(7) Technical assistance.** THE DEPARTMENT OF LOCAL AFFAIRS
24 SHALL PROVIDE TECHNICAL ASSISTANCE AND FUNDING TO SUPPORT TIER
25 ONE AND TWO URBAN MUNICIPALITIES AND RURAL RESORT JOB CENTER
26 MUNICIPALITIES IN CONDUCTING A DISPLACEMENT ASSESSMENT AND IN
27 IDENTIFYING DISPLACEMENT MITIGATION STRATEGIES TO ADDRESS THE

1 RISK OF DISPLACEMENT IN THE AREAS AT THE HIGHEST RISK OF
2 DISPLACEMENT.

3 **29-33-108. Strategic growth objectives - reporting.** (1) (a) No
4 LATER THAN MARCH 31, 2024, THE EXECUTIVE DIRECTOR OF THE
5 DEPARTMENT OF LOCAL AFFAIRS SHALL PUBLISH A REPORT THAT
6 IDENTIFIES MULTI-AGENCY IMPLEMENTATION PRINCIPLES TO ACHIEVE
7 STRATEGIC GROWTH OBJECTIVES. THE EXECUTIVE DIRECTOR SHALL
8 UPDATE THIS REPORT EVERY SIX YEARS.

9 (b) THE MULTI-AGENCY ADVISORY COMMITTEE SHALL, AS PART OF
10 THE PUBLIC COMMENT AND HEARING PROCESS ESTABLISHED IN SECTION
11 29-33-109 (2), DEVELOP RECOMMENDATIONS TO PROVIDE TO THE
12 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS
13 CONCERNING THE REPORT DESCRIBED IN SUBSECTION (1)(a) OF THIS
14 SECTION.

15 (2) STRATEGIC GROWTH OBJECTIVES SERVE AS BROAD GUIDANCE
16 TO STATE AGENCIES AND OTHER ENTITIES ENGAGED IN THE
17 IMPLEMENTATION OF SENATE BILL 23-213, ARE INTENDED TO AID IN
18 REACHING THE HOUSING AND LAND USE GOALS OF SENATE BILL 23-213 AS
19 IDENTIFIED IN SUBSECTION (4) OF THIS SECTION, AND ARE TO BE UTILIZED
20 IN DEVELOPING MULTI-AGENCY IMPLEMENTATION PRINCIPLES FOR
21 STRATEGIC GROWTH OBJECTIVES. STRATEGIC GROWTH OBJECTIVES MUST
22 BE DRAFTED IN A WAY THAT, AT A MINIMUM:

23 (a) DEFINES STRATEGIC GROWTH AREAS AS AREAS WITHIN
24 EXISTING CENSUS URBANIZED AREAS THAT INCLUDE AREAS:

25 (I) WITHIN KEY CORRIDORS AND TRANSIT-ORIENTED AREAS;

26 (II) THAT ARE VACANT, PARTIALLY VACANT, AND UNDERUTILIZED
27 LAND;

1 (III) THAT CAN ACCOMMODATE INFILL DEVELOPMENT,
2 REDEVELOPMENT, AND NEW DEVELOPMENT;

3 (IV) THAT INCLUDE GREYFIELD DEVELOPMENT AND BROWNFIELD
4 DEVELOPMENT;

5 (V) THAT INCLUDE A VARIETY OF HOUSING TYPES AT DENSITY
6 LEVELS THAT SUPPORT FREQUENT TRANSIT SERVICE, FOR BOTH EXISTING
7 AND FUTURE TRANSIT CORRIDORS;

8 (VI) THAT INCLUDE MIDDLE HOUSING AND MULTIFAMILY HOUSING
9 IN EXISTING OR FUTURE WALKABLE MIXED-USE NEIGHBORHOODS AND
10 CENTERS;

11 (VII) WITH SUFFICIENT WATER SUPPLIES AND ALLOCATIONS TO
12 AFFORDABLE AND WATER-EFFICIENT DESIGN; AND

13 (VIII) BEYOND EXISTING A CENSUS URBANIZED AREA
14 EXPERIENCING GROWTH MAY BE CONSIDERED A STRATEGIC GROWTH AREA
15 IF IT MEETS THE CRITERIA IN SUBSECTIONS (2)(a)(V), (2)(a)(VI), AND
16 (2)(a)(VII) OF THIS SECTION;

17 (b) REQUIRES STATE AGENCIES TO CONSIDER THE DIFFERENT
18 CONTEXTS AND NEEDS OF STRATEGIC GROWTH AREAS IN RURAL, RURAL
19 RESORT, AND URBAN AREAS OF THE STATE;

20 (c) PROMOTES INVESTMENTS THAT SUPPORT STRATEGIC GROWTH
21 AREAS;

22 (d) STREAMLINES AGENCY PERMITTING PROCESSES TO SUPPORT
23 STRATEGIC GROWTH AREAS;

24 (e) REQUIRES PROJECT PRIORITIZATION PROCESSES AND GRANT
25 PROGRAMS TO SUPPORT STRATEGIC GROWTH AREAS;

26 (f) CONSIDERS STEPS TO SUPPORT STRATEGIC GROWTH OBJECTIVES
27 WHEN UPDATING PLANNING DOCUMENTS, INCLUDING PERFORMANCE

1 MEASURES AND PERFORMANCE TARGETS; AND
2 (g) ALLOWS FOR THE IDENTIFICATION OF NEW STRATEGIC GROWTH
3 OBJECTIVES AS NEEDED DURING THE IMPLEMENTATION OF THE
4 MULTI-AGENCY IMPLEMENTATION PRINCIPLES IDENTIFIED IN SUBSECTION
5 (1)(a) OF THIS SECTION.
6 (3)(a) NO LATER THAN JUNE 30, 2025, THE MULTI-AGENCY GROUP
7 SHALL SUBMIT A REPORT TO THE EXECUTIVE DIRECTOR OF THE
8 DEPARTMENT OF LOCAL AFFAIRS WITH REVIEW AND CO-SUBMITTAL FROM
9 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES
10 WHO SHALL SUBMIT THE REPORT TO THE GENERAL ASSEMBLY.
11 (b) THE REPORT MUST ASSESS BOTH:
12 (I) THE AVAILABILITY AND SUFFICIENCY OF WATER SUPPLIES IN
13 COUNTIES WITH A POPULATION GREATER THAN TWO HUNDRED AND FIFTY
14 THOUSAND TO PROVIDE FOR ANTICIPATED GROWTH AND DEVELOPMENT;
15 (II) POLICY OPTIONS TO PROMOTE WATER USE EFFICIENCY; AND
16 (III) POLICY OPTIONS TO OPTIMIZE WATER SUPPLY AND
17 DEVELOPMENT.
18 (4) ON OR BEFORE DECEMBER 31, 2023, THE MULTI-AGENCY
19 COMMITTEE CREATED IN SECTION 29-33-103 SHALL SUBMIT A REPORT TO
20 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION,
21 WHO SHALL SUBMIT THE REPORT TO THE GENERAL ASSEMBLY,
22 IDENTIFYING KEY CORRIDORS FOR URBAN BUS RAPID TRANSIT SERVICE AND
23 FREQUENT BUS SERVICE.
24 (5) NO LATER THAN DECEMBER 31, 2023, THE MULTI-AGENCY
25 COMMITTEE CREATED IN SECTION 29-33-103 SHALL DELIVER A REPORT TO
26 THE GENERAL ASSEMBLY CONCERNING LEGISLATIVE AND ADMINISTRATIVE
27 RECOMMENDATIONS TO ADDRESS LONG-TERM HOUSING SUPPLY AND

1 AFFORDABILITY NEEDS, IN A MANNER THAT CONSERVES WATER, OPEN
2 SPACE AND AGRICULTURAL LAND, REDUCES GREENHOUSE GAS EMISSION
3 IN A MANNER SUFFICIENT TO MEET THE STATE'S STATUTORY REDUCTION
4 GOALS AND AIR POLLUTION, DEMONSTRATES THE REDUCTION OF
5 NEAR-ROAD AIR POLLUTION, AND REDUCES LONG-TERM INFRASTRUCTURE
6 COSTS.

7 **29-33-109. Public comment and hearing process.** (1) IN
8 DEVELOPING RECOMMENDATIONS CONCERNING GUIDANCE FOR THE
9 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS, THE
10 MULTI-AGENCY ADVISORY COMMITTEE CREATED IN SECTION 29-33-103
11 (1), RURAL RESORT AREA SUBCOMMITTEE CREATED IN SECTION 29-33-103
12 (8), OR THE URBAN AREA SUBCOMMITTEE CREATED IN SECTION 29-33-103
13 (9), SHALL CONDUCT A PUBLIC COMMENT AND HEARING PROCESS ABOUT:

14 (a) DEVELOPING METHODOLOGY FOR THE DEVELOPMENT OF
15 STATEWIDE, REGIONAL, AND LOCAL HOUSING NEEDS ASSESSMENTS
16 PURSUANT TO SECTION 29-33-104;

17 (b) CREATING A HOUSING NEEDS PLAN PURSUANT TO SECTION
18 29-33-105;

19 (c) DEVELOPING A MENU OF AFFORDABILITY STRATEGIES THAT
20 INCLUDES STRATEGIES TO ADDRESS HOUSING PRODUCTION,
21 PRESERVATION, AND AFFORDABILITY PURSUANT TO SECTION 29-33-106;

22 (d) DEVELOPING A MENU OF DISPLACEMENT MITIGATION
23 MEASURES FOR URBAN MUNICIPALITIES PURSUANT TO SECTION 29-33-107;

24 (e) PUBLISHING A REPORT THAT IDENTIFIES STRATEGIC GROWTH
25 OBJECTIVES PURSUANT TO SECTION 29-33-108; AND

26 (f) DEVELOPING REPORTING GUIDANCE AND TEMPLATES FOR
27 RURAL RESORT JOB CENTER MUNICIPALITIES AND URBAN MUNICIPALITIES

1 PURSUANT TO SECTION 29-33-113.

2 (2) TO CONDUCT THE PUBLIC COMMENT AND HEARING PROCESS
3 REQUIRED BY SUBSECTION (1) OF THIS SECTION, THE MULTI-AGENCY
4 ADVISORY COMMITTEE CREATED IN SECTION 29-33-103 (1), RURAL RESORT
5 AREA SUBCOMMITTEE CREATED IN SECTION 29-33-103 (8), OR THE URBAN
6 AREA SUBCOMMITTEE CREATED IN SECTION 29-33-103 (9), SHALL:

7 (a) PROVIDE PUBLIC NOTICE AND HOLD AT LEAST TWO PUBLIC
8 HEARINGS AT WHICH MEMBERS OF THE PUBLIC HAVE AN OPPORTUNITY TO
9 COMMENT ON THE SUBJECT OF THE HEARING;

10 (b) ALLOW THE SUBMISSION OF WRITTEN COMMENTS ON THE
11 SUBJECT OF THE HEARING;

12 (c) CONDUCT OUTREACH TO AND SOLICIT FEEDBACK FROM LOCAL
13 GOVERNMENTS AND REGIONAL PLANNING AGENCIES;

14 (d) CONSULT WITH EXPERTS IN DISABILITY RIGHTS, RACIAL EQUITY
15 AND HOMELESSNESS PREVENTION, AFFORDABLE HOUSING, FAIR HOUSING,
16 PLANNING AND ZONING, AND RELATED FIELDS; AND

17 (e) ENSURE ACCESSIBILITY TO THE COMMENT AND HEARING
18 PROCESS BY PROVIDING TRANSLATED MATERIALS AND INTERPRETATION
19 SERVICES, PROVIDING AT LEAST ONE OF THE HEARINGS IN PERSON, AND
20 CONDUCTING OUTREACH TO ENCOURAGE PARTICIPATION FROM
21 UNDERREPRESENTED COMMUNITIES.

22 **29-33-110. Natural and agricultural land priorities report.**

23 (1) NO LATER THAN DECEMBER 31, 2024, THE OFFICE OF CLIMATE
24 PREPAREDNESS CREATED IN SECTION 24-38.8-102 (1) SHALL CONSULT
25 WITH THE DEPARTMENT OF AGRICULTURE, THE DIVISION OF PARKS AND
26 WILDLIFE WITHIN THE DEPARTMENT OF NATURAL RESOURCES, THE
27 OUTDOOR RECREATION INDUSTRY OFFICE IN THE OFFICE OF ECONOMIC

1 DEVELOPMENT, THE COLORADO TOURISM OFFICE, AND THE MULTI-AGENCY
2 GROUP TO DEVELOP A REPORT THAT IDENTIFIES INTERJURISDICTIONAL
3 PRIORITIES THAT METROPOLITAN PLANNING ORGANIZATIONS SHOULD
4 APPLY TO ACHIEVE BOTH:

5 (a) CONNECTIVITY TO OPEN SPACE, WILDLIFE HABITAT, AND OTHER
6 PRIORITY LANDSCAPES; AND

7 (b) PRESERVATION OF AGRICULTURAL LAND, HISTORIC AND
8 CULTURAL RESOURCES, URBAN PARKS AND GREEN SPACES, EXURBAN OPEN
9 SPACE, RECREATIONAL RESOURCES, WILDLIFE HABITATS, AND ECOSYSTEMS
10 WITH THE GREATEST NEED FOR CONSERVATION.

11 (2) THE REPORT MUST INTEGRATE AND INCLUDE INFORMATION
12 FROM RELEVANT EXISTING AND UNDER DEVELOPMENT STATE PLANS,
13 INCLUDING THE DIVISION OF PARKS AND WILDLIFE'S STATE WILDLIFE
14 ACTION PLAN, THAT ADDRESS CONSERVATION, RECREATION, AND CLIMATE
15 ADAPTATION, AND MUST BE UPDATED TO INCORPORATE RESULTS OF NEW
16 PLANS, DATA, OR ANALYSES THAT ARE COMPLETED AFTER THE INITIAL
17 COMPLETION OF THE REPORT.

18 (3) THE DEPARTMENT OF LOCAL AFFAIRS SHALL PUBLISH THE
19 REPORT AND MAKE IT AVAILABLE AS A RESOURCE FOR LOCAL
20 GOVERNMENTS FOR USE IN DEVELOPING MASTER PLANS PURSUANT TO
21 SECTIONS 30-28-106 AND 31-23-206 AS APPLICABLE.

22 **29-33-111. Rural resort job center municipalities - existing**
23 **plans to address local housing needs - menu of affordability strategies**
24 **- regional housing needs planning process. (1) Existing plans to**
25 **address local housing needs. A RURAL RESORT JOB CENTER**
26 **MUNICIPALITY THAT ADOPTS A PLAN TO ADDRESS LOCAL HOUSING NEEDS**
27 **PRIOR TO THE EFFECTIVE DATE OF THIS SECTION MAY, RATHER THAN**

1 DEVELOPING AND ADOPTING A NEW HOUSING NEEDS PLAN PURSUANT TO
2 SUBSECTION (3)(b) OF THIS SECTION, UPDATE ITS EXISTING PLAN TO
3 ADDRESS ADDITIONAL NEEDS IDENTIFIED IN THE LOCAL HOUSING NEEDS
4 ASSESSMENT BEYOND WHAT THE MUNICIPALITY'S EXISTING PLAN TO
5 ADDRESS LOCAL HOUSING NEEDS INCLUDES, AND ANY REQUIREMENTS IN
6 SECTION 29-33-105 (4) NOT ALREADY INCLUDED IN THE MUNICIPALITY'S
7 EXISTING PLAN TO ADDRESS LOCAL HOUSING NEEDS.

8 **(2) Rural resort job center municipality planning goals. In**
9 ORDER TO SUPPORT AFFORDABILITY AND ADVANCE MEETING THE HOUSING
10 NEEDS OF LOW- AND MODERATE-INCOME HOUSEHOLDS, AS DEFINED BY
11 THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
12 DEVELOPMENT, THE MENU OF AFFORDABILITY STRATEGIES FOR A RURAL
13 RESORT JOB CENTER MUNICIPALITY MUST INCLUDE BOTH AFFORDABLE
14 DEVELOPMENT STRATEGIES AND LONG-TERM AFFORDABILITY STRATEGIES.
15 THE AFFORDABLE DEVELOPMENT STRATEGIES INCLUDED IN THE MENU OF
16 AFFORDABILITY STRATEGIES FOR A RURAL RESORT JOB CENTER
17 MUNICIPALITY MUST INCLUDE THE FOLLOWING:

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

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

26 **(I) IS WITHIN A WALKABLE DISTANCE OF TRANSIT STOPS, WHEN**
27 POSSIBLE;

1 (II) INCORPORATES AFFORDABILITY PROTECTIONS SUCH AS DEED
2 RESTRICTIONS AND SHORT-TERM RENTAL RESTRICTIONS AS IDENTIFIED BY
3 THE RURAL RESORT JOB CENTER MUNICIPALITY; AND

4 (III) PROVIDES HOUSING THAT MEETS THE RURAL RESORT JOB
5 CENTER MUNICIPALITY'S DEMONSTRATED HOUSING AFFORDABILITY NEEDS
6 AND SHORTAGES, TAKING INTO CONSIDERATION REGIONAL WORKFORCE
7 COMMUTING TRENDS;

8 (c) IMPLEMENTING A LOCAL INCLUSIONARY ZONING ORDINANCE IN
9 ACCORDANCE WITH THE REQUIREMENTS OF SECTION 29-20-104 (e.5) AND
10 (e.7);

11 (d) THE CREATION OF A PROGRAM TO SUBSIDIZE OR OTHERWISE
12 REDUCE LOCAL DEVELOPMENT FEES FOR REGULATED AFFORDABLE
13 HOUSING DEVELOPMENT THAT MAY INCLUDE:

- 14 (I) BUILDING PERMIT FEES;
- 15 (II) PLANNING WAIVERS;
- 16 (III) WATER AND SEWER TAP FEES; AND
- 17 (IV) OTHER INFRASTRUCTURE COSTS;

18 (e) CREATING AN EXPEDITED DEVELOPMENT REVIEW PROCESS FOR
19 AFFORDABLE HOUSING DEVELOPMENTS;

20 (f) ESTABLISHING A DENSITY BONUS PROGRAM THAT ALLOWS
21 INCREASED FLOOR AREA RATIO, DENSITY, OR HEIGHT BEYOND WHAT IS
22 OTHERWISE REQUIRED BY THIS ARTICLE 33 TO INCREASE THE
23 CONSTRUCTION OF AFFORDABLE HOUSING UNITS;

24 (g) ENABLING AFFORDABLE HOUSING AS A USE BY RIGHT IN
25 HOUSING TYPES AND AREAS BEYOND WHAT IS REQUIRED BY THIS ARTICLE
26 33, SUCH AS ADDITIONAL ZONE DISTRICTS, HIGHER ALLOWED DENSITIES,
27 OR OTHER APPROACHES CONSISTENT WITH THE GOALS OF INCREASING

- 1 HOUSING AFFORDABILITY, SUPPLY, AND HOUSING UNIT TYPE DIVERSITY;
- 2 (h) ESTABLISHING A POLICY OR PLAN TO LEVERAGE
- 3 MUNICIPALLY-OWNED LAND FOR THE DEVELOPMENT OF AFFORDABLE
- 4 HOUSING;
- 5 (i) ESTABLISHING A DEDICATED LOCAL REVENUE SOURCE FOR THE
- 6 DEVELOPMENT OF AFFORDABLE HOUSING;
- 7 (j) REGULATING SHORT-TERM RENTALS OR SECOND HOMES;
- 8 (k) REDUCING OR ELIMINATING LOCAL PARKING REQUIREMENTS
- 9 FOR AFFORDABLE HOUSING;
- 10 (l) MAKING A COMMITMENT TO AND REMAINING ELIGIBLE FOR THE
- 11 STATEWIDE AFFORDABLE HOUSING FUND CREATED IN SECTION 29-32-102
- 12 (1);
- 13 (m) ADOPTING A POLICY THAT RESULTS IN NON-CONSTRUCTION
- 14 SOLUTIONS TO INCREASE AFFORDABLE HOUSING, INCLUDING THE:
- 15 (I) ACQUISITION OF DEED RESTRICTIONS ON EXISTING
- 16 MARKET-RATE HOUSING UNITS;
- 17 (II) PRESERVATION OF EXISTING DEED RESTRICTIONS; OR
- 18 (III) PROGRAMS TO DISINCENTIVE THE USE OF HOMES AS
- 19 NON-PRIMARY RESIDENCES;
- 20 (n) ADOPTING A REGIONAL HOUSING NEEDS PLAN WITH
- 21 MULTI-JURISDICTIONAL COMMITMENTS TO MEET IDENTIFIED HOUSING
- 22 TARGETS TO INCREASE THE SUPPLY OF AFFORDABLE HOUSING;
- 23 (o) THE PRIORITIZED APPLICATION OF MIDDLE HOUSING, KEY
- 24 CORRIDOR, AND TRANSIT-ORIENTED AREA DENSITIES IN THE
- 25 MUNICIPALITY'S HIGHEST INCOME CENSUS TRACTS;
- 26 (p) THE ESTABLISHMENT OF POLICIES TO ALIGN INFRASTRUCTURE
- 27 STRATEGIES WITH THE NEEDS IDENTIFIED IN THE RELEVANT LOCAL

1 HOUSING NEEDS ASSESSMENT. THESE POLICIES MAY INCLUDE THE
2 PRIORITIZATION OF UTILITIES AND AVAILABLE AND USABLE WATER RIGHTS,
3 OR COST EXEMPTIONS AND DISCOUNTS, FOR REGULATED AFFORDABLE
4 HOUSING THAT MEETS NEEDS IDENTIFIED IN THE RELEVANT LOCAL
5 HOUSING NEEDS ASSESSMENT;

6 (q) ADOPTING A STRATEGY PROPOSED BY EITHER A LOCAL
7 GOVERNMENT OR THE MULTI-AGENCY ADVISORY COMMITTEE, AND THAT
8 IS APPROVED BY THE DEPARTMENT OF LOCAL AFFAIRS, THAT SUPPORTS
9 EQUAL OR GREATER HOUSING AFFORDABILITY CONSISTENT WITH THE
10 NEEDS IDENTIFIED IN THE RELEVANT LOCAL HOUSING NEEDS ASSESSMENT;

11 AND

12 (r) ADOPTING A POLICY OR REGULATORY TOOL THAT INCENTIVIZES
13 THE PROMOTION OF AFFORDABLE HOUSING DEVELOPMENT AS IDENTIFIED
14 IN SECTION 24-32-130 (3).

15 (3) THE LONG-TERM AFFORDABILITY STRATEGIES INCLUDED IN THE
16 MENU OF AFFORDABILITY STRATEGIES FOR A RURAL RESORT JOB CENTER
17 MUNICIPALITY MUST INCLUDE THE FOLLOWING:

18 (a) THE ESTABLISHMENT OF A DEDICATED LOCAL REVENUE SOURCE
19 FOR REGULATED AFFORDABLE HOUSING DEVELOPMENT, SUCH AS
20 INSTITUTING A LINKAGE FEE ON NEW DEVELOPMENTS;

21 (b) THE REGULATION OF SHORT-TERM RENTALS, SECOND HOMES,
22 OR OTHER VACANT UNITS IN A WAY THAT PROMOTES THE MAXIMUM USE
23 OF LOCAL HOUSING STOCK FOR LOCAL HOUSING NEEDS AS DETERMINED
24 THROUGH A HOUSING NEEDS ASSESSMENT. THIS REGULATION MAY
25 INCLUDE EXACTING A VACANCY FEE ON UNDERUTILIZED UNITS.

26 (c) MAKING COMMITMENT TO AND REMAINING ELIGIBLE FOR THE
27 STATE AFFORDABLE HOUSING FUND CREATED IN SECTION 29-32-102 (1);

1 (d) THE ESTABLISHMENT OF AN AFFORDABLE HOMEOWNERSHIP
2 STRATEGY SUCH AS:

3 (I) THE ACQUISITION OF PRESERVATION OF DEED RESTRICTIONS ON
4 CURRENT HOUSING UNITS;

5 (II) THE ESTABLISHMENT OF AN INCENTIVE PROGRAM TO
6 ENCOURAGE REALTORS TO WORK WITH PROSPECTIVE LOW-INCOME AND
7 MINORITY HOMEBUYERS; OR

8 (III) THE ESTABLISHMENT OF AN AFFORDABLE RENT-TO-OWN
9 PROGRAM;

10 (e) PRIORITIZING THE USE OF MUNICIPALLY OWNED DEVELOPABLE
11 LAND FOR AFFORDABLE HOUSING DEVELOPMENT, INCLUDING
12 AFFORDABILITY DEED RESTRICTIONS OF AT LEAST SEVENTY-FIVE YEARS;

13 (f) INCENTIVIZING OR CREATING A DEDICATED LOCAL PROGRAM TO
14 FACILITATE INVESTMENT IN LAND BANKING OR COMMUNITY LAND TRUSTS;
15 AND

16 (g) PRESERVING AFFORDABILITY OF BOTH REGULATED AND
17 UNREGULATED HOUSING THROUGH INTERVENTIONS SUCH AS CAPITAL
18 INVESTMENTS IN PROPERTY RESTORATION OR REHABILITATION, LOCAL
19 RIGHT OF FIRST REFUSAL PROGRAMS, OR PROGRAMS THAT TRANSITION
20 EXISTING HOUSING STOCK TO REGULATED AFFORDABLE HOUSING.

21 (4)(a) RURAL RESORT JOB CENTER MUNICIPALITIES MAY ADOPT AT
22 LEAST FIVE OF THE AFFORDABILITY STRATEGIES LISTED IN SUBSECTION (2)
23 OF THIS SECTION AND MUST SUBMIT A REPORT DETAILING THESE
24 STRATEGIES TO THE DEPARTMENT OF LOCAL AFFAIRS NO LATER THAN
25 DECEMBER 31, 2026. IN DETERMINING WHICH STRATEGIES TO ADOPT, A
26 RURAL RESORT JOB CENTER MUNICIPALITY SHALL CONSIDER PREVIOUS
27 PLANS ADDRESSING HOUSING NEEDS OR OTHER AVAILABLE DATA TO

1 INFORM THE SELECTION OF STRATEGIES TO ADDRESS KNOWN HOUSING
2 NEEDS.

3 (b) NOTWITHSTANDING SUBSECTION (4)(a) OF THIS SECTION, A
4 RURAL RESORT JOB CENTER MUNICIPALITY MUST ADOPT AT LEAST TWO
5 STRATEGIES FROM THE LIST OF AFFORDABLE DEVELOPMENT STRATEGIES
6 IN SUBSECTION (2) OF THIS SECTION AND AT LEAST ONE STRATEGY FROM
7 THE LIST OF LONG-TERM AFFORDABILITY STRATEGIES IN SUBSECTION (3)
8 OF THIS SECTION.

9 (c) NOTWITHSTANDING SUBSECTION (4)(a) OF THIS SECTION, A
10 RURAL RESORT JOB CENTER MUNICIPALITY MAY SUBMIT EVIDENCE TO THE
11 DEPARTMENT OF LOCAL AFFAIRS CONCERNING AFFORDABILITY
12 STRATEGIES THAT THE MUNICIPALITY HAS ADOPTED OUTSIDE OF THOSE
13 LISTED IN THIS SECTION, OR THAT THE MUNICIPALITY ADOPTED PRIOR TO
14 THE EFFECTIVE DATE OF THIS SECTION, AND THE IMPACT OF THOSE
15 STRATEGIES. THE DEPARTMENT MAY DETERMINE WHETHER THOSE
16 STRATEGIES QUALIFY AS AFFORDABILITY STRATEGIES FOR PURPOSES OF
17 SUBSECTION (4)(a) OF THIS SECTION.

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

22 (II) THE COUNTIES OR MUNICIPALITIES THAT PARTICIPATE IN A
23 PLANNING PROCESS:

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

27 (B) ARE ENCOURAGED TO INCORPORATE STRATEGIC GROWTH

1 OBJECTIVES AS DEFINED IN SECTION 29-33-108 IN THE PLANNING PROCESS;

2 AND

3 (C) ARE ENCOURAGED TO IDENTIFY STRATEGIES THAT ADDRESS
4 THE HOUSING NEEDS IDENTIFIED IN LOCAL HOUSING NEEDS ASSESSMENTS
5 THROUGH THE ADOPTION OF INTERJURISDICTIONAL STRATEGIES AND
6 AFFORDABILITY STRATEGIES FROM THE MENU IN SUBSECTION (2) OF THIS
7 SECTION.

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

12 (IV) A REGIONAL HOUSING NEEDS PLANNING PROCESS MAY BE LED
13 BY A REGIONAL ENTITY AND MUST ENCOURAGE PARTICIPATING COUNTIES
14 AND MUNICIPALITIES TO IDENTIFY STRATEGIES THAT IMPROVE
15 COORDINATION BETWEEN ENTITIES TO MEET THE HOUSING NEEDS
16 IDENTIFIED FOR THOSE LOCAL GOVERNMENTS IN THE REGIONAL AND
17 LOCAL HOUSING NEEDS ASSESSMENTS.

18 (V) BY DECEMBER 31, 2024, THE RURAL RESORT AREA
19 SUBCOMMITTEE CREATED IN SECTION 29-33-103 (8) SHALL ISSUE A REPORT
20 TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS ON
21 THE STATUS, OPPORTUNITIES, AND CHALLENGES OF REGIONAL PLANNING
22 IN THE RURAL RESORT REGIONS, INCLUDING THE CONNECTION BETWEEN
23 HOUSING AND TRANSPORTATION AND REGIONAL EQUITY IN REGARDS TO
24 COMMUNITIES THAT HOUSE THE WORKFORCE AND THOSE THAT ARE RURAL
25 RESORT JOB CENTER MUNICIPALITIES.

26 (b) (I) NO LATER THAN DECEMBER 31, 2026, AND EVERY SIX
27 YEARS THEREAFTER, A RURAL RESORT JOB CENTER MUNICIPALITY SHALL

1 DEVELOP, ADOPT, AND SUBMIT TO THE DEPARTMENT OF LOCAL AFFAIRS A
2 HOUSING NEEDS PLAN. THE HOUSING NEEDS PLAN MUST INCLUDE THE
3 FOLLOWING:

4 (A) A NARRATIVE DESCRIPTION OF THE STAKEHOLDER
5 ENGAGEMENT CONDUCTED DURING THE DEVELOPMENT OF THE HOUSING
6 NEEDS PLAN;

7 (B) AN ANALYSIS OF HOW THE RURAL RESORT JOB CENTER
8 MUNICIPALITY WILL ADDRESS LOCAL HOUSING NEEDS AS IDENTIFIED FROM
9 A REGIONAL HOUSING ASSESSMENT, AND THE LOCAL HOUSING NEEDS
10 ASSESSMENT, INCLUDING DEMONSTRATED HOUSING NEEDS FOR PERSONS
11 OF DIFFERENT INCOME LEVELS, OVER THE NEXT TWENTY YEARS WITH AN
12 EQUITABLE DISTRIBUTION OF HOUSING WITHIN THE MUNICIPALITY;

13 (C) A NARRATIVE ANALYSIS OF ANY AREA AT ELEVATED RISK OF
14 RESIDENTIAL DISPLACEMENT THAT THE RURAL RESORT JOB CENTER
15 MUNICIPALITY HAS IDENTIFIED, AT THE DISCRETION OF EACH
16 MUNICIPALITY, AND A DESCRIPTION OF AN IMPLEMENTATION PLAN FOR
17 ANY DISPLACEMENT MITIGATION MEASURES THAT THE RURAL RESORT JOB
18 CENTER HAS CONSIDERED AS OPTIONS AND DECIDED TO USE, AT THE
19 DISCRETION OF EACH MUNICIPALITY, TO MITIGATE IDENTIFIED
20 DISPLACEMENT RISKS IN THESE AREAS;

21 (D) A DEFINITION OF AFFORDABILITY IN ADDRESSING HOUSING
22 NEEDS, INCLUDING WORKFORCE HOUSING. THIS DEFINITION MUST BE
23 BASED ON THE HOUSING NEEDS ASSESSMENT AND INCLUDE RELEVANT
24 AREA MEDIAN INCOME CLASSIFICATIONS, AND MAY INCLUDE INCOME
25 LEVELS OF ALL FULL-TIME RESIDENTS WHOSE HOUSING NEEDS ARE NOT
26 MET. IF THE RURAL RESORT JOB CENTER MUNICIPALITY HAS A PREEXISTING
27 DEFINITION OF AFFORDABILITY THAT IS SUPPORTED BY THE OUTCOMES OF

1 THE MOST RECENT HOUSING NEEDS ASSESSMENT, THEN IT MAY RELY ON
2 AND REPORT THAT DEFINITION; AND

3 (E) AN IMPLEMENTATION PLAN THAT DESCRIBES HOW THE RURAL
4 RESORT JOB CENTER MUNICIPALITY WILL COMPLY WITH ANY SELECTED
5 AFFORDABILITY STRATEGIES FROM SECTION 29-33-111 (2).

6 (II) BEFORE ADOPTING AND SUBMITTING A HOUSING NEEDS PLAN,
7 A RURAL RESORT JOB CENTER MUNICIPALITY SHALL PUBLISH THE MOST
8 RECENT DRAFT OF ITS HOUSING NEEDS PLAN AND PROVIDE NOTICE OF A
9 PUBLIC COMMENT PERIOD FOR THE RECEIPT OF WRITTEN COMMENTS
10 CONCERNING THE PLAN. THE RURAL RESORT JOB CENTER MUNICIPALITY
11 MAY ALSO CHOOSE TO HOLD A PUBLIC HEARING ON THE PLAN.

12 (III) THE DEPARTMENT OF LOCAL AFFAIRS SHALL POST THE
13 HOUSING NEEDS PLANS SUBMITTED BY RURAL RESORT JOB CENTER
14 MUNICIPALITIES PUBLICLY ON THE DEPARTMENT OF LOCAL AFFAIRS
15 WEBSITE.

16 **29-33-112. Water supply forecast. (1) NO LATER THAN JUNE 30,**
17 **2025, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS**
18 **IN CONSULTATION WITH THE COLORADO WATER CONSERVATION BOARD**
19 **SHALL SUBMIT A JOINT REPORT TO THE GENERAL ASSEMBLY CONFORMING**
20 **TO THE COLORADO WATER PLAN AND BASIN IMPLEMENTATION PLANS**
21 **ADOPTED IN JANUARY 2023 THAT ASSESSES:**

22 (a) THE AVAILABILITY AND SUFFICIENCY OF WATER SUPPLIES IN
23 COUNTIES TO PROVIDE FOR ANTICIPATED GROWTH AND DEVELOPMENT;

24 (b) A FRAMEWORK TO GUIDE INVESTMENTS IN DEVELOPMENT AND
25 CONSERVATION; AND

26 (c) A RANGE OF POLICY OPTIONS TO MAXIMIZE EFFICIENCY OF
27 EXISTING WATER SUPPLY AND IDENTIFY IMPACTS OF FUTURE

1 DEVELOPMENT.

2 (2) THE DIRECTOR SHALL CONSULT WATER PROVIDERS AND
3 PUBLISHED WATER SUPPLY MASTER PLANS IN THE PREPARATION OF THE
4 REPORT.

5 **29-33-113. Technical assistance - housing plans assistance**
6 **fund - definition.** (1) THE DIVISION OF LOCAL GOVERNMENT WITHIN THE
7 DEPARTMENT OF LOCAL AFFAIRS SHALL PROVIDE TECHNICAL ASSISTANCE
8 MATERIALS, BRIEFINGS, CONSULTING SERVICES, TEMPLATES, TOOLS,
9 TRAININGS, WEBINARS, OR OTHER GUIDANCE TO AID LOCAL GOVERNMENTS
10 AND METROPOLITAN PLANNING ORGANIZATIONS IN UPDATING LOCAL LAWS
11 AND OTHERWISE COMPLYING WITH THIS ARTICLE 33.

12 (2) TO ASSIST LOCAL GOVERNMENTS IN COMPLYING WITH THIS
13 ARTICLE 33, THE DIVISION OF LOCAL GOVERNMENT WITHIN THE
14 DEPARTMENT OF LOCAL AFFAIRS, WITH THE SUPPORT OF THE
15 MULTI-AGENCY GROUP, SHALL PROVIDE TECHNICAL ASSISTANCE FUNDING
16 THROUGH EITHER A GRANT PROGRAM OR THE PROVISION OF CONSULTANT
17 SERVICES THROUGH SUBJECT JURISDICTIONS OR BOTH A GRANT PROGRAM
18 AND PROVISION OF CONSULTANT SERVICES. THE DIVISION OF LOCAL
19 GOVERNMENT MAY ALSO PROVIDE TECHNICAL ASSISTANCE FUNDING
20 THROUGH A METROPOLITAN PLANNING ORGANIZATION, COUNTY, OR OTHER
21 REGIONAL ENTITY. BEGINNING JANUARY 1, 2026, AND EVERY YEAR
22 THEREAFTER, THE DEPARTMENT OF LOCAL AFFAIRS SHALL PROVIDE A
23 REPORT ON THE ASSISTANCE REQUESTED BY LOCAL GOVERNMENTS
24 PURSUANT TO THIS SECTION, WHETHER OR NOT ADEQUATE STATE FUNDING
25 IS AVAILABLE TO MEET THE ASSISTANCE REQUESTED BY LOCAL
26 GOVERNMENTS, AND ANY ADDITIONAL RESOURCES THAT LOCAL
27 GOVERNMENTS HAVE IDENTIFIED THAT WOULD HELP COMPLETE ADVISORY

1 HOUSING NEEDS PLANS.

2 (3) (a) THE HOUSING PLANS ASSISTANCE FUND IS CREATED IN THE
3 STATE TREASURY. THE FUND CONSISTS OF ANY MONEY THAT THE GENERAL
4 ASSEMBLY MAY TRANSFER OR APPROPRIATE TO THE FUND FOR
5 IMPLEMENTATION OF THE GRANT PROGRAM, AND GIFTS, GRANTS, OR
6 DONATIONS CREDITED TO THE FUND. THE STATE TREASURER SHALL CREDIT
7 ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT
8 OF MONEY IN THE HOUSING PLANS ASSISTANCE CASH FUND TO THE FUND.

9 (b) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
10 ASSEMBLY, THE DEPARTMENT OF LOCAL AFFAIRS MAY EXPEND MONEY
11 FROM THE FUND FOR THE PURPOSES OF PROVIDING TECHNICAL ASSISTANCE
12 AND IMPLEMENTING A GRANT PROGRAM PURSUANT TO SUBSECTIONS (1)
13 AND (2) OF THIS SECTION.

14 **29-33-114. Reporting requirements. (1) (a) NO LATER THAN**
15 **DECEMBER 31, 2025, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF**
16 **LOCAL AFFAIRS SHALL DEVELOP REPORTING GUIDANCE AND TEMPLATES**
17 **FOR RURAL RESORT JOB CENTER MUNICIPALITIES AND URBAN**
18 **MUNICIPALITIES.**

19 (b) THE MULTI-AGENCY ADVISORY COMMITTEE SHALL, AS PART OF
20 THE PUBLIC COMMENT AND HEARING PROCESS ESTABLISHED IN SECTION
21 29-33-109 (2), PROVIDE RECOMMENDATIONS TO THE EXECUTIVE DIRECTOR
22 OF THE DEPARTMENT OF LOCAL AFFAIRS CONCERNING THE DEVELOPMENT
23 OF REPORTING GUIDANCE AND TEMPLATES FOR RURAL RESORT JOB CENTER
24 MUNICIPALITIES AND URBAN MUNICIPALITIES.

25 (2) AT A MINIMUM, RURAL RESORT JOB CENTER MUNICIPALITIES
26 AND URBAN MUNICIPALITIES SHALL REPORT, NO LATER THAN DECEMBER
27 31, 2026, AND NO LATER THAN DECEMBER 31 OF EACH YEAR THEREAFTER,

1 IN A FORM AND MANNER DETERMINED BY THE DEPARTMENT OF LOCAL
2 AFFAIRS, THE FOLLOWING HOUSING DATA FOR THE PREVIOUS CALENDAR
3 YEAR TO THE DEPARTMENT OF LOCAL AFFAIRS:

4 (a) THE NUMBER OF PERMITS ISSUED BY EACH OF THE CATEGORIES
5 WITHIN THE HOUSING NEEDS ASSESSMENT OF A MUNICIPALITY OR RURAL
6 RESORT JOB CENTER, INCLUDING, BUT NOT LIMITED TO, BY INCOME, BY
7 HOME OWNERSHIP VERSUS RENTAL, BY REGULATED AFFORDABLE HOUSING,
8 AND BY NUMBER OF BEDROOMS;

9 (b) THE NUMBER OF PERMITS THAT THE MUNICIPALITY ISSUED FOR
10 NEW HOUSING UNITS CATEGORIZED BY THE NUMBER OF UNITS IN EACH
11 STRUCTURE TYPE AND INCOME LEVEL;

12 (c) THE NUMBER OF NEW HOUSING UNITS CATEGORIZED BY THE
13 NUMBER OF UNITS IN EACH STRUCTURE TYPE, IN THE MUNICIPALITY ON
14 WHICH CONSTRUCTION HAS BEGUN;

15 (d) TIMEFRAMES TO COMPLETE RESIDENTIAL PERMIT REVIEWS BY
16 HOUSING TYPE;

17 (e) WORKFORCE ASSIGNED TO DEVELOPMENT REVIEW BY POSITION
18 TYPE;

19 (f) THE IMPLEMENTATION STATUS OF THE STRATEGIES IDENTIFIED
20 IN THE MUNICIPALITY'S HOUSING NEEDS PLAN;

21 (g) THE NUMBER OF DWELLING UNIT PERMITS FOR
22 TRANSIT-ORIENTED COMMUNITIES.

23 (h) ZONING INFORMATION THAT MAY INCLUDE GEOSPATIAL DATA
24 SPECIFYING ZONING DISTRICTS, ALLOWED USES AND DENSITIES, AND
25 OTHER DATA IN A STANDARD FORMAT; AND

26 (i) THE NUMBER OF INTERGOVERNMENTAL AGREEMENTS THAT THE
27 MUNICIPALITY HAS ENTERED INTO TO ADDRESS ITS LOCAL AND REGIONAL

1 HOUSING NEEDS ASSESSMENTS AND A DESCRIPTION OF THESE
2 AGREEMENTS.

3 (3) UPON RECEIVING THE REPORTS FROM THE RURAL RESORT JOB
4 CENTER MUNICIPALITIES AND URBAN MUNICIPALITIES PURSUANT TO
5 SUBSECTION (2) OF THIS SECTION, THE DEPARTMENT OF LOCAL AFFAIRS
6 SHALL PUBLISH AN ANALYSIS ON A PUBLICLY AVAILABLE DASHBOARD
7 THAT INCLUDES ALL OF THE INFORMATION IN THE REPORTS.

8 **29-33-115. Compliance.** NO LATER THAN JUNE 30, 2027, THE
9 DEPARTMENT OF LOCAL AFFAIRS SHALL CONDUCT A COMPLIANCE REVIEW
10 AND APPROVE HOUSING NEEDS PLANS OR PROVIDE FEEDBACK TO RURAL
11 RESORT JOB CENTER MUNICIPALITIES AND URBAN MUNICIPALITIES AS
12 NEEDED. THE SUBMISSION OF A COMPLIANT HOUSING NEEDS PLAN MUST BE
13 CONSIDERED IN THE DEVELOPMENT OF STRATEGIC GROWTH OBJECTIVES.

14 **29-33-116. Statewide summit.** (1) NO LATER THAN APRIL 15,
15 2024, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS,
16 ALONG WITH A MEMBERSHIP ASSOCIATION OF MUNICIPALITIES, A
17 MEMBERSHIP ASSOCIATION OF COUNTIES, AND A MEMBERSHIP
18 ASSOCIATION OF SPECIAL DISTRICTS, SHALL HOLD BOTH A STATEWIDE
19 SUMMIT AND AT LEAST SIX REGIONAL MEETINGS THROUGHOUT THE STATE.

20 (2) PARTICIPANTS AT THE SUMMIT AND REGIONAL MEETINGS
21 SHALL:

22 (a) DISCUSS THE ISSUES OF LAND USE, HOUSING AVAILABILITY AND
23 AFFORDABILITY, WATER AVAILABILITY, AND TRANSPORTATION; AND

24 (b) DEVELOP REGIONAL AND STATEWIDE SOLUTIONS FOR
25 ADDRESSING THE ISSUES DISCUSSED AT THE SUMMIT AND REGIONAL
26 MEETINGS PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION.

27 (3) NO LATER THAN SEPTEMBER 15, 2024, THE EXECUTIVE

1 DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL REPORT ON THE
2 RESULTS OF THE SUMMIT AND REGIONAL MEETINGS TO THE SENATE LOCAL
3 GOVERNMENT AND HOUSING COMMITTEE AND THE HOUSE OF
4 REPRESENTATIVES TRANSPORTATION, HOUSING, AND LOCAL GOVERNMENT
5 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES.

6 (4) AT LEAST FOUR OF THE REGIONAL MEETINGS MUST BE HELD
7 OUTSIDE OF THE DENVER REGIONAL COUNCIL OF GOVERNMENTS' AREA.

8 (5) THE SUMMIT AND REGIONAL MEETINGS MUST INCLUDE
9 REPRESENTATIVES FROM:

- 10 (a) LOCAL GOVERNMENTS;
- 11 (b) CHAMBERS OF COMMERCE;
- 12 (c) AFFORDABLE HOUSING GROUPS;
- 13 (d) INFRASTRUCTURE AND SERVICE PROVIDERS;
- 14 (e) WATER PROVIDERS;
- 15 (f) THE AGRICULTURAL SECTOR;
- 16 (g) HOMEBUILDERS;
- 17 (h) ENVIRONMENTAL GROUPS;
- 18 (i) ECONOMIC DEVELOPMENT PROFESSIONALS;
- 19 (j) TRANSPORTATION EXPERTS;
- 20 (k) TRIBAL GOVERNMENTS; AND
- 21 (l) OTHER STAKEHOLDERS AS NECESSARY TO PROVIDE DIVERSE
22 PERSPECTIVES ON THE ISSUES DISCUSSED AT THE SUMMIT AND REGIONAL
23 MEETINGS PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION.

24 **29-33-117. Legislative oversight committee concerning**
25 **affordable housing and homelessness - creation - duties. (1) Creation.**

26 (a) THERE IS CREATED A LEGISLATIVE OVERSIGHT COMMITTEE
27 CONCERNING AFFORDABLE HOUSING AND HOMELESSNESS, WHICH IS

1 REFERRED TO IN THIS SECTION AS THE "COMMITTEE".

2 (b) THE COMMITTEE CONSISTS OF SIX MEMBERS AS FOLLOWS:

3 (I) THE PRESIDENT OF THE SENATE SHALL APPOINT TWO SENATORS
4 TO SERVE ON THE COMMITTEE, AND THE MINORITY LEADER OF THE SENATE
5 SHALL APPOINT ONE SENATOR TO SERVE ON THE COMMITTEE; AND

6 (II) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL
7 APPOINT THREE REPRESENTATIVES TO SERVE ON THE COMMITTEE, NO
8 MORE THAN TWO OF WHOM ARE MEMBERS OF THE SAME POLITICAL PARTY.

9 (c) AS SOON AS PRACTICABLE AFTER THE CONVENING DATE OF THE
10 SECOND REGULAR SESSION OF THE SEVENTY-FOURTH GENERAL ASSEMBLY,
11 BUT NO LATER THAN THE END OF THE LEGISLATIVE SESSION, THE SPEAKER,
12 THE PRESIDENT, AND THE MINORITY LEADER OF THE SENATE SHALL EACH
13 APPOINT MEMBERS TO THE COMMITTEE PURSUANT TO SUBSECTION (1)(b)
14 OF THIS SECTION. THEREAFTER, THE TERMS OF MEMBERS APPOINTED OR
15 REAPPOINTED BY THE SPEAKER, THE PRESIDENT, AND THE MINORITY
16 LEADER OF THE SENATE EXPIRE ON THE CONVENING DATE OF THE FIRST
17 REGULAR SESSION OF THE NEXT GENERAL ASSEMBLY, AND ALL
18 SUBSEQUENT APPOINTMENTS AND REAPPOINTMENTS BY THE SPEAKER, THE
19 PRESIDENT, AND THE MINORITY LEADER OF THE SENATE MUST BE MADE AS
20 SOON AS PRACTICABLE AFTER THE CONVENING DATE, BUT NO LATER THAN
21 THE END OF THE LEGISLATIVE SESSION.

22 (d) THE PERSON MAKING THE ORIGINAL APPOINTMENT OR
23 REAPPOINTMENT SHALL FILL ANY VACANCY BY APPOINTMENT FOR THE
24 REMAINDER OF AN UNEXPIRED TERM. MEMBERS APPOINTED OR
25 REAPPOINTED SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY
26 AND CONTINUE IN OFFICE UNTIL THE MEMBER'S SUCCESSOR IS APPOINTED.

27 (e) THE PRESIDENT OF THE SENATE SHALL SELECT THE FIRST CHAIR

1 OF THE COMMITTEE, AND THE SPEAKER OF THE HOUSE OF
2 REPRESENTATIVES SHALL SELECT THE FIRST VICE-CHAIR. THE CHAIR AND
3 VICE-CHAIR SHALL ALTERNATE ANNUALLY THEREAFTER BETWEEN THE
4 TWO HOUSES.

5 (f) THE CHAIR AND VICE-CHAIR OF THE COMMITTEE MAY
6 ESTABLISH ORGANIZATIONAL AND PROCEDURAL RULES AS ARE NECESSARY
7 FOR THE OPERATION OF THE COMMITTEE AND, IN COLLABORATION WITH
8 THE TASK FORCE CONCERNING AFFORDABLE HOUSING AND HOMELESSNESS
9 CREATED IN SECTION 29-33-117, GUIDELINES AND EXPECTATIONS FOR
10 ONGOING COLLABORATION WITH THE TASK FORCE.

11 (g) (I) MEMBERS OF THE COMMITTEE MAY RECEIVE PAYMENT OF
12 PER DIEM AND REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES
13 AUTHORIZED PURSUANT TO SECTION 2-2-307.

14 (II) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL
15 AND THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL
16 SUPPLY STAFF ASSISTANCE TO THE COMMITTEE AS THEY DEEM
17 APPROPRIATE, WITHIN EXISTING APPROPRIATIONS.

18 (2) Duties. (a) (I) THE COMMITTEE SHALL MEET AT LEAST THREE,
19 BUT NO MORE THAN SIX, TIMES EACH YEAR AND AT SUCH OTHER TIMES AS
20 IT DEEMS NECESSARY. ALL MEETINGS OF THE COMMITTEE ARE OPEN TO
21 THE PUBLIC AND MUST BE RECORDED.

22 (II) EACH COMMITTEE MEMBER SHALL ANNUALLY EITHER ATTEND
23 OR CALL INTO AT LEAST ONE REGULAR TASK FORCE CONCERNING
24 AFFORDABLE HOUSING AND HOMELESSNESS MEETING. COMMITTEE
25 MEMBERS ARE ENCOURAGED TO ATTEND SEPARATE MEETINGS AND INFORM
26 THE REST OF THE COMMITTEE ABOUT THE CURRENT WORK OF THE TASK
27 FORCE.

1 (b) THE COMMITTEE IS RESPONSIBLE FOR THE OVERSIGHT OF THE
2 TASK FORCE CONCERNING AFFORDABLE HOUSING AND HOMELESSNESS
3 CREATED IN SECTION 29-33-117, AND SHALL SUBMIT ANNUAL REPORTS
4 PURSUANT TO SUBSECTION (2)(c) OF THIS SECTION TO THE GENERAL
5 ASSEMBLY REGARDING THE TASK FORCE'S FINDINGS AND
6 RECOMMENDATIONS. IN ADDITION, THE COMMITTEE MAY RECOMMEND
7 LEGISLATIVE CHANGES THAT ARE TREATED AS BILLS RECOMMENDED BY
8 AN INTERIM LEGISLATIVE COMMITTEE FOR PURPOSES OF ANY
9 INTRODUCTION DEADLINES OR BILL LIMITATIONS IMPOSED BY THE JOINT
10 RULES OF THE GENERAL ASSEMBLY.

11 (c) (I) ON OR BEFORE JANUARY 15 OF EACH YEAR, THE COMMITTEE
12 IS REQUIRED TO SUBMIT A REPORT TO THE GENERAL ASSEMBLY AND MAKE
13 SUCH REPORT PUBLICLY AVAILABLE ON ITS WEBSITE; HOWEVER, DURING
14 ANY INTERIM IN WHICH THE GENERAL ASSEMBLY HAS SUSPENDED INTERIM
15 COMMITTEE ACTIVITIES, THE COMMITTEE IS NOT REQUIRED TO SUBMIT
16 SUCH A REPORT. THE ANNUAL REPORT MUST BRIEFLY SUMMARIZE THE
17 STUDY ISSUES, RECOMMENDATIONS CONSIDERED, AND ANY ACTIONS
18 TAKEN BY THE COMMITTEE AND THE TASK FORCE DURING THE PREVIOUS
19 YEAR.

20 (II) THE REPORT MUST COMPLY WITH THE PROVISIONS OF SECTION
21 24-1-117 (9). NOTWITHSTANDING SECTION 24-1-117 (11)(a)(I), THE
22 REQUIREMENT IN THIS SECTION TO REPORT TO THE GENERAL ASSEMBLY
23 CONTINUES INDEFINITELY.

24 (d) AS NECESSARY, THE COMMITTEE MAY REQUEST PUBLIC
25 TESTIMONY AND TESTIMONY AND REPORTS FROM STATE AGENCIES.

26 (3) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2027.
27 BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW, ALONG

1 WITH SECTION 29-33-117, IN ACCORDANCE WITH SECTION 24-34-104.

2 **29-33-118. Task force concerning affordable housing and**
3 **homelessness - creation - membership - duties. (1) Creation. THERE**
4 **IS CREATED A TASK FORCE CONCERNING AFFORDABLE HOUSING AND**
5 **HOMELESSNESS, WHICH IS REFERRED TO IN THIS SECTION AS THE "TASK**
6 **FORCE". THE TASK FORCE CONSISTS OF TWENTY-FIVE MEMBERS APPOINTED**
7 **AS PROVIDED IN SUBSECTION (2) OF THIS SECTION AND ANY STAFF SUPPORT**
8 **AS PROVIDED FOR IN SECTION 29-33-116.**

9 **(2) Membership - terms. (a) THE FOLLOWING NINE MEMBERS**
10 **MUST BE APPOINTED ON OR BEFORE AUGUST 1, 2024:**

11 **(I) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL**
12 **AFFAIRS SHALL APPOINT ONE MEMBER TO REPRESENT THE DIVISION OF**
13 **HOUSING;**

14 **(II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL**
15 **AFFAIRS SHALL APPOINT ONE MEMBER TO REPRESENT THE DIVISION OF**
16 **HOUSING'S OFFICE OF HOMELESSNESS INITIATIVES;**

17 **(III) THE EXECUTIVE DIRECTOR OF THE COLORADO HOUSING AND**
18 **FINANCE AUTHORITY SHALL APPOINT ONE MEMBER TO REPRESENT THE**
19 **AUTHORITY;**

20 **(IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH**
21 **CARE POLICY AND FINANCING SHALL APPOINT ONE MEMBER TO REPRESENT**
22 **THE DEPARTMENT;**

23 **(V) THE COMMISSIONER OF THE BEHAVIORAL HEALTH**
24 **ADMINISTRATION SHALL APPOINT ONE MEMBER REPRESENTING THE**
25 **BEHAVIORAL HEALTH ADMINISTRATION;**

26 **(VI) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF**
27 **CORRECTIONS SHALL APPOINT ONE MEMBER TO REPRESENT THE**

1 DEPARTMENT;

2 (VII) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
3 EDUCATION SHALL APPOINT ONE MEMBER TO REPRESENT THE
4 DEPARTMENT;

5 (VIII) THE GOVERNOR SHALL APPOINT ONE MEMBER TO REPRESENT
6 EITHER THE DEPARTMENT OF LABOR AND EMPLOYMENT OR THE
7 DEPARTMENT OF HUMAN SERVICES; AND

8 (IX) THE GOVERNOR SHALL APPOINT ONE MEMBER TO REPRESENT
9 EITHER THE COLORADO ENERGY OFFICE OR THE OFFICE OF ECONOMIC
10 DEVELOPMENT AND INTERNATIONAL TRADE.

11 (b) THE CHAIR AND VICE-CHAIR OF THE LEGISLATIVE OVERSIGHT
12 COMMITTEE CONCERNING AFFORDABLE HOUSING AND HOMELESSNESS
13 CREATED IN SECTION 29-33-116, REFERRED TO IN THIS SECTION AS THE
14 "COMMITTEE", SHALL APPOINT SIXTEEN ADDITIONAL MEMBERS.
15 COMMITTEE STAFF ARE RESPONSIBLE FOR PUBLICLY ANNOUNCING
16 VACANCIES FOR THE FOLLOWING POSITIONS, AND REQUESTING
17 CANDIDATES SUBMIT A LETTER OF INTEREST FOR THE SPECIFIC POSITION,
18 SO THAT THE LETTERS OF INTEREST ARE DUE NO LATER THAN ONE WEEK
19 AFTER THE EFFECTIVE DATE OF THIS SECTION. THE LEGISLATIVE
20 OVERSIGHT COMMITTEE, BY MAJORITY VOTE, SHALL APPROVE THE
21 APPOINTMENTS FOR THESE POSITIONS. THE TASK FORCE MEMBERS TO BE
22 APPOINTED PURSUANT TO THIS SUBSECTION (2)(b) INCLUDE:

23 (I) ONE MEMBER WHO REPRESENTS A HOMELESS SERVICES
24 PROVIDER IN AN URBAN AREA;

25 (II) ONE MEMBER WHO REPRESENTS A HOMELESS SERVICES
26 PROVIDER IN A RURAL OR RURAL RESORT AREA;

27 (III) ONE MEMBER WHO REPRESENTS A FOR-PROFIT DEVELOPER OF

- 1 AFFORDABLE RENTAL HOUSING;
- 2 (IV) ONE MEMBER WHO REPRESENTS A NOT-FOR-PROFIT
- 3 DEVELOPER OF AFFORDABLE RENTAL HOUSING;
- 4 (V) ONE MEMBER WHO REPRESENTS A FOR-PROFIT DEVELOPER OF
- 5 AFFORDABLE FOR-SALE HOUSING;
- 6 (VI) ONE MEMBER WHO REPRESENTS A NOT-FOR-PROFIT
- 7 DEVELOPER OF AFFORDABLE FOR-SALE HOUSING;
- 8 (VII) ONE MEMBER WHO REPRESENTS A PROVIDER OF SUPPORTIVE
- 9 HOUSING OR SUPPORTIVE SERVICES;
- 10 (VIII) ONE MEMBER WHO REPRESENTS AN OPERATOR OF
- 11 MULTIFAMILY AFFORDABLE HOUSING;
- 12 (IX) ONE MEMBER FROM A LOCAL GOVERNMENT IN AN URBAN
- 13 AREA;
- 14 (X) ONE MEMBER FROM A LOCAL GOVERNMENT IN A RURAL AREA;
- 15 (XI) ONE MEMBER FROM A LOCAL GOVERNMENT IN A RURAL
- 16 RESORT AREA;
- 17 (XII) ONE MEMBER WHO REPRESENTS AN AFFORDABLE HOUSING
- 18 ADVOCACY ORGANIZATION;
- 19 (XIII) ONE MEMBER WHO REPRESENTS EITHER A HOMELESSNESS
- 20 ADVOCACY ORGANIZATION OR AN ANTI-POVERTY ADVOCACY
- 21 ORGANIZATION;
- 22 (XIV) ONE MEMBER WITH LIVED EXPERIENCE OF HOMELESSNESS
- 23 WHO IS LIVING IN PERMANENT SUPPORTIVE HOUSING AT THE TIME OF THEIR
- 24 APPOINTMENT;
- 25 (XV) ONE MEMBER WHO, AT THE TIME OF THEIR APPOINTMENT, IS
- 26 LIVING IN AFFORDABLE RENTAL HOUSING THAT IS RESTRICTED TO EIGHTY
- 27 PERCENT OR LESS OF AREA MEDIAN INCOME; AND

1 (XVI) ONE MEMBER WHO, AT THE TIME OF THEIR APPOINTMENT,
2 IS LIVING IN AFFORDABLE RENTAL HOUSING THAT IS RESTRICTED TO ONE
3 HUNDRED AND TWENTY PERCENT OR LESS OF AREA MEDIAN INCOME.

4 (c) BEGINNING ON THE EFFECTIVE DATE OF THIS SECTION,
5 MEMBERS APPOINTED TO THE TASK FORCE PURSUANT TO SUBSECTION
6 (2)(b) OF THIS SECTION SHALL SERVE NO MORE THAN THREE CONSECUTIVE
7 TWO-YEAR TERMS, WITH THE APPOINTING AUTHORITY'S APPROVAL FOR
8 EACH SPECIFIC TERM. WITH THE APPOINTING AUTHORITY'S APPROVAL, A
9 MEMBER OF THE TASK FORCE WHO IS SERVING ON THE TASK FORCE AS OF
10 THE EFFECTIVE DATE OF THIS SECTION IS CONSIDERED TO BE BEGINNING
11 THE MEMBER'S FIRST TWO-YEAR TERM.

12 (d) (I) A VACANCY OCCURRING IN A POSITION THAT IS APPOINTED
13 PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION MUST BE FILLED AS
14 SOON AS POSSIBLE BY THE INITIAL APPOINTING OFFICIAL. IN ADDITION, THE
15 INITIAL APPOINTING OFFICIAL MAY REMOVE AND REPLACE ANY
16 APPOINTMENT THE OFFICIAL MADE TO THE TASK FORCE MADE PURSUANT
17 TO SUBSECTION (2)(a) OF THIS SECTION.

18 (II) A VACANCY OCCURRING IN A POSITION FILLED BY THE CHAIR
19 AND VICE-CHAIR OF THE COMMITTEE PURSUANT TO SUBSECTION (2)(b) OF
20 THIS SECTION MUST BE FILLED AS SOON AS POSSIBLE BY THE CHAIR AND
21 VICE-CHAIR OF THE COMMITTEE IN ACCORDANCE WITH THE LIMITATIONS
22 SPECIFIED IN SUBSECTION (2)(b) OF THIS SECTION. IN ADDITION, THE CHAIR
23 AND VICE-CHAIR OF THE COMMITTEE MAY REMOVE AND REPLACE ANY
24 APPOINTMENT TO THE TASK FORCE MADE PURSUANT TO SUBSECTION (2)(b)
25 OF THIS SECTION.

26 (e) IN MAKING APPOINTMENTS TO THE TASK FORCE, THE
27 APPOINTING AUTHORITIES SHALL ENSURE THAT THE MEMBERSHIP OF THE

1 TASK FORCE INCLUDES PERSONS WHO HAVE EXPERIENCE WITH OR
2 INTEREST IN THE STUDY AREAS OF THE TASK FORCE AS SET FORTH IN
3 SUBSECTION (3) OF THIS SECTION; PERSONS WHO REFLECT THE ETHNIC,
4 CULTURAL, AND GENDER DIVERSITY OF THE STATE; PERSONS
5 REPRESENTING OF ALL AREAS OF THE STATE; AND, TO THE EXTENT
6 PRACTICABLE, PERSONS WITH DISABILITIES.

7 (f) (I) ALL TASK FORCE MEMBERS ARE EXPECTED TO SEEK INPUT
8 FROM THE VARIOUS NETWORKS OR ORGANIZATIONAL STRUCTURES OF THE
9 BODY THEY REPRESENT, IF ANY. EVERY APPOINTING OFFICER IS
10 ENCOURAGED TO NOMINATE A REPRESENTATIVE WHO CAN PARTICIPATE IN
11 MAKING TASK FORCE SUBJECT MATTER EXPERT RECOMMENDATIONS, YET
12 STILL APPROPRIATELY REPRESENT THE RELEVANT STATE AGENCY.

13 (II) IN ORDER TO ADVANCE THE WORK OF THE TASK FORCE, TASK
14 FORCE MEMBERS ARE ENCOURAGED TO PARTICIPATE IN DECISION-MAKING,
15 WITH THE UNDERSTANDING THAT INDIVIDUAL VOTES ON TASK FORCE
16 ISSUES ARE BASED ON SUBJECT MATTER EXPERTISE AND DO NOT COMMIT
17 REPRESENTATIVE AGENCIES OR ORGANIZATIONS TO ANY POSITION OR
18 ACTION. TASK FORCE MEMBERS SHALL ADHERE TO ANY AGREED UPON
19 PROCEDURAL RULES AND GUIDELINES.

20 (g) MEMBERS OF THE TASK FORCE SERVE WITHOUT
21 COMPENSATION. HOWEVER, MEMBERS OF THE TASK FORCE APPOINTED
22 PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION MAY RECEIVE
23 REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES ASSOCIATED
24 WITH THEIR DUTIES ON THE TASK FORCE.

25 (3) **Issues for study.** (a) THE TASK FORCE SHALL TRACK THE
26 IMPLEMENTATION OF, IMPACTS OF, AND STATE EXPENDITURES
27 CONCERNING THIS ARTICLE 33 AND LEGISLATION RELATED TO THE FINAL

1 REPORT OF THE AFFORDABLE HOUSING TRANSFORMATIONAL TASK FORCE
2 FROM FEBRUARY 2020, AND PROPOSITION 123 AS APPROVED BY
3 COLORADO VOTERS DURING THE 2022 GENERAL ELECTION.

4 (b) THE TASK FORCE SHALL EVALUATE, REVIEW, AND MAKE
5 RECOMMENDATIONS ON AFFORDABLE HOUSING AND HOMELESSNESS
6 POLICIES.

7 (c) IN EVALUATING THE ISSUES SET FORTH IN SUBSECTION (3)(b)
8 OF THIS SECTION, THE TASK FORCE SHALL SPECIFICALLY CONSIDER THE
9 FOLLOWING RELATED ISSUES, INCLUDING:

10 (I) STATEWIDE HOUSING NEEDS AND GAPS AS IDENTIFIED BY THE
11 STATE, REGIONAL, AND HOUSING NEEDS ASSESSMENT REQUIRED IN
12 SECTION 29-33-104, INCLUDING ANY LOCAL, REGIONAL, OR STATE PLANS
13 DERIVED FROM THESE ASSESSMENTS;

14 (II) BEST PRACTICES FOR AND BARRIERS TO AFFORDABLE HOUSING
15 PRODUCTION AND PRESERVATION INCLUDING DEVELOPMENT AND
16 LONG-TERM AFFORDABILITY STRATEGIES AND DISPLACEMENT MITIGATION
17 MEASURES AS DESCRIBED IN SECTIONS 29-33-106 AND 29-33-107;

18 (III) BEST PRACTICES FOR STABILIZING CURRENTLY HOUSED
19 INDIVIDUALS AT RISK OF ENTERING HOMELESSNESS;

20 (IV) STATEWIDE HOMELESSNESS ANALYSIS AS CONDUCTED BY A
21 CONTRACTOR SELECTED BY THE OFFICE OF HOMELESS INITIATIVES WITHIN
22 THE DEPARTMENT OF LOCAL AFFAIRS;

23 (V) BEST PRACTICES FOR RESOLVING AND PREVENTING
24 HOMELESSNESS;

25 (VI) THE ADMINISTRATION BY THE DIVISION OF HOUSING WITHIN
26 THE DEPARTMENT OF LOCAL AFFAIRS AND THE COLORADO HOUSING AND
27 FINANCE AUTHORITY OF STATE AND FEDERAL FUNDS RELATED TO

1 HOUSING;
2 (VII) THE IMPACT OF HOUSING AND HOMELESSNESS ON STATE
3 AGENCIES; AND

4 (VIII) THE IMPACT AND PROGRESS OF ANY LAND USE REFORMS,
5 INCLUDING THOSE IN THIS SECTION, ON HOUSING AVAILABILITY AND
6 AFFORDABILITY INCLUDING REVIEW AND RESPONSE TO ANY
7 RECOMMENDATIONS, ANALYSES, ASSESSMENTS, AND PLANS THAT ARE
8 RELEASED BY THE MULTI-AGENCY COMMITTEE CREATED IN SECTION
9 29-33-103 AND USED TO IMPLEMENT LONG-TERM AND DEVELOPMENT
10 AFFORDABILITY STRATEGIES AND DISPLACEMENT MITIGATION MEASURES.

11 (d) THE REQUIREMENTS SET FORTH IN THIS SUBSECTION (3) DO NOT
12 PROHIBIT THE TASK FORCE, AT ANY TIME DURING ITS EXISTENCE, FROM
13 REQUESTING PERMISSION FROM THE COMMITTEE TO STUDY, PRESENT
14 FINDINGS, AND MAKE RECOMMENDATIONS ON ANY ISSUE RELATED TO THE
15 SCOPE OF THE TASK FORCE AND OVERSIGHT COMMITTEE.

16 (e) AS NECESSARY, THE TASK FORCE MAY REQUEST TESTIMONY
17 AND REPORTS FROM STATE AGENCIES AND THE MULTI-AGENCY
18 COMMITTEES CREATED IN SECTION 29-33-103, AS APPROVED BY THE
19 COMMITTEE.

20 (4) **Additional duties of the task force.** THE TASK FORCE SHALL
21 ANNUALLY DELIVER POLICY AND LEGISLATIVE RECOMMENDATIONS TO THE
22 COMMITTEE PURSUANT TO THIS SECTION. IN ADDITION, THE TASK FORCE
23 SHALL:

24 (a) ON OR BEFORE AUGUST 1 OF EACH YEAR, SELECT A CHAIR AND
25 VICE-CHAIR FROM AMONG ITS MEMBERS;

26 (b) MEET AT LEAST SIX TIMES EACH YEAR, OR MORE OFTEN AS
27 DIRECTED BY THE CHAIR OF THE COMMITTEE, AND SUCH MEETINGS MUST

1 BE BOTH OPEN TO THE PUBLIC AND RECORDED;

2 (c) ESTABLISH ORGANIZATIONAL AND PROCEDURAL RULES FOR THE
3 OPERATION OF THE TASK FORCE AND FOR COLLABORATION WITH THE
4 COMMITTEE;

5 (d) DESIGNATE SPECIFIC TASK FORCE MEMBERS RESPONSIBLE FOR
6 COLLABORATING WITH AND OBTAINING INPUT FROM OTHER GROUPS, TASK
7 FORCES, OR STATEWIDE INITIATIVES THAT COMPLEMENT OR RELATE TO
8 THE TASK FORCE'S IDENTIFIED AREAS OF STUDY;

9 (e) CREATE NO MORE THAN THREE SUBCOMMITTEES AS NEEDED TO
10 CARRY OUT THE DUTIES OF THE TASK FORCE. THE SUBCOMMITTEES MAY
11 CONSIST, IN PART, OF PERSONS WHO ARE NOT MEMBERS OF THE TASK
12 FORCE. SUCH PERSONS MAY VOTE ON ISSUES BEFORE THE SUBCOMMITTEE
13 BUT ARE NOT ENTITLED TO A VOTE AT TASK FORCE MEETINGS.

14 (f) STUDY THE IMPLEMENTATION OF COMMITTEE LEGISLATION
15 PASSED BY THE GENERAL ASSEMBLY;

16 (g) UPON REQUEST BY A COMMITTEE MEMBER, PROVIDE
17 EVIDENCE-BASED FEEDBACK ON THE POTENTIAL BENEFITS OR
18 CONSEQUENCES OF A LEGISLATIVE OR OTHER POLICY PROPOSAL NOT
19 DIRECTLY AFFILIATED WITH OR GENERATED BY THE TASK FORCE. THE
20 FEEDBACK MUST BE DELIVERED WITHIN TWO WEEKS TO THE ENTIRE
21 COMMITTEE AND REMAIN AS CONCISE AS POSSIBLE WHILE CAPTURING ANY
22 AVAILABLE EVIDENCE. IF THE TASK FORCE CANNOT IDENTIFY EVIDENCE TO
23 EFFECTIVELY INFORM A RESPONSE, THE FEEDBACK WILL INDICATE A LACK
24 OF EVIDENCE AND REPORT ON ANY ACTIONS TAKEN.

25 (h) (I) ON OR BEFORE AUGUST 1 OF EACH YEAR, PREPARE AND
26 SUBMIT TO THE COMMITTEE, A REPORT THAT, AT A MINIMUM, INCLUDES:

27 (A) ISSUES STUDIED BY THE TASK FORCE, AS WELL AS FINDINGS

1 FOR LEGISLATIVE OR OTHER RECOMMENDATIONS;

2 (B) LEGISLATIVE OR POLICY PROPOSALS OF THE TASK FORCE THAT
3 IDENTIFY THE POLICY ISSUES INVOLVED, THE AGENCIES RESPONSIBLE FOR
4 THE IMPLEMENTATION OF THE CHANGES, AND THE FUNDING SOURCES
5 REQUIRED FOR IMPLEMENTATION;

6 (C) A SUMMARY OF TASK FORCE MEETING ACTIVITIES AND
7 DISCUSSIONS;

8 (D) ANY EVIDENCE-BASED FEEDBACK PROVIDED TO THE
9 COMMITTEE PURSUANT TO SUBSECTION (4)(g) OF THIS SECTION; AND

10 (E) A SUMMARY OF EFFORTS MADE TO COMMUNICATE,
11 COLLABORATE, OR COORDINATE WITH OTHER GROUPS, TASK FORCES, OR
12 STATE INITIATIVES.

13 (II) THE TASK FORCE MAY POST THE REPORT ON THE COMMITTEE'S
14 WEBSITE.

15 (5) **Coordination.** THE TASK FORCE MAY WORK WITH OTHER
16 GROUPS, TASK FORCES, OR STATEWIDE INITIATIVES THAT ARE PURSUING
17 ISSUES AND POLICY INITIATIVES SIMILAR TO THOSE ADDRESSED IN
18 SUBSECTION (3) OF THIS SECTION. THE TASK FORCE MAY DEVELOP
19 RELATIONSHIPS WITH OTHER TASK FORCES, COMMITTEES, AND
20 ORGANIZATIONS TO LEVERAGE EFFICIENT POLICY-MAKING OPPORTUNITIES
21 THROUGH COLLABORATIVE EFFORTS.

22 (6) NOTWITHSTANDING ANY PROVISION OF THIS SECTION, THE
23 TASK FORCE IS NOT REQUIRED TO MEET, SUBMIT ANNUAL POLICY AND
24 LEGISLATIVE RECOMMENDATIONS, OR SUBMIT AN ANNUAL REPORT TO THE
25 COMMITTEE DURING ANY INTERIM IN WHICH THE GENERAL ASSEMBLY HAS
26 SUSPENDED INTERIM COMMITTEE ACTIVITIES.

27 (7) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2027.

1 BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW ALONG
2 WITH SECTION 29-33-116 IN ACCORDANCE WITH SECTION 24-34-104.

3 **SECTION 2.** In Colorado Revised Statutes, 24-32-705, **add** (8)
4 as follows:

5 **24-32-705. Functions of division.** (8) THE DIVISION SHALL
6 CONSULT WITH THE MULTI-AGENCY ADVISORY COMMITTEE CREATED IN
7 SECTION 29-33-103 ON FACTORY-BUILT STRUCTURES AND TINY HOME
8 CREATED IN SECTION 24-32-3305 (3), TO PRODUCE A REPORT NO LATER
9 THAN JUNE 30, 2024, ON THE OPPORTUNITIES AND BARRIERS IN CURRENT
10 STATE LAWS AND REGULATIONS CONCERNING THE BUILDING OF
11 MANUFACTURED HOMES, MODULAR HOMES, AND TINY HOMES.

12 **SECTION 3.** In Colorado Revised Statutes, 24-32-3303, **amend**
13 (1)(c) as follows:

14 **24-32-3303. Division of housing - powers and duties - rules.**

15 (1) The division has the following powers and duties pursuant to this part
16 33:

17 (c) To review and approve quality assurance representatives that
18 intend to perform FINAL CONSTRUCTION PLAN REVIEWS, inspections, and
19 issue insignia of approval pursuant to this part 33;

20 **SECTION 4.** In Colorado Revised Statutes, 24-34-104, **add**
21 (28)(a)(XI) as follows:

22 **24-34-104. General assembly review of regulatory agencies**
23 **and functions for repeal, continuation, or reestablishment - legislative**
24 **declaration - repeal.** (28) (a) The following agencies, functions, or
25 both, are scheduled for repeal on September 1, 2027:

26 (XI) THE LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING
27 AFFORDABLE HOUSING AND HOMELESSNESS CREATED IN SECTION

1 29-33-116 AND THE TASK FORCE CONCERNING AFFORDABLE HOUSING AND
2 HOMELESSNESS CREATED IN SECTION 29-33-117.

3 **SECTION 5.** In Colorado Revised Statutes, **add** 29-20-110 as
4 follows:

5 **29-20-110. Local government residential occupancy limits -**
6 **definitions.** (1) **NOTWITHSTANDING ANY OTHER PROVISION TO THE**
7 **CONTRARY, A LOCAL GOVERNMENT SHALL NOT ENACT OR ENFORCE**
8 **RESIDENTIAL OCCUPANCY LIMITS THAT DIFFER BASED ON THE**
9 **RELATIONSHIPS OF THE OCCUPANTS OF A DWELLING.**

10 (2) **NOTHING IN THIS SECTION PREVENTS A LOCAL GOVERNMENT**
11 **FROM ESTABLISHING RESIDENTIAL OCCUPANCY LIMITS FOR DWELLING**
12 **UNITS FOR SHORT-TERM RENTALS, AS DEFINED IN SECTION 29-33-102 (35).**

13 (3) **AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE**
14 **REQUIRES:**

15 (a) **"DWELLING" MEANS ANY IMPROVED REAL PROPERTY, OR**
16 **PORTION THEREOF, THAT IS USED OR INTENDED TO BE USED AS A**
17 **RESIDENCE.**

18 (b) **"LOCAL GOVERNMENT" MEANS A HOME RULE OR STATUTORY**
19 **CITY, TOWN, TERRITORIAL CITY OR TOWN, CITY AND COUNTY, OR COUNTY**
20 **OR HOME RULE COUNTY.**

21 **SECTION 6.** In Colorado Revised Statutes, 30-28-106, **repeal**
22 **and reenact, with amendments, (3)(a); and add (3)(a.5), (8), (9), and**
23 **(10) as follows:**

24 **30-28-106. Adoption of master plan - contents.** (3) (a) **THE**
25 **MASTER PLAN OF A COUNTY OR REGION, WITH THE ACCOMPANYING MAPS,**
26 **PLATS, CHARTS, AND DESCRIPTIVE AND EXPLANATORY MATTER, MUST**
27 **SHOW THE COUNTY OR REGIONAL PLANNING COMMISSION'S**

1 RECOMMENDATIONS FOR THE DEVELOPMENT OF THE TERRITORY COVERED
2 BY THE PLAN. THE MASTER PLAN OF A COUNTY OR REGION IS AN ADVISORY
3 DOCUMENT TO GUIDE LAND DEVELOPMENT DECISIONS; HOWEVER, THE
4 PLAN OR ANY PART THEREOF MAY BE MADE BINDING BY INCLUSION IN THE
5 COUNTY'S OR REGION'S ADOPTED SUBDIVISION, ZONING, PLATTING,
6 PLANNED UNIT DEVELOPMENT, OR OTHER SIMILAR LAND DEVELOPMENT
7 REGULATIONS AFTER SATISFYING NOTICE, DUE PROCESS, AND HEARING
8 REQUIREMENTS FOR LEGISLATIVE OR QUASI-JUDICIAL PROCESSES AS
9 APPROPRIATE. A MASTER PLAN ADOPTED OR AMENDED ON OR AFTER JUNE
10 30, 2024, MUST INCLUDE:

11 (I) NATURAL AND AGRICULTURAL LAND PRIORITIES IN
12 ACCORDANCE WITH THE NATURAL AND AGRICULTURAL LAND PRIORITIES
13 REPORT CREATED IN SECTION 29-33-110;

14 (II) A HOUSING ELEMENT;

15 (III) FOR COUNTIES WITH A POPULATION OF GREATER THAN TWO
16 HUNDRED FIFTY THOUSAND, A STRATEGIC GROWTH ELEMENT THAT MUST
17 INCLUDE;

18 (A) THE INFORMATION RELEVANT TO THE COUNTY CONTAINED IN
19 THE REGIONAL STRATEGIC GROWTH AND HOUSING MIX ANALYSIS
20 CONDUCTED PURSUANT TO SECTION 29-33-105 (8)(a) AND AN ANALYSIS
21 OF HOW THE COUNTY IS INCLUDING THIS INFORMATION IN THE MASTER
22 PLAN;

23 (B) THE IDENTIFICATION OF ADDITIONAL LOCAL STRATEGIC
24 GROWTH AREAS;

25 (C) THE IDENTIFICATION OF TRANSPORTATION, UTILITY, AND
26 OTHER INFRASTRUCTURE GAPS AND INFRASTRUCTURE PROJECTS,
27 PREFERABLY WITHIN A CAPITAL IMPROVEMENT PLAN, THAT WOULD

1 ENABLE STRATEGIC GROWTH AREAS TO BE DEVELOPED OR REDEVELOPED;

2 AND

3 (D) THE IDENTIFICATION OF ZONING REFINEMENTS AND DENSITIES
4 NECESSARY TO ACCOMMODATE THE HOUSING NEEDS INCLUDED IN
5 HOUSING NEEDS ASSESSMENTS, AND TO MEET STRATEGIC GROWTH
6 OBJECTIVES FOR STRATEGIC GROWTH AREAS.

7 (IV) (A) THE GENERAL LOCATION AND EXTENT OF AN ADEQUATE
8 AND SUITABLE SUPPLY OF WATER;

9 (B) IN COMPLETING A WATER SUPPLY ELEMENT, THE PLANNING
10 COMMISSION SHALL CONSULT WITH THE ENTITIES THAT SUPPLY WATER FOR
11 USE WITHIN THE COUNTY OR REGION TO ENSURE COORDINATION ON WATER
12 SUPPLY AND FACILITY PLANNING, AND THE WATER SUPPLY ELEMENT MUST
13 IDENTIFY WATER SUPPLIES AND FACILITIES SUFFICIENT TO MEET THE NEEDS
14 OF THE PUBLIC AND PRIVATE INFRASTRUCTURE REASONABLY ANTICIPATED
15 OR IDENTIFIED IN THE PLANNING PROCESS;

16 (C) THE WATER SUPPLY ELEMENT MUST INCLUDE WATER
17 CONSERVATION POLICIES, TO BE DETERMINED BY THE COUNTY, WHICH
18 MAY INCLUDE GOALS SPECIFIED IN THE STATE WATER PLAN ADOPTED
19 PURSUANT TO SECTION 37-60-106.3 AND MAY INCLUDE POLICIES TO
20 IMPLEMENT WATER CONSERVATION AND OTHER STATE WATER PLAN GOALS
21 AS A CONDITION OF DEVELOPMENT APPROVALS, INCLUDING SUBDIVISIONS,
22 PLANNED UNIT DEVELOPMENTS, SPECIAL USE PERMITS, AND ZONING
23 CHANGES.

24 (D) THE DEPARTMENT OF LOCAL AFFAIRS CREATED IN SECTION
25 24-1-125 MAY HIRE AND EMPLOY ONE FULL-TIME EMPLOYEE TO PROVIDE
26 EDUCATIONAL RESOURCES AND ASSISTANCE TO COUNTIES THAT INCLUDE
27 WATER CONSERVATION POLICIES IN THEIR MASTER PLANS AS DESCRIBED

1 IN SUBSECTION (3)(a)(IV)(C) OF THIS SECTION.

2 (a.5) AFTER CONSIDERATION OF EACH OF THE FOLLOWING, WHERE
3 APPLICABLE OR APPROPRIATE, THE MASTER PLAN MAY INCLUDE:

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

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

25 (III) THE GENERAL LOCATION AND EXTENT OF PUBLIC UTILITIES,
26 TERMINALS, CAPITAL FACILITIES, AND TRANSFER FACILITIES, WHETHER
27 PUBLICLY OR PRIVATELY OWNED, FOR WATER, LIGHT, POWER, SANITATION,

1 TRANSPORTATION, COMMUNICATION, HEAT, AND OTHER PURPOSES, AND
2 ANY PROPOSED OR PROJECTED NEEDS FOR CAPITAL FACILITIES AND
3 UTILITIES, INCLUDING THE PRIORITIES, ANTICIPATED COSTS, AND FUNDING
4 PROPOSALS FOR SUCH FACILITIES AND UTILITIES;

5 (IV) THE ACCEPTANCE, WIDENING, REMOVAL, EXTENSION,
6 RELOCATION, NARROWING, VACATION, ABANDONMENT, MODIFICATION, OR
7 CHANGE OF USE OF ANY OF THE PUBLIC WAYS, RIGHTS-OF-WAY, INCLUDING
8 THE COORDINATION OF SUCH RIGHTS-OF-WAY WITH THE RIGHTS-OF-WAY
9 OF OTHER COUNTIES, REGIONS, OR MUNICIPALITIES, GROUNDS, OPEN
10 SPACES, BUILDINGS, PROPERTIES, UTILITIES, OR TERMINALS, REFERRED TO
11 IN SUBSECTIONS (1)(a.5)(I) THROUGH (1)(a.5)(IV) OF THIS SECTION;

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

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

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

6 (VIII) A LAND CLASSIFICATION AND UTILIZATION PROGRAM;

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

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

18 (A) THE COLORADO GEOLOGICAL SURVEY FOR DEFINING AND
19 MAPPING GEOLOGICAL HAZARDS;

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

24 (C) THE UNITED STATES ARMY CORPS OF ENGINEERS AND THE
25 UNITED STATES FISH AND WILDLIFE SERVICE NATIONAL WETLANDS
26 INVENTORY FOR DEFINING AND MAPPING WETLANDS;

27 (D) THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR

1 DEFINING AND MAPPING FLOODPLAINS, FLOODWAYS, AND FLOOD RISK
2 ZONES;

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

6 (F) THE COLORADO STATE FOREST SERVICE FOR LOCATING
7 WILDFIRE HAZARD AREAS.

8 (8) IN ADOPTING OR AMENDING A MASTER PLAN, THE COMMISSION
9 SHALL IDENTIFY, PROVIDE NOTICE TO, AND CONSULT WITH RELEVANT
10 ENTITIES TO ENSURE THAT THE ADOPTION OR AMENDING OF THE MASTER
11 PLAN IS AN INCLUSIVE PROCESS.

12 (9) NO MORE THAN THIRTY DAYS AFTER ADOPTING OR AMENDING
13 THE MASTER PLAN, THE COMMISSION SHALL SUBMIT THE MASTER PLAN TO
14 THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL
15 AFFAIRS. THE DIVISION OF LOCAL GOVERNMENT SHALL REVIEW THESE
16 MASTER PLANS AND MAY PROVIDE COMMENTS TO THE COUNTY OR
17 COMMISSION.

18 (10) NOT LESS THAN SIXTY DAYS PRIOR TO ADOPTING OR
19 AMENDING THE MASTER PLAN, A COUNTY OR REGIONAL PLANNING
20 COMMISSION SHALL SUBMIT THE MASTER PLAN TO THE DIVISION OF LOCAL
21 GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS. THE DIVISION OF
22 LOCAL GOVERNMENT SHALL REVIEW THESE MASTER PLANS AND MAY
23 PROVIDE COMMENTS TO THE COUNTY OR COMMISSION. THE DIVISION
24 SHALL PROVIDE COMMENTS IN WRITING DESCRIBING THE EXTENT TO
25 WHICH THE MASTER PLAN MEETS OR DOES NOT MEET THE REQUIREMENTS
26 OF THIS SECTION. THE DEPARTMENT OF LOCAL AFFAIRS MAY HIRE AND
27 EMPLOY ONE FULL-TIME EMPLOYEE TO PROVIDE EDUCATIONAL RESOURCES

1 AND ASSISTANCE TO ENSURE COMPLIANCE WITH THE REQUIREMENTS OF
2 THIS SECTION.

3 **SECTION 7.** In Colorado Revised Statutes, 31-15-713, **add**
4 (1)(d) as follows:

5 **31-15-713. Power to sell public works - real property.** (1) The
6 governing body of each municipality has the power:

7 (d) NOTWITHSTANDING SUBSECTIONS (1)(a) AND (1)(b) OF THIS
8 SECTION, TO SELL AND DISPOSE OF, BY ORDINANCE, ANY PUBLIC BUILDING
9 OR REAL PROPERTY OWNED BY A MUNICIPALITY THAT IS HELD FOR
10 GOVERNMENT PURPOSES OTHER THAN PARK PURPOSES, IF THE SALE AND
11 DISPOSITION OF THE PUBLIC BUILDING OR REAL PROPERTY IS FOR THE
12 PURPOSE OF PROVIDING PROPERTY TO BE USED FOR THE DEVELOPMENT OF
13 AFFORDABLE HOUSING, AS THE TERM IS DEFINED IN SECTION 29-33-102 (3).
14 THE GOVERNING BODY SHALL DETERMINE THE TERMS AND CONDITIONS OF
15 THE SALE AND DISPOSITION AT A REGULAR OR SPECIAL MEETING AND
16 SHALL MAKE THESE TERMS AND CONDITIONS PUBLICLY AVAILABLE.

17 **SECTION 8.** In Colorado Revised Statutes, 31-23-301, **amend**
18 (5)(b)(I)(A) and (5)(b)(I)(B); **add** (5)(a)(III), (5)(a)(IV), (5)(a)(V), and
19 (5)(b)(I.5) as follows:

20 **31-23-301. Grant of power.** (5) (a) As used in this subsection
21 (5), unless the context otherwise requires:

22 (III) "MANUFACTURED HOME" HAS THE SAME MEANING AS SET
23 FORTH IN SECTION 24-32-3302 (20).

24 (IV) "MODULAR HOME" HAS THE SAME MEANING AS SET FORTH IN
25 SECTION 24-32-3302 (25).

26 (b) (I) No municipality may have or enact zoning regulations,
27 subdivision regulations, or any other regulation affecting development

1 that exclude or have the effect of excluding homes from the municipality
2 that are:

3 (A) Homes certified by the division of housing created in section
4 24-32-704 or a party authorized to act on its behalf; THE APPROVAL
5 PROCESSES OF MODULAR HOMES SHALL BE BASED ON OBJECTIVE
6 STANDARDS, AS DEFINED IN SECTION 29-33-102 (27), AND
7 ADMINISTRATIVE REVIEW THAT ARE EQUIVALENT TO THAT REQUIRED FOR
8 SITE-BUILT HOMES, UNLESS A MUNICIPALITY REGULATES SITE-BUILT
9 HOMES THROUGH A DISCRETIONARY REVIEW PROCESS, AS DEFINED IN
10 SECTION 29-33-102 (9), IN WHICH CASE A MUNICIPALITY MAY USE AN
11 EQUIVALENT REVIEW PROCESS FOR A MODULAR HOME AND A SITE-BUILT
12 HOME;

13 (B) Homes certified by the United States department of housing
14 and urban development through its office of manufactured housing
15 programs, a successor agency, or a party authorized to act on its behalf.
16 THE APPROVAL PROCESSES OF MANUFACTURED HOMES SHALL BE BASED
17 ON OBJECTIVE STANDARDS AND ADMINISTRATIVE REVIEW THAT ARE
18 EQUIVALENT TO THAT REQUIRED FOR SITE-BUILT HOMES, UNLESS A
19 MUNICIPALITY REGULATES SITE-BUILT HOMES THROUGH A DISCRETIONARY
20 REVIEW PROCESS, AS DEFINED IN SECTION 29-33-102 (9), IN WHICH CASE
21 A MUNICIPALITY MAY USE AN EQUIVALENT REVIEW PROCESS FOR A
22 MANUFACTURED HOME AND A SITE-BUILT HOME. ~~or~~

23 (b) (I.5) A MUNICIPALITY SHALL NOT IMPOSE MORE RESTRICTIVE
24 STANDARDS ON MANUFACTURED AND MODULAR HOMES THAN THOSE THE
25 MUNICIPALITY APPLIES TO SITE BUILT HOMES IN THE SAME RESIDENTIAL
26 ZONES. RESTRICTIVE STANDARDS INCLUDE ZONING REGULATIONS,
27 SUBDIVISION REGULATIONS, AND ANY OTHER REGULATION AFFECTING

1 DEVELOPMENT SUCH AS REQUIREMENTS RELATING TO:

2 (A) PERMANENT FOUNDATIONS;

3 (B) MINIMUM FLOOR SPACE;

4 (C) HOME SIZE OR SECTIONAL REQUIREMENTS;

5 (D) IMPROVEMENT LOCATION STANDARDS;

6 (E) SIDE YARD STANDARDS; AND

7 (F) SETBACK STANDARDS.

8 **SECTION 9.** In Colorado Revised Statutes, 31-23-206, **repeal**
9 **and reenact, with amendments, (1); and add (1.5), (8), (9), (10), and**
10 **(11) as follows:**

11 **31-23-206. Master plan. (1) IT IS THE DUTY OF THE COMMISSION**
12 **TO MAKE AND ADOPT A MASTER PLAN FOR THE PHYSICAL DEVELOPMENT**
13 **OF THE MUNICIPALITY, INCLUDING ANY AREAS OUTSIDE ITS BOUNDARIES,**
14 **SUBJECT TO THE APPROVAL OF THE GOVERNMENTAL BODY HAVING**
15 **JURISDICTION THEREOF, THAT IN THE COMMISSION'S JUDGMENT BEAR**
16 **RELATION TO THE PLANNING OF THE MUNICIPALITY. THE MASTER PLAN OF**
17 **A MUNICIPALITY IS AN ADVISORY DOCUMENT TO GUIDE LAND**
18 **DEVELOPMENT DECISIONS; HOWEVER, THE PLAN OR ANY PART THEREOF**
19 **MAY BE MADE BINDING BY INCLUSION IN THE MUNICIPALITY'S ADOPTED**
20 **SUBDIVISION, ZONING, PLATTING, PLANNED UNIT DEVELOPMENT, OR OTHER**
21 **SIMILAR LAND DEVELOPMENT REGULATIONS AFTER SATISFYING NOTICE,**
22 **DUE PROCESS, AND HEARING REQUIREMENTS FOR LEGISLATIVE OR**
23 **QUASI-JUDICIAL PROCESSES AS APPROPRIATE. WHEN A COMMISSION**
24 **DECIDES TO ADOPT A MASTER PLAN, THE COMMISSION SHALL CONDUCT**
25 **PUBLIC HEARINGS, AFTER NOTICE OF SUCH PUBLIC HEARINGS HAS BEEN**
26 **PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE**
27 **MUNICIPALITY IN A MANNER SUFFICIENT TO NOTIFY THE PUBLIC OF THE**

1 TIME, PLACE, AND NATURE OF THE PUBLIC HEARING, PRIOR TO FINAL
2 ADOPTION OF A MASTER PLAN IN ORDER TO ENCOURAGE PUBLIC
3 PARTICIPATION IN AND AWARENESS OF THE DEVELOPMENT OF SUCH PLAN
4 AND SHALL ACCEPT AND CONSIDER ORAL AND WRITTEN PUBLIC COMMENTS
5 THROUGHOUT THE PROCESS OF DEVELOPING THE PLAN. THE PLAN,
6 ADOPTED OR AMENDED ON OR AFTER JUNE 30, 2024, WITH THE
7 ACCOMPANYING MAPS, PLATS, CHARTS, AND DESCRIPTIVE MATTER, MUST
8 INCLUDE:

9 (a) A HOUSING ELEMENT THAT USES BEST AVAILABLE DATA, SUCH
10 AS THE MOST RECENT LOCAL HOUSING NEEDS PLAN CREATED PURSUANT
11 TO SECTION 29-33-104 OR OTHER RECENT HOUSING ANALYSES;

12 (b) NATURAL AND AGRICULTURAL LAND PRIORITIES IN
13 ACCORDANCE WITH THE NATURAL AND AGRICULTURAL LAND PRIORITIES
14 REPORT CREATED IN SECTION 29-33-110;

15 (c) A STRATEGIC GROWTH ELEMENT THAT MUST INCLUDE:

16 (I) THE INFORMATION RELEVANT TO THE MUNICIPALITY
17 CONTAINED IN THE REGIONAL STRATEGIC GROWTH AND HOUSING MIX
18 ANALYSIS CONDUCTED PURSUANT TO SECTION 29-33-105 (8)(c) AND AN
19 ANALYSIS OF HOW THE MUNICIPALITY IS INCLUDING THIS INFORMATION IN
20 THE MASTER PLAN;

21 (II) THE IDENTIFICATION OF ADDITIONAL LOCAL STRATEGIC
22 GROWTH AREAS;

23 (III) THE IDENTIFICATION OF TRANSPORTATION, UTILITY, AND
24 OTHER INFRASTRUCTURE GAPS AND INFRASTRUCTURE PROJECTS,
25 PREFERABLY WITHIN A CAPITAL IMPROVEMENT PLAN, THAT WOULD
26 ENABLE STRATEGIC GROWTH AREAS TO BE DEVELOPED OR REDEVELOPED;

27 AND

1 (IV) THE IDENTIFICATION OF ZONING REFINEMENTS AND DENSITIES
2 NECESSARY TO ACCOMMODATE THE HOUSING NEEDS INCLUDED IN
3 HOUSING NEEDS ASSESSMENTS, AND TO MEET STRATEGIC GROWTH
4 OBJECTIVES FOR STRATEGIC GROWTH AREAS.

5 (d) (I) THE GENERAL LOCATION AND EXTENT OF AN ADEQUATE
6 AND SUITABLE SUPPLY OF WATER;

7 (II) IN COMPLETING THE WATER SUPPLY ELEMENT, THE PLANNING
8 COMMISSION SHALL CONSULT WITH THE ENTITIES THAT SUPPLY WATER FOR
9 USE WITHIN THE MUNICIPALITY TO ENSURE COORDINATION ON WATER
10 SUPPLY AND FACILITY PLANNING, AND THE WATER SUPPLY ELEMENT MUST
11 IDENTIFY WATER SUPPLIES AND FACILITIES SUFFICIENT TO MEET THE NEEDS
12 OF THE PUBLIC AND PRIVATE INFRASTRUCTURE REASONABLY ANTICIPATED
13 OR IDENTIFIED IN THE PLANNING PROCESS;

14 (III) THE WATER SUPPLY ELEMENT MUST INCLUDE WATER
15 CONSERVATION POLICIES, TO BE DETERMINED BY THE MUNICIPALITY,
16 WHICH MAY INCLUDE GOALS SPECIFIED IN THE STATE WATER PLAN
17 ADOPTED PURSUANT TO SECTION 37-60-106.3 AND MAY INCLUDE POLICIES
18 TO IMPLEMENT WATER CONSERVATION AND OTHER STATE WATER PLAN
19 GOALS AS A CONDITION OF DEVELOPMENT APPROVALS, INCLUDING
20 SUBDIVISIONS, PLANNED UNIT DEVELOPMENTS, SPECIAL USE PERMITS, AND
21 ZONING CHANGES;

22 (IV) THE DEPARTMENT OF LOCAL AFFAIRS CREATED IN SECTION
23 24-1-125 MAY HIRE AND EMPLOY ONE FULL-TIME EMPLOYEE TO PROVIDE
24 EDUCATIONAL RESOURCES AND ASSISTANCE TO MUNICIPALITIES THAT
25 INCLUDE WATER CONSERVATION POLICIES IN THEIR MASTER PLANS AS
26 DESCRIBED IN SUBSECTION (1)(d)(III) OF THIS SECTION;

27 (V) NOTHING IN THIS SUBSECTION (1)(d) SHALL BE CONSTRUED TO

1 SUPERSEDE, ABROGATE, OR OTHERWISE IMPAIR THE ALLOCATION OF
2 WATER PURSUANT TO THE STATE CONSTITUTION OR LAWS, THE RIGHT TO
3 BENEFICIALLY USE WATER PURSUANT TO DECREES, CONTRACTS, OR OTHER
4 WATER USE AGREEMENTS, OR THE OPERATION, MAINTENANCE, REPAIR,
5 REPLACEMENT, OR USE OF ANY WATER FACILITY.

6 (e) THE MOST RECENT VERSION OF THE PLAN REQUIRED BY
7 SECTION 31-12-105 (1)(e) OR A SIMILAR ELEMENT ANALYZING AND
8 MAKING A PLAN FOR AREAS OF POTENTIAL GROWTH WITHIN THREE MILES
9 OF THE MUNICIPAL BOUNDARY.

10 (1.5) AFTER CONSULTATION ON EACH OF THE FOLLOWING, WHERE
11 APPLICABLE OR APPROPRIATE, THE MASTER PLAN MAY INCLUDE:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (8) IN ADOPTING OR AMENDING A MASTER PLAN, THE COMMISSION
21 SHALL IDENTIFY, PROVIDE NOTICE TO, AND CONSULT WITH RELEVANT
22 ENTITIES TO ENSURE THAT THE ADOPTING OR AMENDING OF THE MASTER
23 PLAN IS AN INCLUSIVE PROCESS.

24 (9) NO MORE THAN THIRTY DAYS AFTER ADOPTING OR AMENDING
25 THE MASTER PLAN, THE COMMISSION SHALL SUBMIT THE MASTER PLAN TO
26 THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL
27 AFFAIRS. THE DIVISION OF LOCAL GOVERNMENT SHALL REVIEW THESE

1 MASTER PLANS TO ENSURE THEY COMPLY WITH THE REQUIREMENTS OF
2 THIS SECTION.

3 (10) NOT LESS THAN SIXTY DAYS PRIOR TO ADOPTING OR
4 AMENDING THE MASTER PLAN, THE COMMISSION SHALL SUBMIT THE
5 MASTER PLAN TO THE DIVISION OF LOCAL GOVERNMENT IN THE
6 DEPARTMENT OF LOCAL AFFAIRS. THE DIVISION OF LOCAL GOVERNMENT
7 SHALL REVIEW THESE MASTER PLANS TO ENSURE THEY COMPLY WITH THE
8 REQUIREMENTS OF THIS SECTION. THE DIVISION SHALL PROVIDE
9 COMMENTS IN WRITING DESCRIBING THE EXTENT TO WHICH THE MASTER
10 PLAN MEETS OR DOES NOT MEET THE REQUIREMENTS OF THIS SECTION. THE
11 DEPARTMENT OF LOCAL AFFAIRS MAY HIRE AND EMPLOY ONE FULL-TIME
12 EMPLOYEE TO PROVIDE EDUCATIONAL RESOURCES AND ASSISTANCE TO
13 ENSURE COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.

14 (11) AN URBAN MUNICIPALITY, AS DEFINED IN SECTION 29-33-102
15 (40), SUBJECT TO THIS SECTION SHALL REVIEW AND, IF NEEDED, REVISE ITS
16 MASTER PLAN TO ENSURE THE PLAN COMPLIES WITH THE REQUIREMENTS
17 OF THIS SECTION AT LEAST EVERY TEN YEARS. AN URBAN MUNICIPALITY
18 MAY UTILIZE EXISTING PLANNING INFORMATION AND ANALYSIS TO SATISFY
19 THE REQUIREMENTS OF THIS SUBSECTION (11), SO LONG AS THE
20 INFORMATION OR ANALYSIS IS NOT MORE THAN FIVE YEARS OLD.

21 **SECTION 10.** In Colorado Revised Statutes, 43-1-106, **amend**
22 **(15)(d) as follows:**

23 **43-1-106. Transportation commission - powers and duties -**
24 **rules - definitions - efficiency and accountability committee.** (15) **In**
25 **addition to any other duties required by law, the commission shall have**
26 **the following charges:**

27 **(d) To study and make recommendations for existing and future**

1 transportation systems in Colorado with a focus of such study and
2 recommendations being a ten-year plan for each mode of transportation.
3 Such THE ten-year plan shall MUST be based on what can be reasonably
4 expected to be implemented with the estimated revenues which are likely
5 to be available AND MUST INCLUDE PRIORITIZATION CRITERIA THAT ARE
6 CONSISTENT WITH STATE STRATEGIC GROWTH OBJECTIVES FOR
7 REGIONALLY SIGNIFICANT TRANSPORTATION PROJECTS.

8 **SECTION 11.** In Colorado Revised Statutes, 43-1-113, **add** (20)
9 as follows:

10 **43-1-113. Funds - budgets - fiscal year - reports and**
11 **publications. (20) BEFORE DECEMBER 31, 2024, OR BEFORE THE NEXT**
12 **REGIONAL TRANSPORTATION PLANNING CYCLE BEGINS, THE DEPARTMENT**
13 **SHALL ENSURE THAT THE PRIORITIZATION CRITERIA FOR ANY GRANT**
14 **PROGRAM ADMINISTERED BY THE DEPARTMENT ARE CONSISTENT WITH**
15 **STATE STRATEGIC GROWTH OBJECTIVES, AS DETERMINED IN SECTION**
16 **29-33-108, SO LONG AS DOING SO DOES NOT VIOLATE FEDERAL LAW. THE**
17 **STATE GROWTH OBJECTIVES MUST BE CLEARLY ARTICULATED IN A**
18 **PROJECT'S REQUIREMENTS OF PROSPECTIVE FUNDING RECIPIENTS.**

19 **SECTION 12.** In Colorado Revised Statutes, 43-1-1103, **amend**
20 **(5)(i) and (5)(j); and add (2.5) and (5)(k) as follows:**

21 **43-1-1103. Transportation planning. (2.5) BEGINNING**
22 **DECEMBER 31, 2024, ANY REGIONAL TRANSPORTATION PLAN THAT IS**
23 **CREATED OR UPDATED MUST ADDRESS AND ENSURE CONSISTENCY WITH**
24 **STATE STRATEGIC GROWTH OBJECTIVES AS DETERMINED IN SECTION**
25 **29-33-108.**

26 **(5) The department shall integrate and consolidate the regional**
27 **transportation plans for the transportation planning regions into a**

1 comprehensive statewide transportation plan. The formation of the state
2 plan shall be accomplished through a statewide planning process set by
3 rules and regulations promulgated by the commission. The state plan shall
4 address but shall not be limited to the following factors:

- 5 (i) Effective, efficient, and safe freight transport; and
- 6 (j) Reduction of greenhouse gas emissions IN A MANNER
7 SUFFICIENT TO MEET THE STATE'S GOALS, AND REDUCTION OF NEAR-ROAD
8 AIR POLLUTION; AND
- 9 (k) BEGINNING DECEMBER 31, 2024, ADDRESS AND ENSURE
10 CONSISTENCY WITH STATE STRATEGIC GROWTH OBJECTIVES.

11 **SECTION 13.** In Colorado Revised Statutes, 43-4-1103, add
12 (2)(e) as follows:

13 **43-4-1103. Multimodal transportation options fund - creation**
14 **- revenue sources for fund - use of fund. (2) (e) FEE REVENUES FROM**
15 **THE MULTIMODAL TRANSPORTATION OPTIONS FUND GENERATED ON OR**
16 **AFTER JANUARY 1, 2025, AND OTHER STATE FUNDS TRANSFERRED TO THE**
17 **MULTIMODAL TRANSPORTATION OPTIONS FUND ON OR AFTER JULY 1, 2024,**
18 **SHALL ONLY BE MADE FOR MULTIMODAL PROJECTS THAT THE DEPARTMENT**
19 **DETERMINES ARE CONSISTENT WITH STATE STRATEGIC GROWTH**
20 **OBJECTIVES, AS DETERMINED IN SECTION 29-33-108. THE STATE GROWTH**
21 **OBJECTIVES MUST BE CLEARLY ARTICULATED IN A PROJECT'S**
22 **REQUIREMENTS OF PROSPECTIVE FUNDING RECIPIENTS.**

23 **SECTION 14. Appropriation.** (1) For the 2023-24 state fiscal
24 year, \$15,000,000 is appropriated to the housing plans assistance fund
25 created in section 29-33-112 (3)(a), C.R.S. This appropriation is from the
26 general fund. The department of local affairs is responsible for the
27 accounting related to this appropriation.

1 (2) For the 2023-24 state fiscal year, \$15,102,556 is appropriated
2 to the department of local affairs. This appropriation consists of \$102,556
3 from the general fund and \$15,000,000 reappropriated funds from the
4 housing plans assistance fund received under subsection (1) of this
5 section. To implement this act, the department may use this appropriation
6 as follows:

7 (a) \$60,838 general fund for use by the state demography office
8 for program costs, which amount is based on an assumption that the
9 office will require an additional 0.6 FTE;

10 (b) \$37,708 general fund for use by the division of housing for
11 personal services, which amount is based on an assumption that the office
12 will require an additional 0.5 FTE;

13 (c) \$4,010 general fund for use by the division of housing for
14 operating expenses; and

15 (d) \$15,000,000 reappropriated funds from the housing plans
16 assistance fund received under subsection (1) of this section for use by the
17 division of local government for the local land use assistance program,
18 which amount is based on an assumption that the division will require an
19 additional 10.4 FTE. Any money appropriated in this subsection (2)(d)
20 not expended prior to July 1, 2024 is further appropriated for the 2024-25
21 and 2025-26 state fiscal years for the same purpose.

22 (3) For the 2023-24 state fiscal year, \$78,529 is appropriated to
23 the department of natural resources. This appropriation is from the
24 general fund. To implement this act, the department may use this
25 appropriation as follows:

26 (a) \$70,509 for use by the executive director's office for personal
27 services, which amount is based on an assumption that the office will

1 require an additional 0.9 FTE; and

2 (b) \$8,020 for use by the executive director's office for operating
3 expenses.

4 (4) For the 2023-24 state fiscal year, \$27,001 is appropriated to
5 the office of the governor for use by the Colorado energy office. This
6 appropriation is from the general fund and is based on an assumption that
7 the office will require an additional 0.2 FTE. To implement this act, the
8 office may use this appropriation for program administration.

9 **SECTION 15. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, or safety.