

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 26, 2023
Date

Committee on Appropriations.

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

SB23-213 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

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

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

7 **PART 1**
8 **HOUSING NEEDS PLANNING**

9 **29-33-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY
10 HEREBY FINDS, DETERMINES, AND DECLARES THAT:

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

14 (b) CONSISTENT INFORMATION ABOUT STATEWIDE, REGIONAL, AND
15 LOCAL HOUSING NEEDS IS ESSENTIAL IN DEVELOPING EQUITABLE AND
16 EFFECTIVE HOUSING POLICIES AND STRATEGIES AND IMPROVING EFFORTS
17 TO INCREASE HOUSING AFFORDABILITY OVER TIME;

18 (c) HOUSING MARKETS EXPAND BEYOND THE BORDERS OF
19 INDIVIDUAL LOCAL GOVERNMENTS, AND INFORMATION IS REQUIRED ON A
20 LOCAL, REGIONAL, AND STATEWIDE SCALE TO MAKE A HOLISTIC PLAN FOR
21 ADDRESSING HOUSING NEEDS;

22 (d) ALTHOUGH SOME LOCAL GOVERNMENTS WORK TO ASSESS AND
23 ADDRESS HOUSING NEEDS, THESE LOCAL GOVERNMENTS USE DIFFERENT
24 METHODOLOGIES, DO THIS WORK AT DIFFERENT TIMES, AND LACK

1 REGIONAL COORDINATION;

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

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

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

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

21 **29-33-102. Definitions.** AS USED IN THIS ARTICLE 33, UNLESS THE
22 CONTEXT OTHERWISE REQUIRES:

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

26 (2) "ACCESSORY DWELLING UNIT" MEANS AN INTERNAL,
27 ATTACHED, OR DETACHED RESIDENTIAL DWELLING UNIT THAT:

28 (a) PROVIDES COMPLETE INDEPENDENT LIVING FACILITIES FOR ONE
29 OR MORE PERSONS;

30 (b) IS LOCATED ON THE SAME LOT AS A PROPOSED OR EXISTING
31 PRIMARY RESIDENCE; AND

32 (c) INCLUDES PROVISIONS FOR LIVING, SLEEPING, EATING,
33 COOKING, AND SANITATION.

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

37 (4) "BROWNFIELD DEVELOPMENT" MEANS THE DEVELOPMENT OF
38 BROWNFIELD SITES, AS DEFINED IN SECTION 31-25-103 (3.1).

39 (5) "BUILDABLE LANDS ANALYSIS" MEANS AN EVALUATION OF
40 LANDS SUITABLE FOR DEVELOPMENT INCLUDING POTENTIAL GREYFIELD
41 DEVELOPMENT, BROWNFIELD DEVELOPMENT, AND GREENFIELD
42 DEVELOPMENT.

43 (6) "BUS RAPID TRANSIT" MEANS A BUS-BASED TRANSIT SERVICE

1 THAT INCLUDES AT LEAST THREE OF THE FOLLOWING:
2 (a) SERVICE THAT IS SCHEDULED TO RUN EVERY FIFTEEN MINUTES
3 OR LESS DURING THE HIGHEST FREQUENCY SERVICE HOURS;
4 (b) DEDICATED LANES OR BUSWAYS;
5 (c) TRAFFIC SIGNAL PRIORITY;
6 (d) OFF-BOARD FARE COLLECTION;
7 (e) ELEVATED PLATFORMS; OR
8 (f) ENHANCED STATIONS.
9 (7) "COMMUTER BUS RAPID TRANSIT" MEANS A BUS RAPID TRANSIT
10 SERVICE THAT OPERATES ON A LIMITED-ACCESS HIGHWAY FOR THE
11 MAJORITY OF ITS ROUTE.
12 (8) "COTTAGE CLUSTER" MEANS A GROUPING OF TWO OR MORE
13 DETACHED HOUSING UNITS, EACH HOUSING UNIT HAVING A FOOTPRINT OF
14 NO MORE THAN NINE HUNDRED SQUARE FEET, AND THE GROUPING HAVING
15 A COMMON COURTYARD.
16 (9) "DISCRETIONARY APPROVAL PROCESS" MEANS A DEVELOPMENT
17 APPROVAL PROCESS CONDUCTED PURSUANT TO LOCAL LAW THAT
18 REQUIRES A PUBLIC BODY OR OFFICIAL TO MAKE ONE OR MORE SUBJECTIVE
19 DETERMINATIONS, INCLUDING:
20 (a) EVALUATIONS OF CONSISTENCY OF AN APPLICATION WITH
21 LOCAL PLANS;
22 (b) COMPATIBILITY OR HARMONY OF AN APPLICATION WITH
23 SURROUNDING LAND USES OR DEVELOPMENT;
24 (c) INDIVIDUALIZED EVALUATIONS RELATING TO MITIGATION OF
25 IMPACTS; OR
26 (d) EVALUATION OF AN APPLICATION'S CONSISTENCY WITH PUBLIC
27 WELFARE.
28 (10) "DISPLACEMENT" MEANS THE RELOCATION OF RESIDENTS DUE
29 TO:
30 (a) INCREASED REAL ESTATE PRICES, RENTS, PROPERTY TAXES, OR
31 OTHER ECONOMIC FACTORS;
32 (b) CAUSES SUCH AS EMINENT DOMAIN, LEASE NONRENEWALS,
33 AND EVICTIONS;
34 (c) PHYSICAL CONDITIONS AND NEGLECT THAT RENDER
35 RESIDENCES UNINHABITABLE;
36 (d) PHYSICAL DISPLACEMENT WHEREIN EXISTING HOUSING UNITS
37 ARE LOST DUE TO PROPERTY REHABILITATION, REDEVELOPMENT, OR
38 DEMOLITION; OR
39 (e) INDIRECT DISPLACEMENT THAT OCCURS WHEN LOW-INCOME
40 RESIDENTS VACATE UNITS AND THOSE UNITS ARE NO LONGER AFFORDABLE
41 TO OTHER LOW-INCOME HOUSEHOLDS.
42 (11) "DWELLING UNIT" MEANS A SINGLE UNIT PROVIDING
43 COMPLETE INDEPENDENT LIVING FACILITIES FOR ONE OR MORE PERSONS,

1 INCLUDING PERMANENT PROVISIONS FOR COOKING, EATING, LIVING,
2 SANITATION, AND SLEEPING.

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

6 (13) "GREENFIELD DEVELOPMENT" MEANS NEW DEVELOPMENT ON
7 LAND THAT HAS NOT BEEN PREVIOUSLY DEVELOPED AND THAT IS EITHER
8 WITHIN A MUNICIPALITY OR OUTSIDE OF A MUNICIPALITY, BUT IS WITHIN
9 A POTENTIAL ANNEXATION AREA.

10 (14) "GREYFIELD DEVELOPMENT" MEANS INFILL, REDEVELOPMENT,
11 OR NEW DEVELOPMENT WITHIN AN EXISTING MUNICIPALITY OR CENSUS
12 URBANIZED AREA ON VACANT, PARTIALLY VACANT, OR UNDERUTILIZED
13 LAND THAT TAKES INTO CONSIDERATION DEVELOPMENT READINESS AND
14 MARKET FACTORS.

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

21 (16) "LOCAL GOVERNMENT" MEANS A HOME RULE OR STATUTORY
22 CITY, TOWN, TERRITORIAL CITY OR TOWN, CITY AND COUNTY, OR COUNTY
23 AND HOME RULE COUNTY.

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

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

33 (19) "METROPOLITAN PLANNING ORGANIZATION" MEANS A
34 METROPOLITAN PLANNING ORGANIZATION UNDER THE "FEDERAL TRANSIT
35 ACT OF 1998", 49 U.S.C. SEC. 5301 ET SEQ., AS AMENDED.

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

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

39 (II) A TOWNHOME BUILDING; OR

40 (III) A COTTAGE CLUSTER.

41 (b) MUNICIPALITIES MAY DEFINE "MIDDLE HOUSING" TO INCLUDE
42 ADDITIONAL HOUSING TYPES AND EXPANDED HOUSING UNIT AMOUNTS, SO
43 LONG AS THE MUNICIPALITY'S DEFINITION IS NOT MORE RESTRICTIVE THAN

1 THE DEFINITION OF "MIDDLE HOUSING" IN SUBSECTION (20)(a) OF THIS
2 SECTION.

3 (21) "MIXED-INCOME DEVELOPMENT" MEANS HOUSING WHERE
4 SOME OF THE HOUSING UNITS WITHIN A PARTICULAR DEVELOPMENT HAVE
5 RESTRICTED RENTAL OR FOR-SALE RATES THAT ARE AFFORDABLE FOR
6 LOW- AND MODERATE-INCOME HOUSEHOLDS AND SOME OF THE UNITS
7 HAVE HIGHER RENTAL OR FOR-SALE RATES.

8 (22) "MIXED-USE DEVELOPMENT" MEANS A DEVELOPMENT
9 PROJECT THAT INTEGRATES MULTIPLE LAND USE TYPES.

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

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

14 (a) THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF
15 LOCAL AFFAIRS;

16 (b) THE COLORADO ENERGY OFFICE;

17 (c) THE DEPARTMENT OF NATURAL RESOURCES; AND

18 (d) THE DEPARTMENT OF TRANSPORTATION.

19 (25) "MULTIFAMILY HOUSING" MEANS A BUILDING OR GROUP OF
20 BUILDINGS ON THE SAME LOT WITH SEPARATE LIVING UNITS FOR THREE OR
21 MORE HOUSEHOLDS.

22 (26) "MUNICIPALITY" MEANS A HOME RULE OR STATUTORY CITY
23 OR TOWN, TERRITORIAL CHARTER CITY OR TOWN, OR CITY AND COUNTY.

24 (27) "OBJECTIVE STANDARD" MEANS A STANDARD THAT BOTH:

25 (a) DOES NOT REQUIRE A PUBLIC BODY OR OFFICIAL TO MAKE A
26 PERSONAL OR SUBJECTIVE JUDGMENT; AND

27 (b) IS UNIFORMLY VERIFIABLE OR ASCERTAINABLE BY REFERENCE
28 TO AN EXTERNAL OR UNIFORM BENCHMARK OR CRITERION THAT IS
29 AVAILABLE AND KNOWABLE BY THE DEVELOPMENT APPLICANT OR
30 PROPONENT AND THE PUBLIC BODY OR OFFICIAL PRIOR TO THE
31 DEVELOPMENT APPLICANT OR PROPONENT'S FILING OF A DEVELOPMENT
32 PROPOSAL.

33 (28) "POPULATION" MEANS THE CURRENT POPULATION AS
34 REPORTED BY THE STATE DEMOGRAPHY OFFICE.

35 (29) "REGULATED AFFORDABLE HOUSING" MEANS AFFORDABLE
36 HOUSING THAT:

37 (a) IS CREATED OR SUPPORTED BY PUBLIC SUBSIDIES, LOCAL
38 INCLUSIONARY ZONING ORDINANCES, OR OTHER REGULATIONS OR
39 PROGRAMS;

40 (b) RESTRICTS OR LIMITS RENTAL OR SALE PRICE; AND

41 (c) RESTRICTS RESIDENT INCOME LEVELS TO LOW- TO
42 MODERATE-INCOME HOUSEHOLD LEVELS FOR A SPECIFIED PERIOD.

43 (30) (a) "RURAL RESORT JOB CENTER MUNICIPALITY" MEANS A

1 MUNICIPALITY THAT:
2 (I) IS NOT WITHIN A METROPOLITAN PLANNING ORGANIZATION;
3 (II) HAS A POPULATION OF ONE THOUSAND OR MORE;
4 (III) HAS AT LEAST ONE THOUSAND TWO HUNDRED JOBS
5 ACCORDING TO THE MOST RECENT UNITED STATES CENSUS BUREAU
6 LONGITUDINAL EMPLOYER-HOUSEHOLD DYNAMICS ORIGIN-DESTINATION
7 EMPLOYMENT STATISTICS;
8 (IV) HAS A MINIMUM JOBS-TO-POPULATION RATIO OF SIXTY-FOUR
9 HUNDRETHS; AND
10 (V) HAS A TRANSIT STOP SERVICED BY A TRANSIT AGENCY THAT
11 SERVES AT LEAST TWO MUNICIPALITIES AND WITH SERVICE THAT INCLUDES
12 AN AVERAGE OF AT LEAST TWENTY TRIPS PER DAY, AS OF JANUARY 1,
13 2023.
14 (b) FOR PURPOSES OF THIS SUBSECTION (30), "TRANSIT AGENCY"
15 MEANS AN ENTITY THAT IS BOTH:
16 (I) A REGIONAL SERVICE AUTHORITY PROVIDING SURFACE
17 TRANSPORTATION PURSUANT TO PART 1 OF ARTICLE 7 OF TITLE 32, A
18 REGIONAL TRANSPORTATION AUTHORITY CREATED PURSUANT TO PART 6
19 OF ARTICLE 4 OF TITLE 43, OR ANY OTHER POLITICAL SUBDIVISION OF THE
20 STATE, PUBLIC ENTITY, OR NONPROFIT CORPORATION PROVIDING MASS
21 TRANSPORTATION SERVICES TO THE GENERAL PUBLIC; AND
22 (II) ELIGIBLE TO RECEIVE MONEY UNDER A GRANT AUTHORIZED BY
23 49 U.S.C. SEC. 5307 OR 49 U.S.C. SEC. 5311.
24 (31) "SHORT-TERM RENTAL" MEANS THE RENTAL OF A LODGING
25 UNIT FOR LESS THAN THIRTY DAYS. AS USED IN THIS SUBSECTION (31),
26 "LODGING UNIT" MEANS ANY PROPERTY OR PORTION OF A PROPERTY THAT
27 IS AVAILABLE FOR LODGING; EXCEPT THAT THE TERM EXCLUDES A HOTEL
28 UNIT. LOCAL GOVERNMENTS MAY APPLY THEIR OWN DEFINITION OF
29 "SHORT-TERM RENTAL" FOR THE PURPOSES OF THIS ARTICLE 33.
30 (32) "SINGLE-UNIT DETACHED DWELLING" MEANS A DETACHED
31 BUILDING WITH A SINGLE DWELLING UNIT AND ON A SINGLE LOT.
32 (33) "STRATEGIC GROWTH AREA" MEANS AN AREA IDENTIFIED
33 PURSUANT TO SECTION 29-33-108 (2)(a) THAT HAS THE POTENTIAL FOR
34 GROWTH AND CHARACTERISTICS THAT MAKE IT A PRIORITY AREA FOR
35 GROWTH IN RELATION TO THE GOALS OF THIS SENATE BILL 23-213.
36 (34) "STRATEGIC GROWTH AND HOUSING MIX ANALYSIS" MEANS
37 A COMPREHENSIVE ANALYSIS THAT IDENTIFIES STRATEGIC GROWTH AREAS,
38 AS DEFINED IN SECTION 29-33-108 (3)(a), THAT CAN BOTH ACCOMMODATE
39 THE HOUSING NEEDS IDENTIFIED IN HOUSING NEEDS ASSESSMENTS AND BE
40 UTILIZED IN THE STRATEGIC GROWTH ELEMENT OF MASTER PLANS, AS
41 DEFINED IN SECTION 31-23-206.
42 (35) "TIER ONE URBAN MUNICIPALITY" MEANS EITHER:
43 (a) A MUNICIPALITY THAT:

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

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

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

8 (b) A MUNICIPALITY THAT:

9 (I) IS WITHIN A METROPOLITAN PLANNING ORGANIZATION THAT
10 HAS A POPULATION OF LESS THAN ONE MILLION; AND

11 (II) HAS A POPULATION OF AT LEAST TWENTY-FIVE THOUSAND.

12 (36) "TIER TWO URBAN MUNICIPALITY" MEANS A MUNICIPALITY
13 THAT DOES NOT SATISFY THE DEFINITION OF A TIER ONE URBAN
14 MUNICIPALITY AND:

15 (a) IS WITHIN A METROPOLITAN PLANNING ORGANIZATION;

16 (b) HAS A POPULATION OF BETWEEN FIVE THOUSAND AND
17 TWENTY-FIVE THOUSAND; AND

18 (c) IS IN A COUNTY WITH A POPULATION OF TWO HUNDRED FIFTY
19 THOUSAND OR MORE.

20 (37) "TOWNHOME" MEANS A SINGLE-UNIT DWELLING UNIT
21 CONSTRUCTED IN A GROUP OF ATTACHED UNITS IN WHICH EACH UNIT
22 EXTENDS FROM FOUNDATION TO ROOF AND HAS OPEN SPACE ON AT LEAST
23 TWO SIDES.

24 (38) "TRANSIT-ORIENTED AREA" MEANS AN AREA WHERE ALL
25 PARCELS HAVE AT LEAST TWENTY-FIVE PERCENT OF THEIR AREA WITHIN
26 ONE-HALF MILE OF AN EXISTING FIXED-RAIL TRANSIT STATION. FOR THE
27 PURPOSES OF THIS SUBSECTION (38), A FIXED-RAIL TRANSIT STATION IS A
28 FIXED-RAIL TRANSIT SERVICE BOARDING AND EXITING LOCATION OR
29 STATION FOR THE GENERAL PUBLIC.

30 (39) "URBAN BUS RAPID TRANSIT SERVICE" MEANS A BUS RAPID
31 TRANSIT SERVICE THAT OPERATES ON A SURFACE STREET FOR THE
32 MAJORITY OF ITS ROUTE.

33 (40) "URBAN MUNICIPALITY" MEANS BOTH A TIER ONE AND A TIER
34 TWO URBAN MUNICIPALITY.

35 **29-33-103. Multi-agency advisory committee - rural resort**
36 **area committee - urban area advisory committee.** (1) THERE IS
37 HEREBY CREATED IN THE DEPARTMENT OF LOCAL AFFAIRS THE
38 MULTI-AGENCY ADVISORY COMMITTEE, REFERRED TO IN THIS SECTION AS
39 THE COMMITTEE.

40 (2) THE COMMITTEE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
41 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
42 FUNCTIONS UNDER THE DEPARTMENT OF LOCAL AFFAIRS.

43 (3) (a) THE COMMITTEE CONSISTS OF THIRTEEN VOTING MEMBERS

1 AS FOLLOWS:

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

4 (II) THE EXECUTIVE DIRECTOR OF THE COLORADO ENERGY OFFICE,
5 OF THE EXECUTIVE DIRECTOR'S DESIGNEE;

6 (III) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
7 TRANSPORTATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

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

10 (V) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
11 AGRICULTURE, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

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

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

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

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

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

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

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

33 (XIII) ONE MEMBER WHO IS A COMMUNITY REPRESENTATIVE WITH
34 HOUSING EXPERTISE WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE.

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

37 (c) WHEN MAKING APPOINTMENTS TO THE MULTI-AGENCY
38 ADVISORY COMMITTEE, REASONABLE EFFORTS MUST BE MADE TO APPOINT
39 MEMBERS WHO REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY
40 OF THE ENTIRE STATE.

41 (4) EACH MEMBER OF THE COMMITTEE WHO IS APPOINTED
42 PURSUANT TO SUBSECTION (3) OF THIS SECTION SERVES AT THE PLEASURE
43 OF THE OFFICIAL WHO APPOINTED THE MEMBER. THE TERM OF

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

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

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

15 (c) THE COMMITTEE SHALL MEET AT LEAST ONCE EVERY YEAR.
16 THE CHAIR MAY CALL SUCH ADDITIONAL MEETINGS AS ARE NECESSARY
17 FOR THE COMMITTEE TO COMPLETE ITS DUTIES.

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

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

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

25 (b) THE RURAL RESORT AREA SUBCOMMITTEE CONSISTS OF AT
26 LEAST ONE OF THE MEMBERS OF THE MULTI-AGENCY COMMITTEE
27 APPOINTED PURSUANT TO SUBSECTION (3)(a)(X) OR (3)(a)(XI) OF THIS
28 SECTION, WHO SHALL SERVE AS THE CHAIR OF THE SUBCOMMITTEE, AND
29 OTHER MEMBERS AS DETERMINED BY THE MULTI-AGENCY'S COMMITTEE
30 BYLAWS TO ENSURE COMMUNITY ENGAGEMENT ACROSS RURAL RESORT
31 JOB CENTER MUNICIPALITIES.

32 (c) IN ACCORDANCE WITH SECTION 29-33-109, THE RURAL RESORT
33 AREA SUBCOMMITTEE SHALL DEVELOP RECOMMENDATIONS TO PRESENT
34 TO THE MULTI-AGENCY COMMITTEE CONCERNING MATTERS RELATED TO
35 RURAL RESORT JOB CENTER MUNICIPALITIES. PRIOR TO FINALIZING ANY
36 RECOMMENDATIONS, THE RURAL RESORT AREA SUBCOMMITTEE SHALL
37 PROVIDE A DRAFT OF THE RECOMMENDATIONS TO ALL RURAL RESORT
38 AREA JOB CENTER MUNICIPALITIES AND SHALL HOLD A PUBLIC HEARING ON
39 SUCH RECOMMENDATIONS NO SOONER THAN SIXTY DAYS AFTER
40 PROVIDING THESE RECOMMENDATIONS.

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

43 (b) THE URBAN AREA SUBCOMMITTEE CONSISTS OF AT LEAST ONE

1 OF THE MEMBERS OF THE MULTI-AGENCY COMMITTEE APPOINTED
2 PURSUANT TO SUBSECTIONS (3)(a)(VI), (3)(a)(VII), (3)(a)(VIII), AND
3 (3)(a)(IX) OF THIS SECTION, WHO SHALL SERVE AS THE CHAIR OF THE
4 SUBCOMMITTEE, AND OTHER MEMBERS AS DETERMINED BY THE
5 MULTI-AGENCY'S COMMITTEE BYLAWS TO ENSURE COMMUNITY
6 ENGAGEMENT ACROSS TIER ONE AND TWO URBAN MUNICIPALITIES.

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

15 **29-33-104. Housing needs assessments - methodology.**

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

19 (b) THE MULTI-AGENCY ADVISORY COMMITTEE, IN CONSULTATION
20 WITH THE STATE DEMOGRAPHY OFFICE, SHALL, AS PART OF THE PUBLIC
21 COMMENT AND HEARING PROCESS ESTABLISHED IN SECTION 29-33-109(2),
22 DEVELOP RECOMMENDATIONS TO PROVIDE TO THE EXECUTIVE DIRECTOR
23 OF THE DEPARTMENT OF LOCAL AFFAIRS CONCERNING THE METHODOLOGY
24 FOR DEVELOPING STATEWIDE, REGIONAL, AND LOCAL HOUSING NEEDS
25 ASSESSMENTS.

26 (2) THE METHODOLOGY FOR DEVELOPING HOUSING NEEDS
27 ASSESSMENTS MAY INCLUDE:

28 (a) FOR THE STATEWIDE HOUSING NEEDS ASSESSMENT, METHODS
29 TO:

- 30 (I) ESTIMATE EXISTING HOUSING STOCK;
- 31 (II) CONDUCT A HOUSING SHORTAGE ANALYSIS;
- 32 (III) ESTIMATE THE HOUSING NECESSARY TO ACCOMMODATE THE
33 DEMOGRAPHIC AND POPULATION TRENDS FORECAST BY THE STATE
34 DEMOGRAPHY OFFICE, CATEGORIZED BY HOUSEHOLD SIZE; HOUSEHOLD
35 TYPE, INCLUDING FOR SUPPORTIVE, FOR-SALE, AND RENTAL HOUSING; AND
36 INCOME LEVEL, INCLUDING EXTREMELY LOW-INCOME, VERY LOW-INCOME,
37 AND LOW-INCOME HOUSEHOLDS AS DEFINED BY THE UNITED STATES
38 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND

39 (IV) ENSURE LOCAL GOVERNMENT INPUT AND COORDINATION.

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

- 41 (I) ASSESS REGIONAL HOUSING NEEDS FOR EACH REGION, BASED
42 ON:
43 (A) EXISTING AND PROJECTED HOUSING SHORTAGES AND

1 SURPLUSES FOR DIFFERENT HOUSEHOLD TYPES AND INCOME LEVELS,
2 INCLUDING EXTREMELY LOW-INCOME, VERY LOW-INCOME, AND
3 LOW-INCOME HOUSEHOLDS AS DEFINED BY THE UNITED STATES
4 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT;
5 (B) EXISTING HOUSING DIVERSITY AND STOCK;
6 (C) CURRENT JOBS BY INCOME LEVEL;
7 (D) FUTURE POPULATION AND JOB GROWTH PROJECTIONS; AND
8 (E) DEMOGRAPHIC AND POPULATION TRENDS FORECAST BY THE
9 STATE DEMOGRAPHY OFFICE; AND
10 (II) DESIGNATE REGIONS BASED ON THE BOUNDARIES OF
11 METROPOLITAN PLANNING ORGANIZATIONS, RURAL REGIONS, AND RURAL
12 RESORT REGIONS. THE DESIGNATION OF RURAL REGIONS AND RURAL
13 RESORT REGIONS MUST BE BASED ON REGIONAL COMMUTING PATTERNS
14 AMONG OTHER FACTORS.
15 (c) FOR LOCAL HOUSING NEEDS ASSESSMENTS, METHODS TO
16 ASSESS LOCAL HOUSING NEEDS FOR EACH LOCAL GOVERNMENT, BASED ON:
17 (I) THE CURRENT PROPORTION OF THE LOCALITY'S POPULATION IN
18 DIFFERENT HOUSEHOLD INCOME LEVELS, INCLUDING EXTREMELY
19 LOW-INCOME, VERY LOW-INCOME, AND LOW-INCOME HOUSEHOLDS AS
20 DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
21 DEVELOPMENT;
22 (II) THE LOCALITY'S CURRENT MEDIAN INCOME;
23 (III) THE LOCALITY'S JOB-HOUSING BALANCE, INCLUDING THE
24 AVAILABILITY OF HOUSING AFFORDABLE TO LOW-INCOME WORKERS IN THE
25 LOCALITY;
26 (IV) THE LOCALITY'S POPULATION AND DEMOGRAPHICS;
27 (V) MEASURES OF LOCAL RESOURCES IN THE LOCALITY;
28 (VI) VACANCY RATES IN THE LOCALITY;
29 (VII) MEASURES OF HOMELESSNESS AND HOUSING INSTABILITY IN
30 THE LOCALITY; AND
31 (VIII) DEMOGRAPHIC AND POPULATION TRENDS FORECAST BY THE
32 STATE DEMOGRAPHY OFFICE.
33 (3) (a) No LATER THAN DECEMBER 31, 2024, AND EVERY SIX
34 YEARS THEREAFTER, IN ACCORDANCE WITH THE METHODOLOGIES FOR
35 DEVELOPING HOUSING NEEDS ASSESSMENTS, THE EXECUTIVE DIRECTOR OF
36 THE DEPARTMENT OF LOCAL AFFAIRS, WITH INPUT FROM THE
37 MULTI-AGENCY ADVISORY COMMITTEE, SHALL PRODUCE STATEWIDE,
38 REGIONAL, AND LOCAL HOUSING NEEDS ASSESSMENTS WITH TWENTY-YEAR
39 PLANNING FORECASTS.
40 (b) EACH OF THE ASSESSMENTS MUST INCLUDE FOR THE RELEVANT
41 AREA, BASED ON STATE DEMOGRAPHIC DATA DURING THE TWENTY-YEAR
42 PLANNING PERIOD, ESTIMATES OF:
43 (I) HOUSING NEEDS IN THE AREA SORTED BY INCOME LEVELS,

1 INCLUDING EXTREMELY LOW-INCOME, VERY LOW-INCOME, AND
2 LOW-INCOME HOUSEHOLDS AS DEFINED BY THE UNITED STATES
3 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND UNIT TYPES,
4 INCLUDING ACCESSIBLE UNITS, SUPPORTIVE HOUSING, FOR-SALE HOUSING
5 AND RENTAL HOUSING;

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

7 (III) THE NUMBER OF JOBS IN THE AREA;

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

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

10 (c) MUNICIPALITIES THAT ARE REQUIRED TO COMPLETE HOUSING
11 NEEDS PLANS MAY USE THE LOCAL AND REGIONAL HOUSING NEEDS
12 ASSESSMENTS TO INFORM THEIR HOUSING NEEDS PLANS.

13 **29-33-105. Housing needs plans - guidance - definition.**

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

17 (b) THE MULTI-AGENCY ADVISORY COMMITTEE SHALL, AS PART OF
18 THE PUBLIC COMMENT AND HEARING PROCESS ESTABLISHED IN SECTION
19 29-33-109 (2), DEVELOP RECOMMENDATIONS TO PROVIDE TO THE
20 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS
21 CONCERNING GUIDANCE FOR CREATING A HOUSING NEEDS PLAN.

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

24 (3) (a) NO LATER THAN DECEMBER 31, 2026, AND EVERY SIX
25 YEARS THEREAFTER, IN ACCORDANCE WITH THE GUIDANCE FOR CREATING
26 A HOUSING NEEDS PLAN, EVERY URBAN MUNICIPALITY SHALL DEVELOP,
27 ADOPT, AND SUBMIT TO THE DEPARTMENT OF LOCAL AFFAIRS A HOUSING
28 NEEDS PLAN. THE DEPARTMENT OF LOCAL AFFAIRS SHALL POST THE
29 SUBMITTED PLANS PUBLICLY ON ITS WEBSITE.

30 (b) BEFORE ADOPTING AND SUBMITTING A HOUSING NEEDS PLAN,
31 AN URBAN MUNICIPALITY SHALL PUBLISH THE MOST RECENT DRAFT OF ITS
32 HOUSING NEEDS PLAN AND PROVIDE NOTICE OF A PUBLIC COMMENT PERIOD
33 FOR THE RECEIPT OF WRITTEN COMMENTS CONCERNING THE PLAN. THE
34 URBAN MUNICIPALITY MAY ALSO CHOOSE TO HOLD A PUBLIC HEARING ON
35 THE PLAN.

36 (c) ON OR BEFORE JUNE 30, 2024, AND ON OR BEFORE JUNE 30
37 EVERY SIX YEARS THEREAFTER, A TIER ONE OR TIER TWO URBAN
38 MUNICIPALITY WITH A POPULATION OF LESS THAN TWENTY-FIVE
39 THOUSAND AND AN ANNUAL MEDIAN HOUSEHOLD INCOME OF LESS THAN
40 FIFTY-FIVE THOUSAND DOLLARS NEED NOT SUBMIT A HOUSING NEEDS PLAN
41 TO THE DEPARTMENT OF LOCAL AFFAIRS, IF THE MUNICIPALITY INSTEAD
42 SENDS A LETTER TO THE DEPARTMENT IN A FORM AND MANNER
43 DETERMINED BY THE DEPARTMENT INDICATING THAT THE MUNICIPALITY

1 DOES NOT INTEND TO SUBMIT A HOUSING NEEDS PLAN.

2 (4) A HOUSING NEEDS PLAN MUST INCLUDE:

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

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

12 (c) A HOUSING NEEDS IMPLEMENTATION PLAN, WHICH MUST
13 DESCRIBE THE STRATEGIES THAT THE URBAN MUNICIPALITY WILL PURSUE
14 TO MEET ITS HOUSING NEEDS, INCLUDING THE IDENTIFICATION OF HOUSING
15 RESOURCES, CHANGES TO LOCAL LAWS, AND OTHER STRATEGIES SUCH AS
16 THOSE IN THE MENU OF AFFORDABILITY STRATEGIES CREATED IN SECTION
17 29-33-106;

18 (d) A DESCRIPTION OF ANY STRATEGIES THAT THE URBAN
19 MUNICIPALITY ADOPTS OR HAS PREVIOUSLY ADOPTED FROM THE MENU OF
20 AFFORDABILITY STRATEGIES DESCRIBED IN SECTION 29-33-106. THESE
21 STRATEGIES SHOULD MAKE PROGRESS TOWARD MEETING DEMONSTRATED
22 HOUSING NEEDS ACROSS ALL HOUSEHOLD INCOMES AND TYPES; AND

23 (e) IN THE CASE OF AN URBAN MUNICIPALITY, A NARRATIVE
24 ANALYSIS OF ANY AREA AT ELEVATED RISK OF RESIDENTIAL
25 DISPLACEMENT THAT THE URBAN MUNICIPALITY HAS IDENTIFIED AND A
26 DESCRIPTION OF AND IMPLEMENTATION PLAN FOR ANY STRATEGIES FROM
27 THE MENU OF DISPLACEMENT MITIGATION MEASURES DESCRIBED IN
28 SECTION 29-33-107, THAT THE URBAN MUNICIPALITY WILL USE TO
29 MITIGATE IDENTIFIED DISPLACEMENT RISKS IN THESE AREAS.

30 (5) WHEN UPDATING ITS MASTER PLAN, AN URBAN MUNICIPALITY
31 SHALL INCLUDE ITS MOST RECENT HOUSING NEEDS PLAN IN ITS MASTER
32 PLAN.

33 (6) AN URBAN MUNICIPALITY THAT ADOPTED A PLAN TO ADDRESS
34 LOCAL HOUSING NEEDS PRIOR TO THE EFFECTIVE DATE OF THIS SECTION
35 MAY, RATHER THAN DEVELOPING AND ADOPTING A NEW HOUSING NEEDS
36 PLAN PURSUANT TO SUBSECTION (3) OF THIS SECTION, UPDATE ITS
37 EXISTING PLAN TO ADDRESS ADDITIONAL NEEDS IDENTIFIED IN THE LOCAL
38 HOUSING NEEDS ASSESSMENT BEYOND WHAT THE MUNICIPALITY'S
39 EXISTING PLAN TO ADDRESS LOCAL HOUSING NEEDS INCLUDES, AND ANY
40 REQUIREMENTS IN SECTION 29-33-105 (4) NOT ALREADY INCLUDED IN THE
41 MUNICIPALITY'S EXISTING PLAN TO ADDRESS LOCAL HOUSING NEEDS.

42 (7) (a) A COUNTY OR MUNICIPALITY WITHIN A REGION DEFINED IN
43 THE REGIONAL HOUSING NEEDS ASSESSMENT MAY PARTICIPATE IN A

1 REGIONAL HOUSING NEEDS PLANNING PROCESS.

2 (b) A REGIONAL HOUSING NEEDS PLANNING PROCESS MAY BE LED
3 BY A REGIONAL ENTITY AND MUST ENCOURAGE PARTICIPATING COUNTIES
4 AND MUNICIPALITIES TO IDENTIFY STRATEGIES THAT IMPROVE
5 COORDINATION BETWEEN ENTITIES TO MEET THE HOUSING NEEDS
6 IDENTIFIED FOR THOSE LOCAL GOVERNMENTS IN THE REGIONAL AND
7 LOCAL HOUSING NEEDS ASSESSMENTS.

8 (8) (a) THE MULTI-AGENCY COMMITTEE CREATED IN SECTION
9 29-33-103 SHALL PROVIDE GUIDANCE FOR THE COMPLETION OF A
10 STRATEGIC GROWTH AND HOUSING MIX ANALYSIS.

11 (b) IN COMPLETING A STRATEGIC GROWTH AND HOUSING MIX
12 ANALYSIS, A METROPOLITAN PLANNING ORGANIZATION OR A
13 MUNICIPALITY MUST:

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

16 (II) PRIORITIZE STRATEGIC GROWTH AREAS WITHIN EXISTING
17 CENSUS-DEFINED URBANIZED AREAS, AND INCLUDE GUIDANCE FOR THE
18 LOCATION OF MIDDLE AND MULTIFAMILY HOUSING;

19 (III) DEVELOP SCENARIOS THAT EVALUATE THE IMPACTS OF
20 PRIORITIZING GROWTH IN STRATEGIC GROWTH AREAS IN COMPARISON TO
21 EXISTING GROWTH PATTERNS. THESE SCENARIOS MUST ADDRESS THE
22 FISCAL IMPACTS ON INFRASTRUCTURE OF GROWTH PATTERNS IN ADDITION
23 TO OTHER PERFORMANCE MEASURES AS IDENTIFIED BY THE
24 METROPOLITAN PLANNING ORGANIZATION. METROPOLITAN PLANNING
25 ORGANIZATIONS AND MUNICIPALITIES MAY UTILIZE PREVIOUS SCENARIO
26 ANALYSES IN SATISFYING THIS SUBSECTION (8)(b)(III).

27 (IV) EVALUATE THE EXISTING ZONING AND DENSITY PERMITTED
28 WITHIN STRATEGIC GROWTH AREAS; AND

29 (V) USE A METHOD THAT ALLOWS A MUNICIPALITY TO EFFICIENTLY
30 UTILIZE THE INFORMATION IN THE STRATEGIC GROWTH AND HOUSING MIX
31 ANALYSIS IN THE DEVELOPMENT OF THE STRATEGIC GROWTH ELEMENT OF
32 THE MUNICIPALITY'S MASTER PLAN, REQUIRED PURSUANT TO SECTION
33 31-23-206.

34 (c) (I) ON OR BEFORE DECEMBER 31, 2025, A METROPOLITAN
35 PLANNING ORGANIZATION WITH A POPULATION OF TWO HUNDRED FIFTY
36 THOUSAND OR MORE SHALL, IN CONSULTATION WITH THE RELEVANT
37 COUNTIES AND MUNICIPALITIES, COMPLETE A STRATEGIC GROWTH AND
38 HOUSING MIX ANALYSIS.

39 (II) ON OR BEFORE DECEMBER 31, 2025, A MUNICIPALITY WITH A
40 POPULATION OF FIFTY THOUSAND OR MORE THAT IS WITHIN A
41 METROPOLITAN PLANNING ORGANIZATION WITH A POPULATION OF LESS
42 THAN TWO HUNDRED FIFTY THOUSAND SHALL COMPLETE A STRATEGIC
43 GROWTH AND HOUSING MIX ANALYSIS.

1 **29-33-106. Menu of urban municipality affordability**
2 **strategies.** IN ORDER TO SUPPORT AFFORDABILITY AND ADVANCE
3 MEETING THE HOUSING NEEDS OF ALL INCOME LEVELS IDENTIFIED IN THE
4 LOCAL HOUSING NEEDS ASSESSMENT, INCLUDING EXTREMELY
5 LOW-INCOME, VERY LOW-INCOME, AND LOW-INCOME HOUSEHOLDS AS
6 DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
7 DEVELOPMENT, THE MENU OF AFFORDABILITY STRATEGIES FOR AN URBAN
8 MUNICIPALITY MUST INCLUDE THE FOLLOWING:
9 (1) 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 (2) THE CREATION OF A PROGRAM TO SUBSIDIZE OR OTHERWISE
13 REDUCE LOCAL DEVELOPMENT REVIEW OR FEES, INCLUDING:
14 (a) BUILDING PERMIT FEES;
15 (b) PLANNING WAIVERS;
16 (c) WATER AND SEWER TAP FEES; AND
17 (d) INFRASTRUCTURE COSTS FOR REGULATED AFFORDABLE
18 HOUSING DEVELOPMENT;
19 (3) THE CREATION OF AN EXPEDITED DEVELOPMENT REVIEW
20 PROCESS FOR REGULATED AFFORDABLE HOUSING DEVELOPMENTS;
21 (4) THE ESTABLISHMENT OF A DENSITY BONUS PROGRAM THAT
22 GRANTS INCREASED FLOOR AREA RATIO, DENSITY, OR HEIGHT TO INCREASE
23 THE CONSTRUCTION OF REGULATED AFFORDABLE HOUSING UNITS;
24 (5) ENABLING REGULATED AFFORDABLE HOUSING AS A USE BY
25 RIGHT IN HOUSING TYPES AND AREAS CONSISTENT WITH THE GOALS OF
26 INCREASING HOUSING AFFORDABILITY, SUPPLY, AND HOUSING UNIT TYPE
27 DIVERSITY;
28 (6) THE ESTABLISHMENT OF A POLICY OR PLAN TO LEVERAGE
29 MUNICIPALLY OWNED, SOLD, OR MANAGED LAND FOR REGULATED
30 AFFORDABLE HOUSING DEVELOPMENT;
31 (7) THE ESTABLISHMENT OF A DEDICATED LOCAL REVENUE SOURCE
32 FOR REGULATED AFFORDABLE HOUSING DEVELOPMENT, SUCH AS
33 INSTITUTING A LINKAGE FEE ON NEW DEVELOPMENTS;
34 (8) THE REGULATION OF SHORT-TERM RENTALS OR SECOND HOMES
35 IN A WAY THAT SUPPORTS LOCAL HOUSING NEEDS;
36 (9) THE ELIMINATION OF LOCAL PARKING REQUIREMENTS FOR
37 REGULATED AFFORDABLE HOUSING;
38 (10) MAKING COMMITMENT TO AND REMAINING ELIGIBLE FOR THE
39 STATE AFFORDABLE HOUSING FUND CREATED IN SECTION 29-32-102 (1);
40 (11) INCENTIVIZING OR CREATING A DEDICATED LOCAL PROGRAM
41 TO FACILITATE INVESTMENT IN LAND BANKING OR COMMUNITY LAND
42 TRUSTS;
43 (12) ADOPTING A WATER ALLOCATION POLICY BY A UTILITY

1 PROVIDER THAT PRIORITIZES WATER SUPPLIES FOR AFFORDABLE OR DENSE
2 HOUSING TYPES OVER LESS EFFICIENT HOUSING OR OTHER LESS CRITICAL
3 USES;

4 (13) ESTABLISHING A POLICY TO ALIGN INFRASTRUCTURE
5 STRATEGIES WITH THE NEEDS IDENTIFIED IN THE RELEVANT LOCAL
6 HOUSING NEEDS ASSESSMENT. POLICIES MAY INCLUDE THE PRIORITIZATION
7 OF UTILITIES AND AVAILABLE AND USABLE WATER RIGHTS, COST
8 EXEMPTIONS, AND DISCOUNTS, FOR REGULATED AFFORDABLE HOUSING
9 THAT MEETS ANY NEEDS IDENTIFIED IN THE RELEVANT LOCAL HOUSING
10 NEEDS ASSESSMENT; AND

11 (14) ANY OTHER STRATEGIES PROPOSED BY A LOCAL GOVERNMENT
12 OR THE MULTI-AGENCY ADVISORY COMMITTEE THAT ARE APPROVED BY
13 THE DEPARTMENT OF LOCAL AFFAIRS AND THAT SUPPORT EQUAL OR
14 GREATER AFFORDABILITY CONSISTENT WITH THE NEEDS IDENTIFIED IN THE
15 RELEVANT LOCAL HOUSING NEEDS ASSESSMENT.

16 **29-33-107. Displacement assessments - displacement**
17 **mitigation measures.** (1) (a) NO LATER THAN MARCH 31, 2024, THE
18 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL
19 DEVELOP GUIDANCE, AFTER CONSULTATION WITH COMMUNITY GROUPS
20 EXPERIENCED IN WORKING WITH INDIVIDUALS WHO HAVE BEEN DISPLACED
21 OR PREVENTING DISPLACEMENT, TO GUIDE MUNICIPALITIES IN
22 CONDUCTING DISPLACEMENT ASSESSMENTS AND ADOPTING DISPLACEMENT
23 MITIGATION MEASURES. THE ASSESSMENT SHALL BE DESIGNED WITH THE
24 GOAL OF PROVIDING URBAN MUNICIPALITIES WITH ADEQUATE GUIDANCE
25 AND TOOLS TO PREVENT DISPLACEMENT FROM AREAS, COMMUNITIES, OR
26 HOUSEHOLDS AT HIGH RISK FOR DISPLACEMENT.

27 (b) THE MULTI-AGENCY ADVISORY COMMITTEE SHALL, AS PART OF
28 THE PUBLIC COMMENT AND HEARING PROCESS ESTABLISHED IN SECTION
29 29-33-109 (2), DEVELOP RECOMMENDATIONS TO PROVIDE TO THE
30 EXECUTIVE DIRECTOR OF LOCAL AFFAIRS CONCERNING THE DEVELOPMENT
31 OF A MENU OF DISPLACEMENT MITIGATION MEASURES.

32 (2) THE MENU OF DISPLACEMENT MITIGATION MEASURES MUST:

33 (a) PROVIDE GUIDANCE TO IDENTIFY THE AREAS AT THE HIGHEST
34 RISKS FOR DISPLACEMENT USING OBJECTIVE STANDARDS. THIS
35 ASSESSMENT MUST INCLUDE FACTORS THAT CAN BE USED TO IDENTIFY
36 RISKS FOR DISPLACEMENT AT THE CENSUS TRACT OR OTHER SIMILAR
37 GEOGRAPHIC SCALE. THE FACTORS MUST INCLUDE, BUT ARE NOT LIMITED
38 TO, THE FOLLOWING:

39 (I) THE PERCENTAGE OF RESIDENTS WHO ARE LOW-INCOME;

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

41 (III) THE PERCENTAGE OF COST-BURDENED HOUSEHOLDS, DEFINED
42 AS SPENDING MORE THAN THIRTY PERCENT OF THE RESIDENT'S INCOME ON
43 HOUSING NEEDS;

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

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

6 (VI) THE PERCENTAGE OF RESIDENTS WHO WERE BORN OUTSIDE OF
7 THE UNITED STATES;

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

11 (VIII) THE EMPLOYMENT RATE; AND

12 (IX) THE PERCENTAGE OF HOUSEHOLDS THAT DO NOT HAVE
13 INTERNET ACCESS;

14 (b) PROVIDE GUIDANCE AND RECOMMENDATIONS FOR HOW A
15 LOCAL GOVERNMENT SHALL INCORPORATE DISPLACEMENT MITIGATION
16 MEASURES INTO A HOUSING NEEDS PLAN; AND

17 (c) INCLUDE DISPLACEMENT MITIGATION MEASURES LOCAL
18 GOVERNMENTS MAY CHOOSE FROM IN DEVELOPING A HOUSING NEEDS
19 PLAN.

20 (3) THE DEPARTMENT OF LOCAL AFFAIRS SHALL PROVIDE
21 TECHNICAL ASSISTANCE AND FUNDING TO SUPPORT URBAN MUNICIPALITIES
22 IN CONDUCTING DISPLACEMENT ASSESSMENT AND IN IDENTIFYING
23 DISPLACEMENT MITIGATION MEASURES TO ADDRESS THE RISK OF
24 DISPLACEMENT IN THE AREAS AT THE HIGHEST RISK OF DISPLACEMENT.

25 **29-33-108. Strategic growth objectives - reporting.** (1) (a) NO
26 LATER THAN MARCH 31, 2024, THE EXECUTIVE DIRECTOR OF THE
27 DEPARTMENT OF LOCAL AFFAIRS SHALL PUBLISH A REPORT THAT
28 IDENTIFIES MULTI-AGENCY IMPLEMENTATION PRINCIPLES TO ACHIEVE
29 STRATEGIC GROWTH OBJECTIVES. THE EXECUTIVE DIRECTOR SHALL
30 UPDATE THIS REPORT EVERY SIX YEARS.

31 (b) THE MULTI-AGENCY ADVISORY COMMITTEE SHALL, AS PART OF
32 THE PUBLIC COMMENT AND HEARING PROCESS ESTABLISHED IN SECTION
33 29-33-109 (2), DEVELOP RECOMMENDATIONS TO PROVIDE TO THE
34 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS
35 CONCERNING THE REPORT DESCRIBED IN SUBSECTION (1)(a) OF THIS
36 SECTION.

37 (2) STRATEGIC GROWTH OBJECTIVES SERVE AS BROAD GUIDANCE
38 TO STATE AGENCIES AND OTHER ENTITIES ENGAGED IN THE
39 IMPLEMENTATION OF SENATE BILL 23-213, ARE INTENDED TO AID IN
40 REACHING THE HOUSING AND LAND USE GOALS OF SENATE BILL 23-213 AS
41 IDENTIFIED IN SUBSECTION (4) OF THIS SECTION, AND ARE TO BE UTILIZED
42 IN DEVELOPING MULTI-AGENCY IMPLEMENTATION PRINCIPLES FOR
43 STRATEGIC GROWTH OBJECTIVES. STRATEGIC GROWTH OBJECTIVES MUST

1 BE DRAFTED IN A WAY THAT, AT A MINIMUM:

2 (a) DEFINES STRATEGIC GROWTH AREAS AS AREAS WITHIN
3 EXISTING CENSUS URBANIZED AREAS THAT INCLUDE AREAS:

4 (I) WITHIN KEY CORRIDORS AND TRANSIT-ORIENTED AREAS;
5 (II) THAT ARE VACANT, PARTIALLY VACANT, AND UNDERUTILIZED
6 LAND;

7 (III) THAT CAN ACCOMMODATE INFILL DEVELOPMENT,
8 REDEVELOPMENT, AND NEW DEVELOPMENT;

9 (IV) THAT CAN ACCOMMODATE INFILL DEVELOPMENT,
10 REDEVELOPMENT, AND NEW DEVELOPMENT;

11 (V) THAT INCLUDE GREYFIELD DEVELOPMENT, BROWNFIELD
12 DEVELOPMENT, AND GREENFIELD DEVELOPMENT;

13 (VI) THAT INCLUDE A VARIETY OF HOUSING TYPES AT DENSITY
14 LEVELS THAT SUPPORT FREQUENT TRANSIT SERVICE, FOR BOTH EXISTING
15 AND FUTURE TRANSIT CORRIDORS;

16 (VII) THAT INCLUDE MIDDLE HOUSING AND MULTIFAMILY
17 HOUSING IN EXISTING OR FUTURE WALKABLE MIXED-USE NEIGHBORHOODS
18 AND CENTERS;

19 (VIII) WITH SUFFICIENT WATER SUPPLIES AND ALLOCATIONS TO
20 AFFORDABLE AND WATER-EFFICIENT HOUSING TYPES; AND

21 (IX) BEYOND EXISTING A CENSUS URBANIZED AREA EXPERIENCING
22 GROWTH MAY BE CONSIDERED A STRATEGIC GROWTH AREA IF IT MEETS
23 THE CRITERIA IN SUBSECTIONS (2)(a)(VI), (2)(a)(VII), AND (2)(a)(VIII) OF
24 THIS SECTION;

25 (b) REQUIRES STATE AGENCIES TO CONSIDER THE DIFFERENT
26 CONTEXTS AND NEEDS OF STRATEGIC GROWTH AREAS IN RURAL, RURAL
27 RESORT, AND URBAN AREAS OF THE STATE;

28 (c) PROMOTES INVESTMENTS THAT SUPPORT STRATEGIC GROWTH
29 AREAS;

30 (d) STREAMLINES AGENCY PERMITTING PROCESSES TO SUPPORT
31 STRATEGIC GROWTH AREAS;

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

34 (f) CONSIDERS STEPS TO SUPPORT STRATEGIC GROWTH OBJECTIVES
35 WHEN UPDATING PLANNING DOCUMENTS, INCLUDING PERFORMANCE
36 MEASURES AND PERFORMANCE TARGETS; AND

37 (g) ALLOWS FOR THE IDENTIFICATION OF NEW STRATEGIC GROWTH
38 OBJECTIVES AS NEEDED DURING THE IMPLEMENTATION OF THE
39 MULTI-AGENCY IMPLEMENTATION PRINCIPLES IDENTIFIED IN SUBSECTION
40 (1)(a) OF THIS SECTION.

41 (3) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
42 AFFAIRS MAY IDENTIFY AND DEFINE ADDITIONAL STRATEGIC GROWTH
43 OBJECTIVES BEYOND THOSE IDENTIFIED IN SUBSECTION (2) OF THIS

1 SECTION.
2 (4) FOR THE PURPOSES OF THIS SECTION, THE HOUSING AND LAND
3 USE GOALS OF SENATE BILL 23-213 INCLUDE:
4 (a) PLANNING FOR FUTURE GROWTH;
5 (b) INCREASING HOUSING AFFORDABILITY AND ACCESSIBILITY;
6 (c) INCREASING ECONOMIC MOBILITY;
7 (d) ALIGNING WATER SUPPLY AND HOUSING PLANNING;
8 (e) BALANCING REGIONAL JOBS AND HOUSING;
9 (f) REDUCING AIR POLLUTION AND GREENHOUSE GAS EMISSIONS;
10 AND
11 (g) PRESERVING OPEN SPACE AND AGRICULTURAL LAND.
12 (5) (a) NO LATER THAN JUNE 30, 2025, THE MULTI-AGENCY GROUP
13 SHALL SUBMIT A REPORT TO THE EXECUTIVE DIRECTOR OF THE
14 DEPARTMENT OF LOCAL AFFAIRS WITH REVIEW AND CO-SUBMITTAL FROM
15 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES
16 WHO SHALL SUBMIT THE REPORT TO THE GENERAL ASSEMBLY.
17 (b) THE REPORT MUST ASSESS BOTH:
18 (I) THE AVAILABILITY AND SUFFICIENCY OF WATER SUPPLIES IN
19 COUNTIES WITH A POPULATION GREATER THAN TWO HUNDRED AND FIFTY
20 THOUSAND TO PROVIDE FOR ANTICIPATED GROWTH AND DEVELOPMENT;
21 AND
22 (II) POLICY OPTIONS TO OPTIMIZE WATER SUPPLY AND
23 DEVELOPMENT.
24 (6) ON OR BEFORE DECEMBER 31, 2023, THE MULTI-AGENCY
25 COMMITTEE CREATED IN SECTION 29-33-103 SHALL SUBMIT A REPORT TO
26 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION,
27 WHO SHALL SUBMIT THE REPORT TO THE GENERAL ASSEMBLY,
28 IDENTIFYING KEY CORRIDORS FOR URBAN BUS RAPID TRANSIT SERVICE AND
29 FREQUENT BUS SERVICE.
30 (7) NO LATER THAN DECEMBER 31, 2023, THE MULTI-AGENCY
31 COMMITTEE CREATED IN SECTION 29-33-103 SHALL DELIVER A REPORT TO
32 THE GENERAL ASSEMBLY CONCERNING LEGISLATIVE AND ADMINISTRATIVE
33 RECOMMENDATIONS TO ADDRESS LONG-TERM HOUSING SUPPLY AND
34 AFFORDABILITY NEEDS, IN A MANNER THAT CONSERVES WATER, OPEN
35 SPACE AND AGRICULTURAL LAND, REDUCES GREENHOUSE GAS AND AIR
36 POLLUTION, AND REDUCES LONG-TERM INFRASTRUCTURE COSTS.
37 **29-33-109. Public comment and hearing process.** (1) IN
38 DEVELOPING RECOMMENDATIONS CONCERNING GUIDANCE FOR THE
39 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS, THE
40 MULTI-AGENCY ADVISORY COMMITTEE CREATED IN SECTION 29-33-103
41 (1), RURAL RESORT AREA SUBCOMMITTEE CREATED IN SECTION 29-33-103
42 (8), OR THE URBAN AREA SUBCOMMITTEE CREATED IN SECTION 29-33-103
43 (9), SHALL CONDUCT A PUBLIC COMMENT AND HEARING PROCESS ABOUT:

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

4 (b) CREATING A HOUSING NEEDS PLAN PURSUANT TO SECTION
5 29-33-105;

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

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

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

13 (f) DEVELOPING REPORTING GUIDANCE AND TEMPLATES FOR
14 RURAL RESORT JOB CENTER MUNICIPALITIES AND URBAN MUNICIPALITIES
15 PURSUANT TO SECTION 29-33-113.

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

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

24 (b) ALLOW THE SUBMISSION OF WRITTEN COMMENTS ON THE
25 SUBJECT OF THE HEARING;

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

28 (d) CONSULT WITH EXPERTS IN DISABILITY RIGHTS, RACIAL EQUITY
29 AND HOMELESSNESS PREVENTION, AFFORDABLE HOUSING, FAIR HOUSING,
30 PLANNING AND ZONING, AND RELATED FIELDS; AND

31 (e) ENSURE ACCESSIBILITY TO THE COMMENT AND HEARING
32 PROCESS BY PROVIDING TRANSLATED MATERIALS AND INTERPRETATION
33 SERVICES, PROVIDING AT LEAST ONE OF THE HEARINGS IN PERSON, AND
34 CONDUCTING OUTREACH TO ENCOURAGE PARTICIPATION FROM
35 UNDERREPRESENTED COMMUNITIES.

36 **29-33-110. Natural and agricultural land priorities report.**

37 (1) NO LATER THAN DECEMBER 31, 2024, THE OFFICE OF CLIMATE
38 PREPAREDNESS CREATED IN SECTION 24-38.8-102 (1) SHALL CONSULT
39 WITH THE DEPARTMENT OF AGRICULTURE, THE DIVISION OF PARKS AND
40 WILDLIFE WITHIN THE DEPARTMENT OF NATURAL RESOURCES, THE
41 OUTDOOR RECREATION INDUSTRY OFFICE IN THE OFFICE OF ECONOMIC
42 DEVELOPMENT, THE COLORADO TOURISM OFFICE, AND THE MULTI-AGENCY
43 GROUP TO DEVELOP A REPORT THAT IDENTIFIES INTERJURISDICTIONAL

1 PRIORITIES THAT METROPOLITAN PLANNING ORGANIZATIONS SHOULD
2 APPLY TO ACHIEVE BOTH:

3 (a) CONNECTIVITY TO OPEN SPACE, WILDLIFE HABITAT, AND OTHER
4 PRIORITY LANDSCAPES; AND

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

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

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

20 **29-33-111. Rural resort job center municipalities - existing**
21 **plans to address local housing needs - menu of affordability strategies**
22 **- regional housing needs planning process. (1) Existing plans to**
23 **address local housing needs.** A RURAL RESORT JOB CENTER
24 MUNICIPALITY THAT ADOPTS A PLAN TO ADDRESS LOCAL HOUSING NEEDS
25 PRIOR TO THE EFFECTIVE DATE OF THIS SECTION MAY, RATHER THAN
26 DEVELOPING AND ADOPTING A NEW HOUSING NEEDS PLAN PURSUANT TO
27 SUBSECTION (3)(b) OF THIS SECTION, UPDATE ITS EXISTING PLAN TO
28 ADDRESS ADDITIONAL NEEDS IDENTIFIED IN THE LOCAL HOUSING NEEDS
29 ASSESSMENT BEYOND WHAT THE MUNICIPALITY'S EXISTING PLAN TO
30 ADDRESS LOCAL HOUSING NEEDS INCLUDES, AND ANY REQUIREMENTS IN
31 SECTION 29-33-105 (4) NOT ALREADY INCLUDED IN THE MUNICIPALITY'S
32 EXISTING PLAN TO ADDRESS LOCAL HOUSING NEEDS.

33 (2) **Menu of affordability strategies.** IN ORDER TO SUPPORT
34 AFFORDABILITY AND ADVANCE MEETING THE HOUSING NEEDS OF ALL
35 INCOME LEVELS IDENTIFIED IN THE LOCAL HOUSING NEEDS ASSESSMENT,
36 THE MENU OF AFFORDABILITY STRATEGIES FOR A RURAL RESORT JOB
37 CENTER MUNICIPALITY MUST INCLUDE THE FOLLOWING:

38 (a) A STRATEGY DEFINED BY THE RURAL RESORT JOB CENTER
39 MUNICIPALITY THAT SETS PARAMETERS FOR THE CONSTRUCTION AND
40 PERMITTING OF ACCESSORY DWELLING UNITS WITH AFFORDABILITY
41 PROTECTIONS THAT MEET THE RURAL RESORT JOB CENTER MUNICIPALITY'S
42 HOUSING AFFORDABILITY NEEDS;

43 (b) A STRATEGY DEFINED BY THE RURAL RESORT JOB CENTER

1 MUNICIPALITY THAT SETS PARAMETERS FOR THE CONSTRUCTION AND
2 PERMITTING OF MIDDLE HOUSING AND MULTIFAMILY HOUSING THAT:
3 (I) IS WITHIN A WALKABLE DISTANCE OF TRANSIT STOPS, WHEN
4 POSSIBLE;
5 (II) INCORPORATES AFFORDABILITY PROTECTIONS SUCH AS DEED
6 RESTRICTIONS AND SHORT-TERM RENTAL RESTRICTIONS AS IDENTIFIED BY
7 THE RURAL RESORT JOB CENTER MUNICIPALITY; AND
8 (III) PROVIDES HOUSING THAT MEETS THE RURAL RESORT JOB
9 CENTER MUNICIPALITY'S HOUSING AFFORDABILITY NEEDS AND DOES NOT
10 ENCOURAGE OR REQUIRE ANY HOUSING THAT DOES NOT MEET THE RURAL
11 RESORT JOB CENTER MUNICIPALITY'S HOUSING AFFORDABILITY NEEDS;
12 (c) IMPLEMENTING A LOCAL INCLUSIONARY ZONING ORDINANCE IN
13 ACCORDANCE WITH THE REQUIREMENTS OF SECTION 29-20-104 (e.5) AND
14 (e.7);
15 (d) THE CREATION OF A PROGRAM TO SUBSIDIZE OR OTHERWISE
16 REDUCE LOCAL DEVELOPMENT FEES THAT MAY INCLUDE:
17 (I) BUILDING PERMIT FEES;
18 (II) WATER AND SEWER TAP FEES; AND
19 (III) OTHER INFRASTRUCTURE COSTS FOR REGULATED
20 AFFORDABLE HOUSING DEVELOPMENT;
21 (e) CREATING AN EXPEDITED DEVELOPMENT REVIEW PROCESS FOR
22 REGULATED AFFORDABLE HOUSING DEVELOPMENTS;
23 (f) ESTABLISHING A DENSITY BONUS PROGRAM THAT ALLOWS
24 INCREASED FLOOR AREA RATIO, DENSITY, OR HEIGHT BEYOND WHAT IS
25 OTHERWISE REQUIRED BY THIS ARTICLE 33 TO INCREASE THE
26 CONSTRUCTION OF REGULATED AFFORDABLE HOUSING UNITS;
27 (g) ENABLING REGULATED AFFORDABLE HOUSING AS A USE BY
28 RIGHT;
29 (h) ESTABLISHING A POLICY OR PLAN TO LEVERAGE
30 MUNICIPALLY-OWNED LAND FOR THE DEVELOPMENT OF REGULATED
31 AFFORDABLE HOUSING;
32 (i) ESTABLISHING A DEDICATED LOCAL REVENUE SOURCE FOR THE
33 DEVELOPMENT OF REGULATED AFFORDABLE HOUSING;
34 (j) REGULATING SHORT-TERM RENTALS OR SECOND HOMES;
35 (k) REDUCING OR ELIMINATING LOCAL PARKING REQUIREMENTS
36 FOR REGULATED AFFORDABLE HOUSING;
37 (l) MAKING A COMMITMENT TO AND REMAINING ELIGIBLE FOR THE
38 STATEWIDE AFFORDABLE HOUSING FUND CREATED IN SECTION 29-32-102
39 (1);
40 (m) ADOPTING A POLICY THAT RESULTS IN NON-CONSTRUCTION
41 SOLUTIONS TO INCREASE AFFORDABLE HOUSING, INCLUDING THE:
42 (I) ACQUISITION OF DEED RESTRICTIONS ON EXISTING
43 MARKET-RATE HOUSING UNITS;

1 (II) PRESERVATION OF EXISTING DEED RESTRICTIONS; OR
2 (III) PROGRAMS TO DISINCENTIVE THE USE OF HOMES AS
3 NON-PRIMARY RESIDENCES;
4 (n) ADOPTING A REGIONAL HOUSING NEEDS PLAN WITH
5 MULTI-JURISDICTIONAL COMMITMENTS TO MEET IDENTIFIED HOUSING
6 TARGETS TO INCREASE THE SUPPLY OF AFFORDABLE HOUSING;
7 (o) ADOPTING A STRATEGY PROPOSED BY EITHER A LOCAL
8 GOVERNMENT OR THE MULTI-AGENCY ADVISORY COMMITTEE, AND THAT
9 IS APPROVED BY THE DEPARTMENT OF LOCAL AFFAIRS, THAT SUPPORTS
10 EQUAL OR GREATER HOUSING AFFORDABILITY CONSISTENT WITH THE
11 NEEDS IDENTIFIED IN THE RELEVANT LOCAL HOUSING NEEDS ASSESSMENT;
12 AND
13 (p) ADOPTING A POLICY OR REGULATORY TOOL THAT INCENTIVIZES
14 THE PROMOTION OF AFFORDABLE HOUSING DEVELOPMENT AS IDENTIFIED
15 IN SECTION 24-32-130 (3).
16 (3) **Regional housing needs planning process.** (a) (I) A COUNTY
17 OR MUNICIPALITY WITHIN A REGION DEFINED IN THE REGIONAL HOUSING
18 NEEDS ASSESSMENT MAY PARTICIPATE IN A REGIONAL HOUSING NEEDS
19 PLANNING PROCESS.
20 (II) THE COUNTIES OR MUNICIPALITIES THAT PARTICIPATE IN A
21 PLANNING PROCESS:
22 (A) MAY UTILIZE DATA AND INFORMATION FROM A RURAL RESORT
23 REGIONAL HOUSING NEEDS ASSESSMENT THAT IS NO MORE THAN FIVE
24 YEARS OLD TO INFORM THEIR PARTICIPATION IN THE PLANNING PROCESS;
25 (B) ARE ENCOURAGED TO INCORPORATE STRATEGIC GROWTH
26 OBJECTIVES AS DEFINED IN SECTION 29-33-108 IN THE PLANNING PROCESS;
27 AND
28 (C) ARE ENCOURAGED TO IDENTIFY STRATEGIES THAT ADDRESS
29 THE HOUSING NEEDS IDENTIFIED IN LOCAL HOUSING NEEDS ASSESSMENTS
30 THROUGH THE ADOPTION OF INTERJURISDICTIONAL STRATEGIES AND
31 AFFORDABILITY STRATEGIES FROM THE MENU IN SUBSECTION (2) OF THIS
32 SECTION.
33 (III) IF NO EXISTING REGIONAL PLAN EXISTS, A GROUP OF COUNTIES
34 OR MUNICIPALITIES MAY REQUEST THAT THE RURAL RESORT AREA
35 SUBCOMMITTEE CREATED IN SECTION 29-33-103 (8) FACILITATE THE
36 CREATION OF A REGIONAL PLANNING PROCESS.
37 (IV) A REGIONAL HOUSING NEEDS PLANNING PROCESS MAY BE LED
38 BY A REGIONAL ENTITY AND MUST ENCOURAGE PARTICIPATING COUNTIES
39 AND MUNICIPALITIES TO IDENTIFY STRATEGIES THAT IMPROVE
40 COORDINATION BETWEEN ENTITIES TO MEET THE HOUSING NEEDS
41 IDENTIFIED FOR THOSE LOCAL GOVERNMENTS IN THE REGIONAL AND
42 LOCAL HOUSING NEEDS ASSESSMENTS.
43 (V) BY DECEMBER 31, 2024, THE RURAL RESORT AREA

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

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

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

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

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

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

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

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

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

4 **29-33-112. Water supply forecast.** (1) NO LATER THAN JUNE 30,
5 2025, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS
6 IN CONSULTATION WITH THE COLORADO WATER CONSERVATION BOARD
7 SHALL SUBMIT A JOINT REPORT TO THE GENERAL ASSEMBLY CONFORMING
8 TO THE COLORADO WATER PLAN ADOPTED IN JANUARY 2023 THAT
9 ASSESSES:

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

12 (b) A FRAMEWORK TO GUIDE INVESTMENTS IN DEVELOPMENT AND
13 CONSERVATION; AND

14 (c) A RANGE OF POLICY OPTIONS TO MAXIMIZE EFFICIENCY OF
15 EXISTING WATER SUPPLY AND IDENTIFY IMPACTS OF FUTURE
16 DEVELOPMENT.

17 (2) THE DIRECTOR SHALL CONSULT WATER PROVIDERS AND
18 PUBLISHED WATER SUPPLY MASTER PLANS IN THE PREPARATION OF THE
19 REPORT.

20 **29-33-113. Technical assistance - housing plans assistance**
21 **fund - definition.** (1) THE DIVISION OF LOCAL GOVERNMENT WITHIN THE
22 DEPARTMENT OF LOCAL AFFAIRS SHALL PROVIDE TECHNICAL ASSISTANCE
23 MATERIALS, BRIEFINGS, CONSULTING SERVICES, TEMPLATES, TOOLS,
24 TRAININGS, WEBINARS, OR OTHER GUIDANCE TO AID LOCAL GOVERNMENTS
25 AND METROPOLITAN PLANNING ORGANIZATIONS IN UPDATING LOCAL LAWS
26 AND OTHERWISE COMPLYING WITH THIS ARTICLE 33.

27 (2) TO ASSIST LOCAL GOVERNMENTS IN COMPLYING WITH THIS
28 ARTICLE 33, THE DIVISION OF LOCAL GOVERNMENT WITHIN THE
29 DEPARTMENT OF LOCAL AFFAIRS, WITH THE SUPPORT OF THE
30 MULTI-AGENCY GROUP, SHALL PROVIDE TECHNICAL ASSISTANCE FUNDING
31 THROUGH EITHER A GRANT PROGRAM OR THE PROVISION OF CONSULTANT
32 SERVICES THROUGH SUBJECT JURISDICTIONS OR BOTH A GRANT PROGRAM
33 AND PROVISION OF CONSULTANT SERVICES. THE DIVISION OF LOCAL
34 GOVERNMENT MAY ALSO PROVIDE TECHNICAL ASSISTANCE FUNDING
35 THROUGH A METROPOLITAN PLANNING ORGANIZATION OR OTHER
36 REGIONAL ENTITY. BEGINNING JANUARY 1, 2026, AND EVERY YEAR
37 THEREAFTER, THE DEPARTMENT OF LOCAL AFFAIRS SHALL PROVIDE A
38 REPORT ON THE ASSISTANCE REQUESTED BY LOCAL GOVERNMENTS
39 PURSUANT TO THIS SECTION, WHETHER OR NOT ADEQUATE STATE FUNDING
40 IS AVAILABLE TO MEET THE ASSISTANCE REQUESTED BY LOCAL
41 GOVERNMENTS, AND ANY ADDITIONAL RESOURCES THAT LOCAL
42 GOVERNMENTS HAVE IDENTIFIED THAT WOULD HELP COMPLETE ADVISORY
43 HOUSING NEEDS PLANS.

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

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

13 **29-33-114. Reporting requirements.** (1) (a) NO LATER THAN
14 DECEMBER 31, 2025, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
15 LOCAL AFFAIRS SHALL DEVELOP REPORTING GUIDANCE AND TEMPLATES
16 FOR RURAL RESORT JOB CENTER MUNICIPALITIES AND URBAN
17 MUNICIPALITIES.

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

24 (2) AT A MINIMUM, RURAL RESORT JOB CENTER MUNICIPALITIES
25 AND URBAN MUNICIPALITIES SHALL REPORT, NO LATER THAN DECEMBER
26 31, 2026, AND NO LATER THAN DECEMBER 31 OF EACH YEAR THEREAFTER,
27 IN A FORM AND MANNER DETERMINED BY THE DEPARTMENT OF LOCAL
28 AFFAIRS, THE FOLLOWING HOUSING DATA FOR THE PREVIOUS CALENDAR
29 YEAR TO THE DEPARTMENT OF LOCAL AFFAIRS:

30 (a) THE NUMBER OF PERMITS THAT THE MUNICIPALITY ISSUED FOR
31 NEW HOUSING UNITS CATEGORIZED BY THE NUMBER OF UNITS IN EACH
32 STRUCTURE TYPE;

33 (b) THE NUMBER OF NEW HOUSING UNITS CATEGORIZED BY THE
34 NUMBER OF UNITS IN EACH STRUCTURE TYPE, IN THE MUNICIPALITY ON
35 WHICH CONSTRUCTION HAS BEGUN;

36 (c) TIMEFRAMES TO COMPLETE RESIDENTIAL PERMIT REVIEWS BY
37 HOUSING TYPE;

38 (d) WORKFORCE ASSIGNED TO DEVELOPMENT REVIEW BY POSITION
39 TYPE;

40 (e) THE IMPLEMENTATION STATUS OF THE STRATEGIES IDENTIFIED
41 IN THE MUNICIPALITY'S HOUSING NEEDS PLAN;

42 (f) ZONING INFORMATION THAT MAY INCLUDE GEOSPATIAL DATA
43 SPECIFYING ZONING DISTRICTS, ALLOWED USES AND DENSITIES, AND

1 OTHER DATA IN A STANDARD FORMAT; AND
2 (g) THE NUMBER OF INTERGOVERNMENTAL AGREEMENTS THAT
3 THE MUNICIPALITY HAS ENTERED INTO TO ADDRESS ITS LOCAL AND
4 REGIONAL HOUSING NEEDS ASSESSMENTS AND A DESCRIPTION OF THESE
5 AGREEMENTS.
6 (3) UPON RECEIVING THE REPORTS FROM THE RURAL RESORT JOB
7 CENTER MUNICIPALITIES AND URBAN MUNICIPALITIES PURSUANT TO
8 SUBSECTION (2) OF THIS SECTION, THE DEPARTMENT OF LOCAL AFFAIRS
9 SHALL PUBLISH AN ANALYSIS ON A PUBLICLY AVAILABLE DASHBOARD
10 THAT INCLUDES ALL OF THE INFORMATION IN THE REPORTS.
11 **29-33-115. Compliance.** NO LATER THAN JUNE 30, 2027, THE
12 DEPARTMENT OF LOCAL AFFAIRS SHALL CONDUCT A COMPLIANCE REVIEW
13 AND APPROVE HOUSING NEEDS PLANS OR PROVIDE FEEDBACK TO RURAL
14 RESORT JOB CENTER MUNICIPALITIES AND URBAN MUNICIPALITIES AS
15 NEEDED. THE SUBMISSION OF A COMPLIANT HOUSING NEEDS PLAN MUST BE
16 CONSIDERED IN THE DEVELOPMENT OF STRATEGIC GROWTH OBJECTIVES.
17 **SECTION 3.** In Colorado Revised Statutes, 24-32-705, **add** (8)
18 as follows:
19 **24-32-705. Functions of division.** (8) THE DIVISION SHALL
20 CONSULT WITH THE MULTI-AGENCY ADVISORY COMMITTEE CREATED IN
21 SECTION 29-33-103 ON FACTORY-BUILT STRUCTURES AND TINY HOME
22 CREATED IN SECTION 24-32-3305 (3), TO PRODUCE A REPORT NO LATER
23 THAN JUNE 30, 2024, ON THE OPPORTUNITIES AND BARRIERS IN CURRENT
24 STATE LAWS AND REGULATIONS CONCERNING THE BUILDING OF
25 MANUFACTURED HOMES, MODULAR HOMES, AND TINY HOMES.
26 **SECTION 4.** In Colorado Revised Statutes, 24-32-3303, **amend**
27 (1)(c) as follows:
28 **24-32-3303. Division of housing - powers and duties - rules.**
29 (1) The division has the following powers and duties pursuant to this part
30 33:
31 (c) To review and approve quality assurance representatives that
32 intend to perform FINAL CONSTRUCTION PLAN REVIEWS, inspections, and
33 issue insignia of approval pursuant to this part 33;
34 **SECTION 5.** In Colorado Revised Statutes, **add** 29-20-110 as
35 follows:
36 **29-20-110. Local government residential occupancy limits -**
37 **definitions.** (1) NOTWITHSTANDING ANY OTHER PROVISION TO THE
38 CONTRARY, A LOCAL GOVERNMENT SHALL NOT ENACT OR ENFORCE
39 RESIDENTIAL OCCUPANCY LIMITS THAT DIFFER BASED ON THE
40 RELATIONSHIPS OF THE OCCUPANTS OF A DWELLING.
41 (2) NOTHING IN THIS SECTION PREVENTS A LOCAL GOVERNMENT
42 FROM ESTABLISHING RESIDENTIAL OCCUPANCY LIMITS FOR DWELLING
43 UNITS FOR SHORT-TERM RENTALS, AS DEFINED IN SECTION 29-33-102 (35).

1 (3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
2 REQUIRES:

3 (a) "DWELLING" MEANS ANY IMPROVED REAL PROPERTY, OR
4 PORTION THEREOF, THAT IS USED OR INTENDED TO BE USED AS A
5 RESIDENCE.

6 (b) "LOCAL GOVERNMENT" MEANS A HOME RULE OR STATUTORY
7 CITY, TOWN, TERRITORIAL CITY OR TOWN, CITY AND COUNTY, OR COUNTY
8 OR HOME RULE COUNTY.

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

12 **30-28-106. Adoption of master plan - contents.** (3) (a) THE
13 MASTER PLAN OF A COUNTY OR REGION, WITH THE ACCOMPANYING MAPS,
14 PLATS, CHARTS, AND DESCRIPTIVE AND EXPLANATORY MATTER, MUST
15 SHOW THE COUNTY OR REGIONAL PLANNING COMMISSION'S
16 RECOMMENDATIONS FOR THE DEVELOPMENT OF THE TERRITORY COVERED
17 BY THE PLAN. THE MASTER PLAN OF A COUNTY OR REGION IS AN ADVISORY
18 DOCUMENT TO GUIDE LAND DEVELOPMENT DECISIONS; HOWEVER, THE
19 PLAN OR ANY PART THEREOF MAY BE MADE BINDING BY INCLUSION IN THE
20 COUNTY'S OR REGION'S ADOPTED SUBDIVISION, ZONING, PLATTING,
21 PLANNED UNIT DEVELOPMENT, OR OTHER SIMILAR LAND DEVELOPMENT
22 REGULATIONS AFTER SATISFYING NOTICE, DUE PROCESS, AND HEARING
23 REQUIREMENTS FOR LEGISLATIVE OR QUASI-JUDICIAL PROCESSES AS
24 APPROPRIATE. A MASTER PLAN ADOPTED ON OR AFTER JUNE 30, 2024,
25 MUST INCLUDE:

26 (I) NATURAL AND AGRICULTURAL LAND PRIORITIES IN
27 ACCORDANCE WITH THE NATURAL AND AGRICULTURAL LAND PRIORITIES
28 REPORT CREATED IN SECTION 29-33-110;

29 (II) A HOUSING ELEMENT;

30 (III) FOR COUNTIES WITH A POPULATION OF GREATER THAN TWO
31 HUNDRED FIFTY THOUSAND, A STRATEGIC GROWTH ELEMENT THAT MUST
32 INCLUDE;

33 (A) THE INFORMATION RELEVANT TO THE MUNICIPALITY
34 CONTAINED IN THE REGIONAL STRATEGIC GROWTH AND HOUSING MIX
35 ANALYSIS CONDUCTED PURSUANT TO SECTION 29-33-105 (8)(a) AND AN
36 ANALYSIS OF HOW THE MUNICIPALITY IS INCLUDING THIS INFORMATION IN
37 THE MASTER PLAN;

38 (B) THE IDENTIFICATION OF ADDITIONAL LOCAL STRATEGIC
39 GROWTH AREAS;

40 (C) THE IDENTIFICATION OF TRANSPORTATION, UTILITY, AND
41 OTHER INFRASTRUCTURE GAPS AND INFRASTRUCTURE PROJECTS,
42 PREFERABLY WITHIN A CAPITAL IMPROVEMENT PLAN, THAT WOULD
43 ENABLE STRATEGIC GROWTH AREAS TO BE DEVELOPED OR REDEVELOPED;

1 AND

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

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

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

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

23 (D) THE DEPARTMENT OF LOCAL AFFAIRS CREATED IN SECTION
24 24-1-125 MAY HIRE AND EMPLOY ONE FULL-TIME EMPLOYEE TO PROVIDE
25 EDUCATIONAL RESOURCES AND ASSISTANCE TO COUNTIES THAT INCLUDE
26 WATER CONSERVATION POLICIES IN THEIR MASTER PLANS AS DESCRIBED
27 IN SUBSECTION (3)(a)(IV)(C) OF THIS SECTION.

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

30 (I) THE GENERAL LOCATION, CHARACTER, AND EXTENT OF
31 EXISTING, PROPOSED, OR PROJECTED STREETS OR ROADS, RIGHTS-OF-WAY,
32 VIADUCTS, BRIDGES, WATERWAYS, WATERFRONTS, PARKWAYS,
33 HIGHWAYS, MASS TRANSIT ROUTES AND CORRIDORS, AND ANY
34 TRANSPORTATION PLAN PREPARED BY ANY METROPOLITAN PLANNING
35 ORGANIZATION THAT COVERS ALL OR A PORTION OF THE COUNTY OR
36 REGION AND THAT THE COUNTY OR REGION HAS RECEIVED NOTIFICATION
37 OF OR, IF THE COUNTY OR REGION IS NOT LOCATED IN AN AREA COVERED
38 BY A METROPOLITAN PLANNING ORGANIZATION, ANY TRANSPORTATION
39 PLAN PREPARED BY THE DEPARTMENT OF TRANSPORTATION THAT THE
40 COUNTY OR REGION HAS RECEIVED NOTIFICATION OF AND THAT APPLIES TO
41 THE COUNTY OR REGION;

42 (II) THE GENERAL LOCATION OF PUBLIC PLACES OR FACILITIES,
43 INCLUDING PUBLIC SCHOOLS, CULTURALLY, HISTORICALLY, OR

1 ARCHAEOLOGICALLY SIGNIFICANT BUILDINGS, SITES, AND OBJECTS,
2 PLAYGROUNDS, FORESTS, RESERVATIONS, SQUARES, PARKS, AIRPORTS,
3 AVIATION FIELDS, MILITARY INSTALLATIONS, AND OTHER PUBLIC WAYS,
4 GROUNDS, OPEN SPACES, TRAILS, AND DESIGNATED FEDERAL, STATE, AND
5 LOCAL WILDLIFE AREAS. FOR PURPOSES OF THIS SECTION, "MILITARY
6 INSTALLATION" HAS THE SAME MEANING AS SPECIFIED IN SECTION
7 29-20-105.6 (2)(b).

8 (III) THE GENERAL LOCATION AND EXTENT OF PUBLIC UTILITIES,
9 TERMINALS, CAPITAL FACILITIES, AND TRANSFER FACILITIES, WHETHER
10 PUBLICLY OR PRIVATELY OWNED, FOR WATER, LIGHT, POWER, SANITATION,
11 TRANSPORTATION, COMMUNICATION, HEAT, AND OTHER PURPOSES, AND
12 ANY PROPOSED OR PROJECTED NEEDS FOR CAPITAL FACILITIES AND
13 UTILITIES, INCLUDING THE PRIORITIES, ANTICIPATED COSTS, AND FUNDING
14 PROPOSALS FOR SUCH FACILITIES AND UTILITIES;

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

22 (V) METHODS FOR ASSURING ACCESS TO APPROPRIATE CONDITIONS
23 FOR SOLAR, WIND, OR OTHER ALTERNATIVE ENERGY SOURCES, INCLUDING
24 GEOTHERMAL ENERGY USED FOR WATER HEATING OR SPACE HEATING OR
25 COOLING IN A SINGLE BUILDING, FOR SPACE HEATING FOR MORE THAN ONE
26 BUILDING THROUGH A PIPELINE NETWORK, OR FOR ELECTRICITY
27 GENERATION;

28 (VI) THE GENERAL CHARACTER, LOCATION, AND EXTENT OF
29 COMMUNITY CENTERS, TOWNSITES, HOUSING DEVELOPMENTS, WHETHER
30 PUBLIC OR PRIVATE, THE EXISTING, PROPOSED, OR PROJECTED LOCATION
31 OF RESIDENTIAL NEIGHBORHOODS AND SUFFICIENT LAND FOR FUTURE
32 HOUSING DEVELOPMENT FOR THE EXISTING AND PROJECTED ECONOMIC
33 AND OTHER NEEDS OF ALL CURRENT AND ANTICIPATED RESIDENTS OF THE
34 COUNTY OR REGION, AND URBAN CONSERVATION OR REDEVELOPMENT
35 AREAS. IF A COUNTY OR REGION HAS ENTERED INTO A REGIONAL PLANNING
36 AGREEMENT, SUCH AGREEMENT MAY BE INCORPORATED BY REFERENCE
37 INTO THE MASTER PLAN.

38 (VII) THE GENERAL SOURCE AND EXTENT OF FORESTS,
39 AGRICULTURAL AREAS, FLOOD CONTROL AREAS, AND OPEN DEVELOPMENT
40 AREAS FOR PURPOSES OF CONSERVATION, FOOD AND WATER SUPPLY,
41 SANITARY AND DRAINAGE FACILITIES, FLOOD CONTROL, OR THE
42 PROTECTION OF URBAN DEVELOPMENT;

43 (VIII) A LAND CLASSIFICATION AND UTILIZATION PROGRAM;

1 (IX) PROJECTIONS OF POPULATION GROWTH AND HOUSING NEEDS
2 TO ACCOMMODATE THE PROJECTED POPULATION FOR SPECIFIED
3 INCREMENTS OF TIME. THE COUNTY OR REGION MAY BASE THESE
4 PROJECTIONS UPON DATA FROM THE DEPARTMENT OF LOCAL AFFAIRS AND
5 UPON THE COUNTY'S OR REGION'S LOCAL OBJECTIVES.

6 (X) THE LOCATION OF AREAS CONTAINING STEEP SLOPES,
7 GEOLOGICAL HAZARDS, ENDANGERED OR THREATENED SPECIES,
8 WETLANDS, FLOODPLAINS, FLOODWAYS, AND FLOOD RISK ZONES, HIGHLY
9 ERODIBLE LAND OR UNSTABLE SOILS, AND WILDFIRE HAZARDS. FOR
10 PURPOSES OF DETERMINING THE LOCATION OF SUCH AREAS, THE PLANNING
11 COMMISSION SHALL CONSIDER THE FOLLOWING SOURCES FOR GUIDANCE:

12 (A) THE COLORADO GEOLOGICAL SURVEY FOR DEFINING AND
13 MAPPING GEOLOGICAL HAZARDS;

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

18 (C) THE UNITED STATES ARMY CORPS OF ENGINEERS AND THE
19 UNITED STATES FISH AND WILDLIFE SERVICE NATIONAL WETLANDS
20 INVENTORY FOR DEFINING AND MAPPING WETLANDS;

21 (D) THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR
22 DEFINING AND MAPPING FLOODPLAINS, FLOODWAYS, AND FLOOD RISK
23 ZONES;

24 (E) THE NATURAL RESOURCES CONSERVATION SERVICE OF THE
25 UNITED STATES DEPARTMENT OF AGRICULTURE FOR DEFINING AND
26 MAPPING UNSTABLE SOILS AND HIGHLY ERODIBLE LAND; AND

27 (F) THE COLORADO STATE FOREST SERVICE FOR LOCATING
28 WILDFIRE HAZARD AREAS.

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

33 (9) NO MORE THAN THIRTY DAYS AFTER ADOPTING OR AMENDING
34 THE MASTER PLAN, THE COMMISSION SHALL SUBMIT THE MASTER PLAN TO
35 THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL
36 AFFAIRS. THE DIVISION OF LOCAL GOVERNMENT SHALL REVIEW THESE
37 MASTER PLANS TO ENSURE THEY COMPLY WITH THE REQUIREMENTS OF
38 THIS SECTION.

39 (10) NOT LESS THAN SIXTY DAYS PRIOR TO ADOPTING OR
40 AMENDING THE MASTER PLAN, A COUNTY OR REGIONAL PLANNING
41 COMMISSION SHALL SUBMIT THE MASTER PLAN TO THE DIVISION OF LOCAL
42 GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS. THE DIVISION OF
43 LOCAL GOVERNMENT SHALL REVIEW THESE MASTER PLANS TO ENSURE

1 THEY COMPLY WITH THE REQUIREMENTS OF THIS SECTION. THE DIVISION
2 SHALL PROVIDE COMMENTS IN WRITING DESCRIBING THE EXTENT TO
3 WHICH THE MASTER PLAN MEETS OR DOES NOT MEET THE REQUIREMENTS
4 OF THIS SECTION. THE DEPARTMENT OF LOCAL AFFAIRS MAY HIRE AND
5 EMPLOY ONE FULL-TIME EMPLOYEE TO PROVIDE EDUCATIONAL RESOURCES
6 AND ASSISTANCE TO ENSURE COMPLIANCE WITH THE REQUIREMENTS OF
7 THIS SECTION.

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

10 **31-15-713. Power to sell public works - real property.** (1) The
11 governing body of each municipality has the power:

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

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

25 **31-23-301. Grant of power.** (5) (a) As used in this subsection
26 (5), unless the context otherwise requires:

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

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

31 (b) (I) No municipality may have or enact zoning regulations,
32 subdivision regulations, or any other regulation affecting development
33 that exclude or have the effect of excluding homes from the municipality
34 that are:

35 (A) Homes certified by the division of housing created in section
36 24-32-704 or a party authorized to act on its behalf; THE APPROVAL
37 PROCESSES OF MODULAR HOMES SHALL BE BASED ON OBJECTIVE
38 STANDARDS AND ADMINISTRATIVE REVIEW THAT ARE EQUIVALENT TO
39 THAT REQUIRED FOR SITE-BUILT HOMES, UNLESS A MUNICIPALITY
40 REGULATES SITE-BUILT HOMES THROUGH A SUBJECTIVE REVIEW PROCESS,
41 IN WHICH CASE A MUNICIPALITY MAY USE AN EQUIVALENT REVIEW
42 PROCESS FOR A MODULAR HOME AND A SITE-BUILT HOME;

43 (B) Homes certified by the United States department of housing

1 and urban development through its office of manufactured housing
2 programs, a successor agency, or a party authorized to act on its behalf.
3 THE APPROVAL PROCESSES OF MANUFACTURED HOMES SHALL BE BASED
4 ON OBJECTIVE STANDARDS AND ADMINISTRATIVE REVIEW THAT ARE
5 EQUIVALENT TO THAT REQUIRED FOR SITE-BUILT HOMES, UNLESS A
6 MUNICIPALITY REGULATES SITE-BUILT HOMES THROUGH A SUBJECTIVE
7 REVIEW PROCESS, IN WHICH CASE A MUNICIPALITY MAY USE AN
8 EQUIVALENT REVIEW PROCESS FOR A MANUFACTURED HOME AND A
9 SITE-BUILT HOME. ~~or~~

10 (b) (I.5) A MUNICIPALITY SHALL NOT IMPOSE MORE RESTRICTIVE
11 STANDARDS ON MANUFACTURED AND MODULAR HOMES THAN THOSE THE
12 MUNICIPALITY APPLIES TO SITE BUILT HOMES IN THE SAME RESIDENTIAL
13 ZONES. RESTRICTIVE STANDARDS INCLUDE ZONING REGULATIONS,
14 SUBDIVISION REGULATIONS, AND ANY OTHER REGULATION AFFECTING
15 DEVELOPMENT SUCH AS REQUIREMENTS RELATING TO:

- 16 (A) PERMANENT FOUNDATIONS;
- 17 (B) MINIMUM FLOOR SPACE;
- 18 (C) HOME SIZE OR SECTIONAL REQUIREMENTS;
- 19 (D) IMPROVEMENT LOCATION STANDARDS;
- 20 (E) SIDE YARD STANDARDS; AND
- 21 (F) SETBACK STANDARDS.

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

25 **31-23-206. Master plan.** (1) IT IS THE DUTY OF THE COMMISSION
26 TO MAKE AND ADOPT A MASTER PLAN FOR THE PHYSICAL DEVELOPMENT
27 OF THE MUNICIPALITY, INCLUDING ANY AREAS OUTSIDE ITS BOUNDARIES,
28 SUBJECT TO THE APPROVAL OF THE GOVERNMENTAL BODY HAVING
29 JURISDICTION THEREOF, THAT IN THE COMMISSION'S JUDGMENT BEAR
30 RELATION TO THE PLANNING OF THE MUNICIPALITY. THE MASTER PLAN OF
31 A MUNICIPALITY IS AN ADVISORY DOCUMENT TO GUIDE LAND
32 DEVELOPMENT DECISIONS; HOWEVER, THE PLAN OR ANY PART THEREOF
33 MAY BE MADE BINDING BY INCLUSION IN THE MUNICIPALITY'S ADOPTED
34 SUBDIVISION, ZONING, PLATTING, PLANNED UNIT DEVELOPMENT, OR OTHER
35 SIMILAR LAND DEVELOPMENT REGULATIONS AFTER SATISFYING NOTICE,
36 DUE PROCESS, AND HEARING REQUIREMENTS FOR LEGISLATIVE OR
37 QUASI-JUDICIAL PROCESSES AS APPROPRIATE. WHEN A COMMISSION
38 DECIDES TO ADOPT A MASTER PLAN, THE COMMISSION SHALL CONDUCT
39 PUBLIC HEARINGS, AFTER NOTICE OF SUCH PUBLIC HEARINGS HAS BEEN
40 PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE
41 MUNICIPALITY IN A MANNER SUFFICIENT TO NOTIFY THE PUBLIC OF THE
42 TIME, PLACE, AND NATURE OF THE PUBLIC HEARING, PRIOR TO FINAL
43 ADOPTION OF A MASTER PLAN IN ORDER TO ENCOURAGE PUBLIC

1 PARTICIPATION IN AND AWARENESS OF THE DEVELOPMENT OF SUCH PLAN
2 AND SHALL ACCEPT AND CONSIDER ORAL AND WRITTEN PUBLIC COMMENTS
3 THROUGHOUT THE PROCESS OF DEVELOPING THE PLAN. THE PLAN,
4 ADOPTED OR AMENDED ON OR AFTER JUNE 30, 2024, WITH THE
5 ACCOMPANYING MAPS, PLATS, CHARTS, AND DESCRIPTIVE MATTER, MUST
6 INCLUDE:

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

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

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

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

19 (II) THE IDENTIFICATION OF ADDITIONAL LOCAL STRATEGIC
20 GROWTH AREAS;

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

26 (IV) THE IDENTIFICATION OF ZONING REFINEMENTS AND DENSITIES
27 NECESSARY TO ACCOMMODATE THE HOUSING NEEDS INCLUDED IN
28 HOUSING NEEDS ASSESSMENTS, AND TO MEET STRATEGIC GROWTH
29 OBJECTIVES FOR STRATEGIC GROWTH AREAS.

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

32 (II) IN COMPLETING THE WATER SUPPLY ELEMENT, THE PLANNING
33 COMMISSION SHALL CONSULT WITH THE ENTITIES THAT SUPPLY WATER FOR
34 USE WITHIN THE MUNICIPALITY TO ENSURE COORDINATION ON WATER
35 SUPPLY AND FACILITY PLANNING, AND THE WATER SUPPLY ELEMENT MUST
36 IDENTIFY WATER SUPPLIES AND FACILITIES SUFFICIENT TO MEET THE NEEDS
37 OF THE PUBLIC AND PRIVATE INFRASTRUCTURE REASONABLY ANTICIPATED
38 OR IDENTIFIED IN THE PLANNING PROCESS;

39 (III) THE WATER SUPPLY ELEMENT MUST INCLUDE WATER
40 CONSERVATION POLICIES, TO BE DETERMINED BY THE MUNICIPALITY,
41 WHICH MAY INCLUDE GOALS SPECIFIED IN THE STATE WATER PLAN
42 ADOPTED PURSUANT TO SECTION 37-60-106.3 AND MAY INCLUDE POLICIES
43 TO IMPLEMENT WATER CONSERVATION AND OTHER STATE WATER PLAN

1 GOALS AS A CONDITION OF DEVELOPMENT APPROVALS, INCLUDING
2 SUBDIVISIONS, PLANNED UNIT DEVELOPMENTS, SPECIAL USE PERMITS, AND
3 ZONING CHANGES;

4 (IV) THE DEPARTMENT OF LOCAL AFFAIRS CREATED IN SECTION
5 24-1-125 MAY HIRE AND EMPLOY ONE FULL-TIME EMPLOYEE TO PROVIDE
6 EDUCATIONAL RESOURCES AND ASSISTANCE TO MUNICIPALITIES THAT
7 INCLUDE WATER CONSERVATION POLICIES IN THEIR MASTER PLANS AS
8 DESCRIBED IN SUBSECTION (1)(d)(III) OF THIS SECTION;

9 (V) NOTHING IN THIS SUBSECTION (1)(d) SHALL BE CONSTRUED TO
10 SUPERSEDE, ABROGATE, OR OTHERWISE IMPAIR THE ALLOCATION OF
11 WATER PURSUANT TO THE STATE CONSTITUTION OR LAWS, THE RIGHT TO
12 BENEFICIALLY USE WATER PURSUANT TO DECREES, CONTRACTS, OR OTHER
13 WATER USE AGREEMENTS, OR THE OPERATION, MAINTENANCE, REPAIR,
14 REPLACEMENT, OR USE OF ANY WATER FACILITY.

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

19 (1.5) AFTER CONSULTATION ON EACH OF THE FOLLOWING, WHERE
20 APPLICABLE OR APPROPRIATE, THE MASTER PLAN MAY INCLUDE:

21 (a) THE GENERAL SOURCE, CHARACTER, AND EXTENT OF EXISTING,
22 PROPOSED, OR PROJECTED STREETS, ROADS, RIGHTS-OF-WAY, BRIDGES,
23 WATERWAYS, WATERFRONTS, PARKWAYS, HIGHWAYS, MASS TRANSIT
24 ROUTES AND CORRIDORS, AND ANY TRANSPORTATION PLAN PREPARED BY
25 ANY METROPOLITAN PLANNING ORGANIZATION THAT COVERS ALL OR A
26 PORTION OF THE MUNICIPALITY AND THAT THE MUNICIPALITY HAS
27 RECEIVED NOTIFICATION OF OR, IF THE MUNICIPALITY IS NOT LOCATED IN
28 AN AREA COVERED BY A METROPOLITAN PLANNING ORGANIZATION, ANY
29 TRANSPORTATION PLAN PREPARED BY THE DEPARTMENT OF
30 TRANSPORTATION THAT THE MUNICIPALITY HAS RECEIVED NOTIFICATION
31 OF AND THAT COVERS ALL OR A PORTION OF THE MUNICIPALITY;

32 (b) THE GENERAL LOCATION OF PUBLIC PLACES OR FACILITIES,
33 INCLUDING PUBLIC SCHOOLS, CULTURALLY, HISTORICALLY, OR
34 ARCHAEOLOGICALLY SIGNIFICANT BUILDINGS, SITES, AND OBJECTS,
35 PLAYGROUNDS, SQUARES, PARKS, AIRPORTS, AVIATION FIELDS, MILITARY
36 INSTALLATIONS, AND OTHER PUBLIC WAYS, GROUNDS, OPEN SPACES,
37 TRAILS, AND DESIGNATED FEDERAL, STATE, AND LOCAL WILDLIFE AREAS.
38 FOR PURPOSES OF THIS SECTION, "MILITARY INSTALLATION" HAS THE SAME
39 MEANING AS SPECIFIED IN SECTION 29-20-105.6 (2)(b).

40 (c) THE GENERAL LOCATION AND EXTENT OF PUBLIC UTILITIES
41 TERMINALS, CAPITAL FACILITIES, AND TRANSFER FACILITIES, WHETHER
42 PUBLICLY OR PRIVATELY OWNED OR OPERATED, FOR WATER, LIGHT,
43 SANITATION, TRANSPORTATION, COMMUNICATION, POWER, AND OTHER

1 PURPOSES, AND ANY PROPOSED OR PROJECTED NEEDS FOR CAPITAL
2 FACILITIES AND UTILITIES, INCLUDING THE PRIORITIES, ANTICIPATED
3 COSTS, AND FUNDING PROPOSALS FOR SUCH FACILITIES AND UTILITIES;
4 (d) THE ACCEPTANCE, REMOVAL, RELOCATION, WIDENING,
5 NARROWING, VACATING, ABANDONMENT, MODIFICATION, CHANGE OF USE,
6 OR EXTENSION OF ANY OF THE PUBLIC WAYS, RIGHTS-OF-WAY, INCLUDING
7 THE COORDINATION OF SUCH RIGHTS-OF-WAY WITH THE RIGHTS-OF-WAY
8 OF OTHER MUNICIPALITIES, COUNTIES, OR REGIONS, GROUNDS, OPEN
9 SPACES, BUILDINGS, PROPERTY, UTILITY, OR TERMINALS, REFERRED TO IN
10 SUBSECTIONS (1.5) (a) THROUGH (a) OF THIS SECTION AND SUBSECTION
11 (1)(d) OF THIS SECTION;
12 (e) A ZONING PLAN FOR THE CONTROL OF THE HEIGHT, AREA, BULK,
13 LOCATION, AND USE OF BUILDINGS AND PREMISES. SUCH A ZONING PLAN
14 MAY PROTECT AND ASSURE ACCESS TO APPROPRIATE CONDITIONS FOR
15 SOLAR, WIND, OR OTHER ALTERNATIVE ENERGY SOURCES, INCLUDING
16 GEOTHERMAL ENERGY USED FOR WATER HEATING OR SPACE HEATING OR
17 COOLING IN A SINGLE BUILDING, FOR SPACE HEATING FOR MORE THAN ONE
18 BUILDING THROUGH A PIPELINE NETWORK, OR FOR ELECTRICITY
19 GENERATION; HOWEVER, REGULATIONS AND RESTRICTIONS OF THE HEIGHT,
20 NUMBER OF STORIES, SIZE OF BUILDINGS AND OTHER STRUCTURES, AND
21 THE HEIGHT AND LOCATION OF TREES AND OTHER VEGETATION SHALL NOT
22 APPLY TO EXISTING BUILDINGS, STRUCTURES, TREES, OR VEGETATION
23 EXCEPT FOR NEW GROWTH ON SUCH VEGETATION.
24 (f) THE GENERAL CHARACTER, LOCATION, AND EXTENT OF
25 COMMUNITY CENTERS, HOUSING DEVELOPMENTS, WHETHER PUBLIC OR
26 PRIVATE, THE EXISTING, PROPOSED, OR PROJECTED LOCATION OF
27 RESIDENTIAL NEIGHBORHOODS AND SUFFICIENT LAND FOR FUTURE
28 HOUSING DEVELOPMENT FOR THE EXISTING AND PROJECTED ECONOMIC
29 AND OTHER NEEDS OF ALL CURRENT AND ANTICIPATED RESIDENTS OF THE
30 MUNICIPALITY, AND REDEVELOPMENT AREAS. IF A MUNICIPALITY HAS
31 ENTERED INTO A REGIONAL PLANNING AGREEMENT, SUCH AGREEMENT
32 MAY BE INCORPORATED BY REFERENCE INTO THE MASTER PLAN.
33 (g) A MASTER PLAN FOR THE EXTRACTION OF COMMERCIAL
34 MINERAL DEPOSITS PURSUANT TO SECTION 34-1-304;
35 (h) A PLAN FOR THE LOCATION AND PLACEMENT OF PUBLIC
36 UTILITIES THAT FACILITATES THE PROVISION OF SUCH UTILITIES TO ALL
37 EXISTING, PROPOSED, OR PROJECTED DEVELOPMENTS IN THE
38 MUNICIPALITY;
39 (i) PROJECTIONS OF POPULATION GROWTH AND HOUSING NEEDS TO
40 ACCOMMODATE THE PROJECTED POPULATION FOR SPECIFIED INCREMENTS
41 OF TIME. THE MUNICIPALITY MAY BASE THESE PROJECTIONS UPON DATA
42 FROM THE DEPARTMENT OF LOCAL AFFAIRS AND UPON THE MUNICIPALITY'S
43 LOCAL OBJECTIVES.

1 (j) THE AREAS CONTAINING STEEP SLOPES, GEOLOGICAL HAZARDS,
2 ENDANGERED OR THREATENED SPECIES, WETLANDS, FLOODPLAINS,
3 FLOODWAYS, AND FLOOD RISK ZONES, HIGHLY ERODIBLE LAND OR
4 UNSTABLE SOILS, AND WILDFIRE HAZARDS. FOR PURPOSES OF
5 DETERMINING THE LOCATION OF SUCH AREAS, THE PLANNING COMMISSION
6 SHALL CONSIDER THE FOLLOWING SOURCES FOR GUIDANCE:

7 (I) THE COLORADO GEOLOGICAL SURVEY FOR DEFINING AND
8 MAPPING GEOLOGICAL HAZARDS;

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

13 (III) THE UNITED STATES ARMY CORPS OF ENGINEERS AND THE
14 UNITED STATES FISH AND WILDLIFE SERVICE NATIONAL WETLANDS
15 INVENTORY FOR DEFINING AND MAPPING WETLANDS;

16 (IV) THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR
17 DEFINING AND MAPPING FLOODPLAINS, FLOODWAYS, AND FLOOD RISK
18 ZONES;

19 (V) THE NATURAL RESOURCES CONSERVATION SERVICE OF THE
20 UNITED STATES DEPARTMENT OF AGRICULTURE FOR DEFINING AND
21 MAPPING UNSTABLE SOILS AND HIGHLY ERODIBLE LAND; AND

22 (VI) THE COLORADO STATE FOREST SERVICE FOR LOCATING
23 WILDFIRE HAZARD AREAS.

24 (8) IN ADOPTING OR AMENDING A MASTER PLAN, THE COMMISSION
25 SHALL IDENTIFY, PROVIDE NOTICE TO, AND CONSULT WITH RELEVANT
26 ENTITIES TO ENSURE THAT THE ADOPTING OR AMENDING OF THE MASTER
27 PLAN IS AN INCLUSIVE PROCESS.

28 (9) NO MORE THAN THIRTY DAYS AFTER ADOPTING OR AMENDING
29 THE MASTER PLAN, THE COMMISSION SHALL SUBMIT THE MASTER PLAN TO
30 THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL
31 AFFAIRS. THE DIVISION OF LOCAL GOVERNMENT SHALL REVIEW THESE
32 MASTER PLANS TO ENSURE THEY COMPLY WITH THE REQUIREMENTS OF
33 THIS SECTION.

34 (10) NOT LESS THAN SIXTY DAYS PRIOR TO ADOPTING OR
35 AMENDING THE MASTER PLAN, THE COMMISSION SHALL SUBMIT THE
36 MASTER PLAN TO THE DIVISION OF LOCAL GOVERNMENT IN THE
37 DEPARTMENT OF LOCAL AFFAIRS. THE DIVISION OF LOCAL GOVERNMENT
38 SHALL REVIEW THESE MASTER PLANS TO ENSURE THEY COMPLY WITH THE
39 REQUIREMENTS OF THIS SECTION. THE DIVISION SHALL PROVIDE
40 COMMENTS IN WRITING DESCRIBING THE EXTENT TO WHICH THE MASTER
41 PLAN MEETS OR DOES NOT MEET THE REQUIREMENTS OF THIS SECTION. THE
42 DEPARTMENT OF LOCAL AFFAIRS MAY HIRE AND EMPLOY ONE FULL-TIME
43 EMPLOYEE TO PROVIDE EDUCATIONAL RESOURCES AND ASSISTANCE TO

1 ENSURE COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.
2 (11) AN URBAN MUNICIPALITY, AS DEFINED IN SECTION 29-33-102
3 (40), SUBJECT TO THIS SECTION SHALL REVIEW AND, IF NEEDED, REVISE ITS
4 MASTER PLAN TO ENSURE THE PLAN COMPLIES WITH THE REQUIREMENTS
5 OF THIS SECTION AT LEAST EVERY TEN YEARS. AN URBAN MUNICIPALITY
6 MAY UTILIZE EXISTING PLANNING INFORMATION AND ANALYSIS TO SATISFY
7 THE REQUIREMENTS OF THIS SUBSECTION (11), SO LONG AS THE
8 INFORMATION OR ANALYSIS IS NOT MORE THAN FIVE YEARS OLD.

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

11 **43-1-106. Transportation commission - powers and duties -**
12 **rules - definitions - efficiency and accountability committee.** (15) In
13 addition to any other duties required by law, the commission shall have
14 the following charges:

15 (d) To study and make recommendations for existing and future
16 transportation systems in Colorado with a focus of such study and
17 recommendations being a ten-year plan for each mode of transportation.
18 ~~Such~~ THE ten-year plan ~~shall~~ MUST be based on what can be reasonably
19 expected to be implemented with the estimated revenues which are likely
20 to be available AND MUST INCLUDE PRIORITIZATION CRITERIA THAT ARE
21 CONSISTENT WITH STATE STRATEGIC GROWTH OBJECTIVES FOR
22 REGIONALLY SIGNIFICANT TRANSPORTATION PROJECTS.

23 (c) SUBSECTION (3)(a) OF THIS SECTION SHALL NOT APPLY TO
24 REASONABLE RESTRICTIONS ON ACCESSORY DWELLING UNITS. AS USED IN
25 THIS SUBSECTION (3)(c), "REASONABLE RESTRICTION" MEANS A
26 RESTRICTION THAT DOES NOT UNREASONABLY INCREASE THE COST TO
27 CONSTRUCT, EFFECTIVELY PROHIBIT THE CONSTRUCTION OF, OR
28 EXTINGUISH THE ABILITY TO OTHERWISE CONSTRUCT, AN ACCESSORY
29 DWELLING UNIT CONSISTENT WITH THE PROVISIONS OF THIS SECTION.

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

32 **43-1-113. Funds - budgets - fiscal year - reports and**
33 **publications.** (20) BEFORE DECEMBER 31, 2024, OR BEFORE THE NEXT
34 REGIONAL TRANSPORTATION PLANNING CYCLE BEGINS, THE DEPARTMENT
35 SHALL ENSURE THAT THE PRIORITIZATION CRITERIA FOR ANY GRANT
36 PROGRAM ADMINISTERED BY THE DEPARTMENT ARE CONSISTENT WITH
37 STATE STRATEGIC GROWTH OBJECTIVES, AS DETERMINED IN SECTION
38 29-33-108, SO LONG AS DOING SO DOES NOT VIOLATE FEDERAL LAW. THE
39 STATE GROWTH OBJECTIVES MUST BE CLEARLY ARTICULATED IN A
40 PROJECT'S REQUIREMENTS OF PROSPECTIVE FUNDING RECIPIENTS.

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

43 **43-1-1103. Transportation planning.** (2.5) BEGINNING

1 DECEMBER 31, 2024, ANY REGIONAL TRANSPORTATION PLAN THAT IS
2 CREATED OR UPDATED MUST ADDRESS AND ENSURE CONSISTENCY WITH
3 STATE STRATEGIC GROWTH OBJECTIVES AS DETERMINED IN SECTION
4 29-33-108.

5 (5) The department shall integrate and consolidate the regional
6 transportation plans for the transportation planning regions into a
7 comprehensive statewide transportation plan. The formation of the state
8 plan shall be accomplished through a statewide planning process set by
9 rules and regulations promulgated by the commission. The state plan shall
10 address but shall not be limited to the following factors:

- 11 (i) Effective, efficient, and safe freight transport; ~~and~~
- 12 (j) Reduction of greenhouse gas emissions; AND
- 13 (k) BEGINNING DECEMBER 31, 2024, ADDRESS AND ENSURE
14 CONSISTENCY WITH STATE STRATEGIC GROWTH OBJECTIVES.

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

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

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

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

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

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

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

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

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

14 (a) \$70,509 for use by the executive director's office for personal
15 services, which amount is based on an assumption that the office will
16 require an additional 0.9 FTE; and

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

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

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

27 Page 1, strike lines 103 through 113.

28 Page 2, strike lines 101 through 110 and substitute "**ADDRESS HOUSING
29 NEEDS ACROSS THE STATE, PROHIBITING A LOCAL GOVERNMENT FROM
30 ENFORCING CERTAIN OCCUPANCY LIMITS, MODIFYING THE CONTENT
31 REQUIREMENTS FOR COUNTY AND MUNICIPAL MASTER PLANS, CRITERIA
32 FOR CERTAIN GRANT PROGRAMS, AND EXPENDITURES FROM THE
33 MULTIMODAL TRANSPORTATION OPTIONS FUND TO ALIGN WITH STATE
34 STRATEGIC GROWTH OBJECTIVES, AND MAKING AN APPROPRIATION.**".

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