

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Local Government & Housing.

SB23-213 be amended as follows:

- 1 Amend printed bill, page 8, line 19, strike "a current unmet housing need"
- 2 and substitute "an unmet housing need, as of 2022,".
- 3 Page 8, after line 23 insert:
 - 4 "(E) Older adults represent the fastest growing segment of
 - 5 Colorado's population and have diverse housing needs that are not being
 - 6 adequately met in the current housing market, including the need for more
 - 7 accessible and affordable housing units built with universal design and
 - 8 located within age friendly communities. The housing and land use
 - 9 policies of the state must be informed by the findings and
 - 10 recommendations of the strategic action plan on aging, developed
 - 11 pursuant to section 24-32-3406, and the lifelong Colorado initiative
 - 12 created pursuant to section 26-11-302, including the eight realms of
 - 13 livable and age friendly communities;"
- 14 Reletter succeeding sub-subparagraphs accordingly.
- 15 Page 9, line 24, after "commutes," insert "reduced options for older adults
- 16 to age in their community of choice,".
- 17 Page 10, line 24, strike "levels." and substitute "levels and accessible for
- 18 people of all ages and abilities.".
- 19 Page 11, line 9, strike "state" and substitute "statewide".
- 20 Page 12, line 4, strike "2040" and substitute "2030".
- 21 Page 12, line 7, after "year." insert "According to the state demographer,
- 22 households headed by a household age sixty-five and above are expected
- 23 to increase by 197,000 from 2020 to 2030, meaning over half of the
- 24 growth in households across the state is expected to be households over
- 25 sixty-five.".
- 26 Page 14, line 5, strike "and".
- 27 Page 15, line 3, strike "Planning." and substitute "Planning;".
- 28 Page 16, line 4, strike "Policy." and substitute "Policy; and".
- 29 Page 16, lines 5 and 6, strike "creating a holistic statewide water

- 1 management system," and substitute "advancing efficient water use,".
- 2 Page 16, line 9, strike "A holistic statewide water management system"
3 and replace with "Efficient water use".
- 4 Page 21, lines 5 and 6, strike "grew from two million to two million nine
5 hundred thousand," and substitute "increased by nearly fifty percent,".
- 6 Page 21, line 7, strike "(VI)" and substitute "(b)".
- 7 Page 22, line 15, strike "AND".
- 8 Page 22, line 20, strike "DATA." and substitute "DATA; AND
9 (VIII) THE AFFORDABLE HOUSING TRANSFORMATIONAL TASK
10 FORCE ESTABLISHED IN SECTION 24-75-229 (6)(a), IDENTIFIED A
11 STATEWIDE HOUSING NEEDS ASSESSMENT AND PRODUCTION STRATEGY AS
12 A TOP LEGISLATIVE PRIORITY FOR COLORADO IN THE TASK FORCE'S
13 FEBRUARY 23, 2022, REPORT TO THE GENERAL ASSEMBLY.
14 (b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT THE
15 DEVELOPMENT AND USE OF LAND IS A MATTER OF MIXED STATEWIDE AND
16 LOCAL CONCERN."
- 17 Page 22, strike lines 21 through 23.
- 18 Page 33, lines 7 and 8, strike "BOTH RURAL RESORT JOB CENTER
19 MUNICIPALITIES AND".
- 20 Page 33, lines 11 and 12, strike "RURAL RESORT JOB CENTER
21 MUNICIPALITY AND".
- 22 Page 33, line 17, strike "A RURAL RESORT JOB CENTER MUNICIPALITY OR"
23 and substitute "AN".
- 24 Page 33, lines 20 and 21, strike "RURAL RESORT JOB CENTER
25 MUNICIPALITY OR".
- 26 Page 33, after line 22 insert:
- 27 "(c) ON OR BEFORE JUNE 30, 2024, AND ON OR BEFORE JUNE 30
28 EVERY FIVE YEARS THEREAFTER, A TIER ONE OR TIER TWO URBAN
29 MUNICIPALITY WITH A POPULATION OF LESS THAN TWENTY-FIVE
30 THOUSAND AND AN ANNUAL MEDIAN HOUSEHOLD INCOME OF LESS THAN
31 FIFTY-FIVE THOUSAND DOLLARS NEED NOT SUBMIT A HOUSING NEEDS PLAN

- 1 TO THE DEPARTMENT OF LOCAL AFFAIRS, IF THE MUNICIPALITY INSTEAD
2 SENDS A LETTER TO THE DEPARTMENT IN A FORM AND MANNER
3 DETERMINED BY THE DEPARTMENT INDICATING THAT THE MUNICIPALITY
4 DOES NOT INTEND TO SUBMIT A HOUSING NEEDS PLAN."
- 5 Page 33, line 27, strike "RURAL RESORT JOB CENTER".
- 6 Page 34, line 1, strike "MUNICIPALITY OR".
- 7 Page 34, line 7, strike "RURAL RESORT JOB CENTER MUNICIPALITY OR".
- 8 Page 34, lines 15 and 16, strike "RURAL RESORT JOB CENTER
9 MUNICIPALITY OR".
- 10 Page 34, line 20, strike "RURAL RESORT JOB CENTER MUNICIPALITY OR".
- 11 Page 34, lines 22 and 23, strike "BOTH ADDRESS HOUSING NEEDS AND".
- 12 Page 34, strike line 25 and substitute:
- 13 "SUBJECT JURISDICTION'S LOCAL HOUSING NEEDS ASSESSMENT AND
14 ADDRESS AREAS AND HOUSING TYPES THAT PARTS 2 THROUGH 5 OF THIS
15 ARTICLE 33 APPLY TO IN THE SUBJECT JURISDICTION; AND".
- 16 Page 35, line 2, strike "A RURAL RESORT JOB CENTER MUNICIPALITY OR"
17 and substitute "AN".
- 18 Page 35, line 12, after "AREAS." insert "ON OR BEFORE JUNE 30, 2025, AN
19 URBAN MUNICIPALITY SHALL SUBMIT THIS INFORMATION TO THE
20 DEPARTMENT OF LOCAL AFFAIRS."
- 21 Page 35, lines 13 and 14, strike "A RURAL RESORT JOB CENTER
22 MUNICIPALITY OR" and substitute "AN".
- 23 Page 35, after line 15 insert:
- 24 "(6) AN URBAN MUNICIPALITY THAT ADOPTED A PLAN TO ADDRESS
25 LOCAL HOUSING NEEDS PRIOR TO THE EFFECTIVE DATE OF THIS SECTION
26 MAY, RATHER THAN DEVELOPING AND ADOPTING A NEW HOUSING NEEDS
27 PLAN PURSUANT TO SUBSECTION (3) OF THIS SECTION, UPDATE ITS
28 EXISTING PLAN TO ADDRESS ADDITIONAL NEEDS IDENTIFIED IN THE LOCAL
29 HOUSING NEEDS ASSESSMENT BEYOND WHAT THE MUNICIPALITY'S
30 EXISTING PLAN TO ADDRESS LOCAL HOUSING NEEDS INCLUDES, AND ANY

1 REQUIREMENTS IN SECTION 29-33-105 (4) NOT ALREADY INCLUDED IN THE
2 MUNICIPALITY'S EXISTING PLAN TO ADDRESS LOCAL HOUSING NEEDS.

3 (7) (a) A COUNTY OR MUNICIPALITY WITHIN A REGION DEFINED IN
4 THE REGIONAL HOUSING NEEDS ASSESSMENT MAY PARTICIPATE IN A
5 REGIONAL HOUSING NEEDS PLANNING PROCESS.

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

12 Renumber succeeding subsections

13 Page 37, strike lines 17 through 27 and substitute:

14 "LATER THAN MARCH 31, 2024, THE EXECUTIVE DIRECTOR OF THE
15 DEPARTMENT OF LOCAL AFFAIRS SHALL PUBLISH A REPORT THAT
16 IDENTIFIES MULTI-AGENCY IMPLEMENTATION PRINCIPLES TO ACHIEVE
17 STRATEGIC GROWTH OBJECTIVES. THE EXECUTIVE DIRECTOR SHALL
18 UPDATE THIS REPORT EVERY FIVE YEARS.

19 (b) THE MULTI-AGENCY ADVISORY COMMITTEE SHALL, AS PART OF
20 THE PUBLIC COMMENT AND HEARING PROCESS ESTABLISHED IN SECTION
21 29-33-109 (2), DEVELOP RECOMMENDATIONS TO PROVIDE TO THE
22 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS
23 CONCERNING THE REPORT DESCRIBED IN SUBSECTION (1)(a) OF THIS
24 SECTION.

25 (2) STRATEGIC GROWTH OBJECTIVES SERVE AS BROAD GUIDANCE
26 TO STATE AGENCIES AND OTHER ENTITIES ENGAGED IN THE
27 IMPLEMENTATION OF SENATE BILL 23-213, ARE INTENDED TO AID IN
28 REACHING THE HOUSING AND LAND USE GOALS OF SENATE BILL 23-213 AS
29 IDENTIFIED IN SUBSECTION (4) OF THIS SECTION, AND ARE TO BE UTILIZED
30 IN DEVELOPING MULTI-AGENCY IMPLEMENTATION PRINCIPLES FOR
31 STRATEGIC GROWTH OBJECTIVES. STRATEGIC GROWTH OBJECTIVES MUST,
32 AT A MINIMUM:

33 (a) CONSIDER THE DIFFERENT CONTEXTS AND NEEDS OF STRATEGIC
34 GROWTH AREAS IN RURAL, RURAL RESORT, AND URBAN AREAS OF THE
35 STATE;

36 (b) PROMOTE STRATEGIC GROWTH AREAS THAT HAVE:

37 (I) A VARIETY OF HOUSING TYPES;

38 (II) TRANSIT-SUPPORTIVE DENSITIES IN NEW OR EXISTING TRANSIT
39 CORRIDORS;

40 (III) MIDDLE HOUSING AND MULTIFAMILY HOUSING IN EXISTING OR

1 NEW WALKABLE MIXED-USE NEIGHBORHOODS AND CENTERS; AND
2 (IV) SUFFICIENT WATER SUPPLIES AND ALLOCATIONS TO
3 AFFORDABLE AND WATER-EFFICIENT HOUSING TYPES;
4 (c) IN LOCATIONS WHERE GROWTH IS OCCURRING BEYOND
5 EXISTING CENSUS URBANIZED AREAS, DIFFERENTIATE BETWEEN STRATEGIC
6 GROWTH AREAS, GENERAL GROWTH AREAS, AND CONSERVATION AREAS;
7 (d) PROMOTE INVESTMENTS THAT SUPPORT STRATEGIC GROWTH
8 AREAS;
9 (e) STREAMLINE AGENCY PERMITTING PROCESSES TO SUPPORT
10 STRATEGIC GROWTH AREAS;
11 (f) REVIEW PROJECT PRIORITIZATION PROCESSES AND GRANT
12 PROGRAMS TO SUPPORT STRATEGIC GROWTH AREAS;
13 (g) CONSIDER STEPS TO SUPPORT STRATEGIC GROWTH OBJECTIVES
14 WHEN UPDATING PLANNING DOCUMENTS, INCLUDING PERFORMANCE
15 MEASURES AND PERFORMANCE TARGETS; AND
16 (h) IDENTIFY OTHER STRATEGIC GROWTH OBJECTIVES AS NEEDED
17 DURING THE IMPLEMENTATION OF THE MULTI-AGENCY IMPLEMENTATION
18 PRINCIPLES IDENTIFIED IN SUBSECTION (1)(a) OF THIS SECTION.
19 (3) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
20 AFFAIRS MAY IDENTIFY AND DEFINE ADDITIONAL STRATEGIC GROWTH
21 OBJECTIVES BEYOND THOSE IDENTIFIED IN SUBSECTION (2) OF THIS
22 SECTION.
23 (4) FOR THE PURPOSES OF THIS SECTION, THE HOUSING AND LAND
24 USE GOALS OF SENATE BILL 23-213 INCLUDE:
25 (a) PLANNING FOR FUTURE GROWTH;
26 (b) INCREASING HOUSING AFFORDABILITY;
27 (c) INCREASING ECONOMIC MOBILITY;
28 (d) ALIGNING WATER SUPPLY AND HOUSING PLANNING;
29 (e) BALANCING REGIONAL JOBS AND HOUSING;
30 (f) REDUCING AIR POLLUTION AND GREENHOUSE GAS EMISSIONS;
31 AND
32 (g) PRESERVING OPEN SPACE AND AGRICULTURAL LAND.
33 (5) (a) NO LATER THAN JUNE 30, 2025, THE MULTI-AGENCY GROUP
34 SHALL SUBMIT A REPORT TO THE EXECUTIVE DIRECTOR OF THE
35 DEPARTMENT OF LOCAL AFFAIRS WHO SHALL SUBMIT THE REPORT TO THE
36 GENERAL ASSEMBLY.
37 (b) THE REPORT MUST ASSESS BOTH:
38 (I) THE AVAILABILITY AND SUFFICIENCY OF WATER SUPPLIES IN
39 COUNTIES WITH A POPULATION GREATER THAN TWO HUNDRED AND FIFTY
40 THOUSAND TO PROVIDE FOR ANTICIPATED GROWTH AND DEVELOPMENT;
41 AND
42 (II) POLICY OPTIONS TO OPTIMIZE WATER SUPPLY AND
43 DEVELOPMENT."

- 1 Page 38, strike lines 1 through 21.
- 2 Page 38, line 25, after "COMMITTEE" insert "CREATED IN SECTION
3 29-33-103 (1), RURAL RESORT AREA SUBCOMMITTEE CREATED IN SECTION
4 29-33-103 (8), OR THE URBAN AREA SUBCOMMITTEE CREATED IN SECTION
5 29-33-103 (9),".
- 6 Page 39, line 17, after "COMMITTEE" insert "COMMITTEE CREATED IN
7 SECTION 29-33-103 (1), RURAL RESORT AREA SUBCOMMITTEE CREATED IN
8 SECTION 29-33-103 (8), OR THE URBAN AREA SUBCOMMITTEE CREATED IN
9 SECTION 29-33-103 (9),".
- 10 Page 39, line 19, strike "MEETINGS" and substitute "HEARINGS".
- 11 Page 39, line 24, strike "AND".
- 12 Page 39, line 26, strike "FIELDS." and substitute "FIELDS; AND
13 (e) ENSURE ACCESSIBILITY TO THE COMMENT AND HEARING
14 PROCESS BY PROVIDING TRANSLATED MATERIALS AND INTERPRETATION
15 SERVICES, PROVIDING AT LEAST ONE OF THE HEARINGS IN PERSON, AND
16 CONDUCTING OUTREACH TO ENCOURAGE PARTICIPATION FROM
17 UNDERREPRESENTED COMMUNITIES.".
- 18 Page 40, line 15, strike "30-28-106 (6.5)(d) AND 31-23-206 (6.5)(d)" and
19 substitute "30-28-106 AND 31-23-206".
- 20 Page 43, line 10, after "ENTITY." insert "BEGINNING JANUARY 1, 2026,
21 AND EVERY YEAR THEREAFTER, THE DEPARTMENT OF LOCAL AFFAIRS
22 SHALL PROVIDE A REPORT ON THE ASSISTANCE REQUESTED BY LOCAL
23 GOVERNMENTS PURSUANT TO THIS SECTION, WHETHER OR NOT ADEQUATE
24 STATE FUNDING IS AVAILABLE TO MEET THE ASSISTANCE REQUESTED BY
25 LOCAL GOVERNMENTS, AND ANY ADDITIONAL RESOURCES THAT LOCAL
26 GOVERNMENTS HAVE IDENTIFIED THAT WOULD HELP COMPLETE ADVISORY
27 HOUSING NEEDS PLANS.".
- 28 Page 44, line 9, after "2026," insert "AND NO LATER THAN DECEMBER 31
29 OF EACH YEAR THEREAFTER,".
- 30 Page 44, line 10, after "DATA" insert "FOR THE PREVIOUS CALENDAR
31 YEAR".
- 32 Page 44, line 11, strike "AFFAIRS ONCE EVERY YEAR:" and substitute
33 "AFFAIRS:".

- 1 Page 45, line 6, strike "DIVISION" and substitute "DEPARTMENT".
- 2 Page 88, line 2, after "CORRIDORS" insert "IN THE JURISDICTIONS AND
3 AREAS TO WHICH ARTICLE 33 OF TITLE 29 APPLIES AND".
- 4 Page 88, after line 2 insert:
- 5 "(b) ANY PROVISION OF A PLANNED UNIT DEVELOPMENT APPROVED
6 PRIOR TO THE ADOPTION OF SUBSECTION (5.5)(a) OF THIS SECTION, AND
7 WHICH FAILS TO CONFORM TO THE REQUIREMENTS OF THAT SUBSECTION,
8 SHALL BE DEEMED TO BE SUPERSEDED BY THE ADOPTION OF A LOCAL
9 REGULATION OR IMPLEMENTATION OF A MODEL CODE PURSUANT TO
10 ARTICLE 33 OF TITLE 29. NOTWITHSTANDING THIS SUBSECTION (5.5)(b),
11 A LOCAL GOVERNMENT MAY ADOPT CONFORMING AMENDMENTS TO ANY
12 SUCH PLANNED UNIT DEVELOPMENT.".
- 13 Reletter succeeding paragraph accordingly.
- 14 Page 88, line 7, strike "CORRIDOR" and substitute "CORRIDORS".
- 15 Page 88, line 10, strike "29-33-102 (18)." and substitute "29-33-102
16 (21).".
- 17 Page 88, line 12, strike "29-33-102 (36)." and substitute "29-33-102
18 (39).".
- 19 Page 88, line 22, strike "29-33-102 (30)." and substitute "29-33-102
20 (33).".
- 21 Page 89, strike lines 1 through 3 and substitute:
- 22 "(b) "LOCAL GOVERNMENT" MEANS A HOME RULE OR STATUTORY
23 CITY, TOWN, TERRITORIAL CITY OR TOWN, CITY AND COUNTY, OR COUNTY
24 OR HOME RULE COUNTY.".
- 25 Page 91, line 24, strike "(5)(b)(I)(C);" and substitute "(5)(b)(I)(A) and
26 (5)(b)(I)(B)".
- 27 Page 91, lines 24 and 25, strike "(5)(b)(I.5); and **repeal** (5)(b)(II)" and
28 substitute "(5)(b)(I.5)".
- 29 Page 92, strike lines 1 through 24 and substitute:

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

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

5 Page 93, strike lines 2 through 10 and substitute:

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

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

24 Page 93, line 11, before "(I.5)" insert "(b)".

25 Page 93, strike lines 23 through 27.

26 Page 94, strike lines 1 and 2.

27 Page 96, line 24, strike "29-33-102 (33)" and substitute "29-33-102 (36)".

28 Page 96, line 25, strike "29-33-102 (34)" and substitute "29-33-102 (37)".

29 Page 103, line 2, strike "CORRIDORS." and substitute "CORRIDORS IN THE
30 JURISDICTION AND AREAS TO WHICH ARTICLE 33 OF TITLE 29 APPLIES.".

31 Page 103, line 3, strike "ACCESSORY DWELLING UNITS OR MIDDLE
32 HOUSING" and substitute "ACCESSORY DWELLING UNITS, MIDDLE HOUSING,
33 HOUSING IN TRANSIT-ORIENTED AREAS, AND HOUSING IN KEY CORRIDORS".

1 Page 103, line 13, strike "29-33-102 (18)" and substitute "29-33-102
2 (21)".

3 Page 103, line 15, strike "29-33-102 (36)" and substitute "29-33-102
4 (39)".

5 Page 104, after line 2 insert:

6 "(c) SUBSECTION (3)(a) OF THIS SECTION SHALL NOT APPLY TO
7 REASONABLE RESTRICTIONS ON ACCESSORY DWELLING UNITS. AS USED IN
8 THIS SUBSECTION (3)(c), "REASONABLE RESTRICTION" MEANS A
9 RESTRICTION THAT DOES NOT UNREASONABLY INCREASE THE COST TO
10 CONSTRUCT, EFFECTIVELY PROHIBIT THE CONSTRUCTION OF, OR
11 EXTINGUISH THE ABILITY TO OTHERWISE CONSTRUCT, AN ACCESSORY
12 DWELLING UNIT CONSISTENT WITH THE PROVISIONS OF THIS SECTION."

13 Page 104, line 6, after "DECEMBER 31, 2024," insert "OR BEFORE THE
14 NEXT REGIONAL TRANSPORTATION PLANNING CYCLE BEGINS,".

15 Page 105, strike lines 4 through 6 and substitute "**- revenue sources for
16 fund - use of fund.** (2) (e) FEE REVENUES FROM THE MULTIMODAL
17 TRANSPORTATION OPTIONS FUND GENERATED ON OR AFTER JANUARY 1,
18 2025, AND OTHER STATE FUNDS TRANSFERRED TO THE MULTIMODAL
19 TRANSPORTATION OPTIONS FUND ON OR AFTER JULY 1, 2024, SHALL".

20 Page 105, line 9, strike "OBJECTIVES." and substitute "OBJECTIVES, AS
21 DETERMINED IN SECTION 29-33-108."

22 Page 105, line 14, after "appropriation." insert "Any unexpended and
23 unencumbered money appropriated to the department of local affairs for
24 state fiscal year 2023-24 remains available for expenditure by the division
25 of local government in the department of local affairs or local government
26 grantees through state fiscal year 2026-27 without further appropriation
27 for the department of local affairs and local grantees to comply with
28 planning requirements in the legislation."

29 Page 2, strike lines 104 and 105.

30 Page 2, line 106, strike "**HIGHWAY ACCESS CODE**,".

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