

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Local Government & Housing.

SB23-213 be amended as follows:

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

3 "SECTION 1. In Colorado Revised Statutes, **add** part 37 to
4 article 32 of title 24 as follows:

5 PART 37
6 HOUSING NEEDS PLANNING

7 **24-32-3701. Definitions.** AS USED IN THIS PART 37, UNLESS THE
8 CONTEXT OTHERWISE REQUIRES:

9 (1) "ACCESSORY DWELLING UNIT" MEANS AN INTERNAL,
10 ATTACHED, OR DETACHED DWELLING UNIT THAT:

11 (a) PROVIDES COMPLETE INDEPENDENT LIVING FACILITIES FOR ONE
12 OR MORE PERSONS;

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

15 (c) INCLUDES PROVISIONS FOR LIVING, SLEEPING, EATING,
16 COOKING, AND SANITATION.

17 (2) "AFFORDABLE HOUSING" MEANS HOUSING FOR WHICH LOW-
18 AND MODERATE-INCOME HOUSEHOLDS DO NOT SPEND MORE THAN THIRTY
19 PERCENT OF THEIR HOUSEHOLD INCOME ON HOUSING COSTS.

20 (3) "COTTAGE CLUSTER" MEANS A GROUPING OF TWO OR MORE
21 DETACHED DWELLING UNITS EACH UNIT HAVING A FOOTPRINT OF NO MORE
22 THAN NINE HUNDRED SQUARE FEET AND THE GROUPING HAVING A
23 COMMON COURTYARD;

24 (4) "DEPARTMENT" MEANS THE DEPARTMENT OF LOCAL AFFAIRS.

25 (5) "DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE
26 DEPARTMENT OF LOCAL AFFAIRS.

27 (6) "DISCRETIONARY APPROVAL PROCESS" MEANS A
28 DECISION-MAKING PROCESS CONDUCTED BY A LOCAL GOVERNMENT TO
29 DETERMINE WHETHER A DEVELOPMENT APPROVAL SHALL BE ISSUED AND
30 THAT REQUIRES A PUBLIC BODY TO MAKE ONE OR MORE SUBJECTIVE
31 DETERMINATIONS, INCLUDING:

32 (a) CONSISTENCY WITH STATE OR LOCAL PLANS; AND

33 (b) THE COMPATIBILITY OR HARMONY OF AN APPLICATION WITH
34 SURROUNDING LAND USES OR DEVELOPMENT.

35 (7) "DISPLACEMENT" MEANS THE RELOCATION OF RESIDENTS OF A
36 DWELLING UNIT OR AREA THAT WOULD NOT HAVE OCCURRED IF NOT FOR
37 INCREASED HOUSING PRICES OR OTHER ECONOMIC FACTORS.

38 (8) "DWELLING UNIT" MEANS A SINGLE UNIT PROVIDING COMPLETE

1 INDEPENDENT LIVING FACILITIES FOR ONE OR MORE PERSONS, INCLUDING
2 PERMANENT PROVISIONS FOR COOKING, EATING, LIVING, SANITATION, AND
3 SLEEPING.

4 (9) "FIXED-RAIL TRANSIT STATION" MEANS A STATION FOR
5 BOARDING AND EXITING FOR THE GENERAL PUBLIC OF PASSENGER RAIL
6 TRANSIT THAT USES AND OCCUPIES A SEPARATE RIGHT-OF-WAY OR RAIL
7 LINE, INCLUDING COMMUTER RAIL AND LIGHT RAIL.

8 (10) "LOCAL GOVERNMENT" MEANS A HOME RULE, TERRITORIAL,
9 OR STATUTORY COUNTY, CITY AND COUNTY, CITY, OR TOWN.

10 (11) "MIDDLE HOUSING" MEANS A TYPE OF HOUSING THAT
11 INCLUDES BETWEEN TWO AND FOUR SEPARATE DWELLING UNITS IN A
12 SINGLE STRUCTURE, A GROUP OF TOWNHOMES, OR A COTTAGE CLUSTER.

13 (12) "MIXED-USE DEVELOPMENT" MEANS A DEVELOPMENT THAT
14 INTEGRATES MULTIPLE LAND USE TYPES INCLUDING RESIDENTIAL USES.

15 (13) "MULTI-AGENCY ADVISORY COMMITTEE" MEANS AN
16 ADVISORY GROUP WITHIN THE DEPARTMENT OF LOCAL AFFAIRS WITHOUT
17 DECISION-MAKING AUTHORITY COMPOSED OF:

18 (a) THE DIRECTOR, OR THE DIRECTOR'S DESIGNEE;
19 (b) THE DIRECTOR OF THE DIVISION OF HOUSING WITHIN THE
20 DEPARTMENT;
21 (c) THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT
22 WITHIN THE DEPARTMENT;
23 (d) THE DIRECTOR OF THE OFFICE OF SMART GROWTH WITHIN THE
24 DEPARTMENT;
25 (e) THE DIRECTOR OF THE COLORADO ENERGY OFFICE, OR THE
26 DIRECTOR'S DESIGNEE;
27 (f) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
28 TRANSPORTATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;
29 (g) THE COMMISSIONER OF THE DEPARTMENT OF AGRICULTURE, OR
30 THE COMMISSIONER'S DESIGNEE;
31 (h) THE DIRECTOR OF THE COLORADO WATER CONSERVATION
32 BOARD WITHIN THE DEPARTMENT OF NATURAL RESOURCES; AND
33 (i) THE STATE ENGINEER AND DIRECTOR OF THE DIVISION OF
34 WATER RESOURCES, OR THEIR DESIGNEE.

35 (14) "MULTIFAMILY RESIDENTIAL HOUSING" MEANS A BUILDING OR
36 GROUP OF BUILDINGS ON THE SAME LOT WITH FIVE OR MORE SEPARATE
37 DWELLING UNITS.

38 (15) "NET DENSITY" MEANS THE NUMBER OF DWELLING UNITS PER
39 ACRE OF TOTAL RESIDENTIAL LAND AREA, EXCLUDING LAND OCCUPIED BY
40 PUBLIC RIGHTS-OF-WAY AND ANY RECREATIONAL, CIVIC, COMMERCIAL,
41 AND OTHER NONRESIDENTIAL USES.

42 (16) "OBJECTIVE PROCEDURE" MEANS A REVIEW AND
43 DECISION-MAKING PROCESS CONDUCTED BY A LOCAL GOVERNMENT TO

1 DETERMINE WHETHER A DEVELOPMENT APPROVAL SHALL BE ISSUED THAT
2 DOES NOT INVOLVE A DISCRETIONARY APPROVAL PROCESS.

3 (17) "OBJECTIVE STANDARD" MEANS A STANDARD THAT:

4 (a) DOES NOT REQUIRE A PUBLIC BODY TO MAKE A PERSONAL OR
5 SUBJECTIVE JUDGMENT; AND

6 (b) IS VERIFIABLE OR ASCERTAINABLE BY REFERENCE TO AN
7 ESTABLISHED BENCHMARK OR CRITERION THAT IS AVAILABLE TO THE
8 PUBLIC.

9 (18) "REGULATED AFFORDABLE HOUSING" MEANS AFFORDABLE
10 HOUSING CREATED OR SUPPORTED BY PUBLIC SUBSIDIES OR LAWS THAT
11 RESTRICT RESIDENT INCOME LEVELS TO LOW- OR MODERATE-INCOME
12 HOUSEHOLD LEVELS FOR A SPECIFIED PERIOD.

13 (19) "SINGLE-UNIT DETACHED DWELLING" MEANS A DETACHED
14 BUILDING WITH A SINGLE DWELLING UNIT LOCATED ON A SINGLE LOT.

15 (20) "TOWNHOME" MEANS A SINGLE-UNIT DWELLING UNIT
16 CONSTRUCTED IN A GROUP OF SIMILAR ATTACHED UNITS IN WHICH EACH
17 UNIT EXTENDS FROM FOUNDATION TO ROOF AND HAS OPEN SPACE ON AT
18 LEAST TWO SIDES.

19 (21) "TRANSIT-ORIENTED AREA" MEANS AN AREA OF LAND WHERE
20 ALL PARCELS HAVE AT LEAST TWENTY-FIVE PERCENT OF THEIR AREA
21 WITHIN ONE-HALF MILE OF THE PLATFORM OF A FIXED-RAIL TRANSIT
22 STATION.

23 **24-32-3702. Housing needs assessment - methodology.**

24 (1) (a) THE DIRECTOR SHALL DEVELOP AND ISSUE RECOMMENDED
25 METHODOLOGIES FOR DEVELOPING STATEWIDE AND LOCAL HOUSING
26 NEEDS ASSESSMENTS.

27 (b) AT A MINIMUM, THE METHODOLOGY FOR THE STATEWIDE
28 HOUSING NEEDS ASSESSMENT MUST INCLUDE METHODS TO DO THE
29 FOLLOWING ON A STATEWIDE AND REGIONAL BASIS:

30 (I) ESTIMATE EXISTING HOUSING STOCK;

31 (II) CONDUCT A HOUSING SHORTAGE ANALYSIS;

32 (III) ESTIMATE THE AMOUNT OF HOUSING NECESSARY TO
33 ACCOMMODATE DEMOGRAPHIC AND POPULATION TRENDS FORECAST BY
34 THE STATE DEMOGRAPHER CATEGORIZED BY HOUSEHOLD SIZE;
35 HOUSEHOLD TYPE, INCLUDING SUPPORTIVE, FOR SALE, AND RENTAL
36 HOUSING; AND INCOME LEVEL, INCLUDING EXTREMELY LOW-INCOME,
37 VERY LOW-INCOME, AND LOW-INCOME HOUSEHOLDS AS DEFINED BY THE
38 UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT;

39 (IV) ESTIMATE WATER SUPPLY NEEDS FOR EXISTING HOUSING AND
40 THE AMOUNT OF HOUSING IDENTIFIED IN SUBSECTION (1)(b)(III) OF THIS
41 SECTION;

42 (V) ESTIMATE REGIONAL RESOURCES AVAILABLE TO ENABLE THE
43 DEVELOPMENT OF A RANGE OF HOUSING TYPES; AND

1 (VI) ENSURE BROAD LOCAL GOVERNMENT INPUT AND
2 COORDINATION.

3 (c) AT A MINIMUM, THE METHODOLOGY FOR LOCAL HOUSING
4 NEEDS ASSESSMENTS MUST INCLUDE METHODS TO:

5 (I) ESTIMATE EXISTING HOUSING STOCK IN THE JURISDICTION;
6 (II) CONDUCT A HOUSING SHORTAGE ANALYSIS IN EACH
7 JURISDICTION;
8 (III) ESTIMATE THE AMOUNT OF HOUSING NECESSARY TO
9 ACCOMMODATE DEMOGRAPHIC AND POPULATION TRENDS IN EACH
10 JURISDICTION FORECAST BY THE STATE DEMOGRAPHER CATEGORIZED BY
11 HOUSEHOLD SIZE; HOUSEHOLD TYPE, INCLUDING SUPPORTIVE, FOR SALE,
12 AND RENTAL HOUSING; AND INCOME LEVEL, INCLUDING EXTREMELY
13 LOW-INCOME, VERY LOW-INCOME, AND LOW-INCOME HOUSEHOLDS AS
14 DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
15 DEVELOPMENT;
16 (IV) ESTIMATE WATER SUPPLY NEEDS FOR EXISTING HOUSING AND
17 THE AMOUNT OF HOUSING IDENTIFIED IN SUBSECTION (1)(c)(III) OF THIS
18 SECTION;
19 (V) ESTIMATE LOCAL RESOURCES AVAILABLE TO ENABLE THE
20 DEVELOPMENT OF A RANGE OF HOUSING TYPES;
21 (VI) CONSIDER INTERGOVERNMENTAL COORDINATION TO ADDRESS
22 INTERLOCAL HOUSING NEEDS; AND
23 (VII) ENSURE BROAD LOCAL GOVERNMENT INPUT AND
24 COORDINATION.

25 (2) NO LATER THAN DECEMBER 31, 2024, AND EVERY FIVE YEARS
26 THEREAFTER, IN ACCORDANCE WITH THE METHODOLOGIES ESTABLISHED
27 IN SUBSECTION (1) OF THIS SECTION, THE DIRECTOR SHALL PRODUCE
28 STATEWIDE AND LOCAL HOUSING NEEDS ASSESSMENTS, WITH
29 TWENTY-YEAR PLANNING FORECASTS, AND SHALL INCLUDE IN EACH, FOR
30 THE RELEVANT AREA, ESTIMATES OF:

31 (a) HOUSING NEEDS SORTED BY INCOME LEVELS, INCLUDING
32 EXTREMELY LOW-INCOME, VERY LOW-INCOME, AND LOW-INCOME
33 HOUSEHOLDS AS DEFINED BY THE UNITED STATES DEPARTMENT OF
34 HOUSING AND URBAN DEVELOPMENT;
35 (b) THE NUMBER OF HOUSEHOLDS AND JOBS;
36 (c) POPULATION AND DEMOGRAPHICS;
37 (d) EXISTING HOUSING STOCK;
38 (e) WATER SUPPLY NEEDS FOR CURRENT AND NEEDED RESIDENTIAL
39 USES; AND
40 (f) DEFICIENCIES IN RESOURCES NEEDED FOR THE DEVELOPMENT
41 OF A RANGE OF HOUSING TYPES.

42 **24-32-3703. Housing needs plan guidance.** (1) NO LATER THAN
43 DECEMBER 31, 2024, THE DIRECTOR SHALL DEVELOP AND ISSUE GUIDANCE

1 FOR THE CREATION OF HOUSING NEEDS PLANS BY LOCAL GOVERNMENTS.
2 THE GUIDANCE MUST INCLUDE:

- 3 (a) RECOMMENDATIONS FOR THE USE OF THE STATEWIDE AND
4 LOCAL HOUSING NEEDS ASSESSMENT;
- 5 (b) OPPORTUNITIES FOR INTERLOCAL COORDINATION IN THE
6 CREATION OF THE HOUSING NEEDS PLAN, INCLUDING THE JOINT EXERCISE
7 OF PLANNING, ZONING, SUBDIVISION, BUILDING, AND RELATED
8 REGULATIONS PURSUANT TO SECTION 29-20-105; AND
- 9 (c) METHODS FOR COMMUNITY EDUCATION AND ENGAGEMENT IN
10 THE CREATION OF THE HOUSING NEEDS PLAN.

11 **24-32-3704. Housing affordability strategies.** (1) NO LATER
12 THAN DECEMBER 31, 2023, THE DIRECTOR SHALL DEVELOP AND PUBLISH
13 A MENU OF AFFORDABILITY STRATEGIES TO GUIDE LOCAL GOVERNMENTS
14 IN THE CREATION OF LAWS AND POLICIES TO ENCOURAGE THE
15 DEVELOPMENT OF A RANGE OF HOUSING TYPES PRIMARILY FOCUSED ON
16 CREATING GREATER AFFORDABILITY OF HOUSING, INCLUDING:

- 17 (a) THE ADOPTION OF REGULATIONS TO PROMOTE THE
18 CONSTRUCTION OF NEW AFFORDABLE HOUSING UNITS IN ACCORDANCE
19 WITH SECTION 29-20-104 (1)(e.5);
- 20 (b) THE ADOPTION OF REGULATIONS TO INCREASE THE OVERALL
21 NUMBER AND DENSITY OF DWELLING UNITS AS IDENTIFIED IN SECTION
22 29-20-104 (1)(e.7);
- 23 (c) THE ELIMINATION OF RESTRICTIONS ON RESIDENTIAL
24 OCCUPANCY DEPENDING ON THE EXISTENCE OF A FAMILIAL RELATIONSHIP
25 BETWEEN OCCUPANTS;
- 26 (d) CREATING OR MODIFYING ZONING DISTRICTS THAT PERMIT
27 SINGLE-UNIT DETACHED DWELLINGS TO ALLOW ACCESSORY DWELLING
28 UNITS OR MIDDLE HOUSING IN A SUBSTANTIAL PORTION OF THE
29 JURISDICTION;
- 30 (e) CREATING OR MODIFYING ZONING DISTRICTS IN
31 TRANSIT-ORIENTED AREAS TO ENABLE MULTIFAMILY RESIDENTIAL
32 HOUSING MEETING A MINIMUM NET DENSITY RECOMMENDED BY THE
33 DIRECTOR;
- 34 (f) THE CREATION OF PROGRAMS TO SUBSIDIZE OR OTHERWISE
35 REDUCE LOCAL DEVELOPMENT FEES FOR REGULATED AFFORDABLE
36 HOUSING DEVELOPMENT;
- 37 (g) THE CREATION OF EXPEDITED OR STREAMLINED DEVELOPMENT
38 REVIEW PROCESSES FOR REGULATED AFFORDABLE HOUSING
39 DEVELOPMENT;
- 40 (h) THE CREATION OF POLICIES OR PLANS TO LEVERAGE
41 PUBLICLY-OWNED LAND OR PROPERTIES FOR REGULATED AFFORDABLE
42 HOUSING DEVELOPMENT;
- 43 (i) THE ESTABLISHMENT OF DEDICATED LOCAL REVENUE SOURCES

1 FOR REGULATED AFFORDABLE HOUSING DEVELOPMENT;
2 (j) THE ADOPTION OF REGULATIONS RELATING TO SHORT-TERM
3 RENTALS OR SECOND HOMES;
4 (k) THE ESTABLISHMENT OF PARKING PERMIT PROGRAMS AND
5 ALTERNATIVE PARKING OPTIONS; AND
6 (l) COMMITMENTS TO DEVELOP AFFORDABLE HOUSING TO RETAIN
7 ELIGIBILITY FOR THE STATEWIDE AFFORDABLE HOUSING FUND CREATED IN
8 SECTION 29-32-102 (1).
9 (2) THE MENU OF AFFORDABILITY STRATEGIES MUST IDENTIFY
10 WHICH STRATEGIES MAY BE MOST EFFECTIVE FOR TYPES OF LOCAL
11 GOVERNMENT DEPENDING ON REGION, SIZE, RESOURCES, AND
12 OPPORTUNITIES FOR INTERGOVERNMENTAL COORDINATION.
13 **24-32-3705. Displacement mitigation.** (1) NO LATER THAN
14 DECEMBER 31, 2023, THE DIRECTOR SHALL DEVELOP GUIDANCE TO ASSIST
15 LOCAL GOVERNMENTS IN IDENTIFYING AREAS AT THE HIGHEST RISKS FOR
16 DISPLACEMENT BASED ON NEIGHBORHOOD OR CENSUS TRACT. THE
17 GUIDANCE MUST INCLUDE FACTORS TO IDENTIFY THE:
18 (a) PERCENTAGE OF RESIDENTS WHO ARE LOW-INCOME RESIDENTS;
19 (b) PERCENTAGE OF RESIDENTS WHO RENT THEIR DWELLING UNIT;
20 (c) PERCENTAGE OF RESIDENTS WHO LIVE IN MULTIGENERATIONAL
21 HOUSEHOLDS;
22 (d) PERCENTAGE OF COST-BURDENED HOUSEHOLDS;
23 (e) PERCENTAGE OF RESIDENTS WHO HAVE RESIDED IN THE AREA
24 FOR MORE THAN TWENTY YEARS;
25 (f) NUMBER OF ADULTS WHO ARE TWENTY-FIVE YEARS OF AGE OR
26 OLDER WHO HAVE NOT EARNED AT LEAST A HIGH SCHOOL DIPLOMA;
27 (g) PERCENTAGE OF HOUSEHOLDS IN WHICH A LANGUAGE OTHER
28 THAN ENGLISH IS SPOKEN;
29 (h) EMPLOYMENT RATE; AND
30 (i) PERCENTAGE OF HOUSEHOLDS THAT DO NOT HAVE INTERNET
31 ACCESS.
32 (2) NO LATER THAN DECEMBER 31, 2023, THE DIRECTOR SHALL
33 DEVELOP AND PUBLISH A MENU OF DISPLACEMENT MITIGATION
34 STRATEGIES TO GUIDE LOCAL GOVERNMENTS IN THE CREATION OF LAWS
35 AND POLICIES TO PREVENT DISPLACEMENT FROM AREAS AT A HIGH RISK
36 FOR DISPLACEMENT. IN ADDITION TO THOSE STRATEGIES IDENTIFIED BY
37 THE DEPARTMENT, THE DEPARTMENT SHOULD IDENTIFY TYPES OF LAWS OR
38 POLICIES THAT INCREASE THE RISK OF DISPLACEMENT OR THAT REDUCE
39 THE RISK OF DISPLACEMENT.
40 (3) THE MENU OF DISPLACEMENT MITIGATION STRATEGIES SHOULD
41 IDENTIFY WHICH STRATEGIES MAY BE MOST EFFECTIVE FOR DIFFERENT
42 POPULATIONS AT A HIGH RISK OF DISPLACEMENT AND DIFFERENT TYPES OF
43 LOCAL GOVERNMENTS BASED ON REGION, SIZE, RESOURCES, AND

1 OPPORTUNITIES FOR INTERGOVERNMENTAL COORDINATION.

2 **24-32-3706. Community engagement strategies.** (1) No LATER
3 THAN DECEMBER 31, 2023, THE DIRECTOR SHALL DEVELOP AND PUBLISH
4 A MENU OF COMMUNITY ENGAGEMENT STRATEGIES DESIGNED TO
5 FACILITATE THE ADOPTION OF LAND USE LAW REFORMS, THE ADOPTION OF
6 AFFORDABLE HOUSING STRATEGIES AND DISPLACEMENT MITIGATION
7 STRATEGIES, AND COMMUNITY SUPPORT AND UNDERSTANDING OF THE
8 REFORMS AND STRATEGIES.

9 (2) THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE AND
10 FUNDING TO SUPPORT LOCAL GOVERNMENTS IN IDENTIFYING AND
11 IMPLEMENTING APPROPRIATE COMMUNITY ENGAGEMENT STRATEGIES TO
12 FURTHER THE ENACTMENT OF LAND USE LAW REFORMS AND THE ADOPTION
13 OF AFFORDABLE HOUSING STRATEGIES AND DISPLACEMENT MITIGATION
14 STRATEGIES.

15 **24-32-3707. Model residential development codes.** (1) No
16 LATER THAN DECEMBER 31, 2024, THE DIRECTOR SHALL DEVELOP AND
17 PUBLISH A SERIES OF MODEL CODES RELATED TO THE DEVELOPMENT OF
18 THE FOLLOWING TYPES OF RESIDENTIAL DWELLING UNITS:

19 (a) ACCESSORY DWELLING UNITS;
20 (b) MIDDLE HOUSING, INCLUDING SINGLE STRUCTURES
21 CONTAINING UP TO SIX DWELLING UNITS, TOWNHOMES, AND COTTAGE
22 CLUSTERS;
23 (c) MULTIFAMILY RESIDENTIAL HOUSING;
24 (d) MIXED-INCOME MULTIFAMILY RESIDENTIAL HOUSING; AND
25 (e) MODULAR HOMES AS DEFINED IN SECTION 24-32-3302 (25).

26 (2) THE MODEL CODES MUST:

27 (a) PROMOTE THE USE OF HOUSING AFFORDABILITY AND
28 DISPLACEMENT MITIGATION STRATEGIES IDENTIFIED IN SECTIONS
29 24-32-3704 AND 24-32-3705;
30 (b) PROMOTE THE USE OF OBJECTIVE PROCESSES AND OBJECTIVE
31 STANDARDS, PARTICULARLY FOR DEVELOPMENT APPROVALS NOT
32 INCLUDING POLICY DETERMINATIONS, AND FOR THE ASSESSMENT OF FINITE
33 PUBLIC RESOURCES AND CAPACITY;
34 (c) PROMOTE THE ELIMINATION OR REDUCTION OF THE USE OF
35 DISCRETIONARY APPROVAL PROCESSES;
36 (d) PROMOTE MEASURES TO REDUCE COSTS OR DELAYS IN THE
37 SITING AND APPROVAL OF RESIDENTIAL DWELLING UNITS;
38 (e) PROMOTE MEASURES TO REDUCE SITE REQUIREMENTS THAT
39 MIGHT INHIBIT THE DEVELOPMENT OF ACCESSORY DWELLING UNITS AND
40 MIDDLE HOUSING, INCLUDING PARKING REQUIREMENTS, MINIMUM LOT
41 SIZES, FLOOR TO AREA RATIO REQUIREMENTS, LOT DEPTH OR WIDTH
42 STANDARDS, AND HEIGHT RESTRICTIONS;
43 (f) PROMOTE THE APPLICATION OF DESIGN GUIDELINES, BUILDING

1 MATERIALS REQUIREMENTS, AND LANDSCAPING STANDARDS FOR
2 ACCESSORY DWELLING UNITS AND MIDDLE HOUSING THAT ARE NOT MORE
3 RESTRICTIVE THAN SIMILAR STANDARDS FOR SINGLE-UNIT DETACHED
4 DWELLINGS;
5 (g) PROMOTE THE APPLICATION OF LAND USE STANDARDS FOR
6 ACCESSORY DWELLING UNITS AND MIDDLE HOUSING THAT ARE NOT MORE
7 RESTRICTIVE THAN SIMILAR STANDARDS FOR SINGLE-UNIT DETACHED
8 DWELLINGS;
9 (h) PROMOTE A MINIMUM NET DENSITY PROXIMATE TO TRANSIT
10 SYSTEMS;
11 (i) PROMOTE THE EFFICIENT USE AND REUSE OF WATER IN
12 RESIDENTIAL USES AND LANDSCAPING REQUIREMENTS; AND
13 (j) BE CAPABLE OF INTEGRATION INTO LAND DEVELOPMENT LAWS
14 OF LOCAL GOVERNMENTS.
15 **24-32-3708. State strategic growth objectives.** (1) (a) NO LATER
16 THAN MARCH 31, 2024, THE DIRECTOR SHALL PUBLISH A REPORT THAT
17 IDENTIFIES MULTI-AGENCY IMPLEMENTATION PRINCIPLES TO ACHIEVE
18 STATE STRATEGIC GROWTH OBJECTIVES. THE DIRECTOR SHALL UPDATE
19 THIS REPORT EVERY FIVE YEARS.
20 (b) THE DIRECTOR SHALL DEVELOP STATE STRATEGIC GROWTH
21 OBJECTIVES TO SERVE AS BROAD GUIDANCE TO STATE AGENCIES AND
22 OTHER ENTITIES ENGAGED IN THE IMPLEMENTATION OF SENATE BILL
23 23-213, ENACTED IN 2013, AND IN THE DEVELOPMENT OF MULTI-AGENCY
24 IMPLEMENTATION PRINCIPLES. THE STATE STRATEGIC GROWTH
25 OBJECTIVES MUST, AT A MINIMUM:
26 (I) CONSIDER THE COLORADO WATER PLAN ADOPTED PURSUANT
27 TO SECTION 37-60-106.3;
28 (II) CONSIDER THE DIFFERENT CONTEXTS AND NEEDS OF
29 STRATEGIC GROWTH AREAS IN RURAL, RURAL RESORT, AND URBAN AREAS
30 OF THE STATE;
31 (III) PROMOTE STRATEGIC GROWTH AREAS THAT HAVE A VARIETY
32 OF HOUSING TYPES, TRANSIT-SUPPORTIVE DENSITIES IN NEW OR EXISTING
33 TRANSIT CORRIDORS, MIDDLE HOUSING AND MULTIFAMILY RESIDENTIAL
34 HOUSING IN EXISTING OR NEW WALKABLE MIXED-USE NEIGHBORHOODS;
35 (IV) PROMOTE STRATEGIC GROWTH AREAS THAT HAVE IDENTIFIED
36 AND SECURED SUFFICIENT WATER SUPPLIES AND ALLOCATED WATER
37 RESOURCES FOR AFFORDABLE AND WATER-EFFICIENT HOUSING TYPES;
38 (V) IDENTIFY WHERE GROWTH IS OCCURRING OUTSIDE OF EXISTING
39 CENSUS URBANIZED AREAS, DIFFERENTIATING BETWEEN STRATEGIC
40 GROWTH AREAS, GENERAL GROWTH AREAS, AND CONSERVATION AREAS;
41 (VI) PROMOTE STATE AND PRIVATE INVESTMENTS THAT SUPPORT
42 THE DEVELOPMENT OF HOUSING AND TRANSIT IN STRATEGIC GROWTH
43 AREAS;

1 (VII) IDENTIFY RESOURCES TO PROMOTE INCREASES IN
2 INFRASTRUCTURE, SERVICE LEVELS, AND USE OF TRANSIT;
3 (VIII) ESTABLISH PERFORMANCE MEASURES AND PERFORMANCE
4 TARGETS FOR STATE AGENCIES IN IMPLEMENTING THESE STATE STRATEGIC
5 GROWTH OBJECTIVES;
6 (IX) PROMOTE THE STREAMLINING OF AGENCY REVIEW AND
7 PERMITTING PROCESSES TO SUPPORT THE DEVELOPMENT OF TRANSIT AND
8 HOUSING IN STATE STRATEGIC GROWTH AREAS;
9 (X) RECOMMEND PROJECT PRIORITIZATION PROCESSES FOR STATE
10 PROJECTS AND GRANT PROGRAMS TO SUPPORT THE DEVELOPMENT OF
11 TRANSIT AND HOUSING IN STATE STRATEGIC GROWTH AREAS; AND
12 (XI) PROMOTE THE PRESERVATION OF OPEN SPACE AND
13 AGRICULTURAL LAND.
14 **24-32-3709. Water supply forecast.** (1) NO LATER THAN JUNE
15 30, 2025, THE DIRECTOR IN CONSULTATION WITH THE COLORADO WATER
16 CONSERVATION BOARD SHALL SUBMIT A JOINT REPORT TO THE GENERAL
17 ASSEMBLY CONFORMING TO THE COLORADO WATER PLAN ADOPTED IN
18 JANUARY 2023 THAT ASSESSES:
19 (a) THE AVAILABILITY AND SUFFICIENCY OF WATER SUPPLIES IN
20 COUNTIES TO PROVIDE FOR ANTICIPATED GROWTH AND DEVELOPMENT;
21 (b) A FRAMEWORK TO GUIDE INVESTMENTS IN DEVELOPMENT AND
22 CONSERVATION; AND
23 (c) A RANGE OF POLICY OPTIONS TO MAXIMIZE EFFICIENCY OF
24 EXISTING WATER SUPPLY AND IDENTIFY IMPACTS OF FUTURE
25 DEVELOPMENT.
26 (2) THE DIRECTOR SHALL CONSULT WATER PROVIDERS AND
27 PUBLISHED WATER SUPPLY MASTER PLANS IN THE PREPARATION OF THE
28 REPORT.
29 **24-32-3710. Natural land and agricultural priorities report.**
30 (1) NO LATER THAN DECEMBER 31, 2024, THE OFFICE OF CLIMATE
31 PREPAREDNESS CREATED IN SECTION 24-38.8-102 (1), IN CONSULTATION
32 WITH THE DEPARTMENT OF AGRICULTURE, THE DIVISION OF PARKS AND
33 WILDLIFE WITHIN THE DEPARTMENT OF NATURAL RESOURCES, THE
34 OUTDOOR RECREATION INDUSTRY OFFICE IN THE OFFICE OF ECONOMIC
35 DEVELOPMENT, AND THE COLORADO TOURISM OFFICE, SHALL DEVELOP
36 AND PUBLISH A NATURAL LAND AND AGRICULTURAL PRIORITIES REPORT
37 THAT IDENTIFIES INTERJURISDICTIONAL PRIORITIES THAT METROPOLITAN
38 PLANNING ORGANIZATIONS SHOULD APPLY TO ACHIEVE BOTH:
39 (a) CONNECTIVITY TO OPEN SPACE AND NATURAL LANDS; AND
40 (b) PRESERVATION OF AGRICULTURAL LAND AND OPEN SPACE.
41 **24-32-3711. Public comment process.** (1) STATE AGENCIES
42 SHALL FOLLOW THE PROCESS SET FORTH IN THIS SECTION TO DEVELOP AND
43 ISSUE THE FOLLOWING:

1 (a) METHODOLOGIES FOR STATEWIDE AND LOCAL HOUSING NEEDS
2 ASSESSMENTS PURSUANT TO SECTION 24-32-3702 (1);
3 (b) STATEWIDE AND LOCAL HOUSING NEEDS ASSESSMENTS
4 PURSUANT TO SECTION 24-32-3702 (2);
5 (c) HOUSING NEEDS PLAN GUIDANCE PURSUANT TO SECTION
6 24-32-3703 (1);
7 (d) A MENU OF HOUSING AFFORDABILITY STRATEGIES PURSUANT
8 TO SECTION 24-32-3704;
9 (e) A MENU OF DISPLACEMENT MITIGATION STRATEGIES PURSUANT
10 TO SECTION 24-32-3705;
11 (f) MODEL RESIDENTIAL DEVELOPMENT CODES PURSUANT TO
12 SECTION 24-32-3707;
13 (g) STATE STRATEGIC GROWTH OBJECTIVES PURSUANT TO SECTION
14 24-32-3708; AND
15 (h) A NATURAL LAND AND AGRICULTURAL PRIORITIES REPORT
16 PURSUANT TO SECTION 24-32-3710.
17 (2) BEFORE ISSUING DRAFTS OF THE ITEMS DESCRIBED IN
18 SUBSECTION (1) OF THIS SECTION, AN AGENCY SHALL CONSULT WITH AND
19 OBTAIN FEEDBACK FROM LOCAL GOVERNMENTS, THE MULTI-AGENCY
20 ADVISORY COMMITTEE, REGIONAL PLANNING AGENCIES, RESIDENTIAL
21 CONSTRUCTION PROFESSIONALS, AFFORDABLE HOUSING AND FAIR HOUSING
22 ADVOCATES, EXPERTS IN DISABILITY RIGHTS, AND STATEWIDE
23 ASSOCIATIONS OF SUCH GROUPS.
24 (3) AFTER ISSUING DRAFTS OF THE ITEMS DESCRIBED IN
25 SUBSECTION (1) OF THIS SECTION, AN AGENCY SHALL PROVIDE PUBLIC
26 NOTICE OF AND HOLD AT LEAST TWO PUBLIC HEARINGS ON THE ITEMS AT
27 WHICH MEMBERS OF THE PUBLIC AND ANY OF THE ENTITIES IDENTIFIED IN
28 SUBSECTION (2) OF THIS SECTION HAVE AN OPPORTUNITY TO COMMENT
29 AND ACCEPT WRITTEN COMMENTS. THIS COMMENT AND HEARING
30 PROCESSES MUST INCLUDE TRANSLATED MATERIALS AND INTERPRETATION
31 SERVICES.
32 **24-32-3712. Technical assistance.** (1) THE DIVISION OF LOCAL
33 GOVERNMENT WITHIN THE DEPARTMENT OF LOCAL AFFAIRS SHALL
34 PROVIDE TECHNICAL ASSISTANCE MATERIALS, BRIEFINGS, CONSULTING
35 SERVICES, TEMPLATES, TOOLS, TRAININGS, WEBINARS, OR OTHER
36 GUIDANCE TO AID LOCAL GOVERNMENTS IN IDENTIFYING AND
37 IMPLEMENTING HOUSING AFFORDABILITY STRATEGIES, DISPLACEMENT
38 MITIGATION STRATEGIES, COMMUNITY ENGAGEMENT STRATEGIES, AND IN
39 AMENDING AND ADOPTING LAWS AND POLICIES TO ENACT LOCAL LAWS
40 INCORPORATING THE MODEL RESIDENTIAL DEVELOPMENT CODES
41 PUBLISHED PURSUANT TO SECTION 24-32-3707 AND CREATING THE
42 HOUSING ELEMENT OF MASTER PLANS.
43 (2) THE DIVISION OF LOCAL GOVERNMENT WITHIN THE

1 DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE FUNDING THROUGH
2 EITHER A GRANT PROGRAM OR THE PROVISION OF CONSULTANT SERVICES
3 OR BOTH DIRECTLY TO LOCAL GOVERNMENTS OR THROUGH A
4 METROPOLITAN PLANNING ORGANIZATION.

5 (3) BEGINNING JANUARY 1, 2026, AND EVERY YEAR THEREAFTER,
6 THE DEPARTMENT SHALL PROVIDE A REPORT ON THE ASSISTANCE
7 REQUESTED BY LOCAL GOVERNMENTS PURSUANT TO THIS SECTION,
8 WHETHER OR NOT ADEQUATE STATE FUNDING IS AVAILABLE TO PROVIDE
9 THE ASSISTANCE REQUESTED BY LOCAL GOVERNMENTS, AND ANY
10 ADDITIONAL RESOURCES THAT THE DEPARTMENT OR LOCAL
11 GOVERNMENTS HAVE IDENTIFIED THAT WOULD ASSIST IN IDENTIFYING AND
12 IMPLEMENTING HOUSING AFFORDABILITY STRATEGIES, DISPLACEMENT
13 MITIGATION STRATEGIES, COMMUNITY ENGAGEMENT STRATEGIES, AND IN
14 AMENDING AND ADOPTING LOCAL LAWS AND POLICIES TO ENACT MODEL
15 CODES PUBLISHED PURSUANT TO THIS PART 37.

16 (4) THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL ATTEND
17 AND PARTICIPATE IN MEETINGS OF COUNTY, MUNICIPAL, AND REGIONAL
18 PLANNING BODIES, INTERSTATE AGENCIES, AND OTHER CONFERENCES OF
19 SUCH BODIES, AGENCIES, AND RELATED ENTITIES TO RAISE AWARENESS OF
20 THE MODEL CODES AND GUIDELINES ENACTED PURSUANT TO THIS PART 37
21 AND THE TECHNICAL ASSISTANCE MADE AVAILABLE PURSUANT TO THIS
22 PART 37.

23 (5)(a) THE DEPARTMENT SHALL SERVE AS A CLEARING HOUSE, FOR
24 THE BENEFIT OF LOCAL GOVERNMENTS, OF INFORMATION RELATING TO THE
25 MATTERS ADDRESSED IN THIS PART 37 AND REFER LOCAL GOVERNMENTS
26 TO STATE AND FEDERAL RESOURCES AND APPROPRIATE DEPARTMENTS OR
27 AGENCIES OF THE STATE OR FEDERAL GOVERNMENT FOR ADVICE,
28 ASSISTANCE, OR AVAILABLE SERVICES IN CONNECTION WITH THE
29 APPLICATION OF THIS PART 37.

30 (b) THE DEPARTMENT SHALL IDENTIFY OPPORTUNITIES FOR,
31 ENCOURAGE, AND, WHEN SO REQUESTED, ASSIST COOPERATIVE EFFORTS
32 AMONG LOCAL GOVERNMENTS TOWARD THE SOLUTION OF COMMON
33 PROBLEMS RELATED TO GROWTH AND THE APPLICATION OF THIS PART 37.

34 (c) THE DEPARTMENT MAY ATTEMPT TO MEDIATE DISPUTES
35 BETWEEN LOCAL GOVERNMENTS REGARDING THE ENACTMENT OF LOCAL
36 LAW OR POLICIES RELATED TO THIS PART 37 OR REFER LOCAL
37 GOVERNMENTS TO THE LIST OF MEDIATORS MAINTAINED PURSUANT TO
38 SECTION 24-32-3209 TO ASSIST IN THE RESOLUTION OF SUCH DISPUTES.

39 (6) (a) THE HOUSING NEEDS PLANNING GRANT FUND IS HEREBY
40 CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF GIFTS, GRANTS,
41 AND DONATIONS CREDITED TO THE FUND AND ANY OTHER MONEY THAT
42 THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.
43 THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED

1 FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE HOUSING NEEDS
2 ASSESSMENT AND PLANNING ASSISTANCE FUND TO THE FUND.

3 (b) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
4 ASSEMBLY, THE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR
5 THE PURPOSES OF PROVIDING TECHNICAL ASSISTANCE AND IMPLEMENTING
6 A GRANT PROGRAM PURSUANT TO THIS PART 37.

7 **24-32-3713. Statewide summit.** (1) NO LATER THAN APRIL 15,
8 2024, THE DIRECTOR, ALONG WITH THE STATEWIDE ASSOCIATION OF
9 MUNICIPALITIES, THE STATEWIDE ASSOCIATION OF COUNTIES, AND THE
10 STATEWIDE ASSOCIATION OF SPECIAL DISTRICTS SHALL HOLD BOTH A
11 STATEWIDE SUMMIT AND AT LEAST SIX REGIONAL MEETINGS THROUGHOUT
12 THE STATE.

13 (2) PARTICIPANTS AT THE SUMMIT AND REGIONAL MEETINGS
14 SHALL:

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

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

20 (3) NO LATER THAN SEPTEMBER 15, 2024, THE ~~EXECUTIVE~~
21 DIRECTOR SHALL REPORT ON THE RESULTS OF THE SUMMIT AND REGIONAL
22 MEETINGS TO THE SENATE LOCAL GOVERNMENT AND HOUSING COMMITTEE
23 AND THE HOUSE OF REPRESENTATIVES TRANSPORTATION, HOUSING, AND
24 LOCAL GOVERNMENT COMMITTEE, OR THEIR SUCCESSOR COMMITTEES.

25 (3) AT LEAST FOUR OF THE REGIONAL MEETINGS MUST BE HELD
26 OUTSIDE OF THE DENVER REGIONAL COUNCIL OF GOVERNMENTS' AREA.

27 (4) THE SUMMIT AND REGIONAL MEETINGS MUST INCLUDE
28 REPRESENTATIVES FROM:

29 (a) LOCAL GOVERNMENTS;
30 (b) CHAMBERS OF COMMERCE;
31 (c) AFFORDABLE HOUSING GROUPS;
32 (d) INFRASTRUCTURE AND SERVICE PROVIDERS;
33 (e) WATER PROVIDERS;
34 (f) THE AGRICULTURAL SECTOR;
35 (g) HOMEBUILDERS;
36 (h) ENVIRONMENTAL GROUPS;
37 (i) ECONOMIC DEVELOPMENT PROFESSIONALS;
38 (j) TRANSPORTATION EXPERTS;
39 (k) TRIBAL GOVERNMENTS; AND
40 (l) OTHER SUCH STAKEHOLDERS AS NECESSARY TO PROVIDE
41 DIVERSE PERSPECTIVES ON THE ISSUES DISCUSSED AT THE SUMMIT AND
42 REGIONAL MEETINGS PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION.

43 **SECTION 2.** In Colorado Revised Statutes, 24-32-705, **add** (8)

1 as follows:

2 **24-32-705. Functions of division.** (8) THE DIVISION SHALL
3 CONSULT WITH THE ADVISORY COMMITTEE ON FACTORY-BUILT
4 STRUCTURES AND TINY HOMES CREATED IN SECTION 24-32-3305 (3) TO
5 PRODUCE A REPORT NO LATER THAN JUNE 30, 2024, ON THE
6 OPPORTUNITIES AND BARRIERS IN CURRENT STATE LAWS AND
7 REGULATIONS CONCERNING THE BUILDING OF MANUFACTURED HOMES,
8 MODULAR HOMES, AND TINY HOMES.

9 **SECTION 3.** In Colorado Revised Statutes, 24-32-3301, **amend**
10 (1)(c)(II) as follows:

11 **24-32-3301. Legislative declaration.** (1) The general assembly
12 hereby finds, determines, and declares that mobile homes, manufactured
13 housing, and factory-built structures are important and effective ways to
14 meet Colorado's affordable housing needs. The general assembly further
15 finds and declares that, because of the housing crisis in Colorado, there
16 is a need to promote the affordability and accessibility of new
17 manufactured homes and factory-built structures. The general assembly
18 encourages local governments to enact ordinances and rules that
19 effectively treat factory-built structures certified through the state
20 program and manufactured housing certified through the federal program
21 the same as site-built homes. The general assembly further finds,
22 determines, and declares that:

23 (c) The protection of Colorado consumers who purchase
24 manufactured homes or tiny homes from fraud and other unfair business
25 practices is a matter of statewide concern and consumers can best be
26 protected by:

27 (II) Imposing escrow and bonding requirements upon persons
28 engaged in the business of ~~manufacturing or~~ selling manufactured homes
29 or tiny homes; and

30 **SECTION 4.** In Colorado Revised Statutes, 24-32-3303, **amend**
31 (1)(c) as follows:

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

33 (1) The division has the following powers and duties pursuant to this part
34 33:

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

38 **SECTION 5.** In Colorado Revised Statutes, 24-32-3311, **amend**
39 (1)(a.3) as follows:

40 **24-32-3311. Certification of factory-built structures - rules.**

41 (1) (a.3) Manufacturers of factory-built structures to be installed in the
42 state shall register with the division as provided in board rules and are
43 subject to enforcement action, including suspension or revocation of their

1 registration for failing to comply with requirements contained in this part
2 33 and board rules. A manufacturer shall:

3 ~~(I) Comply with escrow requirements of down payments as~~
4 ~~established by the board by rule; and~~

5 ~~(II) Provide a letter of credit, certificate of deposit issued by a~~
6 ~~licensed financial institution, or surety bond issued by an authorized~~
7 ~~insurer in an amount and process established by the board by rule. A~~
8 ~~financial institution or authorized insurer shall pay the division the letter~~
9 ~~of credit, certificate of deposit, or surety bond if a court of competent~~
10 ~~jurisdiction has rendered a final judgment in favor of the division based~~
11 ~~on a finding that:~~

12 ~~(A) The manufacturer failed to deliver the factory-built structure;~~

13 ~~(B) The manufacturer failed to refund a down payment made~~
14 ~~toward the purchase of the factory-built structure; or~~

15 ~~(C) The manufacturer ceased doing business operations or filed~~
16 ~~for bankruptcy.~~

17 **SECTION 6.** In Colorado Revised Statutes, 30-28-106, **repeal**
18 **and reenact, with amendments,** (3)(a); and **add** (3)(a.5), (3)(a.7),
19 (3)(a.9), and (8) as follows:

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

32 (a.5) (I) WHEN A COUNTY OR REGION DECIDES TO ADOPT A MASTER
33 PLAN, THE COUNTY OR REGIONAL PLANNING COMMISSION SHALL CONDUCT
34 PUBLIC HEARINGS, AFTER NOTICE OF SUCH PUBLIC HEARINGS HAS BEEN
35 PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY OR
36 REGION IN A MANNER SUFFICIENT TO NOTIFY THE PUBLIC OF THE TIME,
37 PLACE, AND NATURE OF THE PUBLIC HEARING, PRIOR TO FINAL ADOPTION
38 OF A MASTER PLAN IN ORDER TO ENCOURAGE PUBLIC PARTICIPATION IN
39 AND AWARENESS OF THE DEVELOPMENT OF THE PLAN AND SHALL ACCEPT
40 AND CONSIDER ORAL AND WRITTEN PUBLIC COMMENTS THROUGHOUT THE
41 PROCESS OF DEVELOPING THE PLAN.

42 (II) THE COUNTY OR REGIONAL PLANNING COMMISSION SHALL
43 FOLLOW THE PROCEDURES IN SECTION 24-32-3209 REGARDING THE

1 PROVISION OF NOTICE OF HEARINGS AND THE DRAFT PLAN TO
2 NEIGHBORING JURISDICTIONS. THE ADOPTION OF THE PLAN SHALL BE
3 SUBJECT TO OBJECTION AND MEDIATION AS PROVIDED IN SECTION
4 24-32-3209. FOR PURPOSES OF THIS SECTION, ANY SPECIAL DISTRICT THAT
5 SUPPLIES WATER TO THE AREA COVERED BY THE PLAN SHALL BE
6 CONSIDERED A NEIGHBORING JURISDICTION.

7 (III) THE COUNTY OR REGIONAL PLANNING COMMISSION SHALL
8 CONSIDER THE FOLLOWING, WHERE APPLICABLE OR APPROPRIATE, IN
9 ADDITION TO THE MATTERS IDENTIFIED IN SUBSECTIONS (3)(a.7) AND
10 (3)(a.9) OF THIS SECTION AND ANY OTHER INFORMATION DEEMED
11 RELEVANT BY THE COUNTY OR REGIONAL PLANNING COMMISSION:

12 (A) THE APPLICABLE STATEWIDE AND LOCAL HOUSING NEEDS
13 ASSESSMENTS PUBLISHED PURSUANT TO SECTION 24-32-3702 (2);

14 (B) STATE STRATEGIC GROWTH OBJECTIVES PUBLISHED PURSUANT
15 TO SECTION 24-32-3708;

16 (C) THE WATER SUPPLY FORECAST PUBLISHED PURSUANT TO
17 SECTION 24-32-3709;

18 (D) THE NATURAL LAND AND AGRICULTURAL PRIORITIES REPORT
19 PUBLISHED PURSUANT TO SECTION 24-32-3710; AND

20 (E) THE COLORADO STATE WATER PLAN ADOPTED PURSUANT TO
21 SECTION 37-60-106.3.

22 (F) THE KEY CORRIDORS MAP PUBLISHED PURSUANT TO SECTION
23 43-1-131.

24 (a.7) THE PLAN MUST INCLUDE:

25 (I) A NARRATIVE DESCRIPTION OF THE PROCEDURE USED FOR THE
26 DEVELOPMENT AND ADOPTION OF THE PLAN, INCLUDING A SUMMARY OF
27 ANY OBJECTIONS TO THE PLAN MADE BY NEIGHBORING JURISDICTIONS
28 PURSUANT TO SECTION 24-32-3209 AND A DESCRIPTION OF THE
29 RESOLUTION OR OUTCOME OF THE OBJECTIONS;

30 (II) A WATER SUPPLY ELEMENT DEVELOPED IN CONSULTATION
31 WITH ENTITIES THAT SUPPLY WATER FOR USE WITHIN THE COUNTY OR
32 REGION TO ENSURE COORDINATION ON WATER SUPPLY AND FACILITY
33 PLANNING. THE WATER SUPPLY ELEMENT MUST BE ADOPTED NO LATER
34 THAN DECEMBER 31, 2026, AND MUST BE INCLUDED IN ANY NEW PLAN
35 ADOPTED AFTER DECEMBER 31, 2026. THE WATER SUPPLY ELEMENT MUST
36 BE UPDATED EVERY FIVE YEARS. THE WATER SUPPLY ELEMENT MUST:

37 (A) IDENTIFY THE GENERAL LOCATION AND EXTENT OF AN
38 ADEQUATE AND SUITABLE SUPPLY OF WATER;

39 (B) IDENTIFY WATER SUPPLIES AND FACILITIES SUFFICIENT TO
40 MEET THE NEEDS OF THE PUBLIC AND PRIVATE INFRASTRUCTURE
41 REASONABLY ANTICIPATED OR IDENTIFIED IN THE PLANNING PROCESS;

42 (C) INCLUDE WATER CONSERVATION POLICIES, TO BE DETERMINED
43 BY THE COUNTY OR REGION, WHICH MAY INCLUDE GOALS SPECIFIED IN THE

1 STATE WATER PLAN ADOPTED PURSUANT TO SECTION 37-60-106.3 AND
2 MAY INCLUDE POLICIES TO IMPLEMENT WATER CONSERVATION AND OTHER
3 STATE WATER PLAN GOALS AS A CONDITION OF DEVELOPMENT APPROVALS,
4 INCLUDING SUBDIVISIONS, PLANNED UNIT DEVELOPMENTS, SPECIAL USE
5 PERMITS, AND ZONING CHANGES. A COUNTY OR REGION WITH A MASTER
6 PLAN THAT INCLUDES A WATER SUPPLY ELEMENT SHALL ENSURE THAT ITS
7 MASTER PLAN INCLUDES WATER CONSERVATION POLICIES AT THE FIRST
8 AMENDING OF THE MASTER PLAN THAT OCCURS AFTER, BUT IN NO CASE
9 LATER THAN JULY 1, 2025.

10 (D) NOTHING IN THIS SUBSECTION (3)(a.7)(II) SHALL BE
11 CONSTRUED TO SUPERSEDE, ABROGATE, OR OTHERWISE IMPAIR THE
12 ALLOCATION OF WATER PURSUANT TO THE STATE CONSTITUTION OR LAWS,
13 THE RIGHT TO BENEFICIALLY USE WATER PURSUANT TO DECREES,
14 CONTRACTS, OR OTHER WATER USE AGREEMENTS, OR THE OPERATION,
15 MAINTENANCE, REPAIR, REPLACEMENT, OR USE OF ANY WATER FACILITY.

16 (E) THE DEPARTMENT OF LOCAL AFFAIRS MAY HIRE AND EMPLOY
17 ONE FULL-TIME EMPLOYEE TO PROVIDE EDUCATIONAL RESOURCES AND
18 ASSISTANCE TO A COUNTY OR REGION THAT INCLUDES WATER
19 CONSERVATION POLICIES IN THE WATER ELEMENTS OF MASTER PLANS AS
20 REQUIRED BY SUBSECTION (3)(a.7)(II)(C) OF THIS SECTION.

21 (III) A HOUSING ELEMENT CONSISTING OF A HOUSING NEEDS PLAN,
22 CONSIDERING THE GUIDANCE PROVIDED FOR THE CREATION OF A HOUSING
23 NEEDS PLAN PUBLISHED BY THE DEPARTMENT OF LOCAL AFFAIRS
24 PURSUANT TO SECTION 24-32-3703. THE HOUSING ELEMENT MUST BE
25 ADOPTED NO LATER THAN DECEMBER 31, 2026, AND MUST BE INCLUDED
26 IN ANY NEW PLAN ADOPTED AFTER DECEMBER 31, 2026. THE HOUSING
27 ELEMENT MUST BE UPDATED EVERY FIVE YEARS. A COUNTY OR REGION
28 WITH A POPULATION OF LESS THAN TEN THOUSAND IS NOT REQUIRED TO
29 CREATE A HOUSING ELEMENT, UNLESS THE COUNTY OR REGION RECEIVES
30 FUNDING TO CREATE THE PLAN THROUGH THE TECHNICAL ASSISTANCE
31 PROVIDED PURSUANT TO SECTION 24-32-3712. THE HOUSING ELEMENT
32 MUST INCLUDE:

33 (A) AN ANALYSIS OF OPPORTUNITIES TO ADDRESS HOUSING NEEDS
34 IN THE COUNTY OR REGION, INCLUDING OPPORTUNITIES TO CREATE AN
35 EQUITABLE AND EFFICIENT DISTRIBUTION OF DWELLING UNITS,
36 PARTICULARLY IN TRANSIT-ORIENTED AREAS AS DEFINED IN SECTION
37 24-32-3701 (17), CONSIDERING THE NEEDS AND RESOURCES OF THE
38 COUNTY OR REGION;

39 (B) A DESCRIPTION OF HOUSING AFFORDABILITY STRATEGIES
40 DEVELOPED BY THE COUNTY OR REGION OR THE DEPARTMENT OF LOCAL
41 AFFAIRS PURSUANT TO SECTION 24-32-3704 THAT THE COUNTY OR REGION
42 HAS IMPLEMENTED AND MAY IMPLEMENT;

43 (C) A NARRATIVE ANALYSIS OF ANY AREA AT ELEVATED RISK OF

1 DISPLACEMENT AND A DESCRIPTION OF DISPLACEMENT MITIGATION
2 STRATEGIES DEVELOPED BY THE COUNTY OR REGION OR THE DEPARTMENT
3 OF LOCAL AFFAIRS PURSUANT TO SECTION 24-32-3705 THAT THE COUNTY
4 OR REGION HAS IMPLEMENTED AND MAY IMPLEMENT;

5 (D) A DESCRIPTION OF COMMUNITY ENGAGEMENT STRATEGIES
6 DEVELOPED BY THE COUNTY OR REGION OR DEPARTMENT OF LOCAL
7 AFFAIRS PURSUANT TO SECTION 24-32-3706 THAT THE COUNTY OR REGION
8 HAS ADOPTED OR MAY ADOPT;

9 (E) A DESCRIPTION OF ELEMENTS OF ANY MODEL RESIDENTIAL
10 DEVELOPMENT CODE DEVELOPED BY THE DEPARTMENT OF LOCAL AFFAIRS
11 PURSUANT TO SECTION 24-32-3707 THAT THE COUNTY OR REGION HAS
12 ADOPTED OR MAY ADOPT AND ANY LAND USE LAWS ADOPTED BY THE
13 COUNTY OR REGION TO INCREASE DENSITY AND THE SUPPLY OF HOUSING,
14 INCLUDING REGULATED AFFORDABLE HOUSING; AND

15 (IV) A DESCRIPTION OF OPPORTUNITIES FOR INTERGOVERNMENTAL
16 COORDINATION TO ADDRESS LOCAL AND REGIONAL HOUSING NEEDS AND
17 ANY INTERGOVERNMENTAL COORDINATION EFFORTS UNDERTAKEN TO
18 ADDRESS SUCH NEEDS.

19 (a.9) THE PLAN MAY INCLUDE, WHERE APPLICABLE OR
20 APPROPRIATE:

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

33 (II) THE GENERAL LOCATION OF PUBLIC PLACES OR FACILITIES,
34 INCLUDING PUBLIC SCHOOLS, CULTURALLY, HISTORICALLY, OR
35 ARCHAEOLOGICALLY SIGNIFICANT BUILDINGS, SITES, AND OBJECTS,
36 PLAYGROUNDS, FORESTS, RESERVATIONS, SQUARES, PARKS, AIRPORTS,
37 AVIATION FIELDS, MILITARY INSTALLATIONS, AND OTHER PUBLIC WAYS,
38 GROUNDS, OPEN SPACES, TRAILS, AND DESIGNATED FEDERAL, STATE, AND
39 LOCAL WILDLIFE AREAS. FOR PURPOSES OF THIS SECTION, "MILITARY
40 INSTALLATION" SHALL HAVE THE SAME MEANING AS SPECIFIED IN SECTION
41 29-20-105.6 (2)(b);

42 (III) THE GENERAL LOCATION AND EXTENT OF PUBLIC UTILITIES,
43 TERMINALS, CAPITAL FACILITIES, AND TRANSFER FACILITIES, WHETHER

1 PUBLICLY OR PRIVATELY OWNED, FOR WATER, LIGHT, POWER, SANITATION,
2 TRANSPORTATION, COMMUNICATION, HEAT, AND OTHER PURPOSES, AND
3 ANY PROPOSED OR PROJECTED NEEDS FOR CAPITAL FACILITIES AND
4 UTILITIES, INCLUDING THE PRIORITIES, ANTICIPATED COSTS, AND FUNDING
5 PROPOSALS FOR SUCH FACILITIES AND UTILITIES;

6 (IV) THE ACCEPTANCE, WIDENING, REMOVAL, EXTENSION,
7 RELOCATION, NARROWING, VACATION, ABANDONMENT, MODIFICATION, OR
8 CHANGE OF USE OF ANY OF THE PUBLIC WAYS, RIGHTS-OF-WAY, INCLUDING
9 THE COORDINATION OF SUCH RIGHTS-OF-WAY WITH THE RIGHTS-OF-WAY
10 OF OTHER COUNTIES, REGIONS, OR MUNICIPALITIES, GROUNDS, OPEN
11 SPACES, BUILDINGS, PROPERTIES, UTILITIES, OR TERMINALS, REFERRED TO
12 IN SUBSECTIONS (3)(a.7)(II), (3)(a.9)(I), (3)(a.9)(II), AND (3)(a.9)(III) OF
13 THIS SECTION;

14 (V) METHODS FOR ASSURING ACCESS TO APPROPRIATE CONDITIONS
15 FOR 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.

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

30 (VII) THE GENERAL LOCATION AND EXTENT OF FORESTS,
31 AGRICULTURAL AREAS, FLOOD CONTROL AREAS, AND OPEN DEVELOPMENT
32 AREAS FOR PURPOSES OF CONSERVATION, FOOD AND WATER SUPPLY,
33 SANITARY AND DRAINAGE FACILITIES, FLOOD CONTROL, OR THE
34 PROTECTION OF URBAN DEVELOPMENT;

35 (VIII) A LAND CLASSIFICATION AND UTILIZATION PROGRAM;

36 (IX) PROJECTIONS OF POPULATION GROWTH AND HOUSING NEEDS
37 TO ACCOMMODATE THE PROJECTED POPULATION FOR SPECIFIED
38 INCREMENTS OF TIME. THE COUNTY OR REGION MAY BASE THESE
39 PROJECTIONS UPON DATA FROM THE DEPARTMENT OF LOCAL AFFAIRS AND
40 UPON THE COUNTY'S OR REGION'S LOCAL OBJECTIVES;

41 (X) THE LOCATION OF AREAS CONTAINING STEEP SLOPES,
42 GEOLOGICAL HAZARDS, ENDANGERED OR THREATENED SPECIES,
43 WETLANDS, FLOODPLAINS, FLOODWAYS, AND FLOOD RISK ZONES, HIGHLY

1 ERODIBLE LAND OR UNSTABLE SOILS, AND WILDFIRE HAZARDS. FOR
2 PURPOSES OF DETERMINING THE LOCATION OF SUCH AREAS, THE PLANNING
3 COMMISSION SHOULD CONSIDER THE FOLLOWING SOURCES FOR GUIDANCE:

4 (A) THE COLORADO GEOLOGICAL SURVEY FOR DEFINING AND
5 MAPPING GEOLOGICAL HAZARDS;

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

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

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

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

19 (F) THE COLORADO STATE FOREST SERVICE FOR LOCATING
20 WILDFIRE HAZARD AREAS.

21 (8) A COUNTY OR REGIONAL PLANNING COMMISSION SHALL SUBMIT
22 THE MASTER PLAN AND ANY SEPARATELY APPROVED WATER ELEMENT AND
23 HOUSING ELEMENT TO THE DIVISION OF LOCAL GOVERNMENT IN THE
24 DEPARTMENT OF LOCAL AFFAIRS. THE DIVISION OF LOCAL GOVERNMENT
25 SHALL REVIEW PLANS AND MAY PROVIDE COMMENTS TO THE COMMISSION.

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

28 **31-15-713. Power to sell public works - real property.** (1) The
29 governing body of each municipality has the power:

30 (d) NOTWITHSTANDING SUBSECTIONS (1)(a) AND (1)(b) OF THIS
31 SECTION, TO SELL AND DISPOSE OF, BY ORDINANCE, ANY PUBLIC BUILDING
32 OR REAL PROPERTY OWNED BY A MUNICIPALITY THAT IS HELD FOR
33 GOVERNMENT PURPOSES OTHER THAN PARK PURPOSES, IF THE SALE AND
34 DISPOSITION OF THE PUBLIC BUILDING OR REAL PROPERTY IS FOR THE
35 PURPOSE OF PROVIDING PROPERTY TO BE USED FOR THE DEVELOPMENT OF
36 AFFORDABLE HOUSING, AS THE TERM IS DEFINED IN SECTION 29-33-102 (3).
37 THE GOVERNING BODY SHALL DETERMINE THE TERMS AND CONDITIONS OF
38 THE SALE AND DISPOSITION AT A REGULAR OR SPECIAL MEETING AND
39 SHALL MAKE THESE TERMS AND CONDITIONS PUBLICLY AVAILABLE.

40 **SECTION 8.** In Colorado Revised Statutes, 31-23-206, **repeal**
41 **and reenact, with amendments,** (1); and **add** (1.3), (1.5), (1.7), and (8)
42 as follows:

43 **31-23-206. Master plan.** (1) IT IS THE DUTY OF THE COMMISSION

1 TO MAKE AND ADOPT A MASTER PLAN FOR THE PHYSICAL DEVELOPMENT
2 OF THE MUNICIPALITY, INCLUDING ANY AREAS OUTSIDE ITS BOUNDARIES,
3 SUBJECT TO THE APPROVAL OF THE GOVERNMENTAL BODY HAVING
4 JURISDICTION THEREOF, THAT IN THE COMMISSION'S JUDGMENT BEAR
5 RELATION TO THE PLANNING OF THE MUNICIPALITY. THE MASTER PLAN OF
6 A MUNICIPALITY IS AN ADVISORY DOCUMENT TO GUIDE LAND
7 DEVELOPMENT DECISIONS; HOWEVER, THE PLAN OR ANY PART THEREOF
8 MAY BE MADE BINDING BY INCLUSION IN THE MUNICIPALITY'S ADOPTED
9 SUBDIVISION, ZONING, PLATTING, PLANNED UNIT DEVELOPMENT, OR OTHER
10 SIMILAR LAND DEVELOPMENT REGULATIONS AFTER SATISFYING NOTICE,
11 DUE PROCESS, AND HEARING REQUIREMENTS FOR LEGISLATIVE OR
12 QUASI-JUDICIAL PROCESSES AS APPROPRIATE. THE PLAN, WITH THE
13 ACCOMPANYING MAPS, PLATS, CHARTS, AND DESCRIPTIVE MATTER, MUST
14 SHOW THE COMMISSION'S RECOMMENDATIONS FOR THE DEVELOPMENT OF
15 THE MUNICIPALITY AND OUTLYING AREAS.

16 (1.3)(a) WHEN A COMMISSION DECIDES TO ADOPT A MASTER PLAN,
17 THE COMMISSION SHALL CONDUCT PUBLIC HEARINGS, AFTER NOTICE OF
18 SUCH PUBLIC HEARINGS HAS BEEN PUBLISHED IN A NEWSPAPER OF
19 GENERAL CIRCULATION IN THE MUNICIPALITY IN A MANNER SUFFICIENT TO
20 NOTIFY THE PUBLIC OF THE TIME, PLACE, AND NATURE OF THE PUBLIC
21 HEARING, PRIOR TO FINAL ADOPTION OF A MASTER PLAN IN ORDER TO
22 ENCOURAGE PUBLIC PARTICIPATION IN AND AWARENESS OF THE
23 DEVELOPMENT OF SUCH PLAN AND SHALL ACCEPT AND CONSIDER ORAL
24 AND WRITTEN PUBLIC COMMENTS THROUGHOUT THE PROCESS OF
25 DEVELOPING THE PLAN.

26 (b) THE COMMISSION SHALL FOLLOW THE PROCEDURES IN SECTION
27 24-32-3209 REGARDING THE PROVISION OF NOTICE OF HEARINGS AND THE
28 DRAFT PLAN TO NEIGHBORING JURISDICTIONS. THE ADOPTION OF THE PLAN
29 SHALL BE SUBJECT TO THE OBJECTION AND MEDIATION AS PROVIDED IN
30 SECTION 24-32-3209. FOR PURPOSES OF THIS SECTION, ANY SPECIAL
31 DISTRICT THAT SUPPLIES WATER TO THE AREA COVERED BY THE PLAN
32 SHALL BE CONSIDERED A NEIGHBORING JURISDICTION.

33 (c) THE COMMISSION SHALL CONSIDER THE FOLLOWING, WHERE
34 APPLICABLE OR APPROPRIATE, IN ADDITION TO THE MATTERS IDENTIFIED
35 IN SUBSECTIONS (1.5) AND (1.7) OF THIS SECTION AND OTHER
36 INFORMATION DEEMED RELEVANT BY THE COMMISSION:

37 (I) THE APPLICABLE STATEWIDE AND LOCAL HOUSING NEEDS
38 ASSESSMENTS PUBLISHED PURSUANT TO SECTION 24-32-3702 (2);

39 (II) STATE STRATEGIC GROWTH OBJECTIVES PUBLISHED PURSUANT
40 TO SECTION 24-32-3708;

41 (III) THE WATER SUPPLY FORECAST PUBLISHED PURSUANT TO
42 SECTION 24-32-3709;

43 (IV) THE NATURAL LAND AND AGRICULTURAL PRIORITIES REPORT

1 PUBLISHED PURSUANT TO SECTION 24-32-3710; AND
2 (V) THE COLORADO STATE WATER PLAN ADOPTED PURSUANT TO
3 SECTION 37-60-106.3.
4 (1.5) THE PLAN MUST INCLUDE:
5 (a) A NARRATIVE DESCRIPTION OF THE PROCEDURE USED FOR THE
6 DEVELOPMENT AND ADOPTION OF THE PLAN, INCLUDING A SUMMARY OF
7 ANY OBJECTIONS TO THE PLAN MADE BY NEIGHBORING JURISDICTIONS
8 PURSUANT TO SECTION 24-32-3209 AND A DESCRIPTION OF THE
9 RESOLUTION OR OUTCOME OF THE OBJECTIONS;
10 (b) THE MOST RECENT VERSION OF THE PLAN REQUIRED BY
11 SECTION 31-12-105 (1)(e) OR A SIMILAR PLAN FOR AREAS OF POTENTIAL
12 GROWTH WITHIN THREE MILES OF THE MUNICIPALITY'S EXISTING
13 BOUNDARIES.
14 (c) A WATER SUPPLY ELEMENT DEVELOPED IN CONSULTATION
15 WITH ENTITIES THAT SUPPLY WATER FOR USE WITHIN THE MUNICIPALITY
16 TO ENSURE COORDINATION ON WATER SUPPLY AND FACILITY PLANNING.
17 THE WATER SUPPLY ELEMENT SHALL BE ADOPTED NO LATER THAN
18 DECEMBER 31, 2026, AND SHALL BE INCLUDED IN ANY NEW PLAN ADOPTED
19 AFTER DECEMBER 31, 2026. THE WATER SUPPLY ELEMENT SHALL BE
20 UPDATED EVERY FIVE YEARS. THE WATER SUPPLY ELEMENT MUST:
21 (I) IDENTIFY THE GENERAL LOCATION AND EXTENT OF AN
22 ADEQUATE AND SUITABLE SUPPLY OF WATER;
23 (II) IDENTIFY WATER SUPPLIES AND FACILITIES SUFFICIENT TO
24 MEET THE NEEDS OF THE PUBLIC AND PRIVATE INFRASTRUCTURE
25 REASONABLY ANTICIPATED OR IDENTIFIED IN THE PLANNING PROCESS;
26 (III) INCLUDE WATER CONSERVATION POLICIES, TO BE DETERMINED
27 BY THE MUNICIPALITY, WHICH MAY INCLUDE GOALS SPECIFIED IN THE
28 STATE WATER PLAN ADOPTED PURSUANT TO SECTION 37-60-106.3 AND
29 MAY INCLUDE POLICIES TO IMPLEMENT WATER CONSERVATION AND OTHER
30 STATE WATER PLAN GOALS AS A CONDITION OF DEVELOPMENT APPROVALS,
31 INCLUDING SUBDIVISIONS, PLANNED UNIT DEVELOPMENTS, SPECIAL USE
32 PERMITS, AND ZONING CHANGES. A MUNICIPALITY WITH A MASTER PLAN
33 THAT INCLUDES A WATER SUPPLY ELEMENT SHALL ENSURE THAT ITS
34 MASTER PLAN INCLUDES WATER CONSERVATION POLICIES AT THE FIRST
35 AMENDING OF THE MASTER PLAN THAT OCCURS AFTER SEPTEMBER 14,
36 2020, BUT IN NO CASE LATER THAN JULY 1, 2025.
37 (IV) NOTHING IN THIS SUBSECTION (1.5)(c) SHALL BE CONSTRUED
38 TO SUPERSEDE, ABROGATE, OR OTHERWISE IMPAIR THE ALLOCATION OF
39 WATER PURSUANT TO THE STATE CONSTITUTION OR LAWS, THE RIGHT TO
40 BENEFICIALLY USE WATER PURSUANT TO DECREES, CONTRACTS, OR OTHER
41 WATER USE AGREEMENTS, OR THE OPERATION, MAINTENANCE, REPAIR,
42 REPLACEMENT, OR USE OF ANY WATER FACILITY.
43 (V) THE DEPARTMENT OF LOCAL AFFAIRS MAY HIRE AND EMPLOY

1 ONE FULL-TIME EMPLOYEE TO PROVIDE EDUCATIONAL RESOURCES AND
2 ASSISTANCE TO MUNICIPALITIES THAT INCLUDE WATER CONSERVATION
3 POLICIES IN THE WATER ELEMENTS OF MASTER PLANS AS REQUIRED BY
4 SUBSECTION (1.5)(c)(III) OF THIS SECTION.

5 (d) A HOUSING ELEMENT CONSISTING OF A HOUSING NEEDS PLAN
6 CONSIDERING THE GUIDANCE PROVIDED FOR THE CREATION OF A HOUSING
7 NEEDS PLAN PUBLISHED BY THE DEPARTMENT OF LOCAL AFFAIRS
8 PURSUANT TO SECTION 24-32-3703. THE HOUSING ELEMENT MUST BE
9 ADOPTED NO LATER THAN DECEMBER 31, 2026, AND SHALL BE INCLUDED
10 IN ANY NEW PLAN ADOPTED AFTER DECEMBER 31, 2026. THE HOUSING
11 ELEMENT SHALL BE UPDATED EVERY FIVE YEARS. A MUNICIPALITY WITH
12 A POPULATION OF LESS THAN TEN THOUSAND IS NOT REQUIRED TO CREATE
13 A HOUSING ELEMENT, UNLESS THE MUNICIPALITY RECEIVES FUNDING CO
14 CREATE THE PLAN THROUGH TECHNICAL ASSISTANCE PROVIDED PURSUANT
15 TO SECTION 24-32-3712. THE HOUSING ELEMENT MUST INCLUDE:

16 (I) A ANALYSIS OF OPPORTUNITIES TO ADDRESS HOUSING NEEDS IN
17 THE MUNICIPALITY, INCLUDING OPPORTUNITIES TO CREATE ANEQUITABLE
18 AND EFFICIENT DISTRIBUTION OF DWELLING UNITS PARTICULARLY IN
19 TRANSIT-ORIENTED AREAS AS DEFINED IN SECTION 24-32-3701 (17)
20 CONSIDERING THE NEEDS AND RESOURCES OF THE MUNICIPALITY;

21 (II) A DESCRIPTION OF HOUSING AFFORDABILITY STRATEGIES
22 DEVELOPED BY THE MUNICIPALITY OR THE DEPARTMENT OF LOCAL
23 AFFAIRS PURSUANT TO SECTION 24-32-3704 THAT THE MUNICIPALITY HAS
24 IMPLEMENTED AND MAY IMPLEMENT;

25 (III) A NARRATIVE ANALYSIS OF ANY AREA AT ELEVATED RISK OF
26 DISPLACEMENT AND A DESCRIPTION OF DISPLACEMENT MITIGATION
27 STRATEGIES DEVELOPED BY THE MUNICIPALITY OR THE DEPARTMENT OF
28 LOCAL AFFAIRS PURSUANT TO SECTION 24-32-3705 THAT THE
29 MUNICIPALITY HAS IMPLEMENTED AND MAY IMPLEMENT;

30 (IV) A DESCRIPTION OF COMMUNITY ENGAGEMENT STRATEGIES
31 DEVELOPED BY THE MUNICIPALITY OR DEPARTMENT OF LOCAL AFFAIRS
32 PURSUANT TO SECTION 24-32-3706 THAT THE MUNICIPALITY HAS ADOPTED
33 OR MAY ADOPT;

34 (V) A DESCRIPTION OF ELEMENTS OF ANY MODEL RESIDENTIAL
35 DEVELOPMENT CODE DEVELOPED BY THE DEPARTMENT OF LOCAL AFFAIRS
36 PURSUANT TO SECTION 24-32-3707 THAT THE MUNICIPALITY HAS ADOPTED
37 OR MAY ADOPT AND ANY LAND USE LAWS ADOPTED BY THE MUNICIPALITY
38 TO INCREASE DENSITY AND THE SUPPLY OF HOUSING, INCLUDING
39 REGULATED AFFORDABLE HOUSING; AND

40 (VI) A DESCRIPTION OF OPPORTUNITIES FOR INTERGOVERNMENTAL
41 COORDINATION TO ADDRESS LOCAL AND REGIONAL HOUSING NEEDS AND
42 ANY INTERGOVERNMENTAL COORDINATION EFFORTS UNDERTAKEN TO
43 ADDRESS SUCH NEEDS.

1 (1.7) THE PLAN MAY INCLUDE, WHERE APPLICABLE OR
2 APPROPRIATE:

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

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

23 (c) THE GENERAL LOCATION AND EXTENT OF PUBLIC UTILITIES
24 TERMINALS, CAPITAL FACILITIES, AND TRANSFER FACILITIES, WHETHER
25 PUBLICLY OR PRIVATELY OWNED OR OPERATED, FOR WATER, LIGHT,
26 SANITATION, TRANSPORTATION, COMMUNICATION, POWER, AND OTHER
27 PURPOSES, AND ANY PROPOSED OR PROJECTED NEEDS FOR CAPITAL
28 FACILITIES AND UTILITIES, INCLUDING THE PRIORITIES, ANTICIPATED
29 COSTS, AND FUNDING PROPOSALS FOR SUCH FACILITIES AND UTILITIES;

30 (d) THE ACCEPTANCE, REMOVAL, RELOCATION, WIDENING,
31 NARROWING, VACATING, ABANDONMENT, MODIFICATION, CHANGE OF USE,
32 OR EXTENSION OF ANY OF THE PUBLIC WAYS, RIGHTS-OF-WAY, INCLUDING
33 THE COORDINATION OF SUCH RIGHTS-OF-WAY WITH THE RIGHTS-OF-WAY
34 OF OTHER MUNICIPALITIES, COUNTIES, OR REGIONS, GROUNDS, OPEN
35 SPACES, BUILDINGS, PROPERTY, UTILITY, OR TERMINALS, REFERRED TO IN
36 SUBSECTIONS (1.5)(c), (1.7)(a), (1.7)(b), AND (1.7)(c) OF THIS SECTION;

37 (e) A ZONING PLAN FOR THE CONTROL OF THE HEIGHT, AREA, BULK,
38 LOCATION, AND USE OF BUILDINGS AND PREMISES. SUCH A ZONING PLAN
39 MAY PROTECT AND ASSURE ACCESS TO APPROPRIATE CONDITIONS FOR
40 SOLAR, WIND, OR OTHER ALTERNATIVE ENERGY SOURCES, INCLUDING
41 GEOTHERMAL ENERGY USED FOR WATER HEATING OR SPACE HEATING OR
42 COOLING IN A SINGLE BUILDING, FOR SPACE HEATING FOR MORE THAN ONE
43 BUILDING THROUGH A PIPELINE NETWORK, OR FOR ELECTRICITY

1 GENERATION; HOWEVER, REGULATIONS AND RESTRICTIONS OF THE HEIGHT,
2 NUMBER OF STORIES, SIZE OF BUILDINGS AND OTHER STRUCTURES, AND
3 THE HEIGHT AND LOCATION OF TREES AND OTHER VEGETATION SHALL NOT
4 APPLY TO EXISTING BUILDINGS, STRUCTURES, TREES, OR VEGETATION
5 EXCEPT FOR NEW GROWTH ON SUCH VEGETATION.

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

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

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

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

26 (j) THE AREAS CONTAINING STEEP SLOPES, GEOLOGICAL HAZARDS,
27 ENDANGERED OR THREATENED SPECIES, WETLANDS, FLOODPLAINS,
28 FLOODWAYS, AND FLOOD RISK ZONES, HIGHLY ERODIBLE LAND OR
29 UNSTABLE SOILS, AND WILDFIRE HAZARDS. FOR PURPOSES OF
30 DETERMINING THE LOCATION OF SUCH AREAS, THE PLANNING COMMISSION
31 SHOULD CONSIDER THE FOLLOWING SOURCES FOR GUIDANCE:

32 (I) THE COLORADO GEOLOGICAL SURVEY FOR DEFINING AND
33 MAPPING GEOLOGICAL HAZARDS;

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

38 (III) THE UNITED STATES ARMY CORPS OF ENGINEERS AND THE
39 UNITED STATES FISH AND WILDLIFE SERVICE NATIONAL WETLANDS
40 INVENTORY FOR DEFINING AND MAPPING WETLANDS;

41 (IV) THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR
42 DEFINING AND MAPPING FLOODPLAINS, FLOODWAYS, AND FLOOD RISK
43 ZONES;

1 (V) THE NATURAL RESOURCES CONSERVATION SERVICE OF THE
2 UNITED STATES DEPARTMENT OF AGRICULTURE FOR DEFINING AND
3 MAPPING UNSTABLE SOILS AND HIGHLY ERODIBLE LAND; AND
4 (VI) THE COLORADO STATE FOREST SERVICE FOR LOCATING
5 WILDFIRE HAZARD AREAS.
6 (8) THE COMMISSION SHALL SUBMIT THE MASTER PLAN AND ANY
7 SEPARATELY APPROVED WATER ELEMENT AND HOUSING ELEMENT TO THE
8 DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS.
9 THE DIVISION OF LOCAL GOVERNMENT SHALL REVIEW PLANS AND MAY
10 PROVIDE COMMENTS TO THE COMMISSION.
11 **SECTION 9.** In Colorado Revised Statutes, 37-60-126, **amend**
12 **(9)(b); and add (13) as follows:**
13 **37-60-126. Water conservation and drought mitigation**
14 **planning - programs - relationship to state assistance for water**
15 **facilities - guidelines - water efficiency grant program - definitions -**
16 **repeal.** (9) (b) The board and the Colorado water resources and power
17 development authority, to which any covered entity has applied for
18 financial assistance for the construction of a water diversion, storage,
19 conveyance, water treatment, or wastewater treatment facility, shall
20 consider any water conservation plan filed pursuant to this section AND
21 ANY VALIDATED WATER LOSS AUDIT REPORT REQUIRED BY SUBSECTION
22 (13)(d) OF THIS SECTION in determining whether to render financial
23 assistance to such entity. Such consideration shall be carried out within
24 the discretion accorded the board and the Colorado water resources and
25 power development authority pursuant to which such board and authority
26 render such financial assistance to such covered entity.
27 (13) (a) **Short title.** THE SHORT TITLE OF THIS SUBSECTION (13) IS
28 THE "WATER LOSS ACCOUNTING ACT OF 2023".
29 (b) **Legislative declaration.** THE GENERAL ASSEMBLY FINDS
30 THAT:
31 (I) SAFE AND AFFORDABLE DRINKING WATER IS ESSENTIAL TO
32 PUBLIC HEALTH, AFFORDABLE HOUSING, AND ECONOMIC DEVELOPMENT
33 THROUGHOUT THE STATE;
34 (II) THE COST OF PROVIDING RELIABLE DRINKING WATER IS
35 INCREASING DUE TO FACTORS SUCH AS AGING INFRASTRUCTURE, LOW
36 DENSITY LAND USE DEVELOPMENT THAT IS COSTLY TO SERVE, INCREASED
37 ENERGY COSTS, AND MORE COMPLEX AND COSTLY CHANGES TO THE
38 REGULATORY REQUIREMENTS FOR SAFE DRINKING WATER;
39 (III) COMPACT INFILL DEVELOPMENT REDUCES WATER DEMAND
40 AND INFRASTRUCTURE COSTS THROUGH THE USE OF SHORTER PIPES THAT
41 REDUCE LOSSES, SMALLER IRRIGATED LANDSCAPE SPACE PER UNIT, AND BY
42 BETTER UTILIZING EXISTING INFRASTRUCTURE;
43 (IV) WATER MAIN BREAKS ARE VISIBLE AND DISRUPTIVE

1 MANIFESTATIONS OF THE MORE WIDESPREAD PHENOMENON OF LEAKAGE
2 FROM WATER SYSTEMS;

3 (V) LEAKAGE OF DRINKING WATER FROM WATER DISTRIBUTION
4 SYSTEMS ADDS TO THE COST OF SERVICE TO CUSTOMERS AND MAY LEAD
5 TO INCREASED RAW WATER DEMANDS THAT NEGATIVELY IMPACT THE
6 NATURAL ENVIRONMENT;

7 (VI) THE FAILURE TO RECOVER REVENUE FROM WATER DELIVERED
8 TO USERS DUE TO METERING AND BILLING INACCURACIES AND THEFT ALSO
9 INCREASES THE COST PER UNIT OF WATER THAT IS BILLED TO CUSTOMERS;

10 (VII) THE AMERICAN WATER WORKS ASSOCIATION, A NATIONAL
11 ASSOCIATION OF DRINKING WATER UTILITIES AND PROFESSIONALS, HAS
12 RECOMMENDED THAT DRINKING WATER SUPPLIERS CONDUCT AN AUDIT OF
13 WATER LOSSES ON AN ANNUAL BASIS;

14 (VIII) THE AMERICAN WATER WORKS ASSOCIATION HAS
15 PUBLISHED SOFTWARE FOR USE IN CATEGORIZING AND REPORTING WATER
16 LOSSES AND HAS MADE THIS SOFTWARE AVAILABLE WITHOUT CHARGE;

17 (IX) SEVERAL STATES NOW RECOMMEND OR REQUIRE THAT PUBLIC
18 WATER SUPPLIERS UNDER THEIR JURISDICTIONS CONDUCT AN AUDIT OF
19 WATER LOSSES EACH YEAR USING THE STANDARDIZED TERMS AND
20 METHODS PUBLISHED BY THE AMERICAN WATER WORKS ASSOCIATION;
21 AND

22 (X) REGULAR AUDITING OF WATER LOSSES IS A NECESSARY
23 FOUNDATION FOR THE ADOPTION OF COST-EFFECTIVE STRATEGIES TO
24 REDUCE THE AMOUNTS OF LOST WATER AND REVENUE TO ECONOMICALLY
25 REASONABLE LEVELS.

26 (c) **Definitions.** AS USED IN THIS SUBSECTION (13), UNLESS THE
27 CONTEXT OTHERWISE REQUIRES:

28 (I) "VALIDATION" MEANS THE PROCESS WHEREBY A COVERED
29 ENTITY USES A TECHNICAL EXPERT TO CONFIRM THE BASIS OF ALL DATA
30 ENTRIES IN THE COVERED ENTITY'S WATER LOSS AUDIT REPORT AND TO
31 APPROPRIATELY CHARACTERIZE THE QUALITY OF THE REPORTED DATA.
32 THE VALIDATION PROCESS MUST FOLLOW THE PRINCIPLES AND
33 TERMINOLOGY LAID OUT BY THE AMERICAN WATER WORKS ASSOCIATION
34 IN THE LATEST EDITION OF "WATER AUDITS AND LOSS CONTROL
35 PROGRAMS", MANUAL M36, AND IN THE AMERICAN WATER WORKS
36 ASSOCIATION'S FREE WATER AUDIT SOFTWARE. A VALIDATED WATER LOSS
37 AUDIT REPORT MUST INCLUDE THE NAME AND TECHNICAL QUALIFICATIONS
38 OF THE PERSON ENGAGED FOR VALIDATION.

39 (II) "WATER LOSS" MEANS THE DIFFERENCE BETWEEN THE ANNUAL
40 VOLUME OF WATER ENTERING A WATER DISTRIBUTION SYSTEM AND THE
41 ANNUAL VOLUME OF METERED AND UNMETERED WATER TAKEN BY
42 REGISTERED CUSTOMERS, THE WATER SUPPLIER, AND OTHERS WHO ARE
43 IMPLICITLY OR EXPLICITLY AUTHORIZED TO DO SO. "WATER LOSS"

1 INCLUDES THE ANNUAL VOLUMES LOST THROUGH ALL TYPES OF LEAKS,
2 BREAKS, AND OVERFLOWS ON MAINS, SERVICE RESERVOIRS, AND SERVICE
3 CONNECTIONS UP TO THE POINT OF CUSTOMER METERING IN ADDITION TO
4 UNAUTHORIZED CONSUMPTION, ALL TYPES OF METERING INACCURACIES,
5 AND SYSTEMIC DATA-HANDLING ERRORS.

6 (d) **Water loss program requirements.** (I) NO LATER THAN
7 JANUARY 1, 2025, THE BOARD SHALL ADOPT GUIDELINES FOR THE
8 CONDUCT OF STANDARDIZED VALIDATED WATER LOSS AUDITS BY
9 COVERED ENTITIES.

10 (II) NO LATER THAN JUNE 30, 2026, EACH COVERED ENTITY SHALL
11 SUBMIT A COMPLETED AND VALIDATED WATER LOSS AUDIT REPORT FOR
12 THE PREVIOUS CALENDAR YEAR. FOR REPORTS SUBMITTED IN SUBSEQUENT
13 YEARS, EACH COVERED ENTITY SHALL SUBMIT A COMPLETED AND
14 VALIDATED WATER LOSS AUDIT REPORT COVERING THE PREVIOUS
15 CALENDAR YEAR NO LATER THAN JUNE 30 CONCURRENT WITH SECTION
16 37-60-126 (4.5)(a).

17 **SECTION 10.** In Colorado Revised Statutes, 38-33.3-106.5, add
18 (3) as follows:

19 **38-33.3-106.5. Prohibitions contrary to public policy -**
20 **patriotic, political, or religious expression - public rights-of-way - fire**
21 **prevention - renewable energy generation devices - affordable**
22 **housing - drought prevention measures - child care - definitions.**

23 (3) (a) AN ASSOCIATION SHALL NOT PROHIBIT ACCESSORY DWELLING
24 UNITS OR MIDDLE HOUSING IN ANY DECLARATION RECORDED AFTER JULY
25 1, 2024, OR IN ANY BYLAWS OR RULES AND REGULATIONS OF THE
26 ASSOCIATION ADOPTED OR AMENDED AFTER JULY 1, 2024, UNLESS THE
27 DECLARATION, BYLAWS, OR RULES REGULATIONS CONTAINED SUCH A
28 RESTRICTION AS OF THE EFFECTIVE DATE OF THIS SUBSECTION (3)(a) AS
29 ENACTED BY SENATE BILL 23-213, ENACTED IN 2023.

30 (b) AS USED IN THIS SUBSECTION (3), UNLESS THE CONTEXT
31 OTHERWISE REQUIRES:

32 (I) "ACCESSORY DWELLING UNIT" HAS THE SAME MEANING AS SET
33 FORTH IN SECTION 24-32-3701 (1); AND

34 (II) "MIDDLE HOUSING" HAS THE SAME MEANING AS SET FORTH IN
35 SECTION 24-32-3701 (11).

36 **SECTION 11.** In Colorado Revised Statutes, 43-1-106, amend
37 (15)(d) as follows:

38 **43-1-106. Transportation commission - powers and duties -**
39 **rules - definitions - efficiency and accountability committee.** (15) In
40 addition to any other duties required by law, the commission shall have
41 the following charges:

42 (d) To study and make recommendations for existing and future
43 transportation systems in Colorado with a focus of such study and

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

8 **SECTION 12.** In Colorado Revised Statutes, 43-1-113, **add** (20)
9 as follows:

10 **43-1-113. Funds - budgets - fiscal year - reports and**
11 **publications.** (20) BEFORE DECEMBER 31, 2024, THE DEPARTMENT
12 SHALL ENSURE THAT THE PRIORITIZATION CRITERIA FOR ANY GRANT
13 PROGRAM ADMINISTERED BY THE DEPARTMENT ARE CONSISTENT WITH
14 STATE STRATEGIC GROWTH OBJECTIVES SO LONG AS DOING SO DOES NOT
15 VIOLATE FEDERAL LAW.

16 **SECTION 13.** In Colorado Revised Statutes, 43-1-1103, **amend**
17 (5)(i) and (5)(j); and **add** (2.5) and (5)(k) as follows:

18 **43-1-1103. Transportation planning.** (2.5) BEGINNING
19 DECEMBER 31, 2024, ANY REGIONAL TRANSPORTATION PLAN THAT IS
20 CREATED OR UPDATED MUST ADDRESS AND ENSURE CONSISTENCY WITH
21 STATE STRATEGIC GROWTH OBJECTIVES AS DETERMINED PURSUANT TO
22 SECTION 24-32-3708.

23 (5) The department shall integrate and consolidate the regional
24 transportation plans for the transportation planning regions into a
25 comprehensive statewide transportation plan. The formation of the state
26 plan shall be accomplished through a statewide planning process set by
27 rules and regulations promulgated by the commission. The state plan shall
28 address but shall not be limited to the following factors:

29 (i) Effective, efficient, and safe freight transport; ~~and~~

30 (j) Reduction of greenhouse gas emissions; AND

31 (k) BEGINNING DECEMBER 31, 2024, ADDRESS AND ENSURE
32 CONSISTENCY WITH STATE STRATEGIC GROWTH OBJECTIVES.

33 **SECTION 14.** In Colorado Revised Statutes, 43-4-1103, **add**
34 (2)(e) as follows:

35 **43-4-1103. Multimodal transportation options fund - creation**
36 **- revenue sources for fund - use of fund.** (2) (e) ON AND AFTER
37 DECEMBER 31, 2024, EXPENDITURES FOR LOCAL AND STATE MULTIMODAL
38 PROJECTS FROM THE MULTIMODAL TRANSPORTATION OPTIONS FUND SHALL
39 ONLY BE MADE FOR MULTIMODAL PROJECTS THAT THE DEPARTMENT
40 DETERMINES ARE CONSISTENT WITH STATE STRATEGIC GROWTH
41 OBJECTIVES.

42 **SECTION 15. Appropriation.** For the 2023-24 state fiscal year,
43 \$15,000,000 is appropriated to the housing needs planning grants fund

1 created in section 24-32-3712 (6), C.R.S. This appropriation is from the
2 general fund. The department of local affairs is responsible for the
3 accounting relating to this appropriation. Any unexpended and
4 unencumbered money appropriated to the department of local affairs for
5 state fiscal year 2023-24 remains available for expenditure by the division
6 of local government in the department of local affairs or local government
7 grantees through state fiscal year 2026-27 without further appropriation
8 for the department of local affairs and local grantees for the purposes
9 identified in section 24-32-3712.

10 **SECTION 16. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, or safety."

13 Page 1, strike line lines 103 through 113 and substitute:

14 "ASSESS HOUSING NEEDS ACROSS THE STATE, PROVIDING GUIDANCE
15 AND ASSISTANCE TO LOCAL GOVERNMENTS, ADDRESSING
16 REQUIREMENTS FOR THE REGULATION OF MANUFACTURED AND
17 MODULAR HOMES, MODIFYING THE REQUIREMENTS FOR COUNTY AND
18 MUNICIPAL MASTER PLANS, REQUIRING ENTITIES TO SUBMIT A
19 COMPLETED AND VALIDATED WATER LOSS AUDIT REPORT TO THE
20 COLORADO WATER CONSERVATION BOARD, PROHIBITING A UNIT
21 OWNERS' ASSOCIATION FROM PROHIBITING CERTAIN KINDS OF
22 HOUSING IN CERTAIN CIRCUMSTANCES, REQUIRING THE
23 TRANSPORTATION COMMISSION AND THE DEPARTMENT OF
24 TRANSPORTATION TO MODIFY CRITERIA FOR CERTAIN GRANT
25 PROGRAMS AND EXPENDITURES FROM THE MULTIMODAL
26 TRANSPORTATION OPTIONS FUND TO ALIGN WITH STATE STRATEGIC
27 GROWTH OBJECTIVES, AND MAKING AN APPROPRIATION."

28 Page 2, strike lines 101 through 110.

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