

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Local Government & Housing.

SB23-213 be amended as follows:

1 Amend printed bill, page 23, line 12, strike "INCOME." and substitute
2 "INCOME ON HOUSING COSTS."

3 Page 23, strike lines 13 through 22 and substitute:

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

6 (5) "BUILDABLE LANDS ANALYSIS" MEANS AN EVALUATION OF
7 LANDS SUITABLE FOR DEVELOPMENT INCLUDING POTENTIAL GREYFIELD
8 DEVELOPMENT, BROWNFIELD DEVELOPMENT, AND GREENFIELD
9 DEVELOPMENT.

10 (6) "BUS RAPID TRANSIT" MEANS A BUS-BASED TRANSIT SERVICE
11 THAT INCLUDES AT LEAST THREE OF THE FOLLOWING:

12 (a) SERVICE THAT IS SCHEDULED TO RUN EVERY FIFTEEN MINUTES
13 OR LESS DURING THE HIGHEST FREQUENCY SERVICE HOURS;

14 (b) DEDICATED LANES OR BUSWAYS;

15 (c) TRAFFIC SIGNAL PRIORITY;

16 (d) OFF-BOARD FARE COLLECTION;

17 (e) ELEVATED PLATFORMS; OR

18 (f) ENHANCED STATIONS."

19 Renumber succeeding subsections accordingly.

20 Page 23, strike lines 26 and 27 and substitute:

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

25 Page 24, strike lines 1 through 15 and substitute:

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

30 (a) EVALUATIONS OF CONSISTENCY OF AN APPLICATION WITH
31 LOCAL PLANS;

32 (b) COMPATIBILITY OR HARMONY OF AN APPLICATION WITH
33 SURROUNDING LAND USES OR DEVELOPMENT;

34 (c) INDIVIDUALIZED EVALUATIONS RELATING TO MITIGATION OF

1 IMPACTS; OR
2 (d) EVALUATION OF AN APPLICATION'S CONSISTENCY WITH PUBLIC
3 WELFARE.
4 (10) "DISPLACEMENT" MEANS THE RELOCATION OF RESIDENTS DUE
5 TO:
6 (a) INCREASED REAL ESTATE PRICES, RENTS, PROPERTY TAXES, OR
7 OTHER ECONOMIC FACTORS;
8 (b) CAUSES SUCH AS EMINENT DOMAIN, LEASE NON-RENEWALS,
9 AND EVICTIONS;
10 (c) PHYSICAL CONDITIONS AND NEGLECT THAT RENDER
11 RESIDENCES UNINHABITABLE;
12 (d) PHYSICAL DISPLACEMENT WHEREIN EXISTING HOUSING UNITS
13 ARE LOST DUE TO PROPERTY REHABILITATION, REDEVELOPMENT, OR
14 DEMOLITION; OR
15 (e) INDIRECT DISPLACEMENT THAT OCCURS WHEN LOW-INCOME
16 RESIDENTS VACATE UNITS AND THOSE UNITS ARE NO LONGER AFFORDABLE
17 TO OTHER LOW-INCOME HOUSEHOLDS."

18 Renumber succeeding subsections accordingly.

19 Page 24, strike lines 24 through 27 and substitute:

20 "(13) "GREENFIELD DEVELOPMENT" MEANS NEW DEVELOPMENT ON
21 LANDS THAT HAVE PREVIOUSLY NOT BEEN DEVELOPED AND MAY EITHER
22 BE WITHIN CURRENT MUNICIPAL BOUNDARIES OR OUTSIDE THEM AND IN A
23 POTENTIAL ANNEXATION AREA.
24 (14) "GREYFIELD DEVELOPMENT" MEANS INFILL, REDEVELOPMENT,
25 OR NEW DEVELOPMENT WITHIN AN EXISTING MUNICIPALITY OR CENSUS
26 URBANIZED AREA ON VACANT, PARTIALLY VACANT, OR UNDERUTILIZED
27 LAND."

28 Renumber succeeding subsection accordingly.

29 Page 25, after line 3 insert:

30 "(16) "HISTORIC PROPERTY" MEANS A PROPERTY LISTED ON THE
31 NATIONAL REGISTER OF HISTORIC PLACES, LISTED ON THE COLORADO
32 STATE REGISTER OF HISTORIC PROPERTIES, OR LISTED AS A CONTRIBUTING
33 STRUCTURE OR HISTORIC LANDMARK BY A CERTIFIED LOCAL
34 GOVERNMENT, AS DEFINED IN SECTION 39-22-514.5 (2)(b).
35 (17) "KEY CORRIDORS" MEANS THE AREAS DESCRIBED IN SECTION
36 29-33-503 (1)(a) AND DESIGNATED AS KEY CORRIDORS IN THE KEY
37 CORRIDORS MAP PUBLISHED BY THE DEPARTMENT OF TRANSPORTATION

- 1 PURSUANT TO SECTION 29-33-503."
- 2 Page 25, strike lines 4 and 5 and substitute:
- 3 "(18) "LOCAL GOVERNMENT" MEANS A HOME RULE OR STATUTORY
4 CITY, TOWN, TERRITORIAL CITY OR TOWN, CITY AND COUNTY, OR COUNTY
5 AND HOME RULE COUNTY."
- 6 Renumber succeeding subsections accordingly.
- 7 Page 25, strike lines 10 through 12 and substitute "DEVELOPMENTS."
- 8 Page 25, line 15, strike "INCLUDING" and substitute "INCLUDING, BUT NOT
9 LIMITED TO,".
- 10 Page 25, strike lines 25 through 27 and substitute:
- 11 "(23) "MIXED-INCOME DEVELOPMENT" MEANS HOUSING WHERE
12 SOME OF THE HOUSING UNITS WITHIN A PARTICULAR DEVELOPMENT HAVE
13 RESTRICTED RENTAL OR FOR-SALE RATES THAT ARE AFFORDABLE FOR
14 LOW- AND MODERATE-INCOME HOUSEHOLDS AND SOME UNITS HAVE
15 HIGHER RENTAL OR FOR-SALE RATES."
- 16 Page 26, strike lines 1 and 2.
- 17 Renumber succeeding subsections accordingly.
- 18 Page 26, line 5, strike "AN" and substitute "THE COMMITTEE ESTABLISHED
19 IN SECTION 29-33-103."
- 20 Page 26, strike lines 6 through 14.
- 21 Page 26, line 15, after the second "GROUP" insert "CREATED IN THE
22 DEPARTMENT OF LOCAL AFFAIRS".
- 23 Page 26, line 22, strike "RESIDENTIAL".
- 24 Page 26, after line 24 insert:
- 25 "(27) "MUNICIPALITY" MEANS A HOME RULE OR STATUTORY CITY
26 OR TOWN, TERRITORIAL CHARTER CITY OR TOWN, OR CITY AND COUNTY."
- 27 Renumber succeeding subsections accordingly.

- 1 Page 27, strike lines 14 and 15 and substitute:
- 2 "(31) "POPULATION" MEANS CURRENT POPULATION AS REPORTED
3 BY THE STATE DEMOGRAPHER."
- 4 Renumber succeeding subsections accordingly.
- 5 Page 27, strike line 19 and substitute "RESTRICT OR LIMIT RENTAL OR SALE
6 PRICE AND RESTRICT RESIDENT INCOME LEVELS TO LOW-TO
7 MODERATE-INCOME HOUSEHOLDS LEVELS FOR A SPECIFIED PERIOD."
- 8 Page 27, line 20, after "(29)" insert "(a)".
- 9 Page 27, line 22, strike "(a)" and substitute "(I)".
- 10 Page 27, line 23 strike "(b)" and substitute "(II)".
- 11 Page 27, line 24, strike "(c)" and substitute "(III)".
- 12 Page 28, line 1, strike "(d)" and substitute "(IV)".
- 13 Page 28, line 3, strike "(e)" and substitute "(V)".
- 14 Page 28, line 5, strike "HEADWAY".
- 15 Page 28, after line 6 insert:
- 16 "(b) FOR PURPOSES OF THIS SUBSECTION (29), "TRANSIT AGENCY"
17 MEANS:
- 18 (I) A REGIONAL SERVICE AUTHORITY PROVIDING SURFACE
19 TRANSPORTATION PURSUANT TO PART 1 OF ARTICLE 7 OF TITLE 32, A
20 REGIONAL TRANSPORTATION AUTHORITY CREATED PURSUANT TO PART 6
21 OF ARTICLE 4 OF TITLE 43, OR ANY OTHER POLITICAL SUBDIVISION OF THE
22 STATE, PUBLIC ENTITY, OR NONPROFIT CORPORATION PROVIDING MASS
23 TRANSPORTATION SERVICES TO THE GENERAL PUBLIC; AND
- 24 (II) ELIGIBLE TO RECEIVE MONEY UNDER A GRANT AUTHORIZED BY
25 49 U.S.C. SEC. 5307 OR 49 U.S.C. SEC. 5311."
- 26 Page 28, line 11, after "PAYMENT." insert "SUBJECT JURISDICTIONS MAY
27 APPLY THEIR OWN DEFINITION OF SHORT-TERM RENTAL FOR THE PURPOSES
28 OF THIS ARTICLE 33."
- 29 Page 28, strike lines 19 through 24 and substitute:

- 1 "(c) IS IN AN AGRICULTURAL, FORESTRY, NATURAL RESOURCE
2 PRESERVATION, OR OPEN SPACE ZONING DISTRICT;
3 (d) IS A HISTORIC PROPERTY THAT IS NOT WITHIN A HISTORIC
4 DISTRICT; OR".
- 5 Page 29, line 9, strike "THAT IS:" and substitute "THAT:".
- 6 Page 29, line 10, strike "WITHIN" and substitute "Is WITHIN".
- 7 Page 29, strike lines 21 through 24 and substitute:
- 8 "(39) "TOWNHOME" MEANS A SINGLE-UNIT DWELLING UNIT
9 CONSTRUCTED IN A GROUP OF ATTACHED UNITS IN WHICH EACH UNIT
10 EXTENDS FROM FOUNDATION TO ROOF AND HAS OPEN SPACE ON AT LEAST
11 TWO SIDES.".
- 12 Renumber succeeding subsection accordingly.
- 13 Page 30, line 1, strike "(36)," and substitute "(40),".
- 14 Page 30, after line 3 insert:
- 15 "(41) "UNDEVELOPED URBAN LAND" MEANS GREENFIELD
16 DEVELOPMENT AREAS WITHIN AN EXISTING MUNICIPALITY THAT HAVE
17 REMAINED UNDEVELOPED BUT COULD ACCOMMODATE FUTURE
18 DEVELOPMENT.".
- 19 Renumber succeeding subsections accordingly.
- 20 Page 30, strike lines 9 through 11 and substitute:
- 21 "(44) "USE BY RIGHT" MEANS A LAND USE, THE DEVELOPMENT OF
22 WHICH PROCEEDS UNDER OBJECTIVE STANDARDS SET FORTH IN ZONING OR
23 OTHER LOCAL LAWS, AND THAT DOES NOT HAVE A DISCRETIONARY
24 APPROVAL PROCESS.".
- 25 Page 30, line 17, strike "DEMOGRAPHY OFFICE," and substitute
26 "DEMOGRAPHER,".
- 27 Page 31, line 1, strike "AND".
- 28 Page 31, strike lines 2 through 5 and substitute:

1 "(III) ESTIMATE THE HOUSING NECESSARY TO ACCOMMODATE THE
2 DEMOGRAPHIC AND POPULATION TRENDS FORECAST BY THE STATE
3 DEMOGRAPHER, CATEGORIZED BY HOUSEHOLD SIZE; HOUSEHOLD TYPE,
4 INCLUDING FOR SUPPORTIVE, FOR-SALE, AND RENTAL HOUSING; AND
5 INCOME LEVEL, INCLUDING EXTREMELY LOW-INCOME, VERY LOW-INCOME,
6 AND LOW-INCOME HOUSEHOLDS AS DEFINED BY THE UNITED STATES
7 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND
8 (IV) ENSURE LOCAL GOVERNMENT INPUT AND COORDINATION;".

9 Page 31, strike lines 7 through 9 and substitute:

10 "(I) ASSESS REGIONAL HOUSING NEEDS FOR EACH REGION, BASED
11 ON:".

12 Page 31, line 11, strike "LEVELS;" and substitute "LEVELS, INCLUDING
13 EXTREMELY LOW-INCOME, VERY LOW-INCOME, AND LOW-INCOME
14 HOUSEHOLDS AS DEFINED BY THE UNITED STATES DEPARTMENT OF
15 HOUSING AND URBAN DEVELOPMENT;".

16 Page 31, line 12, strike "AND".

17 Page 31, after line 12 insert:

18 "(C) CURRENT JOBS BY INCOME LEVEL;".

19 Reletter succeeding sub-subparagraph accordingly.

20 Page 31, after line 13 insert:

21 "(E) DEMOGRAPHIC AND POPULATION TRENDS FORECAST BY THE
22 STATE DEMOGRAPHER; AND".

23 Page 31, strike lines 19 through 22 and substitute:

24 "(c) FOR LOCAL HOUSING NEEDS ASSESSMENTS, METHODS TO
25 ASSESS LOCAL HOUSING NEEDS FOR EACH LOCAL GOVERNMENT, BASED
26 ON:".

27 Page 31, line 24, strike "LEVELS;" and substitute "LEVELS, INCLUDING
28 EXTREMELY LOW-INCOME, VERY LOW-INCOME, AND LOW-INCOME
29 HOUSEHOLDS AS DEFINED BY THE UNITED STATES DEPARTMENT OF
30 HOUSING AND URBAN DEVELOPMENT;".

1 Page 31, line 26, strike "BALANCE;" and substitute "BALANCE, INCLUDING
2 THE AVAILABILITY OF HOUSING AFFORDABLE TO LOW-INCOME WORKERS
3 IN THE LOCALITY;".

4 Page 32, line 2, strike "AND".

5 Page 32, strike line 3 and substitute:

6 "(VII) MEASURES OF HOMELESSNESS AND HOUSING INSTABILITY
7 IN THE LOCALITY; AND

8 (VIII) DEMOGRAPHIC AND POPULATION TRENDS FORECAST BY THE
9 STATE DEMOGRAPHER.".

10 Page 32, strike lines 14 through 16 and substitute:

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

17 Page 32, line 21, strike "LOCAL GOVERNMENTS" and substitute
18 "MUNICIPALITIES".

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