

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

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 WITH EACH UNIT HAVING A FOOTPRINT OF NO  
22 MORE 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 PASSENGER RAIL  
5 TRANSIT STATION FOR BOARDING AND EXITING THAT USES AND OCCUPIES  
6 A SEPARATE RIGHT-OF-WAY OR RAIL LINE, INCLUDING COMMUTER RAIL  
7 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 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 ON THE EXISTENCE OF A FAMILIAL RELATIONSHIP BETWEEN  
25 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 RISK 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 AND IN THE DEVELOPMENT OF MULTI-AGENCY IMPLEMENTATION  
24 PRINCIPLES. THE STATE STRATEGIC GROWTH OBJECTIVES MUST, AT A  
25 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 AND

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

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

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

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



1 (C) A NARRATIVE ANALYSIS OF ANY AREA AT ELEVATED RISK OF  
2 DISPLACEMENT AND A DESCRIPTION OF DISPLACEMENT MITIGATION  
3 STRATEGIES DEVELOPED BY THE COUNTY OR REGION OR THE DEPARTMENT  
4 OF LOCAL AFFAIRS PURSUANT TO SECTION 24-32-3705 THAT THE COUNTY  
5 OR REGION HAS IMPLEMENTED AND MAY IMPLEMENT;

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

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

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

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

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

34 (II) THE GENERAL LOCATION OF PUBLIC PLACES OR FACILITIES,  
35 INCLUDING PUBLIC SCHOOLS, CULTURALLY, HISTORICALLY, OR  
36 ARCHAEOLOGICALLY SIGNIFICANT BUILDINGS, SITES, AND OBJECTS,  
37 PLAYGROUNDS, FORESTS, RESERVATIONS, SQUARES, PARKS, AIRPORTS,  
38 AVIATION FIELDS, MILITARY INSTALLATIONS, AND OTHER PUBLIC WAYS,  
39 GROUNDS, OPEN SPACES, TRAILS, AND DESIGNATED FEDERAL, STATE, AND  
40 LOCAL WILDLIFE AREAS. FOR PURPOSES OF THIS SECTION, "MILITARY  
41 INSTALLATION" SHALL HAVE THE SAME MEANING AS SPECIFIED IN SECTION  
42 29-20-105.6 (2)(b);

43 (III) THE GENERAL LOCATION AND EXTENT OF PUBLIC UTILITIES,

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

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

15 (V) METHODS FOR ASSURING ACCESS TO APPROPRIATE CONDITIONS  
16 FOR SOLAR, WIND, OR OTHER ALTERNATIVE ENERGY SOURCES, INCLUDING  
17 GEOTHERMAL ENERGY USED FOR WATER HEATING OR SPACE HEATING OR  
18 COOLING IN A SINGLE BUILDING, FOR SPACE HEATING FOR MORE THAN ONE  
19 BUILDING THROUGH A PIPELINE NETWORK, OR FOR ELECTRICITY  
20 GENERATION.

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

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

36 (VIII) A LAND CLASSIFICATION AND UTILIZATION PROGRAM;

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

42 (X) THE LOCATION OF AREAS CONTAINING STEEP SLOPES,  
43 GEOLOGICAL HAZARDS, ENDANGERED OR THREATENED SPECIES,

1 WETLANDS, FLOODPLAINS, FLOODWAYS, AND FLOOD RISK ZONES, HIGHLY  
2 ERODIBLE LAND OR UNSTABLE SOILS, AND WILDFIRE HAZARDS. FOR  
3 PURPOSES OF DETERMINING THE LOCATION OF SUCH AREAS, THE PLANNING  
4 COMMISSION SHOULD CONSIDER THE FOLLOWING SOURCES FOR GUIDANCE:

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

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

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

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

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

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

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

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

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

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

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

1           **31-23-206. Master plan.** (1) IT IS THE DUTY OF THE COMMISSION  
2 TO MAKE AND ADOPT A MASTER PLAN FOR THE PHYSICAL DEVELOPMENT  
3 OF THE MUNICIPALITY, INCLUDING ANY AREAS OUTSIDE ITS BOUNDARIES,  
4 SUBJECT TO THE APPROVAL OF THE GOVERNMENTAL BODY HAVING  
5 JURISDICTION THEREOF, THAT IN THE COMMISSION'S JUDGMENT BEAR  
6 RELATION TO THE PLANNING OF THE MUNICIPALITY. THE MASTER PLAN OF  
7 A MUNICIPALITY IS AN ADVISORY DOCUMENT TO GUIDE LAND  
8 DEVELOPMENT DECISIONS; HOWEVER, THE PLAN OR ANY PART THEREOF  
9 MAY BE MADE BINDING BY INCLUSION IN THE MUNICIPALITY'S ADOPTED  
10 SUBDIVISION, ZONING, PLATTING, PLANNED UNIT DEVELOPMENT, OR OTHER  
11 SIMILAR LAND DEVELOPMENT REGULATIONS AFTER SATISFYING NOTICE,  
12 DUE PROCESS, AND HEARING REQUIREMENTS FOR LEGISLATIVE OR  
13 QUASI-JUDICIAL PROCESSES AS APPROPRIATE. THE PLAN, WITH THE  
14 ACCOMPANYING MAPS, PLATS, CHARTS, AND DESCRIPTIVE MATTER, MUST  
15 SHOW THE COMMISSION'S RECOMMENDATIONS FOR THE DEVELOPMENT OF  
16 THE MUNICIPALITY AND OUTLYING AREAS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 ADDRESS SUCH NEEDS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



1 ZONES;

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

5 (VI) THE COLORADO STATE FOREST SERVICE FOR LOCATING  
6 WILDFIRE HAZARD AREAS.

7 (8) THE COMMISSION SHALL SUBMIT THE MASTER PLAN AND ANY  
8 SEPARATELY APPROVED WATER ELEMENT AND HOUSING ELEMENT TO THE  
9 DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS.  
10 THE DIVISION OF LOCAL GOVERNMENT SHALL REVIEW PLANS AND MAY  
11 PROVIDE COMMENTS TO THE COMMISSION.

12 **SECTION 9.** In Colorado Revised Statutes, 37-60-126, **amend**  
13 **(9)(b); and add (13) as follows:**

14 **37-60-126. Water conservation and drought mitigation**  
15 **planning - programs - relationship to state assistance for water**  
16 **facilities - guidelines - water efficiency grant program - definitions -**  
17 **repeal.** (9) (b) The board and the Colorado water resources and power  
18 development authority, to which any covered entity has applied for  
19 financial assistance for the construction of a water diversion, storage,  
20 conveyance, water treatment, or wastewater treatment facility, shall  
21 consider any water conservation plan filed pursuant to this section AND  
22 ANY VALIDATED WATER LOSS AUDIT REPORT REQUIRED BY SUBSECTION  
23 (13)(d) OF THIS SECTION in determining whether to render financial  
24 assistance to such entity. Such consideration shall be carried out within  
25 the discretion accorded the board and the Colorado water resources and  
26 power development authority pursuant to which such board and authority  
27 render such financial assistance to such covered entity.

28 (13) (a) **Short title.** THE SHORT TITLE OF THIS SUBSECTION (13) IS  
29 THE "WATER LOSS ACCOUNTING ACT OF 2023".

30 (b) **Legislative declaration.** THE GENERAL ASSEMBLY FINDS  
31 THAT:

32 (I) SAFE AND AFFORDABLE DRINKING WATER IS ESSENTIAL TO  
33 PUBLIC HEALTH, AFFORDABLE HOUSING, AND ECONOMIC DEVELOPMENT  
34 THROUGHOUT THE STATE;

35 (II) THE COST OF PROVIDING RELIABLE DRINKING WATER IS  
36 INCREASING DUE TO FACTORS SUCH AS AGING INFRASTRUCTURE, LOW  
37 DENSITY LAND USE DEVELOPMENT THAT IS COSTLY TO SERVE, INCREASED  
38 ENERGY COSTS, AND MORE COMPLEX AND COSTLY CHANGES TO THE  
39 REGULATORY REQUIREMENTS FOR SAFE DRINKING WATER;

40 (III) COMPACT INFILL DEVELOPMENT REDUCES WATER DEMAND  
41 AND INFRASTRUCTURE COSTS THROUGH THE USE OF SHORTER PIPES THAT  
42 REDUCE LOSSES, SMALLER IRRIGATED LANDSCAPE SPACE PER UNIT, AND BY  
43 BETTER UTILIZING EXISTING INFRASTRUCTURE;

1 (IV) WATER MAIN BREAKS ARE VISIBLE AND DISRUPTIVE  
2 MANIFESTATIONS OF THE MORE WIDESPREAD PHENOMENON OF LEAKAGE  
3 FROM WATER SYSTEMS;

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

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

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

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

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

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

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

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

40 (II) "WATER LOSS" MEANS THE DIFFERENCE BETWEEN THE ANNUAL  
41 VOLUME OF WATER ENTERING A WATER DISTRIBUTION SYSTEM AND THE  
42 ANNUAL VOLUME OF METERED AND UNMETERED WATER TAKEN BY  
43 REGISTERED CUSTOMERS, THE WATER SUPPLIER, AND OTHERS WHO ARE

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

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

11 (II) NO LATER THAN JUNE 30, 2026, EACH COVERED ENTITY SHALL  
12 SUBMIT A COMPLETED AND VALIDATED WATER LOSS AUDIT REPORT FOR  
13 THE PREVIOUS CALENDAR YEAR. FOR REPORTS SUBMITTED IN SUBSEQUENT  
14 YEARS, EACH COVERED ENTITY SHALL SUBMIT A COMPLETED AND  
15 VALIDATED WATER LOSS AUDIT REPORT COVERING THE PREVIOUS  
16 CALENDAR YEAR NO LATER THAN JUNE 30 CONCURRENT WITH SECTION  
17 37-60-126 (4.5)(a).

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

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

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

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

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

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

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

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

43 (d) To study and make recommendations for existing and future

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

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

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

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

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

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

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

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

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

43 **SECTION 15. Appropriation.** For the 2023-24 state fiscal year,

1 \$15,000,000 is appropriated to the housing needs planning grants fund  
2 created in section 24-32-3712 (6), C.R.S. This appropriation is from the  
3 general fund. The department of local affairs is responsible for the  
4 accounting relating to this appropriation. Any unexpended and  
5 unencumbered money appropriated to the department of local affairs for  
6 state fiscal year 2023-24 remains available for expenditure by the division  
7 of local government in the department of local affairs or local government  
8 grantees through state fiscal year 2026-27 without further appropriation  
9 for the department of local affairs and local grantees for the purposes  
10 identified in section 24-32-3712.

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

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

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

29 Page 2, strike lines 101 through 110.

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