

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Hinrichsen

1 Amend reengrossed bill, page 12, after line 8 insert:

2 **"29-35-104. Limitations on minimum parking requirements.**

3 (1) NOTWITHSTANDING SECTION 29-35-103, A LOCAL GOVERNMENT MAY
4 IMPOSE OR ENFORCE A MINIMUM PARKING REQUIREMENT IN CONNECTION
5 WITH A HOUSING DEVELOPMENT PROJECT THAT IS INTENDED TO CONTAIN
6 TWENTY UNITS OR MORE AND NOT CONTAIN REGULATED AFFORDABLE
7 HOUSING BY REQUIRING NO MORE THAN ONE PARKING SPACE PER
8 DWELLING UNIT IN THE HOUSING DEVELOPMENT.

9 (2) (a) IN ORDER TO IMPOSE A MINIMUM PARKING REQUIREMENT
10 PURSUANT TO SUBSECTION (1) OF THIS SECTION IN CONNECTION WITH A
11 HOUSING DEVELOPMENT PROJECT, A LOCAL GOVERNMENT MUST, NO LATER
12 THAN NINETY DAYS AFTER RECEIVING A COMPLETED APPLICATION FOR THE
13 HOUSING DEVELOPMENT PROJECT, PUBLICLY PUBLISH WRITTEN FINDINGS
14 THAT FIND THAT NOT IMPOSING OR ENFORCING A MINIMUM PARKING
15 REQUIREMENT IN CONNECTION WITH THE HOUSING DEVELOPMENT PROJECT
16 WOULD HAVE A SUBSTANTIAL NEGATIVE IMPACT.

17 (b) A LOCAL GOVERNMENT'S WRITTEN FINDINGS PUBLISHED
18 PURSUANT TO SUBSECTION (2)(a) MUST:

19 (I) BE SUPPORTED BY SUBSTANTIAL EVIDENCE THAT SUPPORTS THE
20 FINDING OF A SUBSTANTIAL NEGATIVE IMPACT ON:

21 (A) SAFE PEDESTRIAN, BICYCLE, OR EMERGENCY ACCESS TO THE
22 HOUSING DEVELOPMENT PROJECT; OR

23 (B) EXISTING ON- OR OFF-STREET PARKING SPACES WITHIN ONE
24 EIGHTH-MILE OF THE HOUSING DEVELOPMENT PROJECT;

25 (II) BE REVIEWED AND APPROVED BY A PROFESSIONAL ENGINEER,
26 AS DEFINED IN SECTION 12-120-202 (7).

27 (III) INCLUDE PARKING UTILIZATION DATA COLLECTED FROM THE
28 AREA WITHIN ONE EIGHTH-MILE OF THE HOUSING DEVELOPMENT PROJECT;
29 AND

30 (IV) DEMONSTRATE THAT THE LOCAL GOVERNMENT
31 IMPLEMENTATION OF STRATEGIES TO MANAGE DEMAND FOR ON-STREET
32 PARKING FOR THE AREA WITHIN ONE EIGHTH-MILE OF THE HOUSING
33 DEVELOPMENT PROJECT WOULD NOT BE EFFECTIVE TO MITIGATE A
34 SUBSTANTIAL NEGATIVE IMPACT FOUND PURSUANT TO THIS SECTION.

35 (3) ON OR BEFORE DECEMBER 31, 2026, AND EVERY DECEMBER
36 31ST THEREAFTER, IF APPLICABLE, A LOCAL GOVERNMENT SHALL, IN A
37 FORM AND MANNER DETERMINED BY THE DEPARTMENT OF LOCAL AFFAIRS,
38 SUBMIT INFORMATION REGARDING A MINIMUM PARKING REQUIREMENT
39 IMPOSED OR ENFORCED PURSUANT TO THIS SECTION TO THE DEPARTMENT
40 OF LOCAL AFFAIRS.

1 (4) THE DEPARTMENT OF LOCAL AFFAIRS MAY ISSUE POLICIES AND
2 PROCEDURES AS NECESSARY TO IMPLEMENT THIS SECTION."

3 Renumber succeeding C.R.S. sections accordingly.

** *** ** *** **