

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 24-0151.01 Pierce Lively x2059

SENATE BILL 24-174

SENATE SPONSORSHIP

Kirkmeyer and Zenzinger, Bridges, Baisley, Gardner, Ginal, Liston, Lundeen, Pelton B., Pelton R., Rich, Simpson, Smallwood, Will

HOUSE SPONSORSHIP

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Senate Committees

Local Government & Housing

House Committees

A BILL FOR AN ACT

101 **CONCERNING STATE SUPPORT FOR SUSTAINABLE AFFORDABLE**
102 **HOUSING, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Housing needs assessments. The bill requires the executive director of the department of local affairs (director), no later than December 31, 2024, to develop reasonable methodologies for conducting statewide, regional, and local housing needs assessments and reasonable guidance for a local government to identify areas at elevated risk of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

displacement.

The bill requires the director, no later than November 30, 2027, and every 6 years thereafter, to conduct a statewide housing needs assessment that analyzes existing and future statewide housing needs and to publish a report identifying current housing stock and estimating statewide housing needs.

The bill requires each local government, beginning December 31, 2026, and every 6 years thereafter, to conduct and publish a local housing needs assessment. The bill outlines the process for a local government conducting a local housing needs assessment and for determining when a local government is exempt from conducting a local housing needs assessment. The bill requires local governments to submit local housing needs assessments to the department of local affairs (department), which shall publish those assessments on the department's website.

Relatedly, the bill allows a regional entity to conduct a regional housing needs assessment. If a regional entity conducts a regional housing needs assessment, the bill requires the regional entity to submit the assessment both to each local government in the region and to the department, which shall publish those assessments on the department's website.

Housing action plans. A housing action plan is an advisory document that demonstrates a local government's commitment to address housing needs and that guides a local government in developing legislative actions, promoting regional coordination, and informing the public of the local government's efforts to address housing needs in the local government's jurisdiction. The bill requires a local government with a population of 1,000 or more to make a housing action plan no later than January 1, 2028, and every 6 years thereafter. The bill identifies the specific elements that a housing action plan must include, explains how a local government may update a housing action plan, requires a local government to report its progress in implementing the plan to the department, and requires a local government to submit a housing action plan to the department, which shall publish those assessments on the department's website.

Publishing of reports. The bill requires the director to publish reports on the following no later than December 31, 2024:

- A directory of housing and land use strategies to guide local governments in encouraging the development of a range of housing types with a primary focus on increasing housing affordability; and
- A directory of housing and land use strategies to guide local governments in avoiding, reducing, and mitigating the impact of displacement.

The bill establishes the minimum required elements for both types of directories of housing and land use strategies. The bill also requires the

director to develop and publish:

- No later than June 30, 2025, in consultation with the Colorado water conservation board, a joint report concerning water supply; and
- No later than December 31, 2025, in coordination with relevant state agencies, a natural land and agricultural interjurisdictional opportunities report.

Technical assistance. The bill requires the division of local government (division) to provide technical assistance and guidance through a grant program, the provision of consultant services, or both to aid local governments in:

- Establishing regional entities;
- Creating local and regional housing needs assessments;
- Making a housing action plan;
- Enacting laws and policies that encourage the development of a range of housing types or mitigate the impact of displacement; and
- Creating strategic growth elements in master plans.

The bill creates the continuously appropriated housing needs planning technical assistance fund to contain the money necessary for the division to provide this technical assistance and guidance. The bill requires the state treasurer to transfer \$15 million from the general fund to this fund.

Further, the bill directs the division to serve as a clearing house for the benefit of local governments and regional entities in accomplishing the goals of the bill. The division shall report on the assistance requested and provided under the bill.

Grant program prioritization criteria. On and after December 1, 2027, for any grant program conducted by the department, the Colorado energy office, the office of economic development the department of transportation, the department of natural resources, the department of public health and environment, and the department of personnel and administration that awards grants to local governments for the primary purpose of supporting land use planning or housing, the bill requires the awarding entity to prioritize awarding grants to a local government that:

- Is the subject of a completed and filed housing needs assessment;
- Has adopted a housing action plan that has been accepted by the department;
- Has reported progress to the department regarding the adoption of any strategies or changes to local laws identified in the housing action plan; and
- Is the subject of a master plan that includes a water element and a strategic growth element.

In the case of a local government that is not required to do any of the above, the department is required to prioritize that local government in the same way that it prioritizes a local government that has done all of the above.

Master plans. The bill modifies the requirements of both county and municipal master plans so that those master plans must include:

- A narrative description of the procedure used for the development and adoption of the master plan;
- No later than December 31, 2026, a water supply element; and
- No later than December 31, 2026, a strategic growth element, so long as the county or municipality meets certain requirements.

The water element in a county or municipal master plan must identify the general location and extent of an adequate and suitable supply of water, identify supplies and facilities sufficient to meet the needs of local infrastructure, and include water conservation policies.

The strategic growth element in a master plan must include:

- A buildable sites analysis that identifies vacant, partially vacant, and underutilized land that can accommodate infill development, redevelopment, and new development without the development of previously undeveloped land;
- An identification of areas within a reasonable distance of rail transit and frequent bus service that can accommodate the development of housing to address the housing needs of current and future residents at all income levels; and
- A description of existing and needed infrastructure, transportation, and public facilities and services to serve these sites.

The bill requires both counties and municipalities to submit their master plan and any separately approved water or strategic growth element to the division for the division's review.

Prohibition contrary to public policy. The bill prohibits a unit owners' association of a common interest community from, through any declaration or bylaw, rules, or regulation adopted or amended by an association on or after July 1, 2024, prohibiting or restricting the construction of accessory dwelling units or middle housing, if the zoning laws of the association's local jurisdiction would otherwise allow such construction.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 37 to article

1 32 of title 24 as follows:

2

PART 37

3

HOUSING NEEDS PLANNING

4

24-32-3701. Definitions. AS USED IN THIS PART 37, UNLESS THE

5

CONTEXT OTHERWISE REQUIRES:

6

(1) "DEPARTMENT" MEANS THE DEPARTMENT OF LOCAL AFFAIRS.

7

(2) "DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE

8

DEPARTMENT OF LOCAL AFFAIRS.

9

(3) "DISPLACEMENT" MEANS THE INVOLUNTARY RELOCATION OF

10

LOW-INCOME RESIDENTS DUE TO:

11

(a) INCREASED RENTS OR NEW DEVELOPMENT RESULTING IN A

12

HIGHER AREA MEDIAN INCOME THAN THE CURRENT NEIGHBORHOOD;

13

(b) POLICIES OR ACTIONS THAT DISCRIMINATE AGAINST

14

LOW-INCOME RESIDENTS;

15

(c) LAWS RELATING TO ZONING AND LAND USE THAT FOSTER A

16

CHANGE IN THE AREA MEDIAN INCOME OF AN AREA;

17

(d) A DECREASE IN SOCIAL AND CULTURAL COMMUNITY-SERVING

18

BUSINESSES AND ENTITIES;

19

(e) THE DETERIORATION OF PHYSICAL CONDITIONS THAT RENDER

20

RESIDENCES UNINHABITABLE; OR

21

(f) INCREASED REAL ESTATE PRICES, RENTS, PROPERTY TAXES, AND

22

OTHER ECONOMIC FACTORS.

23

(4) "DIVISION OF LOCAL GOVERNMENT" MEANS THE DIVISION OF

24

LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS CREATED IN

25

SECTION 24-32-103.

26

(5) "DIVISION OF PLANNING" MEANS THE DIVISION OF PLANNING IN

27

THE DEPARTMENT OF LOCAL AFFAIRS CREATED IN SECTION 24-32-202 (1).

1 (6) "DWELLING UNIT" MEANS A SINGLE UNIT PROVIDING COMPLETE
2 INDEPENDENT LIVING FACILITIES FOR ONE OR MORE INDIVIDUALS,
3 INCLUDING PERMANENT PROVISIONS FOR COOKING, EATING, LIVING,
4 SANITATION, AND SLEEPING.

5 (7) "HOUSING NEEDS ASSESSMENT" MEANS AN INVENTORY AND
6 ANALYSIS OF PROJECTED HOUSING NEEDS FOR A DEFINED AREA. A
7 HOUSING NEEDS ASSESSMENT MAY ADDRESS ADDITIONAL PUBLIC
8 FACILITIES AND PUBLIC SERVICES NEEDED TO SUPPORT THE DEVELOPMENT
9 OF THE NUMBER AND TYPE OF HOUSING NEEDED TO ADDRESS IDENTIFIED
10 HOUSING NEEDS.

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

13 (9) "MAJOR TRANSIT STOP" MEANS A STATION FOR BOARDING AND
14 EXITING GENERAL PUBLIC PASSENGER RAIL, INCLUDING COMMUTER RAIL
15 AND LIGHT RAIL, OR A STOP ON A BUS ROUTE WITH A SERVICE FREQUENCY
16 OF NO MORE THAN EVERY FIFTEEN MINUTES FOR THE MAJORITY OF A DAY.

17 (10) "MULTIFAMILY RESIDENTIAL HOUSING" MEANS A BUILDING OR
18 GROUP OF BUILDINGS ON A LOT WITH FIVE OR MORE SEPARATE DWELLING
19 UNITS.

20 (11) "POPULATION GROWTH PROJECTION" MEANS, ACCORDING TO
21 THE DEMOGRAPHIC TRENDS FORECAST BY THE STATE DEMOGRAPHER OR
22 ANOTHER IDENTIFIED RELIABLE SOURCE, THE ESTIMATED POPULATION
23 GROWTH THAT IS PROJECTED TO OCCUR IN A REGION OR LOCAL
24 GOVERNMENT'S JURISDICTION FOR THE SUCCEEDING FIVE-YEAR,
25 TEN-YEAR, AND TWENTY-YEAR PERIODS CATEGORIZED BY:

- 26 (a) HOUSEHOLD SIZE;
- 27 (b) HOUSEHOLD TYPE, INCLUDING SUPPORTIVE, FOR-SALE, AND

1 RENTAL HOUSING; AND

2 (c) INCOME LEVEL, INCLUDING EXTREMELY LOW-, VERY LOW-, AND
3 LOW-INCOME HOUSEHOLDS AS DEFINED BY THE UNITED STATES
4 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

5 (12) "PUBLIC FACILITIES" MEANS PUBLIC STREETS, ROADS,
6 HIGHWAYS, SIDEWALKS, STREET- AND ROAD-LIGHTING SYSTEMS, TRAFFIC
7 SIGNALS, DOMESTIC WATER SYSTEMS, STORM AND SANITARY SEWER
8 SYSTEMS, PARKS AND RECREATIONAL FACILITIES, BUILDINGS USED IN THE
9 PROVISION OF PUBLIC SERVICES, AND SCHOOLS.

10 (13) "PUBLIC SERVICES" MEANS FIRE PROTECTION AND
11 SUPPRESSION, LAW ENFORCEMENT, PUBLIC HEALTH, EDUCATION,
12 RECREATION, ENVIRONMENTAL PROTECTION, STORMWATER
13 MANAGEMENT, WASTEWATER MANAGEMENT, PUBLIC TRANSPORTATION,
14 PUBLIC INFRASTRUCTURE MAINTENANCE, WATER, AND OTHER SERVICES
15 TRADITIONALLY PROVIDED BY GOVERNMENT.

16 (14) "REGION" OR "REGIONAL" MEANS A DEFINED GEOGRAPHIC
17 AREA CONSISTING OF TERRITORY FROM MORE THAN ONE LOCAL
18 GOVERNMENT WITH A SUBSTANTIAL INTERCONNECTION IN COMMUTING
19 PATTERNS ECONOMY, WORKFORCE, TRANSPORTATION AND TRANSIT
20 SYSTEMS, PUBLIC SERVICES, COMMUNITIES OF INTEREST, OR OTHER
21 FACTORS RELATED TO POPULATION AND HOUSING.

22 (15) "REGIONAL ENTITY" MEANS A COUNCIL OF GOVERNMENTS, A
23 PUBLIC ENTITY FORMED BY THE VOLUNTARY AGREEMENT OF LOCAL
24 GOVERNMENTS IN THE REGION, OR A REGIONAL PLANNING COMMISSION.

25 (16) "REGULATED AFFORDABLE HOUSING" MEANS HOUSING
26 DIRECTLY CREATED OR SUPPORTED BY PUBLIC SUBSIDIES OR ENCUMBERED
27 BY A LEGAL RESTRICTION ON RENTAL OR SALE PRICE AS REQUIRED BY

1 FEDERAL, STATE, OR LOCAL LAW THAT RESTRICTS RESIDENT HOUSEHOLD
2 INCOME LEVELS TO LOW- OR MODERATE-INCOME LEVELS FOR A SPECIFIED
3 PERIOD.

4 (17) "SINGLE-UNIT DETACHED DWELLING" MEANS A DETACHED
5 BUILDING WITH A SINGLE DWELLING UNIT LOCATED ON A SINGLE LOT.

6 **24-32-3702. Housing needs assessment methodology -**
7 **statewide housing needs assessment - population growth projections**

8 **- displacement risk guidance.** (1) (a) NO LATER THAN DECEMBER 31,
9 2024, THE DIRECTOR SHALL DEVELOP REASONABLE METHODOLOGIES FOR
10 CONDUCTING STATEWIDE, REGIONAL, AND LOCAL HOUSING NEEDS
11 ASSESSMENTS. THE METHODOLOGIES DESCRIBED IN THIS SUBSECTION
12 (1)(a) MUST ESTABLISH BASELINE STANDARDS THAT SEEK TO PRODUCE
13 ACCURATE DATA FOR INTERNAL STATE AGENCY PLANNING AND GRANT
14 PROGRAMS AND EFFICIENTLY PROCURE DATA FOR USE BY REGIONS AND
15 LOCAL GOVERNMENTS FOR PLANNING PURPOSES, BUT MUST ALSO BE
16 COST-EFFECTIVE AND NARROWLY TAILORED TO IMPOSE THE LEAST FISCAL
17 BURDEN ON ENTITIES CONDUCTING HOUSING NEEDS ASSESSMENTS. IN
18 DEVELOPING THE REPORTS DESCRIBED IN THIS SUBSECTION (1), THE
19 DIRECTOR SHALL CONSULT WITH LOCAL GOVERNMENTS AND EXPERTS IN
20 PLANNING AND ZONING, AFFORDABLE HOUSING, DISABILITY RIGHTS,
21 HOMELESSNESS PREVENTION, TENANTS' RIGHTS, AND OTHER FIELDS
22 FOCUSED ON HOUSING NEEDS PLANNING.

23 (b) NO LATER THAN NOVEMBER 30, 2027, AND EVERY SIX YEARS
24 THEREAFTER, THE DIRECTOR SHALL CONDUCT A STATEWIDE HOUSING
25 NEEDS ASSESSMENT THAT ANALYZES EXISTING AND FUTURE STATEWIDE
26 HOUSING NEEDS. THE DIRECTOR SHALL PUBLISH A REPORT BASED ON THE
27 STATEWIDE HOUSING NEEDS ASSESSMENT AND REGIONAL AND LOCAL

1 HOUSING NEEDS ASSESSMENTS ACCEPTED BY THE DEPARTMENT PURSUANT
2 TO SECTION 24-32-3703 (3) OR 24-32-3704 (3) THAT IDENTIFIES CURRENT
3 HOUSING STOCK AND ESTIMATES THE NUMBER AND TYPE OF DWELLING
4 UNITS NEEDED TO ACCOMMODATE FUTURE HOUSING NEEDS OF THE STATE
5 BASED ON POPULATION GROWTH PROJECTIONS. THE REPORT SHALL
6 CATEGORIZE STATEWIDE HOUSING NEEDS BY HOUSEHOLD SIZE;
7 HOUSEHOLD TYPE, INCLUDING SUPPORTIVE, FOR-SALE, AND RENTAL
8 HOUSING; AND INCOME LEVELS, INCLUDING EXTREMELY LOW-, VERY LOW-,
9 LOW-, MODERATE-, AND MIDDLE-INCOME HOUSEHOLDS AS DESIGNATED BY
10 THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
11 DEVELOPMENT.

12 (c) THE DIRECTOR SHALL DEVELOP A METHODOLOGY FOR
13 CONDUCTING A REGIONAL HOUSING NEEDS ASSESSMENT THAT INCLUDES
14 METHODS TO:

15 (I) ESTIMATE EXISTING HOUSING STOCK IN THE REGION AND IN
16 EACH LOCAL JURISDICTION THAT FORMS THE REGION;

17 (II) ESTIMATE HOUSING NEEDS IN THE REGION AND EACH LOCAL
18 GOVERNMENT'S JURISDICTION THAT FORMS THE REGION, SORTED BY
19 INCOME LEVEL AND DWELLING TYPE, INCLUDING ACCESSIBLE UNITS,
20 SUPPORTIVE UNITS, FOR-SALE UNITS, AND RENTAL UNITS;

21 (III) ESTIMATE THE NUMBER OF HOUSEHOLDS IN THE REGION AND
22 EACH LOCAL GOVERNMENT'S JURISDICTION THAT FORMS THE REGION;

23 (IV) ESTIMATE THE NUMBER OF JOBS IN THE REGION AND EACH
24 LOCAL GOVERNMENT'S JURISDICTION THAT FORMS THE REGION, SORTED BY
25 ANNUAL SALARY AND WAGE;

26 (V) ESTIMATE AN ALLOCATION OF HOUSING NEEDS IDENTIFIED IN
27 SUBSECTION (1)(c)(II) OF THIS SECTION TO EACH LOCAL GOVERNMENT IN

1 THE REGION OR CONTRIBUTING TO HOUSING NEEDS IN THE REGION BASED
2 ON THE NUMBER OF JOBS IN THE LOCAL GOVERNMENT'S JURISDICTION
3 AMONG OTHER FACTORS THAT PROMOTE A BALANCE OF JOBS AND HOUSING
4 IN THE REGION;

5 (VI) IDENTIFY AREAS AT ELEVATED RISK OF DISPLACEMENT IN THE
6 REGION AND EACH LOCAL GOVERNMENT'S JURISDICTION THAT FORMS THE
7 REGION;

8 (VII) ESTIMATE THE WATER SUPPLY NEEDS FOR THE DWELLING
9 UNITS IDENTIFIED IN SUBSECTIONS (1)(c)(I) AND (1)(c)(II) OF THIS
10 SECTION; AND

11 (VIII) ASSESS MARKET LIMITATIONS ON THE DEVELOPMENT OF
12 FOR-SALE MULTIFAMILY RESIDENTIAL HOUSING IN THE REGION.

13 (d) THE METHODOLOGY FOR CONDUCTING A LOCAL HOUSING
14 NEEDS ASSESSMENT MUST INCLUDE METHODS FOR A LOCAL GOVERNMENT
15 TO:

16 (I) ESTIMATE EXISTING HOUSING STOCK IN THE LOCAL
17 GOVERNMENT'S JURISDICTION;

18 (II) ESTIMATE HOUSING NEEDS WITHIN THE LOCAL GOVERNMENT'S
19 JURISDICTION, SORTED BY INCOME LEVEL AND DWELLING TYPE, INCLUDING
20 ACCESSIBLE UNITS, SUPPORTIVE UNITS, FOR-SALE UNITS, AND RENTAL
21 UNITS;

22 (III) ESTIMATE THE NUMBER OF HOUSEHOLDS IN THE LOCAL
23 GOVERNMENT'S JURISDICTION;

24 (IV) ESTIMATE THE NUMBER OF JOBS IN THE LOCAL GOVERNMENT'S
25 JURISDICTION SORTED BY ANNUAL SALARY AND WAGE;

26 (V) INCORPORATE A PORTION OF HOUSING NEEDS IDENTIFIED IN
27 ANY APPLICABLE STATE AND REGIONAL HOUSING NEEDS ASSESSMENT FOR

1 THE LOCAL GOVERNMENT, AS APPROPRIATE, BASED ON THE NUMBER OF
2 JOBS IN THE LOCAL GOVERNMENT'S JURISDICTION AND OTHER FACTORS
3 THAT WOULD PROMOTE A BALANCE OF JOBS AND HOUSING IN THE
4 APPLICABLE REGION;

5 (VI) IDENTIFY AREAS AT ELEVATED RISK OF DISPLACEMENT IN THE
6 LOCAL GOVERNMENT'S JURISDICTION;

7 (VII) ESTIMATE WATER SUPPLY NEEDS FOR THE DWELLING UNITS
8 IDENTIFIED IN SUBSECTIONS (1)(d)(I) AND (1)(d)(II) OF THIS SECTION; AND

9 (VIII) ASSESS MARKET LIMITATIONS ON THE DEVELOPMENT OF
10 FOR-SALE MULTIFAMILY RESIDENTIAL HOUSING IN THE LOCAL
11 GOVERNMENT'S JURISDICTION.

12 (2) THE METHODOLOGIES FOR ESTIMATING HOUSING NEEDS IN A
13 HOUSING NEEDS ASSESSMENTS MUST BE BASED ON THE FOLLOWING
14 COMPONENTS FOR EACH REGION AND LOCAL GOVERNMENT:

15 (a) EXISTING AND PROJECTED HOUSING SHORTAGES AND
16 SURPLUSES FOR DIFFERENT HOUSEHOLD TYPES AND INCOME LEVELS,
17 INCLUDING EXTREMELY LOW-, VERY LOW-, LOW-, MODERATE-, AND
18 MIDDLE-INCOME HOUSEHOLDS AS DESIGNATED BY THE UNITED STATES
19 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT;

20 (b) EXISTING HOUSING DIVERSITY AND STOCK;

21 (c) CURRENT JOBS BY INCOME LEVEL;

22 (d) CURRENT MEDIAN INCOME;

23 (e) FUTURE POPULATION GROWTH PROJECTIONS, JOB GROWTH
24 PROJECTIONS, AND DEMOGRAPHIC TRENDS FORECASTED BY THE STATE
25 DEMOGRAPHY OFFICE;

26 (f) POPULATION AND DEMOGRAPHICS;

27 (g) MEASURES OF LOCAL RESOURCES DEDICATED TO THE

1 DEVELOPMENT OF AFFORDABLE HOUSING;
2 (h) VACANCY RATES;
3 (i) MEASURES OF HOMELESSNESS AND HOUSING INSTABILITY; AND
4 (j) THE JOB-HOUSING BALANCE, INCLUDING THE AVAILABILITY OF
5 HOUSING FOR LOW-INCOME WORKERS.

6 (3) NO LATER THAN DECEMBER 31, 2024, THE DIRECTOR SHALL
7 DEVELOP A METHODOLOGY TO IDENTIFY AREAS AT AN ELEVATED RISK OF
8 DISPLACEMENT USING COMMUNITY ENGAGEMENT AND INFORMATION FROM
9 NEIGHBORHOOD-LEVEL EARLY DISPLACEMENT WARNING AND RESPONSE
10 SYSTEMS, OR, IF THOSE SYSTEMS ARE UNAVAILABLE, RELIABLE AVAILABLE
11 LOCAL, REGIONAL, STATE, OR FEDERAL DATA THAT CAN BE ANALYZED TO
12 IDENTIFY RESIDENTS AT ELEVATED DISPLACEMENT RISK, WHICH DATA MAY
13 INCLUDE:

14 (a) THE PERCENTAGE OF HOUSEHOLDS THAT ARE EXTREMELY
15 LOW-, VERY LOW-, AND LOW-INCOME, AS DESIGNATED BY THE UNITED
16 STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT;

17 (b) THE PERCENTAGE OF RESIDENTS WHO ARE RENTERS;

18 (c) THE PERCENTAGE OF HOUSEHOLDS THAT SPEND MORE THAN
19 THIRTY PERCENT OF THE HOUSEHOLD'S INCOME ON HOUSING NEEDS;

20 (d) THE NUMBER OF ADULTS WHO ARE TWENTY-FIVE YEARS OF AGE
21 OR OLDER AND HAVE NOT EARNED AT LEAST A HIGH SCHOOL DIPLOMA;

22 (e) THE PERCENTAGE OF HOUSEHOLDS IN WHICH ENGLISH IS NOT
23 THE PRIMARY SPOKEN LANGUAGE;

24 (f) THE PERCENTAGE OF HOUSING STOCK BUILT PRIOR TO 1970;

25 (g) THE LOCATION OF MANUFACTURED HOME PARKS;

26 (h) AREAS THAT QUALIFY AS DISADVANTAGED AS DETERMINED BY
27 THE CLIMATE AND ECONOMIC JUSTICE SCREENING TOOL DEVELOPED BY

1 THE COUNCIL ON ENVIRONMENTAL QUALITY IN THE OFFICE OF THE
2 PRESIDENT OF THE UNITED STATES; AND

3 (i) AREAS THAT WILL EXPERIENCE INCREASED ZONING CAPACITY
4 ON OR AFTER JANUARY 1, 2025.

5 (4) NO LATER THAN JANUARY 1, 2027, AND EVERY SIX YEARS
6 THEREAFTER, THE DIVISION OF PLANNING SHALL PRODUCE FUTURE
7 POPULATION GROWTH PROJECTIONS FOR EVERY REGION IDENTIFIED BY A
8 REGIONAL ENTITY. THE DIVISION OF PLANNING SHALL PROVIDE
9 INFORMATION TO AND ASSIST LOCAL GOVERNMENTS IN CALCULATING
10 LOCALIZED POPULATION GROWTH PROJECTIONS.

11 (5) ANY METHODOLOGY DEVELOPED BY THE DIRECTOR PURSUANT
12 TO THIS SECTION MUST PERMIT THE SUBSTITUTION OF AN ASSESSMENT OF
13 HOUSING NEEDS OR DISPLACEMENT RISK CONDUCTED PURSUANT TO THE
14 REQUIREMENTS OF ANY OTHER STATE LAW.

15 **24-32-3703. Local housing needs assessments - procedure -**
16 **exempt local governments.** (1) (a) NO LATER THAN DECEMBER 31, 2026,
17 EACH LOCAL GOVERNMENT THAT HAS A POPULATION OF ONE THOUSAND
18 OR MORE SHALL CONDUCT AND PUBLISH A LOCAL HOUSING NEEDS
19 ASSESSMENT THAT CONFORMS TO THE METHODOLOGY FOR CONDUCTING
20 LOCAL HOUSING NEEDS ASSESSMENTS DEVELOPED BY THE DIRECTOR
21 PURSUANT TO SECTION 24-32-3702 (1)(d) FOR THE TERRITORY COVERED
22 BY THE LOCAL GOVERNMENT'S MASTER PLAN.

23 (b) A HOUSING NEEDS ASSESSMENT CONDUCTED BY A LOCAL
24 GOVERNMENT AFTER JANUARY 1, 2023, QUALIFIES AS HAVING SATISFIED
25 THE REQUIREMENT OF SUBSECTION (1)(a) OF THIS SECTION, IF THE
26 ASSESSMENT INCLUDES THE ESTIMATES REQUIRED FOR A REGIONAL
27 HOUSING NEEDS ASSESSMENT PURSUANT TO SECTION 24-32-3702 (1)(c) OR

1 FOR A LOCAL HOUSING NEEDS ASSESSMENT PURSUANT TO SECTION
2 24-32-3702 (1)(d).

3 (2) BEGINNING ON DECEMBER 31, 2026, A LOCAL GOVERNMENT
4 WITH A POPULATION OF ONE THOUSAND OR MORE SHALL COMPLETE A
5 HOUSING NEEDS ASSESSMENT EVERY SIX YEARS, EXCEPT AS PROVIDED IN
6 THIS SECTION.

7 (3) UPON CONDUCTING A LOCAL GOVERNMENT HOUSING NEEDS
8 ASSESSMENT PURSUANT TO SUBSECTION (1) OF THIS SECTION, A LOCAL
9 GOVERNMENT'S GOVERNING BODY SHALL CONSIDER THE LOCAL HOUSING
10 NEEDS ASSESSMENT AT A PUBLIC MEETING. WITHIN SIXTY DAYS OF
11 CONSIDERING THE LOCAL HOUSING NEEDS ASSESSMENT AT A PUBLIC
12 MEETING, THE LOCAL GOVERNMENT SHALL SUBMIT THE HOUSING NEEDS
13 ASSESSMENT ALONG WITH ANY COMMENTS OF THE LOCAL GOVERNMENT'S
14 GOVERNING BODY TO THE DEPARTMENT. THE DEPARTMENT SHALL POST
15 THE HOUSING NEEDS ASSESSMENT ON ITS WEBSITE AFTER ACCEPTING THE
16 ASSESSMENT.

17 (4) A LOCAL GOVERNMENT IS EXEMPT FROM THE REQUIREMENTS
18 OF THIS SECTION IF:

19 (a) THE LOCAL GOVERNMENT HAS A POPULATION OF LESS THAN
20 FIVE THOUSAND AND PARTICIPATES IN THE CREATION OF A REGIONAL
21 HOUSING NEEDS ASSESSMENT PURSUANT TO SECTION 24-32-3704 THAT IS
22 UPDATED EVERY SIX YEARS, PROVIDED THAT, TO BE EXEMPT FROM THE
23 REQUIREMENT TO CONDUCT AND PUBLISH A LOCAL HOUSING NEEDS
24 ASSESSMENT BY DECEMBER 31, 2026, THE REGIONAL HOUSING NEEDS
25 ASSESSMENT MUST BE COMPLETED BY DECEMBER 31, 2026; OR

26 (b) THE LOCAL GOVERNMENT HAS A POPULATION OF LESS THAN
27 ONE THOUSAND, UNLESS THE LOCAL GOVERNMENT RECEIVES FUNDING TO

1 CONDUCT A LOCAL HOUSING NEEDS ASSESSMENT FROM THE DEPARTMENT
2 PURSUANT TO SECTION 24-32-3710.

3 (5) POPULATION AND OTHER DATA BY WHICH A LOCAL
4 GOVERNMENT IS DETERMINED TO BE SUBJECT TO THE PROVISIONS OF THIS
5 SECTION MUST BE DETERMINED TWO YEARS PRIOR TO THE DATE THAT THE
6 LOCAL GOVERNMENT IS REQUIRED TO COMPLETE A HOUSING NEEDS
7 ASSESSMENT PURSUANT TO THIS SECTION.

8 **24-32-3704. Regional housing needs assessments.** (1) A
9 REGIONAL ENTITY MAY CONDUCT AND PUBLISH A REGIONAL HOUSING
10 NEEDS ASSESSMENT FOR THE TERRITORY COVERED BY THE MASTER PLAN
11 OF ANY LOCAL GOVERNMENT IN THE REGION.

12 (2) UPON CONDUCTING A REGIONAL HOUSING NEEDS ASSESSMENT
13 PURSUANT TO SUBSECTION (1) OF THIS SECTION, A REGIONAL ENTITY
14 SHALL PROVIDE THE REGIONAL HOUSING NEEDS ASSESSMENT TO EACH
15 LOCAL GOVERNMENT INCLUDED IN THE REGION. WITHIN SIXTY DAYS OF
16 RECEIVING THE REGIONAL HOUSING NEEDS ASSESSMENT, A LOCAL
17 GOVERNMENT'S GOVERNING BODY SHALL REVIEW THE ASSESSMENT AT A
18 PUBLIC MEETING AND SHALL SUBMIT COMMENTS TO THE REGIONAL
19 ENTITY.

20 (3) WITHIN SIXTY DAYS OF RECEIVING THE LOCAL GOVERNMENTS'
21 COMMENTS ON THE REGIONAL HOUSING NEEDS ASSESSMENT PURSUANT TO
22 SUBSECTION (2) OF THIS SECTION, A REGIONAL ENTITY SHALL SUBMIT THE
23 HOUSING NEEDS ASSESSMENT ALONG WITH THE COMMENTS OF EACH
24 LOCAL GOVERNMENT TO THE DEPARTMENT. THE DEPARTMENT SHALL POST
25 THE HOUSING NEEDS ASSESSMENT ON ITS WEBSITE AFTER ACCEPTING THE
26 ASSESSMENT.

27 **24-32-3705. Housing action plan.** (1) BY JANUARY 1, 2028, AND

1 NO LESS THAN EVERY SIX YEARS THEREAFTER, A LOCAL GOVERNMENT
2 THAT HAS A POPULATION OF ONE THOUSAND OR MORE SHALL MAKE A
3 HOUSING ACTION PLAN, WHICH PLAN IS SUBJECT TO APPROVAL BY THE
4 GOVERNING BODY FOLLOWING A PUBLIC HEARING. A HOUSING ACTION
5 PLAN IS AN ADVISORY DOCUMENT THAT DEMONSTRATES THE LOCAL
6 GOVERNMENT'S COMMITMENT TO ADDRESS DEMONSTRATED HOUSING
7 NEEDS AND GUIDES THE LOCAL GOVERNMENT IN DEVELOPING LEGISLATIVE
8 ACTIONS, PROMOTING REGIONAL COORDINATION, AND INFORMING THE
9 PUBLIC OF THE LOCAL GOVERNMENT'S EFFORTS TO ADDRESS HOUSING
10 NEEDS IN THE LOCAL GOVERNMENT'S JURISDICTION.

11 (2) A LOCAL GOVERNMENT SHALL MAKE A HOUSING ACTION PLAN
12 THROUGH AN INCLUSIVE PROCESS WITH PUBLIC OUTREACH AND
13 ENGAGEMENT THROUGHOUT THE PROCESS, INCLUDING OUTREACH TO AND
14 ENGAGEMENT OF COMMUNITIES AT RISK OF DISPLACEMENT. A HOUSING
15 ACTION PLAN MUST CONSIDER ANY APPLICABLE HOUSING NEEDS
16 ASSESSMENTS, APPLICABLE REGIONAL AND LOCAL PLANS, AND ANY
17 AVAILABLE ASSESSMENTS OF THE ADEQUACY OF PUBLIC SERVICES AND
18 PUBLIC FACILITIES IN THE LOCAL GOVERNMENT'S JURISDICTION. A
19 PROPOSED HOUSING ACTION PLAN MUST BE POSTED PUBLICLY ON A LOCAL
20 GOVERNMENT'S WEBSITE AT LEAST THIRTY DAYS BEFORE THE PUBLIC
21 HEARING ON THE PLAN.

22 (3) A HOUSING ACTION PLAN MUST INCLUDE THE FOLLOWING:

23 (a) A SUMMARY REPORT OF THE LOCAL GOVERNMENT'S PROGRESS
24 TOWARDS ADDRESSING THE FINDINGS OF THE APPLICABLE HOUSING NEEDS
25 ASSESSMENT WITHIN THE LOCAL GOVERNMENT'S JURISDICTION. THE
26 SUMMARY REPORT MUST INCLUDE THE NUMBER OF DWELLING UNITS
27 CONSTRUCTED OR PERMITTED IN THE LOCAL GOVERNMENT'S JURISDICTION

1 DURING THE PRECEDING FIVE YEARS, IF SUCH INFORMATION IS AVAILABLE.

2 (b) AN ASSESSMENT OF AND RESPONSE TO ANY ALLOCATION OF
3 HOUSING NEEDS TO THE LOCAL GOVERNMENT IN ANY APPLICABLE HOUSING
4 NEEDS ASSESSMENT;

5 (c) AN ASSESSMENT OF THE EFFECT OF EXISTING ZONING AND
6 DENSITY PERMITTED IN THE LOCAL GOVERNMENT'S JURISDICTION ON THE
7 DEVELOPMENT OF THE NUMBER AND TYPES OF DWELLING UNITS
8 IDENTIFIED IN THE APPLICABLE HOUSING NEEDS ASSESSMENT;

9 (d) A PLAN TO PROMOTE THE EQUITABLE AND EFFICIENT
10 DEVELOPMENT OF THE NUMBER AND TYPES OF DWELLING UNITS
11 IDENTIFIED THROUGH ANY APPLICABLE HOUSING NEEDS ASSESSMENT AS
12 NECESSARY TO SATISFY HOUSING NEEDS IN THE LOCAL GOVERNMENT'S
13 JURISDICTION AT DIFFERENT INCOME LEVELS, INCLUDING EXTREMELY
14 LOW-, VERY LOW-, MODERATE-, AND MIDDLE-INCOME HOUSEHOLDS AS
15 DESIGNATED BY THE UNITED STATES DEPARTMENT OF HOUSING AND
16 URBAN DEVELOPMENT, SUBJECT TO THE AVAILABILITY OF ADEQUATE
17 PUBLIC FACILITIES, PUBLIC SERVICES, AND WATER SUPPLY;

18 (e) LOCALLY-APPROPRIATE GOALS, STRATEGIES, AND ACTIONS FOR
19 PROMOTING AFFORDABLE HOUSING DEVELOPMENT, INCLUDING AT LEAST
20 THREE AFFORDABILITY STRATEGIES PUBLISHED IN THE DIRECTORY OF
21 HOUSING AND LAND USE STRATEGIES PURSUANT TO SECTION 24-32-3706
22 (1) THAT ARE SELECTED TO ADDRESS THE DEMONSTRATED HOUSING NEEDS
23 IN THE LOCAL GOVERNMENT'S JURISDICTION AND ARE SUITABLE FOR THE
24 JURISDICTION;

25 (f) A NARRATIVE ANALYSIS OF ANY AREA THAT THE LOCAL
26 GOVERNMENT HAS IDENTIFIED AS BEING AT ELEVATED RISK OF
27 DISPLACEMENT AND A PLAN TO MITIGATE DISPLACEMENT IN THAT AREA,

1 INCLUDING THE IDENTIFICATION OF AT LEAST ONE DISPLACEMENT
2 MITIGATION STRATEGY PUBLISHED IN THE DIRECTORY OF HOUSING AND
3 LAND USE STRATEGIES PURSUANT TO SECTION 24-32-3706 (2) THAT THE
4 LOCAL GOVERNMENT SELECTS TO ADDRESS THE FINDINGS OF THE LOCAL
5 GOVERNMENT'S NARRATIVE ANALYSIS AND IS SUITABLE FOR THE
6 JURISDICTION;

7 (g) A PLAN FOR THE LEGISLATIVE CONSIDERATION FOR ADOPTION
8 OF THE STRATEGIES IDENTIFIED IN SUBSECTIONS (3)(d) AND (3)(f) OF THIS
9 SECTION;

10 (h) ANY RECOMMENDED CHANGES TO LOCAL LAWS AFFECTING
11 ZONING AND DENSITY IN THE LOCAL GOVERNMENT'S JURISDICTION BEFORE
12 THE LOCAL GOVERNMENT CONDUCTS THE NEXT HOUSING ACTION PLAN;

13 (i) AN ANALYSIS OF OPPORTUNITIES TO ACHIEVE THE
14 DEVELOPMENT OF HIGHER-DENSITY AND REGULATED AFFORDABLE
15 HOUSING WITHIN A REASONABLE DISTANCE OF MAJOR TRANSIT STOPS IN
16 THE JURISDICTION; AND

17 (j) A DESCRIPTION OF OPPORTUNITIES FOR INTERGOVERNMENTAL
18 COORDINATION TO ADDRESS LOCAL AND REGIONAL HOUSING NEEDS AND
19 ANY SUCH INTERGOVERNMENTAL COORDINATION EFFORTS UNDERTAKEN
20 BY THE LOCAL GOVERNMENT.

21 (4) WITHIN SIXTY DAYS OF APPROVAL BY THE GOVERNING BODY,
22 THE LOCAL GOVERNMENT SHALL SUBMIT THE HOUSING ACTION PLAN
23 DEVELOPED PURSUANT TO SUBSECTION (3) OF THIS SECTION TO THE
24 DEPARTMENT AND, IF APPLICABLE, TO THE REGIONAL ENTITY THAT
25 CONDUCTED A REGIONAL HOUSING NEEDS ASSESSMENT THAT APPLIES TO
26 THE LOCAL GOVERNMENT. THE DEPARTMENT SHALL POST THE HOUSING
27 ACTION PLAN ON THE DEPARTMENT'S WEBSITE AFTER ACCEPTING THE

1 PLAN.

2 (5) A LOCAL GOVERNMENT THAT ADOPTED A PLAN THAT
3 SUBSTANTIALLY MEETS THE REQUIREMENTS OF SUBSECTION (3) OF THIS
4 SECTION AND WAS THE SUBJECT OF A PUBLIC HEARING HELD NO EARLIER
5 THAN JANUARY 1, 2024, AND NO LATER THAN JULY 1, 2024, IS NOT
6 REQUIRED TO CONDUCT A HOUSING ACTION PLAN UNTIL FIVE YEARS AFTER
7 THE DATE OF THE ADOPTION OF THE PLAN THAT SUBSTANTIALLY MEETS
8 THE REQUIREMENTS OF SUBSECTION (3) OF THIS SECTION,
9 NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION.

10 (6) THREE YEARS AFTER ADOPTING A HOUSING ACTION PLAN, A
11 LOCAL GOVERNMENT SHALL REPORT PROGRESS TO THE DEPARTMENT
12 REGARDING THE ADOPTION OF ANY STRATEGIES OR CHANGES TO LOCAL
13 LAWS IDENTIFIED IN THE HOUSING ACTION PLAN.

14 (7) A LOCAL GOVERNMENT MAY UPDATE A HOUSING ACTION PLAN
15 AT ANY TIME BY FOLLOWING THE PROCESS IN SUBSECTION (2) OF THIS
16 SECTION. A LOCAL GOVERNMENT SHALL SUBMIT ANY UPDATE TO A
17 HOUSING ACTION PLAN TO THE DEPARTMENT AND, IF APPLICABLE, A
18 REGIONAL ENTITY AS PROVIDED IN SUBSECTION (4) OF THIS SECTION. THE
19 DEPARTMENT SHALL POST THE UPDATE ON ITS WEBSITE, AFTER ACCEPTING
20 THE UPDATE.

21 **24-32-3706. Directories of housing and land use strategies -**
22 **development of housing and increasing housing affordability -**
23 **displacement impact mitigation.** (1) NO LATER THAN DECEMBER 31,
24 2024, THE DIRECTOR SHALL PUBLISH A DIRECTORY OF HOUSING AND LAND
25 USE STRATEGIES TO GUIDE LOCAL GOVERNMENTS IN ENCOURAGING THE
26 DEVELOPMENT OF A RANGE OF HOUSING TYPES WITH A PRIMARY FOCUS ON
27 INCREASING HOUSING AFFORDABILITY AT DIFFERENT INCOME LEVELS,

1 INCLUDING EXTREMELY LOW-, VERY LOW-, LOW-, MODERATE-, AND
2 MIDDLE-INCOME HOUSEHOLDS AS DESIGNATED BY THE UNITED STATES
3 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. THE DIRECTORY
4 MUST INCLUDE THE FOLLOWING STRATEGIES:

5 (a) ADOPTING A LOCAL INCLUSIONARY ZONING ORDINANCE
6 PURSUANT TO SECTION 29-20-104 (1)(e.5);

7 (b) MODIFYING LOCAL LAWS REGARDING THE QUANTITY AND
8 DENSITY OF DWELLING UNITS IN THE LOCAL GOVERNMENT'S JURISDICTION,
9 AS IDENTIFIED IN SECTION 29-20-104 (1)(e.7);

10 (c) CREATING INCENTIVES, AS IDENTIFIED IN SECTION 29-20-104
11 (1)(e.7);

12 (d) ADOPTING LOCAL LAWS IMPLEMENTING A POLICY OR
13 REGULATORY TOOL IDENTIFIED BY THE DIVISION OF LOCAL GOVERNMENT
14 PURSUANT TO SECTION 24-32-130 (3);

15 (e) MODIFYING RESTRICTIONS ON THE NUMBER OF PERSONS THAT
16 CAN RESIDE IN A DWELLING UNIT TO PERMIT AT LEAST FIVE UNRELATED
17 ADULTS TO OCCUPY A DWELLING UNIT, SUBJECT TO REASONABLE SQUARE
18 FOOTAGE REQUIREMENTS;

19 (f) AMENDING ZONING ORDINANCES THAT ALLOW THE
20 CONSTRUCTION OF SINGLE-UNIT DETACHED DWELLINGS TO ALLOW EITHER
21 ACCESSORY DWELLING UNITS OR DUPLEXES, TRIPLEXES, QUADPLEXES, AND
22 TOWNHOMES IN A SUBSTANTIAL PORTION OF THE JURISDICTION;

23 (g) AMENDING ZONING ORDINANCES TO ENABLE THE
24 CONSTRUCTION OF MULTIFAMILY RESIDENTIAL HOUSING NEAR MAJOR
25 TRANSIT STOPS TO MEET A MINIMUM DENSITY RECOMMENDED BY THE
26 DIRECTOR;

27 (h) AMENDING LOCAL LAWS TO ESTABLISH THE USE OF OBJECTIVE

1 PROCESSES AND STANDARDS FOR DEVELOPMENT PERMITS FOR REGULATED
2 AFFORDABLE HOUSING;

3 (i) AMENDING LAND USE STANDARDS, DESIGN GUIDELINES,
4 BUILDING MATERIALS REQUIREMENTS, AND LANDSCAPING STANDARDS FOR
5 ACCESSORY DWELLING UNITS AND DUPLEXES, TRIPLEXES, QUADPLEXES,
6 AND TOWNHOMES THAT ARE NOT MORE RESTRICTIVE THAN SIMILAR
7 GUIDELINES, REQUIREMENTS, AND STANDARDS FOR SINGLE-UNIT
8 DETACHED DWELLINGS;

9 (j) ESTABLISHING PROGRAMS TO SUBSIDIZE OR OTHERWISE REDUCE
10 DEVELOPMENT FEES FOR REGULATED AFFORDABLE HOUSING
11 DEVELOPMENT;

12 (k) ESTABLISHING EXPEDITED OR STREAMLINED DEVELOPMENT
13 REVIEW PROCESSES FOR REGULATED AFFORDABLE HOUSING AFTER
14 CONSULTING WITH LOCAL GOVERNMENTS AND EXPERTS IN PLANNING AND
15 ZONING, AFFORDABLE HOUSING, DISABILITY RIGHTS, HOMELESSNESS
16 PREVENTION, TENANT RIGHTS, AND OTHER FIELDS FOCUSED ON HOUSING
17 AFFORDABILITY;

18 (l) LEVERAGING PUBLICLY-OWNED LAND OR PROPERTIES FOR
19 REGULATED AFFORDABLE HOUSING DEVELOPMENT;

20 (m) CREATING DEDICATED LOCAL REVENUE SOURCES FOR
21 REGULATED AFFORDABLE HOUSING DEVELOPMENT;

22 (n) REGULATING SHORT-TERM RENTALS, VACANT RESIDENTIAL
23 PROPERTY, OR SECOND HOMES TO PROMOTE THE USE OF HOUSING STOCK
24 FOR LOCAL HOUSING NEEDS;

25 (o) ESTABLISHING HOUSING AND LAND USE POLICIES INFORMED BY
26 THE FINDINGS AND RECOMMENDATIONS OF THE STRATEGIC ACTION PLAN
27 ON AGING DEVELOPED PURSUANT TO SECTION 24-32-3406, AS THAT

1 SECTION EXISTED PRIOR TO JUNE 30, 2022, AND THE LIFELONG COLORADO
2 INITIATIVE CREATED PURSUANT TO SECTION 26-11-302, INCLUDING THE
3 EIGHT REALMS OF LIVABLE AND AGE-FRIENDLY COMMUNITIES;

4 (p) ESTABLISHING A DEDICATED LOCAL REVENUE SOURCE TO
5 SUPPORT THE DEVELOPMENT OF REGULATED AFFORDABLE HOUSING;

6 (q) PRESERVING AFFORDABILITY OF HOUSING THROUGH LOCAL
7 RIGHT OF FIRST REFUSAL PROGRAMS OR PROGRAMS THAT TRANSITION
8 EXISTING HOUSING STOCK TO REGULATED AFFORDABLE HOUSING;

9 (r) INCENTIVIZING OR CREATING A DEDICATED LOCAL PROGRAM TO
10 FACILITATE INVESTMENT IN LAND BANKING OR COMMUNITY LAND TRUSTS;

11 (s) ESTABLISHING AN AFFORDABLE HOMEOWNERSHIP STRATEGY
12 SUCH AS THE ACQUISITION OR PRESERVATION OF DEED RESTRICTIONS ON
13 CURRENT HOUSING UNITS;

14 (t) COMMITTING TO ESTABLISH AND RETAIN ELIGIBILITY FOR THE
15 STATEWIDE AFFORDABLE HOUSING FUND CREATED IN SECTION 29-32-102
16 (1); AND

17 (u) ANY OTHER STRATEGY THAT THE DIRECTOR DETERMINES
18 QUALIFIES AS AN AFFORDABILITY STRATEGY MEETING THE REQUIREMENTS
19 OF THIS SECTION, SO LONG AS THE STRATEGY SUPPORTS EQUAL OR
20 INCREASED HOUSING AFFORDABILITY OR ACCESSIBILITY TO MEET THE
21 DEMONSTRATED NEEDS OF THE LOCAL GOVERNMENT.

22 (2) NO LATER THAN DECEMBER 31, 2024, THE DIRECTOR SHALL
23 PUBLISH AND REGULARLY UPDATE A DIRECTORY OF HOUSING AND LAND
24 USE STRATEGIES TO GUIDE LOCAL GOVERNMENTS IN AVOIDING, REDUCING,
25 AND MITIGATING THE IMPACT OF DISPLACEMENT AFTER CONSULTATION
26 WITH LOCAL GOVERNMENTS AND EXPERTS IN DISABILITY RIGHTS,
27 HOMELESSNESS PREVENTION, AFFORDABLE HOUSING, TENANTS' RIGHTS,

1 AND OTHER FIELDS FOCUSED ON THE PREVENTION OR MITIGATION OF
2 DISPLACEMENT. THIS DIRECTORY MUST INCLUDE STRATEGIES FOR:

3 (a) PRESERVING EXISTING AFFORDABLE HOUSING;

4 (b) MODIFYING LAND USE REVIEW AND APPROVAL PROCESSES TO
5 INCREASE EARLY AND MEANINGFUL OPPORTUNITIES FOR PARTICIPATION
6 REGARDING LAND USE DECISIONS AFFECTING THEIR HOMES,
7 NEIGHBORHOODS, AND COMMUNITIES BY PEOPLE AT RISK OF
8 DISPLACEMENT, ESPECIALLY LOW-INCOME PERSONS AND COMMUNITIES OF
9 COLOR;

10 (c) REPEALING OR MODIFYING LAWS OR POLICIES THAT THE
11 DIRECTOR IDENTIFIES AS INCREASING THE RISK OF DISPLACEMENT;

12 (d) REQUIRING DISPLACEMENT RISK ASSESSMENTS AND
13 MITIGATION ACTIVITIES AS A COMPONENT OF DEVELOPMENT REVIEW; AND

14 (e) ANY OTHER STRATEGY THAT THE DIRECTOR DETERMINES
15 QUALIFIES AS A DISPLACEMENT MITIGATION STRATEGY MEETING THE
16 REQUIREMENTS OF THIS SUBSECTION (2) AND SUPPORTS AN INCREASE IN
17 THE AMOUNT OF AFFORDABLE HOUSING IN AN AREA AT AN ELEVATED RISK
18 OF DISPLACEMENT BY:

19 (I) PREVENTING THE DISPLACEMENT OF VULNERABLE
20 HOMEOWNERS AND RENTERS IN NEIGHBORHOODS OR AREAS THAT ARE AT
21 RISK OF DISPLACEMENT;

22 (II) PRESERVING EXISTING AFFORDABLE HOUSING STOCK IN
23 NEIGHBORHOODS THAT ARE EXPERIENCING OR LIKELY TO EXPERIENCE
24 DISPLACEMENT SO THAT DWELLING UNITS REMAIN IN GOOD CONDITION
25 WHILE REMAINING AFFORDABLE TO LOW- TO MODERATE-INCOME
26 RESIDENTS;

27 (III) CREATING NEW AFFORDABLE HOUSING OPTIONS TO SERVE

1 CURRENT AND FUTURE VULNERABLE HOUSEHOLDS IN NEIGHBORHOODS
2 THAT ARE EXPERIENCING OR LIKELY TO EXPERIENCE DISPLACEMENT; OR
3 (IV) PROVIDING OPPORTUNITIES FOR VULNERABLE RESIDENTS TO
4 REMAIN IN OR RETURN TO THEIR COMMUNITIES BY ACCESSING NEW
5 AFFORDABLE HOUSING OPPORTUNITIES.

6 **24-32-3707. Water supply joint report.** (1) NO LATER THAN
7 JUNE 30, 2025, THE DIRECTOR, IN CONSULTATION WITH THE COLORADO
8 WATER CONSERVATION BOARD, SHALL SUBMIT TO THE GENERAL
9 ASSEMBLY A JOINT REPORT THAT CONFORMS TO THE COLORADO WATER
10 PLAN ADOPTED IN JANUARY 2023, PURSUANT TO SECTION 37-60-106.3.

11 (2) IN DEVELOPING THE JOINT REPORT DESCRIBED IN SUBSECTION
12 (1) OF THIS SECTION, THE DIRECTOR SHALL CONSULT WITH WATER
13 PROVIDERS, LOCAL GOVERNMENTS, AND REGIONAL PLANNING AGENCIES
14 AND SHALL CONSIDER PUBLISHED WATER SUPPLY PLANS.

15 (3) THE JOINT REPORT DESCRIBED IN SUBSECTION (1) OF THIS
16 SECTION MUST INCLUDE:

17 (a) AN ASSESSMENT OF THE AVAILABILITY AND SUFFICIENCY OF
18 WATER SUPPLIES TO PROVIDE FOR ANTICIPATED GROWTH BASED ON
19 POPULATION GROWTH PROJECTIONS AND PROJECTED DEVELOPMENT;

20 (b) A FRAMEWORK TO GUIDE STATE INVESTMENTS IN
21 DEVELOPMENT AND CONSERVATION; AND

22 (c) A RANGE OF POLICY OPTIONS TO MAXIMIZE THE EFFICIENT USE
23 OF THE EXISTING WATER SUPPLY CONSIDERING THE ANTICIPATED IMPACTS
24 OF FUTURE DEVELOPMENT.

25 **24-32-3708. Natural land and agricultural interjurisdictional**
26 **opportunities report.** (1) NO LATER THAN DECEMBER 31, 2025, THE
27 DIRECTOR, IN CONSULTATION WITH RELEVANT STATE AGENCIES INCLUDING

1 THE DEPARTMENT OF AGRICULTURE, THE DIVISION OF PARKS AND WILDLIFE
2 IN THE DEPARTMENT OF NATURAL RESOURCES, THE OUTDOOR RECREATION
3 INDUSTRY OFFICE IN THE OFFICE OF ECONOMIC DEVELOPMENT, AND THE
4 COLORADO TOURISM OFFICE, SHALL DEVELOP AND PUBLISH A NATURAL
5 LAND AND AGRICULTURAL INTERJURISDICTIONAL OPPORTUNITIES REPORT
6 THAT MUST INCLUDE:

7 (a) OPPORTUNITIES FOR LOCAL GOVERNMENTS AND
8 METROPOLITAN PLANNING ORGANIZATIONS TO ACHIEVE CONNECTIVITY TO
9 OPEN SPACE, WILDLIFE HABITAT, AND OTHER PRIORITY LANDSCAPES;

10 (b) OPPORTUNITIES FOR LOCAL GOVERNMENTS AND
11 METROPOLITAN PLANNING ORGANIZATIONS TO ACHIEVE THE
12 PRESERVATION OF AGRICULTURAL LAND, HISTORIC AND CULTURAL
13 RESOURCES, URBAN PARKS AND GREEN SPACES, EXURBAN OPEN SPACES,
14 RECREATIONAL RESOURCES, WILDLIFE HABITATS, AND ECOSYSTEMS WITH
15 THE GREATEST NEED FOR CONSERVATION AND MITIGATION OF HAZARDS;
16 AND

17 (c) BEST PRACTICES, TOOLS, AND RESOURCES RELATED TO
18 SUBSECTIONS (1)(a) AND (1)(b) OF THIS SECTION.

19 (2) THE NATURAL LAND AND AGRICULTURAL
20 INTERJURISDICTIONAL OPPORTUNITIES REPORT MUST INTEGRATE AND
21 INCLUDE INFORMATION FROM RELEVANT STATE, REGIONAL, AND LOCAL
22 PLANS THAT ADDRESS THE SUBJECT MATTERS IDENTIFIED IN SUBSECTION
23 (1) OF THIS SECTION.

24 **24-32-3709. Technical assistance.** (1) THE DIVISION OF LOCAL
25 GOVERNMENT SHALL PROVIDE TECHNICAL ASSISTANCE, MATERIALS,
26 BRIEFINGS, CONSULTING SERVICES, TEMPLATES, TOOLS, TRAININGS,
27 WEBINARS, OR OTHER GUIDANCE TO ASSIST LOCAL GOVERNMENTS IN:

- 1 (a) ESTABLISHING REGIONAL ENTITIES;
- 2 (b) CREATING HOUSING NEEDS ASSESSMENTS PURSUANT TO
3 SECTIONS 24-32-3703 AND 24-32-3704;
- 4 (c) MAKING AND ADOPTING A HOUSING ACTION PLAN IN
5 ACCORDANCE WITH SECTION 24-32-3705;
- 6 (d) ENACTING LAWS AND POLICIES THAT ENCOURAGE THE
7 DEVELOPMENT OF A RANGE OF HOUSING TYPES OR MITIGATE THE IMPACT
8 OF DISPLACEMENT IN ACCORDANCE WITH SECTION 24-32-3706; AND
- 9 (e) CREATING STRATEGIC GROWTH ELEMENTS IN MASTER PLANS AS
10 DESCRIBED IN SECTION 30-28-106 (3)(a.5)(III) OR SECTION 31-23-206
11 (1.5)(d).

12 (2) IN DETERMINING TO WHOM IT WILL PROVIDE ASSISTANCE
13 PURSUANT TO SUBSECTION (1) OF THIS SECTION, THE DIVISION OF LOCAL
14 GOVERNMENT SHALL PRIORITIZE REQUESTS FOR TECHNICAL ASSISTANCE
15 RELATED TO:

- 16 (a) FORMING REGIONAL ENTITIES; AND
- 17 (b) ENACTING LAWS AND POLICIES TO PRESERVE OR CREATE
18 REGULATED AFFORDABLE HOUSING, MITIGATE DISPLACEMENT, OR
19 INCREASE OPPORTUNITIES FOR MULTIFAMILY RESIDENTIAL HOUSING NEAR
20 MAJOR TRANSIT STOPS.

21 (3) IN ASSISTING LOCAL GOVERNMENTS PURSUANT TO SUBSECTION
22 (1) OF THIS SECTION, THE DIVISION OF LOCAL GOVERNMENT SHALL
23 PROVIDE FUNDING THROUGH EITHER A GRANT PROGRAM, THE PROVISION
24 OF CONSULTANT SERVICES, OR BOTH DIRECTLY TO LOCAL GOVERNMENTS
25 OR THROUGH A REGIONAL ENTITY AND SHALL PRIORITIZE FUNDING AND
26 GRANT PROGRAMS ADMINISTERED BY THE DEPARTMENT FOR THE
27 PURPOSES OF THIS SECTION, SO LONG AS DOING SO IS NOT INCONSISTENT

1 WITH FEDERAL OR STATE LAW.

2 (4) BEGINNING JANUARY 1, 2025, AND EVERY YEAR THEREAFTER,
3 THE DIVISION OF LOCAL GOVERNMENT SHALL PROVIDE A REPORT ON THE
4 ASSISTANCE REQUESTED BY LOCAL GOVERNMENTS PURSUANT TO THIS
5 SECTION, WHETHER OR NOT ADEQUATE STATE FUNDING IS AVAILABLE TO
6 PROVIDE THE ASSISTANCE REQUESTED BY LOCAL GOVERNMENTS, AND ANY
7 ADDITIONAL RESOURCES THAT THE DIVISION OF LOCAL GOVERNMENT OR
8 LOCAL GOVERNMENTS HAVE IDENTIFIED THAT WOULD ASSIST LOCAL
9 GOVERNMENTS IN IDENTIFYING AND IMPLEMENTING LAWS AND POLICIES
10 THAT WOULD INCREASE THE AVAILABILITY OF HOUSING IN COLORADO.

11 (5) (a) THE DIVISION OF LOCAL GOVERNMENT SHALL SERVE AS A
12 CLEARING HOUSE, FOR THE BENEFIT OF LOCAL GOVERNMENTS AND
13 REGIONAL ENTITIES, OF INFORMATION RELATING TO THIS PART 37 AND
14 SHALL REFER LOCAL GOVERNMENTS TO STATE AND FEDERAL RESOURCES
15 AND APPROPRIATE DEPARTMENTS OR AGENCIES OF THE STATE OR FEDERAL
16 GOVERNMENT FOR ADVICE, ASSISTANCE, OR AVAILABLE SERVICES
17 RELATING TO THIS PART 37.

18 (b) THE DIVISION OF LOCAL GOVERNMENT SHALL IDENTIFY
19 OPPORTUNITIES FOR, ENCOURAGE, AND, WHEN SO REQUESTED, ASSIST
20 COOPERATIVE EFFORTS AMONG LOCAL GOVERNMENTS IN SOLVING
21 COMMON PROBLEMS RELATED TO POPULATION GROWTH AND THE
22 IMPLEMENTATION OF THIS PART 37.

23 (c) THE DEPARTMENT MAY ATTEMPT TO MEDIATE DISPUTES
24 BETWEEN LOCAL GOVERNMENTS REGARDING THE ENACTMENT OF LOCAL
25 LAWS OR POLICIES RELATED TO THE CREATION OF HOUSING NEEDS
26 ASSESSMENTS AND HOUSING ACTION PLANS PURSUANT TO THIS PART 37,
27 INTERJURISDICTIONAL COORDINATION REGARDING THE DEVELOPMENT OF

1 LANDFOR RESIDENTIAL USES, AND ANYTHING ELSE COVERED BY THIS PART
2 37 OR REFER LOCAL GOVERNMENTS TO THE LIST OF MEDIATORS
3 MAINTAINED PURSUANT TO SECTION 24-32-3209 TO ASSIST IN THE
4 RESOLUTION OF SUCH DISPUTES.

5 (6) (a) THE HOUSING NEEDS PLANNING TECHNICAL ASSISTANCE
6 FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF GIFTS,
7 GRANTS, AND DONATIONS CREDITED TO THE FUND AND ANY OTHER MONEY
8 THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE
9 FUND. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME
10 DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE HOUSING
11 NEEDS PLANNING TECHNICAL ASSISTANCE FUND TO THE FUND.

12 (b) MONEY IN THE HOUSING NEEDS PLANNING TECHNICAL
13 ASSISTANCE FUND IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT
14 FOR THE PURPOSES OF PROVIDING TECHNICAL ASSISTANCE AND
15 IMPLEMENTING A GRANT PROGRAM PURSUANT TO THIS SECTION.

16 (c) ON JULY 1, 2024, THE STATE TREASURER SHALL TRANSFER
17 FIFTEEN MILLION DOLLARS FROM THE GENERAL FUND TO THE HOUSING
18 NEEDS PLANNING TECHNICAL ASSISTANCE FUND.

19 **24-32-3710. Prioritization for conformity with planning**
20 **expectations.** (1) ON OR AFTER DECEMBER 1, 2027, ANY GRANT
21 PROGRAM ADMINISTERED BY THE DEPARTMENT, THE COLORADO ENERGY
22 OFFICE, THE OFFICE OF ECONOMIC DEVELOPMENT, THE DEPARTMENT OF
23 TRANSPORTATION, THE DEPARTMENT OF NATURAL RESOURCES, THE
24 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, OR THE
25 DEPARTMENT OF PERSONNEL AND ADMINISTRATION THAT AWARDS
26 GRANTS TO COUNTIES AND MUNICIPALITIES FOR THE PRIMARY PURPOSE OF
27 SUPPORTING LAND USE PLANNING OR HOUSING, EXCLUDING LAND USE

1 PLANNING OR HOUSING PURSUANT TO ARTICLE 32 OF TITLE 29, MUST, SO
2 LONG AS DOING SO IS NOT INCONSISTENT WITH FEDERAL LAW OR THE
3 STATE CONSTITUTION, INCLUDE PRIORITIZATION CRITERIA THAT CONSIDER
4 WHETHER:

5 (a) A CURRENT LOCAL OR REGIONAL HOUSING NEEDS ASSESSMENT
6 HAS BEEN COMPLETED FOR THE LOCAL GOVERNMENT AND HAS BEEN
7 ACCEPTED BY THE DEPARTMENT PURSUANT TO SECTION 24-32-3703 OR
8 24-32-3704;

9 (b) A HOUSING ACTION PLAN HAS BEEN ADOPTED BY THE LOCAL
10 GOVERNMENT AND ACCEPTED BY THE DEPARTMENT PURSUANT TO SECTION
11 24-32-3705;

12 (c) A REPORT HAS BEEN SUBMITTED BY THE LOCAL GOVERNMENT
13 AND ACCEPTED BY THE DEPARTMENT PURSUANT TO SECTION 24-32-3705
14 (6); AND

15 (d) THE MASTER PLAN FOR THE LOCAL GOVERNMENT INCLUDES A
16 WATER ELEMENT AND STRATEGIC GROWTH ELEMENT AS DESCRIBED IN
17 SECTIONS 30-28-106 (3)(a.5) AND 31-23-206 (1.5).

18 (2) IN CONSIDERING AWARDING A GRANT TO A LOCAL
19 GOVERNMENT THAT IS NOT SUBJECT TO ANY OF THE PROVISIONS
20 IDENTIFIED IN THE PRIORITIZATION CRITERIA DESCRIBED IN SUBSECTION (1)
21 OF THIS SECTION, THE DEPARTMENT SHALL TREAT THE LOCAL
22 GOVERNMENT AS IF IT HAS SATISFIED THE PRIORITIZATION CRITERIA IN
23 SUBSECTION (1) OF THIS SECTION.

24 **SECTION 2.** In Colorado Revised Statutes, 30-28-106, **amend**
25 **(1); repeal and reenact, with amendments, (3)(a); and add (3)(a.3),**
26 **(3)(a.5), (3)(a.7), (3)(a.9), and (8) as follows:**

27 **30-28-106. Master plan - definition.** (1) It is the duty of a

1 county planning commission to make and adopt a master plan for the
2 physical development of the unincorporated territory of the county,
3 SUBJECT TO THE APPROVAL OF THE COUNTY COMMISSION HAVING
4 JURISDICTION THEREOF. When a county planning commission decides to
5 adopt a master plan, the commission shall conduct public hearings, after
6 notice of such public hearings has been published in a newspaper of
7 general circulation in the county in a manner sufficient to notify the
8 public of the time, place, and nature of the public hearing, prior to final
9 adoption of a master plan in order to encourage public participation in and
10 awareness of the development of such plan and shall accept and consider
11 oral and written public comments throughout the process of developing
12 the plan.

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

25 (a.3) (I) THE COUNTY OR REGIONAL PLANNING COMMISSION SHALL
26 FOLLOW THE PROCEDURES IN SECTION 24-32-3209. FOR PURPOSES OF THIS
27 SECTION, ANY SPECIAL DISTRICT THAT SUPPLIES WATER TO THE AREA

1 COVERED BY THE MASTER PLAN IS A NEIGHBORING JURISDICTION AS
2 DEFINED IN SECTION 24-32-3209 (1)(h).

3 (II) IN ADOPTING OR AMENDING A MASTER PLAN, THE COUNTY OR
4 REGIONAL PLANNING COMMISSION SHALL CONSIDER THE FOLLOWING,
5 WHERE APPLICABLE OR APPROPRIATE, AND ANY OTHER INFORMATION
6 DEEMED RELEVANT BY THE COUNTY OR REGIONAL PLANNING COMMISSION:

7 (A) THE APPLICABLE HOUSING NEEDS ASSESSMENTS PUBLISHED
8 PURSUANT TO SECTIONS 24-32-3702 (1)(b), 24-32-3703, AND 24-32-3704;

9 (B) THE JOINT REPORT CONCERNING WATER SUPPLY SUBMITTED
10 PURSUANT TO SECTION 24-32-3707;

11 (C) THE NATURAL LAND AND AGRICULTURAL PRIORITIES REPORT
12 PUBLISHED PURSUANT TO SECTION 24-32-3708; AND

13 (D) THE COLORADO WATER PLAN ADOPTED PURSUANT TO SECTION
14 37-60-106.3.

15 (a.5) THE MASTER PLAN MUST INCLUDE:

16 (I) A NARRATIVE DESCRIPTION OF THE PROCEDURE USED FOR THE
17 DEVELOPMENT AND ADOPTION OF THE MASTER PLAN, INCLUDING A
18 SUMMARY OF ANY OBJECTIONS TO THE MASTER PLAN MADE BY
19 NEIGHBORING JURISDICTIONS AS DEFINED IN SECTION 24-32-3209 (1)(h)
20 AND A DESCRIPTION OF THE RESOLUTION OR OUTCOME OF THE OBJECTIONS;

21 (II) (A) A WATER SUPPLY ELEMENT DEVELOPED IN CONSULTATION
22 WITH ENTITIES THAT SUPPLY WATER FOR USE WITHIN THE COUNTY OR
23 REGION TO ENSURE COORDINATION ON WATER SUPPLY AND FACILITY
24 PLANNING.

25 (B) THE WATER SUPPLY ELEMENT MUST IDENTIFY THE GENERAL
26 LOCATION AND EXTENT OF AN ADEQUATE AND SUITABLE SUPPLY OF
27 WATER, IDENTIFY WATER SUPPLIES AND FACILITIES SUFFICIENT TO MEET

1 THE NEEDS OF THE PUBLIC AND PRIVATE INFRASTRUCTURE THAT IS EITHER
2 REASONABLY ANTICIPATED OR IDENTIFIED IN THE PLANNING PROCESS, AND
3 INCLUDE WATER CONSERVATION POLICIES, TO BE DETERMINED BY THE
4 COUNTY OR LOCAL GOVERNMENTS WITHIN A REGION, WHICH MAY INCLUDE
5 GOALS SPECIFIED IN THE COLORADO WATER PLAN ADOPTED PURSUANT TO
6 SECTION 37-60-106.3 AND POLICIES TO IMPLEMENT WATER CONSERVATION
7 AND OTHER COLORADO WATER PLAN GOALS AS A CONDITION OF
8 DEVELOPMENT APPROVAL, FOR SUBDIVISIONS, PLANNED UNIT
9 DEVELOPMENTS, SPECIAL USE PERMITS, AND ZONING CHANGES.

10 (C) A COUNTY OR REGION WITH A MASTER PLAN THAT INCLUDES
11 A WATER SUPPLY ELEMENT SHALL ENSURE THAT ITS MASTER PLAN
12 INCLUDES WATER CONSERVATION POLICIES AT THE FIRST AMENDING OF
13 THE MASTER PLAN, BUT NOT LATER THAN JULY 1, 2025.

14 (D) NOTHING IN THIS SUBSECTION (3)(a.5)(II) SUPERSEDES,
15 ABROGATES, OR OTHERWISE IMPAIRS THE ALLOCATION OF WATER
16 PURSUANT TO THE STATE CONSTITUTION OR ANY OTHER PROVISION OF
17 LAW, THE RIGHT TO BENEFICIALLY USE WATER PURSUANT TO DECREES,
18 CONTRACTS, OR OTHER WATER USE AGREEMENTS, OR THE OPERATION,
19 MAINTENANCE, REPAIR, REPLACEMENT, OR USE OF ANY WATER FACILITY.

20 (E) THE DEPARTMENT OF LOCAL AFFAIRS MAY HIRE AND EMPLOY
21 ONE FULL-TIME EMPLOYEE TO PROVIDE EDUCATIONAL RESOURCES AND
22 ASSISTANCE TO A COUNTY OR REGION THAT INCLUDES WATER
23 CONSERVATION POLICIES IN THE WATER ELEMENTS OF MASTER PLANS AS
24 REQUIRED BY THIS SUBSECTION (3)(a.5)(II).

25 (III) A STRATEGIC GROWTH ELEMENT THAT INTEGRATES HOUSING
26 AND OTHER ELEMENTS OF THE MASTER PLAN, CONSIDERS REGIONAL
27 COMMUTING PATTERNS, AND INCLUDES:

1 (A) A BUILDABLE SITES ANALYSIS THAT IDENTIFIES VACANT,
2 PARTIALLY VACANT, AND UNDERUTILIZED LAND THAT CAN
3 ACCOMMODATE INFILL DEVELOPMENT, REDEVELOPMENT, AND NEW
4 DEVELOPMENT WITHOUT THE DEVELOPMENT OF LAND THAT HAS NOT BEEN
5 PREVIOUSLY DEVELOPED;

6 (B) AN IDENTIFICATION OF AREAS WITHIN A REASONABLE
7 DISTANCE OF RAIL TRANSIT AND FREQUENT BUS SERVICE THAT CAN
8 ACCOMMODATE THE DEVELOPMENT OF HOUSING TO ADDRESS THE
9 HOUSING NEEDS OF CURRENT AND FUTURE RESIDENTS AT ALL INCOME
10 LEVELS; AND

11 (C) A DESCRIPTION OF EXISTING AND NEEDED INFRASTRUCTURE,
12 TRANSPORTATION, AND PUBLIC FACILITIES AND SERVICES TO SERVE THESE
13 SITES;

14 (IV) THE MOST RECENT HOUSING ACTION PLAN OR PLANS ADOPTED
15 BY THE COUNTY OR MUNICIPALITIES WITHIN THE REGION PURSUANT TO
16 SECTION 24-32-3705; AND

17 (V) FOR A MASTER PLAN BY A REGIONAL PLANNING COMMISSION,
18 THE MOST RECENT VERSION OF THE MASTER PLAN REQUIRED BY SECTION
19 31-12-105 (1)(e) BY EACH MUNICIPALITY THAT IS PART OF THE REGIONAL
20 PLANNING COMMISSION AND A DESCRIPTION OF HOW EACH JURISDICTION
21 WILL INTEGRATE THAT PLAN INTO THE MASTER PLAN.

22 (a.7) (I) A COUNTY OR REGION WITH A MASTER PLAN SHALL
23 ENSURE THAT ITS MASTER PLAN INCLUDES A WATER SUPPLY ELEMENT AND
24 A STRATEGIC GROWTH ELEMENT AS REQUIRED BY SUBSECTION (3)(a.5) OF
25 THIS SECTION AT THE FIRST AMENDING OF THE MASTER PLAN THAT OCCURS
26 ON OR AFTER JANUARY 1, 2026, BUT NOT LATER THAN DECEMBER 31,
27 2026. THE MASTER PLAN OF A COUNTY OR REGION ADOPTED OR AMENDED

1 AFTER DECEMBER 31, 2026, MUST INCLUDE A WATER SUPPLY ELEMENT
2 AND STRATEGIC GROWTH ELEMENT AS REQUIRED BY SUBSECTION (3)(a.5)
3 OF THIS SECTION. THE COUNTY OR REGION MUST UPDATE THE WATER
4 SUPPLY ELEMENT AND STRATEGIC GROWTH ELEMENT NO LESS
5 FREQUENTLY THAN EVERY FIVE YEARS.

6 (II) A COUNTY OR REGION WITH A MASTER PLAN IS NOT REQUIRED
7 TO INCLUDE A STRATEGIC GROWTH ELEMENT, IF THE COUNTY OR REGION
8 HAS NOT RECEIVED FUNDING TO INCLUDE THE STRATEGIC GROWTH
9 ELEMENT PURSUANT TO SECTION 24-32-3710 AND EITHER:

10 (A) HAS A POPULATION OF TWENTY THOUSAND OR LESS AND HAS
11 EXPERIENCED NEGATIVE POPULATION GROWTH IN THE MOST RECENT
12 DECENNIAL CENSUS; OR

13 (B) HAS A POPULATION OF FIVE THOUSAND OR LESS.

14 (a.9) THE MASTER PLAN MAY INCLUDE, WHERE APPLICABLE OR
15 APPROPRIATE:

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

1 (II) THE GENERAL LOCATION OF PUBLIC PLACES OR FACILITIES,
2 INCLUDING PUBLIC SCHOOLS; CULTURALLY, HISTORICALLY, OR
3 ARCHAEOLOGICALLY SIGNIFICANT BUILDINGS, SITES, AND OBJECTS;
4 PLAYGROUNDS, FORESTS, RESERVATIONS, SQUARES, PARKS, AIRPORTS,
5 AVIATION FIELDS, MILITARY INSTALLATIONS; AND OTHER PUBLIC WAYS,
6 GROUNDS, OPEN SPACES, TRAILS, AND DESIGNATED FEDERAL, STATE, AND
7 LOCAL WILDLIFE AREAS. FOR PURPOSES OF THIS SECTION, "MILITARY
8 INSTALLATION" HAS THE SAME MEANING AS SPECIFIED IN SECTION
9 29-20-105.6 (2)(b).

10 (III) THE GENERAL LOCATION AND EXTENT OF PUBLIC UTILITIES,
11 TERMINALS, CAPITAL FACILITIES, AND TRANSFER FACILITIES, WHETHER
12 PUBLICLY OR PRIVATELY OWNED, FOR WATER, LIGHT, POWER, SANITATION,
13 TRANSPORTATION, COMMUNICATION, HEAT, AND OTHER PURPOSES AND
14 ANY PROPOSED OR PROJECTED NEEDS FOR CAPITAL FACILITIES AND
15 UTILITIES, INCLUDING THE PRIORITIES, ANTICIPATED COSTS, AND FUNDING
16 PROPOSALS FOR SUCH FACILITIES AND UTILITIES;

17 (IV) THE ACCEPTANCE, WIDENING, REMOVAL, EXTENSION,
18 RELOCATION, NARROWING, VACATION, ABANDONMENT, MODIFICATION, OR
19 CHANGE OF USE OF ANY OF THE PUBLIC WAYS, RIGHTS-OF-WAY, INCLUDING
20 THE COORDINATION OF SUCH RIGHTS-OF-WAY WITH THE RIGHTS-OF-WAY
21 OF OTHER COUNTIES, REGIONS, OR MUNICIPALITIES, GROUNDS, OPEN
22 SPACES, BUILDINGS, PROPERTIES, UTILITIES, OR TERMINALS REFERRED TO
23 IN SUBSECTIONS (3)(a.5)(II)(C), (3)(a.9)(I), (3)(a.9)(II), AND (3)(a.9)(III)
24 OF THIS SECTION;

25 (V) METHODS FOR ASSURING ACCESS TO APPROPRIATE CONDITIONS
26 FOR SOLAR, WIND, OR OTHER ALTERNATIVE ENERGY SOURCES, INCLUDING
27 GEOTHERMAL ENERGY USED FOR WATER HEATING OR SPACE HEATING OR

1 COOLING IN A SINGLE BUILDING, FOR SPACE HEATING FOR MORE THAN ONE
2 BUILDING THROUGH A PIPELINE NETWORK, OR FOR ELECTRICITY
3 GENERATION;

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

14 (VII) THE GENERAL LOCATION AND EXTENT OF FORESTS,
15 AGRICULTURAL AREAS, FLOOD CONTROL AREAS, AND OPEN DEVELOPMENT
16 AREAS FOR PURPOSES OF CONSERVATION, FOOD AND WATER SUPPLY,
17 SANITARY AND DRAINAGE FACILITIES, FLOOD CONTROL, OR THE
18 PROTECTION OF URBAN DEVELOPMENT;

19 (VIII) A LAND CLASSIFICATION AND UTILIZATION PROGRAM;

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

25 (X) THE LOCATION OF AREAS CONTAINING STEEP SLOPES,
26 GEOLOGICAL HAZARDS, ENDANGERED OR THREATENED SPECIES,
27 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 STRATEGIC GROWTH ELEMENT TO THE DIVISION OF LOCAL GOVERNMENT
24 IN THE DEPARTMENT OF LOCAL AFFAIRS. THE DIVISION OF LOCAL
25 GOVERNMENT SHALL REVIEW MASTER PLANS AND MAY PROVIDE
26 COMMENTS TO THE COMMISSION.

27 **SECTION 3.** In Colorado Revised Statutes, 31-23-206, **repeal**

1 **and reenact, with amendments, (1); and add (1.3), (1.5), (1.7), (1.9),**
2 **and (8) as follows:**

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

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

1 DEVELOPING THE MASTER PLAN.

2 (b) THE COMMISSION SHALL FOLLOW THE PROCEDURES IN SECTION
3 24-32-3209. FOR PURPOSES OF THIS SECTION, ANY SPECIAL DISTRICT THAT
4 SUPPLIES WATER TO THE AREA COVERED BY THE MASTER PLAN IS A
5 NEIGHBORING JURISDICTION AS DEFINED IN SECTION 24-32-3209 (1)(h).

6 (c) FOR ANY MASTER PLAN ADOPTED AFTER JANUARY 1, 2026, THE
7 COMMISSION SHALL CONSIDER THE FOLLOWING, WHERE APPLICABLE OR
8 APPROPRIATE, AND ANY OTHER INFORMATION DEEMED RELEVANT BY THE
9 COMMISSION:

10 (I) THE APPLICABLE HOUSING NEEDS ASSESSMENTS PUBLISHED
11 PURSUANT TO SECTION 24-32-3702 (1)(b), 24-32-3703, OR 24-32-3704;

12 (II) THE JOINT REPORT CONCERNING WATER SUPPLY SUBMITTED
13 PURSUANT TO SECTION 24-32-3707;

14 (III) THE NATURAL LAND AND AGRICULTURAL PRIORITIES REPORT
15 PUBLISHED PURSUANT TO SECTION 24-32-3708; AND

16 (IV) THE COLORADO WATER PLAN ADOPTED PURSUANT TO
17 SECTION 37-60-106.3.

18 (1.5) THE MASTER PLAN MUST INCLUDE:

19 (a) A NARRATIVE DESCRIPTION OF THE PROCEDURE USED FOR THE
20 DEVELOPMENT AND ADOPTION OF THE MASTER PLAN, INCLUDING A
21 SUMMARY OF ANY OBJECTIONS TO THE MASTER PLAN MADE BY
22 NEIGHBORING JURISDICTIONS PURSUANT TO SECTION 24-32-3209 AND A
23 DESCRIPTION OF THE RESOLUTION OR OUTCOME OF THE OBJECTIONS;

24 (b) THE MOST RECENT VERSION OF THE MASTER PLAN REQUIRED BY
25 SECTION 31-12-105 (1)(e) OR A SIMILAR MASTER PLAN FOR AREAS OF
26 POTENTIAL GROWTH WITHIN THREE MILES OF THE MUNICIPALITY'S
27 EXISTING BOUNDARIES AND A DESCRIPTION OF HOW THE MUNICIPALITY

1 INTENDS TO INTEGRATE THAT PLAN INTO THE MASTER PLAN;

2 (c) (I) A WATER SUPPLY ELEMENT DEVELOPED IN CONSULTATION
3 WITH ENTITIES THAT SUPPLY WATER FOR USE WITHIN THE MUNICIPALITY
4 TO ENSURE COORDINATION ON WATER SUPPLY AND FACILITY PLANNING.

5 (II) THE WATER SUPPLY ELEMENT MUST:

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

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

11 (C) INCLUDE WATER CONSERVATION POLICIES, TO BE DETERMINED
12 BY THE MUNICIPALITY, WHICH MAY INCLUDE GOALS SPECIFIED IN THE
13 COLORADO WATER PLAN ADOPTED PURSUANT TO SECTION 37-60-106.3
14 AND POLICIES TO IMPLEMENT WATER CONSERVATION AND OTHER
15 COLORADO WATER PLAN GOALS AS A CONDITION OF DEVELOPMENT
16 APPROVAL, INCLUDING SUBDIVISIONS, PLANNED UNIT DEVELOPMENTS,
17 SPECIAL USE PERMITS, AND ZONING CHANGES.

18 (III) A MUNICIPALITY WITH A MASTER PLAN THAT INCLUDES A
19 WATER SUPPLY ELEMENT SHALL ENSURE THAT ITS MASTER PLAN INCLUDES
20 WATER CONSERVATION POLICIES AT THE FIRST AMENDING OF THE MASTER
21 PLAN, BUT NOT LATER THAN JULY 1, 2025;

22 (IV) NOTHING IN THIS SUBSECTION (1.5)(c) SUPERSEDES,
23 ABROGATES, OR OTHERWISE IMPAIRS THE ALLOCATION OF WATER
24 PURSUANT TO THE STATE CONSTITUTION OR ANY OTHER PROVISION OF
25 LAW, THE RIGHT TO BENEFICIALLY USE WATER PURSUANT TO DECREES,
26 CONTRACTS, OR OTHER WATER USE AGREEMENTS, OR THE OPERATION,
27 MAINTENANCE, REPAIR, REPLACEMENT, OR USE OF ANY WATER FACILITY;

1 AND

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

7 (d) A STRATEGIC GROWTH ELEMENT THAT INTEGRATES HOUSING
8 AND OTHER ELEMENTS OF THE MASTER PLAN, CONSIDERS REGIONAL
9 COMMUTING PATTERNS, AND INCLUDES:

10 (I) A BUILDABLE SITES ANALYSIS THAT IDENTIFIES VACANT,
11 PARTIALLY VACANT, AND UNDERUTILIZED LAND THAT CAN
12 ACCOMMODATE INFILL DEVELOPMENT, REDEVELOPMENT, AND NEW
13 DEVELOPMENT WITHOUT THE DEVELOPMENT OF LAND THAT HAS NOT
14 PREVIOUSLY BEEN DEVELOPED;

15 (II) AN IDENTIFICATION OF AREAS WITHIN A REASONABLE
16 DISTANCE OF RAIL TRANSIT AND FREQUENT BUS SERVICE THAT CAN
17 ACCOMMODATE THE DEVELOPMENT OF HOUSING TO ADDRESS THE
18 HOUSING NEEDS OF CURRENT AND FUTURE RESIDENTS AT ALL INCOME
19 LEVELS; AND

20 (III) A DESCRIPTION OF EXISTING AND NEEDED INFRASTRUCTURE,
21 TRANSPORTATION, AND PUBLIC FACILITIES AND SERVICES TO SERVE THESE
22 SITES; AND

23 (e) THE MOST RECENT HOUSING ACTION PLAN ADOPTED BY THE
24 MUNICIPALITY PURSUANT TO SECTION 24-32-3705.

25 (1.7) (a) A MUNICIPALITY WITH A MASTER PLAN SHALL ENSURE
26 THAT ITS MASTER PLAN INCLUDES A WATER SUPPLY ELEMENT AND
27 STRATEGIC GROWTH ELEMENT AS REQUIRED BY SUBSECTION (1.5) OF THIS

1 SECTION AT THE FIRST AMENDING OF THE MASTER PLAN THAT OCCURS ON
2 OR AFTER JANUARY 1, 2026, BUT NOT LATER THAN DECEMBER 31, 2026.
3 THE MASTER PLAN OF A MUNICIPALITY ADOPTED OR AMENDED AFTER
4 DECEMBER 31, 2026, MUST INCLUDE A WATER SUPPLY ELEMENT AND
5 STRATEGIC GROWTH ELEMENT AS REQUIRED BY SUBSECTION (1.5) OF THIS
6 SECTION. A MUNICIPALITY SHALL UPDATE THE WATER SUPPLY ELEMENT
7 AND STRATEGIC GROWTH ELEMENT AS REQUIRED BY SUBSECTION (1.5) OF
8 THIS SECTION NO LESS FREQUENTLY THAN EVERY FIVE YEARS.

9 (b) A MUNICIPALITY WITH A MASTER PLAN IS NOT REQUIRED TO
10 INCLUDE A STRATEGIC GROWTH ELEMENT IF THE MUNICIPALITY HAS NOT
11 RECEIVED FUNDING TO INCLUDE THE STRATEGIC GROWTH ELEMENT
12 PURSUANT TO SECTION 24-32-3710 AND EITHER:

13 (I) HAS A POPULATION OF TWENTY THOUSAND OR LESS AND HAS
14 EXPERIENCED NEGATIVE POPULATION GROWTH IN THE MOST RECENT
15 DECENNIAL CENSUS; OR

16 (II) HAS A POPULATION OF TWO THOUSAND OR LESS.

17 (1.9) THE MASTER PLAN MAY INCLUDE, WHERE APPLICABLE OR
18 APPROPRIATE:

19 (a) THE GENERAL LOCATION, CHARACTER, AND EXTENT OF
20 EXISTING, PROPOSED, OR PROJECTED STREETS, ROADS, RIGHTS-OF-WAY,
21 BRIDGES, WATERWAYS, WATERFRONTS, PARKWAYS, HIGHWAYS, MASS
22 TRANSIT ROUTES AND CORRIDORS, AND ANY TRANSPORTATION PLAN
23 PREPARED BY ANY METROPOLITAN PLANNING ORGANIZATION THAT
24 COVERS ALL OR A PORTION OF THE MUNICIPALITY AND THAT THE
25 MUNICIPALITY HAS RECEIVED NOTIFICATION OF OR, IF THE MUNICIPALITY
26 IS NOT LOCATED IN AN AREA COVERED BY A METROPOLITAN PLANNING
27 ORGANIZATION, ANY TRANSPORTATION PLAN PREPARED BY THE

1 DEPARTMENT OF TRANSPORTATION THAT THE MUNICIPALITY HAS
2 RECEIVED NOTIFICATION OF AND THAT COVERS ALL OR A PORTION OF THE
3 MUNICIPALITY;

4 (b) THE GENERAL LOCATION OF PUBLIC PLACES OR FACILITIES,
5 INCLUDING PUBLIC SCHOOLS, CULTURALLY, HISTORICALLY, OR
6 ARCHAEOLOGICALLY SIGNIFICANT BUILDINGS, SITES, AND OBJECTS,
7 PLAYGROUNDS, SQUARES, PARKS, AIRPORTS, AVIATION FIELDS, MILITARY
8 INSTALLATIONS, AND OTHER PUBLIC WAYS, GROUNDS, OPEN SPACES,
9 TRAILS, AND DESIGNATED FEDERAL, STATE, AND LOCAL WILDLIFE AREAS.
10 FOR PURPOSES OF THIS SECTION, "MILITARY INSTALLATION" HAS THE SAME
11 MEANING AS SPECIFIED IN SECTION 29-20-105.6 (2)(b).

12 (c) THE GENERAL LOCATION AND EXTENT OF PUBLIC UTILITIES
13 TERMINALS, CAPITAL FACILITIES, AND TRANSFER FACILITIES, WHETHER
14 PUBLICLY OR PRIVATELY OWNED OR OPERATED, FOR WATER, LIGHT,
15 SANITATION, TRANSPORTATION, COMMUNICATION, POWER, AND OTHER
16 PURPOSES AND ANY PROPOSED OR PROJECTED NEEDS FOR CAPITAL
17 FACILITIES AND UTILITIES, INCLUDING THE PRIORITIES, ANTICIPATED
18 COSTS, AND FUNDING PROPOSALS FOR SUCH FACILITIES AND UTILITIES;

19 (d) THE ACCEPTANCE, REMOVAL, RELOCATION, WIDENING,
20 NARROWING, VACATING, ABANDONMENT, MODIFICATION, CHANGE OF USE,
21 OR EXTENSION OF ANY OF THE PUBLIC WAYS, RIGHTS-OF-WAY, INCLUDING
22 THE COORDINATION OF SUCH RIGHTS-OF-WAY WITH THE RIGHTS-OF-WAY
23 OF OTHER MUNICIPALITIES, COUNTIES, OR REGIONS, GROUNDS, OPEN
24 SPACES, BUILDINGS, PROPERTY, UTILITY, OR TERMINALS REFERRED TO IN
25 SUBSECTIONS (1.5)(c), (1.7)(a), AND (1.7)(b) OF THIS SECTION;

26 (e) A ZONING PLAN FOR THE CONTROL OF THE HEIGHT, AREA, BULK,
27 LOCATION, AND USE OF BUILDINGS AND PREMISES. SUCH A ZONING PLAN

1 MAY PROTECT AND ASSURE ACCESS TO APPROPRIATE CONDITIONS FOR
2 SOLAR, WIND, OR OTHER ALTERNATIVE ENERGY SOURCES, INCLUDING
3 GEOTHERMAL ENERGY USED FOR WATER HEATING OR SPACE HEATING OR
4 COOLING IN A SINGLE BUILDING, FOR SPACE HEATING FOR MORE THAN ONE
5 BUILDING THROUGH A PIPELINE NETWORK, OR FOR ELECTRICITY
6 GENERATION; HOWEVER, REGULATIONS AND RESTRICTIONS OF THE HEIGHT,
7 NUMBER OF STORIES, SIZE OF BUILDINGS AND OTHER STRUCTURES, AND
8 THE HEIGHT AND LOCATION OF TREES AND OTHER VEGETATION SHALL NOT
9 APPLY TO EXISTING BUILDINGS, STRUCTURES, TREES, OR VEGETATION
10 EXCEPT FOR NEW GROWTH ON SUCH VEGETATION;

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

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

22 (h) A PLAN FOR THE LOCATION AND PLACEMENT OF PUBLIC
23 UTILITIES THAT FACILITATES THE PROVISION OF SUCH UTILITIES TO ALL
24 EXISTING, PROPOSED, OR PROJECTED DEVELOPMENTS IN THE
25 MUNICIPALITY;

26 (i) PROJECTIONS OF POPULATION GROWTH AND HOUSING NEEDS TO
27 ACCOMMODATE THE PROJECTED POPULATION FOR SPECIFIED INCREMENTS

1 OF TIME. THE MUNICIPALITY MAY BASE THESE PROJECTIONS UPON DATA
2 FROM THE DEPARTMENT OF LOCAL AFFAIRS AND UPON THE MUNICIPALITY'S
3 LOCAL OBJECTIVES;

4 (j) THE AREAS CONTAINING STEEP SLOPES, GEOLOGICAL HAZARDS,
5 ENDANGERED OR THREATENED SPECIES, WETLANDS, FLOODPLAINS,
6 FLOODWAYS, AND FLOOD RISK ZONES, HIGHLY ERODIBLE LAND OR
7 UNSTABLE SOILS, AND WILDFIRE HAZARDS. FOR PURPOSES OF
8 DETERMINING THE LOCATION OF SUCH AREAS, THE PLANNING COMMISSION
9 SHOULD CONSIDER THE FOLLOWING SOURCES FOR GUIDANCE:

10 (I) THE COLORADO GEOLOGICAL SURVEY FOR DEFINING AND
11 MAPPING GEOLOGICAL HAZARDS;

12 (II) THE UNITED STATES FISH AND WILDLIFE SERVICE OF THE
13 UNITED STATES DEPARTMENT OF THE INTERIOR AND THE PARKS AND
14 WILDLIFE COMMISSION CREATED IN SECTION 33-9-101 FOR LOCATING
15 AREAS INHABITED BY ENDANGERED OR THREATENED SPECIES;

16 (III) THE UNITED STATES ARMY CORPS OF ENGINEERS AND THE
17 UNITED STATES FISH AND WILDLIFE SERVICE NATIONAL WETLANDS
18 INVENTORY FOR DEFINING AND MAPPING WETLANDS;

19 (IV) THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR
20 DEFINING AND MAPPING FLOODPLAINS, FLOODWAYS, AND FLOOD RISK
21 ZONES;

22 (V) THE NATURAL RESOURCES CONSERVATION SERVICE OF THE
23 UNITED STATES DEPARTMENT OF AGRICULTURE FOR DEFINING AND
24 MAPPING UNSTABLE SOILS AND HIGHLY ERODIBLE LAND; AND

25 (VI) THE COLORADO STATE FOREST SERVICE FOR LOCATING
26 WILDFIRE HAZARD AREAS.

27 (8) THE COMMISSION SHALL SUBMIT THE MASTER PLAN AND ANY

1 SEPARATELY APPROVED WATER ELEMENT AND STRATEGIC GROWTH
2 ELEMENT TO THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT
3 OF LOCAL AFFAIRS. THE DIVISION OF LOCAL GOVERNMENT SHALL REVIEW
4 MASTER PLANS AND MAY PROVIDE COMMENTS TO THE COMMISSION.

5 **SECTION 4.** In Colorado Revised Statutes, 38-33.3-106.5, **add**
6 (3) as follows:

7 **38-33.3-106.5. Prohibitions contrary to public policy -**
8 **patriotic, political, or religious expression - public rights-of-way - fire**
9 **prevention - renewable energy generation devices - affordable**
10 **housing - drought prevention measures - child care - definitions.**

11 (3) (a) AN ASSOCIATION SHALL NOT PROHIBIT OR RESTRICT THE
12 CONSTRUCTION OF ACCESSORY DWELLING UNITS OR MIDDLE HOUSING IF
13 THE ZONING LAWS OF THE LOCAL JURISDICTION WOULD OTHERWISE ALLOW
14 SUCH USES ON A PROPERTY. THIS SUBSECTION (3)(a) APPLIES ONLY TO ANY
15 DECLARATION RECORDED ON OR AFTER JULY 1, 2024, OR IN ANY BYLAWS
16 OR RULES AND REGULATIONS OF THE ASSOCIATION ADOPTED OR AMENDED
17 ON OR AFTER JULY 1, 2024, UNLESS THE DECLARATION, BYLAWS, OR RULES
18 AND REGULATIONS CONTAINED SUCH A RESTRICTION AS OF THE EFFECTIVE
19 DATE OF THIS SUBSECTION (3)(a).

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

22 (I) "ACCESSORY DWELLING UNIT" MEANS AN INTERNAL,
23 ATTACHED, OR DETACHED DWELLING UNIT THAT IS LOCATED ON THE SAME
24 LOT AS A PROPOSED OR EXISTING PRIMARY RESIDENCE.

25 (II) "MIDDLE HOUSING" MEANS A RESIDENTIAL STRUCTURE OR
26 STRUCTURES THAT INCLUDE BETWEEN TWO AND FOUR SEPARATE
27 DWELLING UNITS IN A STRUCTURE, A TOWNHOME BUILDING, OR A COTTAGE

1 CLUSTER OF UP TO FOUR UNITS.

2 **SECTION 5. Safety clause.** The general assembly finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, or safety or for appropriations for
5 the support and maintenance of the departments of the state and state
6 institutions.