



COLORADO
Department of Local Affairs
Division of Local Government

2024 Land Use & Housing Legislation Overview

Land Use & Housing Bills

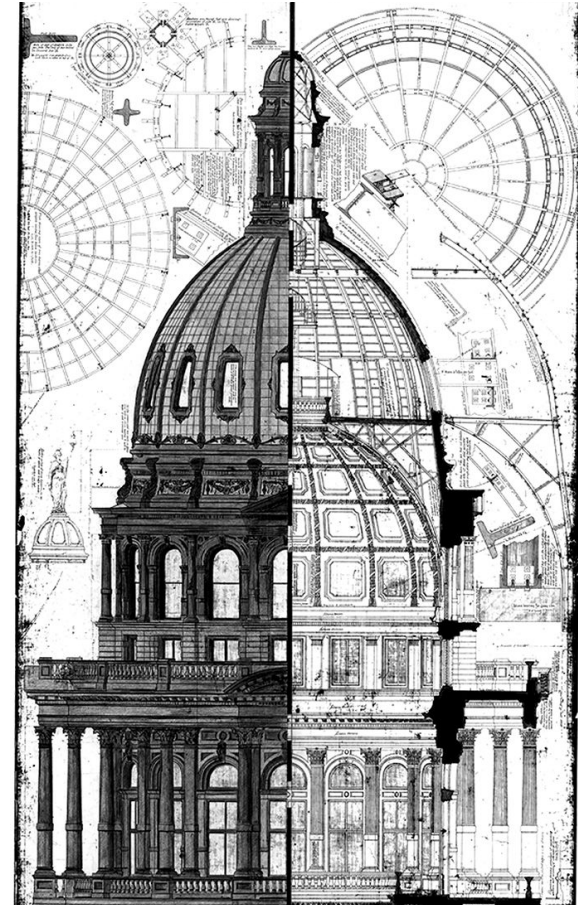


Division of Local Government (DLG)/Community Development Office (CDO) Implementation Priorities

- HB 24-1007 Residential Occupancy Limits
- HB 24-1304 Minimum Parking Requirements
- HB 24-1152 Accessory Dwelling Units
- HB 24-1313 Transit-Oriented Communities
- SB 24-174 Affordable Housing Planning

Other Notable Bills

- HB 24-1237 Child Care Facilities
- HB 24-1308 Implementation of Affordable Housing
- SB 24-001 Local Gov Property Tax Credits Rebate
- HB 24-1107 Judicial Review of Local LU Decisions
- HB 24-1173 EV Charging System Permits

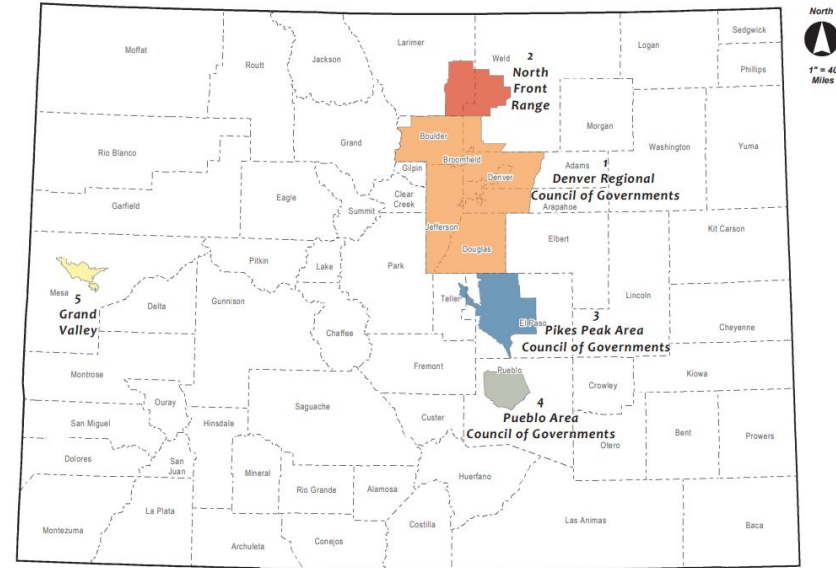


Preliminary Notes



Please be aware

- Any required reporting necessitates developing “form and manner” documents
- Any grant program necessitates program, policies, and procedures development
- Several bill components mandate specific consultations
- Outside of mandatory consultation, stakeholder engagement will be critical to shaping implementation
- There is a lot already happening behind the scenes (e.g., web development, staffing planning, etc.)



Data Source: CDOT 2022
Published: September 2023
codot.gov

Metropolitan Planning Organizations



Applicability is often limited to MPO areas

Please submit questions into the chat!

Prohibit Residential Occupancy Limits



HB 24-1007 Residential Occupancy: Components



Local governments must not limit residential occupancy based on familial relationship.

Reminder: July 1, 2024 the law takes effect.



HB 24-1007 Residential Occupancy: Flexibility



Local governments may limit residential occupancy based on “demonstrated health and safety standards” (i.e., IBC, fire code, CDPHE wastewater/water quality standards or affordable housing program guidelines).



Resource: compliance guidance to be posted on our website.

Minimum Parking Requirements



HB 24-1304 Parking Minimums: Components



Local requirement

For areas in MPOs and at least partially within applicable transit service areas, local governments must not enact/enforce local laws requiring minimum parking for multifamily residential, adaptive reuse for residential, or adaptive reuse for mixed use that includes 50% of use for residential.

Applicability map

DOLA publishes transit service areas map.

Required support

DOLA publishes best practices and technical assistance materials.

Reporting

Local gov't annual reporting (if applicable).



“nothing prevents”

- ADA protections
- Parking maximums
- Being awarded funds that require a ratio of parking
- Enforcing agreements made from approvals prior to effective date
- Minimum bicycle parking requirements
- Requiring, of voluntarily provided spaces, owners charge a fee for use, owners contribute to a parking enterprise/system/sharing plan, or applying EV charging requirements
- Require min parking for 20+ units or containing regulated aff. housing (but <1 space per unit & must publish findings of “substantial negative impacts” of not having minimums)



HB 24-1304 Parking Minimums: Dates & Resources



Key Dates

- 9/30/24 DOLA publishes map
- 12/31/24 DOLA publishes Best Practices and Technical Assistance (TA) materials
- 6/30/25 deadline to no longer enact/enforce parking mins locally
- 12/31/26 report (if applicable)

Resources

- “Within existing resources, to the extent feasible, develop and publish **best practices** and **technical assistance materials** concerning optimizing parking supply and managing parking in ways that increase the production of affordable housing and housing supply” 29-36-105(1)
- Preliminary information on our website



Accessory Dwelling Units



Local ADU Requirements

- Local governments (within MPOs, municipalities of 1k+ pop and Census Designated Places (CDPs) of 40k+ pop) must allow 1 ADU where single family detached units are allowed.
- Must approve with an administrative process (not elevated to public hearing).
- Cannot require parking or owner occupancy (with limited exceptions) or apply restrictive design/development standards.
- Applies to PUDs & HOAs.

Certification process

- Report showing compliance, implementation of 1+ strategy encouraging construction/conversion from a menu.
- Note: non-subject jurisdictions can opt in!

Grant program

- ADU fee reduction / encouragement program for pre-approved plans, local TA, or reducing fees. (Also funding for financing options at CHFA.)



HB 24-1152 Accessory Dwelling Units: Flexibility



“nothing prevents”

- Require parking space be designated if existing driveway, garage, tandem parking, off-street space; or if not but parking is required as of 1/1/24 & on-street parking is prohibited on the block
- Require owner occupancy at time of application to construct/convert an ADU (except for new construction) or for STR license
- Allow smaller & larger (<500, >750) but not > principal
- Can allow multiple ADUs
- Impact fees
- Local STR regs
- Historic district standards / procedures
- Life safety code (utilities, fire, stormwater)
- Defining ADUs to include motor homes, rec vehicles
- Requiring water / wastewater capacity letter



HB 24-1152 Accessory Dwelling Units: Dates and Resources



Key Dates

- 6/30/25 compliance report due to DOLA (one-time)
- 9/28/25 DOLA approves / rejects / grants extension

Resources

- Toolkit (subject to appropriations)
- Factory-built structure model code (DOH)
- Fee Reduction and Encouragement Grant Program



Housing in Transit-Oriented Communities



HB 24-1313 Transit-Oriented Communities: Applicability



Jurisdictions that are required to meet their Housing Opportunity Goal through "Transit Centers":

- **Municipalities:** in MPOs, with a population of 4,000 or more, with 75 acres or more of Transit Areas (areas near frequent transit service).
- **Counties:** in MPOs and near light or commuter rail stations, or, have unincorporated areas that are completely surrounded by municipalities.

Local jurisdictions statewide may opt-in with "Neighborhood Centers."

Adams County
Arapahoe County
Arvada
Aurora
Boulder
Broomfield
Centennial
Cherry Hills Village
Colorado Springs
Commerce City
Denver
Douglas County
Edgewater
Englewood
Fort Collins
Glendale

Golden
Greenwood Village
Jefferson County
Lafayette
Lakewood
Littleton
Lone Tree
Longmont
Louisville
Northglenn
Sheridan
Superior
Thornton
Westminster
Wheat Ridge

HB 24-1313 Transit-Oriented Communities: Components



Housing Opportunity Goal (HOG) Calculation:

Step 1: use DOLA map of Transit Areas and calculate jurisdiction-wide HOG

Step 2: identify any gap between existing zoned capacity and HOG

Step 3: designate additional Transit Centers if necessary to meet HOG

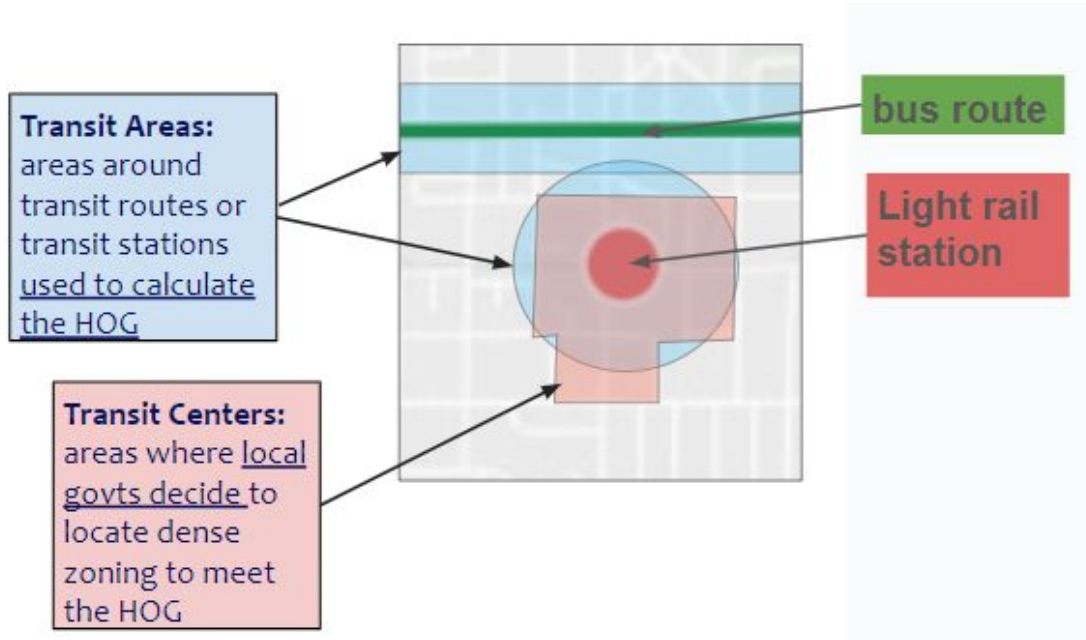
Step 4: evaluate existing affordability and displacement mitigation strategies and create an implementation plan

HOG Reporting:

- Preliminary Report (June 2025)
- Final Report (Dec 2026) with additional time to complete zoning and strategies (until Dec 2027)
- Ongoing 3-year Status Reports



HB 24-1313 Transit-Oriented Communities: Defining Transit Areas & Transit Centers



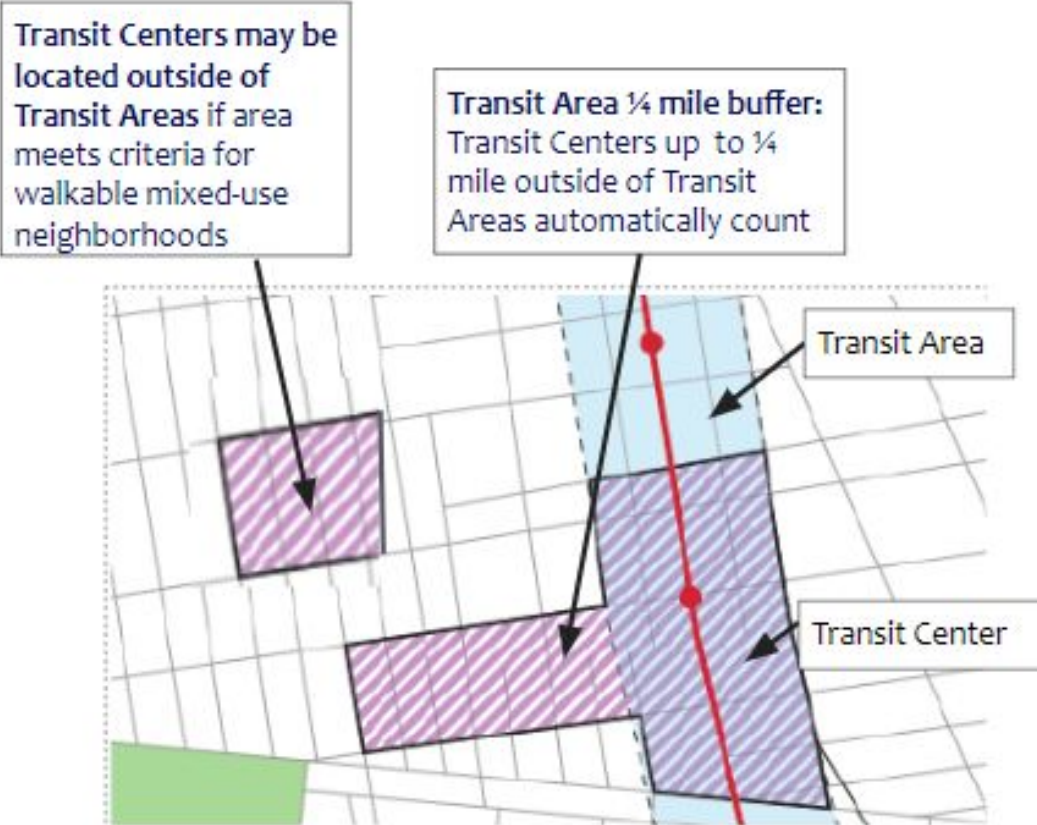
IMPORTANT: Transit Centers are **NOT** required in all Transit Areas.

Local governments may locate Transit Centers in some locations while avoiding other locations, as long as the jurisdiction-wide Housing Opportunity Goal is met.

HB 24-1313 Transit-Oriented Communities: Transit Center locational flexibility (slide 1 of 2)



Part 1:

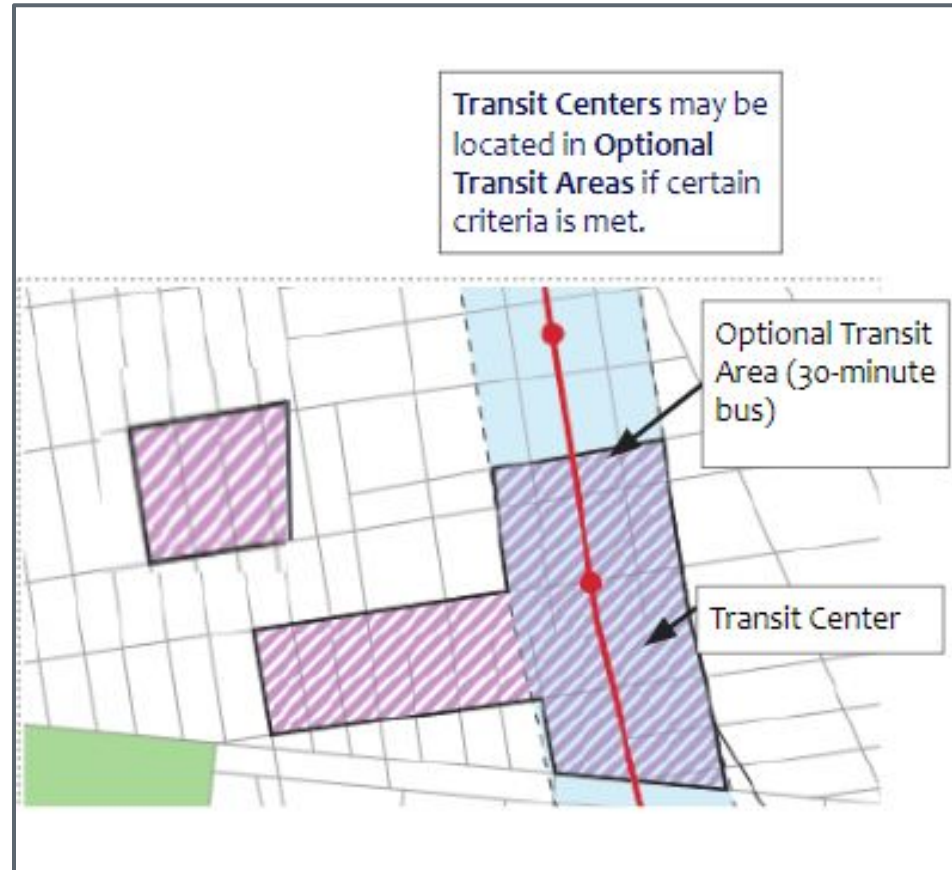


HB 24-1313 Transit-Oriented Communities: Transit Center locational flexibility (slide 2 of 2)



Part 2:

Note: Optional Transit Areas do not increase the Housing Opportunity Goal calculation



HB 24-1313 Transit-Oriented Communities: Transit Center locational flexibility



Please contact us early and often to discuss how your community's plans for zoning can work within the flexibility provided by HB24-1313!



HB 24-1313 Transit-Oriented Communities: Other Flexibility (slide 2 of 2)



“nothing prevents”

- Discretionary approval for subdivisions, rezonings, variances
- Greater net density or more permissive standards
- Discretionary review at applicant’s option
- Not publicly disclosing confidential water supply/facility info
- Allowing commercial/business/mixed use w/in TCs
- Denying/conditioning due to traffic study



HB 24-1313 Transit-Oriented Communities: Dates

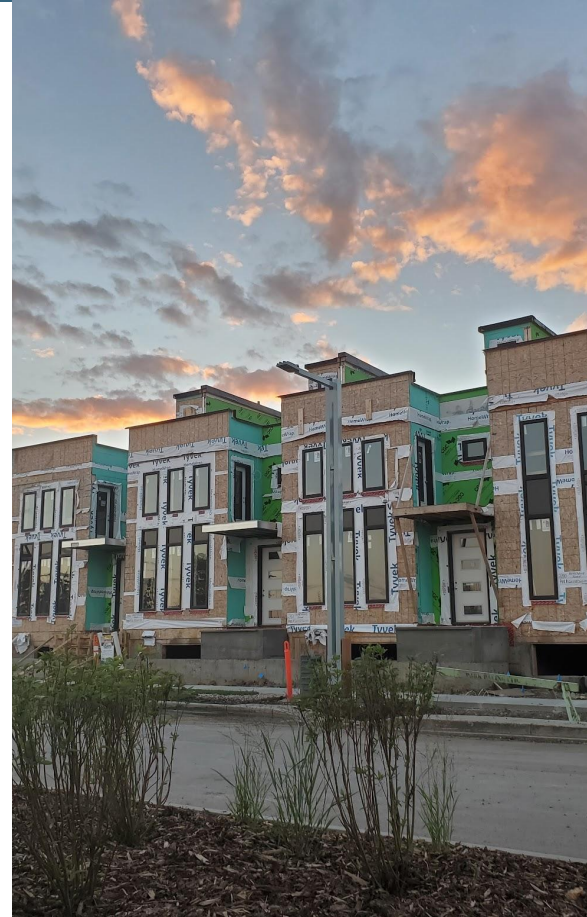


Key Dates

- 9/30/24 DOLA publishes transit area & walkshed maps
- 2/28/25 DOLA provides HOG calculation model and guidance
- 6/30/25 Preliminary TOC assessment report due to DOLA (for review and approval / amendment)
- 6/30/25 DOLA publishes affordability menus, displacement risk assessment guidance and strategies
- 12/31/26 water insufficiency notice due to DOLA, if applicable (3y)
- 12/31/26 Final HOG report due (status reports every 3y)
- 12/31/27 HOG as state law, DOLA gives notice of any non-compliance



Sustainable Affordable Housing Assistance (Housing Planning)



SB 24-174 Housing Planning: Components (slide 1 of 2)



Housing Needs Assessments

All local governments of 1,000 or more in population (unless negative pop change 1%+ in last decennial census **or** participated in Regional HNA).

HNA must conform to DOLA's methodology and requirements in statute.

Housing Action Plans

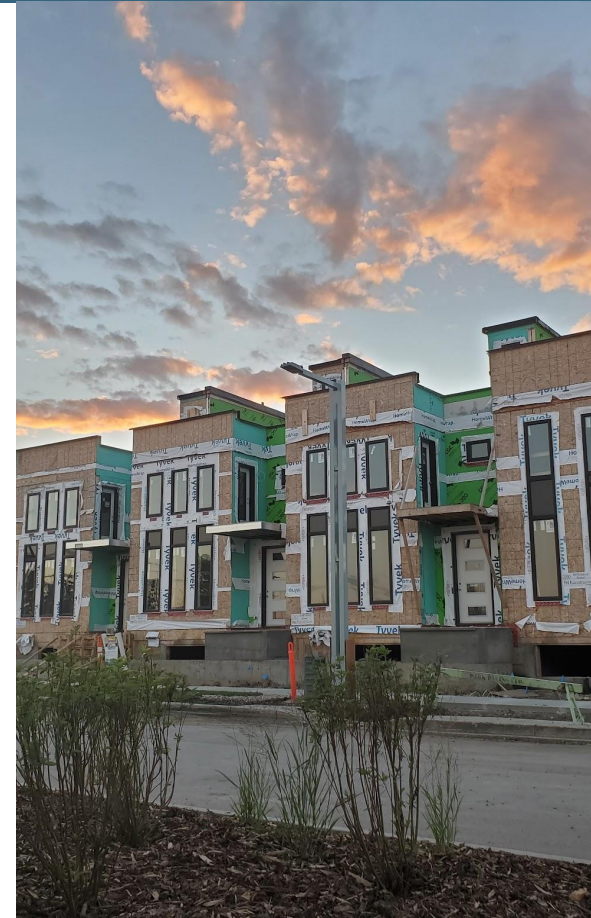
Local governments of 5,000 or more in population or 1,000 or more in population and participated in a RHNA or rural resort community as of 1/1/24.

Grant program

Housing Needs Planning TA Fund for HNAs.

Technical Assistance

Materials, training, tools, templates, and function as a clearing house.



SB 24-174 Housing Planning: Components (slide 2 of 2)



Directory

Affordability strategies, displacement mitigation strategies.

State Reports

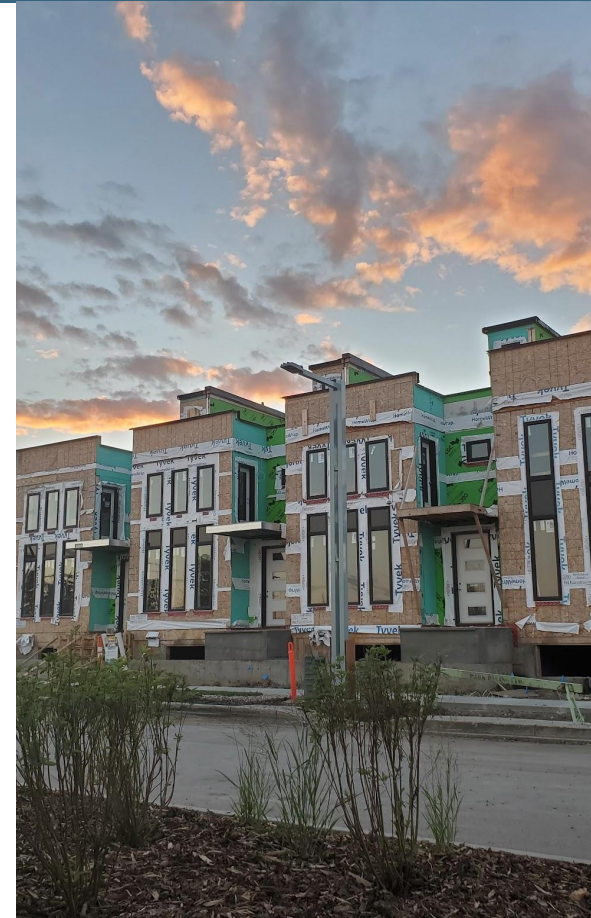
DOLA leads, facilitates engagement for, and publishes (1) a statewide strategic growth report and (2) a natural/agricultural interjurisdictional opportunities report.

State Grants Criteria

Update to prioritize projects in/supporting neighborhood centers and compliant LGs (re HNAs/HAPs and comprehensive plans).

Comp Plans

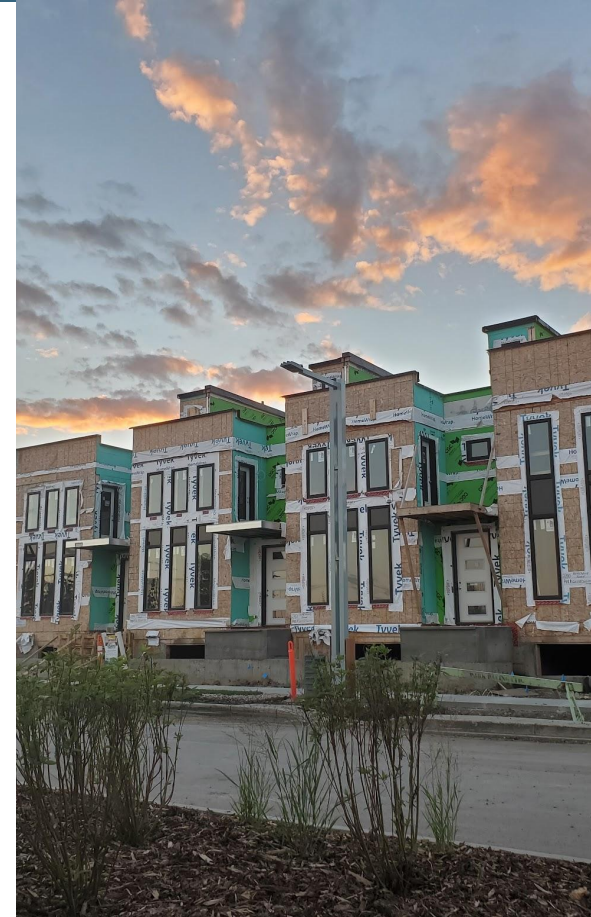
Must include a strategic growth element and a water supply element by 12/31/26.



SB 24-174 Housing Planning: Flexibility



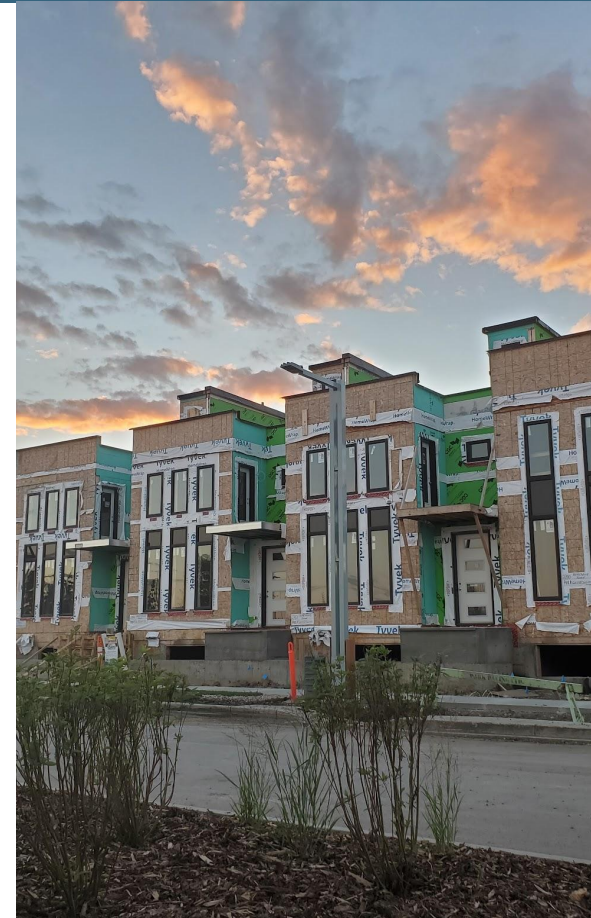
Primarily in Regional Housing Needs Assessment participation.



SB 24-174 Housing Planning: Key Dates



- 12/31/24 DOLA publishes methodologies for state, regional, and local HNAs & displacement assessment guidance
- 6/30/25 DOLA publishes affordability menus, displacement strategy directory, and neighborhood center criteria
- 10/31/25 DOLA publishes statewide strategic growth report
- 12/31/25 DOLA publishes natural land and ag interjurisdictional opportunities report
- 12/31/26 DOLA updates grant award criteria to prioritize neighborhood centers
- 12/31/26 local HNAs due to DOLA for acceptance
- 11/30/27 DOLA publishes statewide HNA, report on all HNAs, and updates grant program criteria for compliance beyond neighborhood centers (e.g., HNAs)
- 1/1/28 HAP posted locally and submitted to DOLA for acceptance
- Ongoing status reporting (3 years) and recurring HNAs/HAPs (6 years)



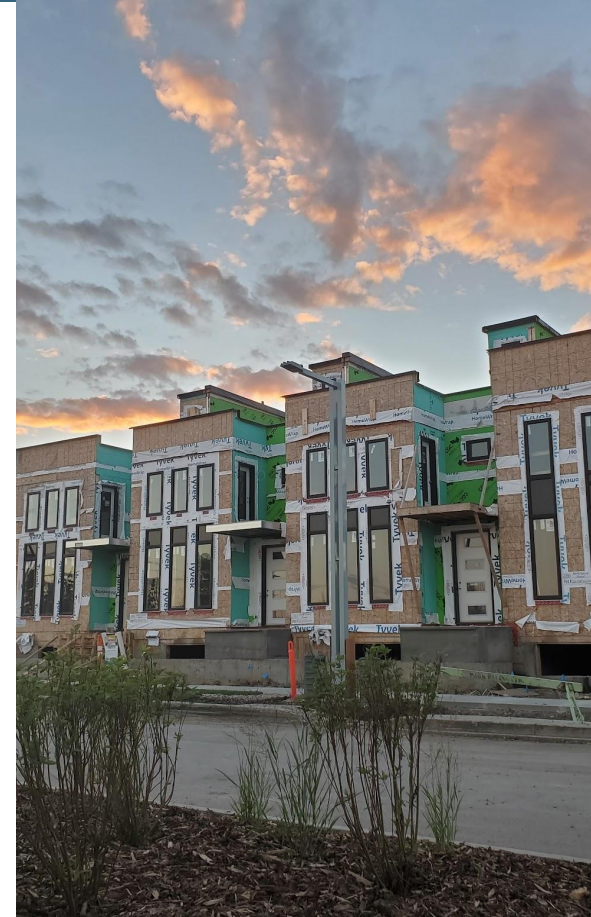
SB 24-174 Housing Planning: Resources



Directory of strategies

Templates, tools, samples, etc.

Housing Needs Planning TA Fund (grant program)



Priorities and Next Steps



Immediate Priorities

- Internal multi-bill implementation planning and rollout
- Required mapping (1313, 1304)
- Procurement planning for time-sensitive deliverables

Next Steps

- Launch development of HNA methodologies (174)
- Preliminary compliance guidance
- Web development beyond initial landing pages
- Establish multi-bill stakeholder process



Stakeholder Engagement



What We Know

- Who (interests listed in bills)
- What (the two 174 reports, HNA methodology development, grant program criteria, “form and manner” documents, displacement risk methodology, best management practices for parking, transit area map, etc.)

What We Don't Know

- Who (exact contacts)
- When (timing for stakeholder engagement meetings)

Please email me if you'd like to be part of our bench of technical experts!



Additional Resources



HB 24-1313 TOC Technical Webinar

View FAQs and a recording from an April 8, 2024 webinar that provided a technical deep-dive into the framework and inner workings of the Transit Oriented Communities bill. (Note: information presented was current as of the date of the webinar.)

New Land Use & Housing Bills Webpages

<https://cdola.colorado.gov/2024-land-use-and-housing-legislation>

FAQs and Posting of this Webinar

To be distributed to the attendee list and promoted in the CDO listserv.



Thank you!



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