

SUBJECT: ORDINANCE NO. 1897, SERIES 2025 – AN ORDINANCE AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE TO UPDATE PARKING MINIMUMS FOR MULTIFAMILY AND ADAPTIVE REUSE DEVELOPMENT – 1st READING, SET PUBLIC HEARING

DATE: JUNE 3, 2025

PREPARED BY: MATT POST, SENIOR PLANNER

PRESENTED BY: MATT POST, SENIOR PLANNER

SUMMARY:

In 2024, the Colorado General Assembly adopted House Bill 24-1304 requiring local governments within Metropolitan Planning Organizations (MPOs) to eliminate minimum parking requirements for new multifamily and residential adaptive reuse developments within designated Applicable Transit Service Areas (ATSAs).

The City of Louisville is located within a Denver Regional Council of Governments MPO, and a total of 44 transit stops that qualify as ATSAs have been identified within the City's jurisdiction.

HB24-1304 prohibits local governments within MPOs from enacting or enforcing these minimum parking requirements on or after June 30, 2025. The law was adopted with the intent of reducing the overall cost of housing, increasing development feasibility, and promoting a shift toward multi-modal transportation options. To comply with the law, staff are proposing amendments to Title 17 of the Louisville Municipal Code (LMC), which will remove minimum parking requirements for the specified land uses located within identified ATSAs.

BACKGROUND / PRIOR DISCUSSIONS:

HB24-1304 applies to properties within the city that at least partially intersect with areas identified as having Applicable Transit Service, which are defined as areas that are within one-quarter mile of a transit stop that provides service at intervals of 30 minutes or less during peak hours. In Louisville, this includes areas within one-quarter mile of Regional Transportation District (RTD) transit stops, including the DASH route, Route 228 (Lafayette/Louisville/Broomfield), and the Flatiron Flyer stop at US 36 and McCaslin Blvd.

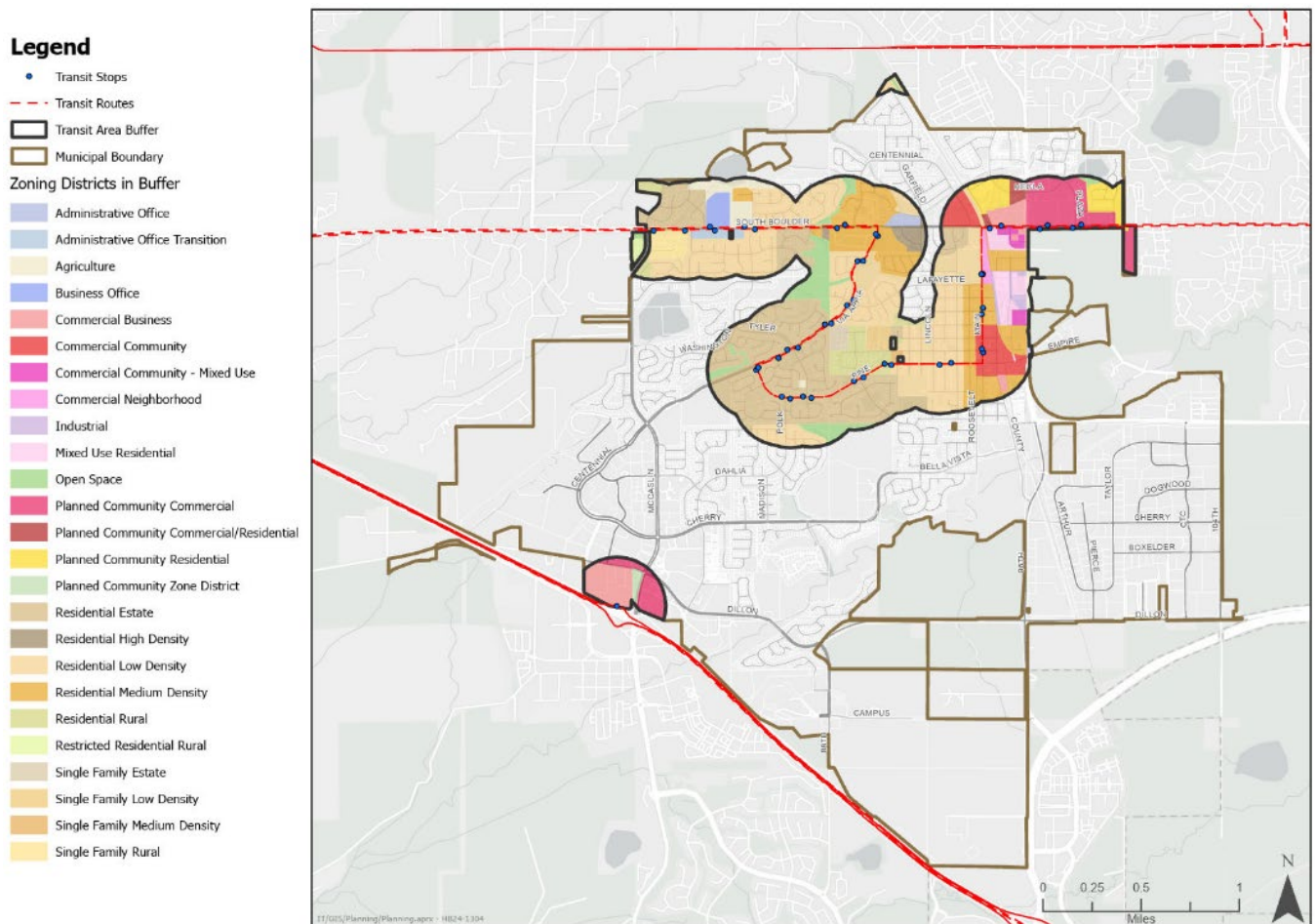
For properties within these ATSAs, the bill **prohibits** local governments from enforcing or requiring minimum off-street parking for:

- New multifamily residential and the residential portion of new mixed-use residential developments; and
- Adaptive reuse projects converting buildings for residential use; and

- Adaptive reuse projects that are at least 50% residential in use, including all uses in such buildings.

Applicable Transit Service Areas were developed and determined by the Colorado Department of Local Affairs, in collaboration with CDOT, the Colorado Energy Office, and RTD. Applicable Transit Service Areas include locations within one-quarter mile of:

- Existing commuter bus rapid transit stations, such as those served by RTD's Flatiron Flyer routes; and
- Bus stops on routes with weekday service every 30 minutes or more for at least four hours, either already operating or planned for implementation by 2030, such as those served by RTD's Dash route.



Applicable Transit Service Areas in Louisville

Although the law prohibits a local jurisdiction from enforcing minimum parking requirements on multifamily and adaptive reuse development projects within an ATSA, a **developer may voluntarily provide off-street parking for such developments**. The law further clarifies that nothing prevents a local jurisdiction from:

- Parking compliance with affordable housing funding conditions. If the City or a developer has obtained funding for affordable housing development which requires a minimum number of parking spaces, the City may enforce parking requirements necessary to comply with funding conditions.
- Requiring bicycle parking.
- Requiring accessible (ADA) parking spaces and electric vehicle charging stations when a developer voluntarily provides on-site parking.

Definition of Multifamily and Alignment with HB24-1304

HB24-1304 does not include a specific definition of multifamily housing. However, guidance from the Colorado Department of Local Affairs (DOLA) indicates that local jurisdictions may apply their own definition of multifamily (or similar) provided that the definition does not differ substantially from the State's definition. Under C.R.S. § 38-45-101, the State of Colorado defines multifamily as *"any improved real property used or intended to be used as a residence and that contains more than one dwelling unit. Multifamily dwelling includes a condominium or cooperative"*.

The Louisville Municipal Code currently defines a "multi-unit or multifamily dwelling" as a *"building used by two or more families living independently of each other in separate dwelling units, but does not include hotels, motels or resorts"*. This definition closely aligns with the State's definition of multifamily housing under C.R.S. § 38-45-101. As such, staff do not recommend any changes to the City's existing definition for the purposes of complying with HB24-1304. The term "multi-unit" will be used throughout this report, and for review and use determination purposes, as it is the general use term that aligns with the definition referenced throughout multiple sections of the LMC.

For new mixed-use buildings, HB24-1304 applies only to the multi-unit residential portion, allowing the City to continue enforcing minimum parking requirements for the nonresidential components of such developments. However, in the case of adaptive reuse projects, where at least 50% of the existing building is converted to residential use, the law prohibits the City from imposing minimum parking requirements for any portion of the building, including the nonresidential uses.

The law defines "adaptive reuse" as the *"conversion of an existing structure from the use for which it was constructed to a new use by maintaining elements of the structure and adapting such elements to a new use"*. Staff do not recommend adopting a separate

definition at this time, as the term is generally self-explanatory and clearly implies the repurposing of an existing building for a different land use

Zoning and Case Review

Depending on the zoning district, multi-unit or mixed-use buildings that include residential uses may be permitted either by-right or through a Special Review Use (SRU) process.

In districts where SRU approval is required, proposals are subject to the review criteria set forth in LMC Sec. 17.40. These criteria are designed to ensure compatibility with the surrounding development context by considering the location and nature of the proposed use, the character of adjacent development, and any potential adverse impacts. The SRU process allows for additional review and consideration in established or transitional neighborhoods, helping to ensure that new development aligns with the intent and character of each zoning district. While staff will continue to apply these criteria as part of the SRU review, it is important to note that, in accordance with HB24-1304, parking may not be imposed as a condition of approval for any multi-unit or mixed-use residential development located within an ATSA.

In addition to SRU review, applicable zoning districts include density limitations aligned with the intent of each district, as outlined in LMC Sec. 17.12.010 – District Categories. Zoning districts where multi-unit dwellings are permitted as a Special Review Use include:

- Residential Estate (R-E)
- Residential Low Density (R-L)
- Residential Rural (R-R)
- Business Office (B-O)
- Commercial Business (C-B)
- Commercial Community (C-C)
- Commercial Neighborhood (C-N)

The following zoning districts permit multifamily dwellings as a by-right use. While these districts also include density limitations consistent with the intent of each district, they are generally considered appropriate for higher-density residential development.

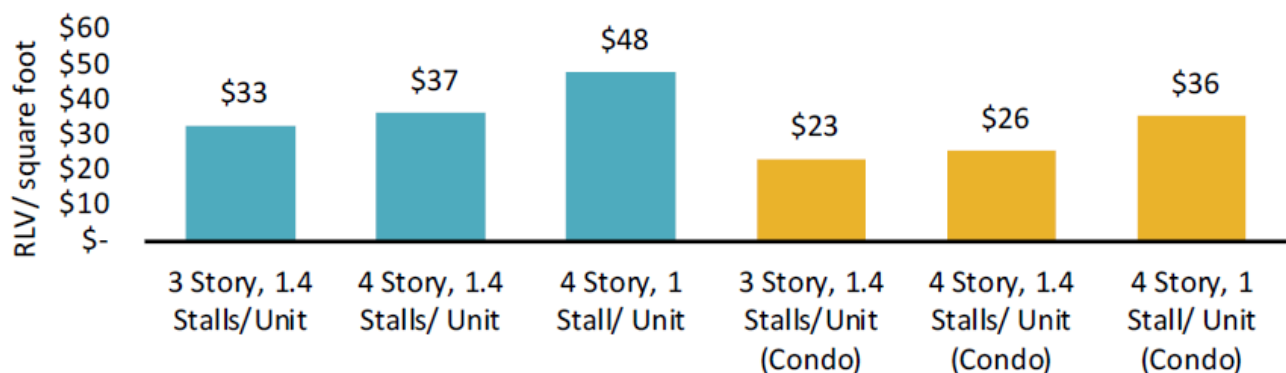
- Residential Medium Density (R-M)
- Residential High Density (R-H)
- Mixed Use Residential (MU-R)
- Planned Community Commercial/Residential (PCZD)

While the City will continue to apply established zoning and SRU criteria to ensure context-sensitive development, HB24-1304 limits our ability to require off-street parking for qualifying projects within ATSAs.

ANALYSIS

The City of Louisville Housing Plan identifies several regulatory and economic barriers that limit the City's ability to meet current and future housing needs. Among these, minimum parking requirements are recognized as a constraint to residential development, particularly for higher-density and income-restricted housing. The Housing Plan notes that existing minimum parking standards increase development costs, reduce buildable area on constrained sites, and negatively impact the financial feasibility of projects, especially in areas near transit where parking demand may be lower.

Modeling conducted as part of the Housing Plan's feasibility analysis demonstrated that reducing parking requirements had a greater positive impact on project viability than increasing building height. Specifically, scenarios that reduced parking from 1.4 to 1 space per unit yielded higher residual land values for both rental and for-sale multifamily projects, thereby improving the financial feasibility of development and increasing the likelihood that such projects will move forward. The Plan further recommends reduced parking ratios and parking-related incentives in targeted areas such as transit corridors and Downtown Louisville, where walkability and access to multimodal transportation options can support lower vehicle dependence. These areas directly coincide with the ATSAs identified in HB24-1304 where enforcement of parking minimums is not prohibited.



Feasibility Results for Three- and Four-Story Multifamily Prototypes with Parking Reduction

The Housing Plan emphasizes the importance of revisiting parking requirements as part of a broader strategy to modernize the City's zoning and land use regulations, and community engagement responses highlighted a desire for more flexible parking standards, especially near transit, as a way to support more affordable and diverse housing types.

While HB24-1304 prohibits the City from enforcing minimum off-street parking requirements for multi-unit developments within ATSAs, staff anticipate that most eligible projects will continue to include off-street parking on a voluntary basis. This expectation is supported by several industry-standard development considerations. First, market feasibility analyses routinely identify parking availability as a critical factor in project leasing and long-term occupancy, particularly in suburban communities such as the City of

Louisville. Second, private financing entities, including construction lenders and long-term investors, often require some level of on-site parking as a condition of funding. These parties typically view the inclusion of parking as essential to maintaining the competitiveness and financial viability of a development. As such, while the City must comply with the prohibition on mandatory parking minimums, the practical realities of the development process are likely to result in the inclusion of off-street parking in most future development projects.

Staff recognize that the elimination of parking minimums may result in unintended consequences, including the potential for spillover parking in adjacent neighborhoods or commercial areas. However, the extent of any such impacts remains unknown at this time and will likely depend on the location, scale, and design of future development proposals as well as ongoing market behavior. Staff will continue to monitor conditions to consider policy responses.

2025 COUNCIL WORK PLAN:

This code amendment supports the 2025 City Council Work Plan by addressing two Council Priorities:

- Economic Vitality - this item is a targeted development code amendment to maintain a business-friendly approach by providing more flexibility for site planning with residential and mixed-use buildings near transit.
- Housing – this item implements the Housing Plan through a development code amendment that supports more flexibility for off street parking, which can be one of the most significant barriers to building new, more affordable housing.

FISCAL IMPACT:

Budgeted?: **Not Applicable**

ALTERNATIVES:

The City Council may approve, approve with amendments, or not adopt the ordinance amendment.

Not adopting the ordinance will leave the City in violation of HB24-1304. This may result in loss of eligibility for state funding and create legal challenges for the City.

PUBLIC COMMENTS:

No public comments have been received as of the date of this report.

PLANNING COMMISSION RECOMMENDATION:

On May 8, 2025, The Planning Commission recommended approval of Resolution 8, Series 2025, approval of an ordinance amending Title 17 of the Louisville Municipal Code

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DATE: JUNE 3, 2025

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(LMC) concerning parking minimums for multifamily and adaptive reuse development to comply with HB24-1304. Video of that meeting is available [here](#).

STAFF RECOMMENDATION:

Staff recommend approval of Ordinance No. 1897, Series 2025, amending Title 17 of the Louisville Municipal Code (LMC) concerning parking minimums for multifamily and adaptive reuse development to comply with HB24-1304.

ATTACHMENTS:

1. Ordinance No. 1897, Series 2025
2. Resolution 8, Series 2025
3. DOLA HB24-1304 Guide
4. HB24-1304
5. ATSA Map

**ORDINANCE NO. 1897
SERIES 2025**

**AN ORDINANCE AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE
CONCERNING PARKING MINIMUMS FOR MULTIFAMILY AND ADAPTIVE REUSE
DEVELOPMENT**

WHEREAS, the City of Louisville (the “City”), is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City of Louisville Home Rule Charter (the “City Charter”); and

WHEREAS, the Colorado General Assembly enacted House Bill 24-1304, codified in Section 29-20-115, Colorado Revised Statutes, concerning parking requirements within Metropolitan Planning Organizations; and

WHEREAS, House Bill 24-1304 requires local governments within Metropolitan Planning Organization areas, including the City, to eliminate minimum parking requirements for certain new multifamily residential developments and adaptive reuse projects within designated transit areas; and

WHEREAS, the City recognizes that reducing or eliminating parking minimums in strategic locations supports goals of increasing housing affordability, encouraging transit-oriented development, promoting environmental sustainability, and complying with state law; and

WHEREAS, after a duly noticed public hearing held May 8, 2025, where evidence and testimony were entered into the record, including the Louisville Planning Commission Staff Report, the Louisville Planning Commission has recommended the City Council adopt the amendments to the Louisville Municipal Code set forth in this ordinance; and

WHEREAS, City Council has provided notice of a public hearing on said ordinance by publication as provided by law and held a public hearing as provided in said notice; and

WHEREAS, the City Council finds it necessary and appropriate to amend Title 17 of the Louisville Municipal Code to conform with the requirements of House Bill 24-1304 and to support broader community goals for mobility, housing, and sustainability.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. Section 17.20.010 of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted ~~stricken~~; words to be added underlined):

Sec. 17.20.010 Parking requirements

- A. At the time of the erection of a new structure or at the time of enlargement or change in use of an existing structure within any district in the city, off-street parking spaces shall be as provided in this section and in section 17.20.020.
- B. If parking space has been provided in connection with an existing use or is added to an existing use, the parking space shall not be eliminated if elimination would result in less space than is required by section 17.20.020.
- C. Where square feet are specified, the area measured shall be the floor area primary to the functioning of the particular use of property and shall exclude stairwells; elevator shafts; hallways; ornamental balconies; space occupied by heating, air conditioning or other utility equipment; space devoted exclusively to storage; and space devoted to off-street parking or loading. This subsection C shall not apply to development subject to the City of Louisville Commercial Development Design Standards and Guidelines.
- D. The number of employees of a new or expanding business shall be estimated in a manner approved by the planning commission, and the number of employees of an established business shall be determined from an examination of employment information presented by applicants.
- E. Uses in the area designated as Downtown Louisville shall be exempt from the requirements of this Section and Section 17.20.020.
- F. Notwithstanding any parking requirements contained in the City's adopted design standards and guidelines or previously approved development plans, including Planned Unit Developments ("PUDs") and General Development Plans ("GDPs"), off-street parking shall not be required for new multi-unit or multifamily residential developments or for adaptive reuse developments in which residential dwelling units occupy fifty percent (50%) or more of the total floor area, provided such developments are located within an Applicable Transit Service Area, as defined in Section 29-36-102(3) of the Colorado Revised Statutes and identified on the official map maintained by the Colorado Department of Local Affairs.

Section 2. Section 17.20.020 of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted ~~stricken~~; words to be added underlined):

Sec. 17.20.020. Parking standards designated for each use

The parking requirements for each use shall be as follows:

A. Residential uses:

1. ~~For~~ Except as set forth in Section 17.20.010.F of this Code, one-family dwellings and two-family dwellings with separate driveways, two spaces per dwelling unit (driveway and garage or carport areas defined as off-street parking space);
2. ~~For~~ Except as set forth in Section 17.20.010.F of this Code, multifamily dwellings containing three or more dwelling units, two spaces per dwelling unit;
3. For a residential hotel, rooming house or boardinghouse, one space per guest accommodation;
4. For housing restricted to the aged, disabled, etc., one-half space per unit;
5. For dormitories and other lodging facilities and rooms for unmarried students, three spaces per four occupants;

B. Commercial residential uses:

1. For hotels and motels, one space per guest room plus one space per two employees;
2. For a club or lodge, spaces to meet the combined requirements of the uses being conducted, such as hotel, restaurant, auditorium, etc.;

C. Institutions:

1. For a nursing home, rest home or home for the aged, one space per three beds;
2. For a hospital, three spaces per two beds;

D. Places of public assembly:

1. For a church, one space per three seats;
2. For a library or reading room, one space per 400 feet of floor area plus one space per two employees;
3. For a preschool nursery, day care school, kindergarten, elementary school or intermediate school, 1½ spaces per teacher plus one space per administrative employee, in addition to any areas for loading and unloading of pupils;
4. For a high school, one space per teacher, plus one space per administrative employee, plus one space for each three students or one space per three seats in the main auditorium;
5. For a vocational or commercial school, one space per teacher, plus one space per administrative employee, plus one space per two students;
6. For auditoriums and meeting rooms, one space per three seats;
7. Where there is no fixed seating, the standard shall be one space per 21 square feet of seating area;

E. Commercial amusements:

1. For a stadium, arena or theater, one space per two seats;
2. For a bowling alley, five spaces per alley plus one space per two employees;
3. For dance halls and skating rinks, one space per 50 feet of floor area plus one space per two employees;
4. For other commercial amusements where there is no fixed seating, the standard shall be one space per 21 square feet of seating area;

F. Commercial:

1. For a retail store, except as provided in subsection F.2 of this section, two spaces per 300 square feet of floor space;
2. For a service or repair shop, or a retail store handling exclusively bulky merchandise such as automobiles and furniture, 1½ spaces per 300 square feet of floor area;
3. For offices other than medical and dental, one space per 300 square feet of floor area;
4. For medical and dental clinics, two spaces per 300 square feet of floor area plus one space per two employees;
5. For an eating or drinking establishment, one space per three seats;
6. For mortuaries, one space per three seats;

G. Industrial:

1. For a storage warehouse, manufacturing establishment, or an air, rail or trucking freight terminal, two spaces per three employees,
2. For wholesale establishments, one space per employee plus one space per 500 square feet of patron serving area;

H. For uses not specified, the number of required parking spaces shall be specified by the director of planning of the city with consent of the planning commission, based upon usage, square footage and other criteria as set forth in this chapter.

I. This section shall not apply to land uses for which off-street parking requirements are not required pursuant to subsection 17.20.010.F of this Chapter.

Section 3. Section 17.20.025 of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted ~~stricken~~; words to be added underlined):

Sec. 17.20.025. Parking standards designated for Downtown Louisville.

- A. Within Downtown Louisville, at the time of any building construction, expansion or modification that creates additional floor area, off-street parking spaces shall be provided at a ratio of one parking space per 500 square feet of all nonresidential new floor area rounded to nearest 500 square feet. Where residential square footage is proposed, the parking requirements in the following table will be used:

All Residential Uses [Note 1]:	
1-bedroom unit	Minimum: 1 space per unit Maximum: 1.25 spaces per unit
2-bedroom unit	Minimum: 2 spaces per unit
3-or-more-bedroom unit	Minimum: 2.0 spaces per unit
Additional guest parking [Note 2]	1 space per dwelling unit in addition to the minimum off-street parking spaces

Notes to Table 1:

1. Off-street parking spaces located in an enclosed parking garage, including those in an accessory residential garage shall not be counted toward the maximum amount of spaces permitted.
2. On-street parking spaces abutting the property line(s) of the primary building housing the use may be counted toward the required number of residential guest parking spaces.
3. Off-street parking shall not be required for the following land uses, provided they are located within an Applicable Transit Service Area, as defined in Section 29-36-102(3) of the Colorado Revised Statutes and identified on the official map maintained by the Colorado Department of Local Affairs:
 - a. New multi-unit or multifamily developments; and
 - b. Adaptive reuse developments in which residential dwelling units occupy fifty percent (50%) or more of the total floor area.

Section 4. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 5. The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 6. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED PUBLISHED this __ day of _____, 2025.

Christopher M. Leh, Mayor

ATTEST:

Genny Kline, Interim City Clerk

APPROVED AS TO FORM:
Kelly PC

Kathleen Kelly, City Attorney

PUBLIC HEARING AND SECOND READING WILL BE THE ____ DAY OF _____, 2025, AT 6:00 P.M. AT LOUISVILLE CITY HALL, 749 MAIN STREET, LOUISVILLE, CO 80027.

PASSED AND ADOPTED ON SECOND AND FINAL READING, this __ day of _____, 2025.

Christopher M. Leh, Mayor

ATTEST:

Genny Kline, Interim City Clerk

**RESOLUTION NO. 8
SERIES 2025**

**A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING
TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE CONCERNING PARKING
MINIMUMS FOR MULTIFAMILY AND ADAPTIVE REUSE DEVELOPMENT**

WHEREAS, the City of Louisville (the “City”), is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City of Louisville Home Rule Charter (the “City Charter”);

WHEREAS, the Colorado General Assembly enacted House Bill 24-1304, codified in Section 29-20-115, Colorado Revised Statutes, concerning parking requirements within Metropolitan Planning Organizations; and

WHEREAS, House Bill 24-1304 requires local governments within Metropolitan Planning Organization areas, including the City, to eliminate minimum parking requirements for certain new multifamily residential developments and adaptive reuse projects within designated transit areas; and

WHEREAS, the City recognizes that reducing or eliminating parking minimums in strategic locations supports goals of increasing housing affordability, encouraging transit-oriented development, promoting environmental sustainability, and complying with state law; and

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Louisville, Colorado does hereby recommend approval of an ordinance amending Louisville Municipal Code to prohibit the enforcement of parking minimums for multifamily and adaptive reuse development.

PASSED AND ADOPTED this 8th day of May, 2025.

By: _____
Steve Brauneis, Chair
Planning Commission

Attest: _____
Jeffrey Moline, Secretary
Planning Commission

HB24-1304 Guidance

Concerning Parking Requirements within Metropolitan Planning Organizations.

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Section 1: Background

The Legislative Declaration of HB24-1304 emphasizes that requirements for minimum amounts of off-street parking limit the amount of housing that can be built on many sites, and that many parking spaces provided for residential developments remain unused. One recent study of multifamily housing near RTD stations found that approximately 40 percent of parking spaces for market rate housing and 50 percent of parking spaces for income-restricted housing are unused by residents at peak times.¹ Minimum parking requirements that exceed what is necessary for the residents and visitors not only increase the cost of housing but also lower development density, which is associated with higher vehicle ownership, more vehicle miles traveled, more greenhouse gas emissions, and reduced walking and bicycling.² Lowering residential development density also increases the costs of building and maintaining infrastructure needed to serve residential projects.³

Section 2: Summary of Law

In general, communities subject to the law are prohibited from enacting or enforcing minimum off-street parking requirements on multifamily housing developments and some mixed-use developments in specific locations. The law contains some exceptions to its basic requirements, and addresses additional issues not covered in this summary. This section summarizes the key requirements of HB24-1304 but does not substitute for a close reading of the law itself.

This document explains how DOLA will determine local government compliance. It does not constitute legal advice, and local governments are encouraged to consult with their municipal or county attorney for that purpose.

The law's provisions take effect on June 30, 2025. All capitalized terms in this guidance are defined in the law.

Section 2.1: Applicability

C.R.S. 29-36-103(1) and (2)

[HB24-1304](#) applies to:

- Those portions of Colorado Home Rule or statutory cities and towns, Territorial Charter cities and towns, and consolidated cities and counties, that are located

¹ [Residential Parking in Stations Areas: A Study of Metro Denver](#)

² What do residential lotteries show us about transportation choices? - Adam Millard-Ball, Jeremy West, Nazanin Rezaei, Garima Desai, 2022

Effects of Parking Provision on Automobile Use in Cities: Inferring Causality - Christopher T. McCahill, Norman Garrick, Carol Atkinson-Palombo, Adam Polinski, 2016

Households with constrained off-street parking drive fewer miles | Transportation

³ [Relationships between Density and per Capita Municipal Spending in the United States](#)

in a Metropolitan Planning Organization (MPO) and in an Applicable Transit Service Area, as shown on the maps produced by the Department of Local Affairs (hosted on the [DOLA website](#)), regardless of the population of those areas; and

- Those portions of Colorado counties, including Home Rule counties, that are located in a Metropolitan Planning Organization (MPO) and in Applicable Transit Service Area, as shown on the map produced by the Department of Local Affairs, regardless of the populations of those areas.

A list of communities that contain an Applicable Transit Service Area subject to the new law as of the publication of this guidance can be found at the end of this document.

Section 2.2: Key Terms Used in the Law

Summarized from C.R.S. 29-36-102

This section lists several key terms defined in the law. Please note that the law contains numerous additional definitions that may be important in specific contexts.

"Adaptive Reuse" means the conversion of an existing structure from the use for which it was constructed to a new use by maintaining elements of the structure and adapting such elements to a new use.

"Applicable Transit Plan" means a plan of a transit agency whose service territory is within a metropolitan planning organization, including a system optimization plan or a transit master plan that: (a) has been approved by the governing body of a transit agency on or after January 1, 2019, and on or before January 1, 2024; (b) identifies the planned frequency and span of service for transit service or specific transit routes; and (c) identifies specific transit routes for short-term implementation according to that plan, or implementation before January 1, 2027.

"Applicable Transit Service Area" means an area designated by the map created in Section 29-36-106. (see below for more detail on this process and criteria)

"Commuter Bus Rapid Transit Service" means a bus rapid transit service that operates for a majority of its route on a freeway with access that is limited to grade-separated interchanges.

"Land Use Approval" means any final action of a local government that has the effect of authorizing the use or development of a particular parcel of real property.

"Loading Space" means an off-street space or berth that: (a) is on the same site with a building or contiguous to a group of buildings; (b) is designated for the temporary parking of either: (I) a commercial vehicle while materials are loaded in or unloaded

from the vehicle; or (II) a vehicle while passengers board or disembark from the vehicle; and (c) abuts upon a street, alley, or other means of access.

"Maximum Parking Requirement" means a requirement established in local law that limits the number of parking spaces that may be made available in connection with a real property.

"Minimum Parking Requirement" means a requirement established in local law that a number of parking spaces be made available in connection with a real property.

"Parking Space" means an off-street space designated for motor vehicle parking. A parking space does not include a loading space.

"Regulated Affordable Housing" means affordable housing that: (a) has received loans, grants, equity, bonds, or tax credits from any source to support the creation, preservation, or rehabilitation of affordable housing that, as a condition of funding, encumbers the property with a restricted use covenant or similar recorded agreement to ensure affordability, or has been income-restricted under a local inclusionary zoning ordinance or other regulation or program; (b) restricts or limits maximum rental or sale price for households of a given size at a given area median income, as established annually by the United States Department of Housing and Urban Development; and (c) ensures occupancy by low- to moderate-income households for a specified period detailed in a restrictive use covenant or similar recorded agreement.

NOTE: This statute does not define multifamily housing. C.R.S. 38-45-101 offers a reasonable definition of multifamily, which reads ““Multi-family dwelling” means any improved real property used or intended to be used as a residence and that contains more than one dwelling unit. Multi-family dwelling includes a condominium or cooperative.” Another common definition of multifamily housing is any building with three or more residential units, which is how building codes typically delineate residential building types. If your jurisdiction’s definition of multifamily differs significantly from these common definitions, please reach out to DOLA early to discuss.

Section 2.3: What Does the Law Require Local Governments to do?

Summarized from C.R.S. 29-36-103(1) and (2) and 29-36-106

HB 24-1304 prohibits local governments that are subject to the law from enacting or enforcing Minimum Parking Requirements on multifamily housing developments located in Applicable Transit Service Areas on or after June 30, 2025. DOLA must produce an official map for use by subject jurisdictions of the Applicable Transit Service Areas by September 30, 2024. The prohibition applies to all new multifamily

residential development, regardless of whether it is a freestanding residential building or part of a mixed-use building or development that also contains some non-residential uses. In addition, the prohibition applies to Adaptive Reuse of an existing building for completely residential purposes, and to Adaptive Reuse of an existing building for a mix of uses in which at least 50 percent of the resulting use is residential. Importantly, the law does not prohibit residential or mixed-use developers from including off-street parking in the development; it simply prohibits the local government from requiring that parking as part of its zoning or land development regulations or procedures.

Section 2.4: What Types of Local Parking Regulations Are Still Allowed in Applicable Transit Service Areas?

Summarized from C.R.S. 29-36-103(3)

The law clarifies that nothing prevents local governments from addressing several parking-related issues in Applicable Transit Service Areas, including:

- **Residential parking voluntarily provided by the developer.** If the developer voluntarily includes off-street parking in a residential or mixed use development, the local government may:
 - Require that those parking spaces include the same number of spaces for persons with disabilities that would be required under the Americans with Disabilities Act.
 - Require that those spaces include the number and type of electric vehicle charging spaces required by the Colorado Model Electric Ready and Solar Ready Code developed pursuant to HB22-1362.
 - Impose maximum limits on the amount of off-street parking spaces voluntarily provided (i.e. Maximum Parking Requirements).
 - Require that the developer charge for the use of those parking spaces (i.e., not make them available free of charge to residents, businesses, or patrons of the development).
 - Require that the developer contribute to a parking enterprise, parking permitting system, or a shared parking plan.
- **Bicycle parking.** The local government may adopt or enforce minimum requirements for bicycle parking.
- **Compliance with affordable housing funding conditions.** If the local government has obtained funding to support affordable housing development, and that funding requires that a minimum number of parking spaces be

included in the development, the local government may accept the funding and may impose and enforce the parking requirements necessary to comply with those funding conditions. If the developer has obtained funding to support affordable housing development, and that funding requires that a minimum number of parking spaces be included in the development, the developer may voluntarily provide those parking spaces.

- **Parking agreements entered prior to the Effective Date.** If the local government has entered into agreements before July 1, 2025, to encourage the production of affordable housing by reducing otherwise-applicable Minimum Parking Requirements for one or more specific developments, the local government may continue to enforce those agreements after July 1, 2025.

Section 2.5: Is There an Exception Allowing Minimum Parking Standards?

Summarized from C.R.S. 29-36-104

Local governments subject to the law can impose a Minimum Parking Requirement of up to one space per dwelling unit in limited circumstances. Each exception is only available for a specific project (not an entire community) that (a) contains 20 or more housing units, or (b) is a Regulated Affordable Housing project. The process to obtain an exception is not simple, and use of the exception requires the local government to submit periodic reports to DOLA to ensure that use of the exception does not undermine the purpose of the law.

To impose this Minimum Parking Requirement, the local government must, within 90 days after receipt of a completed application for an eligible project, conduct (or have someone conduct) a project-specific analysis and publish specific findings. The findings must:

- (a) Be supported by substantial evidence that supports a finding of substantial negative impact on safe pedestrian, bicycle, or emergency access to the housing development project, or on existing on- or off-street parking spaces within one-eighth mile of the project;
- (b) Include parking utilization data collected from the area within one-eighth mile of the project;
- (c) Be reviewed and approved by a professional engineer; and
- (d) Demonstrate that the local government implementation of strategies to manage demand for on-street parking for the area within one eighth-mile of the project would not be effective to mitigate a substantial negative impact found pursuant to this section. Guidance for implementing strategies to

manage parking will be included in the parking management best practices resource that DOLA is required to publish by December 31, 2024.

If the required findings are published within 90 days and the local government imposes a minimum off-street parking requirement, then the local government will be required to submit information regarding the use of the exception to DOLA no later than December 31, 2026, and annually thereafter.

Section 2.6: Reporting Requirement

Summarized from C.R.S. 29-36-104(3)

If a local government uses the limited exception detailed in C.R.S. 29-36-104 and imposes a Minimum Parking Requirement of up to one parking space per unit on a multifamily residential development in an Applicable Transit Service Area, the local government must file information, in a form and manner that will be specified by DOLA at a later date, regarding the use of that exception with DOLA no later than December 31, 2026, and annually thereafter.

Section 2.7: What does the Law Require DOLA to do?

Summarized from C.R.S. 29-36-105 and 106

To assist local governments to comply with the requirements of HB24-1304, the law requires DOLA to prepare an official map of Applicable Transit Service Areas no later than September 30, 2024, for use by subject jurisdictions to identify the areas where the law applies. As indicated in the definition of this key term, the map includes areas within one-quarter mile of:

- Existing commuter and light rail stations with planned or scheduled service that has a frequency of every 30 minutes or more frequent between 7am and 10am, and 4pm and 7pm;
- Existing Commuter Bus Rapid Transit stations, such as those served by RTD's Flatiron Flyer routes; or
- Planned or existing stops served by public bus routes that have a planned or scheduled frequency of 30 minutes or more frequent on weekdays, excluding seasonal service.

In addition, the law requires DOLA to work with the Colorado Department of Transportation and the Colorado Energy Office to engage with stakeholders to develop and publish best practices and technical assistance materials to support local governments in optimizing parking supply and managing parking demand. The resources must focus on increasing affordable housing production and housing supply, and cover topics including Maximum Parking Requirements, transportation demand

management, parking benefit districts and on-street parking management, right-sizing parking, shared parking, and addressing parking needs for affordable housing. DOLA, CEO, and CDOT will be conducting stakeholder engagement in the fall and summer of 2024 to develop these resources, and the law requires that the results be published no later than December 31, 2024.

Section 3: Guidance

Colorado local governments subject to HB24-1304 who are reviewing current zoning laws and regulations for alignment with the law's requirements should focus on:

Section 3.1: Applicability statements for Minimum Parking Requirements

Many local zoning and development codes that impose Minimum Parking Requirements on new development or adaptive reuse projects begin with an applicability statement clarifying where those standards apply. Compliance with the law can be accomplished by modifying that statement to clarify that Minimum Parking Requirements for multifamily residential development and the types of Adaptive Reuse projects covered by the law do not apply to the areas shown on the Applicable Transit Service Area map published by the Colorado Department of Local Affairs (DOLA) by September 30, 2024. To increase transparency and user-friendliness, a map of those areas, or a cross-reference to the DOLA map, can be included in the zoning and development code.

If the local government wants to take advantage of the limited exceptions allowing imposition of a one-space-per-unit Minimum Parking Requirements in certain cases, that exception should be included in the applicability statement. For example, the applicability statement could be modified to state that minimum parking standards shall not apply in the areas shown on the DOLA map except as permitted by C.R.S. Section 29-36-104.

NOTE: A growing number of communities around the country are removing Minimum Parking Requirements altogether. Despite the limited scope of HB24-1304, Colorado communities subject to the law may want to consider removing Minimum Parking Requirements for all uses within their Applicable Transit Service Areas, or for multi-family housing developments in each of the zoning districts that have any overlap with their Applicable Transit Service Areas, or from the entire community, in order to simplify implementation, avoid potential overregulation of parking, and further reduce housing costs.

Section 3.2: Parking standards in zoning districts or a parking table

Many zoning and development codes include a Minimum Parking Requirement in one or more zoning districts and some codes consolidate that information into a parking table. These sections of the zoning and development code should be revised to eliminate the Minimum Parking Requirement for types of multifamily and Adaptive Reuse mixed use development covered by the law. If the local government wants to take advantage of the limited exceptions allowing imposition of up to one space per unit Minimum Parking Requirements in certain cases, that exception should be noted or cross-referenced in this section. The example in Section 4 below illustrates one way to do so.

Section 3.3: Criteria or standards for approving multifamily housing developments

If the local government wants to take advantage of the limited exceptions allowing imposition of up to a one space per unit Minimum Parking Requirement in certain cases, it should also revise the criteria used to review and approve multifamily residential development and Adaptive Reuse projects covered by the law to state that a Minimum Parking Requirement of up to one space per unit may only be imposed if the local government publishes the findings required by the law within 90 days after receiving a completed application for the project. These revisions can be incorporated into use-specific standards, or into the criteria applicable to approval of conditional use or site plan approvals for multifamily residential developments or Adaptive Reuse projects covered by the law.

Section 3.4: Demonstrating Compliance

The simplest method by which Subject Jurisdictions may comply with the requirements of HB24-1304 is by revising local zoning and land use regulations so that any revisions necessary to comply with the law be completed by June 30, 2025. If a Subject Jurisdiction is uncertain about their ability to revise their regulations prior to the compliance deadline, they are urged to contact DOLA as soon as possible.

Section 4: Examples

The following two examples are from zoning ordinances currently in use in Colorado, with ~~red-strikeout-text~~ used to show text that could be deleted and red underlined text that could be added to comply with the law. These examples are presented not as recommended approaches, but to illustrate examples of the minimum changes necessary to comply with the requirements of HB 24-1304.

Example 1

In this example, we assume that the community does not want to implement the exceptions that would allow it to require one parking space per dwelling unit in those circumstances allowed by the law.

Sec. [1] General provisions.

- a) Off-street parking is an accessory use in all districts and is subject to [Section X], except for the area limitations. Off-street parking in the Transit Oriented Development District can be considered either a main use or an accessory use. An SUP is required for off-street parking as a main use in the TOD district.
- (b) The off-street parking requirements for each use are listed in [Section 2 below]. However, no off-street parking shall be required for new multiple dwelling development or in any adaptive reuse development in which more than 50 percent of the gross floor area of the development is in residential dwelling use, within those areas designated by statute and identified by a map maintained by the Colorado Department of Local Affairs as Applicable Transit Service Areas.

[. . .]

- (h) In all districts, required off-street parking shall be available as free parking, except up to one-half of the required parking may be contract parking on other than an hourly or daily fee basis.
- (i) Except as specifically permitted in this article, all off-street parking shall be provided on the lot occupied by the main use. When adequate cross-access agreements are in place, off-street parking for a main use may be permitted on an adjacent lot.

Sec. [2] Off-street parking and loading requirements chart.

Off-Street Parking and Loading Requirements		
Use	Required Off-Street Parking	Required Off-Street Loading
Part VIII. Residential Uses		
Multiple dwellings <u>[A]</u>	a) One space for each 500 square feet of floor area, up to a maximum of three for each dwelling unit.	None.
	b) One guest space shall be provided for each five dwelling units and shall be distributed throughout the site.	

Off-Street Parking and Loading Requirements		
Use	Required Off-Street Parking	Required Off-Street Loading
Retirement housing [A]	Seven-tenths of a space for each dwelling unit or suite, plus one space for each 300 square feet of floor area not in a dwelling unit or suite.	None
<u>A. No off-street parking shall be required for new multiple dwelling development or for adaptive reuse development in which more than 50 percent of the gross floor area of the development is in residential use, within those areas designated by the statute and identified in a map maintained by the Colorado Department of Local Affairs as Applicable Transit Service Areas.</u>		

Example 2

In this example, we assume that the community wants to implement the exceptions that would allow it to require one parking space per dwelling unit in those circumstances allowed by the law.

ARTICLE X. - PARKING AND LOADING

DIVISION X-1. - PURPOSE AND APPLICATION OF ARTICLE

X-1-1. - Purpose of article. The purpose of this Article is to specify minimum requirements for the provision and design of off-street parking and loading areas, in proportion to the parking, loading, and transportation demands of different land uses throughout the City. The standards in this Article are intended to provide for adequate off-street parking and loading while supporting walkable urbanism in appropriate locations, and allowing the flexibility needed to accommodate alternative parking solutions. Off-street parking requirements in this Article shall apply to automobile, motorized vehicle, and bicycle parking.

X-1-2. - Application of article. The divisions within this Article are applied as follows:

- A. Division X-2. Parking and Loading Calculations, sets out standards for calculating the number of required parking and loading spaces based on the anticipated demand for parking and loading generated by the use of the subject property. The Division also provides for certain exemptions from parking requirements, as well as methodologies for reducing the amount of required parking. Notwithstanding other provisions of Division X-2, no off-street parking shall be required for new multifamily development or for

adaptive reuse development in which more than 50 percent of the gross floor area of the development is in residential use, within those areas designated by the statute and identified in a map maintained by Colorado Department of Local Affairs as Applicable Transit Service Areas, unless the provisions of Section Y-3-2D apply, in which case a minimum parking requirement of 1 space per dwelling unit shall apply.

- B. Division X-3, Parking and Loading Design, sets out standards for the design of parking and loading areas.
- C. Division X-4, Use and Maintenance of Parking Areas, sets out standards for how parking areas may be used, as well as minimum standards for their ongoing maintenance.

DIVISION X-2. - PARKING AND LOADING CALCULATIONS

X-2-1. - Calculation of required parking spaces.

- A. Generally. Section X-2-2, Parking Requirements Tables, sets out the number of parking spaces that are required for additions, significant redevelopment, and new developments for each land use that is listed in [Division A] Land Use by Zoning District.

...

X-2-2. - Parking requirements tables.

- A. Residential Land Uses. The required off-street parking for residential land uses is set out in Table X-2-2A, Residential Land Use Parking Standards.

Table X-2-2A: Residential Land Use Parking Standards	
Land Use	Minimum Required Parking
Standard Housing Types	
Multifamily and Multiplex ¹	efficiency units: 1.4 sp./du
	1 BR units: 1.6 sp./du
	2 BR units: 2.1 sp./du
	3+ BR units: 2.5 sp./du
Multifamily, Affordable ^{2,1}	efficiency units/ 1 BR units: 1.4 sp./du
	2 + BR units: 2.0 sp./du
Multifamily, Senior ^{3, 1}	1 sp./du
TABLE NOTES:	
<u>¹ No off-street parking shall be required for new multifamily development or for adaptive reuse development in which more than 50 percent of the gross</u>	

Table X-2-2A: Residential Land Use Parking Standards	
Land Use	Minimum Required Parking
<u>floor area of the development is in residential use, within those areas designated by the statute and identified in a map maintained by Colorado Department of Local Affairs as Applicable Transit Service Areas, unless the requirements of Section Y-3-2.D have been met, in which case the provision of 1 space per dwelling unit applies.</u> ² Projects that receive Low Income Housing Tax Credits. ³ Age restricted projects for residents 62 years and older.	

Y-3-2. - Residential standards.

A. Single-Family Detached.

1. In the MX-S and MX-U zoning districts, in order to buffer existing single-family detached dwellings, the single-family detached lot shall only adjoin or be located across a local street from an existing or approved single-family residential subdivision. The lot width that is used for the housing type shall be within 25 percent of the average lot width of the adjoining lots or the lots that are directly across the local street (as applicable) that are developed with single-family detached dwelling units.
2. In the MX-N district, single-family detached units shall not be adjacent to arterial streets.

B. Duplex.

1. Each individual duplex dwelling unit shall have a separate exterior entrance and separate utility meters.

C. Townhome.

1. Each individual townhome dwelling unit shall have direct access to a street, alley, or shared open space.

D. Multifamily.

1. No off-street parking shall be required for new multifamily development or for adaptive reuse development in which more than 50 percent of the gross floor area of the development is in multifamily use, within those areas designated by the statute and identified in a map maintained by Colorado Department of Local Affairs as Applicable Transit Service Areas, unless the provisions of Subsection D.2 below apply, in which case one space per dwelling unit shall be provided.

2. The City may require that up to one off-street parking space be provided for each dwelling unit if all of the following requirements are met:
 - (a) The multifamily project is a new development project containing 20 or more dwelling units, or contains regulated affordable housing as defined in C.R.S. 29-36-102;
 - (b) Within 90 days after receipt of a complete application for the proposed multifamily development, the City has published written findings that not imposing or enforcing a minimum parking standard in connection with the proposed multifamily development would have a substantial negative impact on:
 - (i) Safe pedestrian, bicycle, or emergency access to the multifamily development, or;
 - (ii) Existing on- or off-street parking spaces within one-eighth mile of the multifamily development;
 - (c) The findings required in Subsection D.2 must:
 - (i) Be supported by substantial evidence in support of such findings;
 - (ii) Include parking utilization data collected from the area within one-eighth mile of the multifamily development;
 - (iii) Demonstrate that the City's implementation of strategies to manage demand for on-street parking in the area within one-eighth mile of the multifamily development would not be effective to mitigate the substantial negative impacts contained in such findings; and
 - (iii) Have been reviewed and approved by a professional engineer, as defined in C.R.S. 12-120-202(7).

Section 5: List of jurisdictions with areas subject to HB24-1304

This law applies to Applicable Transit Service Areas in each of the following communities. Please refer to the Applicable Transit Service Areas map on the [DOLA website](#) to see areas in each community subject to the new law.

- | | |
|-------------------------|-------------------------------------|
| 1. Arvada | 34. Northglenn |
| 2. Aurora | 35. Pueblo |
| 3. Boulder | 36. Sheridan |
| 4. Broomfield | 37. Superior |
| 5. Centennial | 38. Thornton |
| 6. Cherry Hills Village | 39. Unincorporated Adams County |
| 7. Colorado Springs | 40. Unincorporated Arapahoe County |
| 8. Columbine Valley | 41. Unincorporated Boulder County |
| 9. Commerce City | 42. Unincorporated Douglas County |
| 10. Denver | 43. Unincorporated El Paso County |
| 11. Edgewater | 44. Unincorporated Jefferson County |
| 12. Englewood | 45. Unincorporated Larimer County |
| 13. Erie | 46. Unincorporated Pueblo County |
| 14. Evans | 47. Unincorporated Weld County |
| 15. Federal Heights | 48. Westminster |
| 16. Fort Collins | 49. Wheat Ridge |
| 17. Fountain | |
| 18. Foxfield | |
| 19. Garden City | |
| 20. Glendale | |
| 21. Golden | |
| 22. Greeley | |
| 23. Greenwood Village | |
| 24. Lafayette | |
| 25. Lakeside | |
| 26. Lakewood | |
| 27. Littleton | |
| 28. Lone Tree | |
| 29. Longmont | |
| 30. Louisville | |
| 31. Loveland | |
| 32. Manitou Springs | |
| 33. Mountain View | |

An Act

HOUSE BILL 24-1304

BY REPRESENTATIVE(S) Vigil and Woodrow, Bacon, Boesenecker, deGruy Kennedy, Epps, Froelich, Hernandez, Herod, Jodeh, Joseph, Kipp, Mabrey, Rutinel, Sirota, Lindsay, Mauro, Parenti, Weissman, Willford, McCluskie;
also SENATOR(S) Priola and Hinrichsen, Cutter, Gonzales, Jaquez Lewis.

CONCERNING PARKING REQUIREMENTS WITHIN METROPOLITAN PLANNING ORGANIZATIONS.

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

SECTION 1. In Colorado Revised Statutes, **add** article 36 to title 29 as follows:

ARTICLE 36 **Strategic Growth**

29-36-101. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT:

(a) THERE IS AN EXTRATERRITORIAL IMPACT WHEN LOCAL GOVERNMENTS ENACT LAND USE DECISIONS THAT REQUIRE A MINIMUM

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

AMOUNT OF PARKING SPACES;

(b) RESIDENTIAL DEVELOPMENTS FREQUENTLY HAVE MORE PARKING THAN IS UTILIZED, WHICH ADDS TO HOUSING COSTS AND ENCOURAGES ADDITIONAL VEHICLE OWNERSHIP AND VEHICLE MILES TRAVELED. ACCORDING TO THE REGIONAL TRANSPORTATION DISTRICT STUDY TITLED "RESIDENTIAL PARKING IN STATION AREAS: A STUDY OF METRO DENVER", UNSUBSIDIZED HOUSING DEVELOPMENTS NEAR REGIONAL TRANSPORTATION DISTRICT STATIONS PROVIDE FORTY PERCENT MORE PARKING THAN RESIDENTS UTILIZE AT PEAK TIMES, AND INCOME-RESTRICTED HOUSING DEVELOPMENTS PROVIDE FIFTY PERCENT MORE PARKING THAN IS USED.

(c) THE 2021 STUDY "PARKING & AFFORDABLE HOUSING" OF PARKING UTILIZATION AT AFFORDABLE HOUSING DEVELOPMENTS ALONG THE FRONT RANGE FOUND THAT HALF OF PARKING SPACES BUILT ON AVERAGE GO UNUSED, AND THAT REQUIREMENTS CAN BE UP TO FIVE TIMES THE NEED ESPECIALLY FOR BUILDINGS SERVING LOWER AREA MEDIAN INCOMES;

(d) LOCAL GOVERNMENT LAND USE DECISIONS THAT REQUIRE A MINIMUM AMOUNT OF PARKING SPACES BEYOND WHAT IS NECESSARY TO MEET MARKET DEMAND INCREASE VEHICLE MILES TRAVELED AND ASSOCIATED GREENHOUSE GAS EMISSIONS. ACCORDING TO A UNIVERSITY OF CALIFORNIA INSTITUTE OF TRANSPORTATION STUDIES ARTICLE TITLED "WHAT DO RESIDENTIAL LOTTERIES SHOW US ABOUT TRANSPORTATION CHOICES?", HIGHER AMOUNTS OF FREE PARKING PROVIDED IN RESIDENTIAL DEVELOPMENTS CAUSE HIGHER RATES OF VEHICLE OWNERSHIP, HIGHER RATES OF VEHICLE MILES TRAVELED, AND LESS FREQUENT TRANSIT USE.

(e) ACCORDING TO THE STUDY "EFFECTS OF PARKING PROVISION ON AUTOMOBILE USE IN U.S. CITIES: INFERRING CAUSALITY" IN THE JOURNAL TRANSPORTATION RESEARCH RECORD, AN INCREASE IN PARKING PROVISIONS FROM ONE-TENTH TO ONE-HALF PARKING SPACE PER PERSON IS ASSOCIATED WITH AN INCREASE IN AUTOMOBILE MODE SHARE OF ROUGHLY THIRTY PERCENT;

(f) ACCORDING TO THE ARTICLE "HOUSEHOLDS WITH CONSTRAINED OFF-STREET PARKING DRIVE FEWER MILES" IN THE JOURNAL TRANSPORTATION, VEHICLE OWNERSHIP RATES ARE FOURTEEN PERCENT HIGHER FOR HOUSEHOLDS WITH MORE THAN ONE AVAILABLE PARKING SPACE PER UNIT COMPARED TO THOSE WITH ONE OR FEWER, AND FOR EVERY

ADDITIONAL VEHICLE PER HOUSEHOLD, THE HOUSEHOLD TRAVELS ON AVERAGE SEVENTEEN MORE MILES OF TOTAL VEHICLE MILES TRAVELED PER DAY;

(g) COLORADANS DRIVE MORE MILES PER PERSON THAN THEY USED TO, WHICH PUTS STRESS ON TRANSPORTATION INFRASTRUCTURE AND INCREASING HOUSEHOLD COSTS. SINCE 1981, PER CAPITA VEHICLE MILES TRAVELED IN COLORADO HAVE RISEN BY OVER TWENTY PERCENT ACCORDING TO DATA FROM THE FEDERAL HIGHWAY ADMINISTRATION.

(h) INCREASED VEHICLE OWNERSHIP AND THE RESULTING VEHICLE MILES TRAVELED IMPACT NEIGHBORING JURISDICTIONS BY INCREASING CONGESTION, ROADWAY INFRASTRUCTURE MAINTENANCE COSTS, AIR POLLUTION, NOISE, AND GREENHOUSE GAS EMISSIONS;

(i) GIVEN THE CLOSE PROXIMITY AND INTERCONNECTED NATURE OF JURISDICTIONS WITHIN COLORADO'S METROPOLITAN REGIONS, MANY RESIDENTS TRAVEL FREQUENTLY BETWEEN JURISDICTIONS FOR WORK, SHOPPING, RECREATION, AND OTHER TRIPS;

(j) IN COLORADO'S MAJOR CITIES, A SIGNIFICANT SHARE OF EMPLOYEES COMMUTE TO JOBS IN THE CITY BUT LIVE ELSEWHERE, INCLUDING SEVENTY PERCENT OF EMPLOYEES IN DENVER, FORTY-FIVE PERCENT IN COLORADO SPRINGS, SIXTY PERCENT IN FORT COLLINS, FIFTY PERCENT IN PUEBLO, AND SIXTY-FIVE PERCENT IN GRAND JUNCTION, ACCORDING TO 2021 DATA FROM THE FEDERAL CENSUS;

(k) EXCESSIVE PARKING REQUIREMENTS LIMIT COMPACT, WALKABLE DEVELOPMENT BY MANDATING ADDITIONAL SPACE BETWEEN USES, WHICH THEN NECESSITATES DRIVING TO REACH MOST DESTINATIONS;

(l) LOWER DENSITY DEVELOPMENT HAS LOWERED REVENUE AND INCREASED CAPITAL AND MAINTENANCE COSTS COMPARED TO MORE COMPACT DEVELOPMENT. NATIONAL STUDIES, SUCH AS THE ARTICLE "RELATIONSHIPS BETWEEN DENSITY AND PER CAPITA MUNICIPAL SPENDING IN THE UNITED STATES", PUBLISHED IN URBAN SCIENCE, HAVE FOUND THAT LOWER DENSITY COMMUNITIES HAVE HIGHER GOVERNMENT CAPITAL AND MAINTENANCE COSTS FOR WATER, SEWER, AND TRANSPORTATION INFRASTRUCTURE AND LOWER PROPERTY AND SALES TAX REVENUE. THESE INCREASED COSTS ARE OFTEN BORNE BY BOTH STATE AND LOCAL

GOVERNMENTS.

(m) VEHICLE TRAFFIC, WHICH INCREASES WHEN LAND USE PATTERNS ARE MORE DISPERSED, CONTRIBUTES TWENTY PERCENT OF NITROGEN OXIDE EMISSIONS, A KEY OZONE PRECURSOR, ACCORDING TO THE EXECUTIVE SUMMARY OF THE MODERATE AREA OZONE STATE IMPLEMENTATION PLAN FOR THE 2015 OZONE NATIONAL AMBIENT AIR QUALITY STANDARDS BY THE REGIONAL AIR QUALITY COUNCIL;

(n) THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY HAS CLASSIFIED THE DENVER METRO AREA AND THE NORTH FRONT RANGE AREA AS BEING IN SEVERE NONATTAINMENT FOR OZONE AND GROUND LEVEL OZONE, WHICH HAS SERIOUS IMPACTS ON HUMAN HEALTH, PARTICULARLY FOR VULNERABLE POPULATIONS;

(o) ACCORDING TO THE GREENHOUSE GAS POLLUTION REDUCTION ROADMAP, PUBLISHED BY THE COLORADO ENERGY OFFICE AND DATED JANUARY 14, 2021, THE TRANSPORTATION SECTOR IS THE SINGLE LARGEST SOURCE OF GREENHOUSE GAS POLLUTION IN COLORADO;

(p) NEARLY SIXTY PERCENT OF THE GREENHOUSE GAS EMISSIONS FROM THE TRANSPORTATION SECTOR COME FROM LIGHT-DUTY VEHICLES, THE MAJORITY OF CARS AND TRUCKS THAT COLORADANS DRIVE EVERY DAY;

(q) SECTION 43-1-128 (3) DIRECTS THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH GREENHOUSE GAS REDUCTION TARGETS, GUIDELINES, AND PROCEDURES FOR STATE AND REGIONAL TRANSPORTATION PLANS, AND THE RESULTING GREENHOUSE GAS PLANNING RULE AND ASSOCIATED MITIGATION POLICY DIRECTIVES INCLUDE A LIST OF GREENHOUSE GAS MITIGATION MEASURES TO ACHIEVE THOSE TARGETS, INCLUDING THE ELIMINATION OF MINIMUM PARKING REQUIREMENTS AND OTHER PARKING MANAGEMENT STRATEGIES;

(r) LOCAL GOVERNMENT LAND USE DECISIONS THAT REQUIRE A MINIMUM AMOUNT OF PARKING SPACES INCREASE THE COST OF NEW RESIDENTIAL PROJECTS, WHICH INCREASES HOUSING COSTS. ACCORDING TO THE REGIONAL TRANSPORTATION DISTRICT STUDY TITLED "RESIDENTIAL PARKING IN STATION AREAS: A STUDY OF METRO DENVER", STRUCTURED PARKING SPACES IN THE DENVER METROPOLITAN AREA COST TWENTY-FIVE THOUSAND DOLLARS EACH TO BUILD IN 2020 AND USE SPACE THAT WOULD

OTHERWISE BE USED FOR REVENUE GENERATING RESIDENTIAL UNITS, DECREASING THE PROFITABILITY OF RESIDENTIAL DEVELOPMENT. AS A RESULT, PARKING REQUIREMENTS THAT NECESSITATE THE CONSTRUCTION OF STRUCTURED PARKING SPACES MAY DISCOURAGE DEVELOPERS FROM BUILDING NEW RESIDENTIAL PROJECTS, OR, IF THEY DO MOVE FORWARD WITH PROJECTS, FORCE THEM TO RECOUP THE COSTS OF BUILDING EXCESSIVE PARKING BY INCREASING HOUSING PRICES.

(s) OFF-STREET SURFACE PARKING COSTS UP TO TEN THOUSAND DOLLARS PER SPACE, AND EACH SPACE REQUIRES UP TO TWO AND ONE-HALF TIMES ITS SQUARE FOOTAGE TO ACCOMMODATE. AS A RESULT, OFF-STREET SURFACE PARKING REQUIREMENTS ALSO MAY DISCOURAGE DEVELOPERS FROM BUILDING NEW RESIDENTIAL PROJECTS, OR, IF THEY DO MOVE FORWARD WITH PROJECTS, FORCE THEM TO BUILD FEWER UNITS THAN THEY OTHERWISE COULD AND RECOUP THE EXCESSIVE COST BY INCREASING HOME PRICES AND RENTS. AN ANALYSIS CONDUCTED BY THE PARKING REFORM NETWORK FOUND THAT AN OFF-STREET PARKING SPACE CAN ADD BETWEEN TWO HUNDRED AND FIVE HUNDRED DOLLARS PER MONTH IN RENT. WHETHER THESE COSTS ARE NECESSARY VARIES FROM ONE BUILDING PROJECT TO THE NEXT, AND THOSE VARIABLES ARE NOT ACCOUNTED FOR IN MANDATED PARKING MINIMUMS.

(t) MINIMUM PARKING REQUIREMENTS PUT SMALL BUSINESSES AT A DISADVANTAGE RELATIVE TO LARGE CORPORATIONS. LARGE CORPORATIONS HAVE MORE CAPITAL AT THEIR DISPOSAL TO FULFILL COSTLY PARKING REQUIREMENTS AND ARE LESS RELIANT ON FOOT TRAFFIC, HUMAN-SCALE VISIBILITY, AND A SENSE OF PLACE TO ATTRACT CUSTOMERS.

(u) IMPERVIOUS SURFACES SUCH AS THOSE BUILT FOR VEHICLE PARKING CREATE AN URBAN HEAT ISLAND EFFECT, CONTRIBUTING TO RISING TEMPERATURES, INCREASING ENERGY COSTS FOR AIR CONDITIONING, AND WORSENING GROUND LEVEL AIR QUALITY. EXCESSIVE LAND COVERAGE OF THIS KIND MAKES STORMWATER MANAGEMENT DIFFICULT AND EXPENSIVE, AND CONTRIBUTES TO FLASH FLOODING AND EROSION, CAUSING INTERJURISDICTIONAL CONFLICTS AND LEGAL DISPUTES.

(2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT THE REQUIRED MINIMUM AMOUNT OF PARKING SPACES FOR A REAL PROPERTY IS A MATTER OF MIXED STATEWIDE AND LOCAL CONCERN.

29-36-102. Definitions. AS USED IN THIS ARTICLE 36, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ADAPTIVE REUSE" MEANS THE CONVERSION OF AN EXISTING STRUCTURE FROM THE USE FOR WHICH IT WAS CONSTRUCTED TO A NEW USE BY MAINTAINING ELEMENTS OF THE STRUCTURE AND ADAPTING SUCH ELEMENTS TO A NEW USE.

(2) "APPLICABLE TRANSIT PLAN" MEANS A PLAN OF A TRANSIT AGENCY WHOSE SERVICE TERRITORY IS WITHIN A METROPOLITAN PLANNING ORGANIZATION, INCLUDING A SYSTEM OPTIMIZATION PLAN OR A TRANSIT MASTER PLAN THAT:

(a) HAS BEEN APPROVED BY THE GOVERNING BODY OF A TRANSIT AGENCY ON OR AFTER JANUARY 1, 2019, AND ON OR BEFORE JANUARY 1, 2024;

(b) IDENTIFIES THE PLANNED FREQUENCY AND SPAN OF SERVICE FOR TRANSIT SERVICE OR SPECIFIC TRANSIT ROUTES; AND

(c) IDENTIFIES SPECIFIC TRANSIT ROUTES FOR SHORT-TERM IMPLEMENTATION ACCORDING TO THAT PLAN, OR IMPLEMENTATION BEFORE JANUARY 1, 2027.

(3) "APPLICABLE TRANSIT SERVICE AREA" MEANS AN AREA DESIGNATED BY THE MAP CREATED IN SECTION 29-36-106.

(4) "BUS RAPID TRANSIT SERVICE" MEANS A TRANSIT SERVICE THAT:

(a) IS IDENTIFIED AS BUS RAPID TRANSIT BY A TRANSIT AGENCY, IN A METROPOLITAN PLANNING ORGANIZATION'S FISCALLY CONSTRAINED LONG RANGE TRANSPORTATION PLAN OR IN AN APPLICABLE TRANSIT PLAN; AND

(b) INCLUDES ANY NUMBER OF THE FOLLOWING:

(I) SERVICE THAT IS SCHEDULED TO RUN EVERY FIFTEEN MINUTES OR LESS FOR FOUR HOURS OR MORE ON WEEKDAYS, EXCLUDING SEASONAL SERVICE;

(II) DEDICATED LANES OR BUSWAYS;

(III) TRAFFIC SIGNAL PRIORITY;

(IV) OFF-BOARD FARE COLLECTION;

(V) ELEVATED PLATFORMS; OR

(VI) ENHANCED STATIONS.

(5) "COMMUNITY-BASED ORGANIZATION" MEANS A COLORADO-BASED NONPROFIT ENTITY THAT:

(a) HAS A MISSION TO IMPROVE THE ENVIRONMENTAL, ECONOMIC, SOCIAL, CULTURAL, OR QUALITY OF LIFE CONDITIONS OF A COMMON COMMUNITY OF INTEREST;

(b) IS ACCESSIBLE FOR RESIDENTS OF ALL AGES, INCOMES, LANGUAGES, AND ABILITIES; OR

(c) ADDRESSES THE NEEDS OF DISPROPORTIONATELY IMPACTED AND MARGINALIZED COMMUNITIES IN THE REGION AND CENTERS VOICES OF MARGINALIZED COMMUNITIES IN TRANSPORTATION PLANNING, BOTH IN THEIR COMMUNITY AND AROUND THE REGION.

(6) "COMMUTER BUS RAPID TRANSIT SERVICE" MEANS A BUS RAPID TRANSIT SERVICE THAT OPERATES FOR A MAJORITY OF ITS ROUTE ON A FREEWAY WITH ACCESS THAT IS LIMITED TO GRADE-SEPARATED INTERCHANGES.

(7) "COUNTY" MEANS A COUNTY, INCLUDING A HOME RULE COUNTY BUT EXCLUDING A CITY AND COUNTY.

(8) "LAND USE APPROVAL" MEANS ANY FINAL ACTION OF A LOCAL GOVERNMENT THAT HAS THE EFFECT OF AUTHORIZING THE USE OR DEVELOPMENT OF A PARTICULAR PARCEL OF REAL PROPERTY.

(9) "LOADING SPACE" MEANS AN OFF-STREET SPACE OR BERTH THAT:

(a) IS ON THE SAME SITE WITH A BUILDING OR CONTIGUOUS TO A GROUP OF BUILDINGS;

(b) IS DESIGNATED FOR THE TEMPORARY PARKING OF EITHER:

(I) A COMMERCIAL VEHICLE WHILE MATERIALS ARE LOADED IN OR UNLOADED FROM THE VEHICLE; OR

(II) A VEHICLE WHILE PASSENGERS BOARD OR DISEMBARK FROM THE VEHICLE; AND

(c) ABUTS UPON A STREET, ALLEY, OR OTHER MEANS OF ACCESS.

(10) "LOCAL GOVERNMENT" MEANS A MUNICIPALITY THAT IS WITHIN A METROPOLITAN PLANNING ORGANIZATION OR A COUNTY THAT HAS UNINCORPORATED AREAS WITHIN A METROPOLITAN PLANNING ORGANIZATION.

(11) "LOCAL LAW" MEANS ANY CODE, LAW, ORDINANCE, POLICY, REGULATION, OR RULE ENACTED BY A LOCAL GOVERNMENT THAT GOVERNS THE DEVELOPMENT AND USE OF LAND, INCLUDING LAND USE CODES, ZONING CODES, AND SUBDIVISION CODES.

(12) "MAXIMUM PARKING REQUIREMENT" MEANS A REQUIREMENT ESTABLISHED IN LOCAL LAW THAT LIMITS THE NUMBER OF PARKING SPACES THAT MAY BE MADE AVAILABLE IN CONNECTION WITH A REAL PROPERTY.

(13) "METROPOLITAN PLANNING ORGANIZATION" MEANS A METROPOLITAN PLANNING ORGANIZATION UNDER THE "FEDERAL TRANSIT ACT OF 1998", 49 U.S.C. SEC. 5301 ET SEQ., AS AMENDED.

(14) "MINIMUM PARKING REQUIREMENT" MEANS A REQUIREMENT ESTABLISHED IN LOCAL LAW THAT A NUMBER OF PARKING SPACES BE MADE AVAILABLE IN CONNECTION WITH A REAL PROPERTY.

(15) "MUNICIPALITY" MEANS A HOME RULE OR STATUTORY CITY OR TOWN, TERRITORIAL CHARTER CITY OR TOWN, OR CITY AND COUNTY.

(16) "PARKING SPACE" MEANS AN OFF-STREET SPACE DESIGNATED FOR MOTOR VEHICLE PARKING. A PARKING SPACE DOES NOT INCLUDE A LOADING SPACE.

(17) "REGULATED AFFORDABLE HOUSING" MEANS AFFORDABLE

HOUSING THAT:

(a) HAS RECEIVED LOANS, GRANTS, EQUITY, BONDS, OR TAX CREDITS FROM ANY SOURCE TO SUPPORT THE CREATION, PRESERVATION, OR REHABILITATION OF AFFORDABLE HOUSING THAT, AS A CONDITION OF FUNDING, ENCUMBERS THE PROPERTY WITH A RESTRICTED USE COVENANT OR SIMILAR RECORDED AGREEMENT TO ENSURE AFFORDABILITY, OR HAS BEEN INCOME-RESTRICTED UNDER A LOCAL INCLUSIONARY ZONING ORDINANCE OR OTHER REGULATION OR PROGRAM;

(b) RESTRICTS OR LIMITS MAXIMUM RENTAL OR SALE PRICE FOR HOUSEHOLDS OF A GIVEN SIZE AT A GIVEN AREA MEDIAN INCOME, AS ESTABLISHED ANNUALLY BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND

(c) ENSURES OCCUPANCY BY LOW- TO MODERATE-INCOME HOUSEHOLDS FOR A SPECIFIED PERIOD DETAILED IN A RESTRICTIVE USE COVENANT OR SIMILAR RECORDED AGREEMENT.

29-36-103. Limitations on minimum parking requirements.

(1) ON OR AFTER JUNE 30, 2025, A MUNICIPALITY SHALL NEITHER ENACT NOR ENFORCE LOCAL LAWS THAT ESTABLISH A MINIMUM PARKING REQUIREMENT THAT APPLIES TO A LAND USE APPROVAL FOR A MULTIFAMILY RESIDENTIAL DEVELOPMENT, ADAPTIVE RE-USE FOR RESIDENTIAL PURPOSES, OR ADAPTIVE RE-USE MIXED-USE PURPOSES WHICH INCLUDE AT LEAST FIFTY PERCENT OF USE FOR RESIDENTIAL PURPOSES THAT IS WITHIN THE MUNICIPALITY, A METROPOLITAN PLANNING ORGANIZATION, AND AT LEAST PARTIALLY WITHIN AN APPLICABLE TRANSIT SERVICE AREA.

(2) ON OR AFTER JUNE 30, 2025, A COUNTY SHALL NEITHER ENACT NOR ENFORCE LOCAL LAWS THAT ESTABLISH A MINIMUM PARKING REQUIREMENT THAT APPLIES TO A LAND USE APPROVAL FOR A MULTIFAMILY RESIDENTIAL DEVELOPMENT, ADAPTIVE RE-USE FOR RESIDENTIAL PURPOSES, OR ADAPTIVE RE-USE MIXED-USE PURPOSES WHICH INCLUDE AT LEAST FIFTY PERCENT OF USE FOR RESIDENTIAL PURPOSES THAT IS WITHIN THE UNINCORPORATED AREA OF THE COUNTY, A METROPOLITAN PLANNING ORGANIZATION, AND AT LEAST PARTIALLY WITHIN AN APPLICABLE TRANSIT SERVICE AREA.

(3) NOTHING IN THIS SECTION:

(a) LOWERS THE PROTECTIONS PROVIDED FOR PERSONS WITH DISABILITIES, INCLUDING THE NUMBER OF PARKING SPACES FOR PERSONS WHO ARE MOBILITY IMPAIRED, UNDER THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AND PARTS 6 AND 8 OF ARTICLE 34 OF TITLE 24;

(b) PREVENTS A LOCAL GOVERNMENT FROM ENACTING OR ENFORCING LOCAL LAWS THAT ESTABLISH A MAXIMUM PARKING REQUIREMENT;

(c) PREVENTS A LOCAL GOVERNMENT OR A DEVELOPER FROM BEING AWARDED FUNDING FOR AFFORDABLE HOUSING THAT REQUIRES A RATIO OF A CERTAIN NUMBER OF PARKING SPACES;

(d) AFFECTS THE ABILITY OF A LOCAL GOVERNMENT TO ENFORCE ANY AGREEMENT MADE IN CONNECTION WITH A LAND USE APPROVAL PRIOR TO THE EFFECTIVE DATE OF HOUSE BILL 24-1304, ENACTED IN 2024, TO PROVIDE REGULATED AFFORDABLE HOUSING IN EXCHANGE FOR REDUCING MINIMUM PARKING REQUIREMENTS;

(e) PREVENTS A LOCAL GOVERNMENT FROM ENACTING OR ENFORCING LOCAL LAWS THAT ESTABLISH A MINIMUM REQUIREMENT FOR BICYCLE PARKING; OR

(f) PREVENTS A LOCAL GOVERNMENT FROM IMPOSING THE FOLLOWING REQUIREMENTS ON A PARKING SPACE THAT IS VOLUNTARILY PROVIDED IN CONNECTION WITH A LAND USE APPROVAL:

(I) THAT THE OWNERS OF SUCH A PARKING SPACE CHARGE FOR THE USE OF THE SPACE;

(II) THAT THE OWNER OF A SUCH A PARKING SPACE CONTRIBUTE TO A PARKING ENTERPRISE, PERMITTING SYSTEM, OR SHARED PARKING PLAN; AND

(III) THAT SUCH A PARKING SPACE ALLOWS FOR ELECTRIC VEHICLE CHARGING STATIONS IN ACCORDANCE WITH EXISTING LAW.

29-36-104. Limitations on minimum parking requirements.

(1) NOTWITHSTANDING SECTION 29-36-103, A LOCAL GOVERNMENT MAY

IMPOSE OR ENFORCE A MINIMUM PARKING REQUIREMENT IN CONNECTION WITH A HOUSING DEVELOPMENT PROJECT THAT IS INTENDED TO CONTAIN TWENTY UNITS OR MORE OR CONTAIN REGULATED AFFORDABLE HOUSING BY REQUIRING NO MORE THAN ONE PARKING SPACE PER DWELLING UNIT IN THE HOUSING DEVELOPMENT.

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

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

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

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

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

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

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

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

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

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

29-36-105. Parking management technical assistance. (1)(a) ON OR BEFORE DECEMBER 31, 2024, THE DEPARTMENT OF LOCAL AFFAIRS, IN CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, AND THE COLORADO ENERGY OFFICE, SHALL, 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. THESE BEST PRACTICES AND TECHNICAL ASSISTANCE MATERIALS MUST INCLUDE, BUT ARE NOT LIMITED TO, ELEMENTS RELATED TO:

(I) THE IMPLEMENTATION OF LOCAL PARKING MAXIMUMS;

(II) SAMPLE LANGUAGE TO REPLACE EXISTING LOCAL PARKING CODES WITH OTHER INCENTIVES FOR THE PRODUCTION OF AFFORDABLE HOUSING, TRANSPORTATION DEMAND MANAGEMENT STRATEGIES, AND OTHER DESIRED OUTCOMES;

(III) THE DESIGN AND IMPLEMENTATION OF PARKING BENEFIT DISTRICTS AND ON-STREET PARKING MANAGEMENT;

(IV) STRATEGIES FOR DEVELOPERS TO MANAGE THE SUPPLY AND PRICE OF PARKING SPACES TO MINIMIZE PARKING DEMAND BASED ON DIFFERENT LOCATION AND LAND USE CHARACTERISTICS AND TAKING INTO CONSIDERATION THE NUMBER OF RESIDENTS WHO NEED ACCESS TO PARKING AND ACCESS TO MASS TRANSIT;

(V) STRATEGIES THAT PRIORITIZE THE TRANSPORTATION NEEDS OF RESIDENTS OF REGULATED AFFORDABLE HOUSING, LOW-INCOME COMMUNITIES, AND COMMUNITIES WITH LOW RATES OF CAR OWNERSHIP;

(VI) STRATEGIES TO OPTIMIZE THE USE OF EXISTING PARKING THROUGH SHARED PARKING AGREEMENTS AND OTHER STRATEGIES; AND

(VII) INFORMATION FROM AFFORDABLE HOUSING PROVIDERS AND EXISTING STUDIES ON PARKING NEEDS FOR RESIDENTS OF REGULATED AFFORDABLE HOUSING BASED ON DIFFERENT LOCATION AND LAND USE CHARACTERISTICS.

(b) (I) IN DEVELOPING THE MATERIALS AND BEST PRACTICES DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION, THE DEPARTMENT OF LOCAL AFFAIRS SHALL CONSULT WITH VARIOUS STAKEHOLDERS, INCLUDING LOCAL GOVERNMENTS, METROPOLITAN PLANNING ORGANIZATIONS, DISPROPORTIONATELY IMPACTED COMMUNITIES, COMMUNITY-BASED ORGANIZATIONS, AFFORDABLE HOUSING PROVIDERS, TRANSIT AGENCIES, AND ACTIVE TRANSPORTATION ORGANIZATIONS. IN CONSULTING WITH THESE STAKEHOLDERS, THE DEPARTMENT OF LOCAL AFFAIRS MAY COLLECT THIS FEEDBACK THROUGH MULTIPLE MEANS, INCLUDING ONLINE OR IN-PERSON SURVEYS OR PUBLIC FEEDBACK SESSIONS.

(2) DURING THE FIRST REGULAR SESSION OF THE SEVENTY-FIFTH GENERAL ASSEMBLY, THE DEPARTMENT OF LOCAL AFFAIRS SHALL PRESENT THE MATERIALS AND BEST PRACTICES DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION TO THE LOCAL GOVERNMENT AND HOUSING COMMITTEE OF THE SENATE AND THE TRANSPORTATION, HOUSING AND LOCAL GOVERNMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES OR THEIR SUCCESSOR COMMITTEES.

29-36-106. Applicable transit service areas map. (1) ON OR BEFORE SEPTEMBER 30, 2024, THE DEPARTMENT OF LOCAL AFFAIRS, IN CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, COLORADO ENERGY OFFICE, METROPOLITAN PLANNING ORGANIZATIONS, AND TRANSIT AGENCIES THAT OPERATE WITHIN METROPOLITAN PLANNING ORGANIZATIONS, SHALL PUBLISH A MAP THAT DESIGNATES APPLICABLE TRANSIT SERVICE AREAS TO BE USED BY LOCAL GOVERNMENTS IN COMPLYING WITH THIS PART 1.

(2) IN PUBLISHING THE MAP DESCRIBED IN SUBSECTION (1) OF THIS SECTION, THE DEPARTMENT OF LOCAL AFFAIRS SHALL DESIGNATE APPLICABLE TRANSIT SERVICE AREAS AS AREAS THAT ARE WITHIN:

(a) ONE-QUARTER MILE OF EXISTING STATIONS SERVED BY ROUTES IDENTIFIED IN AN APPLICABLE TRANSIT PLAN FOR:

(I) COMMUTER BUS RAPID TRANSIT;

(II) COMMUTER RAIL WITH PLANNED OR SCHEDULED SERVICE THAT IS SCHEDULED TO RUN EVERY THIRTY MINUTES OR MORE FREQUENT BETWEEN SEVEN A.M. AND TEN A.M. AND BETWEEN FOUR P.M. AND SEVEN P.M.;

(III) LIGHT RAIL WITH PLANNED OR SCHEDULED SERVICE THAT IS SCHEDULED TO RUN EVERY THIRTY MINUTES OR MORE FREQUENT BETWEEN SEVEN A.M. AND TEN A.M. AND BETWEEN FOUR P.M. AND SEVEN P.M.; AND

(IV) A PUBLIC BUS ROUTE THAT HAS A PLANNED OR SCHEDULED FREQUENCY OF EVERY THIRTY MINUTES OR MORE FREQUENT FOR FOUR HOURS OR MORE ON WEEKDAYS, EXCLUDING SEASONAL SERVICE;

(b) ONE-QUARTER MILE OF CURRENTLY PLANNED OR EXISTING STATIONS AND STOPS SERVED BY PUBLIC BUS ROUTES THAT:

(I) HAVE A PLANNED OR SCHEDULED FREQUENCY OF EVERY THIRTY MINUTES OR MORE FREQUENT FOR FOUR HOURS OR MORE ON WEEKDAYS, EXCLUDING SEASONAL SERVICE; AND

(II) ARE IDENTIFIED WITHIN AN APPLICABLE TRANSIT PLAN FOR SHORT-TERM IMPLEMENTATION OR IMPLEMENTATION BEFORE JANUARY 1, 2030, ACCORDING TO THAT PLAN; OR

(c) FOR TRANSIT AGENCIES WITHIN METROPOLITAN PLANNING ORGANIZATIONS THAT DO NOT HAVE APPLICABLE TRANSIT PLANS, ONE-QUARTER MILE OF PUBLIC BUS ROUTES WITH EXISTING TRANSIT SERVICE LEVELS AS OF JANUARY 1, 2024, WITH A SCHEDULED FREQUENCY OF EVERY THIRTY MINUTES OR MORE FREQUENT DURING THE FOUR HOURS OR MORE ON WEEKDAYS, EXCLUDING SEASONAL SERVICE.

SECTION 2. In Colorado Revised Statutes, 29-20-104, **amend** (1) introductory portion as follows:

29-20-104. Powers of local governments - definition. (1) Except

as expressly provided in section 29-20-104.2, or SECTION 29-20-104.5, AND ARTICLE 36 OF THIS TITLE 29, the power and authority granted by this section does not limit any power or authority presently exercised or previously granted. Except as provided in section 29-20-104.2, each local government within its respective jurisdiction has the authority to plan for and regulate the use of land by:

SECTION 3. In Colorado Revised Statutes, 30-15-401, **amend** (1)(h)(I)(B) as follows:

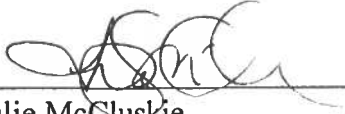
30-15-401. General regulations - definitions. (1) In addition to those powers granted by sections 30-11-101 and 30-11-107 and by parts 1, 2, and 3 of this article 15, the board of county commissioners may adopt ordinances for control or licensing of those matters of purely local concern that are described in the following enumerated powers:

(h) (I) To control and regulate the movement and parking of vehicles and motor vehicles on public property; except that:

(B) For the purposes of any minimum parking requirement a board of county commissioners imposes, the board of county commissioners is subject to ~~section 30-28-140~~ ARTICLE 36 OF TITLE 29 AND SECTION 30-28-140; and

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

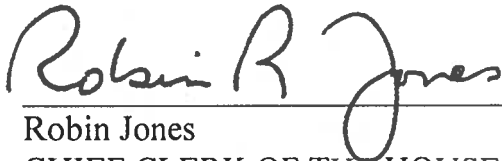
November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.



Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Steve Fenberg
PRESIDENT OF
THE SENATE

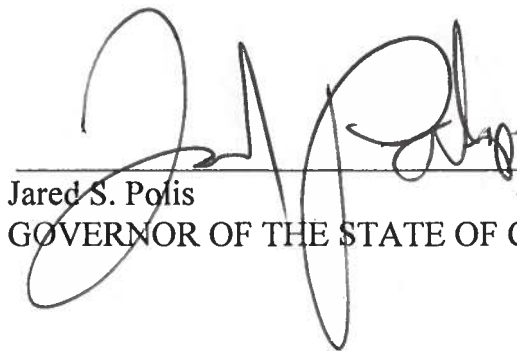


Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES



Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED Friday May 10th 2024 at 12:15pm
(Date and Time)

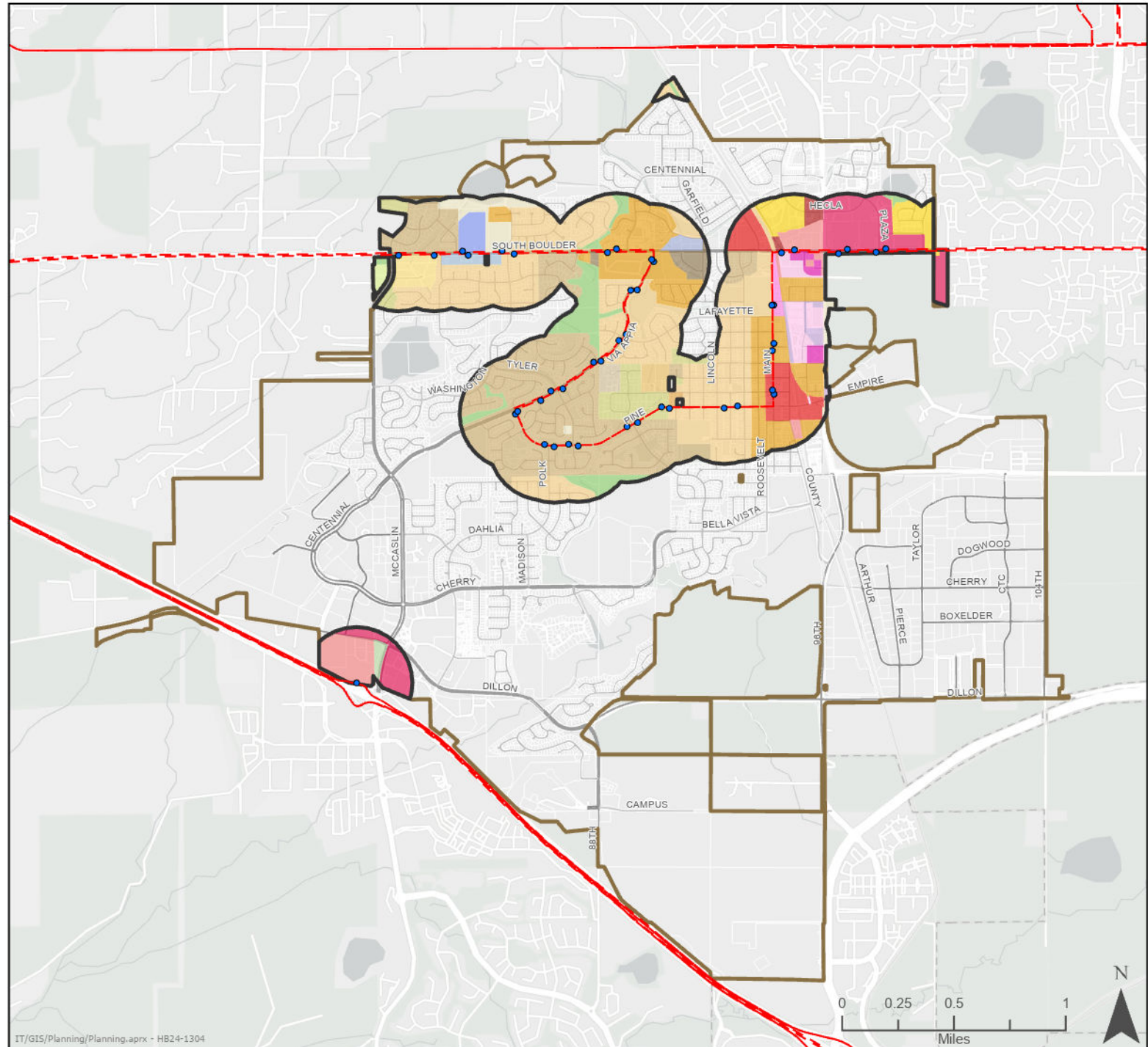


Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO

HB24-1304 - Minimum Parking Requirement Buffer & Zones

Legend

- Transit Stops
 - Transit Routes
 - Transit Area Buffer
 - Municipal Boundary
- Zoning Districts in Buffer**
- Administrative Office
 - Administrative Office Transition
 - Agriculture
 - Business Office
 - Commercial Business
 - Commercial Community
 - Commercial Community - Mixed Use
 - Commercial Neighborhood
 - Industrial
 - Mixed Use Residential
 - Open Space
 - Planned Community Commercial
 - Planned Community Commercial/Residential
 - Planned Community Residential
 - Planned Community Zone District
 - Residential Estate
 - Residential High Density
 - Residential Low Density
 - Residential Medium Density
 - Residential Rural
 - Restricted Residential Rural
 - Single Family Estate
 - Single Family Low Density
 - Single Family Medium Density
 - Single Family Rural



City Council

1st Reading: June 3rd, 2025

Parking Minimums

Approval of Ordinance No. 1897, Series 2025 an ordinance amending Title 17 of the Louisville Municipal Code (LMC) concerning parking minimums for multifamily and adaptive reuse development.

Presented by: Matt Post, Senior Planner



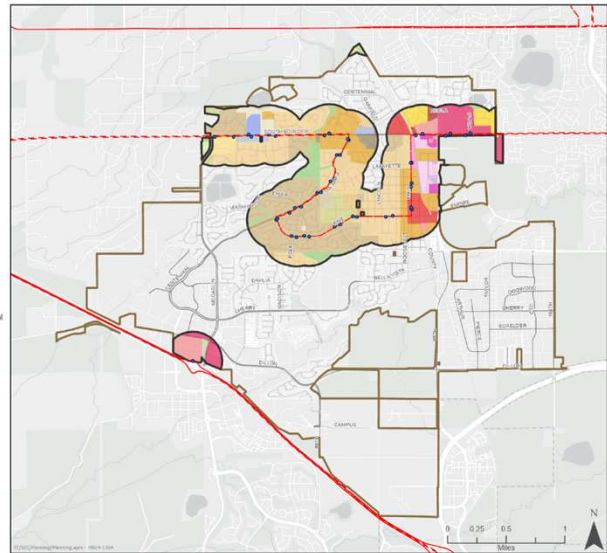
Summary: Parking Minimums

- HB24-1304 was adopted in 2024 by the Colorado General Assembly
- Requires local governments within *Metropolitan Planning Organizations (MPOs)* to eliminate **minimum parking requirements** for the following uses when located in Applicable Transit Service Areas (ATSA):
 - New multifamily developments
 - New residential adaptive reuse developments
- 44 transit stops qualify as ATSAs in Louisville
- Local governments prohibited from enforcing parking minimums after June 30, 2025



Background: Parking Minimums

- HB24-1304 applies to properties that at least partially intersect with ATSA
- ATSA are areas within ¼ quarter mile of transit stops that provide service at intervals of 30 minutes or less during peak hours
 - DASH
 - Route 228
 - Flatiron Flyer
- 44 transit stops that qualify as ATSA



Background: Parking Minimums

- Within ATSA, the City may no longer enforce parking minimums for:
 - New multifamily developments
 - New mixed-use development that contain residential uses
 - The City may require minimum parking for non-residential uses
 - Residential adaptive reuse
 - Adaptive reuse containing at least 50% residential use
- Importantly, a **developer may voluntarily provide parking for the listed uses within ATSA**

Background: Parking Minimums

- The law clarifies that nothing prevents a local jurisdiction from:
 - Parking compliance with affordable housing funding conditions.
 - Requiring bicycle parking.
 - Requiring accessible (ADA) parking spaces and electric vehicle charging stations when a developer voluntarily provides on-site parking
- Law states that the City may not enforce parking minimums for eligible projects by June 30th, 2025.

Proposal: Parking Minimums

- LMC Chapter 17 updates to align with HB24-1304
- Key code changes:
 - New Subsection in LMC 17.20.010 (General Parking Requirements):
 - Prohibits enforcement of off-street parking for qualifying projects in ATSAs
 - Supersedes existing design standards, PUDs, and GDPs
 - Revisions to LMC 17.20.020.A (Per-Use Parking Standards):
 - Exceptions added referencing new **Section 17.20.010.F** for one-family and multifamily dwellings
 - New **Subsection I** clarifies Section 17.20.020 does not apply where parking is exempt under 17.20.010.F
 - Updates to LMC 17.20.025.A (Downtown Standards)
 - Prohibits enforcement of off-street parking for qualifying projects in ATSAs