HB24-1313 – Transit-Oriented Communities
Summary of HB 24-1313 components

• Establishes “Transit-Oriented Communities” (TOC) as a new category of local governments
• Creates requirements for each TOC to develop housing opportunity goal (zoning compliance goal) for areas near transit
• Requires TOCs to identify affordability strategies
• Requires TOCs to identify displacement mitigation strategies
Transit oriented communities

• Entirely or partially within an MPO
• Population ≥ 4,000
• Contains at least 75 acres of transit area
• If a county –
  o Contains part of a transit station area in an unincorporated area, or
  o Contains a transit corridor area in an unincorporated area and fully encompassed by one or more municipalities.
Transit areas

- Transit station area – within ½ mile of a station that serves commuter bus rapid transit, commuter rail, light rail, or frequent bus service that operates primarily on an interstate highway.

- Transit corridor area – within ¼ mile of a public bus route that:
  - Has scheduled frequency of 15 minutes or less during highest frequency service hours, or
  - Is an urban bus rapid transit service.
Housing opportunity goal explanation

• Multiply the total acres of all transit areas within the transit oriented community, excluding exempt parcels, by 40 units per acre.

• Exempt parcels – agricultural, natural resource preservation, open space zoning district; industrial zoning or use; floodway or floodplain; cemetery; airport; public or railroad right-of-way; mobile home park; federal or state owned; park and open space.
Timeline for compliance – HB 24-1313

• By January 31, 2025, TOC must submit a preliminary transit-oriented community assessment report
• By December 31, 2026, must submit a housing opportunity goal report
  • Shows that you have met the housing opportunity goal
  • may notify DOLA of insufficient water supply to meet housing opportunity goal
  • requires affordability strategies
  • requires displacement mitigation strategies
Jurisdictions likely to qualify as Transit Oriented Communities (~30)

- 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
Demonstrating compliance

• Designate "transit centers"
  o Composed solely of zoning districts that allow net $\geq 15$ units per acre.
  o Establish administrative approval for MF development on parcels $\leq 5$ acres.
  o Wholly or partially within a transit area

• Ensure total zoning capacity of all designated transit centers is greater than housing opportunity goal.

• Submit housing opportunity goal report and have report approved by DOLA.
Nonqualified TOC – Hwy users fund allocation

• If a TOC does not submit a housing opportunity goal report by December 31, 2026 or DOLA does not approve the report, the TOC is a nonqualified TOC.

• Beginning December 31, 2026, and every month thereafter
  • Highway User Tax allocation will be transferred to the Transit-Oriented Communities Highway Users Tax account if the local government is a nonqualified TOC.

• If DOLA does not approve a TOC housing opportunity goal report by December 31, 2027, DOLA may seek an injunction requiring TOC to comply
Thank you!

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Potential amendments

• **More clearly define BRT**: To qualify, BRT should provide bi-directional service, mid-day service, and weekend service, not just 15-minute or less service during the highest frequency service hours.

• **Add exempt parcels**
  - Parcel, easement, or right-of-way that is owned or used by a public or private utility
  - Existing neighborhoods at risk of displacement
  - Parcels with existing development since 2014
Potential amendments

• **Transit Areas**: Limit to station areas and bus rapid transit corridors
  
  • Except portions of a transit station area separated from a station by a limited access freeway or railroad right-of-way that precludes pedestrian access within one-quarter mile longitudinally along the right-of-way.
  
  • Frequent bus corridors, other than BRT, are an impractical and inappropriate geography for calculating a Housing Opportunity Goal. A one-mile-long corridor @ ¼-mile buffer = 320 acres.
Potential amendments

- **Housing opportunity goal density threshold**: 40 du/acre at every station is too high. Greater differentiation of station area typologies would be helpful and could be done during rule making.

- **Housing opportunity goal calculation and allowance for previous transit-oriented planning and zoning change work**
  - Local governments discerned that areas are more suitable for redevelopment and rezoned accordingly.
  - Local governments rezoned with realistic mixed-use scenarios.