

# 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  $\geq$  4,000
- Contains at least 75 acres of transit area
- If a county –
  - Contains part of a transit station area in an unincorporated area, or
  - Contains a transit corridor area in an unincorporated area and fully encompassed by one or more municipalities.

# Transit areas

- Transit station area – within  $\frac{1}{2}$  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  $\frac{1}{4}$  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)*

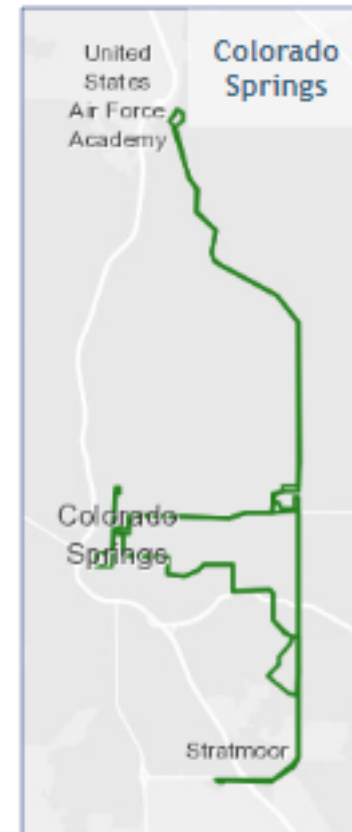
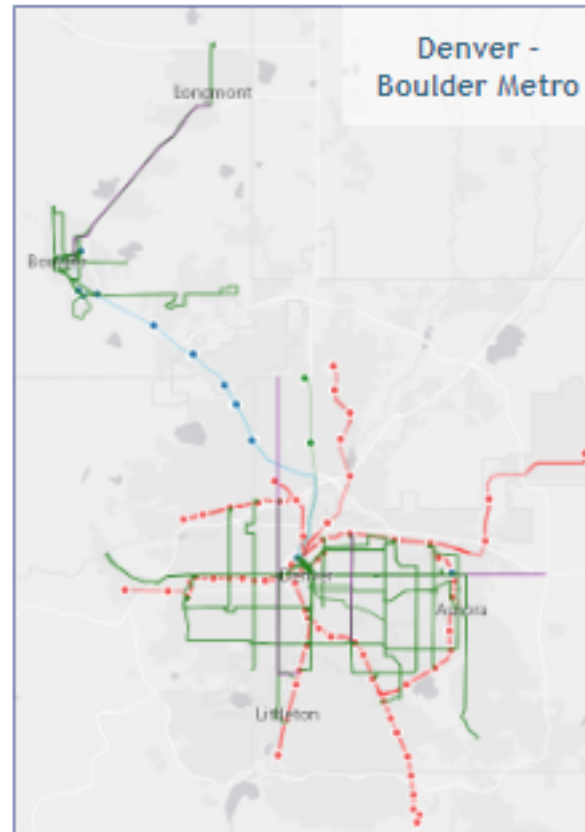
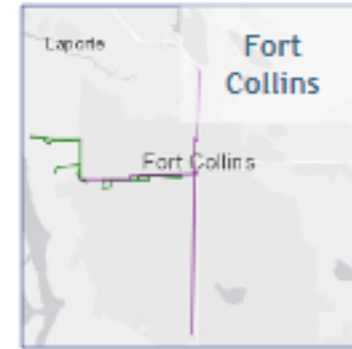
- |                        |                         |
|------------------------|-------------------------|
| <i>Adams County</i>    | Golden                  |
| <i>Arapahoe County</i> | Greenwood Village       |
| Arvada                 | <i>Jefferson County</i> |
| Aurora                 | Lafayette               |
| Boulder                | Lakewood                |
| Broomfield             | Littleton               |
| Centennial             | Lone Tree               |
| Cherry Hills Village   | Longmont                |
| Colorado Springs       | Louisville              |
| Commerce City          | Northglenn              |
| Denver                 | Sheridan                |
| <i>Douglas County</i>  | Superior                |
| Edgewater              | Thornton                |
| Englewood              | Westminster             |
| Fort Collins           | Wheat Ridge             |
| Glendale               |                         |

TOC Frequent Bus and BRT Corridors

- Frequent bus
- Urban and Future BRT

TOC Transit Stations

- Light/commuter rail
- Commuter BRT
- Frequent Bus on Interstate



# Demonstrating compliance

- Designate "transit centers"
  - Composed solely of zoning districts that allow net  $\geq 15$  units per acre.
  - Establish administrative approval for MF development on parcels  $\leq 5$  acres.
  - 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