

MEGGAN HERINGTON, AICP, EXECUTIVE DIRECTOR

PLANNING AND COMMUNITY DEVELOPMENT

Date: May 8, 2025

To: Staff and Users of the El Paso County Land Development Code

From: Meggan Herington, AICP, Executive Director

Re: Interpretation of the Land Development Code related to House Bill 24-1304 Regarding Minimum Parking Standards for Multifamily Land Uses

This memo is intended to provide guidance regarding compliance with the State of Colorado House Bill (HB) 24-1304, which eliminates minimum off-street parking requirements for multifamily housing and certain types of adaptive reuse mixed-use properties in areas close to transit in Colorado's metro regions. This Bill went into effect on May 10, 2024, providing specific restrictions coming into effect as identified below.

HB 24-1304 adds article 36 to title 29, section 1, inclusive of § 29-36-101 through § 29-36-106, Colorado Revised Statutes, to, among other things, promote strategic and sustainable growth, reduce vehicle miles traveled, reduce greenhouse gas emissions, promote the development of compact, walkable urban spaces, and improve housing affordability.

Article 36 also includes a restriction that a County shall neither enact nor enforce 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. This restriction comes into effect on June 30, 2025. Locations of properties in the County within applicable transit service areas are included at the end of this memo.

Therefore, regarding land use approvals for multifamily residential developments, adaptive re-use for residential purposes, or adaptive re-use mixed-use purposes which include at least fifty percent of use for residential purposes, **AND if the property is located within or partially within an applicable transit service area**, the El Paso County Planning and Community Development Department can no longer enforce the following sections of the Land Development Code:

Table 6-2. Minimum Parking Requirements by Use

<i>Residential, Multi-Family</i>	
<i>Studio or Efficiency</i>	<i>1.1 spaces per dwelling unit</i>
<i>1 Bedroom</i>	<i>1.5 spaces per dwelling unit</i>
<i>2 Bedroom</i>	<i>1.7 spaces per dwelling unit</i>
<i>3 Bedroom</i>	<i>2.0 spaces per dwelling unit</i>
<i>Guest</i>	<i>1 space per 3 dwelling units</i>
<i>Elderly (60 or over)</i>	<i>0.6 spaces per dwelling unit</i>

Section 6.2.5.A.2 Applicability.

- (b) New Use Established or Use Changed. Parking and maneuvering areas shall conform to this Section for a new building or use of previously vacant land, uses in an enlarged building, and all uses in a building when any use is changed and the newly approved use requires more parking than the previously approved use.*
- (c) Effect of Increase in Building Area. A single or cumulative building addition (floor area) which exceeds 50% of the existing building's gross floor area shall require the entire building parking to comply with this Section. The existing building shall be considered the building as it existed on the effective date of this Section.*

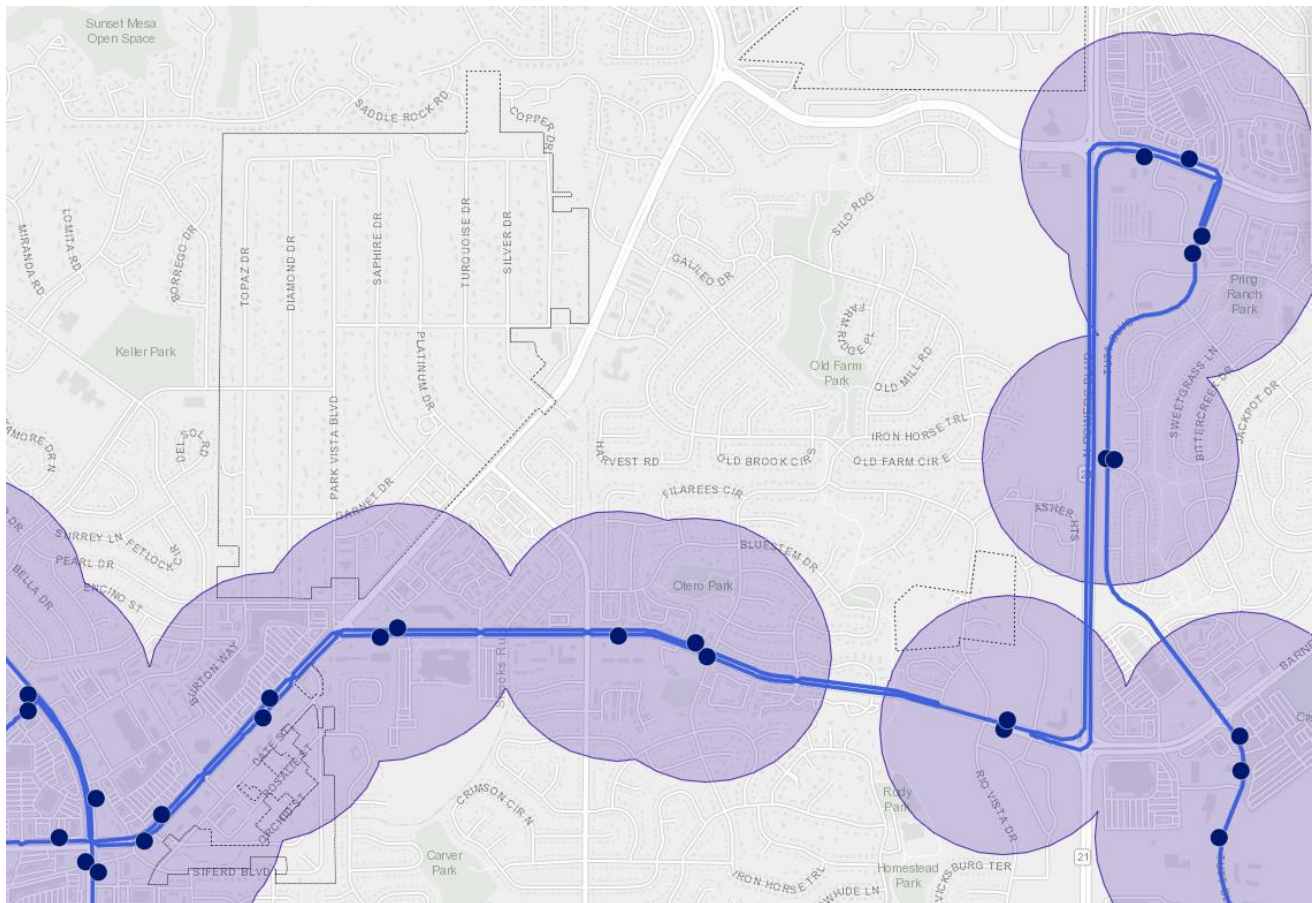
Impact: Regarding land use applications which are located within or partially within an applicable transit service area, the Planning and Community Development Department will no longer enforce the minimum parking requirements identified in Table 6-2 for the Residential, Multi-Family use. The Planning and

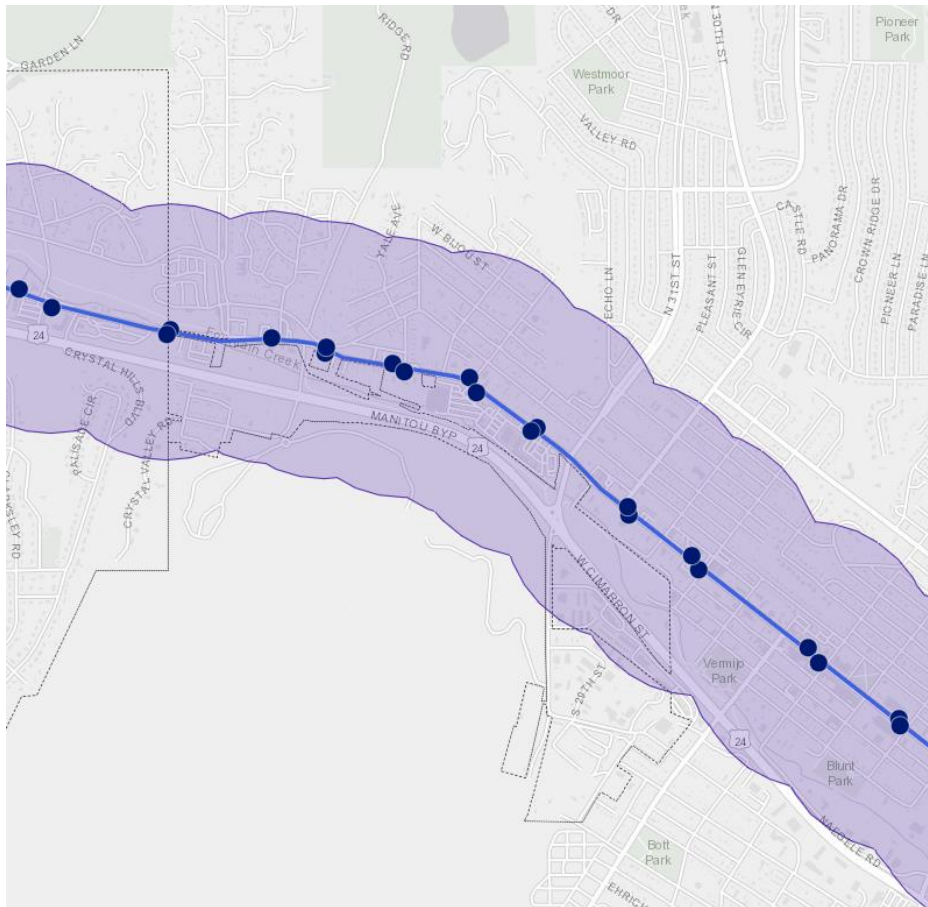
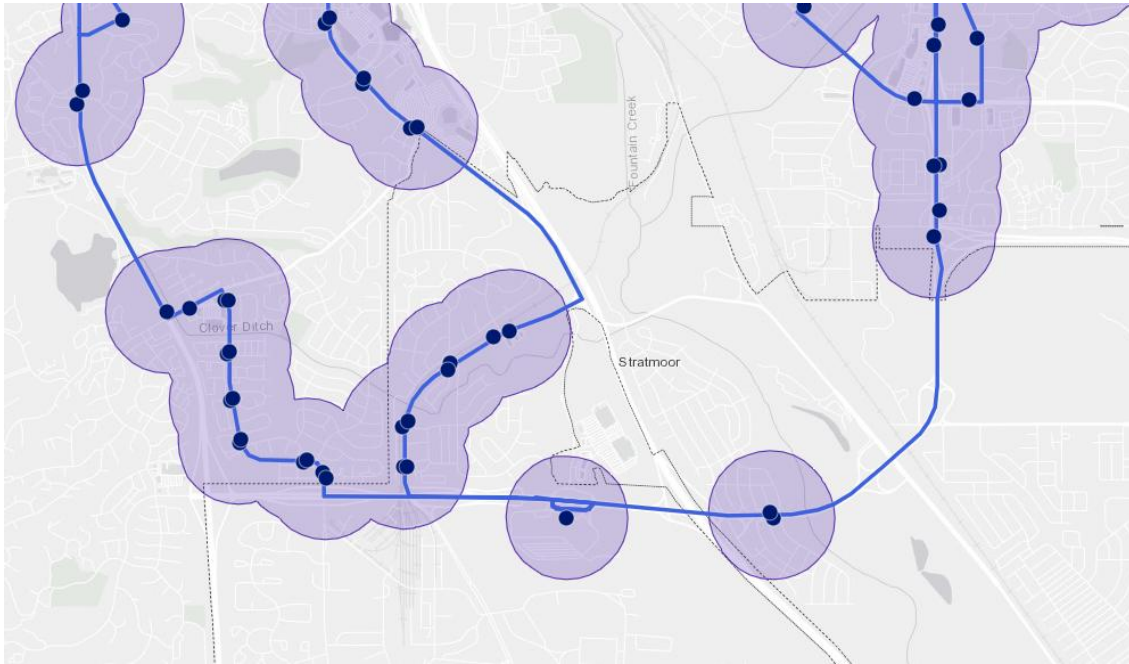
Community Development Department will no longer enforce subsections (b) and (c) of Section 6.2.5.A.2 of the Land Development Code, should the new established uses within the existing buildings consist of a minimum of 50% residential uses. Subsections (b) and (c) of Section 6.2.5.A.2 of the Land Development Code will still be enforceable should the new established uses within the existing buildings consist of less than 50% residential uses.

Regarding land use applications which are not located within or partially within an applicable transit service area, the Planning and Community Development Department will continue to enforce the minimum parking requirements identified in Table 6-2 for the Residential, Multi-Family use.

Planners should exercise judgement when advising applicants; while the above-referenced sections of Code cannot be enforceable after June 30, 2025, planners may still offer recommendations to applicants in instances where it may be beneficial for applicants to include parking for the above-referenced land use applications.

Applicable Transit Service Areas: Areas identified on the maps below within the purple buffer areas are located within an applicable transit service area.





For more information regarding HB 24-1304: <https://dlg.colorado.gov/parking-minimums>

For interactive map of applicable transit service areas:

<https://coenergy.maps.arcgis.com/apps/instant/basic/index.html?appid=4e0d0140839c4b3cbc915d9a22902831>