



COLORADO
MUNICIPAL
LEAGUE

NO
SB23-213

Vote **NO** on **SB23-213** | Land Use

WHAT DOES THE BILL DO?

SB23-213 represents the most sweeping attempt in recent Colorado history to remove local control and home rule authority from elected leaders, professional planning staff, and the people of Colorado. The bill dramatically expands state authority by imposing top-down zoning and land use standards on municipalities, and it puts those decisions into the hands of developer interests and unelected third parties. SB23-213 does not recognize that local governments are best suited to address the needs of their communities, and it flies in the face of local government efforts to solve the affordable housing crisis.

WHY YOU SHOULD VOTE NO

Top-down zoning disregards people: The bill ignores long term local planning efforts and creates a patchwork of residential land use laws for only municipalities that reflect what the state wants, not what the people who live in a municipality want. Residential developments will be allowed based either on a “model code” created by DOLA through a process that is insulated from public feedback or on inflexible minimum standards established in statute. Either way, the bill does away with a tradition of local authority that helps to guide communities to develop in an orderly manner while preserving community character, ensuring growth happens as desired, and protecting community resources. For many municipalities, this means that every residential parcel must accommodate accessory dwelling units or middle housing (up to six-unit buildings). The bill mandates minimum densities and some affordability standards to large swaths of property near rail stations or vague areas called “key corridors.” These requirements will interfere with local affordability efforts. All these new mandates are imposed without assurance of adequate water, public safety, or other resources and even prohibit requiring necessary parking. Other vague language jeopardizes reasonable regulations.

More housing (just not now or affordable): Despite being titled “State Land Use Requirements for Affordable Housing,” the bill does not require affordability at all and is premised on speculation that developers will build more housing, either passing savings along to Coloradans or causing a market-based decline in housing costs. The bill requires that municipalities incorporate a “menu of strategies” to address affordable housing concerns in their communities to offer flexibility. The menu, however, offers no new powers and will be developed by executive branch agencies without local government involvement. The bill undermines local efforts to create affordable housing if developers find them objectionable and takes away local leverage to incentivize affordable multifamily housing.



DOLA's new powers: DOLA, an agency traditionally seen as a partner and supporter of local governments, will be given extremely broad regulatory authority and oversight powers. The bill removes any pretense of collaboration and makes municipalities subservient to DOLA as the law requires extraordinarily cumbersome reporting standards and subjects local elected bodies to regulatory governance. DOLA is tasked with issuing paradigm-shifting methodologies, guidance, menus of strategies, statewide strategic growth objectives, model codes, rules, and minimum standards based on the recommendations of a multi-agency committee of executive appointees, without any meaningful public input. DOLA is even granted authority to modify statutory minimum standards relating to ADUs, middle housing, and housing in transit-oriented areas and key corridors. DOLA is also tasked with substantial new oversight and enforcement responsibilities including the receipt, review, and approval of various reports, codes, drafts, and final plans. Regulatory zoning tells the people of Colorado that their voice does not matter

Housing without transit: Despite creating mandates for transit-oriented areas and key corridors, nothing in the bill would improve the state's public transit system. The bill supposes that cars will disappear or that public streets will accommodate new residents' vehicles; the bill prohibits municipalities from requiring any new parking.

Tunnel vision ignores local burdens: Land use regulation is a complex process, both substantively and procedurally, that considers wide-ranging issues of importance to a community. The bill uses a heavy hand to make development easier without meaningful regard for affordability, water, the provision of municipal services, education, the preservation of municipal budgets, public infrastructure, protecting communities against displacement or gentrification, or quality of life. Municipalities will be forced to bow to developer demands or expend precious resources in litigation to enforce reasonable local regulations.

Constitutionality: The bill primarily applies to municipalities whose residents have chosen to adopt home rule charters under Art. XX, S. 6 of the Colorado Constitution. Zoning has been long recognized by the Colorado Supreme Court as a matter of local concern where the General Assembly has no authority. The bill disregards both precedent and the meaningful reasons why Coloradans' preference for local control matters.

YOUR OPPOSITION IS RESPECTFULLY REQUESTED

SB23-213 is an overly broad, overly complex series of preemptions and mandates, ignoring the fact that local governments are best suited to shape their communities. The bill disregards the historic investments the state has made in the past two years in creating affordable housing and instead undermines public input and expertise of local leaders.

All levels of government can work together, along with our partners in the business and nonprofit community, to solve the housing crisis without creating unintended, irreparable consequences. SB23-213 is an unprecedented repudiation of decades worth of well settled land use and zoning law, and the General Assembly should instead consider a solution that is the result of true collaboration between the state, local governments, and other partners to find a Colorado solution for housing.

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CML Analysis of SB23-213, Land Use

► INTRODUCTION

Senate Bill 23-213 includes several subjects but primarily focuses on a central theme: municipal zoning laws caused the housing crisis by not permitting unfettered residential construction and by trying to protect communities and resources. The bill attempts to draw a line from local zoning laws affecting individual parcels of land in dozens of municipalities to “regional imbalances” that “affect equity, pollution, infrastructure costs, and quality of life.” The bill does not question the state’s involvement in actual statewide problems, but asserts that state regulation of hyper-local matters, imposed through over a dozen regulatory actions with insufficient process, will improve these imbalances and presumes that there will not be significant unintended consequences. This analysis is not a complete list of problems in the bill but represents the most significant elements.

► CML ANALYSIS:

LAND USE BILL WOULD DO LITTLE TO MAKE HOUSING AFFORDABLE

Section 2 of SB23-213 creates a new article 33 in title 29 that imposes top-down standards on some local governments to remove local zoning authority. Despite being titled as requirements for affordable housing, Section 2 doesn’t require affordability at all and is premised on speculation that developers will build more housing, either passing savings along to Coloradans or causing a market-based decline in housing costs. Section 2 begins with overbroad and complex definitions and continues to address assessments and planning before imposing mandates and preempting authority to zone land for particular uses.

An uneven strategy

The bill largely applies only to municipalities, and then only to some municipalities and in differing degrees. Municipalities are classified into four basic groups that do not cover all municipalities. The bill’s requirements apply to each category, and then subsets of categories, to differing degrees in each part. Identifying where a municipality is classified is a complicated process requiring reference. Whether the bill addresses actual problems in the municipalities included in each category or causes more problems in those municipalities will be difficult to determine. See the last page of this analysis for a list of affected municipalities, reported by Colorado Public Radio.

Geographic Classification of Municipalities

Tier 1 Urban Municipality (T1UM)	Tier 2 Urban Municipality (T2UM)	Rural Resort Job Center (RRJC)	Non-urbanized Municipality (NUM)
In an MPO with a population of at least 1 million	Within an MPO	Not within an MPO	Not within the definition of an urban municipality or a rural resort job center; and
10% of territory in urbanized area with population over 75,000; and	A population between 5,000-25,000; and	A population of at least 1,000	A population of at least 5,000
A population of at least 1,000; <i>or</i>	In a county with a population of at least 250,000	1,200 jobs and a jobs-to-population ratio of at least 64-hundredths; and	
In an MPO with a population under 1 million; and		A transit stop serviced by a transit agency serving two municipalities with at least 20 trips per day	
A population of at least 25,000			

The bill grants broad regulatory authority to DOLA

The bill contemplates dozens of regulatory actions, primarily by DOLA. The bill appropriates \$15 million dollars to DOLA; however, it is not clear how that funding will be expended and whether funding for the various regulatory actions is included.

First, the Director of DOLA is tasked with issuing multiple methodologies, guidance, “menus” of strategies, statewide strategic growth objectives, model codes, rules, and minimum standards based on the recommendation of a “multi-agency committee” of executive appointees. Although the bill does not outline a public comment process, DOLA will undergo a rulemaking process that may include a public comment period. The committee’s recommendation only involves a limited public process involving public comment, consultation with local governments and experts, and only two hearings, despite having statewide impact and addressing extremely local issues (29-33-108(2)). The bill does not specify which local governments and “local experts” will be consulted, and it is seemingly up to the committee members to choose those experts without any guidelines. There are no requirements to ensure inclusivity, such as meetings during varying hours, meetings in different geographic locations, or outreach to educate and explain proposed recommendations.

Second, the Director of DOLA is granted authority to modify statutory minimum standards relating to accessory dwelling units (ADUs), middle housing, housing in transit-oriented areas, and housing in key corridors. Only token consideration of process is provided.

Third, DOLA is tasked with a substantial amount of new oversight and enforcement responsibility with the receipt, review, and approval of various reports, codes, and draft and final plans.

In addition to DOLA, the Office of Climate Preparedness is directed to develop a natural and agricultural land priorities report that MPOs should apply to achieve connectivity of open space and natural lands and preservation of agricultural land and open space. Counties and municipalities must include natural and agricultural priorities in their master plans in accordance with the state’s mandate.

Ambiguous mandates for housing needs assessment & planning

The bill asserts that “assessing and planning for housing needs” is a matter of mixed state and local concern. DOLA will issue methodologies for developing state, regional, and local “housing needs assessments” and then create the assessments every 5 years, beginning December 31, 2024. DOLA will allocate shares of statewide housing needs to regions defined by DOLA and local governments. DOLA will also use local housing needs assessments to mandate “net residential zoning capacities” for key corridors in tier 1 urban municipalities and rural resort job centers (see below for a more detailed analysis).

T1UM, T2UM, and RRJC municipalities must use DOLA’s local and regional assessments to inform any required “housing needs plans.” DOLA will create guidance for these plans, but the bill includes procedural and extensive, but ambiguous, substantive mandates for their development and adoption, including requirements to describe compliance with the bill’s mandates and a “greenfield development analysis.” The greenfield development analysis relies on undefined “statewide strategic growth objectives” also developed by DOLA. The bill’s limited direct connection to affordability and displacement includes requirements to include a varying number of strategies regarding those issues from state-created “menus” (also developed by DOLA), although RRJC are not required to address displacement. None of the items in the menus provide additional authority to municipalities beyond existing law and given the bill’s other restrictions, may inhibit existing authority to plan communities and ensure affordability.

Housing needs plans, a greenfield development analysis, and a concept of natural and agricultural land priorities consistent with state requirements must be included in master plans for T1UM, T2UM, and RRJC.

Counties and municipalities that DOLA groups into rural resort regions are required to participate in “regional housing needs planning process” resulting in a report and commitments that DOLA must review and approve. The bill suggests that this process will encourage participants to address needs through individual or regional strategies, including strategies from “menus” and locations where reduced parking requirements can reduce housing needs. The process will map locations where Article 33’s minimum standards for middle housing, transit-oriented areas, and key corridors could meet needs, but later the bill actually indicates that this map would dictate where middle housing standards apply in RRJCs.

Burdensome reporting standards

T1UM, T2UM, and RRJC must collect, track, maintain, and report to DOLA an overwhelming amount of data beginning December 31, 2026. These municipalities must report both the number of permits for new housing and the number of housing construction starts each categorized by structure type, time frames to complete residential permit reviews by housing type, workforce assigned to development review by position time, implementation status of strategies identified in a housing needs plan mandated by the law, zoning information specifying zone districts, allowed uses and densities and “other data,” and regional efforts to address housing needs.

“Use by right” would supersede local control

In removing the legislative discretion of municipal governing bodies in making zoning decisions, the bill removes a traditional elements of zoning authority to consider — in their best legislative judgment — consistency with plans, compatibility or harmony of surrounding land uses and development, and strategies for mitigating project impacts. Each of the zoning preemptions also includes a concept of a “use by right,” meaning the development approval relies only on “objective standards” that lack any discretionary component. Objective standards prohibit any personal or subjective judgment by a public body or official and must be “uniformly verifiable or ascertainable by reference to an external or uniform benchmark or criterion” that is known before filing of the proposal. Not only does this inhibit local officials from exercising traditional authority, but it also potentially prevents municipalities making critical changes to land use laws to protect their communities that might apply to a pending project.

Zoning preemption No. 1: Accessory dwelling units — T1UM, T2UM, RRJC, NUM

The bill declares “an increased supply of housing through accessory dwelling units” to be a matter of mixed state and local concern but reflects inadequate study of how ADUs are treated in all subject jurisdictions or what the supply would look like if the bill is enacted. Under the bill, an ADU is an internal, attached, or detached “dwelling unit” providing complete independent living facilities for at least one person that is located on the same lot as a primary residence with provisions for living, sleeping, eating, cooking, and sanitation.

By December 31, 2024, a T1UM, T2UM, and RRJC must change their local laws concerning ADUs to meet the bill’s minimum standards (as may be modified by DOLA) or adopt DOLA’s model ADU code. The municipalities must report their compliance by that date, subject to DOLA review and approval. Failure to adopt meet the minimum requirements by June 30, 2025, or DOLA’s rejection of the jurisdiction’s report, means the model code goes into effective immediately; no provision is made for who makes this determination or whether it can be disputed. If the model code is adopted, it must be implemented using “objective procedures” and the municipality cannot have any “local law” that would contravene it. The bill does not account for potential citizen referendum and expressly seeks to preempt local zoning ordinances enacted pursuant to Article XX, Section 6 of the Colorado Constitution.

Developed by June 30, 2024, DOLA’s model ADU code will allow ADUs as a “use by right” anywhere a municipality allows single-unit detached dwelling units as of January 1, 2023. The code will provide “objective standards” for approval of the units, so that officials cannot evaluate local conditions to determine if the ADU will cause an unfair burden or be incompatible. The model code cannot require new off-street parking in any subject jurisdiction, even if the ADU is in an area without adequate parking or transit. The model code is not subject to the same minimum standards that apply to municipalities that do not adopt the model code.

The bill establishes minimum standards that attempt to preempt local law if the model code is not voluntarily adopted. DOLA can update minimum standards through rulemaking under an ambiguous “public hearing and comment process.”

ADUs are not required to be permitted on the same lot or parcel as middle housing.

Other exemptions apply for parking spaces required by the Americans with Disabilities Act, short-term rental rules, and historic districts.

Minimum Standards for ADUs

ADUs of the greater of 800 square feet or 50% of the primary residence must be allowed as a “use by right” anywhere the municipality allows single-unit, detached dwelling units as of January 1, 2023.

Only “objective standards and objective procedures can apply,” meaning that officials cannot evaluate local conditions to determine if the ADU will cause an unfair burden or be incompatible.

Municipalities must allow additions to, or conversions of, existing single detached dwelling units and must apply the same design standards that apply to single detached dwelling units.

Municipalities cannot have local laws that treat ADUs more restrictively, “create unreasonable costs or delays” or make ADUs “infeasible,” require that primary residences be owner-occupied, require new off-street parking (in T1UM and T2UM), or require side or rear setbacks of more than 5 feet unless needed for health or safety standards.

Zoning preemption No. 2: “Middle housing” — T1UM and RRJC

The bill declares “an increased supply of housing through middle housing” to be a matter of mixed state and local concern but reflects inadequate study of how “middle housing” is treated in all subject jurisdictions or what the supply would look like if the bill is enacted. Under the bill, “middle housing” is either a single structure with 2-6 separate dwelling units (duplex through sixplex), a townhome, or cottage cluster. A townhome is a dwelling unit in a row of 2 or more attached dwelling units on individual lots with common walls. A cottage cluster is a grouping of at least 4 detached units with a common courtyard, with each unit being smaller than 901 square feet.

By December 31, 2024, a T1UM, and by December 31, 2026, a RRJC, must change their local laws concerning middle housing to meet the bill’s minimum standards (as may be modified by DOLA) or adopt DOLA’s model middle housing code. The municipalities must report their compliance by that date, subject to DOLA review and approval. Failure to adopt the minimum requirements by June 30, 2025, for a T1UM, or by June 30, 2027, for a RRJC, or DOLA’s rejection of the jurisdiction’s report, means the model code goes into effect immediately; no provision is made for who makes this determination or whether it can be disputed. If the model code is adopted, it must be implemented using “objective procedures” and the municipality cannot have any “local law” that would contravene it. The bill does not account for potential citizen referendum and expressly seeks to preempt local zoning ordinances enacted pursuant to Article XX, Section 6 of the Colorado Constitution.

Developed by June 30, 2024, DOLA’s model middle housing code will allow middle housing as a “use by right” anywhere the municipality allows single-unit detached dwelling units as of January 1, 2023. The code will provide “objective standards” for approval of the units, so that officials cannot evaluate local conditions to determine if the housing will cause an unfair burden or be incompatible. The model code cannot require new off-street parking in any subject jurisdiction, even if the housing is in an area without adequate parking or transit. The model code is not subject to the same minimum standards that apply to municipalities that do not adopt the model code.

The bill establishes minimum standards that attempt to preempt local law if the model code is not voluntarily adopted.

Minimum Standards for Middle Housing

Middle housing of at least 125% of the building area of a single-unit detached dwelling must be allowed as a “use by right” anywhere the T1UM allows single-unit detached dwelling units as of January 1, 2023, or wherever designated in the RRJC’s regional housing needs plan (even if the RRJC did not approve it).

Only “objective standards and objective procedures can apply,” meaning that officials cannot evaluate local conditions to determine if the middle housing type will cause an unfair burden or be incompatible.

Municipalities must allow additions to or conversions of existing single detached dwelling units and must apply the same design standards that apply to single detached dwelling units.

Municipalities must allow properties to be subdivided using objective standards and procedures.

Municipalities cannot have local laws that treat middle housing more restrictively, “create unreasonable costs or delays” or make middle housing “infeasible,” apply minimum setbacks, lot widths, lot depths, lot size standards, or maximum height standards that are more restrictive than single-unit detached dwellings on the same property, require new off-street parking, or impose footprint restrictions differently than single-unit detached dwellings.

DOLA can update minimum standards through rulemaking under an ambiguous “public hearing and comment process.” Middle housing is not required to be permitted on the same lot or parcel as an ADU. Other exemptions apply for parking spaces required by the Americans with Disabilities Act, short-term rental rules, and historic districts. Middle housing requirements will not affect an inclusionary zoning ordinance unless it renders the “development of middle housing financially infeasible.” The bill does not define “financially infeasible” and does not explain how a developer must prove that the ordinance makes said development financially infeasible. This could make inclusionary zoning ordinances moot.

Zoning preemption No. 3: Housing in “transit-oriented areas” — T1UM with fixed rail

The bill declares “an increased supply of housing in transit-oriented areas” to be a matter of mixed state and local concern but reflects no study of how any of the subject jurisdictions treat the topic or what the supply would look like if the bill is enacted. Under the bill, a “transit-oriented area” is a one-half mile boundary from some part of a fixed-rail transit station, including parcels that have at least 25% of their area within the boundary. Unincorporated parcels are not included.

The focus of this part of the bill is on multifamily housing (one or more buildings on one lot with separate living units for 3 or more households) and mixed-income multifamily housing (at least 10% of units are set aside for households earning no more than 80% AMI). Although municipalities with inclusionary zoning ordinances can establish their own threshold and set asides, the bill interferes by setting density standards and inconsistently restricts local inclusionary zoning ordinances based on the financial effect on developers.

By December 31, 2024, a T1UM with a transit-oriented area must change their local laws concerning housing in transit-oriented areas to meet the bill’s minimum standards (as may be modified by DOLA) or adopt DOLA’s transit-oriented area model code. The municipalities must report their compliance by that date, subject to DOLA review and approval. Failure to adopt meet the minimum requirements by June 30, 2025, or DOLA’s rejection of the jurisdiction’s report, means the model code goes into effective immediately; no provision is made for who makes this determination or whether it can be disputed. If the model code is adopted, it must be implemented using “objective procedures” and the municipality cannot have any “local law” that would contravene it. The bill does not account for potential citizen referendum and expressly seeks to preempt local zoning ordinances enacted pursuant to Article XX, Section 6 of the Colorado Constitution.

Developed by June 30, 2024, DOLA’s transit-oriented area model code will prohibit new-off street parking in transit-oriented areas for multifamily or mixed-income multifamily development, allow minimum density as a “use by right” for multifamily residential (at least 40 units per acre net density) and mixed-income multifamily (at least 60 units per acre net density). Affordable units must be a similar size. This prevents T1UM jurisdictions from influencing multifamily development according to local standards.

The bill establishes minimum standards that attempt to preempt local law if the model code is not voluntarily adopted.

Minimum Standards for Transit-Oriented Areas

A T1UM must legislatively create a zoning district for the transit-oriented area to allow multifamily housing as a “use by right” with a minimum gross density of 40 units per acre for all eligible parcels. Districts can extend outside the transit-oriented area to meet gross density requirements based on development constraints or other planning for transit-compatible uses.

Municipalities cannot have local laws that apply to “create unreasonable costs or delays” or make multifamily in a transit-oriented area or the residential density limits “infeasible” or require new off-street parking.

DOLA can update minimum standards through rulemaking under an ambiguous “public hearing and comment process.” Other exemptions apply for parking spaces required by the Americans with Disabilities Act, short-term rental rules, and historic districts. Transit-oriented area requirements will not affect an inclusionary zoning ordinance unless it renders the “development of multifamily housing financially infeasible.”

Zoning preemption No. 4: Housing in “key corridors” — T1UM and RRJC

The bill declares “an increased housing supply in key corridors” to be a matter of mixed state and local concern but reflects no study of how any of the subject jurisdictions treat the topic or what the supply would look like if the bill is enacted. Under the bill, a “key corridor” is an extraordinarily broad concept that is not limited to transit corridors and could undermine the zoning and land use plans of an entire municipality. Key corridors include “frequent transit service areas” as mapped by

DOLA (including in some cases anything within one-quarter mile of a bus route with certain service levels). Key corridors also include any parcel in zone districts that permit commercial uses that are supposedly compatible with residential uses and public or institutional uses. Key corridors also include anything zoned for a mix of uses other than industrial. The definitions used in this part are likely inconsistent with many local zoning codes and could capture very large parts of a community.

The bill suggests some option for the municipality that does not adopt a model code to designate their own key corridors. The bill extent of this discretion is not clear, and all minimum standards described for key corridors apply.

The focus of this part of the bill also focuses on multifamily housing (one or more buildings on one lot with separate living units for 3 or more households) and mixed-income multifamily housing (at least 10% of units are set aside for households earning no more than 80% AMI). Although municipalities with inclusionary zoning ordinances can establish their own threshold and set asides, the bill interferes by setting density standards, set asides, and AMI requirements, and inconsistently restricts local inclusionary zoning ordinances based on the financial effect on developers.

By December 31, 2026, T1UM and RRJC must change their local laws concerning housing in key corridors to meet the minimum standards that DOLA must develop or adopt DOLA's key corridor model code. The municipalities must report their compliance by that date, subject to DOLA review and approval. Failure to adopt and meet the minimum requirements by June 30, 2027, or DOLA's rejection of the jurisdiction's report, means the model code goes into effective immediately; no provision is made for who makes this determination or whether it can be disputed. If the model code is adopted, it must be implemented using "objective procedures" and the municipality cannot have any "local law" that would contravene it. The bill does not account for potential citizen referendum and expressly seeks to preempt local zoning ordinances enacted pursuant to Article XX, Section 6 of the Colorado Constitution.

Developed by June 30, 2024, DOLA's key corridor model code will set minimum residential density limits for multifamily housing as a "use by right," an allowable minimum residential density limit for mixed-income multifamily housing at least 50% greater than the multifamily minimum density as a "use by right," requirements for set asides for low- and moderate-income households.

By June 30, 2025, DOLA will establish key corridor minimum standards that attempt to preempt local law if the model code is not voluntarily adopted. The minimum standards appear to be targeted to take over municipal land use planning in broad swaths of territory and must include: guidance to encourage regional strategies for key corridors, a "net residential zoning capacity" for each municipality based on that municipality's local housing needs assessment, and "any additional standards" that DOLA "deems necessary," like a minimum residential density limit and minimum district size.

Minimum Standards for Key Corridors

A T1UM must legislatively create a zoning district within key corridors to allow multifamily housing as a "use by right" that satisfies DOLA's mandated net residential zoning capacity and requirements that DOLA may impose.

A RRJC must allow multifamily housing as a "use by right" wherever a key corridor is designated in the RRJC's regional housing needs plan (even if the RRJC did not approve it).

Municipalities can allow different density within the key corridor if minimum standards are satisfied.

Municipalities cannot have local laws that apply to "create unreasonable costs or delays" or make multifamily in a key corridor "infeasible."

For key corridors only, the bill prohibits new off-street parking in key corridors **for any use.**

Other exemptions apply for parking spaces required by the Americans with Disabilities Act, short-term rental rules, and historic districts. Key corridor requirements will not affect an inclusionary zoning ordinance unless it renders the “development of multifamily housing financially infeasible.”

What’s exempt from SB23-213?

Each part of the proposed article 33 of title 29 includes varying degrees of exemptions. Except for ADU requirements, a common exemption is for “standard exempt parcels,” or those that are outside an urbanized area, not served by domestic water or sewer treatment, have an agricultural zoning designation as of January 1, 2023, are noted as a “high risk, high very high, or very high risk” for wildfire by the state forest service (which does not appear to include much land covered by the bill), or in a floodway or 100-year floodplain identified by FEMA. The bill does not account for other local conditions.

For transit-oriented areas, standards also do not apply in park and open space or on properties subject to conservation easements. For key corridors, standards also do not apply on a site that is on or adjacent to a site used or permitted for industrial use or designated for heavy industrial use in a master plan adopted before 2023.

“Unreasonable costs or delays” and feasibility

Each of the zoning preemptions includes a dangerous concept that preempts any local land use law that “individually or cumulatively create unreasonable costs or delays” or that would make the permitting, siting, or construction of the housing type “infeasible.” This language recklessly exposes municipalities to significant liability, could undermine local efforts to create affordable housing, and risks forcing the public to bear burdens that should be borne by developers. It is unclear whether safety standards, impact fees, fees for water or municipal services, or other important local standards could fall prey to this type of language. Several provisions in the middle housing, transit-oriented areas, and key corridor parts also suggest that financial burdens on developers imposed by local inclusionary zoning ordinances will invalidate those local laws.

Interference

Each of the zoning preemptions includes another dangerous concept that would preempt a municipality from amending, developing, or even interpreting a local law “in a manner that would interfere with the intent” of the part. Broad and careless language could have significant unintended consequences and expose municipalities to significant risk.

Parking burdens

Each zoning preemption prohibits a municipality from requiring new off-street parking as part of a housing development approval. The “key corridor” provision appears to prohibit parking requirements for any development approval in a key corridor, not just housing. The bill does not limit these restrictions to any guarantee of public transit availability. The bill does not identify where cars will go or how municipalities are to address the burdens on public streets, public safety, and quality of life. Each zoning mandate permits parking standards required by the Americans with Disabilities Act.

Water, wastewater, and stormwater burdens

Each zoning preemption allows a municipality to apply to DOLA for an unclear “extension of applicable requirements” based on deficient water, sewer, or stormwater “services.” The bill does not seem to account for any other burden on public infrastructure or services. To obtain the extension, the municipality must have a plan to remedy the deficiency on a specific timeline and must show that it cannot serve other, less efficient housing types than those provided in the mandate. The provisions do not account for pre-existing service obligations to those other housing types or rights of their owners. These provisions also do not consider long-term planning and suggest that municipalities must fund development to accommodate the state mandate.

Manufactured & modular housing

Section 3 requires the division of housing to create a report by June 30, 2024, on “opportunities and barriers” in current state law concerning manufactured homes, modular homes, and tiny homes.

Sections 4 and 6 remove financial assurance requirements for manufacturers of factory-built structures (not necessarily limited to residential structures). Under current law, those assurances are payable to the division if the manufacturer fails to deliver a structure or refund a down payment or ceases doing business.

Section 5 adds “final construction plan reviews” to the scope of quality assurance representatives approved by the Division of Housing relating to factory-built structures. The impact of this addition is not clear.

Section 11 amends current law to mandate that municipalities address manufactured and modular housing in the same manner as site-built homes. Municipalities must use “objective standards” and an administrative review process equivalent to site-built homes, unless a subjective review process is used for site-built homes. More restrictive standards than are applied to site-built homes are prohibited, including zoning and subdivision laws and “other regulation affecting development” such as requiring permanent foundations, minimum floor space, home size or sectional requirements, “improvement location standards,” and side yard or setback standards. Despite allowing for equivalency with site-built homes, the bill removes existing language that ensures authority to enact consistent zoning, developmental, use, aesthetic, or historical standards that are applicable to existing and new housing. The categorization of municipalities in Section 2 does not apply to these amendments.

Preemption of planned unit development zoning

Section 7 amends the Planned Unit Development Act at CRS 24-67-105(5.5) to provide that PUDs with residential uses cannot restrict ADUs, middle housing, housing in transit-oriented areas, or housing in key corridors in a manner prohibited by the proposed article 33 of title 29. It is not clear whether this applies only to PUDs in jurisdictions covered by proposed article 33 or more broadly.

Preemption of residential occupancy limits

Section 8 creates CRS 29-20-110 that would preempt counties and municipalities from placing residential occupancy limits on “dwellings” that differentiate between occupants based on family relationship (other than short term rental restrictions). Here, a “dwelling” is defined as any improved property used or intended to be used as a residence, but in Section 2 a different definition of “dwelling” is used. (a single unit providing complete independent living facility

No commitment to use state-controlled property for affordable housing

Section 10 permits statutory municipalities to sell municipal property held for a government purpose (other than park property) without an election if the purpose is to develop affordable housing. The categorization of municipalities in Section 2 does not apply to these amendments. The state makes no commitment to the use of state-controlled property for affordable housing in the bill.

A narrowing of municipal zoning authority

In addition to Section 2’s broad preemptions and mandates, Section 13 bluntly narrows the traditional zoning authority of municipalities by prohibiting T1UM and T2UM from imposing minimum square footage requirements for residential units unless “necessary for health and safety” in the municipality. The bill would not allow those municipalities to address issues relating to their communities’ welfare.

Undefined process for creating master plans

Sections 9 and 12 amend Titles 30 and 31 regarding county and municipal master plans. The categorization of municipalities in Section 2 does not apply to these amendments. Counties and municipalities must ensure an undefined “inclusive process” by consulting with housing authorities, nongovernmental organizations, and local governments in the creation of the master plan. Master planning already involves heavy public engagement.

Counties and municipalities must include, for plans after June 30, 2024, water items including the location and extent of water supply, a water supply element and conservation policies, and priorities for natural and agricultural land in accordance with the state’s natural and agricultural land priorities report. Counties over 250,000 in population must include a “greenfield development analysis.”

Section 12 also addresses the inclusion of housing needs plans, a greenfield development analysis, and a concept of natural and agricultural land priorities following the state’s natural and agricultural land priorities report.

DOLA must receive draft and final plans and is required to review plans for compliance.

New reporting requirements for water loss accounting

Section 14 requires covered entities (including municipal and special district water providers) to provide and validate water loss audit reports to the Colorado Water Conservation Board. The board will adopt standards for validation of reports, technical qualifications, and methods by January 1, 2025. Some funding is provided for assistance in validation and for technical training and assistance to guide water loss programs.

Invalidation of HOA housing decisions

Section 15 would invalidate common interest community limitations on ADUs, middle housing, housing in transit-oriented areas, and housing in key corridors.

Transportation planning and grants. Section 16 requires the transportation commission to include “statewide strategic growth objectives relating to regionally significant transportation projects” in the ten-year plans for existing and future transportation systems created under CRS 43-1-106(15)(d). It is not clear whether those objectives are the same created by DOLA under Section 2.

Section 17 requires the department of transportation to ensure that grant prioritization criteria are “consistent with state strategic growth objectives” by December 31, 2024. It is not clear whether those objectives are the same created by DOLA under Section 2.

Section 18 requires regional transportation plans and the statewide transportation plan under CRS 43-1-1103, beginning December 31, 2024, to address and ensure consistency with state strategic growth objectives. At least for the regional plans, the objectives are those determined by DOLA under the proposed CRS 29-33-107.

Section 19 requires that projects funded from the multimodal transportation options under CRS 44-4-1103 be “consistent with state strategic growth objectives.” It is not clear whether those objectives are the same created by DOLA under Section 2.

Inadequate funding

Section 20 appropriates \$15 million for DOLA to provide technical assistance under the proposed CRS 29-33-111(3). The extensive amount of code revision, reporting, plan development, and compliance with various mandates required by the bill in covered municipalities has an unknown cost that would certainly exceed this funding. The funding will not address impacts

to infrastructure, public services, and quality of life in municipalities or litigation costs arising from the bill. The funding does not address the major overhaul of DOLA’s mission and authority.

Safety clause prevents voters from weighing in

Section 21 includes a safety clause, preventing voters from exercising the right of referendum. Local zoning ordinances on the same issues covered by the bill are subject to the reserved constitutional power of referendum.

► SUPPLEMENTAL INFORMATION

Communities by tier level

Urban Municipalities Tier 1	Urban Municipalities Tier 2	Rural Resort Job Centers	Non-Urban Municipalities
<p>Denver region: Arvada, Aurora, Boulder, Brighton, Broomfield, Castle Pines, Castle Rock, Centennial, Cherry Hills Village, Columbine Valley, Commerce City, Denver, Edgewater, Englewood, Erie, Federal Heights, Glendale, Golden, Greenwood Village, Lafayette, Lakewood, Littleton, Lochbuie, Lone Tree, Longmont, Louisville, Northglenn, Parker, Sheridan, Superior, Thornton, Westminster, Wheat Ridge</p> <p>North Front Range: Greeley, Fort Collins, Loveland, Windsor</p> <p>Pikes Peak: Colorado Springs, Fountain</p> <p>Grand Valley: Grand Junction</p> <p>Pueblo Area: Pueblo</p>	<p>Denver region: Dacono, Fort Lupton, Firestone, Frederick</p> <p>North Front Range: Evans, Berthoud, Johnstown, Tinmath, Eaton, Miliken, Severance</p> <p>Pikes Peak: Monument</p>	<p>Aspen, Avon, Breckenridge, Crested Butte, Dillon, Durango, Frisco, Glenwood Springs, Mountain Village, Silverthorne, Snowmass Village, Steamboat Springs, Telluride, Vail, Winter Park</p>	<p>Alamosa, Brush, Canon City, Carbondale, Cortez, Craig, Delta, Eagle, Fruita, Fort Morgan, Gunnison, Gypsum, La Junta, Lamar, Montrose, Rifle, Sterling, Trinidad, Wellington</p>

This table lists communities by tier level, according to a document provided by Rep. Steven Woodrow.

Tier-level table published by Colorado Public Radio, <https://bit.ly/3FVlyio>.



April 6, 2023

Dear Members of the Colorado General Assembly:

We are writing as members of municipal governing bodies directly elected by citizens (and as staff that supports elected officials) to work on local problems and opportunities to urge you to vote "no" on SB 23-213 and require the state and proponents of the bill to find solutions in partnership with municipal leaders and affordable housing advocates, as opposed to the collision course SB 213 puts the state on with one of Colorado's most core values - the principles of home rule and local control.

Last year, the Colorado Municipal League shared with Gov. Polis and his team that CML wished to work as partners to address the many common goals promoted by the administration, while engaging partners statewide and locally. We are disappointed that the response to CML and local officials was to instead determine in 2022 that 2023 legislation should trample local initiatives, create a patchwork application of preemptions, provide no guarantee that any housing bypassing local regulations would be affordable, and almost completely exempt urban development in unincorporated parts of counties.

Municipal leaders and planners do not build homes. Municipal leaders and planners plan. We know our communities and wish to continue to engage our partners to ensure a mix of housing that meets community and regional needs, creates and maintains livable places, promotes conservation, clean air and water, and honors Colorado's tradition of local solutions and decision making.

We ask you to oppose SB 23-213 as a means to ensure everyone has a seat at the table and that the state government is not picking winners and losers. We also strongly object to the monumental shift in DOLA's mission from a support agency to a regulatory agency.

Your "no" vote on SB 23-213 will signify your expectation that:

- Local governments continue to work to address any local issues that may make housing less available and affordable.
- Local governments will not use "home rule" and "local control" as a means to say "no," but rather continue to use them as powerful tools to address the statewide issues of housing affordability and availability.
- Local governments will partner with all groups that have a voice in housing issues, even those they may not always agree with.

My municipality prides itself on being a leader on meeting and exceeding the needs and challenges of our citizens. We know that statewide solutions come from partnerships and not

from preemptive shows of strength. We believe that these issues should create a win-win outcome and not win-lose.

There is a better way that is truly the “Colorado Way.” We urge your "no" vote on SB 23-213.

Sincerely,

Ben Kleimer, Redcliff, Trustee
Matt Sturgeon, City of Centennial, City Manager
Guyleen Castriotta, City and County of Broomfield, Mayor
Jeff Butler, Berthoud, Board of Trustee
Katy Brown, Cherry Hills Village, Mayor
Angela Snyder, Evans, Community Development Director
Shannon Wallace, City of Rocky Ford, City Manager
Jon Stavney, NWCCOG, Executive Director
Earl Hoellen, Cherry Hills Village, Member of Council
Lisa Piering, Town of Rangely, Town Manager
James Marsh-Holschen, City and County of Broomfield, City Council Member
Donald Davis, City and County of Broomfield, Deputy City County Manager
Kellie Case, Woodland Park, Mayor Pro-Tem
Dwayne Endery, Monte Vista, City Planner
Wynne Shaw, City of Lone Tree, Mayor Pro Tem
Mitch LaKind, Town of Monument, Mayor
Steve Carver, Town of Gypsum, Mayor
Laurance Elarton, Town of Dinosaur, Town Manager/ Chief Marshal
Shana Ball, Palmer Lake, Town Board Trustee
Charlie Willman, Glenwood Springs, Mayor Pro Tem
Drew Sanders, City of Cortez, City Manager
Rich Seymour, Westminster, City Councillor
Herman Schranz, Mead, Trustee
Mark Garcia, Town of Ignacio, Town Manager
Keely Williams, Trinidad, Director of Development Services
Dale Hall, Greeley, Councilmember
Sharon Thompson, Fountain, Mayor
Sumner Schachte, Glenwood Springs, Housing Commission Chair
Wynetta Massey, Colorado Springs, City Attorney/Chief Legal Officer
Wesley LaVanchy, Town of Eaton, Interim Town Administration
Sean Murphy, Berthoud, Trustee and Licensed Architect
Judith Chandler, Manitou Springs, CO, City Councilor
Dr. Detra Duncan, Fountain, City Council
Michelle Eddt, Town of Blue River, Town Manager
Jason Armstrong, Town of Mancos, Community and Economic Development Director
Heather Alvarez, Town of Mancos, Town Administrator
Lana Bryce, Town of Gypsum, Community Development Director
Danelle Cook, Town of Silverthorne, Planning Manager
Alan Dekwiche, Manitou Springs, Planning Commission Chair

Ted Slaughter, Town of Blue River, Trustee
Laura Kronick, Town of Monument, Councilmember
Colleen Whitlow, Town of Mead, Mayor
Bill Berg, Edgewater, Council Member
Nina Williams, Arvada, Municipal Attorney
Elizabeth Erin Ganser, Crested Butte, Housing Director
L.Joy Porter, Manitou Springs, Historic Preservation Commission commissioner
Lori Zazzaro, Town of Bayfield, Town Trustee
Jena Greene, Town of Crested Butte, Town Planner I
Steve King, Monument, Mayor Pro Tem
Josh Hardy, Granby, Mayor
Jamison, Cleaver, Misty Acres Metropolitan District, Board of Directors
H.A. "Buck" Wenzel, Town of Silver Cliff, Mayor
Sana Abbott, Monument, Councilmember
Cory Applegate, Fountain, Council Member
Gloria Kaasch-Buerger, Town of Silverton, Town Administrator
Robert Reed, City of Golden, City Councilor
Elinor Brown, Logan County Chamber of Commerce, Executive Director
Gordon Rick, Fountain, Councilman
Nancy Henjum, Colorado Springs, City Council Representative District 5
Marco Fiorito, Monument, Councilmember
Linda Secrist, Town of Elizabeth, Mayor Pro Tem
Michael Anderson, City of Lone Tree, Council Member
Tamara Estes, City of Fountain, Mayor Pro Tem
Angela Ternus, Town of Elizabeth, Trustee
Pam Grove, City of Littleton, Council Member
John Brennan, City of Fort Morgan, Deputy City Manager/City Clerk/PIO
Jeannette Piel, Town of Empire, Town Clerk
Marissa Harmon, Lone Tree, Council Member
Jennifer Boswell, Town of Empire, Deputy Town Clerk
Wendy Koch, Town of Empire, Mayor
Michael Mahoney, Granby Co., Trustee
Ray Douglas, Town of Fairplay, Trustee
Lisa Nolan, Silver Cliff, Mayor Pro Tem
Melissa Lampshire, Town of Nucla, Manager
Tammy Payne, Town of Elizabeth, Trustee
Kevin Rants, City of Castle Pines, Councilmember
Mandi Etheridge, Town of Meeker, Administrator
Tracy Engerman, City of Castle Pines, Mayor
Nick Snively, Town of Elizabeth, Mayor
Ashley Smith, Cañon City, Mayor
Don Sheehan, Centennial, City Council
Tuggy Dunton, Town of Ignacio, Clerk/Treasurer
John Graham, Manitou Springs, Mayor
Donna Johnston, Greenwood Village, City Council
Lisa Jones, Foxfield, Mayor

Martha Lock, Monte Vista, City Councilor
James Keehne, City of Burlington, City Administrator
Ryan Banks, Town of Hayden, Mayor
Ben Kleimer, Redcliff, Trustee
Tyler Purvis, City of Brush, Community Development Director & Assistant City Administrator
James Dickhoff, Town of Pagosa Springs, Community Development Director
Rick Keuroglan, Town of Georgetown, Town Administrator
Charley Able, City of Lakewood, Council Member
Tyler Gibson, Town of Springfield, Mayor
Devin Granbery, City of Sheridan, City Manager
David Acunto, Thornton, Councilmember
Heather Geyer (On behalf of the City), City of Northglenn, City Manager
Ron Carpenter, Town of Haxtun, Superintendent
Nicholas Walker, Northglenn, City Council
Shannon Lukeman-Hiromasa, City of Northglenn, Mayor Pro Tem
Pamela Thompson, Town of Foxfield, Trustee at Large
William L Carlson, Palisade, Town of Palisade Trustee
Hollie Rogin, Lyons, Mayor
James Graycheck, Town of Alma, Trustee
Rod Swisher, Town of Holly, Trustee
Yong Gen Kim, Commerce City, Councilmember At Large
Ethan Funk, Ouray, Mayor
James Romanello, Monument, Councilman
Geoff Blue, Castle Pines, City Councilman
Brenda Joseph, Town of Gilcrest, Town Clerk/Treasurer
Dave Frank, Montrose, Mayor
Cody Sims, City of Evans, City Manager
Larry Elarton, Town of Dinosaur, Town Manager
Noah Hopkins, Town of Blue River, Trustee
Ruth Stanley, Avon, Councilor
Kirk Crespin, Lamar, Mayor
Meredith Leighty, Northglenn, Mayor
Patricia Vice, Genoa, Mayor
Laura Weinberg, Golden, Mayor
Mary Janssen, City of Lakewood, Councilor
Mike Duffy, Lamar, Council Member Ward II
Randolph Weil, Cherry Hills Village, Mayor Pro Tem
Frederick Hinton, Fountain, Councilman
Adrienne Sandoval, Platteville, Mayor
Tonya Briggs, City of Lafayette, City Councilor
Matt LeCerf, Town of Johnstown, Town Manager
Frankie Hernandez, Ovid Colorado, Mayor
Corey Hoffmann, Northglenn, Black Hawk, Canon City, Foxfield, City/Town Attorney
Mark N. Doering, AICP, City of Dacono, Senior Planner
Bryce Lange, Town of Hudson, Town Manager
Chris Trujillo, Town of Del Norte, Mayor

Valerie Blackston, City of Fort Lupton, Councilmember
Roger Hudson, Castle Pines, Councilman
Gusty Kanakis, Town of Minturn, Council Member
Zo Stieber Hubbard, Fort Lupton, Mayor
Chris Classen, Town of Silt, Town Trustee
Ryan Mahoney, Town of Basalt, Town Manager
Christian Morgan, Town of Kersey, Town Manager
Martha Rahl, Town of Rye, Mayor
Chris Eubanks, City of Castle Pines, Council Member
Federico Hernandez, Town of Silver Cliff, Town Trustee
Barbara Bynum, City of Montrose, Mayor Pro Tem
Tara Beiter-Fluhr, City of Sheridan, Mayor
Janice Bryan, Town of Mancos, Trustee
Melonie Matarozzo, Town of Collbran, Town Manager
Sharon Sullivan, Town of Ault, Town Clerk/Treasurer
Jacklyn White, Town of Lochbuie, Town Trustee
Chauncey McCarthy, Town of Rico, Town Manager
Michael Penny, City of Castle Pines, City Manager
Stephanie Piko, Centennial, Mayor
Dan Shore, Salida, Mayor
Hunter Mortensen, Town of Frisco, Mayor
Elyse Ackerman Casselberry, City of Delta, City Manager
Julie Lukela, Pierce, Mayor
Rachel Medina, Cortez, Mayor
Mark Lacis, Superior, Mayor
Patrick Davidson, Town of Elizabeth, Town Administrator
Marc Williams, Arvada, Mayor
Greg Tacha, Town of Limon, Town Manager
Judy McCormick, Coal Creek, Mayor
Kyle Schlachter, Littleton, Mayor
Gerald Barber, Town of Ordway, Mayor
Wade Kasman, Orchard City, Trustee
Robert Gordanier, Lakeside, Mayor
Paul Rennemeyer, Town of Windsor, Mayor
Cheryl Campbell, Town of Garden City, Town Administrator
Bernadette Martinez, Town of Del Norte, Town Administrator
Kevin Larimore, Town of Del Norte, Public Works
William Lackey, Town of Coal Creek, Mayor Pro Tem
Stacey Geilert, Town of Yampa, Mayor
John Suthers, City of Colorado Springs, Mayor
Paul Villagrana, Florence, Mayor
Filbert Archuleta, Garden City, Mayor
Al Timothy, Town of Columbine Valley, Town Trustee
Stefan Betley, Town of Fleming, Mayor
Judy Hutchinson, City of Wheat Ridge, City Council, District 1
Stefan Betley, Town of Fleming, Planning and Zoning Commissioner

Tracie Crites, Town of Frederick, Mayor
Christine Sweetland, City of Centennial, Council Member
Tanya, Mercer-Daty, Lyons, Trustee
Chad Young, Johnstown, Council Member
Larry Clark, Platteville, Trustee
David D. Spellman, City of Black Hawk, Mayor
Greg Mills, Brighton, Mayor
Ann-Marie Sandquist, Silverthorne, Mayor
Matthew Fries, Severance, Mayor
Sana, Abbott, Monument, Councilmember
Tracy Gist, Town of Cedaredge, Town Trustee
John Clark, Ridgway, Mayor
Tim Applegate, Silverthorne, Town council number
Patti Grafmyer, Town of Norwood, Administrator
Richard Kirkpatrick, Town of Orchard City, Trustee
Merna McGinnis, Springfield, Town Manager
Julia Hubbell, Town of Vona, Mayor
Travis Elliott, Town of Parachute, Town Manager
Ramona Dordan, Town of Del Norte, Town Treasurer
Libby Barnacle, Greenwood Village, City Councilmember
Michael Cowper, Platteville, Mayor Pro Tem
Nineah Martinez, Town of Del Norte, Deputy Clerk
Laura Kronick, Town of Monument, Councilmember
John Jackson, City of Greenwood Village, City Manager
Charles Glaze, Starkville, Colorado, Mayor
Deborah Mulvey, City of Castle Pines, City Council Member
Tammy Newman, Springfield, Town Clerk/Manager
Julie Cline, Windsor, Town Board District 4
D. Powell, Town of Georgetown, Board of Selectmen
Robert Porter, Elizabeth, CO, Planning Commissioner
Robyn Carnes, Centennial, City Council Member
Jamie Jeffery, Lochbuie, Mayor Pro Tem
Chris Franzen, Wiggins, Mayor
Tracy Pepper, Ordway, Council Member
Tammy Maurer, City of Centennial, Council Member
Leah Dozeman, Wheat Ridge, Council Member
Othoniel Sierra, City of Englewood, Mayor
Oscar Madera, Commerce City, Councilmember
Richard Holt, Centennial, Council Member
Heather Kerin, Deer Trail, Board member
Michelle Whetherhult, Manitou Springs, City Councilor
Meredith Leighty, Northglenn, Mayor
Oscar Madera, Commerce City, Councilman
Renée Millard-Chacon, Commerce City, Councilmember
Susan Noble, Commerce City, Councilmember
Jennifer Allen-Thomas, Commerce City, Mayor Pro Tem

Benjamin Huseman, Commerce City, Mayor
Craig Hurst, Commerce City, Councilmember
Craig Kim, Commerce City, Councilmember
Kristi Douglas, Commerce City, Councilmember
Fred Neal, Evans, Councilman
Brandon Hill, Town of Akron, Mayor
Nicole Samson, City of Lafayette, City Council
Dan Sheldon, Cherry Hills Village, City Councilmember
Marlo Alston, Centennial, Council Member
Jan Kulmann, Thornton, Mayor
Ellen Queenie Barz, Mancos, Mayor
Korey Stites, Wheat Ridge, Council Member
Jeffrey Larson, City of Creede, Mayor
Judd Behrens, Deer Trail, Mayor
Tonya Briggs, City of Lafayette, City Councilor
Nancy McNally, Westminster, Mayor
David DeMott, Westminster, Mayor Pro Tem
Lindsey Emmons, Westminster, City Councilor
Tania Corvalan, Nederland, Board of trustees
Dana Sherman, City of Brush, Mayor
Phillip Pe'a, Grand Junction, Councilman
Peter Lynn, Fairplay, Board Member
Philip Ott, Town of Williamsburg, Mayor
Bill Langridge, Town of Fleming, Board member/planning and zoning member
Anna Stout, City of Grand Junction, Mayor
Jeffrey A. Wells, Julesburg, Town Attorney
Nicholas Wharton, Town of Severance, Town Manager
Bennet Morris, City of Montrose, City Attorney
Larry Zaragoza, Town of La Jara, Town Manager
Susan Maguire, Cherry Hills Village, Council Member
Robert Kraus, Wray, CO, Mayor
James Atkinson, Town of Cedaredge, Mayor Pro-Tem
Joe Hammock, Hudson Colorado, Mayor
Chad White, Brush, Ward II Councilor
George Lantz, Greenwood Village, Mayor
April Dunn, Sanford, Mayor Pro Tem/ Board Member
Frank Just, Fairplay, Colorado, Mayor
Diana Taylor, Town of Coal Creek, Clerk
Denice Smith, Town of Bennett, Board of Trustees
Scott Smith, Town of Bennett, Planning and Zoning
Gregory Swiatkowski, Burlington, Mayor
Leigh Reeves, Town of Dolores, Mayor
Gary Lebsack, Johnstown, Mayor
Scott E. Moser, Eaton, Mayor
Eugene A Greenwood, Naturita, Mayor
A.J., Krieger, Town of Firestone, Town Manager

Sherilyn West, Town of Larkspur, Mayor
Benjamin Gardner, City of Wray, Councilman
Celeste Arner, Federal Heights, City Councilor
Kimberly Boyd, Town of Kiowa, Town Administrator
Leigh Ann Lobato, Town of Del Norte, Trustee
Calar Chaussee, Town of Wellington, Mayor
Eric Montag, Greenwood Village, Planning & Zoning Commissioner
Chris Lockwood, Meeker, Trustee
Belinda Kurtz, Town of Ordway, Trustee
Gary Lagrimanta, Kersey Colorado, Mayor
Ty Coleman, Alamosa, Mayor
Jeff Layman, Town of Silt, Town Administrator
Earl Hoellen, Cherry Hills Village, Member of City Council
Jim Woodward, Englewood, Council Member At Large
Jeremiah Buford, Town of Ordway, Trustee
Tammy Mortenson, Evans, Council Member
Ryan Stevens, City of Cañon City, City Administrator
Tim Crowther, CWP, Town of Sanford, Public works director
Amy Schmidt, Elizabeth, CO, Town Planning Commissioner
Sonia Jensen, Federal Heights, Council Member
Doug Glaspell, City of Montrose, City Council
Matt Magley, Town of Superior, Town Manager
Ed Icenogle, Town of Columbine Valley, Trustee
Anthony Scalise, Town of Dillon, Councilman
Paula Medina, Town of La Jara, Mayor
James Curry, Fort Collins, Acquisition ROW Manager
Ronald Akey, Wray, Council member
Ron Steinbach, Windsor, Town Board Trustee
Renee Imamura, Town of Dillon, Council Member
John Gillespie, Iliff, Town Board Trustee
Marvin Einspahr, Town of Fleming, Planning & Zoning Commissioner
Kenneth Kennedy, Woodland Park, Planning Commissioner
Susan Einspahr, Town of Fleming, Secretary, Planning & Zoning Commission
Cynthia Baumgartner, Town of Keenesburg, Trustee
Adam Way, Morrison, Trustee
Angela Anderson, Town of Basalt, Town Council
Glenn Drummond, Basalt, Town Councilor
David Knight, Town of Basalt, Mayor Pro Tem
James, Williams, City of Fruita, City Councilman / Housing Authority Commissioner
Ryan Slack, Basalt, Councilman
Dallas Hall, Sheridan, Councilman
Saam Golgoon, Alma, Mayor
Marty Asplin, Del Norte, CO, Trustee
Nina Carran, Silverthorne, Colorado, Town Council member
Tom Acre, Town of Wiggins, Town Manager
Stephanie Miller, Superior, Town Board Trustee

Kirk Schindler, Basalt, Town Councilor
Brian Akey, City of Holyoke, Mayor Pro Tem
Michael Carson, Alamosa, City Councilor
Leigh Sorensen, Garden City, Trustee
Gary Sorensen, Garden City, Trustee
Sam Parsons, Garden City, Trustee
Barb Smith, Town of Red Cliff, Administrator/Manager
Clinton M. Kinney, Snowmass Village, Town Manager
Deven Shaff, City and County of Broomfield, Councilmember
Laurie Anderson, City and County of Broomfield, Councilmember
JD Mangat, Lafayette, Mayor
Dana Veljacic, Town of Red Cliff, Trustee
Cassandra MacUmber, Town of Red Cliff, Board of Trustees
Mary Walker, Red Cliff, Trustee
Shari DeVries, Federal Heights, Council Member
Sarah Dawn, Pearlstein, Federal Heights, Council Member
Jason Gray, Town of Castle Rock, Mayor
Bonnie Sellers, Federal Heights, Councilor
Kevin Bracken, Town of Castle Rock, Mayor Pro Tem
Brenda Desormeaux, City of Sterling, Mayor
Ryan Hollingshead, Town of Castle Rock, District 1 Councilmember
Laura Cavey, Town of Castle Rock, District 2 Councilmember
Desiree LaFleur, Town of Castle Rock, District 4 Councilmember
Max Brooks, Town of Castle Rock, District 5 Councilmember
Tim Dietz, Town of Castle Rock, District 6 Councilmember
Stephanie Walton, City of Lafayette, City Councilor
Jenny Peil, La Veta CO, Town Board Trustee
Arthur Fox, Town of Red Cliff, Trustee
Robert Hill, Red Cliff, Trustee
Duke Gerber, Town of Red Cliff, Mayor
Linda Montoya, City of Federal Heights, Mayor
Jessica Sandgren, Thornton, Mayor Pro Tem
Scott Dodge, Town of Fairplay, Mayor Pro Tem
Ward Hauenstein, Aspen, Mayor pro tem
Jason Gray, Town of Dove Creek, Trustee
Joel Dixon, Town of Blue River, Trustee
Jackie Millet, City of Lone Tree, Mayor
Brandi Wilks, Town of Parker, Council Member
Phillip Rico, City of Trinidad, Mayor
Seth, Hoffman, City Manager
Aileene Vance, Town of Eckley, Town Clerk
Chris Cross, City of Fort Lupton, City Administrator
Tony Unrein, City of Thornton, Councilmember
Bill Kane, Basalt, Mayor
Chad Hoschouer, Town of Julesburg, Mayor
Carrie Hartwell, Town of Julesburg, Town Clerk / Treasurer

Heather Hillis, Town of La Veta, Town Clerk
Edward Elson, Lyons, Board of Trustees member
Katie Sickles, Town of Bayfield, Town Manager
Kathleen Bristow, Lochbuie, Trustee
Dr. Lora Bledsoe, Hugo, Mayor
Stanley Sameshima, Town of Kersey, Trustee
Derek Hanrahan, Town of Silt, Trustee
Adam Matkowsky, Thornton, Councilman
Ashley Vandagriff, Town of La Veta, Trustee
Kathy Cooper, Town of Naturita, Treasurer
Amy Miller, City of Fruita, City Council
Carolyn Skowrya, Dillon, Mayor
Jay Whittaker, Sheridan, Council Member
Sharon Different, Town of Naturita, Town Trustee
Larry A Vittum, Town of Bennett, Trustee
Anne Barrington, Parker, Councilmember
John Gist, Town of Naturita, Trustee
James Godbold, Town of Garden City, Town Attorney
Lynette Kelsey, Town of Georgetown, Police Judge
C. J. Garbo, Castle Rock, Chairman, Town of Castle Rock Election Commission
Phillip T. Rico, City of Trinidad, Mayor
Steve Ruger, City of Trinidad, City Manager
Jay Jaramillo, Northglenn, Council Member
Keely Williams, City of Trinidad, Director of Development Services
Tim Long, Northglenn, Council Member
Jennifer Stepisnik, Town of Silt, Planning Commissioner
Donna Sus, Bennett, Trustee
Chad Rising, Monument, Analyst
Richard Kondo, Northglenn, Council Member
Carlos Velado, Town of Mt. Crested Butte, Town Manager
Joshua Tromp, Castle Rock, Law Enforcement
Doris Peterson, Federal Heights, Mayor Pro Tem
Kathleen Rogers Woods, Alamosa, Economic Development Director
Jessika, Buell, City of Durango, City Councilor
Melissa Youssef, City of Durango, Mayor Pro Tem
Alan Delwiche, Manitou Springs, Planning Commission Chair
Melanie McVey, Jeffco, Rocky Mountain Regional Operations Lead
Cloyce Mann, Town of Brookside, Mayor
Aaron Hancey, City of Fruita, City Councilor
Aaron Hancey, City of Fruita, Fruita Housing Authority Commissioner
Kim Baxter, City of Durango, City Councilor
Diane Bruce, Lake City, Town Trustee
Brett Kmetz, Town of Monument, Construction Project Manager
Barbara Noseworthy, Durango, Mayor
Dawn Coen, Lochbuie, Trustee
Kathleen M Brendza, Gypsum, Council Member

Tom Edwards, Gypsum, Mayor Pro Tem
Stephen Graybill, Manitou Springs, Manitou Planning Commission
John Marriott, Arvada, Councilmember
Sandra McKeown, Larkspur, Council Member
Megan Burns, Northglenn, Council Member
Susan Jung, Rocky Ford, Mayor

AFFORDABLE HOUSING

What do cities & towns want?

Funding to build affordable housing

Cities and towns want more help from Colorado state government to receive grant money to build affordable housing. In a survey* conducted by CML, large percentages of municipalities reported difficulty applying for affordable housing funding, identifying eligible local projects, and keeping up with compliance and reporting requirements.

Uncertainty among municipalities in obtaining funds for affordable housing

ONGOING PROGRAM-RELATED COMPLIANCE AND REPORTING



ABILITY TO NAVIGATE FUNDING OPPORTUNITIES



APPLYING FOR FUNDING OPPORTUNITIES



DEPLOYMENT OF FUNDING



IDENTIFICATION OF LOCAL PROJECTS THAT ALIGN WITH FUNDING

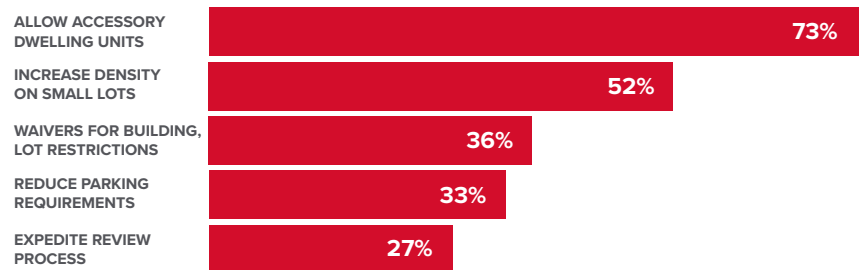


More support for existing efforts

Municipalities are already working to meet the challenge of providing affordable housing in their communities. They are building workforce and senior housing, passing inclusionary zoning ordinances, zoning for density and mixed-use, waiving fees, rehabbing unoccupied homes, and utilizing vacant public lands.

How Colorado municipalities are boosting affordable housing

More than 40% of survey respondents (representing almost 75% of the population covered by the survey) reported taking action, including the following steps:



* Feeling the Squeeze: State of our Cities & Towns 2023, conducted by the Colorado Municipal League. Read the report at <https://bit.ly/413JGBb>, or use the QR code.

