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## Gov. Polis' housing proposal would allow duplexes, townhomes, ADUs across many cities in Colorado

 By Andrew Kenney and Nathaniel Minor · Mar. 22, 2023, 12:00 pm

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Four and six unit townhome style buildings make up Proseco, a new Colorado Springs housing development geared to families making slightly too much to qualify for traditional affordable housing.

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The Polis administration has laid out a sweeping plan that would explicitly allow more dense housing across Colorado’s increasingly expensive metropolitan areas and resort communities, even if residents and local elected officials object to it.

The “More Housing Now” proposal, revealed Wednesday, would be a significant shift in how Colorado’s cities and towns grow, and who has the ultimate power to shape that growth.

“We’re at a real inflection point here where we need a smart plan, in an inter-jurisdictional way, for more housing, for rent and for purchase, close to where jobs are and along transit lines with opportunities for people to get where they want to go,” Colorado Gov. Jared Polis said in an interview.

Polis’ proposal has the backing of environmental groups, affordable housing advocates, labor leaders, business interests and some local government officials. But it’s sure to draw stiff opposition from other local leaders who believe their long-held power over land use planning is sacrosanct.

## Big changes for big cities

The end of single-family-only zoning in the state’s largest cities, metro areas and mountain resort communities could happen [under the bill](#), which will soon be introduced and is being sponsored by Sen. Dominick Moreno, D-Commerce City, Rep. Iman Jodeh, D-Aurora, and Rep. Steven Woodrow, D-Denver.

So-called “Tier 1” cities would see the biggest impact from the Polis proposal. They include the state’s largest, such as Denver, Colorado Springs, Aurora, Fort Collins, Lakewood, Greeley, Boulder, Grand Junction, Pueblo and Arvada, plus smaller cities within large metro areas, like Castle Rock, Edgewater,

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The bill would not require cities to actually build those denser options. But it would open the door for developers to propose and construct them much more easily.

Neighborhoods in attractive markets could see a surge of denser construction — and local elected officials and neighborhood groups would lose much of their power to stop it.

Cities could still customize their codes, for example by adding design requirements.

“People take pride in their neighborhoods and in their communities, and part of that is in fact how they look,” Jodeh said. “Those standards are there to make sure that people can still do that.”

Cities would not be allowed to require parking for any of the denser “middle” housing types. Rather, the amount of parking per unit would be left to developers to decide.

“Why would we be ... forcing people to pay for parking who don't even have a vehicle themselves?” Polis said.



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Andrew Kenney/CPR News

Gov. Jared Polis speaks in front of supporters of a land-use reform package on the steps of the Colorado State Capitol on March 22, 2023.

“Tier 1” cities also would have to allow and encourage denser development around rail stations, certain bus transit lines and commercial corridors. They could choose from policies like raising density



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demands it, Polis said. Tier 1, smaller Tier 2 cities and high country resort areas would have to create housing plans to detail how they plan to address housing shortfalls and keep current residents from being priced out, with goals identified by the state.

Those areas would have to choose from a “menu” of strategies. Polis administration officials haven’t detailed those options yet.

If a local government fails to meet the “minimum standards” of the bill, the state would override local zoning rules and implement a standardized code instead. That standardized code would be developed by the state’s Department of Local Affairs.

“Local governments have the incentive to be proactive on this and make sure that they're out in front, passing codes that meet the minimum standards but also make sense for their community,” Woodrow said.

The Polis proposal also would try to cut “red tape” by removing state-level regulations on housing, including:

- Streamlining rules around manufactured homes
- Removing minimum housing unit size restrictions in urban areas, except for fire and building code standards
- Remove limits in state law on the number of unrelated people who can live together
- Eliminate the power of homeowners’ associations to keep out certain types of housing.

## Small cities and rural areas exempted

The bill is primarily focused on larger communities and resort areas. It will include various exemptions from the rules to reduce the impact on smaller cities and rural areas.

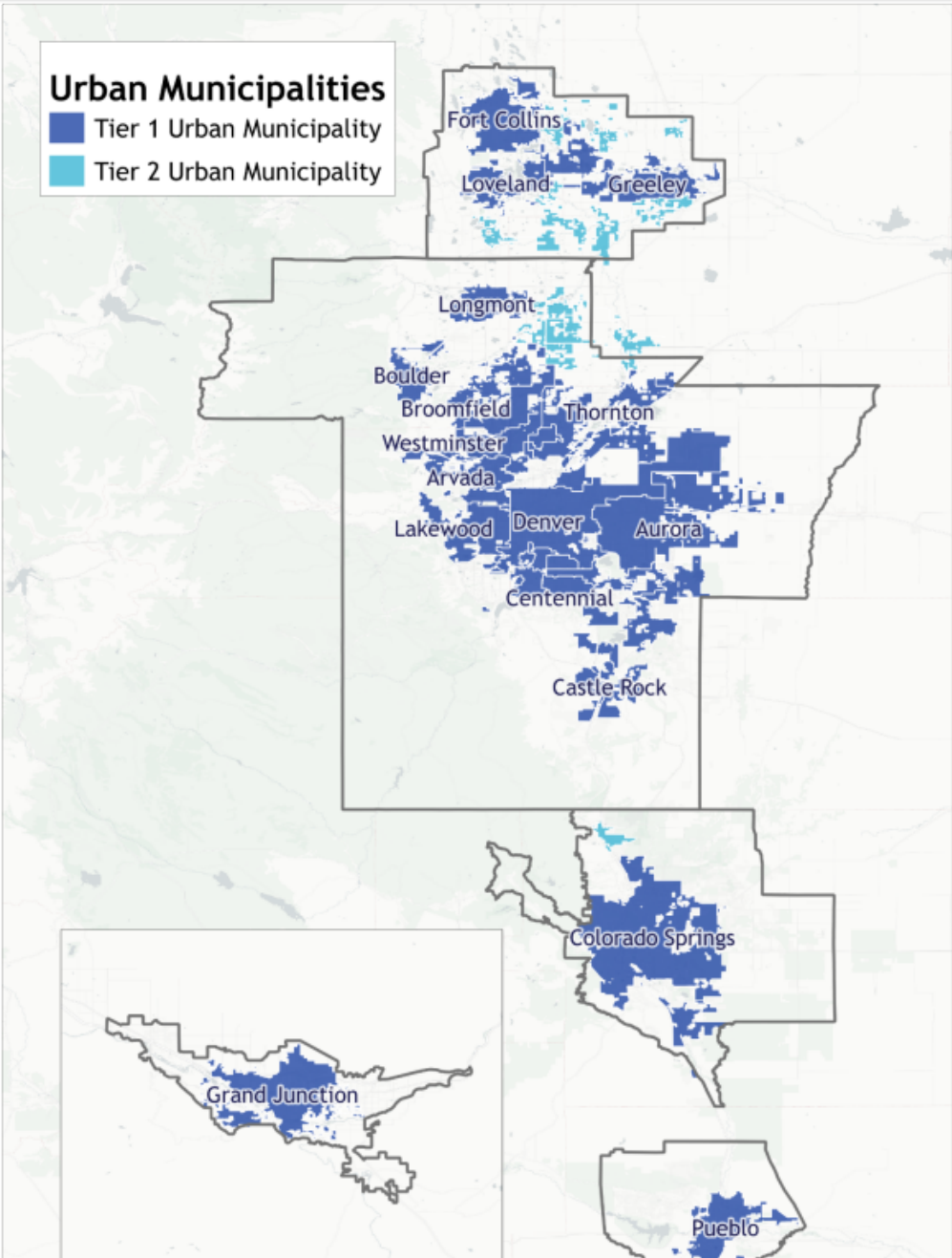
For example, mid-sized “Tier 2” municipalities would not face the requirement to allow triplexes and



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					mmmsj
Housing Needs Assessments & Plans	X	X	X		
Allow Accessory Dwelling Units	X	X	X	X	
Allow Middle Housing (Duplexes, triplexes, multiplexes, townhomes)	X		<i>With additional flexibility</i>		
Encourage Transit Oriented Communities (rail)	X				
Encourage Development Along Key	X		<i>With additional flexibility</i>		



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## Is it “The Colorado Way?”

Asked whether the bill amounts to the state taking land-use authority from local governments — [a flashpoint in the debate over how to address Colorado’s housing shortage](#) — Polis stressed the idea of “flexibility,” with cities getting multiple options to reach the overarching goal of increasing housing supply.

“Local governments need to step up and be part of the solution,” he said. “They can’t just shift the burdens onto their neighboring jurisdictions and make themselves less affordable and put more traffic on the road, which we all wind up paying for in both air quality and lost productivity and time and traffic.”

Traditionally, local governments in Colorado have had the authority to make their own decisions about how to grow. For the last century or so, many of those decisions have resulted in suburban sprawl where commercial and residential zones are [mostly kept separate](#).

And some highly desirable communities, like Polis’ [own hometown of Boulder](#), have added far more jobs than housing. That’s all contributed to high housing costs, car dependency and long commutes, and the inefficient use of water and other resources, Polis said.

“We want to avoid becoming a place where the average home price is \$1 million in our major metro areas, where people have to live 45 minutes, an hour out from where their jobs are,” Polis said. “We’ve ~~seen areas of the country that have gone that way. I don’t think that’s the Colorado way.”~~”



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property rights.

“When you do get that house with the picket fence, do you wanna have the right to put a dwelling unit in your backyard? This bill says, ‘Yes, you have that right. And local governments cannot interfere with it,’” he said.

The proposal will face stiff resistance from some local leaders. The Colorado Municipal League has criticized the overall idea, saying that cities are in a better position to make decisions and the state should support them.

“We just got the bill last night, so we're still going through the details,” CML Executive Director Kevin Bommer said in an interview. “But ... we know just from what has already been presented to us that it represents the most sweeping preemption of local land use and zoning authority that Colorado's probably ever seen. And certainly the biggest one in modern history.”

The Polis administration contends that it has spoken with scores of local leaders in developing the plan, and provided supportive statements from some of them.

“Housing is a crisis all over Colorado,” Glenwood Springs Mayor Jonathan Godes said in a statement. “Mountain communities have been leading on this issue for years, and we are happy that there is potential for statewide goals that align the entire state, while still respecting the differences in communities.”

Urban Municipalities Tier 1	Urban Municipalities Tier 2	Rural Resort Job Centers	Non-Urban Municipalities
Denver region: Arvada, Aurora, Boulder,	Denver region: Dacono, Fort	Aspen, Avon, Breckenridge,	Alamosa, Brush, Canon City,



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

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