

Cowboy Moving & Storage



Cowboy Moving & Storage

Commercial & Residential Moves

Load & Hold

www.cowboymoving.com • 303-789-2200

5 Star Service In Colorado



"The recommended mover" for more than 50 years

The VILLAGER

Bringing Cities Together

VOLUME 41 • NUMBER 20 • APRIL 13, 2023

Since 1982



www.facebook.com/thevillager1982



twitter.com/thevillager1982

Price \$1 per copy

State housing plan appears to be on shaky ground



BY **FREDA MIKLIN**
GOVERNMENTAL
REPORTER

No one would argue that there is not a serious shortage of available, attainable, and affordable housing across our state, particularly in metro Denver. That is the challenge that produced Senate Bill 23-213 Land Use, introduced in the general assembly on March 22. Most agree that the bill's 106 pages reflect a comprehensive, statewide approach to addressing the housing problem but that is where agreement ends.

Locally, the mayors and city councils of Greenwood Village, Centennial, Cherry Hills Village, Lone Tree, and others have reached out to their residents via this newspaper, their cities' homepages, monthly newsletters, official resolutions, direct mail, and social media to tell them they believe this plan usurps their city councils' and thereby the residents' right to set land use policy for their jurisdiction,

based on their perceived needs and values.

Most local elected officials across Colorado agree and have said so publicly. Since they represent most of the residents of this state, it seems most likely that this proposal faces, at best, a difficult uphill climb.

To become law, this bill, like all others, must get a majority vote in the Senate committee where it is being heard, then the full Senate, after which it would be introduced in the House, where it would follow a similar path. The language of the bill is subject to amendment at every stage. If it is amended in the House, the amended version is returned to the Senate for final approval. All those steps must be accomplished before May 8, the final day of the 2023 legislative session. As of this writing, a committee vote has not been scheduled in the Senate.

To become law, this bill, like all others, must get a majority vote in the Senate committee where it is being heard, then the full Senate, after which it would be introduced in the House, where it would follow a similar path. The language of the bill is subject to amendment at every stage. If it is amended in the House, the amended version is returned to the Senate for final approval. All those steps must be accomplished before May 8, the final day of the 2023 legislative session. As of this writing, a committee vote has not been scheduled in the Senate.



www.villagerpublishing.com

In 12 hours of testimony on SB23-213 at the State Senate Local Government & Housing Committee on April 6, described by the committee chair as stakeholder input, it became crystal clear that those who support the general goals and methods outlined in this bill believe that Colorado's housing shortage---whether it's an estimated 70,000 units at the low end or 200,000 at the high end---is a crisis that calls for some statewide land use standards, as well as regional ones, that achieve a necessary level of consistency in housing policy.

In the view of experts in the areas of law, housing, transportation, planning, economics, water, and climate policy who testified, as well as a very few local elected officials, current statewide housing needs have not, will not, and cannot be met without employing land use policies that look past individual jurisdictions' boundaries

and preferences, regardless of their history and popularity.

On the other side of the equation are most of Colorado's mayors, city council members, and county commissioners, many of whom were elected by promising they would maintain the character and values of the localities they represent, as manifested in their longstanding individual land use codes, many of which are also a source of pride to local residents.

In their testimony, dozens of local officials from around the state expressed agreement with some of the goals of the housing plan and proudly reported that their cities have already adopted many of the policies outlined in SB23-213, including revised land use codes that call for a diversity of housing types, increased multifamily housing, especially in transit corridors, affordable, and workforce housing.

Since they have demonstrated by their actions that they understand and support the overall housing needs of their broad communities, these local officials see SB23-

Continued on page 8-9

SUBSCRIBE TO THE VILLAGER TODAY - CALL 303-773-8313



CENTENNIAL GUN CLUB

USE PROMO CODES:
VILLAGERTRAINING: FOR 25% OFF TRAINING
VILLAGERMEMBERSHIP: FOR 50% OFF MEMBERSHIP INITIATION FEE

CENTENNIALGUNCLUB.COM
11800 E. PEAKVIEW AVE, CENTENNIAL, CO
303.789.2582



The best outcomes
in Colorado come
from cooperation and
collaboration.

There's another
way to solving the
housing crisis.

Tell your legislators **NO** on SB 213.

On Tuesday, April 4, 2023, Centennial City Council unanimously passed a resolution **opposing Senate Bill 23-213.**

Contact State legislators to stop the State from controlling land use and zoning in our City.

CHRIS KOLKER
State Senator
SENATE DISTRICT 16
chris.kolker.senate
@state.co.us
(303) 866-4883

TOM SULLIVAN
State Senator
SENATE DISTRICT 27
tom.sullivan.senate
@state.co.us
(303) 866-4873

RUBY DICKSON
State Representative
HOUSE DISTRICT 37
ruby.dickson.house
@state.co.us
(303) 866-5510

DAVID ORTIZ
State Representative
HOUSE DISTRICT 38
david.ortiz.house
@state.co.us
(303) 866-2953

ELIZA HAMRICK
State Representative
HOUSE DISTRICT 61
eliza.hamrick.house
@state.co.us
(303) 866-3706

If you don't know your legislator,
please visit: <https://leg.colorado.gov/find-my-legislator>

IF THIS BILL PASSES IT WOULD:

- Remove the ability of homeowners associations to manage their own affairs.
- Eliminate covenant restrictions on accessory dwelling units and construction of additional dwelling units, unilaterally and without input.
- Require minimum density for areas within ½ mile of transit stations, impacting planned transit oriented development and existing neighborhoods.
- Additional density may be built with no parking requirements, traffic analysis, or coordination with water and sanitation districts - Imagine building a new development and not considering potential outcomes!
- No requirement for the State to provide opportunities for Public Hearings for projects that directly impact a property owner.

A single family home could redevelop into 6 separate dwelling units without any consideration of neighborhood character, parking requirements, water and sewer availability. There would be no requirement to engage with local residents or the City. Existing HOA and City regulations specific to residential land use and zoning would be disregarded. The State would effectively manage residential land use and zoning for our community.

For additional information visit
www.centennialco.gov/homerule





WHAT'S AT STAKE

End of One House Per Lot?



The City would have to allow duplexes on either side of an existing home

SUBMITTED BY CITY OF CHERRY HILLS VILLAGE

To all Cherry Hills Village Residents:

The Colorado Legislature is considering a bill, Senate Bill 23-213, known as the "More Housing Now" bill, which would end local control of land use decisions in Colorado. If passed, Cherry Hills Village City Council would no longer have control over residential development in the city. Development decisions would be centralized at the state level and determined by rules enacted through the Governor's office.

WHAT WILL THIS MEAN FOR YOU AS A RESIDENT:

- Any residential lot in the Village can be developed with a multi-family unit up to six-plex in size.
- Dense mixed-income housing of a minimum of 60 residential units per acre will be allowed by right on lots within a half mile of all transit stations which includes lots in the eastern part of Old Charlou and Southmoor Vista neighborhoods.
- Cherry Hills Village will be required to adopt a plan for affordable housing and meet affordable housing minimums set by state bureaucrats.
- Duplex, triplex, quadruplex,

and six-plex development in the Village will not require on-site parking, resulting in congested on-street parking in neighborhoods.

- There will be no limitation on the number of people living in any residence.
- Any property owner (does not have to be a resident) will be allowed to put a detached accessory dwelling unit ("ADU" or "granny flat") on their single-family lot up to 50% as large as the primary residence, only 5 feet from the property line, and allow another group of people to live there without any additional on-site parking.
- Public land, including open space, could be sold for affordable housing development without requiring a vote of the people in direct conflict with our voter-approved charter amendment.
- Any necessary improvements in water, sewer, roads, schools, fire protection and law enforcement to accom-

modate this increased density will be at the expense of the taxpayer.

- All HOA covenants regarding prohibitions of multi-family dwellings or accessory dwelling units and minimum setback requirements will be overruled.

WE NEED YOUR HELP:

This issue is moving quickly at the state capital with hearings on the legislation that started Thursday April 6 as supporters hope to have this legislation passed before the end of the legislative session on May 6th. **City Council is opposed to this legislation and is aggressively working to defeat this bill.** If you agree that residential development should be a matter of local control with local input to maintain the unique character of Cherry Hills Village, please contact the representative below today.



The City would have to allow up to six-plex development on any residentially zoned lot

Meg Froelich talks about housing and SB23-213



BY FREDA MIKLIN
GOVERNMENTAL REPORTER



Meg Froelich has represented State House District Three since January 14, 2019.

On April 8, HD3 State Rep. Meg Froelich, who represents Cherry Hills Village, Englewood, Sheridan, and a small part of Denver, held a virtual town hall about housing. Although the event had been planned before the introduction of the SB23-213, Governor Polis' statewide housing plan currently being considered in the State Senate, that bill was top of mind for many listeners.

Froelich explained her position, "We need to build more housing. We are at a deficit. In conjunction with environmental groups, we would like to have new housing built around transit centers. We want to reduce vehicle miles traveled. We want to make walkable, livable communities." She also related work-force challenges to the lack of middle housing available for employees, including health care workers, teachers, and construction workers.

Addressing SB23-213 directly, Froelich shared that the proposal came from the governor and that she, like others, has concerns with parts of it, but, she pointed out, it is presently "an introduced bill—not the final product," continuing, "If it makes it to me in the House, it will have made it through the Senate, which means it will have been amended to get enough people on board who are currently opposed," adding that, if the bill does not pass the Senate, it will likely be because enough Senators agree that land use is *not* a matter of statewide concern, a contention of many local elected officials across Colorado.

Conversely, she predicted that if a majority of Senators conclude that climate and housing "are in a crisis state," and those *are* matters of statewide concern, the bill will be amended as necessary and pass the Senate, then the House.

In her view, "I believe we are in a climate crisis and we are not meeting our greenhouse gas roadmap goals. Housing is a place where both of those things must interact to meet those goals... There is a challenge with municipalities whose zoning and

decision-making have been absolutely in obstruction to both transit-oriented development, affordable housing development (and middle housing development."

She went on, "We have lots of areas around transit, around light rail that are not developed. In the case of the Orchard Light Rail Station in Greenwood Village, that was Greenwood Village acting proactively to make sure that that land was not developed... What can we do to nudge our cities to... address these twin challenges of housing and climate?"

Froelich also pointed to the Englewood Civic Center as a location where transit-oriented development could "benefit our whole com-

munity," adding, "We don't need to do that by razing a mid-century modern home to put in a four-plex, and that isn't in the plan."

For now, Froelich assured constituents that she is "conducting lots of rounds of listening sessions with local folks" on the matter and that she agrees that local elected officials should have been consulted more when this plan was devised. She also assured concerned residents of Cherry Hills Village that, "You are not going to have a triplex on your cul-de-sac in CHV."

For now, Froelich assured constituents that she is "conducting lots of rounds of listening sessions with local folks" on the matter and that she agrees that local elected officials should have been consulted more when this plan was devised. She also assured concerned residents of Cherry Hills Village that, "You are not going to have a triplex on your cul-de-sac in CHV."

CONTACT YOUR REPRESENTATIVES

Senator Jeff Bridges

303-358-5551 jeff.bridges.senate@coleg.gov

Representative Meg Froelich

720-570-6337 meg.froelich.house@coleg.gov

Sign the petition in opposition:

<https://chnng.it/DBj48NyBvF>

Paid for by The City of Cherry Hills Village

Tackling the state housing crisis

Continued from Page 1

these local officials see SB23-213 as unnecessary and intrusive.

Other local elected officials who testified stood firmly on their belief that they are accountable solely to the people who elected them and their values, as reflected in their jurisdiction's land use policies, which they point out is consistent with the Colorado Constitution's home rule provisions. They also note that local determination of land use principles and guidelines has been the accepted practice and policy in this state for well over a century and it is neither appropriate nor legal to declare housing policy to be a matter of both state and local concern, rather than just local concern, to justify the state stepping in to change how land use policies are set.

HB23-213 prime sponsor, State Senate Majority Leader Dominick Moreno, described the bill as a response to, "the dire situation our state finds itself in as it relates to home prices," adding, "Housing

"SB23-213 is not (intended) to prevent the existence of single-family homes or to tell cities what they have to build or to apply a one-size-fits-all standard. It is really about making sure that housing of all types is available to Coloradans. This is a crisis across our state which requires a level of state participation and collaboration with local communities on our shared housing affordability goals."

– State Senate Majority Leader Dominick Moreno

costs are forcing Coloradans out of their neighborhoods and housing shortages are making the problem worse."

He pointed to Commerce City as a place where average homes used to cost \$150,000-\$180,000, but, "Today, you

can't find a home for less than \$400,000...Senate Bill 213 aims to increase housing supply, to improve affordability, to cut red tape, to reduce greenhouse gas emissions, and to ultimately lower costs."

Moreno described the bill as, "a housing need and assessment plan to help determine future needs for our state and to set housing goals (to) provide housing (for) every budget (and) identify affordability strategies tailored to local and regional needs."

He explained, "The current system is a bit of a patchwork. Every community has complete autonomy...There is a lack of a statewide or regional approach to addressing the housing needs of our state. This bill would allow for accessory dwelling units (ADUs) and middle housing

"Our residents elected us to (set housing policy), not the Department of Local Affairs. This bill seeks to replace the knowledge and experience of locally elected officials with a committee and a pile of paper."

– Mayor Katy Brown, Cherry Hills Village

like duplexes... (and) provide more opportunity for development of those housing types, which are more affordable... It would encourage more housing near transit and other key corridors, so that people can live close to where they work... (and includes) strategic planning growth and planning for water resources."

He talked about the importance of "the partnership between state and local communities," pointing to ongoing discussions with local governments about the bill which have led to amendments presently under consideration that would strengthen affordability requirements and increase flexibility for local communities in the area of parking requirements.

Finally, Moreno said, "SB23-213 is not (intended) to prevent the existence of single-family homes or to tell cities what they have to build or to apply a one-size-fits-all standard. It is really about

making sure that housing of all types is available to Coloradans. This is a crisis across our state which requires a level of state participation and collaboration with local communities on our shared housing affordability goals."

In her testimony, Cherry Hills Village Mayor Katy Brown said SB23-213 lacks context in that CHV is characterized as a tier-one urban municipality, "Just like Denver. But we're not. The cornerstone of our 2,200-home com-

"Between 2010 and 2019, Colorado added over 720,000 residents but only about 210,000 additional homes... Restrictive zoning in affluent communities limits economic mobility... Policy makers should seek a better balance between local preferences and regional needs."

– Jenny Schuetz, Ph.D, Senior Fellow, Brookings Metro and former principal economist at the Board of Governors of the Federal Reserve System

munity is our rural character. We don't have streetlights, we don't have sidewalks, we still have dirt roads... Expecting our community of six square miles to have the same density requirements as Denver, while exempting Highlands Ranch, is absurd. This bill also says that parts of CHV are in a transit-oriented area, one-half mile from a transit station. But what this bill fails to understand is that the transit station is on the other side of I-25, a two-mile walk. Building high density transit-oriented development in that location doesn't meet the goals you're trying to achieve... The 77 lots in our community that would be required to be unzoned could result in more than 2,000 (additional hous-

ing) units." Brown pointed out that, "Our residents elected us to (set housing policy), not the Department of Local Affairs," adding, "This bill seeks to replace the knowledge and experience of thousands of locally elected officials with a committee and a pile of paper."

Jenny Schuetz, Ph.D, Senior Fellow, Brookings Metro, an expert in urban economics and housing policy and former principal economist at the Board of Governors of the Federal Reserve System, testified, "Between 2010 and 2019, Colorado added over 720,000 residents but only about 210,000 additional homes," while home values increased 20% and median income rose by under 5%, adding, "Restrictive zoning in affluent communities limits economic mobility... In 2019, more than 60% of Colorado homes were single family homes... Policy makers should seek a better balance between local preferences and regional needs. Decisions about how much housing to build where impacts everyone in the state."

"I don't know what gives this body the right to drastically change the environments your constituents have chosen to live in. In fact, you don't really have that right because land-use authority rests in the local municipalities. But, because the Democrats who are sponsoring this bill have a super-majority in this legislature, you are hoping to simply take that right away from local municipalities."

– Anne Ingebretsen, GV Council Member

Centennial Mayor Stephanie Piko testified, "The citizens of Centennial have a charter that maintains our standard of self-determination that was central to Centennial's formation, a dding, "Our

"Despite the best efforts of many local officials, Colorado's current all-local approach has failed to resolve our housing crisis."

– Brian Connolly, adjunct professor at the law schools of both the University of Colorado and the University of Denver, and recognized expert in land use and zoning.

citizens have appreciated their role in the recent approval of over 6,000 multifamily housing units...working alongside the city and developers to create workable solutions for our unique housing challenges. SB23-213 would rob citizens of participating in this process."

CHV Council Member Earl Hoellen told the committee that SB23-213 "casts aside" the principles of home rule found in Article 20 of the Colorado Constitution. Although he agreed that the issue of affordable housing "is a serious issue that must be addressed," he said, "We should not do so by trampling one of Colorado's long-standing principles."

Brian Connolly, adjunct professor at the law schools of both the University of Colorado and the University of Denver, and a recognized expert in land use and zoning, testifying on behalf of the Colorado Housing Affordability Project, said, "Despite the best efforts of many local officials, Colorado's current all-local approach has failed to resolve our housing crisis," adding that other states, "employed some statewide controls to create a level playing field between jurisdictions to ensure that local efforts to encourage affordability are effective and address regional housing needs." He also opined that SB23-213 is constitutional, unlike others who spoke before and after him.

Colorado Springs Mayor John Suthers said he vehemently objects to the bill because, "Land use in Colorado has been a matter of local concern for 149 years," and, "This (bill) will dramatically undermine trust in government. "

"The citizens of Centennial have a charter that maintains our standard of self-determination that was central to Centennial's formation."

– Mayor Stephanie Piko, Centennial

Broomfield Mayor Guyleen Castriotta said she objected to the bill due to the "unprecedented pre-emption of home rule authority," noting that all new residential development in Broomfield approved in the past six years has been multifamily.

Alex Horowitz, director, housing policy initiative at the Pew Charitable Trust, testified that, Pew compared rent growth in Colorado with rent growth in jurisdictions that have implemented effective zoning reforms to allow more housing. They found that rents have increased 31% in Colorado overall, while they rose much more slowly, or not at all, in jurisdictions where zoning was reformed by permitting missing middle housing, ADUs, apartments on commercial corridors or near transit, and reducing parking requirements (all features of SB23-213). He named New Rochelle, NY, Portland, OR, and Minneapolis, MN as examples of cities that implemented these zoning reforms and saw rent increases of zero to five percent. He also pointed out that housing costs are the strongest driver of homelessness levels, noting that, "Jurisdictions that have kept their housing costs low have also kept their homelessness costs low," noting, "Pittsburgh's homelessness levels are three times lower than Denver's and Houston's are four times lower. Research shows rent growth strongly predicts growth in homelessness levels. While modernizing zoning would be likely to sharply slow rent growth, Pew's research shows that it would likely cut homelessness too."

Greenwood Village City Council Member Anne Ingebretsen testified that, "Where someone chooses to live is a very important part of who that person is... I don't know what gives this body the right to drastically change the environments your constituents have chosen to live in. In fact, you don't really have that right

because land-use authority rests in the local municipalities. But, because the Democrats who are sponsoring this bill have a super-majority in this legislature, you are hoping to simply take that right away from local municipalities... For the last 100 years, land-use decisions have been made at the local level because we know our communities and we have a better barometer

"The number one thing to do in a housing crisis is provide more units and don't make those units more expensive."

– Carl Koelbel, COO, Koelbel and Company

for measuring the impact of development on existing neighborhoods. This bill that allows multifamily housing in single-family neighborhoods and an unlimited number of unrelated people living in the same house illustrates that I don't think you know your constituents."

Teller County Commissioner Dan Williams, a Republican who testified he was there to represent rural Colorado said, "We can't hide behind local control as an excuse not to have a conversation," noting that, during a recent fire, first responders had to drive over an hour from Colorado Springs because they could no longer afford to live in Teller County.

Robert Sheesley, general counsel for the Colorado Municipal League (CML), pointed to a letter submitted to the committee that he said was signed by over 400 municipal elected officials, staff, and planning commissioners opposing SB23-213.

Kevin Bommer, CML executive director, said he supports legislation that would keep the statewide housing needs assessment with no strings attached but eliminate all pre-emptions and mandates on local governments.

the rights of homeowners and landowners. You can do more with your property than you could before..." Addressing some previously expressed concerns, he said that "rote economics" will prevent many single-family homes from becoming middle housing like duplexes.

Koelbel also pointed out that declining demand for retail and office space should lead to some of those properties being converted to resi-

"Lone Tree has knowledgeable and engaged residents who help inform our decision-making in ways that best serve our community's current and future needs."

– Wynne Shaw, Mayor Pro Tem, Lone Tree

dential use, but many municipalities would not allow that in key transit corridors under their current codes.

Breckenridge Mayor Eric Mamula said that over the past 30 years, his city has built 1,200 units of workforce housing and will soon add 300 more, in a town of 5,000 people, but, "It seems like there are a handful of communities who are driving this bill because of their NIMBYism (Not In My Back Yard)... We don't have that problem in Breck. We are already doing these things."

Dave Kerber, Greenwood Village Mayor Pro Tem, testified, "I would urge to kill this bill," stating it didn't provide the ability to consider adverse effects like, "Do we have enough people to have 20,000 people around a transit-oriented development station?"

Bryan Leach, founder and CEO of Ibotta, a downtown Denver-based company that employs more than 1,000 people, said his company has lost about half its Denver-based employees and that the number one reason people leave Colorado and their jobs with Ibotta is, "They can no longer afford to live in the place where they work. They are leaving the state, "because of the relative value of the wages we can pay versus the cost of living" in Colorado. He said that his company has 120,000 square feet downtown

that sometimes has 20 people working there, which, in turn, has a negative impact on restaurants and other service businesses nearby 18th and California Streets.

Wynne Shaw, Mayor Pro Tem of Lone Tree, shared that her city has long prioritized multi-modal transportation with five light rail stations. They have already developed multi-family and workforce housing near light rail stations with more coming. "Lone Tree," she said, "has knowledgeable and engaged residents who help inform our decision-making in ways that

"Ibotta has lost about half of its Denver-based employees because of the relative value of the wages we can pay versus the cost of living in Colorado."

– Bryan Leach, founder and CEO, Ibotta

best serve our community's current and future needs." Her objection to the bill was due to the "loss of local decision-making and residents' voice in the growth and development of their own community."

Adams County Commissioner Eva Henry, who personally supports the bill, said, "Colorado has a shortfall of over 100,000 homes. Every day I see the trauma of the family not being able to find or afford a home. This issue has been created by sporadic land-use decisions made by local politicians...unwilling to consider what their decisions might do to the region or the state we live in," adding, "Our sporadic land use regulations (are) no longer working and we need to move forward... (to achieve) a solution in the housing crisis...for Colorado families."

Jon Cappelli, an affordable housing builder, pointed out that, when it comes to housing, Colorado is the 8th most expensive state and the front range is the 5th most expensive metro area in the country due to the "lack of coordinated housing planning and a lack of appropriately zoned land to build housing." He likened the use of antiquated housing policies to "trying to win a NASCAR race in a car designed by Fred Flintstone," adding, "It doesn't help that many of these land use policies were

designed to be exclusionary.

Arapahoe County Commissioners Jeff Baker and Jessica Campbell-Swanson, along with BOCC Chair Carrie Warren-Gully testified against the bill.

Mayor Mike Coffman testified, "The City of Aurora is absolutely committed to increasing affordable housing," and already allows ADUs and encourages transit-oriented development near transit."

Moreno agreed with Sen. Dylan Roberts, whose district includes 10 western slope counties, about the importance of addressing affordable workforce housing in rural resort communities, noting the large number of second homes in those communities currently used for short term rentals.

fmiklin.villager@gmail.com

"Pew found that rents have increased 31% in Colorado overall, while they rose much more slowly, or not at all, in jurisdictions where zoning was reformed by permitting missing middle housing, ADUs, apartments on commercial corridors or near transit, and reducing parking requirements. Research shows rent growth strongly predicts growth in homelessness levels. While modernizing zoning would be likely to sharply slow rent growth, Pew's research shows that it would likely cut homelessness too."

– Alex Horowitz, director, housing policy initiative at Pew Charitable Trust