

A RESOLUTION OPPOSING GOVERNOR POLIS' EXECUTIVE ORDER D 2025-005
AND RELATED STATE HOUSING LAWS, AND REASSERTING THE CITY'S HOME
RULE AUTHORITY

WHEREAS, the City of Colorado Springs is a Home Rule Municipality under Article XX of the Colorado Constitution, vested with exclusive authority over local land use, zoning, building standards, and public health and safety; and;

WHEREAS, on May 16, 2025, Governor Jared Polis issued Executive Order D 2025-005, conditioning eligibility for over \$100 million in state grant funding on mandatory adoption of certain statewide housing statutes including funds necessary to preserve the health, safety and welfare of Colorado taxpayers; and

WHEREAS, HB 24-1007 ("Prohibit Residential Occupancy Limits") removes the City's authority to set reasonable occupancy standards, preventing Colorado Springs from addressing overcrowding in historic neighborhoods or those subject to wildfire evacuation concerns, exacerbating public safety and infrastructure strain, impacting neighborhood parking capacities and hindering enforcement of local health codes; and

WHEREAS, HB 24-1152 ("Accessory Dwelling Units") mandates uniform ADU regulations that could permit uncontrolled ADU proliferation in single-family neighborhoods, overburden local water, sewer, and emergency services, and conflict with the community's vision for neighborhood character; and

WHEREAS, HB 24-1304 ("Minimum Parking Requirements") eliminates local discretion to require parking for new multi-family developments, fueling spillover parking on residential streets, increasing traffic congestion downtown and in mixed-use corridors, impacting evacuation in areas prone to wildland fires, and undermining the City's ability to plan for balanced mobility; and

WHEREAS, HB 24-1313 ("Transit-Oriented Communities") compels municipalities to up-zone parcels within one-half mile of high-capacity transit stations by imposing mandatory density minimums, reduced setbacks, and increased building heights, overriding Colorado Springs' locally adopted comprehensive plan, erasing neighborhood buffers, and depriving residents of meaningful public hearings and input on project scale; and

WHEREAS, SB 24-174 ("Sustainable Affordable Housing") creates broad, unfunded affordability and sustainability mandates, forcing Colorado Springs to absorb significant costs for stormwater infrastructure, parks, and public facilities without corresponding state funding, jeopardizing other capital priorities; and

WHEREAS, HB 25-1273 ("Residential Building Stair Modernization") prescribes statewide stair configuration standards in certain apartment buildings that conflict with Colorado Springs' locally tailored fire and life safety codes and are in direct conflict with the International Building Codes, resulting in unsafe, and un-permittable designs; and

WHEREAS, SB 25-002 ("Regional Building Codes for Factory-Built Structures") replaces the City's building code authority with regionally administered standards, risking inconsistent quality in factory-built construction, complicating local permit review processes, and diminishing community control over housing design and safety resulting in unsafe living conditions for residents; and

WHEREAS, while the City supports responsible housing growth and affordability, such goals are best achieved through locally driven planning, fiscal sustainability, and robust community engagement rather than one-size-fits-all state mandates that are unfunded by the state; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. The City Council strongly opposes Executive Order D 2025-005 and each statute it enforces as unconstitutional intrusions on home rule authority and the City of Colorado Springs hereby reaffirms our right to self-regulate matters that the State Constitution clearly defers to Home Rule Municipalities.

Dated at Colorado Springs, Colorado this 27th day of May, 2025.

Council President

ATTEST:

Sarah B. Johnson, City Clerk