

**First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 25-0668.01 Caroline Martin x5902

**HOUSE BILL 25-1093**

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**HOUSE SPONSORSHIP**

**Stewart R.,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Transportation, Housing & Local Government

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING LIMITATIONS ON LOCAL LAND USE POLICIES THAT**  
102     **IMPOSE CONDITIONS THAT LIMIT GROWTH.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Current law preempts any local governmental entity housing growth restriction (anti-growth law) that explicitly limits the growth of the population in the local governmental entity's jurisdiction or the number of development permits or building permit applications for residential development unless it is a temporary, nonrenewable anti-growth law following a declared disaster emergency.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

The bill clarifies that an anti-growth law also includes any restriction that explicitly seeks to impose additional restrictions or limitations on a particular housing type that exceed a governmental entity's zoning or building codes.

The bill also clarifies when a local government must provide the option of paying a fee in lieu of land dedication for a private property owner whose property does not meet the local government's standards for dedication.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 29-20-104.2, **amend**  
3 (2)(a) as follows:

4 **29-20-104.2. Anti-growth law - preemption - legislative**  
5 **declaration - definitions.** (2) As used in this section, unless the context  
6 otherwise requires:

7 (a) "Anti-growth law" means a land use law that explicitly limits  
8 either the growth of the population in the governmental entity's  
9 jurisdiction or the number of development permits or building permit  
10 applications for residential development or the residential component of  
11 any mixed use development submitted to, reviewed by, approved by, or  
12 issued by a governmental entity for any calendar or fiscal year. As used  
13 in this subsection (2)(a), "land use law" means any statute, resolution,  
14 ordinance, code, rule, regulation, plan, policy, procedure, standard,  
15 initiative, guideline, requirement, or law that regulates the use or division  
16 of property or any interest in property OR THAT EXPLICITLY SEEKS TO  
17 IMPOSE ADDITIONAL RESTRICTIONS OR LIMITATIONS ON A PARTICULAR  
18 HOUSING TYPE THAT EXCEED A GOVERNMENTAL ENTITY'S ZONING OR  
19 BUILDING CODES.

20 **SECTION 2.** In Colorado Revised Statutes, 29-20-203, **amend**  
21 (1.5) as follows:

1           **29-20-203. Conditions on land-use approvals.** (1.5) When  
2 requiring an owner of private property to dedicate real property to the  
3 public, if the subject property ~~does~~ IS not ABLE TO meet local government  
4 standards for dedication OF REAL PROPERTY as ~~determined~~ ESTABLISHED  
5 by the local government IN COMPLIANCE WITH SUBSECTIONS (1) AND (3)  
6 OF THIS SECTION AND SECTION 29-20-201 (3), including dedication to the  
7 parks, trails, or open space systems, a local government shall provide the  
8 private property owner the option of paying a fee in lieu of dedication.

9           **SECTION 3. Act subject to petition - effective date.** This act  
10 takes effect at 12:01 a.m. on the day following the expiration of the  
11 ninety-day period after final adjournment of the general assembly; except  
12 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
13 of the state constitution against this act or an item, section, or part of this  
14 act within such period, then the act, item, section, or part will not take  
15 effect unless approved by the people at the general election to be held in  
16 November 2026 and, in such case, will take effect on the date of the  
17 official declaration of the vote thereon by the governor.