

**Senate Local Government & Housing**

**04/30/2026 01:30 PM**

**HB26-1308 Lot Splitting Approval by Subject Jurisdictions**

**Typed Text of Testimony Submitted**

<b>Name, Position, Representing</b>	<b>Typed Text of Testimony</b>
Trevor Jahn Against themselves	Just stop, we already voted your communist overreach out in Lakewood. Go pour some concrete or make the homeless disappear you losers.
George Holt Against themselves	<p>Testimony Opposing HB26-1308</p> <p>My name is George Holt, and I am a Colorado resident speaking in opposition to HB26-1308.</p> <p>This bill is being sold as a housing solution, but in reality it is a top-down mandate that strips local communities like Lakewood of their ability to control growth and protect the character of their neighborhoods.</p> <p>Let's be honest about what this does. It forces increased density into established neighborhoods under the guise of "flexibility," while ignoring the very real limitations Colorado already faces most importantly, water.</p> <p>Colorado is not an unlimited resource state. We are already dealing with strained water supplies, over-allocated river systems, and long-term drought conditions. Yet instead of addressing these constraints responsibly, this bill accelerates growth as if those limits don't exist.</p>

	<p>Supporters claim this will make housing more affordable. But there is little evidence that carving up single-family lots into smaller parcels leads to meaningful affordability. What it does do is increase land values, invite speculative development, and ultimately raise property tax assessments. For many long-time residents, that means being taxed out of the very neighborhoods they helped build.</p> <p>This begins to look less like housing policy and more like a quiet property tax expansion strategy.</p> <p>There is also a serious concern about influence. When policies consistently benefit developers—allowing more units, more density, and fewer local restrictions—it raises legitimate questions about whose interests are actually being served. Residents should not feel like decisions are being made behind closed doors to benefit a select few at the expense of entire communities.</p> <p>And finally, we need to acknowledge a basic truth: not every place can or should absorb unlimited growth. Colorado’s appeal is exactly why it is under pressure—but that doesn’t mean the solution is to keep building endlessly until infrastructure, resources, and quality of life are stretched beyond recognition.</p> <p>People are not entitled to live anywhere they choose, regardless of local capacity. Responsible governance means recognizing limits and planning within them—not overriding them.</p> <p>HB26-1308 removes local control, ignores resource constraints, and places additional burdens on existing residents, all while offering uncertain benefits.</p> <p>For these reasons, I strongly urge you to oppose this bill.</p> <p>Thank you for your time.</p>
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<p>Kerri Waldner Against themselves</p>	<p>Subject: Opposition to HB 26-1308 "Protection of Local Home Rule and Property Rights"</p> <p>Dear Senators,</p> <p>My name is Kerri Waldner, and I am a resident of the state. I am writing to formally express my strong opposition to House Bill 26-1308, concerning the mandatory authorization of residential lot splits.</p> <p>While the intent may be to address housing needs, I believe this legislation represents an overreach of state authority for the following reasons:</p> <p>• Infringement on Home Rule: This bill explicitly overrides the "home rule" authority of Colorado municipalities. Local governments are best equipped to manage density, infrastructure, and zoning based on the unique geographic and logistical needs of their specific communities.</p> <p>• State Jurisdictional Limits: The state should not be assuming jurisdiction over local land-use rules. Decisions regarding how a city or town is organized should remain at the local level, where residents have the most direct say in their community's development.</p> <p>• Property Ownership Legislation: I do not believe it is the role of the state Senate to intervene in property ownership legislation through mandates that force the subdivision of original lots. Such matters are traditionally and more appropriately handled through local planning commissions.</p> <p>I respectfully urge you to vote No on HB 26-1308 to protect the integrity of local governance and the rights of Colorado</p>
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	<p>municipalities and the residents of those communities to determine their own zoning futures.</p> <p>Thank you for your time and for your service to our State.</p> <p>Sincerely,</p> <p>Kerri Waldner</p> <p>9485 W 9th Ave</p>
<p>Susan Williams</p> <p>Against themselves</p>	<p>I object to the State's imposing its will on subjects that are within the delegated powers of local government. It's a basic violation of our constitution similar to the Trump administration's trying to regulate our elections in an effort to remake the political landscape. There is a just reason for local control of these subjects, i.e., that those who are closest to a problem should have the most influence, and zoning laws are squarely within the purview of our city government. The State's dismissiveness of the publicly articulated position of our citizens through their recent rejection of certain zoning changes in our city is undemocratic and tyrannical and should not stand.</p>
<p>Carol Brzeczek</p> <p>Against themselves</p>	<p>I appreciate the goal of Colorado House Bill 26-1308 to increase housing supply and affordability.</p> <p>But this bill raises a fundamental constitutional concern about local control. Under Colorado Constitution Article XX Section 6, home rule municipalities like Littleton have authority over local and municipal matters. The Colorado Supreme Court has reaffirmed that principle in cases such as City and County of Denver v. State.</p> <p>The Court has also made clear, in Town of Telluride v. San Miguel Valley Corp., that when a matter is local, home rule authority prevails, and even in mixed matters the state must justify overriding local control.</p> <p>Land use is one of the most local functions government performs. As recognized in Voss v. Lundvall Bros., Inc., zoning is a traditional local power. If zoning isn't local, nothing is.</p>

	<p>This bill goes further than setting policy—it mandates parcel-level zoning decisions across every community, regardless of local conditions. Under <i>City of Northglenn v. Ibarra</i>, the question is whether that level of uniformity is truly necessary. One size fits all usually fits no one well.</p> <p>In Littleton, we have established neighborhoods, infrastructure constraints, and carefully adopted plans that reflect years of local input. A statewide lot-splitting mandate does not account for:</p> <ul style="list-style-type: none"><li>water and sewer capacity</li><li>fire access and safety</li><li>traffic and parking realities</li><li>the character of existing neighborhoods</li></ul> <p>These are not abstract concerns—they are specific, block-by-block realities. Zoning decisions are best made in local council chambers, not under the golden dome.</p> <p>Colorado has a long tradition of pushing back against one-size-fits-all mandates from higher levels of government. Leaders, including Governor Jared Polis, have objected when federal policies override state decision-making without regard to local differences. The same principle applies here.</p> <p>Housing is a serious issue, but removing local control over zoning is not the solution. Local governments like Littleton are fully capable of addressing growth in ways that reflect their own infrastructure, planning, and community priorities. Local voters—not statewide formulas—should shape local neighborhoods. If the state can mandate how every residential lot is used, then the distinction between local and statewide authority in our Constitution is effectively erased.</p> <p>I urge you to reject this bill and preserve the right of cities like Littleton to make their own land use decisions.</p>
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## Legalizing Lot Splits Will Enable More Affordable Housing in Colorado

**EMILY HAMILTON**

*Senior Research Fellow, Urbanity Project, Mercatus Center at George Mason University*

Senate Local Government & Housing Committee  
Hearing on Lot Splitting Approval by Subject Jurisdictions

April 30, 2026

Chair Exum, Vice Chair Snyder, and members of the Senate Local Government & Housing Committee, thank you for allowing me to offer testimony on the issue of legalizing lot splits. I am Emily Hamilton, a senior research fellow at the Mercatus Center at George Mason University, where I am codirector of the Urbanity Project. I study housing policy and housing affordability across the country and how reforms to housing policy like those proposed in House Bill 26-1308 have affected housing market outcomes. I am also a Colorado native and lived there until I graduated from Grand Junction High School.

Research shows that zoning rules and long, uncertain approval processes for new housing construction are the key drivers of housing scarcity and high house prices. But places that make it easy to build new housing of all types can remain affordable even as they grow quickly. Allowing lot splits is one effective way to create opportunities to build smaller houses on smaller lots, enabling the starter home construction that Colorado needs.

### Minimum Lot Size Requirements and Opportunities for Reform

Minimum lot size requirements mandate that each house sit on a yard of a certain size. These requirements take away property owners' right to build a house on a smaller piece of land than the rules require. In places where land is expensive, each house is packaged with a costly piece of land, making it unaffordable for many would-be homeowners. Further, requiring that each house have an expensive yard also leads home builders to build only large, fancy houses, because land prices alone push home prices beyond what families looking for basic starter homes can afford.

Minimum lot size requirements are one of the biggest factors in making housing expensive. By creating the opportunity to cut lot sizes in half, H.B. 26-1308 will open up opportunities for lower-cost construction.

For more information or to meet with the scholar, contact  
Mercatus Outreach, 703-993-4930, [mercatusoutreach@mercatus.gmu.edu](mailto:mercatusoutreach@mercatus.gmu.edu)  
Mercatus Center at George Mason University, 3434 Washington Blvd., 4th Floor, Arlington, Virginia 22201

*The ideas presented in this document do not represent official positions of the Mercatus Center or George Mason University.*

Allowing small-lot construction is a proven path toward abundant, relatively low-cost housing. Because small-lot construction makes lower-cost homeownership possible, buyers can take advantage of the simple financing and lower interest rates available for owner-occupied housing. And in places where this type of development is legal, homeowners have shown that it is a type of housing they want.

### **Smaller Lots Delivering More Affordable Housing in the Real World**

Much of what we know about the benefits of reducing minimum lot size requirements in the US comes from reforms implemented in Houston, TX, starting in 1998. Since then, about 80,000 small-lot houses have been built.<sup>1</sup> Compared to other large Sun Belt regions, Houston is the most affordable in terms of median house price relative to median income. Its affordability is due in no small part to its legalization of starter home construction. I have attached to this testimony a policy brief I authored on Houston's minimum lot size reforms.

Economist Mike Mei estimates that the reform has benefited the average Houston household by about \$18,000 in 2010 dollars.<sup>2</sup> The city's small-lot construction takes place in many parts of the city, both in new subdivisions at the outskirts and in infill properties close to job centers.

At the state level, Oregon is seeing results from new laws that allow urban lots to be split into two to six smaller lots, with one new unit on each lot. In Portland, the lot split law has helped facilitate 1,400 new infill units.<sup>3</sup> These smaller houses are selling for \$250,000 to \$300,000 less than new housing on typically sized lots.

### **Conclusion**

Local governments' authority to regulate housing development, including minimum lot sizes, rests on their power to pass rules that protect Colorado's health, safety, and welfare. But when local land use restrictions cause statewide affordability problems, state legislators have a responsibility to set some limits on the extent to which local governments can restrict property owners' right to build housing.

### **Attachment**

Emily Hamilton, "Learning from Houston's Townhouse Reforms" (Mercatus Policy Brief, Mercatus Center at George Mason University, April 2023).

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<sup>1</sup> Emily Hamilton, "Learning from Houston's Townhouse Reforms" (Mercatus Policy Brief, Mercatus Center at George Mason University, April 2023).

<sup>2</sup> Mike Mei, "House Size and Household Size: The Distributional Effects of the Minimum Lot Size Regulation" (Working Paper, November 16, 2022), 33.

<sup>3</sup> City of Portland Bureau of Planning and Sustainability, *Middle Housing in the Single-Dwelling Zones: Progress Report 2018-2024*, January 2025.

Comments from Kevin Walker, City Planning Director, City of Colorado Springs.

Opposition to HB 26-1308

Thank you, Chair and members of the committee.

I'm Kevin Walker, the Planning Director for the City of Colorado Springs, and I'm here to express our objection to HB 26-1308.

For the past decade, Colorado Springs has built a strong record of supporting both affordable housing and the “missing middle” housing that many of these recent statewide bills aim to promote. We're already doing this work successfully—and doing it in ways that reflect our local conditions, our infrastructure, and our community's needs.

Unfortunately, bills like this one continue to move in the opposite direction. We see them as overreaches of state authority that actually make it harder—not easier—for us to plan for more affordable housing. Some required code changes, like ADUs, we've implemented with local modifications.

Home rule is working for Colorado Springs.

We've been increasing average density, reducing lane miles per unit, and modernizing our zoning code through local initiatives that our builders and developers actively support. Those efforts have helped drive hundreds of millions of dollars of investment in income-restricted housing, expand mixed-use areas, and create innovative small-lot developments. And we've done all of this in places where the infrastructure is planned and designed to support it.

HB 1308 is, frankly, a step backward for smart growth. It mixes lot-size requirements—traditionally a zoning issue—with subdivision rules that are meant to manage how new lots are actually created. And there are several problems baked into the bill:

1. It doesn't even require us to change our local codes. It just tells us to approve small-lot subdivisions.
2. It removes notice and hearing requirements, meaning adjacent property owners wouldn't even be told what's happening.
3. It adds yet another layer of confusing rules that we then have to explain to our residents—rules that don't fit together and don't make sense locally.
4. And it forces us to determine whether properties fall under common-interest community covenants. That could result in two neighborhoods across the street from each other being treated differently, which is odd and difficult to justify.

So in closing: for home-rule cities like Colorado Springs, we ask that the state please stop trying to solve our housing affordability challenges through one-size-fits-all mandates. They aren't helping. We urge you to vote no on HB 1308.

**City of Golden**  
City Council  
911 10th Street  
Golden, Colorado 80401

March 6, 2026

Colorado General Assembly  
House Transportation, Housing & Local Government Committee  
200 E Colfax Avenue  
Denver, Colorado 80203

**RE: Opposition to HB26-1308 – Lot Splitting Approval by Subject Jurisdictions**

Dear Members of the Committee:

On behalf of the City Council of Golden, Colorado, we write to respectfully urge you to vote NO on HB26-1308, “Lot Splitting Approval by Subject Jurisdictions.” While we share the General Assembly’s interest in addressing housing availability across Colorado, this bill’s approach of mandating administrative approval of lot splits undermines the local land use authority that is essential to thoughtful, community-driven planning.

**Conflicts with the City of Golden’s Legislative Policy Statement**

The City of Golden’s adopted Legislative Policy Statement reflects the values and priorities of our community across a range of policy areas. HB26-1308 conflicts with several of those core positions:

**1. Home Rule and Local Control**

The City’s Legislative Policy Statement strongly supports “maintaining the existing taxation and fee authority of home rule municipalities” and “the need for state and federal officials to respect local control and allow municipal officials to address local problems without interference.” It also explicitly opposes “legislation that mandates state or federal intercession in matters of local concern.”

HB26-1308 directly contradicts this position by requiring jurisdictions to approve lot splits that meet a narrow set of state-defined criteria, bypassing local planning processes and the judgment of local officials who best understand their community’s infrastructure, character, and long-term vision.

**2. Municipal Development and Land Use**

The City’s policy supports “responsible growth management while reflecting and enhancing Golden’s historic and small-town character,” as well as “local government’s authority over development review and inspection standards.” The policy also explicitly opposes “mandates to require or prohibit specific elements in comprehensive plans, zoning codes, and other municipal development planning tools.”

HB26-1308 does exactly what our policy opposes: it overrides local zoning and development review tools by mandating approval of lot splits that may not align with a community's Comprehensive Plan, infrastructure capacity, or neighborhood context.

### **3. State and Federal Mandates**

The City's policy opposes "unfunded mandates that impose financial and reporting burdens on municipalities" and "mandates to require specific elements in comprehensive plans." HB26-1308 imposes a new administrative approval obligation on local governments without any corresponding state funding to support the necessary review, verification, and recording processes—especially those tied to mortgage consent requirements.

### **4. Affordable and Attainable Housing**

The City of Golden is committed to supporting affordable housing and supports "thoughtful approval of multiunit housing, particularly those units that provide access to multimodal and public transportation." The key word is thoughtful. We support housing solutions that are integrated with transportation infrastructure, utility capacity, and community planning—not blanket administrative mandates that may produce lots without adequate access to services, transit, or utilities.

### **Additional Concerns**

Beyond the direct conflicts with our Legislative Policy Statement, the City of Golden has additional practical concerns with this bill:

- **Infrastructure Strain:** Mandatory lot splits could outpace a community's water, sewer, and transportation infrastructure capacity, creating long-term service delivery challenges.
- **Community Character:** Golden's Comprehensive Plan, adopted by and for our community, provides guidance for development consistent with our vision and values. State-mandated lot splitting undermines that plan.
- **One-Size-Fits-All Approach:** The varied geography, density patterns, and infrastructure conditions across Colorado's municipalities mean that a uniform minimum lot size threshold of 2,000 square feet is not appropriate for all communities.

We encourage the General Assembly to pursue housing solutions that provide tools, incentives, and resources to local governments rather than mandates that override the planning authority and judgment of elected local officials. The City of Golden remains committed to working collaboratively toward regional and statewide housing goals—and we urge the Committee to allow local communities the flexibility to do so in ways that reflect their unique needs.

**For these reasons, we respectfully urge a NO vote on HB26-1308.**

Respectfully submitted,

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Mayor, City of Golden

On Behalf of the Golden City Council

April 30, 2026

Regarding HB26-1308

Thank you Chair, Vice Chair, and Committee,

Please accept this written testimony in lieu of the virtual testimony I planned to provide regarding the Lot Split bill HB26-1308. Hearing schedules and family obligations became at odds.

I am Karl Onsager, certified planner and Development Review Supervisor with the City of Golden. I am submitting testimony on behalf of myself as a professional planner and not my employer or APA Colorado.

I am submitting testimony in opposition to HB26-1308. The bill is crafted with good intentions and too many unintended consequences. A core principle of subdivision review is to avoid the creation of unsafe or non-buildable lots, ie 'lemon lots.' I respectfully disagree that health and safety has been satisfactorily addressed by the bill as drafted.

First, the bill does not fully consider slopes, hillside conditions, or geological hazards. Jurisdictions can request information regarding site conditions, but the bill precludes options to act on that information. Larger lots are typical in sloped areas to provide more flexibility to work with the topography and potential building areas. However, adding lots in this context requires additional planning and review which the bill precludes.

The bill incentivizes density in areas in the Wildland-Urban Interface and areas prone to wildfire risk. Larger lots are often found on the peripheral areas away from urban centers. In the foothills, those larger lots are also more likely to be mapped in the wildfire risk area. Further, adding density away from urban centers with transit and supportive infrastructure incentivizes sprawl.

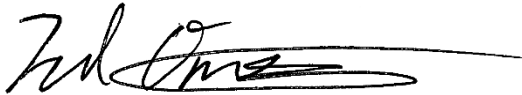
The bill incentivizes scraping lots and removing housing by restricting enforcement of setbacks on vacant lots. Setback from property lines often coordinate with building code requirements and fire safety for building separation. While buildings can be constructed close together, in a downtown context for instance, windows, openings, and fire wall ratings increase.

The bill seems to allow an opportunity where an approved subdivision where the number of lots could be immediately doubled with each lot being split. This would undermine the assumptions for potential public impacts, the approval process, and public expectation and trust.

The bill does not allow jurisdictions to establish and require a logical entitlement process. The bill requires the approval and creation of lots while deferring necessary information that would have been required to demonstrate a safe and buildable lot. Further, it provides several pathways for bad-faith actors to create and sell 'lemon lots' to those familiar with the technical aspects of housing construction, engineering, and zoning regulations. By requiring the approval of lot splits, most of which are an administrative process already, the bill shifts the focus from housing to profit which will exacerbate the unintended consequences.

Planning professionals are working on ways to get to yes on housing with our communities. You heard testimony regarding HB26-1114 how jurisdictions have revised regulations to allow smaller lots and creative configurations in a thoughtful planned way. However, there are still times staff and jurisdictions need to say no in instances not considered by this bill and this bill unreasonably prevents that.

Regards,

A handwritten signature in black ink, appearing to read 'Karl Onsager', with a long horizontal flourish extending to the right.

Karl Onsager, AICP



4/10/2026  
Emily Kurzinski  
Gerhard Pfau  
City of Golden

**RE: HB26-1308- Lot Splitting Approval by Subject Jurisdictions**

Dear Committee Members,

On behalf of the City Council of Golden, Colorado, we write to respectfully urge you to vote NO on HB26-1308, “Lot Splitting Approval by Subject Jurisdictions.” While we share the General Assembly’s interest in and commitment to addressing housing availability across Colorado, this bill’s approach of mandating administrative approval of lot splits undermines the local land use authority that is essential to thoughtful, community-driven planning.

The City of Golden’s adopted Legislative Policy Statement reflects the values and priorities of our community across a range of policy areas. HB26-1308 conflicts with several of those core positions:

**1. Home Rule and Local Control**

The City of Golden supports “maintaining the existing taxation and fee authority of home rule municipalities” and “the need for state and federal officials to respect local control and allow municipal officials to address local problems without interference.” HB26-1308 directly contradicts this position by requiring jurisdictions to approve lot splits that meet a narrow set of state-defined criteria. This mandate bypasses local planning processes and undermines the judgment of local officials who best understand their community’s infrastructure, character, and long-term vision.

**2. Municipal Development and Land Use**

The City of Golden strives for “responsible growth management” while ensuring that new developments reflect and enhance Golden’s historic and small-town character. As explicitly called out in the policy statement, the City also opposes “mandates to require or prohibit specific elements in comprehensive plans, zoning codes, and other municipal development planning tools.”

HB26-1308 does exactly what our policy opposes: it overrides local zoning and development review tools by mandating approval of lot splits that may not align with a community’s Comprehensive Plan, infrastructure capacity, or neighborhood context.

**3. Affordable and Attainable Housing**



The City of Golden is committed to supporting affordable housing and supports “thoughtful approval of multiunit housing, particularly those units that provide access to multimodal and public transportation.” The key word is thoughtful. We support housing solutions that are integrated with transportation infrastructure, utility capacity, and community planning. Blanket administrative mandates such as HB26-1308 directly conflict with this mission, while also burdening our City administration with mandates that are unfunded.

### **Additional Concerns**

Beyond the direct conflicts with our Legislative Policy Statement, the City of Golden has additional practical concerns with this bill. The varied geography, density patterns, and infrastructure conditions across Colorado’s municipalities mean that a uniform minimum lot size threshold of 2,000 square feet is not appropriate for all communities. In Golden, much of our community lives in the wildland urban interface. The City is actively working to build more evacuation routes in neighborhoods where high density in an emergency such as a fire is a concern; adding more density to these neighborhoods will only exacerbate the problem. HB26-1308 currently lacks any provisions which address this.

The City of Golden is working hard to address housing concerns in our community and welcomes collaboration with the State rather than sweeping mandates which directly oppose the thoughtful efforts to create attainable and affordable housing that fits our community. We encourage the General Assembly to pursue housing solutions that provide tools, incentives, and resources to local governments rather than mandates that override the planning authority and judgment of elected local officials. The Golden City Council remains committed to working collaboratively toward regional and statewide housing goals, and we urge the Committee to allow local communities the flexibility to do so in ways that reflect their unique needs.

**For these reasons, we respectfully urge a NO vote on HB26-1308.**

Thank you for your attention to this matter.

Emily Kurzinski

City Councilor | Ward 1

Gerchard Pfau

City Councilor | Ward 2



Adam Alemzada &lt;adam.alemzada@coleg.gov&gt;

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## Rooted in Littleton CO House Bill 26-1308 Opposition

1 message

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**Jane Brennan** <jbrennan444@gmail.com>

Thu, Apr 30, 2026 at 11:43 AM

To: "tony.exum.senate@coleg.gov" <tony.exum.senate@coleg.gov>, "janicerichsd7@gmail.com" <janicerichsd7@gmail.com>, "mark.baisley@senate.co.com" <mark.baisley@senate.co.com>, "matt.ball.senate@coleg.gov" <matt.ball.senate@coleg.gov>, "adam.alemzada@coleg.gov" <adam.alemzada@coleg.gov>, "larry.liston.senate@coleg.gov" <larry.liston.senate@coleg.gov>, "william.lindstedt.senate@coleg.gov" <william.lindstedt.senate@coleg.gov>, "marc.snyder.senate@coleg.gov" <marc.snyder.senate@coleg.gov>

My name is Jane Brennan and I'm a Board Member with Rooted in Littleton. Our organization opposes CO House Bill 26-1308. I want to start by saying—we agree housing affordability is a real issue. But this bill takes the wrong approach.

Good intentions don't guarantee good outcomes—especially with one-size-fits-all policy.

What this bill does is move zoning decisions away from the people closest to the impacts. It replaces local judgment with a statewide mandate that assumes every community has the same needs and the same capacity. But that's simply not the case.

In Littleton, decisions about housing aren't theoretical. They involve very real questions:

Can our infrastructure support it?

Is there adequate fire and emergency access?

How does it fit into long-term planning already adopted by residents?

Those are not decisions that can be made effectively at a statewide level.

Local governments are not standing still. In Littleton, there are already more than 3300 housing units approved or in development right now. Additionally, in 2025, Littleton voters overwhelmingly passed an amendment protecting single family zoning—which is critically important to our citizens. Furthermore, in a professional survey conducted in early 2025, we found that 76% of respondents indicated that major zoning changes affecting housing should be left up to the voters to decide; rather than relying on sweeping legislation where they have no say in the outcome.

Colorado law actually reflects this approach. It expects cities to support housing growth, but it allows them to do it in ways that make sense locally. That balance is important. This bill removes that balance. It mandates parcel-level decisions regardless of whether they fit the infrastructure, safety conditions, or planning of a particular community.

The Colorado Supreme Court has made clear that land use is one of the most local functions government performs. Cases like *Town of Telluride v. San Miguel Valley Corp.* recognize that even when the state has an interest, it must justify overriding local control. That

threshold hasn't been met here. Statewide problems don't require identical solutions everywhere.

Colorado has a long history of valuing local decision-making. We recognize that communities are different—and that those differences matter. This bill moves in the opposite direction. It assumes uniformity is better than flexibility, and that state-level decisions are better than local accountability. Zoning decisions shape neighborhoods for decades. Those decisions should remain with the people.

Rooted in Littleton and our thousands of supporters, respectfully asks you to reject this bill and allow communities to continue to address housing in ways that are responsible, sustainable, and locally accountable.

Thank you-  
Jane Brennan  
Board of Directors

[RootedinLittleton@gmail.com](mailto:RootedinLittleton@gmail.com)

To the Colorado Legislature on HB26-1308:

It is understood that Colorado's legislature is about to act on HB-1308, called "Lot Splitting Approval by Subject Jurisdictions." The Bill summary at this website (<https://leg.colorado.gov/bills/HB26-1308>) states:

"The bill provides that, on or after December 31, 2027, subject to an administrative approval process, a subject jurisdiction shall approve ~~the~~ a lot split of an original lot into 2 new lots if..." certain conditions listed there are met.

The proposal's ostensible intent is to increase the supply of housing and its affordability. But that can hardly be achieved by imposing statewide restrictions on land use that override local controls and fail to address local citizen concerns. Indeed, this proposed legislation ignores provisions of Article XX Section 6 of the Colorado Constitution granting home rule municipalities authority over local and municipal land use.

Densification of single-family neighborhoods embodied in this legislative proposal cannot reasonably be expected to bring about the proposal's stated intent. It is alarming that this Bill dares overrule local land use controls by a statewide mandate that would allow splitting lot size indiscriminately. For its refusal to consider predictable adverse impacts such as traffic congestion, neighborhood character, home values, and quality of life is alarming—things for which local governments are accountable to their citizens.

In addition, citizens are not unaware of the State's refusal to tackle the root of high housing costs. Developers are not building affordable housing, apparently because it doesn't meet their economic bottom line. Instead, proposals like this continue to fuel the corporate development machine in the name of housing affordability. But that is simply not working, as fair-minded legislators understand.

There are yet more reasons to defeat this proposal. The writing is already on the wall. If Colorado doesn't begin to curb continued densification of once deemed desirable neighborhoods to live, citizen out-migration will assuredly continue if not accelerate.

Last of all, it is no secret that such high-density small residential lot development ends up being more unaffordable than what it replaces. I hope Colorado Legislators perceive that HB-1308 is unworkable. Its passage would instead only create more adverse human and environmental impacts to numerous communities and would solve no housing problems.

So please, defeat this proposal and leave the business of local land use control to local governments as provided by the Colorado Constitution.

Don Bruns  
In Littleton