



July 14, 2025

6 mayors: We support housing. We also support the constitutional rights of Coloradans. And we're suing the state to protect them.

Dear Coloradans:

There is a story behind every neighborhood that you love. Informed by vision and built with precision by the generations that came before, our cities are the products of decades of thoughtful planning and intentional effort. This was made possible by the power of “Home Rule” — a principle that firmly establishes the right for local decisions to be made at the local level.

Born from Denver’s infamous [‘City Hall War’ of 1894](#), which nearly saw shots fired and physical blows exchanged between city leaders and the governor, more than a century ago our state voted decisively – two to one – to enshrine Home Rule in the Colorado State Constitution. This powerful legacy was gifted to us by our forefathers because they believed fiercely in the right of communities to self-determine their own futures.

Today, more than 100 local Colorado governments are charged with the powers to determine where and how neighborhoods are built, the types of housing that fit best, where grocery stores and gas stations should go, what parks and recreation amenities should be provided, and – oh, yeah – what infrastructure will be required to serve it all. Local zoning and comprehensive planning issues are among the most deeply studied and carefully considered topics you will find on any city or town council agenda, and rightfully so. Without rigorous, deliberate planning, the unintended consequences to communities can be severe.

Challenged many times over its history, Colorado’s courts have repeatedly upheld Home Rule and the rights of cities to be the decision-makers in matters of local concern, not the state. Unfortunately, this

right is once again under attack, and we, the mayors of six unique, diverse Colorado cities, find that it is now our turn to stand up and defend it.

Contrary to some criticisms, the current fight is not based on party politics. Indeed, the offices we hold are nonpartisan. As individuals, we include members of both major political parties, and we hold a wide range of political perspectives. But where we align is in our passion for our communities and in our belief that preserving the rights of every Coloradan is fundamentally non-negotiable. Our residents *deserve* to have a voice about land use in their own communities and neighborhoods.

This fight is not against housing either, as some other critics contend. We wholeheartedly and unabashedly agree that all Colorado communities desperately need more housing, including more diverse and affordable options. We are allies with the state on the need to do this work, and for years our respective efforts have been finding success. However, the devil is – as they say – in the details. We may be allies on the goal, but we cannot support the path the state has chosen to try and pursue it.

In the 2024 legislative session, the Colorado General Assembly passed two bills championed by Governor Jared Polis: *House Bill 24-1313: Housing in Transit-Oriented Communities* and *House Bill 24-1304: Minimum Parking Requirements*. However well-intentioned, these bills directly threaten our communities' right to Home Rule.

While the bills broadly speak to the critical issues of housing and affordability, ultimately, they force new, state-developed land use requirements on our communities. These one-size-fits-all mandates do not consider the fiscal resources, broader infrastructure, geographies or characters of our communities when prescribing solutions that we must follow. Even worse, the bills strip constituents of their right to be a part of the deliberative process and to have their appeals heard — constitutional rights guaranteed by Home Rule.

House Bill 24-1313, as signed into law, forces cities to approve dense zoning in areas around transit stations based on a formula generated by the state without local input. It also forbids future input from residents local to these areas and retrospectively invalidates any existing local development agreements and covenants.

House Bill 24-1304, as signed into law, prohibits cities from imposing minimum parking requirements in any dense new development or redevelopment, and it retrospectively bars enforcement of parking requirements in existing land use approvals and development agreements. Yes, parking *is* expensive to build. It is also necessary, especially in a state where a vehicle with all-wheel drive is practically a residency requirement.

This is why our six communities have filed a lawsuit in Denver District Court against the state in opposition to HB24-1313 and HB24-1304. [We encourage you to read it.](#) All of it.

Why *now*? Because on May 16, Governor Polis signed an [executive order](#) that threatens to withhold funding from any city that refuses to comply with the state's unconstitutional overreach as a form of punishment. Retaliation is a bully's tactic, and it is our duty to stop it.

Ironically, when Governor Polis was a United States congressman, he himself made one of the best arguments in support of home rule authority and local control in a 2015 amicus brief to the Colorado Supreme Court.

***“Not only is local governments’ robust land use authority supported legally, it also makes sense from a policy perspective. A local government is elected to represent its community members and is ultimately responsible for preserving the character of the community. Local governments are best suited to meet the unique land use needs of their community through transparent public processes. Local planning involves widespread citizen input and broad stakeholder involvement.”** See Amicus Curiae Brief of Congressman Jared Polis in *The City of Fort Collins v. Colorado Oil and Gas Association*, No. 15SC668, Colorado Supreme Court (Aug. 17, 2015). (Emphasis added)*

Time and again, Colorado's courts have recognized that to create the cities and neighborhoods that people love, land use and zoning *must* remain core matters of local concern, not state concern.

We expect the same outcome in court this time too.

Sincerely,

Mayor Lauren Simpson, Arvada

Mayor Mike Coffman, Aurora

Mayor Mike Dunafon, Glendale

Mayor George Lantz, Greenwood Village

Mayor JD Mangat, Lafayette

Mayor Nancy McNally, Westminster