



Half of Vail's land designated for development is zoned for single family residences.

## VAIL HOMEOWNERS ASSOCIATION, INC.

# Letters to Vail

## Colorado Legislature Considering Mandatory Upzoning of Single-Family Zoning

April 4, 2023

The Colorado legislature is considering a massive change to state land uses that could radically impact Vail. [The pending legislation \(SB23-213\)](#) would result in a “one-size-fits-all” set of land use regulations that would, among other things, be a mandatory upzoning of single-family zoning to permit property owners to include “accessory dwelling units” (ADUs) for workforce housing as a matter of right. In doing so, it would remove control of land use from local communities, transferring it to the state government, thereby, preventing Vail and other local governments from deciding what is best for their communities. And since it would create vested rights, it would incentivize higher densities, allowing land owners to upend neighborhoods and dislocate property values without consideration of adjoining property owners, local elected leaders or local community values.

Of significant concern, the proposed 100+ page bill was only recently introduced, but it appears to be on a fast track and has the support of the Governor. The impetus for the law is concern about a state-wide housing crisis involving the availability and affordability of housing. Much of that concern is centered on Front Range development issues. According to the draft of the legislation, the legislature has concluded that local governments have not done enough to address this problem, so the legislature is proposing to create a new state agency and an appointed commission with broad regulatory authority that would mandate housing quotas, and establish codes and enforcement mechanisms. In effect, if enacted, the legislation would remove local “home rule” authority and vest it in the new state agency. As might be expected, the bill has set off alarm bells throughout much of the state and, in particular, in the Eagle Valley. Already the TOV and other Eagle Valley communities have voiced opposition to the legislation.

It's not like Vail and other local communities have done nothing about affordable housing. Indeed, in 2017, Vail launched an ambitious plan to create 1,000 additional deed restricted housing units by 2027 to add to the existing 688 units. Already it has spent \$74 million on that program and, currently, has either under construction or in

planning an additional 552 units. In addition, through its innovative InDEED program, it has added another 175 units.

Affordable housing involves complex issues that vary widely across the state. What is meaningful and impactful on the Front Range are not necessarily of the same effect in mountain resort communities. The same is true of market conditions and infrastructure issues. Trying to impose a “one-size-fits-all” approach could be counterproductive, so while positive planning can always be constructive, it should be regulated for local issues. That is something that local communities are uniquely situated to accomplish. For those reasons, the VHA urges caution. There is no need to cram this legislation through.

\*\*\*\*\*

VHA provides clear and concise discussions of matters affecting the Vail community in the belief that an informed citizenry will be an engaged citizenry. Our intent is to promote more citizen involvement and community discussion of issues facing the Town. If this is an issue that concerns you, please make your views known to Vail [town officials](#). By joining with VHA, as a member, paid-subscriber or reader you can add your voice to sustain what is good about our community and to shine a spotlight on important issues.

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

Post Office Box 238 Vail, Colorado 81658

Telephone: (970) 331-2099 Email: [vha@vail.net](mailto:vha@vail.net) Website: <https://www.vailhomeowners.com>

\*\*\*\*\*