



D 2025 005

EXECUTIVE ORDER

Regarding Strategic Growth through Compliance with State Laws

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution, I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order regarding guidance to State agencies and local governments in order to properly execute strategic growth laws that were passed by the General Assembly.

I. Background and Purpose

This Executive Order provides clarifying guidance to State agencies and local governments regarding statutory compliance and enforcement of State laws pertaining to recently enacted strategic growth legislation.

Since the beginning of my administration, one of the most critical needs of the State has been the availability of affordable, quality housing for all Coloradans. The concerns I stated in the [2023 Executive Order on Strategic Growth](#) continue to escalate statewide; Coloradans are even more deeply concerned about the cost and lack of housing supply, not being able to live close to where they work, and the impact of increased congestion of our roads, greenhouse gas emissions, and the environment. For example, according to the State Demographer, 49% of Colorado renters are cost burdened, and housing starts continue to lag behind demand.

Recognizing this critical need and acknowledging housing barriers as a matter of statewide concern, my administration published the [Roadmap to Colorado's Future: 2026](#), and set forth bold goals of investing more than \$5 billion into the State transportation and transit system by 2031, reducing emissions by 50% from 2005 levels by 2030, and creating sustainable housing near job centers for the additional 1.72 million people projected to be added to the State population by 2050.

In partnership with local governments and the General Assembly, we have taken steps to build more housing people can afford and to speed up approvals across the State. Since 2020, the Department of Local Affairs (DOLA) has awarded more than \$768 million in housing development funding supporting almost 20,000 housing units, has awarded more than \$152 million for affordable housing supporting the construction of nearly 10,000 affordable housing units, and has provided Emergency Rental Assistance through three programs and supported

nearly 65,000 households with a total investment of over \$538 million. In that same time frame, the Office of Economic Development and International Trade (OEDIT) awarded \$290 million to support the development of 8,650 housing units. OEDIT has also invested an additional \$50 million in Colorado's offsite construction industry to increase innovation and lower construction costs. The State has further deployed various resources to increase the supply of housing through subsidization of costs and cost reduction.

After extensive data analysis, research, testimony, and community engagement to create more housing across the State, the General Assembly passed, and I signed into law, the following strategic growth legislation in 2024 and 2025:

[HB24-1007](#), Prohibit Residential Occupancy Limits;
[HB24-1152](#), Accessory Dwelling Units;
[HB24-1304](#), Minimum Parking Requirements;
[HB24-1313](#), Housing in Transit-Oriented Communities;
[SB24-174](#), Sustainable Affordable Housing Assistance;
[HB25-1273](#), Residential Building Stair Modernization; and
[SB25-002](#), Regional Building Codes for Factory-Built Structures

These laws unlock critical tools that offer flexibility and smarter growth for Colorado communities to meet our housing, climate, and transportation goals, and will allow housing supply to finally start catching up with demand. These laws also recognize that housing, transit, environment, and affordability are inextricably linked and that Colorado has a strong and legitimate statewide interest in addressing population and development growth across regions to support the general health and welfare of Coloradans. Housing insecurity jeopardizes family well-being and our economy, and job growth and need for workforce housing in one community impacts housing development, water, sewer, and transportation infrastructure in nearby jurisdictions.

I thank all the local governments that have been working toward allowing more housing in many ways over many years and are following our State laws to help achieve that goal. I also thank those that are experiencing challenges and obstacles and yet still striving in good faith on our aligned housing goals and in compliance with State laws. Finally, I appreciate those local governments that are attending DOLA webinars, utilizing technical, programmatic, compliance tools and resources published by DOLA, and taking advantage of the technical expertise of DOLA staff. With feedback received during the 2024 legislative session, \$58 million was appropriated by the General Assembly to assist local governments in their efforts, on top of additional funding of more than \$224 million previously appropriated. DOLA also published [guidance](#) with example code amendments, standards, strategies, and other resources to begin implementation, with more resources to come. I encourage all local governments to continue to work toward compliance with the seven State laws cited above, both because they are State law

and because they are important pieces in the strategic growth puzzle. I encourage them to utilize DOLA as a resource to meet our shared housing, climate, and transportation goals.

I want to reemphasize that the cost of housing is a statewide issue and that, despite many communities pursuing local actions, the State is still short of more than 100,000 housing units. As such, these regional and statewide actions are critical and our success requires that all local governments comply with State law. And as the Governor of the State with vested executive authority under the Colorado Constitution to faithfully execute the State's laws, it is imperative to ensure that State funds are appropriately used in the furtherance of State laws and toward the legislative goal to incentivize more housing and reduce costs for Coloradans. To ensure State funds are effectively used to support these laws and further the legislative goal of incentivizing more housing and reducing costs for Coloradans, this Executive Order outlines the scope of State funding that will be tied to compliance with strategic growth laws.

II. Definitions

The following definitions apply within this Executive Order:

- A. "Funding Opportunities" means competitive or discretionary grants, contracts, loans, incentive programs, and discretionary tax credits that provide support to Local Governments in areas of housing development, land use, transportation, infrastructure, historic preservation, mixed-use incentives, conservation, energy, or climate administered by the Department of Transportation (CDOT), the Colorado Energy Office (CEO), the Department of Local Affairs (DOLA), and the Office of Economic Development and International Trade (OEDIT), subject to exclusions in Section III.B.
- B. "Local Governments" means a home rule, territorial charter, or statutory county, city and county, city, or town.
- C. "Strategic Growth Compliant" means timely and satisfactory completion of each requirement set forth in the laws listed in Section I, including but not limited to: timely and satisfactory filing of preliminary reports, compliance reports, final reports, status reports, needs assessments, action plans, master plans, and adoption of zoning and land development ordinances, and other key deliverables and deadlines as established in statute and by DOLA in order to effectuate the laws.
- D. "Strategic Growth Compliance-in-Progress" means non-timely or non-satisfactory completion of a requirement set forth in the laws listed in Section I, but where good faith effort is being made to comply in a timely manner, including but not limited to: making use of DOLA guidance and templates; engaging with DOLA

staff in receiving technical guidance; establishing mutually acceptable alternative timelines with DOLA to become compliant with strategic growth laws; and other activities as established by DOLA to determine good faith effort.

- E. “Strategic Growth Non-Compliant” means non-timely or non-satisfactory completion of a requirement set forth in the laws listed in Section I, such as:
1. A compliance deadline passes and a Local Government has not submitted the required information to DOLA;
 2. The Local Government adopts a resolution or ordinance establishing a policy not to conform with a State law listed above or any other State law; and/or
 3. A Local Government takes action contrary to the express intent or directive of the State laws listed above.
- F. “Relevant Agency/ies” means CDOT, CEO, DOLA, and OEDIT.

III. Declarations and Directives

- A. Establishing clear guidance and coordinating efforts across Relevant Agencies to best support Local Government compliance with strategic growth laws is necessary to ensure State resources are deployed and funds are expended to support the intent of the laws.
- B. I direct the Executive Directors of CDOT, CEO, DOLA, and OEDIT to submit to the Governor’s Office, within 30 days of this Executive Order, a list of potential Funding Opportunities for Local Governments, subject to the following exclusions:
1. Funding Opportunities that are funded solely based on formulas, statutory criteria, or other criteria for which the Relevant Agency has no discretion;
 2. Funding Opportunities that are federally funded for which the Relevant Agency has no discretion;
 3. Funding Opportunities that were or will be awarded prior to October 6, 2025, or for which the application process or grant cycle has started or will start by October 6, 2025;
 4. Funding Opportunities for individuals;
 5. Funding Opportunities for supportive services or other tenant supports for housing; and
 6. Funding Opportunities solely for economic development.

In developing the list of potential Funding Opportunities, Relevant Agencies are encouraged to utilize the inventory list developed through [Executive Order D](#)

[2023 014](#) (Concerning State Programs that Support Strategic Growth) as a resource.

- C. Once the list of potential Funding Opportunities is submitted, projects that are necessary solely for public health or safety or disaster relief programs will be excluded, and a list will be published of applicable Funding Opportunities that are subject to the declarations and directives of this Executive Order.
- D. As the administrative agency of State strategic growth programs, I direct DOLA to summarize the framework, criteria, and benchmarks established in HB24-1007, HB24-1152, HB24-1304, HB24-1313, SB24-174, HB25-1273, and SB25-002 for identifying certified Strategic Growth Compliant Local Governments for the purpose of establishing priority for state Funding Opportunities. DOLA shall publish the compliance guidelines on its website and make the information publicly available within 30 days of this Executive Order.
- E. Using the compliance guidelines created under Section III.D., I direct DOLA to create and update quarterly a list of all Strategic Growth Compliant, Strategic Growth Compliance-in-Progress, and Strategic Growth Non-Compliant Local Governments by October 6, 2025. DOLA shall make the list available for Relevant Agencies for the purposes of establishing priority for applicable Funding Opportunities as identified in Section III.C.
- F. DOLA shall continue to work with Strategic Growth Compliance-in-Progress Local Governments to support their efforts toward full compliance with strategic growth laws and ensure all Local Governments have the tools necessary to meet their statutory obligations.
- G. DOLA shall review submissions, provide notices consistent with statutory deadlines, and continue to offer recommended steps and support for Local Governments to come into compliance.
- H. Relevant Agencies shall review compliance with DOLA's list created under Section III.E. and counsel Local Government applicants if they are deemed less competitive due to Strategic Growth Compliance-in-Progress and Strategic Growth Non-Compliant with State laws. Notices of noncompliance should be sent by DOLA as soon as feasible after and/or within the timeframes of current law.
- I. CDOT, CEO, DOLA, and OEDIT shall, acting within administrative authority prescribed by statute, continue to exercise discretion to establish alternative

compliance deadlines for Local Governments making a good faith effort to comply in a timely manner.

- J. I encourage Special Purpose Authorities not under my direct authority, including the Colorado Housing and Finance Authority and the Middle Income Housing Authority, and other quasi-governmental entities to also prioritize their limited funding opportunities in furtherance of the State's strategic growth laws and toward the legislative goal to incentivize more housing and reduce costs for Coloradans.
- K. This Executive Order will be updated to reflect those grants identified by Relevant Agencies and the Governor's Office that are subject to the declarations of this order.

IV. Duration

This Executive Order shall remain in effect unless modified or rescinded by future Executive Order of the Governor.



GIVEN under my hand and the
Executive Seal of the State of
Colorado this sixteenth
day of May, 2025.

A handwritten signature in black ink, appearing to read "Jared Polis".

Jared Polis
Governor