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JUN 21 2019

S. WARD  
12:00 P.M.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF COLORADO:

Colorado Secretary of State

**SECTION 1.** In the Colorado Revised Statutes, add **29-4-736** as follows:

~~A PROPOSITION ALLOWING VOTERS TO ENACT RESIDENTIAL GROWTH PROPOSALS ON A COUNTY WIDE BASIS AND ENACTING SUCH FOR TWO YEARS IN EIGHT COUNTIES BEGINNING 2021.~~

**29-4-736. DEFINITIONS.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ANNUAL GROWTH" MEANS THAT WHICH OCCURS IN A CALENDAR YEAR MEASURED IN THE TOTAL NUMBER OF PRIVATELY-OWNED RESIDENTIAL HOUSING UNITS ABOVE THAT FOR THE PREVIOUS YEAR.

(b) "HOUSING UNIT" MEANS A BUILDING OR ANY PORTION OF A BUILDING DESIGNED FOR OCCUPANCY AS COMPLETE, INDEPENDENT LIVING QUARTERS FOR ONE OR MORE PERSONS, HAVING DIRECT ACCESS FROM THE OUTSIDE OF THE BUILDING OR THROUGH A COMMON HALL AND HAVING LIVING, SLEEPING, KITCHEN, AND SANITARY FACILITIES FOR THE EXCLUSIVE USE OF THE OCCUPANTS. A DETACHED HOME HAS ONE HOUSING UNIT WHEREAS AN APARTMENT BUILDING WITH EIGHTY APARTMENTS HAS EIGHTY HOUSING UNITS.

(c) "LOCAL COUNTY" MEANS THAT PART OF THE COUNTY, WHETHER STATUTORY OR HOME RULE, AS A SEPARATE LOCAL GOVERNMENT WITHIN SUCH COUNTY AS IN THE UNINCORPORATED COUNTY.

(d) "LOCAL GOVERNMENT" MEANS A CITY, TOWN, CITY AND COUNTY, OR LOCAL COUNTY, WHETHER STATUTORY OR HOME RULE.

(e) "PRIVATELY-OWNED RESIDENTIAL HOUSING" MEANS ~~A SUMMATION OF~~ HOUSING UNITS WHICH ARE RESIDENTIALLY ZONED OR OTHERWISE INTENDED FOR PRIVATE RESIDENTIAL USE. THOSE OWNED BY A FEDERAL, STATE OR LOCAL GOVERNMENT ENTITY, OR AN EDUCATIONAL, MEDICAL, OR PENAL FACILITY ARE EXCLUDED AS ARE COMMERCIAL ZONED ACCOMMODATIONS SUCH AS HOTELS AND MOTELS.

(2) BEGINNING JANUARY 1, 2021, THE ELECTORS OF EVERY CITY, TOWN, CITY AND COUNTY, OR LOCAL COUNTY, WHETHER STATUTORY OR HOME RULE, RESERVE THE RIGHT TO LIMIT PRIVATELY-OWNED RESIDENTIAL HOUSING GROWTH BY INITIATIVE AND REFERENDUM WITHOUT STATE OR LOCAL LEGISLATIVE INHIBITION OR PENALTY. THIS RIGHT IS FURTHER RESERVED ON A COUNTYWIDE BASIS WHEREBY ELECTORS THROUGHOUT A COUNTY MAY ELECT TO LIMIT PRIVATELY-OWNED RESIDENTIAL HOUSING GROWTH UNIFORMLY TO A SINGLE GROWTH RATE IN ALL LOCAL GOVERNMENTS AND ANY PART OF SUCH, WHETHER STATUTORY OR HOME RULE, WITHIN SUCH COUNTY BY INITIATIVE AND REFERENDUM.

(3) PRIVATELY-OWNED RESIDENTIAL HOUSING GROWTH IN THE CITY AND COUNTIES OF BROOMFIELD AND DENVER, AND COUNTYWIDE IN THE COUNTIES OF ADAMS, ARAPAHOE, BOULDER, DOUGLAS, ELBERT, EL PASO, JEFFERSON, LARIMER, AND WELD, INCLUDING ALL LOCAL GOVERNMENTS WITHIN SUCH COUNTIES, SHALL NOT EXCEED ONE PERCENT ANNUALLY FOR THE YEARS 2021 AND 2022. IN SAID COUNTIES EACH LOCAL GOVERNMENT AND ANY PART OF SUCH, WHETHER STATUTORY OR HOME RULE, AND EACH SAID CITY AND COUNTY SHALL ALLOT BUILDING PERMITS SO THAT HOUSING GROWTH DOES NOT EXCEED A ONE PERCENT ANNUAL GROWTH RATE IN THE TOTAL NUMBER OF PRIVATELY-OWNED RESIDENTIAL HOUSING UNITS IN EACH SAID YEAR. BEGINNING 2023 SUCH GROWTH LIMITATIONS MAY BE AMENDED OR REPEALED BY INITIATIVE AND REFERENDUM OR OTHERWISE SHALL REMAIN IN EFFECT.

(4) NO PERMITS TO BUILD NEW PRIVATELY-OWNED RESIDENTIAL HOUSING UNITS SHALL BE ISSUED WITHIN SAID COUNTIES INCLUDING ALL LOCAL GOVERNMENTS CONTAINED WITHIN OR ANY PART OF SUCH AND SAID CITY AND COUNTIES BEGINNING WITH THE ~~DECLARATION OF VOTER APPROVAL~~ CERTIFICATION OF THE ELECTION RESULTS BY THE SECRETARY OF STATE OF THIS SECTION UNTIL JANUARY 1, 2021.

(5) INITIATIVE AND REFERENDUM FOR THIS SECTION:

(a) SIGNATURE REQUIREMENTS FOR INITIATIVES AND REFERENDUMS FOR ENACTING, REPEALING, OR AMENDING PROPOSALS TO REGULATE THE GROWTH OF PRIVATELY-OWNED RESIDENTIAL HOUSING FOR LOCAL GOVERNMENTS, WHETHER STATUTORY OR HOME RULE, SHALL BE FIVE PERCENT OF THE VOTERS PARTICIPATING IN THE MOST RECENT GENERAL ELECTION IN SUCH LOCAL GOVERNMENT. SUCH PROPOSALS ON A COUNTYWIDE BASIS SHALL BE FIVE PERCENT OF THE TOTAL NUMBER OF VOTERS PARTICIPATING IN THE MOST RECENT ELECTION FOR SECRETARY OF STATE IN SUCH COUNTY. A SINGLE CHALLENGE TO EITHER PETITION FORM AND CONTENT OR SIGNATURE SUFFICIENCY SHALL BE MADE SUCH THAT THE SPECIFIED ELECTION DATE SHALL BE CONSERVED.

~~(6) IF ANY PROVISION OF THIS SECTION IS HELD INVALID, THE REMAINDER OF THIS SECTION SHALL REMAIN UNIMPAIRED.~~

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