



To: CC4CA Board of Directors
From: Jacob Smith, Executive Director
Date: April 17, 2023
Re: Substitute Language for the Policy Position #18 Placeholder

At its March 30, 2023 meeting, the Policy Committee formally adopted a set of proposed updates to the CC4CA Policy Statement. This set of proposed updates was complete except for a single placeholder for Policy Position #18. At its April 13, 2023 meeting, the Policy Committee adopted language to substitute for the placeholder.

The Policy Committee intended for Policy Position #18 to address the relationship between climate change and land use. It has been particularly challenging this year because legislation championed by the Governor, which included a substantial degree of local zoning authority preemption by the State of Colorado, has been (understandably) highly controversial and charged. Moreover, CC4CA's members have varying views on the preemption issue.

The Policy Committee worked hard to craft language that would:

- Acknowledge the importance of this issue to CC4CA;
- Not imply that CC4CA supports zoning preemption (because some CC4CA members oppose it);
- Not imply that CC4CA opposes zoning preemption (because some CC4CA members support it);
- Keep the focus on statewide policies (since CC4CA doesn't lobby our members about local policy choices); and
- Keep the focus on policies that "enable local governments" rather than require anything of them.

The Proposed Language for Policy Position #18

This is the Policy Committee's proposed language for Policy Position #18:

Encourage adoption and implementation of statewide policies that enable local governments to enact land use, zoning, and planning policies that help reduce greenhouse gas emissions and improve resilience.

Options

That language is included in the attached documents. Please note two key procedural items:

- If any individual member jurisdiction objects to any specific proposed change (i.e., that jurisdiction can't live with the proposed change), that specific proposed change will not occur; and
- The current Policy Statement is in force unless and until the Board agrees to any changes

Consequently, the Board has two main options with respect to Policy Position #18:

a) Accept all of the updates to the Policy Statement as proposed by the Policy Committee. Those proposed updates are identical to what we originally distributed on March 29 except for substituting this new language for the placeholder in Policy Position #18: "Encourage adoption and implementation of statewide policies that enable local governments to enact land use, zoning, and planning policies that help reduce greenhouse gas emissions and improve resilience."

or

b) Accept all of the proposed updates except this new proposed language for Policy Position #18. In this scenario, the Board does not accept this proposed language and the land use language currently in the Policy Statement (which also happens to be #18) simply remains in place: "Increase funding and policy incentives for multimodal transportation and multimodal-friendly development statewide."

If one or more members object to the proposed language, in theory the Board could craft a different alternative at the retreat, but every member at the retreat would need to either support it or abstain. This is perhaps plausible, but since this won't be language that the members have all seen in advance it seems unlikely.