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# House advances bill allowing homeowners to divide lots

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The Colorado House advanced legislation Tuesday that would allow homeowners across the Front Range to split their lots and sell them with minimal local government input.

House Bill 1308 cleared its first legislative chamber on a 39-26 vote, with most Democrats in support and every Republican, plus a handful of Democrats, opposed. The bill is the latest in a multiyear effort by Democratic lawmakers and Gov. Jared Polis to reform local land-use laws, especially in urban areas, to ease housing development.

HB-1308 builds directly on one of those prior measures, which let homeowners build accessory dwelling units on their properties without local government approval. ADUs include “granny flats,” backyard cottages and garage apartments. If passed and signed into law, this year’s bill would allow a homeowner who has built an ADU to split the lot and sell the ADU, while keeping their own home.

The bill would apply in other scenarios, too, including when an owner splits off an empty part of the lot to allow a new home to be built.

“This offers a modest but important step forward to help us address our housing crisis in Colorado, and in particular barriers we see to homeownership,” Rep. Andy Boesenecker, a Fort Collins Democrat, told fellow lawmakers during committee debate last week.

“We cannot solve a 21st-century housing crisis with mid-20th-century land-use rules. It is time to let Coloradans build their future, one lot at a time.”

He’s sponsoring the bill with Denver Rep. Steven Woodrow.

If passed, HB-1308 would take effect on Dec. 31, 2027. Like previous land use bills, the proposal would constrain local governments’ input on lot-splitting to certain exemptions and an administrative approval process.

It also would apply mostly to Front Range communities — specifically, towns with more than 1,000 residents that are part of metropolitan planning organizations. That means it also would cover the Grand Junction area. The bill also would allow the splitting only of lots of a certain size. Should a property be split, the smaller of the two new lots could not be less than 1,200 square feet. The smaller lot also could not be less than 30% of the size of the original lot. So a 6,000-square-foot lot could be broken up, but not into two lots that are wildly different in size — say, 4,800 square feet and 1,200 square feet.

Eligible properties also would have to be served by water and sewage. Like earlier land-use bills, the measure is opposed by local governments, Republicans and the Colorado Municipal League.

“This bill does undermine a fundamental principle that has long guided land use in Colorado, where decisions about local development are made locally,” Beverly Stables, a lobbyist for CML, told lawmakers at the committee hearing.

The bill now moves to the state Senate. Should it advance there, it will go to Polis, who is expected to sign it into law.