

## A RESOLUTION

ESTABLISHING FEE-IN-LIEU RATES FOR THE ENHANCED DEVELOPMENT MENU  
IN ARTICLE 13 OF THE LAKEWOOD ZONING ORDINANCE

WHEREAS, the City Council's repeal and replacement of Article 13 of Title 17 of the Lakewood Municipal Code (the "Lakewood Zoning Ordinance") authorized, in section 17.1.2.2.C thereof, the payment by applicants and the collection by the City of fees in lieu of compliance with the requirement to earn certain points from the Enhanced Development Menu set forth in such Article 13 (the "EDM") at the rate established by City Council resolution;

WHEREAS, to determine the per-point rate for such "fees-in-lieu," City staff calculated the approximate additional expense to incorporate EDM menu items into developments of various types, sizes and configurations and found that, over a wide range of scenarios, the per-point additional cost averaged approximately \$4,000;

WHEREAS, City staff further determined that the fees-in-lieu per-point rate for developments in excess of 150,000 square feet of gross floor area should increase by \$10 per 1,000 square feet of gross floor area above 150,000 in order to account for the increased impacts to the community resulting from such developments;

WHEREAS, the City Council hereby finds and determines that it shall be in the best interest of the residents of the City to adopt the above-findings of City staff and establish per-point rates for fees-in-lieu under the EDM as authorized in Article 13 of the Lakewood Zoning Ordinance.

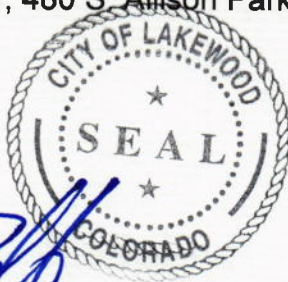
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. Fees Established. The following fees-in-lieu rates are hereby established for the purposes of section 17.1.2.2.C of the Lakewood Zoning Ordinance and as otherwise applicable under Article 13 thereof, which fees-in-lieu shall be effective as of the Effective Date set forth in SECTION 2 below:

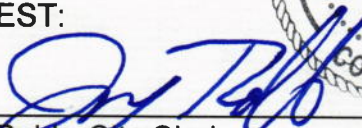
Development Size	Fee-in-Lieu Rate per Point
Under 50,000 square feet	N/A – not eligible for fee-in-lieu option
50,000 square feet – 150,000 square feet	\$4,000 per point
Over 150,000 square feet	\$4,000 plus \$10 per 1,000 sf over 150,000 sf, per point

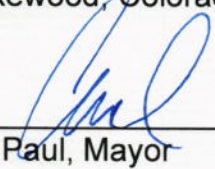
SECTION 2. Effective Date. This resolution shall become effective upon the effective date of Ordinance O-2022-7.

INTRODUCED, READ, AND ADOPTED by a vote of 9 for and 2 against at a regular hybrid meeting of the City Council on June 27, 2022, at 7 o'clock p.m. at the Lakewood Civic Center, 480 S. Allison Parkway, Lakewood, Colorado.



ATTEST:

  
Jay Robb, City Clerk

  
Adam Paul, Mayor

APPROVED AS TO FORM:

  
Alison McKenney Brown, City Attorney