

A RESOLUTION

ESTABLISHING RESIDENTIAL DWELLING UNIT ALLOCATIONS FOR 2025 AND
ASSIGNING ALLOCATIONS TO POOLS PURSUANT TO CHAPTER 14.27 OF THE
LAKEWOOD MUNICIPAL CODE

WHEREAS, on June 7, 2023, Colorado Governor Jared Polis signed House Bill 23-1255 (later codified as C.R.S. § 29-20-104.2), a “Bill for an Act Concerning Preemption of Local Regulations Limiting the Number of Building Permits Issue for Development”, such legislation finding that local anti-growth laws may serve to impact housing development in the cities that adopted such laws as well as impacting surrounding communities, such law becoming effective on August 8, 2023;

WHEREAS, C.R.S. § 29-20-104.2(4)(a)(II) provides that “A governmental entity may enact and enforce a temporary, nonrenewable anti-growth law for the purpose of developing or amending land use plans or land use laws covering residential development or the residential component of a mixed-use development”;

WHEREAS, C.R.S. § 29-20-104.2(4)(b) provides that “a temporary, nonrenewable anti-growth law affecting property allowed by subsection (4)(a) of this section may be effective for no more than twenty-four months in a five-year period”;

WHEREAS, on August 7, 2023, the City of Lakewood approved Ordinance 2023-30, such ordinance providing for temporarily enacting and enforcing a nonrenewable anti-growth law for the purpose of developing or amending land use plans or land use laws covering residential development or the residential component of a mixed-use development, such temporary law established as Chapter 14.27 of the Lakewood Municipal Code (“LMC”);

WHEREAS, Ordinance 2023-30 was effective for twenty-four months and is scheduled to sunset on August 7, 2025;

WHEREAS, Chapter 14.27 of the Lakewood Municipal Code (“LMC”) creates a building permit management system using allocations for new dwelling units;

WHEREAS, LMC 17.27.050(A) requires the City Council to determine the number of allocations available for the current calendar year and assign such allocations to one of three “pools”: the “open pool,” the “hardship pool,” and the “affordable/low income pool”;

WHEREAS, LMC 14.27.050(B) and (C) establish the formula for determining the number of allocations to be created each year, and based on that formula, 717 allocations could be created in 2025; and

WHEREAS, as of December 31, 2024, the City has received applications for 100 open pool allocations and 0 for the affordable/low income pool or hardship pool, which is less than the total number allocations to be created.

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

SECTION 1. The creation of 717 housing allocations is hereby authorized for use in 2025.

SECTION 2. 717 allocations are hereby assigned to the Open Pool, and 0 allocations assigned to the Affordable/Low Income Housing Pool and 0 the Hardship Pool as those pools have not been used the past two years.

SECTION 3. This Resolution shall become effective immediately upon its adoption.

INTRODUCED, READ, AND ADOPTED by a vote of 9 for and 0 against at a hybrid regular meeting of the Lakewood City Council on January 27, 2025, at 7 o'clock p.m. at the Lakewood Civic Center, 480 S. Allison Parkway, Lakewood, Colorado.

ATTEST:



Jay Robb, City Clerk



Wendi Strom, Mayor

APPROVED AS TO FORM:



Alison McKenney Brown, City Attorney