

R-2026-11

A RESOLUTION

CALLING A SPECIAL MUNICIPAL ELECTION TO BE HELD ON APRIL 7, 2026, TO SUBMIT TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF LAKEWOOD A REFERENDUM CONCERNING ORDINANCE 2025-30, AN ORDINANCE AMENDING THE LAKEWOOD ZONING CODE BY REPEALING THE EXISTING ZONING MAP, REPLACING IT WITH THE NEW ZONING MAP, AND REZONING PROPERTIES THEREBY

WHEREAS, on December 5, 2025, referendum petitions were filed with the Lakewood City Clerk's Office relating to Ordinance 2025-30, an ordinance repealing and replacing the Zoning Map incorporated into the Lakewood Municipal Zoning Code, which was passed by the City Council as amended on October 13, 2025, and signed by the Mayor on October 20, 2025;

WHEREAS, in accordance with Section 13.2(c) of the Lakewood Home Rule Charter ("Charter") and L.M.C. § 2.52.170(A), upon a finding of sufficiency, the City Clerk shall present the referendum petition to the City Council at its first regular or special meeting held more than thirty (30) days after the date the referendum petition is filed, or, if a protest is filed, at the first regular meeting following determination of sufficiency, and the City Clerk did comply by presenting the referred ordinance to the City Council on January 12, 2026;

WHEREAS, in compliance with Section 13.2(d) of the Charter, Ordinance 2025-30 was suspended from operation upon presentation to the City Council, although the ordinance had not officially gone into effect on its effective date of January 1, 2026, due to acknowledgement of this referendum process and the timing conflicts arising out of the protest process;

WHEREAS, pursuant to Section 13.2(e) of the Charter, the City Council did upon presentation of the referendum petition reconsider Ordinance 2025-30 by voting on an ordinance to repeal Ordinance 2025-30, such vote to repeal failed, and therefore Ordinance 2025-30 is required to be submitted, without amendment or alteration, to a vote of the registered electors at a special election to be held within ninety days, but not less than thirty (30) days, after presentation of the referendum petition to the City Council; or at a regular municipal election held within the ninety-day period;

WHEREAS, pursuant to C.R.S. § 31-11-111, Section 13.2(f) of the Charter and L.M.C. § 2.52.170(B), after an election has been ordered, the legislative body of the municipality shall promptly fix a ballot title for each referendum, allowing the registered electors of the City to vote for the ordinance or against the ordinance;

WHEREAS, C.R.S. § 31-10-108 mandates that all municipal special elections be held on a Tuesday and that no special election may be held within the thirty-two (32) days before or after the date of a primary, general, or congressional vacancy election;

WHEREAS, the window for holding a special election in accordance with both Section 13.2(e) of the Charter and C.R.S. § 31-10-108 includes those Tuesdays that are on or between the dates of Tuesday, February 17, 2026, and Tuesday, April 7, 2026; and

WHEREAS, the City Council hereby finds and determines that submitting the referendum concerning Ordinance 2025-30 to a vote of the registered electors of the City is and shall be in the best interest of the residents of the City.

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

SECTION 1. The City Council hereby calls and sets a special municipal election to be held on APRIL 7, 2026, which shall be a mail ballot, ballot question election.

SECTION 2. It is the intention of the City Council to comply with the election timelines, laws and procedures to conduct the most efficient election possible, and therefore the City Council, in accordance with applicable local and State law, hereby recognizes that the City Clerk is the Designated Election Official who will conduct the special municipal election, appoint election judges, and perform all other duties and responsibilities relating to such election.

SECTION 3. The City Clerk shall take all actions necessary for such ballot question to be presented to the registered electors of the City of Lakewood at the special municipal election to be held on the date set forth in Section 1 of this Resolution.

SECTION 4. The ballot title for the ballot question is hereby set in accordance with C.R.S. § 31-11-111, Section 13.2(f) of the Charter and L.M.C. § 2.52.170(B), which require the ballot for the referred ordinance to have printed on it the ordinance title and submission clause and on separate lines under the submission clause the words, "FOR THE ORDINANCE" and "AGAINST THE ORDINANCE", whereby if a majority of the registered electors voting vote "for" the ordinance, it shall be effective upon certification of the election results, and if a majority of the registered electors voting vote "against" the ordinance, the ordinance shall be repealed upon certification of the election results.

SECTION 5. The ballot title for the ballot question shall be as follows:

"SHALL THE CITY OF LAKEWOOD REPEAL ORDINANCE 2025-30, AN ORDINANCE AMENDING THE LAKEWOOD ZONING CODE BY REPEALING THE EXISTING ZONING MAP, REPLACING IT WITH THE NEW ZONING MAP, AND REZONING PROPERTIES THEREBY?

_____ YES (AGAINST THE ORDINANCE)

_____ NO (FOR THE ORDINANCE)"

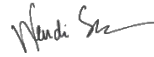
Section 6. This Resolution shall take effect immediately upon its adoption.

INTRODUCED, READ, AND ADOPTED by a vote of 11 for and 0 against at a hybrid regular meeting of the Lakewood City Council on January 26, 2026, 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