

2024-6

A RESOLUTION

ESTABLISHING RESIDENTIAL DWELLING UNIT ALLOCATIONS FOR 2024 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 at C.R.S. § 29-20-104.2), a "*Bill for an Act Concerning Preemption of Local Regulations Limiting the Number of Building Permits Issued 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 any 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, Chapter 14.27 of the Lakewood Municipal Code ("LMC") creates a building permit management system using allocations for new dwelling units;

WHEREAS, subsection A of LMC Section 14.27.050 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, subsections B and C of LMC Section 14.27.050 establish the formula for determining the number of allocations to be created each year, and based on that formula, 715 allocations could be created in 2024;

WHEREAS, as of December 31, 2023, the City has received application for 127 open pool allocations and none for the affordable/low income pool or hardship pool, which is less than the total number of allocations to be created; and

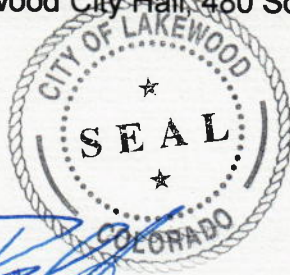
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

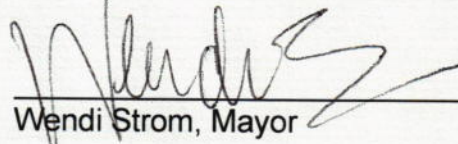
SECTION 1. The creation of 715 housing allocations is hereby authorized for use in 2024.

SECTION 2. 400 allocations are hereby assigned to the Open Pool, 315 allocations to the Affordable/Low Income Housing Pool, and 0 allocations to the Hardship Pool.

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


INTRODUCED, READ AND ADOPTED, by a vote of 10 for and 0 against, at a hybrid regular meeting of the Lakewood City Council held on January 22, 2024, at 7 o'clock p.m. at Lakewood City Hall, 480 South Allison Parkway, Lakewood, Colorado.






Wendi Strom, Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



Alison McKenney Brown, City Attorney