

# STAFF MEMO

**DATE OF COUNCIL MEETING: JANUARY 27, 2020 / AGENDA ITEM NO. 10**

To: Mayor and City Council

From: Robert Smith, Economic Development Director, 303-987-7732

Subject: **DEFINING THE TERM “BLIGHT” FOR THE PURPOSES OF IMPLEMENTING CHAPTER 14.27 OF THE LAKEWOOD CITY CODE**

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**SUMMARY STATEMENT:** Resolution 2020-7 defines blight for the purposes of implementing Chapter 14.27 of the Lakewood City Code as affirmed by Council consensus in Study Sessions held August 26 and December 16, 2019. Staff recommends approval of the resolution by City Council.

**BACKGROUND INFORMATION:** Chapter 14.27 explicitly excludes application of its provisions to those properties which are designated as blighted. In August, Council concurred that properties within urban renewal areas (URAs) would be considered as blighted for the purposes of 14.27.

At the December 16, 2019 Study Session, Council reached consensus that in addition to properties located within a URA, Council could, in the future, designate as blighted, for the purposes of implementing Chapter 14.27, any other property using the process defined in state urban renewal law.

Such a designation would require all of the following:

- A conditions survey would be conducted by an independent consultant for the subject property/properties, with such survey being commissioned at the property owner(s) expense.
- The conditions survey would be conducted in strict alignment with the criteria and methodology required for a state statute determination of a “Blighted Area.”
- The conditions survey report would be presented to City Council at a public hearing by the property owner(s) and the independent consultant.
- Upon presentation of the conditions survey report, City Council could determine whether sufficient conditions of blight, consistent with state urban renewal law, exist to designate the property as blighted.
- Such designation of blight would occur by City Council resolution and would only apply to implementing Chapter 14.27 for the subject properties and shall not be construed as a blight designation for urban renewal purposes.

Additionally, Council sought the following elements:

- Council’s 14.27 blight determination would sunset in a defined number of years.
- Council’s 14.27 blight determination would not change tax collection nor change the ability to use the power of eminent domain.
- Property(ies) with a 14.27 determination would not be under the Lakewood Reinvestment Authority’s (LRA) oversight.  
“Blighted” means either property within an urban renewal area (URA) as created by the Lakewood City Council for oversight by the Lakewood Reinvestment Authority (LRA), or property determined to be

blighted, by the Lakewood City Council, exclusively for the purposes of this chapter, using the conditions of blight as defined by the State of Colorado.

**BUDGETARY IMPACTS:** None

**STAFF RECOMMENDATIONS:** Vote to approve the resolution as written

**ALTERNATIVES:**

- Amend the resolution, and vote to approve the resolution as amended.
- Vote not approving the resolution.

**PUBLIC OUTREACH:** Proper public notice was given for the reading and consideration of this resolution.

**NEXT STEPS:** None

**ATTACHMENTS:** Resolution 2020-7

**REVIEWED BY:** Kathleen E. Hodgson, City Manager  
Benjamin B. Goldstein, Deputy City Manager  
Timothy P. Cox, City Attorney