

AMENDING THE LAKEWOOD ZONING ORDINANCE

WHEREAS, the City of Lakewood is a home rule city of the state of Colorado with full authority to legislate in matters of local concern such as zoning and land use matters;

WHEREAS, the City Council finds that amendment of the Zoning Ordinance is a legislative determination as recognized by Colorado law and such determinations are not subject to any requirement for individualized notice to specific property owners;

WHEREAS, the City Council held a study session to review a potential zoning amendment regarding “student living units”;

WHEREAS, City Council desires to further define “student living units” in the Zoning Ordinance;

WHEREAS, approval of this ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

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

SECTION 1. Per Article 17-2-3 of the Lakewood Zoning Ordinance, the City Council finds and determines the following matters regarding the rezoning accomplished herein:

- a. Amendment of the Zoning Ordinance affects a large number of properties, and the proposed changes to the Zoning Ordinance are not applicable only to a specific individual or readily identifiable group of individuals;
- b. Amendment of the Zoning Ordinance is prospective in nature and reflects public policy of a permanent or general character impacting the City on a scale greater than at the individual property level;
- c. Amendment of the proposed Zoning Ordinance is consistent with and will implement the goals of the City's Comprehensive Plan;
- d. Amendment of the Zoning Ordinance promotes the health, safety or welfare of the inhabitants of the City and the purposes of this Ordinance;

- e. Amendment of the Zoning Ordinance is in the public interest;
- f. Judicial review of an ordinance adopted pursuant to this Section 17-2-3 shall be by petition to district court pursuant to the requirements of Colorado Rule of Civil Procedure 57.

SECTION 2. The following language is added to Section 17.14.2 of the Lakewood Zoning Ordinance:

Student Living Unit: A dwelling unit that is owned or controlled by a College or University and inhabited by students who are related or unrelated.

SECTION 3. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or the Zoning Ordinance adopted hereby, the intention being that the various sections and provisions are severable.

SECTION 4. Effective Date; Repeal; Enforcement. Except as otherwise expressly provided in this Section, the provisions of this Ordinance shall become legally effective forty-five (45) days after publication following final passage.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a regular meeting of the Lakewood City Council on the 23rd day of March, 2020; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 27th day of March, 2020; set for public hearing to be held on the 22nd day of March, 2021; read, finally passed and adopted by the City Council on the 12th day of April, 2021; and signed by the Mayor on the _____ day of March, 2021.

Adam Paul, Mayor

ATTEST:

Bruce Roome, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney