

O-2019-29

AN ORDINANCE

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 2015 Lakewood Comprehensive Plan and its amendments state that land use and development should be in compliance with the Plan;

WHEREAS, the Lakewood Comprehensive Plan is used to guide future land use and development decisions and includes implementation steps for the development and redevelopment of the City;

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 Planning Commission held a study session to review and develop Zoning Ordinance and Municipal Code amendments and modifications;

WHEREAS, the Planning Commission conducted public hearings and voted to recommend the amended Zoning Ordinance to the City Council;

WHEREAS, the City Council held one study session to review the proposed Zoning Ordinance and Municipal Code amendments and modifications;

WHEREAS, it is necessary to make amendments to the Lakewood Zoning Ordinance and Lakewood Municipal Code and to effectively adopt the Lakewood Zoning Ordinance and Lakewood Municipal Code;

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. The recitals set forth above are incorporated as if set forth herein.

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

- a. The City Manager of the City of Lakewood has submitted an application to amend the Lakewood Zoning Ordinance;
- b. 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;
- c. 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;
- d. Amendment of the Zoning Ordinance is consistent with and will implement the goals of the City's Comprehensive Plan;
- e. Amendment of the Zoning Ordinance promotes the health, safety or welfare of the inhabitants of the City and the purposes of this Ordinance;
- f. Amendment of the Zoning Ordinance is in the public interest;

SECTION 3. In accordance with Chapter 10.33 of the Lakewood Municipal Code, the City Council finds and determines the following matters regarding the amendments accomplished herein:

- a. Amendment of the Municipal Code promotes the health, safety or welfare of the inhabitants of the City and the purposes of this Ordinance;
- b. Amendment of the Municipal Code is in the public interest.

SECTION 4. 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 5. The City of Lakewood Zoning Ordinance and Municipal Code are amended as set forth in Attachment A, which is attached hereto and made part hereof.

SECTION 6. Effective Date; Repeal; Enforcement. Except as otherwise expressly provided herein, 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 24th day of June, 2019; 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 June, 2019; set for public hearing to be held on the 8th day of July, 2019; read, finally passed and adopted by the City Council on the 8th day of July, 2019; and signed and approved by the Mayor on the 9th day of July, 2019.



ATTEST:

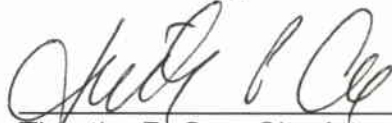


Margy Greer, City Clerk



Adam Paul, Mayor

APPROVED AS TO FORM:



Timothy P. Cox, City Attorney

Attachment A

Item 1: Amend minimum parking ratios for multifamily residential

Amendment to Table 17.8.1

Table 17.8.1: Parking Standards						
Land Use	Vehicle Parking				Bicycle Parking	
	Minimum	Maximum			Long-Term	Short-Term
	All Districts	Residential, Commercial, Light Industrial and Suburban Context	Urban Context	Transit Context	All Districts	All Districts
Residential						
Single-Family dwelling unit	NA*	7 spaces per unit	3 spaces per unit	2 spaces per unit	NA	NA
Accessory dwelling unit	1 space per unit	2 spaces per unit	2 spaces per unit	2 spaces per unit	NA	NA
Duplex dwelling unit	NA	4 spaces per unit	2 spaces per unit	2 spaces per unit	NA	NA
Attached dwelling unit	NA	3 spaces per unit	2 spaces per unit	2 spaces per unit	NA	NA
Multifamily dwelling unit	0.75 spaces per unit	3 spaces per unit	2 spaces per unit	1.5 spaces per unit	1 space per 2 units	1 space per 10 units
Residential Commercial, Light Industrial, Suburban	1.25 spaces per unit 1.5 spaces per unit	3 spaces per unit	NA	NA	1 space per 2 units	1 space per 10 units
Urban	1 space per unit 1.25 spaces per unit	NA	2 spaces per unit	NA	1 space per 2 units	1 space per 10 units
Transit	1.5 space per unit 1 space per unit	NA	NA	1.5 spaces per unit	1 space per 2 units	1 space per 10 units

Item 2: Require visitor parking for multifamily residential projects

Amendments to Article 8

17.8.2: Visitor Parking

17.8.2.1: General Standards

- A. A minimum of 1 visitor parking space shall be provided with every multifamily development.
- B. All multifamily developments of 10 or more units shall provide visitor parking spaces in addition to parking for individual units.
 1. In the Suburban context and R-MF district, 1 visitor parking space shall be provided for every 10 units.
 2. In the Urban context, 1 visitor parking space shall be provided for every 15 units.
 3. In the Transit context, 1 visitor parking space shall be provided for every 20 units.

Item 3: Amend minimum parking ratios and reductions for restaurants

Amendments to Table 17.8.1.

Table 17.8.1: Parking Standards						
Land Use	Vehicle Parking				Bicycle Parking	
	Minimum	Maximum			Long-Term	Short-Term
	All Districts	Residential, Commercial, Light Industrial and Suburban Context	Urban Context	Transit Context	All Districts	All Districts
Minor	0.25 spaces per 1,000 sf	4 spaces per 1,000 sf	2 spaces per 1,000 sf	1 space per 1,000 sf	1 space per 2,500 sf	1 space per 5,000 sf
Office	1.5 spaces per 1,000 sf	5 spaces per 1,000 sf	3.5 spaces per 1,000 sf	2.5 spaces per 1,000 sf	1 space per 2,000 sf	1 space per 5,000 sf
Parking Stand-Alone	NA	NA	NA	NA	NA	1 space per 5,000 sf
Pawnbroker	1 space per 1,000 sf	4 spaces per 1,000 sf	3 spaces per 1,000 sf	2 spaces per 1,000 sf	1 space per 2,500 sf	1 space per 2,000 sf
Personal Service	1 space per 1,000 sf	4 spaces per 1,000 sf	3 spaces per 1,000 sf	2 spaces per 1,000 sf	1 space per 2,500 sf	1 space per 2,000 sf
Plant Nursery	1 space per 2,500 sf	4 spaces per 1,000 sf	NA	NA	1 space per 5,000 sf	1 space per 10,000 sf
Restaurant	2 spaces per 1,000 sf	12 spaces per 1,000 sf	8 spaces per 1,000 sf	5 spaces per 1,000 sf	1 space per 2,000 sf	1 space per 2,000 sf
Residential, Commercial, Light Industrial, Suburban	8 spaces per 1,000 sf 9 spaces per 1,000 sf	12 spaces per 1,000 sf	NA	NA	1 space per 2,000 sf	1 space per 2,000 sf
Urban	6 spaces per 1,000 sf	NA	8 spaces per 1,000 sf	NA	1 space per 2,000 sf	1 space per 2,000 sf
Transit	4 spaces per 1,000 sf	NA	NA	5 spaces per 1,000 sf	1 space per 2,000 sf	1 space per 2,000 sf

Item 4: Amend the parking substitution and reduction standards

Amendments to Article 8

17.8.3.1: General Standards

C. At the discretion of the Director,

1. On-street parking available along the portion of a public or private street abutting the use may be counted toward the minimum number of parking spaces required only if spaces are new, indented parking outside of the lanes of traffic;
2. Up to a 20 percent reduction in parking may be granted for age restricted communities, where the residents are age 55 or older or for income restricted residential communities, where the average income is less than or equal to 65 percent of the area median income (AMI);
3. Up to a 20 percent reduction in parking may be granted for restaurant uses located within a Transit context

Item 5: Amend language to allow for surface parking lots in Suburban contexts

Amendment to Section 17.4.3.1: Purpose and Applicability

W. Parking, Stand-Alone Surface:

2. A stand alone surface parking lot shall not front an arterial or collector street in Urban Contexts.

Item 6: Create new standards for electric vehicle parking

Amendment to Article 8

17.8.5: Electric Vehicle Parking Standards

Lakewood Sustainability Plan's Goal T1 is to "Develop, maintain, and operate sustainable transportation systems and infrastructure". In order to support sustainable transportation via electric vehicles, new construction needs to include charging stations, as well as infrastructure to add more stations in the future.

7.8.5.1: General Standards

- A. All parking spaces that are required to be electric vehicle charging stations (EVCS) capable or that are required to install EVCS must meet the EVCS specifications in the Lakewood Building Code.
- B. Required EVCS capable spaces must include space, electrical conduit or cable raceway, electrical banks, and access points.
- C. Required EVCS installations should be at minimum a Level 2 electric vehicle charging station, supplying current at 240 V or 208 V.
- D. All EVCS shall include signage identifying spaces as restricted parking. For purposes of this section, "charging" means that an electric vehicle is parked at an electric vehicle charging station and is connected to the electric vehicle supply equipment port. If time limits or vehicle removal provisions are to be enforced, regulatory signage including parking restrictions shall be installed immediately adjacent to, and visible from the electric vehicle charging station.
- E. The property owner is not restricted from collecting a service fee for the use of an EVCS made available to residents, employees, and visitors to the property.

17.8.5.2: Electric Vehicle Charging Station Standards

- A. Developments that meet the following conditions must follow the standards in this section.
 - 1. New development with more than 10 off-street parking spaces; and
 - 2. The development includes one or more of the uses identified in Table 17.8.5
- B. Electric Vehicle Charging Stations are to be included in the calculation for both the number of minimum and maximum vehicle spaces required, as provided by Table 17.8.5.
 - 1. For developments that meet the threshold listed in section 17.8.5.2.A. the number of EVCS required to be installed at the time of development is stated as a percentage of the total number of new or additional parking spaces in Column A of Table 17.8.5.
 - 2. To meet anticipated demand for EVCS Column B specifies the required EVCS capable parking spaces to enable future EVCS.
 - 3. Requirements will be rounded to closest whole number, but will always be a value of at least one EV charging station to be available at the time of development.

Table 17.8.3: Electric Vehicle Charging Station Standards

Land Use	A: EVCS Installed Spaces	B: EVCS Capable Spaces	C: Total Percent of EV Ready Spaces
Tier 1			
<u>Multifamily dwelling unit</u>	<u>2%</u>	<u>18%</u>	<u>20%</u>
<u>Hotel</u>	<u>2%</u>	<u>18%</u>	<u>20%</u>
<u>Motel</u>	<u>2%</u>	<u>18%</u>	<u>20%</u>
<u>Office</u>	<u>2%</u>	<u>18%</u>	<u>20%</u>
<u>Parking, Stand-Alone</u>	<u>2%</u>	<u>18%</u>	<u>20%</u>
Tier 2			
<u>Group Residential Facility</u>	<u>2%</u>	<u>13%</u>	<u>15%</u>
<u>Bed and Breakfast</u>	<u>2%</u>	<u>13%</u>	<u>15%</u>
<u>Club, Lodge, or Service Organization</u>	<u>2%</u>	<u>13%</u>	<u>15%</u>
<u>Entertainment Facility (Indoor or Outdoor)</u>	<u>2%</u>	<u>13%</u>	<u>15%</u>
<u>Golf Course</u>	<u>2%</u>	<u>13%</u>	<u>15%</u>
<u>Community Building</u>	<u>2%</u>	<u>13%</u>	<u>15%</u>
<u>Convention or Exposition Center</u>	<u>2%</u>	<u>13%</u>	<u>15%</u>
<u>Correctional Institution</u>	<u>2%</u>	<u>13%</u>	<u>15%</u>
<u>Hospital</u>	<u>2%</u>	<u>13%</u>	<u>15%</u>
<u>Religious Institution</u>	<u>2%</u>	<u>13%</u>	<u>15%</u>
<u>School, Public or Private, Elementary and Middle and High</u>	<u>2%</u>	<u>13%</u>	<u>15%</u>
<u>School, Vocational or Trade</u>	<u>2%</u>	<u>13%</u>	<u>15%</u>
<u>University or College</u>	<u>2%</u>	<u>13%</u>	<u>15%</u>

Item 7: Amend language for bicycle parking requirements

Amendments to Section 17.8.3

17.8.4: Bicycle Parking

17.8.4.1: General Standards

Bicycle parking is required in order to encourage the use of bicycles by providing for safe and convenient places to park bicycles. The purpose of these design standards is to ensure that bicycle parking is convenient to bicyclists and provides sufficient security from theft and damage.

- A. Bicycle parking shall be designed so that bicycles may be securely locked and safeguarded from intentional or accidental damage.
- B. Bicycle parking areas shall be clearly identified by a sign near the main building entrance.
- C. Bicycle parking areas shall be located along the "desire line" from adjacent bikeways; the path that cyclists are most likely to travel.

17.8.4.2: Long-term Bicycle Parking

Long-term bicycle parking provides users of a site a secure and weather-protected place to park bicycles. Long-term parking does not have to be provided on site, however long-term bicycle parking must be within a reasonable distance of a site in order to encourage bicycle use.

- A. Long-term bicycle parking is not required on a site when:
 - 1. Non-residential gross building area is less than 5,000 square feet; or
 - 2. There are 10 or fewer residential units in a development or redevelopment.
- B. Shower and changing facilities are required in employment-based buildings of 30,000 square feet or more where long-term bicycle parking is required.
- C. Long-term bicycle parking shall be located on the site or in an area within 250 feet of the building.
 - 1. All long-term bicycle parking shall be designed to provide maneuvering areas sufficient to prevent conflicts with other bicycles.

3. To provide security, long-term bicycle parking shall be in at least one of the following locations:

- a. In a locked room;
- b. In bicycle lockers;
- c. In an area that is enclosed by a fence with a locked gate;
- d. In a freestanding shelter;

Item 8: Amend parking standards for mini-warehouse or storage

Amendment to Table 17.8.1

Item 9: Amend open space requirements for mini-warehouse

Amendment to Section 17.4.3.1: Purpose and Applicability

P. Mini-Warehouse Storage:

5. Open space requirements for Mini-Warehouse Storage uses shall be increased by 5% above the minimum open space required in Tables 17.5.2 Mixed Use Dimensional Standards and 17.5.5 Commercial and Light Industrial Dimensional Standards.

Item 10: Amend bicycle parking standards for warehouse or distribution

Amendment to Table 17.8.1

Table 17.8.1: Parking Standards						
Land Use	Vehicle Parking				Bicycle Parking	
	Minimum	Maximum			Long-Term	Short-Term
	All Districts	Residential, Commercial, Light Industrial and Suburban Context	Urban Context	Transit Context	All Districts	All Districts
Heavy	1 space per 1,000 sf	4 spaces per 1,000 sf	NA	NA	1 space per 2,500 sf	NA
Medical Marijuana Business	1.5 spaces per 1,000 sf	4 spaces per 1,000 sf	3 spaces per 1,000 sf	2 spaces per 1,000 sf	1 space per 2,500 sf	1 space per 5,000 sf
Mini-Warehouse or Storage	0.25 per 1,000 sf 0.25 spaces per 2,500 sf 1 per 1,000 sf	2 per 1,000 sf 2 spaces per 2,500 sf 2 per 1,000 sf	NA	NA	1 per 10,000 1 space per 20,000 sf	NA