

## Lakewood Zoning Code – 2025

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## **ARTICLE 13: SUSTAINABLE DEVELOPMENT**

### **17.13.1: General**

#### **17.13.1.1: Purpose and Intent**

This Article establishes standards for sustainable development in the City of Lakewood (the “City”). The purpose of these standards is to ensure that development implements the goals articulated in the community’s adopted plans for resilient and efficient development that is adaptable to infrastructure changes in the face of climate change, minimizes its impact on limited resources, contributes to communitywide greenhouse gas emissions (GHG) Science-Based Targets, and becomes a positive asset within the community. The City has Science-Based Targets to reduce community-wide GHG emissions by sixty-point seven (60.7) percent below 2018 levels by 2030 and achieve net zero GHG emissions by 2050.

#### **17.13.1.2: Authority**

- A. Unless otherwise specifically designated, the Director shall have the authority to determine whether a project has met the standards and requirements set forth in this Article. Where an applicant seeks to demonstrate compliance with the provisions of this Article in a manner not explicitly prescribed herein such as through an open option, emissions modeling, or similar proposal, the Director may request independent verification of compliance by a consultant of the City’s choosing, whose services shall be paid by the applicant. Development proposals under this Article may be referred to the Planning Commission at the Director’s discretion.
- B. The Director shall publish the Article 13 Technical Manual, which is a guide containing the quantitative values and methods used in this Article. Values will be periodically updated administratively upon approval by the Director as new data becomes available, except for those values explicitly set by City Council.

### **17.13.2: Enhanced Development Menu**

#### **17.13.2.1: Purpose and Intent**

The Enhanced Development Menu (EDM) is intended to promote responsible development that supports the community goals identified in the City’s Comprehensive Plan through sustainable site features that provide community benefits and amenities to adjacent properties and surrounding neighborhoods.

#### **17.13.2.2: Applicability**

- A. The EDM shall be applied to all development projects with cumulative GFA of two thousand five hundred (2,500) square feet or greater for all proposed

buildings and parking structures (not including single-level open parking lots) on the site and which meet the major site plan applicability criteria in 17.2.7.1.

1. New construction must achieve one (1) point per one thousand (1,000) square feet of GFA, rounded to the nearest one thousand (1,000) square feet, with a minimum of ten (10) points and a maximum of one hundred and fifty (150) points, as shown in [Table 39](#).
2. Existing development undergoing site modifications that require major site plan review shall achieve one (1) point per one thousand (1,000) square feet of new or modified floor area, rounded to the nearest one thousand (1,000) square feet, with a maximum of one hundred and fifty (150) points, as shown in [Table 39](#).

<b>Table 39: EDM Applicability</b>	
<b>Project Cumulative GFA (rounded to nearest 1,000 sf)</b>	<b>Required Points</b>
< 2,500 sf	N/A (0 points)
2,500 sq. ft. – 10,000 sf	10 points
11,000 sq. ft. – 150,000 sf	11 – 150 points (1 point per 1,000 sf)
Over 150,000 sf	150 points <i>and</i> select one option set forth in 17.13.2.3

**Table 39: EDM Applicability; 17.13.2.2**

**B. Exceptions:**

1. The GFA of any proposed Affordable Housing, as defined in Article 14, may be subtracted from the project cumulative GFA for the purpose of determining required points. For example, a residential building that includes twenty (20) percent affordable units can reduce the total GFA by the square footage of those units when determining how many EDM points are required.
2. Proposed projects which include existing designated historic landmarks on the local, state, or national registers and/or which receive approval of the proposed project from the Lakewood Historic Preservation Commission may reduce the number of required EDM points by fifty (50) percent.

**C. Projects required to earn more than fifty (50) points may choose to pay a fee in lieu of compliance for any number of those points exceeding fifty (50) at the rate established by City Council resolution and updated as needed but not more frequently than annually. Fee-in-lieu payments are subject to the following:**

1. Fees-in-lieu shall be due to the City prior to building permit issuance.

2. Fees-in-lieu shall be used to support sustainable built environment projects as part of the Climate Protection & Sustainability Program as described in [17.13.5](#).

- D. Projects that earn more than the minimum number of points required for such project shall not receive a refund, rebate or any other form of compensation.

**17.13.2.3: Prerequisites for Large Developments Above 150,000 GFA**

- A. Development projects over one hundred and fifty thousand (150,000) square feet in proposed GFA must obtain one hundred and fifty (150) points pursuant to [17.13.2.2](#), and shall select from the following menu items:

1. Leadership in Energy and Environmental Design (LEED) or National Green Building Standard (NGBS) Gold or higher certifications;

OR

2. Earn a minimum of forty (40) points, twenty (20) points from each category, from the menu items identified in 2.a. and 2.b. below. The remaining required points may be earned from these or any other item(s) in [Table 40](#);

- a. Environmental Impacts. Minimum twenty (20) points:

- i. Renewable Energy: EDM Items two (2), four (4), and five (5); or
- ii. Electrification: EDM Item six (6);

AND

- b. Social Impacts. Minimum twenty (20) points:

- i. Social Connection Amenities: EDM Item twenty-two (22);
- ii. Public Art: EDM Item twenty-three (23); or
- iii. Community Garden: EDM Item twenty-five (25)

OR

3. Additional fee-in-lieu for prerequisite items. For any points not earned through the prerequisite items above, a fee in lieu of compliance shall be applied for up to forty (40) points at the rate of one and a half (1.5) times the per-point value for the size of the development.

- a. For example, if a project selects twenty (20) points from environmental impacts and zero (0) points from social impacts, the fee in lieu due for the

twenty (20) missing prerequisite points is one and a half (1.5) times the regular fee in lieu rate per point.

- b. Up to forty (40) prerequisite points may be achieved via fee in lieu. This Section does not change any other fee in lieu requirements in [17.13.2.2:C](#).

**17.13.2.4: Menu**

All proposed points are subject to review for alignment with existing City plans and site-specific availability. Detailed documentation and methodology requirements can be found in the EDM Applicant Resource Guide, as may be amended from time to time upon approval of the Director. For existing developments undergoing additions, renovations, or other improvements which require major site plan review, selected EDM items may be located where practical on the site not limited to the area of disturbance, upon approval of the City.

**Table 40: Enhanced Development Menu Items; 17.13.2.4**

<b>Table 40: Enhanced Development Menu Items</b>				
* Eligible Greenhouse Gas Mitigation Strategy under <a href="#">17.13.3</a> : Greenhouse Gas Performance Standard.				
<b>Menu Item</b>		<b>Description</b>	<b>Points</b>	<b>Scoring Notes</b>
Energy & Building Systems: Items 1-6				
1	Green Building Certification	Achieve LEED or NGBS Silver-level certification or higher.  Identify in the Major Site Plan how the certification criteria will be achieved.	75% –100% of required points	<u>LEED or NGBS Silver:</u>  75% of required points  25% of points must be from EDM items that are distinct from strategies used for certification purposes  <u>LEED Gold or Platinum or NGBS Gold or Emerald:</u>  100% of required points
2	Renewable electricity production* (on-site installation)	Provide on-site renewable electricity (solar photovoltaic or wind) beyond Xcel Energy's Colorado Certified Renewable Percentage to offset the project's projected electricity use by at least ten (10) percent.	20 – 38	Twenty (20) points for 10% of electricity use offset by on-site renewable sources.  An additional one (1) point per additional 5% offset, up to thirty-eight (38) points maximum.
3	Electric Battery Storage	Include on-site electric battery storage devices that are integrated into an on-site renewable solar energy system to provide power for critical loads (emergency lighting, heating, cooling, and internet access) for at least forty-eight (48) hours in the event of an extended power outage to support greater building resilience.	10	

**Table 40: Enhanced Development Menu Items**

\* Eligible Greenhouse Gas Mitigation Strategy under [17.13.3](#): Greenhouse Gas Performance Standard.

Menu Item		Description	Points	Scoring Notes
4	Renewable electricity production* (off-site subscription or community solar garden)	Procure renewable electricity (solar photovoltaic or wind) from off-site sources for electricity use beyond Xcel Energy's Colorado Certified Renewable Percentage to offset a minimum of ten (10) percent of projected electricity use.	10 – 28	Ten (10) points for 10% of electricity use offset by off-site renewable sources.  Additional one (1) point per additional 5% offset, up to twenty-eight (28) points maximum.
5	On-site renewable energy systems and design*	Provide on-site renewable energy systems (not including solar or wind electricity production) that reduce energy use intensity (EUI) by a minimum of ten (10) percent. Examples of specific technologies may include solar thermal, geothermal, and passive solar design.	10 – 28	Ten (10) points for 10% EUI reduction through energy use offset by renewable energy systems.  Additional one (1) point per additional 5% offset, up to twenty-eight (28) points maximum.  Points may be earned for either Item 5 or Item 6, but not both.
6	Building Electrification*	Use all electric space conditioning, water heating, and appliances to eliminate natural gas usage within the project.	50% of required points	Points may be earned for either Item 5 or Item 6, but not both.
Water & Landscape: Items 7-9				
7	Site Assessment	Provide a site survey and assessment report summarizing the site conditions and local context of the subject property. Include topography, hydrology, climate, vegetation, soils, human use, and human health effects. Demonstrate the relationships between these topics and indicate how the project will address or mitigate anticipated impacts in the site design.	5	Must be submitted with pre-planning application to be eligible for points.



**Table 40: Enhanced Development Menu Items**

\* Eligible Greenhouse Gas Mitigation Strategy under [17.13.3](#): Greenhouse Gas Performance Standard.

Menu Item		Description	Points	Scoring Notes
8	Pollinator-Friendly Landscaping	<p>Use a landscape architect registered in the State of Colorado to design pollinator gardens that provide food and habitat for pollinators such as bees, wasps, butterflies, and birds throughout the year. Identify species, bloom periods, and purpose of plants (e.g. nectar, larval host, etc.).</p> <p>Native species should be used whenever possible. Mixing in some annuals can help support year-round bloom time. Use environmentally sensitive and pollinator-friendly land management practices whenever possible, such as avoiding pesticides that harm pollinators, weeding out invasives, providing pollinators a water source, and allowing some leaves and hollow plant stems six to eight (6-8) inches above the ground over winter to remain support nesting habitat in stems and underground.</p> <p>Install interpretive signage in compliance with 17.9.2.2: Exempt Signs to identify the intentional pollinator habitat to the community.</p>	2 – 8	<p>Two (2) points per one hundred and fifty (150) contiguous square feet of pollinator-friendly landscape design.</p> <p>Maximum of eight (8) points (600 sf).</p> <p>Individual one hundred and fifty (150) square foot pollinator gardens do not have to be contiguous with each other to earn points, but each garden area must be complete with year-round food sources and habitat.</p>
9	Above-Code Water Quality	For projects not otherwise required to install stormwater drainage improvements, provide water quality capture volume in accordance with Mile High Flood District Urban Storm Drainage Criteria Manual Volume 3, utilizing site-	5, See EDM Item 27	

**Table 40: Enhanced Development Menu Items**

\* Eligible Greenhouse Gas Mitigation Strategy under [17.13.3](#): Greenhouse Gas Performance Standard.

Menu Item		Description	Points	Scoring Notes
		appropriate best management practices to be approved by the City's Public Works Dept.  For projects that are required to install stormwater drainage improvements, particularly innovative or creative drainage solutions or impactful off-site drainage improvements may be eligible for points under EDM Item 27: Innovation Option.		
Zero Waste: Items 10 & 11				
10	Recycling & Composting Services*	Provide a two-year minimum contract for both recycling and composting collection services.  An alternative waste stream may be submitted if applicant demonstrates sufficient volumes. Alternative recycled waste streams cannot be those mandated or otherwise required by other regulatory agencies unless the applicant demonstrates going above and beyond the default mandated waste management practice for regulated waste streams to keep the material at its highest and best use.	10	
11	Deconstruction	Use a deconstruction contractor instead of demolition to remove existing structures. Reuse, donate, or recycle a minimum of fifty (50) percent by weight of the materials.	5 - 20	Five (5) points per 2,500 square feet deconstructed, up to twenty (20) points.

**Table 40: Enhanced Development Menu Items**

\* Eligible Greenhouse Gas Mitigation Strategy under [17.13.3](#): Greenhouse Gas Performance Standard.

Menu Item		Description	Points	Scoring Notes
		Points for EDM Item 14: Reclaimed/Recycled Materials may include documented deconstructed materials reused on-site.		
Materials: Items 12-15				
12	Urban Heat Island Reduction	<p>Use any combination of the following measures to reduce urban heat island effects for a minimum of fifty (50) percent of the combined square footage of the roof and hardscaped area:</p> <ul style="list-style-type: none"> <li>a. Cool Roof Rating Council (CRRC) compliant roofing;</li> <li>b. A “green” (vegetated) roof;</li> <li>c. Reflective materials with minimum certified aged solar reflective index (SRI) of thirty-two (32) or greater;</li> <li>d. Open-grid pavement; and/or</li> <li>e. Shade trees with a caliper size of three (3) inches or greater.</li> </ul>	5 - 20	<p>Five (5) points for 50% of hardscaped area covered by UHI reduction measures.</p> <p>Additional three (3) points per additional 5% coverage, up to twenty (20) points maximum.</p>
13	Low-Carbon Pavement	<p>For all on-site exterior flatwork, use paving products with CO<sub>2</sub>e less than or equal to the “Achievable (Low)” category of the Carbon Leadership Forum Material Baselines Report, as amended.</p> <p>Structural uses of concrete products with CO<sub>2</sub>e less than or equal to the “Achievable (Low)” category of the Carbon Leadership Forum</p>	5, See EDM Item 27	

**Table 40: Enhanced Development Menu Items**

\* Eligible Greenhouse Gas Mitigation Strategy under [17.13.3](#): Greenhouse Gas Performance Standard.

Menu Item		Description	Points	Scoring Notes
		Material Baselines Report, as amended, may be eligible for points under EDM Item 27: Innovation Option.		
14	Reclaimed / Recycled Materials	Incorporate a minimum of ten (10) percent reclaimed and/or recycled materials into the exterior facades, open space hardscape, or other areas as determined by the Director.	8	
15	Adaptive Reuse	Repurpose existing primary buildings for new uses rather than demolishing and constructing new buildings to help preserve the urban fabric of neighborhoods. Points may be earned for either: <ul style="list-style-type: none"> <li>a. Full Building Reuse: all exterior walls are maintained as part of the proposed development; or</li> <li>b. Partial Building Reuse: a minimum of 50% of the street-facing façade of the existing primary building structure is maintained as part of the street-facing façade of the proposed development.</li> </ul>	15 - 20	Full Building Reuse: twenty (20) points Partial Building Reuse: fifteen (15) points for 50% of existing street-facing façade. Additional one (1) point for each additional 10% up to twenty (20) points (100%).
Transportation: Items 16-21				
16	Multimodal Transportation Assessment (Residential)	Identify available pedestrian, bicycle, and transit connections from the site to essential destinations (including grocery stores, parks, schools, libraries, and transit stations/bus stops) within a half (0.5) a mile radius in order to inform	2	Must be submitted with pre-planning application to be eligible for points.

**Table 40: Enhanced Development Menu Items**

\* Eligible Greenhouse Gas Mitigation Strategy under [17.13.3](#): Greenhouse Gas Performance Standard.

Menu Item		Description	Points	Scoring Notes
		wayfinding, connectivity with the existing transportation network, and other infrastructure improvements to benefit new residents.		
17	Multimodal Transportation Assessment (Non-Residential)	Identify available pedestrian, bicycle, and transit connections to the site within a half (0.5) mile radius in order to inform wayfinding, connectivity with the existing transportation network, and other infrastructure improvements or amenities to benefit employees and business patrons. Consider how people of all abilities would access the site as pedestrians, by bicycle, and by transit from the surrounding area, such as from transit stops, neighborhoods, and trails.	2	Must be submitted with pre-planning application to be eligible for points.
18	Bike Amenities	Provide a minimum of two (2) bike amenities that are available to the community, such as fix-it stations with air pumps, bicycle vending machines, bicycle parking cover, e-bike charging station, designated space for dock less bike share parking, water bottle refill stations, custom bike racks in areas of the City where a specific streetscape design package or adopted design guidelines are implemented, etc.	2 - 5	One (1) point per amenity, up to five (5) points maximum.  Must provide a minimum of two (2) amenities.
19	Public EV Charging Infrastructure*	Install publicly available Electric Vehicle Supply Equipment (EVSE) with universal connectors for designated parking spaces in addition to the EV parking minimum required in Article 8 of this	3 - 36	All points below are per publicly available EVSE installed space, and can be combined up to a maximum of thirty-six (36) points. Spaces used to earn

**Table 40: Enhanced Development Menu Items**

\* Eligible Greenhouse Gas Mitigation Strategy under [17.13.3](#): Greenhouse Gas Performance Standard.

Menu Item		Description	Points	Scoring Notes
		<p>Zoning Code. All EVSE installed spaces must meet the design standards in Article 5 and 8.</p> <p>This item is not available for EV charging as a primary use (Fueling Station – Non-Petroleum).</p>		<p>points for this item do not qualify for points in Item 20.</p> <p>Level 2 and DCFC &lt;50kW: three (3) points</p> <p>DCFC 50kW – 99kW: six (6) points</p> <p>DCFC 100kW+: nine (9) points</p>
20	Above-Code EV Charging Infrastructure*	<p>Install Electric Vehicle Supply Equipment (EVSE) with universal connectors in addition to the minimum number of EVSE installed spaces required in Article 8 of this Zoning Code. These spaces are not required to be publicly available, and may be reserved for building residents, tenants, and employees. All EVSE installed spaces must meet the applicable design standards contained in Articles 5 and 8.</p> <p>This item is not available for EV charging as a primary use (Fueling Station – Non-Petroleum).</p>	3 - 36	<p>Three (3) points per EVSE installed space in addition to the minimum requirements in Article 8, up to a maximum of thirty-six (36) points (twelve (12) additional EVSE installed spaces).</p> <p>Spaces used to earn points for this item do not qualify for points in Item 19.</p>

**Table 40: Enhanced Development Menu Items**

\* Eligible Greenhouse Gas Mitigation Strategy under [17.13.3](#): Greenhouse Gas Performance Standard.

Menu Item		Description	Points	Scoring Notes
21	Enhanced Streetscapes	<p>Provide enhanced streetscape design within Hubs and Corridors as identified in the Comprehensive Plan in support of and consistent with citywide, neighborhood, or strategic plans. Enhanced design shall include a minimum of four (4) of the following elements:</p> <ol style="list-style-type: none"> <li>Street trees in addition to any required elsewhere in this zoning code;</li> <li>Shrub/perennial beds within the tree lawn;</li> <li>Masonry seat walls;</li> <li>Pedestrian-scale lighting;</li> <li>Transit stop improvements;</li> <li>Pedestrian amenities such as trash receptacles, benches, etc.; and/or</li> <li>Placemaking features as identified in specific area plans.</li> </ol> <p>All enhanced streetscape elements shall be maintained by the property owner, unless other arrangements are made with the City at time of Site Plan approval. A revocable License Agreement with the City is required for any non-landscape elements located within the right-of-way.</p>	<p>5 – 40 +5 bonus</p>	<p>One (1) point per ten (10) linear feet of enhanced streetscape frontage.</p> <p>Minimum five (5) points (fifty (50) linear feet) required, up to a maximum of forty (40) points (four hundred (400) linear feet). At a minimum, enhanced streetscape must be installed along the entire length of the primary frontage, unless otherwise approved.</p> <p>Bonus five (5) points for implementation of a specific streetscape design package or adopted design guidelines.</p>
Community Cohesion & Public Health: Items 22-26				

**Table 40: Enhanced Development Menu Items**

\* Eligible Greenhouse Gas Mitigation Strategy under [17.13.3](#): Greenhouse Gas Performance Standard.

Menu Item	Description	Points	Scoring Notes
22 Social Connection Amenities	<p>Provide above-code amenities that support community interaction and are accessible by the general public through a parkland dedication agreement and/or public access easement. Small amenities (&lt;\$5,000) may include little free libraries, community bulletin boards, picnic tables, permanent games such as corn hole, ping pong, or bocce, etc.</p> <p>Medium amenities (approx. \$5,000 - \$30,000) may include outdoor exercise equipment, small shade structures, benches, water bottle filling stations, play elements such as musical instruments and game tables, small dog runs, etc.</p> <p>Large amenities (approx. \$ 30,000+) may include trail connections, large shelters, playground equipment, sport courts, nature play elements, plazas/open lawn areas, dog parks, etc.</p> <p>All social connection amenities shall be maintained by the property owner, unless other arrangements are made with the City at time of Site Plan approval. A revocable License Agreement with the City is required for any amenities located within the right-of-way.</p>	2 - 20	<p>One (1) point per small amenity Two (2) points per medium amenity Five (5) points per large amenity</p> <p>Must earn a minimum of two (2) points, up to a maximum of twenty (20) points.</p> <p>Developments over one hundred thousand (100,000) sf must earn a minimum of five (5) points if this item is selected.</p> <p>Where a proposed amenity does not clearly fit within one of the suggested categories, the Director shall determine the appropriate category (small, medium, or large) of the proposed amenity.</p>



**Table 40: Enhanced Development Menu Items**

\* Eligible Greenhouse Gas Mitigation Strategy under [17.13.3](#): Greenhouse Gas Performance Standard.

Menu Item		Description	Points	Scoring Notes
		Other public recreation amenities may also be considered under Item 27: Innovation Option in collaboration with Community Resources staff.		
23	Public Art	<p>The City's Public Art Plan encourages public art in private development projects to support placemaking and economic development. In coordination with the City's Arts Programming Curator, use the Public Art Plan Guidelines &amp; Process Manual to provide art that is permanent and viewable/accessible from public or semi-public areas, and plan for the acquisition of public art during the development process.</p> <p>Approximate size and medium of art must be indicated on the major site plan. Artwork installation must be completed prior to issuance of a Certificate of Occupancy.</p> <p>All public art shall be maintained by the property owner, unless other arrangements are made with the City at time of Site Plan approval. A revocable License Agreement with the City is required for any art located within the right-of-way.</p>	<p>3 – 35 +3 – 5 bonus</p>	<p>Points shall be awarded based on the art budget (inclusive of artist fees, materials, and installation) as shown below:</p> <p>\$10,000: six (6) points \$15,000: ten (10) points \$25,000: fifteen (15) points \$50,000: twenty (20) points \$100,000: twenty-five (25) points \$150,000: thirty-five (35) points</p> <p>Bonus points (shall not be combined):</p> <p>+3 within designated arts or creative districts.</p> <p>+5 adjacent to the ArtLine (unless required by 40 West ArtLine Design Standards and Guidelines).</p> <p>+5 in an art desert as identified in the Public Art Plan and in consultation with the City's Arts Programming Curator.</p> <p>Developments over one hundred thousand (100,000) sf must earn a</p>

**Table 40: Enhanced Development Menu Items**

\* Eligible Greenhouse Gas Mitigation Strategy under [17.13.3](#): Greenhouse Gas Performance Standard.

Menu Item		Description	Points	Scoring Notes
				minimum of fifteen (15) points if this item is selected.
24	Adaptability / Universal Design	Provide a minimum of fifteen (15) percent of housing units with universal design features to accommodate people of all ages and ability levels in addition to the minimum number of accessible units required by law.	5	
25	Community Garden (public or private)	<p>Use a landscape architect registered in the State of Colorado to design community-serving food plots for vegetable gardens and fruit trees to foster local food production for a minimum of ten (10) percent of multifamily units (or commercial equivalent).</p> <p>Plots shall be a minimum of twenty (20) sf each and in a location that is easily accessible, of appropriate slope, and receives a minimum of six (6) hours of direct sunlight during the growing season. Plots shall contain appropriate soil for food production and an available water source for irrigation.</p>	15	
26	Neighborhood Meeting	Before submission of a major site plan application, host a neighborhood meeting in accordance with 17.2.2.2.A: Neighborhood Meeting to encourage dialogue between the	2 -20	<p>Two (2) points for projects up to twenty thousand (20,000) sf.</p> <p>Five (5) points for projects twenty thousand (20,000) sf or greater.</p>

**Table 40: Enhanced Development Menu Items**

\* Eligible Greenhouse Gas Mitigation Strategy under [17.13.3](#): Greenhouse Gas Performance Standard.

Menu Item		Description	Points	Scoring Notes
		<p>developer and the broader community with the goal of finding opportunities to create mutually beneficial amenities, programs, or experiences to add to development projects, and innovative ways to support the City's Comprehensive Plan goals.</p> <p>Projects otherwise required to have a neighborhood meeting for the Major Site Plan are not eligible for this item.</p> <p>Amenities or features suggested by the community that are not part of any other EDM item may be considered through Item 27: Innovation Option.</p>		<p>Additional one (1) point for each EDM item incorporated based on feedback received at the neighborhood meeting, up to twenty (20) points maximum or one third (1/3) of total points, whichever is least.</p> <p>Must be completed prior to Major Site Plan application to be eligible for points.</p>
Other: Item 27				
27	Innovation Option	Provide enhanced amenities that are in addition to other Zoning Code requirements and approved by the Director or Planning Commission.	2 - 150	Two to fourteen (2-14) points may be approved by the Director; projects requesting fifteen (15) or more points must be approved by Planning Commission.

### 17.13.3: Greenhouse Gas Emissions Performance Standard

#### 17.13.3.1: Purpose and Intent

The Greenhouse Gas Mitigation Program (GHGMP) is intended to ensure all new development, including low-form residential, is aligned with the City's climate goals and Science-Based Targets to help the community do its part to meet climate commitments by preventing excess GHG emissions.

#### 17.13.3.2: Applicability

- A. All new development, including residential dwelling units, and all remodels, alterations, and additions requiring a major site plan application, shall comply with the standards of this Section. A fee-in-lieu of compliance will be available where full compliance is impractical or infeasible or where preferred by the applicant.
- B. These standards do not apply to remodels, alterations, and additions to existing one (1) and two (2) unit residential dwellings, unless new dwelling units are created. This shall not be interpreted to exclude complete reconstruction (scrape and rebuild) from compliance with the GHGMP.

#### 17.13.3.3: Performance Standards

- A. **Residential Uses.** All new residential development shall demonstrate projected annual GHG emissions not to exceed the Performance Standard, which is the maximum permitted annual amount of GHG emissions, calculated using the following formula:

$$\text{Residential Performance Standard} = \text{Target Emissions Per Capita} \times \text{Projected Residents}$$

1. Target Emissions per Capita equals the sum of emissions from residential energy, residential waste, and transportation as reported in the City's most recent GHG inventory, divided by the City's population for the year of the inventory, and then multiplied by the reduction value needed to meet the City's climate commitments (Emissions Reduction Factor as defined in Article 14). Current commitments are published in the Article 13 Technical Manual and updated as needed in accordance [17.13.1.2:](#)

$$\text{Target Emissions per Capita} = (\text{Emissions from: Residential Energy} + \text{Residential Waste} + \text{Transportation}) / \text{Citywide Population} \times \text{Emissions Reduction Factor}$$

2. Projected Residents is determined based on the average number of individuals per dwelling unit by number of units in a residential building as calculated from the most recent available Census Bureau data.

- B. **Non-Residential Uses.** All new non-residential development shall demonstrate projected annual GHG emissions not to exceed the Performance Standard, which is the maximum permitted annual GHG emissions, calculated using the following formula:

$$\text{Non-Residential Performance Standard} = \text{Target Emissions Per Square Foot} \times \text{Proposed Gross Floor Area}$$

Target Emissions per Square Foot equals the sum of emissions from non-residential energy and non-residential waste as reported in the City's most recent GHG inventory, divided by the total citywide non-residential square footage of the year of the inventory as determined from Jefferson County Assessor's data, and then multiplied by the percentage reduction needed to meet the City's climate commitments (Emissions Reduction Factor).

$$\text{Target Emissions per Square Foot} = ((\text{Emissions from Non-Residential Energy} + \text{Emissions from Non-Residential Waste}) / \text{Citywide Non-Residential Square Footage}) \times \text{Emissions Reduction Factor}$$

- C. **Mixed-Uses.** Developments with a mix of residential and non-residential uses shall demonstrate projected annual GHG emissions not to exceed the total Performance Standard calculated as shown in [17.13.3.3:A](#) and [17.13.3.3:B](#) for the respective square footages of the residential and non-residential portions of the building(s).

#### 17.13.3.4: Baseline Projected Emissions

Applicants shall submit the City's GHG Emissions Worksheet with development and/or building permit applications. This worksheet will determine the projected annual emissions (Baseline Projected Emissions) for the size and type of development assuming no mitigation efforts are made, based on the latest available data and methods published in the Article 13 Technical Manual and updated as needed in accordance with [17.13.1.2](#):

- A. **Residential Uses.** Baseline Projected Emissions for each residential development shall be calculated for the residential energy, residential waste, and transportation sectors using the methods published in the Article 13 Technical Manual and updated as needed in accordance with [17.13.1.2](#). Projected emissions from the transportation sector are reduced by twenty (20) percent for residential developments within Transit context zone districts and for age-restricted communities.

- B. **Non-Residential Uses.** Baseline Projected Emissions for each non-residential development shall be calculated for the non-residential energy and non-residential waste sectors using the methods published in the Article 13 Technical Manual and updated as needed in accordance with [17.13.1.2](#).

#### 17.13.3.5: Compliance

- A. If the Baseline Projected Emissions calculated pursuant to [17.13.3.4](#) is less than the Performance Standard established in [17.13.3.3](#), then the proposed development is compliant, and no further action is needed.
- B. If the Baseline Projected Emissions exceeds the Performance Standard, Final Projected Emissions must be calculated in accordance with the following formula:

$$\text{Final Projected Emissions} = \text{Baseline Projected Emissions} - \text{Mitigated Emissions}$$

*OR*

$$\text{Final Projected Emissions} = \text{Energy Model}$$

1. ~~At least one (1) Mitigation Strategy must be included and/or an approved Energy Model may be submitted as an alternative method of demonstrating the residential or non-residential energy portion of the Final Projected Emissions. Compliance is achieved when the Final Projected Emissions meets the Performance Standard or when a fee in lieu is paid for the difference between the Final Projected Emissions and the Performance Standard. When an alternative method (such as a building energy model or Home Energy Rating Systems (HERS) rating) is submitted to demonstrate Final Projected Emissions, such modeling shall conform to International Energy Conservation Code (IECC) or American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) standards or industry equivalents as approved by the Director.~~
2. Mitigation Strategies. Implement approved emission reduction strategies identified in the Article 13 Technical Manual to reduce Baseline Projected Emissions such that the Final Projected Emissions meets the Performance Standard. Applicants submit their proposed mitigation strategies using the GHG Emissions Worksheet and identify such strategies on the applicable site plan and building permit documents. Identified mitigation strategies include one or more of the following:
  - a. EDM Items [2 or 3](#) ~~3-4~~: Renewable Electricity Production (on-site installation or off-site subscription).
  - b. EDM Item 5: On-Site Renewable Energy Systems and Design (not including electricity production).

- c. EDM Item 6: Building Electrification.
  - d. EDM Item [10 42](#): Recycling and Composting Services.
  - e. EDM Item [19 24](#): Public EV Charging Infrastructure.
  - f. EDM Item [22 20](#): Above-code EV Charging Infrastructure (may be private spaces).
  - g. Mitigation Innovation Option: alternative strategies that demonstrate reduced GHG emissions as compared to the baseline projected emissions.
3. Fee-in-Lieu. After including at least one (1) mitigation strategy listed above and/or submitting an approved energy model, applicants may pay a fee-in-lieu of compliance prior to building permit issuance equivalent to ten (10) cumulative years' worth of annual emissions exceeding the Performance Standard in accordance with the following formula:

$$\text{Fee In Lieu} = ((\text{Final Projected Emissions} - \text{Performance Standard}) \times 10 \text{ years}) \times \text{Social Cost of Carbon}$$

- a. An Electrical Grid Discount Factor, which accounts for anticipated changes to the electrical grid mix, is applied only to the Final Projected Emissions from electricity. It is determined based on the most recent available Xcel Energy Community Report and Xcel Energy's most recently adopted carbon emissions reduction goals. The current Electrical Grid Discount Factor is published in the Article 13 Technical Manual and updated as needed in accordance with [17.13.1.2](#).
- b. The Social Cost of Carbon is the estimated value of economic damages resulting from one (1) ton of GHG emissions, including increased risk of infrastructure and property damage due to natural disasters, and impacts on human health, agricultural productivity, and ecosystem health. This value is determined based on state and federal guidance and published in the Article 13 Technical Manual and updated as needed in accordance with [17.13.1.2](#). In no case shall the Social Cost of Carbon be less than seventy-six (76) dollars per metric ton of carbon dioxide emissions equivalence (CO<sub>2</sub>e).
- c. Fees-in-lieu collected by the City shall be used solely to offset the cost to the City to provide the Climate Protection & Sustainability program, as described in [17.13.5](#), which will fund programs and projects within the City to reduce the community's overall GHG emissions, adapt to changing climate conditions, and support related workforce and technology innovations.

~~4. Applicants may use a combination of mitigation strategies to reduce a development's projected emissions and pay a fee in lieu for any remaining emissions still exceeding the Performance Standard.~~

#### **17.13.4: Construction & Demolition Waste Recycling**

##### **17.13.4.1: Purpose and Intent**

The Construction & Demolition (C&D) Waste Recycling Supplemental Standards are intended to achieve reduction and/or recycling of debris generated by construction and demolition projects, thereby diverting debris from area landfills, reducing environmental impacts, and advancing the City's waste diversion goals. Additionally, these standards support compliance with construction and demolition waste recycling requirements set forth in Title 14 of the Lakewood Municipal Code.

##### **17.13.4.2: Applicability**

The standards in this Section shall apply to demolition of all structures and any development project that must also comply with [17.13.2](#). Upon six (6) months written notice posted on the City's website, the Director may expand applicability of [17.13.4](#) to any project that is subject to the construction and demolition recycling standards set forth in Title 14 of the Lakewood Municipal Code.

##### **17.13.4.3: Waste Management Plan Requirements**

Prior to issuance of a building or demolition permit, the applicant shall submit and receive approval of a waste management plan, which shall contain, at a minimum, the following information:

- A. Designated project manager for the construction and demolition waste management plan.
- B. Acknowledgment of all Required Materials as defined in Article 14 to be donated, reused, or recycled as set forth in Title 14 of the Lakewood Municipal Code, and the identification of the specific Required Materials that will be generated by the project.
- C. Collection and disposal strategy for all Required Materials and landfilled waste including.
  - 1. The method of collection.
  - 2. Waste hauler(s).
  - 3. Selection of disposal, recycling, and/or reuse facilities.
- D. Compliance tracking and reporting strategy.



#### **17.13.4.4: Performance Security Deposit**

- A. For applicable projects, the applicant shall post a performance security deposit prior to issuance of a building or demolition permit in accordance with the following:
  - 1. **New construction, additions, and remodels.** One (1) dollar per square foot of interior building space, with a maximum performance security deposit of one hundred thousand (100,000) dollars.
  - 2. **Demolition projects:** One (1) dollar per square foot for the area of disturbance as identified in the permit application, including any parking areas to be removed, with a maximum performance security deposit of one hundred thousand (100,000) dollars.
- B. The form of the performance security deposit shall be cash, check, or letter of credit and shall meet the requirements identified in Lakewood Municipal Code 14.13.080(A).

#### **17.13.4.5: Performance Security Deposit Refund and Forfeiture**

Any project required to submit a waste management plan or performance security deposit shall submit documentation of diversion compliance for final review within sixty (60) days of issuance of a certificate of completion (for demolition projects) or the last certificate of occupancy (for construction projects).

- A. Documentation shall demonstrate that the diversion requirements for the project have been satisfied and shall include the following:
  - 1. A copy of the approved Comprehensive Waste Management Plan;
  - 2. Individual weight tickets from the vendor or facility that received each Required Material clearly listing the type of material that was recycled, reused, or landfilled and the actual volume or weight of that material;
  - 3. Weight tickets for all landfill disposal;
  - 4. Receipts from donation or sale of materials for reuse to a third party; and
  - 5. Narrative and photographic documentation of the applicant's reuse/salvage activities not accounted for with receipts or weight tickets.
- B. Upon receipt of the diversion documentation, the City will have sixty (60) days to confirm that the diversion requirements have been met and, if met, will release the applicant's performance security deposit or a portion thereof.

- C. The performance security deposit will be refunded according to the following schedule, based on how well the project met the diversion requirements identified in the waste management plan, and the completeness of the diversion documentation submitted:
  - 1. Full compliance with documentation equates to one hundred percent (100%) refund of the performance security bond.
  - 2. Partial compliance with documentation equates to a prorated refund of the performance security bond based on the percentage of Required Materials documented and recovered through reuse or recycling as compared to the number of Required Materials identified in the waste management plan. The City may also conduct on-site inspections to verify compliance and may prorate the refund based on the results of the inspection.
  - 3. Non-compliance or incomplete documentation equates to no refund of the performance security bond.
- D. If an applicant fails to submit diversion documentation within the required sixty (60) day reporting period, the entire performance security deposit will be forfeited.
- E. Any fully or partially forfeited deposits shall be directed to the Climate Protection & Sustainability Program as described [17.13.5](#): to promote waste diversion, material recovery and reuse, and related projects and programs.

## **17.13.5: Climate Protection & Sustainability Program and Fund**

### **17.13.5.1: Purpose and Intent**

The Climate Protection & Sustainability Program (the “Program”) is intended to offset the impacts of development and climate change on the community. Using funds from the Climate Protection & Sustainability Fund herein established (Fund), the Program will engage in projects that reduce the community’s overall GHG emissions and build a climate resilient community through a lens of environmental justice and equity for our most underserved populations and historically marginalized communities.

### **17.13.5.2: Program and Fund Established; Authorizations**

- A. The Program is hereby established for the purposes set forth in this Article.
- B. The Fund is hereby established to retain and expend fees-in-lieu collected through the EDM and GHGMP, and to hold performance security deposits related to the C&D waste recycling supplemental standards and expend monies forfeited pursuant to [17.13.4.5](#):

1. Fund monies shall be tracked separately by their source and, except as expressly provided herein, shall be expended solely on programs and projects within the following “Program Areas”:
  - a. EDM fees-in-lieu: sustainable built environment.
  - b. GHGMP fees-in-lieu: emissions reduction and adaptation.
  - c. C&D deposits forfeited pursuant to [17.13.4.5](#): waste diversion, material recovery and reuse.
2. Fund monies from more than one (1) source may be expended on programs or projects that span multiple Program Areas.
3. Fund monies may also be used to support administration of the Program.

**17.13.5.3: Administration**

- A. Fund monies shall be appropriated annually through the City’s budgeting process, solely to pay for programs and projects in accordance with [17.13.5](#):
- B. The Program shall be administered by the Sustainability, Climate, and Zero Waste Division, with approval by the Director of Sustainability and Community Development.
- C. All funds deposited into the Climate Protection and Sustainability Program Fund, and any interest earned on said funds, shall not revert to the unrestricted fund balance of the City’s General Fund at any time and shall only be used to further the goals of climate protection and sustainability.