

O-2023-19

AN ORDINANCE

AN ORDINANCE AMENDING TITLE 17, ARTICLE 3, SECTION 5, TITLE 17, ARTICLE 4, SECTIONS 2 AND 3, TITLE 17, ARTICLE 5, SECTION 4, AND TITLE 17, ARTICLE 9, SECTION 4, ALL IN RELATION TO ESTABLISHING A COMMERCIAL LIMITED ZONE DISTRICT

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 including zoning and land use matters;

WHEREAS, City staff in the Planning Department requested an amendment to the Lakewood Zoning Ordinance creating a new zone district--Commercial Limited (C-L), and prepared a report of its recommendations for review by the Planning Commission and City Council;

WHEREAS, the Planning Commission previously reviewed the proposed zone district during a study session on November 30, 2022;

WHEREAS, in accordance with the Lakewood Zoning Ordinance 17.2.3.4(A), the Planning Commission did review the proposed amendments and the recommendation of City staff and held a public hearing on March 15, 2023 for public comment and review upon the proposed amendments;

WHEREAS, in accordance with the Lakewood Zoning Ordinance 17.2.3.5(D), at their meeting of March 15, 2023, the Planning Commission did vote to recommend to the City Council the approval of the proposed amendments;

WHEREAS, in accordance with the Lakewood Zoning Ordinance 17.2.3.5(E), the City Council did review the proposed amendments and the recommendations of both City staff and the Planning Commission, and held a public hearing on May 8, 2023 for public comment and review upon the proposed amendments;

WHEREAS, in accordance with the Lakewood Zoning Ordinance 17.2.3.5(E), at their meeting of May 8, 2023 the City Council did find that the proposed amendments to the Lakewood Zoning Ordinance to establish a new zone district, consistent with the adopted Comprehensive Plan, and the amendment is necessary to promote the public health safety or welfare of the community; 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 Lakewood Zoning Ordinance 17.2.3.3(B), the City Council finds and determines the following matters regarding the amendments proposed herein:

- A. The request to create a new zone district is necessary based upon City staff review and evaluation of the Lakewood Zoning Ordinance;

- B. The legislative zoning affects a large number of properties, and the proposed new zone district is not applicable only to a specific individual or readily identifiable group;
- C. The legislative zoning 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. It would be inefficient, cumbersome, and unduly burdensome on the resources of the City to rezone the potentially affected properties in a quasi-judicial manner on a site-by-site basis;
- E. The proposed legislative zoning promotes the purposes of the Lakewood Zoning Ordinance as stated in Section 17.1.2 in that it ensures the economic vitality of the City and the effective integration of development and redevelopment with surrounding land uses;
- F. The proposed legislative zoning promotes implementation of the Comprehensive Plan by establishing a district of light commercial land uses that are compatible with and intended to serve nearby residential neighborhoods;
- G. All other notification and posting requirements have been satisfied; and
- H. The Planning Commission has recommended Ordinance 2023-19 for approval by the City Council.

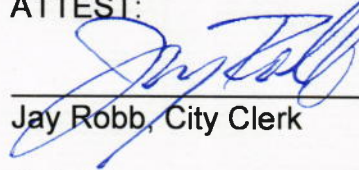
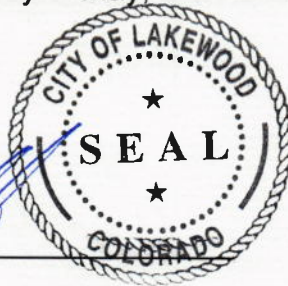
SECTION 2. Based upon the findings as set forth in Section 1 above the City Council of the City of Lakewood hereby approves amending the Zoning Ordinance in accordance with Exhibit A which is attached hereto and made part hereof.

SECTION 3. This Ordinance shall take effect thirty (30) days after final publication.

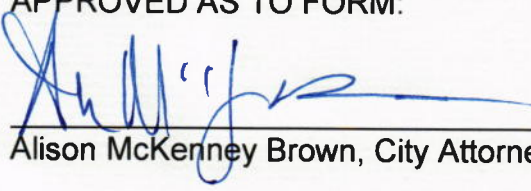
SECTION 4. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the 24th day of April, 2023; 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 April, 2023; set for public hearing to be held on the 8th day of May, 2023, read, finally passed and adopted by the City Council on the 8th day of May, 2023 and, signed by the Mayor on the 9th day of May, 2023.

ATTEST:


Jay Robb, City Clerk
Adam Paul, Mayor

APPROVED AS TO FORM:


Alison McKenney Brown, City Attorney