Law & Accounting

Lakewood votes on zoning changes in special election



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On April 7, residents of the city of Lakewood will have the opportunity to vote on a suite of changes to the city's zoning code. The outcome of the election is likely to shape the long-term development in the city because, if approved, the new zoning code increases the permitted residential densities across large parts of the city.

■ **Changes to Lakewood's zoning code.** Between Aug. 28, 2025, and Oct. 13, 2025, the Lakewood City Council passed a series of ordinances to overhaul the city's zoning code, including Ordinance 2025-27, Ordinance 2025-28, Ordinance 2025-29 and Ordinance 2025-30. These ordinances represent a comprehensive update of the city's zoning code in part in response to a shortage of housing across Colorado. Proponents of the changes believe that permitting higher levels of density throughout the city could spur the development of "missing middle" housing to promote housing affordability. Opponents believe the new zoning code will bring density that city services may not be able to support and will not actually result in lower home prices.

The updated zoning code includes significant changes, including:

• *Collapsing the various kinds of housing under the previous version of the zoning code into one "residential dwelling" category.* This definition includes but is not limited to "single-family homes, duplexes, triplexes, fourplexes, attached homes, multifamily buildings, group housing, emergency shelters, etc." Lakewood Municipal Code ("LMC") § 17.14.12. Residential dwelling is permitted in all Residential Zone Districts (although residential dimensional standards apply) and all Mixed-Use Zone Districts. LMC § 17.4.2.

• *Allowing more dwelling* units per lot. In 2026, a single building on an R-L zone lot that will contain four or more units will require a special-use permit. This provision sunsets on Jan. 1, 2027, at which point only the building and design standards will limit the number of units permitted on a particular lot. See LMC Table 4; LMC § 17.5.2.1.

• *Promoting the reuse of existing structures for residential uses.* Section 17.4.1.4 provides that "structures or buildings existing prior to the adoption of this zoning code may be converted to fully residential use regardless of building size or use table permissions."

• *Allowing retail in residential areas*. Small retail shops, no larger than 750 square feet, are now permitted. These shops will have limited operating hours and may not permit parking in front of the structure. LMC § 17.4.2; LMC § 17.4.3.1:Z.

• *Setting a maximum size for residential homes*. The maximum gross floor area for one- and two-unit buildings is 4,000 sf. For three units or more on a single lot, the maximum gross floor area is 5,000 sf. LMC § 17.5.2.1.

• *Setting new minimum sizes for new lots, ranging from 1,500 to 7,000 sf.* LMC, Table 4; LMC § 17.5.2.1.

• *Increasing open space requirements*. See LMC §17.5.3.1 (for mixed use); LMC § 17.5.2.1 (for residential development).

■ **Referendum.** Following the passage of the updated zoning code, opponents of these changes organized a series of petitions calling for a referendum. Local news reported that the leaders of this referendum push collected more than 10,000 signatures. A protest was filed against the referendum on Nov. 25, 2025, and a hearing was held to determine the validity of the referendum petitions on Dec. 19, 2025. The hearing officer determined that the petitions met all the legal sufficiency requirements in conformance with LMC § 2.52.150 and C.R.S. § 31-11-110(3) to challenge all four ordinances.

Section 13.2(e) of the city's charter allows City Council two options following a successful referendum petition: (1) City Council may repeal the ordinance itself; or (2) City Council may put the ordinance to a vote of the registered electors in a special election. On Jan. 27, 2026, City Council voted to send all four ordinances for consideration by the registered electors in a special election.

■ **Special election.** On April 7, city residents will consider whether to repeal the ordinances that are the culmination of a multiyear effort to reform the city's zoning code.

Because the City Council adopted changes to the city's zoning code in a series of four separate ordinances, the special election ballot will contain four separate questions, each of which could repeal or leave in place the portion of the zoning code that the corresponding ordinance approved.

• Question 1 concerns Articles 6 through 14 of Title 17 of the Lakewood Municipal Code, which cover: residential building and site design standards; institutional, mixed-use, commercial and light-industrial building and site design; parking and loading standards; sign standards; wireless services and communications; historic preservation; nonconformities; sustainable development; and definitions and interpretations.

• Question 2 concerns Articles, 1, 2, 4, and 5 of Title 17 of the Lakewood Municipal Code, which involve purpose and intent of the code; procedures and appeals; use and supplemental standards; and dimensional and developmental standards.

• Question 3 concerns Article 3 of Title 17 of the Lakewood Municipal Code, which establishes new zone districts.

• Question 4 concerns the zoning map, which controls the zoning of properties throughout the city and effectively rezones the city to correspond with the zone districts established by the ordinance at issue in Question 3.

A "yes" vote is a vote against the new zoning changes and repeals the ordinance.

A "no" vote is a vote in favor of the new zoning changes and will maintain the changes in each particular ordinance that were previously approved by City Council.

■ **Legal uncertainty ahead.** While the most likely outcome is that all four measures pass or fail collectively, there is some uncertainty around what would occur if, for example, Question 3, which establishes new zone districts,

Please see **De Santis,** *Page 50*





De Santis

Continued from Page 32

were to pass, thereby repealing the sections of the zoning code defining the zone districts, but Question 4, which establishes the zoning map and shows the location of said zone districts, were to fail, keeping the map in place. Legally, the zoning map would be in effect but functionally without any definitions to inform the application of the map. This could lead to a period of legal uncertainty where what is and is not allowed on a particular property could functionally be undefined, which could stall all development in the city, at least until the City Council could act.

Moreover, if city residents vote yes on all four measures and repeal the latest suite of ordinances, the city likely cannot simply return to its pre-existing zoning code. The state Legislature has passed several laws that require even home rule municipalities like the city to comply with certain new zoning measures. For example, HB 24-1007 prohibits local governments from regulating occupancy limits based on familial relationship. Likewise, HB 24-1304 changes what parking requirements local governments can enforce in "transit service areas." Accordingly, the city will likely need to account for these and other new state laws related to land use. If city residents reject the updated zoning code, City Council will have to go back to the drawing board and attempt to craft a zoning code that both satisfies state law requirements and the electorate.

You can read more about the changes to Lakewood's zoning code here.

You can find more information about the special election, including details about how and where to vote here. ▲

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Continued from Page 34

tricity demand continues rising and power markets evolve, building owners will increasingly face decisions about how to secure reliable and cost-effective energy for their properties.

For investors who act early, energy infrastructure can help stabilize operating costs, improve asset resilience and create long-term value. For those who wait, rising electricity prices may gradually erode the economics of otherwise strong real estate investments.

Either way, energy is no longer a peripheral issue in real estate. It is quickly becoming a core financial consideration for property owners and investors.▲

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Design

Continued from Page 49

the Design Workshop Foundation, which is based in Denver, to bring national best practices and innovative planning strategies to Front Range communities, while remaining deeply grounded in local context.

The collaborative process emphasizes equity, resilience, and inclusivity principles increasingly central to both public-sector planning and private-sector development. By centering community voices and local knowledge, the program helps ensure that proposed projects reflect authentic needs rather than top-down assumptions.

Program Timeline and Selection

Finalists for the 2026 Community Capacity Building Program may be invited to participate in a virtual interview in May. Project work will begin immediately following selection and will conclude by September 2026, aligning with many organizations' budget and planning cycles.

Applications are available on the Design Workshop Foundation website (designworkshopfoundation.org), and organizations are encouraged to apply with project concepts that would benefit from technical refinement, stakeholder engagement, or strategic direction.

Implications for the Front Range Development Community

While the program is designed specifically for nonprofits and community organizations, its ripple effects extend throughout the real estate and development landscape. Well-conceived community plans often lay the groundwork for future public investments, public-private partnerships, and development opportunities that are more responsive to community goals.

As Front Range communities navigate growth, climate adaptation, and evolving expectations around public space and placemaking, initiatives like the Design Workshop Foundation's Community Capacity Building Program play a crucial role in aligning development with long-term community value.

For real estate professionals, planners, and civic leaders alike, the program underscores the importance of early collaboration, thoughtful design, and community engagement as essential components of successful, and sustainable development. ▲



