

AGENDA
STUDY SESSION MEETING OF THE CITY COUNCIL
480 S. ALLISON PARKWAY
CITY OF LAKEWOOD, COLORADO
VIRTUAL MEETING
APRIL 15, 2024
7:00 PM

To watch the Council meeting live, please use either one of the following links:
City of Lakewood Website: [Lakewood.org/CouncilVideos](https://lakewood.org/CouncilVideos)
Lakewood Speaks: Lakewoodspeaks.org

The City of Lakewood does not discriminate on the basis of race, age, national origin, color, creed, religion, sex, sexual orientation or disability in the provision of services. People with disabilities needing reasonable accommodation to attend or participate in a City service program, can call 303-987-7080 or TDD 303-987-7057. Please give notice as far in advance as possible so we can accommodate your request.

In accordance with City Council Policy 5.1(A), all virtual meeting participants are advised that technological issues, whether caused by the City's equipment or the user's equipment, shall not be grounds for canceling a public meeting.

How to Connect to Provide Public Comment: Online participants may post written comments of any length to LakewoodSpeaks.org, an online forum for public comments.

ITEM 1 – CALL TO ORDER

ITEM 2 – ROLL CALL

ITEM 3 – PRESENTATION - COLD WEATHER SHELTER UPDATE

**ITEM 4 – PRESENTATION - PROPOSED MODIFICATIONS REGARDING
PARKLAND DEDICATION AND IMPROVEMENT FEES IN LIEU**

ITEM 5 – COMMITTEE REPORTS

ITEM 6 – ADJOURNMENT

STAFF MEMO

DATE OF MEETING: APRIL 15, 2024 / AGENDA ITEM NO. 3

To: Mayor and City Council
From: Benjamin Goldstein, Deputy City Manager
Subject: **COLD WEATHER SHELTER UPDATE**

SUMMARY STATEMENT: On January 8, 2024, City Council approved a request by two members to hold a study session on Lakewood's efforts to support the unhoused during cold weather events. This request identified three primary questions which are addressed below and will be further addressed during staff's presentation on April 15. No City Council action is required for this item.

BACKGROUND INFORMATION: The City of Lakewood and this City Council should be proud of all that has been accomplished during the last two cold weather seasons and in particular with what was done during the January 2024 cold snap. Sheltering the unhoused is a new service that has not been previously provided by the city and remains a work in progress. The city is still in a transition as it works toward a fully operational navigation center with a purpose-built shelter. That said, Lakewood is leading the way among all its peers and should be looked at differently than somewhere like Denver as it is not a City/County and has not historically provided these types of services.

Over the past year, Lakewood has sheltered over 1,000 individuals who were experiencing homelessness during an extreme weather event. These individuals were not only provided with a safe place to stay and food, but also access to supportive services to help them out of homelessness. The City of Lakewood's approach to homelessness is based on evidence and goes beyond just providing temporary housing. These services will ultimately be provided through a regional navigation center, which can act as a one stop shop for those looking for support in finding permanent housing.

The three questions that City Council identified are briefly outlined below and in greater detail in the attached Mid-Season Report:

How does Lakewood's Extreme Weather Shelter get activated?

Like many other shelters in the area, Lakewood uses a temperature threshold of 20 degrees for activation. Precipitation is not used as a threshold because it is harder to predict in advance and the city needs to provide 48 hours of notice to our partners. Multiple staff members constantly review future forecasts for activation criteria. It is worth noting that because the city is still in a transition phase, an emergency declaration is utilized to suspend city rules to allow for the shelter's operation.

How does the city communicate with the public when cold weather shelters are activated?

Because this is a new service for the city, there have been many learning opportunities and communicating with those in need has been no exception. The city recently launched a new website Lakewood.org/shelter, which now serves as a one stop shop for those seeking information about services for the unhoused. This website also prominently displays the shelter's status. Staff has dramatically increased the use of social media to help communicate with residents and sends out an "activation alert" to community partners who also serve these residents. Signage has also been installed at the shelter location noting the status for that evening. In addition to all the means of communication previously noted, Lakewood's Homeless Navigators and Community Action Team Agents (CAT) continue to utilize direct communication with individuals experiencing homelessness. In

some cases, this even involves voluntary transportation to the shelter.

What are the plans for the future?

Ultimately the city is working toward a regional navigation center, which would include a purpose-built space for extreme weather sheltering. At the February 12, 2024 meeting, City Council authorized the acceptance of a grant from the Colorado Department of Local Affairs totaling approximately \$9.5 million. These funds will be used for the acquisition, renovation, and operation of the navigation center.

BUDGETARY IMPACTS: There is no budget impact associated with this presentation.

STAFF RECOMMENDATIONS: Staff does not have a recommendation associated with this presentation.

ALTERNATIVES: City Council could choose not to hear the presentation or to delay it until a future meeting.

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council.

NEXT STEPS: In the near future, staff anticipates providing a broader update for City Council and the community regarding all aspects of the city's efforts to meet the needs of the unhoused.

ATTACHMENTS: 1. Cold Weather Sheltering Mid-Season Report 02-16-2024

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney

STAFF REPORT

To: Mayor and City Council
From: Benjamin B. Goldstein, Deputy City Manager
Subject: **Cold Weather Sheltering Mid-Season Report**

On January 8, 2024, Lakewood City Council approved a request by two members to hold a study session on Lakewood's efforts to support those who are unhoused during cold weather events. A report was scheduled to be provided during the February 12, 2024, study session, but due to a variety of factors it had to be delayed. The study session is expected to be rescheduled for mid-April, thus allowing for a more thorough review of this winter's cold weather sheltering. In the interim, staff has prepared the following mid-season report for City Council's review and consideration.

Staff encourages City Council to reach out with any questions, which will be compiled and responded to via a supplemental document, as has been done in the past during the annual budget process. This report and the supplemental document will be posted on the city's webpage at [Lakewood.org/shelter](https://lakewood.org/shelter).

This report first addresses the three primary questions that were identified by City Council at the January 8 meeting, and then delves deeper into the operation of cold weather sheltering in Lakewood and the surrounding area.

Section I: Response to City Council Questions

The three questions that City Council identified are outlined below.

How does Lakewood's Extreme Weather Shelter get activated?

Lakewood uses a temperature threshold of 20 degrees for activation. Precipitation is not used as a threshold because it is harder to predict in advance, and the city needs to provide 48 hours of notice to our operational partners. Multiple staff members continually review forecasts for activation criteria. It is worth noting that because the city is still in a transition phase, an emergency declaration is utilized to suspend city rules to allow for the shelter's operation. This declaration has been attached for City Council's reference.

How does the city communicate with the public when cold weather shelters are activated?

As with any new service, there are opportunities for continual improvement, and communicating about the city's shelter has been no exception. The communication has been inherently challenging as operational changes were being made in real time and often during an extreme weather event. Staff have faced challenges in learning how to communicate with a segment of the population that is fundamentally difficult to reach. That said, the city has made great strides in overcoming these challenges.

The city recently launched a new webpage [Lakewood.org/shelter](https://lakewood.org/shelter), which now serves as a one-stop shop for those seeking information about services for those who are unhoused. This website also prominently displays the shelters status. Staff has dramatically increased the use of social media to help communicate with residents and sends out an "activation alert" to community partners who also serve these residents. Signage has now been installed at the shelter location noting the status of the shelter. Lakewood's homeless navigators and Community Action Team agents continue to utilize direct communication with individuals experiencing homelessness.

Year to date, the city has had 151,251 impressions and 17,072 engagements (likes, comments, link clicks, etc.) through 52 posts to date on Facebook, X/Twitter and Instagram about the shelter or other services for those who are unhoused. Five shelter activation alerts have been sent, with a sixth expected this week, and these have had an average open rate of 54 percent, which is well above the average of 28 percent for peer/similar alerts. Additionally, the new webpage [Lakewood.org/shelter](https://lakewood.org/shelter) has received 1,683 page views.

Staff will continue to refine its communication methods as the city works to inform a diverse audience about its shelter and other services for residents needing shelter.

What are the plans for the future?

As City Council and many members of the community are aware, the City of Lakewood has accepted a grant from the Colorado Department of Local Affairs (DOLA) to establish a permanent navigation center. This grant will also allow for the procurement and renovation of the space that is currently being leased by RecoveryWorks for the purpose of building shelter space. Initial plans indicate that the space could accommodate approximately 100 individuals during an overnight sheltering event, which is twice the current capacity for the Extreme Weather Shelter. Because the new space would be designed for congregate sheltering and meet all current building codes, the city would no longer have to operate under an emergency declaration. Staff have also had conversations with RecoveryWorks to ensure that the renovations also address core mechanical and facility systems, such as expanding the building's plumbing to avoid any future incidents, as outlined in Section II.

The colocation of emergency sheltering within the RecoveryWorks facility allows for the city to employ the full benefits of the navigation center model, which has been proven to be one of the most efficient ways to provide services to those experiencing homelessness. These models utilize the following strategies: motivational interviewing, progressive engagement, harm reduction and a trauma-informed, client-centered, and strengths-based lens. Services are customized, remain flexible and seek to engage residents where they are in their crisis. Ultimately, interventions facilitate pathways to safe, stable housing.

The housing navigation center model meets residents at all points on the spectrum of a housing crisis. The navigation center will provide low-barrier access to on-site housing navigation, supportive services, shelter beds, basic hygiene resources and a pathway to permanent housing. The term low-barrier means that no reservations are required, pets are allowed and other barriers to accessing a shelter have been removed. It functions as an efficient one-stop service center for those experiencing a housing crisis. The model especially engages long-term residents living unsheltered who are often fearful of accessing traditional shelters and services.

The core objectives of a navigation center include:

- Diverting people from homelessness whenever possible.
- Providing emergency shelter for the most vulnerable individuals.
- Rapidly assisting people in accessing permanent housing.
- Maintaining or establishing connections with supportive services and employment.
- Providing essential services to help residents survive homelessness.

The low-barrier model provides an opportunity for staff to engage shelter-adverse populations during the day, build relationships and take the steps to build trust necessary to engage them in services. Navigation centers benefit the greater community by saving taxpayer dollars and reducing overutilization of emergency departments, law enforcement resources, and jail space as residents can get their basic needs met at the navigation center before those needs grow into crisis.

RecoveryWorks was established in 2020 by James Ginsburg, the founder and former director of the award-winning Fort Lyon Supportive Residential Community. In 2022, RecoveryWorks was named Public Health Champion of the Year for its work serving those without housing.

Section II: Cold Weather Shelter Operations

The City of Lakewood and this City Council should be proud of all that has been accomplished during the last year and particularly with what was achieved during the mid-January 2024 cold snap. Sheltering those without housing is a new service that has not been previously provided by the city and remains a work in progress. The city is still in a transition as it works toward a fully operational navigation center with a built-in overnight shelter. That said, Lakewood is leading the way among all its peers and should be looked at differently than somewhere like

Denver, as it is not a city and county and has not historically provided these types of services or received human services funding from the state provided to counties.

Over the past year, Lakewood has sheltered over 887 individuals who were experiencing homelessness during an extreme weather event. These individuals were not only provided with a safe place to stay and food to eat, but also access to supportive services to help them out of homelessness. The City of Lakewood's approach to homelessness is evidence based and goes beyond just providing temporary housing. These services are provided through a regional navigation center, which acts as a one-stop shop for those looking for support in finding permanent housing.

History

Historically, the City of Lakewood has not provided sheltering services to those who are unhoused in a congregate setting. As the needs grew in Lakewood in recent years, however, the city continued to look for innovative solutions to support those in need. This began with the creation of the Police Department's Community Action Team (CAT), whose specially trained agents work with many residents experiencing homelessness.

In 2020, the City of Lakewood continued its leadership in innovation when it became one of the first municipalities in the region to deploy homeless navigators with the CAT in an effort to go further than just crime prevention and truly work toward finding stable housing for those experiencing homelessness. To date, the homeless navigators have successfully assisted 133 people into long-term housing and prevented 77 evictions. Information about these successes was included in the [recent edition of Looking@Lakewood](#), the printed newsletter mailed to all addresses in the city.

In 2020, the city also advanced its efforts to address some of the root causes of homelessness by integrating mental health professionals from the Jefferson Center for Mental Health into the team of CAT agents and homeless navigators. This three-pronged co-responder approach continues to be in place today and has begun to be replicated by others in the region as Lakewood continues to find success in meeting the needs of these residents.

In 2022, the city took a significant step forward with the creation of two new dedicated positions that are outside of the Police Department and focus on homelessness. These two employees work to coordinate efforts occurring throughout the organization. These employees also place an additional emphasis on coordinating with community partners and other jurisdictions who are also working to meet the needs of those who are unhoused. As a result of all this work, staff was able to launch Lakewood's first extreme weather overnight shelter on February 22, 2023, in the Whitlock Recreation Center.

These first shelter nights pushed the organization to the limit, as emergency declarations were speedily crafted to allow for such a use in facilities that were not purposely built to house a congregate shelter. It was an all-hands-on-deck effort with contracts being expedited and staff scrambling to procure sleeping pads and other essential items. In the end, the city was able to successfully shelter 41 individuals during those first two nights and learned a lot along the way.

The use of Whitlock Recreation Center for the city's first extreme weather shelter resulted in operational disruption for the regular users of that facility, thus a new location needed to be identified as the city looked toward additional nights of sheltering in the future. Many city-owned facilities were evaluated, but it was those early conversations that the new dedicated homeless positions established with community partners that ended up bringing forth the best option. RecoveryWorks, an existing community partner that was already working to help those experiencing homelessness in our community, was looking to expand its services and was willing to allow the city to operate its extreme weather overnight shelter out of its newly leased space at 8000 W. Colfax Ave. This space would still require the use of an emergency declaration because it was not designed to house a congregate shelter, but its location on Colfax was ideal.

Operational Overview

As of February 15, 2024, the city has operated its extreme weather shelter for 14 nights, some of which were well below zero. Initially the specified threshold for opening the shelter was temperatures below 10 degrees, as the extreme weather shelter was designed to operate as an overflow to other area shelters on the coldest of nights. With its location on Colfax, the city's overflow shelter quickly became the primary shelter. Staff also evaluated the temperature thresholds used by other cities in the area, which ranged from 0 degrees in Westminster to 20 degrees in Denver. In early 2024, the city decided to revise its criteria to open its shelter at 20 degrees. This change resulted in a brief transition period because the city's contracted partners needed time to staff up for the additional operational days resulting from the higher temperature threshold. Based on historical data analyzed by the city's weather service, the change from 10 to 20 degrees could result in an additional 36 days of operation annually.

Since the beginning of this effort, the city has contracted with Bayaud Enterprises to operate the shelter. Bayaud was selected because its staff is trained to work with individuals lacking housing. The nightly staff ranges from a site manager to security personnel. On a normal night of operation, seven Bayaud employees worked at the shelter. This number was recently increased when the city requested that Bayaud also provide transportation services to other shelters or area motels when the city's shelter reaches capacity.

Throughout the transition to the RecoveryWorks space over the past several months, the city has been working with West Metro Fire and the city's Building Division in the Public Works Department to identify a working capacity for the shelter. During the mid-January 2024 storm, which lasted several nights, Bayaud staff worked to accommodate as many people as possible

because of the extremely cold temperatures. This resulted in overutilization of the space and brought greater urgency to the question of identifying the correct capacity for this large space. Ultimately, after evaluating various points of egress and the availability of restroom facilities, it was determined that a capacity of 50 shall be set for the space in its current configuration.

Since the new capacity limits have been put in place, the shelter has operated for two nights, February 10 and 11. During both nights, capacity was reached, but because plans had already been put in place for Bayaud to provide transportation services to alternative locations, no individuals went without shelter. A total of 13 people were transported to other locations over the course of the two nights although this number may be significantly larger in the future, should the temperature be more extreme.

Key numbers:

People served since 2/22/2023: 887

Blankets distributed: over 800

Meals provided: nearly 2,000

Date of Operation	Individuals Served
2/22/2023	11
2/23/2023	30
1/8/2024	65
1/10/2024	55
1/11/2024	73
1/12/2024	85
1/13/2024	77
1/14/2024	88
1/15/2024	78
1/18/2024	75
1/19/2024	87
1/22/2024	63
2/10/2024	50
2/11/2024	50

Lessons Learned

Along the way many lessons have been learned, and staff expects many more will be learned in the future as the city forges ahead in uncharted territory. Some of the lessons learned are highlighted in this section.

Overflow vs. Primary

When the city initially entered the sheltering space, it did so as an overflow shelter for other area resources, namely the [Severe Weather Shelter Network](#) (SWSN). Thus, the city utilized a lower temperature threshold, focusing on meeting the needs of those without shelter during the most extreme nights. The city had no interest in providing duplicative services to the SWSN, as Lakewood was also providing funding to the SWSN to support the needs in the community. As the popularity of the city's shelter grew, staff began analyzing usage of both shelters to better understand what might be affecting the change.

Through that analysis, several key factors were identified. First, the location of the city's shelter was a significant reason for why it was selected as a primary location by individuals experiencing homelessness. Second, the city's shelter had the lowest barriers to entry, whereas the SWSN requires preregistration and background checks. Third, the city would allow individuals to seek shelter at any point during the night, whereas the SWSN requires its patrons to be in the shelter by 7 p.m., at which time temperatures may not have compelled someone into action. Finally, although the city shelter had indeed become the primary shelter location, staff learned that the SWSN was still seeing significant numbers and reaching capacity on the coldest nights.

The City of Lakewood continues to provide financial support to the SWSN and is in regular communication with its executive team during cold weather events. City staff remain hopeful that there may be ways to lower some of the barriers to entry for the SWSN, thus allowing the network to serve more easily those in need.

Capacity

In the first nights of operation, the city was more worried about whether anyone would be at its shelter rather than whether capacity would be reached. But those days are now a distant memory. With capacity now being routinely reached, the city has been putting considerable effort into providing overflow sheltering. With plans for a significantly larger shelter now in the works, staff has been focusing on options during this interim period. The city reached out to Jefferson County (Jeffco or county) to help identify solutions because the county serves as the human services provider throughout the communities in the county. During these conversations, Jeffco remained steadfast that it will not be entering the sheltering effort even in an overflow capacity. The county did, however, offer to dramatically increase the number of motel vouchers that it was willing to provide.

Vouchers have been utilized by the City of Lakewood and other jurisdictions in the county for the past several years, primarily to meet the needs of families or individuals with physical limitations who are experiencing homelessness. This tool can be effective, but it is also not without its challenges because it frequently requires transportation to a participating motel, a service that has historically fallen to the Lakewood Police Department. This takes critical police resources out of service for a significant period or leaves an individual seeking shelter waiting while agents address higher priority calls. Additionally, vouchering can create perverse incentives, resulting in individuals waiting to seek shelter until late in the night when temperatures are more dangerous in the hopes that the shelter will be at capacity so they can stay in a motel via a voucher. There is also a limited number of available rooms, but Jeffco has been working to bring on additional partner motels.

Staff analyzed these various challenges and have identified solutions to improve the use of the county-provided vouchers. At the city's expense, Bayaud will be providing transportation to area motels once capacity is reached at the city's shelter. Rather than the last-one-in receiving a voucher, Bayaud will be keeping a sign-in sheet of all individuals at the shelter and offering the voucher to the individual who arrived first and so on. The city will also be using its homeless navigators and CAT agents during cold weather events to pre-voucher individuals who meet the criteria that was previously in place. Because the city's shelter is for adults over the age of 18, families will continue to receive vouchers.

If the need continues to grow, vouchering too will become unsustainable and reach capacity, requiring additional solutions for the future.

Facility Limits

During the extreme weather event that occurred in mid-January 2024, RecoveryWorks' newly leased space was pushed past its limits as a result of overutilization of the city's shelter. The city also asked, and paid for, RecoveryWorks to remain open during all hours of the day to ensure that individuals experiencing homelessness would not be subjected to the harsh winter conditions. The long duration of this particular weather event also resulted in additional facility strain.

Although the facility was able to make it through the MLK weekend, this overutilization caused a critical failure of the building's plumbing system a short time later. This plumbing system failure rendered the entire building unusable for two days. That meant that RecoveryWorks was not able to operate, and the building's owner, who still has a printing business in the other half of the building, was also not able to operate.

RecoveryWorks brought in a plumber to assess and remedy the situation, but the extensive damage prevented the building's facility from coming back online. A specialty plumber was then brought in and eventually was able to get the building back up and running. During this time,

the city quickly mobilized a utility crew to inspect the city's sewer mains in the area and address any issues that were identified. Both the specialty plumber and city crews concluded that the issues were within the building's service lines and not the city's main.

The plumbers hired by RecoveryWorks pulled out more than two large trash bags full of materials from the building's wastewater service lines, ranging from shirts to needles. This event served as a significant wakeup call to RecoveryWorks and city staff that overnight sheltering is not for the faint of heart. As a result of this incident, a capacity limit of 50 will be strictly enforced by Bayaud. Additionally, the city has asked Bayaud to bring on two additional staff for all operation nights. These new staff will also assist with transportation to alternative sites when capacity is reached.

STAFF MEMO

DATE OF MEETING: APRIL 15, 2024 / AGENDA ITEM NO. 4

To: Mayor and City Council
From: Kit Newland, Director of Community Resources
Subject: **PARK DEDICATION AND FEE IN LIEU MODIFICATIONS**

SUMMARY STATEMENT: Staff will be presenting the progress of a study of Parkland Dedication in Lakewood and share an outline of the preliminary recommendations of the Parkland Dedication Assessment for City Council consideration.

BACKGROUND INFORMATION: Chapter 16.14- Park and Open Space Dedication of the Lakewood Municipal Code (“LMC”) defines and codifies that residential land uses shall dedicate to the city park sites and open space areas in accordance with the provisions of this title. The last comprehensive update of this Chapter was in 2018 with the original ordinance established in 1983. Per 14.16.100, a review of this Chapter is to be completed by the City Council every five years.

Current Dedication Ordinance:

The City’s current Ordinance requires:

- 5.5 acres per new 1,000 residents.
- The Director of Community Resources may require payment of a fee in lieu of the dedication, or may require dedication of a smaller amount of land than would otherwise be required and payment of a fee in lieu of the portion not dedicated.
- The Director may also accept improvements of equal or greater value than the fee that would have been collected.
- Fees accepted remain within one of seven planning districts within the City and are used for park improvements in the corresponding district in which the development occurs.
- All residential development greater than 14.99 acres to dedicate land.

A few of the recognized limitations of the Ordinance include:

- The land dedication requirement has negated the feasibility of many residential infill development proposals. *Parkland dedications since 1983 are provided as an attachment.*
- Lack of flexibility in park types that will be accepted for dedication limits the City’s ability to accept land. *Due to staff resource limitations, parcels of less than three acres can create maintenance and service challenges.*
- Lack of a simplified method by which land values can be regularly updated.
- Lack of flexibility in the use of funds for improvements, specifically where needed or in underserved areas for parkland.

Originally, an in-depth analysis of the City’s Park and Open Space Dedication Ordinance was included in the scope of the Imagine Tomorrow! Master Plan that was adopted in April 2023. It became clear during the

Imagine Tomorrow! planning effort that an assessment focused on park and open space dedication and impact fees was necessary to appropriately examine and make recommendations for improvements to the City's requirements. As an infill community, the City of Lakewood faces an unusual challenge associated with virtually no room to expand typical neighborhood development. This is contrary to other comparable metro area communities that are suburban in nature, with room to expand suburban development and build new parks.

It is imperative to understand that dedication requirements, such as the City's current Park and Open Space Dedication Ordinance, are enacted to ensure that new residents coming into a community will be served by an appropriate amount of parkland. In a suburban community, with growth opportunities, the City's current Ordinance would work adequately. However, with very limited growth potential within the City, and the need for housing development, it's critical to carefully assess the impacts of the current Ordinance and to identify areas for improvement.

Over the course of the last five years, in most development cases, a fee in lieu has been accepted as opposed to receiving additional dedicated parkland. These fees have been used to make necessary improvements to new and existing parks in the areas where corresponding development has occurred. Attached to this memorandum, you will find a list of parkland fees that have been collected over the last five years and how those funds have been used in the city's seven planning districts.

It's also important to recognize that City staff regularly identify areas within the City where park and open space is lacking. Two recent studies, the Strategic Acquisition Plan in 2019 and the Imagine Tomorrow! Master Plan process in 2023, both identified areas in the north and east part of the City that lack an appropriate amount of parkland from an equity and accessibility lens. As more residential development has occurred in the northern parts of the city, the opportunities to add parkland to the degree desired has not been possible due to the lack of land availability. There are also smaller pockets of underserved areas across the city.

The City issued a Request for Proposals in June of 2023 and ultimately hired Norris Design and Duncan and Associates to complete a detailed assessment of both the existing Park and Open Space Dedication Ordinance, and a study of impact fees in the City. This assessment's emphasis was to re-imagine park and open space dedications in an infill community and study other communities across the nation. The consultant considered opportunities to maximize park and open space, especially in those areas recognized as underserved, while also carefully weighing and minimizing impacts on affordable housing development. Most importantly, the scope of the project included developing a transparent means of identifying the City's park and open space needs and creating a process that's easy to understand, implement and update.

The assessment has occurred over the last six months and began with two stakeholder meetings. The first meeting took place on November 5, 2023, with members of the development community, a member of the Lakewood Advisory Commission, and City staff representing Community Resources, Engineering and Planning. The second stakeholder meeting was a listening session held on November 16, 2023 with engaged neighborhood residents and a member of the Imagine Tomorrow! Master Plan Advisory Committee.

The consultant considered four important questions:

- Should the City update the existing park and open space dedication requirements?
- Should the City expand dedication requirements to non-residential development? *For example, what is the impact of new office workers on park and open space use?*
- Should the City develop a park impact fee and allow for a credit towards the fee when park and open space is dedicated? *A park impact fee is typically a one-time payment imposed by a local government on a property developer. The fee is meant to offset the financial impact a new development places on park infrastructure.*
- How can the city provide additional park and recreation opportunities in areas of the city that have very

limited land availability, including small parcels, and areas where residents are underserved?

PRELIMINARY RECOMMENDATIONS:

1. Retain Parkland Dedication in Lakewood

Retain Parkland Dedication to allow for continued land dedication where it is feasible. Building upon Imagine Tomorrow! equity mapping and the Strategic Acquisition Plan, identify zones of the city desired for park expansion and/or the development of new parks and trails, and require land dedication with development in these locations.

2. Update Park Improvement Fee in Lieu of Land Dedication

If staff determines that parkland dedication is not suitable, the development will instead be assessed a Park Improvement Fee in Lieu of land dedication. The determination will be made by staff applying the equity mapping tools and zones of need that will also be publicly available to residents and the development community.

a. The project team has determined the fair market value of land to satisfy the parkland dedication requirements is approximately \$432,727 per acre in 2024. This fee is nearly double the existing fee in lieu, making land dedication or alternative park provisions more attractive to the development community. This fee will be updated annually, to reflect market fluctuations using recent appraisals. If substantial appraisal data is not available, Assessor's data, American Housing Data, and other local property valuation tools will be employed.

	Existing	Updated
Cost per Acre	\$254,545.00	\$432,727.00
x 5.5 Acres per 1,000 people	\$1,399,997.50	\$2,379,998.50

b. The existing affordable housing provision would remain. In those instances where the Director elects to require a Park Improvement Fee in Lieu of land dedication, the Director may waive all or a portion of the fee for individual housing units set aside for households earning no more than (80%) of the area median income (AMI) through recorded deed restriction for a minimum period of twenty (20) years. The one modification to the existing provision is the Director would no longer obtain Council approval to waive the fee. The goal of this recommendation is to encourage and expedite new affordable housing units in Lakewood.

3. Update the Projected Population per Unit

Update the projected population per unit requirements as listed below to align with current Census and American Household Survey data. Note, the increase in population per unit for single family attached and multi-family development, common in Lakewood.

	Existing	Updated
Single-Family Detached	3.00	2.46
Single Family & Multi-Family Attached	1.50	1.71
Senior Housing	1.25	1.24

4. Alternative Park Provision:

In developments where a Park Improvement Fee in Lieu is assessed, developers will have the option to pay the significantly higher fee or install publicly accessible parks that meet city standards and are maintained by the development, HOA, owner or management firm. This presents an opportunity to serve the residents of smaller

developments and infill areas. A maintenance agreement would be recorded with the property owner and the fulfillment of dedication must be noted on development plans or be in a public access easement. There has been success with this model in other communities and requirements for these smaller, compact parks will be clearly defined through the site plan process. Specific examples would include plazas, play spaces, dog parks, gardens, trail segments, and drainage area park improvements beyond the zoning requirements for storm water and open space.

The attached Norris Design Recommendations Memo provides further detail on the recommendations proposed.

DISMISSED CONSIDERATIONS

Impact Fees:

Following the information gathering process, the project team determined the City would like to retain parkland dedication. Upon further study, should the city have both parkland dedication and institute impact fees, it would be difficult both legally and logistically to exact land and also charge an impact fee. The team explored offering a credit of land dedication towards impact fees, but that is not an option that has legal precedent. Impact fees are common in cities when land dedication is not a priority. While impact fees could support Lakewood's gap in funding needed to make necessary park improvements, the team did not want to discourage desired housing development.

Non-residential Parkland Dedication:

Non-residential parkland dedication was also carefully studied. An example of non-residential dedication would be requiring land dedication for commercial development such as an office building or restaurant. Exactions are legally problematic; it is tricky to clearly define a rational nexus to the impact of the commercial development. For example, would the land dedication requirement be assessed on the number of employees, number of customers, proximity to a park, etc? It is difficult to prove the park impact because of commercial development.

BUDGETARY IMPACTS: Budgetary impacts include more parkland to maintain, although there would also be an increase in available funds to make improvements. Parkland Dedication and Improvement Fees in Lieu are dependent upon future development in the city.

STAFF RECOMMENDATIONS: The Department of Community Resources is seeking Council direction on the recommendations provided.

ALTERNATIVES: City Council could choose not to move forward the recommended updates or provide alternative suggestions.

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council. Additionally, a project page on the city's community engagement site, LakewoodTogether.org, will be released to the public following the study session to provide education and seek community input on the recommendations presented.

NEXT STEPS: 1. Immediate Fee in Lieu Increase

Given the disparity in the current Fee in Lieu and recent property values, staff has also revised the existing Parkland Dedication Policy after a thorough analysis of land appraisals for potential park properties conducted over the last five years. The Director of Community Resources has the authority to update this fee and has chosen to do so, effective July 1, 2024, in order to expedite this change as staff continues to work with Council on the other proposed parkland dedication policy updates. The fee will be instated with formal project submittals after the effective date and a public notice period of one month. The 2024 Parkland Dedication Policy update is provided as an attachment.

2. Assessment Finalization and Mapping

The Draft Parkland Dedication Assessment will be prepared in accordance with Council direction. GIS mapping will be completed to include both the equity zone of parkland needs and locations where small, private park development is preferred to Improvement Fee in Lieu. Community education and the opportunity to ask questions and provide feedback will be available on LakewoodTogether.org.

3. Updated Ordinance

Following the public engagement period, staff will incorporate resident and Council feedback to bring this item before Council for approval of a modified Parkland Dedication Ordinance.

ATTACHMENTS:

1. Land Dedications Since 1983
2. Parkland Dedication Fund Usage Since 2018
3. Norris Design Recommendations Memo
4. 2024 Park Fee Policy with Fee Increase
5. Imagine Tomorrow! Equity Map

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney

Since the Parkland Dedication Requirements were formalized in 1983, the City has taken several parcels in dedication, given credit for onsite added improvements in many locations. Below is a list of parcels dedicated:

Park	Acres Ded	Year	Subdivision	Reason
ANDERSON POND	4.66	1995	Anderson Farm	Trail, adjacent
BEAR CREEK GREENBELT	13.11	1989	McCoy-Jensen	adjacent
BONFILS-STANTON PARK	0.78	1990	Joe Kelly oyster Dock	Trail, adjacent
GARY R. MCDONNELL PARK	4.07	1984	Arrowhead	adjacent
13th Ave Space	0.07	2000	Daniels Place Sub	Trail
HABITAT PARK	0.23	1998	Edgewater BLK 14 2	Park
HERITAGE FILE # 8	1.89	2000	Heritage West 8	Open Space
IRONSPRING PARK	12.15	2007	Solterra	Trail
LAKEWOOD ESTATES PARK	0.05	1998	West 6200 Jewell Ave	adjacent
LOWER COYOTE GULCH	13.86	1994	Hutchinsons GMV 58	Trail, open Space
MOM'S HILL	1.00	1993	Americana Lakewood 2	Trail
OVERLOOK AT BC PARKSITE	12.32	2000	Overlook at Bear Creek Cherry Sub	Park
PETERSON PARK	2.33	1984	Americana Lakewood 1	Park
SANCTUARY PARK	1.51	1988	Deerfield Sub	Open Space
SANDERSON GULCH	3.65	1985	Sanderson Creek	Trail
SOLTERRA	47.59	2007+	Solterra	Trail, Open Space
SOLTERRA CENTRAL CORRIDOR	19.22	2013	Solterra	Trail, Open Space
SOLTERRA WEST CORRIDOR	5.09	2013	Solterra	Trail, Open Space
SOUTH SHERIDAN FIELD	0.92	2002	L & S Sub	Trail
TAMARISK Tract D	7.89	1997	Tamarisk Sub	Open Space, adjacent
WESTSTAR	9.36	1995	Weststar Sub	Open Space
WILSON DRAINAGEWAY	5.48	2001	Whit Fence Farm Sub	Trail

City of Lakewood

Department of Community Resources
Planning and Construction Team
Ross Williams, Ext. 7814

Memorandum

TO: Park Dedication 2018 / Open Space Fund File
FROM: Ross E. Williams, CLP, ASLA, Facilities Planner
Department of Community Resources
SUBJECT: Use of Funds Received by the Dedication Ordinance
DATE: September 3, 2019 Corrected

For the record, funds received by way of the requirements of the Park Dedication Ordinance (O-83-137) were used in the calendar year 2018 as follows:

From Open Space Fund:

District 1	Dry Gulch Trail.....	\$104,035.42
	Holbrook Park Pond.....	\$41.00
District 4	Sutherland Shire- Main Reservoir Trail.....	\$700.00
District 5	Lakewood Link Renovations	\$700.00
District 7	Carmody Park Splash Pad.....	\$27,302.00

Fee Dedications Received in 2018:

District 1	.....	\$408,100.00
District 2	.....	\$39,900.00
District 3	.....	\$700.00
District 4	.....	\$700.00
District 5	.....	\$700.00
District 6	.....	\$0.00
District 7	.....	\$23,302.00

As of December 31, 2018, the following funds remain within the Open Space Fund:

District 1	.....	\$571,690.03
District 2	.....	\$226,800.00
District 3	.....	\$204,400.00
District 4	.....	\$0.00
District 5	.....	\$0.00
District 6	.....	\$0.00
District 7	.....	\$0.00

rew: S:\Planning&Construction Division\Park Planning Section\ROSS\FMS\Dedication Usage\2018 Dedication Usage OSF Corrected.docx
pc: Park Dedication File
Conservation Trust Fund File
Open Space Fund File

Alternative formats of this document available upon request.

City of Lakewood

Department of Community Resources
Planning and Construction Team
Ross Williams, Ext. 7814

Memorandum

TO: Park Dedication 2019 / Open Space Fund File
FROM: Ross E. Williams, CLP, ASLA, Facilities Planner
Department of Community Resources
SUBJECT: Use of Funds Received by the Dedication Ordinance
DATE: July 15, 2020

For the record, funds received by way of the requirements of the Park Dedication Ordinance (O-83-137; O-2018-4) were used in the calendar year 2019 as follows:

From Open Space Fund:

District 1	Clement Center Plaza	\$206,728.05
	Mountair Park Lighting.....	\$37,965.00
	Walker-Branch Improvements	\$55,535.17
District 2	Chester-Portsmouth Trail Connection.....	\$2,250.00
District 4	Glennon Heights Pool Bathhouse	\$24,500.00
District 5	Addenbrooke Improvements	\$11,200.00
District 7	Carmody Park Splash Pad	\$89,155.00

Fee Dedications Received in 2019:

District 1	.....	\$913,500.00
District 2	.....	\$47,500.00
District 3	.....	\$0.00
District 4	.....	\$24,500.00
District 5	.....	\$11,200.00
District 6	.....	\$0.00
District 7	.....	\$89,155.00

As of December 31, 2019, the following funds remain within the Open Space Fund:

District 1	\$1,184,961.81
District 2	\$272,050.00
District 3	\$204,400.00
District 4	\$0.00
District 5	\$0.00
District 6	\$0.00
District 7	\$0.00

rew: S:\Planning&Construction Division\Park Planning Section\ROSS\FMS\Dedication Usage\2019 Dedication Usage OSF.docx
pc: Park Dedication File
Conservation Trust Fund File
Open Space Fund File

Alternative formats of this document available upon request.



City of Lakewood

Department of Community Resources
Planning and Construction Team
Ross Williams, Ext. 7814

Memorandum

TO: Park Dedication 2020 / Open Space Fund File
FROM: Ross E. Williams, CLP, ASLA, Facilities Planner
Department of Community Resources
SUBJECT: Use of Funds Received by the Dedication Ordinance
DATE: July 15, 2020

For the record, funds received by way of the requirements of the Park Dedication Ordinance (0-83-137; 0-2018-4) were used in the calendar year 2020 as follows:

From Open Space Fund:

District 1	Holbrooke Park Pond Dredge	\$23,980.00
	Morse Park Shop	\$84,069.25
	Mountair Park Lighting.....	\$249,580.50
District 2	Daniels Park Wall Design	\$34,281.00
	Westland Park Improvements	\$2,000.00
District 5	Ray Ross Park Shelter	\$21,000.00
District 7	Carmody Park Splash Pad	\$2,100.00

Fee Dedications Received in 2020:

District 1	.....	\$942,900.00
District 2	.....	\$89,600.00
District 3	.....	\$1,219,700.00
District 4	.....	\$0.00
District 5	.....	\$21,000.00
District 6	.....	\$0.00
District 7	.....	\$2,100.00

As of December 31, 2020, the following funds remain within the Open Space Fund:

District 1	.....	\$1,770,232.06
District 2	.....	\$325,369.00
District 3	.....	\$1,424,100.00
District 4	.....	\$0.00
District 5	.....	\$0.00
District 6	.....	\$0.00
District 7	.....	\$0.00

rew: S:\Planning&Construction Division\Park Planning Section\ROSS\FMS\Dedication Usage\2020 Dedication Usage OSF.docx
pc: Park Dedication File
Conservation Trust Fund File
Open Space Fund File

Alternative formats of this document available upon request.



City of Lakewood

Department of Community Resources
Planning and Construction Team
Ross Williams, Ext. 7814

Memorandum

TO: Park Dedication 2021 / Open Space Fund File
FROM: Ross E. Williams, CLP, ASLA, Facilities Planner
Department of Community Resources
SUBJECT: Use of Funds Received by the Dedication Ordinance
DATE: August 9, 2022

For the record, funds received by way of the requirements of the Park Dedication Ordinance (O-83-137; O-2018-4) were used in the calendar year 2021 as follows:

From Open Space Fund:

District 1	Morse Park Shop.....	\$731,278.36
District 2	Daniels Park Wall Design	\$1,440.50
	Quail Park Improvements	\$241,710.76
	Westland Park Refund.....	(\$6,282.00)
District 3	Wright Park Improvements	\$6,650.00
District 4	Green Mountain Recreation Center Sport Court.....	\$4,200.00
District 5	Addenbrooke Park Renovations.....	\$448,700.00
District 7	Peak View Park Improvements.....	\$58,951.30
	Carmody Park Pathway.....	\$15,029.06

Fee Dedications Received in 2021:

District 1	.....	\$149,100.00
District 2	.....	\$35,700.00
District 3	.....	\$0.00
District 4	.....	\$4,200.00
District 5	.....	\$448,700.00
District 6	.....	\$0.00
District 7	.....	\$81,900.00

As of December 31, 2021, the following funds remain within the Open Space Fund:

District 1	\$1,188,053.70
District 2	\$124,199.74
District 3	\$1,417,450.00
District 4	\$0.00
District 5	\$0.00
District 6	\$0.00
District 7	\$7,919.64

rew: S:\Planning&Construction Division\Park Planning Section\ROSS\FMS\Dedication Usage\2021 Dedication Usage OSF.docx
pc: Park Dedication File
Open Space Fund File

Alternative formats of this document available upon request.



City of Lakewood

Department of Community Resources
Planning and Construction Team
Ross Williams, Ext. 7814

Memorandum

TO: Park Dedication 2022 / Open Space Fund File
FROM: Ross E. Williams, CLP, ASLA, Facilities Planner
Department of Community Resources
SUBJECT: Use of Funds Received by the Dedication Ordinance
DATE: September 5, 2023

For the record, funds received by way of the requirements of the Park Dedication Ordinance (O-83-137; O-2018-4) were used in the calendar year 2022 as follows:

From Open Space Fund:

District 1	Morse Park Shop.....	\$1,222,326.60
District 2	Quail Park Improvements	\$2,011.20
District 3	Wright Park Improvements	\$76,484.88
District 4	Green Mountain Recreation Center Improvements	\$2,100.00
District 5	Addenbrooke Park Renovations.....	\$8,400.00
District 7	Peak View Park Improvements.....	\$7,919.64

Fee Dedications Received in 2022:

District 1	.....	\$583,800.00
District 2	.....	\$751,800.00
District 3	.....	\$31,500.00
District 4	.....	\$2,100.00
District 5	.....	\$8,400.00
District 6	.....	\$0.00
District 7	.....	\$0.00

As of December 31, 2022, the following funds remain within the Open Space Fund:

District 1	.....	\$549,527.10
District 2	.....	\$873,988.54
District 3	.....	\$1,372,465.12
District 4	.....	\$0.00
District 5	.....	\$0.00
District 6	.....	\$0.00
District 7	.....	\$0.00

rew: S:\Planning&Construction Division\Park Planning Section\ROSS\FMS\Dedication Usage\2022 Dedication Usage OSF.docx
pc: Park Dedication File
Open Space Fund File

Alternative formats of this document available upon request.



MEMORANDUM

Date: March 14, 2024

To: Lakewood Community Resources

From: Norris Design

**Re: Lakewood Parkland Dedication & Improvement Fee Assessment
Summary of Initial Recommendations**

The Norris Design team is recommending a simplified approach to Parkland Dedications, Park Improvement fee in-lieu of Land Dedication, with the addition of Alternative Park Provision options. This memo outlines our recommended approach, summarized in two parts: Park Dedication and Alternative Park Provision Methods.

PARK DEDICATION

To facilitate orderly dedication of parkland, more robust GIS analysis and mapping is needed, building upon the Equity Analysis completed in 2022. This mapping exercise will highlight areas where expansions of Parks or Trail Corridors are needed based on access standards defined in Imagine Tomorrow; in these areas, parkland dedication will be required.

PARK LAND DEDICATION REQUIREMENT

1. To ensure that parkland is dedicated with upcoming developments in key parts of the city, Community Resources staff wish to maintain the Park Land Dedication Requirement. To realize this goal, staff and consultant teams will:
 - a. Identify general locations for expansions of new Parks or Trail Corridors.
 - b. Require parkland dedications with developments in identified zones, where practical.
 - c. Parkland dedication requirements shall be calculated using updated projected population per unit, as listed below:

	Existing	Updated
Single-Family (Detached)	3.00	2.46
Single Family(Attached) & Multi-Family	1.50	1.71
Senior Housing	1.25	1.24



ALTERNATIVE PARK PROVISION METHODS

Where Community Resources staff determine that parkland dedication with development is not suitable, park land requirements can be met through alternative methods, as outlined.

PARK IMPROVEMENT FEES IN-LIEU OF LAND DEDICATION

1. If Community Resources staff determine that parkland dedication with development is not suitable, the development will instead be assessed a Park Improvement Fee in-lieu of Land Dedication.
2. Park Improvement Fees in-lieu of Land Dedication will only be accepted for sites where it is not suitable to dedicate park land. This determination will be made by City staff utilizing new mapping tools that will also be available to the development community.
 - a. As permitted in 14.16.070.B, the Director of Community Resources has set the amount of fee equal to the amount of fair market value of that land that would otherwise be dedicated. The Director has determined an updated value of \$432,727 per acre, a significant increase from the current cost per acre, utilized since 2018. Per section 14.16.070.B, the Director has purview to update the fee, as needed.

	Current	Updated
Cost per Acre	\$254,545	\$432,727
x 5.5 Acres per 1,000 people	\$1,399,997.50	\$2,379,998.50

Housing Type	People per Unit	Acres Per Unit	Fee in Lieu per Unit
Single-Family	2.53	0.0139	\$5,855
Multi-Family	1.71	0.0094	\$4,070
Senior Housing	1.26	0.0069	\$2,951

b. Affordable Housing

In those instances where the Director elects to require a fee-in-lieu of land dedication, the Director may, subject to City Council approval, waive all or a portion of the fee requirements for individual housing units set aside for households earning no more than 80 percent of the area median income (AMI) through recorded deed restriction for a minimum period of 20 years. (14.16.070.D)



COMPACT PARK DEVELOPMENT

1. In developments where a Park Improvement Fee in-lieu of Land Dedication is assessed, Community Resources staff, at their discretion, may offer developers the option to install publicly accessible parkland improvements that meet standards of defined city-park typologies and will be maintained by the developer.
 - a. This option may be restricted to for-rent and condominiumized communities (including townhomes) to ensure that a management firm or HOA will always exist to manage maintenance of the parkland.
 - b. Public parkland areas may be dedicated to the City, with a maintenance agreement with the property owner recorded with options to place liens on properties responsible.
 - c. Public parkland within private sites must provide an access easement and demonstrate how the project meets the access standards for the amenity.
 - i. Example: Publicly accessible dog park with an access easement.
2. New park typologies will be added, providing options for the developer. These typologies present an opportunity to meet growing demand for park amenities in areas that are not suitable for expansion of, or new, Parks or Trail Corridors.
3. Requirements for these park typologies will be defined clearly by the City, and may include:
 - a. Plaza/Square
 - b. Urban Play Space
 - c. Dog Park
 - d. Garden, Trail Segment, or Drainage Area Park Improvement.

NEXT STEPS:

- Work with staff to create preliminary mapping/suggestions for mapping that shows:
 - Zones where parks or trail connections are needed.
 - Zones where Compact Park Development is desirable and preferable to Park Improvement Fees in-lieu of Land Dedication
 - Where Public Improvements such as trail corridors and drainageway park improvements are needed.



City of Lakewood

Department of Community Resources

Updated Park Land Dedication Ordinance and Policy July 1, 2024

On June 24, 2024, the Lakewood City Council approved Ordinance O-2024- XX which revised the City's park land dedication requirement as originally stated in O-1983-137 and revised in O-2018-4. The ordinance requires that subdividers of new residential lots and developers of new residential units submitted for formal approval after June 16, 2018 to the City of Lakewood, shall dedicate land for parks and open space or pay a park improvement fee-in-lieu.

The land dedication or fee-in-lieu is assessed at the time the property is subdivided, or if subdivision is not required at the time of site plan approval. Land dedications should be completed with the plat, however, in certain cases they may be done by a separate instrument. Fees assessed on plats are due when the plat is recorded. Fees assessed on site plans will be due at the time of building permit issuance. Park improvements may be substituted for fees at the discretion of the Director of Community Resources.

Park Land Dedication

The amount of land for park land dedication is calculated based on a standard of 5.5 acres for every 1000 additional population generated by the new residential development. The following per-unit density factors are used to determine the number of people generated by different housing unit types:

Dwelling Unit Type	Persons per Dwelling Unit	Land Dedication Required per Unit
Single Family Detached	2.46	.01353 acres (590 SF)
Single Family or Multi-family attached	1.71	.009405 acres (410 SF)
Senior Housing	1.24	.00682 acres (297 SF)

Park Improvement Fee-In Lieu of land dedication

The Director for the purpose of this ordinance, has determined that the fair market value of land to satisfy the park land requirements in this ordinance beginning August 1, 2024 will be approximately \$432,727 per acre. This will be the Park Improvement Fee in lieu for development projects formally submitted after this date, until the Director authorizes a change in value.

Dwelling Unit Type	Per Unit Fee-in-Lieu of land dedication
Single Family Detached	\$5,855
Single Family or Multi-family attached	\$4,070
Senior Housing	\$2,951

Any interpretations or questions of the Ordinance and policy should be directed to Ross Williams, Land-Design-Facilities Administrator at 303-987-7814 or roswil@lakewood.org.

Approved by Kit Newland,
Director of Community Resources

Date

S:\Planning&Construction Division\Park Planning Section\ROSS\Park Dedications\2024 Park fee policy-After.docx

Alternative formats of this document available upon request.

