

AGENDA
REGULAR MEETING OF THE CITY COUNCIL
480 S. ALLISON PARKWAY
CITY OF LAKEWOOD, COLORADO
HYBRID MEETING
APRIL 13, 2026
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

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ITEM 1 – CALL TO ORDER

ITEM 2 – ROLL CALL

ITEM 3 – OPENING ITEMS

ITEM A. – PLEDGE OF ALLEGIANCE

ITEM B. – STATEMENT OF CONFLICT OF INTEREST

ITEM C. – PROCLAMATION - AUTISM AWARENESS MONTH

ITEM D. – INITIAL PUBLIC COMMENT

Anyone who would like to address the Council on any matter other than an agenda item will be given the opportunity. Speakers should limit their comments to three minutes.

**CONSENT AGENDA
ORDINANCES ON FIRST READING**

ITEM 4 – – RESOLUTIONS

4A APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE COLORADO DEPARTMENT OF TRANSPORTATION REGARDING THE CITY OF LAKEWOOD'S PARTICIPATION IN THE US 6 / WADSWORTH BOULEVARD INTERCHANGE PROJECT

ITEM B. – R-2026-23 – REPEALING AND REPLACING RESOLUTION 2026-12 AND ESTABLISHING CERTAIN SANITARY SEWER FEES FOR CUSTOMERS OF THE CITY OF LAKEWOOD SEWER UTILITY

4C REPEALING AND REPLACING RESOLUTION 2026-20 APPOINTING AND REAPPOINTING MEMBERS OF THE LAKEWOOD PLANNING COMMISSION

4D RECOGNIZING THE OUTSTANDING SERVICE OF CITY ATTORNEY ALISON MCKENNEY BROWN AND AUTHORIZING A SALARY PERFORMANCE INCREASE IN ACKNOWLEDGMENT THEREOF

ITEM E. – R-2026-26 – APPROVING AN AMENDMENT TO THE PUBLIC IMPROVEMENT LOAN AGREEMENT WITH TEN SHERIDAN, LLC

ITEM 5 – – ORDINANCES

ITEM A. – O-2026-13 – AMENDING LAKEWOOD MUNICIPAL CODE 3.26 TO UPDATE DEFINITIONS AND CLARIFY THE TYPES OF PUBLIC BENEFITS THAT MAY BE SUPPORTED THROUGH THE ECONOMIC DEVELOPMENT FUND

ITEM B. – O-2026-14 – ADOPTING TITLE 14, CHAPTER 31, OF THE LAKEWOOD MUNICIPAL CODE ESTABLISHING THE CITY OF LAKEWOOD WILDFIRE RESILIENCY CODE AND CORRESPONDING WILDLAND-URBAN INTERFACE BOUNDARY MAP

ITEM C. – O-2026-15 – AMENDING LAKEWOOD MUNICIPAL CODE CHAPTER 14.01 TO INCORPORATE CHAPTER 14.31 OF THE LAKEWOOD MUNICIPAL CODE INTO THE "LAKEWOOD BUILDING CODE"

5D ADDING A NEW CHAPTER 2.59 TO THE LAKEWOOD MUNICIPAL CODE ESTABLISHING THE SUSTAINABILITY ADVISORY COMMITTEE

ITEM 6 – APPROVING MINUTES OF THE CITY COUNCIL MEETINGS

END OF CONSENT AGENDA

ITEM 7 – ITEMS REMOVED FROM CONSENT AGENDA

**ORDINANCES ON SECOND READING
AND PUBLIC HEARINGS**

ITEM 8 – – ORDINANCES ON SECOND READING AND PUBLIC HEARINGS

8A AUTHORIZING SUPPLEMENTAL APPROPRIATIONS TO THE 2026 REVISED ANNUAL BUDGET IN THE AMOUNT OF \$1,037,000 IN THE GRANT FUND IN RECOGNITION OF GRANTS RECEIVED FROM THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND \$3,500,000 IN THE CAPITAL IMPROVEMENT FUND TO ENABLE AN INTERGOVERNMENTAL AGREEMENT WITH THE COLORADO DEPARTMENT OF TRANSPORTATION

ITEM 9 – CLOSING ITEMS

ITEM A. – GENERAL PUBLIC COMMENT

ITEM B. – GENERAL BUSINESS

ITEM C. – EXECUTIVE REPORT

ITEM D. – MAYOR AND CITY COUNCIL REPORTS

ITEM E. – ADJOURNMENT

STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 3

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: None

ALTERNATIVES: None

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

NEXT STEPS: None

ATTACHMENTS: None

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

PROCLAMATION

APRIL IS AUSTISM AWARENESS AND ACCEPTANCE MONTH

WHEREAS, autism can affect anyone regardless of race, religion, socio-economic status, or geography; and

WHEREAS, individuals with autism benefit from specialized services and community support to ensure their health and safety and full participation in community life with community partners like Firefly Autism; and

WHEREAS, Firefly Autism is celebrating its twenty-second year of serving autistic individuals and families in the Denver Area, the Front Range, the Western Slope, and across Colorado; and

WHEREAS, Firefly Autism empowers autistic individuals experiencing access barriers to thrive through personalized, strength-based programs and supportive community connections; and

WHEREAS, the aims for Autism Awareness and Acceptance Month are to inform the general public about both the potential and needs of people with autism and to stress the importance of early diagnosis and early intervention, as well as the importance of providing appropriate supports that continue through adulthood; and

WHEREAS, the City of Lakewood is committed to educating our community and ensuring that acceptance of all, including those on the autism spectrum, is truly valued for their unique personalities and talents.

NOW, THEREFORE, on behalf of the City Council and the people of the City of Lakewood, I, Wendi Strom, Mayor of the City of Lakewood, Colorado, by virtue of the authority vested in me, do hereby proclaim:

APRIL AS AUSTISM AWARENESS AND ACCEPTANCE MONTH

GIVEN under my hand and Seal of the City of Lakewood, this 13th day of April 2026.

Wendi Strom, Mayor

STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 3D

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: None

ALTERNATIVES: None

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

NEXT STEPS: None

ATTACHMENTS: None

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

STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 4

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: None

ALTERNATIVES: None

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

NEXT STEPS: None

ATTACHMENTS: None

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

STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 4A

To: Mayor and City Council
From: Maria D'Andrea, Director of Public Works
Subject: **US 6/Wadsworth Boulevard Interchange Project Funding Intergovernmental Agreement**

SUMMARY STATEMENT: An intergovernmental agreement (IGA) has been developed between the City of Lakewood and the Colorado Department of Transportation that details the funding of the proposed reconstruction of the US 6/ Wadsworth Boulevard Interchange Project. The City's funding commitment is \$4.5M, primarily for aesthetic enhancements.

BACKGROUND INFORMATION: Since the original interchange at US 6 (also known as 6th Avenue) and Wadsworth Boulevard was constructed in the 1950s, the Denver Metro Area has seen explosive population growth, resulting in an increase in crashes and congestion across the region. CDOT began planning efforts to improve this interchange more than 15 years ago after determining the interchange was no longer able to meet existing and future transportation needs. The environmental impact analysis was completed in 2009, and a finding of no significant impact (FONSI) was issued in March 2010, which identified a set of improvements in the interchange area and provided environmental clearance.

Design and construction of these planned improvements have been occurring since 2014, with individual project phases being conducted as funding was identified. While portions of the project have been completed adjacent to the interchange area, the larger interchange reconstruction, completion of connections for pedestrians and bicyclists, and additional noise mitigation remain the largest and most critical improvements still needed.

The project limits extend along Wadsworth Boulevard from 4th Avenue to Colfax Avenue and along US 6 from the eastern interchange ramps at Wadsworth west to Meadowlark Drive.

Project benefits include:

- Improve safety for motorists, pedestrians, and bicyclists
- Create better traffic flow
- Provide additional travel options for pedestrians and bicyclists
- Replace the structurally deficient US 6 bridge over Wadsworth Boulevard
- Address neighborhood concerns about cut-through traffic by converting portions of frontage roads to two-way traffic
- Reduce noise impacts to adjacent residents with new noise walls

Construction is anticipated to begin in early Summer 2026 and be completed in 2028.

The project includes aesthetic enhancements, designed by the City, that create unique identifying

features at the interchange. These include two lighted spiral structures on top of the bridge as well as colored tile on bridge abutments, art and pedestrian lighting, colored tile in the pedestrian underpass, and enhanced landscaping and irrigation.

BUDGETARY IMPACTS: The total financial impact to the City is \$4.5M. In a separate action on the April 13, 2026, Council meeting agenda, staff is requesting an appropriation of \$3,500,000 from the Capital Improvement Fund to fund these improvements and to enable execution of the IGA. The appropriation is required to ensure the City's funding commitment prior to CDOT seeking construction bids.

STAFF RECOMMENDATIONS: Staff recommends adopting the attached resolution.

ALTERNATIVES: The City Council could choose not to approve the IGA and forego including these aesthetic elements in the interchange project.

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

NEXT STEPS: Staff will continue to work with CDOT to begin construction in 2026.

ATTACHMENTS:

1. Resolution R-2026-22
2. Lakewood Funding IGA
3. US 6-Wadsworth Aesthetic Elements

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

R-2026-22

A RESOLUTION

APPROVING AN INTERGOVERNMENTAL AGREEMENT
WITH THE COLORADO DEPARTMENT OF TRANSPORTATION REGARDING
THE CITY OF LAKEWOOD'S PARTICIPATION IN THE US 6 /
WADSWORTH BOULEVARD INTERCHANGE PROJECT

WHEREAS, pursuant to C.R.S. § 29-1-203 and § 29-1-203.5 as amended, the City of Lakewood (the "City") and the Colorado Department of Transportation ("CDOT") have the authority to enter into an Intergovernmental Agreement ("IGA");

WHEREAS, CDOT is implementing a project to redesign the 6th Avenue/Wadsworth Boulevard interchange to replace the existing cloverleaf interchange to a tight diamond with a single loop design with lengthened entrance and exit ramps, along with other various roadway improvements (the "Project");

WHEREAS, the City desires certain aesthetic improvements to be incorporated into the Project, including gateway monuments, landscape walls, public art installations, and landscaping (the "Aesthetic Improvements");

WHEREAS, the City and CDOT negotiated an IGA outlining the terms and conditions for the City's involvement in the Project, including the construction of the Aesthetic Enhancements;

WHEREAS, the proposed IGA requires the City to make a total contribution toward the Project in the amount of \$4,500,000.00 (the "Contribution");

WHEREAS, per the terms of the proposed IGA, the Contribution will allot \$1,000,000.00 in general funding for the Project and/or toward construction engineering and indirect costs related to the construction and installation of the Aesthetic Enhancements, and an additional \$3,500,000.00 towards the construction of the Aesthetic Enhancements;

WHEREAS, the City's contribution of \$1,000,000.00 toward general funding and/or toward construction engineering and indirect costs related to the construction and installation of the Aesthetic Enhancements has been previously appropriated through the City's annual budget process;

WHEREAS, on April 13, 2026, the City Council approved Ordinance 2026-12 on second and final reading;

WHEREAS, Section 1(B) of Ordinance 2026-12 contained a supplemental appropriation of \$3,500,000.00 from the unappropriated fund balance of the Capital Improvement Fund, which will be used to fund the City's contribution towards the construction of the Aesthetic Enhancements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood:

SECTION 1. The City Council hereby finds and determines that authorizing the City Manager to enter into an IGA, attached hereto as Attachment A and incorporated herein, between the City of Lakewood and the Colorado Department of Transportation regarding the City’s participation in the US 6: Wadsworth Interchange Project is and shall be in the best interest of the residents of the City of Lakewood, and hereby authorizes the City Manager to enter into the IGA with the Colorado Department of Transportation on behalf of the City of Lakewood.

SECTION 2. The City’s Chief Financial Officer is hereby authorized and directed to pay to CDOT the \$4,500,000.00 Contribution as required by the IGA, subject to the effective date of the IGA, which is May 13, 2026, in recognition of the effective date of Ordinance 2026-12.

SECTION 3. This Resolution shall become effective immediately upon signature following adoption.

INTRODUCED, READ AND ADOPTED by a vote of _ for and _ against at a hybrid regular meeting of the City Council on April 13, 2026, at 7 o’clock p.m., at the Lakewood Civic Center, 480 South Allison Parkway, Lakewood, Colorado.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney

(Local \$CDOTWRK)
PROJECT: NHPP 1211-111 (26942)

REGION: R1 (DM)

INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT REGARDING THE CITY OF LAKEWOOD'S PARTICIPATION IN THE US 6: WADSWORTH INTERCHANGE PROJECT (the "Agreement"), executed this ____ day of _____, _____ by and between the State of Colorado, for the use and benefit of the Colorado Department of Transportation ("State" or "CDOT") and CITY OF LAKEWOOD, 480 South Allison Parkway, Lakewood, Colorado, 80226, CDOT Vendor #: 0002000005 ("Local Agency"); the State and the Local Agency together shall be referred to as the "Parties."

RECITALS

1. Authority exists in the law and funds have been budgeted, appropriated and otherwise made available and a sufficient uncommitted balance thereof remains available for payment of project and Local Agency costs. Total Agreement Amount: \$4,500,000.00.
2. Sections 43-2-102 and 103, C.R.S place certain maintenance obligations onto the State with respect to the state highway system. Section 43-2-135, C.R.S. describes certain specific responsibilities of the State and affected local entities (respectively) with respect to streets which are part of the state highway system.
3. The Local Agency has estimated the contribution and is prepared to provide funding, toward the general construction, construction engineering, indirect costs, and aesthetic improvements for the US 6: Wadsworth Interchange Construction project (hereinafter the "Project") as evidenced by an appropriate ordinance or resolution duly passed and adopted by the authorized representatives of the Local Agency, which expressly authorizes the Local Agency to enter into this Agreement.
4. The Local Agency has funds available and desires to provide four million five hundred thousand dollars (\$4,500,000.00) (hereinafter the "Contribution") toward the Project. The Contribution consists of a one-million-dollar (\$1,000,000.00) contribution toward the general construction of the US 6: Wadsworth Interchange Construction project, and/or toward construction engineering and indirect costs related to the construction and installation of the aesthetic enhancements for the Project. The Contribution further consists of a three million, five hundred-thousand-dollar (\$3,500,000.00) contribution toward the aesthetic enhancements for the Project. If Local Agency determines it cannot provide the total amount or the amounts per calendar year as noted in Section 5.A., the amounts may be adjusted by written amendment from both parties.
5. This Agreement is executed under the authority of §§ 29-1-203, 43-1-110; 43-1-116, 43-2-101(4)(c) and 43-2-144, C.R.S.
6. The Parties hereto desire to agree upon the division of responsibilities with regard to the Project.

THE PARTIES NOW AGREE THAT:

Section 1. Scope of Work

The work under this Agreement shall consist of

- Aesthetic Enhancements:
 - Gateway monuments
 - Landscape walls
 - Public art installations
 - Landscaping
 - Irrigation
 - Lighting
- The Parties' inspection and oversight of Project elements funded by the Local Agency's Contribution.
- The general construction of the portion of US 6: Wadsworth Interchange that is being funded by the Local

Agency's Contribution and/or construction engineering and indirect costs related to the construction and installation of the aesthetic enhancements for the Project.

And the Local Agency shall provide its Contribution toward the Project as more specifically described in **Exhibit A**.

Section 2. Order of Precedence

In the event of conflicts or inconsistencies between this Agreement and its exhibits, such conflicts or inconsistencies shall be resolved by reference to the documents in the following order of priority:

- A. This Agreement
- B. **Exhibit A** (Scope of Work)
- C. Other Exhibits in descending order of their attachment.

Section 3. Term

This Agreement shall be effective on May 13, 2026, and shall terminate on July 10, 2035, or sooner if any of the State's funding expires, or is sooner terminated or unless performance is extended in accordance with this Agreement.

Section 4. Project Funding Provisions

- A. The Local Agency has estimated the total cost of the Contribution and is prepared to provide its funding, as evidenced by the signing of this Agreement, which expressly authorizes the Local Agency the authority to expend its Contribution toward the Project.
- B. The Contribution is estimated to be \$4,500,000.00.
- C. **The maximum amount payable by the Local Agency under this Agreement shall be \$4,500,000.00** unless such amount is increased by an appropriate written modification to this Agreement executed by the Parties hereto before any increased cost is incurred.
- D. The Parties hereto agree that this Agreement is contingent upon all funds designated for the Project herein being made available from state sources, as applicable. Should these sources fail to provide necessary funds as agreed upon herein, the Agreement may be terminated by either party, provided that any party terminating its interest and obligations herein shall not be relieved of any obligations which existed prior to the effective date of such termination or which may occur as a result of such termination.

Section 5. Project Payment Provisions

- A. The Local Agency will pay to CDOT its Contribution in accordance with the payment schedule set forth below by January 31st of the corresponding year or upon execution of this Agreement, whichever is later:
 1. 2028 - \$1,000,000.00
 2. 2029 - \$3,500,000.00
- B.
 1. The Local Agency will remit to the State the amount due. Should the Local Agency fail to pay moneys due the State within 60 days of demand or within such other period as may be agreed between the parties hereto, the Local Agency agrees that, at the request of the State, the State Treasurer may withhold an equal amount from future apportionment due the Local Agency from the Highway Users Tax Fund and to pay such funds directly to the State. Interim funds, until the State is reimbursed, shall be payable from the State Highway Supplementary Fund (400).
 2. If the Local Agency fails to make timely payment to the State as required by this section the Local Agency shall pay interest to the State at a rate of one percent per month on the amount of the payment which was not made in a timely manner, until the billing is paid in full. The interest shall accrue for the period from the required payment date to the date on which payment is made.
- C. The State will prepare and submit to the Local Agency in December of 2027 and 2028 an invoice to be paid for the upcoming calendar years, 2028 and 2029.

Section 6. State and Local Agency Responsibilities

Exhibit A describes the work to be performed under this Agreement.

A. Design [if applicable]

1. If the work includes preliminary design or final design (the “Construction Plans”), or design work sheets, or special provisions and estimates (collectively referred to as the “Plans”), the State shall comply with the following requirements, as applicable:
 - a. perform or provide the Plans, to the extent required by the nature of the work.
 - b. prepare final design (Construction Plans) in accord with the requirements of the latest edition of the American Association of State Highway Transportation Officials (AASHTO) manual or other standard, such as the Uniform Building Code, as approved by CDOT.
 - c. prepare special provisions and estimates in accord with the State’s Roadway and Bridge Design Manuals and Standard Specifications for Road and Bridge Construction.
 - d. include details of any required detours in the Plans, in order to prevent any interference of the construction work and to protect the traveling public.
 - e. stamp the Plans produced by a Colorado Registered Professional Engineer.
 - f. provide final assembly of Plans and contract documents.
 - g. be responsible for the Plans being accurate and complete.
 - h. make no further changes in the Plans following the award of the construction contract except by agreement in writing between the Parties. The Plans shall be considered final when approved and accepted by the Parties hereto, and when final they shall be deemed incorporated herein.

B. Construction [if applicable]

1. If the work includes construction, the State shall perform the construction in accordance with the approved design plans and/or administer the construction all in accord with the Scope of Work (**Exhibit A**). Such administration shall include Project inspection and testing; approving sources of materials; performing required plant and shop inspections; documentation of contract payments, testing and inspection activities; preparing and approving pay estimates; preparing, approving and securing the funding for contract modification orders and minor contract revisions; processing contractor claims; construction supervision; and meeting the Quality Control requirements of the FHWA/CDOT Stewardship Agreement. The State shall ensure that its contractor(s) shall abide by the Local Agency’s contractor registration requirements and noise control ordinance.
2. Subject to Section 5, if the State is the responsible party:
 - a. it shall appoint a qualified professional engineer, licensed in the State of Colorado, as the State Agency Project Engineer (SAPE), to perform that administration. The SAPE shall administer the Project in accordance with this Agreement, the requirements of the construction contract and applicable State procedures.
 - b. if bids are to be let for the construction of the Project, the State shall, in conjunction with the Local Agency, advertise the call for bids and upon concurrence by the Local Agency will award the construction contract(s) to the low responsive, responsible bidder(s).
 - (1) in advertising and awarding the bid for the construction of a federal-aid project, the State shall comply with applicable requirements of 23 USC § 112 and 23 CFR Parts 633 and 635 and C.R.S. § 24-92-101 et seq. Those requirements include, without limitation, that the State/contractor shall incorporate Form 1273 in its entirety verbatim into any subcontract(s) for those services as terms and conditions therefore, as required by 23 CFR 633.102(e).
 - (2) the Local Agency has the option to concur or not concur in the proposal of the apparent low bidder for work on which competitive bids have been received. The Local Agency must declare its concurrence or non-concurrence within 3 working days after said bids are publicly opened. Concurrence in an award does not alter the need to amend the Agreement for any Contribution increases on behalf of the Local Agency.
 - c. If all or part of the construction work is to be accomplished by State personnel (i.e. by force account), rather than by a competitive bidding process, the State will ensure that all such force account work is accomplished in accordance with the pertinent State specifications and requirements with 23 CFR 635, Subpart B, Force Account Construction.

Section 7. ROW Acquisition and Relocation

If the Project includes right of way, prior to this Project being advertised for bids, the State will certify in writing that all right of way has been acquired in accordance with the applicable state and federal regulations, or that no additional right of way is required.

Any acquisition/relocation activities must comply with: all applicable federal and state statutes and regulations, including but not limited to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended (P.L. 91-646) and the Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs as amended (49 CFR Part 24); CDOT's Right of Way Manual; and CDOT's Policy and Procedural Directives.

Allocation of Responsibilities are as follows:

- Federal participation in right of way acquisition (3111 charges), relocation (3109 charges) activities, if any, and right of way incidentals (expenses incidental to acquisition/relocation of right of way – 3114 charges);
- Federal participation in right of way acquisition (3111 charges), relocation (3109 charges) but no participation in incidental expenses (3114 charges); or
- No federal participation in right of way acquisition (3111 charges) and relocation activities (3109 expenses).

Regardless of the option selected above, the State retains oversight responsibilities. The Local Agency's and the State's responsibilities for each option is specifically set forth in CDOT's Right of Way Manual. The manual is located at <http://www.coloradodot.info/business/manuals/right-of-way>.

If right of way is purchased for a state highway, including areas of influence of the state highway, the local agency shall immediately convey title to such right of way to CDOT after the Local Agency obtains title.

Section 8. Utilities

If necessary, the State will be responsible for obtaining the proper clearance or approval from any utility company, which may become involved in this Project. Prior to this Project being advertised for bids, the responsible party will certify in writing that all such clearances have been obtained.

Section 9. Railroads

In the event the Project involves modification of a railroad company's facilities whereby the work is to be accomplished by railroad company forces, the State shall make timely application to the Public Utilities Commission requesting its order providing for the installation of the proposed improvements and not proceed with that part of the work without compliance. The State shall also establish contact with the railroad company involved for the purpose of complying with applicable provisions of 23 CFR 646, subpart B, concerning federal-aid projects involving railroad facilities, including:

1. Executing an agreement setting out what work is to be accomplished and the location(s) thereof, and that the costs of the improvement shall be eligible for federal participation.
2. Obtaining the railroad's detailed estimate of the cost of the work.
3. Establishing future maintenance responsibilities for the proposed installation.
4. Prescribing future use or dispositions of the proposed improvements in the event of abandonment or elimination of a grade crossing.
5. Establishing future repair and/or replacement responsibilities in the event of accidental destruction or damage to the installation.

Section 10. Environmental Obligations

The State shall perform all work in accordance with the requirements of the current federal and state environmental regulations including the National Environmental Policy Act of 1969 (NEPA) as applicable.

Section 11. Maintenance Obligations

The Local Agency will maintain and operate the aesthetic improvements that are funded by the Local Agency's Contribution at its own cost and expense during their useful life, in a manner satisfactory to the State and FHWA. A

separate maintenance agreement, Agreement Routing # 26-HA1-XC-00003, will be executed that will explain the Parties' maintenance responsibilities. Subject to available funding and appropriation, the Local Agency will make proper provisions for such maintenance obligations each year. Such maintenance and operations shall be conducted in accordance with all applicable statutes, ordinances and regulations. The State and FHWA will make periodic inspections of the Project to verify that such improvements are being adequately maintained.

Section 12. Record Keeping

The State shall maintain a complete file of all records, documents, communications, and other written materials, which pertain to the costs incurred under this Agreement. The State shall maintain such records for a period of three (3) years after the date of termination of this Agreement or final payment hereunder, whichever is later, or for such further period as may be necessary to resolve any matters which may be pending. The State shall make such materials available for inspection at all reasonable times and shall permit duly authorized agents and employees of the Local Agency and FHWA to inspect the Project and to inspect, review and audit the Project records as they relate to the Local Agency's Contribution.

Section 13. Termination Provisions

This Agreement may be terminated as follows:

- A. Termination for Convenience. The State may terminate this Agreement at any time the State determines that the purposes of the distribution of moneys under the Agreement would no longer be served by completion of the Project. The State shall effect such termination by giving written notice of termination to the Local Agency and specifying the effective date thereof, at least twenty (20) days before the effective date of such termination.
- B. Termination for Cause. If, through any cause, the Local Agency shall fail to fulfill, in a timely and proper manner, its obligations under this Agreement, or if the Local Agency shall violate any of the covenants, agreements, or stipulations of this Agreement, the State shall thereupon have the right to terminate this Agreement for cause by giving written notice to the Local Agency of its intent to terminate and at least ten (10) days opportunity to cure the default or show cause why termination is otherwise not appropriate. In the event of termination, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs and reports or other material prepared by the Local Agency under this Agreement shall, at the option of the State, become its property, and the Local Agency shall be entitled to receive just and equitable compensation for any services and supplies delivered and accepted.

Notwithstanding the above, the Local Agency shall not be relieved of liability to the State for any damages sustained by the State by virtue of any breach of the agreement by the Local Agency, and the State may withhold payment to the Local Agency for the purposes of mitigating its damages until such time as the exact amount of damages due to the State from the Local Agency is determined.

If after such termination it is determined, for any reason, that the Local Agency was not in default or that the Local Agency's action/inaction was excusable, such termination shall be treated as a termination for convenience, and the rights and obligations of the Parties shall be the same as if the Agreement had been terminated for convenience, as described herein.

Section 14. Legal Authority

The Local Agency warrants that it possesses the legal authority to enter into this Agreement and that it has taken all actions required by its procedures, by-laws, and/or applicable law to exercise that authority, and to lawfully authorize its undersigned signatory to execute this agreement and to bind the Local Agency to its terms. The person(s) executing this Agreement on behalf of the Local Agency warrants that such person(s) has full authorization to execute this Agreement.

Section 15. Representatives and Notice

The State will provide liaison with the Local Agency through the State's Region Director, Region R1, 425 Corporate Circle, Golden, CO, CO 80401. Said Region Director will also be responsible for coordinating the State's activities under this Agreement. All communications relating to the day-to-day activities for the work shall be exchanged between representatives of the State's Transportation Region R1 and the Local Agency. All communication, notices, and correspondence shall be addressed to the individuals identified below. Either party may from time to time designate in writing new or substitute representatives.

If to the State:
Maria Shuttleworth
CDOT Region 1
425 Corporate Circle
Golden, CO, Colorado 80401
720-497-6936
maria.shuttleworth@state.co.us

If to the Local Agency:
Mike Whiteaker
CITY OF LAKEWOOD
480 South Allison Parkway
Lakewood, Colorado 80226
303-987-7981
mike.whiteaker@lakewoodco.gov

Section 16. Successors

Except as herein otherwise provided, this Agreement shall inure to the benefit of and be binding upon the Parties hereto and their respective successors and assigns.

Section 17. Third Party Beneficiaries

It is expressly understood and agreed that the enforcement of the terms and conditions of this Agreement and all rights of action relating to such enforcement, shall be strictly reserved to the State and the Local Agency. Nothing contained in this Agreement shall give or allow any claim or right of action whatsoever by any other third person. It is the express intention of the State and the Local Agency that any such person or entity, other than the State or the Local Agency receiving services or benefits under this Agreement shall be deemed an incidental beneficiary only.

Section 18. Governmental Immunity

Notwithstanding any other provision of this Agreement to the contrary, no term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protection, or other provisions of the Colorado Governmental Immunity Act, § 24-10-101, et seq., C.R.S., as now or hereafter amended. The Parties understand and agree that liability for claims for injuries to persons or property arising out of negligence of the State of Colorado, its departments, institutions, agencies, boards, officials and employees is controlled and limited by the provisions of § 24-10-101, et seq., C.R.S., as now or hereafter amended and the risk management statutes, §§ 24-30-1501, et seq., C.R.S., as now or hereafter amended. The Parties further understand and agree that liability for claims from injuries to persons or property arising out of negligence of the Local Agency, its departments, officials, and employees is controlled and limited by the provisions of § 24-10-101, et seq., C.R.S. as now or hereafter amended.

Section 19. Severability

To the extent that this Agreement may be executed and performance of the obligations of the Parties may be accomplished within the intent of the Agreement, the terms of this Agreement are severable, and should any term or provision hereof be declared invalid or become inoperative for any reason, such invalidity or failure shall not affect the validity of any other term or provision hereof.

Section 20. Waiver

The waiver of any breach of a term, provision, or requirement of this Agreement shall not be construed or deemed as a waiver of any subsequent breach of such term, provision, or requirement, or of any other term, provision or requirement.

Section 21. Entire Understanding

This Agreement is intended as the complete integration of all understandings between the Parties. No prior or contemporaneous addition, deletion, or other amendment hereto shall have any force or effect whatsoever, unless embodied herein by writing. No subsequent novation, renewal, addition, deletion, or other amendment hereto shall have any force or effect unless embodied in a writing executed and approved pursuant to the State Fiscal Rules.

Section 22. Survival of Agreement Terms

Notwithstanding anything herein to the contrary, the Parties understand and agree that all terms and conditions of this Agreement and the exhibits and attachments hereto which may require continued performance, compliance or effect beyond the termination date of the Agreement shall survive such termination date and shall be enforceable by the State as provided herein in the event of such failure to perform or comply by the Local Agency.

Section 23. Modification and Amendment

This Agreement is subject to such modifications as may be required by changes in federal or State law, or their implementing regulations, however, no modification of this Agreement shall be effective unless agreed to in writing by both Parties in an amendment to this Agreement that is properly executed and approved in accordance with applicable law.

Section 24. Disputes

Except as otherwise provided in this Agreement, any dispute concerning a question of fact arising under this Agreement, which is not disposed of by agreement of the Parties, will be decided by the Chief Engineer of the Department of Transportation. The decision of the Chief Engineer will be final and conclusive unless, within 30 calendar days after the date of receipt of a copy of such written decision, the Local Agency mails or otherwise furnishes to the State a written appeal addressed to the Executive Director of the Department of Transportation. In connection with any appeal proceeding under this clause, the Local Agency shall be afforded an opportunity to be heard and to offer evidence in support of its appeal within 30 days of the State's receipt of the Local Agency's written request for appeal. Pending final decision of a dispute hereunder, the Local Agency shall proceed diligently with the performance of the Agreement in accordance with the Chief Engineer's decision. The decision of the Executive Director or his duly authorized representative for the determination of such appeals will be final and conclusive and serve as final agency action. This dispute clause does not preclude consideration of questions of law in connection with decisions provided for herein. Nothing in this Agreement, however, shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

Section 25. COLORADO SPECIAL PROVISIONS (COLORADO FISCAL RULE 3-3)

These Special Provisions apply to all contracts. Contractor refers to Local Agency and Contract refers to Agreement.

A. STATUTORY APPROVAL. §24-30-202(1), C.R.S.

This Contract shall not be valid until it has been approved by the Colorado State Controller or designee. If this Contract is for a Major Information Technology Project, as defined in §24-37.5-102(19), then this Contract shall not be valid until it has been approved by the State's Chief Information Officer or designee.

B. FUND AVAILABILITY. §24-30-202(5.5), C.R.S., applicable Local Agency law, rule or regulation.

Financial obligations of the Parties payable after the current State Fiscal Year or fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available.

C. GOVERNMENTAL IMMUNITY.

Liability for claims for injuries to persons or property arising from the negligence of the Parties, their departments, boards, commissions committees, bureaus, offices, employees and officials shall be controlled and limited by the provisions of the Colorado Governmental Immunity Act, §24-10-101, et seq., C.R.S.; the Federal Tort Claims Act, 28 U.S.C. Pt. VI, Ch. 171 and 28 U.S.C. 1346(b), and the State's risk management statutes, §§24-30-1501, et seq. C.R.S. No term or condition of this Contract shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, contained in these statutes.

D. INDEPENDENT CONTRACTOR

Contractor shall perform its duties hereunder as an independent contractor and not as an employee. Neither Contractor nor any agent or employee of Contractor shall be deemed to be an agent or employee of the State. Contractor shall not have authorization, express or implied, to bind the State to any agreement, liability or understanding, except as expressly set forth herein. **Contractor and its employees and agents are not entitled to unemployment insurance or workers compensation benefits through the State and the State shall not pay for or otherwise provide such coverage for Contractor or any of its agents or employees. Contractor shall pay when due all applicable employment taxes and income taxes and local head taxes incurred pursuant to this Contract. Contractor shall (i) provide and keep in force workers' compensation and unemployment compensation insurance in the amounts required by law, (ii) provide proof thereof when requested by the State, and (iii) be solely responsible for its acts and those of its employees and agents.**

E. COMPLIANCE WITH LAW.

Contractor shall comply with all applicable federal and State laws, rules, and regulations in effect or hereafter established, including, without limitation, laws applicable to discrimination and unfair employment practices.

F. CHOICE OF LAW, JURISDICTION, AND VENUE.

Colorado law, and rules and regulations issued pursuant thereto, shall be applied in the interpretation, execution, and enforcement of this Contract. Any provision included or incorporated herein by reference which conflicts with said laws, rules, and regulations shall be null and void. All suits or actions related to this Contract shall be filed and proceedings held in the State of Colorado and exclusive venue shall be in the City and County of Denver.

G. PROHIBITED TERMS.

Any term included in this Contract that requires the Parties to indemnify or hold Parties' contractor harmless; requires the Parties to agree to binding arbitration; limits Parties' contractor's liability for damages resulting from death, bodily injury, or damage to tangible property; or that conflicts with this provision in any way shall be void ab initio. Nothing in this Contract shall be construed as a waiver of any provision of §24-106-109 C.R.S. Any term included in this Contract that limits Parties' contractor's liability that is not void under this section shall apply only in excess of any insurance to be maintained under this Contract, and no insurance policy shall be interpreted as being subject to any limitations of liability of this Contract.

H. SOFTWARE PIRACY PROHIBITION.

State or other public funds payable under this Contract shall not be used for the acquisition, operation, or maintenance of computer software in violation of federal copyright laws or applicable licensing restrictions. Contractor hereby certifies and warrants that, during the term of this Contract and any extensions, Contractor has and shall maintain in place appropriate systems and controls to prevent such improper use of public funds. If the State determines that Contractor is in violation of this provision, the State may exercise any remedy available at law or in equity or under this Contract, including, without limitation, immediate termination of this Contract and any remedy consistent with federal copyright laws or applicable licensing restrictions.

I. EMPLOYEE FINANCIAL INTEREST/CONFLICT OF INTEREST. §§24-18-201 and 24-50-507, C.R.S.

The signatories aver that to their knowledge, no employee of the State has any personal or beneficial interest whatsoever in the service or property described in this Contract. Contractor has no interest and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of Contractor's services and Contractor shall not employ any person having such known interests.

THE PARTIES HERETO HAVE EXECUTED THIS CONTRACT

* Persons signing for The Local Agency hereby swear and affirm that they are authorized to act on The Local Agency's behalf and acknowledge that the State is relying on their representations to that effect.

	<p align="center">STATE OF COLORADO Jared S. Polis, GOVERNOR Colorado Department of Transportation</p> <p>By: _____ Keith Stefanik, P.E., Chief Engineer (For) Shoshana M. Lew, Executive Director</p> <p>Date: _____</p>

ATTEST:

CITY OF LAKEWOOD

By: _____
Jay R. Robb, City Clerk

Kathleen E. Hodgson, City Manager

Date: _____

RECOMMENDED FOR APPROVAL:

APPROVED AS TO FORM:

By: _____
Maria D'Andrea,
Public Works Director

By: _____
Gus Schenck,
Senior Assistant City Attorney

By: _____
Holly Bjorklund,
Chief Financial Officer

EXHIBIT A
SCOPE OF WORK

Name of Project: US 6: Wadsworth Interchange Construction
Project Number: NHPP 1211-111
SubAccount #: 26942

Project Background:

The project will replace the existing U.S. 6 and Wadsworth interchange and widen Wadsworth Blvd. between W. 4th Avenue and W. Broadview Drive to match the roadway north and south of the interchange. Project details include replacing the existing cloverleaf interchange to a tight diamond with a single loop design; reconstructing and replacing the bridge over Wadsworth, the McIntyre culvert, and the S. Lakewood Gulch culvert; and lengthening all entrance and exit ramps. The project will also connect the existing six-lane roadway section located north of 8th Avenue and south of 4th Avenue, in each direction, and construct an approximately 10-foot multi-use path on both sides of Wadsworth. The project will also add noise walls in the NE, NW, and SE quadrants of the interchange, and construct a new water quality pond.

Scope of Work:

As part of the 2023 RAISE Grant, the City of Lakewood has committed funding of \$1 million towards the general construction of the Project and/or toward Construction Engineering and Indirect Costs related to the construction and installation of the aesthetic enhancements for the Project.

And

The City of Lakewood desires to construct additional aesthetic elements/enhancements at the City of Lakewood's cost, such aesthetic elements/enhancements requiring funding above and beyond the base Project cost. The City of Lakewood is willing to contribute \$3,500,000.00 for the cost of such aesthetic elements/enhancements, subject to fund availability and appropriation and the Contribution Limits in the foregoing Agreement.

- The Aesthetic Enhancements include:
 - Gateway monuments
 - Landscape walls
 - Public art installations
 - Landscaping
 - Irrigation
 - Lighting

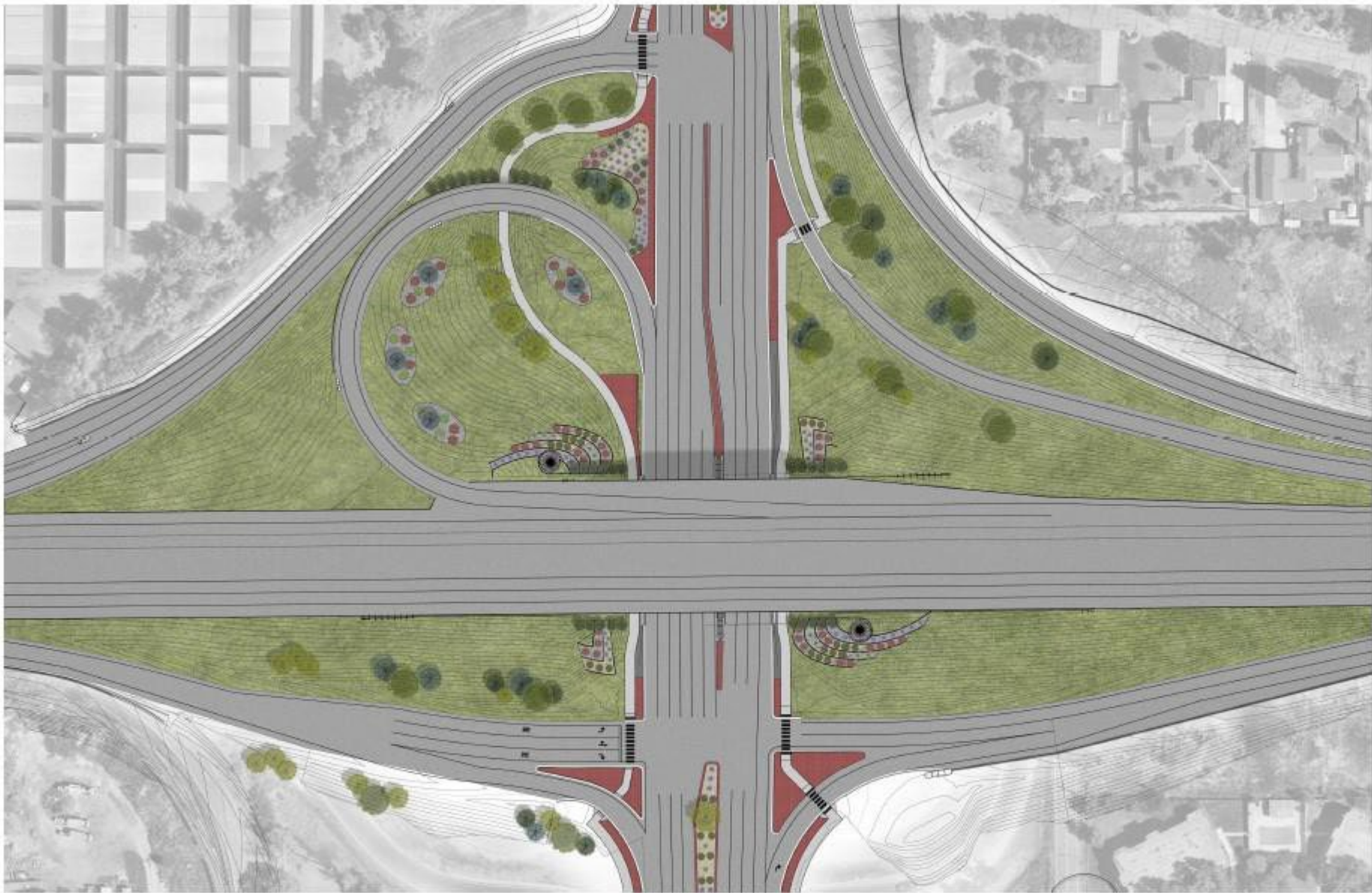
The City is additionally authorized to inspect and have oversight of the project elements that it funds. The City will also fund a proportionate share of Construction Engineering (CE) and Indirect Costs, based on a calculated percentage rate applied to the cost of the specific bid items it is funding. This percentage will reflect the overall project construction management needs and current federal indirect rates. This amount will be included in the total Contribution from the City, and is not a separate cost. Notwithstanding the foregoing, as discussed above,

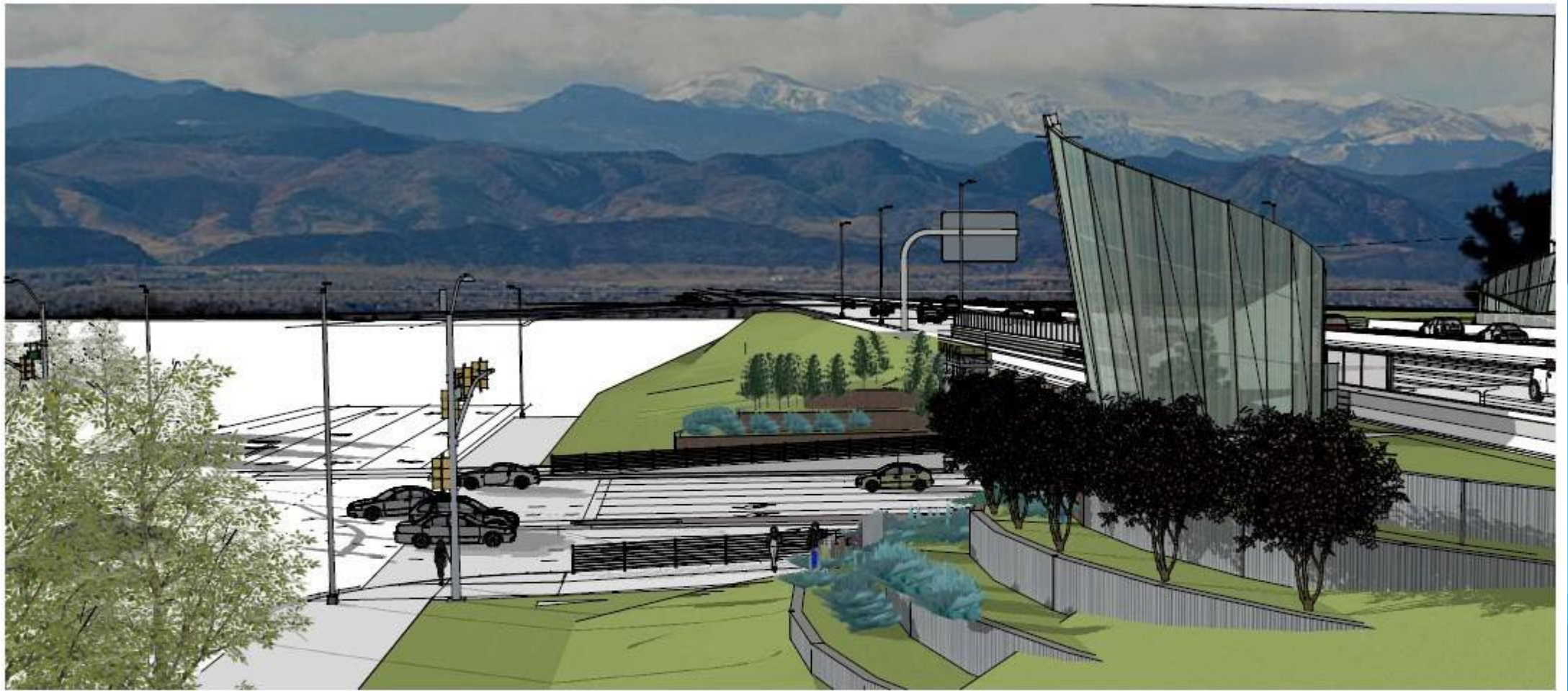
the City's \$1 million contribution toward the general construction of the Project may be used to offset the Construction Engineering and Indirect Costs related to the aesthetic enhancements.

This is a CDOT run project and CDOT will serve as lead agency for administering the project.

A separate Maintenance IGA, outlining long-term maintenance responsibilities, will be executed prior to construction.

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SE Intersection Detail



Path Illumination

Concrete Ribbed Facia

Cable safety railing

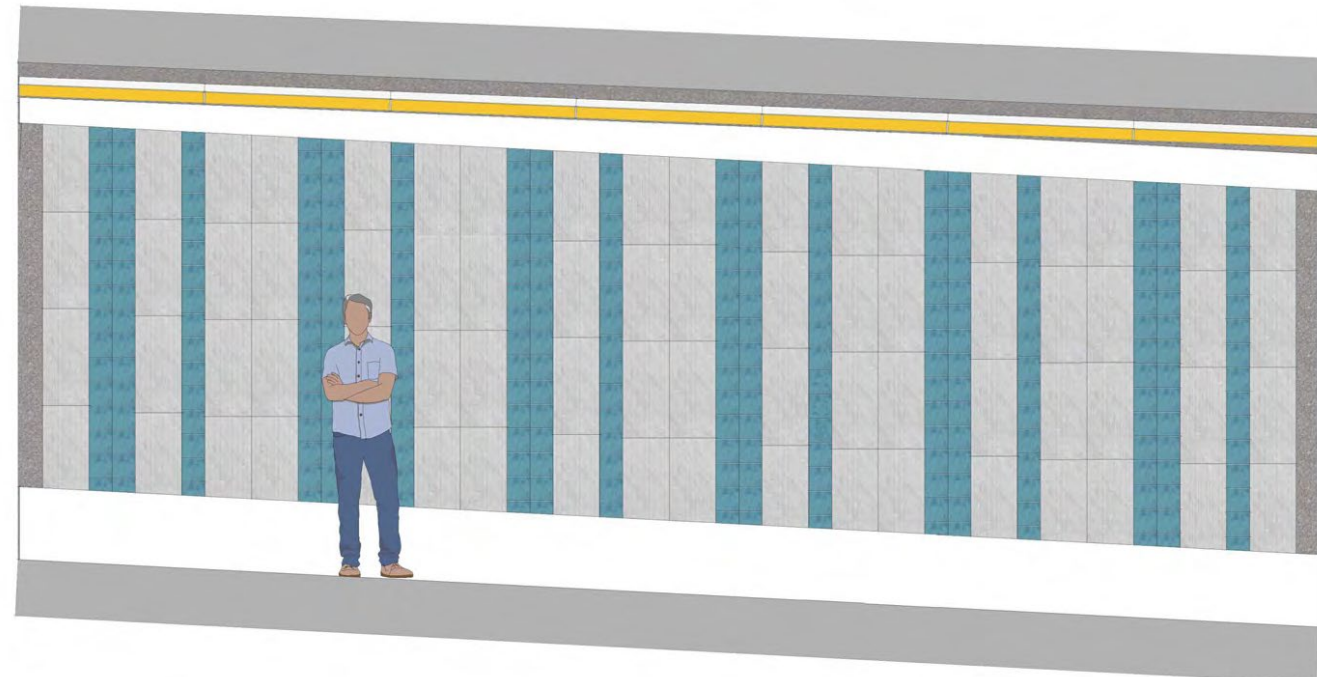
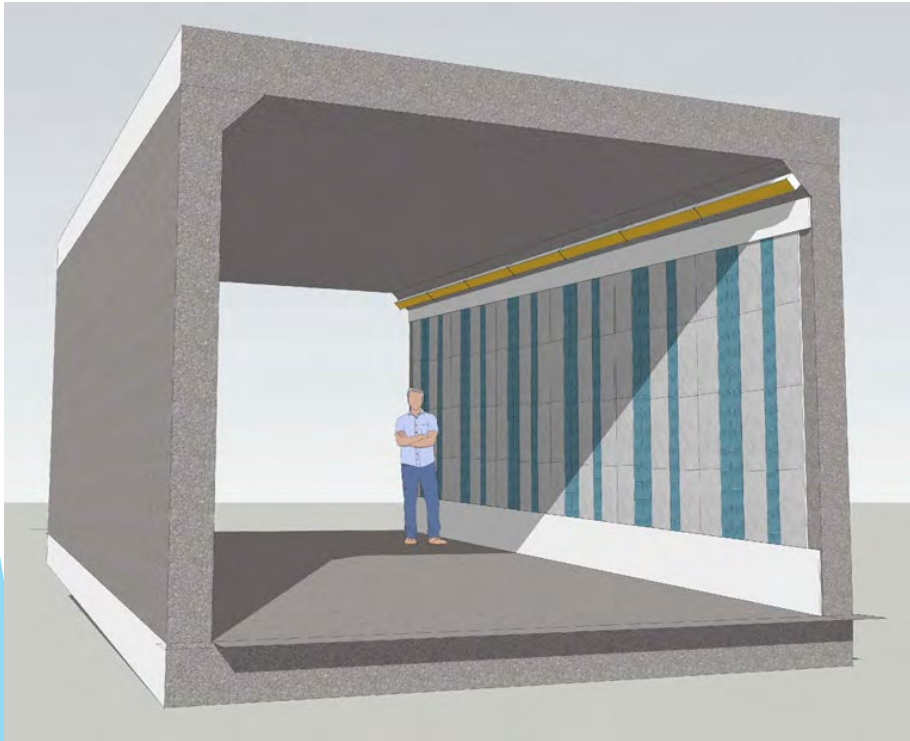
Abutment Walls with Form Liner

SS Columns side mounted to wall

Art Panel Illumination

Matching Form Liner

Abutment Detail



STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 4B

To: Mayor and City Council
From: Maria D'Andrea, Director of Public Works
Subject: **Sanitary Sewer Fee Correction**

SUMMARY STATEMENT: The City Council approved a resolution on February 9, 2026, that increased the sanitary sewer fees for Lakewood Sewer Utility customers beginning on April 1, 2026. The resolution inadvertently included adjustments to the sewer tap fees for new connections to the sanitary sewer system. The tap fees had previously been deemed to be adequate and should not have been included in the February 9 resolution. Therefore, a new resolution is recommended for adoption to establish the previously approved 2026 sanitary sewer fees without modifying the tap fees.

BACKGROUND INFORMATION: The Lakewood Sewer Utility serves approximately 7,000 properties that contribute wastewater flows to City-owned sewer mains. The Sewer Utility operates and maintains a system of sewer mains with a total length of roughly 106 miles. The service area is located primarily within the northern part of the City (see attached map).

Developments that require sewer services are required to pay a one-time fee to purchase a sewer tap to serve the development area. Tap fees are intended to defray the cost of system capacity increases necessary to serve new development.

BUDGETARY IMPACTS: Lakewood annually evaluates the sanitary sewer rates to determine the necessary charges for these services to fund maintenance, operations, and critical infrastructure improvements that keep these systems operating reliably and efficiently. Based on this review, staff feels the tap fees are adequate and does not recommend any modifications to the tap fees, at this time.

All other sanitary sewer fees, as adopted by the City Council on February 9, 2026, would be adopted at the same rates as approved on that date.

STAFF RECOMMENDATIONS: Staff recommends adopting the attached resolution, which sets sanitary sewer fees, effective April 15, 2026, and eliminates any previously approved modifications to tap fees.

ALTERNATIVES: The City Council could choose to retain the previously adopted changes to the tap fees.

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

NEXT STEPS: Staff will implement the new sanitary sewer fees for bills being issued beginning in May 2026.

ATTACHMENTS: 1. Resolution R-2026-23
2. Sewer Service Area Map

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

R-2026-23

A RESOLUTION

REPEALING AND REPLACING RESOLUTION 2026-12
AND ESTABLISHING CERTAIN SANITARY SEWER FEES FOR CUSTOMERS
OF THE CITY OF LAKEWOOD SEWER UTILITY

WHEREAS, Section 13.04.120 of the Lakewood Municipal Code directs the City Council to establish by resolution sewer rates for customers of the sewer utility of the City of Lakewood;

WHEREAS, on February 9, 2026, the City Council adopted Resolution 2026-12, which amended certain sewer rates charged to the customers of the City of Lakewood sewer utility;

WHEREAS, Resolution 2026-12 inadvertently included amendments to the tap fees charged to customers of the City of Lakewood sewer utility;

WHEREAS, Resolution 2026-12 went into effect April 1, 2026, and as such, no customers of the City of Lakewood sewer utility have been subject to the tap fee rates that were inadvertently included therein; and

WHEREAS, there is no need to amend the tap fees for the City of Lakewood sewer utility at this time, nor was there a need to amend them on February 9, 2026, when City Council passed Resolution 2026-12, and therefore, the tap fees charged by the Lakewood sewer utility should be kept at the same rates as set by the City Council prior to the adoption of Resolution 2026-12.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The following rates are hereby established, effective April 15, 2026, as the updated sewer rates for the sewer utility of the City of Lakewood.

The sewer rates for all customers of the City of Lakewood sewer utility, except for non-metered, wholesale customers, shall be based upon the following rate schedule. All sewer customers, except for non-metered, wholesale customers, shall pay a standard, unvarying bimonthly service charge, and a variable volume charge.

Service Charge

\$10.62 per bimonthly billing

Volume Charge

\$6.16 per 1,000 gallons

SECTION 2. The following rates are hereby established, effective April 15, 2026, as the sewer rates for City of Lakewood non-metered, wholesale customers:

\$83.44 per single-family residential equivalent tap per quarter.

SECTION 3. The tap fees for the City of Lakewood sewer utility shall be charged at the rates that were in place prior to the passage of Resolution 2026-12 on February 9, 2026, and Resolution 2026-12 is hereby repealed and replaced by this Resolution.

INTRODUCED, READ AND ADOPTED by a vote of _ for and _ against at a hybrid regular meeting of the City Council on April 13, 2026, at 7 o'clock p.m., at the Lakewood Civic Center, 480 South Allison Parkway, Lakewood, Colorado.

Wendi Strom, Mayor

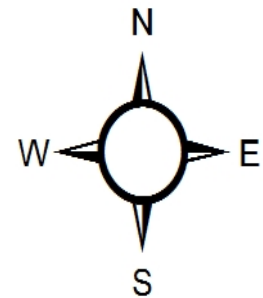
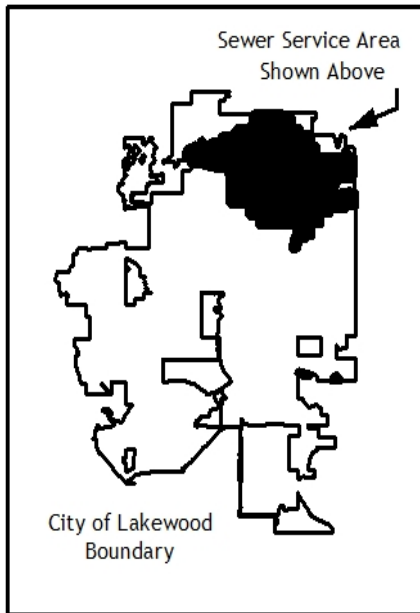
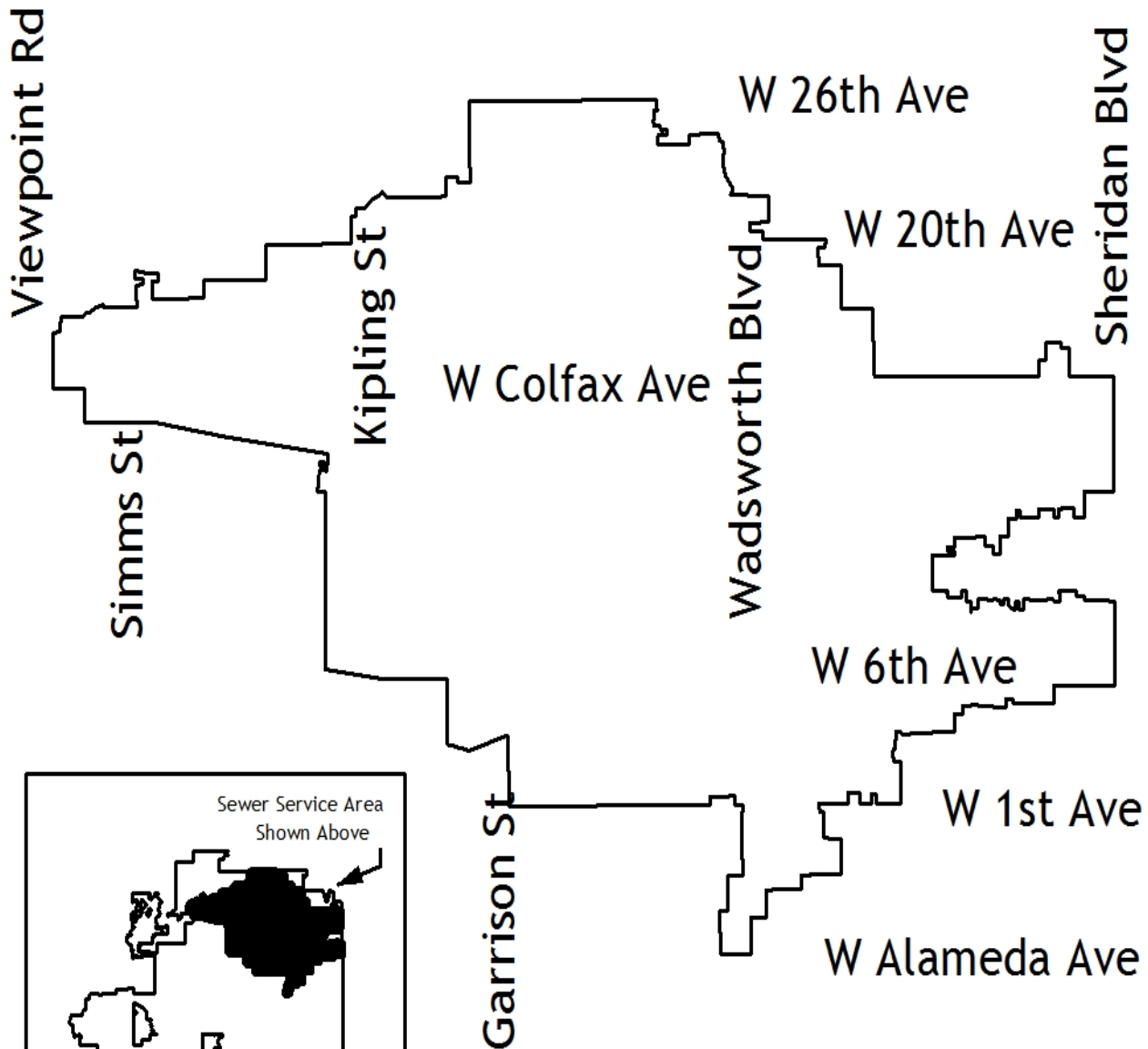
ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney

Lakewood Sewer Utility Service Area



STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 4C

To: Mayor and City Council

From: Jay Robb, City Clerk

Subject: **Correcting Terms of the Planning Commissioner Appointed Under R-2026-20**

SUMMARY STATEMENT: Resolution 2026-24 corrects the terms of the two Planning Commissioners appointed under Resolution 2026-20.

BACKGROUND INFORMATION: Resolution 2026-20 inadvertently included two-year terms for the appointed and reappointed Planning Commissioners instead of four-year terms pursuant to Chapter 2.16.010(A) of the Lakewood Municipal Code.

The adoption of Resolution 2026-24 corrects the terms of Jake Carias (Ward 2 Planning Commissioner); and Steven Buckley (Ward 3 Planning Commissioner) to full, 4-year terms beginning April 1, 2026, and ending on March 31, 2030.

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: Approval of the resolution.

ALTERNATIVES: Denial of the recommended appointment.

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

NEXT STEPS: Upon approval of the resolution by City Council, the Planning Commissioners will serve full, four-year terms beginning April 1, 2026, and ending on March 31, 2030.

ATTACHMENTS: 1. Resolution R-2026-24

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

R-2026-24

A RESOLUTION

REPEALING AND REPLACING RESOLUTION 2026-20
APPOINTING AND REAPPOINTING
MEMBERS TO THE LAKEWOOD PLANNING COMMISSION

WHEREAS, on March 23, 2026, the City Council adopted Resolution 2026-20, appointing and reappointing members to the Lakewood Planning Commission;

WHEREAS, Resolution 2026-20 inadvertently included two-year terms for the appointed and reappointed Planning Commissioners instead of four-year terms pursuant to Chapter 2.16.010(A) of the Lakewood Municipal Code;

WHEREAS, the terms of the individuals appointed through the adoption of Resolution 2026-20 commenced on April 1, 2026, with corrected terms under Section 1 and Section 2 below;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The following Lakewood resident is hereby appointed to the Lakewood Planning Commission for a four-year term beginning April 1, 2026, through March 31, 2030:

Jake Carias, Ward 2 Planning Commissioner.

SECTION 2. The following Lakewood resident is hereby reappointed to the Lakewood Planning Commission for a term beginning April 1, 2026, through March 31, 2030:

Steven Buckley, Ward 3 Planning Commissioner.

The terms of the individuals appointed under this Section 1 and Section 2 shall end on March 31, 2030, or until such time as their successor is appointed.

INTRODUCED, READ, AND ADOPTED by a vote of __ for and __ against at a hybrid regular meeting of the City Council on April 13, 2026, at 7 o'clock p.m. at the Lakewood Civic Center, 480 South Allison Parkway, Lakewood, Colorado.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney

STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 4D

To: Mayor and City Council
From: Cory Peterson, Chief of the Operational Services Branch
Subject:

SUMMARY STATEMENT: As part of the City Attorney's regular annual review, the City Council has recognized Alison McKenney Brown for her outstanding work as City Attorney. As directed by City Council, staff has prepared the attached Resolution for their review and consideration.

BACKGROUND INFORMATION: The City Attorney's annual review culminated with a virtual review held on April 6, 2026, during a Special Session of the Lakewood City Council.

As a result of her exceptional work, the City Council may choose to provide the City Attorney with a performance-based increase in annual compensation. This increase will be effective as of March 16, 2026, to align with other city employee increases.

BUDGETARY IMPACTS: The associated budget impact of this item will be funded within existing operational budgets.

STAFF RECOMMENDATIONS: Staff recommends the City Council review the attached Resolution in advance of the City Council meeting.

ALTERNATIVES: The City Council could choose to amend or not to adopt the proposed Resolution.

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

NEXT STEPS: None

ATTACHMENTS: 1. Resolution R-2026-25

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

R-2026-25

A RESOLUTION

RECOGNIZING THE OUTSTANDING SERVICE OF CITY ATTORNEY
ALISON MCKENNEY BROWN AND AUTHORIZING A SALARY
PERFORMANCE INCREASE IN ACKNOWLEDGMENT THEREOF

WHEREAS, Alison McKenney Brown has served the City of Lakewood in the capacity of City Attorney since January, 2021;

WHEREAS, Ms. McKenney Brown has achieved significant success in carrying out her responsibilities as City Attorney, including, but not limited to: providing outstanding service to the City Council; providing outstanding service to all City Departments; reducing litigation; practicing smart fiscal policy; achieving recognition of excellence throughout the region and State; and encouraging innovative practices;

WHEREAS, under the direction of Ms. McKenney Brown the City Attorney's Office is providing legal services to the City at a cost significantly below that of other municipalities of similar size within the region;

WHEREAS, Ms. McKenney Brown was selected as a Fellow of the International Municipal Attorney's Association in 2025, a designation awarded to only the most experienced local government attorneys.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood:

Formally extends its acknowledgement of Ms. McKenney Brown's outstanding work as the City Attorney for the City of Lakewood.

A salary increase in the amount of __% is hereby awarded to Ms. McKenney Brown in recognition for providing service above and beyond her established duties, this increase is effective as of March 16, 2026.

INTRODUCED, READ AND ADOPTED by a vote of _ for and _ against at a hybrid regular meeting of the City Council on April 13, 2026, at 7 o'clock p.m., at the Lakewood Civic Center, 480 South Allison Parkway, Lakewood, Colorado.

INTRODUCED, READ AND ADOPTED by a vote of _ for and _ against at a hybrid regular meeting of the City Council on March 23, 2026, at 7 o'clock p.m., at the Lakewood Civic Center, 480 South Allison Parkway, Lakewood, Colorado.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney

STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 4E

To: Mayor and City Council
From: Will Chan, Economic Development Director & LRA Executive Director
Subject: **Public Improvement Loan Extension for Trail Break Industrial Park**

SUMMARY STATEMENT: City staff will present an amendment to a public loan agreement with Ten Sheridan, LLC to extend the terms of the agreement until 2027 .

BACKGROUND INFORMATION: The City previously provided a loan to Ten Sheridan, LLC to support the redevelopment of the property located at the southwest corner of Sheridan Boulevard and 10th Avenue. The project is a mixed-use development that includes potential middle-income housing options which is a use consistent with City goals of expanding housing attainability along key corridors.

Since the original loan was made, the project has experienced delays resulting from changes to City ordinances and fee structures that affected the developer's planning and approval timeline. The developer has continued to make progress and has received site plan approval, but needs additional time to finalize their financing and move toward construction.

The proposed amendment extends the loan repayment deadline by one year, to September 2027, to align with the developer's approved site plan and anticipated project milestones. This timeframe reflects the current financing environment for mixed-use development projects and gives the developer a realistic runway to complete their capital stack and break ground.

The City's investment remains secured, and the extension does not alter the loan terms beyond the repayment deadline. Supporting this extension will advance quality mixed-use development to the West Colfax area.

BUDGETARY IMPACTS: There is no budget impact associated with this amendment as the City has already paid the amount agreed to be loaned to Ten Sheridan, LLC. The loan will still be repaid, just delayed.

STAFF RECOMMENDATIONS: Staff recommends the Mayor and City Council review the amendments to the public improvement loan and provide any specific questions in advance, so thoughtful answers may be researched and responses provided to the whole of the Council.

ALTERNATIVES: The Mayor and City Council may delay or forgo this action.

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

NEXT STEPS: Staff will present the proposed changes to the public improvement loan and seek approval on April 13, 2026.

- ATTACHMENTS:**
1. Resolution R-2026-26
 2. Attachment A - Ten Sheridan Loan Modification Agreement
 3. Attachment B - Ten Sheridan - First Modification to DOT

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

R-2026-26

A RESOLUTION

APPROVING AN AMENDMENT TO THE PUBLIC IMPROVEMENT
LOAN AGREEMENT WITH TEN SHERIDAN, LLC

WHEREAS, the City adopted chapter 3.26 of the Lakewood Municipal Code, authorizing expenditures to promote and foster growth of the City's economic base to encourage positive effects for the City that preserve the health, safety and welfare of the citizens and residents of the City;

WHEREAS, Abandoned or vacant structures attract various forms of crime and are often vandalized, broken into, used for unsanitary shelter, and are often associated with increased criminal activity in the surrounding area, all of which pose an unnecessary risk to community health, safety and welfare;

WHEREAS, the expedited demolition of dilapidated, derelict, and distressed edifices will have profound positive benefits for the community, adjacent residents and businesses, the local economy, and subsequent redevelopment of such properties will provide new business opportunities, new jobs, and positive growth throughout the community;

WHEREAS, Ten Sheridan LLC ("Developer"), whose principal address is 1719 N. Emerson St., Denver, CO 80218, owns approximately 2.491 acres of real property located generally at 955 on the southwest corner of Sheridan Boulevard and 10th Avenue in Lakewood, CO 80214 ("Property");

WHEREAS, the City approved via Resolution 2023-15 an Agreement to loan to Developer money to effectuate the expedited demolition of the Property for the purposes of removing health, safety, and welfare risks associated with a vacant building;

WHEREAS, Developer has made continued progress toward redevelopment of the Property and has requested additional time to align the repayment deadline with site plan approval and project milestones; and

WHEREAS, Developer has agreed with the City to extend the permit deadline to September, 2027; and

WHEREAS, Developer has requested an amendment of the Agreement to extend the repayment deadline to coincide with the permit deadline, as articulated in Attachments A and B;

WHEREAS, the City determines the requested amendment is reasonable.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood that:

SECTION 1. The attached Amendment to the Public Investment Loan Agreement is hereby approved subject to completion of a first priority security interest, to be filed with the Jefferson County Clerk and Recorder.

SECTION 3. The City Manager and City Clerk are hereby authorized and directed to execute and attest, the Amendment to the Public Investment Loan Agreement and Deed of Trust Modification Agreement on behalf of the City.

INTRODUCED, READ, AND ADOPTED by a vote of _ for and _ against at a hybrid regular meeting of the Lakewood City Council on April 13, 2025, at 7 o'clock p.m. at the Lakewood Civic Center, 480 S. Allison Parkway, Lakewood, Colorado.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney

ATTACHMENT A

**LOAN MODIFICATION AGREEMENT
(TEN SHERIDAN)**

THIS LOAN MODIFICATION AGREEMENT (this “**Agreement**”) is made as of the _____ day of _____, 2026 (the “**Effective Date**”) by and between Ten Sheridan LLC, a Colorado limited liability company (“**Developer**”) and the City of Lakewood, Colorado, a home rule municipal corporation (the “**City**”). Developer and City may be referred to herein collectively as the “**Parties.**”

A. Developer and the City executed that certain Agreement for a Public Investment Loan Between the City of Lakewood, Colorado and Ten Sheridan LLC to Facilitate Expedited Demolition of a Vacant, Dilapidated Structure dated as of May 24, 2023 (the “**Loan Agreement**”), pursuant to which the City extended to Developer a public investment loan (the “**Loan**”) in the original principal amount of up to \$1,000,000.00 for completion of the Project on the Property. The Loan was evidenced by that certain Secured Promissory Note in the original principal amount of \$1,000,000.00, dated as of May 24, 2023, issued by Developer and payable to the order of City (the “**Note**”).

B. The Note is secured by the Deed of Trust (Due on Transfer) signed by Developer for the benefit of the City, dated June 21, 2024, and recorded in the real property records of the County of Jefferson, Colorado on July 31, 2024, at Reception No. 2024044048 (the “**Deed of Trust**”). Unless otherwise defined in this Agreement, any capitalized terms used herein shall have the meanings assigned to such terms in the Loan Agreement. The Loan Agreement, the Note and the Deed of Trust are collectively referred to in this Agreement as the “**Loan Documents.**”

C. The Parties wish to amend the Loan Documents as set forth in this Agreement.

NOW, THEREFORE, in consideration of the covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties, intending to be legally bound, agree as follows:

1. Extension of Maturity Date. As of the Effective Date, the Due Date (as defined in Section 2 of the Note) is hereby extended from September 30, 2026, to September 9, 2027. From and after the Effective Date, all references in the Loan Agreement, the Note and the Deed of Trust to the Due Date or the outside maturity date for repayment of the Loan, shall refer to September 9, 2027, regardless of when or whether Developer obtains additional financing.

2. Reaffirmation of Existing Loan Documents. Except as expressly provided otherwise in this Agreement, Developer agrees that all terms and conditions of the Loan Documents are and shall remain in full force and effect, enforceable in accordance with their terms, without modification.

3. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. This Agreement may be signed electronically or by PDF attachment delivered by electronic mail, and such electronically delivered signatures shall be deemed originals.

4. Governing Law. This Agreement shall be governed by the laws of the State of Colorado.

5. Successors and Assigns; Captions. The covenants and agreements herein contained shall bind, and the rights hereunder shall inure to, the respective successors and assigns (as permitted in accordance with the applicable documents) of the Parties hereto. The headings of the paragraphs in this Agreement are for convenience only and are not to be used to interpret or define the provisions hereof.

[NEXT PAGE IS SIGNATURE PAGE]

CITY OF LAKEWOOD, COLORADO

By: _____
Kathleen E. Hodgson
City Manager

ATTEST:

APPROVED AS TO FORM:

Jay Robb, City Clerk

Alison McKenney Brown, City Attorney

ATTACHMENT B

After Recording Return To:
Ten Sheridan LLC
1719 N. Emerson St.
Denver, CO 80218

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Parcel A:

Tract 36, except the parcel conveyed in Warranty Deed recorded December 28, 2011, under Reception No. 2011117534, Golf Club Acres, County of Jefferson, State of Colorado; and

Parcel B:

The north 73.59 feet of Tract 35, except the west 100 feet of the south 60 feet thereof, Golf Club Acres, County of Jefferson, State of Colorado;

known as Nos. 955, 985, 987, 989, 991, 993, 995, 997 and 999 Sheridan Blvd., Lakewood, CO 80214, together with all its appurtenances (the “**Property**”).

F. The Parties entered into that certain Loan Modification Agreement, dated as of the Effective Date, pursuant to which the maturity date of the Loan was modified.

G. Borrower and Lender wish to amend the Deed of Trust to reflect the modified maturity date of the Loan, as set forth below.

AGREEMENT

NOW, THEREFORE, in consideration of the premises herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto, intending to be legally bound, agree as follows:

1. Modification of Deed of Trust. As of the Effective Date, Section 2(a) of the Deed of Trust is amended and restated in its entirety as follows:

“ a. the repayment of the indebtedness evidenced by Borrower’s note (Note) dated May 24, 2023 in the principal sum of up to One Million Dollars, (U.S. \$1,000,000) including any initial disbursement and any subsequent disbursement of loaned funds up to the maximum borrowing amount; Borrower shall repay upon the later of: securing financing for the redevelopment of the Property, upon other conditions stated in the Agreement between the parties, or upon September 9, 2027; and Borrower is to pay to Lender a late charge of 0.5% interest per day of any payment not received by Lender within 30 days after payment is due; and Borrower has the right to repay the principal amount outstanding under said Note, in whole or in part, at any time before payment is due without penalty.”

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By: _____
Kathleen E. Hodgson
City Manager

ATTEST:

APPROVED AS TO FORM:

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[INSERT CITY SIGNATURE BLOCKS]

STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 5

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: None

ALTERNATIVES: None

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

NEXT STEPS: None

ATTACHMENTS: None

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

STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 5A

To: Mayor and City Council
From: Will Chan, Economic Development Director & LRA Executive Director
Subject: **Updates to Lakewood Municipal Code Chapter 3.26**

SUMMARY STATEMENT: City staff will present updates to Lakewood Municipal Code Chapter 3.26 which authorizes the city to provide financial incentives to promote, foster, and encourage economic development.

BACKGROUND INFORMATION: The City of Lakewood adopted Chapter 3.26 of the Lakewood Municipal Code in 1985, establishing an Economic Development Incentive Fund for the purpose of providing financial assistance for public improvements that further the economic development goals of the City. In 1987, the City's voters authorized a tax on hotel/motel accommodations for the purpose of funding economic development. The revenue from the tax was assigned to the Economic Development Fund, the "Fund". The City periodically reviews and revises provisions of Chapter 3.26 relating to permissible expenditures from the Fund. Currently, the City desires to clarify and define permissible expenditures from the Fund to include activities that further the economic development goals of the City. The proposed amendments describe public benefits consistent with the current economic development goals of the City and clarify the purpose and intent of the Fund. The proposed amendments do not create a new tax, expand the scope of the tax, increase the tax rate, or in any way change the revenues that may be collected from the tax.

Most of the textual changes to this code clarify how this code interacts with the City's Charter, including mandates for all land transfers or direct assistance to require approval by the City Council. Additionally, a few of the most significant proposed revisions are as follows:

3.26.010 Purpose. Revised to clearly incorporate broad sectors of the community that impact economic development and growth within the City.

3.26.020 Definitions. Adds a definition for economic mobility.

Economic mobility means the ability of individuals or households to improve their economic position through participation in the local economy, including access to employment, workforce advancement, business ownership, entrepreneurship, asset building, and income growth, as supported through economic development strategies that strengthen businesses, expand job opportunities, and increase long-term earning potential. Economic mobility, for purposes of this chapter, does not include the provision of general social or human services unrelated to economic development activities.

3.26.030 Economic development fund established; funding. Revises language to more clearly articulate that the goal of the City's economic development fund is to promote both residential and business development in a manner that produces public benefits to the City and its residents, while continuing to prohibit the City from participating in any joint venture or private activity. These revisions specifically seek to advance economic mobility for residents of the City by supporting workforce development, skills training, career advancement, entrepreneurship, access to capital, and other

strategies reasonably designed to increase household stability, earning potential, and long-term participation in the City's economy. Programs authorized under this subsection shall be directly related to economic participation and shall not constitute general social services unrelated to economic development.

3.26.050 Procedural rules and regulations. The revisions to this section clarify that Direct Economic Development Assistance must be approved by the City Council. This section also clarifies what actions/costs qualify as projects eligible for tax rebates.

Additionally, it should be noted that because none of the proposed amendments to this code change the Economic Development Incentive Fund of the City, or impose a new tax, a tax rate increase, or a tax policy change directly causing a net revenue gain, there are no TABOR implications.

BUDGETARY IMPACTS: There is no budget impact associated with this presentation as the session is used to provide updated information and address questions.

STAFF RECOMMENDATIONS: Staff recommends the Mayor and City Council review the draft changes provided and provide any specific questions in advance, so thoughtful answers may be researched and responses provided to the whole of the Council.

ALTERNATIVES: The Mayor and City Council may delay or forgo this presentation.

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

NEXT STEPS: Staff will present the proposed changes to the Lakewood Municipal Code Chapter 3.26 and seek approval on March 23, 2026.

ATTACHMENTS:

1. Ordinance O-2026-13
2. Chapter 3.26 Amendments_Redline Version

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

O-2026-13

AN ORDINANCE

AMENDING LAKEWOOD MUNICIPAL CODE 3.26 TO UPDATE DEFINITIONS
AND CLARIFY THE TYPES OF PUBLIC BENEFITS THAT MAY BE
SUPPORTED THROUGH THE ECONOMIC DEVELOPMENT FUND

WHEREAS, the City of Lakewood, Colorado, the “City,” adopted Chapter 3.26 of the Lakewood Municipal Code in 1985, establishing an Economic Development Incentive Fund for the purpose of providing financial assistance for public improvements that further the economic development goals of the City;

WHEREAS, the City in 1989 authorized a tax for the purpose of funding the Economic Development Incentive Fund, the “Fund”, with such tax levied on businesses that provide hotel/motel accommodations within the City;

WHEREAS, the City has periodically revised provisions of Chapter 3.26 relating to permissible expenditures from the Fund;

WHEREAS, the City desires to clarify and define permissible expenditures from the Fund to include activities that further the economic development goals of the City but were previously undefined;

WHEREAS, the proposed amendments describe public benefits consistent with the economic development goals of the City and clarify the purpose and intent of the Fund;

WHEREAS, the proposed amendments to 3.26 do not create a new tax, expand the scope of the tax, increase the tax rate, or in any way change the revenues that may be collected from the tax;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

Section 1. Amendments Authorized. Chapter 3.26 of the Lakewood Municipal Code shall be amended as follows:

CHAPTER 3.26 ECONOMIC DEVELOPMENT

3.26.010 Purpose.

~~The granting of financial assistance is determined to be a public purpose. Specifically, such assistance protects the public welfare by promoting and fostering the growth of the city's economic base which in turn has positive effects by generating jobs, increasing the tax base, services and products produced by the private sector, encouraging and providing for the vitality of residential areas and of commercial and industrial businesses within the city, as well as providing increased opportunities for~~

~~employment for the residents of the city and enabling the city to carry forward its functions in the preservation of the health, safety and welfare of the citizens and residents of the city, all of which have a net positive impact on city revenues, and, in general, improve the quality of life in the city.~~

The Economic Development Department partners with businesses, community-based groups, and non-profits to further the economic development goals of the City. Economic Development funds shall be used to further the goals stated herein or as approved by vote of the City Council. The City of Lakewood is committed to public investment that encourages conscious economic growth and fosters safe, thriving neighborhoods. The quality of life in the city can be improved by generating jobs, expanding business opportunities, investing in neighborhoods and businesses within the city, and advancing economic mobility, including increasing access to employment opportunities, workforce advancement, business ownership, asset building, and participation in the local economy, in a manner that strengthens neighborhoods, supports businesses, and improves overall quality of life.

3.26.020 Definitions.

~~For the purpose of In~~ this chapter the following words and terms shall be defined as follows:

~~*City Manager* means the City Manager, or designee.~~

Economic Development Department means the department of the city created to assist the City Council and the City Manager to develop and implement programs for the promotions of economic development in the city.

Fund means the economic development fund created herein.

Economic mobility means the ability of individuals or households to improve their economic position through participation in the local economy, including access to employment, workforce advancement, business ownership, entrepreneurship, asset building, and income growth, as supported through economic development strategies that strengthen businesses, expand job opportunities, and increase long-term earning potential. Economic mobility, for purposes of this chapter, does not include the provision of general social or human services unrelated to economic development activities.

3.26.030 Economic development fund established; funding.

A. *Fund*

- ~~1. There is established~~ The City shall maintain a special fund ~~to be known as the economic development fund. The purpose of said fund shall be to provide funds from the city to further the economic development goals of the city by providing financial assistance to projects attracting enterprises that City Council determines will further the accomplishment of the city's economic goals~~ City. The

economic development goals of the program include efforts to ~~expand the city's tax base, promote residential and business development that will enhance the physical and economic environment of the city, provide permanent jobs and skilled labor availability, services, and products within the city thereby improving employment opportunities produce public benefits for the City and its residents of the City of Lakewood, foster revitalization of physically deteriorating areas, promote development that will have a net positive impact on city revenues, and produce a positive impact upon the community as a whole.~~

2. The City Council specifically finds and determines that ~~creation of the economic development fund is and the goals of this ordinance are consistent with the City's powers as a home rule municipal corporation and that exercise of said powers in the manner set forth herein is in furtherance of the public health, safety and welfare. Notwithstanding any provisions hereof, the city shall never be a joint venture in any private entity or activity which participates in the economic development fund, and the city shall never be liable or responsible for any debt or obligation of any participant in receiving funds from the economic development fund. The City Council finds, determines, and declares that this ordinance is promulgated under the general police power of the City of Lakewood, that it is promulgated for to ensure the health, safety, and welfare of the public, and that the ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.~~

B. *Funding.*

1. The ~~fund source of funds shall be funded by via~~ transfer of revenues derived from ~~the tax levied on hotel and motel accommodations within the city.~~
2. The fund may also be supplemented by City Council at its discretion.

3.26.040 Authorized expenditures.

- A. ~~Money The City grants authority to expend funds from the fund shall be used to Economic Development Fund as stated herein. The City may either provide financial assistance with other entities to business enterprises located or to be located within effectuate the corporate limits purpose of the this ordinance or it may fund City of Lakewood, whose proposals programs with this fund. City Staff shall establish and maintain guidelines for financial assistance have been approved expenditures of Economic Development Fund dollars, consistent with the economic development goals of the City as defined herein and determined by the City Council Manager or designee.~~

1. Expenditure of funds is authorized for any action which provides a public benefit and is reasonably designed to:

- a. Develop new business activity, retain existing business activity, improve existing economic activities, expand the tax base, or otherwise contribute to the City's economic vitality; or
- b. Advance economic mobility for residents of the City by supporting workforce development, skills training, career advancement, entrepreneurship, access to capital, and other strategies reasonably designed to increase household stability, earning potential, and long-term participation in the City's economy. Programs authorized under this subsection shall be directly related to economic participation and shall not constitute general social services unrelated to economic development.
2. Expenditure of funds is authorized for public improvements, as defined herein.
- B. Such Financial assistance shall be granted under such terms and conditions as may be authorized by the City Council, pursuant to procedures described in Section 3.26.050 herein.
- C. For expenditures which involve the purchase or sale of real property, the City may take any action consistent with fee simple ownership, including but not limited to the purchase, demolition, sale, transfer, or other disposition of property. All purchases and sales of real property shall be approved by the City Council.
- D. For projects which involve the construction of physical public improvements, the amount of financial assistance shall be related to the costs of constructing public improvements as determined necessary pursuant to Chapter 14.13 of the Lakewood Municipal Code, to support the development project the applicant is undertaking. The city may pay for all, or only a portion, of said public improvements, at its complete discretion. The maximum amount of financial assistance, however, shall be less than or equal to the estimate of the actual cost of public improvements, said estimate which costs shall be demonstrated to be provided by a professional engineer registered in the satisfaction of the State Chief Financial Officer of Colorado, retained by the applicant and satisfactory to the City Engineer of Lakewood or their designee.
- ~~DE.~~ For projects which involve the revitalizations or removal of physically deteriorating areas or structures, the amount of financial assistance shall be related to the actual costs of renovation and enhancement revitalization or removal. The city may provide financial assistance for some or all of said costs at its complete discretion. The maximum amount of financial assistance, however, shall be less than or equal to the estimate of such actual costs, said estimate which costs shall be demonstrated to be provided by a professional engineer registered in the satisfaction of the State Chief Financial Officer of Colorado, retained by the applicant and satisfactory to the City Engineer of Lakewood or their designee.
- ~~EF.~~ For projects described in Sections 3.26.040(C) and (D), moneys from the fund shall be strictly limited to uses which are public or public-related in nature. For purposes of the fund, public or public-related purposes shall mean this code public improvements, including shall include but not be limited to streets, sidewalks, curbs, gutters, pedestrian malls, street lights, drainage facilities, landscaping, decorative structures, statuaries, fountains, identification signs, traffic safety devices, bicycle paths, off-

street parking facilities, benches, restrooms, information booths, public meeting facilities, and all necessary, incidental, and appurtenant structures and improvements, together with the relocation and improvement of existing utility lines, and any other improvements of a similar nature which are specifically approved by the City Council upon the City Council's finding that said improvements are public or public-related improvements.

- ~~F.~~ For projects which involve the creation of new jobs for the residents of the city through relocation of new businesses or industries or the expansion of existing firms, the amount of financial assistance shall be related to the specific action costs of job-specific, start-up training programs necessary to provide job applicants with the specific job skills appropriate to the newly created employment opportunities. The city may provide financial assistance for some or all of said costs at its complete discretion. The maximum amount of financial assistance, however, shall be less than or equal to the verification of such actual costs, said verification to be determined by guidelines promulgated by the City Manager.
- G. Money from the fund shall be used to support operations and staff salaries for the Economic Development Department under an operational budget and guidelines promulgated by the City Manager and approved by the City Council in the manner for budgetary approval provided in the Municipal Code.
- ~~H.~~ The City Council may authorize expenditures from the fund for the promotion of tourism and other services or programs related to attracting visitors to the City of Lakewood.
- H. The City Council may, in its discretion, accomplish the purposes outlined in this chapter in cooperation with other local, state, or federal entities or agencies through ~~direct or participatory~~ funding mechanisms approved by the City Council.
- J. In addition to the projects specifically identified in this chapter, the City Council may authorize expenditures from the fund for projects which in its judgment advance the economic development goals of the city. Such projects may include but are not limited to, financial assistance programs, business finance education, funding for organizations that address social issues such as homelessness, affordable housing and environmental economic studies, engineering studies, studies concerning the design and construction of public and public-related improvements and studies and activities related to the promotion of tourism and attraction of new businesses and industries into the city.

3.26.050 Procedural rules and regulations.

- A. ~~Economic Development~~ Direct Assistance. Except as otherwise set forth herein, the following procedure shall govern requests for direct financial assistance from the fund:
1. The City Manager or designee shall analyze—evaluate the request for conformance with the criteria established pursuant to this chapter and the City's guidelines.

2. ~~The~~ If a request is deemed consistent with this chapter and the City's guidelines, the City Manager or designee shall forward the request to the City Council together with a recommendation regarding financial assistance for the project, which shall include suggested terms of participation.
3. The City Council may subsequently direct the City Manager to ~~develop~~ execute an agreement between the applicant and the city or a cooperating local, state, or federal entity or agency, which agreement embodies such terms and conditions as the city Council deems appropriate for the disbursement of moneys from the fund.
4. The City Council may by resolution authorize the City Manager to execute such agreement on behalf of the city. Purchase of land must be via ordinance.
5. The City Manager is authorized to promulgate administrative regulations to implement provisions contained herein applicable to the economic development fund.
6. This procedure shall not be applicable if the city Council has previously budgeted and appropriated funds for programs or expenditures for the purposes described in this chapter 3.26, nor shall it be applicable to the grant of assistance or refunds in accordance with subsection (B) hereof or the waiver or reduction of fees in accordance with Section 14.02.040A.3 of the Lakewood Municipal Code.

B. *Tax Rebates.*

1. Tax rebates are intended to facilitate business expansion and relocation to the city. Incentive agreements are entirely discretionary and are considered on a case-by-case basis. Priorities for incentive agreements shall be to grow the local economy, provide quality jobs opportunities for Lakewood's residents and provide affordable housing to residents.
2. Tax Rebates are performance based. The business shall meet or exceed the specific performance measures identified in the Incentive Agreement before any tax rebate may be given. Specific performance measures may include, but are not limited to: adding jobs, increasing wages, revenue generation, and capital investment.
3. Upon application to the City Manager, the City Manager may rebate an amount not to exceed 75 percent of the sales and use tax actually paid on the construction permit to the City of Lakewood by the applicant in the construction or renovation of one or more buildings within the city if such rebate, based on findings by the City Manager, will further the economic development goals of the city as set forth in Section 3.26.010 of the Lakewood Municipal Code. Said findings shall be made in writing.
4. Upon application to the City Manager, the City Manager may rebate an amount not to exceed 30 percent of the sales and use tax on tangible personal property actually paid to the city by the applicant for a period not to exceed six years if

such rebate, based on findings by the City Manager, will further the economic goals of the city as set forth in Section 3.26.010 of the Lakewood Municipal Code. Said findings shall be made in writing.

- 5. Upon application to the City Manager, the City Manager may forgo permit and plan review fees due to the City on the construction permit to the City of Lakewood by the applicant in the construction or renovation of one or more buildings within the city.

3.26.060 Criteria.

In addition to criteria established elsewhere in this chapter, all requests for assistance from the fund shall be evaluated according to criteria related to the city's economic development goals as promulgated by the City Manager or designee.

SECTION 2. This ordinance shall take effect thirty (30) days after adoption by the City Council and final publication by title, including any amendment to such ordinance made by the City Council which shall be included in the full publication of the ordinance to the City's website, all in accordance with Lakewood City Charter §7.4.

SECTION 3. 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 13th day of April 2026; published by title in the Denver Post and in full on the City of Lakewood's website at www.lakewood.org on the 16th day of April, 2026; set for public hearing to be held on the 27th day of April, 2026; read, finally passed and adopted by the City Council on the 27th day of April, 2026; and signed by the Mayor on the ___ day of April, 2026.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

Approved as to form:

Alison McKenney Brown, City Attorney

Chapter 3.26 ECONOMIC DEVELOPMENT¹

3.26.010 Purpose.

~~The granting of financial assistance is determined to be a public purpose. Specifically, such assistance protects the public welfare by promoting and fostering the growth of the city's economic base which in turn has positive effects by generating jobs, increasing the tax base, services and products produced by the private sector, encouraging and providing for the vitality of residential areas and of commercial and industrial businesses within the city, as well as providing increased opportunities for employment for the residents of the city and enabling the city to carry forward its functions in the preservation of the health, safety and welfare of the citizens and residents of the city, all of which have a net positive impact on city revenues, and, in general, improve the quality of life in the city. The Economic Development Department partners with businesses, community-based groups, and non-profits to further the economic development goals of the City. Economic Development funds shall be used to further the goals stated herein or as approved by vote of the City Council. The City of Lakewood is committed to public investment that encourages conscious economic growth and fosters safe, thriving neighborhoods. The quality of life in the city can be improved by generating jobs, expanding business opportunities, investing in neighborhoods and businesses within the city, and advancing economic mobility, including increasing access to employment opportunities, workforce advancement, business ownership, asset building, and participation in the local economy, in a manner that strengthens neighborhoods, supports businesses, and improves overall quality of life. addressing social economic issues like community safety, affordable housing, homelessness, and environmental sustainability.~~

(Ord. O-2020-32 § 2, 2020; Ord. O-89-58 § 1, 1989; Ord. O-85-54 § 1 (part), 1985).

Editor's note(s)—Ord. O-2020-32, § 2, adopted Dec. 14, 2020, changed the title of § 3.26.010 from "Establishment and purpose" to read as herein set out.

3.26.020 Definitions.

~~For the purpose of~~In this chapter, the following words and terms shall be defined as follows:

City Engineer means the City Engineer, or designee.

City Manager means the City Manager, or designee.

Economic Development Department means the department of the city created to assist the City Council and the City Manager to develop and implement programs for the promotions of economic development in the city.

Fund means the economic development fund created herein.

Economic mobility means the ability of individuals or households to improve their economic position through participation in the local economy, including access to employment, workforce advancement, business ownership, entrepreneurship, asset building, and income growth, as supported through economic development strategies that strengthen businesses, expand job opportunities, and increase long-term earning potential. Economic mobility, for

¹Editor's note(s)—Ord. O-2020-32, § 2, adopted Dec. 14, 2020, changed the title of Ch. 3.26 from "Economic Development Incentive Fund" to read as herein set out.

[purposes of this chapter, does not include the provision of general social or human services unrelated to economic development activities](#)

(Ord. O-2019-24 § 4, 2019; Ord. O-89-58 § 2, 1989; Ord. O-85-54 § 1 (part), 1985).

3.26.030 Economic development fund ~~established~~; funding.

A. ~~Fund Established.~~

1. ~~There is established~~The City shall maintain a special fund ~~to be~~ known as the economic development fund ("EDF"). The purpose of said fund shall be to ~~provide funds from the city to~~ further the economic development goals of the ~~city by providing financial assistance to projects attracting enterprises that City Council determines will further the accomplishment of the city's economic goals.~~City. The economic development goals of the program include efforts to ~~expand the city's tax base,~~ promote residential and business development that will ~~enhance the physical and economic environment of the city, provide permanent jobs and skilled labor availability, services, and products within the city thereby improving employment opportunities~~produce public benefits for the City and its residents ~~of the City of Lakewood, foster revitalization of physically deteriorating areas, promote development that will have a net positive impact on city revenues, and produce a positive impact upon the community as a whole.~~
2. The City Council specifically finds and determines that ~~creation of~~ the economic development fund ~~is and the goals of this ordinance are~~ consistent with the ~~city's~~city's powers as a home rule municipal corporation and that exercise of said powers in the manner set forth herein is in furtherance of the public health, safety and welfare. Notwithstanding any provisions hereof, the city shall never be a joint venture in any private entity or activity which participates in the economic development fund, and the city shall never be liable or responsible for any debt or obligation of any participant ~~in receiving funds from~~ the economic development fund. The City Council finds, determines, and declares that this ordinance is promulgated under the general police power of the City of Lakewood, ~~that it is promulgated for to ensure~~ the health, safety, and welfare of the public, and ~~that~~ the ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

B. ~~Funding.~~

1. The ~~fund~~source of funds shall be ~~funded by~~via transfer of revenues derived from ~~the~~ tax levied on ~~hotel and motel accommodations~~lodging services within the city.
- 2.—~~The fund may also be supplemented by City Council at its discretion.~~

(Ord. O-2020-32 § 2, 2020; Ord. O-89-58 § 3, 1989; Ord. O-85-54 § 1 (part), 1985).

~~Editor's~~Editor's note(s)—Ord. O-2020-32, § 2, adopted Dec. 14, 2020, changed the title of § 3.26.030 from ~~"Funding"~~ to read as herein set out.

3.26.040 Authorized expenditures.

A.—~~Money~~ The City grants authority to expend funds from the ~~fund shall be used to~~EDF as stated herein. The City may either provide financial assistance with other entities to ~~business enterprises located or to be located within~~effectuate the ~~corporate limits~~purpose of ~~the this ordinance or it may fund~~ City of Lakewood, ~~whose proposals~~ programs with this fund. City Staff shall establish and maintain guidelines for ~~financial assistance have been approved~~expenditures of EDF dollars, consistent with the economic development goals of the City as defined herein and determined by the City ~~Council.~~Manager or designee.

(Supp. No. 84)

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1. Expenditure of funds is authorized for any action which provides a public benefit and is reasonably designed to:

a. Develop new business activity, retain existing business activity, improve existing economic activities, expand the tax base, or otherwise contribute to the City's economic vitality; or

b. Advance economic mobility for residents of the City by supporting workforce development, skills training, career advancement, entrepreneurship, access to capital, and other strategies reasonably designed to increase household stability, earning potential, and long-term participation in the City's economy. ~~Address social concerns like homelessness, neighborhood safety, affordable housing, workforce training, or to otherwise ameliorate similar concerns affecting the health, safety, or welfare of the residents of the City. Programs authorized under this subsection shall be directly related to economic participation and shall not constitute general social services unrelated to economic development~~

2. Expenditure of funds is authorized for public improvements, as defined herein.

B. ~~Such~~ Financial assistance shall be granted under such terms and conditions as may be authorized by the City Council, pursuant to procedures described in Section 3.26.050 herein.

C. For expenditures which involve the purchase or sale of real property, the City may take any action consistent with fee simple ownership, including but not limited to the purchase, demolition, sale, transfer, or other disposition of property. All purchases and sales of real property shall be approved by the City Council.

D. For projects which involve the construction of physical public improvements, the amount of financial assistance shall be related to the costs of constructing public improvements as determined necessary pursuant to Chapter 14.13 of the Lakewood Municipal Code, to support the development project the applicant is undertaking. The city may pay for all, or only a portion, of said public improvements, at its complete discretion. The maximum amount of financial assistance, however, shall be less than or equal to the ~~estimate of the actual~~ cost of public improvements, ~~said estimate which costs shall be demonstrated to be provided by a professional engineer registered in the satisfaction of the State Chief Financial Officer of Colorado, retained by the applicant and satisfactory to the City Engineer of Lakewood or their designee.~~

~~DE.~~ For projects which involve the ~~revitalizations~~ ~~revitalization or removal~~ of physically deteriorating areas ~~or structures~~, the amount of financial assistance shall be related to the actual costs of ~~renovation and enhancement.~~ ~~revitalization or removal~~. The city may provide financial assistance for some or all ~~of~~ said costs at its complete discretion. The maximum amount of financial assistance, however, shall be less than or equal to ~~the estimate of such~~ actual costs, ~~said estimate which costs shall be demonstrated to be provided by a professional engineer registered in the satisfaction of the State Chief Financial Officer of Colorado, retained by the applicant and satisfactory to the City Engineer, of Lakewood or their designee.~~

~~EE.~~ For projects described in Sections 3.26.040(C) and (D), moneys from the fund shall be strictly limited to uses which are public or public-related in nature. For purposes of the fund, public or public-related purposes shall ~~mean this code~~ public improvements, ~~including shall include~~ but not ~~be~~ limited to streets, sidewalks, curbs, gutters, pedestrian malls, street lights, drainage facilities, landscaping, decorative structures, statuary, fountains, identification signs, traffic safety devices, bicycle paths, off-street parking facilities, benches, restrooms, information booths, public meeting facilities, and all necessary, incidental, and appurtenant structures and improvements, together with the relocation and improvement of existing utility lines, and any other improvements of a similar nature which are specifically approved by the City Council upon the City Council's finding that said improvements are public or public-related improvements.

~~F.~~ For projects which involve the creation of new jobs for the residents of the city through relocation of new businesses or industries or the expansion of existing firms, the amount of financial assistance shall be related to the actual costs of job-specific, start-up training programs necessary to provide job applicants with the specific job skills appropriate to the newly created employment opportunities. The city may provide financial

~~assistance for some or all of said costs at its complete discretion. The maximum amount of financial assistance, however, shall be less than or equal to the verification of such actual costs, said verification to be determined by guidelines promulgated by the City Manager.~~

- G. Money from the fund shall be used to support operations and staff salaries for the Economic Development Department under an operational budget and guidelines promulgated by the City Manager and approved by the City Council in the manner for budgetary approval provided in the Municipal Code.
- ~~H. The City Council may authorize expenditures from the fund for the promotion of tourism and other services or programs related to attracting visitors to the City of Lakewood.~~
- H. The City Council may, in its discretion, accomplish the purposes outlined in this chapter in cooperation with other local, state, or federal entities or agencies through ~~direct or participatory~~ funding mechanisms approved by the City Council.
- J. In addition to the projects specifically identified in this chapter, the City Council may authorize expenditures from the fund for projects which, in its judgment, advance the economic development goals of the city. Such projects may include, but are not limited to, financial assistance programs, business finance education, funding for organizations that address social issues such as homelessness, affordable housing and environmental economic studies, engineering studies, studies concerning the design and construction of public and public-related improvements and studies and activities related to the promotion of tourism and attraction of new businesses and industries into the city.

(Ord. O-2019-24, § 4, 2019; Ord. O-89-58 § 4, 1989; Ord. O-87-78 § 1, 1987; Ord. O-87-65 § 1, 1987; Ord. O-85-54 § 1 (part), 1985).

3.26.050 Procedural rules and regulations.

- A. ~~Economic Development~~Direct Assistance. Except as otherwise set forth herein, the following procedure shall govern requests for direct financial assistance from the fund:
 - 1. The City Manager ~~or designee~~ shall ~~analyze~~evaluate the request for conformance with the criteria established pursuant to this chapter ~~and the City's guidelines.~~
 - 2. ~~If a request is deemed consistent with this chapter and the City's guidelines, the~~ City Manager ~~or designee~~ shall forward the request to the ~~city~~City Council together with a recommendation regarding financial assistance for the project, which shall include suggested terms of participation.
 - 3. The City Council may subsequently direct the City Manager to ~~develop~~execute an agreement between the applicant and the city or a cooperating local, state, or federal entity or agency, which agreement embodies such terms and conditions as the city Council deems appropriate for the disbursement of moneys from the fund.
 - 4. The City Council may, by resolution, authorize the City Manager to execute such agreement on behalf of the city. Purchase of land must be via ordinance.
 - 5. The City Manager is authorized to promulgate administrative regulations to implement provisions contained herein applicable to the economic development fund.
 - 6. This procedure shall not be applicable if the city Council has previously budgeted and appropriated funds for programs or expenditures for the purposes described in this chapter 3.26, nor shall it be applicable to the grant of assistance or refunds in accordance with subsection (B) hereof or the waiver or reduction of fees in accordance with Section 14.02.040A.3 of the Lakewood Municipal Code.
- B. *Tax Rebates.*

-
- 1.1. Tax rebates are intended to facilitate business expansion and relocation to the city. Incentive agreements are entirely discretionary and are considered on a case-by-case basis. Priorities for incentive agreements shall be to grow the local economy, provide quality jobs opportunities for Lakewood’s residents and provide affordable housing to residents.
 2. Tax Rebates are performance based. The business shall meet or exceed the specific performance measures identified in the Incentive Agreement before any tax rebate may be given. Specific performance measures may include, but are not limited to: adding jobs, increasing wages, revenue generation, and capital investment.
 3. Upon application to the City Manager, the City Manager may rebate an amount not to exceed 75 percent of ~~the sales and~~ use tax actually paid on the construction permit to the City of Lakewood by the applicant in the construction or renovation of one or more buildings within the city if such rebate, based on findings by the City Manager, will further the economic development goals of the city as set forth in Section 3.26.010 of the Lakewood Municipal Code. Said findings shall be made in writing.
 24. Upon application to the City Manager, the City Manager may rebate an amount not to exceed 30 percent of the sales and use tax on tangible personal property and taxable service actually paid to the city by the applicant for a period not to exceed six years if such rebate, based on findings by the City Manager, will further the economic goals of the city as set forth in Section 3.26.010 of the Lakewood Municipal Code. Said findings shall be made in writing.
 5. Upon application to the City Manager, the City Manager may forgo permit and plan review fees due to the City on the construction permit to the City of Lakewood by the applicant in the construction or renovation of one or more buildings within the city

(Ord. O-2020-32 § 2, 2020; Ord. O-98-33 § 2, 1998; Ord. O-89-58 § 5, 1989; Ord. O-85-54 § 1 (part), 1985).

3.26.060 Criteria.

In addition to criteria established elsewhere in this chapter, all requests for assistance from the fund shall be evaluated according to criteria related to the city's economic development goals as promulgated by the City Manager or designee.

(Ord. O-89-58 § 6, 1989; Ord. O-85-54 § 1 (part), 1985).

STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 5B

To: Mayor and City Council
From: Maria D'Andrea, Director of Public Works
Subject: **COLORADO WILDFIRE RESILIENCY CODE**

SUMMARY STATEMENT: This staff report recommends modifications to the City's municipal code to establish new wildfire resiliency standards in compliance with Colorado Senate Bill 23-166. SB23-166 created the Wildfire Resiliency Code Board to develop model codes to reduce wildfire risk through structure hardening and defensible space requirements for certain areas defined as the Wildland-Urban Interface (WUI). While the State Board has developed a model code for municipalities' use, Jefferson County has developed its own, more restrictive policy. Upon review and analysis, staff is recommending that the City model their new regulations on the Jefferson County policy to ensure alignment between jurisdictions, simplify hazard identification, and provide a uniform basis for applying mitigation measures across shared, wildfire risk areas.

The proposed code modifications meet or exceed the statewide minimum standards. Adoption of this ordinance ensures alignment with state law, enhances community safety, and promotes resilience against wildfire threats.

BACKGROUND INFORMATION: The City of Lakewood, the West Metro Fire Protection District (WMFPD), and Jefferson County maintain a closely coordinated relationship to address hazard mitigation and fire protection. WMFPD serves as the primary fire and rescue provider for Lakewood and surrounding areas including Jefferson County, offering specialized wildfire response, prescribed burns, and community education programs. The City of Lakewood manages thousands of acres of open space and partners with WMFPD to implement fuel-reduction strategies and wildfire prevention measures. Jefferson County supports these efforts through its countywide Hazard Mitigation Plan and Community Wildfire Protection Plan, which provide a framework for risk assessment, evacuation planning, and funding eligibility. This collaboration is essential because wildfire risk spans jurisdictional boundaries, requiring shared resources, unified planning, and consistent public outreach. Without strong interagency cooperation, efforts to reduce fuel loads, coordinate emergency response, and secure federal mitigation funding would be fragmented and less effective. Together, these agencies form an integrated network that protects lives, property, and natural resources through proactive planning and joint operations.

The Colorado Wildfire Resiliency Code Board (State Board) was established by Senate Bill 23-166. The State Board was tasked with adopting a model code to allow the state to adopt and enforce best practices for wildfire resiliency throughout the state. The State Board adopted the [2025 Colorado Wildfire Resiliency Code \(CWRC\)](#) on July 1, 2025. Definitions of key terminology are included as an attachment to this memo.

The City currently does not meet the CWRC requirements. To comply with the CWRC, the City of Lakewood is required to adopt Wildfire Resiliency regulations by April 1, 2026, and begin enforcement of the regulations by July 1, 2026.

The proposed Wildfire Resiliency code applies to new buildings, major additions, and significant exterior renovations within areas of Lakewood, as shown on the attached map. The map identifies three separate zones, the Class 1 Interface Interior (shown in dark blue), the Class 1 Interface Perimeter (shown in light blue), and the Class 2 Intermix Area (shown in red) and are defined as follows:

- Wildland-Urban Interface Interior. That geographical area which is farther away from wildland vegetation than the Interface Perimeter, where homes are primarily exposed to radiant heat and embers from adjacent homes as well as embers from burning vegetation. These areas have the potential for urban conflagrations.
- Wildland-Urban Interface Perimeter. That geographical area, which is adjacent to wildland vegetation, where homes can be exposed to embers and radiant and convective heat from burning vegetation and adjacent homes. These areas have the potential for wildland fires to transition into urban conflagrations.
- Wildland-Urban Intermix. That geographical area where the built environment intermingles with wildland vegetation and where homes are primarily exposed to embers and radiant and convective heat from burning vegetation.

Urban Conflagrations are defined as a "large, destructive fire that spreads beyond natural or artificial barriers; it can be expected to result in large monetary loss and may or may not include fatalities.

Property owners who wish to build a new structure, add more than 500 square feet to an existing structure, replace large portions of their roof or exterior walls, or move a building into a wildfire hazard area, will be subject to these new requirements. The new requirements also cover certain accessory structures located near homes. The goal is to make structures and properties more resistant to wildfire by using fire-resistant materials and creating defensible space around structures. Existing structures can remain as they are unless they pose a serious safety hazard, but some retroactive provisions may apply in high-risk situations.

The Building Code Official and building inspection staff will interpret and enforce structure hardening requirements associated with these new requirements, conduct reviews of proposed map amendments, and evaluate defensible space compliance. Contractors and builders will need to identify fire-resistant materials and understand compliance triggers such as major roof or wall replacements and large additions.

For homeowners and builders, compliance may involve additional material or construction costs for items such as fire-resistant siding, ember-resistant vents and decking, and creating defensible space through vegetation management. These investments are essential to ensure improved wildfire resilience across the community but will likely incur higher costs to the property owner.

The draft regulations were brought to the Board of Appeals (BOA) for review and approval on March 10, 2026. The BOA recommended modifying the proposed regulations to follow the state-recommended language related to perimeter fencing and deck materials. The BOA felt that replacing decks or fences would be the most common occurrence affecting Lakewood property owners and, therefore, recommended implementing less restrictive state standards in order to provide greater material options for property owners. Upon review, it was determined that the state standards are not less restrictive than those required in the draft City regulations. Therefore, staff is not recommending the proposed BOA changes be implemented. A memo comparing the minimum state fence and deck materials requirements with the material requirements contained in the proposed code was provided

to the BOA for their information after the March 10 meeting.

Support letters (copies attached) have been provided from the WMFPD and the City's Emergency Manager.

BUDGETARY IMPACTS: Passing this ordinance will not require specialized training to effectively administrate and enforce the new requirements. No additional or new fees will be required when seeking a building permit for work under these new requirements.

The new code language includes an option for property owners to have their property removed from the WUI, based on submitted analysis by a qualified professional. This analysis would need to be reviewed and approved by staff. Therefore, staff is recommending a new fee for these types of reviews. This fee will be presented to Council in a separate resolution.

STAFF RECOMMENDATIONS: Staff recommends the City Council adopt the attached ordinance.

ALTERNATIVES: City Council could choose not to adopt the proposed Wildfire Resiliency Code, which would result in noncompliance with state law.

PUBLIC OUTREACH: The proposed wildfire regulations were promoted for public input on the Lakewood Together platform. 807 total visits were noted on this site. In response to the Quick Poll question, "How do you believe implementing a Wildfire Resiliency Code in Lakewood will affect community safety?" 61.4% of respondents felt that it would Greatly or Moderately improve safety.

City staff also participated in a county-sponsored Community Wildfire Protection Plan meeting held on February 24, 2026, at WMFPD headquarters.

NEXT STEPS: City staff will take necessary steps to implement the code.

ATTACHMENTS:

1. Ordinance O-2026-14
2. BOA Resolution No. 2026-1
3. Key Terminology Definitions
4. WMFPD Support Letter
5. OEM Support Letter
6. Public Comment Summary
7. Ordinance O-2026-14

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

AN ORDINANCE

ADOPTING TITLE 14, CHAPTER 31, OF THE LAKEWOOD MUNICIPAL CODE
ESTABLISHING THE CITY OF LAKEWOOD WILDFIRE RESILIENCY CODE AND
CORRESPONDING WILDLAND-URBAN INTERFACE BOUNDARY MAP

WHEREAS, the City of Lakewood is a home rule municipality organized under Article XX of the Colorado Constitution and the authority of the Home Rule Charter for the City of Lakewood (the “City Charter”);

WHEREAS, Sections 1.2 and 2.1 of the City Charter vests all municipal legislative powers in the City Council for the City of Lakewood (the “City”) and authorizes the City Council to establish those laws necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of such municipality and the inhabitants thereof;

WHEREAS, through Colorado Senate Bill 2023-166, the Colorado State Legislature created the Wildfire Resiliency Code Board (the “Board”), and tasked the Board with creating a model wildfire resiliency code based on best practice approaches to hardening structures and reducing fire risk in the defensible space surrounding structures in the wildland-urban interface, and in response, the Board created the 2025 Colorado Wildfire Resiliency Code (the “State Code”);

WHEREAS, Colorado Senate Bill 2023-166 also tasked the Board with identifying the areas of Colorado that are within the wildland-urban interface, and in response, the Board created the Colorado Wildfire Resiliency Code Map (the “State Map”);

WHEREAS, Colorado Senate Bill 2023-166 further requires jurisdictions within the State Map’s designated wildland-urban interface that have a governing body with the authority to adopt building or fire codes, to adopt a code that meets or exceeds the minimum standards set forth in the State Code;

WHEREAS, the City has the authority to adopt both building and fire codes, and therefore Colorado Senate Bill 2023-166 in conjunction with Colorado Senate Bill 2025-142, requires the City to adopt either a code in conformance with the State Code, or a code exceeding the minimum standards in the State Code, and to enforce said City-adopted code no later than July 1, 2026;

WHEREAS, City staff determined that local wildfire conditions and a goal for uniformity within Jefferson County necessitate that the City adopt a wildfire resiliency code that exceeds the minimum standards in the State Code along with a corresponding Wildland-Urban Interface Boundary Map that includes more City properties within the wildland-urban interface than the State Map;

WHEREAS, City staff therefore modeled the City of Lakewood Wildfire Resiliency Code (the “City Code”) on the Jefferson County Wildfire Resiliency Code and modeled the City of Lakewood Wildland-Urban Interface Boundary Map (the “City Map”) on the Jefferson County Wildland Urban Interface Overlay Map;

WHEREAS, the Board of Appeals was established by Lakewood Municipal Code section 12.12.010 and is charged with reviewing proposed additions, changes, or amendments to the City’s building codes and to make recommendations to the City Council with respect to the adoption thereof;

WHEREAS, the Board of Appeals has reviewed, considered, and recommended for adoption, the City Code and the corresponding City Map, subject to a recommended amendment to the City Code relating to the required building material standards for decks and fences that are constructed within areas impacted by the City Code;

WHEREAS, the City Council desires to adopt the City Code and the corresponding City Map;

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with the City Charter by setting a public hearing to provide City staff and the public the opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The recitals set forth above are incorporated as if set forth therein.

SECTION 2. Chapter 14.31 of the Lakewood Municipal Code relating to the City of Lakewood Wildfire Resiliency Code and the corresponding Wildland-Urban Interface Boundary Map, attached hereto as Exhibit A and Exhibit B, respectively, and made part hereof, are hereby adopted.

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

SECTION 4. If any provision of this Ordinance is 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 regular meeting of the Lakewood City Council on the 13th day of April, 2026; published by title in the Denver Post and in full on the City of Lakewood's website at www.lakewoodco.gov, on the 16th day of April, 2026; set for public hearing to be held on the 27th day of , 2026; read, finally passed and adopted by the City Council on the 27th day of April, 2026; and signed by the Mayor on the ___ day of April, 2026.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney

EXHIBIT A

Chapter 14.31 – The City of Lakewood Wildfire Resiliency Code

14.31.010 - Definitions-General

- A. *Scope.* For the purposes of this Code, defined terms shall have the meanings ascribed thereto under Section 14.30.020.
- B. *Interchangeability.* Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; and the singular number includes the plural and the plural the singular.
- C. *Terms and definitions in other codes.* Where terms are not defined in this Code and are defined in other codes and regulations, such terms shall have the meaning ascribed to them as in those codes and regulations.
- D. *Terms not defined.* Where terms are not defined through the methods authorized by this Section, such terms shall have their ordinarily accepted meanings such as the context implies.
- E. *Defined terms in this Code.* Where terms defined by this Code are used within this Code, the term is capitalized.

14.31.020 - Definitions.

- A. *Accessory Structure.* A Building that is subordinate in purpose, area, and extent to the principal Building; contributes to the reasonable and necessary comfort, convenience, and needs of the occupants, business, or industry of the principal Building; and is located on the same lot as the principal Building. This includes detached garages, workshop, sheds, barns, coops, greenhouses, and detached living space.
- B. *Approved.* Acceptable to the Building Official.
- C. *Barn.* A building used exclusively for the housing and care of horses or other permitted livestock, and for the storage of feed, hay, other farm crops, and farm or equine equipment. Barns may not be used for a garage or as a storage shed for items not associated with livestock or farm crops.
- D. *Building.* Any Structure having a roof supported by columns or walls and used or intended for supporting or sheltering any occupancy.
- E. *Building Official.* The official designated to interpret, administer, and enforce this Code, as described in Section 2.08.120 of the Lakewood Municipal Code. The Building Official is authorized to designate or appoint an authorized representative, as needed, to assist with the interpretation and/or enforcement of this Code.
- F. *Class A Tests.* Tests applicable to Roof Coverings that are expected to be effective against severe fire exposure, before a high degree of fire protection to the Roof Deck, do not slip from position, and are not expected to present a flying brand hazard.
- G. *Defensible Space.* An area either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate

and intensity of an advancing wildfire and to create an area for fire suppression operations to occur.

- H. *Embellishments*. Elements incorporated in design and construction for ornamental or decorative purposes that are not integral to the Structure or structural support.
- I. *Fire Intensity Classification*. The level of fire intensity identified for areas where significant fuel hazards and associated dangerous fire behavior may exist, based upon vegetative fuels, topography, weather conditions, and flame length value.
- J. *Fire-Resistance-Rated Construction*. The use of materials and systems in the design and construction of a Building or Structure to safeguard against the spread of fire within a Building or Structure and the spread of fire to or from Buildings or Structures to the Wildland-Urban Interface area.
- K. *Fire-Retardant-Treated Wood*. Fire-Retardant-Treated Wood is any wood product with a minimum 1-inch nominal or $\frac{3}{4}$ inch actual thickness, that, when impregnated with chemicals by a pressure process or other means during manufacture, shall have, when tested in accordance with ASTM E84 or UL 723, a listed Flame Spread Index of 25 or less. The ASTM E84 or UL 723 test shall be continued for an additional 20 minutes and the flame front shall not progress more than 10.5 feet beyond the center line of the burners at any time during the test.
- L. *Flame Spread Index*. A comparative measure, expressed as the dimensionless number, derived from visual measurements of the spread of flame versus time for a material tested in accordance with ASTM 84.
- M. *Fuel Modification*. A method of modifying fuel load by reducing the amount of non fire resistive vegetation or altering the type of vegetation to reduce the fuel load.
- N. *Habitable Space*. A space in a Building for living, sleeping, eating or cooking. Bathrooms, closets, halls, storage space and other similar areas are not considered "habitable space."
- O. *Historic Structure*. Any *building or structure* that has one or more of the following:
 - 1. Listed, or certified as eligible for listing, by the state historic preservation office or Keeper of the National Register of Historic Places, in the National Register of Historic Places;
 - 2. Designated as historic under applicable state law;
 - 3. Designated as historic by the City of Lakewood; or
 - 4. Certified as contributing resource within the National Register, state designated or City of Lakewood designated historic district.
- P. *Home Ignition Zone (HIZ)*. The home and the area around the home which takes into account both the potential of the Structure to ignite and the quality of Defensible Space surrounding it.
- Q. *Ignition-Resistant Building Material*. A type of Building material that resists ignition or sustained flaming combustion sufficiently so as to reduce losses from wildfire exposure of burning embers and small flames. If product literature from manufacturers or testing shows that manufacturer's materials or products melt, drip or delaminate, those materials or products which melt, drip, or delaminate, to the extent that the flame front

is interrupted, are not permitted. Ignition-Resistant Building Materials shall comply with any of the following:

1. Material shall be tested on all sides with the extended ASTM E84 (UL 723) test or ASTM E2768, except panel products shall be permitted to test only the front and back faces. Panel products shall be tested with a ripped or cut longitudinal gap of 1/8 inch. Materials that, when tested in accordance with the test procedures set forth in ASTM E84 or UL 723 for a test period of 30 minutes, or with ASTM E2768, comply with the following:
 - a. Flame spread. Material shall exhibit a Flame Spread Index not exceeding 25 and shall not show evidence of progressive combustion following the extended 30-minute test.
 - b. Flame front. Material shall exhibit a flame front that does not progress more than 10.5 feet beyond the centerline of the burner at any time during the extended 30-minute test.
 - c. Weathering. Ignition-Resistant Building Materials shall maintain their performance in accordance with this Section under conditions of use. Materials shall meet the performance requirements for weathering (including exposure to temperature, moisture and ultraviolet radiation) contained in the following standards, as applicable to the materials and the conditions or use:
 - i. Method A “Test method for Accelerated Weathering of FireRetardant-Treated Wood for Fire Testing” in ASTM D2898, for Fire-Retardant Treated Wood, wood-plastic composite and plastic lumber materials.
 - ii. ASTM D7032 for wood-plastic composite materials.
 - iii. ASTM D6662 for plastic lumber materials.
 - d. Identification. Materials shall bear identification showing the fire test results.

Exception: Materials composed of a combustible core and a Noncombustible exterior covering made from either aluminum at a minimum 0.019 inch (0.48 mm) thickness or corrosion-resistant steel at a minimum 0.0149 inch (0.38 mm) thickness shall not be required to be tested with a ripped or cut longitudinal gap.
- R. *Lakewood Building Code.* The various adopted codes described as the Building Codes of the City of Lakewood under Section 14.01.010 of the Lakewood Municipal Code.
- S. *Log Wall Construction.* A type of construction in which exterior walls are constructed of solid wood members and where the smallest horizontal dimension of each solid wood member is not less than 6 inches. Log Wall Construction shall follow requirements of ICC 400.
- T. *Mass Timber Construction.* As described in section 602.4 of the 2021 International Building Code. Also known as Type IV construction.

- U. *Multilayered Glazed Panels*. Window or door assemblies that consists of two or more independently glazed panels installed parallel to each other, having a sealed air gap in between, within a frame designed to fill completely the window or door opening in which the assembly is intended to be installed.
- V. *Noncombustible*. As applied to Building construction material means and material that, in the form in which it is used, is one of the following:
 - 1. Material of which no part will ignite and burn when subjected to fire;
 - 2. Any material conforming to ASTM E136 shall be considered Noncombustible within the meaning of this Section; or
 - 3. For the purposes of this Code, fire-rated gypsum board tested in accordance with ASTM C1396 with no less than a 1-hour fire-resistance-rating with fire exposure from the outside only is considered a Noncombustible material.
- W. *Occupiable Space*. A room or enclosed space designed for human occupancy in which individuals congregate for amusement, education or similar purposes or in which occupants are engaged at labor.
- X. *Roof Assembly*. A system designed to provide weather protection and resistance to design loads. The system consists of a Roof Covering and Roof Deck or a single component serving as both the Roof Covering and Roof Deck. A Roof Assembly can include an underlayment, thermal barrier, ignition barrier, insulation or vapor retarder.
- Y. *Roof Covering*. The covering applied to the Roof Deck for weather resistance, fire classification or appearance.
- Z. *Roof Deck*. The flat or sloped surface not including its supporting members or vertical supports.
- AA. *Slope*. The variation of terrain from the horizontal; the number of feet rise or fall per 100 feet measured horizontally, expressed as a percentage.
- BB. *Structure*. Anything which is constructed or erected, and the use of which requires more or less permanent location on the ground or attachment to something having permanent location on the ground; an edifice or building of any kind. For the purposes of this Code, fences are not considered a structure.
- CC. *Structure Ignition Zone (SIZ)*. The Structure Ignition Zone is the Structure and the area around the Structure (or home). The SIZ takes into account both the potential of the Structure to ignite and the quality of Defensible Space surrounding it.
- DD. *Tree Crown*. The primary and secondary branches growing out from the main stem, together with twigs and foliage.
- EE. *Wildfire Mitigation Specialist*. An individual who meets the following minimum training and experience requirements:
 - 1. A person with the following qualifications is eligible to be a Wildfire Mitigation Specialist as approved by the Director of the Public Works Department or designee:

- a. Bachelor’s degree in forestry or a closely related field and two years wildland/urban interface firefighting experience; or
- b. Successful completion of the following National Wildfire Coordinating Group Classes listed below and five years of wildland/urban interface firefighting experience:
 - I. S-130 Basic Wildland Firefighting.
 - II. S-190 Basic Fire Behavior.
 - III. S-215 Fire Operations in the Wildland/Urban Interface.
 - IV. S-290 Intermediate Wildland Fire Behavior.
 - V. Introduction to Wildfire Behavior Calculations.
 - VI. National Fire Protection Association (NFPA) workshop “assessing wildfire hazards in home ignition zone” (or equivalent).

FF. *Wildland-Urban Interface Interior.* That geographical area farther away from wildland vegetation than the Interface Perimeter where homes are primarily exposed to radiant heat and embers from adjacent homes as well as embers from burning vegetation. These areas have the potential for urban conflagrations.

GG. *Wildland-Urban Interface Perimeter.* That geographical area adjacent to wildland vegetation where homes can be exposed to embers and radiant and convective heat from burning vegetation and adjacent homes. These areas have the potential for wildland fires to transition into urban conflagrations.

HH. *Wildland-Urban Intermix.* That geographical area where the built environment intermingles with wildland vegetation and where homes are primarily exposed to embers and radiant and convective heat from burning vegetation.

14.31.030 - Scope and General Requirements.

- A. This Code shall be considered part of the Lakewood Building Code, shall be cited as the “City of Lakewood Wildfire Resiliency Code” and shall be referred to herein as “this Code.”
- B. *Scope.* The provisions of this Code shall apply to the construction, exterior alteration, movement, exterior repair, and replacement of any Building or Structure within the Wildland-Urban Interface Areas in the City of Lakewood. Existing nonhabitable and non-Occupiable Buildings or Structures, which undergo a change of occupancy to include Habitable or Occupiable Space, shall comply with the provisions of this Code for new Buildings or Structures. Although not considered a Structure, new fences and retaining walls are required to follow the provisions of Sections 14.31.170 through 14.31.190 of this Code.

1. Buildings, Structures, or conditions in existence at the time of the adoption of this Code are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this Code, provided that such continued use does not constitute a distinct danger to life or property.
 2. When portions of existing non-habitable and non-occupiable Buildings or Structures undergo a change of occupancy which includes a residential occupancy classification or single- or multi-family dwellings, per the Lakewood Building Code, the Building or Structure shall comply with the provisions of this Code for new Buildings or Structures.
 3. Buildings or Structures moved into or within the City of Lakewood shall comply with the provisions of this Code for new Buildings or Structures.
- C. *Date Effective.* This Code shall become effective on July 1, 2026, and shall apply to all Permits applied for on or after July 1, 2026. Applications for Permits made prior to July 1, 2026, shall be governed by the terms of the codes and regulations in effect at the time of application.
- D. *Purpose.* The purpose of this Code is to establish minimum regulations for the safeguarding of life and for property protection. Regulations in this Code are intended to mitigate the risk to life and Structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent Structures, and to mitigate Structure fires from spreading to wildland fuels. The extent of this regulation is intended to be tiered commensurate with the relative level of hazard present.
1. The unrestricted use of property in Wildland-Urban Interface areas is a potential threat to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to provide adequate fire protection facilities to control the spread of fire in Wildland-Urban Interface areas shall be in accordance with this Code.
 2. The standards in this Code are incorporated into and are a part of the Lakewood Building Code and augment the International Fire Code as adopted under Chapter 14.24 of the Lakewood Municipal Code, to mitigate the fire- and lifesafety hazards of the Wildland-Urban Interface Areas.
- E. *Retroactivity.* The provisions of this Code shall apply to conditions arising after the adoption thereof, conditions not legally in existence at the adoption of this Code and conditions that, in the opinion of the Building Official, constitute a distinct hazard to life or property.
1. Provisions of this Code that specifically apply to existing conditions are retroactive.
- F. *Additions or alterations.* Additions or alterations shall be permitted to be made to any Building or Structure without requiring the existing Building or Structure to comply with all of the requirements of this Code, provided that, when the work increases the size of the existing structure by 500 square feet or greater, the addition or alteration conforms to that required for a new Building or Structure.
1. *Exception:* Provisions of this Code that specifically apply to existing conditions are retroactive.

2. Additions or alterations shall not be made to an existing Building or Structure that will cause the existing Building or Structure to be in violation of any of the provisions of this Code nor shall such additions or alterations cause the existing Building or Structure to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing Building or Structure to become structurally unsafe or overloaded; will not provide adequate access in compliance with the provisions of this Code or will obstruct existing exits or access; will create a fire hazard; will reduce required fire resistance or will otherwise create conditions dangerous to human life.
- G. *Maintenance.* Buildings, Structures, landscape materials, vegetation, Defensible Space or other devices or safeguards required by this Code shall be maintained in conformance to the code edition under which installed. The owner or the owner's authorized agent shall be responsible for the maintenance of Buildings, Structures, landscape materials and vegetation.

14.31.040 - Applicability.

- A. *General.* Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where, in any specific case, different sections of this Code, or any other adopted City code or regulation, specify different materials, methods of construction or other requirements, the most restrictive requirement shall govern.
- B. *Other laws.* The provisions of this Code shall not be deemed to nullify any provisions of local, state, or federal law.
- C. *Application of references.* References to section numbers, or to provisions not specifically identified by number, shall be construed to refer to such section or provision of this Code.
- D. *Referenced codes and standards.* Certain additional codes and standards are referenced in this Code and are listed throughout. Such codes and standards shall be considered as part of the requirements of this Code to the prescribed extent of each such reference and as further regulated by the following:
 1. *Conflicts.* Where conflicts occur between provisions of this Code and the referenced codes and standards, the most restrictive shall apply.
 2. *Provisions in referenced codes and standards.* Where a referenced code or standard includes subject matter that is within the scope of this Code, the provisions of this Code, as applicable, shall take precedence over the provisions in the referenced standard.
- E. *Subjects not regulated by this Code.* Where applicable standards or requirements are not set forth in this Code, or are contained within other laws, codes, regulations, ordinances or policies adopted by the City of Lakewood, compliance with applicable standards of other nationally recognized safety standards, as Approved, shall be deemed as prima facie evidence of compliance with the intent of this Code. Nothing herein shall derogate from the authority of the Building Official to determine compliance with codes or standards for those activities or installations within the Building Official's jurisdiction or responsibility.

- F. *Matters not provided for.* Requirements that are essential for the public safety of an existing or proposed activity, Building or Structure, or for the safety of the occupants thereof, which are not specifically provided for by this Code, shall be determined by the Building Official consistent with the necessity to establish the minimum requirements to safeguard the public health, safety and general welfare.
- G. *Severability.* If any part, section, clause, provision or portion of this Code is held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or applications of this Code.
- H. *Exemptions: Work exempt from the requirements of this Code.* Exemptions from code requirements shall not be deemed to grant authorization for any work that violates the provisions of this Code or any other laws, ordinances, regulations or rules of the City of Lakewood. This Code does not apply to:
1. Alterations that only affect the interior of existing Structures.
 2. The reconstruction, replacement, alteration, or repair of the exterior walls of an existing Building, when less than 25 percent of the surface area of all exterior walls is affected.
 3. The reconstruction, replacement, alteration, or repair of the existing exterior Roof Covering of an existing Building when less than 25 percent of the surface area of the exterior Roof Covering or an attachment thereto is affected.
 4. Alterations or repairs to the exterior of an existing Structure, or an attachment to it, when less than 25 percent of the exterior of the Structure is affected by the alteration or repair.
 5. Painting, staining, and similar maintenance or restorative work.
 6. Materials and methods of construction, when required to maintain a Building's or Structure's continued designation as a Historic Structure, are exempt from the requirements of this Code.
 7. One story detached accessory, non-habitable Structures, such as tool and storage sheds, playhouses and similar uses, provided that the Structure does not exceed 120 square feet and the structure is located greater than or equal to 10 feet from the nearest adjacent occupiable Structure. When a distance measurement is required between Buildings or Structures, the distance shall be measured in a straight line from the outermost point of one Building or Structure to the outermost point of the other Building or Structure.
 8. Barns used exclusively to house livestock, store livestock feed, store farm products, protect equipment, or manage agricultural waste, located more than 50 feet from a Structure containing Occupiable or Habitable Space. When a distance measurement is required between a barn and another Building or Structure, the distance shall be measured in a straight line from the outermost point of the barn to the outermost point of the other Building or Structure.
 9. Fences located more than 8 feet from the nearest point of a Structure.

14.31.050 - Code Implementation, Administration, and Enforcement.

- A. *Powers and Duties of the Building Official.* The Building Official shall have all necessary power and authority for the implementation, administration, and enforcement of this Code in the manner set forth herein.
1. For the purposes of this Code, the Building Official shall have the authority to appoint or designate deputy Building Officials, other related technical officers, inspectors and other employees to carry out the administration of this Code. Such employees shall have powers as delegated by the Building Official.
- B. *Determination of compliance.* The Building Official shall have the authority to determine compliance with this Code, to render interpretations of this Code and to adopt rules and regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations:
1. Shall be in compliance with the intent and purpose of this Code.
 2. Shall not have the effect of waiving requirements specifically provided for in this Code.
- C. *Technical assistance.* To determine compliance with this code, the Building Official is authorized to require the owner, the owner's authorized agent or the person in possession or control of the Building or premises to provide a technical opinion and report.
1. *Costs.* A technical opinion and report shall be provided without charge to the City of Lakewood.
 2. *Preparer qualifications.* The technical opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the Building Official. The Building Official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.
 3. *Content.* The technical opinion and report shall analyze the properties of the design, operation or use of the Building or premises, the facilities and appurtenances situated thereon, and fuel management to identify and propose necessary recommendations.
 4. *Tests.* Where there is insufficient evidence of compliance with the provisions of this Code, the Building Official shall have the authority to require tests as evidence of compliance. Test methods shall be as specified in this Code or by other recognized test standards. In the absence of recognized test standards, the Building Official shall approve the testing procedures. Such tests shall be performed by a party acceptable to the Building Official.
- D. *Alternative materials, design and methods.* The provisions of this Code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this Code, provided that any such alternative is not specifically prohibited by this Code and has been Approved.

1. *Approval authority.* An alternative material, design or method shall be Approved where the Building Official finds that the proposed alternative is satisfactory and complies with the following, as applicable:
 - a. *Application and disposition.* A request to use an alternative material, design or method of construction shall be submitted in writing to the Building Official for approval. Where the alternative material, design or method of construction is not Approved, the Building Official shall respond in writing, stating the reasons the alternative was not Approved.
 - b. *Compliance with code intent.* An alternative material, design or method of construction shall comply with the intent of the provisions of this Code.
 - c. *Equivalency criteria.* An alternative material, design or method of construction shall, for the purpose intended, be not less than the equivalent of that prescribed in this Code with respect to all of the following, as applicable:
 - I. Quality.
 - II. Strength.
 - III. Effectiveness.
 - IV. Durability.
 - V. Safety, other than fire safety.
 - VI. Fire Safety.
 - d. *Tests.* Tests conducted to demonstrate equivalency in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict performance of the end use configuration. Tests shall be performed by a party acceptable to the Building Official.
 - I. *Fire tests.* Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the Building Official.
 - e. *Reports.* Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this Code, shall comply with the following:
 - I. *Evaluation reports.* Evaluation reports shall be issued by an Approved agency and use of the evaluation report shall require approval by the Building Official for the installation. The alternate material, design or method of construction and product evaluated shall be within the scope of the Building Official's recognition of the Approved agency. Criteria used for the evaluation shall be identified within the report and, where required, provided to the Building Official.

II. *Other reports.* Reports not complying with Section 14.31.050(D)(1)(e)(I) shall describe criteria, including but not limited to any referenced testing or analysis, used to determine compliance with Code intent and justify Code equivalence. The report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the Building Official. The Building Official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

f. *Peer review.* The Building Official is authorized to require submittal of a peer review report in conjunction with a request to use an alternative material, design or method of construction, prepared by a peer reviewer that is Approved by the Building Official.

E. *Modifications.* Where there are practical difficulties involved in carrying out the provisions of this Code, the Building Official shall have the authority to grant modifications for individual cases, provided that the Building Official shall first find that one or more special individual reasons make the strict letter of this Code impractical, that the modification is in conformance with the intent and purpose of this Code, and that such modification does not lessen health, life and fire safety requirements. The details of the written request and action granting modifications shall be recorded and entered into the files of the City of Lakewood.

F. *Applications and permits.* The Building Official is authorized to receive applications, review construction documents and issue permits for construction regulated by this Code, and inspect the premises for which such permits have been issued and enforce compliance with the provisions of this Code.

G. *Right of entry.* Where it is necessary to make an inspection to enforce the provisions of this Code, or where the Building Official has reasonable cause to believe that there exists in a Structure or on any premises, a condition that is contrary to or in violation of this Code that makes the Structure or premises unsafe, dangerous or hazardous, the Building Official is authorized to enter the Structure or premises at all reasonable times to inspect or to perform the duties imposed by this Code. If such Structure or premises is occupied, the Building Official shall present proper credentials to the occupant and request entry. If such Structure or premises is unoccupied, the Building Official shall first make a reasonable effort to locate the owner, the owner's authorized agent or other person having charge or control of the Structure or premises and request entry. If such entry is refused, then the Building Official shall have recourse to every remedy provided by law to secure entry.

1. *Warrant.* Where the Building Official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner, the owner's authorized agent, occupant or person having charge, care or control of the Structure or premises shall not fail or neglect, after a proper request is made as herein provided, to permit entry therein by the Building Official for the purposes of inspection and examination pursuant to this Code.

- H. *Identification.* The Building Official shall carry proper identification when inspecting Structures or premises in the performance of duties under this Code.
- I. *Notices and orders.* The Building Official shall issue all necessary notices or orders to ensure compliance with this Code. Notices of violations shall be in accordance with the violation procedures related to the adopted Lakewood Building Code.
- J. *Official records.* Official records shall be maintained in accordance with the Colorado Open Records Act and City of Lakewood record retention policies.
- K. *Approved materials and equipment.* Materials, equipment and devices Approved by the Building Official shall be constructed and installed in accordance with such approval.
 - 1. *Materials and equipment reuse.* Materials, equipment and devices shall not be reused unless such elements are in good working order and Approved.

14.31.060 - Permits.

- A. *General.* Within the Wildland-Urban Interface Class 1 and Class 2 Areas, Structure hardening and site and area regulations will be regulated as part of and through the permit process specified in the adopted Lakewood Building Code, and any rules and regulations adopted thereunder.
 - 1. The Building Official is authorized to stipulate conditions for permits. Permits shall not be issued where public safety would be at risk, as determined by the Building Official.
- B. *Permit application.* In obtaining permits, every such application shall:
 - 1. Identify the Wildland-Urban Interface Class;
 - 2. Identify and describe the work, activity, operation, practice or function to be covered by the permit for which application is made;
 - 3. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed Building, Structure, work, activity, operation, practice or function;
 - 4. Indicate the use or occupancy for which the proposed work is intended;
 - 5. Be accompanied by plans, diagrams, computation and specifications and other data as required to determine compliance with this Code; and
 - 6. Give such other data and information as required by the Building Official.
- C. *Preliminary inspection.* Before a permit is issued, the Building Official is authorized to inspect and approve the systems, equipment, Buildings, Structures, devices, premises and spaces or areas to be used.
- D. *Refusal to issue a permit.* Where the application or construction documents do not conform to the requirements of pertinent laws, the Building Official shall reject such application in writing, stating the reasons therefor.
- E. *Validity of permit.* The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or of any other ordinance, provision, rule, regulation, or other authority of the City of Lakewood. Permits presuming to give

authority to violate the provisions of this Code or other authority of the City of Lakewood shall not be valid.

- F. *Revocation of permits.* The Building Official is allowed to, in writing, suspend or revoke a permit issued under the provisions of this Code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of the provisions of this Code or other authority of the City of Lakewood.

14.31.070 - Fees.

Payment of fees. The City Council shall by resolution establish or modify fees as necessary for any appeal, process, procedure, or other action relating to this Code. Upon application to the City Manager, the City Manager may waive or reduce said fees if such action will further the economic goals of the City of Lakewood as set forth in Section 3.26.010 of the Lakewood Municipal Code. Said finding shall be in writing.

14.31.080 - Inspections.

General. Inspections shall generally be conducted as specified in the adopted Lakewood Building Code and any regulations adopted thereunder.

14.31.090 - Enforcement.

General. Enforcement of this Code shall be in accordance with the adopted Lakewood Building Code and any regulations adopted thereunder.

14.31.100 - Appeals.

General. The Board of Appeals has authority to hear and decide appeals or orders, requirements or decisions of the Building Official relating to the application and interpretation of this Code or arising out of the permitting process. Such appeals shall be made in conformance with Chapter 14.12 of the Lakewood Municipal Code.

14.31.110 – Wildfire Hazard Identification-General.

- A. *Scope.* The provisions of this Section, Section 14.31.120, and Section 14.13.130 establish the applicable map and classifications for this Code.
- B. *Declaration.* The City of Lakewood Wildland-Urban Interface map identifying the areas subject to the provisions of this Code has been adopted as the Wildland-Urban Interface Overlay District in conjunction with this Code.

14.31.120 – Mapping and Applicability.

- A. *Applicability of Code Provisions.* The requirements of this Code shall apply to all parcels located within designated Wildland-Urban Interface and Wildland-Urban Intermix areas derived from corresponding Fire Intensity Classifications and ember exposure areas as identified on the City of Lakewood Wildland-Urban Interface Overlay District map. The level of structure hardening, Defensible Space, and other mitigation measures required

shall correspond to the applicable Wildland-Urban Interface classification, Class 1 Intermix or Class 2 Interface.

1. Structures and parcels identified with low Fire Intensity Classification and are therefore located in the Interface Perimeter and Interface Interior zones shall be constructed and maintained in accordance with provisions for Class 1 Interface Structure hardening and site and area requirements.
2. Structures and parcels identified with moderate to high Fire Intensity Classifications and therefore are in the Intermix zone shall be constructed and maintained in accordance with the provisions for Class 2 Intermix Structure hardening and site and area requirements.

14.31.130 – Mapping Amendment Process.

- A. Property owners, or their representatives, who disagree with the Wildland-Urban Interface mapped areas, can submit a formal application for a map amendment to the Building Official. Application forms shall be provided by the Public Works Department. The intent is to provide an opportunity to verify that mapping accurately reflects current, site-specific conditions.
- B. Property owners shall be given a reasonable opportunity to present their case to the Building Official and shall submit evidence of the vegetative fuels on the parcel and within 300 feet of the parcel boundary, historical wildfire occurrence, topography and slope, local weather patterns, and fire behavior modeling data and risk assessment. Technical documentation shall be submitted in support of such a request by a qualified Wildfire Mitigation Specialist, and the supporting documentation shall comply with Sections 14.31.050(B)-(E), as applicable.
- C. The Building Official must make a finding that any deviations approved under this Section do not present a significant hazard to public health, safety, or to property at the specific contested location in the Wildland-Urban Interface mapped areas. The Building Official's review shall be based on a review of the vegetative fuels on the parcel and within 300 feet of the parcel boundary, historical wildfire occurrence, topography and slope, local weather patterns, and fire behavior modeling data and risk assessment.
- D. *Exception.* The Building Official shall not allow deviations from the boundary lines as mapped by the Colorado Division of Fire Prevention and Control and the Colorado State Forestry Service unless the vegetative fuels on the parcel and within 300 feet of the parcel boundary, historical wildfire occurrence, topography and slope, local weather patterns, and fire behavior modeling data and risk assessment, and other related technical evidence clearly and conclusively establish that the mapped location of the boundary line is incorrect or that the hazard conditions as determined by the Colorado Division of Fire Prevention and Control and the Colorado State Forest Service are in error.

14.31.140 – Structure Hardening-General.

Scope. Exterior design and construction of Buildings and Structures within the WildlandUrban Interface areas of the City of Lakewood shall be constructed in accordance with Sections 14.31.150 and 14.31.160.

14.31.150 – Class 1 Interface Structure Hardening.

- A. *General.* Class 1 structure hardening shall be in accordance with this Section and shall apply to buildings and structures hereafter constructed, modified or relocated into or within areas of the Wildland-Urban Interface Class 1.
- B. *Roofing.* Roofs shall have a Roof Assembly classified as Class A when tested in accordance with ASTM E108 or UL790.
 - 1. *Flame and ember protection of roofs.* For roof assemblies where the Roof Covering profile creates a space between the Roof Covering and Roof Deck, the space shall resist the entry of flames and embers by one or more of the following methods:
 - a. Fire stopping, with Noncombustible material, of the space between the Roof Covering and the Roof Deck.
 - b. Installation of one layer of cap sheet complying with ASTM D3909 over the combustible Roof Deck.
 - c. Installation of a listed Class A classified Roof Assembly.
 - 2. *Open valley flashings.* Open valley flashing shall not be less than 0.019 inch (No. 26 galvanized sheet gauge) corrosion resistant metal installed over a minimum 36-inch-wide underlayment consisting of one layer of cap sheet complying with ASTM D3909 running the full length of the valley.
- C. *Gutters and downspouts.* Gutters and downspouts shall be constructed of Noncombustible material.
- D. *Ventilation Openings.* Ventilation openings for enclosed attics, enclosed rafter spaces, and under floor spaces shall be in accordance with the following:
 - 1. *Performance requirements.* Ventilation openings shall be fully covered with listed vents, tested in accordance with ASTM E2886, to demonstrate compliance with all of the following requirements:
 - a. There shall be no flaming ignition of the cotton material during the Ember Intrusion Test.
 - b. There shall be no flaming ignition during the Integrity Test portion of the Flame Intrusion Test.
 - c. The maximum temperature of the unexposed side of the vent shall not exceed 662°F (350°C).

2. *Prescriptive requirements.* Ventilation openings for enclosed attics, enclosed rafter spaces, and under floor spaces shall be covered with Noncombustible corrosion resistant mesh with openings not to exceed 1/8 inch. E. *Exterior walls.* Exterior walls shall be limited to the following:
 1. Vinyl siding as part of or applied to exterior wall assemblies with a 1-hour fireresistance rating, rated for exposure on the exterior side.
 2. Vinyl siding over noncombustible sheathing.
 3. A wall covered with Noncombustible siding.
 4. A wall covered with Fire-Retardant-Treated Wood siding.
 5. A wall covered with siding made of Ignition-Resistant Building Materials.
 6. Mass Timber or Log Wall Construction.

Such materials shall extend from the top of the foundation to the underside of the eave or the underside of the roof sheathing. Exterior wall coverings shall be labeled for exterior use.

Exceptions:

1. Exterior wall Embellishments and architectural trim (exclusive of trim on exterior windows and doors) not to exceed 5 percent of the square footage of exterior walls.
 2. Roof or wall top cornice projections and similar assemblies.
 3. Solid wood rafter tails and solid wood blocking installed between rafters having a minimum dimension of 2 inches nominal.
- F. *Flashing.* A minimum of 6 inches of metal flashing or Noncombustible material applied vertically between the wall sheathing and the exterior cladding shall be installed at the ground, decking, and roof intersections.
- Combustible sheathing products exposed by the gap created at the base of the exterior walls, posts, or columns must be protected with Noncombustible material or Ignition-Resistant Building Materials while still permitting drainage and moisture control from behind exterior cladding.
- G. *Exterior glazing.* Exterior windows, window walls and glazed doors, windows within exterior doors, and skylights shall be tempered glass, Multilayered Glazed Panels, glass block or have a fire protection rating of not less than 20 minutes.
- H. *Underfloor enclosure.* Buildings or Structures shall have underfloor areas enclosed to the ground with exterior walls in accordance with Section 14.31.150(E).

Exception: Complete enclosure shall not be required where the underside of exposed floors and exposed structural columns, beams and supporting walls are protected as required for exterior one hour Fire-Resistance-Rated Construction or Mass Timber Construction or Fire-Retardant-Treated Wood.

- I. *Decks, appendages, and projections.* Decks and other unenclosed Accessory structures attached to Buildings shall be constructed of materials as follows:

1. *Deck surface.* Noncombustible material, Approved composite lumber with an ASTM E84 Flame Spread Index no greater than 75, Ignition-Resistant Building Materials or any Approved Class A Roof Assembly.
 2. *Deck framing.* Deck framing shall be constructed of one of the following:
 - a. One-hour Fire-Resistance-Rated Construction.
 - b. Mass Timber Construction.
 - c. Approved Noncombustible materials.
 - d. Fire-Retardant-Treated Wood.
 - e. Ignition-Resistant Building Materials.
 - f. Wood with a minimum nominal thickness of at least two inches for joists and four inches for beams and columns or posts. Multi-ply beams and posts with an equivalent nominal four-inch thickness are allowed.
- J. *Vehicle access through door perimeter gap.* Exterior vehicle access doors shall resist the intrusion of embers from entering by preventing gaps between doors and door openings, at the head, sill, and jam of doors from exceeding 1/8 inch.
1. Gaps between doors and door openings shall be controlled by one of the following methods:
 - a. Weather-stripping products made of materials that: (a) have been tested for tensile strength in accordance with ASTM D638 (Standard Test Method for Tensile Properties of Plastics) after exposure to ASTM G155 (Standard Practice for Operating Xenon Arc Light Apparatus for Exposure of NonMetallic Materials) for a period of 2,000 hours, when the maximum allowable difference in tensile strength values between exposed and nonexposed samples does not exceed 10 percent; and (b) exhibit a V-2 or better flammability rating when tested to UL 94 (Standards for Tests for Flammability of Plastic Materials for Parts in Devices and Appliances).
 - b. Door overlaps onto jams and headers.
 - c. Garage door jams and headers covered with metal flashing.

14.31.160 – Class 2 Intermix Structure Hardening.

- A. *General.* Class 2 Structure hardening shall be in accordance with this Section as well as the provisions of Class 1 Structure hardening in Section 14.31.150.
- B. *Protection of eaves and soffits.* Eaves and soffits shall be protected on the exposed underside by one of the following:
 1. Noncombustible material.
 2. Ignition-Resistant Building Materials.
 3. Materials Approved for not less than 1-hour Fire-Resistance-Rated Construction.
 4. 5/8 inch type X drywall.
 5. 2-inch nominal dimensional lumber.

6. Fire-Retardant-Treated Wood.
- C. Fascia, where provided and exposed, shall be protected on the backside by one of the following:
1. Noncombustible material.
 2. Ignition-Resistant Building Materials.
 3. Materials Approved for not less than 1-hour Fire-Resistance-Rated Construction.
 4. 5/8 inch type X drywall.
 5. 2-inch nominal dimensional lumber.
 6. Fire-Retardant-Treated Wood.
- D. *Exterior Doors.* Exterior door shall be Approved Noncombustible construction, solid core wood not less than 1 3/4 inch thick or have a fire protection rating of not less than twenty (20) minutes. Windows within doors and glazed doors shall be in accordance with Section 14.31.150(G).
1. *Exception.* Vehicle access doors.

14.31.170 – Site and Area Requirements - General.

- A. *Scope.* The provisions of Sections 14.31.170 through 14.31.190 shall apply to parcels subject to this Code.
1. *Exceptions:*
 - a. For Site and Area Requirements, only Structure Ignition Zone 1 standards apply to the reconstruction, replacement, alteration, or repair of the exterior walls of an existing Building.
 - b. The reconstruction, replacement, alteration, or repair of the existing exterior Roof Covering of an existing Building.
- B. *Reference.* As needed, the Wildfire Mitigation Specialist shall refer to the most recent version of the Home Ignition Zone (HIZ) Guide as developed by the Colorado State Forest Service. Where conflicts occur between provisions of this code and the HIZ Guide, the provisions of this code shall govern. The provisions of this Code, as applicable, shall take precedence over the provisions in the referenced standard.

14.31.180 – Class 1 Interface Requirements.

- A. *Structure Ignition Zone 1 (0-5 feet): Immediate Zone.*
1. *Objective.* This zone is designated to reduce or eliminate ember ignition and direct flame contact with the Structure, decks, stairs, and attachments.
 2. *Materials.* Use Noncombustible, hard surface materials in this zone, such as rock, gravel, sand, concrete, bare earth or stone/concrete pavers.
 3. *Plantings.* Remove all plantings including shrubs, slash, combustible mulch and other woody debris.
 4. *Trees.* All following fuel modifications are required for trees:

- a. There shall be no planting of new trees in the Immediate Zone. Mature trees of no less than 10-inch diameter at 4.5 feet above ground level may be maintained.
 - b. Tree Crowns extending to within 10 feet of the outermost point of any Structure shall be pruned to maintain a minimum clearance of 10 feet.
 - c. Prune tree branches to a height of 6 to 10 feet from the ground or a third of the total height of the tree, whichever is less.
5. *Storage of combustibles.* There shall be no storage of firewood or other combustible materials in this area or areas under decks.
- B. *Structure Ignition Zone 2 (5-30 feet): Intermediate Zone.*
1. *Objective.* This zone is designed to give an approaching fire less fuel, which will help reduce its intensity as it gets nearer to Structures.
 2. *Dead materials.* Within the Fuel Modification area, hazardous dead plant material must be removed from live vegetation.
 3. *Fuels accumulation.* There shall be no large accumulations of surface fuels such as logs, branches, slash and combustible mulch. Mulch shall not exceed a maximum depth of 4 inches. Firewood piles must be kept at least 30 feet away from habitable Structures unless stored in a Noncombustible container or Structure comprised of Ignition Resistant Building Materials or Noncombustible materials.
 4. *Trees.* Tree Crowns extending to within 10 feet of the outermost point of any Structure shall be pruned to maintain a minimum clearance of 10 feet.
Prune tree branches to a height of 6 to 10 feet from the ground or a third of the total height of the tree, whichever is less.
 5. *Shrubs.* Shrub groups within this zone shall be spaced to prevent Structure ignition. Shrubs shall not be planted under trees within the tree drip line.
 6. *Prohibited plants.* *Juniperus* spp. (Juniper species), *Thuja occidentalis* (American arborvitae), *Thuja orientalis* (Oriental Arborvitae), *Quercus gambelii* (Gambel oak) are prohibited.
 7. *Slope adjustment.* For tree removals on any Slopes of 20% or greater, the Wildfire Mitigation Specialist may determine additional tree spacing is necessary to reduce potential fire behavior on Slopes.
- C. *Retaining walls.* The exposed exterior of retaining walls shall be constructed with either Noncombustible or Ignition-Resistant Building Materials when any of the following conditions exist:
1. The retaining wall is within 8 feet of a Structure regulated by this code or up to the property line when the property line is less than 8 feet away from the Structure.
 2. The retaining wall is integral to the support of a Structure regulated by this Code.
 3. The retaining wall is integral to the egress from a Structure regulated by this Code to a public way, easement, or private road.

- D. *Fencing*. Fencing within 8 feet of a Structure regulated by this Code or up to the property line when the property line is less than 8 feet away from the Structure shall be constructed with Noncombustible or Ignition-Resistant Building Materials.
- E. *Site signage*.
- a. *Marking of roads*. Approved signs or other Approved notices shall be provided and maintained for access roads and driveways to identify such roads and prohibit the obstruction thereof.
 - b. *Marking of fire protection equipment*. Fire protection equipment and fire hydrants shall be clearly identified in a manner Approved by the Building Official to prevent obstruction.
 - c. *Address markers*. Buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located in a manner Approved by the Building Official.

14.31.190 – Class 2 Intermix Requirements.

A. Structure Ignition Zone 1 (0-5 feet): Immediate Zone.

1. *Objective*. This zone is designated to reduce or eliminate ember ignition and direct flame contact with the Structure, decks, stairs, and attachments.
2. *Materials*. Use Noncombustible, hard surface materials in this zone, such as rock, gravel, sand, concrete, bare earth, or stone/concrete pavers.
3. *Plantings*. Remove all plantings including shrubs, slash, combustible mulch and other woody debris.
4. *Trees*. All following fuel modifications are required for trees:
 - a. There shall be no planting of new trees in the Immediate Zone. Mature trees of no less than 10-inch diameter at 4.5 feet above ground level may be maintained.
 - b. Tree Crowns extending to within 10 feet of the outermost point of any Structure shall be pruned to maintain a minimum clearance of 10 feet.
 - c. Prune tree branches to a height of 6 to 10 feet from the ground or a third of the total height of the tree, whichever is less.
5. *Storage of combustibles*. There shall be no storage of firewood or other combustible materials in this area or areas under decks.

B. Structure Ignition Zone 2 (5-30 feet): Intermediate Zone.

1. *Objective*. This zone is designed to give an approaching fire less fuel, which will help reduce its intensity as it gets nearer to Structures.
2. *Dead materials*. Within the Fuel Modification area, hazardous dead material must be removed from live vegetation.
3. *Fuels accumulation*. There shall be no large accumulations of surface fuels such as logs, branches, slash and combustible mulch. Mulch shall not exceed a maximum depth of 4 inches. Firewood piles must be kept at least 30 feet away from habitable

Structures unless stored in a Noncombustible container or structure comprised of Ignition Resistant Building Materials or Noncombustible materials.

4. *Trees.* Tree Crowns extending to within 10 feet of the outermost point of any Structure shall be pruned to maintain a minimum clearance of 10 feet.

Prune tree branches to a height of 6 to 10 feet from the ground or a third of the total height of the tree, whichever is less.

5. *Tree Spacing.* Tree Crowns within this zone shall be spaced to prevent Structure ignition and promote fuel discontinuity to limit fire spread.
6. *Shrubs.* Shrub groups within this zone shall be spaced to prevent Structure ignition. Shrubs shall be at least 10 feet away from the edge of tree branches.
7. *Prohibited Plants.* *Juniperus* spp. (Juniper species), *Thuja occidentalis* (American arborvitae), *Thuja orientalis* (Oriental Arborvitae), *Quercus gambelii* (Gambel oak) are prohibited.
8. *Slope adjustment.* For tree removals on any Slopes of 20% or greater, the Wildfire Mitigation Specialist may determine additional tree spacing is necessary to reduce potential fire behavior on Slopes.

- C. *Retaining Walls.* The exposed exterior of retaining walls shall be constructed with either Noncombustible or Ignition-Resistant Building Materials when any of the following conditions exist:

1. The retaining wall is within 8 feet of a Structure regulated by this Code or up to the property line when the property line is less than 8 feet away from the Structure.
2. The retaining wall is integral to the support of a Structure regulated by this Code.
3. The retaining wall is integral to the egress from a Structure regulated by this Code to a public way, easement, or private road.

- D. *Fencing.* Fencing within 8 feet of a Structure regulated by this Code or up to the property line when the property line is less than 8 feet away from the Structure shall be constructed with Noncombustible or Ignition-Resistant Building Materials. E. *Site Signage.*

1. *Marking of roads.* Approved signs or other Approved notices shall be provided and maintained for access roads and driveways to identify such roads and prohibit the obstruction thereof.
2. *Marking of fire protection equipment.* Fire protection equipment and fire hydrants shall be clearly identified in a manner Approved by the Building Official to prevent obstruction.
3. *Address markers.* Buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located in a manner Approved by the Building Official.

- F. *Structure Ignition Zone 3 (30-100 feet): Expanded Zone.*

1. *Objective.* This zone focuses on mitigation that keeps fire on the ground.

2. *Trees.* Prune tree branches to a height of 6 to 10 feet from the ground or a third of the total height of the tree, whichever is less.
3. *Tree spacing.* Tree Crowns within this zone shall be spaced at a minimum of 6 to 10 feet.
4. *Dead materials.* Within the fuel modification area, hazardous dead plant material must be removed from live vegetation.
5. *Fuels accumulation.* There shall be no large accumulations of surface fuels such as logs, branches, slash and combustible mulch. Mulch shall not exceed a maximum depth of 4 inches.
6. *Slope adjustment.* For tree removals on any Slopes of 20% or greater, the Wildfire Mitigation Specialist may determine additional tree spacing is necessary to reduce potential fire behavior on Slopes.

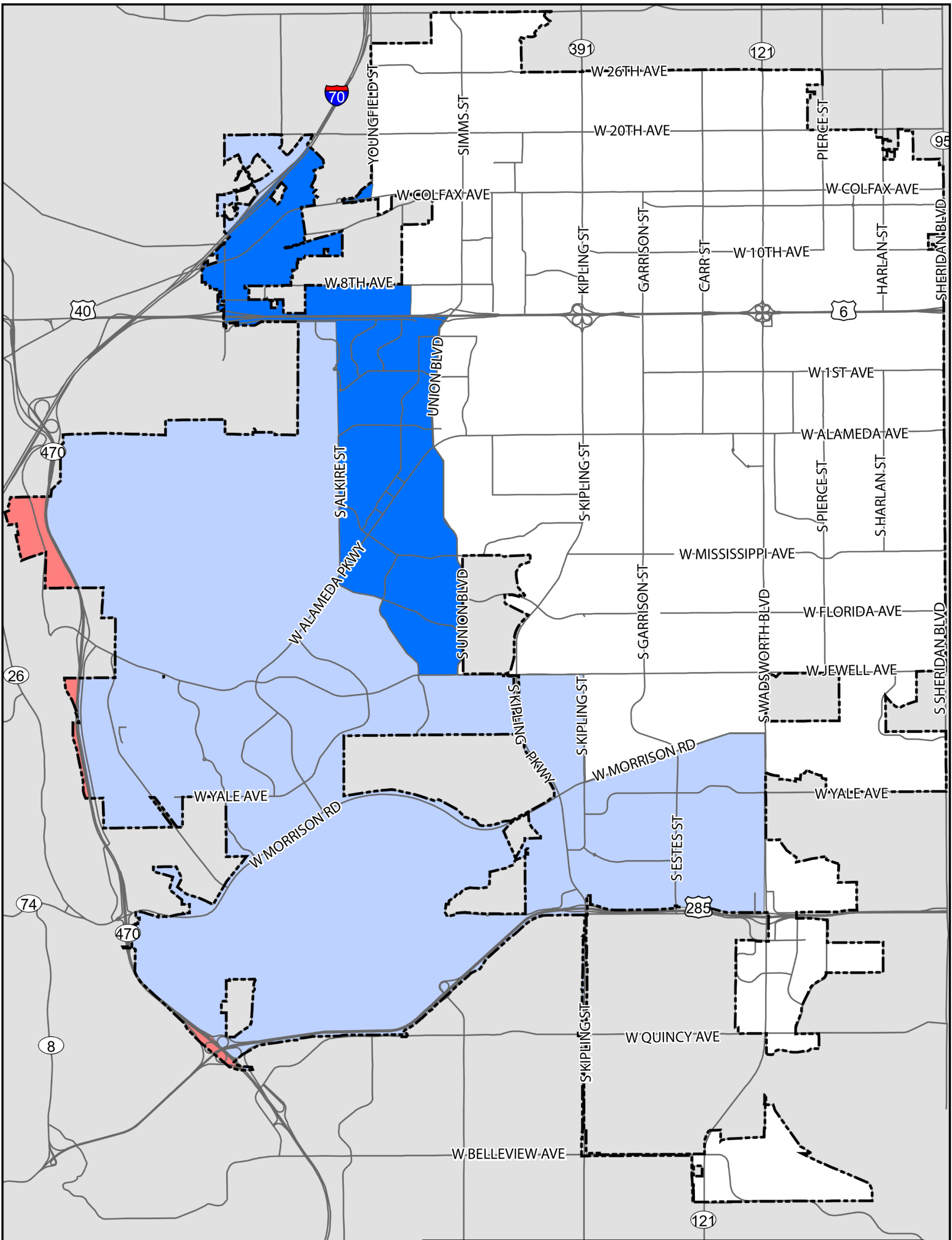
14.31.200 – Penalties for Violations

- A. Any person who violates any of the provisions of this Code or fails to comply therewith shall severally for each and every violation and noncompliance respectively, be subject to the penalties set forth in Section 1.16.020 of the Lakewood Municipal Code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violation(s) within a reasonable time, and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.
- B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.
- C. The City of Lakewood may pursue any other legal remedies to enforce this Code.

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EXHIBIT B

Wildland-Urban Interface Boundary Map



**City of Lakewood
Wildland Urban Interface (WUI) Boundary**



Document: City of Lakewood (Jeffco based prepared by Lakewood) WUI V3 | Date: 3/4/2026

- City of Lakewood Boundary
- City of Lakewood Wildland Urban Interface Boundary**
- Class 1 Interface Interior
- Class 1 Interface Perimeter
- Class 2 Intermix

Source:
Jefferson County Community Wildfire Protection Plan, 2024
<https://togetherjeffco.com/cwpp>

0 4,000 8,000 Feet

CERTIFICATION

I, BERTA SARACINO, Secretary to the City of Lakewood Board of Appeals, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Lakewood Board of Appeals at a Public Hearing held in Lakewood, Colorado, on the 10th day of March, 2026 as the same appears in the minutes of said hearing.

March 10, 2026
Date approved

Berta Saracino
Berta Saracino, Secretary to the BOA

Key Terminology Definitions

Ground Truthing

Ground-truthing is the process of verifying wildfire hazard classifications shown on official maps by reviewing actual site conditions. Under the Wildfire Resiliency Code, property owners may request a ground-truthing review if they believe the mapped fire intensity does not accurately reflect their parcel. The review considers vegetation within 300 feet of the property, topography, and other factors to confirm or adjust the hazard level. This ensures that mitigation requirements—such as structure hardening and defensible space—are based on accurate, current conditions rather than solely on generalized mapping.

Structure Hardening

Structure hardening refers to the process of making buildings and homes more resistant to wildfire damage by reducing their vulnerability to ignition. This typically includes using non-combustible or fire-resistant materials for roofs, siding, and decks; installing ember-resistant vents; sealing gaps where embers could enter; and creating defensible space by clearing flammable vegetation near the structure. These measures significantly lower the risk of a home catching fire during a wildfire event and are a key component of community wildfire protection strategies.

Defensible Space

Defensible space is the area surrounding a structure that is intentionally managed to reduce the risk of ignition from embers, radiant heat, or direct flame contact during a wildfire. Properties located in designated wildfire hazard areas must maintain defensible space in three zones:

- **Immediate Zone (0–5 feet):** This zone must be free of combustible materials, vegetation, and mulch. Noncombustible surfaces such as rock, gravel, or concrete are required to minimize ignition risk near the structure.
- **Intermediate Zone (5–30 feet):** Designed to slow fire spread toward the structure, this zone requires removal of dead vegetation, spacing of trees and shrubs to prevent crown fires, and avoidance of highly flammable species such as junipers and arborvitae.
- **Expanded Zone (30–100 feet):** In higher hazard areas, this zone focuses on keeping fire on the ground by pruning tree branches, increasing spacing between tree crowns, and eliminating heavy accumulations of dead fuels.



West Metro Fire Protection District

WEST METRO Fire Rescue

433 S. Allison Parkway
Lakewood, CO 80226

Bus: (303) 989-4307
Fax: (303) 989-6725
www.westmetrofire.org

Board of Appeals
City of Lakewood
470 S. Allison Parkway
Lakewood, CO 80226

January 26, 2026

Dear Board Members,

On behalf of the West Metro Fire Protection District, I want to express our strong support for the City of Lakewood's Department of Public Works as they work toward adopting the 2025 Colorado Wildfire Resiliency Code (CWRC). The District is committed to aligning our efforts with both the Department and Jefferson County to ensure a unified approach. Since the passage of Senate Bill 23-166 in 2023, our agencies have maintained a productive partnership, collaborating closely throughout the development and release of the CWRC. As all local jurisdictions prepare for the formal adoption deadline of April 1, 2026, with implementation required by July 1, 2026, we remain dedicated to working together to achieve consistent and effective code adoption across our shared communities.

Regular meetings between the District and the Department have been instrumental in developing a unified approach to the CWRC's adoption and implementation. These collaborative sessions have provided a platform for open dialogue, fostering a shared understanding of the specific requirements outlined in the CWRC. As a result, both agencies are now closely aligned on key strategies and expectations, ensuring that citizens and property owners across all affected jurisdictions will experience consistent requirements and clear guidance moving forward.

The District remains fully committed to supporting the Department's efforts as it advances toward adoption of the CWRC. We recognize that ongoing collaboration is vital for ensuring consistent implementation across our communities and value the strong working relationship we share with the City of Lakewood. Thank you for your dedication to wildfire resiliency; we look forward to continuing our partnership and building on the progress we have achieved together.

Respectfully,

Jeremy Metz, Fire Chief

"Whatever It Takes" ... To Serve



Lakewood
Police Department

MEMORANDUM

TO: Keith Hensel, City Engineer for Development Services
Lakewood Public Works Department

FROM: Jesse Miller, Emergency Manager
Lakewood Police Department – Support Services Division

DATE: January 23, 2026

SUBJECT: Recommendation for adoption of the Jefferson County Wildland Urban Interface

I have reviewed the two options that were presented to me on the mapping related to the adoption of the Wildfire Resiliency Code. After review, I believe it would best serve the City to utilize the Fire Intensity Classification identified in the Jefferson County Wildland Urban Interface rather than what has been offered by the State of Colorado. The Jefferson County option would appear to offer significantly greater risk reduction to the community moving forward with minimal overall impact to homeowners. The alternative that the State of Colorado has proposed would seemingly have very little perceivable positive effect for the City.

As the frequency, and intensity, of natural disasters continues to increase, especially wildfires, I would offer strong support to any alternative that lowers the likelihood or severity of a potentially catastrophic fire. The option provided by Jefferson County would work to better serve that goal.

To protect and serve with integrity, intelligence, and initiative

Alternative formats of this document are available upon request



Project Report

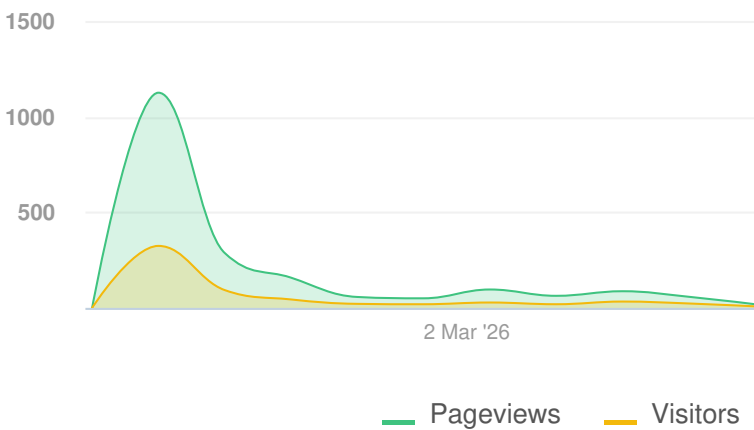
24 February 2026 - 06 March 2026

Lakewood Together

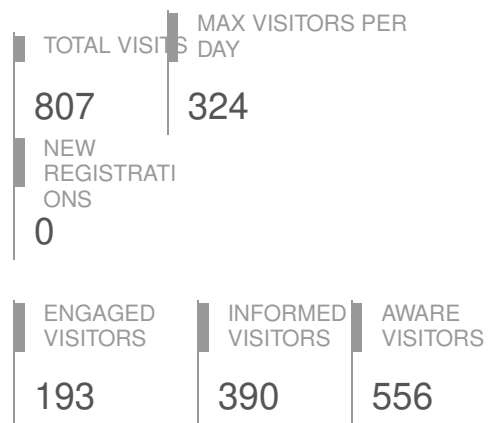
Lakewood Wildfire Resiliency Code



Visitors Summary

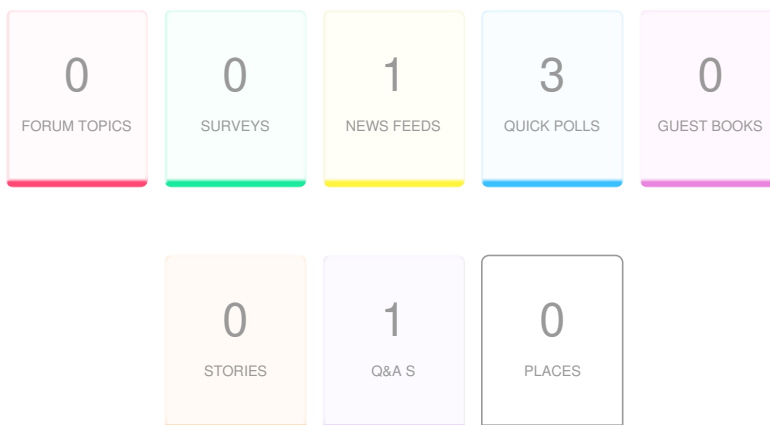


Highlights



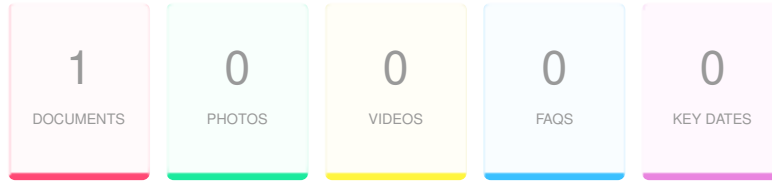
Aware Participants		Engaged Participants		
556		193		
Aware Actions Performed		Engaged Actions Performed		
Participants		Registered	Unverified	Anonymous
Visited a Project or Tool Page	556			
Informed Participants		Contributed on Forums		
390		0	0	0
Informed Actions Performed		Participated in Surveys		
Participants		0	0	0
Viewed a video	0	Contributed to Newsfeeds		
Viewed a photo	0	0	0	0
Downloaded a document	275	Participated in Quick Polls		
Visited the Key Dates page	0	9	1	179
Visited an FAQ list Page	0	Posted on Guestbooks		
Visited Instagram Page	0	0	0	0
Visited Multiple Project Pages	124	Contributed to Stories		
Contributed to a tool (engaged)	193	0	0	0
		Asked Questions		
		9	3	0
		Placed Pins on Places		
		0	0	0
		Contributed to Ideas		
		0	0	0

ENGAGEMENT TOOLS SUMMARY



Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
Newsfeed	Updates	Published	1	0	0	0
Qanda	Ask a question	Published	34	9	3	0
Quick Poll	How do you believe implementing a Wildfire Resiliency Cod...	Archived	187	7	1	179
Quick Poll	What concerns you most about implementing a Wildfire Resi...	Published	6	3	0	0
Quick Poll	How supportive are you of implementing a Wildfire Resilie...	Draft	0	0	0	0

INFORMATION WIDGET SUMMARY



Widget Type	Engagement Tool Name	Visitors	Views/Downloads
Document	Lakewood WUI from Jeffco	275	419

QANDA

Ask a question

Visitors 34	Contributors 12	CONTRIBUTIONS 17
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Q

JohnM

25 February 26

How much will wildfire resiliency regulations add to the cost of a house?

A

Publicly Answered

Thank you for your interest and participation in this project. It is difficult to estimate the exact amount of any cost increase without knowing the base or starting point such as size, proposed materials, and design features of a proposed home. The City of Lakewood already includes some aspects of the proposed code in its current requirements. For example, Class A roofing materials are required for all new and reroof projects within the city. In this case, there would not be an increased cost associated with the wildfire-resilient roofing standards. In addition, many new homes are built with fiber-cement (concrete board) siding because it requires less maintenance and naturally provides better fire resistance than traditional wood products. For some homes this may affect design more than cost. Additional cost impacts may come from other components of the wildfire-resiliency standards, such as enhanced venting systems, and construction details for features such as soffits. Deck materials may have an impact on cost, but again it depends on the size of the deck and original materials design. Some treated wood products may be allowed. Our goal is to apply these standards consistently and transparently while supporting public safety and long-term resilience.-- The Project Team

Q

Front Range Lumber

25 February 26

The Colorado new fire code can be confusing. Front Range Lumber offers our "professional" advice into product availability, relative costs, building practices, etc as desired by the City. Best contact would be to FRLCO.LAKEWOOD@gmail.com

A

Privately Answered

Thanks for sending along this information and for your interest in the project.-- The Project Team

QANDA

Ask a question

Q

Casandra Kertson

25 February 26

How may I get involved to volunteer to assist with this or any future projects?

A

Privately Answered

Thank you so much for interest in this project. We don't have a volunteer option for this project, but if something changes about that, we'll let you know. For information on all the volunteer opportunities with the city, please visit [LakewoodCO.gov/Volunteer](https://lakewoodco.gov/Volunteer), which covers everything from the Police Department to parks opportunities. You can also check out options with Lakewood Sustainability Cooperative or "Scoop," which is a network of Lakewood residents, businesses and other community partners who are passionate about creating a more sustainable Lakewood. Participants volunteer their knowledge, experience and skills to support sustainability efforts in the community. -- The Project Team

Q

CommonSense

25 February 26

I am confused. Why would the City of Lakewood want to mitigate fire danger? I thought you all want to burn everything down, take over our lots, and build affordable, multifamily, high-density housing, especially in Morse Park? BTW I had also raised concerns to my City Council reps about parents of Slater Elementary School throwing lit cigarettes out of their car windows (not smart when it's dry and windy) and was told to shut up and go away. All kidding aside, fire danger is a serious issue that many of us understand and do our part to prevent. I personally spend thousands each year to have my trees trimmed (removing dead limbs) and I have been using my well to water my property to add moisture to trees, shrubs, and grass.

A

Privately Answered

Thanks for your interest in this project and the work you do on your property.-- The Project Team

QANDA

Ask a question

Q

XavierGilray

25 February 26

Have you considered aggressive removal of homeless camps? Homeless people are often cold, or need to cook food, so they use fire. On a windy day such as today, the area north of 6th on Wadsworth could easily go up in flames in minutes.

A

Privately Answered

Thanks for passing along your comments. For concerns about homeless encampments, please submit your concerns to RequestLakewood.org.-- The Project Team

Q

Willrideforbeer

25 February 26

My experience with Lakewood wildfire mitigation has been pretty dismal. As a person whose house is next to open space I don't feel that I can trust the city to accurately know where my property line is. The people hired to 'clear brush' are uneducated in this and I feel that I have to constantly monitor and inform them when they are going into my property line. Mostly it seems to be a colossal waste of taxpayer money.

A

Privately Answered

Thanks for your feedback, and we appreciate your participation in this project.-- The Project Team

Q

sewing57

26 February 26

Can we encourage people to get rid of Junipers? They are a bad fire hazard especially close to buildings as in the Belmar Commons community.

A

Publicly Answered

We really appreciate your participation and interest in this project. Juniperus spp. (Juniper species), Thuja occidentalis (American arborvitae), Thuja orientalis (Oriental Arborvitae) are prohibited within 30 feet of a structure in the Wildland Urban Interface area as shown on the WUI map. Given that, we would encourage removing these although the code doesn't apply retroactively to existing homes. Additionally, the city doesn't approve the use of junipers in new developments.-- The Project Team

QANDA

Ask a question

Q

Annie S

26 February 26

How does the defensible space provision apply to existing landscaping? Would shrubs within 5 feet of the house need to be removed?

A

Publicly Answered

Thanks so much for participating in this project. Here's the information regarding your questions:For new additions over 500 square feet and new structures that are constructed, existing vegetation within 5 feet of the structure would need to be removed, and no new vegetation would be allowed.For existing structures the code is not retroactive, so no existing vegetation would need to be removed unless it was considered to be a severe hazard.-- The Project Team

Q

JohnM

26 February 26

If it is not possible to estimate the cost increase that wildfire resiliency regulations will impose on the construction of a house, a cost-benefit analysis cannot be conducted. Why is this project being considered when a cost-benefit analysis cannot be determined?

A

Publicly Answered

John -- The project team is still putting together information for your question and others that have come in regarding the cost. We hope to have that information available to post soon, and thank you for your patience.-- The Project Team

QANDA

Ask a question



JohnM

26 February 26

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Publicly Answered

John -- The project team is still putting together information for your question and others that have come in regarding the cost. We hope to have that information available to post soon, and thank you for your patience.-- The Project Team

John -- Here's information regarding your cost question. A mandate by the state requires Lakewood to adopt wildfire resiliency standards. This is not optional. Because this adoption is mandated by the State of Colorado, and because of the time frame mandated for adoption, a cost-benefit analysis was not performed as part of the city's process. Lakewood partners with Jefferson County on multiple hazard mitigation initiatives, and as a result of this partnership and the partnership with the West Metro Fire Protection District, the city is proposing requirements similar to be adopted by Jefferson County. Additional detailed information regarding the methodology and objectives of the code may be available in the Jefferson County Community Wildfire Protection Plan. Determining the added cost to a home under the proposed Wildfire Resiliency Code depends heavily on the design and characteristics of the base house. Because the code primarily establishes allowable materials and certain construction methods, the size, layout, and features of the home all influence the final cost impact. Several components of the proposed code are key cost drivers, including roofing, siding, windows, decks, eaves and soffits, crawl spaces, and overhangs. In Lakewood, existing minimum code requirements for roofing and window performance already meet the new wildfire resiliency standards. As a result, little to no additional cost is expected in these areas. Siding, however, is likely to be one of the more significant factors. Current code allows many siding materials that would not comply with the wildfire resiliency requirements. Compliant siding options are generally more expensive than non-compliant options, but the cost difference can vary widely. For example, the gap between noninsulated vinyl siding and brick or stone is substantial, whereas the difference between tongue-and-groove cedar and fiber-cement lap siding is much smaller. Decking materials are another area where increased costs may occur, largely because fewer compliant material alternatives are available. Not every home includes a deck, so for some projects this will be a significant added cost, while for others it will not be a factor at all. Costs related to crawl spaces and overhangs depend on the specific home design. Most newer homes in Lakewood include basements, and features such as cantilevers tend to be architectural choices rather than standard elements. The eave and soffit requirements — while potentially costly — apply only to areas west of C-470. Defensible-space requirements are expected to affect additions more than new homes since new construction can be planned around these standards from the outset.

QANDA

Ask a question

Q

rickhalbach

02 March 26

What are the added costs to the homeowner for these increased regulations? Home modifications and new homes. What is going to be done to offset these costs?

A

Publicly Answered

As we've noted in other cost questions for this project, this does not affect existing homes. Additionally, the mandate by the state requires Lakewood to adopt wildfire resiliency standards. This is not optional. Because this adoption is mandated by the State of Colorado. For modifications and new homes, determining the added cost to a home under the proposed Wildfire Resiliency Code depends heavily on the design and characteristics of the base house. Because the code primarily establishes allowable materials and certain construction methods, the size, layout, and features of the home all influence the final cost impact. Several components of the proposed code are key cost drivers, including roofing, siding, windows, decks, eaves and soffits, crawl spaces, and overhangs. In Lakewood, existing minimum code requirements for roofing and window performance already meet the new wildfire resiliency standards. As a result, little to no additional cost is expected in these areas. Siding, however, is likely to be one of the more significant factors. Current code allows many siding materials that would not comply with the wildfire resiliency requirements. Compliant siding options are generally more expensive than non-compliant options, but the cost difference can vary widely. For example, the gap between noninsulated vinyl siding and brick or stone is substantial, whereas the difference between tongue-and-groove cedar and fiber-cement lap siding is much smaller. Decking materials are another area where increased costs may occur, largely because fewer compliant material alternatives are available. Not every home includes a deck, so for some projects this will be a significant added cost, while for others it will not be a factor at all. Costs related to crawl spaces and overhangs depend on the specific home design. Most newer homes in Lakewood include basements, and features such as cantilevers tend to be architectural choices rather than standard elements. The eave and soffit requirements — while potentially costly — apply only to areas west of C-470. Defensible-space requirements are expected to affect additions more than new homes since new construction can be planned around these standards from the outset.-- The Project Team

QANDA

Ask a question



JudyKulp

04 March 26

What is the plan for fire mitigation efforts on Green Mountain Open Space? If homeowners are required to do mitigation n at their own expense, will the City also be required to do regular and extensive fire mitigation on Green Mountain an d all other open spaces, at City's expense.



Publicly Answered

The city does have an established Fire Mitigation Program for parks and open space areas, including William Hayden Park on Green Mountain. This program is administered through our Community Resources Department and focuses on ongoing vegetation management, fuel reduction, and other wildfire-risk reduction practices on city-managed parks and open space lands. These efforts are performed and funded by the city. To clarify, the requirements proposed in th e Wildfire Resiliency Code do not require existing homeowners to complete mitigation work on their property unless th ey are planning substantial new construction or major changes. In those cases, only the new improvements would ne ed to meet the updated standards. Routine mitigation for existing homes is not mandated on the code.-- The Project T eam



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What is the plan for fire mitigation efforts on Green Mountain Open Space? If homeowners are required to do mitigatio n at their own expense, will the City also be required to do regular and extensive fire mitigation on Green Mountain an d all other open spaces, at City's expense.



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QANDA

Ask a question

Q

JohnM

05 March 26

Currently, I am insured for wildfire-related losses through homeowners insurance. If fortifying my home against wildfires leads to a reduction in my insurance premiums, I can conduct a cost-benefit analysis to determine the most advantageous course of action for my circumstances. Why are wildfire resiliency mandates considered necessary when I have insurance to cover the risk of loss? Is it prudent to increase the cost of an already unaffordable residence?

A

Publicly Answered

The proposed requirements do not impose any new obligations on existing homes unless the property owner chooses to construct a new home or add an addition greater than 500 square feet. If your property remains as it currently exists, no additional costs will be incurred as a result of these standards. If you do plan to rebuild or add onto your home, the potential cost impacts will depend on the specific design and materials you select. In those cases, conducting a cost-benefit analysis based on your particular project may be helpful in determining the most appropriate approach.-- The Project Team

Q

KarenGordey

05 March 26

I saw the question from Annie S around existing landscaping. Your answer was "For existing structures the code is not retroactive, so no existing vegetation would need to be removed unless it was considered to be a severe hazard." What is considered a "severe hazard"? Also, can we get better maps for Lakewood specifically - zoomed in? This would allow us to tell easily which zone our houses are in.

A

Privately Answered

Karen -- Please see the previous answer provided to this same question. -- The Project Team

QANDA

Ask a question

Q

KarenGordey

05 March 26

I saw the question from Annie S around existing landscaping. Your answer was "For existing structures the code is not retroactive, so no existing vegetation would need to be removed unless it was considered to be a severe hazard." What is considered a "severe hazard"? Also, can we get better maps for Lakewood specifically (zoomed in)? This would allow us to tell easily which zone our houses are in.

A

Publicly Answered

The determination of a severe hazard would be made based on a number of factors including the proximity to habitable structures, the type and quantity of the vegetation, the type and quantity of nearby vegetation, access for firefighters, the construction materials used in the structures, and topographical features in the area. Lakewood currently has codes and requirements regarding overgrown vegetation on properties that are enforced when needed. Unfortunately, at this point, the current map is the only one we have available, but we are working to see if we can produce a better option.-- The Project Team

Q

JohnM

05 March 26

Why has my question and your response, listed below, not been made visible to the public? Hi there, Thanks for taking the time to visit Lakewood Together and asking us a question. You asked: ' If it is not possible to estimate the cost increase that wildfire resiliency regulations will impose on the construction of a house, a cost-benefit analysis cannot be conducted. Why is this project being considered when a cost-benefit analysis cannot be determined?' Our response: John -- The project team is still putting together information for your question and others that have come in regarding the cost. We hope to have that information available to post soon, and thank you for your patience. -- The Project Team Please let us know if you have any more questions or if anything needs to be clarified. Regards, City of Lakewood

A

Privately Answered

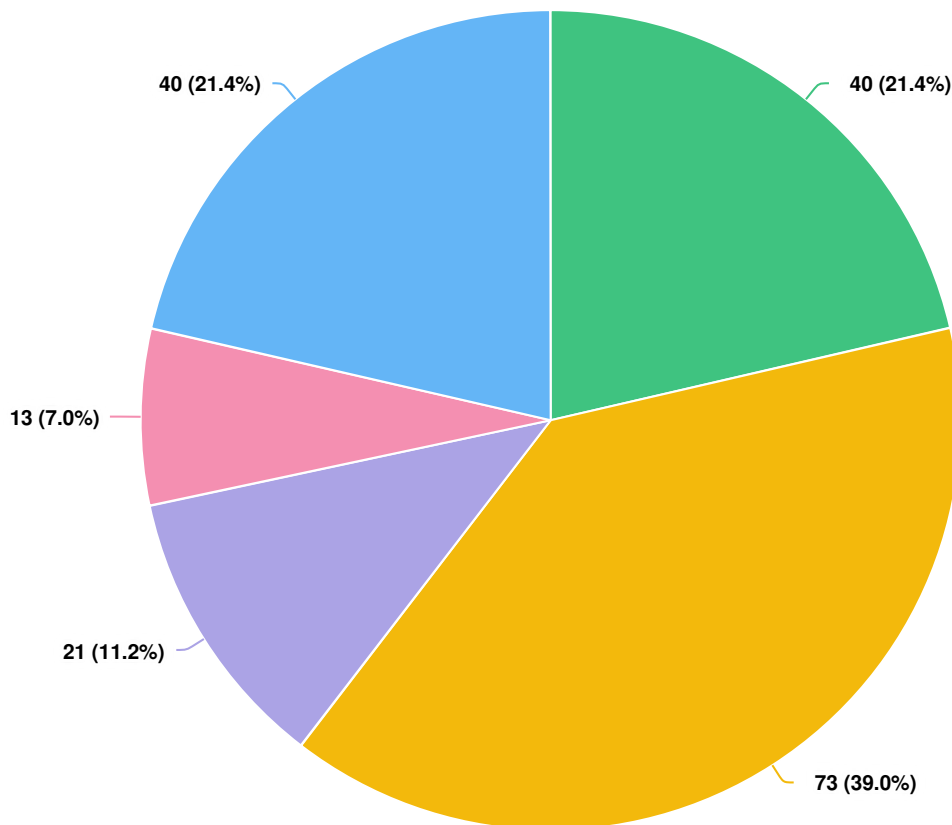
John -- This is publicly answered now. The initial response to you that we were assembling information was made privately so as not to clutter the answer page. But when the additional information for your question is available, then it is publicly posted.

ENGAGEMENT TOOL: QUICK POLL

How do you believe implementing a Wildfire Resiliency Code in Lakewood will affect community safety?

Visitors 187	Contributors 187	CONTRIBUTIONS 187
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How do you believe implementing a Wildfire Resiliency Code in Lakewood will affect community safety?



Question options

- Greatly Improve Safety – Strongly believe it will reduce wildfire risk.
- Moderately Improve Safety – Some improvement, but not a complete solution.
- No Significant Change – I don't think it will make much difference.
- Could Reduce Safety – Restrictions may create unintended challenges.
- Unsure – Need more information to decide.

Mandatory Question (187 response(s))

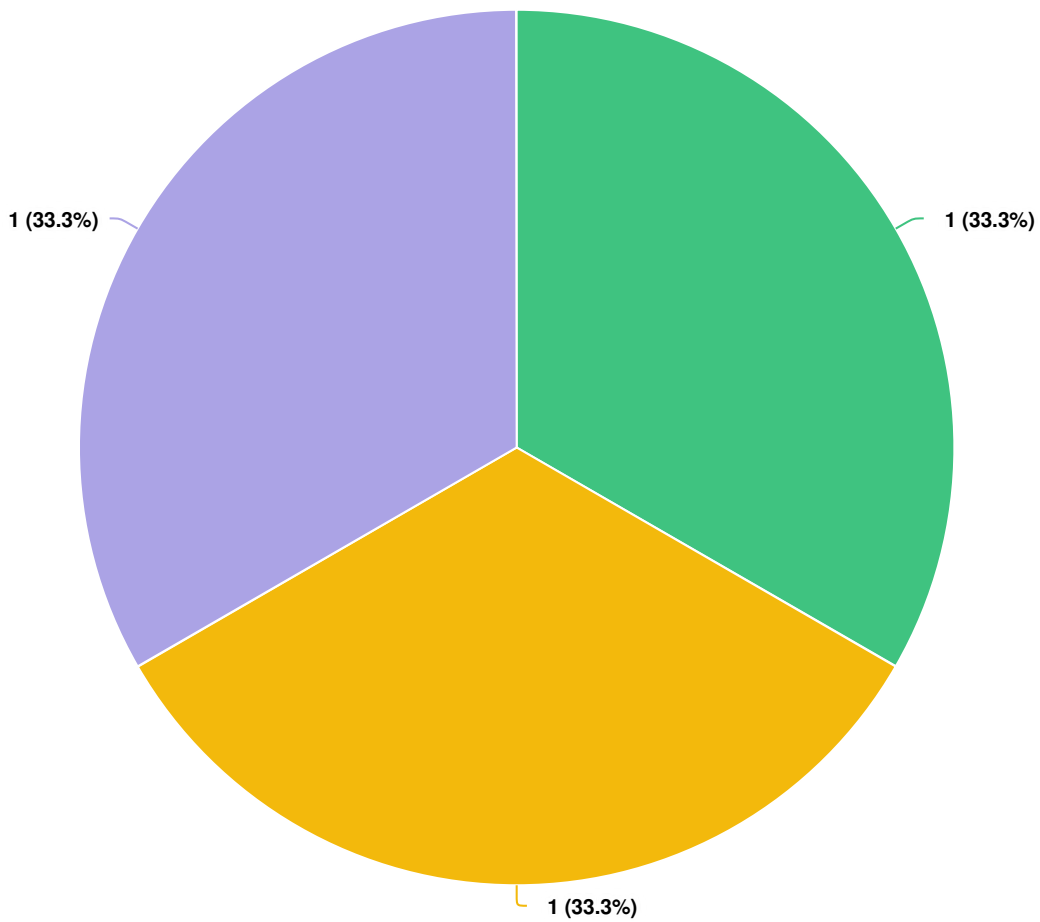
Question type: Radio Button Question

ENGAGEMENT TOOL: QUICK POLL

What concerns you most about implementing a Wildfire Resiliency Code in Lakewood?

Visitors 6	Contributors 3	CONTRIBUTIONS 3
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What concerns you most about implementing a Wildfire Resiliency Code in Lakewood?



Question options

- Cost of Compliance – Increased building or maintenance expenses.
- Implementation Timeline – How quickly changes will be required.
- No Major Concerns – I support the code as proposed.

Mandatory Question (3 response(s))

Question type: Radio Button Question

O-2026-14

AN ORDINANCE

ADOPTING TITLE 14, CHAPTER 31, OF THE LAKEWOOD MUNICIPAL CODE
ESTABLISHING THE CITY OF LAKEWOOD WILDFIRE RESILIENCY CODE AND
CORRESPONDING WILDLAND-URBAN INTERFACE BOUNDARY MAP

WHEREAS, the City of Lakewood is a home rule municipality organized under Article XX of the Colorado Constitution and the authority of the Home Rule Charter for the City of Lakewood (the “City Charter”);

WHEREAS, Sections 1.2 and 2.1 of the City Charter vests all municipal legislative powers in the City Council for the City of Lakewood (the “City”) and authorizes the City Council to establish those laws necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of such municipality and the inhabitants thereof;

WHEREAS, through Colorado Senate Bill 2023-166, the Colorado State Legislature created the Wildfire Resiliency Code Board (the “Board”), and tasked the Board with creating a model wildfire resiliency code based on best practice approaches to hardening structures and reducing fire risk in the defensible space surrounding structures in the wildland-urban interface, and in response, the Board created the 2025 Colorado Wildfire Resiliency Code (the “State Code”);

WHEREAS, Colorado Senate Bill 2023-166 also tasked the Board with identifying the areas of Colorado that are within the wildland-urban interface, and in response, the Board created the Colorado Wildfire Resiliency Code Map (the “State Map”);

WHEREAS, Colorado Senate Bill 2023-166 further requires jurisdictions within the State Map’s designated wildland-urban interface that have a governing body with the authority to adopt building or fire codes, to adopt a code that meets or exceeds the minimum standards set forth in the State Code;

WHEREAS, the City has the authority to adopt both building and fire codes, and therefore Colorado Senate Bill 2023-166 in conjunction with Colorado Senate Bill 2025-142, requires the City to adopt either a code in conformance with the State Code, or a code exceeding the minimum standards in the State Code, and to enforce said City-adopted code no later than July 1, 2026;

WHEREAS, City staff determined that local wildfire conditions and a goal for uniformity within Jefferson County necessitate that the City adopt a wildfire resiliency code that exceeds the minimum standards in the State Code along with a corresponding Wildland-Urban Interface Boundary Map that includes more City properties within the wildland-urban interface than the State Map;

WHEREAS, City staff therefore modeled the City of Lakewood Wildfire Resiliency Code (the “City Code”) on the Jefferson County Wildfire Resiliency Code and modeled the City of Lakewood Wildland-Urban Interface Boundary Map (the “City Map”) on the Jefferson County Wildland Urban Interface Overlay Map;

WHEREAS, the Board of Appeals was established by Lakewood Municipal Code section 12.12.010 and is charged with reviewing proposed additions, changes, or amendments to the City’s building codes and to make recommendations to the City Council with respect to the adoption thereof;

WHEREAS, the Board of Appeals has reviewed, considered, and recommended for adoption, the City Code and the corresponding City Map, subject to a recommended amendment to the City Code relating to the required building material standards for decks and fences that are constructed within areas impacted by the City Code;

WHEREAS, the City Council desires to adopt the City Code and the corresponding City Map;

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with the City Charter by setting a public hearing to provide City staff and the public the opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The recitals set forth above are incorporated as if set forth therein.

SECTION 2. Chapter 14.31 of the Lakewood Municipal Code relating to the City of Lakewood Wildfire Resiliency Code and the corresponding Wildland-Urban Interface Boundary Map, attached hereto as Exhibit A and Exhibit B, respectively, and made part hereof, are hereby adopted.

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

SECTION 4. If any provision of this Ordinance is 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 13th day of April 2026; published by title in the Denver Post and in full on the City of Lakewood's website at www.lakewood.org on the 16th day of April, 2026; set for public hearing to be held on the 27th day of April, 2026; read, finally passed and adopted by the City Council on the 27th day of April, 2026; and signed by the Mayor on the __ day of April, 2026.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney

Chapter 14.31 – The City of Lakewood Wildfire Resiliency Code

14.31.010 - Definitions-General

- A. *Scope.* For the purposes of this Code, defined terms shall have the meanings ascribed thereto under Section 14.30.020.
- B. *Interchangeability.* Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; and the singular number includes the plural and the plural the singular.
- C. *Terms and definitions in other codes.* Where terms are not defined in this Code and are defined in other codes and regulations, such terms shall have the meaning ascribed to them as in those codes and regulations.
- D. *Terms not defined.* Where terms are not defined through the methods authorized by this Section, such terms shall have their ordinarily accepted meanings such as the context implies.
- E. *Defined terms in this Code.* Where terms defined by this Code are used within this Code, the term is capitalized.

14.31.020 - Definitions.

- A. *Accessory Structure.* A Building that is subordinate in purpose, area, and extent to the principal Building; contributes to the reasonable and necessary comfort, convenience, and needs of the occupants, business, or industry of the principal Building; and is located on the same lot as the principal Building. This includes detached garages, workshop, sheds, barns, coops, greenhouses, and detached living space.
- B. *Approved.* Acceptable to the Building Official.
- C. *Barn.* A building used exclusively for the housing and care of horses or other permitted livestock, and for the storage of feed, hay, other farm crops, and farm or equine equipment. Barns may not be used for a garage or as a storage shed for items not associated with livestock or farm crops.
- D. *Building.* Any Structure having a roof supported by columns or walls and used or intended for supporting or sheltering any occupancy.
- E. *Building Official.* The official designated to interpret, administer, and enforce this Code, as described in Section 2.08.120 of the Lakewood Municipal Code. The Building Official is authorized to designate or appoint an authorized representative, as needed, to assist with the interpretation and/or enforcement of this Code.
- F. *Class A Tests.* Tests applicable to Roof Coverings that are expected to be effective against severe fire exposure, before a high degree of fire protection to the Roof Deck, do not slip from position, and are not expected to present a flying brand hazard.

- G. *Defensible Space*. An area either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur.
- H. *Embellishments*. Elements incorporated in design and construction for ornamental or decorative purposes that are not integral to the Structure or structural support.
- I. *Fire Intensity Classification*. The level of fire intensity identified for areas where significant fuel hazards and associated dangerous fire behavior may exist, based upon vegetative fuels, topography, weather conditions, and flame length value.
- J. *Fire-Resistance-Rated Construction*. The use of materials and systems in the design and construction of a Building or Structure to safeguard against the spread of fire within a Building or Structure and the spread of fire to or from Buildings or Structures to the Wildland-Urban Interface area.
- K. *Fire-Retardant-Treated Wood*. Fire-Retardant-Treated Wood is any wood product with a minimum 1-inch nominal or $\frac{3}{4}$ inch actual thickness, that, when impregnated with chemicals by a pressure process or other means during manufacture, shall have, when tested in accordance with ASTM E84 or UL 723, a listed Flame Spread Index of 25 or less. The ASTM E84 or UL 723 test shall be continued for an additional 20 minutes and the flame front shall not progress more than 10.5 feet beyond the center line of the burners at any time during the test.
- L. *Flame Spread Index*. A comparative measure, expressed as the dimensionless number, derived from visual measurements of the spread of flame versus time for a material tested in accordance with ASTM 84.
- M. *Fuel Modification*. A method of modifying fuel load by reducing the amount of non fire resistive vegetation or altering the type of vegetation to reduce the fuel load.
- N. *Habitable Space*. A space in a Building for living, sleeping, eating or cooking. Bathrooms, closets, halls, storage space and other similar areas are not considered “habitable space.”
- O. *Historic Structure*. Any *building or structure* that has one or more of the following:
1. Listed, or certified as eligible for listing, by the state historic preservation office or Keeper of the National Register of Historic Places, in the National Register of Historic Places;
 2. Designated as historic under applicable state law;
 3. Designated as historic by the City of Lakewood; or
 4. Certified as contributing resource within the National Register, state designated or City of Lakewood designated historic district.

P. *Home Ignition Zone (HIZ)*. The home and the area around the home which takes into account both the potential of the Structure to ignite and the quality of Defensible Space surrounding it.

Q. *Ignition-Resistant Building Material*. A type of Building material that resists ignition or sustained flaming combustion sufficiently so as to reduce losses from wildfire exposure of burning embers and small flames. If product literature from manufacturers or testing shows that manufacturer's materials or products melt, drip or delaminate, those materials or products which melt, drip, or delaminate, to the extent that the flame front is interrupted, are not permitted. Ignition-Resistant Building Materials shall comply with any of the following:

1. Material shall be tested on all sides with the extended ASTM E84 (UL 723) test or ASTM E2768, except panel products shall be permitted to test only the front and back faces. Panel products shall be tested with a ripped or cut longitudinal gap of 1/8 inch. Materials that, when tested in accordance with the test procedures set forth in ASTM E84 or UL 723 for a test period of 30 minutes, or with ASTM E2768, comply with the following:

- a. Flame spread. Material shall exhibit a Flame Spread Index not exceeding 25 and shall not show evidence of progressive combustion following the extended 30-minute test.

- b. Flame front. Material shall exhibit a flame front that does not progress more than 10.5 feet beyond the centerline of the burner at any time during the extended 30-minute test.

- c. Weathering. Ignition-Resistant Building Materials shall maintain their performance in accordance with this Section under conditions of use. Materials shall meet the performance requirements for weathering (including exposure to temperature, moisture and ultraviolet radiation) contained in the following standards, as applicable to the materials and the conditions or use:

- i. Method A "Test method for Accelerated Weathering of Fire-Retardant-Treated Wood for Fire Testing" in ASTM D2898, for Fire-Retardant Treated Wood, wood-plastic composite and plastic lumber materials.

- ii. ASTM D7032 for wood-plastic composite materials.

- iii. ASTM D6662 for plastic lumber materials.

- d. Identification. Materials shall bear identification showing the fire test results.

Exception: Materials composed of a combustible core and a Noncombustible exterior covering made from either aluminum at a

minimum 0.019 inch (0.48 mm) thickness or corrosion-resistant steel at a minimum 0.0149 inch (0.38 mm) thickness shall not be required to be tested with a ripped or cut longitudinal gap.

- R. *Lakewood Building Code*. The various adopted codes described as the Building Codes of the City of Lakewood under Section 14.01.010 of the Lakewood Municipal Code.
- S. *Log Wall Construction*. A type of construction in which exterior walls are constructed of solid wood members and where the smallest horizontal dimension of each solid wood member is not less than 6 inches. Log Wall Construction shall follow requirements of ICC 400.
- T. *Mass Timber Construction*. As described in section 602.4 of the 2021 International Building Code. Also known as Type IV construction.
- U. *Multilayered Glazed Panels*. Window or door assemblies that consists of two or more independently glazed panels installed parallel to each other, having a sealed air gap in between, within a frame designed to fill completely the window or door opening in which the assembly is intended to be installed.
- V. *Noncombustible*. As applied to Building construction material means and material that, in the form in which it is used, is one of the following:
 - 1. Material of which no part will ignite and burn when subjected to fire;
 - 2. Any material conforming to ASTM E136 shall be considered Noncombustible within the meaning of this Section; or
 - 3. For the purposes of this Code, fire-rated gypsum board tested in accordance with ASTM C1396 with no less than a 1-hour fire-resistance-rating with fire exposure from the outside only is considered a Noncombustible material.
- W. *Occupiable Space*. A room or enclosed space designed for human occupancy in which individuals congregate for amusement, education or similar purposes or in which occupants are engaged at labor.
- X. *Roof Assembly*. A system designed to provide weather protection and resistance to design loads. The system consists of a Roof Covering and Roof Deck or a single component serving as both the Roof Covering and Roof Deck. A Roof Assembly can include an underlayment, thermal barrier, ignition barrier, insulation or vapor retarder.
- Y. *Roof Covering*. The covering applied to the Roof Deck for weather resistance, fire classification or appearance.
- Z. *Roof Deck*. The flat or sloped surface not including its supporting members or vertical supports.
- AA. *Slope*. The variation of terrain from the horizontal; the number of feet rise or fall per 100 feet measured horizontally, expressed as a percentage.

BB. *Structure*. Anything which is constructed or erected, and the use of which requires more or less permanent location on the ground or attachment to something having permanent location on the ground; an edifice or building of any kind. For the purposes of this Code, fences are not considered a structure.

CC. *Structure Ignition Zone (SIZ)*. The Structure Ignition Zone is the Structure and the area around the Structure (or home). The SIZ takes into account both the potential of the Structure to ignite and the quality of Defensible Space surrounding it.

DD. *Tree Crown*. The primary and secondary branches growing out from the main stem, together with twigs and foliage.

EE. *Wildfire Mitigation Specialist*. An individual who meets the following minimum training and experience requirements:

1. A person with the following qualifications is eligible to be a Wildfire Mitigation Specialist as approved by the Director of the Public Works Department or designee:

a. Bachelor's degree in forestry or a closely related field and two years wildland/urban interface firefighting experience; or

b. Successful completion of the following National Wildfire Coordinating Group Classes listed below and five years of wildland/urban interface firefighting experience:

I. S-130 Basic Wildland Firefighting.

II. S-190 Basic Fire Behavior.

III. S-215 Fire Operations in the Wildland/Urban Interface.

IV. S-290 Intermediate Wildland Fire Behavior.

V. Introduction to Wildfire Behavior Calculations.

VI. National Fire Protection Association (NFPA) workshop "assessing wildfire hazards in home ignition zone" (or equivalent).

FF. *Wildland-Urban Interface Interior*. That geographical area farther away from wildland vegetation than the Interface Perimeter where homes are primarily exposed to radiant heat and embers from adjacent homes as well as embers from burning vegetation. These areas have the potential for urban conflagrations.

GG. *Wildland-Urban Interface Perimeter*. That geographical area adjacent to wildland vegetation where homes can be exposed to embers and radiant and convective heat

from burning vegetation and adjacent homes. These areas have the potential for wildland fires to transition into urban conflagrations.

HH. *Wildland-Urban Intermix*. That geographical area where the built environment intermingles with wildland vegetation and where homes are primarily exposed to embers and radiant and convective heat from burning vegetation.

14.31.030 - Scope and General Requirements.

- A. This Code shall be considered part of the Lakewood Building Code, shall be cited as the “City of Lakewood Wildfire Resiliency Code” and shall be referred to herein as “this Code.”
- B. *Scope*. The provisions of this Code shall apply to the construction, exterior alteration, movement, exterior repair, and replacement of any Building or Structure within the Wildland-Urban Interface Areas in the City of Lakewood. Existing non-habitable and non-Occupiable Buildings or Structures, which undergo a change of occupancy to include Habitable or Occupiable Space, shall comply with the provisions of this Code for new Buildings or Structures. Although not considered a Structure, new fences and retaining walls are required to follow the provisions of Sections 14.31.170 through 14.31.190 of this Code.
 - 1. Buildings, Structures, or conditions in existence at the time of the adoption of this Code are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this Code, provided that such continued use does not constitute a distinct danger to life or property.
 - 2. When portions of existing non-habitable and non-occupiable Buildings or Structures undergo a change of occupancy which includes a residential occupancy classification or single- or multi-family dwellings, per the Lakewood Building Code, the Building or Structure shall comply with the provisions of this Code for new Buildings or Structures.
 - 3. Buildings or Structures moved into or within the City of Lakewood shall comply with the provisions of this Code for new Buildings or Structures.
- C. *Date Effective*. This Code shall become effective on July 1, 2026, and shall apply to all Permits applied for on or after July 1, 2026. Applications for Permits made prior to July 1, 2026, shall be governed by the terms of the codes and regulations in effect at the time of application.
- D. *Purpose*. The purpose of this Code is to establish minimum regulations for the safeguarding of life and for property protection. Regulations in this Code are intended to mitigate the risk to life and Structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent Structures, and to mitigate Structure

fires from spreading to wildland fuels. The extent of this regulation is intended to be tiered commensurate with the relative level of hazard present.

1. The unrestricted use of property in Wildland-Urban Interface areas is a potential threat to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to provide adequate fire protection facilities to control the spread of fire in Wildland-Urban Interface areas shall be in accordance with this Code.
 2. The standards in this Code are incorporated into and are a part of the Lakewood Building Code and augment the International Fire Code as adopted under Chapter 14.24 of the Lakewood Municipal Code, to mitigate the fire- and life-safety hazards of the Wildland-Urban Interface Areas.
- E. *Retroactivity.* The provisions of this Code shall apply to conditions arising after the adoption thereof, conditions not legally in existence at the adoption of this Code and conditions that, in the opinion of the Building Official, constitute a distinct hazard to life or property.
1. Provisions of this Code that specifically apply to existing conditions are retroactive.
- F. *Additions or alterations.* Additions or alterations shall be permitted to be made to any Building or Structure without requiring the existing Building or Structure to comply with all of the requirements of this Code, provided that, when the work increases the size of the existing structure by 500 square feet or greater, the addition or alteration conforms to that required for a new Building or Structure.
1. *Exception:* Provisions of this Code that specifically apply to existing conditions are retroactive.
 2. Additions or alterations shall not be made to an existing Building or Structure that will cause the existing Building or Structure to be in violation of any of the provisions of this Code nor shall such additions or alterations cause the existing Building or Structure to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing Building or Structure to become structurally unsafe or overloaded; will not provide adequate access in compliance with the provisions of this Code or will obstruct existing exits or access; will create a fire hazard; will reduce required fire resistance or will otherwise create conditions dangerous to human life.
- G. *Maintenance.* Buildings, Structures, landscape materials, vegetation, Defensible Space or other devices or safeguards required by this Code shall be maintained in conformance to the code edition under which installed. The owner or the owner's authorized agent shall be responsible for the maintenance of Buildings, Structures, landscape materials and vegetation.

14.31.040 - Applicability.

- A. *General.* Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where, in any specific case, different sections of this Code, or any other adopted City code or regulation, specify different materials, methods of construction or other requirements, the most restrictive requirement shall govern.
- B. *Other laws.* The provisions of this Code shall not be deemed to nullify any provisions of local, state, or federal law.
- C. *Application of references.* References to section numbers, or to provisions not specifically identified by number, shall be construed to refer to such section or provision of this Code.
- D. *Referenced codes and standards.* Certain additional codes and standards are referenced in this Code and are listed throughout. Such codes and standards shall be considered as part of the requirements of this Code to the prescribed extent of each such reference and as further regulated by the following:
 - 1. *Conflicts.* Where conflicts occur between provisions of this Code and the referenced codes and standards, the most restrictive shall apply.
 - 2. *Provisions in referenced codes and standards.* Where a referenced code or standard includes subject matter that is within the scope of this Code, the provisions of this Code, as applicable, shall take precedence over the provisions in the referenced standard.
- E. *Subjects not regulated by this Code.* Where applicable standards or requirements are not set forth in this Code, or are contained within other laws, codes, regulations, ordinances or policies adopted by the City of Lakewood, compliance with applicable standards of other nationally recognized safety standards, as Approved, shall be deemed as prima facie evidence of compliance with the intent of this Code. Nothing herein shall derogate from the authority of the Building Official to determine compliance with codes or standards for those activities or installations within the Building Official's jurisdiction or responsibility.
- F. *Matters not provided for.* Requirements that are essential for the public safety of an existing or proposed activity, Building or Structure, or for the safety of the occupants thereof, which are not specifically provided for by this Code, shall be determined by the Building Official consistent with the necessity to establish the minimum requirements to safeguard the public health, safety and general welfare.
- G. *Severability.* If any part, section, clause, provision or portion of this Code is held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or applications of this Code.

H. *Exemptions: Work exempt from the requirements of this Code.* Exemptions from code requirements shall not be deemed to grant authorization for any work that violates the provisions of this Code or any other laws, ordinances, regulations or rules of the City of Lakewood. This Code does not apply to:

1. Alterations that only affect the interior of existing Structures.
2. The reconstruction, replacement, alteration, or repair of the exterior walls of an existing Building, when less than 25 percent of the surface area of all exterior walls is affected.
3. The reconstruction, replacement, alteration, or repair of the existing exterior Roof Covering of an existing Building when less than 25 percent of the surface area of the exterior Roof Covering or an attachment thereto is affected.
4. Alterations or repairs to the exterior of an existing Structure, or an attachment to it, when less than 25 percent of the exterior of the Structure is affected by the alteration or repair.
5. Painting, staining, and similar maintenance or restorative work.
6. Materials and methods of construction, when required to maintain a Building's or Structure's continued designation as a Historic Structure, are exempt from the requirements of this Code.
7. One story detached accessory, non-habitable Structures, such as tool and storage sheds, playhouses and similar uses, provided that the Structure does not exceed 120 square feet and the structure is located greater than or equal to 10 feet from the nearest adjacent occupiable Structure. When a distance measurement is required between Buildings or Structures, the distance shall be measured in a straight line from the outermost point of one Building or Structure to the outermost point of the other Building or Structure.
8. Barns used exclusively to house livestock, store livestock feed, store farm products, protect equipment, or manage agricultural waste, located more than 50 feet from a Structure containing Occupiable or Habitable Space. When a distance measurement is required between a barn and another Building or Structure, the distance shall be measured in a straight line from the outermost point of the barn to the outermost point of the other Building or Structure.
9. Fences located more than 8 feet from the nearest point of a Structure.

14.31.050 - Code Implementation, Administration, and Enforcement.

A. *Powers and Duties of the Building Official.* The Building Official shall have all necessary power and authority for the implementation, administration, and enforcement of this Code in the manner set forth herein.

1. For the purposes of this Code, the Building Official shall have the authority to appoint or designate deputy Building Officials, other related technical officers, inspectors and other employees to carry out the administration of this Code. Such employees shall have powers as delegated by the Building Official.
- B. *Determination of compliance.* The Building Official shall have the authority to determine compliance with this Code, to render interpretations of this Code and to adopt rules and regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations:
1. Shall be in compliance with the intent and purpose of this Code.
 2. Shall not have the effect of waiving requirements specifically provided for in this Code.
- C. *Technical assistance.* To determine compliance with this code, the Building Official is authorized to require the owner, the owner's authorized agent or the person in possession or control of the Building or premises to provide a technical opinion and report.
1. *Costs.* A technical opinion and report shall be provided without charge to the City of Lakewood.
 2. *Preparer qualifications.* The technical opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the Building Official. The Building Official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.
 3. *Content.* The technical opinion and report shall analyze the properties of the design, operation or use of the Building or premises, the facilities and appurtenances situated thereon, and fuel management to identify and propose necessary recommendations.
 4. *Tests.* Where there is insufficient evidence of compliance with the provisions of this Code, the Building Official shall have the authority to require tests as evidence of compliance. Test methods shall be as specified in this Code or by other recognized test standards. In the absence of recognized test standards, the Building Official shall approve the testing procedures. Such tests shall be performed by a party acceptable to the Building Official.
- D. *Alternative materials, design and methods.* The provisions of this Code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this Code, provided that any such alternative is not specifically prohibited by this Code and has been Approved.

1. *Approval authority.* An alternative material, design or method shall be Approved where the Building Official finds that the proposed alternative is satisfactory and complies with the following, as applicable:
 - a. *Application and disposition.* A request to use an alternative material, design or method of construction shall be submitted in writing to the Building Official for approval. Where the alternative material, design or method of construction is not Approved, the Building Official shall respond in writing, stating the reasons the alternative was not Approved.
 - b. *Compliance with code intent.* An alternative material, design or method of construction shall comply with the intent of the provisions of this Code.
 - c. *Equivalency criteria.* An alternative material, design or method of construction shall, for the purpose intended, be not less than the equivalent of that prescribed in this Code with respect to all of the following, as applicable:
 - I. Quality.
 - II. Strength.
 - III. Effectiveness.
 - IV. Durability.
 - V. Safety, other than fire safety.
 - VI. Fire Safety.
 - d. *Tests.* Tests conducted to demonstrate equivalency in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict performance of the end use configuration. Tests shall be performed by a party acceptable to the Building Official.
 - I. *Fire tests.* Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the Building Official.
 - e. *Reports.* Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this Code, shall comply with the following:
 - I. *Evaluation reports.* Evaluation reports shall be issued by an Approved agency and use of the evaluation report shall require approval by the Building Official for the installation. The alternate material, design or method of construction and product evaluated shall be within the scope of the Building Official's recognition of the Approved agency. Criteria used

for the evaluation shall be identified within the report and, where required, provided to the Building Official.

- II. *Other reports.* Reports not complying with Section 14.31.050(D)(1)(e)(I) shall describe criteria, including but not limited to any referenced testing or analysis, used to determine compliance with Code intent and justify Code equivalence. The report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the Building Official. The Building Official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.
 - f. *Peer review.* The Building Official is authorized to require submittal of a peer review report in conjunction with a request to use an alternative material, design or method of construction, prepared by a peer reviewer that is Approved by the Building Official.
- E. *Modifications.* Where there are practical difficulties involved in carrying out the provisions of this Code, the Building Official shall have the authority to grant modifications for individual cases, provided that the Building Official shall first find that one or more special individual reasons make the strict letter of this Code impractical, that the modification is in conformance with the intent and purpose of this Code, and that such modification does not lessen health, life and fire safety requirements. The details of the written request and action granting modifications shall be recorded and entered into the files of the City of Lakewood.
- F. *Applications and permits.* The Building Official is authorized to receive applications, review construction documents and issue permits for construction regulated by this Code, and inspect the premises for which such permits have been issued and enforce compliance with the provisions of this Code.
- G. *Right of entry.* Where it is necessary to make an inspection to enforce the provisions of this Code, or where the Building Official has reasonable cause to believe that there exists in a Structure or on any premises, a condition that is contrary to or in violation of this Code that makes the Structure or premises unsafe, dangerous or hazardous, the Building Official is authorized to enter the Structure or premises at all reasonable times to inspect or to perform the duties imposed by this Code. If such Structure or premises is occupied, the Building Official shall present proper credentials to the occupant and request entry. If such Structure or premises is unoccupied, the Building Official shall first make a reasonable effort to locate the owner, the owner's authorized agent or other person having charge or control of the Structure or

premises and request entry. If such entry is refused, then the Building Official shall have recourse to every remedy provided by law to secure entry.

1. *Warrant.* Where the Building Official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner, the owner's authorized agent, occupant or person having charge, care or control of the Structure or premises shall not fail or neglect, after a proper request is made as herein provided, to permit entry therein by the Building Official for the purposes of inspection and examination pursuant to this Code.
- H. *Identification.* The Building Official shall carry proper identification when inspecting Structures or premises in the performance of duties under this Code.
- I. *Notices and orders.* The Building Official shall issue all necessary notices or orders to ensure compliance with this Code. Notices of violations shall be in accordance with the violation procedures related to the adopted Lakewood Building Code.
- J. *Official records.* Official records shall be maintained in accordance with the Colorado Open Records Act and City of Lakewood record retention policies.
- K. *Approved materials and equipment.* Materials, equipment and devices Approved by the Building Official shall be constructed and installed in accordance with such approval.
 1. *Materials and equipment reuse.* Materials, equipment and devices shall not be reused unless such elements are in good working order and Approved.

14.31.060 - Permits.

- A. *General.* Within the Wildland-Urban Interface Class 1 and Class 2 Areas, Structure hardening and site and area regulations will be regulated as part of and through the permit process specified in the adopted Lakewood Building Code, and any rules and regulations adopted thereunder.
 1. The Building Official is authorized to stipulate conditions for permits. Permits shall not be issued where public safety would be at risk, as determined by the Building Official.
- B. *Permit application.* In obtaining permits, every such application shall:
 1. Identify the Wildland-Urban Interface Class;
 2. Identify and describe the work, activity, operation, practice or function to be covered by the permit for which application is made;
 3. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed Building, Structure, work, activity, operation, practice or function;
 4. Indicate the use or occupancy for which the proposed work is intended;

5. Be accompanied by plans, diagrams, computation and specifications and other data as required to determine compliance with this Code; and
 6. Give such other data and information as required by the Building Official.
- C. *Preliminary inspection.* Before a permit is issued, the Building Official is authorized to inspect and approve the systems, equipment, Buildings, Structures, devices, premises and spaces or areas to be used.
- D. *Refusal to issue a permit.* Where the application or construction documents do not conform to the requirements of pertinent laws, the Building Official shall reject such application in writing, stating the reasons therefor.
- E. *Validity of permit.* The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or of any other ordinance, provision, rule, regulation, or other authority of the City of Lakewood. Permits presuming to give authority to violate the provisions of this Code or other authority of the City of Lakewood shall not be valid.
- F. *Revocation of permits.* The Building Official is allowed to, in writing, suspend or revoke a permit issued under the provisions of this Code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of the provisions of this Code or other authority of the City of Lakewood.

14.31.070 - Fees.

Payment of fees. The City Council shall by resolution establish or modify fees as necessary for any appeal, process, procedure, or other action relating to this Code. Upon application to the City Manager, the City Manager may waive or reduce said fees if such action will further the economic goals of the City of Lakewood as set forth in Section 3.26.010 of the Lakewood Municipal Code. Said finding shall be in writing.

14.31.080 - Inspections.

General. Inspections shall generally be conducted as specified in the adopted Lakewood Building Code and any regulations adopted thereunder.

14.31.090 - Enforcement.

General. Enforcement of this Code shall be in accordance with the adopted Lakewood Building Code and any regulations adopted thereunder.

14.31.100 - Appeals.

General. The Board of Appeals has authority to hear and decide appeals or orders, requirements or decisions of the Building Official relating to the application and

interpretation of this Code or arising out of the permitting process. Such appeals shall be made in conformance with Chapter 14.12 of the Lakewood Municipal Code.

14.31.110 – Wildfire Hazard Identification-General.

- A. *Scope.* The provisions of this Section, Section 14.31.120, and Section 14.13.130 establish the applicable map and classifications for this Code.
- B. *Declaration.* The City of Lakewood Wildland-Urban Interface map identifying the areas subject to the provisions of this Code has been adopted as the Wildland-Urban Interface Overlay District in conjunction with this Code.

14.31.120 – Mapping and Applicability.

- A. *Applicability of Code Provisions.* The requirements of this Code shall apply to all parcels located within designated Wildland-Urban Interface and Wildland-Urban Intermix areas derived from corresponding Fire Intensity Classifications and ember exposure areas as identified on the City of Lakewood Wildland-Urban Interface Overlay District map. The level of structure hardening, Defensible Space, and other mitigation measures required shall correspond to the applicable Wildland-Urban Interface classification, Class 1 Intermix or Class 2 Interface.
 - 1. Structures and parcels identified with low Fire Intensity Classification and are therefore located in the Interface Perimeter and Interface Interior zones shall be constructed and maintained in accordance with provisions for Class 1 Interface Structure hardening and site and area requirements.
 - 2. Structures and parcels identified with moderate to high Fire Intensity Classifications and therefore are in the Intermix zone shall be constructed and maintained in accordance with the provisions for Class 2 Intermix Structure hardening and site and area requirements.

14.31.130 – Mapping Amendment Process.

- A. Property owners, or their representatives, who disagree with the Wildland-Urban Interface mapped areas, can submit a formal application for a map amendment to the Building Official. Application forms shall be provided by the Public Works Department. The intent is to provide an opportunity to verify that mapping accurately reflects current, site-specific conditions.
- B. Property owners shall be given a reasonable opportunity to present their case to the Building Official and shall submit evidence of the vegetative fuels on the parcel and within 300 feet of the parcel boundary, historical wildfire occurrence, topography

and slope, local weather patterns, and fire behavior modeling data and risk assessment. Technical documentation shall be submitted in support of such a request by a qualified Wildfire Mitigation Specialist, and the supporting documentation shall comply with Sections 14.31.050(B)-(E), as applicable.

- C. The Building Official must make a finding that any deviations approved under this Section do not present a significant hazard to public health, safety, or to property at the specific contested location in the Wildland-Urban Interface mapped areas. The Building Official's review shall be based on a review of the vegetative fuels on the parcel and within 300 feet of the parcel boundary, historical wildfire occurrence, topography and slope, local weather patterns, and fire behavior modeling data and risk assessment.
- D. *Exception.* The Building Official shall not allow deviations from the boundary lines as mapped by the Colorado Division of Fire Prevention and Control and the Colorado State Forestry Service unless the vegetative fuels on the parcel and within 300 feet of the parcel boundary, historical wildfire occurrence, topography and slope, local weather patterns, and fire behavior modeling data and risk assessment, and other related technical evidence clearly and conclusively establish that the mapped location of the boundary line is incorrect or that the hazard conditions as determined by the Colorado Division of Fire Prevention and Control and the Colorado State Forest Service are in error.

14.31.140 – Structure Hardening-General.

Scope. Exterior design and construction of Buildings and Structures within the Wildland-Urban Interface areas of the City of Lakewood shall be constructed in accordance with Sections 14.31.150 and 14.31.160.

14.31.150 – Class 1 Interface Structure Hardening.

- A. *General.* Class 1 structure hardening shall be in accordance with this Section and shall apply to buildings and structures hereafter constructed, modified or relocated into or within areas of the Wildland-Urban Interface Class 1.
- B. *Roofing.* Roofs shall have a Roof Assembly classified as Class A when tested in accordance with ASTM E108 or UL790.
 - 1. *Flame and ember protection of roofs.* For roof assemblies where the Roof Covering profile creates a space between the Roof Covering and Roof Deck, the space shall resist the entry of flames and embers by one or more of the following methods:
 - a. Fire stopping, with Noncombustible material, of the space between the Roof Covering and the Roof Deck.

- b. Installation of one layer of cap sheet complying with ASTM D3909 over the combustible Roof Deck.
 - c. Installation of a listed Class A classified Roof Assembly.
- 2. *Open valley flashings.* Open valley flashing shall not be less than 0.019 inch (No. 26 galvanized sheet gauge) corrosion resistant metal installed over a minimum 36-inch-wide underlayment consisting of one layer of cap sheet complying with ASTM D3909 running the full length of the valley.
- C. *Gutters and downspouts.* Gutters and downspouts shall be constructed of Noncombustible material.
- D. *Ventilation Openings.* Ventilation openings for enclosed attics, enclosed rafter spaces, and under floor spaces shall be in accordance with the following:
 - 1. *Performance requirements.* Ventilation openings shall be fully covered with listed vents, tested in accordance with ASTM E2886, to demonstrate compliance with all of the following requirements:
 - a. There shall be no flaming ignition of the cotton material during the Ember Intrusion Test.
 - b. There shall be no flaming ignition during the Integrity Test portion of the Flame Intrusion Test.
 - c. The maximum temperature of the unexposed side of the vent shall not exceed 662°F (350°C).
 - 2. *Prescriptive requirements.* Ventilation openings for enclosed attics, enclosed rafter spaces, and under floor spaces shall be covered with Noncombustible corrosion resistant mesh with openings not to exceed 1/8 inch.
- E. *Exterior walls.* Exterior walls shall be limited to the following:
 - 1. Vinyl siding as part of or applied to exterior wall assemblies with a 1-hour fire-resistance rating, rated for exposure on the exterior side.
 - 2. Vinyl siding over noncombustible sheathing.
 - 3. A wall covered with Noncombustible siding.
 - 4. A wall covered with Fire-Retardant-Treated Wood siding.
 - 5. A wall covered with siding made of Ignition-Resistant Building Materials.
 - 6. Mass Timber or Log Wall Construction.

Such materials shall extend from the top of the foundation to the underside of the eave or the underside of the roof sheathing. Exterior wall coverings shall be labeled for exterior use.

Exceptions:

1. Exterior wall Embellishments and architectural trim (exclusive of trim on exterior windows and doors) not to exceed 5 percent of the square footage of exterior walls.
 2. Roof or wall top cornice projections and similar assemblies.
 3. Solid wood rafter tails and solid wood blocking installed between rafters having a minimum dimension of 2 inches nominal.
- F. *Flashing.* A minimum of 6 inches of metal flashing or Noncombustible material applied vertically between the wall sheathing and the exterior cladding shall be installed at the ground, decking, and roof intersections.

Combustible sheathing products exposed by the gap created at the base of the exterior walls, posts, or columns must be protected with Noncombustible material or Ignition-Resistant Building Materials while still permitting drainage and moisture control from behind exterior cladding.

- G. *Exterior glazing.* Exterior windows, window walls and glazed doors, windows within exterior doors, and skylights shall be tempered glass, Multilayered Glazed Panels, glass block or have a fire protection rating of not less than 20 minutes.
- H. *Underfloor enclosure.* Buildings or Structures shall have underfloor areas enclosed to the ground with exterior walls in accordance with Section 14.31.150(E).

Exception: Complete enclosure shall not be required where the underside of exposed floors and exposed structural columns, beams and supporting walls are protected as required for exterior one hour Fire-Resistance-Rated Construction or Mass Timber Construction or Fire-Retardant-Treated Wood.

- I. *Decks, appendages, and projections.* Decks and other unenclosed Accessory structures attached to Buildings shall be constructed of materials as follows:
1. *Deck surface.* Noncombustible material, Approved composite lumber with an ASTM E84 Flame Spread Index no greater than 75, Ignition-Resistant Building Materials or any Approved Class A Roof Assembly.
 2. *Deck framing.* Deck framing shall be constructed of one of the following:
 - a. One-hour Fire-Resistance-Rated Construction.
 - b. Mass Timber Construction.
 - c. Approved Noncombustible materials.
 - d. Fire-Retardant-Treated Wood.
 - e. Ignition-Resistant Building Materials.
 - f. Wood with a minimum nominal thickness of at least two inches for joists and four inches for beams and columns or posts. Multi-ply beams and posts with an equivalent nominal four-inch thickness are allowed.

- J. *Vehicle access through door perimeter gap.* Exterior vehicle access doors shall resist the intrusion of embers from entering by preventing gaps between doors and door openings, at the head, sill, and jam of doors from exceeding 1/8 inch.
1. Gaps between doors and door openings shall be controlled by one of the following methods:
 - a. Weather-stripping products made of materials that: (a) have been tested for tensile strength in accordance with ASTM D638 (Standard Test Method for Tensile Properties of Plastics) after exposure to ASTM G155 (Standard Practice for Operating Xenon Arc Light Apparatus for Exposure of Non-Metallic Materials) for a period of 2,000 hours, when the maximum allowable difference in tensile strength values between exposed and non-exposed samples does not exceed 10 percent; and (b) exhibit a V-2 or better flammability rating when tested to UL 94 (Standards for Tests for Flammability of Plastic Materials for Parts in Devices and Appliances).
 - b. Door overlaps onto jams and headers.
 - c. Garage door jams and headers covered with metal flashing.

14.31.160 – Class 2 Intermix Structure Hardening.

- A. *General.* Class 2 Structure hardening shall be in accordance with this Section as well as the provisions of Class 1 Structure hardening in Section 14.31.150.
- B. *Protection of eaves and soffits.* Eaves and soffits shall be protected on the exposed underside by one of the following:
1. Noncombustible material.
 2. Ignition-Resistant Building Materials.
 3. Materials Approved for not less than 1-hour Fire-Resistance-Rated Construction.
 4. 5/8 inch type X drywall.
 5. 2-inch nominal dimensional lumber.
 6. Fire-Retardant-Treated Wood.
- C. Fascia, where provided and exposed, shall be protected on the backside by one of the following:
1. Noncombustible material.
 2. Ignition-Resistant Building Materials.
 3. Materials Approved for not less than 1-hour Fire-Resistance-Rated Construction.
 4. 5/8 inch type X drywall.

5. 2-inch nominal dimensional lumber.
 6. Fire-Retardant-Treated Wood.
- D. *Exterior Doors.* Exterior door shall be Approved Noncombustible construction, solid core wood not less than 1 3/4 inch thick or have a fire protection rating of not less than twenty (20) minutes. Windows within doors and glazed doors shall be in accordance with Section 14.31.150(G).
1. *Exception.* Vehicle access doors.

14.31.170 – Site and Area Requirements - General.

- A. *Scope.* The provisions of Sections 14.31.170 through 14.31.190 shall apply to parcels subject to this Code.
1. *Exceptions:*
 - a. For Site and Area Requirements, only Structure Ignition Zone 1 standards apply to the reconstruction, replacement, alteration, or repair of the exterior walls of an existing Building.
 - b. The reconstruction, replacement, alteration, or repair of the existing exterior Roof Covering of an existing Building.
- B. *Reference.* As needed, the Wildfire Mitigation Specialist shall refer to the most recent version of the Home Ignition Zone (HIZ) Guide as developed by the Colorado State Forest Service. Where conflicts occur between provisions of this code and the HIZ Guide, the provisions of this code shall govern. The provisions of this Code, as applicable, shall take precedence over the provisions in the referenced standard.

14.31.180 – Class 1 Interface Requirements.

- A. *Structure Ignition Zone 1 (0-5 feet): Immediate Zone.*
1. *Objective.* This zone is designated to reduce or eliminate ember ignition and direct flame contact with the Structure, decks, stairs, and attachments.
 2. *Materials.* Use Noncombustible, hard surface materials in this zone, such as rock, gravel, sand, concrete, bare earth or stone/concrete pavers.
 3. *Plantings.* Remove all plantings including shrubs, slash, combustible mulch and other woody debris.
 4. *Trees.* All following fuel modifications are required for trees:
 - a. There shall be no planting of new trees in the Immediate Zone. Mature trees of no less than 10-inch diameter at 4.5 feet above ground level may be maintained.
 - b. Tree Crowns extending to within 10 feet of the outermost point of any Structure shall be pruned to maintain a minimum clearance of 10 feet.

- c. Prune tree branches to a height of 6 to 10 feet from the ground or a third of the total height of the tree, whichever is less.
5. *Storage of combustibles.* There shall be no storage of firewood or other combustible materials in this area or areas under decks.
- B. *Structure Ignition Zone 2 (5-30 feet): Intermediate Zone.*
 1. *Objective.* This zone is designed to give an approaching fire less fuel, which will help reduce its intensity as it gets nearer to Structures.
 2. *Dead materials.* Within the Fuel Modification area, hazardous dead plant material must be removed from live vegetation.
 3. *Fuels accumulation.* There shall be no large accumulations of surface fuels such as logs, branches, slash and combustible mulch. Mulch shall not exceed a maximum depth of 4 inches. Firewood piles must be kept at least 30 feet away from habitable Structures unless stored in a Noncombustible container or Structure comprised of Ignition Resistant Building Materials or Noncombustible materials.
 4. *Trees.* Tree Crowns extending to within 10 feet of the outermost point of any Structure shall be pruned to maintain a minimum clearance of 10 feet.

Prune tree branches to a height of 6 to 10 feet from the ground or a third of the total height of the tree, whichever is less.

5. *Shrubs.* Shrub groups within this zone shall be spaced to prevent Structure ignition. Shrubs shall not be planted under trees within the tree drip line.
6. *Prohibited plants.* *Juniperus* spp. (Juniper species), *Thuja occidentalis* (American arborvitae), *Thuja orientalis* (Oriental Arborvitae), *Quercus gambelii* (Gambel oak) are prohibited.
7. *Slope adjustment.* For tree removals on any Slopes of 20% or greater, the Wildfire Mitigation Specialist may determine additional tree spacing is necessary to reduce potential fire behavior on Slopes.
- C. *Retaining walls.* The exposed exterior of retaining walls shall be constructed with either Noncombustible or Ignition-Resistant Building Materials when any of the following conditions exist:
 1. The retaining wall is within 8 feet of a Structure regulated by this code or up to the property line when the property line is less than 8 feet away from the Structure.
 2. The retaining wall is integral to the support of a Structure regulated by this Code.
 3. The retaining wall is integral to the egress from a Structure regulated by this Code to a public way, easement, or private road.

- D. *Fencing*. Fencing within 8 feet of a Structure regulated by this Code or up to the property line when the property line is less than 8 feet away from the Structure shall be constructed with Noncombustible or Ignition-Resistant Building Materials.
- E. *Site signage*.
- a. *Marking of roads*. Approved signs or other Approved notices shall be provided and maintained for access roads and driveways to identify such roads and prohibit the obstruction thereof.
 - b. *Marking of fire protection equipment*. Fire protection equipment and fire hydrants shall be clearly identified in a manner Approved by the Building Official to prevent obstruction.
 - c. *Address markers*. Buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located in a manner Approved by the Building Official.

14.31.190 – Class 2 Intermix Requirements.

- A. *Structure Ignition Zone 1 (0-5 feet): Immediate Zone*.
1. *Objective*. This zone is designated to reduce or eliminate ember ignition and direct flame contact with the Structure, decks, stairs, and attachments.
 2. *Materials*. Use Noncombustible, hard surface materials in this zone, such as rock, gravel, sand, concrete, bare earth, or stone/concrete pavers.
 3. *Plantings*. Remove all plantings including shrubs, slash, combustible mulch and other woody debris.
 4. *Trees*. All following fuel modifications are required for trees:
 - a. There shall be no planting of new trees in the Immediate Zone. Mature trees of no less than 10-inch diameter at 4.5 feet above ground level may be maintained.
 - b. Tree Crowns extending to within 10 feet of the outermost point of any Structure shall be pruned to maintain a minimum clearance of 10 feet.
 - c. Prune tree branches to a height of 6 to 10 feet from the ground or a third of the total height of the tree, whichever is less.
 5. *Storage of combustibles*. There shall be no storage of firewood or other combustible materials in this area or areas under decks.
- B. *Structure Ignition Zone 2 (5-30 feet): Intermediate Zone*.
1. *Objective*. This zone is designed to give an approaching fire less fuel, which will help reduce its intensity as it gets nearer to Structures.

2. *Dead materials.* Within the Fuel Modification area, hazardous dead material must be removed from live vegetation.
3. *Fuels accumulation.* There shall be no large accumulations of surface fuels such as logs, branches, slash and combustible mulch. Mulch shall not exceed a maximum depth of 4 inches. Firewood piles must be kept at least 30 feet away from habitable Structures unless stored in a Noncombustible container or structure comprised of Ignition Resistant Building Materials or Noncombustible materials.
4. *Trees.* Tree Crowns extending to within 10 feet of the outermost point of any Structure shall be pruned to maintain a minimum clearance of 10 feet.

Prune tree branches to a height of 6 to 10 feet from the ground or a third of the total height of the tree, whichever is less.

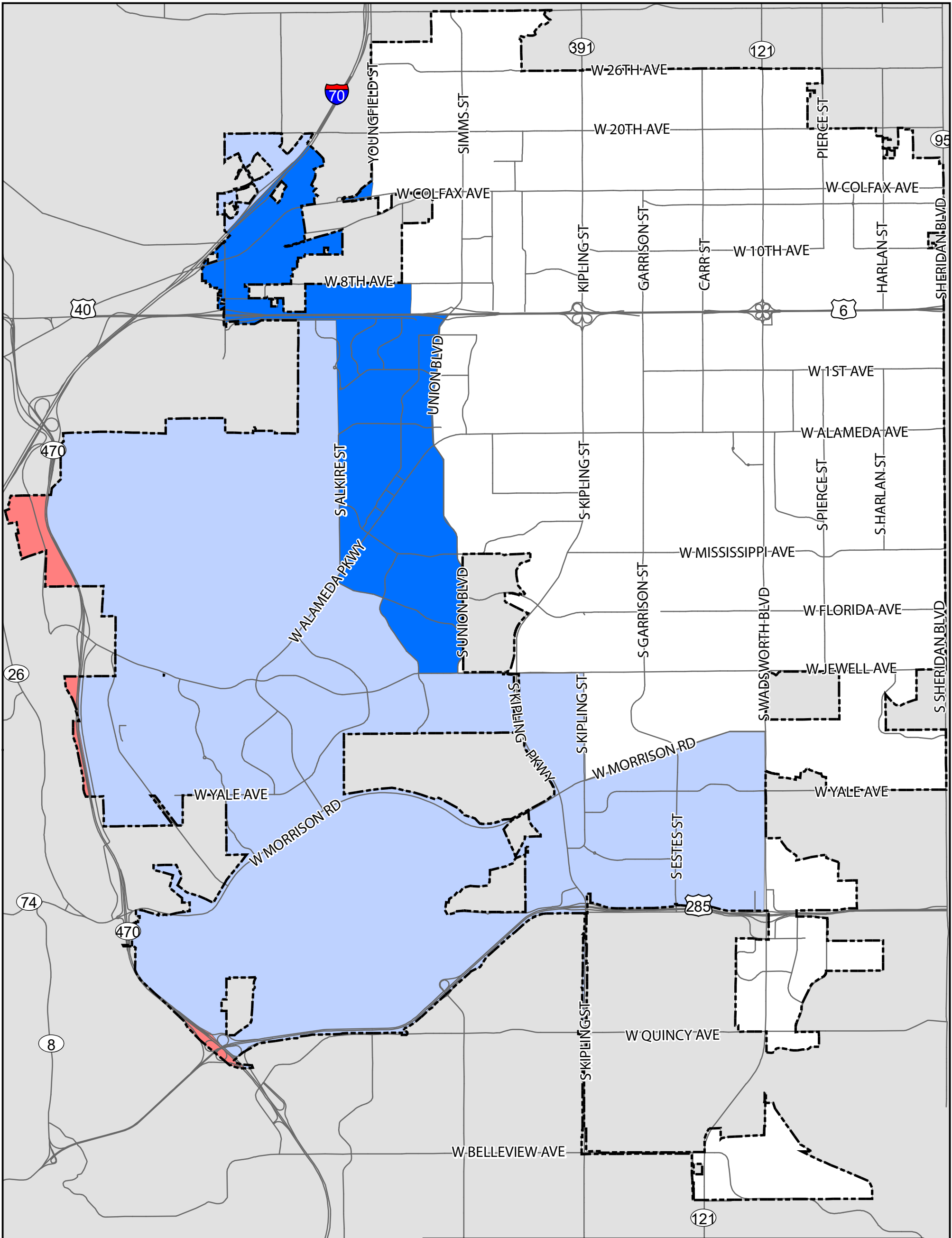
5. *Tree Spacing.* Tree Crowns within this zone shall be spaced to prevent Structure ignition and promote fuel discontinuity to limit fire spread.
 6. *Shrubs.* Shrub groups within this zone shall be spaced to prevent Structure ignition. Shrubs shall be at least 10 feet away from the edge of tree branches.
 7. *Prohibited Plants.* *Juniperus* spp. (Juniper species), *Thuja occidentalis* (American arborvitae), *Thuja orientalis* (Oriental Arborvitae), *Quercus gambelii* (Gambel oak) are prohibited.
 8. *Slope adjustment.* For tree removals on any Slopes of 20% or greater, the Wildfire Mitigation Specialist may determine additional tree spacing is necessary to reduce potential fire behavior on Slopes.
- C. *Retaining Walls.* The exposed exterior of retaining walls shall be constructed with either Noncombustible or Ignition-Resistant Building Materials when any of the following conditions exist:
1. The retaining wall is within 8 feet of a Structure regulated by this Code or up to the property line when the property line is less than 8 feet away from the Structure.
 2. The retaining wall is integral to the support of a Structure regulated by this Code.
 3. The retaining wall is integral to the egress from a Structure regulated by this Code to a public way, easement, or private road.
- D. *Fencing.* Fencing within 8 feet of a Structure regulated by this Code or up to the property line when the property line is less than 8 feet away from the Structure shall be constructed with Noncombustible or Ignition-Resistant Building Materials.
- E. *Site Signage.*

1. *Marking of roads.* Approved signs or other Approved notices shall be provided and maintained for access roads and driveways to identify such roads and prohibit the obstruction thereof.
 2. *Marking of fire protection equipment.* Fire protection equipment and fire hydrants shall be clearly identified in a manner Approved by the Building Official to prevent obstruction.
 3. *Address markers.* Buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located in a manner Approved by the Building Official.
- F. *Structure Ignition Zone 3 (30-100 feet): Expanded Zone.*
1. *Objective.* This zone focuses on mitigation that keeps fire on the ground.
 2. *Trees.* Prune tree branches to a height of 6 to 10 feet from the ground or a third of the total height of the tree, whichever is less.
 3. *Tree spacing.* Tree Crowns within this zone shall be spaced at a minimum of 6 to 10 feet.
 4. *Dead materials.* Within the fuel modification area, hazardous dead plant material must be removed from live vegetation.
 5. *Fuels accumulation.* There shall be no large accumulations of surface fuels such as logs, branches, slash and combustible mulch. Mulch shall not exceed a maximum depth of 4 inches.
 6. *Slope adjustment.* For tree removals on any Slopes of 20% or greater, the Wildfire Mitigation Specialist may determine additional tree spacing is necessary to reduce potential fire behavior on Slopes.

14.31.200 – Penalties for Violations


- A. Any person who violates any of the provisions of this Code or fails to comply therewith shall severally for each and every violation and noncompliance respectively, be subject to the penalties set forth in Section 1.16.020 of the Lakewood Municipal Code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violation(s) within a reasonable time, and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.
- B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

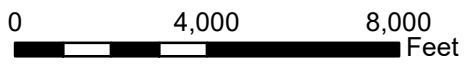
C. The City of Lakewood may pursue any other legal remedies to enforce this Code.




City of Lakewood Boundary
City of Lakewood Wildland Urban Interface Boundary
 Class 1 Interface Interior
 Class 1 Interface Perimeter
 Class 2 Intermix

Source:
 Jefferson County Community Wildfire Protection Plan, 2024
<https://togetherjeffco.com/cwpp>





City of Lakewood
Wildland Urban Interface (WUI) Boundary



Lakewood
 Colorado

Document: City of Lakewood (Jeffco based prepared by Lakewood) WUI V3 | Date: 3/4/2026

STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 5C

To: Mayor and City Council
From: Maria D'Andrea, Director of Public Works
Subject: **WILDFIRE RESILIENCY CODE-CHAPTER 14.01.010 AMENDMENT**

SUMMARY STATEMENT: The City is considering establishing new wildfire resiliency standards as a part of the Lakewood Municipal Code (LMC), Title 14, under the Lakewood Building Code. LMC section 14.01.010 identifies which chapters of the LMC may be cited as the Lakewood Building Code. Therefore, it is necessary to amend the language to include the wildfire resiliency standards in the Lakewood Building Code.

BACKGROUND INFORMATION: This action is necessary to include the new wildfire resiliency standards in the Lakewood Building Code.

The Board of Appeals unanimously supported this action by adopting the attached resolution at their March 10, 2026, meeting.

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: Staff recommends that the City Council adopt the attached ordinance.

ALTERNATIVES: The City Council could choose not to adopt the amendment, which could lead to challenges as the wildfire standards would not be included in the Building Code and, therefore, potentially non-enforceable by the Building Official.

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

NEXT STEPS: City staff will take necessary steps to implement the code.

ATTACHMENTS:

1. Ordinance O-2026-15
2. Amendments to 14.01.010
3. BOA Resolution No. 2026-2

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

O-2026-15

AN ORDINANCE

AMENDING LAKEWOOD MUNICIPAL CODE CHAPTER 14.01
TO INCORPORATE CHAPTER 14.31 OF THE LAKEWOOD MUNICIPAL CODE
INTO THE “LAKEWOOD BUILDING CODE”

WHEREAS, the City of Lakewood, Colorado, the “City,” previously adopted Chapter 14.01 of the Lakewood Municipal Code (L.M.C.) relating to administrative provisions for Title 14 of the L.M.C.;

WHEREAS, L.M.C. section 14.01.010 identifies which Chapters of Title 14 of the L.M.C. may be cited as the “Lakewood Building Code” or the “Building Code;”

WHEREAS, the Lakewood City Council has adopted Chapter 14.31 of the L.M.C. as the City of Lakewood Wildfire Resiliency Code;

WHEREAS, adoption of the Wildfire Resiliency Code requires amending L.M.C. section 14.01.010 to include L.M.C. Chapter 14.31 as one of the Chapters to be cited as the “Lakewood Building Code” or the “Building Code”;

WHEREAS, the Board of Appeals was established by L.M.C. section 12.12.010 and is charged with reviewing proposed additions, changes, or amendments to the City’s building codes and with making recommendations to the City Council with respect to the adoption thereof;

WHEREAS, the Board of Appeals has reviewed, considered, and recommended for adoption, amendments to L.M.C. Chapter 14.01, including listing Chapter 14.01 as one of the Chapters that may be cited as the “Lakewood Building Code” or the “Building Code”:

WHEREAS, approval of this ordinance on first reading is intended only to confirm that the City Council desires to comply with the City’s Charter by setting a public hearing to provide City staff and the public the opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. Chapter 14.01.010 of the Lakewood Municipal Code is hereby amended as follows:

14.01.010 Citation.

This Title 14, Chapters 14.01 through 14.12, 14.24, and 14.31, including all codes herein adopted, as amended or modified, may be cited as the “Lakewood Building Code” or the “Building Code.”

SECTION 2. This ordinance shall take effect thirty (30) days after adoption by the City Council and final publication by title, including any amendment to such ordinance made by the City Council which shall be included in the full publication of the ordinance to the City’s website, all in accordance with Lakewood City Charter §7.4.

SECTION 3. If any provision of this Ordinance is 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 13th day of April 2026; published by title in the Denver Post and in full on the City of Lakewood’s website at www.lakewood.org on the 16th day of April, 2026; set for public hearing to be held on the 27th day of April, 2026; read, finally passed and adopted by the City Council on the 27th day of April, 2026; and signed by the Mayor on the ___ day of April, 2026.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney

14.01.010 Citation.

This Title 14, Chapters 14.01 through 14.12, ~~and~~ 14.24, and 14.31, including all codes herein adopted, as amended or modified, may be cited as the "Lakewood Building Code" or the "Building Code."

RESOLUTION NO. 2026-2
RESOLUTION OF CITY OF LAKEWOOD BOARD OF APPEALS

WHEREAS, City staff has proposed amendments to Chapter 14.01 of the Lakewood Municipal Code (L.M.C.), which incorporate Chapter 14.31 of the L.M.C., into the "Lakewood Building Code";

WHEREAS, pursuant to L.M.C. section 14.12.020(G)(2), the Lakewood Board of Appeals has the responsibility of reviewing all proposed amendments to any codes in Title 14 of the L.M.C. and providing recommendations to City Council thereon; and

WHEREAS, on March 10, 2026, the Board of Appeals held a public hearing to discuss the proposed amendments to Chapter 14.01 of the Lakewood Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Appeals of the City of Lakewood, Colorado that:

1. Section 1. The Board of Appeals has reviewed, considered and recommended for adoption amendments to Chapter 14.01 of the Lakewood Municipal Code to incorporate Chapter 14.31 of the Lakewood Municipal Code into the "Lakewood Building Code."
2. Section 2. The adoption of amendments to Chapter 14.01 will promote the health, safety, and welfare of the inhabitants of the City.
3. Section 3. Adoption of amendments to Chapter 14.01 is desirable and necessary in light of local conditions prevailing in the City and the Denver metropolitan area pursuant to Section 14.12.020(G)(1) of the Lakewood Municipal Code.

Motion was made by MEMBER Summers and seconded by MEMBER Vollmer to RECOMMEND the above-referenced decision to the Lakewood City Council, which passed by a vote of 6 to 0. The roll having been called, the vote of the Lakewood Board of Appeals was as follows:

Dennis Mateski
Diane Vollmer
Douglas Porter
Jason Summers
John Barnhart
Keith Peetz



Dennis Mateski, CHAIRMAN of the BOA



BERTA SARACINO, Secretary to the
BOA

CERTIFICATION

I, BERTA SARACINO, Secretary to the City of Lakewood Board of Appeals, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Lakewood Board of Appeals at a Public Hearing held in Lakewood, Colorado, on the 10th day of March, 2026 as the same appears in the minutes of said hearing.

March 10, 2026
Date approved

Berta Saracino
Berta Saracino, Secretary to the BOA

STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 5D

To: Mayor and City Council
From: Travis Parker, Chief of the Sustainability & Community Development Branch
Subject: **Creation of a Permanent Sustainability Advisory Committee**

SUMMARY STATEMENT:

Ordinance O-2026-16 is provided to the City Council for consideration of establishing a permanent Sustainability Advisory Committee.

BACKGROUND INFORMATION:

Lakewood is at a pivotal moment where achieving its sustainability and climate goals requires stronger collaboration among the City Council, City staff, community members, and regional partners to leverage capacity and resources.

Since fall 2025, the Ad Hoc Sustainability Committee has been meeting to develop recommendations for a new, permanent sustainability advisory body. These discussions included determining the purpose of a permanent committee, the structure of a permanent committee, committee membership, and the anticipated role of the committee in supporting implementation of sustainability initiatives.

The Ad Hoc Sustainability Committee met with the full City Council at the January 26th workshop meeting to discuss the concept of a permanent Sustainability Committee, at which time the City Council was able to provide the Ad Hoc Committee input and feedback.

The proposed committee will enhance coordination between City Council, City staff, and community partners to better support implementation of Lakewood's sustainability and climate goals.

Ordinance O-2026-16 will not change the existing Lakewood Advisory Commission (LAC) Sustainability Subcommittee, which will remain in place. The proposed Sustainability Advisory Committee is intended to elevate and build on the work of the LAC Sustainability Subcommittee by creating a more direct connection to City Council and City staff, and expanding capacity for implementation-focused work.

According to the Ordinance, the proposed committee will consist of eight (8) voting members:

- One (1) City Council member from each ward, appointed through the City Council committee assignment process;
- One (1) representative advocating for local business interests, appointed through the City's standard Screening Committee process; and
- Two (2) members from the LAC Sustainability Subcommittee, selected by the Lakewood Advisory Commission.

This approach leverages the existing expertise within the LAC while establishing a more direct, implementation-focused advisory body. Staff will evaluate how this structure functions over time and may bring forward future recommendations as needed.

BUDGETARY IMPACTS: None. Staff support will be provided with existing resources.

STAFF RECOMMENDATIONS: Staff recommend City Council approve ordinance O-2026-16 establishing a permanent Sustainability Advisory Committee.

ALTERNATIVES: City Council may approve the proposed Ordinance with or without modifications, continue for further discussion, return the Ordinance to the Ad Hoc Sustainability Committee for further discussion, or deny the proposed Ordinance.

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council. The Ad Hoc Sustainability Committee meetings were open to the public, and this proposal has been discussed through multiple public meetings. City Council also provided input during a public workshop on January 26, 2026, which has been incorporated into the proposed structure.

NEXT STEPS: Second reading and public hearing of the ordinance is scheduled for April 27, 2026.

ATTACHMENTS: 1. Ordinance O-2026-16

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

O-2026-16

AN ORDINANCE

ADDING A NEW CHAPTER 2.59 TO THE LAKEWOOD MUNICIPAL CODE
ESTABLISHING THE SUSTAINABILITY ADVISORY COMMITTEE

WHEREAS, the City Council of the City of Lakewood (the “City”) is a home rule city of the State of Colorado with full authority to establish ad hoc advisory committees by resolution as provided in Section 4.5 of the City’s Home Rule Charter;

WHEREAS, City Council Resolution 2025-48, adopted on August 25, 2025, established a temporary Ad Hoc Sustainability Committee to identify and prioritize City Council goals within the area of sustainability by recommending the structure, membership and purpose of a new permanent sustainability advisory body;

WHEREAS, the City of Lakewood is committed to advancing sustainability and resilience for the long-term benefit of the community, and acknowledges that meaningful progress requires coordinated action across multiple stakeholders, including City staff and leadership, organizations, businesses, regional partners and active engagement with residents, including youth;

WHEREAS, the City Council desires to establish a permanent sustainability advisory body by adding a new chapter 2.59 to the Lakewood Municipal Code, thereby creating the Lakewood Sustainability Advisory Committee;

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with the City Charter by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies any particular proposal related to this matter identified herein.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood:

SECTION 1. The Sustainability Advisory Committee is hereby established.

SECTION 2. Title 2 of the Lakewood Municipal Code is hereby amended by the addition of a new Chapter 2.59 to read in full as follows:

CHAPTER 2.59

SUSTAINABILITY ADVISORY COMMITTEE

2.59.010 Sustainability Advisory Committee Established

There is hereby created and established the Sustainability Advisory Committee (the "Committee") to advise the City Council on sustainability-related policies and initiatives. The purpose of the committee is to guide and promote policies and programs that reduce greenhouse gas emissions, improve environmental resilience, and integrate sustainability into all aspects of City operations and community life.

2.59.020 Rules and Regulations

The Committee may adopt rules and regulations for the purpose of carrying out the provisions of this Chapter.

2.59.030 Policy Development and Use

- A. The Committee shall research, analyze, develop and recommend policies for consideration and possible adoption by the City Council. Some policies may be subject to review and comment by other established Boards and Commissions. The Committee's authority shall extend to the following enumerated and related areas and in other areas as directed by the City Council:
 1. Advise the City Council on sustainability strategies and initiatives that support achievement of the City's sustainability and resilience goals outlined in its Comprehensive Plan;
 2. Collaborate with the City's Sustainability Division, regional partners and community stakeholders to align priorities, leverage limited resources and maximize collective impact; and/or
 3. Identify opportunities for innovation in sustainability practices.
- B. The Committee shall determine its priorities based on those identified at the City Council annual planning workshop, or at such other meeting at which City Council priorities are established.
- C. All policy proposals should address or consider the following guiding principles:
 1. Social equity and environmental justice implications;
 2. Integrated decision making;
 3. Lifecycle and circularity;

4. Level of impact on the City, its residents, and the broader community; and
5. Effect on City resources.

2.59.040 Membership and Terms

- A. *Membership.* The Committee shall consist of eight (8) voting members and include one (1) Councilmember from each Ward. Membership for the Councilmembers shall be determined using the committee assignment process set forth in the Council Policies and Procedures Manual. The remaining three (3) voting members shall include: one (1) individual advocating for local business interests in Lakewood, and two (2) appointees from the Lakewood Advisory Commission Sustainability Subcommittee. The individual advocating for local business interests in Lakewood shall be appointed by the City Council Screening Committee. The two (2) appointees from the Lakewood Advisory Commission Sustainability Subcommittee shall be appointed by the Lakewood Advisory Commission and are not subject to the City Council Screening Committee approval.
- B. *Terms.* All Councilmembers shall be appointed for one (1) year terms to coincide with their position on the City Council. The representative from the local business community shall serve for a one (1) year term. The remaining representatives from the Lakewood Advisory Commission shall serve one (1) year terms to coincide with their position on the Lakewood Advisory Commission. The voting members of the Lakewood Advisory Commission may serve consecutive one (1) year terms for a total of two (2) years and may temporarily delegate their voting power to another representative of the Lakewood Advisory Commission Sustainability Subcommittee in accordance with the Lakewood Advisory Commission's rules and regulations.
- C. *Vacancies.* In the event a Councilmember fails to complete the one (1) year term, a replacement shall be appointed using the committee assignment process set forth in the Council Policies and Procedures Manual. In the event the representative from the local business community fails to complete the one (1) year term, the Screening Committee may appoint a new member representing local business interests in Lakewood. In the event the Lakewood Advisory Commission appointees fail to complete the term or cannot fill the two (2) voting membership positions, the City Council Screening Committee may elect appoint a new member(s).
- D. *Removal.* The chairperson of the Sustainability Committee may refer any member of the Committee who is not a City Council Member to the Screening Committee for removal from the Committee when such Member has missed thirty percent (30%) of the meetings of the Committee, all in accordance with the policies of the Screening Committee as established by the City Council.

2.59.050 Staffing

A staff liaison from the Community Sustainability, Climate & Zero Waste division of the Sustainability and Community Development Department will work with the City Clerk's Office to assure that meeting notices and meeting minutes are appropriately posted and that the committee has the necessary staff support for its meetings.

2.59.060 Meetings

- A. *Schedule*. The Committee shall establish a regular meeting schedule and may adjust its schedule as needed.
- B. *Voting*: For purposes of Committee action, a quorum of the Committee shall consist of four (4) members of the Committee in attendance. A majority vote of the Committee present in favor of a proposed policy shall result in the policy being presented to City Council with the Committee's recommendation of approval. A tie vote of the Committee members present shall result in the proposed policies being presented in summary form to the City Council with no recommendation. In all cases, a policy presented with no recommendation may nevertheless be adopted by the City Council, rejected by the City Council, or remanded to the Committee.
- C. *Election of Officers*. At its first meeting each calendar year the Committee shall select a chairperson and vice chairperson from among the members by simple majority vote.

SECTION 3. If any provision of this Ordinance shall 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.

SECTION 4. This Ordinance shall take effect thirty (30) days after final publication.

I hereby attest and certify that within and foregoing Ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the XXnd day of ____, 2026; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the XXth day of ____, 2026; set for public hearing to be held on the XXth day of ____, 2026; read, finally passed and adopted by the City Council on the XXth day of ____, 2026; and signed by the Mayor on the XXth day of ____, 2026.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF LAKEWOOD**

7:00 PM

Marh 23, 2026

Minutes are not a verbatim transcription, but rather an attempt to capture the intent of the speaker by the City Clerk.

ITEM 1 – CALL TO ORDER

Mayor Strom called the hybrid meeting to order at 7:01 p.m.

ITEM 2 – ROLL CALL

Councilors Present: Mayor Wendi Strom, Presiding
Councilor Liz Black
Councilor Ken Cruz
Councilor Isabel Cruz
Councilor Bill Furman
Councilor Jacob LaBure
Councilor Roger Low
Councilor Dave Rein
Councilor Glenda Sinks

Absent: Councilor Jeslin Shahrezaei
Councilor Paula Nystrom

Others in attendance: Ben Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney
Jay Robb, City Clerk
Bernadette Salazar, Deputy City Clerk

Full and timely notice of this City Council meeting had been given, and a quorum was present.

ITEM 3 – OPENING ITEMS

ITEM 3A. – PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited, and the audience remained standing for a moment of silent reflection.

ITEM 3B. – STATEMENT OF CONFLICT OF INTEREST

Mayor Strom read the Statement of Conflict of Interest

ITEM 3C. – INITIAL Public Comment

Anyone who would like to address the Council on any matter other than an agenda item will be given the opportunity. Speakers should limit their comments to three minutes.

The following individual spoke under Initial Public Comment:

Alexei Fernandez, Ward 2, spoke about a recent arrest conducted by the U.S. Immigration and Customs Enforcement (ICE) in Ward 2 and closed by talking about the amount of corporate funding for the April 7, 2026, special election.

**CONSENT AGENDA
ORDINANCES ON FIRST READING**

City Clerk Robb read the Consent Agenda into the record.

ITEM 4 – RESOLUTIONS

4A. – R-2026-18 – REGARDING UPDATES TO THE CITY OF LAKEWOOD THREE-MILE PLAN FOR ANNEXATIONS

4B. – R-2026-19 – ESTABLISHING AN AD HOC COMMITTEE OF MEMBERS OF THE CITY COUNCIL TO REVIEW THE CITY'S CHARTER, PROVIDE REPORTS TO THE CITY COUNCIL ON POSSIBLE AMENDMENTS TO THE CITY'S CHARTER, AND A REPORT ON THE ESTABLISHMENT OF A PERMANENT CITY COUNCIL CHARTER REVIEW COMMITTEE

4C. – R-2026-20 – APPOINTING AND REAPPOINTING MEMBERS OF THE LAKEWOOD PLANNING COMMISSION

4D. – R-2026-21 – APPOINTING A MEMEBR OF THE LAKEWOOD BUDGET AND AUDIT BOARD

ITEM 5 – ORDINANCES ON FIRST READING

ITEM 5A.–O-2026-12 – AUTHORIZING SUPPLEMENTAL APPROPRIATIONS TO THE 2026 REVISED ANNUAL BUDGET IN THE AMOUNT OF \$1,037,000IN THE GRANT FUND IN RECOGNITION OF GRANTS RECEIVED FROM THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND \$3,500,000 IN THE CAPITAL IMPROVEMENT FUND TO ENABLE AN INTERGOVERNMENTAL AGREEMENT WITH THE COLORADO DEPARTMENT OF TRANSPORTATION

ITEM 6 – APPROVING MINUTES OF THE CITY COUNCIL MEETINGS

- SPECIAL MEETING MINUTES – MARCH 9, 2026
- REGULAR MEETING MINUTES – MARCH 9, 2026

END OF CONSENT AGENDA

There were no public comments received in person.
There were no public comments received via Lakewood Speaks.

Councilor Rein made a motion to adopt the Consent Agenda.
 The motion was seconded.

VOTE TO ADOPT THE CONSENT AGENDA

	AYES	NAYS		AYES	NAYS
STROM	X		LOW	X	
BLACK	X		NYSTROM		ABSENT
CRUZ, I.	X		REIN	X	
CRUZ, K.	X		SHAHREZAEI		ABSENT
FURMAN	X		SINKS	X	
LABURE	X				
			TOTAL	9	0

Result: The motion passed 9-0.

ITEM 7 – ITEMS REMOVED FROM CONSENT AGENDA

There were no items removed from the Consent Agenda.

**ORDINANCES ON SECOND READING
 AND PUBLIC HEARINGS**

ITEM 8 – PUBLIC HEARINGS — ORDINANCES ON SECOND READING

ITEM 8A. – O-2026-10 – AUTHORIZING SUPPLEMENTAL APPROPRIATIONS TO THE 2026 REVISED ANNUAL BUDGET IN THE AMOUNT OF \$150,000 IN RECOGNITION OF GRANTS RECEIVED FROM THE COLORADO DEPARTMENT OF LOCAL AFFAIRS

City Clerk Robb read Ordinance O-2026-10 into the record.
 Mayor Strom opened the public hearing.

There were no public comments received in person.
 There were no public comments received via Lakewood Speaks.

Mayor Strom closed the public hearing.

Councilor Rein made a motion to adopt Ordinance O-2026-10.
 The motion was seconded.

VOTE TO ADOPT ORDINANCE O-2026-10

	AYES	NAYS		AYES	NAYS
STROM	X		LOW	X	
BLACK	X		NYSTROM		ABSENT
CRUZ, I.	X		REIN	X	
CRUZ, K.	X		SHAHREZAEI		ABSENT
FURMAN	X		SINKS	X	
LABURE	X				
			TOTAL	9	0

Result: The motion passed 9-0.

ITEM 8B. – O-2026-11 – AMENDING TITLE 1, SECTION 1.16.020, OF THE LAKEWOOD MUNICIPAL CODE REGARDING THE GENERAL PENALTY PROVISION FOR THE CITY OF LAKEWOOD, COLORADO

City Clerk Robb read Ordinance O-2026-11 into the record.

Mayor Strom opened the public hearing and introduced Patrick Freeman, Senior Assistant City Attorney, who provided a presentation and responded to questions from the Council.

There were no public comments received in person.
 There were no public comments received via Lakewood Speaks.

Mayor Strom closed the public hearing.

Councilor Rein made a motion to adopt Ordinance O-2026-11.
 The motion was seconded.

Councilor Cruz I. made a motion to insert a sunset clause in Section 1.16.020(A)(2).
 The motion was seconded.

AMENDMENT TO ORDINANCE O-2026-11, TO INSERT A SUNSET PROVISION UNDER SECTION 1.16.020(A)(2)

	AYES	NAYS		AYES	NAYS
STROM	X		LOW	X	
BLACK	X		NYSTROM		ABSENT
CRUZ, I.	X		REIN	X	
CRUZ, K.	X		SHAHREZAEI		ABSENT
FURMAN	X		SINKS	X	
LABURE	X				
			TOTAL	9	0

Result: The motion passed 9-0.

VOTE TO ADOPT ORDINANCE O-2026-11, AS AMENDED

	AYES	NAYS		AYES	NAYS
STROM	X		LOW	X	
BLACK	X		NYSTROM		ABSENT
CRUZ, I.	X		REIN	X	
CRUZ, K.	X		SHAHREZAEI		ABSENT
FURMAN	X		SINKS	X	
LABURE	X				
			TOTAL	9	0

Result: The motion passed 9-0.

ITEM 9 – CLOSING ITEMS

ITEM 9A. – Public Comment

Public comment received via Lakewood Speaks: 1 (see attached).
There were no public comments received in-person.

ITEM 9B. – GENERAL BUSINESS

There was no general business.

ITEM 9C. – EXECUTIVE REPORT

City Manager Kathy Hodgson presented her executive report.

ITEM 9D. – MAYOR AND CITY COUNCIL REPORTS

Mayor Strom and the Councilors provided updates regarding upcoming Ward meetings and other events in the community.

ITEM 9E. – ADJOURNMENT

Seeing no further business, Mayor Strom adjourned the meeting at 7:46 p.m.

Respectfully submitted,

Jay Robb, City Clerk

Public Comments

Online comments closed at 10:00 AM MDT 3/24/26.

Stephne A Keller

· Mar 23, 2026 · 5:42pm

Last fall, late night, felt like a bomb shook my house. Hose blew on my tankless. Plumber could fix. Happened again found dirt, styrofoam, gravel in the sink & toilet tank Out \$6000. Replacement servived. Bankroft water. Even now water smells strongly of bleach. Can the city look into it ? Make sure it's safe.

STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 7

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: None

ALTERNATIVES: None

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

NEXT STEPS: None

ATTACHMENTS: None

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

STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 8

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: None

ALTERNATIVES: None

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

NEXT STEPS: None

ATTACHMENTS: None

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

STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 8A

To: Mayor and City Council
From: Holly Bjorklund, Chief of the Finance Branch
Subject: **Quarter 1 2026 Budget Supplemental Ordinance**

SUMMARY STATEMENT: Beginning in 2026, the Finance Department is consolidating supplemental appropriations into coordinated quarterly ordinances in collaboration with requesting departments. Presenting these requests together provides City Council with a clearer view of budget adjustments and their overall fiscal impact. This ordinance includes two supplemental appropriations totaling \$4,537,000 to the 2026 Revised Annual Budget.

- Item 1 appropriates \$1,037,000 in the Grant Fund
- Item 2 appropriates \$3,500,000 in the Capital Improvement Fund

BACKGROUND INFORMATION: Item 1 – CDPHE Clean Energy Vehicle Fleet Grant (\$1,037,000): This supplemental request will appropriate \$1,037,000 in grant funding from the Colorado Department of Public Health and Environment to purchase seven clean energy fleet vehicles in 2026. The vehicles will replace aging internal combustion units and include two Class 7 plug-in hybrid street sweepers, three battery electric SUVs, and two battery electric pickup trucks. The purchase supports the city’s transition to a cleaner fleet, reducing emissions and operating costs; most costs are covered by the grant with a 10% match from existing budget for fleet replacement.

Item 2 – US 6 & Wadsworth Interchange Aesthetic Improvements / IGA with CDOT (\$3,500,000): An appropriation of \$3,500,000 from the Capital Improvement Fund is requested to support aesthetic improvements associated with the US 6 and Wadsworth Interchange Construction Project and to enable execution of an Intergovernmental Agreement (IGA) with the Colorado Department of Transportation (CDOT). Construction is currently anticipated to begin in 2029. Appropriation is required in 2026 to enable the City to enter into an IGA with CDOT and commit to participation in the project. Appropriation will be re-appropriated in future years as needed until construction commences.

BUDGETARY IMPACTS: This ordinance results in supplemental appropriations totaling \$4,537,000 across two funds. These items were not included in the 2026 Original Budget because the grant award and draft IGA language requiring current year appropriations were finalized after the budget was developed and adopted.

STAFF RECOMMENDATIONS: Staff recommends that City Council approve the budget supplemental ordinance, authorizing supplemental appropriations totaling \$4,537,000 for both items described above.

ALTERNATIVES: City Council could decline one or both of the items mentioned in the supplemental appropriations.

Item 1 – CDPHE Clean Energy Vehicle Fleet Grant: The CDPHE grant award would not be executed, and the City would forgo \$1,037,000 in state grant funding.

Item 2 – US 6 & Wadsworth Interchange Aesthetic Improvements / IGA with CDOT: Lakewood's participation in aesthetic improvements to the interchange would not move forward. The project may proceed without the City's design input, potentially limiting opportunities to shape the visual character of this major corridor.

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

NEXT STEPS: Fleet Division staff will execute the grant agreement with CDPHE and contract with vehicle dealers to acquire the seven clean energy vehicles in accordance with City purchasing policies. Public Works staff will bring to council the Intergovernmental Agreement with CDOT to formalize the City's participation in and commitment to aesthetic improvements for the US 6 and Wadsworth Interchange project.

ATTACHMENTS: 1. Ordinance O-2026-12

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

O-2026-12

AN ORDINANCE

AUTHORIZING SUPPLEMENTAL APPROPRIATIONS TO THE 2026 REVISED ANNUAL BUDGET IN THE AMOUNT OF \$1,037,000 IN THE GRANT FUND IN RECOGNITION OF GRANTS RECEIVED FROM THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND \$3,500,000 IN THE CAPITAL IMPROVEMENT FUND TO ENABLE AN INTERGOVERNMENTAL AGREEMENT WITH THE COLORADO DEPARTMENT OF TRANSPORTATION

WHEREAS, Article XII, Section 8 of the City Charter allows the City Council to make supplemental appropriations by ordinance during the fiscal year for unanticipated expenditures required for the operation of the City of Lakewood (the "City") using monies not anticipated in the adopted budget that are available to the City;

WHEREAS, Section 3.04.060 of the Lakewood Municipal Code (L.M.C.) requires approval by the City Council for any unbudgeted purchase;

WHEREAS, the two requests referenced below would constitute unbudgeted purchases that must be approved by City Council;

WHEREAS, the Colorado Department of Public Health and Environment (CHPHE) awarded the City a grant in the amount of one million thirty-seven thousand dollars (\$1,037,000) to support the purchase of clean energy fleet vehicles;

WHEREAS, the new vehicles will replace aging internal combustion vehicles that are nearing the end of their useful life and support the city's efforts to transition to a cleaner municipal fleet;

WHEREAS, the city anticipates entering into an Intergovernmental Agreement with the Colorado Department of Transportation to facilitate construction of the US 6 and Wadsworth Interchange Project;

WHEREAS, the city desires to support aesthetic improvements associated with the US 6 and Wadsworth Interchange Construction Project;

WHEREAS, an appropriation of three million five hundred thousand dollars (\$3,500,000) from the Capital Improvement Fund is necessary to enable the city to participate in the project and complete the aesthetic improvements;

WHEREAS, the City Council hereby finds and determines that approving these supplemental appropriations requests are and shall be in the best interest of the residents of the City;

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies any particular proposal related to this proposal identified herein.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, State of Colorado:

SECTION 1. The City Council hereby appropriates and authorizes the expenditure of:

- A. One million thirty-seven thousand dollars (\$1,037,000) from new revenues in the Grant Fund; and
- B. Three million five hundred thousand dollars (\$3,500,000) from the unappropriated fund balance of the Capital Improvement Fund.

SECTION 2. The aforementioned supplemental requests will serve a public purpose and further the City's ongoing goals and efforts.

SECTION 3. The City Council hereby authorizes the City Manager and the Public Works Director to execute all documents necessary to finalize the grant awards, to include entering into intergovernmental agreements.

SECTION 4. This Ordinance shall take effect thirty (30) days after final publication.

SECTION 5. 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 such remaining portions or application of the 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 23rd day of March 2026; published by title in the Denver Post and in full on the City of Lakewood's website at www.lakewood.org on the 26th day of March, 2026; set for public hearing to be held on the 13th day of April, 2026; read, finally passed and adopted by the City Council on the 13th day of April, 2026; and signed by the Mayor on the ___ day of April, 2026.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney

STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 9

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: None

ALTERNATIVES: None

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

NEXT STEPS: None

ATTACHMENTS: None

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

STAFF MEMO

DATE OF MEETING: APRIL 13, 2026 / AGENDA ITEM NO. 9A

To: Mayor and City Council

From:

Subject:

SUMMARY STATEMENT:

BACKGROUND INFORMATION:

BUDGETARY IMPACTS: None

STAFF RECOMMENDATIONS: None

ALTERNATIVES: None

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

NEXT STEPS: None

ATTACHMENTS: None

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