



**Lakewood**  
Full of Possibilities

# **Growth Limitation Ordinance – Chapter 14.27 Blight/Distressed Areas**

August, 2019

“Blighted” mentioned twice:

“Encourage redevelopment of blighted and distressed areas;”

“1.) Structures located, or to be located, upon land that is designated “blighted”.”

*THIS IS THE TEXT OF THE ORDINANCE TO WHICH BALLOT QUESTION 200 REFERS*

#### **Purpose/Intent**

- Establish a building permit management system that limits residential growth in the City of Lakewood to no greater than one (1) percent per annum, which will assure the preservation of its unique environment and exceptional quality of life;
- Encourage redevelopment of blighted and distressed areas;
- Encourage preservation of larger open space parcels;
- Assure that such growth proceeds in an orderly and timely manner and does not exceed the availability of public facilities and urban services;
- Avoid degradation in air and water quality;
- Avoid increases in crime and urban decay associated with unmanaged growth;
- To allow mitigation of the effects of past and future growth on infrastructure and schools.

#### **Implementation/Exceptions**

The provisions of this chapter shall apply to the issuance of building permits for all new dwelling units within the City of Lakewood except:

- 1) Structures located, or to be located, upon land that is designated “blighted”.
- 2) Structures located, or to be located, upon land located on a campus owned by a college or university, including, but not limited to, Colorado Christian University and Rocky Mountain College of Art and Design, and which are used to house only college or university students, staff, or faculty.
- 3) A dwelling unit may be replaced with another dwelling unit without obtaining an allocation, provided that the replacement unit is located on the same parcel, tract, or lot.
- 4) Mobile homes in operating mobile home parks may be removed and replaced with another mobile home without obtaining an allocation.
- 5) Industrial or commercial construction, unless such industrial or commercial construction includes structures which, in whole or in part, are to be occupied as a dwelling.

#### **Administration of this chapter**

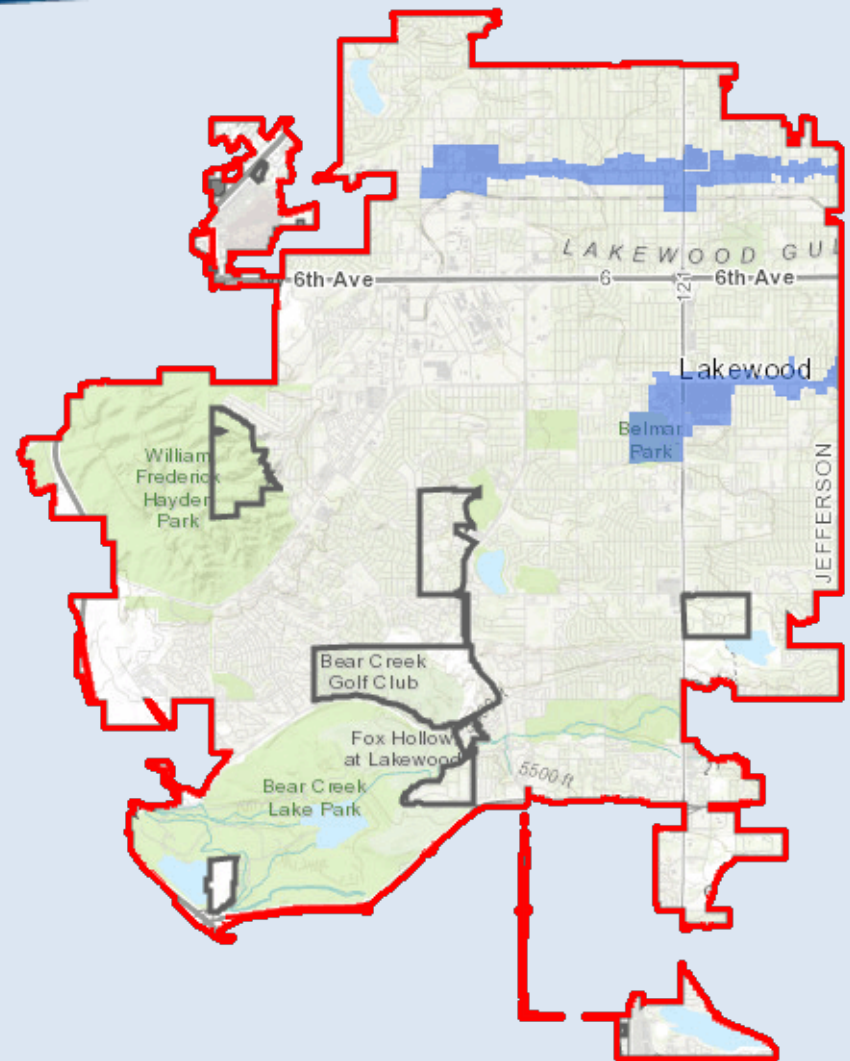
- 1) Planning commission may recommend and city council may adopt rules as necessary to administer this chapter.



**Lakewood will need to define  
what Blighted / Distressed Areas  
are within the context  
of Chapter 14.27.**

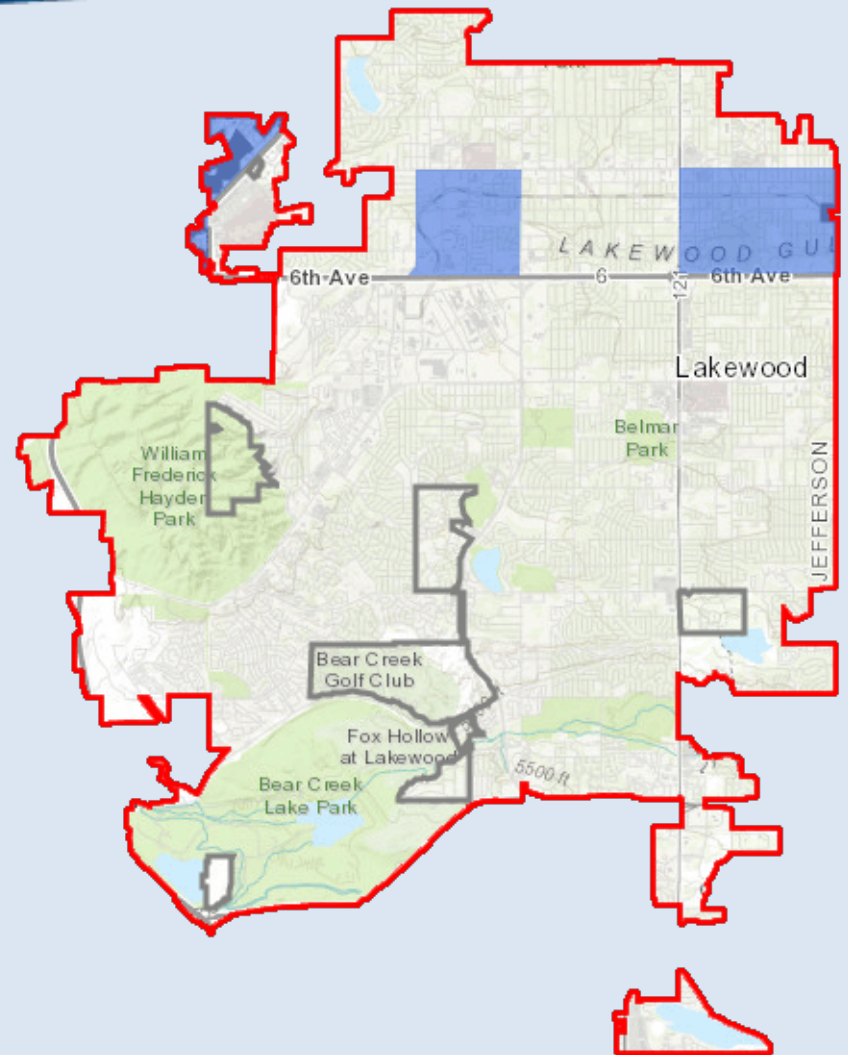
- Properties within an area previously designated as blighted through the Lakewood Urban Renewal Authority's (LRA) Urban Renewal Area (URA) program.
- Properties within a Federally designated Opportunity Zone (OZ).
- Properties within a Federally designated Low Income Housing Tax Credit (LIHTC) Qualified Census Tract.
- Properties with a Federally designated Difficult Development Area (DDA).
- Properties within a qualified Community Development Block Grant (CDBG) Target Area.
- Properties within a Colorado State Enterprise Zone (EZ) Program Area

**Urban Renewal Areas are designated through the acceptance, by the LRA, of an independently conducted conditions survey including a determination of the existence of blighting conditions within the area surveyed as defined in C.R.S. § 31-25-101 et seq.**

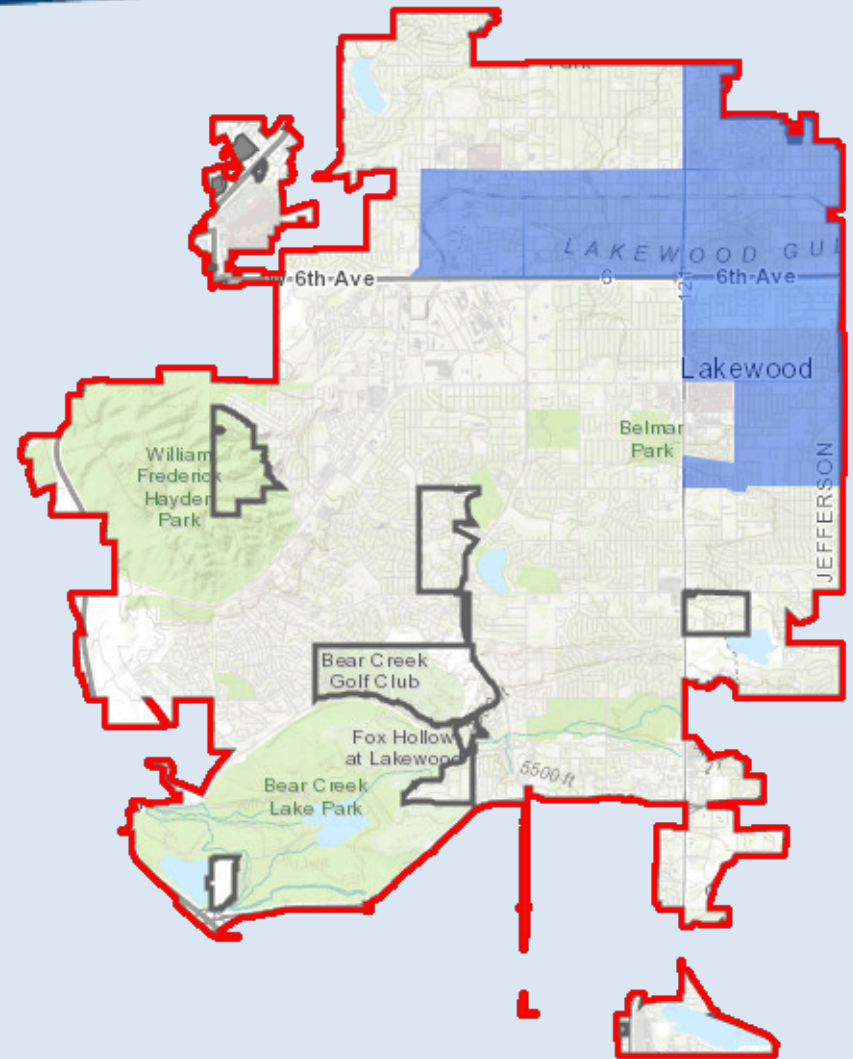




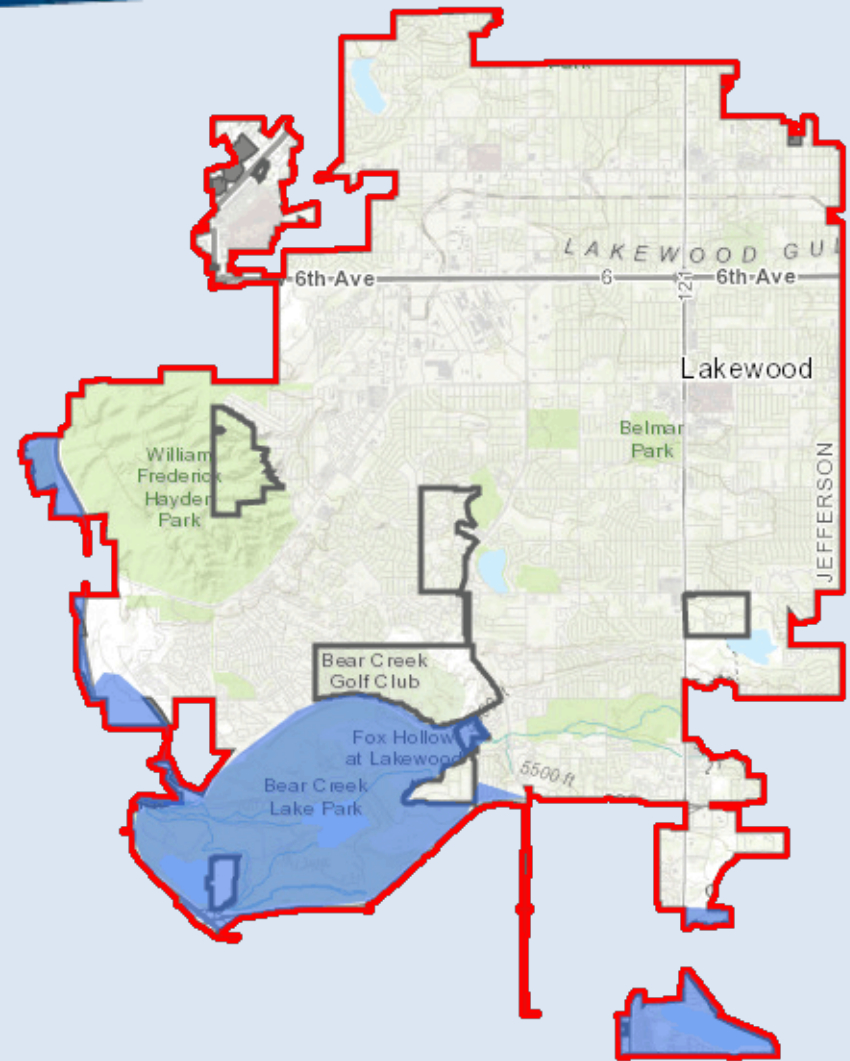
**Opportunity Zones consist of U.S. Census blocks which meet minimum thresholds of poverty rate, median family income, and were nominated by States' Governor's Offices for OZ designation. The Opportunity Zones Program is authorized under the Tax Cuts and Jobs Act, approved by the U.S. Congress on December 22, 2017**



**Qualified Census Tracts defined under the section 42(d)(5)(C) of the Internal Revenue Code of 1986, include any census tract (or equivalent geographic area defined by the Bureau of the Census) in which at least 50 percent of households have an income less than 60 percent of the Area Median Gross Income (AMGI), or which has a poverty rate of at least 25 percent.**

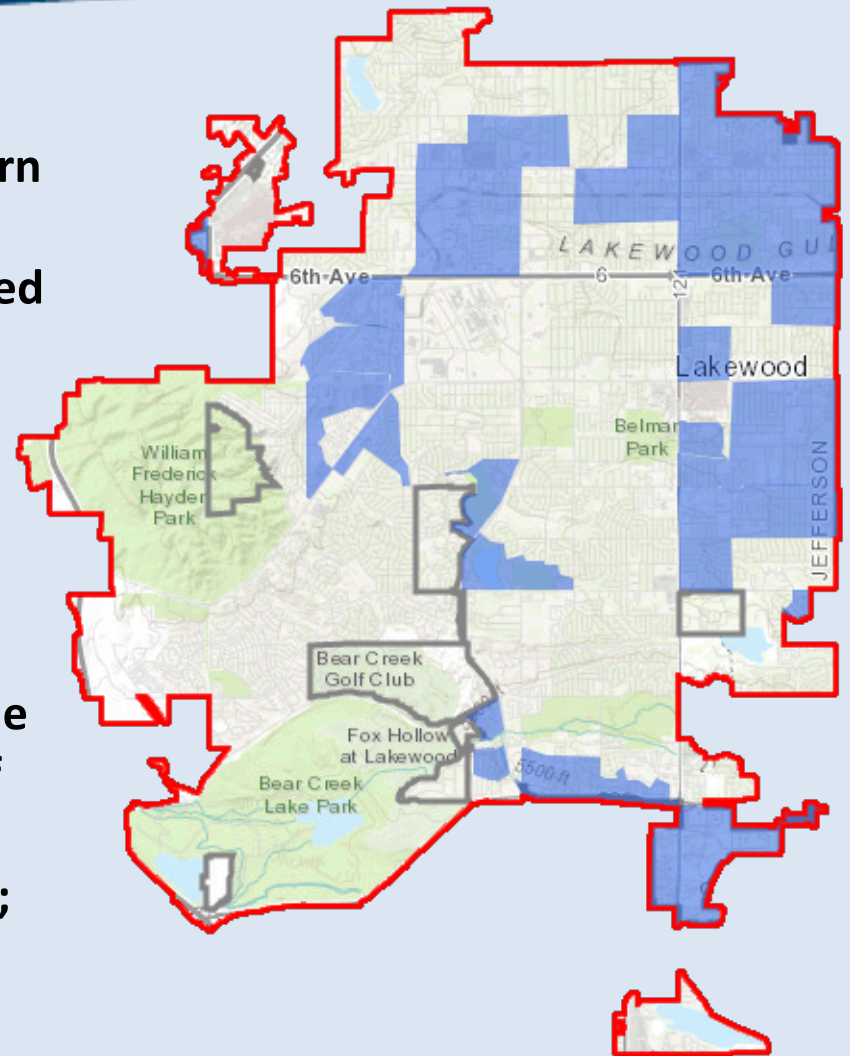


**Difficult Development Areas (DDA) for the Low Income Housing Tax Credit program are designated by U.S. Department of Housing and Urban Development (HUD) and defined in statute as areas with high construction, land, and utility costs relative to its Area Median Gross Income (AMGI). DDAs in metropolitan areas are designated along Census ZIP Code Tabulation Area (ZCTA) boundaries.**

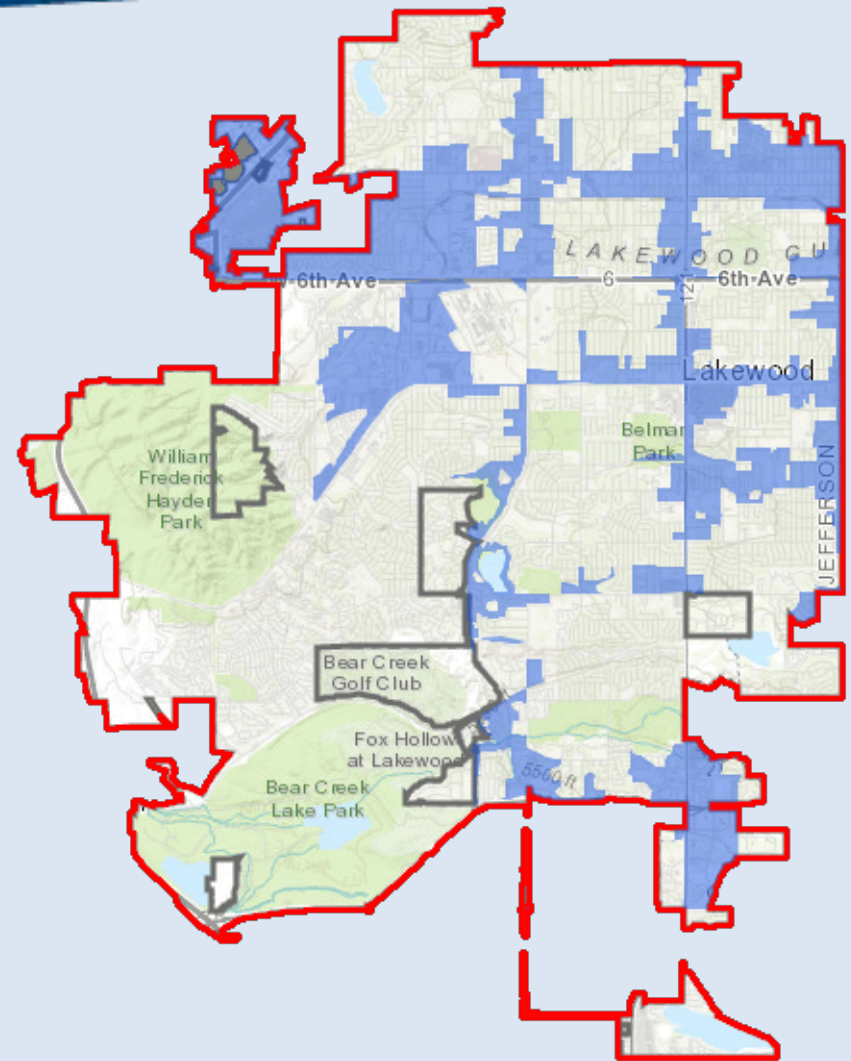




CDBG Target Areas consist of U.S. Census blocks where the majority of households earn eighty percent or less of the area median income. The area median income is calculated annually by the U.S. Department of Housing and Urban Development. Communities are allocated an annual amount of CDBG based on a formula that examines poverty rate, population, housing overcrowding, age of housing and population growth lag in relationship to other metropolitan areas. The CDBG program is authorized under Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended; 42 U.S.C.-5301 et seq

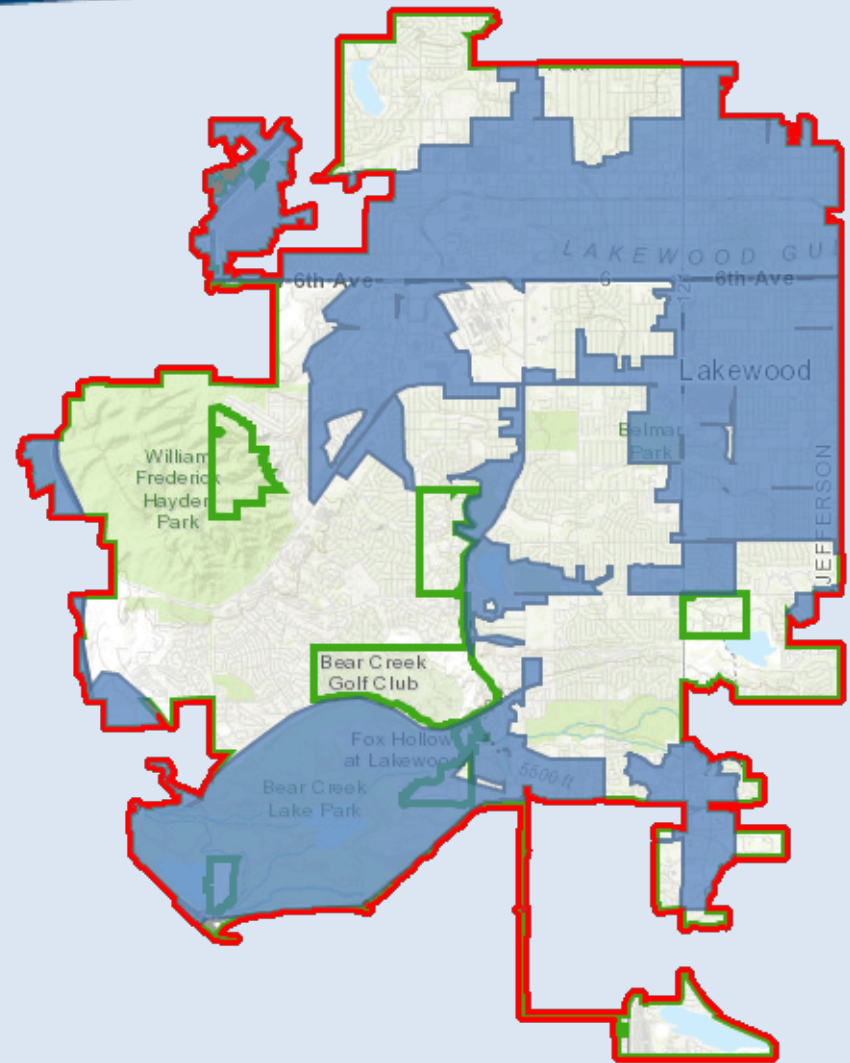


**Colorado Enterprise Zone Program Areas consist of properties which have qualified through meeting minimum requirements including high unemployment rates, low per capita income, and/or slower population growth and have been approved for EZ designation by the Colorado Economic Development Commission. The Colorado Enterprise Zone program is authorized under C.R.S. § 39-30-101 et seq.**



## If all six existing definitions were applied to Lakewood properties:

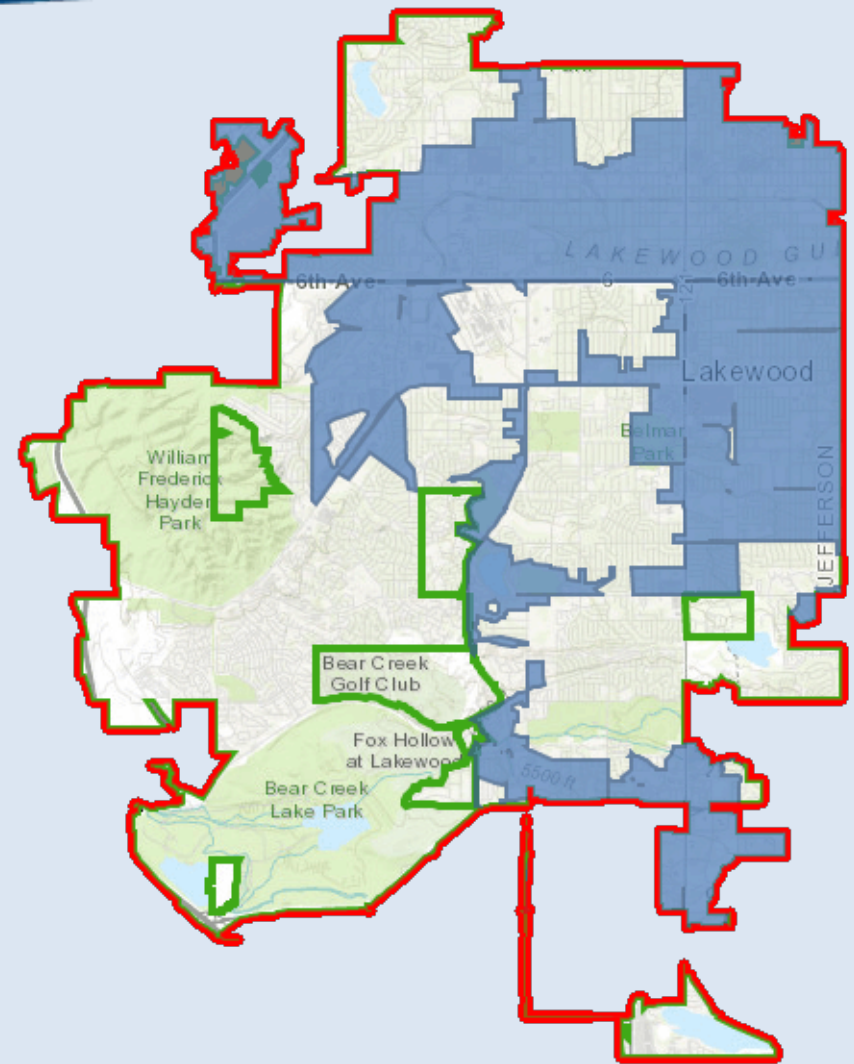
- Urban Renewal Area (URA) program.
- Opportunity Zone (OZ).
- Low Income Housing Tax Credit (LIHTC) Qualified Census Tract.
- Difficult Development Area (DDA).
- Qualified Community Development Block Grant (CDBG) Target Area.
- Enterprise Zone (EZ) Program Area





## Recommendation:

- Urban Renewal Area (URA) program.
- Opportunity Zone (OZ).
- Low Income Housing Tax Credit (LIHTC) Qualified Census Tract.
- Qualified Community Development Block Grant (CDBG) Target Area.
- Enterprise Zone (EZ) Program Area





# Discussion & Questions