

Effects of Lakewood Zoning Changes

ON GREEN MOUNTAIN WATER
AND SANITATION DISTRICT



Background

Lakewood is drastically changing their zoning to increase density

GMWSD is at max buildout

Pipes are as full as they were designed to be and have no more capacity.

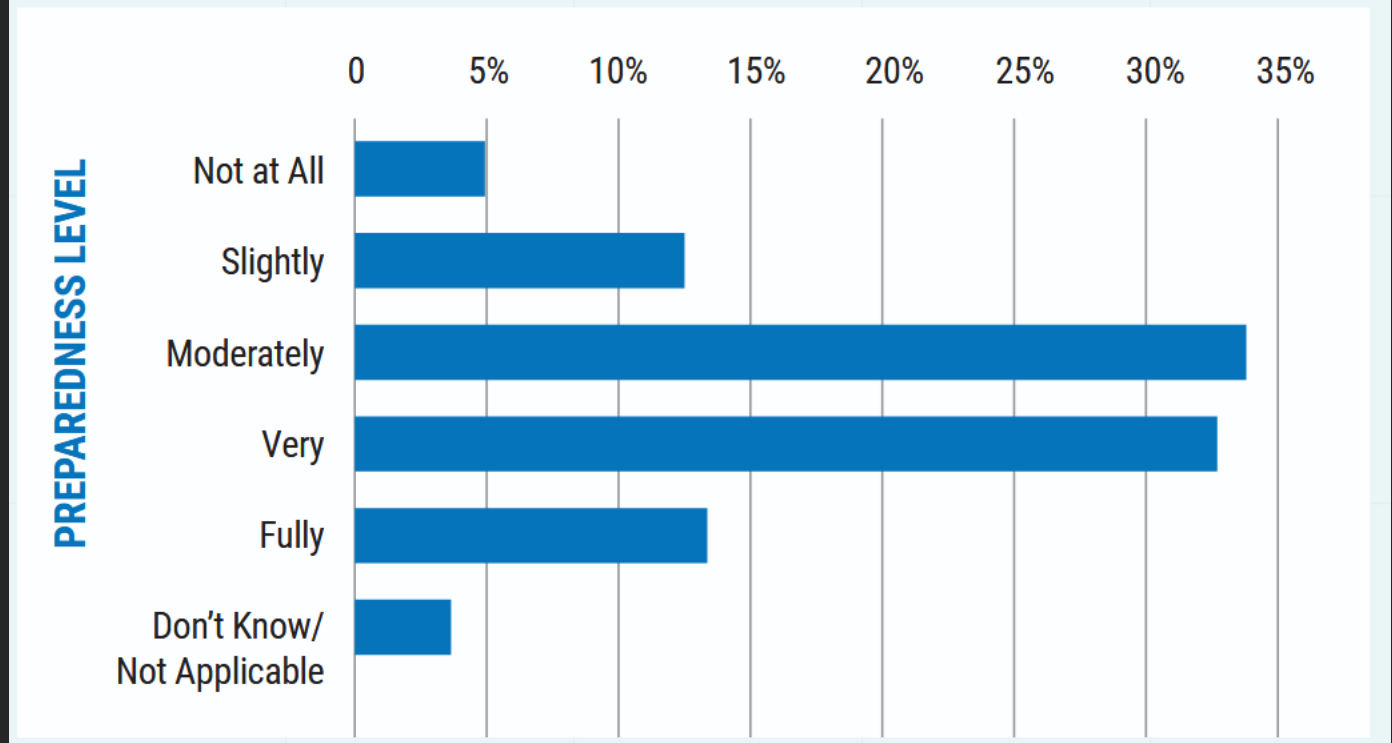
Some pipes already too full



“more than half of water utilities are not fully prepared to meet long-term water supply needs”

Decrease of 10% in one year!

Figure 3. Ability to Meet Long-Term Water Needs



Data from AWWA 2025 Annual report



Lakewood's New Zoning

Existing buildings can now be used at about 1 person per 75 sq foot occupancy - per building code

2000 sq ft house = 27 people

Also allows for single-family house to be scraped and rebuilt into multiple units

- 93% of GMWSD taps are single-family

Meaning TODAY we could need capacity for at least double the pipe design limits

Allows commercial in residential areas

- Requires commercial grade tap



- B. **Low-form Residential – B (R-L-B):** This zone district is intended to maintain the residential character of traditional suburban neighborhoods, while expanding the range of housing options available. Development primarily consists of small residential dwellings on medium to large-sized lots. The shape of a typical lot varies widely and may be square, trapezoidal, rectangular, or irregular.

This zone district allows for multiple units with a single house-scale building, and on larger lots, multiple house-scale buildings on a lot (See [Figure 2](#)).

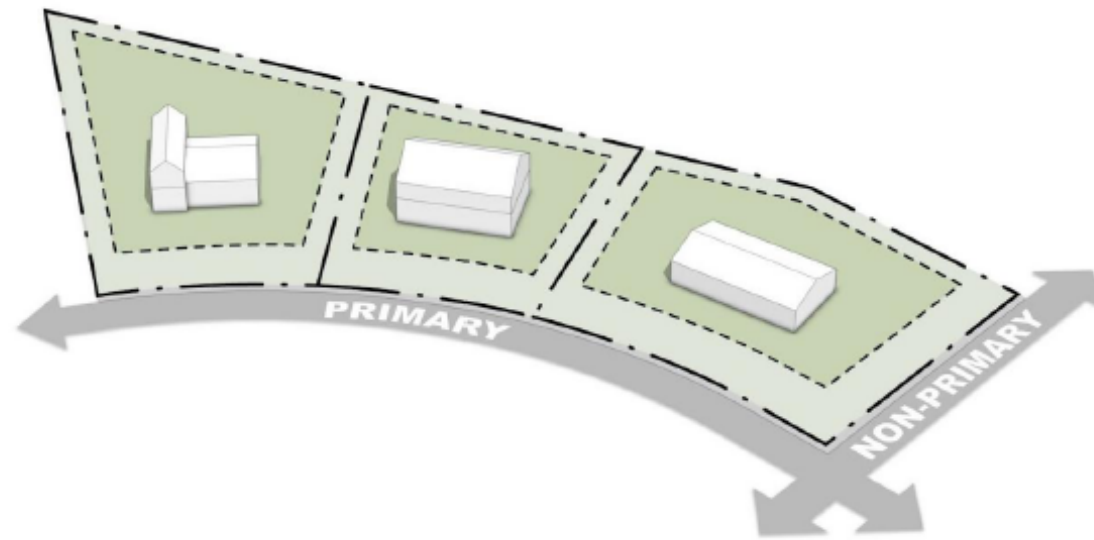


Figure 2: Example of Low-form Residential – B; 17.3.3.2:B

Lakewood Zoning = Bad Decision

Long-term housing planning does not have infrastructure planning

There is no pipe capacity for more homes

They are removing green space without considering increase sewer capacity needs

Water Districts know their water capacity and infrastructure capabilities best



Figures 1: Cap Net IWRM Manual



Discouraging Greenspace

New zoning discourages yards and greenspace

Yards are buffers for drought years, such as this year

Suburban landscaping is an important component to maintaining biodiversity

Green grass has a role to compensate for concrete

Using water for people instead of landscaping increases needed **sewer capacity**



Funding

Zoning that increases water infrastructure costs for existing properties is an unfunded mandate

Using existing single-family building for multi-family =
CURRENT RESIDENTS ABSORB COST

GMWSD is not notified for remodels or occupancy increases

With a building permit to scrape and upsize -
OWNER PAYS TAP FEE



GREEN MOUNTAIN WATER & SANITATION DISTRICT RULES AND REGULATIONS

- **Change In Commercial Use and/or Square Footage: Change In Use Tap Fee, Increase Tap Size:**

Applicants are hereby put on notice that at least thirty (30) days prior to a change in the use of a Customer's commercial premises the Customer must provide information to the District concerning the change in use as required by the District's Rules and Regulations and at the reasonable request by the District Engineer. A change of use includes, but is not limited to the following:

- a change in square footage of a structure or irrigated area,
- a substantial change of water or wastewater use and wastewater strength,
- a change in the number or type of plumbing fixtures, or
- a change from a residential to commercial use or a change from commercial use to residential

Change of Use

GMWSD is currently focused on enhancing our existing change of use policy

Change of use = converting single-family to multi-family => tap fee

How can we tell a change? TBD

Process is critical to capture adequate fees and monitor capacity

New enforcement role may be necessary

What is GMWSD doing about zoning changes?

GMWSD letter requested mediation per CRS 24-32-3209(2)(b) - Lakewood **DENIED**

GMWSD will redo expensive planning study in 2026

Let us know if you hear alternatives from other districts

Filed lawsuit in Jeffco asking for an injunction until infrastructure can be addressed



Basis for Legal Complaint

The District will suffer direct and particularized injury from the City's densification implementation, including:

- Infrastructure capacity demands exceeding design parameters.
- Being burdened with an unfunded mandate for infrastructure expansion,
- Incurring potential liability for service failures

Colorado **HB24-1007** explicitly preserves local government authority to implement residential occupancy limits based on demonstrated **health and safety standards** = wastewater and water quality standards.

Lawsuit seeks to declare zoning **invalid and unenforceable**



CONTACT US

District: <https://www.greenmountainwater.org/>

- 303-985-1581
- <https://www.greenmountainwater.org/contact-the-district>

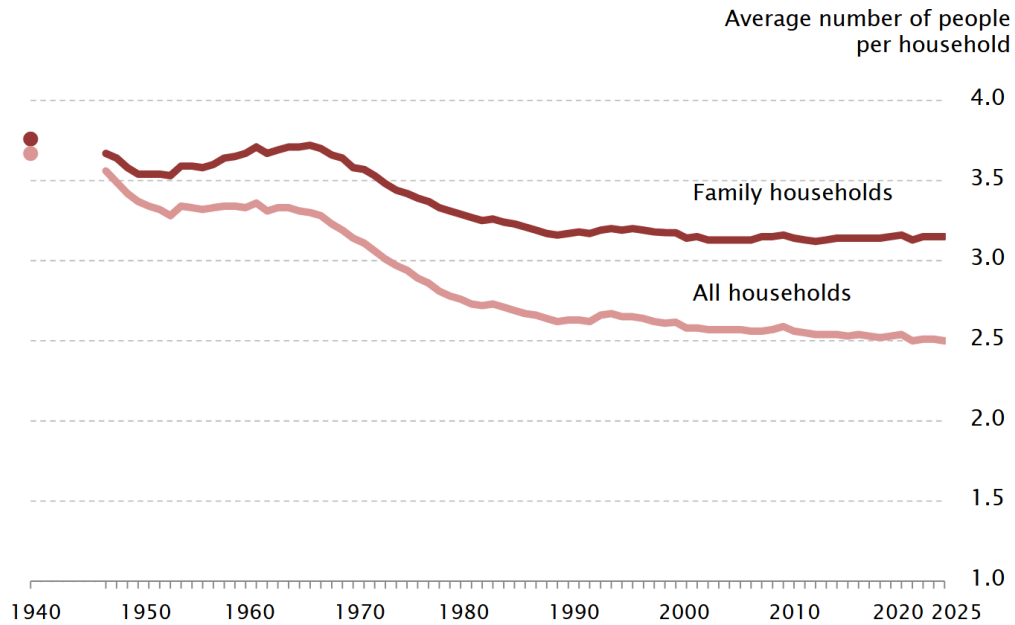
Board: board@greenmountainwater.org

Karen: karen.morgan@greenmountainwater.org

THANK YOU

Household size DOWN

Figure HH-6
Changes in household size

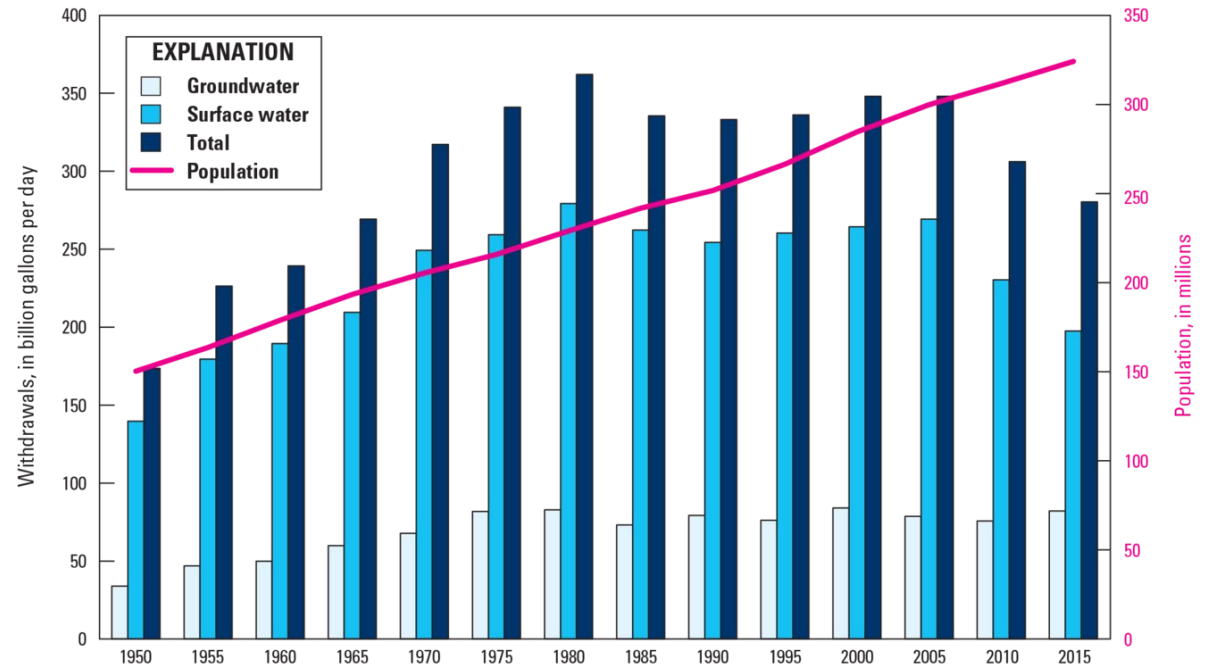


Source: U.S. Census Bureau, Decennial Census, 1940, and Current Population Survey, March and Annual Social and Economic Supplements, 1947 to 2025.

Note: More information on confidentiality protection, methodology, sampling and nonsampling error, and definitions is available at <www2.census.gov/programs-surveys/cps/techdocs/cpsmar25.pdf>.

Water withdrawals DOWN

Trends in population and freshwater withdrawals by source, 1950-2015



Water Use Increases

If we are using less water, why is:

- Red Rocks Ranch selling houses with water
- Denver Water is building a new reservoir;
- Bear Creek trying to expand,
- Colorado Water Compact being renegotiated

Water use per household averages 150-300 gal/day

Water withdrawal (previous slide) is new water taken out. Water already exists in system use