

ORDINANCE NO. 2019-4

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LAKEWOOD, CALIFORNIA, TO RETAIN
PERMISSIBLE LOCAL CONTROLS RELATING TO
ACCESSORY DWELLING UNITS

WHEREAS, several new State laws which will have the effect of significantly impacting local controls over the approval process and design of Accessory Dwelling Units will go into effect on January 1, 2020; and

WHEREAS, those laws provide that, beginning January 1, 2020, until a local jurisdiction adopts local laws in conformance with those new State laws, the local rules for the approval of Accessory Dwelling Units and these will default to the State laws for all purposes; and

WHEREAS, the City's Community Development Department is in the process of developing an ordinance in an attempt to maximize those local controls which are still available, for presentation to the Planning and Environment Commission and City Council; and

WHEREAS, until such an ordinance can be adopted and become effective, it is necessary to preserve those portions of the Lakewood Municipal Code pertaining to Accessory Dwelling Units which will not be preempted by State law after January 1, 2020; and

WHEREAS, it is necessary that this ordinance be adopted as an urgency ordinance for the immediate preservation of the public peace, health, or safety, due to the likelihood that Accessory Dwelling Units that do not conform to local standards that will not be preempted by State Law would have to be approved after January 1, 2020.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby finds and determines that each of the findings set forth above is true and correct.

SECTION 2. All provisions in the Lakewood Municipal Code pertaining to Accessory Dwelling Units which are not preempted by State law remain in full force and effect.

SECTION 3. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or applications, and to this end the provisions of this ordinance are declared to be severable. The

City Council, and the electorate by initiative, do hereby declare that they would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, parts or portions thereof, be declared invalid or unconstitutional.

SECTION 4. CONTINUITY. To the extent the provisions of the Lakewood Municipal Code as amended by this ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 5. CERTIFICATION. The City Clerk shall certify to the adoption of this ordinance. The City Council hereby finds and determines there are no newspapers of general circulation both published and circulated within the City and, in compliance with Section 36933 of the Government Code, directs the City Clerk to cause said Ordinance within fifteen (15) days after its passage to be posted in at least three (3) public places within the City as established by ordinance.

SECTION 6. EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption, pursuant to section 36937(b) of the California Government Code.

ADOPTED AND APPROVED this 10th day of December, 2019, by the following roll call vote:

	AYES	NAYS	ABSENT
Council Member Croft	<u>X</u>	_____	_____
Council Member DuBois	<u>X</u>	_____	_____
Council Member Wood	<u>X</u>	_____	_____
Council Member Piazza	<u>X</u>	_____	_____
Mayor Rogers	<u>X</u>	_____	_____



Mayor

ATTEST:



City Clerk