

ORDINANCE NO. 2021-8

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING ARTICLES IV, VIII AND IX OF THE LAKEWOOD MUNICIPAL CODE PERTAINING TO UPDATING AND CLARIFYING VARIOUS SECTIONS OF THE CODE TO RECOGNIZE PROCEDURAL CHANGES, CONSISTENCY WITHIN THE CODE AND STATE LAW AND TO SIMPLIFY AND CLARIFY REVIEW PROCEDURES FOR THE DEVELOPMENT REVIEW BOARD, PARKING, AND VARIOUS OTHER REGULATIONS.

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES ORDAIN AS FOLLOWS:

SECTION 1. PURPOSE. Periodically the city needs to review existing regulations to remove outdated provisions, correct errors, recognize current procedures, and make modifications. The last clean up and update ordinance was prepared in 2018. The ordinance includes changes identified and recommend by staff and others during the last three years. Proposed modifications include provisions for electronic communication and processing of applications as demanded by compliance with public health regulations in response to the COVID-19 pandemic. Local regulation needs to respond to changes in state laws. This ordinance proposes regulations that will reflect modified procedures and proposes changes to expedite the review of some commercial uses to clarify, simplify or correct omissions. It is timely and necessary to incorporate the following into the Lakewood Municipal Code.

SECTION 2. INTENT. The intent of this Ordinance is to update various provisions of the Articles VIII and IX of the Lakewood Municipal Code (LMC) to recognize procedural changes, state law modifications, and to clarify and simplify development review procedures for certain land uses, including to the following:

- Building Address Numbering - Changed to conform to California Residential Code.
- Minimum Lot Area and Width - Changed to address pedestrian and vehicular access needs to newly created residential lots.
- Accessory Buildings - Changed to allow consistency in structure heights.
- R-1 and R-A zones have identical development standards; therefore, the R-A zone development standards are now cross-referenced to the R-1 development standards.
- Residential Parking - Changed to allow tandem parking and paved parking.
- R-1 Lot Area standard is amended to correct a cross-referenced section.
- R-1 Lot Area Per Dwelling, Lot Coverage, Floor Area Ratio, Front Yard and Side Yard standards are clarified and modified to reflect the potential for two units.
- R-1 Building Height is standardized for all buildings to be 35' maximum.
- R-1 Rear Yard and Open Space Areas clarifies open space calculations.
- R-1 Lot Area Surfaces clarifies driveway standards and authorizes tandem parking.
- Development Review Board (DRB) standards and procedures are updated herein to include electronic submittal, processing, and project action. An alternate review procedure is

authorized for some development projects through a Ministerial Staff Review (MSR) to streamline and expedite procedures and to comply with some changes in state law. These changes affect several sections regarding the DRB and the authorization of the MSR project review.

Parking Spaces Required has been modified to allow tandem parking and to reflect changes in state law.

C-1 Zone Permitted Uses is modified to allow commercial tutoring and pet care services such as pet shops, veterinarian offices, animal hospitals, pet grooming, and pet training facilities with 24 hours a day care. This recognizes many existing uses.

Coin Operated Amusement Devices and Internet Access Studios are outdated uses and are now listed only in the C-1 zone district.

Parking standards for disabled persons, large commercial complexes and residential uses were modified.

Domestic Animal Boarding (daycare for dogs and cats) was added to the C-3 zone.

Microbreweries was added to the C-4 Zone with a requirement for a CUP if within 200 feet of residential properties.

M-1 -Corrected reference to self-storage facilities and microbreweries.

Updated references to service dogs and service animals.

SECTION 3. Section 8003 of Chapter 1 Building Regulations of Article VIII of the Lakewood Municipal Code, regarding the Maintenance of House and Building Numbers is hereby amended to read as follows:

8003. BUILDING ADDRESS NUMBERING.

All houses, residences, dwelling units, buildings, and structures (“addressed building(s)”) within the City of Lakewood, other than garages, small outbuildings, shall be numbered in accordance with the address numbering system heretofore adopted and historically used by the City of Lakewood. It shall be unlawful for the owner, occupant or person in charge or control of any such addressed building, required to have an address number under the provisions of this section, to fail or refuse to obtain and properly display upon any such addressed building, the official address number or numbers assigned by the City for such addressed building(s). This is important to provide vital locational information to allow efficient access by emergency, utility, service, postal and any other delivery or personal service.

- A. The address numbering for buildings in the R-1 and R-A zone shall comply with California Residential Code R319.1 and California Building Code 501.2 as each are amended from time to time. Each numeric digit shall be a minimum of four (4”) inches in height with a one (1”) inch stroke in plain Arabic digits.
- B. The address numbering for all buildings not in the R-1 or R-A zone shall comply with California Building Code 501.2.
- C. The address numbering for each addressed building on the lot or parcel shall be plainly visible from the public streets of the City of Lakewood, as hereinafter provided, and shall not be hidden from view from the street by any trees, bushes, shrubs, or any other obstruction.
- D. In all cases where the addressed building or buildings are located on or back of the property line of the street on which it fronts and to which it is addressed, the address

numbers shall be placed on the addressed building either at the side of the main entrance, over the main entrance, upon the porch or the numbers may be placed over or at the side of the gateway to the property or upon any other structure near to but back of the property line in such a manner that the address(es) shall be plainly visible from the street.

- E. In the case where the addressed building or unit is behind another addressed building or is in a building complex with many addressed buildings or units, which may be accessed by a private drive, then the building address(es) for such buildings or units shall be displayed on a structure designed specifically to display the addresses of all such addressed building or units on the lot or upon the addressed building nearest to and fully visible from the street. A directional arrow or locational diagram may be required to be added to provide clear wayfinding direction. Such rear addressed buildings or units may have a second set of addressed numbers attached to such addressed buildings for confirmation purposes.

SECTION 4. Subsection 9212. C of Chapter 2 Subdivision Regulation of Article IX of the Lakewood Municipal Code, regarding Minimum Lot Area and Width is hereby repealed and replaced to read as follows:

C. MINIMUM LOT AREA AND WIDTH. Each lot in any subdivision of lots shall contain the minimum lot areas and widths, as specified in Chapter 3 of Article 9 of the Lakewood Municipal Code, or as follows:

1. Where the lot or parcel ("lot") to be subdivided is zoned R-1, or R-A, the minimum lot area shall be forty percent (40%) of the parent lot, as it existed on January 1, 2022, and shall be no less than 1,200 square feet.
2. In the instance where the parent lot is divided horizontally with a second lot behind the first lot facing the street, then the second lot shall be required to provide access to the public sidewalk and to the public street by one of the two following methods:
 - a. Method One. Vehicular access may be provided to an abutting publicly maintained right-of-way (i.e., alley). Pedestrian access may be provided from the lot to the public sidewalk via a pedestrian access flag lot corridor, which shall be required to have a minimum frontage and width that is four (4') feet or wider and a paved private sidewalk constructed within that flag lot corridor, a minimum three feet (3') wide, from the public sidewalk to the rear lot. This shall be for access by delivery services, emergency personnel and for normal pedestrian access, or;
 - b. Method Two. Vehicular and pedestrian access to the public sidewalk and to the public street from the lot via a flag lot corridor with a paved driveway for both shall be required to have a minimum frontage and width that is nine (9') feet or wider.
 - c. Any structure on the front parcel shall have a minimum side yard of four feet (4') from any property line, including the flag lot corridor property line. If this side yard setback cannot be provided, then such a horizontal lot division parcel map shall not be approved.
3. Any lot zoned R-1 or R-A that is divided, after January 1, 2022, shall require that the

property owner sign, notarize and record a Notice of Condition that acknowledges and certifies the following:

- a. That the property owner agrees that as a condition of parcel map approval that they shall reside as their primary residence in a dwelling unit, on one of the two lots created by the parcel map for three years or more after the recordation date of the related parcel map creating the land division.
 - b. The property owner shall certify that the property was not occupied by a renter or lessee during the three (3) years preceding the acceptance date of the application for the related parcel map.
 - c. The property shall be used solely for residential uses, which shall include all accessory uses and home occupations, as allowed by the underlying zoning district, R-1, or R-A.
 - d. Dwelling units on either one of the two resultant lots shall only be rented in increments of time for more than 30 days (i.e., 31 days or more). There shall be no short-term rental (less than 30 days) of any dwelling units on any such lots created by the parcel map.
4. Where the parcel to be divided is zoned A (Agricultural), the minimum lot area shall be 6,000 square feet, with a frontage of not less than 60 feet and a depth of not less than 100 feet.
 5. Where the parcel to be divided is zoned C-1, C-3, C-4, M-1, or M-2, the minimum lot area shall not be less than 6,500 square feet with a frontage of not less than 65 feet and depth of not less than 100 feet.

Notwithstanding the foregoing, lots of lesser frontage, depth, and area in a particular may be approved by the Advisory Agency in case of a minor subdivision or by the City Council in the case of a major subdivision. The Advisory Agency or City Council's determination may be warranted by reasons of circumstances peculiar to the proposed subdivision or by desire to protect and maintain the public's peace, health, safety, and welfare.

SECTION 5. Subsection 9302.1 of Article IX of the Lakewood Municipal Code, regarding the definition of Accessory Building is hereby amended to read as follows:

9302.1. ACCESSORY BUILDING. A subordinate building on the lot or building site, the use of which is incidental to that of the main building, and which is used exclusively by the occupants of the main building, except as follows:

- A. An Accessory Dwelling Unit (ADU) as provided in this Chapter by Section 9302.21a; and as further defined in California Government Code Sections 65852.2.
- B. A Junior Accessory Dwelling Unit (JADU) as provided in this Chapter by Section 9302.21b; and as further defined in California Government Code Section 65852.22.

An ADU and/or JADU may be occupied by the property owner or rented/leased by a tenant, who may or may not be affiliated with the primary dwelling unit occupant. The property owner is not required to reside on the property. However, a JADU may only be occupied by an independent tenant only when the primary dwelling unit is occupied by the property owner. Otherwise, both, the primary dwelling unit and the JADU, shall have the same tenant.

No accessory building shall be constructed or maintained, except as provided in this Chapter. No accessory building constructed or maintained on a lot shall exceed two and one-half stories in height and shall not be more than thirty-five (35') feet in height, whichever is less.

SECTION 6. The following R-A Zoning Regulation Subsections; 9326.2 Lot area, 9326.3 Lot Area per Dwelling, 9326.4 Lot Coverage 9326.5 Building Height, 9326.6 Front Yard, 9326.7 Side Yards, 9326.8 Rear Yard, 9326.9 Accessory Building, 9326.10 Garage or Carport, 9326.11 Lighting, 9326.12 Vacant Property or Building, and 9326.13 Lot Area Surfaces are all hereby repealed in their entirety and are replaced by reference within a new Section 9326.1 of Article IX of the Lakewood Municipal Code, regarding R-A Zone, Development Standards, which is hereby added to read as follows:

9326.1 R-A DEVELOPMENT STANDARDS. The development standards listed below, and as they are amend from time to time, for properties in the R-1 zone shall be the same development standards that apply to properties in the R-A zone, as listed in the R-1 zone commencing with Section 9321 Off-Street Parking and then sequentially the following sections and subsections titled: Lot Area, Lot Area per Dwelling, Lot Coverage, Floor Area Ratio, Building Height, Front Yard, Side Yards, Rear Yard, Accessory Buildings, Garage or Carport, Lighting, Vacant Property or Building, and Lot Area Surfaces. In the instance where the development standard references "R-1" it shall be replaced with "R-A" for the purposes of this section.

SECTION 7. Section 9321 of Article IX of the Lakewood Municipal Code, regarding R-1 Zone Regulations is hereby amended to read as follows:

9321. OFF-STREET PARKING. Each dwelling unit is required to provide off-street parking in the following manner, unless otherwise waived by state law or other provisions of this code and in the instance of a waiver, the city encourages property owners to provide off-street parking per these regulations, where possible:

- A. If there is one dwelling unit on an R-1 lot, then a private garage or carport providing no less than two (2) automobile storage spaces shall be maintained for that dwelling unit. Such a garage or carport shall not be located within the front yard and may incorporate covered tandem parking.
- B. If there is more than one dwelling unit on an R-1 lot, then a minimum of one parking space per dwelling unit shall be provided. Tandem parking is allowed. Required parking shall be provided either in a garage, a carport, or on a paved surface. Paved parking spaces may include a portion of a driveway or a paved area adjacent to the driveway.
- C. All parking spaces shall be kept clear of storage, furniture, appliances, equipment, plants, or accumulations of trash, rubbish, or debris, and shall remain accessible for the parking of vehicles.

SECTION 8. Section 9322 of Article IX of the Lakewood Municipal Code, regarding R-1 Zone Regulations, Lot Area is hereby amended to read as follows:

9322. LOT AREA. The minimum required area of a lot or parcel in the R-1 zone shall be set forth in Section 9212.C. If a larger minimum lot area is designated for a particular neighborhood in the R-1 zone, it shall be indicated by a number expressing the required square footage following the zoning symbol (e.g., R-1-7200).

SECTION 9. Section 9322.1 of Article IX of the Lakewood Municipal Code, regarding R-1 Zone Regulations, Lot Area Per Dwelling is hereby amended to read as follows:

9322.1. LOT AREA PER DWELLING. The lot area per dwelling unit in the R-1 zone district shall not exceed 8.7 dwelling units per acre, unless this requirement would prevent the construction of two (2) minimum eight hundred (800) square foot dwelling units on the subject lot.

SECTION 10. Section 9322.2 of Article IX of the Lakewood Municipal Code, regarding R-1 Zone Regulations, Lot Coverage is hereby amended to read as follows:

9322.2. LOT COVERAGE. The total first floor area of each dwelling unit and all related enclosed accessory structures shall not exceed forty-five percent (45%) of the lot area for one dwelling unit and no more than sixty-five (65%) of the lot area if there is more than one dwelling unit on a lot.

SECTION 11. Section 9322.2a of Article IX of the Lakewood Municipal Code, regarding R-1 Zone Regulations, Floor Area Ratio is hereby amended to read as follows:

9322.2a. FLOOR AREA RATIO. The total floor area of the buildings being used for as habitable space for living purposes shall not exceed sixty-five percent (65%) of the total lot area, unless this requirement would prevent the construction of two (2) minimum eight hundred (800) square foot dwelling units on the subject lot.

SECTION 12. Section 9322.3 of Article IX of the Lakewood Municipal Code, regarding R-1 Zone Regulations, Building Height is hereby amended to read as follows:

9322.3. BUILDING HEIGHT. In the R-1 zone no building, including accessory buildings shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height, whichever is the lesser.

SECTION 13. Section 9322.4 of Article IX of the Lakewood Municipal Code, regarding R-1 Zone Regulations, Front Yard is hereby amended to read as follows:

9322.4. FRONT YARD. Every lot and every parcel in the R-1 zone shall have a front yard setback of not less than twenty (20) feet from the front property line except as listed below, or not less than ten (10) feet from the front property line where the lot or parcel is located on that portion of a street that has the curved portion of either a cul-de-sac or a knuckle intersection.

Notwithstanding the above, every lot and every parcel in the R-1 and R-A zone districts located within Tract No. 11600 and Tract No. 12673 (more commonly known as Lakewood Gardens) shall have a front yard setback of not less than fourteen (14) feet from the front property line.

SECTION 14. Section 9322.5 of Article IX of the Lakewood Municipal Code, regarding R-1 Zone Regulations, Side Yard is hereby amended to read as follows:

9322.5. SIDE YARDS. (Nonconforming Buildings - See Section 9396)

- A. For interior lots, side yards on each side of each building shall not be less than four (4) feet in width.
- B. For corner lots, side yards of each building abutting a street shall not be less than four (4) feet in width.

SECTION 15. Section 9322.6 of Article IX of the Lakewood Municipal Code, regarding R-1 Zone, Rear Yards and Open Space Areas is hereby amended to read as follows:

9322.6. REAR YARD AND OPEN SPACE AREAS.

A. Rear yard. The rear yard shall not be less than four (4') feet between the rear lot line, the side lot lines, and the nearest rear line of the main building or the nearest rear line of any covered porch or enclosed patio.

B. Open Space Area:

1. Residential lots with 5,000 square feet or more in total lot area shall have a minimum of seven hundred fifty (750) square feet of open space area, located within the rear fifty percent (50%) of such lots.
2. Residential lots with less than 5,000 square feet in total lot area shall have a minimum of fifteen percent (15%) of the total lot area allocated to an open space area, located within the rear fifty percent (50%) of such lots.
3. Open space areas shall be computed to include the following:
 - a. Side yard areas in the rear fifty percent (50%) of the lot and of which at least four (4) feet must be contiguous with a yard area behind a dwelling unit
 - b. Driveways and driveway turning radius areas located within the rear fifty percent (50%) of the lot.
 - c. Balconies and open flat roof patio and recreation areas may be included when there is more than one dwelling unit on a lot.
 - d. No area that is less than four (4) feet in width and four (4) feet in length shall be included in computing the required open space area. \
 - e. No area occupied by any building, other than an unenclosed patio area may be used in computing the required open space area,
 - f. Patios under cover and which are otherwise unobstructed on all sides, except where enclosed by the walls of the attached building may be located within the open space area, provided the patio does not occupy more than fifty percent (50%) of the required open space area, and provided no portion of an attached patio is located within the four (4) foot rear yard.

SECTION 16. Subsection 9322.10.B.2 of Article IX of the Lakewood Municipal Code, regarding R-1 Zone Regulations, Lot Area Surfaces, Allowed Driveways is hereby amended to read as follows:

2. Driveway Width. The driveway width shall be no wider than ten (10) feet for each off-street parking space to which it leads (e.g., 20-foot wide drive for a two-car garage or carport.) Every single-family dwelling unit shall provide off-street parking in compliance with Section 9490 and Subsection 9490.T. of this code and shall have a minimum of two off-street parking spaces for either one or two dwelling units on a single-family residential lot, except and as specified by Section 9321, other sections of this code or as otherwise specified by state law.

(a) The driveway may be expanded to fill-in the area between the driveway and the nearest side property line. The driveway fill-in provision shall apply to only one property line.

(b) A driveway leading to parking spaces behind the residence shall not exceed the width between residence and the side property line.

(c) Vehicles may park on all portions of an allowed driveway to satisfy parking requirements of the lot, including tandem parking and any portion thereof in the required front yard.

SECTION 17. Section 9481 of Article IX of the Lakewood Municipal Code, regarding the Development Review Board is hereby amended to read as follows:

9481. DEVELOPMENT REVIEW BOARD. There is hereby created a Development Review Board ("Board") which shall consist of the Director of Community Development or her/his designee, a licensed architect or equivalent, and a qualified landscape architect or equivalent. The Board members shall serve at the will of the City Council. The Board shall have the power to adopt its own rules of procedure, with the following limitations:

A. A quorum shall consist of two (2) members and a majority vote of any quorum shall govern, which is a minimum of two (2) members. To assure that a quorum is available, during times when an appointed member is not available, the Community Development Director shall have the authority to appoint on an interim basis, not to exceed ninety (90) days, a temporary replacement with equivalent training and skills of any appointed member of the Board.

B. All meetings shall be held in the Lakewood City Hall or conducted through telephone conference, virtual conferencing, or a series of emails, involving all Board members and any project applicant or representative and any other person expressing an interest in a specific project. Any meeting may be adjourned to any development site for further discussion and action.

C. The Board shall not be required to hold noticed public hearings, but any interested persons shall be afforded a reasonable opportunity to be heard by the Board, and the meetings of the Board shall be open to the public or public review in the case of those projects reviewed through electronic communications.

D. Any applicant for development, property owner or her/his designated representative shall be entitled to attend any meeting of the Board and/or participate in any electronic communication including telephone conferencing, virtual conferencing, or email communications to testify or present evidence on their behalf.

E. The Board shall cause to be kept and maintained a record of all meetings, as indicated in project action letters and approved plans, if applicable.

F. The Board shall receive, review, and provide a determination of approval, denial, or request for revision upon all proposed development plans, and report in writing via email or postal

delivery its decision to the applicant, the property owner, and any other interested person requesting such notification on an individual specific project.

SECTION 18. Section 9483 of Article IX of the Lakewood Municipal Code, regarding the Development Review Board and Ministerial Staff Review, Application Requirements is hereby amended to read as follows:

9483. APPLICATION REQUIREMENTS. An application for a Development Review Board (DRB) or a Ministerial Staff Review (MSR) consideration of a development project shall be filed with the Director of Community Development to be assigned to the appropriate review process and shall obtain approval with conditions prior to application for a building permit. The Director of Community Development or designee may determine that a Board review is not necessary and may be substituted with a ministerial staff review where the proposed development project is a modification or addition to an existing building and that is compatible with the existing building character, does not substantially modify architectural elements viewable from the street and complies with the Lakewood Municipal Code.

The required application materials, plans and site pictures shall be submitted in conformance with the standards that are on file in the office of the Director of Community Development. This includes, where applicable, the appropriate application form, site photos, a site plan, a floor plan, a roof plan, four-sided elevations, landscaping, and irrigation plans. The submitted plans shall be fully dimensioned with compass orientation points, showing all proposed and existing structures on the entire parcel, and indicate any demolition that is proposed.

SECTION 19. Section 9483 of Article IX of the Lakewood Municipal Code, regarding the Development Review Board and Ministerial Staff Review, Fee is hereby amended to read as follows:

9483.1 FEE. The Development Review Board and Ministerial Staff Review fee shall be as established by City Council Resolution and added to each building permit fee as required by Article VIII of the Lakewood Municipal Code. The purpose of the fee shall be to reimburse the City for its estimated cost in reviewing development project plans.

SECTION 20. Section 9484 of Article IX of the Lakewood Municipal Code, regarding the Development Review Board and Ministerial Staff Review, Powers and Duties is hereby amended to read:

9484. POWERS AND DUTIES. The Development Review Board ("Board") or the Director of Community Development or designee ("Director") shall determine prior to approval whether a proposed development is in compliance with this code and other applicable laws. In addition, the Board or Director shall determine which conditions should be imposed to assure that the purposes and objectives of this Part will be realized. Consideration shall be given to site plans, landscaping, general design and development, setbacks, heights, vehicular and pedestrian ingress and egress, and relationship of such factors to existing development in the immediate or surrounding areas, as

well as proposed future development in the surrounding or immediate areas as indicated on any General or Specific Plan of the City.

SECTION 21. Section 9484.2 of Article IX of the Lakewood Municipal Code, regarding Development Review Board and Ministerial Staff Reviews, Site Plan Approval is hereby amended to read as follows:

9484.2. SITE PLAN APPROVAL. In approving the development plan, the Board or Director shall approve the site plan, floor plan, roof plan and four-sided building elevations showing thereon the location of all buildings and uses thereof, all rooms and use thereof, other structures and use thereof, freestanding signs, off-street parking spaces or facilities, outdoor seating areas with protection from potential vehicle intrusion, trash enclosures or other storage areas, improvements, utilities, HVAC equipment, water heaters, landscaping, storm water detention/retention, accessible paths-of-travel, and other accessibility features and facilities, storage areas and exterior elevation plans.

SECTION 22. Section 9485 of Article IX of the Lakewood Municipal Code, regarding Development Review Board and Ministerial Staff Reviews, Board or Director Decision is hereby amended to read as follows:

9485. BOARD OR DIRECTOR DECISION. The applicant or other project representative shall be provided an opportunity to respond to requests to modify or correct the development project to conform to the requirements of the Board or Director. The decision of the Board or Director to approve the development plan as submitted with only insignificant or minor changes, approval may be granted with conditions with or without concurrence of the applicant. The Board or Director may continue consideration of the proposed development for the applicant to submit corrected plans to conform to the project development requirements established by the Board or objective development standards imposed by the Director in the instance of a ministerial review of residential development. The applicant shall be given reasonable time to respond to requests for redesign or correction of proposed development components. The Board or Director may withdraw the project from further consideration if the applicant fails to respond to requests for redesign or submit additional information as requested within sixty (60) days.

In the instance where the proposed development project requires a Conditional Use Permit or other discretionary action by the Planning and Environment Commission and/or the City Council, then the action of the Board shall be an advisory recommendation to the Planning and Environment Commission and shall not be considered a final action or be subject to appeal.

Otherwise, the decision of the Board or Director shall be final and conclusive, and effective five (5) City business days after giving of notice thereof via electronic notification and/or via the United States Postal Service to the applicant, the property owner, and any other person requesting notice, unless that within that five (5) City business days an appeal in writing is properly filed with the Secretary of the Planning and Environment Commission by the applicant, property owner, any other protestant, or any member of the City Council. Any person entitled to or requesting notice

of the Board or Director decision may waive his or her notification and/or request notification by another means.

SECTION 23. Section 9487 of Article IX of the Lakewood Municipal Code, regarding Development Review Board and Ministerial Staff Reviews, Modification of Uses is hereby amended to read as follows

9487. MODIFICATION OF USES. No provisions of this Part shall be deemed to grant to the Board or the Director any power or authority to deny any use permitted by the Zoning Ordinance, unless contrary to the terms and provisions of the General Plan. No provision of this Part shall be deemed to grant to the Board or the Director the power or authority to grant any use in any zone not authorized by the Zoning Ordinance.

SECTION 24. Section 9490 and Subsections 9490.S.3. and 9490.T of Article IX of the Lakewood Municipal Code, regarding Off-Street Parking Requirements are hereby amended to read:

9490. REQUIRED PARKING SPACES. At the time of the erection of any building or structure or any time any such building or structure is enlarged or increased in capacity by adding dwelling units, guest rooms, floor area, or seats, or when the property use is changed, there shall be provided for such new construction, changed use, enlargement or increased capacity and use of land, the following minimum off-street parking spaces, with adequate provisions for safe ingress and egress. The parking spaces shall be maintained thereafter in connection with such building or structure and use of land, except as modified or waived by this Code or state law.

USES AND NUMBER OF AUTOMOBILE PARKING SPACES REQUIRED.

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S.3 LARGE MULTIPLE TENANT COMMERCIAL COMPLEXES

Large multiple-tenant commercial complexes, including a) Regional Shopping Centers, b) large multiple tenant commercial buildings with three or more stories and with 40,000 square feet or more of leasable area, and c) large commercial shopping centers with twenty (20) or more leasable tenant spaces and 40,000 square feet or more of leasable area shall provide 4.25 parking spaces per 1,000 square feet of leasable area for each land use contained therein. The calculation of the parking space requirement based on leasable area shall not include any non-leasable areas, including entry ways, lobbies, stairwells, elevators, escalators, central hallways, common restrooms, mechanical, trash, utility rooms or other such common areas.

T. RESIDENTIAL USE.

1. R-1 or R-A Zones. Single-Family Dwellings. The first dwelling unit on a lot in the R-1 or R-A zone shall provide a private garage or carport with no less than two automobile parking spaces and such garage or carport shall not be within the front yard. Tandem covered parking is allowed.

2. R-1 or R-A Zones. Additional Dwelling Units. When there is more than one dwelling unit on an R-1 or R-A lot then the required parking shall be one parking space per dwelling unit on the lot, unless otherwise allowed by this Code or state law.

3. Residential parking may be provided by developing parking spaces in a covered garage or carport or on an off-street paved surface. If existing development, lot design, or compliance with state laws or local regulations do not allow construction of a garage or carport, then off-street parking for a minimum of one vehicle parking space per dwelling unit shall be provided on paved surfaces on the lot, including a driveway and/or on additional hardscape areas adjacent to the driveway.

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SECTION 25. Subsection 9482.A.3 of Article IX of the Lakewood Municipal Code, regarding Automobile Parking Stall for the Handicapped is hereby amended to read:

3. ADA Parking Spaces. Parking for disabled persons shall be provide in accordance with the adopted locally adopted Building Code and the Americans with Disabilities Act (ADA) regarding the design, location and number of parking spaces required.

SECTION 26. Section 9492 title and Subsection 9492.C of Article IX of the Lakewood Municipal Code, regarding Parking Development Standards are hereby amended to read:

9492. Parking Development Standards

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C. EGRESS. Off-street parking spaces and parking lots shall be designed to allow vehicles exiting such spaces and lots to enter a public street in a forward motion, except where the egress movement is into an alley, private drive, any public street designated as either "local", "minor collector" or "major collector" and any parking space on a lot in the R-1 or R-A zoning district.

SECTION 27. Section 9340 B.13a, B13b, B22a and B.32 of Article IX of the Lakewood Municipal Code, regarding C-1 Zone Permitted Uses, Coin-Operated Amusement Devices, Commercial Tutoring, Gymnasiums and Pet Care Services are hereby added or amended to read:

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- 13a. Coin Operated Amusement Devices.
- 13b. Commercial Tutoring.

...

- 22a. Gymnasiums. Gyms and other athletic work out and training facilities.

...

32. Pet Care Services. Pet care services including pet shops, pet grooming and training, veterinarian offices, and animal hospitals, which all may provide 24-hour daily care, subject to the following: These uses shall not allow outdoor activities between the hours of 7:00 p.m. and 7:00 a.m. The animal and the operational noise levels generated by the use shall not exceed 65 dbA at any adjoining property line. Domestic Animal Boarding (e.g., dog and cat day care is not included in the C-1 zone district but is allowed in the C-3 zone.

SECTION 28. Section 9340 B.38 of Article IX of the Lakewood Municipal Code, regarding C-1 Zone Permitted Uses, Coin Operated Amusement Devices is hereby repealed and deleted.

SECTION 29. Subsections 9347 B.4, B.8, and B.13 of Article IX of the Lakewood Municipal Code, regarding C-3 Zone Permitted Uses, various uses are hereby amended and added to read:

4. Domestic Animal Boarding. These facilities (e.g., dog and cat day care) may keep domestic animals in their care during all 24-hours daily, subject to the following: These uses shall not allow outdoor activities between the hours of 7:00 p.m. and 7:00 a.m. The animal and operational noise levels generated shall not exceed 65 dbA at any adjoining property line.

...

8. Internet Access Studios.

...

13. Reverse Vending Machines. Reverse Vending Machines for cell phones and similar small electronic devices.

SECTION 30. Section 9347 D.10 of Article IX of the Lakewood Municipal Code, regarding C-3 Zone, Internet Access Studios is hereby repealed and deleted.

SECTION 31. Subsections 9350. A.9 and A.10 of Article IX of the Lakewood Municipal Code, regarding Permitted Uses in the C-4 zone, Microbreweries and Theaters are hereby amended and added to read as follows:

9. Microbreweries, Breweries, Wineries, and Distilleries. Facilities where alcoholic beverages (e.g., craft beer) are manufactured on the premises and where a license has been granted by the Department of Alcoholic Beverage Control. These are allowed, provided that no outside door to the room or an outdoor seating area where the alcoholic beverages are consumed is located is within two hundred (200) feet of land zoned for residential uses. Such uses are allowed to have on-site brewing and other related production activities, off-sale retail, on-site tasting and consumption of alcoholic beverages. The uses may include food preparation and service. This is allowed notwithstanding the provisions of Section 9340.C.4, regarding off-sale establishments.

10. Theaters.

SECTION 32. Subsection 9350.B.4 of Article IX of the Lakewood Municipal Code, regarding C-4 Zone, Uses Permitted Subject to Conditional Use Permit is hereby amended and added to read:

4. Microbreweries, Breweries, Wineries, and Distilleries. Facilities where alcoholic beverages (e.g., craft beer) are manufactured on the premises and where a license has been granted by the Department of Alcoholic Beverage Control. These are allowed subject to a Conditional Use Permit (CUP), where an outside door to the room or an outdoor seating area where the alcoholic beverages are consumed is located is within two hundred (200) feet of land zoned for residential uses. Such uses are allowed to have on-site brewing and other related production activities, off-sale retail, on-site tasting and consumption of alcoholic beverages. The uses may include food preparation and

service. This is allowed notwithstanding the provisions of Section 9340.C.4, regarding off-sale establishments.

SECTION 33. Subsections 9350.B.9 and 9350.B.10 of Article IX of the Lakewood Municipal Code, regarding the C-4 zone uses requiring a CUP, Coin Operated Amusement Devices, and Internet Access Studios, are hereby repealed, and deleted:

SECTION 34. Subsections 9360 A.6 Article IX of the Lakewood Municipal Code, regarding the M-1 zone uses permitted is hereby amended to read:

6. Bars. Including cocktail lounges, or any place offering alcoholic beverages for sale for on-site consumption, except where in connection with a private club, a bona fide eating establishment (i.e., restaurant) as defined by the Business and Professions Code or a manufacturer of alcoholic beverages where the alcoholic beverages are manufactured on the premises and where a license has been granted by the Department of Alcoholic Beverage Control, and provided that no outside door to such bar, cocktail lounge or place where said beverage is consumed is located within two hundred feet of land zoned for residential uses. Microbreweries are allowed as specified in the C-4 zone.

SECTION 35. Subsection 9360 B.6 of Article IX of the Lakewood Municipal Code, regarding the M-1 zone uses permitted, Self-Storage Facility is hereby repealed and deleted.

SECTION 36. Subsection 9360 B. 28a of Article IX of the Lakewood Municipal Code, regarding the M-1 zone uses permitted, Self-Storage Facility is hereby added to read:

28a. Self-Storage Facility

SECTION 37. Section 4183 of Article IV of the Lakewood Municipal Code, regarding General Regulations Relating to Animals, Nuisance is hereby amended to read:

4183. NUISANCE. No owner or person having charge, custody or control of any animal, other than a service dog or other service animal for a disabled person shall permit, either willfully or through failure to exercise due care to control, any such dog or animal to defecate and then to allow such feces thereafter to remain on any public sidewalk, or on the floor of any common hall in any apartment, hotel or other multiple dwelling, or upon any entrance way, stairway or walk immediately abutting a public sidewalk; or upon the floor, stairway, of any public place; or upon the lawns, yard or any other private property, which is either improved or occupied, without the consent of the owner or person in lawful occupation thereof.

SECTION 38. CEQA. This Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b) (3). This Ordinance has no impact on the physical environment as it will only modify administrative procedures and not result in any changes to the physical environment.

SECTION 39. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent authority, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.


SECTION 40. 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 41. CERTIFICATION. The City Clerk shall certify to the adoption of this Ordinance and shall post a certified copy of this Ordinance, including the vote for and against same, in the Office of the City Clerk, in accordance with Government Code Section 36933. 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 the ordinance within 15 days after its passage to be posted in at least three (3) public places within the City as established by Ordinance.

SECTION 42. EFFECTIVE DATE. This Ordinance shall be posted or published as required by law and shall take effect thirty (30) days after its adoption.

APPROVED AND ADOPTED this 16th day of November, 2021, by the following roll call vote:

	AYES	NAYS	ABSENT
Council Member Croft	<u> X </u>	_____	_____
Council Member Pe	<u> X </u>	_____	_____
Council Member Rogers	<u> X </u>	_____	_____
Council Member Stuckey	<u> X </u>	_____	_____
Mayor Wood	<u> X </u>	_____	_____

Mayor 

ATTEST:

City Clerk 