

AGENDA

ADJOURNED REGULAR CITY COUNCIL MEETING
WEINGART BALLROOM
5000 CLARK AVENUE
LAKEWOOD, CALIFORNIA

November 16, 2021, 7:30 p.m.

CALL TO ORDER

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL: Mayor Jeff Wood
Vice Mayor Steve Croft
Council Member Ariel Pe
Council Member Todd Rogers
Council Member Vicki Stuckey

PUBLIC HEARING:

- 1.1 SECOND READING AND ADOPTION OF ORDINANCE WITH ACCOMPANYING RESOLUTION SELECTING FINAL MAP AND ESTABLISHING DISTRICT BOUNDARIES AND ELECTION SEQUENCE FOR EACH COUNCIL DISTRICT - It is recommended that the City Council adopt the proposed ordinance and resolution.

LEGISLATION:

- 2.1 SECOND READING AND ADOPTION OF ORDINANCE NO 2021-7; PERTAINING TO STATE MANDATED RESIDENTIAL DENSIFICATION STANDARDS AND REGULATIONS THAT REQUIRE MINISTERIAL REVIEW OF LAND DIVISIONS AND ALLOW ADDITIONAL DWELLING UNITS IN THE R-1 AND R-A SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS AND RESOLUTION NO. 2021- 62; REGARDING THE APPROVAL AND AUTHORIZATION OF AN ADMINISTRATIVE MANUAL FOR RESIDENTIAL DEVELOPMENT TO CREATE OBJECTIVE STANDARDS AND MINISTERIAL PROCEDURES TO PRESERVE AND ENHANCE THE QUALITY OF LAKEWOOD RESIDENTIAL DEVELOPMENT AND DESIGN STANDARDS, WHERE ALLOWED BY SENATE BILL 9 STATE REGULATORY MANDATES – Staff recommends the City Council adopt the proposed ordinance and resolution.
- 2.2 SECOND READING AND ADOPTION OF ORDINANCE NO 2021-8; 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 – Staff recommends the City Council adopt the proposed ordinance.

ORAL COMMUNICATIONS:

ADJOURNMENT

Public Hearings

ORDINANCE NO. 2021-6

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LAKEWOOD ESTABLISHING FIVE CITY COUNCIL
DISTRICTS FOR A BY-DISTRICT ELECTORAL SYSTEM

WHEREAS, City Council members in the City of Lakewood have been elected historically in an “at large” system, whereby each City Council member has been elected by the voters of the entire City; and

WHEREAS, the City Council has gone through a statutory process in order to convert to a “by district” electoral system, in which each City Council member must reside in and be elected by voters registered to vote in a particular district; and

WHEREAS, the City Council has conducted such process in full compliance with all applicable laws and with previous City Council actions prescribing such process, and has complied with all legal prerequisites to the adoption of this Ordinance.

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

SECTION 1. Each of the Recitals set forth above is true and correct.

SECTION 2. The following new sections are hereby added to Chapter 5 of Article I of the Lakewood Municipal Code:

1501. VOTING DISTRICTS. Beginning with the City Council election to be held in 2022, City Council members shall be elected from five City Council districts, with the election in three of such districts to be held in 2022, and the election in the remaining two of such districts to be held in 2024. The boundaries of such districts, and the sequencing of such elections, shall be established by City Council resolution. Each such City Council term shall have a duration of four years. No existing term of any City Council member shall be affected by the conversion to by-district elections.

1502. ELIGIBILITY TO HOLD OFFICE. A person shall not be eligible to run for or hold office as a City Council member in a district unless he or she is registered to vote in and resides within the boundaries of that district. All persons signing nomination papers or voting for a candidate for City Council must be registered to vote in the district from which the City Council member is to be elected.

1503. ADJUSTING DISTRICT BOUNDARIES. The City Council shall adjust district boundaries when required by law, and at such other times, if any, as deemed appropriate by the City Council. All such adjustments of boundaries shall be adopted in full compliance with all applicable laws and regulations. No term of office of any City Council member shall be affected by any adjustment of district boundaries.

SECTION 3. The City Council hereby declares it would have passed this Ordinance sentence by sentence, paragraph by paragraph and section by section, and does hereby declare the provisions of this Ordinance are severable, and if for any reason any section of this Ordinance should be held invalid, such decision shall not affect the validity of the remaining parts of this Ordinance.

SECTION 4. 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.

ADOPTED AND APPROVED this _____ day of _____, 2021,
by the following roll call vote:

	AYES	NAYS	ABSENT
Council Member Croft	_____	_____	_____
Council Member Pe	_____	_____	_____
Council Member Rogers	_____	_____	_____
Council Member Stuckey	_____	_____	_____
Mayor Wood	_____	_____	_____

Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2021-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAKEWOOD ESTABLISHING THE FIVE DISTRICT
BOUNDARIES FOR A BY-DISTRICT ELECTORAL SYSTEM

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

SECTION 1. As provided in Ordinance No. 2021-6, the City Council hereby establishes the boundaries for City Council Districts 1 through 5, inclusive, as depicted on the Map attached hereto as Exhibit "A", which Exhibit is hereby incorporated by reference as though set forth fully herein. If necessary to facilitate the implementation of this Resolution, the City Clerk is authorized to make technical adjustments to the District boundaries that do not substantively affect the populations in the Districts, the eligibility of candidates, or the fact of residency of any City Council member in any District. The City Clerk shall consult with the City Manager and City Attorney concerning any technical adjustments deemed necessary, and shall advise the City Council of any such adjustments.

SECTION 2. City Council elections shall be held at the 2022 General Municipal Election in Districts 1,2 and 5. City Council elections shall be held at the 2024 General Municipal Election in Districts 3 and 4.

SECTION 3. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution, or any part hereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Resolution. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution.

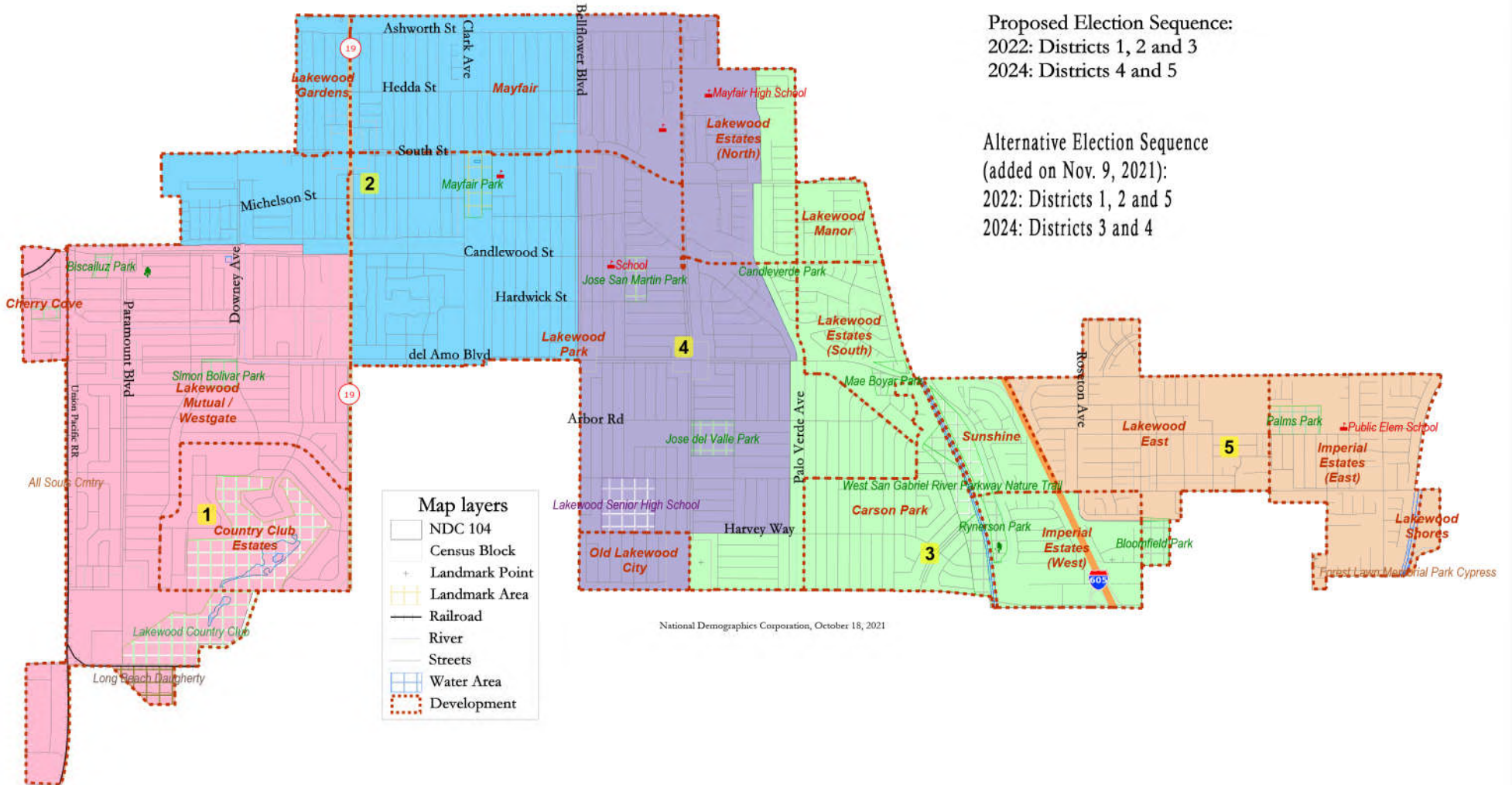
ADOPTED AND APPROVED THIS _____ DAY OF NOVEMBER, 2021.

Mayor

ATTEST:

City Clerk

NDC 104



National Demographics Corporation, October 18, 2021

NDC 104

District		1	2	3	4	5	Total
	Total Pop	17,155	16,129	15,900	16,852	16,677	82,713
	Deviation from ideal	612	-414	-643	309	134	1,255
	% Deviation	3.70%	-2.50%	-3.89%	1.87%	0.81%	7.59%
Total Pop	% Hisp	32.7%	36%	33%	33%	43%	36%
	% NH White	30%	32%	40%	42%	13%	31%
	% NH Black	14%	8%	6%	6%	10%	9%
	% Asian-American	20%	19%	16%	14%	31%	20%
Citizen Voting Age Pop	Total	11,972	11,227	11,488	12,622	10,418	57,727
	% Hisp	25%	31%	26%	27%	36%	29%
	% NH White	39%	39%	52%	49%	22%	41%
	% NH Black	16%	10%	6%	6%	10%	9%
	% Asian/Pac.Isl.	20%	19%	16%	16%	31%	20%
Voter Registration (Nov 2020)	Total	11,951	10,974	11,255	12,034	9,297	55,511
	% Latino est.	29%	33%	28%	28%	43%	32%
	% Spanish-Surnamed	26%	30%	26%	26%	39%	29%
	% Asian-Surnamed	5%	4%	4%	4%	10%	5%
	% Filipino-Surnamed	3%	3%	2%	3%	5%	3%
	% NH White est.	47%	49%	61%	61%	31%	51%
	% NH Black	18%	11%	6%	7%	14%	11%
Voter Turnout (Nov 2020)	Total	9,448	8,791	9,185	9,824	6,693	43,941
	% Latino est.	28%	33%	27%	27%	43%	31%
	% Spanish-Surnamed	26%	30%	25%	25%	39%	28%
	% Asian-Surnamed	5%	4%	4%	4%	10%	5%
	% Filipino-Surnamed	3%	3%	2%	2%	5%	3%
	% NH White est.	48%	49%	62%	61%	32%	52%
	% NH Black	17%	11%	6%	7%	14%	11%
Voter Turnout (Nov 2018)	Total	6,514	6,044	6,333	6,809	4,028	29,728
	% Latino est.	25%	29%	24%	24%	39%	27%
	% Spanish-Surnamed	23%	27%	22%	23%	36%	25%
	% Asian-Surnamed	4%	3%	3%	2%	8%	4%
	% Filipino-Surnamed	3%	3%	2%	2%	4%	3%
	% NH White est.	51%	53%	66%	65%	36%	56%
	% NH Black est.	17%	12%	6%	7%	14%	11%
ACS Pop. Est.	Total	16,757	15,158	15,768	16,641	15,999	80,323
Age	age0-19	26%	24%	25%	23%	24%	24%
	age20-60	54%	56%	56%	57%	57%	56%
	age60plus	20%	20%	20%	20%	19%	20%
Immigration	immigrants	21%	19%	16%	16%	37%	22%
	naturalized	68%	74%	68%	78%	60%	68%
Language spoken at home	english	70%	66%	75%	73%	43%	65%
	spanish	15%	21%	14%	16%	30%	19%
	asian-lang	12%	11%	9%	9%	23%	13%
	other lang	3%	2%	2%	2%	4%	3%
Language Fluency	Speaks Eng. "Less than Very Well"	7%	10%	7%	5%	23%	10%
Education (among those age 25+)	hs-grad	47%	47%	50%	52%	47%	48%
	bachelor	24%	22%	19%	21%	22%	21%
	graduatedegree	10%	9%	11%	10%	6%	9%
Child in Household	child-under18	36%	35%	38%	36%	40%	37%
Pct of Pop. Age 16+	employed	66%	65%	64%	66%	67%	66%
Household Income	income 0-25k	9%	8%	10%	11%	16%	11%
	income 25-50k	14%	14%	13%	11%	18%	14%
	income 50-75k	14%	13%	12%	14%	15%	14%
	income 75-200k	54%	54%	52%	54%	46%	52%
	income 200k-plus	8%	11%	13%	10%	4%	9%
Housing Stats	single family	80%	91%	93%	91%	66%	84%
	multi-family	20%	9%	7%	9%	34%	16%
	rented	30%	24%	19%	23%	44%	28%
	owned	70%	76%	81%	77%	56%	72%

Total population data from the 2020 Decennial Census.
Surname-based Voter Registration and Turnout data from the California Statewide Database.
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data.

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Legislation

ORDINANCE NO. 2021-7

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING ARTICLE IX OF THE LAKEWOOD MUNICIPAL CODE PERTAINING TO STATE MANDATED RESIDENTIAL DENSIFICATION STANDARDS AND REGULATIONS THAT REQUIRE MINISTERIAL REVIEW OF LAND DIVISIONS AND ALLOW ADDITIONAL DWELLING UNITS IN THE R-1 AND R-A SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS

WHEREAS, on September 16, 2021, California Governor Gavin Newsom signed into law Senate Bill 9 Chapter 162 (SB 9) as approved by the state legislature, relating to the mandatory allowance for a property owner to create up to two residential units per single family residential lot in most urban city areas of the state and which mandates that local agencies shall ministerially approve such housing development and ministerially approve a one-time lot split for most single family residential urban city lots as they exist on January 1, 2022, and which in turn may allow up to four individual dwelling units to be constructed on a lot zoned as single family residential; and

WHEREAS, SB 9 will significantly impact and reduce local controls over residential design, division of land and the number of housing units allowed on lots in the Lakewood R-1 and R-A Zoning Districts and remove the discretionary review and public meetings of the Development Review Board regarding single family residential (SFR) development, and

WHEREAS, SB 9 does allow local agencies to create and impose objective development standards for subdivision of SFR lots and for the design of SFR dwelling units as requirements for approval of such ministerial reviews of SFR residential development and SFR urban lot splits; and

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. INTENT. It is the intent of the City Council to implement the new state law SB 9, which mandates that local jurisdictions such as the City of Lakewood allow the development of second dwelling units on single family residential lots and parcels and allow the one-time subdivision of any such SFR lot in existence on January 1, 2022. The intent of this ordinance is to maintain where possible local control of standards to assure architectural compatibility and consistency of site design, building design, material selection, accessibility, and landscaping of dwelling units in the R-1 and R-A zoning districts.

Article IX of the Lakewood Municipal Code is hereby amended as provided in this

ordinance to revise and create standards and regulations consistent with SB 9 and to grant the authority to the Community Development Director to create objective standards and procedures within an Administrative Manual for Residential Development (“Administrative Manual”) to preserve as much as possible the quality and character of Lakewood’s residential neighborhoods.

SECTION 3. PURPOSE. The purpose of this ordinance is to properly implement the 2021 state legislative session Senate Bill 9 (SB 9), that will become effective on January 1, 2022. This concerns the ministerial approval of both second dwelling units and one-time lot splits of most urban single-family residential (SFR) lots in California.

The provisions contained in this ordinance, in the Administrative Manual for Residential Development, and in SB 9 shall all supersede any conflicting provisions located elsewhere in the Lakewood Municipal Code and the City shall comply fully with SB 9 and any amended provisions, as those regulations may be amended from time to time.

SECTION 4. Section 9320 A. 1 of Chapter 3 of Article IX of the Lakewood Municipal Code, regarding R-1 (Single-Family Residential) Zone Regulations is hereby amended to read as follows:

9320. USES PERMITTED:

A. One or two single-family dwelling units of a permanent character placed in permanent locations, including the following accessory uses and buildings:

1. Accessory Dwelling Unit (ADU) as provided in Section 9302.21a and/or a Junior Accessory Dwelling Unit (JADU) as provided in Section 9302.21b. Neither an ADU nor a JADU is allowed to be constructed on an R-1 lot that has two dwelling units and that was created by a parcel map or other land division procedure that occurred on or after January 1, 2022.

...

SECTION 5. Section 9326 A.1 of Article IX of the Lakewood Municipal Code, regarding R-A (Single-Family Residential – Limited Agricultural) Zone is hereby amended to read as follows:

9326. USES PERMITTED:

A. One or two single-family dwelling units of a permanent character placed in permanent locations, including the following accessory uses and buildings:

1. Accessory Dwelling Unit (ADU) as provided in Section 9302.21a and/or a Junior Accessory Dwelling Unit (JADU) as provided in Section 9302.21b. Neither an ADU nor a JADU is allowed to be constructed on an R-A lot that has two dwelling units and that was created by a parcel map or other land division procedure that occurred on or after January 1, 2022.

...

SECTION 6. Part 18 and Section 9480 of Chapter 3 of Article IX of the Lakewood Municipal Code, regarding the Development Review Board and Ministerial Staff Review is hereby amended to read as follows:

DEVELOPMENT REVIEW BOARD AND MINISTERIAL STAFF REVIEW

9480. PURPOSES. It is the purpose of this Part to promote the orderly and economic development of the City in accordance with the mandates of Federal laws, State laws, including Senate Bill 9 of 2021 (SB 9), the Lakewood General Plan, the Lakewood Municipal Code, including zoning and building regulations and other applicable City regulations and any Lakewood adopted Precise or Specific Plans and any amendments thereof. Except as modified herein where allowed by the provisions of SB 9, all such provisions, as they may be amended from time to time, are hereby incorporated by reference herein, and shall supersede any conflicting provisions contained elsewhere in this Code.

The City Council finds that the provision of architectural, landscaping and planning advice and the creation of objective design standards for state-mandated ministerial reviews will assist property owners and tenants in the alteration and remodeling of their structures, with modernization, accessibility and beautification of their homes, businesses, additional dwelling units and other structures in the city, including residential, multiple-family, commercial, institutional, and industrial uses. This service will help create a better sense of community identity, encourage pride in beautifying Lakewood and assist in creating a better more harmonious and accessible place in which to live. Further, the City Council finds that the erection, construction, alteration, expansion, or relocation of buildings, structures, and appurtenances without the benefit of development review through the Development Review Board or through a Ministerial Staff Review implementing objective design standards can adversely affect the development, use, occupancy, health, safety, and welfare of surrounding areas for residential, commercial, institutional or industrial uses or purposes and affect the health, safety, comfort, and general welfare of the inhabitants of Lakewood.

It is the purpose of this Part to maintain and enhance a pleasing urban environment with residential, commercial, institutional, and industrial properties; promote public convenience and prosperity; conserve the value of land and buildings, maintain enhance the commercial tax base of the City and encourage the most appropriate use of land within the City. The Development Review Board (“Board”) shall review proposed developments other than single-family residential projects to assure compliance with the General Plan, the zoning code, the building codes, and other applicable regulations of the City and State. The ministerial staff review shall review projects on single-family residential lots and other projects as determined by the Community Development Director.

Both these reviews shall include applicable consideration of those regulations pertaining to location, building setback lines, lot coverage, maximum height, bulk, number of stories, size and use of lots, yards, courts, open space, storm water storage, intensity and density of land uses, signs, billboards, illumination, overall site and building accessibility (including first floor residential

bathrooms and bedrooms) and off-street parking. This includes regulations pertaining to the use and operation of uses within such buildings and structures and the external impacts of those uses.

The Development Review Board action on projects requiring a discretionary decision by either the Lakewood City Council or the Lakewood Planning and Environment Commission shall be advisory only and not be subject to appeal.

SECTION 7. Section 9482 of Article IX of the Lakewood Municipal Code, regarding the Development Review Board and Ministerial Staff Review Building Permits is hereby amended to read as follows:

9482. PLANNING REVIEW. No person shall construct any dwelling unit, building or structure, nor shall any permit be issued for any dwelling unit, building or structure or alteration or expansion or relocation of any dwelling unit, building or structure until it has been reviewed and approved by the Development Review Board (DRB) (Board) or by the Director of Community Development (Director) through a Ministerial Staff Review (MSR), as deemed appropriate and in compliance with current state law and this Code. In the case of any projects in the R-1 and R-A zones any proposed land division or any proposed development of dwelling units, including Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU), these all shall be subject to a ministerial staff design review and shall comply with the development/design standards and procedures as detailed in the Administrative Manual for Residential Development and other applicable provisions of this Code and state law, as each are amended from time to time. These reviews shall assure both pedestrian and vehicular access, acceptable street-viewable aesthetics, landscaping and consistent architectural compatibility between all dwelling units and other structures on a lot.

A. An Administrative Manual for Residential Development (“Administrative Manual”) shall be adopted by City Council resolution to establish objective ministerial development and residential design standards for residential land divisions and dwelling unit development in the R-1 and R-A zones. The Administrative Manual sets forth standards for the application, acceptance, design, review, development, operation, and notification of project action and to identify any associated appeal rights associated with the approval or denial of such development projects. Proposed land divisions and proposed housing developments on R-1 and R-A zoned lots or parcels, existing on January 1, 2022, shall conform to the standards and procedures established in the Administrative Manual. The standards contained in the Administrative Manual shall supersede and shall prevail in the event of any conflict with standards as currently adopted in the Lakewood Municipal Code (LMC).

B. The Community Development Director (“Director”) is hereby directed and granted the authority to develop, update, modify, interpret, and implement the standards and procedures contained in this Administrative Manual. This shall be done to properly process residential land division and housing development projects, including application materials, forms, public information handouts and response to any modifications made to application of these provisions

by new state laws. Any substantive changes to development standards shall be reviewed and approved by the City Council.

C. This Administrative Manual shall contain objective standards that comply with current state law, and consider local regulations, previous conditions of approval used for approval of residential development by the DRB and ministerial development standards for ADUs/JADUs. All lots zoned either R-1 or R-A in the City of Lakewood are subject to SB 9 and the provisions of this Administrative Manual. The Administrative Manual shall contain objective design requirements for the following:

1. Site Plan Design shall include objective standards, where applicable, for:
 - (a) Lot area, lot area per dwelling unit, lot coverage, floor area ratio, building height limitations, and maximum unit size.
 - (b) Setbacks for front yard, side yard, side street yard and rear yard.
 - (c) Open space area requirements and calculations.
 - (d) Dwelling unit addressing and mailbox location.
 - (e) Lot area surfaces: landscape, ground cover, and hardscape.
 - (f) Pedestrian access from a public sidewalk to each dwelling unit.
 - (g) Trash cart storage area for each dwelling not visible from the public street.
 - (h) Covered entry doors and front porch areas.
 - (i) Off-street parking and driveways.
 - (j) Conversion of accessory structures into dwelling units.
2. Floor Plan Design shall include objective standards for:
 - (a) Minimum requirements for each residential dwelling unit to include accommodations for food preparation and storage, dining, living, sleeping, laundry, personal sanitation (sink, toilet, showering or bathing), and accessibility features.
 - (b) New or remodel construction that include first floor bathrooms and bedrooms shall have one first floor bedroom and one bathroom with accessible accommodations for the elderly and those with mobility challenges.
3. Elevation Plan Design shall include objective standards for:
 - (a) Architectural consistency between all structures on a lot in terms of style, color, texture, material, and treatments.
 - (b) Minimum architectural articulation shall require either siding, wainscot, and/or a trim package.
4. Roof Plan Design shall include objective standards for:
 - (a) All dwelling units on a lot shall have matching roofing styles, material, texture, color, and pitch.
 - (b) Rear covered patios, awnings, and open trellis structures are allowed to be different.
5. Land Division Design shall include objective standards for:
 - (a) Assurance of compliance with Government Code Section 65852.21 and 66411.7 regarding land divisions of lots in the R-1 and R-A zoning districts.
 - (b) Lot design for two lots, including flag, horizontal and vertical lot splits.

- (c) Requirements for recordation of a Notice of Condition to require property owner occupancy, certification of no tenant occupancy within 3 years preceding application for land division, no rentals less than 31 days, and other applicable restrictions.
 - (d) No limits on the percentage of allowed demolition of existing dwelling units and other structures on lots subject to division, as otherwise restricted by State Law.
 - (e) Access to lots by pedestrian and vehicles.
6. Application Forms and Procedures shall include objective standards and procedures for application submittal, acceptance, processing, review, notification of action and appeal.

Upon approval of such residential development plans, the property shall be developed and maintained in accordance with the conditions of approval of the approved plans and none other. Any appeal of a DRB or of a Ministerial Staff Review approval shall be in accordance with the provisions of Section 9486.

SECTION 8. CEQA. This ordinance is categorically exempt from the California Environmental Quality Act (CEQA) per 2021 Senate Bill 9, which finds that “A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be consider to be a project under Division 13 (commencing with Section 21000) of the Public Resources Code.”

SECTION 9. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause, phrase or portion of this ordinance or its application to any person or circumstance, is for any reason held to be invalid, unenforceable, or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any other person or circumstance. 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, paragraph, sentences, clauses, phrases, or portions thereof be declared invalid, unenforceable, or unconstitutional.

SECTION 10. 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 11. 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 12. 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 _____ day of November 2021, by the following roll call vote:

	AYES	NAYS	ABSENT
Council Member Croft	_____	_____	_____
Council Member Pe	_____	_____	_____
Council Member Rogers	_____	_____	_____
Council Member Stuckey	_____	_____	_____
Mayor Wood	_____	_____	_____

Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2021-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD REGARDING THE APPROVAL AND AUTHORIZATION OF AN ADMINISTRATIVE MANUAL FOR RESIDENTIAL DEVELOPMENT TO CREATE OBJECTIVE STANDARDS AND MINISTERIAL PROCEDURES TO PRESERVE AND ENHANCE THE QUALITY OF LAKEWOOD RESIDENTIAL DEVELOPMENT AND DESIGN STANDARDS, WHERE ALLOWED BY SENATE BILL 9 STATE REGULATORY MANDATES

WHEREAS, on September 16, 2021, California Governor Gavin Newsom signed into law Senate Bill 9 Chapter 162 (SB 9) as approved by the state legislature, relating to the mandatory allowance for a single family residential lot property owner to create up to two residential units per single family residential lot in most urban city areas of the state and which mandates that local agencies shall ministerially approve such housing development and ministerially approve a one-time lot split for most single family residential urban city lots as they exist on January 1, 2022, and which in turn may allow up to four individual dwelling units to be constructed on a lot zoned as single family residential; and

WHEREAS, SB 9 will significantly impact and reduce local controls over residential design, division of land and the number of housing units allowed on lots in the Lakewood R-1 and R-A Zoning Districts and remove the discretionary review and public meetings of the Development Review Board regarding single family residential (SFR) development, when SB 9 becomes effective on January 1, 2022; and

WHEREAS, SB 9 does allow local agencies to create and impose objective development standards for the design of SFR dwelling units and for subdivision of SFR lots as requirements for approval of such ministerial reviews of SFR residential development and SFR urban lot splits; and

WHEREAS, the public is beginning to express an interest in SFR residential development projects that will be allowed under this new law, which then makes it necessary to have such objective standards in place by the time SB 9 becomes effective on January 1, 2022.

AND WHEREAS, On November 4, 2021, the Planning and Environment Commission conducted, a public hearing and recommended that the City Council adopt a resolution to approve an Administrative Manual for Residential Development to create such objective standards and ministerial procedures to preserve where possible the quality of design and development standards in the City of Lakewood, as allowed by state law.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES RESOLVE 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. Intent: The City Council's goal is to preserve where possible the quality and character of Lakewood's residential neighborhoods. As of January 1, 2022, the city no longer has the legal authority to review residential projects in the R-1 and R-A zone districts with the discretionary reviews and public meetings of the Development Review Board (DRB). In the City of Lakewood all lots zoned either R-1 or R-A are in an "Urbanized Area" and are subject to SB 9. Therefore, in order to accomplish this goal the City Council is replacing the DRB review with a Ministerial Staff Review (MSR) to conform to new state law. There is a need to create a list of objective standards and outline ministerial procedures to be enforced through this MSR review process. The objective is to maintain where possible local control of development and design standards to assure architectural compatibility and consistency of site design, building design, material selection, accessibility, and landscaping of dwelling units in the R-1 and R-A zoning districts. The City Council hereby approves and creates an Administrative Manual for Residential Development (Administrative Manual), as attached to this resolution. This Administrative Manual shall contain the objective standards and outline the ministerial procedures for the MSR review of residential development and subdivision in the R-1 and R-A zoning districts.

SECTION 3. Authorization. Furthermore, the City Council hereby directs and authorizes the Community Development Director to further develop, update, modify, interpret, and implement the standards and procedures contained in the Administrative Manual to properly implement and process residential development projects in the R-1 and R-A zone districts. This shall include application materials, forms, public information handouts and response to any modifications made to these provisions by new state laws, as they are amended from time to time or recognized legal interpretations. Any substantive changes to development standards shall be reviewed and approved by the City Council.

SECTION 4. Authority. The standards contained within the Administrative Manual shall supersede and shall prevail in the event of any conflict between the Administrative Manual standards with the current standards in the Lakewood Municipal Code (LMC). The standards shall comply fully with SB 9 regulations and any amended provisions, as those regulations may be amended from time to time.

Proposed land divisions of lots zoned R-1 and R-A existing on January 1, 2022, shall be subject to the standards in the Administrative Manual. Proposed housing developments on lots zoned R-1 and R-A on or after January 1, 2022, shall conform to the standards and procedures established in the Administrative Manual.

The Administrative Manual shall contain objective standards that comply with current state law, and local regulations, considers previous conditions of approval used for DRB approval of residential development and the ministerial development standards used for approval of ADUs/JADUs. All lots zoned either R-1 or R-A in the City of Lakewood are subject to SB 9 and the provisions of this Administrative Manual. The Administrative Manual shall set forth standards for the application, acceptance, design, review, development, operation, and notification of project action and to identify any associated appeal rights associated with the approval or denial of such development projects.

Upon approval of residential development plans, the property shall be developed and maintained in accordance with the conditions of the approved plans and none other. Any appeal of a MSR residential project action or an Administrative Manual provision or interpretation shall be in accordance with the provisions of Lakewood Municipal Code Section 9486.

SECTION 5. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution, or any part hereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Resolution. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 6. CERTIFICATION. The City Clerk shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED THIS 16TH DAY OF NOVEMBER, 2021.

Mayor

ATTEST:

City Clerk

ADMINISTRATIVE MANUAL
FOR
RESIDENTIAL DEVELOPMENT



Community Development Department
ABEL AVALOS, DIRECTOR

Objective Standards and Ministerial Procedures for
Land Divisions and Housing Development Projects In
R-1 and R-A Single Family Residential Zone Districts
Prepared in response to State Senate Bill 9 requirements

Adopted by the Lakewood City Council on November 16, 2021
Effective January 1, 2022

(Revised 11/0//2021)

PURPOSE: The City Council adopted this Administrative Manual for Residential Development (“Administrative Manual”) on November 16, 2021, to set forth objective standards and ministerial procedures to implement provisions of Senate Bill 9 (“SB 9”) regarding the subdivision and development of dwelling units on urban lots zoned single family residential (SFR). SB 9 has an effective date of January 1, 2022.

In the City of Lakewood, all lots zoned either R-1 or R-A are in an “Urbanized Area” in a city subject to SB 9 mandates and therefore the provisions of this Administrative Manual. The Administrative Manual sets forth the objective standards and procedures for the Ministerial Staff Review (MSR) application and any related parcel maps. This includes procedures for application acceptance, project design review, project action notification and appeal procedures. Proposed land divisions and proposed housing developments on R-1 and R-A zoned lots or parcels, existing on January 1, 2022, shall conform to the standards and procedures established in the Administrative Manual.

AUTHORITY. The Ministerial Staff Review (MSR) replaces all previous requirements for Development Review Board (DRB) discretionary review of residential development projects in the R-1 and R-A zoning districts. The objective standards contained herein shall supersede and shall prevail in the event of any conflict with standards as currently adopted in the Lakewood Municipal Code (LMC). The standards shall comply fully with SB 9 regulations and any amended provisions, as those regulations may be amended from time to time.

The Community Development Director is hereby directed to develop, update, modify, interpret, and implement the standards and procedures contained in this Administrative Manual to properly implement and process residential development projects, including application materials, forms, public information handouts and response to any modifications made to these provisions by new state laws or recognized legal interpretations. Any substantive changes to standards shall be reviewed and approved by the City Council.

SOURCE. The Lakewood General Plan sets goals, guides, and promotes the orderly growth and development of the community. The General Plan goals are implemented through the Lakewood Municipal Code zoning regulations and now in part through this Administrative Manual for Residential Development and the Ministerial Staff Review. The underlying source for the objective standards in this Administrative Manual is in the foundation laid by years of Lakewood residential design review, first based on the regulations in the Lakewood Municipal Code, secondly framed by the conditions of approval and standards established by the Development Review Board (DRB) and the DRB Handbook for Single Family Residential, and thirdly crafted from those standards and procedures established for the Staff Design Review (SDR) ministerial reviews processing of ADUs and JADUs. In addition, this Administrative Manual addresses the mandates of state law, specifically those of Senate Bill 9 (SB 9).

Note: SB 9 allows one-time lot splits of any SFR lot in an urban area of a California city and references the US Census definitions for urban areas. US Census defines an “urban area” as a territory that encompasses at least 2,500 people, at least 1,500 of which reside outside institutional group quarters (*e.g., residential school, military base, or prison.*) The Census Bureau identifies three types of areas, namely,

- “Urbanized Areas (UAs)” of 50,000 or more people and
- “Urban Clusters (UCs)” of at least 2,500 and less than 50,000 people.
- “Rural” is all territory, population, and housing, not included within the above urban areas.

HISTORY. Since December 12, 1972, the Development Review Board (DRB) has provided discretionary planning review of all development projects in the city, including single-family residential, multiple family residential, commercial, institutional, and industrial prior to building plan check. The DRB planning design review ensured that proposed designs complied with the Lakewood Municipal Code standards and that they maintained consistency in the quality of both the onsite and neighborhood architecture, landscaping, and general aesthetics. This review enhanced both individual property values and the general aesthetic character of the City.

Starting on January 1, 2017, the state legislature adopted, as a method to address housing supply shortages, a series of laws that required cities to allow Accessory Dwelling Units (ADUs) and then Junior Accessory Dwelling Units (JADUs) with ministerial reviews and subject only to objective standards. These standards reduced required setbacks to four feet (4') for rear and side property lines, allowed conversions of garages to ADUs, reduced or waived all parking requirements and limited review time. These laws were effective on January 1, 2017. In response the City of Lakewood adopted a compliant ADU ordinance and subsequently established a Staff Design Review (SDR) application to ministerially review ADUs and JADUs in compliance with state law.

January 1, 2022, is the effective date of State Senate Bill 9 (SB 9), prohibits discretionary review of any residential development in a single-family residential zoning district. In the City of Lakewood this is the R-1 or R-A zoning districts. This Administrative Manual and the MSR application process are established to implement a ministerial staff review of any proposed residential development. The DRB will continue to review multiple family, commercial, institutional, and industrial development projects in the city.

REQUIRED REVIEW. Approval of an MSR application is required for construction or modification of any residential projects in the single-family residential zones, R-1 or R-A. Specifically approval is required for:

1. New construction of dwelling units, including mobile/modular and manufactured homes.
2. Single-story or second-story additions to dwelling units or accessory structures (e.g., patios), including exterior remodeling of a structure, roof design or exterior wall material.
3. New, expanded, or remodeled front porches.
4. Roof-mounted air-conditioning units, or other roof-mounted mechanical equipment.
5. Wall extensions installed on an existing fence or block wall of a different material.
6. Walls, fences or hedges used in lieu of fencing over 42" in height in the required front yard or over 7'-6" in height on other portions of the property.

REVIEW STAGES. A proposed residential development project review has three basic stages, namely, planning review, building and safety plan check review and building permit construction inspections. Occupancy is approved upon completion of a final building permit inspection and the project permit card receives a "final" signature of the building inspector.

1. The planning review determines the "what" and "where" a project is built. It determines the acceptability of the proposed use, location, architecture, landscaping, and it identifies any operational constraints and any unpermitted construction that requires correction.
2. The building plan check reviews the "how" a building is to be built. It reviews construction drawings to make sure they comply with all building codes and any other agency reviews.
3. The building and safety permit inspections confirms "was it built correctly per plan."

RESIDENTIAL DEVELOPMENT - PROCEDURAL STANDARDS

No dwelling unit, accessory building or other structure on an R-1 or R-A lot shall be constructed or maintained, except as provided in the Lakewood Municipal Code, this Administrative Manual or as otherwise stipulated by state law or building codes, as amended from time to time. The following standards shall be the objective requirements applied by a ministerial review of any development, including additions and remodeling of existing units in the R-1 or R-A zone districts. *(Notes in italics are either cross-references to LMC sections or recommendations for preferred design. These are not mandatory standards.)*

1. **Ministerial Staff Review (MSR) Approval.** An application for residential development shall be approved through a Ministerial Staff Review (MSR) by planning staff and subject to the objective standards contained in the Administrative Manual.
2. **Residential Parcel Map.** In the instance where the property owner proposes to subdivide the residential lot into two lots as allowed by SB 9, then a parcel map application shall also be submitted and processed by staff with a concurrent ministerial review. The lot design shall follow the objective standards of this manual.
3. **Required Plan Review and Permits.** The objective standards contained in this Administrative Manual as conditions of approval of the related MSR and/or Parcel Map shall be completed by the applicant to the satisfaction of the Community Development Department. The applicant shall then submit building plans and obtain permits to construct the requested project in accordance with the approved plans and these objective standards, which all are on file with the Community Development Department and after construction obtain a successful final inspection. *(Recommendation: A signed final inspection card should be provided to the property owner by the contractor to give assurance of a completed and inspected construction, prior to final payment to the contractor.)*
4. **Business Licenses.** All contractors, including subcontractors, shall have properly issued city business licenses to construct development projects within the City.
5. **Compliance.** All existing structures shall be properly permitted and sited in compliance with the Lakewood Municipal Code. Any existing non-complying structures shall either be removed or properly permitted, prior to final inspection of the residential development projects approved in compliance with the Administrative Manual.
6. **Appeal Rights.** Any ministerial decision made in conformance with the objective standards listed in the Administrative Manual shall be final and conclusive, and effective five (5) City business days after giving of notice thereof via e-mail or via the United States Postal Service to the applicant, the property owner and any other person requesting notice, unless within that five (5) City business days an appeal in writing is properly filed (with appropriate fees) with the City Clerk by any interested party.

RESIDENTIAL LAND DIVISION

Each R-1 or R-A lot or parcel (“lot”) existing on January 1, 2022, may be subdivided one time by the property owner into two lots, provided:

1. **Minimum Lot Area.** 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. (*Section 9212. C.*) [SB 9]
2. **Horizontal Lot Division Access.** 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 public street by one of the two following methods:
 - a. **Method 1.** Vehicular access to the lot shall be provided via an abutting city-maintained alleyway. Pedestrian access to the lot shall be provided from 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. A paved private sidewalk shall be required within that corridor, a minimum three feet (3’) wide, leading from the public sidewalk to the rear lot dwelling unit entryway. This is for access by emergency personnel, delivery services, and for normal pedestrian access to any dwelling unit(s) on the lot, or;
 - b. **Method 2.** Vehicular and pedestrian access shall be provided to both the public sidewalk and the public street via a flag lot corridor to serve both. A paved driveway for both shall be required to have a minimum frontage and width that is nine feet (9’) or wider. Any structure on the front lot shall have a minimum side yard of four feet (4’) from any property line, including the flag lot corridor property line, excepting any projections into side yards allowed by the Lakewood Municipal Code. If this side yard setback cannot be provided, then such a horizontal lot division shall not be approved.
3. **Notice of Condition.** Any lot zoned R-1 or R-A that is divided, after January 1, 2022, shall require the property owner to sign, notarize and record a Notice of Condition that acknowledges and certifies the following:
 - a. The property owner shall agree as a condition of parcel map approval that they will reside 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. That the property was not occupied by a renter/leasee 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 includes all accessory uses and home business occupations allowed by the R-1 and R-A zoning districts.
 - d. Dwelling units on either one of the two resultant lots shall per state law only be rented in increments of time for “more than 30 days” (i.e., 31 days or longer). There shall be no short-term rental (less than 30 days) of any dwelling units on such lots.
 - e. There shall be no new ADUs or JADUs constructed on any such divided lot.

RESIDENTIAL DEVELOPMENT - OBJECTIVE STANDARDS

Proposed residential dwelling units on R-1 and R-A zoned lots shall conform to the following standards and these shall be conditions of approval for such residential development projects.

SUMMARY OF DEVELOPMENT STANDARDS

<u>STANDARD</u>	<u>LIMIT</u>
Minimum Lot Size	1,200 SF and no less than 40% of parent lot if created by Parcel Map after January 1, 2022. <i>(LMC 9212.C)</i>
Minimum Dwelling Unit Size	150 SF
Maximum Dwelling Unit Size	No limit 1 st D.U and 1,200 SF for second D.U.
Maximum Height	35 feet or 2. 5 stories whichever is less <i>(LMC 9322.3)</i>
Front Yard Setback	20 feet or as otherwise listed <i>(LMC 9322.4)</i>
Side Yard Setback	4 feet <i>(LMC 9322.5A)</i>
Side Street Setback	4 feet <i>(LMC 9322.5B)</i>
Rear Yard Setback	4 feet <i>(LMC 9322.6)</i>
Eave to Eave Separation	4 feet <i>(LMC 9322.7B)</i>
Minimum Open Space	750 SF for lots with 5,000 SF or more 15% of lot area for lots with less than 5,000 SF <i>(LMC 9322.6)</i>
Lot Coverage	45% for one D.U. and 65% for two D.U. <i>(LMC 9322.2)</i>
Floor Area Ratio	65% <i>(LMC 9322.2a)</i>
FYHA Maximum (Hardscape)	60% or as otherwise stipulated <i>(LMC 9322.10.C)</i>
FYLA Minimum (Landscape)	40% or as otherwise stipulated <i>(LMC 9322.10.D)</i>

GENERAL REQUIREMENTS

Allowed Units. One or two dwelling units are allowed on each R-1/R-A zoned lot, in addition to any allowed ADUs or JADUs. No ADU or JADU shall be allowed to be constructed on an R-1 or R-A lot created by parcel map after January 1, 2022. Existing ADU and JADU units may remain. An existing dwelling unit may be completely demolished and removed from the lot to allow for construction of a new residential project. *(LMC Section 9320 A. 1 and Section 9326 A. 1) [SB 9]*

Dwelling Unit Rent Regulations.

1. A second dwelling unit on a lot shall be rented for 31 days or more. *[SB 9]*
2. ADUs and JADUs shall be rented for 30 days or more.
3. All second dwelling units and ADUs/JADUs shall not be rented as short-term rentals.
4. If there is only one dwelling unit on a lot, then the property owner may apply to use part of the property as a short-term vacation rental to be rented for periods less than 30 days. *(LMC Section 9320.F)*.
5. The property owner shall provide a signed proposed rent questionnaire as a part of the application. If dwelling unit is for self or family the form should state “Family \$0.00.”

Maintenance Responsibilities. Property owners are required to always maintain their properties in an aesthetically pleasing manner in compliance with the Lakewood Municipal Code (*LMC 4323 and 4221.1*). This means proper and continuous maintenance of all landscaping and structures including all buildings, roofs, painting, fences, and walls. There shall be no dead, diseased, missing, or overgrown vegetation. Vegetation shall be properly trimmed in proportion to adjoining structures and shall not encroach onto or into public sidewalks or roadways. Drought tolerant landscaping does require periodic trimming.

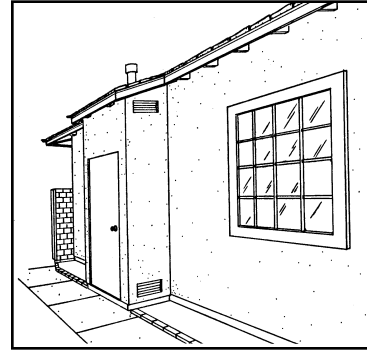
EXTERIOR IMPROVEMENTS

1. **Landscaping Replacement.** The property owner shall revitalize the front yard landscaping after construction. All disturb landscaping shall be replaced. (*Recommendation: Choose plant materials that are water conserving, require lower maintenance and are not aggressive with the capability of damaging hardscape or adjacent structures with large root growth.*)
2. **Landscaping Required.** The property owner shall install either:
 - a. A traditional scheme of front yard turf with a minimum three-foot wide planter along the frontage of each dwelling unit to separate the turf from the residence. When located adjacent to a turf area, a planter shall either be raised or have a minimum six-inch wide (6") and six-inch (6") deep concrete mow strip to the planter from the turf, or;
 - b. A drought tolerant landscaping scheme in front of each dwelling unit.
 - c. A landscape plan shall be submitted, approval obtain and installed to the satisfaction of the Community Development Department prior to final inspection of the residential project. The plan shall detail the plant choices, layout, mature growth, and both percentages and area of the front yard landscaping area (FYLA) and front yard hardscape area (FYHA). This shall comply with regulations regarding lot area surfaces established by *LMC 9322.C*.
3. **Access Sidewalk.** There shall be a minimum three-foot (3') wide continuously paved flat surfaced access sidewalk that creates an unobstructed path-of-travel from the public sidewalk to the front door of each dwelling unit. There shall be a paved flat-surfaced access sidewalk that is a minimum three-feet (3') wide from each dwelling unit to the mailbox, trash and parking areas. The access path to any unit shall not travel through any portion of the habitable living area of another dwelling unit. (*Recommendation: Stamped concrete or brick walkways are preferred for better site aesthetics.*)
4. **Gates.** Any intervening gate in a path-of-travel access sidewalk shall be a pedestrian-friendly gate that is a minimum three (3) feet wide and is no more than five (5) feet wide, unless it is fully automated with a hand-held remote-control operation. This gate shall be easily opened with a one-handed single motion latch, lever, or handle system that is between three (3) and four (4) feet above the ground or by a hand-held remote control.
5. **Trash Cart Area.** There shall be storage space(s) created for three trash carts for each dwelling unit on a lot, including ADUs and JADUs that are screened and not visible from the street.
6. **Addressing.** All dwelling unit addresses shall have a numerical digit height that is a minimum of four inches (4") high with a one-inch (1") stroke and shall be visible from the street to which it is addressed with directional arrows to any rear units to assist emergency and delivery services to find the rear dwelling units. The rear units may have a second address on the building for confirmation purposes. Addressing and numbering of dwelling units shall comply with *LMC Section 8003*.

7. **Mailboxes.** Mailboxes shall be co-located for all units in one location on each lot to the satisfaction of the Post Office and they shall be visible from the addressed street with an access sidewalk leading to the mailbox area.

8. **Water Heater.** The location of a properly permitted and vented water heater for each dwelling unit on a lot shall be indicated on the site plan for the project.

The water heater shall be either tankless or a tank-type that is located either inside a building or outside in an attached enclosure that is a framed enclosure and finished with cladding materials that matches the adjacent structure with a roof that extends to the roof of the dwelling unit, Venting and plumbing shall not be exposed, except above the roof of the enclosure. The enclosure shall match the residence in terms of material, paint color, texture, and matching roofing material. Metal enclosures are no longer allowed and shall be replaced as a requirement for the approval of a residential addition or remodel project.



9. **Air Conditioning Condensers.** All air conditioning condensers shall be located a minimum five (5') feet from any adjacent property line. No exposed plumbing or conduits are allowed. Line set covers shall be painted to match the adjacent wall. Condenser noise level shall not exceed 65 dB (A) at any property line.

10. **Mechanical Equipment Requirements.** No sound-producing machinery, equipment, pumps, fans, HVACs, air handling apparatus, or similar mechanical devices shall be installed, located, or maintained in any residential zone unless installed, or maintained in the manner or fashion determined acceptable by the Director of Community Development, or his/her designee. The following minimum regulations shall apply:

a. **Roof Mounted.** No mechanical equipment, except roof vents and wind turbines, shall be erected, constructed, placed, or maintained on or upon the roof of any building or structure located in the R-1 or R-A, unless the roof structure is flat and is designed as to provide for the inclusion of the equipment as an integral part of the structure. Only low-profile equipment that projects no more than one foot above the roof or a screening parapet is allowed on dwelling units. Roof-mounted mechanical equipment shall be camouflaged and/or screened so that it appears to be an integral part of the original structure. It shall be positioned to offer the cleanest and least street visible profile possible.

b. **Front Yard.** Mechanical equipment may be located in the required front yard setback area, provided that the equipment is fully screened with a sound dampening material to protect the surrounding properties from both excessive noise and an unsightly appearance. Such equipment should be located adjacent to a structure.

c. **Rear Yard and Side Yard.** Mechanical equipment shall be setback a minimum of five-feet (5') from all rear and side property lines.

11. **Accessory Buildings.** These shall be allowed per *LMC Section 9322.7*, and as follows:

a. **Sheds.** An outdoor storage shed shall be setback a minimum one (1) foot from side property lines and a minimum of three (3) feet from rear property lines. If the shed is one-hundred and twenty (120) square feet or less, a building permit is not required.

b. **Canopies.** A canopy shall be located a minimum five (5) feet from any rear or side property line, in the rear fifty percent (50%) of the lot and not on any portion of a driveway.

12. **Exterior Doors and Covered Porch.** Each new dwelling unit main entry door shall be thirty-

six (36) inches or wider. The entry door shall be covered with a projecting roof overhang to create a covered porch area. (*Recommend: A porch with wrapped posts is preferred*) The porch area shall be large enough to accommodate a seating area, a minimum area of five feet (5') by five feet (5') shall be required, (*Recommend: 5'x10'*). All other exterior doors shall have an opening clearance of thirty-two (32) inches or wider with a paved landing in front of each exterior door as required by building code.

13. **Side Yard - Second Story Windows.** Any windows in a second-story of a dwelling unit facing the side yard of a neighboring dwelling unit shall either be obscured or the bottom sill of such a window shall be no less than sixty inches (60") from the floor.

DWELLING UNIT DESIGN STANDARDS

1. **Minimum Required Setbacks.** The minimum setback for rear yard (*LMC 9322.6*), side yard and side street yard setbacks are four (4) feet. Building to building separation is a minimum of four (4) feet between eaves. Front Yard setbacks shall be as regulated in LMC 9322.4. (*A majority of lots in the R-1 and R-A zones require a twenty (20) foot front yard setback area.*) An addition to an existing structure with a non-conforming side yard of not less than three feet (3') may adopt the same setback as that of the existing structure. (*LMC Section 9394.D.2*). If an accessory structure is located in the rear 50% of a lot, it may be located one foot (1') from the side property lines. Garages on corner lots may be attached to the main structure if adequate access provisions are maintained to the rear yard area (*LMC Section 9322.7*).
2. **Height Projections.** Projections above height restrictions are listed in *LMC Section 9380*
3. **Allowed Yard Projections.** Projections into required yards are detail in *LMC Sections 9383 and 9384*. The following projections are allowed as stated, provided that they maintain a minimum clearance of thirty inches (30") to all property lines.
 - a. Cornices, eaves, belt courses, sills, buttresses or other similar architectural may project into front, rear and side yards.
 - b. Water heaters, chimneys, and similar devices may project into required side and rear yards.
 - c. A balcony or a covered unenclosed stairway leading to a second-story may project up to thirty inches (30") into the required front yard. (*LMC Sections 9383.1*)
 - d. An uncovered unenclosed porch, platform or landing place no higher than the first floor of the attached dwelling unit may project into the required front or side yard no more than six feet (6') and provided a minimum unobstructed walkway at least three feet (3') wide along one side yard is maintained to the rear portion of the property. Such structures may also project into the required four-foot (4') rear yard. Any necessary stairs may be installed in front of the allowed projection. (*LMC Section 9383.2*)
 - e. Covered, unenclosed porches platforms or landing places may be extended up to six feet (6') into the required front yard, except as restricted by *LMC Section 9383.2* for Tracts 11600 and 12673. Any necessary stairs may be installed in front of the allowed projection.
 - f. Carports located in rear 50% of a lot may project as allowed by *LMC Section 9383.F*.
 - g. Porte-cochere may project into required side yards as listed in *LMC Section 9383.G*.
 - h. Other allowed projections are allowed in all setback yards as listed in *LMC Section 9383.3*
 - 1) Planting boxes or masonry planters.
 - 2) Guard railings for safety protection around ramps
 - 3) Landscaping with trees, plants, bushes, shrubs, hedges, and fencing.
 - 4) Swimming pools and appurtenances in the side and the rear yards including diving boards, slides, filters, and heaters.

4. **Dwelling Unit and Accessory Building Location.** All dwelling units and accessory structures can be located anywhere on a lot within the “Building Envelope” or as elsewhere allowed by the Lakewood Municipal Code. The “Building Envelope” is the area of the lot remaining once the setback areas for all the required yards (*i.e., Front, rear, side, and side-street yards*) are removed. For this purpose, the side yard setback area extends from the required front yard to the required rear yard. Second dwelling units and accessory buildings may be constructed to either side or to the rear of the first dwelling unit on a residential lot.
5. **Maximum Dwelling Unit Size.** There shall be no maximum dwelling unit size required for the first dwelling unit on a lot. A detached second dwelling unit or a detached ADU shall have a maximum unit size of 1,200 square feet and a minimum of 150 square feet. A JADU shall have a maximum unit size of 500 square feet and a minimum unit size of 150 square feet. An attached dwelling unit or ADU shall not exceed fifty percent (50%) of the dwelling unit to which it is attached or eight hundred (800) square feet whichever is greater. No
6. **Minimum Dwelling Unit Size.** The minimum size of a dwelling unit is 150 square feet.
7. **Maximum Building Height.** All structures on a lot zoned R-1 or R-A shall be a maximum of 35 feet in height or two and one-half stories, whichever is less. (*LMC 9322.3*) Building height is defined as the vertical distance measured from the average level of the highest and lowest points of that portion of the lot covered by the building to the ceiling of the uppermost story. (*LMC Section 9302.10*).
8. **Maximum Floor Area Ratio.** The maximum floor area ratio for all structures on a lot is 65%.
9. **Minimum Open Space.** (*LMC 9322.6*) Open space shall be required as follows:
 - a. 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.
 - b. 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.
 - c. Open space areas shall be computed to include the following:
 - 1) 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.
 - 2) Driveways and driveway turning radius areas located within the rear fifty percent (50%) of the lot.
 - 3) Balconies and open flat roof patio and recreation areas may be included when there is more than one dwelling unit on a lot.
 - 4) 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.
 - 5) No area occupied by any building, other than an unenclosed patio area may be used in computing the required open space area,
 - 6) 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.
10. **Maximum Lot Coverage.** The maximum lot coverage for one dwelling is 45% of the lot and it increases to a maximum of 65% if a second dwelling unit is constructed on one lot.

11. **Garage Conversions.** Any dwelling unit created by converting a garage shall do the following:
 - a. The garage door shall be removed along with the surrounding framing and stucco.
 - b. The replacement wall shall be finished with material covering the full wall and there shall be no shadowing of the previous opening. There shall be architectural compatibility with any other dwelling units on the lot in terms of roofing, siding, and fenestration.
 - c. The garage floor shall be reconstructed in such a manner that it is waterproof and flat.
12. **Minimum Dwelling Unit Components.** Each dwelling unit shall have:
 - a. **Living Room.** A living area (*TV hookups with wiring and a seating area, etc.*)
 - b. **Bedroom.** One or more enclosed bedrooms or an open studio bedroom sleeping area. No bedroom shall be less than eighty square feet (80 SF) and no width dimension shall be less than seven and one-half feet (7.5').
 - c. **Closets.** Closets shall conform to these standards: a "U" shaped closet shall be a minimum six feet six inches (6' 6") wide and an "L" shaped closet shall be a minimum of four feet six inches (4'6") wide.
 - d. **Bathroom.** There shall be one bathroom or more that is at least forty-four square feet (44 SF) in area that has a sink, toilet, and bathing facilities (either a tub or a low threshold shower). There shall be twenty-four inches (24") clear or more in front of the toilet. Bathroom entry doors shall not swing into the toilet area. At least one first floor bathroom shall comply with listed accessibility standards.
 - e. **Laundry.** (Hookups Only). All new dwelling units shall have laundry hookups (*hot and cold-water faucets, dryer vent, water outflow pipe, electrical outlets sized for chosen appliances and a gas outlet if gas appliances are chosen*). This hookup may be for a future stackable unit, or a full-sized washer and dryer set. Full size laundry areas shall be a minimum 5-feet wide and 3-feet deep to accommodate a side-by-side washer and dryer set. The work area in front of the washer and dryer appliances shall be a minimum of three (3') feet deep. Stackable units may be used to save space. The laundry area can be co-located in a bathroom area for space efficiency.
 - f. **Dining.** A meal eating area (*e.g., table or counter with chairs*).
 - g. **Kitchen.** A food preparation area with a sink, a stove, a refrigerator space, a counter, and food storage cabinets. There shall be four feet clear (4') in front of the stove.
13. **Accessibility.** The design of any new or remodeled dwelling unit shall incorporate features into the first-floor plan features for hallways, bedrooms, and bathrooms to assist the mobility-challenged and elderly. These features shall include:
 - a. Units with Raised Foundations. Elevated entries shall have handrails adjacent to any stairs.
 - b. Electrical Outlets and Switches. All new electrical outlets shall be a minimum of 18" to the top of box. All new light switches shall be a minimum of 48" above the floor, unless adjacent to or attached to a counter.
 - c. First Floor Interior Doors. At least one first floor bedroom and one bathroom access door, if being constructed or remodel, shall have a clearance of thirty-two inches (32") or wider. (*This requires a minimum 34" inch wide swing door or a 32' wide pocket door*).
 - d. First Floor Bathroom. At least one new or remodeled first floor bathroom shall have an elongated toilet with a rim height that is a minimum seventeen inches (17") from the floor. This toilet shall have at least sixteen inches (16") clear to the center of the toilet and thirty-six inches (36") clear in front of the toilet. If a shower is selected it shall be a low threshold style with a maximum four inch (4") high threshold. There shall be blocking installed in the walls behind the toilet and behind the shower or tub for future installation of stabilization grab bars. (*Recommend: Install the bars with project.*)

- e. Hallways. Hallways leading to doorways for such mobility-friendly bathrooms and bedrooms shall be a minimum of forty-two inch (42") wide.
14. **Architecture Compatibility and Articulation.** The architectural elements and exterior materials shall be coordinate and/or match throughout and be the same throughout for all units on a lot, including ADUs, JADUs and any accessory structures. Architectural compatibility shall mean consistency in terms of style, texture, trim, and color of all exterior materials, including the size, style, and shape architectural features.
 - a. **Exterior Siding.** All exterior siding in terms of color, texture, and style shall be consistent and coordinated on each elevation and each projection or variation.
 - b. **Roofing.** All dwelling unit roofing in terms of style, type, pitch, material, and color shall match between all dwelling units on the same lot. The size, style and shape of roof overhangs, rafters, and fascia shall match on each unit and between units and accessory structures on the same lot. Covered patio roofs are allowed to vary pitch and material.
 - c. **Windows and doors.** All windows and doors in terms of trim, style, and type shall be the same on each elevation and between all dwelling units on a lot. Sliding windows may be substitute, where needed for air circulation.
 - d. **Architectural Components.** All architectural components such as the style, length, height and width of fascia, barge boards, wainscoting, eave overhangs and post wrappings shall match on each structure and between all structures on a lot. Hardscape materials shall be consistent with similar materials used in planters, post wrapping and wall cladding.
 - e. **Paint.** All structures on a lot shall be painted to match a consistent theme.
15. **Paint Maintenance.** Any permitted residential construction project including additions and remodeling projects shall include repainting the exterior portion of any dwelling unit or other structure on a lot that has cracked, faded, stained, or peeling paint.
16. **Wainscot or Siding.** Where the frontage of a dwelling unit is covered only with a plain single cladding material, the property owner shall install some architectural articulation in the form of trim packages around the windows and doors; and/or install siding material (*e.g., bat and board wood siding*); and/or install a brick or stone wainscot along the frontage of the residence. All dwelling units on a lot shall have the same or similar architectural features to carry a theme throughout all structures on the property. If a wainscot or siding is added, it shall be wrapped around each side of the dwelling unit a minimum of three feet (3') to create a finished corner. If a wainscot is selected it shall have the following:
 - a. A minimum height of three feet (3').
 - b. Install on top of the wainscot a flashing and a top cap to shed water.
 - c. Install the cap piece below the lowest existing window frame if the bottom sill of such window is at least three feet (3') or more in height.
 - d. Install wainscot manufactured corner return pieces. There shall be no mitered corners.

ADEQUATE UTILITIES

Adequate utilities shall exist to each lot in the R-1 or R-A zoning district prior to occupancy of any proposed new dwelling unit on that lot. Each new dwelling unit shall have separate metered utilities, except that an ADU and/or JADU may share utilities with the host residence.

1. **Adequate Services Required.** Adequate utility and services are required for each residential development and land division and shall be available for use prior to issuance of permits or recordation of a parcel map. The residential development project shall not be issued building permits until such time that the utility or service has been upgraded and the serving agency has determined the utility or service to be adequate to serve the proposed development.

Essential utilities or services include potable water, fire flow, sewer, electricity, solid waste collection and disposal, and natural gas. A determination made by the serving agency of a required utility or service not being capable to accept new connections shall state in a measurable detail the benchmark that is inadequate. This shall be stated in terms of deficiencies in source, supply, distribution line capacity, discharge line capacity, discharge acceptance capacity, landfill capacity or other such quantifiable measure.

The serving agency shall state what upgrades are necessary to raise the determination from inadequate to adequate for purposes of constructing the project and other similar projects in a five-year period. A negative determination may be based on estimates of cumulative impacts based on anticipated annual growth demands that exceed current system capacities.

2. **Water.** Each new dwelling unit shall have a separate minimum one-inch water supply line, and a separate water meter, unless otherwise allowed by the serving agency.
3. **Fire.** Exterior walls of all existing and proposed structures on a lot shall be within four hundred and fifty (450') feet of a fire hydrant. No new dwelling unit shall be permitted on a lot until all structures on a lot satisfy this requirement. A new fire hydrant can be installed.
4. **PV Solar Panels.** Each new detached dwelling unit shall comply with California Energy Code and install photo voltaic solar panels as required by state law. The site plan and/or roof plan shall show the proposed location of the solar panels. (*Recommendation: Solar panels are encouraged to be installed preferably on the west and south facing roof slopes.*)

CONSTRUCTION OPERATIONS REVIEW

1. **Construction Debris.** Construction activities that involve hauling away demolition or construction debris shall be approved by the Lakewood Public Works Department.
2. **Construction Stormwater Protection.** Any construction or operational activities that could potentially result in any water leaving the site as drainage shall be coordinated with the Lakewood Public Works Department to assure proper procedures have been implemented (*e.g., installation of waddles and track-out devices*).

PUBLIC INFORMATION IS AVAILABLE

If an applicant has questions have questions relating to the development process, contact the Community Development Department at (562) 866-9771, extension 2300. Additional information is available on the City’s website at: www.lakewoodcity.org/services/planning/default.asp.

For in-person visits. These visits should be for information and guidance only, as all applications and application processing are done through electronic communications.

The Community Development Department Planning Section counter hours are:
Monday through Thursday: 7:30 A.M. – 5:30 P.M.
Alternating Fridays: 7:30 A.M. – 5:00 P.M. Lakewood City Hall is closed every other Friday.

Early Review Recommended. Applicants are advised to submit preliminary plans to allow staff sufficient time to review and provide corrections and identify missing materials. Applicants are invited to discuss a proposed project with planning staff at any time. The more detailed the proposed project sketches or plans can be is extremely helpful to the planner in giving full design advice. This Administrative Manual also provides many tools to guide residential project design.

Stages. Remember a proposed residential development project review has three basic stages, namely, planning review, building and safety plan check review and then building permit construction inspections, and Occupancy is approved upon completion of a final building permit inspection with a “final” signature of the building inspector.

Attachments.

1. Ministerial Staff Review Application Form for all R-A residential development.
2. Staff Design Review Application Form for ADU’s and JADUs.
3. Rent Questionnaire – Complete this form for each dwelling unit on a lot and if occupancy is for self or family indicate “\$0.00 - Family” on the form for every applicable unit.
4. Plan Check Review and Building Permit Issuance. This is a summary of the eight processing steps necessary to go through building plan check and get a building permit issued after getting a planning staff approval of an MSR or other planning application.
5. Example Site Plan.
6. Example Roof Plan (May be incorporated into site plan, as shown.)
7. Example Floor Plan.
8. Example Elevations.
9. Example 3-D Renderings of Front Porch

MINISTERIAL STAFF REVIEW (MSR) APPLICATION
SUBMITTAL REQUIREMENTS

The following application items are required for review:

1. Ministerial Staff Review Application Form. A MSR application form is attached to this Administrative Manual. All applications and plans shall be submitted to the city at the website MyPlans@LakewoodCity.org. The electronic form is available from the Community Development Department at: www.lakewoodcity.org/services/planning/forms.asp
2. Submit the proposed residential development plans electronically in one PDF file that is less than 15 MB. The plans shall include at a minimum a site plan, floor plan, roof plan, four-sided elevations, and three-dimensional renderings if available, as follows:
 - A. **Site Plan** (see Figure 1) – Submit a site plan of the project site, fully dimensioned and drawn at a scale no less than 1/8" = 1' or 1" = 10'. The plot plan shall show:
 - 1) North arrow and scale.
 - 2) Title block including a) Type of development and the zoning (i.e., R-1 or R-A), b) Address of job site, c) Date the plan was prepared, d) Name, address, phone number and e) most importantly the e-mail address of each of the property owner, person/firm preparing the plans and any other interested party who wants notification. All communications are by e-mail or phone.
 - 3) The name and width of all adjacent public and private streets, including alleyways.
 - 4) Dimensions of all property boundary lines.
 - 5) Location and dimensions of all existing and proposed structures, including pools, patios, porches, balconies, decks, outdoor storage sheds, gazebos, bar-b-que islands, and other accessory structures. The distances between structures, and distances from property lines to the structures shall be noted.
 - 6) Location, size, and percentage of front yard areas dedicated to hardscape and landscape. Include a schematic drawing of existing and proposed landscaping.
 - 7) Location, dimensions, heights and materials of walls or fences and gates.
 - 8) Location and dimensions of the driveway and driveway turning radius area, if needed.
 - 9) Location of all exterior mechanical equipment, such as air-conditioning condenser units, water heaters, electrical panels, and gas meters.
 - 10) Location of central street-oriented dwelling unit addressing and mailbox location.
 - 11) Location and access to trash cart storage area that is not visible from the street.
 - 12) Location of a minimum three-foot (3') wide paved access private sidewalk from the public sidewalk to the entry doorway of each dwelling unit and sidewalks from each dwelling unit to mailbox, parking, and trash cart storage areas.
 - 13) Location and dimensions of public and private easements for sewers, water, electricity, and/or any permanent physical features of the land. Each dwelling unit shall be shown to have a separate water line.
 - 14) A legend specifying: a) Total square feet of lot area, b) Total square feet of open space, c) Percent of lot coverage, d) Total floor area of all existing and proposed buildings and e) Floor Area Ratio (FAR).
 - 15) Direction of slopes and grade differences.
 - 16) A scope of work statement shall be included indicating existing and proposed square footages of all existing and proposed structures, as well as areas to be demolished. Any new water heaters or HVAC equipment shall be indicated.

- B. **Roof Plan** – Prepare a roof plan, drawn to a scale of not less than $1/8'' = 1'$ or $1'' = 10'$. The roof plan shall include existing and proposed structures, ridges, valleys, hips, crickets, eave overhangs, chimneys, locations of roof-mounted equipment, materials, and roof pitch. The roof plan may be incorporated into the plot plan or site plan if all (see attached Figure).
- C. **Floor Plans** – Prepare floor plans to a scale of not less than $1/4'' = 1'$. Show the complete floor plans of the existing and proposed structures with room names, room sizes, and locations of all doorways and windows (See Attached Figure). Floor plans are not required for MSR approval of roof-mounted equipment or fence extensions.
- D. **Elevations** – (see attached) – Prepare to scale (not less than $1/4'' = 1'$). Show front, side, and rear exterior elevations of all buildings and all sides showing:
- 1) Compass direction and lot location of each (e.g., Front/North, Rear/South, etc.)
 - 2) Roof height, dimensions, and pitch. Show any proposed PV solar panel locations.
 - 3) Show venting and any roof mounted equipment or features.
 - 4) Architectural features and treatment of exterior surfaces (e.g., materials and colors).
 - 5) Architectural articulation, show pop outs, shadowing and trim.
 - 6) Wainscot and siding materials are required to wrap each side a minimum of three feet.
 - 7) Window and doors including style, type, width, height and trim.
 - 8) Fences and walls with gates, specifying heights, widths, extensions, and materials.
 - 9) Exterior mechanical equipment and proposals for its screening.
 - 10) Show landscaping and any proposed planters.
- E. **Three Dimension View.** Prepare at least one three-dimensional view showing the front building mass (*walls, roof, windows, and doors, etc.*) of the proposed project and its proposed articulations (*wainscot, siding, trim packages, etc.*), where applicable.
3. **Site Photographs** – One electronic PDF file less than 15 MB containing color photographs of existing conditions on all portions and all sides of all buildings on the subject project site.
4. **Rent Questionnaire** – Complete the form for each dwelling unit of the subject lot including ADUs, JADUs and second dwelling units. If for self or family members just indicate “\$0.00 -Family” on the form for each such dwelling unit.



City of Lakewood
MINISTERIAL STAFF REVIEW (MSR)
For all R-1 and R-A Residential Development
APPLICATION FORM

Please Type or Print Legibly and Scan /OR Use the Interactive PDF Form

SUBMITTAL REQUIREMENTS – All plans and this form shall be submitted electronically in one PDF file to myplans@lakewoodcity.org. Required pictures of the full site and rent questionnaire may be sent in separate files. E-mails are required as communications will be sent electronically. **PDF files shall NOT exceed 15 MB.**

PROJECT SITE ADDRESS: _____

PROJECT DESCRIPTION (add SF) _____

(Check): NEW D.U. or ADDITION; DEMOLITION 1ST STORY 2ND STORY
 FRONT PORCH REAR PATIO OPEN/ ENCLOSED; ATTACHED/ DETACHED
 GARAGE ACCESSORY BUILDING OTHER _____

PROPERTY OWNER (Applicant): _____

E-MAIL ADDRESS _____ PHONE: () _____

POSTAL ADDRESS _____ CITY _____ ZIP _____

PLAN PREPARER: _____

E-MAIL ADDRESS _____ PHONE: () _____

RELATIONSHIP (check): Architect Designer Engineer Other (specify): _____

POSTAL ADDRESS _____ CITY _____ ZIP _____

List Any Other Party: (e.g., Contractor, etc.) Email and Phone No. _____

IMPORTANT: Notification of the MSR action will be sent via e-mail to the property owner, Plan Preparer and any other listed above.

<u>OFFICIAL USE ONLY</u>	
MSR CASE NO: _____	ZONE: _____
DATE ACCEPTED AS COMPLETE: _____	REVIEWED BY: _____
COMMENTS: Unpermitted Construction or Code Enforcement/Other: _____	

CHECKLIST: R-1 AND R-A DEVELOPMENT STANDARDS

Designers use this list to confirm MSR design compliance.

APPLICATION SUBMITTAL CHECKLIST (DU = Dwelling Unit; SF=Square Foot):

- Application Form** - All phone numbers and e-mails (Property Owner/ Plan Preparer)
- Site Pictures** All sides of all buildings separate PDF file **Rent Questionnaire**-Signed
- Do not submit** structural and Title 24 energy calculations, save for Building Plan Check
- PLANS:** Site, Roof, Floor, 3-D and Elevations, all in **ONE PDF file - Shall Not Exceed 15 MB.**
- All Plan Sheets:** Approval Stamp Box 3" x 3" upper right corner Title Sheet with Site Address
- North arrow Scale no less than 1/8" = 1' or 1" = 10' Revision Date Not cluttered.

• **SITE PLAN CONTENTS:** Site Plans shall dimension the following: (*P/L = Property line*)

- Scope of Work** – List all improvements with SF for Existing/New/Demolition, List: New A/C – 5' to P/L, Water Heater Type/location (No metal), and Electrical Panels. **Project Metrics:** List: Lot Area, Lot Coverage, Open Space, Front/Rear/Side Setbacks, Projections, Floor Area- all structures (*Exist./New*), Floor Area Ratio, All P/L dimensions Name/width all abutting streets and alleys Dimension driveway/ driveway turning radius Show width/location of utility easements and features
- All sides/all structures and distance between structures and to P/L Each DU own water line/meter
- Dimension/Area/Percentage of FYHA and FYLA and provide landscaping diagram
- Indicate slope direction and grade. Three trash carts per DU not street viewable.
- All DU mailboxes together DU address(es) together - street viewable.
- Dimension height and location of walls and fences with any extensions and gates.
- If gated, need pedestrian gate (3'-5' wide with single hand operable door handle/latch)
- Sidewalk from public sidewalk to each DU min. 3-feet wide unobstructed.
- Sidewalk from DU to trash, mailbox and parking DU entry door min. 3-feet wide
- Covered Entry/ Porch (Min. 5' x 5') Porch 5' x 10' with wrapped 4" x 6" posts?
- Water Heater (W/H) - (List type for each DU) Replace W/H Metal Enclosures
- Show any new/proposed A/C *Min. 5' to P/L for each DU* Show all exterior utilities.

• **ROOF PLAN CONTENTS:** Roof Plans shall include the following:

- All DUs have matching roof styles, pitch, ridges, vents, eaves, and overhangs
- PV Solar location for new DU Locations of any roof-mounted equipment

• **FLOOR PLAN CONTENTS:** Floor Plans shall dimension the following:

- Floor Area: _____ Porch Area: _____ Kitchen Dining Bedroom Living Room Laundry (Hookups Only) **Accessibility:** Bathroom (low threshold shower?) Elongated Toilet 17" to rim
- Handrails for stairs Blocking for grab bars (toilet/shower)
 - Hallways and doorways (min. 34" - 36") Electrical Outlets 18" to top of box and switches to 48"

• **ELEVATION PLAN CONTENTS:** Elevation Plans shall show and dimension the following:

- Compass direction and lot location of each elevation (e.g., Front/North, Rear/South, etc.)
- Roof Style:** height/pitch, fascia, barge boards, eaves, overhangs, venting, mechanical and any PV solar location **Architecture Style:** windows, doors, fences/wall, siding materials, pop outs, shadowing and trim Wainscot/Siding wrap 3' each side Exterior mechanical equipment
- Landscaping/planters 3D elevations are encouraged.



**City of Lakewood
STAFF DESIGN REVIEW (SDR)
ADU/JADU APPLICATION FORM**

Please Type or Print Legibly and Scan /OR Use the Interactive PDF Form

SUBMITTAL REQUIREMENTS – All plans and this form shall be submitted electronically in one PDF file to myplans@lakewoodcity.org. Required pictures of the full site and rent questionnaire may be sent in separate files. E-mails are required as communications will be sent electronically. **PDF files shall NOT exceed 15 MB.**

PROJECT SITE ADDRESS: _____

PROJECT DESCRIPTION (check): ADU JADU **TYPE:** ATTACHED DETACHED
CONSTRUCTION: GARAGE or OTHER CONVERSION NEW (w/ solar) ADDITION
 OTHER (describe) Also list any additional modifications/additions to the primary host residence with square footages:

PROPERTY OWNER (Applicant): _____

E-MAIL ADDRESS _____ PHONE: () _____

POSTAL ADDRESS _____ CITY _____ ZIP _____

PLAN PREPARER: _____

E-MAIL ADDRESS _____ PHONE: () _____

RELATIONSHIP (check): Architect Designer Engineer Other (specify): _____

POSTAL ADDRESS _____ CITY _____ ZIP _____

List Any Other Party: (e.g., Contractor, etc.) Email and Phone No.

IMPORTANT: Notification of the SDR action will be sent by e-mail to the property owner and any other representative listed above unless otherwise requested in writing.

OFFICIAL USE ONLY

SDR CASE NO: _____ ZONE: _____ **ADDRESS** STREET NAME: _____

DETACHED ADU #: _____ ATTACHED ADU #: _____ JADU #: _____

DATE ACCEPTED AS COMPLETE: _____ REVIEWED BY: _____

COMMENTS: Unpermitted construction/ Code Enforcement/Other: _____

CHECKLIST - ADU/JADU DEVELOPMENT STANDARDS

Designers use this list to confirm ADU/JADU design compliance.

APPLICATION SUBMITTAL CHECKLIST (DU= Dwelling Unit, SF=Square Foot):

- Application Form** - All phone numbers and e-mails (Property Owner/ Plan Preparer)
- Site Pictures** All sides of all buildings separate PDF file
- Rent Questionnaire**-Signed
- Do not submit** structural and Title 24 energy calculations, save for Building Plan Check
- PLANS:** Site, Roof, Floor, 3-D, and Elevations, all in **ONE PDF file - Shall Not Exceed 15 MB.**
- All Plan Sheets:** Approval Stamp Box 3" x 3" upper right corner
- Title Sheet with Site Address
- North arrow
- Scale no less than 1/8" = 1' or 1" = 10'
- Revision Date
- Not cluttered.

• **SITE PLAN CONTENTS:** Site Plans shall dimension the following: (*P/L = Property line*)

- Scope of Work** – List all improvements with SF for Existing/New/Demolition, List: New A/C – 5' to P/L, Water Heater Type/location (No metal), and Electrical Panels.
- Project Metrics:** List: Lot Area, Lot Coverage, Open Space, Front/Rear/Side Setbacks, Projections, Floor Area- all structures (*Exist./New*), Floor Area Ratio,
- All P/L dimensions
- Name/width all abutting streets and alleys
- Dimension driveway/ driveway turning radius
- Show width/location of utility easements and features
- All sides/all structures and distance between structures and to P/L
- Each ADU own water line?
- Dimension/Area/Percentage of FYHA and FYLA and provide landscaping diagram
- Indicate slope direction and grade.
- Three trash carts per unit not street viewable.
- All ADU mailboxes together
- DU/ADU addresses together - street viewable.
- Dimension height and location of walls and fences with any extensions and gates.
- If gated, need pedestrian gate (3'-5' wide with single hand operable door handle/latch)
- Sidewalk from public sidewalk to ADU min. 3-feet wide unobstructed.
- Sidewalk from ADU to trash, mailbox, and parking
- ADU entry door min. 3-feet wide
- Covered Entry/ Porch (Min. 5' x 5')
- Porch 5' x 10' with wrapped 4" x 6" posts?
- Water Heater Type
- Replace W/H Metal Enclosures
- Show A/C Min. 5' to P/L

Garage Conversion: Garage door/frame fully removed Garage floor vapor barrier/flat

• **ROOF PLAN CONTENTS:** Roof Plans shall include the following:

- All DUs have matching roof styles, pitch, ridges, vents, eaves, and overhangs
- PV Solar location for new DU
- Locations of any roof-mounted equipment

• **FLOOR PLAN CONTENTS:** Floor Plans shall dimension the following:

Floor Area: _____ Porch Area: _____ Kitchen Dining Bedroom Living Room Laundry (Hookups Only) **JADU:** Internal door? Bathroom? **Accessibility:** Bathroom (low threshold shower?) Elongated Toilet 17" to rim Handrails for stairs Blocking for grab bars (toilet/shower) Hallways and doorways (min. 34" - 36") Electrical Outlets 18" to top of box and switches to 48"

• **ELEVATION PLAN CONTENTS:** Elevation Plans shall show and dimension the following:

- Compass direction and lot location of each elevation (e.g., Front/North, Rear/South, etc.)
- Roof Style:** height/pitch, fascia, barge boards, eaves, overhangs, venting, mechanical and any PV solar location
- Architecture Style:** windows, doors, fences/wall, siding materials, pop outs, shadowing and trim
- Wainscot/Siding wrap 3' each side
- Exterior mechanical equipment
- Landscaping/planters
- 3D elevations are encouraged.

MFR ADU PLAN CONTENTS: Landscape Plans Trash Enclosure MFR Standards

**City of Lakewood
Residential Rent Questionnaire**

The California Department of Housing and Community Development (HCD) requires cities and counties to report on the affordability of new dwelling units constructed in their jurisdictions on an annual basis. This reporting is accomplished as part of the Housing Element Annual Progress Report. The information is used to assess each city's progress in approving new for-sale and rental housing.

Instructions: Circle the type of development indicated below. In the table, enter the street address, street name, unit number (if applicable), and the amount of anticipated monthly rent for each new unit created by the development project. Note that monthly rent is for a period of 30 days or more. The first row of the table has been filled in as a sample entry. Add additional sheets as necessary.

Development Type (Circle One):

Single-Family Attached/Detached, 2-4 units, 5+ units, Accessory Dwelling Unit, Mobile Home/Manufactured Home

Street Address	Street Name	Unit #	Monthly Rent
5050	Clark	#101	\$1,200
5052	Clark		\$0.00 - Family

I declare that to the best of my knowledge, the information presented herein is accurate and complete.

Name (Print): _____
Signature: _____ Date: _____

PLAN CHECK REVIEW AND BUILDING PERMIT ISSUANCE

City of Lakewood – Community Development Department

Contact the Assistant Director at (562) 866-9771, Ext. 2302 for any questions.

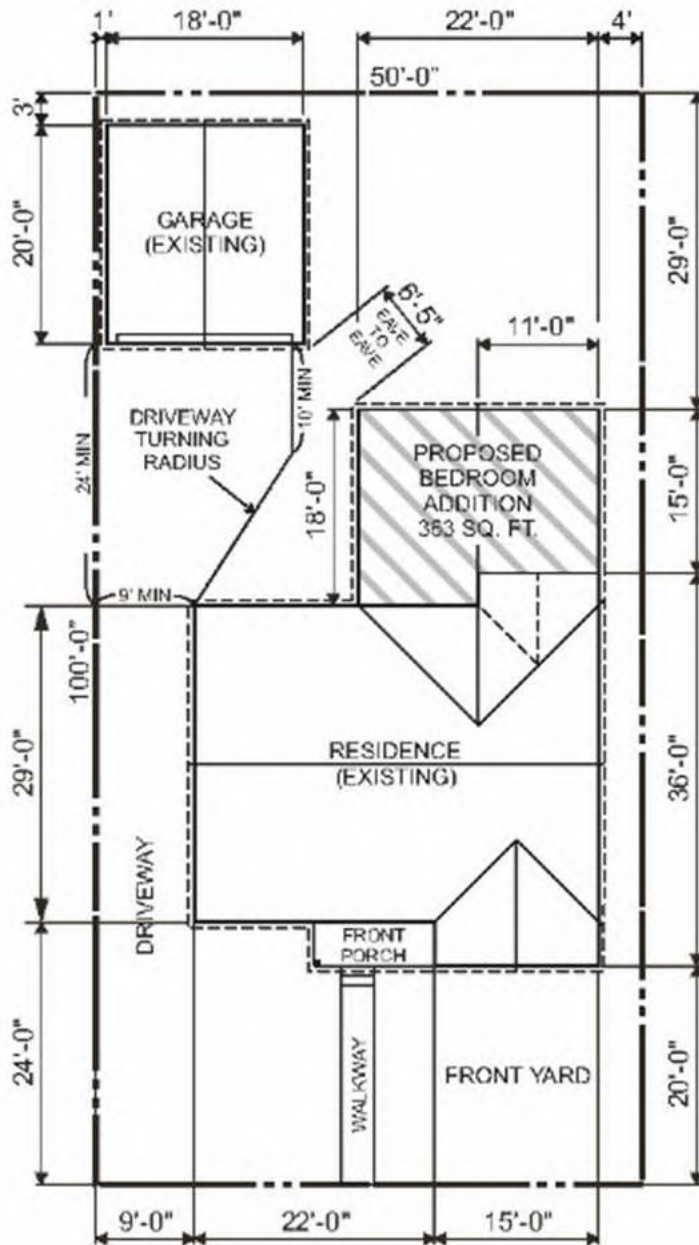
Once you have successfully received an Action Letter and a set of plans titled “**Planning Approval**” from City Planning then complete the following to submit your construction drawings to plan check review and ultimately be issued building permits, before commencing construction.

DO NOT SUBMIT TO THE BSOP until you have a set of plans titled “Planning Approval.”

APPLICANT WILL (Designer or Property Owner):

1. **Assemble** the following PDF files that are each less than 15MB. Do not submit individual plan sheets. Combine all plan sheets into a single plan file do not submit as separate documents to include:
 - a) **PLANNING PLANS** - The approved set of plans you received titled “**Planning Approval**” with approval stamps including an 8.5” x 11” site plan with the zoning compliance project description followed by a site plan, floor plan, roof plan and elevations of each side of the project structure.
 - b) **BUILDING PLANS**” - All other plans required for building plan check, including framing, structural, electrical, plumbing, mechanical, etc.
 - c) **BUILDING CALCULATIONS** - Title 24 documents and engineering calculations
2. **Establish** an account with the LA County Building and Safety Online Plan Check System (BSOP). <https://dpw.lacounty.gov/BSO/BSOP/> (City contracts with LA County for plan check & inspections)
3. **Upload** the Planning Plans, Building Plans and Building Calculations into your personal account on the BSOP system, only after planning approval.
 - a. The Plan Check Engineer (Plan Checker) will review the submittal to assure that all necessary documents are included. The Plan Checker will either accept it for processing or reject it with a list of missing items. The applicant will be notified within their BSOP account.
 - b. The Building Clerk will then generate a plan check file and send a request for plan check fee payment and forward a copy of that to the Administrative Services Department (ASD).
4. **Pay** the plan check fees to the ASD. This may be done by mailing a check payable to “City of Lakewood” to ASD or by credit/debit card by calling ASD at (562) 866-9771, extension 2622. The plan check payment must be accompanied with a copy of the Building Clerk email regarding fees.
 - a. Upon payment of the fees, the plans are placed in a workload queue based on the date received.
 - b. The Plan Checker will identify any needed corrections in approximately 2-3 weeks and return their comments and corrections to the applicant through the BSOP system.
5. **Make** the requested plan corrections and resubmit the corrected plans through the BSOP (1-2-week review period.) Once a corrected set of plans is approved by the Plan Checker, planning staff will transfer the approval stamps and confirm plan consistency. The applicant will be notified.
6. **Submit** an application for building permits to myplans@lakewoodcity.org. The Building Clerk processes the permit application, calculates the building permit fees, and sends the applicant an email with the amount of permit fees due.
7. **Pay** the required permit fees combined with the required business license fees for all contractors working on this project to ASD (see step 5). Also pay the “Construction of Dwelling Unit Tax” and record any required “Notice of Condition.” The building permits can now be issued to a licensed contractor or to a homeowner (only on their primary residence). Owners of commercial, rental or second homes are required to use a licensed contractor who must have a city business license.
8. **Keep** on the project site:
 - a. The official job card that was mailed to you for inspection signatures, and
 - b. One full set of the approved construction plans and an approved site plan. (Printed by applicant)
 - c. Call for inspections at least one day before and have the job ready at scheduled inspection time.
 - d. Confirm the final inspection is signed on job card and property owner should retain a copy.

SAMPLE PLOT PLAN



The plot plan submitted for your home improvement project must be drawn on white paper only. The sheet size must be 8½" x 11" or 11" x 17" and must show the following:

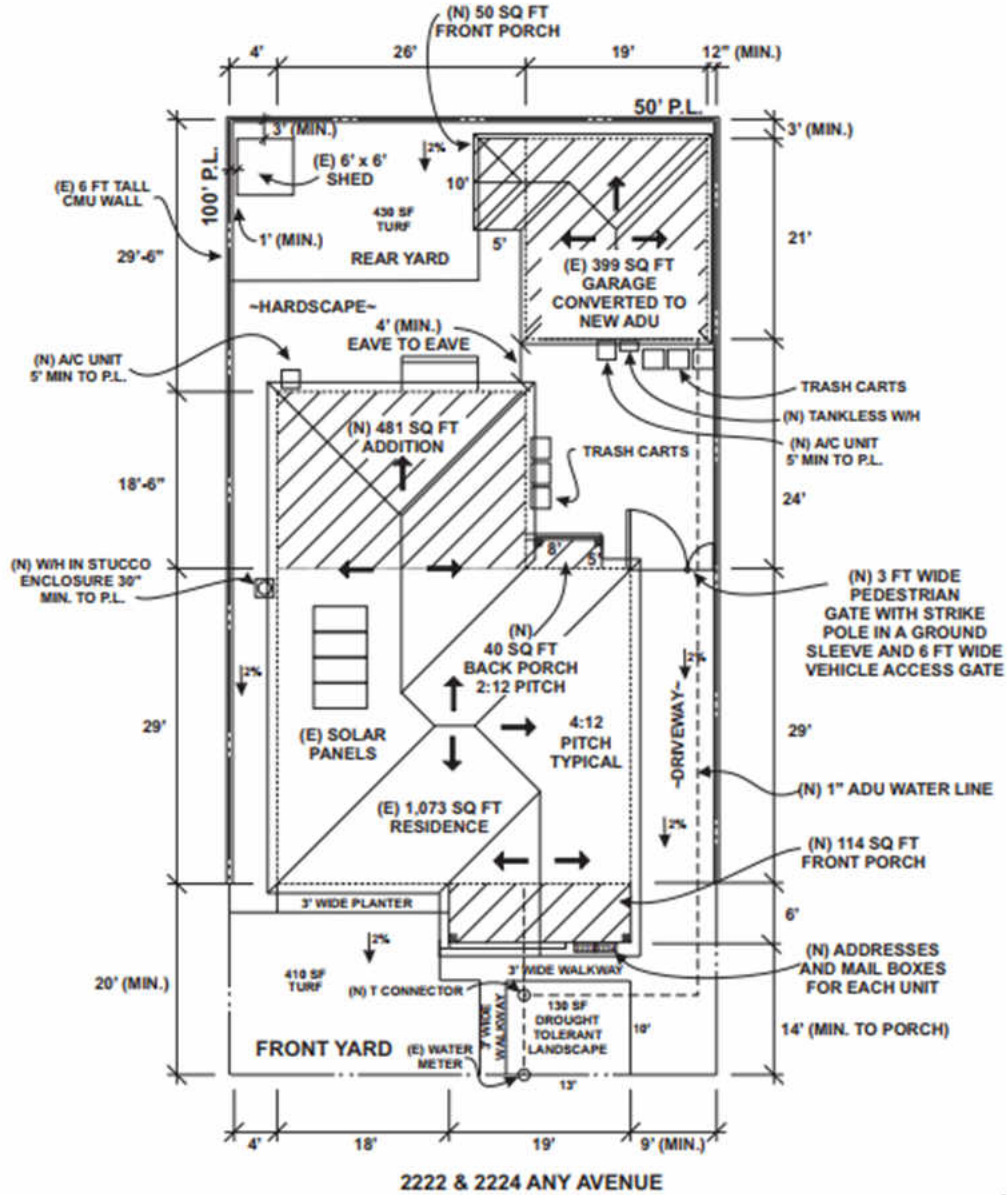
1. Location and dimensions of all property lines.
2. Location and size of all existing and proposed structures including the house, garage, patio covers, sheds, exterior water heaters, pools, spas, and air conditioning condensers.
3. Show the front, side, and rear yard setback dimensions and the dimensions of all existing and proposed structures.
4. Location and dimensions of the driveway and minimum turning radius area.
5. The plot plan should be drawn to scale and must show the north arrow. Acceptable scales include 1/16" = 1'-0" and 1" = 20'.
6. The street address and street name should be clearly indicated.
7. For additional information concerning the preparation of a plot plan or requirements, or the City zoning laws pertaining thereto, please contact the Planning Section of the Community Development Department by phone at (562) 866-9771, extension 2341. The Zoning Ordinance is on the City's website - www.lakewoodcity.org.



1234 ANY STREET

1" = 15'-0"

Figure 1. Site Plan with Incorporated Roof Plan



2222 & 2224 ANY AVENUE

LOT AREA:	5,000 SQ FT
(E) LOT COVERAGE:	1,508 SQ FT = 30.1%
(N) LOT COVERAGE:	1,989 SQ FT = 39.7%
(E) FLOOR AREA RATIO:	1,073 SQ FT = 21.7%
(N) FLOOR AREA RATIO:	1,953 SQ FT = 39.1%
OPEN SPACE:	1,212 SQ FT

PLANS PREPARED:
11/01/2021

SCALE: 1/16"=1'-0" **A-1**



Figure 2. Floor Plan

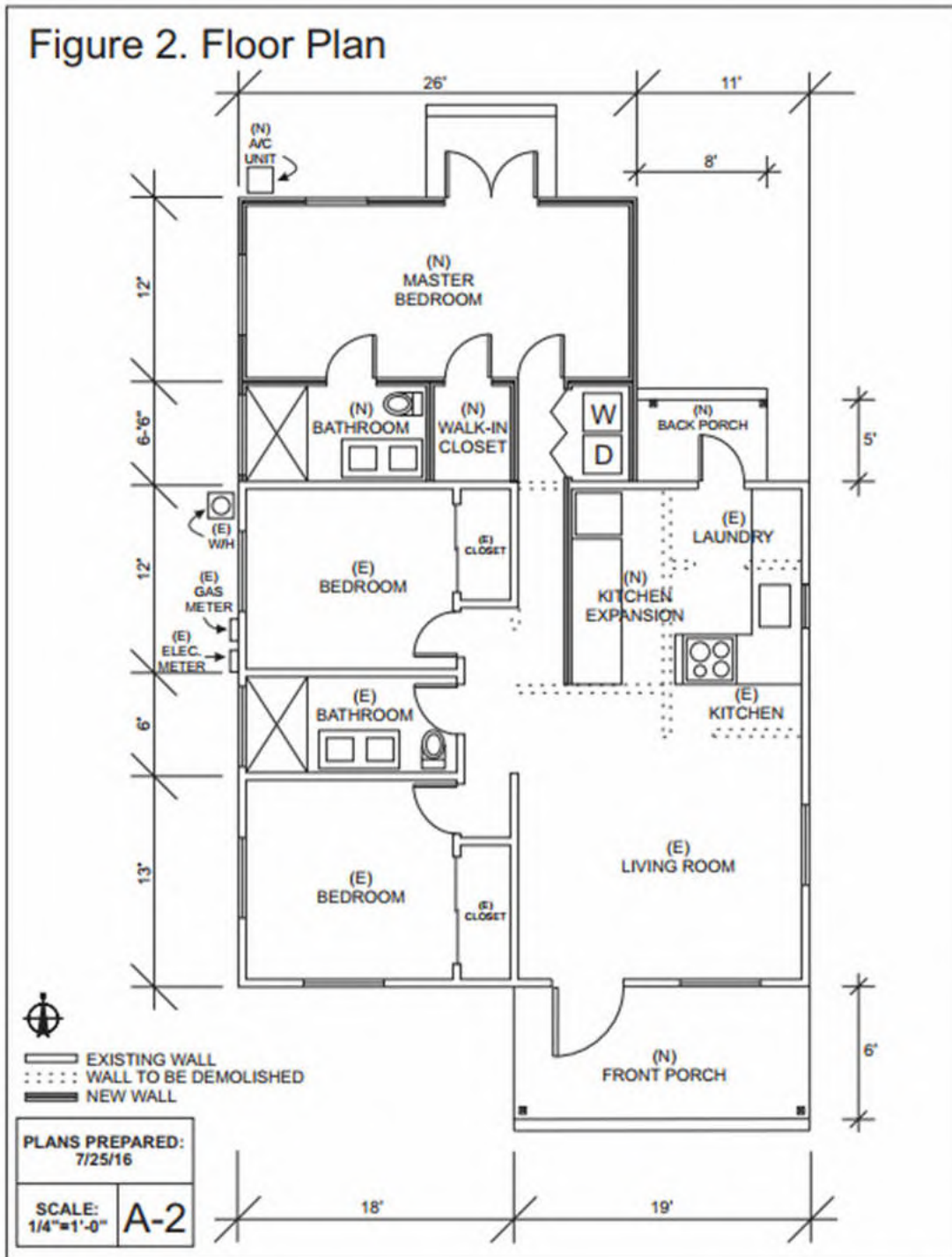


Figure 3. South (Front) Elevation

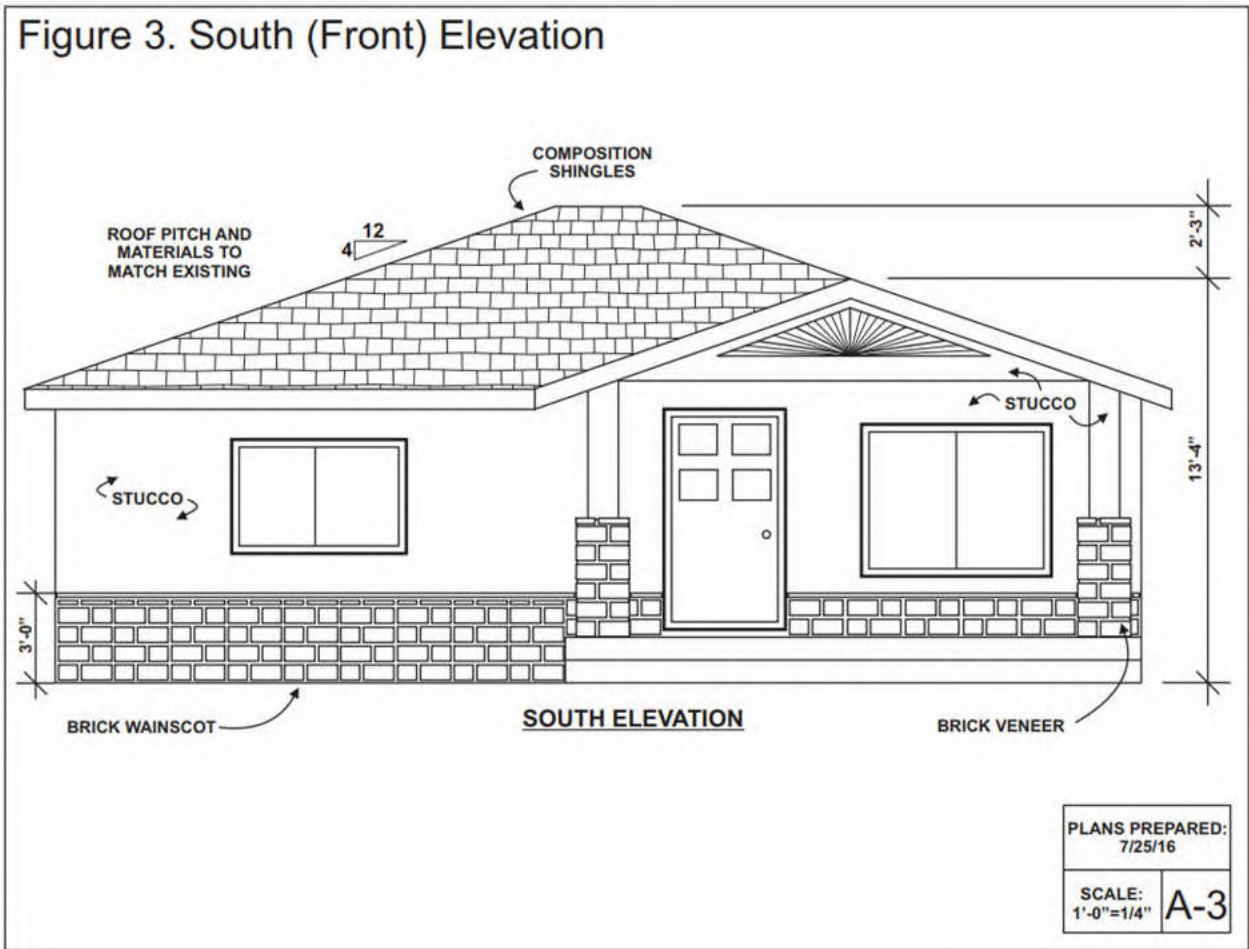


Figure 4. West (Side) Elevation

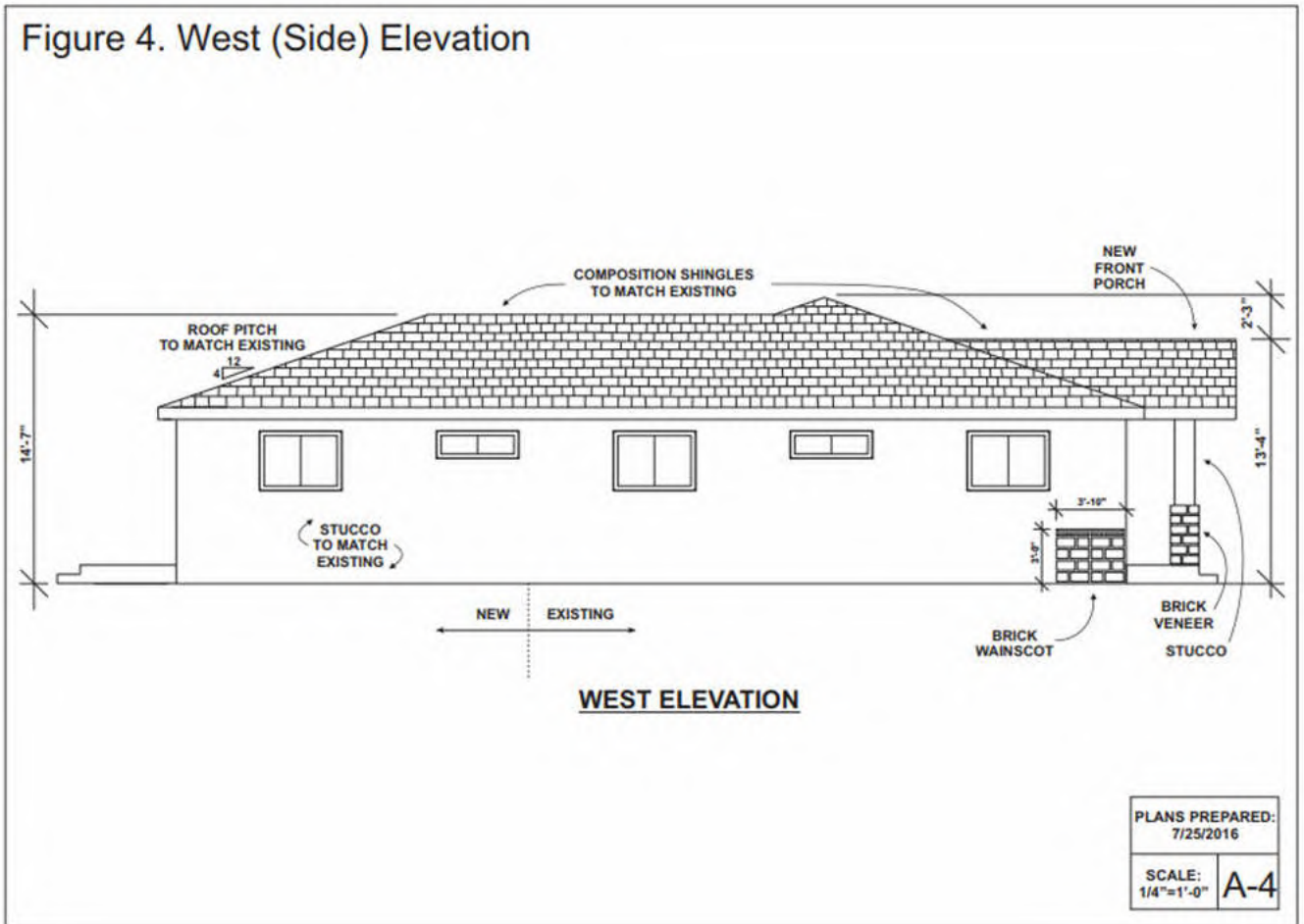


Figure 5. East (Side) Elevation

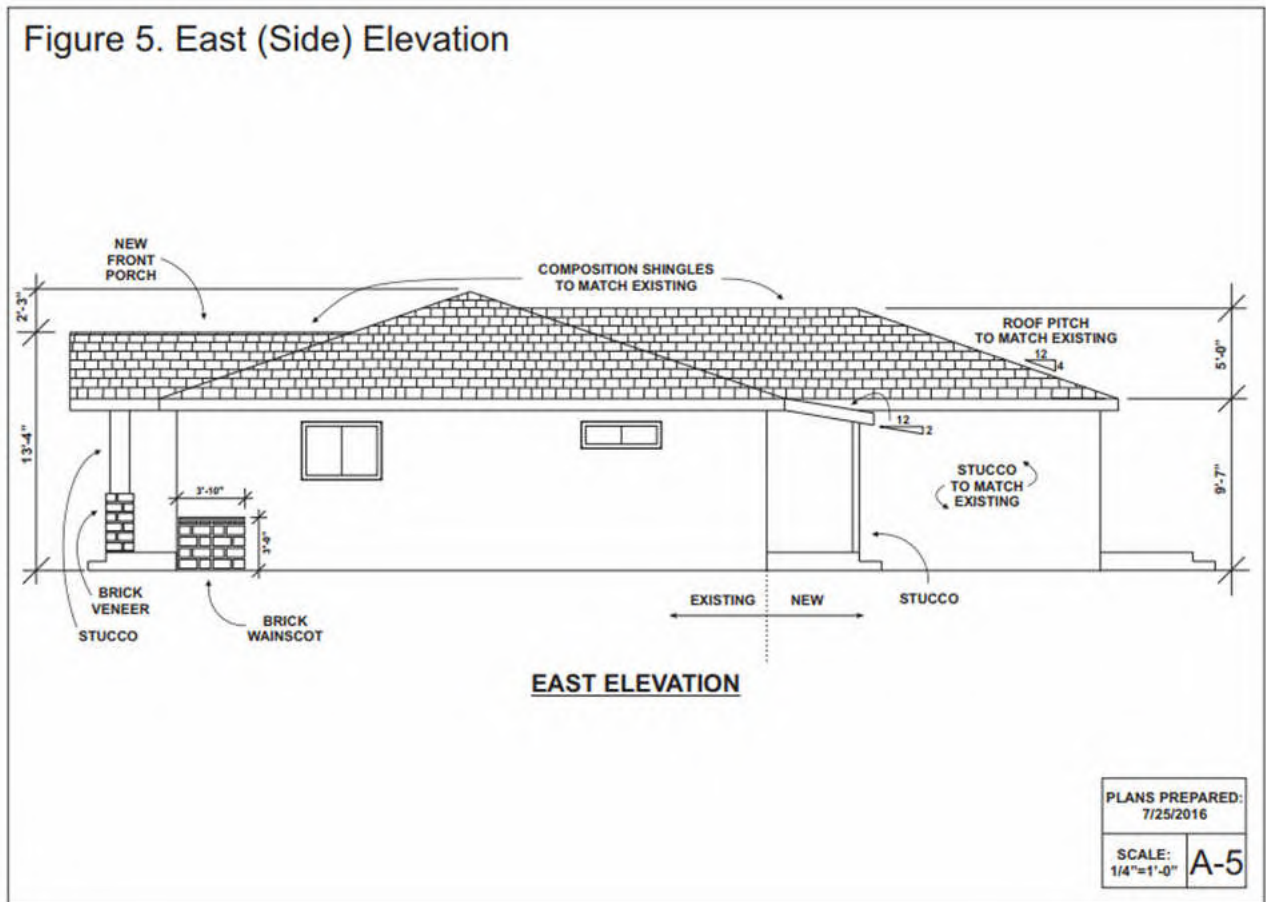
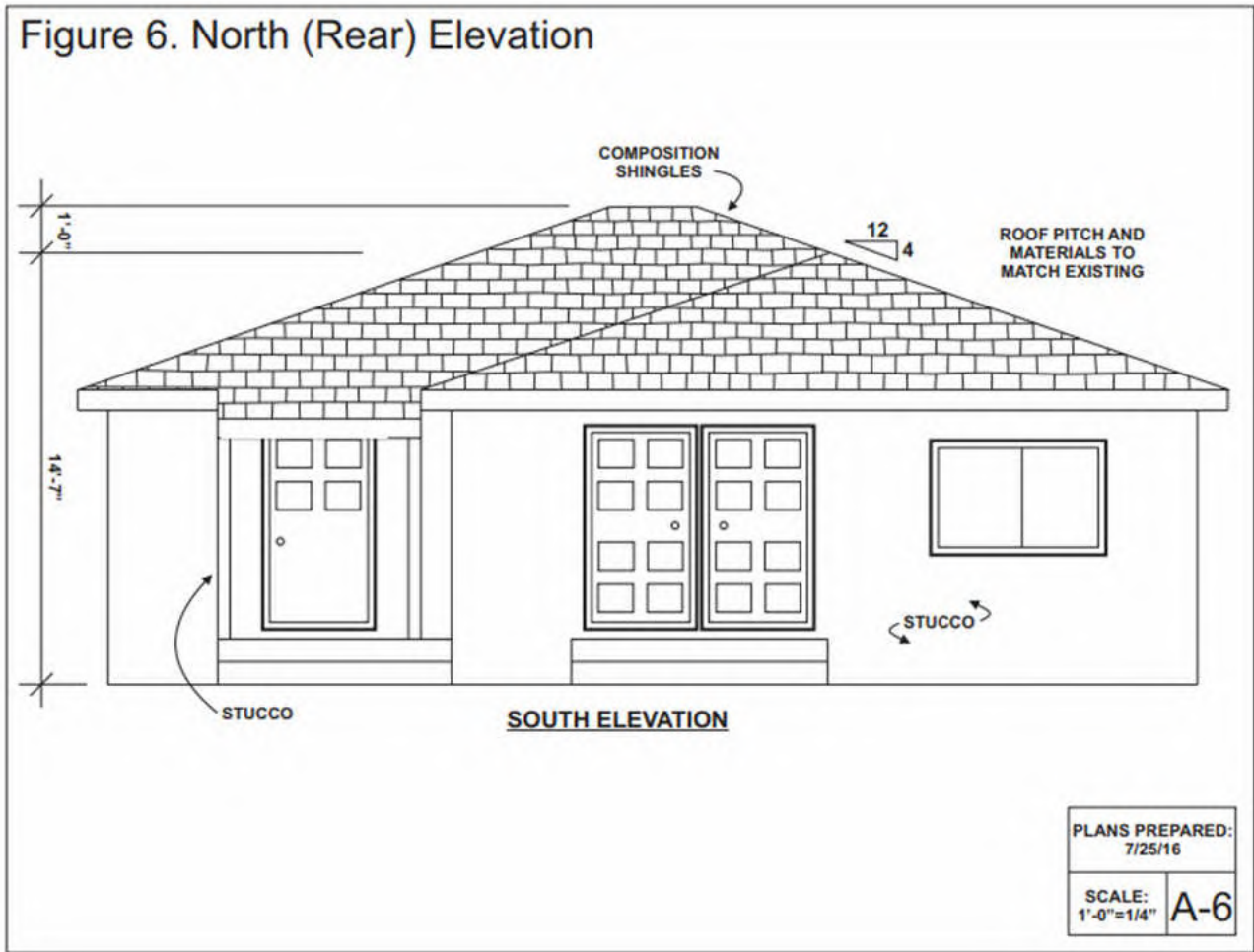
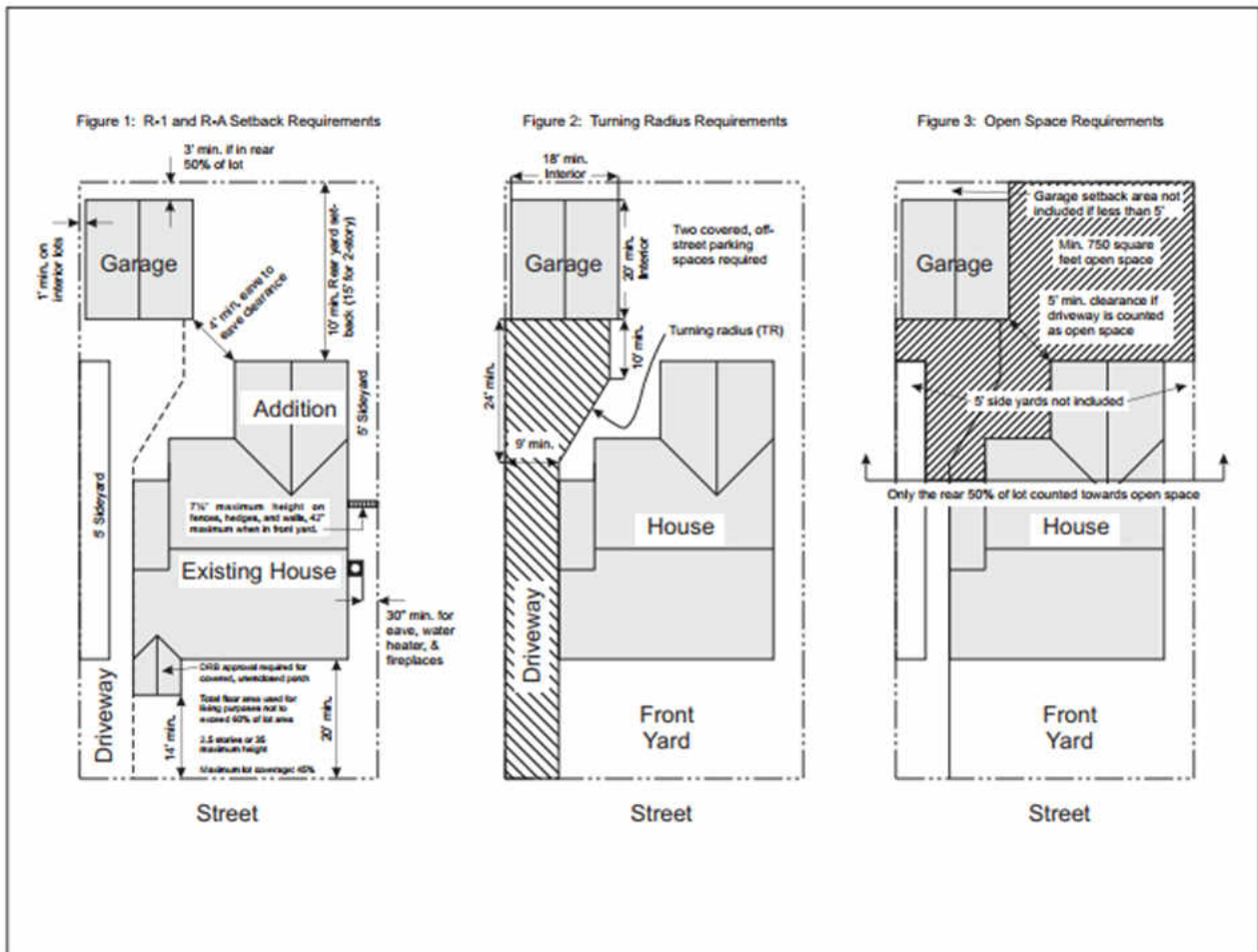


Figure 6. North (Rear) Elevation



Objective Standards and Ministerial Procedures for R-1 and R-A Zones

Effective January 1, 2022 - (Rev. 10/31/21)





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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.

...

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.

...

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

...

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:

...

- 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 _____ day of _____, 2021, by the following roll call vote:

	AYES	NAYS	ABSENT
Council Member Croft	_____	_____	_____
Council Member Pe	_____	_____	_____
Council Member Rogers	_____	_____	_____
Council Member Stuckey	_____	_____	_____
Mayor Wood	_____	_____	_____

Mayor

ATTEST:

City Clerk