

AGENDA / CITY OF LAKEWOOD
PLANNING AND ENVIRONMENT COMMISSION
NEW MEETING DATE / APRIL 15, 2024 / 7:00 p.m.
City Council Chambers – Lakewood Centre – 5000 Clark Avenue

Public comments and questions pertaining to any item on the agenda will be accepted via email sent to ckojaku@lakewoodcity.org up to 4:00 p.m. on the day of the meeting. We ask that you please indicate the specific item on which you wish to be heard or whether your comments will be submitted under oral communications.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL: Chairperson Baca
Vice Chairperson Ung
Commissioner Stuckey
Commissioner Cole

APPROVAL OF MINUTES

Regular Meeting of March 7, 2024

ANNOUNCEMENTS AND PRESENTATIONS

PUBLIC HEARINGS

4-2024

1. Conditional Use Permit No. 1020

5018 Ashworth Street

Request approval for the establishment of a cottage food operation. (Amber Chen)

2. Conditional Use Permit No. 1021

4651 Silva Street

Request approval for an indoor commercial recreation facility (roller skating rink).
(Cory Joseph for Sunshine Skate Center)

3. Mixed Use Ordinance

Citywide

Request approval to amend Article IX of the Lakewood Municipal Code pertaining to development standards for Mixed Use development in the C-1, C-3, C-4, and M-1 zones.

REPORTS

None

PUBLIC COMMENTS

STAFF COMMUNICATION

ADJOURNMENT

NEXT MEETING: MAY 2, 2024

Any qualified individual with a disability that would exclude that individual from participating in the above meeting should contact the Community Development Department Administrative Secretary at (562) 866-9771, ext. 2303; at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting or other reasonable auxiliary aids may be provided.

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**CITY OF LAKEWOOD
PLANNING AND ENVIRONMENT COMMISSION
MEETING OF MARCH 7, 2024
MINUTES**

CALL TO ORDER

A regular meeting of the Lakewood Planning and Environment Commission (“Commission” or “PEC”) was called to order by Chairperson Baca at 7:00 p.m. in the City Council Chambers, 5000 Clark Avenue, Lakewood.

PLEDGE OF ALLEGIANCE

Commissioner Samaniego led the Pledge of Allegiance.

ROLL CALL:	<i>Present:</i>	Chairperson Baca Commissioner Samaniego Commissioner Stuckey
	<i>Excused</i>	
	<i>Absent:</i>	Vice Chairperson Ung Commissioner Cole

ALSO PRESENT: Abel Avalos, Director of Community Development
J. Patrick McGuckian, Assistant Director of Community Development
Ivy Tsai, City Attorney
Cindy Kojaku, Administrative Secretary

APPROVAL OF MINUTES

There being no objections, Chairperson Baca ordered the Minutes of the Regular Meeting of February 1, 2024, approved as submitted.

ANNOUNCEMENTS AND PRESENTATIONS

Abel made the following announcements:

- Update on Community Development construction
- March is Women’s History Month
- Applications for Lakewood Beautiful Program: Deadline is March 21, 2024

Patrick made the following announcement:

- Additional 200 square-foot front parking space has been a success.

Chairperson Baca asked if a house has been abandoned for a few years, would that be part of the help-a-neighbor program and would the City be able to mow the lawn?

Director Avalos stated that Community Development does not oversee the program, and there are criteria to the program. He believes the house must be occupied. Director Avalos requested Chairperson Baca to send him an e-mail, and he will forward it onto the Community & Recreation Department. If the house cannot be taken care of through the program, it might be managed as a Code Enforcement case.

PUBLIC HEARINGS:

1. **2024 BEEKEEPING ORDINANCE, TO AMEND REGULATIONS OF THE LAKEWOOD MUNICIPAL CODE TO AUTHORIZE BEEKEEPING ON LOTS WITHIN THE R-1, RA, OS AND A ZONING DISTRICTS.**

Assistant Director of Community Development, J. Patrick McGuckian, presented the staff report and exhibits which recommended adoption of a proposed PEC resolution that recommends to the City Council adoption of the 2024 Beekeeping Ordinance and approval of the related categorical exemption. The ordinance proposes to amend regulations of the Lakewood Municipal Code to authorize beekeeping in approved beehives, subject to standards for location and operation of such beehives in approved apiaries on lots within the R-1, RA, OS and A Zoning Districts. These documents are on file with the Community Development Department. Notice of Hearing was given pursuant to the Municipal Code and state law. Staff recommended that the Commission hold a public hearing and then following the hearing, move to adopt the proposed Resolution. Assistant Director McGuckian asked if there are any questions of staff?

Chairperson Baca opened the public hearing. No one came forward to testify. Chairperson Baca then closed the public hearing.

Chairperson Baca asked the Commissioners if there were any questions of staff.

Commissioner Stuckey asked who would go out to do the inspection, and Assistant Director McGuckian answered that the Agriculture Inspector would do the inspection.

Director Avalos stated that it is important to note that it will be the Agriculture Inspector's jurisdiction rather than our Code Enforcement's jurisdiction. Our Code Enforcement Officers may be called out if there is a nuisance complaint—swarming bees, but there will not be daily, weekly or monthly monitoring for compliance—they will react to any community complaints.

Chairperson Baca wanted clarification on hive location listed on the Beehive Standards. Assistant Director McGuckian explained further. Director Avalos also explained further and stated that the language will be re-written to be clear.

Chairperson Baca also mentioned 9320. Uses Permitted. Section A. and with the abundance of ADUs (Accessory Dwelling Units) constructed, when they apply for their

beekeeping license for a single-family dwelling, then in five (5) years they decide to add an ADU, do they have to reapply for their beekeeping license?

Assistant Director McGuckian stated the language in 9320 is not changing.

Commissioner Stuckey stated that if you have a regular backyard and you have been authorized to have bees but now you want to add an ADU, would they have to remove all the bees unless they lived on a large lot where they would have all the setbacks?

Assistant Director McGuckian stated the Ordinance is written to state beehives are to be located behind all residence on the property. If they had the bees closer to the house and then they put in an ADU, then they would have to relocate the bees further back on the lot, if they could. Assistant Director McGuckian further clarified that the LA County Agriculture Commissioner requires an annual license for each beehive. . The Planning Approval required is a free over-the-counter planning staff site plan review. Relocation of beehives will require a new site plan, and an approved ADU site plan can include the relocated beehives.

Commissioner Stuckey moved and Chairperson Baca seconded a motion to adopt the proposed resolution that recommends adoption to the City Council of the 2024 Beekeeping Ordinance, and approval of the related categorical exemption.

Chairperson Baca called for the vote and the Administrative Secretary, Cindy Kojaku, called the roll with the following result:

AYES: COMMISSIONERS: Stuckey, Samaniego & Baca
NOES: COMMISSIONERS: n/a
ABSENT: COMMISSIONERS: Ung & Cole
ABSTAIN: COMMISSIONERS: n/a

Chairperson Baca announced that the Motion has passed.

REPORTS:

None.

PUBLIC COMMENTS:

None.

STAFF COMMUNICATIONS:

Patrick stated that on April 9, 2024, it is planned to seat the new Council members as the election should be ratified by that time. On April 23, 2024, is when the 2024 Beekeeping Ordinance will be brought to the City Council. April 23, 2024, is also when all the Planning Commissioners will either be reappointed or replaced, and any changes in the membership of the Commission will then be known. We will have an April Planning

Commission Meeting with our current Commissioners still in office but, in May, we will have new members, and all will need to be sworn in at that time.

ADJOURNMENT: The meeting was adjourned at 7:30 p.m.

The next regularly scheduled meeting will be on April 4, 2024.

Secretary

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APPLICATION FOR: Conditional Use Permit No. 1020
LOCATION: 5018 Ashworth Street
APPLICANT: Amber Chen
PROPOSED USE: Cottage Food Operation
ZONING: R-1 (Single-Family Residential)

INTRODUCTION

The applicant, Amber Chen, is requesting approval of a Conditional Use Permit (CUP) for the establishment of a cottage food operation that will make bread, cookies, and cakes. The site is located at 5018 Ashworth Street, which is designated by the General Plan as Low Density Residential and is located in the R-1 (Single-Family Residential) zone.

The request is being made pursuant to Sections 9302.17e and 9320.C.13 of the Lakewood Municipal Code (LMC). LMC Section 9302.17e contains definitions and cottage food product requirements. LMC Section 9320.C.13 requires a CUP for cottage food businesses and contains additional requirements for the operation of a cottage food business.

STATEMENT OF FACTS

Area Description

The subject site is located on the south side of Ashworth Street approximately 300 feet west of Clark Avenue (refer to the Vicinity Map). The following table lists the land uses and zoning designations for the site and surrounding properties.

AREA	EXISTING LAND USE	ZONE DESIGNATION
Subject Site	Single-Family Residence	R-1 (Single-Family Residential)
North	Single-Family Residences	R-A (Single-Family Residential Limited Agriculture)
South	Single-Family Residences	R-1 (Single-Family Residential)
East	Single-Family Residences	R-1 (Single-Family Residential)
West	Single-Family Residences	R-1 (Single-Family Residential)

Site Description

The site is 8,165 square feet in area and is developed with a 1,132 square-foot one-story house, a detached 400 square-foot two-car garage, and an unpermitted storage shed behind the garage that will be demolished. Exhibit "A" is the site plan of the property.

Types of Cottage Food Operations

The Los Angeles County Department of Public Health issues permits for two types of cottage food operations; "Class A" and "Class B."

"Class A" permits allow cottage food operations to only sell foods directly to the consumers from the cottage food operation (the residence) and from off-site locations (such a farmer's market or other special event location). They are required to register and submit a "self-certification compliance checklist" to the Los Angeles County Department of Public Health. "Class A" cottage food operations are subject to inspection by Public Health upon receipt of a complaint about the business.

"Class B" permits allow cottage food operations to sell cottage foods directly to the consumer in the same manner as a "Class A," but they may also sell indirectly to consumers within Los Angeles County. Indirect sales may be made from permitted restaurants, permitted grocery/food market retailers, and permitted mobile food facilities, such as food trucks. Under a "Class B" permit, a cottage food operation is required to register and obtain a Health Permit from the Los Angeles County Department of Public Health and the permit requires an inspection by Public Health prior to the initial opening of the business and annually thereafter.

The proposed use for this CUP will be a "Class B" cottage food operation. The proposed Resolution of Approval will allow this location to be permitted as a "Class A" or "Class B" as there is no on-site distinction between the two Health Permits with respect to daily operations.

Project Description

The proposed business, "Sunkissed Bakery," will make bread, cookies, and cakes. The home's existing kitchen would be used for this business, and no construction is proposed to accommodate the proposed business. The floor plan is shown on Exhibit "B."

The proposed business hours are from 7:00 A.M. to 4:00 P.M. on Wednesdays through Sundays. The proposed Resolution of Approval contains a condition that food preparation, packaging, and on-site sales for the cottage food operation shall occur no earlier than 7:00 A.M. and no later than 7:00 P.M. daily. The applicant will sell their baked products at farmers' markets and similar events open to the public.

The applicant will use two electric Kitchen Aid mixer machines that will be located on the kitchen countertop to mix bread dough, cookie dough, and cake batter. Bread dough will bulk rise in the refrigerator before being shaped on the countertop and baked in the oven. Cookie dough will be portioned and placed in the refrigerator prior to being baked in the oven. Cake batter on the other hand will be mixed and immediately baked in the oven. Once baked, all products will be removed and set to cool on the countertops before being packaged and labeled on-site.

All of the equipment used in the production process fits on the existing countertops and use standard outlets. The applicant does not anticipate fire hazards from the business beyond that posed by a normal residential use of a kitchen. With that said, safety precautions will be taken into consideration by way of having a fire extinguisher in the kitchen. The applicant anticipates volumes of three (3) dozen cookies, four (4) dozen bread buns, and six (6) cakes per week. The production size may vary depending on weekly orders and market needs.

The proposed Resolution of Approval contains a condition requiring one customer parking space be made available on the existing driveway during all hours when the business is open in order to reduce the need for customers to park on the street. If the applicant decides to add an employee, the proposed Resolution of Approval also contains a condition stating that the applicant may add not more than one non-resident employee and that one parking space shall be made available on the existing driveway during all hours when the business is open in order to reduce the need for that non-resident employee to park on the street. In this scenario a total of two off-street parking spaces would need to remain available on the driveway.

Development Review Board

Review and approval from the Development Review Board is not required for the proposed business, since no exterior modifications are proposed for the property and because commercial signage for this type of business is not permitted in the R-1 zone.

Code Requirements

A Conditional Use Permit for a cottage food operation can only be approved upon findings of the Planning and Environment Commission that the proposed use, subject to any conditions, will not be detrimental to surrounding property or residents. A finding that the proposed use is in accord with the following principles and standards is necessary in each case, as specified in Section 9401 of the Lakewood Municipal Code.

1. *The proposed conditional use shall not be in substantial conflict with the General Plan.*

The General Plan land use designation for the site is Low-Density Residential. The proposed use is an accessory use that is incidental and secondary to the primary residential

use as a home and is regulated by state law and Los Angeles County Public Health codes. The proposed use is allowable with a CUP per LMC Section 9320.C.13. As a result, the proposed use is not in conflict with the General Plan, provided all conditions in the proposed Resolution are continuously complied with in full.

2. *The nature, condition, and development of adjacent uses, buildings, and structures shall be considered, and no Conditional Use Permit shall be granted where such will adversely affect or be materially detrimental to said adjacent uses, buildings, or structures.*

The proposed use is located within the kitchen of a single-family home. The use is limited by the LMC and by the proposed Resolution of Approval in several ways that are designed to protect adjacent properties from noise, odors, and parking issues that some might find objectionable. The proposed Resolution of Approval contains a condition stating that the applicant shall keep all windows and doors of the home closed while the business is operating, except where opening doors is necessary for ingress and egress of occupants of the home or customers. This condition will reduce noise and odors that might otherwise be perceived on adjoining properties.

3. *The site for a conditional use shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features required by this Chapter, or as required as a condition in order to integrate said uses with the uses in the neighborhood.*

The proposed Resolution of Approval contains a condition stating that; 1) the applicant shall make one customer parking space available on the existing driveway during all hours when the business is open to reduce the need for customers to park on the street, and 2) If the applicant adds a non-resident employee, one additional parking space shall be made available on the existing driveway during all hours when the business is open in order to reduce the need for a non-resident employee to park on the street, for a total of two spaces.

4. *The site for the conditional use shall be served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.*

The site is served by Ashworth Street which is classified by the General Plan Circulation Element as a Local Street. The proposed use is secondary to the primary use of the property which, is a single-family residence. No additions or expansions to the residence are proposed as a result of this application. Ashworth Street is adequate in width and improved as necessary to accommodate the traffic generated by the subject site.

5. *All other conditions and limitations imposed by this Chapter in connection with the proposed application for a Conditional Use Permit have been met.*

LMC Section 9302.17e defines a cottage food operation as an enterprise with an amount of gross annual sales not more than the amount specified in Section 113758 of the California Health and Safety Code (\$150,000 per year) operated by a cottage food operator, with not more than one full-time equivalent cottage food employee, not including a family member or household member of the cottage food operator within the registered or permitted area of a private home where the cottage food operator resides and where cottage food products are prepared or packaged for direct or indirect sale to consumers.

If the proposed business were to exceed the maximum allowable gross annual sales, it would no longer meet the definition of a cottage food operation and would therefore be required to relocate to an appropriately zoned site. The proposed business will be operated by the applicant.

LMC Section 9302.17.e.H prohibits cottage food preparation and handling in the home kitchen concurrent with other domestic activities such as childcare, pet care, and dish washing (the applicant does have a child at this location). This Section also requires cottage food operators to practice proper hygiene and not work with a contagious illness. Persons working in the cottage food operation must pass a Los Angeles County Public Health food processor/handler course. The cottage food operation must also comply with the food labeling requirements in federal and state law, including, for example, the contact information of the cottage food operation, its public health permit number, an ingredient list, and the phrase "Made in a Home Kitchen." The proposed Resolution of Approval contains a condition that all federal, state and local laws be complied with at all times.

LMC Section 9320.C.13.(a) requires a cottage food operation to obtain and maintain a valid business license for a Home Business Occupation, as specified in LMC Section 9320.J., including a timely and valid annual renewal of the business license.

LMC Section 9320.C.13 (b) requires, prior to issuance of the business license for a home business occupation and any annual renewal of the business license, the cottage food operator shall submit a copy of all required Public Health permits, registrations and certifications required to operate the business and those required for any employees or household workers of the business.

LMC Section 9320.C.13.(c) states that the cottage food operation shall be subject to inspection by City officials, if the City receives a complaint related to potential non-compliance with related provisions of the Municipal Code, unsafe food or a possible violation of the Homemade Food Act.

LMC Section 9320.C.13.(d) states that cottage food operations shall only be approved for operation, where each property line of the lot or parcel of the proposed Cottage Food

Operation is located more than 300 feet from another property line that is the site of an existing and properly permitted cottage food operation. The closest cottage food operation to this property is located at 4348 Camerino Street, which is about 4,930 feet away. Therefore, the spacing requirement is satisfied.

LMC Section 9320.C.13.(e) requires a minimum of one temporary parking space shall be provided on-site to accommodate an employee of the cottage food operation, in addition to the required parking for the residence. Temporary parking spaces shall only be occupied by an employee during operating hours. The temporary parking space shall be paved, shall not encroach into the public right of way, and shall not be located within the required front yard with the exception that temporary parking may be provided on a driveway. The applicant does not propose to have any employees.

LMC Section 9320.C.13.(f) states that the cottage food operation shall provide cottage food products only for pickup. There shall be no on-site consumption of cottage food products by customers and there shall be no customer dining area provided on the premises of a cottage food operation. The applicant will sell their baked products at farmers' markets and similar events open to the public.

LMC Section 9320.C.13.(g) states that a cottage food operation shall only serve one customer at a time and only between the hours of 7:00 A.M. to 4:00 P.M. on Wednesday through Sunday. A cottage food operation shall only have one full-time or full-time equivalent non-resident employee and only between the hours of 7:00 a.m. to 7:00 p.m. on days of operation. The proposed Resolution of Approval contains a condition that food preparation, packaging, and on-site sales for the cottage food operation shall occur no earlier than 7:00 a.m. and no later than 7:00 p.m., daily.

LMC Section 9320.C.13.(h) states that, in the case where a cottage food operation is proposed to be located in a dwelling unit that is either leased or rented by a tenant, an original wet-signed written authorization from the property owner or property manager shall be provided with the annual business license request and renewal. The applicant is a co-owner of the property and lives on the property.

CEQA

The project is Categorical Exempt from the California Environmental Quality Act, based on Section 15301.(a) of the Guidelines. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures.

Notification

Notification of the public hearing for Conditional Use Permit No. 1020 was mailed to property owners within a 300-foot radius, posted on the City's website, and was posted on the site on March 19th, 2024 pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State Law.

SUMMARY

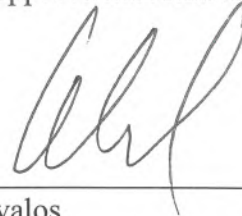
The applicant is applying for a Conditional Use Permit to establish a cottage food operation within an existing single-family home. The proposed use will be in compliance with the principles and standards under Section 9401 of the Lakewood Municipal Code provided all conditions of approval contained in the proposed Resolution of Approval are complied with at all times.

RECOMMENDATION

Staff recommends the Planning and Environment Commission hold a public hearing, and following the hearing, move to adopt the attached Resolution approving Conditional Use Permit No. 1020, subject to findings and conditions contained therein and approve the related Categorical Exemption.



Frankie Griffiths
Assistant Planner

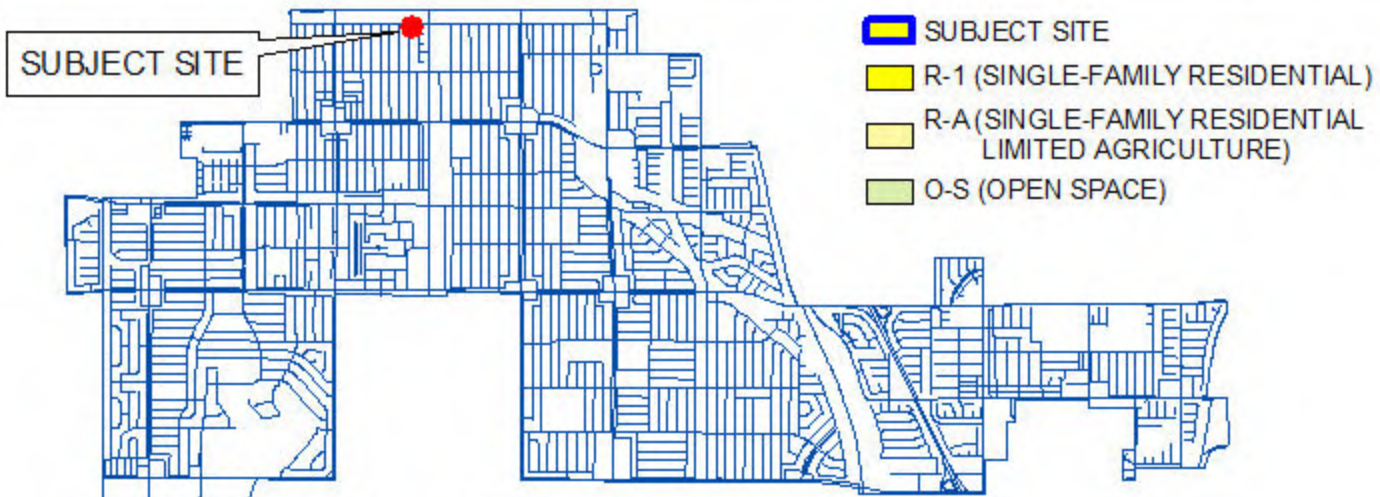
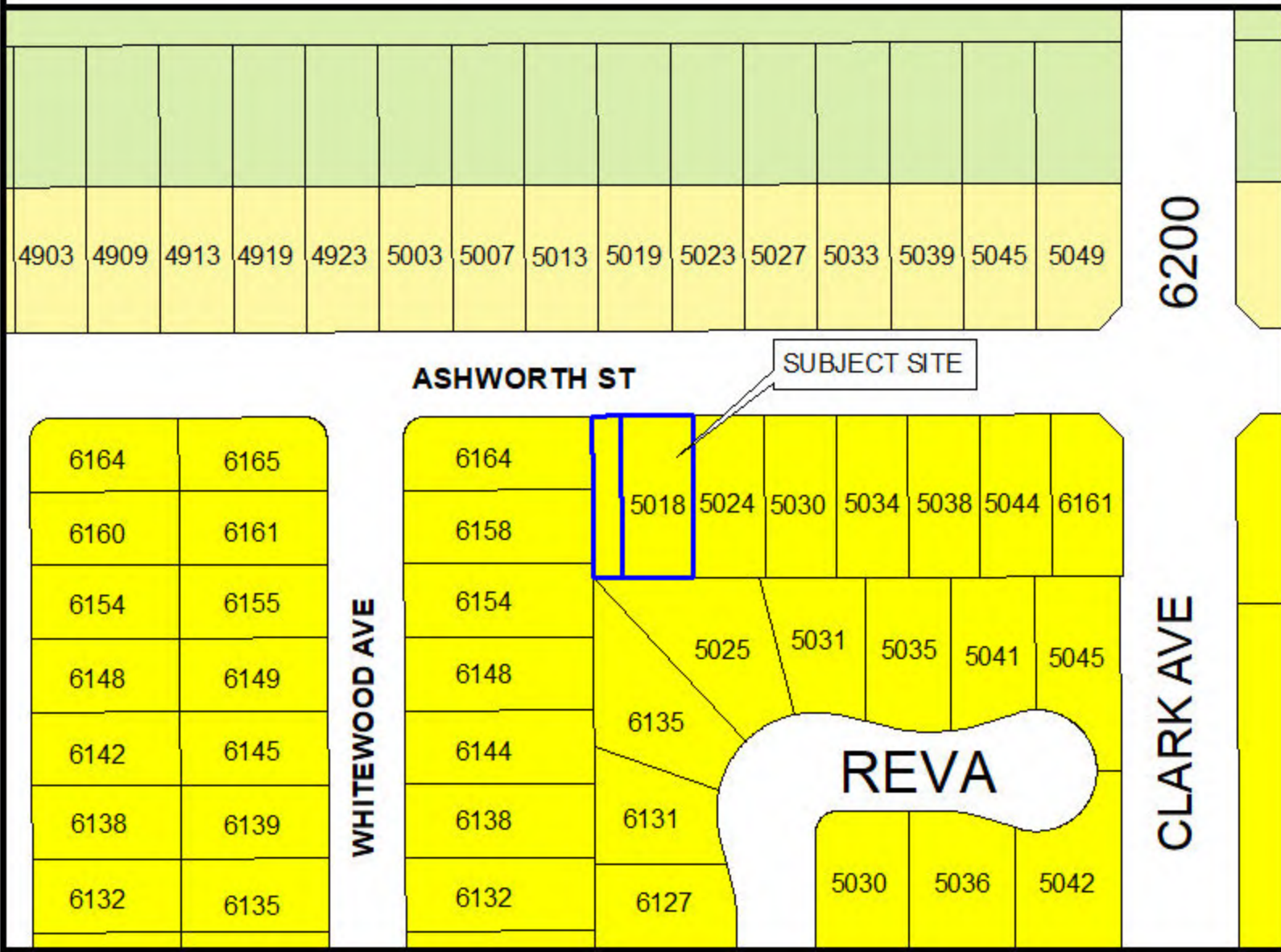


Abel Avalos
Director of Community Development

ATTACHMENTS

- 1) Vicinity Map
- 2) Aerial View
- 3) Exhibit "A" – Site Plan
- 4) Exhibit "B" – Floor Plan
- 5) Proposed Resolution of Approval

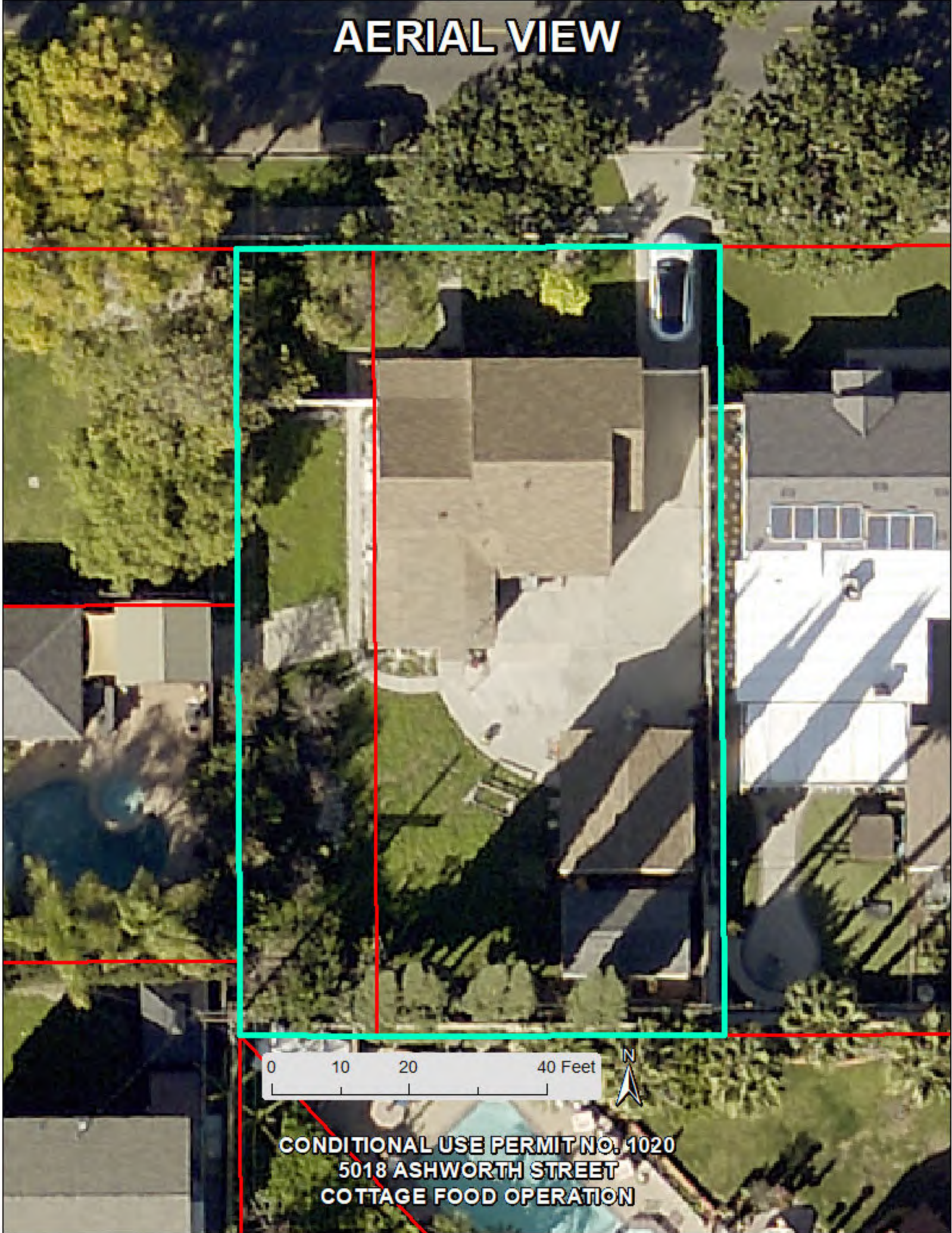
VICINITY MAP



CONDITIONAL USE PERMIT NO. 1020
5018 ASHWORTH STREET
COTTAGE FOOD OPERATION



AERIAL VIEW

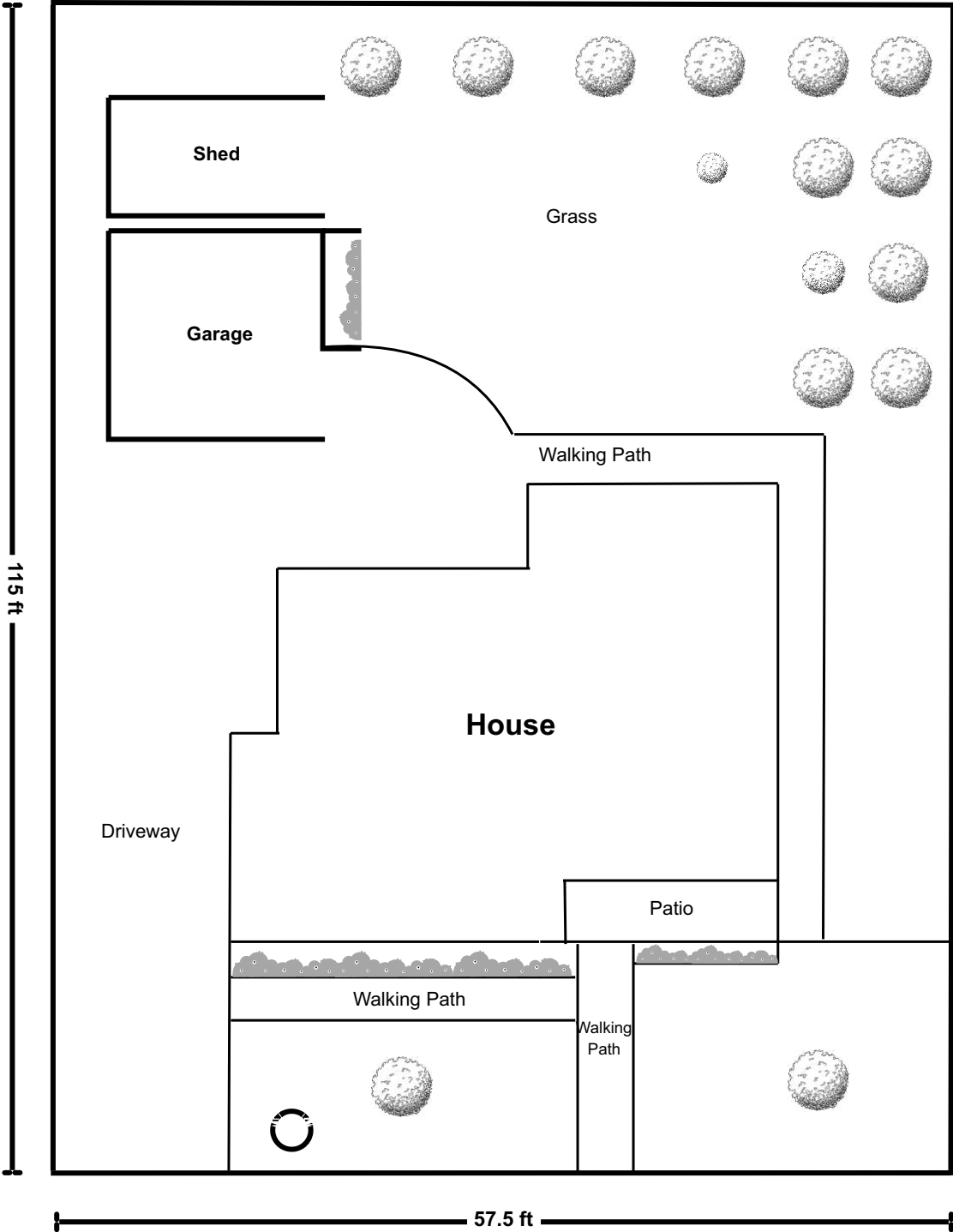


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CONDITIONAL USE PERMIT NO. 1020
5018 ASHWORTH STREET
COTTAGE FOOD OPERATION

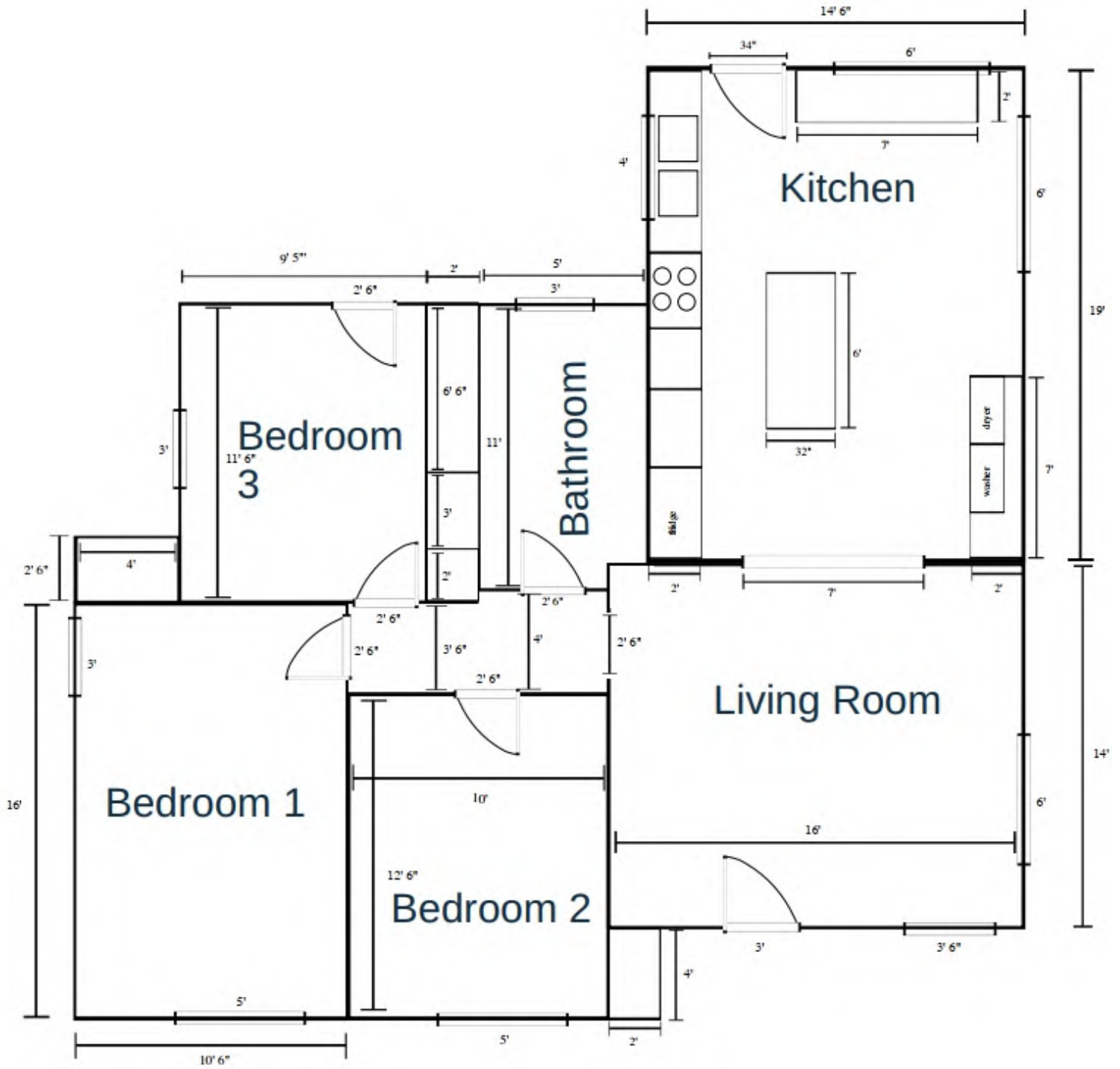
EXHIBIT "A"



5018 Ashworth Street



EXHIBIT "B"



5018 Ashworth Street



RESOLUTION NO. -2024

A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD APPROVING CONDITIONAL USE PERMIT NO. 1020, LOCATED AT 5018 ASHWORTH STREET, LAKEWOOD, CALIFORNIA, FOR THE ESTABLISHMENT OF A COTTAGE FOOD OPERATION.

THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning and Environment Commission of the City of Lakewood, having had submitted to it the application of Amber Chen, owner of an interest in the following described real property, requesting a Conditional Use Permit, pursuant to the provisions under Sections 9302.17e and 9320.C.13 of the Lakewood Municipal Code for the establishment of a cottage food operation, on that certain real property within the City of Lakewood described as Lots 7-8 of Tract No. 13153 as per map recorded in Map Book 256, Pages 1-5, as recorded in the Office of the County Recorder of Los Angeles County, and more particularly described as 5018 Ashworth Street, Lakewood, California; all as shown in the attached minutes and report of the Planning and Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning and Environment Commission does hereby find and determine as provided in this Resolution.

SECTION 2. The Planning and Environment Commission finds that the proposed conditional use is Categorically Exempt pursuant to Section 15301.(a) of the California Environmental Quality Act Guidelines of 1970, as amended.

SECTION 3. The Planning and Environment Commission of the City of Lakewood does hereby report that a public hearing was held before the Planning and Environment Commission in respect to the application on the 15th day of April, 2024, and the Planning and Environment Commission does hereby find and determine that the application, subject to the conditions hereinafter specified, should be granted approval for the following reasons:

A. The request is for approval of Conditional Use Permit No. 1020 for the establishment of a cottage food operation, located at 5018 Ashworth Street, Lakewood, all as shown on Exhibits "A" and "B."

B. The proposed use is found not to be in conflict with the goals of the General Plan, nor does the proposed use conflict with the Low-Density Residential land use designation of the General Plan.

C. The nature, condition, and development of adjacent uses, buildings, and structures have been considered, and it has been found that the proposed use will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures, provided the conditions herein contained are implemented and complied with in total.

D. Ashworth Street is adequate in width and is improved as necessary to serve the traffic generated by the proposed use. No adverse effect is anticipated on existing roads and circulation as a consequence of this application.

E. The subject site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping, and other development features required by the Code. The site will adequately accommodate the parking requirements of the proposed use.

F. Notification of a public hearing has been made, pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State law.

SECTION 4. The Planning and Environment Commission of the City of Lakewood, based upon the aforementioned findings and determinations, hereby grants the use as requested in Conditional Use Permit No. 1020 provided, however, the following conditions are observed and complied with at all times:

A. The conditions shall be complied with upon the initial opening of this business and not thereafter violated or deviated from except where authorized by amendment to this Resolution adopted in accordance with the provisions of this Resolution and the Municipal Code. The granting of the Conditional Use Permit and this Resolution, and any modification or change thereof, shall not be effective for any purpose until a certified copy of this Resolution (exhibits excluded) has been recorded in the office of the Los Angeles County Recorder. The granting of the Conditional Use Permit, subject to the conditions herein set forth, are binding on the heirs, assigns, and successors in interest of the applicant and their heirs, assigns and successors in interest.

B. Approval is for the establishment of a cottage food operation located 5018 Ashworth Street, Lakewood, all as shown on Exhibits "A" and "B."

C. The cottage food operation shall not exceed the amount of gross annual sales specified in California Health and Safety Code Section 113758 (\$150,000).

D. The business is permitted to operate as a "Class A" or "Class B" cottage food operation.

E. Food preparation, packaging and on-site sales for the cottage food operation shall occur no earlier than 7:00 a.m. and no later than 7:00 p.m., daily.

F. All windows and doors of the room in which the cottage food operation will operate shall remain closed during all operating hours, except where necessary for ingress or egress of residents of the home or customers of the cottage food operation.

G. One customer parking space shall be made available on the existing driveway during all hours when the business is open in order to reduce the need for customers to park on the street.

H. The applicant may add not more than one non-resident employee. If a non-resident employee is added, one parking space, for a total of two spaces, shall be made available on the existing driveway during all hours when the business is open in order to reduce the need for a non-resident employee to park on the street.

I. **Effective Date.** The action by the Planning and Environment Commission in this matter shall be final, conclusive, and effective ten (10) calendar days after the giving of official notice of approval, as provided in Section 9403.2 of the Lakewood Municipal Code (LMC), unless within that ten (10) calendar day period an appeal in writing is filed with the City Clerk by the applicant or by any person who protested the application as a matter of record, and who, in addition, received or was entitled to receive the written notice specified in LMC Section 9422. The filing of such an appeal within such time limit or the request for review of such a decision within such time limit shall stay the effective date of the order granted until the City Council has acted on the appeal or other approval review.

J. **Acceptance.** By signing a statement and/or orally accepting the terms and provisions of this conditional use permit during the public hearing and as further recorded as entered into the minutes of these proceedings, the permittee thereby acknowledges all of the conditions imposed and accepts this permit subject to those conditions with a full awareness that the violation of any of the conditions could subject permittee to further hearings before the Planning and Environment Commission on the issue of possible modification and/or revocation. Furthermore, the applicant shall sign a written statement stating that they have read, understand, and agree to the conditions of approval within ten (10) City business days following official notice of the adoption of this Resolution of Approval for Conditional Use Permit Number 1020.

K. **Modification/Revocation.** This Conditional Use Permit may be modified or revoked by the City Council or the Planning and Environment Commission at a public hearing, should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare and/or materially injurious to property or improvements in the vicinity of the subject property and/or if the property is operated or maintained so as to constitute a public nuisance.

L. **Indemnification.** The applicant agrees to indemnify, hold harmless and defend the City, its officers, agents and employees at the applicant's expense, from any and all liability or claims that may be brought against the City arising from its approval of this permit, and/or arising out of the operation of any business, land use or activity on the subject property, save and except where such are caused by the City's active negligence.

M. **Compliance.** The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the construction and/or operation of any activity or land use on the subject property may be cause to justify modifications or revocation of this conditional use permit by the Lakewood Planning and Environment Commission or City Council at a public hearing.

ADOPTED AND APPROVED this 15th day of April 2024, by the Planning and Environment Commission of the City of Lakewood voting as follows:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:

Bill Baca, Chairperson

ATTEST:

Abel Avalos, Secretary

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APPLICATION FOR: Conditional Use Permit No. 1021
LOCATION: 4651 Silva Street
APPLICANT: Cory Joseph representing Sunshine Skate Center
PROPOSED USE: Indoor Commercial Recreation Facility
ZONING: C-4 (General Commercial)

INTRODUCTION

The applicant, Cory Joseph representing Sunshine Skate Center, is requesting approval of Conditional Use Permit No. 1021 to establish and operate an Indoor Commercial Recreation Facility (an indoor skating rink) at 4651 Silva Street at Lakewood Center mall. The property is designated by the General Plan for Commercial uses and is in the C-4 (General Commercial) zone. Section 9302.17c of the Lakewood Municipal Code (LMC) defines Commercial Recreation as any use where a charge is imposed for a recreational activity. LMC Section 9347.D.5 requires a Conditional Use Permit for Indoor Commercial Recreation uses in the C-3 (Intermediate Commercial) zone. LMC Section 9350.B.2 specifies that Indoor Commercial Recreation uses are allowed in the C-4 (General Commercial) zone, under the same conditions as in the C-3 zone.

STATEMENT OF FACTS

Area Description

The proposed business will be located within the Lakewood Center mall. The site is surrounded by commercial uses (see Vicinity Map and Aerial View). The closest residential property is approximately 500 feet to the south as measured between the subject tenant space and nearest residential property line. The following table lists the land uses and zoning designations for the site and the surrounding properties.

AREA	EXISTING LAND USE	ZONE DESIGNATION
Subject Site	Regional Shopping Center	C-4 (General Commercial)
North	Commercial	C-4 (General Commercial)
East	Commercial	C-4 (General Commercial)
South	Commercial	C-4 (General Commercial)
West	Commercial	C-4 (General Commercial)

Site Description

The site is 134 acres and is developed with a 1.5 million square-foot main building and 22 outbuildings (see Exhibit “A”). The outbuildings collectively have a floor area of 577,000 square feet. There are 8,730 parking spaces provided on the site. Major tenants in the Mall include JC Penney, Macy’s, Target, Home Depot, Best Buy, and Costco. The subject tenant space is located a freestanding building near the southern portion of the site, just east of JC Penney.

Project Description

Sunshine Skate Center will occupy approximately 32,205 square-feet of an existing building. The tenant space will consist of an entry area with two admission booths on either side, the main skating rink area, three locker bays around perimeter of the skating area, and ten event spaces. The eastern side of the tenant space will include business offices, skate rental office, skate repair room, merchandise shop, and storage. There will be two restrooms, an electrical room, a utility room, and loading dock.

Guests will enter the wait line outside of the building prior to the beginning of each skating session. There will be three lines: One for group reservations (such as birthday parties); one for prepaid customers; and one for walk-up customers. Bollards will be added every 5’-6” along the sidewalk for the length of the tenant space as a safety barrier between guests waiting in line and vehicles traveling along Silva Street and the adjacent parking lot (except where there are existing building columns). A bicycle rack will be located outside of the main entrance for guests and another bicycle storage location will be located inside for employees. At the start of a skating session, guests will enter, pay at the admission booth, rent skates or place belongings in one of the lockers. Guests will be able to purchase skates, t-shirts, socks, keychains, and other items at the merchandise shop.

The proposed hours of operation are from 2:30 PM to 12:00 AM weekdays and from 10:00 AM to 12:00 AM weekends. The proposed Resolution of Approval allows operations from 7:00 AM to 12:00 AM, daily. A Special Event Permit may be obtained to authorize an overnight event that includes independent signed concurrence from Lakewood Center mall management to conduct the event allowing a temporary modification to the hours of operation or other standards.

Open skate sessions will typically start around 2:00 or 3:00 PM and last until closing time. Each skating session lasts about two hours, 45 minutes. This allows three skating sessions during the week and five skating sessions on weekends. Generally, the skating sessions will be as follows:

- 3:00 PM – 5:00 PM – Kid’s session (17 and under)
- 6:00 PM – 9:00 PM – Open session (All Ages)
- 9:00 PM – 12:00 AM – Adult only session (18 years and up)

The facility may be open for private events, which would typically be hosted from 10:00 AM to 2:30 PM on weekdays. The facility will have 10 event spaces that can be rented for private parties during skating sessions. There are six (6) Event Space A rooms that include collapsible walls in every other room to create three larger room if needed. Each Event Space A rooms will be about 228 square feet. There are two (2) Event Space B rooms that and two (2) Event Space C rooms that both include collapsible walls to create larger rooms if needed. Each Event Space B room will be approximately 468 square feet and each Event Space C room will be approximately 659 square feet.

Initially there will be six full-time employees and 59 part-time employees total. Ten to 12 staff members will be on-site at any given time depending on non-peak and peak operating sessions. In addition to regular staff members there will also be security personnel which will be a minimum of four at all times but up to 16 during peak operating sessions, as needed.

For security purposes, the proposed Resolution includes the following entry age restrictions:

- All children under the age of 13 shall be accompanied by an individual at least 18 years old;
- All children between the ages of 13 and 18 shall have and present a valid school or other governmental agency issued picture identification card in order to gain entry to the facility;
and
- No one under the age of 18 shall be admitted after 9:00 PM without a chaperone at least 18 years old.

The proposed Resolution of Approval contains a condition requiring that a facility manager at least 18 years of age be on the premises during all hours of operation and must actively supervise the tenant space at all times. Also, no alcoholic beverages will be permitted to be sold on-site, or be allowed to be brought in from the outside. Exhibition events are not allowed and there will be no live entertainment or live music. Recorded music is permitted. To control the level of interior noise levels from the facility, the proposed Resolution requires that all windows and doors remain closed during operating hours.

Development Review Board

The Development Review Board (DRB) reviewed the CUP application for this business on March 27, 2024 (see attached letter for DRB Case No. 9243). The DRB letter included conditions for compliance with conditions of operation, parking and circulation, waste collection, site security, and property maintenance. The proposed Resolution of Approval requires that the property owner and/or property management company shall prepare, submit, and obtain approval of a Public Safety and Security Plan (PSSP) with the Lakewood Public Safety Department prior to final inspection. The DRB conditions contained in the action letter for DRB Case No. 9243 are incorporated by reference in the proposed Resolution of Approval.

Law Enforcement

The County of Los Angeles Sheriff's Department has reviewed the application for Conditional Use Permit No. 1021 (see attached memorandum dated March 13, 2024). The following are recommendations from the County of Los Angeles Sheriff's Department should the Planning and Environment Commission approve Conditional Use Permit No. 1021:

1. "No Loitering" signs shall be placed and remain clearly posted around the business, and any loitering activity should be strictly monitored and aggressively discouraged by management. A Letter of Agency should be on record and copies given to Lakewood Sheriff's Department.
2. The parking area should be configured for and maintained with sufficient lighting to illuminate the appearance and conduct of all people in the parking areas.
3. Management should have an on-going liaison relationship with members of the Sheriff's Department and the Lakewood Center mall management, so that communication can be easily facilitated when problems occur and ensure a strong level of communication for crime preventions and problem-solving efforts.
4. The establishment should be required to have a working "state of the art" video surveillance system in place to allow Sheriff's personnel to assist in criminal investigations. The storage medium should be secured in such a manner as to not to facilitate the easy removal by unauthorized personnel or store employees under duress.
5. The establishment should be required to have a working "state of the art" silent robbery alarm system in place to allow employees to promptly report crimes in progress if they are safely able to do so.
6. The establishment should be required to provide an on-site sufficiently staffed security service. The service should be trained and advised to liaison with Lakewood mall Security.
7. Establish an escort policy in which after a certain hour, minors must be accompanied by an adult.
8. Added security for special events which tend to draw a larger crowd than usual.
9. This Conditional Use Permit shall be subject to review allowing input from the Sheriff's Department for any concerns that may arise (the proposed Resolution includes a condition that the use be subject to a six-month review from the date of opening of the business).

Code Requirements

A Conditional Use Permit for the proposed use may only be approved upon findings of the Planning and Environment Commission (PEC) that the proposed use, subject to any conditions imposed, will not be detrimental to surrounding property or residents. A finding that the

proposed use is in accord with the following principles and standards is necessary in each case, as specified in LMC Section 9401.

1. The proposed conditional use shall not be in substantial conflict with the General Plan.

The General Plan land use designation for the subject site is Commercial. The proposed use is a commercial use and, therefore, is not in conflict with the General Plan.

2. The nature, condition, and development of adjacent uses, buildings, and structures shall be considered, and no CUP shall be granted where such use will adversely affect or be materially detrimental to said adjacent uses, buildings, or structures.

The proposed Resolution of Approval contain a conditions to minimize the proposed use from adversely affect or be materially detrimental to said adjacent uses, buildings, or structures.

3. The site for a conditional use shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features required by this Chapter, or as required as a condition in order to integrate said uses with the uses in the neighborhood.

The proposed use will occupy an existing tenant space. Any exterior signage will require approval from the Development Review Board and proper permits. LMC Section 9490.S.3 requires 4.25 parking spaces per 1,000 square feet of gross lease area. Because the proposed use is not adding new leasable floor area, the number of required parking spaces at the mall will not change as a result of this application.

4. The site for the conditional use shall be served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.

The subject site is served by Lakewood Boulevard, Del Amo Boulevard, Candlewood Street and Clark Avenue. The General Plan Circulation Element designates Lakewood and Del Amo as Major Arterial roadways and designates these segments of Candlewood Street and Clark Avenue as Secondary Arterial roadways.

The proposed use will occupy an existing tenant space in a Regional Shopping Center. The project will not result in an expansion of a Regional Shopping Center. The General Plan Master Environmental Impact Report (MEIR) identifies that a significant traffic impact would occur if a project generates substantial additional vehicular movement resulting in substantial impact upon existing transportation systems as measured by traffic increases where the change in the volume-to-capacity (V/C) ratio is greater than or equal to two percent (2%) along arterials or at intersections currently operating at Level of Service (LOS) "D" or a more congested LOS. The traffic volume along these street segments will not change as a result of this project. Therefore, any traffic impacts from the proposed conditional use would be less than significant. The

adjacent roadways are adequate in width and improved as necessary to accommodate the traffic that might be generated by the proposed conditional use. The project will not result in a significant change in the existing traffic patterns because it will occupy an existing tenant space and because there will not be an increase for required off-street parking.

5. That all other conditions and limitations imposed by this Chapter in connection with the proposed application for a CUP have been made. LMC Sections 9347.D.5 and 9350.B.2 allow Commercial Recreational uses provided that a CUP has been obtained and that the following conditions and standards are met and maintained at all times:

a) The use shall be conducted entirely within a building.

The applicant proposes to conduct the business entirely within the subject building.

b) No use shall be maintained with an outside door within 500 hundred feet of a lot line of any church, public or private school, or library.

There are no parcels developed with churches, public or private schools, or libraries within 500 hundred feet of the proposed use.

c) No premises shall open to the public unless one (1) or more attendants or supervisors are present during all hours of operation.

The proposed resolution of approval contains a condition that a manager of at least 18 years of age or older be on the premises during all hours of operation and must actively supervise the tenant space at all times.

d) Reasonable conditions may be imposed restricting the hours of operation so as to protect the public health, safety and welfare, and surrounding property uses.

The proposed hours of operation are from 2:30 PM to 12:00 AM weekdays and from 10:00 AM to 12:00 AM weekends. The proposed Resolution of Approval allows operations from 7:00 AM to 12:00 AM, daily.

e) Reasonable conditions pertaining to both the construction of the facility and its maintenance may be imposed so as to minimize the effect of noise, congregation, parking, and other factors generated by the use detrimental to the public health, safety, and welfare, or the surrounding community.

The existing building is developed and maintained with minimal effect of noise, congregation, and parking, without detriment to the public health, safety, and welfare, or the surrounding community.

Conditional Use Permit No. 1021

April 15, 2024

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f) Such other conditions may be imposed as necessary in order to preserve the public peace, health, safety and welfare, and the surrounding community.

Plans shall be submitted to the City and the appropriate approvals and permits shall be obtained and finalized for any interior tenant improvements prior to approval of any business license for this tenant space.

CEQA

The proposed project is Categorically Exempt pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, as amended. Class 1 consists of the operation, repair, maintenance, and permitting, leasing, licensing, or minor alteration of existing public or private structures.

Notification

Notification of the public hearing for this CUP was posted on the City's webpage, mailed to property owners within a 300-foot radius of the subject property, posted at the subject site and in three public places on Tuesday, March 20, 2024, pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State Law.

SUMMARY

The applicant is applying for a CUP to establish and operate an Indoor Commercial Recreation use. The subject use will be in compliance with the appropriate standards of the Lakewood Municipal Code. The project is Categorically Exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines.

RECOMMENDATION

Staff recommends that the Planning and Environment Commission hold a public hearing and following the hearing move to adopt the proposed Resolution approving CUP No. 1021, subject to the findings and conditions contained therein and approve the associated Categorical Exemption.



Paul Kuykendall, AICP
Senior Planner



Abel Avalos
Director of Community Development

Conditional Use Permit No. 1021
April 15, 2024
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ATTACHMENTS

- 1) Los Angeles Sheriff's Department memorandum dated March 13, 2024
- 2) Development Review Board letter dated March 27, 2024
- 3) Vicinity Map
- 4) Aerial View
- 5) Exhibit "A" – Site Plan
- 6) Exhibit "B" – Floor Plan
- 7) Exhibit "C" – Elevations
- 8) Proposed Resolution of Approval



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF



March 13th, 2024

Mr. Thaddeus McCormack
City of Lakewood
5050 Clark Avenue
Lakewood, California 90712

Dear Mr. McCormack:

The purpose of this letter is to advise you regarding the review of the Conditional Use Permit 1021 for "Sunshine Skate Center" 4651 Silva Street (Lakewood Center Mall).

REVIEW OF CONDITIONAL USE PERMIT (CUP) 1021 - Review of the application for Conditional Use Permit at "Sunshine Skate Center" an indoor roller-skating rink.

In reviewing the request, we could not see any negative, adverse law enforcement issues as they would pertain to the business's concept and operations.

Potential Problems:

1. Vagrancy
2. Loitering
3. Fighting and/or other types of violence

It is the opinion of the Los Angeles County Sheriff's Department to approve the application of the Conditional Use Permit 1021, it is recommended that "Sunshine Skate Center" follow the recommended guidelines:

1. "No loitering" signs shall be placed and remain clearly posted around the business, and any loitering activity should be strictly monitored and aggressively discouraged by management. A Letter of Agency should be on record and copies given to Lakewood Sheriff's Department.

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2. The parking area should be configured for and maintained with sufficient lighting to illuminate the appearance and conduct of all people in the parking areas.
3. Management should have an on-going liaison relationship with members of the Sheriff's Department and the Lakewood Center Mall management, so that communication can be easily facilitated when problems occur and ensure a strong level of communication for crime preventions and problem-solving efforts.
4. The establishment should be required to have a working "state of the art" video surveillance system in place to allow Sheriff's personnel to assist in criminal investigations. The storage medium should be secured in such a manner as to not to facilitate the easy removal by unauthorized personnel or store employees under duress.
5. The establishment should be required to have a working "state of the art" silent robbery alarm system in place to allow employees to promptly report crimes in progress if they are safely able to do so.
6. The establishment should be required to provide an on-site sufficiently staffed security service. The service should be trained and advised to liaison with Lakewood Mall Security.
7. Establish an escort policy in which after a certain hour, minors must be accompanied by an adult.
8. Added security for special events which tend to draw a larger crowd than usual.
9. This C.U.P. shall be subject to review allowing input from the Sheriff's Department for any concerns that may arise.

If there are any further questions, you may contact Sergeant Theo Gekas at (562) 623-3657.

Sincerely,
ROBERT G. LUNA, SHERIFF



Daniel Holguin, Captain
Commander, Lakewood Station



March 27, 2024

DRB Recommendation to PEC

Macerich Lakewood, LLP

Attn: Denna Henry, CSM Director
Attn: Enrique Martinez, Senior - Operations
500 Lakewood Center Mall (LCM)
Lakewood, CA 90712
E-mail: Deena.Henry@Macerich.com
E-mail: Enrique.Martinez@Macerich.com
Deena Office: (562) 232-1900/(714) 403-9617
Enrique Cell: (562) 714-0475

DBA: Sunshine Skate Center

Attn: Cory and Leah Joseph
2201 N. Lakewood Boulevard, Suite D614
Long Beach, CA 90815
E-Mail: info@sunshineskatecenter.com
Cell: (562) 303-7477
Alternate Address: 1961 Freeman Avenue
Signal Hill, CA 90755

Macerich Lakewood, LLP

P.O. Box 2172
401 Wilshire Boulevard Suite 700
Santa Monica, CA 90407
Attn: Correspondence Routing System/Legal Department
E-mail: LakewoodCenterAR@Macerich.com
Phone: (866) 811-1095

Allard Kuijen Design

Attn: Allard Kuijen
355 Los Altos Avenue
Long Beach, CA 90815

E-Mail: Allard@AllardKuijenDesign.com

Phone: (310) 292-9967

DRB CASE NO. 9243/ Sunshine Skate Center

Site: 4651 Silva Street, Lakewood, CA 90712

Project Description (“Project”): Indoor Commercial Recreation facility (*roller-skating rink.*)

CUP No. 1021 Recommendation

APN: 7172-001-049

The Project application has been reviewed by the Development Review Board (“DRB”) and they hereby **RECOMMEND APPROVAL to the Planning and Environment Commission (PEC)**, of Conditional Use Permit (CUP) Number 1021 to establish and allow the construction and operation of an indoor commercial recreation facility for a roller-skating rink.

This recommendation action was taken by unanimous vote of a quorum of the Development Review Board (DRB) in consideration that all the required findings specified by the Lakewood Municipal Code (LMC) Section 9484.1 are being made in a positive manner supporting the development of the related project. This action is not appealable as it is an advisory recommendation only. The Development Review Board is recommending to the PEC the following conditions, which if adopted by the PEC shall be completed by the applicant to the satisfaction of the Community Development Department:

Lakewood

CEQA FINDING. The DRB recommends to the PEC to find that this Project is exempt from the State of California Environmental Quality Act (CEQA) as authorized by Public Resources Code Section 21084 and as implemented by the CEQA Guidelines (*California Code of Regulations, Title 14 Natural Resources, Division 6 - Negative Declaration Process, Chapter 3 CEQA Guidelines, Article 19 – Categorical Exemptions*), based on the following:

Existing Facilities: *Section 15301 (a), Class 1 Existing Facilities.* The Project involves the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structure. The Project includes renovation of an existing building, and the project area has all public services available and is not environmentally sensitive.

NOE: A Notice of Exemption (NOE) may be prepared and recorded based on this finding.

LAND USE/PROJECT APPROVAL

1. **Project Description and Land Use Approval.** The following (“Project”) is approved to:
 - a. Revise roof support system to cantilever support and remove pillars from the rink floor.
 - b. Demolish 1,325 SF (*690 SF + 635 SF*) of existing fitting room walls and replace these areas with glass walls for the proposed event rooms on both sides of the rink.
 - c. Demolish existing restroom sinks and replace them with a central unisex sink system.
 - d. Construct and operate a 33,205 SF* indoor commercial recreation facility for a roller-skating rink, with a maximum capacity of 800 (*775 customers/25 staff*) at one time:

• Roller rink floor made of maplewood	13,734 SF
• Carpeted area around rink	10,436 SF
• Two Admission Booths (56.5 SF each)	113 SF
• Skate Rental	504 SF
• Skate Repair and Pro Shop	105 SF
• Retail Merchandise	126 SF
• Office areas	645 SF
• Three storage locker areas for customer belongings	420 SF
• Event Rooms: Total area is 3,604 SF comprised of	
➤ Type A - Six 228 SF event rooms with collapsible curtain walls to combine rooms	
➤ Type B – Two 467.5 SF deluxe event rooms with couches	
➤ Type C – Two 650 SF deluxe event rooms with couches	
• Restrooms: Total 11 fixture units	
➤ Men’s restroom with 3 urinals/3 stalls	182 SF
➤ Women’s restroom with 6 stalls	182 SF

**33,205 SF is per city approved building records, lease states 33,224 SF*

 - a. Install bollards a minimum of 4” in diameter and 36” in height along the facility frontage with no more than 5.5 feet of separation for customer entry queue lines. Bollards shall be strong enough to stop a vehicle from entering the customer entry queue area.
 - b. Install signage program (*reviewed and approved by separate staff approval procedure*), this includes wall signs above the south main entrance, the east customer queue lines, and the rear north side of the building.
 - c. The land uses and structures shall adhere to the C4 zoning regulations and development standards listed in LMC Section 9350 et seq.

2. Conditions of Operation.

a) Hours of Operation. The roller skate rink facility may operate between 7 am and 12 am (midnight), seven days a week, unless otherwise authorized with a Special Event Permit. A Special Event Permit may authorize an overnight event that includes independent signed concurrence from the Lakewood Center Mall management. *(Current schedule is from 9 am to 11 pm daily with adult (18+) only skate hours from 9 pm to 11 pm)*

b) Entry Age Restrictions.

- All children under the age of 13 shall be accompanied by an adult.
- All children between the ages of 13 and 18 shall have and present a valid school or other governmental agency issued picture identification card in order to gain entry.
- No one under the age 18 shall be admitted after 9 pm without an adult chaperone.

c) Manager. There shall be a minimum of one adult facility manager on duty at all times.

d) Noise Attenuation. All windows and doors shall remain closed during operations.

e) Special Event Permit. From time to time the applicant may request a city issued special event permit with signed consent from the mall management to conduct the event that allows a temporary modification to the hours of operation or other standards.

3. Permits. The applicant shall submit plans, obtain permits, and construct the requested Project as described above and in accordance with the DRB approved plans, which are on file with the Community Development Department, and obtain successful final inspections. The site improvements shall be constructed and operated in accordance with the following reviews:

a) DRB Actions. The DRB approved plans, these conditions of approval, other related drawings, and documents *(all as on file with the Community Development Department)*.

b) Los Angeles County Building and Safety. Comply with all California building and construction codes as currently and most recently adopted by the City of Lakewood and the County of Los Angeles, including but not limited to building, structural, mechanical, electrical, plumbing, Title 24, and the green codes. *(The property owner should receive a copy of the signed final inspection card prior to final payment to the contractor.)*

c) Los Angeles County Fire and Public Health. Comply with any required County Fire and County Public Health plan reviews and inspections. These are independent from the Los Angeles County Building and Safety review and need to be submitted separately. Any food storage/preparation uses shall obtain approval from LA County Public Health.

d) Lakewood Public Works. All encroachment permits, the construction debris hauling and the three-stream waste collection programs, industrial waste permits, and any required stormwater LID system shall be reviewed and approved by Public Works Department.

4. Compliance. All existing structures shall be properly permitted and sited in compliance with the Lakewood Municipal Code. Any non-complying structures shall either be removed or properly permitted, prior to final inspection of the requested improvements.

5. Paint. The applicant shall paint the building as indicated on the plans. The applicant shall always maintain the exterior in a clean aesthetically pleasing manner. Any exterior portion of a structure that has cracked, faded, stained, or peeled paint shall be repainted.

6. Materials. The applicant shall coordinate and/or match throughout all architectural elements, including the size, style and shape of roof overhangs, rafters, and fascia. All windows and doors shall match in terms of trim and style on each elevation. All roofing materials shall match, and all exterior materials, textures, and colors shall blend. The applicant shall install any materials specifications that are included in the plans of this approval.

7. **Signage and Façade Preparation.** All signage is required to be reviewed and approved by the Community Development Department staff and shall be submitted as a separate application. Prior to wall sign installation, the wall façade behind a proposed wall sign shall be one continuous color across the full surface of the wall. The sign installer is required to obtain a final inspection of the installed sign. *(NOTE: The applicant should withhold final payment to the sign contractor, pending receipt of a signed final inspection.)*
8. **Address Numbering.** The address number of each commercial tenant space shall be clearly visible from the street for emergency staff with 6” or taller numbers. A painted address number on the roof is recommended with minimum 3-foot-tall numbers for aerial viewing by the Sheriff’s helicopter.
9. **Operational Impacts.** No activity associated with the construction, maintenance, or operation of the approved project/land use shall be conducted in such a manner that it generates excessive noise, glare, odor, dust, or ground-borne vibration that impacts adjacent properties. Stationary-sourced noise generated from equipment and uses on the site shall not exceed 65 dB(A) at any adjacent property line.
10. **Storage Containers (Community Development).** There shall be no shipping containers placed on the site as a source of temporary storage for goods without a temporary use permit issued by the Community Development Department. Any containers allowed by such a permit shall be removed in accordance with the time limits imposed by the temporary use permit. Any use of such containers used for the storage of Project construction materials and tools shall be removed prior to final inspection of the Project. Any permanent use of such containers shall be approved by planning staff and installed in accordance with the Building Codes.
11. **Exterior Light Fixtures.** Exterior lights shall comply with LMC Section 9492.I, which requires exterior lighting be angled and shielded in a manner so as not to reflect direct or indirect light upon abutting or adjacent properties, with a maximum light spill of 0.5-foot candles at grade level.

PARKING AND CIRCULATION

12. **Vehicle and Bicycle Parking.** City specifications shall be implemented for doubled striped parking spaces and for other striping, signage, and traffic circulation direction markings and signage, including stop signs, stop limit striping, pedestrian crossings, and left and right turn arrows. The proposed project is in an integrated commercial shopping center where all parking is shared and with reciprocal access between all tenant spaces. The parking specifications of LMC Section 9490 shall be imposed as follows:

<u>Required/Provided Parking Spaces:</u>	<u>Parking Spaces</u>
Integrated shopping center (Regional Mall) 4.25/1000 SF of 33,400 SF	142
Total Required	142

Provided Parking Spaces Allocated by Type:

• Standard Spaces (9’w x 20’d)	132
• Compact Spaces (8’w x 16’d) Max 40% of 142 provided = 56	Used: 0
• Regulated Parking provided (See below - ADA/EVSE)	10
Total Vehicle Parking Provided	142

Regulated Parking Spaces: (EVSE = Electric Vehicle Supply Equipment - wired 220-240V)

ADA - Accessible Spaces (based on 33 Required)

	Required	Provided
• Van Accessible (9'+8'w x 20'd) (1 st / 1 per 4)	2	2
• Standard Accessible (9'+5'w x 20'd) (3/100 required; then 2%)	4	4
Total Accessible Regulated	6	6

Green Code - Parking Spaces (Based on 142 provided spaces per Table 6 5.106.5.3.1)

(Not required w/ less than 25,000 SF of new construction.) (If required: 142 spaces = 38 EV capable/13 EVSE)

Total EV Capable (Track installed/ no wire: 30% of 142 provided, includes EVSE*)

• Total EVSE charging spaces (* Chart or 33% of the above 38 EV Capable)	0	4
(Spaces marked as "EV CHARGING ONLY")		
○ EVSE Regular spaces (9'w x 20'd)	0	3
○ EVSE Van Accessible spaces	0	1

Total Green Code

Total Regulated

Bicycle Storage (Require 5% of 142 Required Parking for both Long & Short Term per Green Code 5.106.4.1 et.seq.)

• Short-Term External Bike Storage* (5% of 142 parking spaces)	8	8
• Long-Term Internal Bike Storage* lockers/rooms (staff 5% of 142)	8	8
(*Refers to total bikes stored - Bike racks/lockers may store more than 1 bike)		
Total Bike Storage:	16	16

Loading Zones (LZ) (City Standard is 10'w x 25'd – one per building)

• Truck Loading Spaces Provided (10'w x 25'd x 14'h) (1 per bldg.)	1	1
• Dock Loading Spaces Provided (10'w x 60'd) (as needed)	0	1
Total Loading Spaces Provided	1	2

13. ADA Driveway Visibility. Any ADA paths-of-travel that either crosses or is immediately adjacent to any street or driveway, shall be outlined with a 3" or wider white stripe on each side of the blue striped pathway to increase the visibility of the crosswalk or pathway.
14. Fire Lane (LA Co. Fire). A fire lane (Minimum 28-feet wide) shall be maintained in a clear and unobstructive manner at all times around the perimeter of the entire building. There shall be no temporary or permanent storage in this area. In addition, there shall be no storage of combustible materials within eight (8) feet of any property line.
15. EV Capable Parking Spaces. The property owner is encouraged to address the increasing demand for parking spaces with the addition of some electrical vehicle charging capacity.
16. Queue Line Vehicle Protection. The customer queue lines along the facility frontage shall be protected with a vehicle protection barrier system (e.g., steel post bollards spaced at 5.5-foot or less centers). This is required to protect pedestrian queue lines adjacent to any street, driveway, or parking area to provide protection from potential mishaps and intrusion by vehicles parked or traveling in adjacent areas. This detail shall be shown on the site plan and detailed in the construction plans submitted to plan check.
17. Parking Lot Markings/Signs and Striping. Prior to final inspection/occupancy of the project, the following shall be inspected and approved by the Community Development Department: parking spaces (number & dimensions), double striping, driveways (widths), and on-site traffic markings and signage (e.g., stop signs, pedestrian crossings, and turn arrows.)

WASTE COLLECTION AND DISPOSAL (Public Works)

18. Construction Debris. Any construction activities that involve hauling away demolition and construction debris shall be approved by the Lakewood Public Works Department through the Green Halo debris disposal monitoring system. The city has an authorized hauler, which is currently EDCO. Any debris self-hauling requires preapproval by the City and shall be hauled to a city approved disposal facility with mandatory submittal of the waste haul receipts to the city to satisfy state regulations. Any failure to do so shall result in significant fines and penalties, including possible revocation of building permits and business licenses of the project contractor and any subcontractor involved in any activity related to such hauling.
19. Waste Collection Program. The construction debris collection program, solid waste/recycling/organic waste collection program, and trash enclosure standards for the retail store shall comply with current City and State requirements. Prior to final inspection and/or occupancy of the proposed land use, the property owner or their representative shall prepare and obtain approval of a written comprehensive Waste Collection Program (“WCP”) for the proposed land use that is acceptable to the satisfaction of both the City Public Works Department and EDCO, the City’s franchised solid waste hauler. The WCP shall include:
- a) Types, size, and location of bins, as well as the frequency of pickup to satisfy volume.
 - b) There shall be sufficient capacity and storage areas for all required forms of collection. This includes all three normal waste streams of 1) solid waste, 2) required recycling (*split bin is possible*), and 3) required organic waste (*food and green landscape waste*.) In addition, the WCP shall describe the collection of used tires and other automotive waste.
 - c) The use of a trash compactor, cardboard bailer, or other alternative on site storage of recycling waste shall be identified and approved in the written WCP.
 - d) Any self-haul operation shall be listed in the WCP and approved separately by Public Works. These services shall be provided at no expense to the property and shall meet the city reporting requirements as specified in the Lakewood Municipal Code Sections 5356 and 5357. The information shall include the hauler name, the city approved disposal facility to which it is being hauled, and the frequency and estimated volume of such hauled waste material. The self-hauler shall be required to provide waste haul receipts to the City from the disposal facility and failure to do so shall result in penalties.
 - e) Any trash enclosure is required to be continuously maintained by the property owner/operator/tenant in a satisfactory manner with all trash stored inside the authorized collection devices. No spillover or other external storage of debris or waste is allowed. Employees shall be instructed not to overfill bins and keep the trash enclosure doors closed and always locked to prevent unauthorized dumping or scavenging.
 - f) Access to the trash enclosure shall be maintained at all times and not be blocked by vehicles or other obstructions.
 - g) All trash bins shall either be located inside the building OR in an exterior fully secured, roofed, and lockable trash enclosure, whose design is approved by both the Lakewood Public Works Department and the Community Development Department. There shall be no unscreened and/or unsecured exterior storage of waste materials.
 - h) The trash enclosure on this site shall be constructed to comply with current city guidelines for a fully secured trash enclosure that has provisions for all three waste streams (*solids, recycling, and organic food/green waste*) as follows:
 - 1) Rainproof roof tall enough to accommodate fully opening the top of the bins,
 - 2) Welded wire mesh between the roof and wall with no gap greater than two inches,

- 3) The walls shall be constructed of solid materials (e.g., CMU block) or other approved materials, with a lockable entry door,
 - 4) Wheel stops or bollards shall be installed inside perimeter to prevent wall damage,
 - 5) Illumination of the trash enclosure area is recommended to reduce vandalism.
20. Litter. The parking lot areas shall be maintained daily and kept litter free. There shall be a minimum of one trash barrel and one recycling bin (*Min. 20 gallon each per 100 spaces.*) The trash barrels shall be lined with heavy-duty plastic trash bags that are monitored daily.

LANDSCAPING – No Additional Landscaping Required

21. Parking Lot Landscaping. The parking lot shall be landscaped in accordance with Section 9492.P of the Lakewood Municipal Code.
22. Existing Landscape Maintenance. All planters shall be weed free and properly maintained. All trees and shrubs shall be trimmed in a professional manner to remove any overgrowth. Mulch shall be applied at the rate of four cubic yards per 1,000 SF of landscaped area with a minimum of three-inch-deep layer of mulch on exposed soil.

SITE SECURITY. (*Public Safety Department*)

23. Facility Operations. The facility operations shall be well-lit, clean, and organized to create a safe environment for customers. Sufficient lighting of the exterior of the premises shall be provided, including adjacent public sidewalks and parking lots. There shall be no storage of goods that obstructs or blocks access to any doorway.
24. Public Safety and Security Plan. The property owner, representative or tenant shall prepare, submit, and obtain approval of a Public Safety and Security Plan (PSSP) to the satisfaction of the Lakewood Public Safety Department (PSD), prior to final inspection/occupancy. The PSD shall review the PSSP in coordination with the Los Angeles County Sheriff's Department (Sheriff's Department). Tenant/property management shall establish an on-going liaison relationship with members of the Sheriff's Department and the Lakewood PSD staff, so that communication can be timely and effective when problems occur. All security protocols for the property shall be provided to the PSD and the Sheriff's Department.

The PSSP shall include:

- a) Letter of Agency. Property owner/tenant shall sign a Letter of Agency with the Sheriff's Department to authorize on-site enforcement for loitering, trespassing, vandalism, etc.
- c) Site Lighting. The lighting shall not exceed .5 foot-candles at the property line. There shall be sufficient lighting around the exterior perimeter of the premises and the exterior of all structures to illuminate the areas sufficiently for security camera resolution for both facial and license plate recognition. The parking lot area, trash enclosures, loading dock areas, and adjacent public sidewalks shall have lighting.
- d) POS View. Facility windows and doors shall continuously maintain a clear view from the street or adjacent driveways to the point-of-sale (POS) cash register(s). Clear windows and doors shall not be covered with advertising, signage, decals, etc. except those required by state and local laws. This is a safety requirement to allow security and sheriff patrols to have a clear and unobstructed direct line of sight from their vehicles to the POS store clerk, the interior of the store, the cash register area, and all persons in and around such counter space to enhance public safety. Any judgment regarding an "obstruction" shall be at the discretion of City PSD and/or Sheriff's Department's.

- e) Parking Lot Signage. “NO LOITERING” signs shall be posted: around the business, and staff shall aggressively discourage any loitering, including homeless encampments.
- f) Alarm/Panic System. The applicant shall install an alarm and panic egress system.
- g) Silent Alarm System. The applicant shall install a “state of the art” silent alarm system to allow staff to promptly report crimes in progress to the Sheriff’s Department.
- h) Service Doors. Any service doors shall be equipped on the inside with an automatic locking and alarm device. These doors shall always be closed, except for deliveries.
- i) Security Guard Staff. There shall be a trained security staff with valid security guard cards issued by the California State Department of Security and Investigative Services. There shall be a minimum of 4 guards at all times during operating hours and there shall be an additional 2 guards assigned for every additional 100 customers or portion thereof over the initial 200 customers. (*Maximum 16 guards for 750 customers*) The facility security staff shall coordinate with and work in concert with the Lakewood Center Mall security staff and liaison with the Los Angeles County Sheriff’s Department.
- j) Security Systems. A state-of-the-art security system shall be installed for both the interior and exterior store operations, which will combine motion detectors, contacts at doors, audio alarm, and a 24-hour, closed circuit video camera surveillance system. This system shall include 1) video cameras with audio capabilities, 2) color monitors mounted in view of customers with a minimum resolution of 480 x 720, 3) additional monitors in the back rooms, 4) alarm /panic systems shall be equipped with both fixed and remote devices, and 5) required secured storage of video data for a minimum of 30 days or more, preferably monitored and stored at an off-site location. The storage medium shall be secured and not easily removed by store employees under duress or by unauthorized persons. Employees shall be trained to provide data to the Sheriff’s.
- k) Surveillance Camera System. The security camera system shall include motion detector cameras that have pan and zoom capability with sufficient resolution for facial and license plate recognition to assist with criminal investigations. A camera floor plan shall be submitted for internal operations and a camera site plan shall be submitted for external operations. Both shall identify locations and areas of camera coverage and shall be approved by the PSD prior to installation and shall be installed and operational prior to final inspection of the Project. The system design should assist with criminal investigations and meet or exceed the following specifications:
 - Resolution of 1080p (*1920 x 1080 pixels*) at 30 FPS (frames per second)
 - Recognizable field of view (FOV) shall be a minimum 90 degrees or wider.
 - Recognizable video capture with IR Lighting under 2 lux lighting conditions.
 - Capture recognizable facial and license plate video at a minimum of 15 feet.
 - Include motion detector cameras with IVS (Intelligent Video Surveillance.)
 - Include cameras with pan and zoom capabilities.
 - Camera enclosures shall have IP ratings above 3 for both projectiles/dust and water.

MAINTENANCE

25. Graffiti and Stickers. The property owner is responsible to remove all graffiti and stickers in a timely manner and no later than ten (10) calendar days from the discovery and/or notice thereof from any source. Any paint-over repair of graffiti shall cover the entire area from top to bottom and blend to the adjacent surface with no indication of a patchwork cover up.

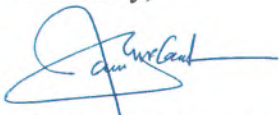
26. General Maintenance. Commercial property owners are required to always maintain their commercial buildings and surrounding landscaping properly in an aesthetically pleasing manner and in compliance with the Lakewood Municipal Code (LMC 4323 and 4221.1.) This means proper and continuous maintenance of all landscaping and structures including all roofs, painting, walls/fences, ADA paths-of travel, parking lot surface, and striping.
- a) ADA markings that are adjacent to or cross over driveways shall be outlined with a three inch (3”) white line on the outside of the blue ADA border stripe to increase visibility.
 - b) Any cracked, faded, stained, or peeling surface markings shall be repaired and repainted.
 - c) All exterior surfaces shall be regularly repainted to provide a new appearance.
 - d) 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 plants do require trimming.
27. Business Licenses. All contractors, including subcontractors, sign installers, and tenants shall have properly issued city business licenses, as confirmed prior to each final inspection.
28. Notice of Appeal Rights. This PEC action shall be final and conclusive, and effective ten (10) city business days after giving of notice thereof via e-mail or the United States Postal Service to the applicant, the property owner and any other person requesting notice, unless within that time an appeal in writing is properly filed (*with appropriate fees*) with the City Clerk by the applicant, property owner, any protestant, or any member of the City Council.

Advisory Notes. *The DRB advises that:*

- Construction Debris. *Any construction activities that involve hauling away demolition or construction debris needs to be coordinated with and approved by the City Department of Public Works through the Green Halo Program, a waste disposal tracking system. The city has an authorized hauler, which is currently EDCO.*
- 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 Department of Public Works to assure proper procedures have been implemented (e.g., installation of stormwater waddles and track-out prevention devices.)*
- Temporary Banners. *(e.g., Now Open, Grand Opening, Sale, etc.) require a separate permit with a deposit and shall be removed before the allowed permit time expires.*
- Unauthorized Signs. *Roadside flag signs, A-frame/moveable signs, yard signs, pennants, balloons, inflatables, vehicles or trailers being used as portable signs, human sign twirlers and mechanical mannequins are **NOT ALLOWED**.*

Should you have any further questions concerning this matter, please contact the Assistant Director of Community Development, J. Patrick McGuckian, at (562) 866-9771, extension 2302.

Sincerely,



J. Patrick McGuckian, AICP

Assistant Director of Community Development

Copies to: Building and Safety, Public Works, and Public Safety

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.

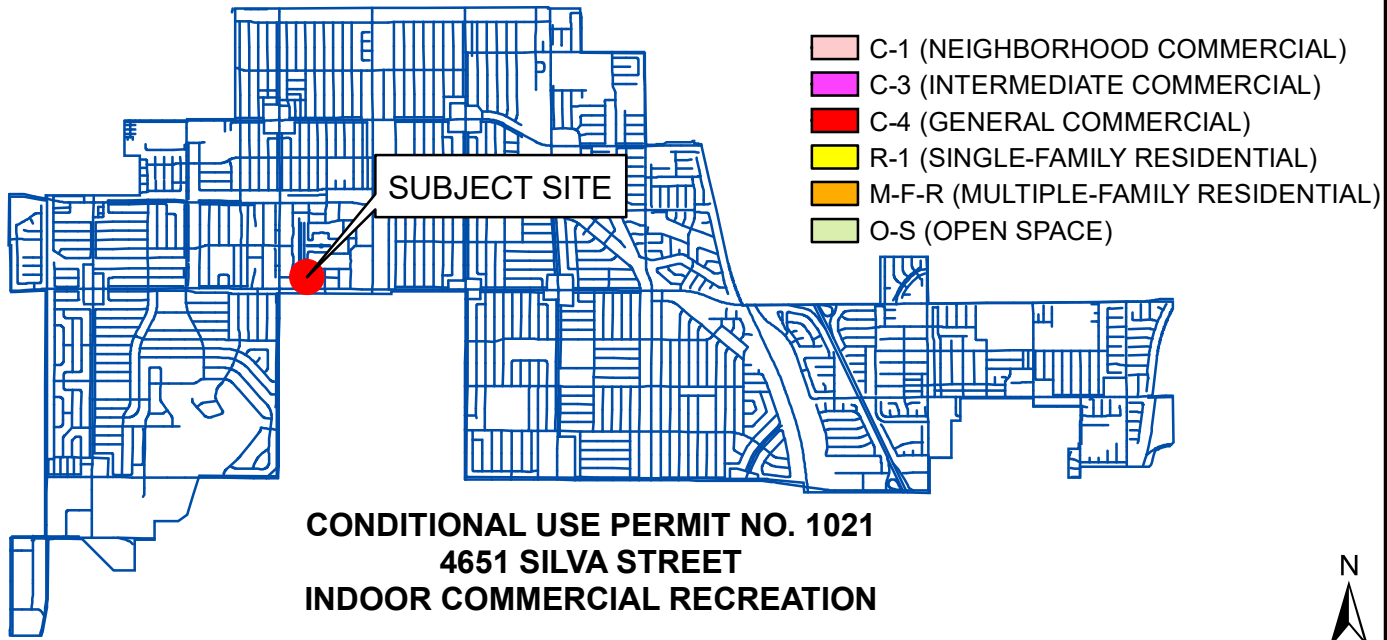
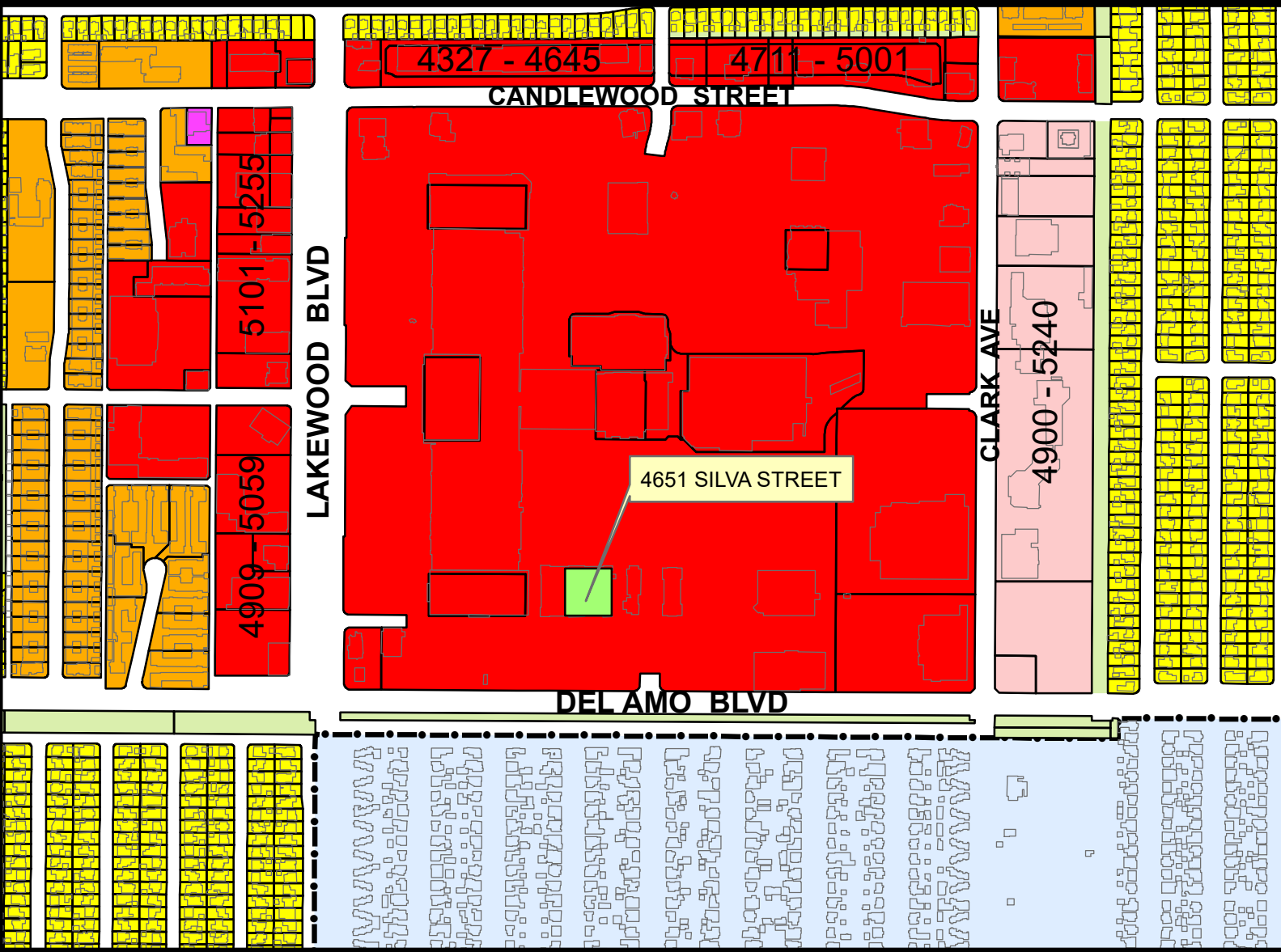
When you receive a Planning and Environment Commission Action Letter, and an approved set of plans then complete the following to submit your construction drawings to the Los Angeles County Building and Safety Online Plan Check system (“BSOP”) for plan check review and issuance of building permits.

DO NOT SUBMIT TO BSOP until you have stamped 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 and submit together to include:
 - a) **PLANNING PLANS** – Plans titled “**Planning Approval**” with approval stamps that start with an 8.5”x11” inspector’s copy of site plan with official zoning compliance description and followed by a full-scale 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 (*e. g. framing.*)
 - 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. (*Do not use the EPIC system.*)
 - a. The Plan Check Engineer (Plan Checker) will review the plans to assure that all 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 with 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 payment must be accompanied with the Building Clerk email regarding fees.
 - a. Upon payment of the fees, the plans are 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. 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 printed out construction plans and approved site plan.
 - c. Call for inspections at least one day before and only when the job is ready for inspection.
 - d. Confirm that final inspection is signed on the job card and the property owner has a copy to keep.

VICINITY MAP



AERIAL VIEW

SUBJECT SITE

SILVA STREET

GRAYWOOD AVE

DEL AMO BLVD

0 62.5 125 250 Feet

CONDITIONAL USE PERMIT NO. 1021
4651 SILVA STREET
INDOOR COMMERCIAL RECREATION



EXHIBIT "A"

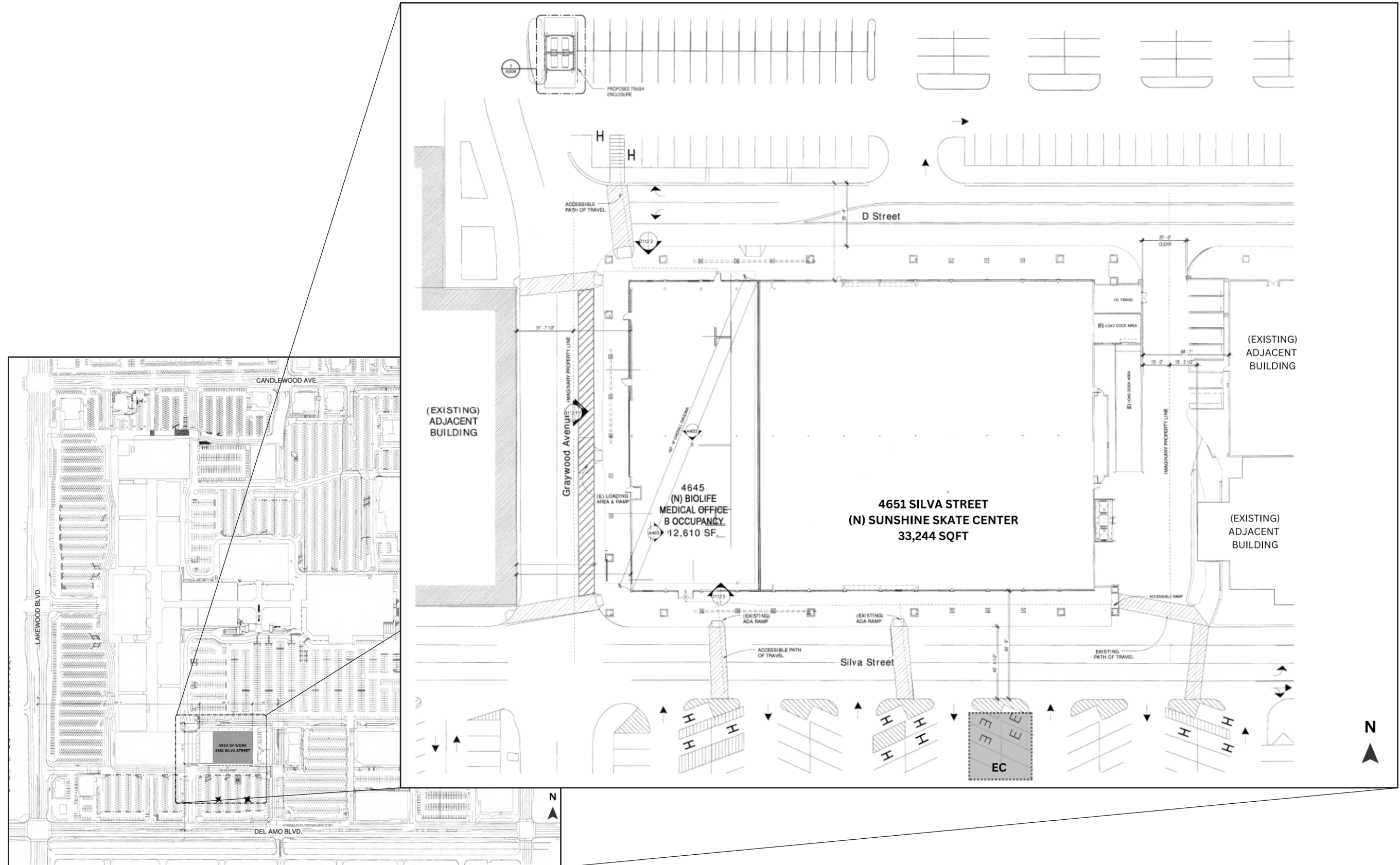


EXHIBIT "B"

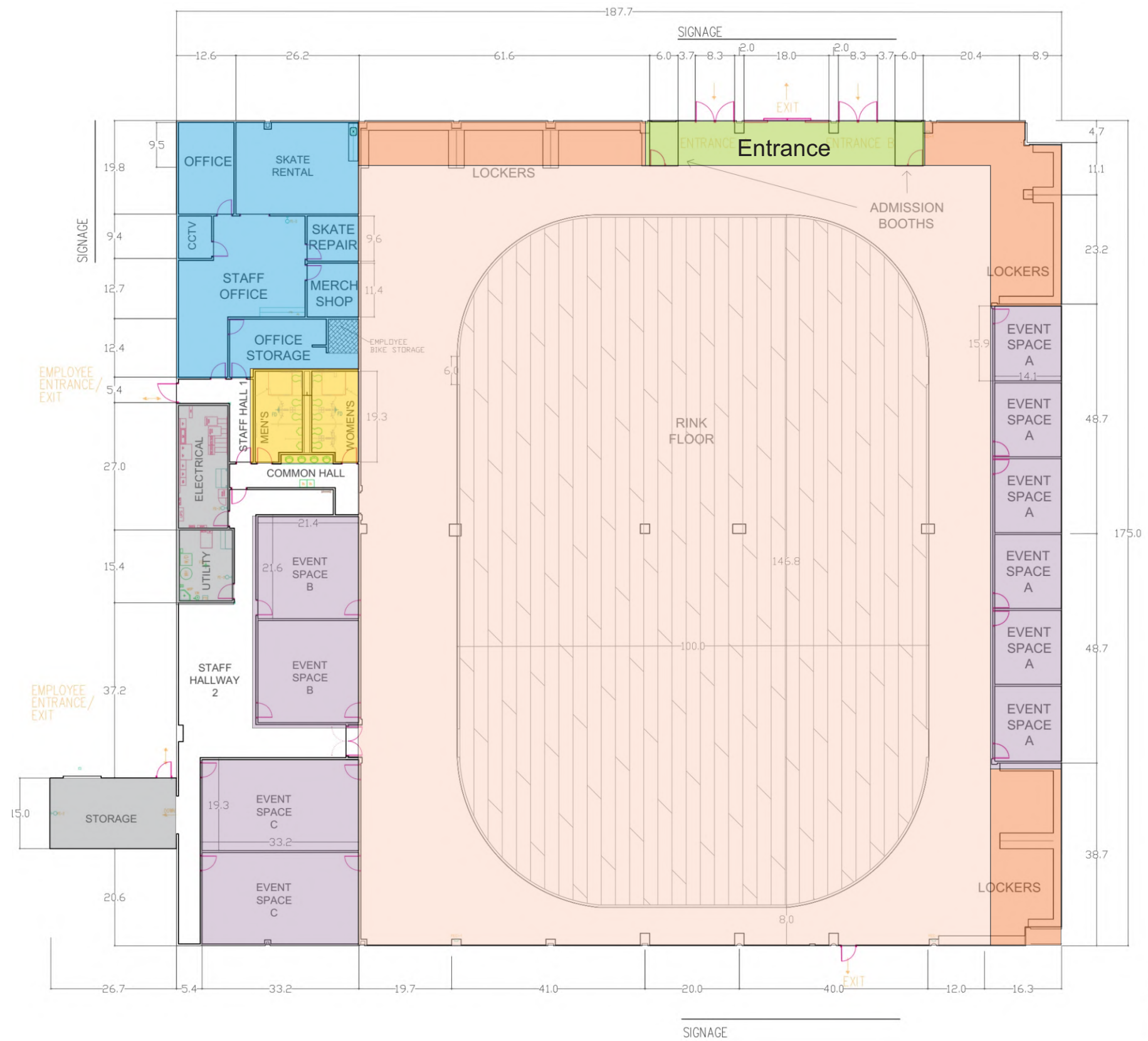
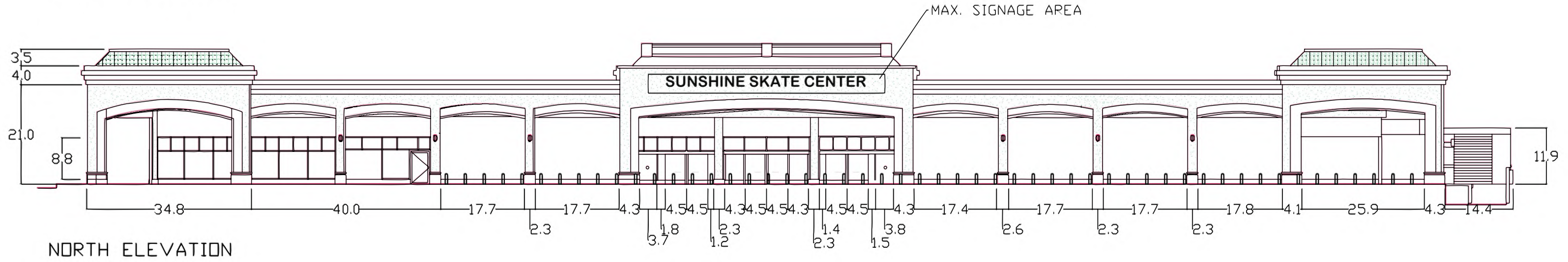
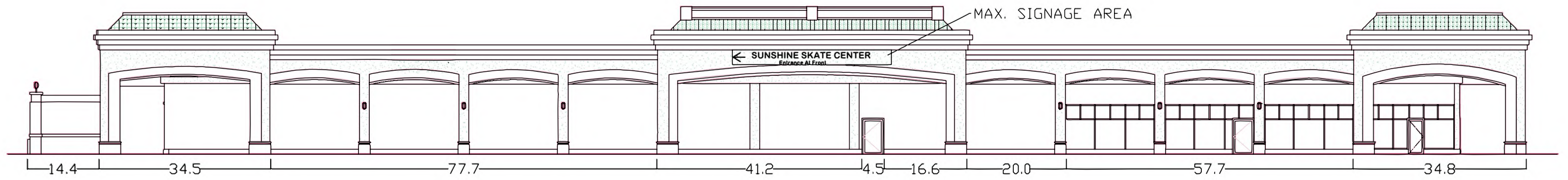


EXHIBIT "C"

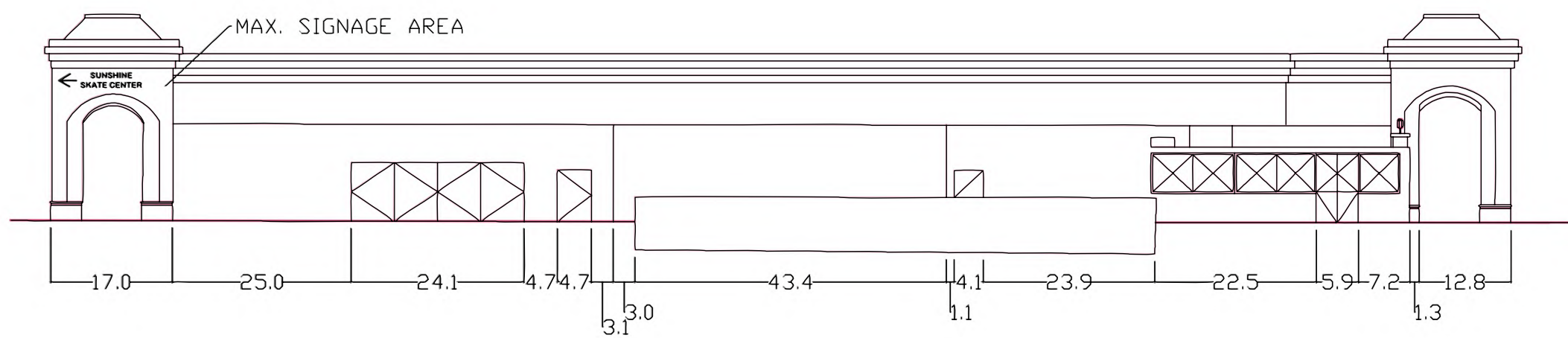
SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



RESOLUTION NO. -2024

A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD APPROVING APPLICATION FOR CONDITIONAL USE PERMIT NO. 1021 LOCATED AT 4651 SILVA STREET, LAKEWOOD, CALIFORNIA, FOR THE ESTABLISHMENT OF AN INDOOR COMMERCIAL RECREATION USE AND THE CATEGORICAL EXEMPTION.

THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning and Environment Commission of the City of Lakewood, having had submitted to it the application of Cory Joseph representing Sunshine Skate Center, lessee of the owners of an interest in the following described real property, requesting a Conditional Use Permit pursuant to the provisions under Sections 9302.17c, 9347.D.5 and 9350.B.2 of the Lakewood Municipal Code for the establishment of an indoor commercial recreation use, on that certain real property within the City of Lakewood described as a portion of Lot 5 of Parcel Map No. 25834, in the City of Lakewood, County of Los Angeles, State of California, as per map recorded in Book 312, Pages 57 to 65 inclusive of maps, in the office of the county recorder of said county and more particularly described as 4651 Silva Street, Lakewood, California; all as shown in the attached minutes and report of the Planning and Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning and Environment Commission does hereby find and determine as provided in this Resolution.

SECTION 2. The Planning and Environment Commission does hereby find that the proposed project is Categorically Exempt pursuant to Section 15301, of the California Environmental Quality Act Guidelines, as amended.

SECTION 3. The Planning and Environment Commission of the City of Lakewood does hereby report that a public hearing was held before the Planning and Environment Commission in respect to said application on the 15th day of April 2024, and the Planning and Environment Commission does hereby find and determine that said application, subject to the conditions hereinafter specified, should be granted for the following reasons:

A. The request is for approval of a Conditional Use Permit for the establishment of an indoor commercial recreation use located at 4651 Silva Street, Lakewood, all as shown on Exhibits "A," "B," and "C."

B. The proposed use is found to be in conformity with the goals of the General Plan and the General Plan's Commercial land use designation of the site.

C. The nature, condition, and development of the adjacent uses, buildings, and structures have been considered, and it has been found that the proposed indoor commercial recreation use will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures, provided the conditions herein contained are implemented and complied with in total.

D. Del Amo Boulevard, Lakewood Boulevard, Candlewood Street, and Clark Avenue are adequate in width and improved as necessary to serve the traffic generated by the site and the subject use. No adverse effect is anticipated on existing roads and circulation as a consequence of this application.

E. The subject site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping, and other development features required by the Code. The site provides a sufficient number of parking spaces as shown on Exhibit "A," which can accommodate the parking requirements of the proposed use in addition to existing businesses at the site.

F. Notification of the public hearing for this Conditional Use Permit was published on the City of Lakewood's web page, was posted and mailed to property owners within a 300-foot radius pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State Law.

SECTION 4. The Planning and Environment Commission of the City of Lakewood, based upon the aforementioned findings and determinations, hereby grants the use as requested in Conditional Use Permit No. 1021 provided the following conditions are observed and complied with at all times:

A. The conditions shall be complied with upon the initial opening of this business as described herein and not thereafter violated or deviated from except where authorized by amendment to this Resolution adopted in accordance with the provisions of this Resolution and the Municipal Code. The granting of this Conditional Use Permit and this Resolution, and any modification or change thereof, shall not be effective for any purpose until a certified copy of this Resolution (exhibits excluded) has been recorded in the office of the Los Angeles County Recorder. The granting of this Conditional Use Permit, subject to the conditions herein set forth, are binding on the heirs, assigns, and successors in interest of the applicant and their heirs, assigns and successors in interest.

B. Approval for the proposed indoor commercial recreation use, located 4651 Silva Street Boulevard, Lakewood, shall be based on Exhibits "A," "B," and "C."

C. The proper permits shall be obtained from the Building and Safety Section for all interior and exterior work, prior to the commencement of such work. In addition, Development Review Board approval shall be obtained for all exterior improvements prior to obtaining proper permits and commencement of work, as applicable.

D. The hours of operation shall be no earlier than 7:00 AM and no later than 12:00 AM, daily. A Special Event Permit may be obtained to authorize an overnight event that includes independent signed concurrence from Lakewood Center mall management to conduct the event allowing a temporary modification to the hours of operation or other standards.

E. There shall be a facility manager at least 18 years of age be on the premises during all hours of operation and must actively supervise the tenant space at all times.

F. All children under the age of 13 shall be accompanied by an individual at least 18 years old. All children between the ages of 13 and 18 shall have and present a valid school or other governmental agency issued picture identification card in order to gain entry to the facility. No one under the age 18 shall be admitted after 9:00 PM without a chaperone at least 18 years old.

G. All windows and doors shall remain closed during operations.

H. The property owner and/or property management company shall prepare and submit a Public Safety and Security Plan and then obtain approval from the Los Angeles County Sheriff's Department. Facility management shall establish an on-going liaison relationship with members of the Sheriff's Department, so that communication can be easily facilitated in a timely and effective manner when problems occur.

I. The business operator shall instruct the employees to notify law enforcement should they observe any criminal activity.

J. The use shall comply with the Development Review Board's recommended conditions of approval per DRB letter dated March 27, 2024, prior to the initial opening of the use.

K. The use is subject to a six-month review from the date of opening of the business.

L. The applicant shall sign a written statement certifying that he has read, understands, and agrees to the conditions of approval for this Conditional Use Permit within twenty (20) days of the adoption date of this Resolution, otherwise, this approval shall become null and void.

M. The action by the Planning and Environment Commission in this matter shall be final, conclusive, and effective twenty (20) calendar days after the giving of notice, as provided in Section 9403.2 of the Lakewood Municipal Code, unless within said twenty (20) calendar day period an appeal in writing is filed with the City Clerk by the applicant or by any person who protested the application as a matter of record, and who, in addition, received or was entitled to receive the written notice specified in Section 9422 of the Lakewood Municipal Code. The filing of such an appeal within such time limit or the request for review of such a decision within such time limit shall stay the effective date of the order granted until the City Council has acted on the appeal or review as hereafter set forth (Lakewood Municipal Code Section 9407).

N. This use permit may be modified or revoked by the City Council or the Planning and Environment Commission should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.

O. The applicant agrees to indemnify, hold harmless and defend the City, its officers, agents, and employees, from any and all liability or claims that may be brought against the City arising out of its approval of this permit, or arising out of the operation of this facility, save and except that caused by City’s active negligence.

P. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use will be cause for revocation of this permit.

Q. By signing or orally accepting the terms and provisions of this permit entered into the minutes of these proceedings, the permittee acknowledges all of the conditions imposed and accepts this permit subject to those conditions with a full awareness that the violation of any permits could subject permittee to further hearings before the Planning and Environment Commission on the issue of revocation or modification.

SECTION 5. A certified copy of the excerpts of the minutes applicable to this case and this Resolution shall be delivered to the applicant.

ADOPTED AND APPROVED this 15th day of April 2024, by the Planning and Environment Commission of the City of Lakewood voting as follows:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:

Bill Baca, Chairperson

ATTEST:

Abel Avalos, Secretary

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TO: Planning and Environment Commission

SUBJECT: Mixed-Use Ordinance

INTRODUCTION

The purpose of this Mixed-Use (MU) ordinance is to accommodate additional capacity for residential units by establishing standards for MU development. The 2021-2029 Housing Element sets forth the housing plan to accommodate Lakewood’s Regional Housing Needs Assessment (RHNA) of 3,922 additional dwelling units. In response to the requirements of Senate Bill 166, the City adopted a 15% buffer on top of the RHNA to ensure an adequate capacity exists within the City to accommodate the RHNA. The total amount with the RHNA and the buffer is 4,510 dwelling units.

The table below shows the City’s RHNA and 15% buffer:

	Very Low	Low	Moderate	Above Moderate	Total
RHNA	1,296	637	653	1,336	3,922
15% Buffer	194	96	98	200	588
Total w/ Buffer	1,490	733	751	1,536	4,510
Percentage	33.0%	16.3%	16.7%	34.1%	100.0%

One of the 2021-2029 Housing Element programs is to adopt a MU ordinance. The MU ordinance establishes a MU overlay zoning district which will allow dwelling units in the C-1, C-3, C-4, and M-1 zones. The MU ordinance will potentially allow 1,950 units or 43% of the total number of units anticipated by the 2021-2029 Housing Element. The MU ordinance will also permit residential uses suitable for households of varying income as identified by the 2021-2029 Housing Element.

STATEMENT OF FACTS

Background

Lakewood’s MU ordinance must contemplate a variety of development scenarios across different land use zones while remaining sufficiently flexible to encourage quality developments that are compatible with the surrounding area in which they may be built, and which satisfies the housing production goals as anticipated by the 2021-2029 Housing Element. The proposed ordinance was initially written by acknowledging the following six assumptions to model four of the six MU projects included in 2021-2029 Housing Element:

1. One level of at-grade parking spaces, maximized on each site plan. Below grade parking was not utilized due to the high water table presence in various locations and the costs associated with mitigating such soil conditions.
2. Provide 2.1 parking spaces per residential unit (2 spaces per unit, plus 10% guest parking). In surveying the MU ordinances of other cities, the number of parking spaces for studio, 1-bedroom, and 2-bedroom units averaged 1.96 parking spaces per unit. The proposed ordinance assumed two parking spaces per unit, plus ten percent for guest parking which aligns with Lakewood’s current guest parking requirements for multi-family development in the M-F-R zone.
3. Minimum front yard setback of 10 feet.
4. No minimum side or rear yard setbacks unless the site abuts any other residentially zone property in which case a 30-foot setback must be maintained.
5. Residential building heights are limited by zone.
6. Incorporating input from project proponents.

These factors were used to model potential developments at the locations shown on the table below which was presented to the Commission at its August 19, 2022 workshop.

Site Name (Zone)	Site Area (acres)	Min Unit Size	Max Unit Size	Max # of Residential Floors	Min # of Units	Max # of Units	D.U. per Acre	Units in Housing Element
SEC Palo Verde & South (C-3)	3.69	500	1,400	3	103	321	32.5	141
SWC Paramount & Del Amo (C-3)	1.36	500	1,400	2	42	118	32.4	18
NEC Paramount & Carson (C-3)	0.57	500	1,400	4	15	49	63.2	36
NEC Woodruff & Carson (C-4)	1.2	500	1,400	3	33	104	60	60
LCM (Regional Shopping Center C-4)	16.0	500	1,400	5	448	1,393	200	1,000
Watson Plaza (M-1)	14.1	500	1,400	5	396	1,233	31.9	695
Total Units:								1,950

Public Input

An important component to drafting the mixed-use ordinance was to provide opportunities for the owners of MU sites identified in the Housing Element to review and provide feedback on the ordinance. Staff did receive comments, conduct further research, and made adjustments to the ordinance under many topics. Staff presented the ordinance to the Ad Hoc Committee as the ordinance evolved while continuing to receive feedback from stakeholders. Below is a list of key meeting dates relating to the development of the ordinance from the adoption of the Housing Element to this public hearing date.

August 18, 2022	PEC Mixed-Use Workshop
June 23, 2022	Meeting with Charles Company
October 3, 2022	Meeting with Macerich/Kosmont
November 18, 2022	Mixed-Use Ad Hoc Committee
February 23, 2022	Meeting with Charles Company
August 1, 2023	Mixed-Use Ordinance Feedback Meeting
February 16, 2023	Meeting with Macerich
April 11, 2023	Mixed-Use Ad Hoc Committee
June 20, 2023	Meeting with Bob Pyke (NEC Paramount/Carson)
June 28, 2023	Meeting with Macerich
October 17, 2023	Meeting with Macerich
November 13, 2023	Meeting with Bob Pyke (NEC Paramount/Carson)
February 1, 2024	Meeting with Macerich
March 5, 2024	Meeting with Doug Maupin (NEC Paramount/Carson)
March 14, 2023	Mixed-Use Ad Hoc Committee
April 15, 2024	PEC Public Hearing

Proposed Ordinance

The proposed ordinance creates Section 9369 within the Municipal Code that establishes MU zoning. The existing Sign Ordinance would also be amended in order to integrate the MU development standards in with the Sign Ordinance. The ordinance is summarized as follows:

- 9369.1 Applicable Zones, Application Procedures
The ordinance would apply to the C-1, C-3, C-4, and M-1 zones. No additional discretionary action shall be required to implement the MU zone. Subsection A lists the required application contents.
- 9369.2 Uses Permitted
Uses permitted include those allowed by the underlying zone, uses requiring a CUP but are not co-located within a residential building, various non-habitable accessory structures, various multi-family residential units, and land uses permitted as a matter of course under the base zoning within a residential building. Housing for the elderly and disabled persons is listed as a permitted use.
- 9369.3 Uses Permitted Subject to a Conditional Use Permit
Sale of alcoholic beverages for on-site consumption, commercial recreation with a lease area or floor area 10,000 square feet or more, mixed-use buildings containing residential units exceeding the building height specified for that zone, off-street parking for residential units at a ratio less than that require by the MU ordinance, and other uses not specified. Housing for the elderly and disabled persons where the standards will

be less restrictive or different from the MU ordinance is listed as a conditional use, with reference to minimum standards in the existing M-F-R ordinance.

9369.4 Restricted Land Uses

The hours of operation for commercial recreation with a lease area or floor area less than 10,000 square feet is limited to 6:00 AM to 10:00 PM, and live entertainment, dancing, and similar uses require a permit from the Permit and License Hearing Board.

9369.5 Development Standards

Minimum lot area is 4,500 square feet. The front yard setback from a collector street, minor arterial roadway, or major arterial roadway is ten feet (10'). No side or rear yard setback is required, unless the project abuts a property in the R-1, R-A, or PD-SF zone, in which case the setback shall be at least 30 feet.

Building Height

1. C-1 zone allows up to two (2) stories or 35 feet, whichever is less.
2. C-3 zone allows up to three (3) stories or 50 feet, whichever is less.
3. C-4 zone allows up to four (4) stories or 65 feet, whichever is less.
4. Regional Shopping Centers not more than 85 feet in height.
5. M-1 zone allows up to five (5) stories or 85 feet, whichever is less.

Floor Area

1. Efficiency Units: 150 square feet (per Health and Safety Code Section 17958.1)
2. Studio and One-Bedroom Units: Not less than 360 square feet.
3. Two-Bedroom Units: Not less than 650 square feet.
4. Three or more Bedroom Units: Not less than 650 square feet, plus 70 square feet for each additional bedroom.

Private Open Space

1. Average of 70 square feet of exterior private open space for each residential unit. Private open space may include patios, porches, balconies, and sundecks.
2. Private open space shall be contiguous to, and directly accessible to, the dwelling units served by the private open space.
3. The minimum interior dimension for any private open space shall be at least six feet (6') in any horizontal direction.

Common Open Space

1. A minimum of 75 square feet of common open space for each residential unit. Exterior common open space may include arbors, balconies, patios, sundecks, swimming pool areas, and other outdoor areas suitable for active uses as determined acceptable by the Director of Community Development. Common open space

areas shall be consolidated and provided at a ratio of one common open space area for each 100 residential units or portion thereof.

2. Interior common open space shall count toward a maximum of 25% of the common open space requirement provided the entire area of the interior common open space is designed and made available for the exclusive use by the development's residents. Interior common open space may include community rooms, childcare facilities, gymnasiums, recreation rooms, and other indoor areas.
3. The minimum dimension for any common open space shall be not less than 10 feet (10') in any horizontal direction.
4. No portion of any parking space, driveway, or utility area, including pool equipment areas and/or trash areas, shall constitute common or private open space. Required front yard areas and other passive landscaped areas shall not count towards required common open space.
5. All common open space areas shall include seating. Site furniture shall use graffiti-resistant materials and/or coatings, as well as skateboard deterrent devices to retain the attractiveness of the site's furniture as appropriate.
6. All common open space areas shall be developed and maintained in a neat and orderly manner for the safety of the residents and adjacent areas. Common open space areas shall be adequately surfaced with concrete, tile, brick, composite, decomposed granite, or similar weather resistant material.
7. Not less than one amenity shall be included as part of each mixed-use development containing residential units. Amenities may include area features such as barbecues, pet exercise areas, fireplaces, game courts, gymnasiums, outdoor dining furniture, playground equipment, putting greens, saunas, sitting areas, swimming pools and/or spas, tot lot, and other amenities as determined acceptable by the Director of Community Development.
8. All common open space areas shall be secured with minimum six-foot tall fences and/or walls to prevent unauthorized entry. All exterior doors and gates to such areas shall be fitted with locks to allow exclusive access to residents and shall remain accessible to those with mobility challenges.
9. At least ten percent of exterior common open space areas shall be landscaped but shall not exceed 20% of the total exterior common open space area.

On-Site Circulation

This portion of the ordinance addresses pedestrian circulation such as walkways, crosswalks, benches, lighting, and related elements that form a comprehensive on-site pedestrian network. The ordinance also requires provisions for bicycle circulation including connections to off-site bicycle routes, bicycle storage racks, bicycle lockers, signage, etc.

A comprehensive vehicle circulation plan is required, including traffic control devices (as appropriate), and signs. Driveways must be at least 12 feet wide for each travel direction unless a greater dimension is required by the Building Code or Fire Code.

Parking

1. MU projects in the C-1, C-3, and C-4 zones require two (2) parking spaces for each residential unit containing up to two (2) bedrooms, two and one-half (2.5) parking spaces for each residential unit containing three (3) bedrooms, three (3) parking spaces for each residential unit containing four (4) or more bedrooms, plus an additional 10% of the total required off-street parking shall be provided and maintained for guest parking. This matches the requirements in our M-F-R zone.
2. MU projects in a Regional Shopping Center and the M-1 zones require one on-site parking space for each bedroom, plus one space for each studio unit, plus an additional 10% of the total required on-site parking shall be provided for guest parking. No more than two parking spaces shall be required for units with more than two bedrooms.
3. The PEC may approve a CUP for projects with a lesser amount of parking justified through a parking study.
4. Parking for non-residential uses are calculated based on existing parking requirements (LMC Section 9490).
5. On-site residential parking spaces cannot be located within the required front yard.
6. One parking space for each residential unit shall be within a garage or carport.
7. Standard size MU parking stalls are nine feet wide by 18 feet deep. Compact MU parking stalls are eight feet wide by 16 feet deep.
8. Up to 40% of the required parking may be compact parking.
9. Parallel parking spaces are nine feet wide by 24 feet long.
10. Tandem parking spaces are only permitted for efficiency and studio residential units. Tandem parking spaces cannot exceed 10% of the total number of required residential parking spaces.
11. Trailers, boats on trailers, inoperative vehicles, and other such vehicles cannot be stored in a MU project.
12. Accessible parking spaces shall be provided in accordance with the Building Code.
13. Ninety-degree (90°) parking stalls shall have a drive aisle back-up width of not less than 24 feet unless a wider drive aisle is required by the fire department.
14. Parking stalls shall be double-striped.
15. Parking spaces shall be assigned and painted to correspond with their residential unit number.
16. Electric vehicle charging stations are to be provided in accordance with the Green Building Code.
17. Access to parking garages and other parking areas where parking is reserved for residents shall be controlled by gates, parking arms, or other traffic barrier system.

Delivery and Loading Zones

One (1) 10' x 25' delivery space shall be provided per 45,000 square feet of commercial floor area and one for each 350 residential units in a mixed-use building. A standard size parking space shall be provided as a passenger loading zone for each 50 residential units. Delivery and passenger loading zones spaces must be marked accordingly with minimum 12-inch tall letters. Non-residential loading zones must be located at the rear of a building and screened from view.

Fences and Walls

The ordinance refers to existing code requirements, however if a fence, wall, or hedge does not share a common lot line with property in any other residential zone, it may exceed the height limits subject to prior approval from the Development Review Board and without having to obtain a CUP.

Mechanical, Electrical, and Plumbing Installations

The ordinance contains standards concerning the concealment, installation, and placement of various utilities including HVAC equipment, electrical switch gear, PV panels, water heaters, etc.

Landscaping

Landscape and irrigation for MU developments shall comply with existing site landscaping standards, landscaping for MU common open space, and any objective design standards. Landscape and irrigation plans shall also comply with the City's water conservation requirements.

Waste Collection Procedures

This portion of the ordinance requires that a comprehensive trash and recycling program be prepared for each MU project. The program addresses type, size, and location of bins, storage area, compactors, trash chutes, trash rooms, access doors and gates, and spacing of such facilities within projects.

9369.6 Operational Standards

Hours of Operation

The ordinance restricts commercial deliveries and horn honking between 10:01 P.M. and 6:00 A.M., however it does exempt "quick-serve" deliveries of food, groceries, or goods to individual residents as those typically utilize passenger-type vehicles and are brief in nature. Commercial establishments cannot empty trash into outdoor bins after 10:00 P.M. where located within 30 feet of a residence.

Noise

Sounds generated by businesses located within a building containing residential units shall not be exceed 45 dB(A) within any residential unit.

Exterior Lighting

Exterior lighting is limited to 0.5 foot-candles as measured at grade level at the property line, and cannot exceed two foot-candles on exterior elevations of a mixed-use building containing residential units. Security lighting is required at the front and rear of each tenant space.

Public Safety and Security Plan

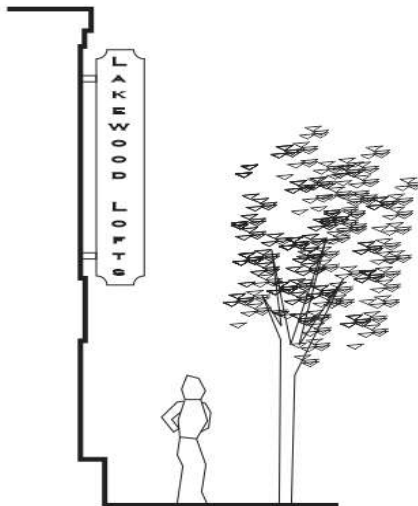
A Public Safety and Security Plan (PSSP) must be prepared for each project. A PSSP includes a Letter of Agency, assign a Sheriff's liaison, ensuring managers are at least 18 years of age, installation of a security system including cameras, alarm/panic system, data backup, automatic locks on service doors, and security signage.

9369.7 Objective Design Standards

The ordinance provides for Objective Design Standards which will be developed and adopted at a future date. California Government Code 65589.5(f), Lakewood's Objective Mixed-Use Design Standards shall be "objective, quantifiable, written development standards, conditions, and policies appropriate to, and consistent with, meeting the jurisdiction's share of the regional housing needs." Objective Design Standards provide aesthetic guidance for MU projects while complying with State requirements for ministerial approvals.

Sign Ordinance

The primary change to the Sign Ordinance is the establishment of a definition for Projecting Identification Signs. This type of sign typically identifies the name of a mixed-use building containing residential units where the sign is placed. The ordinance allows up to four such signs per building, one on each elevation, along with size limitations, and distances from common property lines. A Projecting Identification Sign is shown in the illustration below.



CEQA

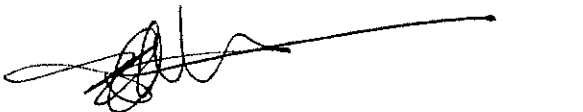
The proposed ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. 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.

PUBLIC NOTICE

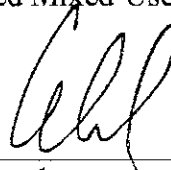
Pursuant to Section 9422 of the Lakewood Municipal Code and State Law, notice of the public hearing for this amendment was posted on the City's webpage and posted in three public places on March 18, 2024 and published in the Press Telegram newspaper on March 25, 2024 pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State Law.

RECOMMENDATION

Staff recommends that the Planning and Environment Commission hold a public hearing, and following the hearing, move to adopt the attached resolution recommending that the City Council approve the related Notice of Exemption and adopt the proposed Mixed-Use Ordinance.



Paul Kuykendall, AICP
Senior Planner



Abel Avalos
Director of Community Development

ATTACHMENTS

- 1) Proposed Mixed-Use Ordinance
- 2) Proposed Resolution of Approval

ORDINANCE NO. 2024 –

AN ORDINANCE OF THE CITY OF LAKEWOOD AMENDING ARTICLE IX OF THE LAKEWOOD MUNICIPAL CODE ESTABLISHING A MIXED-USE OVERLAY ZONE AND RELATED DEVELOPMENT STANDARDS AND PROCEDURES.

WHEREAS, Program 10 of the General Plan Land Use Element encourages the City to explore alternative forms of zoning such as overlay zoning and performance zoning, to allow residential uses to be integrated into large commercial centers, and to increase commercial and industrial floor area ratios; and

WHEREAS, Housing Element Program A-1 of the 2021-2029 Housing Element commits the City to adopt an Ordinance establishing a Mixed-Use Overlay (MU) zoning district. The MU Overlay zone is hereby added to all properties as specified herein. This rezoning action expands the potential for residential development to no less than 125 acres citywide and is consistent with the requirements of Government Code Section 65583.2; and

WHEREAS, Housing Element Program B-4 requires development standards, including those for mixed-use projects, to be objective and promote certainty in the planning and approval process pursuant to SB 330; and

WHEREAS, the Southern California Association of Government's Regional Housing Needs Assessment (RHNA) for the sixth (6th) cycle of the housing element update for the City of Lakewood is 3,922 dwelling units, which exceeds the City's ability to plan for such growth based on the current land supply, housing density, and zoning standards; and

WHEREAS, mixed-use development has been shown to be a successful alternative method to create housing opportunities and that will provide opportunities for the City to achieve its Regional Housing Needs Assessment allocation; and

WHEREAS, establishing a comprehensive mixed-use development Ordinance will provide guidance for creating thoughtful, viable future mixed-use developments; and

WHEREAS, the Planning and Environment Commission recommended approval of this proposed mixed-use Ordinance at its public hearing on April 15, 2024.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, DOES 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. PURPOSE AND INTENT. Article IX of the Lakewood Municipal Code is hereby amended as provided in this Ordinance to establish and then apply an overlay zone for mixed-use development to all properties as specified herein, pursuant to Public Hearings before

the Planning and Environment Commission and the City Council. The intent of the Mixed-Use Overlay (MU) zone is to allow residential uses as described in this Ordinance while continuing to allow non-residential development in accordance with underlying zone regulations for land within such zone.

SECTION 3. Section 9340.B.28 of Article IX of the Lakewood Municipal Code regarding uses permitted in the C-1 (Neighborhood Commercial) zone is hereby added to read as follows:

...
28a. Mixed-use development subject to the conditions, limitations, and standards set forth in Section 9369.

SECTION 4. Subsection 9302.31d of the Lakewood Municipal Code regarding the definition of Mixed-Use Development is added to read as follows:

9302.31d. MIXED-USE DEVELOPMENT. A development in a commercial or manufacturing zone that includes residential uses available for sale and/or rent including all permitted and conditionally permitted uses allowed under the same base zoning for commercial uses as provided in the Mixed-Use Overlay (MU) zone. A mixed-use development may also include accessory uses, open space areas, resident amenities, and parking facilities as specified.

SECTION 5. The following new Part 6B, including Sections 9369 et. seq., is hereby added to Chapter 3 of Article IX of the Lakewood Municipal Code:

PART 6B
MU (MIXED-USE OVERLAY) ZONE REGULATIONS

9369. MIXED-USE DEVELOPMENT OVERLAY ZONE. A Mixed-Use Overlay (MU) zone is hereby created and added to the development opportunities allowed on all properties as specified herein to provide areas within the City where mixed-use development may be constructed in order to implement the City's 2021-2029 Housing Element. The intent of the MU zone is to encourage vibrant, walkable communities, increase the availability of for-sale and/or for-rent housing choices in the City, while preserving the vitality of existing commercially and industrially zoned areas of the City. Mixed-use developments may also include amenities for residents, open space areas, internal circulation programs, and parking facilities as specified. The objectives of the Mixed-Use Overlay (MU) zone shall be as follows:

A. Expand the options and opportunities for commercially zoned properties by allowing for combinations of commercial and multi-family residential uses on the same lot subject to specific objective standards, rules, and procedures.

B. Create the potential for more intensive development in certain commercial and industrial areas, while providing transitional spaces between mixed-use developments and existing single-family residential zones.

C. Retain and bolster the City's commercial tax base by encouraging commercial uses that focus on providing goods and services at the neighborhood and regional level.

D. Plan for projects that achieve the desired neighborhood character through appropriate architectural design.

E. Affirmatively further fair housing by expanding housing choices for the City's diverse populations.

9369.1 MIXED-USE OVERLAY PROCEDURE. Upon approval of the Mixed-Use Overlay (MU) zone as an implementing action of the City's Housing Element, the MU zone shall apply to all properties located partially or completely within the C-1, C-3, C-4, and/or M-1 zones and having a lot area of no less than 4,500 square feet. No additional discretionary action shall be required to implement the MU zone.

A. A Mixed-Use Overlay (MU) zone development application shall be submitted and deemed complete prior to a ministerial review to determine compliance with the Mixed-Use Overlay (MU) zone development standards and requirements. As part of the MU development application, the Director of Community Development may require such other information as deemed necessary to render a decision on the completeness of the proposed MU development application. Additional items may include the following:

1. Utility plans showing the location of all existing and proposed sewer, electricity, water, gas, and telecommunications.

2. A conceptual grading plan showing finished grades, storm water retention and treatment facilities, and Low Impact Development features in accordance with Section 9379 et seq.

3. Street and circulation plans consistent with MU zone Development Standards, a traffic study to determine whether the project will result in conditions that exceed Level of Service (LOS) thresholds of significance in the General Plan's Master Environmental Impact Report (MEIR).

4. A Vehicle Miles Traveled (VMT) study.

5. A parking study for projects containing less than the number of parking spaces required in Section 9369.5.J unless otherwise modified by State law.

6. Architectural plans consistent with Lakewood's Objective Mixed-Use Design Standards for the Mixed-Use Overlay (MU) zone. The plans shall include existing buildings to remain, new buildings, and conversion of buildings as applicable.

7. Landscape and irrigation plans that comply with Sections 8600, 9346, and 9492.P shall be submitted according to the City's Water Conservation in Landscaping – Rules, Regulations, and Procedures.

8. Exterior lighting plans and the corresponding photometric study.

9. Sign program, if applicable.

10. Waste collection and recycling procedures program.

11. Public Safety and Security Plan.

B. Once the Mixed-Use Overlay (MU) zone development application is deemed complete, staff shall conduct a ministerial review of the project to determine the project's compliance with the development standards of this section. Staff shall alert the applicant of any areas where the plans do not comply with the development standards and/or if the plans as proposed require a Conditional Use Permit or other discretionary action.

C. Following satisfactory completion of the steps in subsection B above, staff shall approve the proposed project and grant the land use entitlement.

9369.2 USES PERMITTED. Uses specifically allowed for mixed-use developments are set forth below and shall comply with the zoning regulations and development standards applicable to both the MU zone district and the underlying zone district.

A. Uses permitted as a matter of course in the applicable underlying zone and which are not co-located within a residential building.

B. Conditionally permitted uses for which a conditional use permit has been granted and which remain in full force and effect and that are not co-located within a residential building.

C. Non-habitable accessory structures including arbors, cabanas, colonnades, and unenclosed patio covers.

D. Multi-family residential housing units, as part of a horizontal or vertical mixed-use development or stand-alone, and accessory and appurtenant uses thereto including but not limited to:

1. Residential – Apartments.
2. Residential – For-Sale Units (e.g., townhomes or condominiums).
3. Residential – Housing for elderly or disabled persons as defined in Section 9302.19a.
4. Residential – live/work and artist lofts.
5. All land uses permitted as a matter of course under the base zoning within a residential building.

9369.3 USES PERMITTED SUBJECT TO A CONDITIONAL USE PERMIT. The following land uses shall be allowed only with a Conditional Use Permit and subject to underlying zoning regulations within a mixed-use building containing residential units.

A. Restaurants or establishments selling alcoholic beverages for on-site consumption where the restaurant or establishment is located within a mixed-use building containing residential units.

B. Commercial recreation with a lease area or floor area 10,000 square feet or greater and where the use is located within a mixed-use building containing residential units.

C. Mixed-use buildings containing residential units exceeding the building height allowed in Section 9369.5.C.

D. Housing for elderly or disabled persons at standards less restrictive or different than those set forth in this Part. In determining whether or not a Conditional Use Permit shall be issued in authorizing different development standards, the Planning and Environment Commission shall consider the factors listed in Section 9332.1.B with respect to Availability of Services, Establishment of Need, and Denial for Incompatibility. Any housing project for elderly or disabled persons for which a Conditional Use Permit is issued with less restrictive or different standards shall in any case meet the minimum requirements contained in Section 9332.1.C.

E. Off-street parking for residential units at a ratio less than that required under Section 9369.5.J.

F. Uses not specified. The PEC may grant approval of a Conditional Use Permit to allow a non-residential use not specified elsewhere in this Part if it finds that the proposed non-residential use will not have an adverse impact on the residential land uses on the project site, adjacent uses, or otherwise negatively impacts adjacent uses or the surrounding area.

9369.4 RESTRICTED LAND USES. The following use restrictions shall apply to mixed-use buildings containing residential units in the Mixed-Use Overlay (MU) zone:

A. Commercial recreation facilities with a lease area or floor area less than 10,000 square feet. The hours of operation for such facilities shall be limited to 6:00 AM to 10:00 PM.

B. Live entertainment, dancing, and similar uses where the use is located within a mixed-use building containing residential units shall obtain a permit from the Permit and License Hearing Board pursuant to Article VI. This section does not permit adult entertainment businesses.

9369.5 MIXED-USE DEVELOPMENT STANDARDS.

A. Minimum Lot Area. All Mixed-Use Overlay (MU) zone parcels developed with a building or buildings containing residential units shall have a lot area of no less than 4,500 square feet. This provision shall not apply to for-sale residential units such as condominiums.

B. Yard Requirements. Any building in a mixed-use development containing residential units shall observe the following setback requirements from the public right-of-way.

1. Mixed-use buildings within a MU zone containing residential units: Front yard: 10 feet (10') from a collector street, minor arterial roadway, or major arterial roadway.

2. Side yard - no side yard setback required unless the project site abuts property located in the R-1 (Single-Family Residential), R-A (Single-Family Residential – Limited Agriculture) zone, or PD-SF (Single Family Dwelling Unit Planned Development) zone in which case the side yard setback shall be not less than 30 feet (30').

3. Rear yard – no rear yard setback required unless the project site abuts property located in the R-1, R-A, or PD-SF zone, in which case the rear yard setback shall be not less than 30 feet (30').

C. Building Height. Any mixed-use building containing residential units shall observe the following building height requirements as follows:

1. C-1 zone allows up to two (2) stories or 35 feet, whichever is less.

2. C-3 zone allows up to three (3) stories or 50 feet, whichever is less.

3. C-4 zone allows up to four (4) stories or 65 feet, whichever is less.

4. Regional Shopping Centers not more than 85 feet in height.

5. M-1 zone allows up to five (5) stories or 85 feet, whichever is less.

6. For the purposes of this Section, ground level stories, including those utilized for commercial space or vehicle parking, shall not exceed 20 feet (20') as measured from floor to ceiling, and all subsequent floors shall not exceed 15 feet (15') feet in height as measured from floor to ceiling. If the garage is at grade level, then it counts as a story. A semi-subterranean garage shall be considered as a story when more than 50% of the height of that floor is above finished grade. If more than 50% of the height of that floor is below finished grade then such a floor does not count as a story for the purposes of determining building height.

7. Non-residential spaces with taller ceilings including primary entrances, lofts, mezzanines, and similar features are allowed, provided they do not exceed 10% of the ground floor area of the entire building. Residential spaces with taller ceilings may be permitted to accommodate lofts and mezzanines as permitted by the Building Code.

8. Penthouses or roof structures may exceed the building heights of this Section pursuant to Section 9380.

9. Daylight Plane. No portion of the building volume shall encroach into a daylight plane of an existing single-family residential dwelling. The daylight plane is measured at the beginning of any point 25 feet (25') above the property line abutting any lot with an existing single-family residential dwelling and sloping upward at a 45-degree angle toward the interior of the project site.

D. Floor Area. The following minimum floor area requirements shall apply to residential dwelling units within a mixed-use development.

1. Efficiency Units: 150 square feet. Efficiency units per Health and Safety Code Section 17958.1 and shall be identified by labeling such units on the floor plan submittal.
2. Studio and One-Bedroom Units: Not less than 360 square feet.
3. Two-Bedroom Units: Not less than 650 square feet.
4. Three or more Bedroom Units: Not less than 650 square feet, plus 70 square feet for each additional bedroom over two bedrooms.

E. Private Open Space. An average of 70 square feet of exterior private open space shall be provided for each residential unit in a mixed-use development. Units facing an interior courtyard at an angle 135 degrees or less from another unit facing the same interior courtyard shall not be required to provide private open space. Required front yard areas shall not count toward this requirement. All private open space areas shall comply with the following standards:

1. Private open space may include patios, porches, (including covered, unenclosed patios), balconies, and sundecks.
2. Private open space shall be contiguous to, and directly accessible to the occupants of, the dwelling units served by the private open space.
3. The minimum interior dimension for any private open space shall be at least six feet (6') in any horizontal direction. More than one private open space area may be provided for each residential unit, however, the minimum dimension for each private open space shall be at least six feet (6').
4. All private open space shall be developed and maintained in a neat and orderly manner for the safety of the residents and adjacent areas. Private open space areas shall be adequately surfaced with concrete, tile, brick, composite, or similar weather resistant material.
5. Private open space areas shall be separated from adjacent areas with a fence or wall at least 42 inches (42") in height.

6. **Private Storage Space.** Each dwelling unit shall be provided with an enclosed private storage space with a minimum capacity of 125 cubic feet. The minimum interior dimension for any private storage space shall be at least four feet (4') in any direction. More than one private storage space area may be provided for each residential unit. Private storage spaces may be located adjacent to its assigned residential unit, within a residential unit but not including closets inside of a bedroom, adjacent to the central mailbox area, or adjacent to the same parking area serving its assigned residential unit.

F. Mailboxes. Each mixed-use building containing residential units shall include a covered area serving as a central mailbox area for the residential units.

G. Common Open Space. A minimum of 75 square feet of open space shall be provided for each dwelling unit for the exclusive use of residents of the development. Common open space areas shall be located at or above ground level and shall comply with the following standards:

1. Exterior common open space may include arbors, balconies, cabanas, colonnades, dog parks, patios (including covered, unenclosed patios), spas, sundecks, swimming pool areas, and other outdoor areas suitable for active uses as determined acceptable by the Director of Community Development. Exterior common open space areas shall be consolidated and provided at a ratio of one common open space area up to 100 residential units or portion thereof.
2. Interior common open space shall count toward a maximum of 25% of the common open space requirement provided the entire area of the interior common open space is designed

and made available for the exclusive use by the development's residents. Interior common open space may include community rooms, childcare facilities, event rooms, gymnasiums, lounges, recreation rooms, saunas, and other indoor areas suitable for common activity uses as determined acceptable by the Director of Community Development.

3. The minimum dimension for any common open space shall be not less than 10 feet (10') in any horizontal direction.

4. No portion of any parking space, driveway, or utility area, including pool equipment areas and/or trash areas, shall constitute common or private open space. Required front yard areas and other passive landscaped areas shall not count towards required common open space.

5. All common open space areas shall include seating. Site furniture shall use graffiti-resistant materials and/or coatings, as well as skateboard deterrent devices to retain the attractiveness of the site's furniture as appropriate.

6. All common open space areas shall be developed and maintained in a neat and orderly manner for the safety of the residents and adjacent areas. Common open space areas shall be adequately surfaced with concrete, tile, brick, composite, decomposed granite, or similar weather resistant material.

7. Not less than one amenity shall be included as part of each mixed-use development containing residential units. Amenities may include area features such as barbecues, community gardens, dining furniture, pet exercise areas, pet washes, fire pits, fireplaces, game courts, gymnasiums, playground equipment, putting greens, saunas, sitting areas, swimming pools and/or spas, tot lot, and other amenities as determined acceptable by the Director of Community Development.

8. All common open space areas shall be secured with minimum six-foot tall fences and/or walls to prevent unauthorized entry. All exterior doors and gates to such areas shall be fitted with locks to allow exclusive access to residents and shall remain accessible to those with mobility challenges.

9. A minimum of ten percent (10%) of exterior common open space areas shall be landscaped but shall not exceed 20% of the total exterior common open space area.

H. On-Site Circulation. On-site circulation pertains to the movement and storage of vehicles (including vehicles belonging to residents, customers, visitors, employees, delivery, and services), bicycles, and pedestrians.

1. Pedestrian Circulation

a. A comprehensive pedestrian circulation plan shall be submitted for each MU development and shall include a network of pedestrian walkways that connect the public right-of-way, parking areas, main building entrances, common open space areas, and commercial components. The walkways shall be clearly marked at entry points and crosswalks (e.g., special paving, coloring, or texture). The pedestrian circulation plan shall include the location and types of features such as arbors, benches, trash/recycle cans, pedestrian-oriented lighting and way-finding signs at key points along the walkways, such as intersections, main building entrances, connections to public sidewalks as appropriate, and easements as required.

b. Crosswalks providing access to buildings containing residential units shall have a different paving material or pattern than adjacent driveway surfaces to delineate the pedestrian path of travel.

c. Walkways shall not be less than 36 inches in width, clear of any obstructions including trees, light poles, bicycle racks, street amenities, and/or barriers that would otherwise impede pedestrian movements.

d. Walkways shall have a slope no greater than the maximum allowed by the Building Code for accessibility.

e. Walkways shall be illuminated with either light standards or building-mounted lighting, or a combination of the two.

2. Bicycle Circulation

a. A comprehensive bicycle circulation plan shall be submitted with each mixed-use development application and shall demonstrate connections with existing public bicycle paths and routes. The mixed-use development shall provide short-term and long-term bicycle storage facilities. Bicycle connections shall be incorporated to connect between adjoining residential, common open space, and commercial elements of each mixed-use development. The bicycle circulation plan shall include the locations and types of traffic control devices and signs.

b. Bicycle racks or bicycle lockers for residents shall be provided at the rate of one bicycle space per 20 parking spaces.

c. Bicycle racks or bicycle lockers for residents shall be placed in public view and shall be within 50 feet of main building entrances.

3. Vehicle Circulation and Driveways

a. A comprehensive vehicle circulation plan shall be submitted for each mixed-use development and shall include a network of private streets and/or driveways that connect the public right-of-way, parking areas, and delivery areas. The vehicle circulation plan shall include the locations and types of vehicle traffic control devices, signs, signals, and easements.

b. Driveways and drive aisles shall have a minimum width of twelve feet (12') for each travel direction unless a greater width is required by the Building Code or Fire Code.

c. Entrances to parking garages and other parking areas where access is controlled by parking arms shall provide a queuing length of not less than 20 feet in front of the parking arm and the entrance to the garage or parking area.

d. Crosswalks providing access to buildings containing residential units shall have a different paving material or pattern than adjacent driveway surfaces to delineate the pedestrian path of travel.

J. Mixed-Use Overlay (MU) Zone Parking Standards. At the time of construction of any mixed-use development containing residential units, or any time any such building or development is enlarged or increased in capacity by adding residential units and/or the number of bedrooms in the residential units, there shall be provided for increased capacity, the following minimum on-site parking spaces, with adequate provisions for safe ingress and egress, and said parking spaces shall thereafter be maintained in connection with such building or development and use of land. Parking requirements for a mixed-use building containing residential units shall be in addition to the parking requirements for the non-residential uses within that building and/or on the site.

1. For mixed-use projects within the C-1, C-3, and C-4 zones, two (2) on-site parking spaces shall be provided for each residential unit containing up to two (2) bedrooms, two and one-half (2.5) parking spaces for each residential unit containing three (3) or more bedrooms, plus an additional 10% of the total required on-site parking shall be provided and maintained for guest parking.

2. For mixed-use projects within a Regional Shopping Center and the M-1 zones, one (1) on-site parking space shall be provided for each bedroom, plus one (1) space for each studio unit, plus an additional 10% of the total required on-site parking shall be provided for guest parking. Not more than two (2) parking spaces shall be required for units with more than two bedrooms.

3. A lesser amount of parking may be approved by the Planning and Environment Commission (PEC) upon the PEC's approval of a Conditional Use Permit that justifies through a parking study that a lesser amount of parking will provide adequate parking for all uses on the site. These parking requirements shall not apply to the extent modified or waived by application of State law.

4. Parking for non-residential uses shall be provided in accordance with Section 9490.

5. Residential parking spaces shall not be located within the required front yard.

6. At least one parking space for each residential unit shall be within a garage, carport, or shall otherwise be covered.

7. Parking stall dimensions and design criteria. The minimum dimensions of a standard size residential parking stall shall be not less than nine feet (9') in width by 18 feet (18') in depth. The minimum dimensions of a compact size residential parking stall shall be not less than eight feet (8') in width by 16 feet (16') in depth.

8. Not more than 40% of the required parking stalls may be compact parking stalls. Each compact parking stall shall be clearly marked as "COMPACT" in 12-inch tall letters painted to contrast the parking surface.

9. All parallel parking spaces shall be not less than nine feet (9') in width by 24 feet (24') in length.

10. Tandem parking spaces shall only be permitted for efficiency and studio residential units. In no case shall the number of tandem parking spaces exceed 10% of the total number of required residential parking spaces.

11. No trailers, boats on trailers, inoperative vehicles (for more than 30 days), recreational vehicles, or other such vehicles shall be stored in any garage, parking space, or any other location in a mixed-use development, and no non-emergency auto repairs shall be allowed in any open parking space, garage space, or any other location in a mixed-use development.

12. The number, dimensions, location, and design of accessible parking spaces for the disabled shall be provided in accordance with the California Building Code and the Green Building Code.

13. Ninety-degree (90°) parking stalls shall have a drive aisle back-up width of not less than 24 feet. Wider drive aisle shall be provided to the satisfaction of the Fire Chief to accommodate fire department vehicles. Angled parking stalls shall have a drive aisle back-up width in accordance with the charts, diagrams, and standards on file in the office of the Director of Community Development.

14. All parking stalls shall be double-striped in accordance with the charts, diagrams, and standards on file in the office of the Director of Community Development.

15. Residential parking spaces in open garages and parking areas shall be assigned and painted to their corresponding residential unit number in minimum 12-inch tall letters painted to contrast the parking surface.

16. The number and location of electric vehicle capable and electric vehicle charging stations shall be provided in accordance with the California Green Building Code.

17. Access to parking garages and other parking areas where parking is reserved for residents shall be controlled by gates, parking arms, or other traffic barrier system.

K. Mixed-Use Parking Space Separate Rental Prohibited. The requirement herein for on-site parking spaces in a mixed-use building containing residential units is designed to provide vehicle parking for residents and guests of residential units in a mixed-use building in a safe and secure manner. In order to assure the availability of such parking spaces, it is hereby made unlawful for any tenant to sublet any of the aforementioned parking spaces.

L. Delivery and Loading Zones.

1. One (1) 10' x 25' delivery space shall be provided for every 45,000 square feet of gross commercial floor area or portion thereof.

2. One (1) 10' x 25' delivery space shall be provided for each 350 residential units in a mixed-use building.

3. One (1) standard-size residential parking space shall be provided as a passenger loading zone for each 50 residential units in a mixed-use building.

4. Each delivery space stall shall be clearly marked as "LOADING ZONE ONLY" and passenger loading zone shall be clearly marked as "PASSENGER LOADING ONLY" in minimum 12-inch tall letters painted to contrast the parking surface.

5. Non-residential loading zones shall be located at the rear of the building and shall be concealed from the public right-of-way using a wall or landscape screen.

M. Fences, Walls, and Hedges. Fences, walls, and hedges shall comply with Section 9384. However, fences, walls, and hedges not sharing a common lot line with property in the R-1, R-A, PD-SF, M-F-R, or PD-MF zone may exceed the height limits prescribed in Section 9384 subject to prior approval from the Development Review Board without having to obtain a conditional use permit.

N. Mechanical, Electrical, and Plumbing Installations.

1. Air condition condensers, heat pumps, and similar equipment shall not be located within required yards. Roof-mounted equipment shall be located behind parapets and shall not be visible from ground level. Equipment located on patios, porches, decks, and balconies shall be screened from view by a solid wall matching the architecture of the building. All conduit and line set shall be located within the building.

2. All electrical equipment rooms, electrical panels, and similar enclosures shall be flush with the exterior surface of the building. All doors and covers shall be painted to match adjacent wall surfaces. All conduit shall be located within the building. All electrical utility lines shall be located underground.

3. Photovoltaic panels and solar water heater panels may be roof mounted or located above open parking areas. All conduit and plumbing shall be located within the building or structure and shall not be run between buildings above grade. Connecting conduit shall be painted to match adjacent surfaces.

4. All water heaters, water softeners, and similar appliances shall be located within the building envelope. All plumbing and conduit shall be located within the building.

5. Wireless facilities on private property shall comply with Part 21 commencing with Section 9600.

O. Landscaping.

1. Plans shall be submitted for all proposed landscape areas in accordance with the City's Water Conservation in Landscaping Ordinance.

2. All landscape areas shall comply with Sections 9346 and 9369.5.G.9, and with the City's Objective Mixed-Use Design Standards, as applicable.

3. All landscape areas shall be developed and maintained for the safety of residents and visitors.

P. Waste Collection Procedures. The construction debris and waste collection procedures program and trash enclosures shall comply with current City and State requirements and standards. The property owner shall prepare and obtain approval from the City Public Works Department a comprehensive solid waste collection and recycling procedures program. This shall be reviewed and be acceptable to the City Public Works Department. The waste collection and recycling procedures program shall include:

1. Types, size, and location of bins, as well as the frequency of pickup to satisfy volume.

2. Sufficient capacity and storage areas for all required forms of collection, this includes normal solid waste, required recycling, and required organic (food and landscape cuttings) waste storage, as required to comply with all related current state laws.

3. Methods to address compliance with SB 1383 (Lara 2016) regarding organic recycling and the required reduction of Short-Lived Climate Pollutants (SLCP), such as methane, hydrofluorocarbon gases, and anthropogenic black carbon, as applicable.

4. The waste collection program shall address any use of a trash compactor and the external storage of wood pallets and bales of compacted cardboard.

5. The waste collection program shall include a schedule for cleaning the trash enclosure or trash room and trash chutes.

6. Any trash enclosure or trash room is required to be properly maintained by the property owner/operator/tenant with all trash inside the authorized collection devices. No spillover or other external storage of debris or waste is permitted.

7. All trash bins shall either be located inside the building or in an exterior fully secured, roofed, illuminated, and lockable trash enclosure. There shall be no unscreened and/or unsecured exterior storage of waste materials.

8. All trash enclosures shall comply with the current City guidelines for a fully secured trash enclosure. Fully secured trash enclosures shall be constructed with:

a. A rainproof roof tall enough to accommodate fully opening the top of the bins;

b. Welded wire mesh between the roof and wall with no gap greater than two inches;

c. Lockable access doors or gates with and shall be self-closing; and

d. The trash enclosure area shall be illuminated during all hours of darkness to discourage unauthorized access, disposal, vandalism, or scavenging.

9. The trash enclosure shall have on each side thereof a solid reinforced masonry wall of not less than five feet (5') height except for openings. All openings shall be equipped with lockable steel gates or doors. Such doors or gates shall at all times be equipped with fully operating, self-closing devices.

10. At least one door or gate, at least three feet (3') in width, shall be provided to afford pedestrian access to the trash enclosure or trash room. The door or gate shall at all times be located and maintained at such a place and in such a fashion that access to the storage area for the deposit and removal of garbage, organic waste, recyclables, refuse, and trash is reasonably accessible.

11. There shall be provided and maintained within two hundred feet (200') of each mixed-use building a trash enclosure for the purpose of storing garbage, organic waste, recyclables,

refuse, and trash of all persons and businesses occupying any mixed-use residential or non-residential building.

12. Mixed-use buildings containing residential units, and which are more than two stories in height shall include trash chute doors at each floor that lead to trash chutes for each waste stream that lead directly to the appropriate solid waste, required recycling, and required organic (food scraps) waste storage bin, as appropriate. Trash chutes shall be located in such a manner that no residential unit shall be farther than two hundred feet (200') from a trash chute.

9369.6 OPERATIONAL STANDARDS. The following standards shall be implemented as part of a mixed-use development to protect residents from late night noise and light and to ensure the safety and security of commercial and residential uses and their visitors.

A. Hours of operation.

1. No commercial distributors shall unload or deliver any food, goods, wares, merchandise, or other personal property to any place of business, between the hours of 10:01 P.M. and 6:00 A.M. of the following day within 30 feet of any residential unit. Quick-serve deliveries of food, groceries, or goods to individual residents are permitted.

2. No delivery driver shall operate, honk or sound any horn or vehicular sounding device for the purpose of such a delivery, between the hours of 10:01 P.M. and 6:00 A.M. of the following day within 30 feet of any residential unit.

3. Commercial establishments located within 30 feet of any residence shall not empty any trash, including bottles and cans, into an outdoor trash bin between the hours of 10:01 P.M. and 6:00 A.M. of the following day. This condition does not apply to interior trash chutes.

B. Noise.

1. Sounds generated by businesses located within a building containing residential units shall not exceed 45 dB(A) within any residential unit.

C. Exterior Lighting.

1. Exterior lighting of parking areas, parking structures, walkways, and grounds shall be designed and arranged so as not to reflect direct or indirect light upon abutting or adjacent properties outside of the project site, with a maximum light spill of point .5 foot-candles as measured at grade level at property line.

2. Exterior lighting of parking areas, parking structures, walkways, and grounds shall be designed and arranged in order to provide safe use thereof.

3. Exterior lighting shall not exceed an average of two (2) foot-candles on exterior elevations of a mixed-use building containing residential units as measured at each story containing such units.

4. Security lighting shall be provided at the front and rear entrance of each tenant space.

D. Public Safety and Security Plan. The property owner shall prepare, submit, and obtain approval of a Public Safety and Security Plan (PSSP) to the Lakewood Public Safety Department (PSD), prior to final inspection and/or occupancy of the Project. The PSSP shall be reviewed in coordination with the Los Angeles County Sheriff's Department (Sheriff's Department). The PSSP shall include:

1. Letter of Agency. The applicant shall sign a Letter of Agency with the Sheriff's Department to authorize on-site enforcement for loitering, trespassing, vandalism, etc.

2. Liaison Relationship. Building management shall establish an on-going liaison relationship with members of the Sheriff's Department and the Lakewood PSD staff so that

communication can be timely and effective when problems occur. This relationship shall include providing to the Sheriff's Department and Lakewood PSD the applicant's written store security protocols.

3. Management. A statement that a manager or supervisor 18 years of age or older shall be available during all hours of operation, that any loitering shall be strictly monitored and aggressively discouraged by management, and that management shall immediately notify law enforcement should they observe any criminal activity.

4. Security System. Following approval from the Lakewood PSD, a state-of-the-art security system shall be designed and installed that include: a) 24-hour, closed circuit video cameras with audio capabilities; b) color monitors; and c) alarm/panic systems. The security backup data shall be stored for 30 days in an off-site location and shall be made available to law enforcement when requested.

5. Storage medium. On-site storage medium shall be secured in such a manner as to not facilitate the easy removal by unauthorized personnel or by staff under duress.

6. POS View. Store windows and doors shall continuously maintain a clear view from adjacent streets or driveways to the point-of-sale (POS) cash register(s).

7. Service Doors. Service doors shall be equipped on the inside with an automatic locking and alarm device. These doors shall always be closed, except for deliveries.

8. Unauthorized Access. To discourage unauthorized access to residential common space areas, service areas, and similar restricted areas, all doors and gates shall be equipped with self-closing devices and required panic hardware and shall remain closed at all times except when necessary for ingress or egress.

9. Parking Signage. Site plans and floor plans shall be prepared showing the locations of "NO LOITERING" signs placed and remain clearly posted in and around parking areas.

9369.7 OBJECTIVE DESIGN STANDARDS.

Lakewood's Objective Design Standards for the Mixed-Use Overlay (MU) zone is a separate document providing key, objective requirements for the development of mixed-use projects in Lakewood's C-1, C-3, C-4, and M-1 zones. The Objective Mixed-Use Design Standards shall become effective following adoption by City Council resolution. The Director of Community Development shall prepare the Objective Mixed-Use Design Standards and is authorized to update the Objective Mixed-Use Design Standards from time to time.

SECTION 6. Section 9500 et seq. of the Lakewood Municipal Code regarding Sign Regulations is amended to read as follows:

9502.28.a PROJECTING IDENTIFICATION SIGN. A sign identifying the address, logo, and/or name of a mixed-use building containing residential units where the sign is placed.

9503. GENERAL REGULATIONS

A. PROHIBITED SIGNS. The following signs are not allowed, except as otherwise provided in this Part; Any flag-type A-frame, H-wire frame, or other moveable sidewalk signs, pennants, balloons, inflated, air-infused, any mechanical mannequin or human sign holders or twirlers and any vehicles or trailers being used as portable signs. No sign, except as otherwise provided by this Part, shall be erected, maintained, approved, or permitted where the sign:

1. Illumination exceeds .5 foot-candles at any residential property line, except at the exterior elevations of a mixed-use building containing residential units as measured at each story containing such units, exterior lighting shall not exceed an average of two (2) foot-candles.

9506. SIGNS IN COMMERCIAL AND MANUFACTURING ZONES. Any sign not prohibited by Section 9503 or exempted by Section 9504 shall be allowed in any commercial or any manufacturing zone, subject to the general provisions of Section 9505 and, in addition, shall be subject to the following conditions and limitations. The provisions of this Section shall also apply to residential mixed-use buildings.

...

B. NON-FREESTANDING SIGNS.

...

1. Prohibited. No sign except those exempted by Section 9504 may be placed on a building elevation which faces a residential zone less than 2050 feet away from that sign: unless the residential use is part of a mixed-use development.

...

9. Projecting Identification Signs. Projecting Identification Signs may be attached to the exterior of a mixed-use building containing residential units subject to the standards below:

a. Projecting Identification Signs shall be permitted as an alternative to and not in addition to any other allowed Identification Signs for the elevation upon which they are placed.

b. Projection Identification Signs shall not hang over or otherwise encroach into the public right-of-way.

c. There shall be not more than four (4) Projecting Identification Signs for each mixed-use building containing residential units.

d. There shall be not more than one (1) Projecting Identification Sign per building elevation.

e. Projecting Identification Signs shall not be placed on a building elevation which faces an R-1, R-A, PD-SF, M-F-R, or PD-MF residential zone less than 50 feet away from that sign.

f. The sign area of each Projecting Identification Sign shall not exceed one-half (0.5) square-foot per linear foot of the elevation upon which the sign is located, as measured horizontally at ground level.

g. A Projecting Identification Sign shall have a minimum clearance of 12 feet between the bottom of such sign and finished grade.

h. The maximum allowable projection from the wall surface to which a sign is attached shall not exceed 10 percent (10%) of the height of the building elevation upon which it is placed.

i. A Projecting Identification Sign shall be located a minimum of 15 feet (15') from any common property line.

SECTION 7. CEQA. This Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. 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 8. 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 9. 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 10. CERTIFICATION. The City Clerk shall certify 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.

APPROVED AND ADOPTED this ____ day of ____, 2024, by the following roll call vote:

	AYES	NAYS	ABSENT
Council Member	_____	_____	_____
Council Member	_____	_____	_____
Council Member	_____	_____	_____
Council Member	_____	_____	_____
Mayor	_____	_____	_____

Mayor

ATTEST:

City Clerk

RESOLUTION NO. -2024

A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD RECOMMENDING WITH REPORT AND FINDINGS THAT THE PROPOSED ORDINANCES BE ADOPTED BY THE CITY COUNCIL AMENDING THE LAKEWOOD MUNICIPAL CODE AND OFFICIAL ZONING ORDINANCE PERTAINING TO MIXED USE DEVELOPMENT.

THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning and Environment Commission of the City of Lakewood initiated a hearing, pursuant to Section 9411 of the Lakewood Municipal Code, pertaining to an amendment to the Lakewood Municipal Code and Official Zoning Ordinance pertaining to Mixed-Use Development; and said Commission, on April 15, 2024, following notice given in the time and manner required by law, did consider the ordinance proposing to amend the Lakewood Municipal Code as described above. This Resolution with the findings and recommendations herein contained, along with the record of the proceedings of the Planning and Environment Commission, constitutes said Commission's report to the City Council.

SECTION 2. In connection with this proposed ordinance, the Planning and Environment recommends that the City Council find the proposed ordinances to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and that CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

SECTION 3. The Commission reports that the Planning and Environment Commission held a duly noticed public hearing on April 15, 2024 at which time it considered all evidence presented, both written and oral, and at the end of the hearing voted to adopt a resolution recommending that the City Council adopt this ordinance.

SECTION 4. The Planning and Environment Commission hereby finds that the proposed ordinance should be adopted for the following reasons and findings:

A. The proposed amendment to the Lakewood Municipal Code will not be in conflict with the City's General Plan.

B. The proposed Mixed-Use Ordinance contemplates a variety of development scenarios across different land use zones while remaining sufficiently flexible to encourage quality developments that are compatible with the surrounding area in which they may be built and which satisfies the housing production goals as anticipated by the 2021-2029 Housing Element.

SECTION 5. This ordinance complies with the authority granted by and the current regulatory mandates of the California Constitution and State law relating to local zoning regulation.

SECTION 6. Based on the aforementioned findings, the Planning and Environment Commission recommends to the City Council that the City Council prepare and adopt, after holding a public hearing as required by law, the attached ordinance pertaining to sign regulation updates.

ADOPTED THIS 15th day of April, 2024 by the members of the Planning and Environment Commission voting as follows:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:

Bill Baca, Chairperson

ATTEST:

Abel Avalos, Secretary