

ORDINANCE NO. 2024-3

AN ORDINANCE OF THE CITY COUNCIL 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 not 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 sun decks.

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 barbeques, 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 ~~20~~50 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, paragraphs, 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.

