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ARTICLE 4: USE AND SUPPLEMENTAL STANDARDS

17.4.1 : General

17.4.1.1 : Purpose and Intent

This Article is intended to identify land use categories and their relationship to zone districts to ensure the appropriate location for different types of land uses within the City of Lakewood. This Article identifies the uses that are permitted, limited, accessory, require a special use permit, or are prohibited in each zone district, and sets forth use-specific standards that apply to particular uses to ensure compatibility and minimize impacts on adjacent properties.

17.4.1.2 : Uses

Permitted, limited, special, accessory and prohibited uses are listed in [Table 17.4.1](#) together with references to specific regulations governing certain uses. Uses are classified into land use groups and specific use types. These are described and defined in Article 13. Uses are identified in the first column of the Use Table. Any supplemental standard associated with a use is identified in the column titled “Supplemental Standards.”

- A. **Permitted Uses:** Uses identified with a “P” in the Use Table are permitted as a use in the specific zone district subject to compliance with all other applicable standards of this Zoning Ordinance.
- B. **Limited Uses:** Uses identified with an “L” in the Use Table are permitted as a use in the specific zone district subject to compliance with any supplemental standards identified in the final column of the table and all other applicable standards of this Zoning Ordinance.
- C. **Special Uses:** Uses identified with an “S” in the Use Table are allowed if reviewed and approved in accordance with the special use procedures identified in Article 2. Special uses are subject to compliance with any supplemental standards identified in the final column of the table and all other applicable standards of this Zoning Ordinance.
- D. **Accessory Uses:** Uses identified with an “A” in the Use Table are allowed in the specific zone district as accessory to a permitted use only, subject to compliance with any supplemental standard as identified in the final column of the table, and all other applicable standards of the Zoning Ordinance.
- E. **Prohibited Uses:** Uses that contain a blank cell in a zone district are expressly prohibited in the specific zone district.

17.4.1.3 : Determination of Use

Any use that is not clearly identified in the use table shall be assigned to an existing use category by the Director in accordance with the following:

- A. Upon receipt of an application for a use that is not clearly identified within the use table, the Director shall determine whether the proposed use is both similar to, and compatible with, uses specifically named within the particular zone category.

- B. In determining whether the proposed use is similar to, and compatible with a specifically named zone category, the Director shall consider, among other relevant factors, traffic generation, density of population, and hours of operation of the proposed use as compared to:
1. Known uses within a zone category; and
 2. Characteristics of zone categories that permit a similar use; and
 3. The goals and policies set forth in the Comprehensive Plan.
- C. Any appeal by the applicant of a decision by the Director regarding an unnamed use shall be made to the Planning Commission. In deciding the appeal, the Planning Commission shall apply the same standards used by the Director.

17.4.1.4 : City Owned Open-Space and Parks

City-owned land which is used or held for open-space or park purposes shall not be permitted to be used for any purpose other than open-space or park purposes.

17.4.2 : Use Table

[Table 17.4.1](#) identifies the uses that are permitted, accessory, special, limited, or prohibited in each zone district within the City of Lakewood. It shall be unlawful to engage in any use identified in [Table 17.4.1](#) as prohibited in the applicable zone district.

Table 17.4.1: Use Table

Land Use	Zone District																Supplemental Standards	
	Residential								Mixed Use					Commercial and Light Industrial				
	R-1-43	R-1-18	R-1-12	R-1-9	R-1-6	R-2	R-MF	R-MH	M-N	M-G	M-C	M-E	M-R	C-R	C-L	L-I		LI-RD
P = Permitted A = Accessory S = Special L = Limited [blank] = Prohibited																		
Residential																		
Single-family dwelling unit	P	P	P	P	P	P	P		P									
Accessory dwelling unit	L	L	L	L	L	L	L		L	L	L	L	L	L		L	L	See Section 17.4.3.1:A
Duplex						P	P		P									
Attached dwelling unit							P		P	P	P	L	P					See Section 17.5.3.6:F
Multifamily dwelling unit							P		P	P	P	L	P					See Section 17.5.3.6:F
Mobile Home								P										
Group Home (1 – 8 client residents*)	P	P	P	P	P	P	P	P	P	P	P	P	P					*See Section 17.4.3.1:O
Group Residential Facility							P		P	P	P	L	P	P	P			See Section 17.5.3.6:F
Shelter										S				S	S			
Commercial and Light Industrial																		
Adult Business										L				L				See Chapter 5.47 of the Lakewood Muni Code
Animal Care	P								S	L	S	L	S	P	L	P		See Section 17.4.3.1:B
Bar									P	P	P	S		P	P			
Bed and Breakfast	S	S	S	S			S		S									See Section 17.4.3.1:F
Cemetery	P																	

Table 17.4.1: Use Table

Land Use	Zone District																Supplemental Standards	
	Residential								Mixed Use					Commercial and Light Industrial				
	R-1-43	R-1-18	R-1-12	R-1-9	R-1-6	R-2	R-MF	R-MH	M-N	M-G	M-C	M-E	M-R	C-R	C-L	L-I		L-I-RD
P = Permitted A = Accessory S = Special L = Limited [blank] = Prohibited																		
Commercial and Light Industrial (continued)																		
Club, Lodge, or Service Organization									P	P	P	P	A	P	P			
Contractor Shop										L	L	L	L	P		P	L	See Section 17.4.3.1:J
Crematory														S		L		See Chapter 5.25 of the Lakewood Municipal Code
Day Care Facility, Child or Adult	A	A	A	A	A	A	P		P	P	P	P	A	P	P	P	P	See Section 17.4.3.1:L
Emergency Medical Facility										P	S	P		P	P	P	P	
Entertainment Facility																		
Indoor									P	P	P	S	S	P	P			
Outdoor										S				P		P		
Fitness or Athletic Facility, Private									P	P	P	P	A	P	P			
Gallery or Studio									P	P	P	P	A	P	P			
Golf Course	S																	
Hotel										P	P	P		P	P			
Junkyard or Motor Vehicle Wrecking																S		

Table 17.4.1: Use Table

Land Use	Zone District																Supplemental Standards	
	Residential							Mixed Use					Commercial and Light Industrial					
	R-1-43	R-1-18	R-1-12	R-1-9	R-1-6	R-2	R-MF	R-MH	M-N	M-G	M-C	M-E	M-R	C-R	C-L	L-I		LI-RD
P = Permitted A = Accessory S = Special L = Limited [blank] = Prohibited																		
Commercial and Light Industrial (continued)																		
Manufacturing																		
Light										P		P		P		P	P	
Heavy																P	S	
Medical Marijuana Business									L	L	L			L				See Chapter 5.51 of the Lakewood Municipal Code
Mini-Warehouse or Storage										S				L		L		See Section 17.4.3.1:Q
Mortuary										P				P		P		
Motel										P				P				
Motor Vehicle Rental									L	L	L	L		P	L	P	P	See Section 17.4.3.1:R
Motor Vehicle Sales																		
Indoor Display and Storage										P	P			P				
Outdoor Display and Storage										L				P				See Section 17.4.3.1:S
Motor Vehicle Service																		
Car Wash										L				P	P	P		See Section 17.7.6.3:A
Fueling Station									S	S				S	S			See Sections 17.4.3.1:M & 17.7.6.3:B
Major										S				L		L		See Section 17.4.3.1:T
Minor										L				L	L	P		See Section 17.4.3.1:U

Table 17.4.1: Use Table

Land Use	Zone District																	Supplemental Standards
	Residential								Mixed Use					Commercial and Light Industrial				
	R-1-43	R-1-18	R-1-12	R-1-9	R-1-6	R-2	R-MF	R-MH	M-N	M-G	M-C	M-E	M-R	C-R	C-L	L-I	LI-RD	
P = Permitted A = Accessory S = Special L = Limited [blank] = Prohibited																		
Commercial and Light Industrial (continued)																		
Office	L	L	L	L	L	L	L		P	P	P	P	A	P	P	P	P	See Section 17.4.3.1:V
Parking, Stand-Alone										P	P	P		P	P	P		
Structured										L	L	L	L	L	L	L	L	See Section 17.4.3.1:X
Surface											L			L				See Chapter 5.24 of the Lakewood Municipal Code
Pawnbroker											L			L				See Section 17.4.3.1:Y
Personal Service	L	L	L	L	L	L	L		P	P	P	P	A	P	P			See Section 17.4.3.1:Y
Plant Nursery	P													P	P	P		
Restaurant									P	P	P	P	A	P	P	P	P	
Retail									P	P	P	P	A	P	P	A	A	
Rental, Service, or Repair of Large Items										L				P		P		See Section 17.4.3.1:Z
Storage, Outdoor										A				S	A	P		See Section 17.4.3.1:CC
Vehicle Dispatch Facility										S		S		P		P	P	
Warehouse or Distribution																P	P	
Public / Civic / Institutional																		
Community Building	L	L	L	L	L	P	P	P	P	P	P	P	P	P	P	P	P	See Section 17.4.3.1:G
Convention or Exposition Center										P	S	P		P		P		
Correctional Institution														S		S		See Section 17.4.3.1:K

Table 17.4.1: Use Table																		
Land Use	Zone District																	Supplemental Standards
	Residential								Mixed Use					Commercial and Light Industrial				
	R-1-43	R-1-18	R-1-12	R-1-9	R-1-6	R-2	R-MF	R-MH	M-N	M-G	M-C	M-E	M-R	C-R	C-L	L-I	LI-RD	
P = Permitted A = Accessory S = Special L = Limited [blank] = Prohibited																		
Public / Civic / Institutional (continued)																		
Hospital										S		S		P			S	
Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Religious Institution	L	L	L	L	L	P	P	P	P	P	P	P	P	P	P	P	P	See Section 17.4.3.1:G
School, Public or Private	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
School, Vocational or Trade										P	S	P		P	P	P	S	
Solar Garden									S	S	S	S	S	L	L	L	L	See Section 17.4.3.1:BB
Transportation Facility, Public	L	L	L	L	L	P	P	P	P	P	P	P	P	P	P	P	P	See Section 17.4.3.1:G
University or College										P	P	P	P	P	P	S	S	
Utility Facility																		
Major	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Agriculture																		
Animals, Large	L	A	A	A														See Section 17.4.3.1:C
Animals, Small	A	A	A	A	L	L			L	L	L	L	L					See Section 17.4.3.1:D

Table 17.4.1: Use Table

Land Use	Zone District																Supplemental Standards	
	Residential								Mixed Use					Commercial and Light Industrial				
	R-1-43	R-1-18	R-1-12	R-1-9	R-1-6	R-2	R-MF	R-MH	M-N	M-G	M-C	M-E	M-R	C-R	C-L	L-I		LI-RD
P = Permitted A = Accessory S = Special L = Limited [blank] = Prohibited																		
Agriculture (continued)																		
Apiaries	P	L	L	L	L	L	L		L	L	L	L	L	L	L	L	L	See Section 17.4.3.1:E
Community Garden	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	See Section 17.4.3.1:H
Horticulture	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Temporary																		
Construction or Sales Trailer	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	See Section 17.4.3.1:I
Outdoor Display									A	A	A	A	A	A	A	A	A	See Section 17.4.3.1:U
Roadside Stand	L	L	A	A	A	A												See Section 17.4.3.1:AA
Temporary Use, Long-term	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	See Section 17.4.3.1:DD
Temporary Use, Short-term	S	S	S	S	S	S	S	S	L	L	L	L	L	L	L	L	L	See Section 17.4.3.1:EE
Other																		
Amateur Radio Tower or Antenna	A	A	A	A	A	A							A					
Home Business																		
Major	S	S	S	S	S	S	S	S	P	P	P	P	P					See Section 17.4.3.1:P
Minor	A	A	A	A	A	A	A	A	A	A	A	A	A					See Section 17.4.3.1:O
Satellite Dish Antenna	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	See Section 17.5.5.2
Solar Collection System	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	See Section 17.5.5.3

Table 17.4.1: Use Table																		
Land Use	Zone District																	Supplemental Standards
	Residential								Mixed Use					Commercial and Light Industrial				
	R-1-43	R-1-18	R-1-12	R-1-9	R-1-6	R-2	R-MF	R-MH	M-N	M-G	M-C	M-E	M-R	C-R	C-L	L-I	LI-RD	
P = Permitted A = Accessory S = Special L = Limited [blank] = Prohibited																		
Other (continued)																		
Wind-Powered Electric Generator, Freestanding	P	P	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	See Section 17.5.5.4
Wireless Communications Facility																		
Stealth	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	See Section 17.10.3.1
On Existing Structures																		
Building Façade Mounted	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	See Section 17.10.3.2.B
Roof Mounted	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	See Section 17.10.3.2.C
Other Freestanding Support Structure	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	See Section 17.10.3.2.D
New Freestanding Structures																		
60 feet in height or less							P	P	P	P	P	P	P	P	P	P	P	See Section 17.10.3.3
Greater than 60 feet in height							S	S	S	S	S	S	S	S	S	S	S	See Section 17.10.3.3

17.4.3 : Supplemental Standards

17.4.3.1: Purpose and Applicability

This Section sets forth additional standards for certain uses located within the various zone districts. These regulations recognize that certain use types have characteristics that require additional controls in order to protect public health, safety, and welfare. Unless otherwise expressly stated, compliance with such standards is required regardless of whether the use is a limited use, an accessory use, or requires special use approval.

The following standards shall apply to any parcel of property where supplemental standards are required to be met, as indicated in [Table 17.4.1](#) found for the zone districts identified in this Article. No Variance or Waiver may be requested for Use and Supplemental Standards.

A. Accessory Dwelling Unit:

Where identified as a limited use in any R zone district, an accessory dwelling unit shall be subject to the following:

1. An accessory dwelling unit is permitted as accessory to a primary single-family dwelling unit.
2. Waivers are allowed only if approved in conformance with Section 17.2.6.4(A).
3. Only one accessory dwelling unit shall be permitted per lot.
4. A permit for an ADU shall only be issued to an owner occupant or their designee.
5. Dimensional Standards and Location:
 - a. An accessory dwelling unit shall comply with all primary structure dimensional standards for the applicable zone district.
 - b. The maximum height of a detached accessory dwelling unit shall be 30 feet.
 - c. An accessory dwelling unit shall not be located in front of the primary dwelling unit.
6. Single-family Dwelling Design Requirements:
 - a. An accessory dwelling unit shall not exceed 1400 square feet of gross floor area.
 - b. External alterations that would change the residential character of the property shall be prohibited.
 - c. The exterior of an accessory dwelling unit shall be similar in appearance to that of the existing primary dwelling unit including, but not limited to, materials, color, roof pitch and detailing.
 - d. Accessory dwelling units located above garages or located on a second floor may be accessed by a separate external stairway.

- e. Parking shall be provided in accordance with Article 8 if on-street parking is legally or practically unavailable. On-street parking will be deemed unavailable if the property is located on an arterial or collector street, or if the property is located on a block on which the street is determined to be less than 28 feet wide, or if there are official traffic control signs posted in front of the property prohibiting parking where otherwise permitted.
7. Accessory dwelling units that are detached or constructed as an addition to a single-family unit shall be subject to the Review of Supplemental Standards process as described in Article 2, and the general design and development standards in Article 6.

Where identified as a limited use in any non-residential zone district, an accessory dwelling unit must be located in the same building as the permitted use and shall be subjected to the following:

8. An accessory dwelling unit is allowed in conjunction with an otherwise permitted nonresidential use located on the same property.
9. An accessory dwelling unit shall be located in the same building as the permitted use and be incidental and subordinate to the permitted use.
10. The accessory dwelling unit must be associated with and directly support the nonresidential use of the property
11. Dimensional and Design Standards:
 - a. An accessory dwelling unit shall comply with all primary structure dimensional standards for the applicable zone district.
 - b. An accessory dwelling unit shall comply with all primary structure design standards.

B. Animal Care:

Where identified as a limited use or special use, an animal care facility shall be subject to the following:

1. All animals shall be confined indoors.
2. Any exterior pens shall only be used during the daytime for supervised exercise and training use and shall not be located in front of the primary structure and shall be located a minimum of 20 feet from any side or rear property line.
3. When adjacent to an existing residential use, indoor areas containing cages or pens are not permitted to have operable windows, doors, or other penetrations on exterior walls adjacent to the residence, unless required by the Lakewood building code.

C. Animals, Large:

Where identified as a limited or accessory use, the keeping of large animals shall be subject to

the following:

1. Livestock:
 - a. All livestock shall be kept in a fenced area.
 - b. Electrified fences are permitted on side and rear yards only if placed inside another security fence. Warning signs shall be posted in a conspicuous location. Electric fences shall be supplied from the secondary side of an approved or listed electric fence device. The electric wiring for the fence shall be installed pursuant to the manufacturer's instructions.
 - c. Up to four horse equivalents per acre shall be permitted for R-1-18, R-1-12, and R-1-9 zoned lots, provided that at least 9,000 square feet of open lot area is provided for the first horse equivalent unit and 6,000 square feet of open lot area is provided for each additional horse equivalent unit.
 - i. There shall be no maximum number of horse equivalents for R-1-43 zoned lots provided that at least 9,000 square feet of open lot area is provided for the first horse equivalent unit and 6,000 square feet of open lot area is provided for each additional horse equivalent unit.
 - ii. One horse equivalent unit equals 1 horse, 1 cow, 2 llamas, 2 alpacas, 2 goats, or 2 sheep.
 - d. A minimum containment area of 300 square feet shall be provided and used for each animal.
2. Emus and Ostriches:
 - a. All emus and ostriches shall be kept in a fenced area. The fence shall be a minimum of 66 inches in height and shall be placed in a manner as to provide for the protection of the general public on adjoining land or public property or rights-of-way.
 - b. The minimum square footage of open lot area, shall be 8,000 square feet for the first such animal, and 5,500 square feet for each additional such animal.
 - c. A minimum containment area of 300 square feet shall be provided and used for each animal.
 - d. A building, corral, or containment area shall be located no less than 15 feet from the side or rear lot line.
3. An accessory structure for the keeping of livestock, emus and ostriches, or a corral shall not be located in a primary front yard. An accessory structure, a riding ring, or a corral may be located in a non-primary front yard. A riding ring may be located in a portion of the primary front yard if there is inadequate area in the side and rear lots, subject to approval of the Director.
4. Any fence that serves to contain livestock, emus or ostriches shall be constructed of permanent materials, maintained and of sufficient strength and height to confine any animal located on the property. If any livestock, emus or ostrich is found to be

encroaching on an adjacent property, as determined by the Director, and/or if a livestock animal has damaged or is damaging property on adjacent property (e.g.), a corral, riding ring, or containment area shall then be set back a minimum of 8 feet from the property line.

5. Slaughtering of animals on the premises shall be prohibited.

D. Animals, Small:

1. Where identified as an accessory use, the keeping of small animals shall be subject to the following:

a. Rabbits and chinchillas:

- i. The animals shall be in a fenced area or private rabbit and chinchilla hutches with no more than one animal for every 6 square feet of gross floor area.
- ii. Hutches must be set back 15 feet from the side and rear property lines and behind the front edge of the primary structure.

b. Poultry:

- i. Coops shall contain no more than one bird for every 4 square feet of gross floor area. All coops must be set back 15 feet from the side and rear property lines and behind the front edge of the primary structure.
- ii. Poultry shall be kept in an enclosure or in a fenced area. The fence shall be a minimum of four feet in height.

c. Pigeons:

- i. Pigeons may be kept without regard to number as long as they are in a fenced area or private pigeon coops.
- ii. Coops shall contain no more than one bird for every 4 square feet of gross floor area.
- iii. All coops must be set back 15 from the side and rear property lines and behind the front edge of the primary structure.
- iv. Owners of pigeons shall be allowed to exercise, train, and race their pigeons outside the coop or house as long as the pigeons do not create a public nuisance pursuant to the Lakewood Municipal Code.

2. Where identified as a limited use, small animals shall be limited to hens, ducks, drakes, and dwarf goats, or other similar small breed goats, and shall be accessory to the permitted use. The keeping of small animals shall be subject to the following:

- a. Hens, Ducks and Drakes:

- i. A permit for the keeping of hens, ducks, and drakes must be obtained from the City.
- ii. A maximum of six hens or six ducks or 5 ducks and one drake shall be allowed on a single property. Roosters shall be prohibited.
- iii. A predator-resistant enclosure must be provided. The enclosure shall have a minimum of 6 square feet of living space for each animal and shall be secure, roofed, and well ventilated. However, the total size of an enclosure shall not exceed 32 square feet and shall not exceed 10 feet in height.
- iv. Hens, ducks, and drakes shall be kept in the enclosure or in a fenced yard at all times. A fence with a minimum height of 4 feet shall enclose the yard area.
- v. An enclosure or fenced area shall not be located in a front yard or closer to any property lines than the accessory structure setbacks for the applicable zone district identified in Table 17.5.1.
- vi. A permit shall apply only to the occupant of the property at the time of approval
- vii. In Mixed-Use districts the keeping of hens, ducks, and drakes may be allowed where a single-family dwelling unit or duplex exists as a non-conforming use.
- viii. The Director may revoke any permit issued pursuant to this Section at any time if the Director finds that any provision of this Zoning Ordinance has been violated.

- b. Dwarf Goats:

- i. A permit for the keeping of dwarf goats must be obtained from the City.
- ii. A maximum of three female dwarf goats or two females and one wether shall be allowed on a single property. Goats shall be counted towards the total number of household pets permitted on a property. Unneutered male dwarf goats shall be prohibited.
- iii. A predator-resistant enclosure must be provided. The enclosures shall have a minimum of 10 square feet of living space for each animal, and shall be secure, roofed, and well ventilated. However, the total size of an enclosure shall not exceed 90 square feet, and shall not exceed 10 feet in height.
- iv. Goats shall be kept in the enclosure or in a fenced yard at all times. A fence with a minimum height of 4 feet shall enclose the yard area.

- v. An enclosure or fenced area shall not be located in a front yard or closer to any property lines than the accessory structure setbacks for the applicable zone district identified in Table 17.5.1
- vi. A permit shall apply only to the occupant of the property at the time of approval.
- vii. The Director may revoke any permit issued pursuant to this Section at any time if the Director finds that any provision of this Zoning Ordinance has been violated

3. Slaughtering of animals on the premises shall be prohibited.

E. Apiaries:

Where identified as a limited use, apiaries shall be accessory to the permitted use, and subject to the following:

- 1. A permit for the keeping of an apiary must be obtained from the City.
- 2. One beehive shall be allowed for each 6,000 square feet of lot area.
- 3. Beehives in R zone districts shall be located in a side or rear yard only, and no closer to any property lines than the accessory structure setbacks for the applicable zone district identified in Table 17.5.1.
- 4. Beehives in M zone districts may not be located in any required front yard.
- 5. Beehives shall be set back at least 25 feet from the nearest edge of a public walk.
- 6. The front of any beehive shall face away from the property line of an adjacent residential property closest to the beehive.
- 7. A flyway barrier shall be placed along the side of the beehive that contains the entrance to the hive. The flyway barrier shall be located within 5 feet of the hive and shall extend at least 2 feet on either side of the hive (See Figure 17.4.1).
- 8. The flyway barrier shall be 6 feet in height and consist of a solid hedge or be constructed of materials that comply with the standards set forth in Section 17.6.6.1.
- 9. No flyway barrier constructed of any materials other than a solid hedge shall be erected without a building permit unless the structure is less than 8 feet long.
- 10. No such flyway barrier shall be required if beehives are located at least 25 feet from all property lines and for beehives that are located on porches or balconies at least 10 feet above grade and more than five feet from a property line.

11. A supply of fresh water shall be maintained on the lot in a location readily accessible to all bee colonies throughout the day to prevent bees from congregating at neighboring swimming pools or other sources of water on nearby properties.

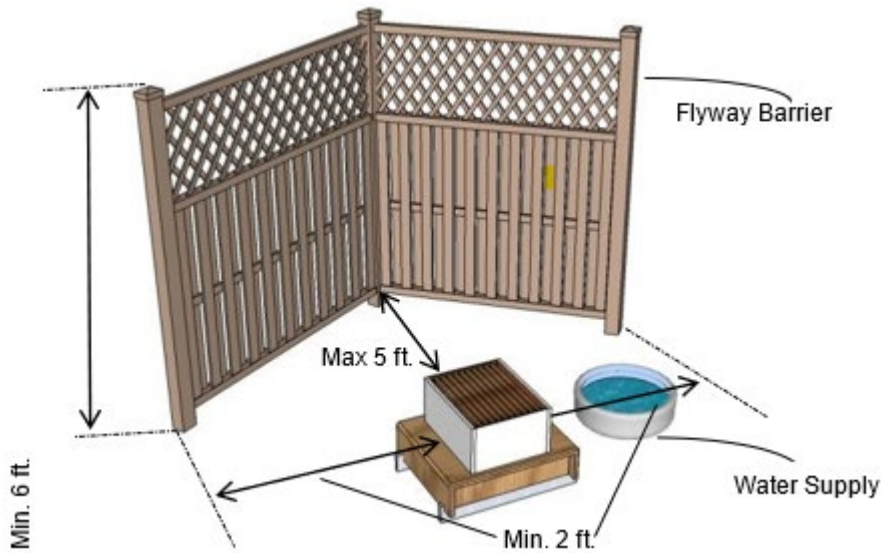


Figure 17.4.1: Example of Flyway Barrier

12. A permit shall apply only to the occupant of the property at the time of approval.
13. Africanized bees are prohibited.
14. The Director may revoke any permit issued pursuant to this Section at any time if the Director finds that any provision of this Zoning Ordinance has been violated.

F. Bed and Breakfast:

Where identified as a special use, a bed and breakfast shall be subject to the following:

1. A bed and breakfast shall be operated by an individual who occupies the dwelling unit as a primary residence.
2. All bed and breakfast structures shall comply with all dimensional standards of the applicable zone district.
3. Food service shall be restricted to guests of the bed and breakfast.
4. The exterior of a dwelling unit may be modified for a bed and breakfast. However, the exterior shall be similar in appearance to that of the surrounding residential character of the neighborhood in which it is to be located including, but not limited to, materials, color, roof pitch, and detailing.
5. Signage shall comply with the standards set forth in Article 9.
6. All off-street parking required for the bed and breakfast, with the exception of the

spaces required as part of the primary residence, shall be located behind the primary structure.

7. Parking shall be provided in accordance with Article 8.
8. A bed and breakfast shall be subject to the major site plan process, as described in Article 2, and the general design and development standards in Article 7.

G. Community Buildings, Religious Institutions, and Public Transportation Facilities:

Where identified as a limited use and located on a local or minor collector street, community buildings, religious institutions and public transportation facilities shall be limited in size as follows:

1. In the R-1-43 and R-1-18 zone districts to a maximum of 50,000 square feet of gross floor area.
2. In the R-1-12 zone district to a maximum of 30,000 square feet of gross floor area.
3. In the R-1-9 and R-1-6 zone districts to a maximum of 20,000 square feet of gross floor area.

H. Community Garden:

Where identified as a limited use, a community garden shall be subject to the following:

1. A community garden shall be well maintained at all times, including necessary watering, weeding, pruning, pest control, and removal of dead or diseased plant material.
2. Structures that are incidental to a community garden, such as storage or utility buildings, gazebos, trellises, or greenhouse structures, are allowed if they are 120 square feet or less in size and 10 feet or less in height.
3. One structure shall be allowed for each community garden containing up to 6,000 square feet of garden space. One additional structure shall be allowed per each additional 6,000 square feet of community garden space.
4. Structures shall comply with the accessory structure dimensional standards, except that all structures shall be located at least 25 feet from any adjacent public street.
5. Community gardens shall be subject to the Review of Supplemental Standards process, as described in Article 2.

I. Construction or Sales Trailer:

Where identified as a temporary accessory use, a construction or sales trailer shall be subject to the following:

1. The trailer may be approved by the Director for a period of up to one year, and may be renewed annually.
2. The trailer must be removed from the site prior to issuance of the final certificate of occupancy for the project.

J. Contractor Shop:

Where identified as a limited use, the overnight parking of business-related vehicles on site shall be limited to six vehicles.

K. Correctional Institution:

Where identified as a special use, a correctional facility shall be subject to the following:

1. A correctional institution shall comply with all applicable license requirements of the State of Colorado.
2. Correctional institutions shall require review and approval of the City Council.

L. Day Care Facility:

Where identified as an accessory use, a day care facility shall be subject to the following:

1. A day care facility shall comply with all applicable license requirements of the State of Colorado.
2. Day care facilities for adults on a residential single-family or duplex property shall be limited to a maximum of six adults.
3. External alterations that would change the residential character of a residential property shall be prohibited.
4. Parking associated with day care facilities shall be confined to the street frontage of the lot containing the day care, the driveway, the garage, or carport.
5. Any play equipment associated with a home child day care shall not be located within the primary front yard of the lot.
6. Signage shall comply with the standards set forth in Article 9.

M. Fueling Stations

Where identified as a special use, a fueling station shall be subject to the following:

1. The fueling station meets all of the site design requirements of 17.7.6.3.B and all other requirements of the zone district;
2. A canopy is provided to shield the fueling islands and fueling operations from precipitation;
3. The fueling station may not be located within 1000 feet of another fueling station unless:
 - a. The primary fuel type provided at the two stations is different (i.e. gasoline, natural gas, electric), or
 - b. Traffic conditions, such as a raised median, prevent clear and simple access to a station on the opposite side of the road;

N. Group Home:

1. A group home may be granted a reasonable accommodation for the number of residents based on the following:
 - a. The group home shall be limited to those individuals protected by the Fair Housing Act.
 - b. The group home of similar type shall not be located closer than 750 feet from any other group home of a similar type.
 - c. Any structure shall maintain the residential character of the neighborhood.
 - d. The group home shall not create a fundamental alteration to the City's land use and zoning scheme.
 - e. The group home shall not impose an undue financial or administrative burden to the City.
 - f. Upon application for a group home, the Planning Department shall send an informational notification to property owners within 300 feet of the subject property and registered neighborhood organizations within ¼ mile of the subject property. This requirement may be waived by the Director when required by state or federal law based on privacy or security issues associated with the resident population of the proposed group home.
 - g. The director shall have the authority to impose reasonable conditions necessary to mitigate against the impacts of any approved reasonable accommodation.
2. The group home shall be subject to the Review of Supplemental Standards process as described in Article 2 prior to the issuance of the initial building permit for the group home.

O. Home Business, Minor:

Where identified as an accessory use, minor home business shall be subject to the following:

1. Minor home businesses shall be conducted entirely in the primary dwelling unit or accessory structure, and not on outdoor portions of the lot.
2. External alterations that would change the residential character of the property are prohibited
3. Minor home businesses shall be conducted by no more than two residents of the dwelling unit. One additional employee or one volunteer is permitted in the residence at any one time. Within multifamily units, additional employees or volunteers shall be prohibited.
4. Minor home businesses shall not involve the retail sale of goods from the premises, except when the sale of a product is incidental to the service provided. Display of merchandise pertaining to a home occupation that is visible from the outside of the home shall be prohibited.
5. Outdoor storage of inventory or supplies shall be prohibited.
6. Garage sales shall not exceed 4 sales of 3 consecutive days each per calendar year, or one sale per calendar year lasting no more than 14 consecutive days. Placement of personal belongings or household effects associated with a garage sale shall not extend into the right-of-way. Overnight outdoor storage of personal belongings or household effects associated with a garage sale is prohibited.
7. Parking associated with minor home businesses shall be confined to the street frontage of the lot containing the minor home business or businesses, the driveway, the garage, or carport.
8. A minor home business shall not create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other nuisance or hazard that disturbs the peace and quiet of a residential area.
9. Production, dumping or storage of combustible or toxic substances shall be limited to the nature and quantity ordinarily found in a residential neighborhood.
10. Motor vehicle repair, heavy equipment repair, contractor shops, and medical marijuana businesses shall be prohibited as home occupations.

P. Home Business, Major:

Where identified as a special use, a major home business shall be subject to the following:

1. A major home business shall be located on a lot, or lots, that are within 150 feet of the intersection, as measured from the back of curb or edge of asphalt, of:
 - a. Two arterial streets; or
 - b. Two collector streets; or

- c. A collector street with an arterial street; or
 - d. A local street with an arterial street provided the live/work unit fronts onto the adjacent arterial street.
2. The commercial activity shall not have more than two employees or two volunteers in addition to the resident(s) on the premises at one time.
 3. Either the business owner, or an employee of the business, shall occupy the residential portion of the live/work unit.
 4. Outside storage of any type is prohibited.
 5. Design Requirements:
 - a. The design of a unit shall reflect the primary residential character of the neighborhood in which it is to be located including, but not limited to, materials, color, roof pitch and detailing.
 - b. Parking shall not exceed 50 percent of the front yard area. Parking shall be provided in accordance with Article 8.

Q. Mini-Warehouse Storage:

Where identified as a limited or special use, a mini-warehouse storage facility shall be subject to the following:

1. One accessory dwelling unit for the facility manager or caretaker shall be allowed.
2. Outdoor storage of any kind shall be prohibited.
3. Design Requirements:
 - a. If the facility abuts a residential zone district, the building architecture shall be compatible with the residential character of the abutting neighborhood including, but not limited to materials, color, roof pitch, and detailing.
 - b. The facility shall be designed so that doors to individual storage units do not face any abutting public street frontage or residential zone district.
4. In multi-storied buildings, mini-warehouse storage facilities that face an arterial or collector street shall have:
 - a. Ground floor commercial space for commercial uses other than mini-warehouse storage-units across 60% of the ground floor building façade.
 - b. The commercial space shall be built to a minimum depth of 40-feet.
 - c. The ground floor shall be built to a minimum height of 14-feet.

5. Open space requirements for Mini-Warehouse Storage uses shall be increased by 5% above the minimum open space required in Tables [17.5.2](#) Mixed Use Dimensional Standards and [17.5.5](#) Commercial and Light Industrial Dimensional Standards.
6. Ground floor commercial space for sites fronting more than two streets shall be subject to Section [17.4.3.1.P.4](#) at the discretion of the Director.

R. Motor Vehicle Rental:

Where identified as a limited use, a motor vehicle rental facility shall be subject to the following:

1. The maximum number of licensed and operable vehicles that may be stored on a surface parking lot on the site for rent to customers at any one time shall be limited to the requirements found in Table 17.4.2.
2. When a facility is located in a multi-tenant building or structure, proof of adequate parking for customers of all businesses in the building or structure, and storage of rental vehicles shall be provided to the City.
3. On-site servicing of vehicles shall be prohibited.

Table 17.4.2: Maximum Number of Stored Vehicles Permitted							
Regulation	Zone District				M District Contexts		
	CR	CL	LI	LI-RD	S	U	T
X = Applicable -- = Not Applicable							
10 Vehicles	--	--	--	--	--	X	X ⁽¹⁾
15 Vehicles	--	--	--	--	X	--	--
30 Vehicles		X		X	--	--	--
Unlimited Vehicles	X		X				
⁽¹⁾ Within the M-C-T Zone District, zero vehicles shall be permitted.							

S. Motor Vehicle Sales with Outdoor Display and Storage:

Where identified as a limited use, motor vehicle sales with outdoor display and storage shall be subject to the following:

1. In the Suburban Context, the number of spaces dedicated for outdoor display and storage of motor vehicles shall be unlimited.
2. In the Urban Context, the number of spaces dedicated for outdoor display and storage of motor vehicles and vehicle parking shall not exceed 200 percent of the maximum parking requirements in Article 8.
3. In the Transit Context, motor vehicles sales with outdoor display and storage shall be prohibited.

4. The area utilized for the outdoor display and storage shall meet all the standards in Section 17.8.10.2.

T. Motor Vehicle Service, Major:

Where identified as a limited or special use, a major motor vehicle service facility shall be subject to the following:

1. Any outdoor storage associated with a major motor vehicle service facility shall be completely screened with a wall surrounding the storage area. The wall shall be architecturally compatible with the primary structure including, but not limited to, materials, color, roof pitch and detailing and be a minimum of 6 feet in height.

U. Motor Vehicle Service, Minor:

Where identified as a limited or special use, a minor motor vehicle service facility shall be subject to the following:

1. Overnight outdoor storage of vehicles shall be limited to the number of service bays.
2. Overnight outdoor storage of any vehicle shall not exceed a 24-hour period.

V. Office:

Where identified as a limited use, a single-family dwelling may be utilized as an office, subject to the following:

1. The dwelling is located on a lot abutting an arterial street, except those backing onto an arterial street (See Figure 17.4.2).

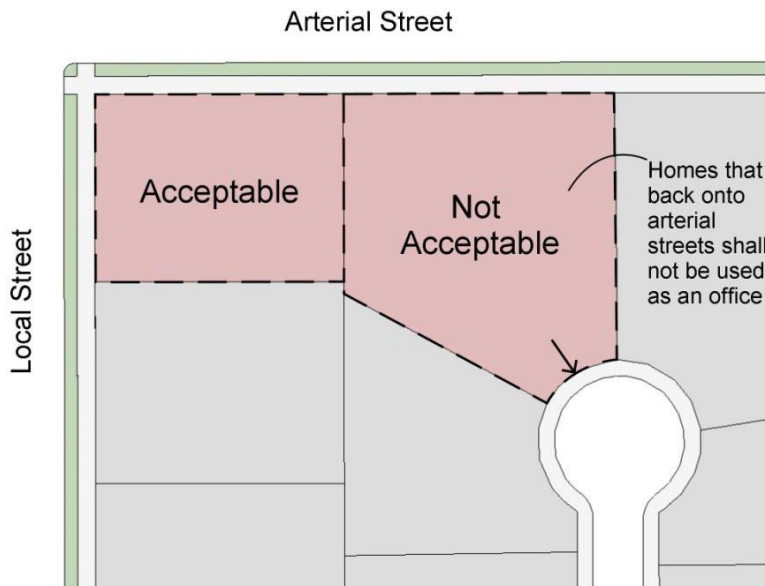


Figure 17.4.2: Restrictions for single-family dwellings being used as an office

2. Any proposed addition shall comply with the primary structure setbacks.
3. Outdoor storage of inventory or supplies shall be prohibited.
4. The office shall be subject to the major site plan process, as described in Article 2, and the general design and development standards in Articles 6.
5. Signage shall comply with the standards set forth in Article 9.
6. Design Requirements:
 - a. The exterior of the building shall be similar in appearance to that of the surrounding residential character of the neighborhood in which it is located including, but not limited to, materials, color, roof pitch and detailing.
 - b. Parking shall be provided in accordance with Article 8 and shall be screened from all adjacent residentially zoned properties.

W. Outdoor Display:

Where identified as an accessory use, outdoor display of merchandise shall be permitted subject to the following:

1. The merchandise shall be limited to merchandise sold within the business associated with the outdoor display.
2. Any merchandise and associated apparatus shall be kept within 10 linear feet parallel to the front entrance of the business, which is displaying the merchandise, but in no case shall the merchandise extend beyond the business frontage.
3. The merchandise and associated apparatus shall be restricted to the sidewalk or plaza and shall not block pedestrian access.
4. The outdoor display of merchandise shall only occur during times of business operation
5. Outdoor display of merchandise may be located in the public right-of-way if specifically approved by the City.

X. Parking, Stand-Alone Surface:

Where identified as a limited use, a stand-alone surface parking lot shall be subject to the following:

1. A stand-alone surface parking lot shall be permitted only in the Suburban or Urban Contexts.
2. A stand-alone surface parking lot shall not front an arterial or collector street in Urban Contexts.

3. The principal use(s) associated with the stand-alone surface parking lot shall be separated by a local street or an adjacent lot line.
4. The total number of parking spaces provided on-site and on the stand-alone surface parking lot shall not exceed the maximum permitted parking spaces identified in Article 8.
5. The stand-alone surface parking lot shall meet all the requirements of Section 17.7.7.

Y. Personal Service:

Where identified as a limited use, a single-family dwelling may be utilized as a personal service, subject to the following:

1. The dwelling is located on a lot abutting an arterial street, except those backing onto an arterial street.
2. Any proposed addition shall comply with the primary structure setbacks.
3. Outdoor storage of inventory or supplies shall be prohibited.
4. The personal service shall be subject to the major site plan process, as described in Article 2, and the general design and development standards in Articles 6 and 7.
5. Signage shall comply with the standards set forth in Article 9.
6. Design Requirements:
 - a. The exterior of the building shall be similar in appearance to that of the surrounding residential character of the neighborhood in which it is located including, but not limited to, materials, color, roof pitch, and detailing.
 - b. Parking shall be provided in accordance with Article 8 and shall be screened from all adjacent residentially zoned properties.

Z. Rental, Service or Repair of Large Items:

Where identified as a limited use, the rental, service, and repair of large items shall be permitted only in the Suburban Context.

AA. Roadside Stand:

Where identified as a limited use, a roadside stand shall be subject to the following:

1. A stand shall not operate for more than six months within any 12-month period.
2. Items sold at a stand shall be limited to farm products grown or made on the premises.
3. A stand shall be set back at least 15 feet from any edge of asphalt or back of curb of an abutting street.

4. Parking shall be provided in accordance with Article 8.
5. Signage shall comply with the standards set forth in Article 9.
6. A roadside stand shall be subject to the Review of Supplemental Standards process, as described in Article 2.

Where identified as an accessory use, a roadside stand shall be subject to the following:

1. A stand shall not operate for more than six months within any 12-month period.
2. Items sold at a stand shall be limited to food products grown, raised, and/or made on the premises.
3. Permanent structures are not permitted.
4. A farm stand may not exceed 50 square feet in size.
5. A farm stand may not encroach into public right-of-way.
6. Signage shall not exceed 4 square feet in size.

BB. Solar Garden:

Where identified as a limited or special use in any zone district, solar gardens shall be subject to the following:

1. Solar Gardens must be reviewed via the Major Site Plan process, as described in Article 2 of the Lakewood Zoning Ordinance.
2. Site plans for Solar Gardens shall comply with the following dimensional and design standards, or as determined by the Lakewood Planning Commission:
 - a. All structures must comply with the front setback and be setback at least 15 feet from all side and rear property lines.
 - b. Solar panels shall not exceed 20 feet in height at any angle.
 - c. Solar gardens are exempt from the open space requirement in all zone districts; however, landscaping and/or screening materials shall be provided to assist in screening the facility from public rights-of-way and neighboring residences.
 - d. Access to the site must be an improved surface and meet all access requirements.
 - e. Solar Panels shall be oriented to minimize glare on adjacent properties and roadways. This information will need to be demonstrated in the photometric plan required with the major site plan.

- f. For all M, C, and LI zone districts, the following design standards shall apply:
 - i. Section 17.7.3. Screening of Utility Structures, Outdoor Storage, and Service areas for all accessory equipment associated with the Solar Garden.
 - i. Section 17.7.7: Landscape Design Standards, except 17.7.7.3.A, B & C.
 - ii. Section 17.7.8 & Table 17.7.4. Fence and Wall Design Standards
 - iii. Section 17.7.9: Exterior Lighting Standards
 - iv. Solar gardens are exempt from all other design and dimensional standards not included in Section 17.4.3.1.EE.2
3. A property owner shall be responsible for negotiating a solar easement with other adjacent property owners in the vicinity of a solar collector(s) to protect solar access, and shall record the easement with the county recorder. If no such easement is recorded, the owner of the solar garden shall have no right to prevent the construction of structures or the installation of landscape materials on nearby properties based upon the grounds that the construction would cast shadows on the solar collection system.
4. Any solar energy system that has not been in working condition for a period of one (1) year shall be subject to Section 115 (Unsafe Structures and Equipment) of the International Building Code, which may require the panels and associated equipment to be removed, or the unsafe condition otherwise mitigated if it is determined to be unsafe. If so determined by the Building Official, the panels and associated equipment shall be promptly removed from the property to a place of safe and legal disposal, after which the site and/or building, as applicable, must be returned to its preexisting condition.

CC. Storage, Outdoor:

Where identified as an accessory use, outdoor storage shall be subject to the following:

1. Outdoor storage shall be screened from view from adjacent streets and adjoining properties.
2. Outdoor storage shall not extend above the required screening.
3. The screening shall be architecturally compatible with the primary structure including, but not limited to, materials, color, roof pitch, and detailing.
4. The minimum height of any screening shall be 6 feet.

DD. Temporary Use, Long-term:

Where identified as a special use, a long-term temporary use shall be subject to the following:

1. The Director may recommend approval of a long-term temporary use to operate up to two years. The Director may approve one extension of up to an additional six months.

2. Parking for a long-term temporary use shall be determined by the Director consistent with similar uses and context as identified in Article 8. If a long-term temporary use is located on a property with another use, adequate parking for both uses shall be provided. Shared parking may be permitted.
3. A long-term temporary use shall be subject to the special use process as described in Article 2. The Planning Commission, at its discretion, may require certain site improvements as a condition of approval in accordance with other standards of this Zoning Ordinance.

EE. Temporary Use, Short-term:

Where identified as a limited use, a short-term temporary use shall be subject to the following:

1. The Director may, at his or her sole discretion, approve a short-term temporary use not to exceed a cumulative of 120 days within any 12-month period per property.
2. Parking for a short-term temporary use shall be determined by the Director consistent with similar uses and context as identified in Article 8. Shared parking may be permitted.
3. The temporary use shall be subject to the Review of Supplemental Standards process as described in Article 2.

Where identified as a special use, a short-term temporary use shall be subject to the following:

1. The Director may recommend approval of a short-term temporary use not to exceed a cumulative of 120 days within any 12-month period per property.
2. Parking for a short-term temporary use shall be provided pursuant to the requirements of the zone district in which it is located. Shared parking may be permitted.
3. The temporary use shall be subject to the special use process as described in Article 2. The Planning Commission, at its discretion, may require certain site improvements as a condition of approval in accordance with other standards of this Zoning Ordinance.

