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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 (the “City”). This Article identifies the uses in each zone district that are permitted, limited, accessory, subject to a special use permit, or prohibited, and sets forth use-specific standards that apply to listed 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 2](#) 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 14. 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 Code.
- 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 Code.
- 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 Code.
- 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 Code.
- 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;
 - 2. Characteristics of zone categories that permit a similar use; and
 - 3. The goals and strategies set forth in the City's Comprehensive Plan.
- C. Director shall issue a written determination summarizing the factors considered, any Comprehensive Plan strategies that support the decision, and the basis for concluding that the use is similar and compatible. The determination must be posted on the City's website with a defined appeal period.
- D. Any appeal by the applicant of a decision by the Director regarding an unnamed land use shall be made to the Planning Commission. In deciding the appeal, the Planning Commission shall apply the same standards used by the Director. Specifically, the Planning Commission shall evaluate whether the Director's decision is and was consistent with the requirements of this Zoning Code and supported by the evidence in the record and whether the Director exceeded the Director's authority or abused the Director's discretion.
- E. Written determinations of unlisted uses shall be made available to the public through the City's website and physical copies at the City Clerk's Office.

17.4.1.4: Reuse of Existing Structures

Structures or buildings existing prior to the adoption of this Zoning Code may be converted to fully residential use regardless of building size or Use Table permissions.

17.4.1.5: 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 2](#) identifies the uses that are permitted, accessory, special, limited, or prohibited in each zone district within the City. It shall be unlawful to engage in any use identified in Table 2 as prohibited in the applicable zone district.

Table 2: Land Use Table; 17.4.2

Table 2: Land Use Table													
	Zone District												
	Residential					Mixed-Use				Commercial / Light Industrial			
	R-L-A	R-L-B	R-L-C	R-L-MH	R-M	M-N	M-G	M-C	M-R	C-R	C-L	L-I	
Land Use													Supplemental Standards
P = Permitted A = Accessory S = Special L = Limited [blank] = Prohibited													
Residential													
Residential Dwelling	L	L	L	L	P	P	P	P	P				See Table 4
Accessory Dwelling Unit	L	L	L	L	L								See Section 17.4.3.1:A
Temporary Dwelling Unit				P	P	P	P	P	P	P	P	P	
Commercial and Light Industrial													
Adult Business							L			L			See Chapter 5.47 of the Lakewood Muni Code
Animal Care													
Indoor	P					L	L	L	L	P	L	P	See Section 17.4.3.1:B
Outdoor	P					S	L	S	S	P	L	P	See Section 17.4.3.1:B
Bar						P	P	P		P	P		
Bed and Breakfast	S	S	S		S	S							See Section 17.4.3.1:F

Table 2: Land Use Table													
	Zone District												
	Residential					Mixed-Use				Commercial / Light Industrial			
	R-L-A	R-L-B	R-L-C	R-L-MH	R-M	M-N	M-G	M-C	M-R	C-R	C-L	L-I	
Land Use													Supplemental Standards
P = Permitted A = Accessory S = Special L = Limited [blank] = Prohibited													
Cemetery	S												
Club, Lodge, or Service Organization						P	P	P	A	P	P		
Contractor Shop							L	L	L	P		P	
Crematory										S		L	
Day Care Facility, Child or Adult	A	A	A	P	P	P	P	P	L	P	P	P	
Emergency Medical Facility							P	S		P	P	P	
Entertainment Facility													
Indoor						P	P	P	S	P	P		
Outdoor							S			P		P	
Fitness or Athletic Facility, Private						P	P	P	A	P	P		
Gallery or Studio						P	P	P	A	P	P		
Golf Course	S												

Table 2: Land Use Table													
	Zone District												
	Residential					Mixed-Use				Commercial / Light Industrial			
	R-L-A	R-L-B	R-L-C	R-L-MH	R-M	M-N	M-G	M-C	M-R	C-R	C-L	L-I	
Land Use													Supplemental Standards
P = Permitted A = Accessory S = Special L = Limited [blank] = Prohibited													
Hotel							P	P		P	P		
Junkyard or Motor Vehicle Wrecking												S	
Manufacturing													
Light							P			P		P	
Heavy												P	
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		P	L	P	See Section 17.4.3.1:R
Motor Vehicle Sales													
Indoor Display and Storage							P	P		P			

Table 2: Land Use Table													
	Zone District												
	Residential					Mixed-Use				Commercial / Light Industrial			
	R-L-A	R-L-B	R-L-C	R-L-MH	R-M	M-N	M-G	M-C	M-R	C-R	C-L	L-I	
Land Use													Supplemental Standards
P = Permitted A = Accessory S = Special L = Limited [blank] = Prohibited													
Outdoor Display and Storage							L			P			See Section 17.4.3.1:S
Motor Vehicle Service													
Car Wash										S	P	S	See Section 17.7.6.3.A
Fueling Station – Petroleum							A			S	P	S	See Sections 17.4.3.1:M & 17.7.6.3.B
Fueling Station – Non-Petroleum							S			L	L	L	See Sections 17.4.3.1:N
Major Repair							S			L		L	See Section 17.4.3.1:T
Minor Repair						A	L	A		L	L	P	See Section 17.4.3.1:U
Office	L	L	L		L	P	P	P	A	P	P	P	See Section 17.4.3.1:V
Parking, Stand-Alone													
Structured							P	P		P	P	P	
Surface						L	L	L	L	L	L	L	See Section 17.4.3.1:W

Table 2: Land Use Table													
	Zone District												
	Residential					Mixed-Use				Commercial / Light Industrial			
	R-L-A	R-L-B	R-L-C	R-L-MH	R-M	M-N	M-G	M-C	M-R	C-R	C-L	L-I	
Land Use													Supplemental Standards
P = Permitted A = Accessory S = Special L = Limited [blank] = Prohibited													
Pawnbroker							L			L			See Chapter 5.24 of the Lakewood Municipal Code
Personal Service	L	L	L		L	P	P	P	A	P	P		See Section 17.4.3.1:X
Plant Nursery	S	S								P	P	P	
Restaurant						P	P	P	A	P	P	P	
Rental, Service, or Repair of Large Items							L			P		P	See Section 17.4.3.1:Y
Retail	L	L	L	L	L	P	P	P	A	P	P	A	See Section 17.4.3.1:Z
Storage, Outdoor							A			S	A	P	See Section 17.4.3.1:CC
Vehicle Dispatch Facility							S			P		P	
Warehouse or Distribution												P	
Public / Civic / Institutional													
Community Building	L	L	L	P	P	P	P	P	P	P	P	P	See Section 17.4.3.1:G

Table 2: Land Use Table													
	Zone District												
	Residential					Mixed-Use				Commercial / Light Industrial			
	R-L-A	R-L-B	R-L-C	R-L-MH	R-M	M-N	M-G	M-C	M-R	C-R	C-L	L-I	
Land Use													Supplemental Standards
P = Permitted A = Accessory S = Special L = Limited [blank] = Prohibited													
Convention or Exposition Center							P	S		P		P	
Correctional Institution										S		S	See Section 17.4.3.1:K
Community Service Facility	P	P	P	P	P	P	P	P	P	P	P	P	
Hospital							S	P		P			
Park	P	P	P	P	P	P	P	P	P	P	P	P	
Religious Institution	L	L	L	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		
School, Vocational or Trade							P	S		P	P	P	
Solar Garden						S	S	S	S	L	L	L	See Section 17.4.3.1:BB
Transportation Facility, Public	L	L	L	P	P	P	P	P	P	P	P	P	See Section 17.4.3.1:G
University or College							P	P	P	P	P	S	
Utility Facility													
Major	S	S	S	S	S	S	S	S	S	S	S	S	

Table 2: Land Use Table													
	Zone District												
	Residential					Mixed-Use				Commercial / Light Industrial			
	R-L-A	R-L-B	R-L-C	R-L-MH	R-M	M-N	M-G	M-C	M-R	C-R	C-L	L-I	
Land Use													Supplemental Standards
P = Permitted A = Accessory S = Special L = Limited [blank] = Prohibited													
Minor	P	P	P	P	P	P	P	P	P	P	P	P	
Agriculture													
Animals, Large	A	A	A										See Section 17.4.3.1:C
Animals, Small	A	A	A	A	A	A	A	A	A				See Section 17.4.3.1:D
Apiaries	P	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	See Section 17.4.3.1:H
Horticulture	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	See Section 17.4.3.1:I
Roadside Stand	L	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	See Section 17.4.3.1:DD
Temporary Use, Short-term	L	L	L	L	L	L	L	L	L	L	L	L	See Section 17.4.3.1:EE

Table 2: Land Use Table													
	Zone District												
	Residential					Mixed-Use				Commercial / Light Industrial			
	R-L-A	R-L-B	R-L-C	R-L-MH	R-M	M-N	M-G	M-C	M-R	C-R	C-L	L-I	
Land Use													Supplemental Standards
P = Permitted A = Accessory S = Special L = Limited [blank] = Prohibited													
Other													
Amateur Radio Tower or Antenna	A	A	A						A				
Electric Vehicle Supply Equipment	A	A	A	A	A	A	A	A	A	A	A	A	See Section 17.8.5.3
Home Business													
Major	S	S	S	S	S	S	S	A	A				See Section 17.4.3.1:P
Minor	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	See Section 17.5.5.2
Solar Collection System	A	A	A	A	A	A	A	A	A	A	A	A	See Section 17.5.5.3
Wind-Powered Electric Generator, Freestanding													See Section 17.5.5.4
Wireless Communications Facility													
Stealth	P	P	P	P	P	P	P	P	P	P	P	P	
On Existing Structures													

Table 2: Land Use Table													
	Zone District												
	Residential					Mixed-Use				Commercial / Light Industrial			
	R-L-A	R-L-B	R-L-C	R-L-MH	R-M	M-N	M-G	M-C	M-R	C-R	C-L	L-I	
Land Use													Supplemental Standards
P = Permitted A = Accessory S = Special L = Limited [blank] = Prohibited													
Building Façade Mounted	A	A	A	A	A	A	A	A	A	A	A	A	
Roof Mounted	A	A	A	A	A	A	A	A	A	A	A	A	
Other Freestanding Support Structure	A	A	A	A	A	A	A	A	A	A	A	A	
New Freestanding Structures													
60 feet in height or less				P	P	P	P	P	P	P	P	P	
Greater than 60 feet in height				S	S	S	S	S	S	S	S	S	

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 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 2](#) 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 residential zone district, an Accessory Dwelling Unit (ADU) shall be subject to the following:

1. An ADU is permitted as an accessory use to a single-unit detached dwelling where the City allows single-unit detached dwellings.
2. Waiver requests are subject to the major waiver review process as defined in Article 2.
3. Only one ADU shall be permitted per lot.
4. An ADU shall not exceed one thousand four hundred (1,400) square feet of gross floor area.
5. ADUs shall be subject to the architectural design standards found in 17.6.2.1.B.
6. ADUs located above garages or located on the second floor of accessory buildings may be accessed by a separate external stairway.

B. Animal Care:

1. Where identified as a limited use, an animal care facility shall be subject to the following:
 - a. All animals shall be confined indoors; and
 - b. 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 existing residential

use, unless required by the City of Lakewood Building Code (the “Building Code”).

2. Where identified as a special use, an animal care facility shall be subject to the above standards and any exterior pens, buildings or containment areas shall:
 - a. Only be used during the daytime for supervised exercise and training use;
 - b. Not be located in front of the primary structure; and
 - c. Be located a minimum of twenty (20) feet from any side or rear property line.

C. Animals, Large:

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 in side and rear yards only if placed inside another security fence. Warning signs shall be posted in a conspicuous location. Electrified fences shall be supplied from the secondary side of an approved or listed electrified fence device. The electric wiring for the fence shall be installed pursuant to the manufacturer’s instructions.
- c. Up to four (4) horse equivalents per acre shall be permitted for R-L-A or R-L-B and R-L-C zoned lots, provided that at least nine thousand (9,000) square feet of open lot area is provided for the first horse equivalent and six thousand (6,000) square feet of open lot area is provided for each additional horse equivalent.
- d. One (1) horse equivalent equals: one (1) horse, one (1) cow, one (1) donkey, one (1) mule, two (2) llamas, two (2) alpacas, two (2) goats, or two (2) sheep.
- e. A minimum containment area of three hundred (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 sixty-six (66) inches in height and shall be placed in a manner as to provide for the protection of the general public on adjoining land, public property, or rights-of-way.

- b. The minimum square footage of open lot area shall be eight thousand (8,000) square feet for the first emu or ostrich and five thousand five hundred (5,500) square feet for each additional emu or ostrich.
 - c. A minimum containment area of three hundred (300) square feet shall be provided and used for each emu or ostrich.
- 3. Accessory structures to include pens, buildings, corrals, and riding rings, or containment areas for large animals shall not be located in a primary front yard. Accessory structures or containment areas 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 not adequate space in the side and rear lots, subject to approval of the Director.
- 4. Any fence that serves to contain large animals shall be constructed of permanent materials, maintained in good condition, and be of sufficient strength and height to confine any animal located on the property. If any large animals are found to be encroaching on an adjacent property, as determined by the Director, and/or if a livestock animal has damaged or is damaging adjacent property, an accessory structure or containment area shall then be set back a minimum of an additional eight (8) feet from the side or rear property line.
- 5. Slaughtering of large animals on the premises shall be prohibited.

D. Animals, Small:

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

- 1. Rabbits and Chinchillas:
 - a. Shall be in a fenced area or private hutches with no more than one (1) animal for every six (6) square feet of gross floor area.
 - b. Hutches shall be set back a minimum of fifteen (15) feet from the side and rear property lines and behind the front edge of the primary structure.
- 2. Pigeons:
 - a. May be kept without regard to number as long as they are in a fenced containment area or pigeon coops.
 - b. Pigeon coops shall contain no more than one (1) bird for every four (4) square feet of gross floor area.

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- c. All pigeon coops must be set back a minimum of fifteen (15) feet from the side and rear property lines and behind the front edge of the primary structure.
 - d. Owners of pigeons shall be allowed to exercise, train, and race their pigeons outside the coop or house so long as the pigeons do not create a public nuisance pursuant to the Lakewood Municipal Code.
3. Poultry and Fowl:
- a. A maximum of six (6) female chickens, six (6) female ducks, or five (5) female ducks and one (1) male duck shall be allowed on a single property less than six thousand (6,000) square feet in size.
 - b. For properties greater than six thousand (6,000) square feet, coops shall contain no more than one (1) bird for every four (4) square feet of gross floor area.
 - c. Male chickens, also known as “roosters,” shall be prohibited on lots less than twelve thousand and five hundred (12,500) square feet in size.
 - d. A predator-resistant enclosure shall be provided for all poultry and fowl. The enclosure shall have a minimum of four (4) square feet of living space for each animal and shall be secure, roofed, and well ventilated. The total size of an enclosure shall not exceed thirty-six (36) square feet and shall not exceed ten (10) feet in height where limited to six (6) poultry and fowl.
 - e. Poultry and fowl shall be kept in the enclosure or in a fenced yard at all times. A fence with a minimum height of four (4) feet shall enclose the yard area.
 - f. Any poultry and fowl 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 4.
 - g. In mixed-use districts the keeping of poultry and fowl may be allowed where a residential dwelling exists as a non-conforming use.
4. Dwarf Goats:
- a. A maximum of three (3) female dwarf goats or two (2) females and one (1) male 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.
 - b. A predator-resistant enclosure must be provided for all dwarf goats. The enclosures shall have a minimum of ten (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 ninety (90) square feet and shall not exceed ten (10) feet in height.

- c. Dwarf goats shall be kept in the enclosure or fenced yard at all times. A fence with a minimum height of four (4) feet shall enclose the yard area.
- d. Any dwarf goat 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 4.
- e. Slaughtering of dwarf goats 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. One (1) beehive shall be allowed for each six thousand (6,000) square feet of lot area.
- 2. Beehives in residential 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 4.
- 3. Beehives in mixed-use zone districts may not be located in any front yard.
- 4. Beehives shall be set back at least twenty-five (25) feet from the nearest edge of a public walk.
- 5. The front of any beehive shall face away from the property line of an adjacent residential property closest to the beehive.
- 6. 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 five (5) feet of the hive and shall extend at least two (2) feet on either side of the hive (See [Figure 7](#)).

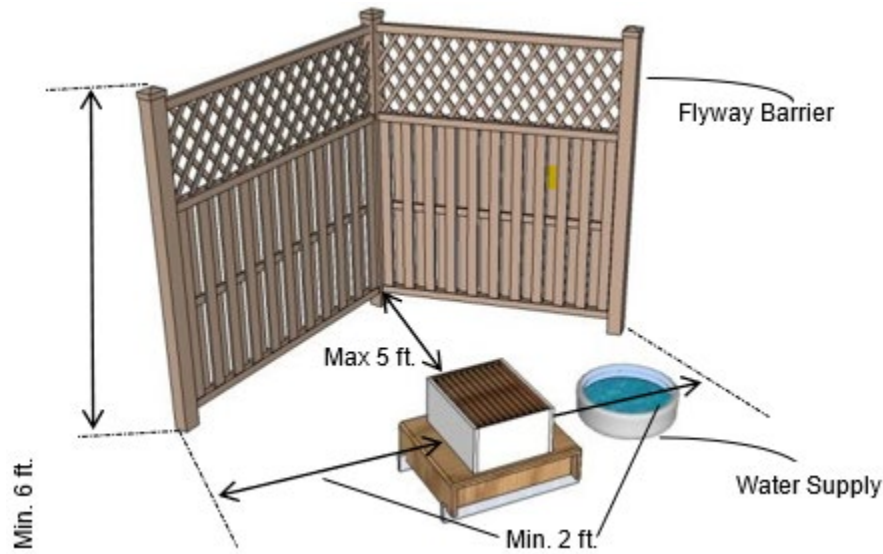


Figure 7: Example of Flyway Barrier; 17.4.3.1:E.6

7. The flyway barrier shall be six (6) feet in height and consist of a solid hedge or be constructed of materials that comply with the standards set forth in 17.6.6.1.
8. 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 eight (8) feet long.
9. No such flyway barrier shall be required if beehives are located at least twenty-five (25) feet from all property lines and for beehives that are located on porches or balconies at least ten (10) feet above grade and more than five (5) feet from a property line.
10. A supply of fresh water shall be maintained on the lot in a location readily accessible to all beehives throughout the day to prevent bees from congregating at neighboring swimming pools or other sources of water on nearby properties.
11. Africanized bees are prohibited.

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 primary 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 neighborhood character, including but not limited to, materials, color, roof pitch, and architectural detail.
5. Signage shall comply with the standards set forth in Article 9.
6. Except for spaces required as part of the primary residence, all off-street parking required for the bed and breakfast 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-L-R zone district to a maximum of fifty thousand (50,000) square feet of gross floor area; and
2. In the R-L-S and R-L-U zone districts to a maximum of twenty thousand (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 one hundred and twenty (120) square feet or less in size and ten (10) feet or less in height.
3. One (1) structure shall be allowed for each community garden containing up to six thousand (6,000) square feet of garden space. One (1) additional structure shall be allowed per each additional six thousand (6,000) square feet of community garden space.

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4. Structures shall comply with the accessory structure dimensional standards, except that all structures shall be located at least twenty-five (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 (1) year, and may be renewed annually; and
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 (6) vehicles.

K. Correctional Institution:

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

1. A correctional institution shall comply with all applicable license requirements of the State of Colorado; and
2. Contrary to other provisions within this Zoning Code, the City Council shall have sole discretion and authority to hear requests for special use permits involving correctional institutions.

L. Day Care Facility:

Where identified as a limited or 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 in the R-L and R-MH districts shall be limited to a maximum of twelve (12) 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 Station – Petroleum:

1. Where identified as a special use, a petroleum fueling station:
 - a. Shall comply with all site design requirements of 17.7.6.3.B and all other requirements of the zone district;
 - b. Shall ensure the fueling islands and fueling operations are shielded from precipitation with a canopy;
 - c. Shall be located on a lot with frontage on an arterial street;
 - d. Shall not be located within two thousand six hundred and forty (2,640) feet of another fueling station;
 - e. Shall not be located within one thousand fifty-six (1,056) feet of any residential use; and
 - f. Shall provide at least three (3) electric vehicle charging stations accessory to the primary use. One (1) or more of those stations must utilize a current technology for the most rapid charging of electric vehicles.
2. Where identified as an accessory use, a petroleum fueling station shall be an ancillary use to an individual retail store with a minimum building footprint of seventy-five thousand (75,000) square feet.

N. Fueling Station – Non-Petroleum:

Where identified as a limited or special use, a non-petroleum fueling station as a primary use:

1. Shall comply with all site design requirements in Article 7, electric vehicle supply equipment (EVSE) requirements in Article 8 and all other requirements of the zone district;

2. Shall ensure the EVSE and charging operations are shielded from precipitation with a canopy;
3. Shall provide EVSE with a minimum of Level 2 charging or equivalent technology. At least one (1) EVSE installed shall be a direct current fast charger (DCFC) or equivalent technology; and
4. May not be located within one thousand fifty-six (1,056) feet of another fueling station of the same fuel type.

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 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 (2) residents of the dwelling unit. One (1) additional employee or one (1) volunteer is permitted in the residence at any given time. Within multifamily units, additional employees or volunteers shall be prohibited.
4. Outdoor storage of inventory or supplies shall be prohibited.
5. Garage sales shall not exceed four (4) sales of three (3) consecutive days each per calendar year, or one (1) sale per calendar year lasting no more than fourteen (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.
6. Parking associated with minor home businesses shall be confined to the street frontage of the lot containing the minor home business or businesses or the driveway, the garage, or carport of the lot containing the minor home business or businesses.
7. 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.
8. Production, dumping, or storage of combustible or toxic substances shall be limited to the nature and quantity ordinarily found in a residential neighborhood.

9. Motor vehicle repair, heavy equipment repair, contractor shops, and marijuana businesses are 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 one hundred and fifty (150) feet of the intersection, as measured from the back of curb or edge of asphalt, of one of the following:
 - a. Two arterial streets;
 - b. Two collector streets;
 - 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 major home business shall not have more than two (2) employees or two (2) volunteers in addition to the resident(s) on the premises at any given 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 located including, but not limited to, materials, color, roof pitch, and architectural detail; and
 - b. Parking shall not exceed fifty (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 (1) accessory dwelling unit for the facility manager or caretaker shall be permitted.
2. Outdoor storage of any kind shall be prohibited.
3. Design Requirements:
 - a. If the facility is adjacent to 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 architectural detail; and
 - 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 sixty (60) percent of the ground floor building façade;
 - b. The commercial space shall be built to a minimum depth of forty (40) feet; and
 - c. The ground floor shall be built to a minimum height of fourteen (14) feet.
5. Open space requirements for Mini-Warehouse Storage uses shall be increased by five (5) percent above the minimum open space required in Tables 5, Mixed-Use Dimensional Standards, and 8, Commercial and Light Industrial Dimensional Standards.
6. Ground floor commercial space for sites fronting more than two (2) streets shall be subject to [17.4.3.1:Q.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 given time shall be limited to the requirements found in [Table 3](#).

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

Table 3: Maximum Number of Stored Vehicles Permitted; 17.4.3.1:R.1

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 to 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 two hundred (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 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 architectural detailing and be a minimum of six (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 twenty-four (24) hour period.

V. Office:

Where identified as a limited use, a residential structure with less than three (3) units may be used as an office subject to the following:

1. The residential structure is located on a lot abutting an arterial or collector street, except those backing onto an arterial or collector street (See [Figure 8](#)).



Figure 8: Location restrictions for a limited office land use; 17.4.3.1:V.1

2. The existing residential structure shall be converted to allow a non-residential occupancy through the building permit and certificate of occupancy process.
3. The office use 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.
4. Any proposed addition shall comply with the primary structure setbacks.
5. Outdoor storage of inventory or supplies shall be prohibited.

6. Signage shall comply with the standards set forth in Article 9.
7. 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 architectural detailing; and
 - b. Parking shall be provided in accordance with Article 8 and shall be screened from all adjacent residentially zoned properties.

W. 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 no more than 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 17.7.7.

X. Personal Service:

Where identified as a limited use, personal service shall be subject to the following:

1. The personal service use may occupy no more than seven hundred and fifty (750) square feet.
2. No parking is allowed in front of the structure.
3. Drive-through facilities shall be prohibited.
4. Signage shall be limited to one (1) wall sign no larger than ten (10) square feet in size and shall not be illuminated.
5. Operating hours shall not commence before 6:30 a.m. or extend beyond 9:00 p.m.

6. An existing residential structure with less than three (3) dwelling units may be utilized for personal service and may exceed seven hundred and fifty (750) square feet, subject to the following:
 - a. The existing residential structure is located on a lot abutting an arterial or collector street, except those backing onto an arterial or collector street.
 - b. The existing residential structure shall be converted to allow a non-residential occupancy through the building permit and certificate of occupancy process.
 - c. 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.
 - d. Any proposed addition shall comply with the primary structure setbacks.
 - e. Outdoor storage of inventory or supplies shall be prohibited.
 - f. Signage shall comply with the standards set forth in Article 9.
 - g. Design Requirements:
 - i. 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 architectural detailing; and
 - ii. Parking shall be provided in accordance with Article 8 and shall be screened from all adjacent residentially zoned properties.

Y. 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.

Z. Retail

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

1. The retail use may occupy no more than seven hundred and fifty (750) square feet.
2. No parking is allowed in front of the structure.
3. Drive-through facilities shall be prohibited.
4. Signage shall be limited to one (1) wall sign no larger than ten (10) square feet in size and shall not be illuminated.

5. Operating hours shall not commence before 6:30 a.m. or extend beyond 9:00 p.m.

AA. Roadside Stand

1. Where identified as a limited use, a roadside stand shall be subject to the following:
 - a. A stand shall not operate for more than six (6) months within any twelve (12) month period.
 - b. Stands may sell items grown or produced on the property and items produced from another property, provided that at least fifty (50) percent of the products sold originate from the host property and are labeled as such.
 - c. A stand shall be set back at least fifteen (15) feet from any edge of asphalt or back of curb of an abutting street.
 - d. Parking shall be provided in accordance with Article 8.
 - e. Signage shall comply with the standards set forth in Article 9.
 - f. A roadside stand shall be subject to the Review of Supplemental Standards process, as described in Article 2.
2. Where identified as an accessory use, a roadside stand shall be subject to the following:
 - a. A stand shall not operate for more than six (6) months within any twelve (12) month period.
 - b. Items sold at a stand shall be limited to food products grown, raised, and/or made on the premises.
 - c. Permanent structures are not permitted.
 - d. A farm stand may not exceed one hundred (100) square feet in size.
 - e. A farm stand may not encroach into public right-of-way.
 - f. Signage shall not exceed four (4) square feet in size.

BB. Solar Garden

1. Where identified as a limited or special use in any zone district, solar gardens shall be subject to the following:
 - a. Solar gardens shall be reviewed via the major site plan process, as described in Article 2.

- b. Site plans for solar gardens shall comply with the following dimensional and design standards, or as determined by the Lakewood Planning Commission:
 - i. All structures must comply with the front setback and be setback at least fifteen (15) feet from all side and rear property lines.
 - ii. Solar panels shall not exceed twenty (20) feet in height at any angle.
 - iii. 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.
 - iv. Access to the site must be an improved surface and meet all access requirements.
 - v. 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.
- c. For all mixed-use, commercial, and light industrial zone districts, the following design standards shall apply:
 - i. 17.7.3 Screening of Utility Structures, Outdoor Storage, and Service Areas, for all accessory equipment associated with the solar garden.
 - ii. 17.7.7 Landscape Design Standards, except 17.7.7.3: A, B, & C do not apply.
 - iii. 17.7.8 Fence and Wall Design Standards, and Table 14 Fence and Wall Standards.
 - iv. 17.7.9: Exterior Lighting Standards.
 - v. Solar gardens are exempt from all other design and dimensional standards not included in [17.4.3.1:EE.2](#).
- 2. The 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 Jefferson County. 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.

3. Any solar energy system that has not been in working condition for a period of one (1) year shall be subject to Section 116 (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 the Building Official determines that there is an unsafe condition, the panels and associated equipment shall be promptly removed from the property, 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 architectural detail.
4. The minimum height of any screening shall be six (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 (2) years. The Director may approve one (1) extension of up to an additional six (6) months.
2. Parking for a long-term temporary use shall be determined by the Director and 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 Code.

EE. Temporary Use, Short-term

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

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1. The Director may, at his or her sole discretion, approve a short-term temporary use not to exceed a cumulative of four (4) months within any twelve (12) month period per property.
2. Parking for a short-term temporary use shall be determined by the Director and 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.