



A G E N D A

PLANNING COMMISSION

Connie Coleman-Lacadie • Don Daniels
Nancy Hudson-Echols • Robert Estrada
James Guerrero • Paul Wagemann
Christopher Webber

Regular Meeting

Wednesday, May 16, 2018

City Hall Council Chambers

6000 Main Street SW, Lakewood, Washington

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes from May 2, 2018**
- 4. Agenda Updates**
- 5. Public Comments**
(Each person will be allowed 3 minutes to speak, to a total of 15 minutes per topic. Groups with a designated speaker may have a total of 10 minutes to speak.)
- 6. Unfinished Business**
 - None
- 7. Public Hearings**
 - None
- 8. New Business**
 - Discussion of the Downtown Subarea Plan options and formulation of recommendation to Council
 - Introduction of Shoreline Master Program Update
- 9. Report from Council Liaison**
 - Mr. Mike Brandstetter
- 10. Reports from Commission Members & Staff**
 - Written Communications
 - Future Agenda Topics
 - Area-Wide Planning / Land Use Updates
 - Other

Enclosures

1. Draft Meeting Minutes from May 2, 2018
2. Staff Report on proposed Downtown Subarea Plan DSAP and Associated Documents Update
3. Appendix A, Updates to Draft Subarea Plan (DSP)
4. Appendix B, Updated Draft Planned Action Ordinance (PAO)
5. Appendix C, Updated Draft Planned Action Downtown Development Code
6. Appendix D, Updated draft Comprehensive Plan Amendments
7. Appendix E, Draft Ordinance Adopting the DSAP, DDC, and CPAs
8. Appendix F, Comparison of Allowed Uses in DDC
9. Appendix G, Case Studies Summary
10. Staff Report on Shoreline Master Plan Periodic Review
11. Shoreline Master Program Periodic Review Checklist
12. SMP Periodic Review Public Participation Plan
13. SMP Amendment Procedures and Review Rules, DOE, 2018

Members Only

Please email kdevereaux@cityoflakewood.us or call Karen Devereaux at 253.983.7767 no later than Tuesday at noon, May 15, 2018 if you are unable to attend. Thank you.



**PLANNING COMMISSION
REGULAR MEETING MINUTES
May 2, 2018
City Hall Council Chambers
6000 Main Street SW
Lakewood, WA 98499**

Call to Order

Mr. Don Daniels, Chair, called the meeting to order at 6:30 p.m.

Roll Call

Planning Commission Members Present: Don Daniels, Chair; Robert Estrada, Vice - Chair; Connie Coleman-Lacadie, James Guerrero, Christopher Webber; and Paul Wagemann

Planning Commission Members Excused: Nancy Hudson-Echols

Planning Commission Members Absent: None

Staff Present: Tiffany Speir, Special Projects Planning Manager, Community Development; Weston Ott, Public Works Capital Projects Division Manager; and Karen Devereaux, Administrative Assistant

Council Liaison: Councilmember Mr. Michael Brandstetter

Approval of Minutes

The minutes of the meeting held on April 18, 2018 were approved as written by voice vote M/S/C Estrada/Guerrero. The motion to approve these minutes passed unanimously, 6-0.

Agenda Update

None

Public Comments

Glen Spieth, Lakewood, queried the placement of the new downtown central business district park, noting he would prefer to have it placed to the east of 59th Avenue rather than on the roadway right in front of the City Hall, as the renderings have been showing.

Unfinished Business

Staff Introduction of Downtown Development Code, Comprehensive Plan Amendments

Ms. Tiffany Speir reviewed the final two segments of the downtown subarea plan packet with commissioners before the public hearing. The Downtown Development Code will become a new section in the Lakewood Municipal code as Chapter 18A.35, and will regulate all development and land use in the Downtown Subarea. The proposed DDC is a "hybrid form-based code" combining form-based code with traditional zoning.

The presentation included summaries of 2018 public comments via public meeting, online survey, and electronic submittals, draft downtown development code, draft comprehensive plan amendments, draft colonial center design ideas, updated downtown subarea plan based on the April 18th Commission meeting, and an updated planned action ordinance, including mitigation required for “modified Alternative 1” based on April 18th Commission meeting.

Results from the public outreach efforts showed positive interest in the DSAP with heavy interest in concepts for safe and inviting areas to walk and include public space amenities, a modified Gravelly Lk Dr SW, a central park, green street loop and Motor Avenue festival street along with maintaining an appropriate supply of varying styles of parking in the downtown as development intensifies.

Public Hearings

Downtown Subarea Plan, Planned Action Ordinance, Downtown Development Code and Comprehensive Plan Amendments

Mr. Don Daniels, Chair opened the floor for public hearing comments.

Mr. Glen Spieth, Lakewood, reiterated his thoughts on placement of the 2-4 acre park within the proposed downtown area. He would prefer to see the park on either side of 59th Avenue rather than disrupt the corridor straight to City Hall.

Hearing no other requests to speak, Mr. Daniels closed the public hearing.

New Business

Final Draft Review of 6 Year Transportation Improvement Program (2019-2024)

Mr. Weston Ott, Public Works Capital Projects Division Manager, presented the final draft before Council holds a public hearing. Mr. Ott explained the completed projects being removed, the addition of the accident data received from WSDOT and a few new segments or projects that would fill in gap areas of roadway currently without complete curb, gutter and sidewalks within the City limits. Mr. Ott mentioned Tyee Park Elementary School is slated to receive new sidewalks on Seminole Rd SW.

It was noted that Council remains very supportive of the maintenance of roadway pavement involved with the patching and overlay projects scheduled. Mr. Ott added the next corridors to begin construction are Steilacoom Blvd, Gravelly Lk Dr SW, Veterans Dr and Washington Blvd Sidewalks.

Report from Council Liaison

Councilmember Mr. Michael Brandstetter updated the commissioners on the following Council actions.

Council continues to work on their goals and objectives of the 2019-2020 budget and is making specific headway in key catalyst sites as listed here to have significant impact on the housing and economic development in the City:

WSDOT Maintenance Facility relocation from Pacific Hwy SW to the Woodbrook industrial area would accommodate plans to create a new destination retail center on the large parcel.

Acquire land and funding for construction of a new larger library in the downtown central business district where people can walk and to build the green streets amenities.

Council is looking to further invest in the Woodbrook area. Current logistics center is fully leased with two tenants. Council wants to allow building another similar freight distribution and logistics center and help create more jobs.

The Colonial Center area may soon progress with development of both housing and small businesses as resources are gained.

SSMCP is seriously working the dual problem of moving existing businesses and activities out of the north clear zone. Department of Defense and Pierce County may participate in a land swap allowing the city to utilize parcels bordering Woodbrook and continue growth in that area.

Reports from Commission Members and Staff

City Council Actions

A special Joint Meeting between City Council and Planning Commissioners is scheduled for Tuesday, May 29, 2018 at 6:00 PM in Council Chambers.

Written Communications

None

Future Agenda Topics

Wednesday, June 6th a report on the Sign Code public outreach efforts will be provided.
Wednesday, June 20th a Shoreline Master Program report will be presented as well as the Title 18A re-write.

Area-Wide Planning / Land Use Updates

None

Other

None

Next Meeting: Wednesday, May 16, 2018 at 6:30 p.m. in Council Chambers

Meeting Adjourned at 8:01 p.m.

Don Daniels, Chair
Planning Commission 05/16/2018

Karen Devereaux, Recording Secretary
Planning Commission 05/16/2018



TO: Planning Commission

FROM: Tiffany Speir, Planning Manager, Special Projects

DATE: May 16, 2018

SUBJECT: Proposed Downtown Subarea Plan (DSAP) and Associated Documents Update

I. Background: On April 9, the Planning Commission began review and consideration of the proposed Lakewood Downtown Subarea Plan (DSAP) “Packet” (the DSAP, the Planned Action Ordinance (PAO), the Downtown Development Code (DDC), and the Comprehensive Plan amendments (CPAs).) The Commission has had a joint study session with the City Council, staff presentations at Planning Commission meetings regarding all four documents within the packet, and a public hearing on the proposal on May 2.

The draft Downtown Subarea Plan and Draft Planned Action Environmental Impact Statement documents, as well as the May 2 Planning Commission packet, are available at the www.lakewooddowntownplan.org website.

Attached to this Staff Report are:

- Appendix A, Updates to draft Subarea Plan (DSAP)
- Appendix B, Updated draft Planned Action Ordinance (PAO)
- Appendix C, Updates to draft Downtown Development Code (DDC)
- Appendix D, Updated draft Comprehensive Plan Amendments (CPAs)
- Appendix E, Draft Ordinance adopting the DSAP, DDC, and CPAs
- Appendix F, Comparison of Allowed Uses in DDC
- Appendix G, Case studies summary

II. Planning Commission Deliberation and Action: On May 16, the Commission is scheduled to review and deliberate about the DSAP packet. The Commission members are able to consider and propose amendments to any of the documents for action on June 6. While your deliberation can cover any part of the packet, several questions raised to date for your consideration include:

- Rename the Central Business District (CBD) the Downtown, or retain the CBD name?
- Retain the current underlying zones and use overlay districts, or establish a single underlying zone with overlay districts?
- 2 acre Civic Park, or 4 Acre Civic Park?

- Agree with proposed amendments from Developers Focus Group?
- Agree with preferred “Alternative 1 Plus” jobs and housing intensity?
- Agree with 61% private contributions to the DSAP Planned Action transportation projects? (See Appendix A at page 61 and Appendix B.)
- Any preferences regarding described potential funding sources (See Appendix A)?

Should Planning Commissioners have questions and/or wish to prepare amendments to the DSAP Packet for consideration at the June 6 Planning Commission meeting, staff can meet with them individually to assist with those efforts.

III. Upcoming 2018 Public Outreach and Legislative Meeting Schedule (*anticipated*):

- June 6, Planning Commission Action on DSAP, PAO, DDC, and CPAs;
- June 25, City Council Study Session on DSAP, PAO, DDC, and CPAs;
- July 2, City Council Public Hearing on DSAP, PAO, DDC, and CPAs; and
- July 16, City Council action on DSAP, PAO, DDC, and CPAs.

IV. Attachments

- Appendix A, Updates to draft Subarea Plan (DSAP)
- Appendix B, Updated draft Planned Action Ordinance (PAO)
- Appendix C, Updates to draft Downtown Development Code (DDC)
- Appendix D, Updated draft Comprehensive Plan Amendments (CPAs)
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Downtown Plan Adjustments

Integration of Preferred Alternative and Responses to Comments

[Updates since April 25, 2018 in yellow shading. Where new sections are included, only the heading is shaded.]

Proposed Updates and Adjustments

The public, Planning Commission, and City Council have provided some feedback on the Draft Subarea Plan and Draft Environmental Impact Statement (EIS) that are helpful in creating a Preferred Plan. This document identifies potential updates to the March 2018 Draft Downtown Plan for Planning Commission consideration.

STUDY AREA

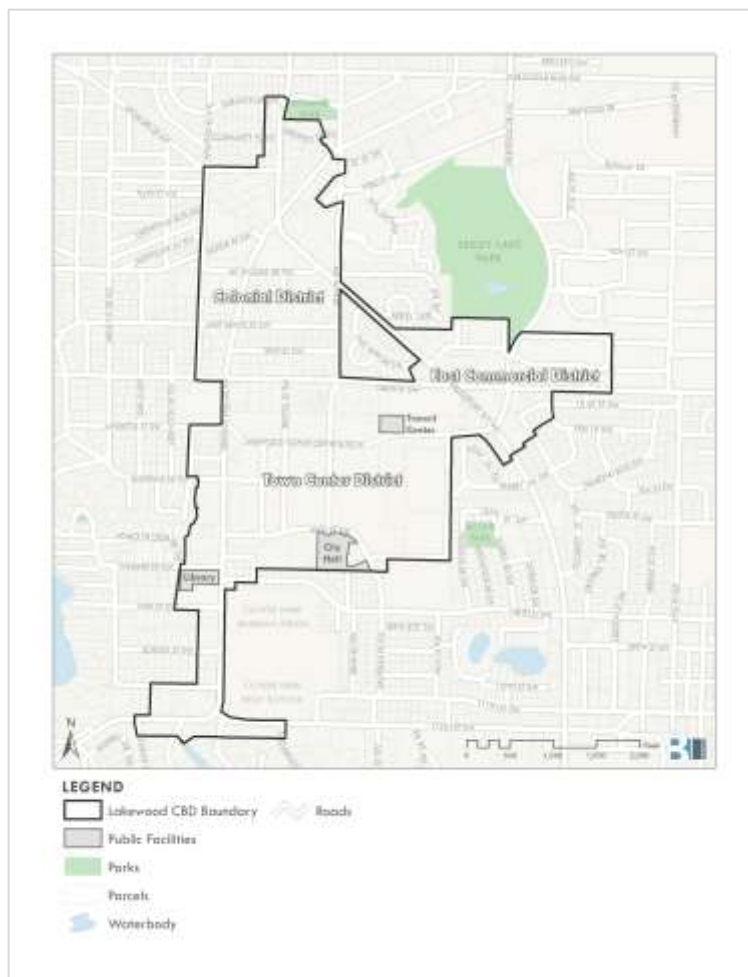
Figure 7 in the Downtown Plan identifies some potential study area adjustments for land use purposes. As recommended in the Draft EIS, areas designated Mixed Residential are included in the Downtown boundary.

Based on City staff review, other refinements to the study area are recommended for consistent streetscape. The amended study area map adjusts centerline boundaries to ensure full rights of way are included to provide for a common consistent landscaping. Likewise, the right of way for Bridgeport Way between the East Commercial Area and Colonial District is included for consistent landscaping. Abutting land use is not included in that segment.

VISION

Based on public survey input on the Draft Plan, several changes are proposed in track changes. A format change not shown in tracks is removing “all caps”.

Exhibit 1. Revised Study Area



Source: BERK Consulting 2018

Vision for Downtown

Based on feedback gained from the outreach with the Lakewood community described above, this Plan proposes a Downtown Vision Statement that is a basis for policies and actions in this Plan, and that will guide future Plan implementation. The Downtown Vision Statement is compatible with the City's Comprehensive Plan Vision that promotes a vibrant downtown.

Proposed Vision Statement

Our vision for downtown is that it is seen as the “heart” of Lakewood. Downtown is where people go to do fun things, see friends and neighbors, eat good food, and experience the cultural diversity of the City. Downtown brings a strong sense of pride for the community by celebrating all things Lakewood and bringing a strong sense of identity to the City and its people. Downtown is best experienced by walking or biking and is safe, inviting, accessible, and connected. The Downtown has a mix of retail, restaurant, employment, and housing options that are cohesively and well-designed, and support civic life and a strong economy.

Guiding Principles

To help implement the vision, the City will consider the following guiding principles when making a decision or allocating resources.

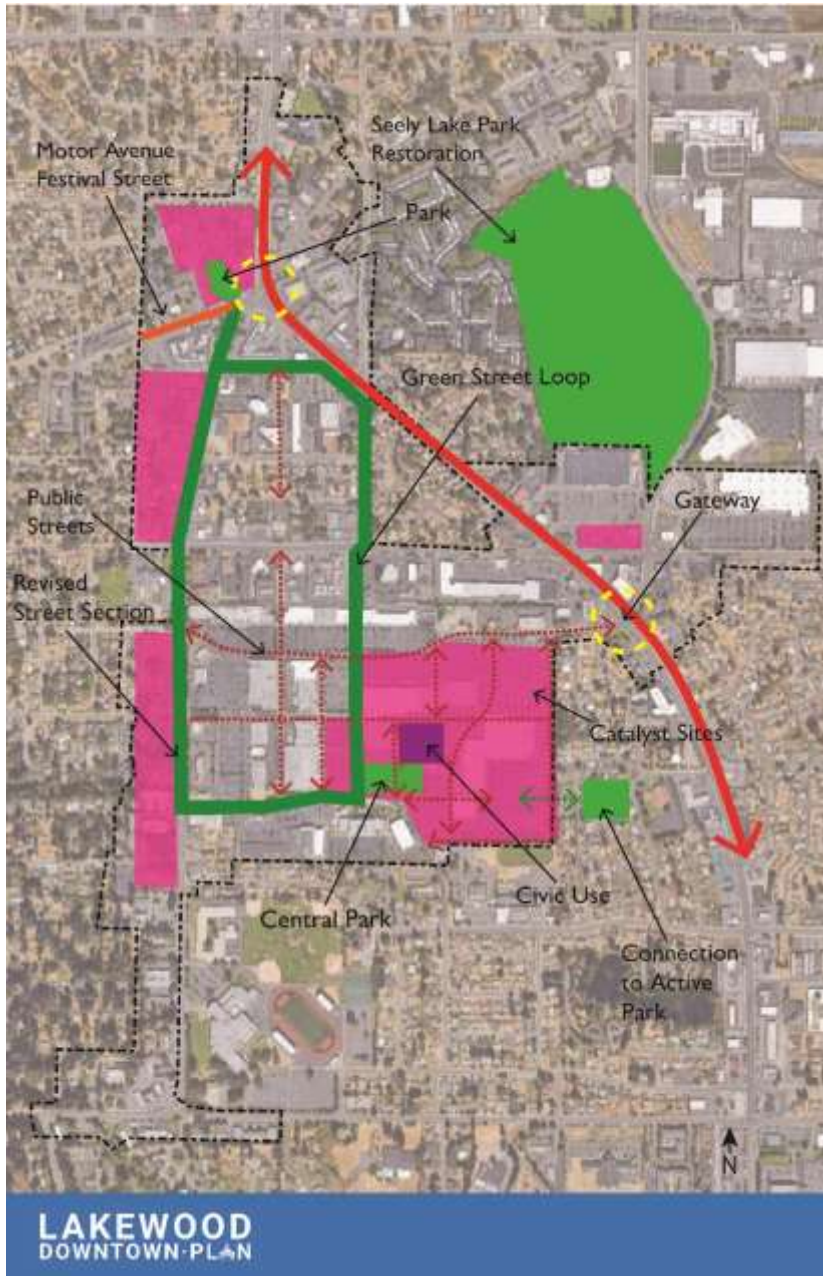
Development and land uses, public investments, and ongoing programs and maintenance activities ensure that Downtown is:

- ~~A great place!~~
- ~~The heart of the community and civic life~~
- Where all modes of travel are possible
- Designed for people to walk and bike
- Designed to be accessible by all ages and abilities
- ~~Safe and inviting~~ welcoming
- Livable and affordable
- Where people of all ages go to do fun things, indoor and outdoor
- Rich with cultural diversity
- Sustainable and connected to nature
- Part of a thriving local economy and offering entrepreneurial opportunities
- A source of pride and identity for Lakewood
- Where people live, work, meet, play, shop, and eat

PLAN CONCEPT

The Plan Concept dated March 2018 showed the Green Loop bisecting the Central Park in Figure 3 Downtown Plan Concept. To maintain a north-south street alignment and retain full use of the current roundabout in front of City Hall, the Central Park is now shown east of the Green Loop. See figure on the next page.

Exhibit 2. Revised Downtown Plan Concept April 2018



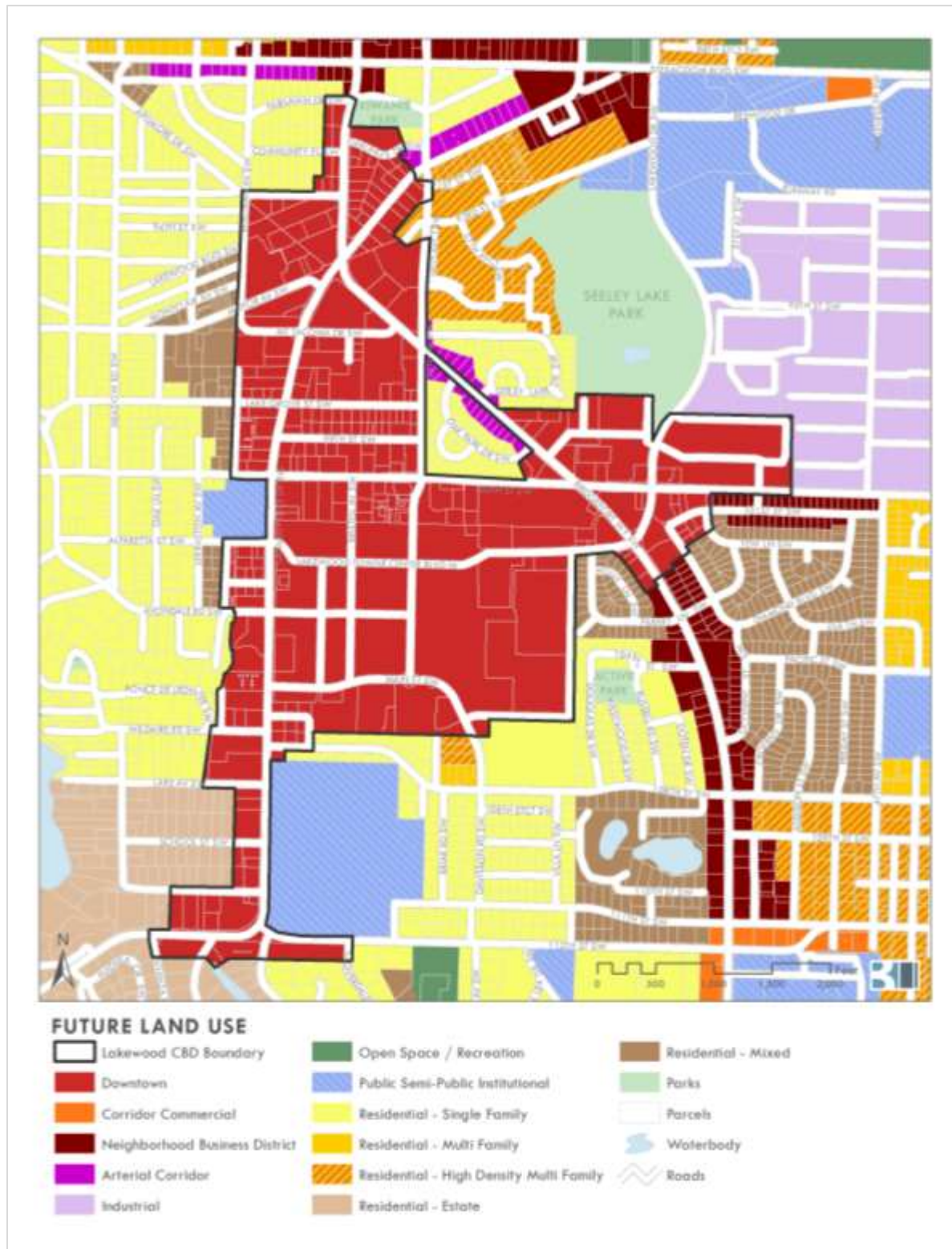
Source: Framework 2018

FUTURE LAND USE PLAN AND ZONING

Figures 10 and 11 of the Draft Downtown Plan were placeholders for the Future Land Use Plan and Zoning. In the text on page 18 of the Draft Downtown Plan, the Future Land Use designation was described as Downtown.

“Downtown” is proposed as a Future Land Use Designation, as suggested in the Draft Plan text. See Exhibit 3. The reason to have a Future Land Use Designation that is not identical in name as implementing zoning is to allow the use of more than one base zone. If the Downtown Plan would be implemented by more than one zone “Downtown” could serve as an umbrella. If a single implementing base zone is applied like CBD for the whole study area, then “Downtown” could stay “CBD”.

Exhibit 3. Proposed Future Land Use Plan

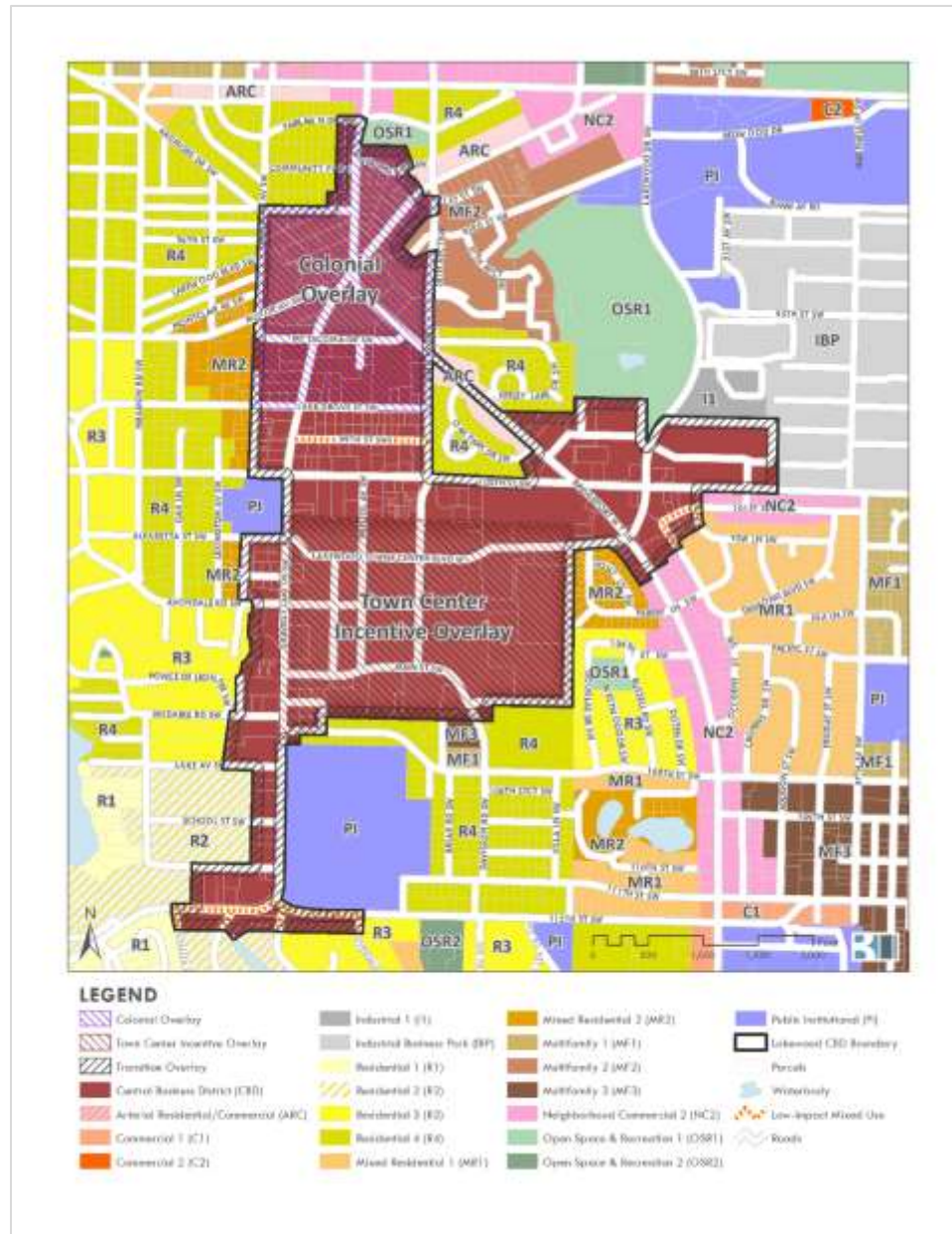


Source: City of Lakewood 2017, BERK Consulting 2018

The proposed zoning map would consistently apply Central Business District (CBD) as the implementing zone. A series of overlays would require design standards (Colonial), ensure compatible height and

landscaping (Transition), or offer incentives for optimal implementation of the plan (Town Center). Staff recommends a single implementing zone for a consistent development pattern. Some of the regulating plan features allow for lesser intense uses at edges of the study area (e.g. low-impact mixed use streets and transition standards).

Exhibit 4. Proposed Zoning Map

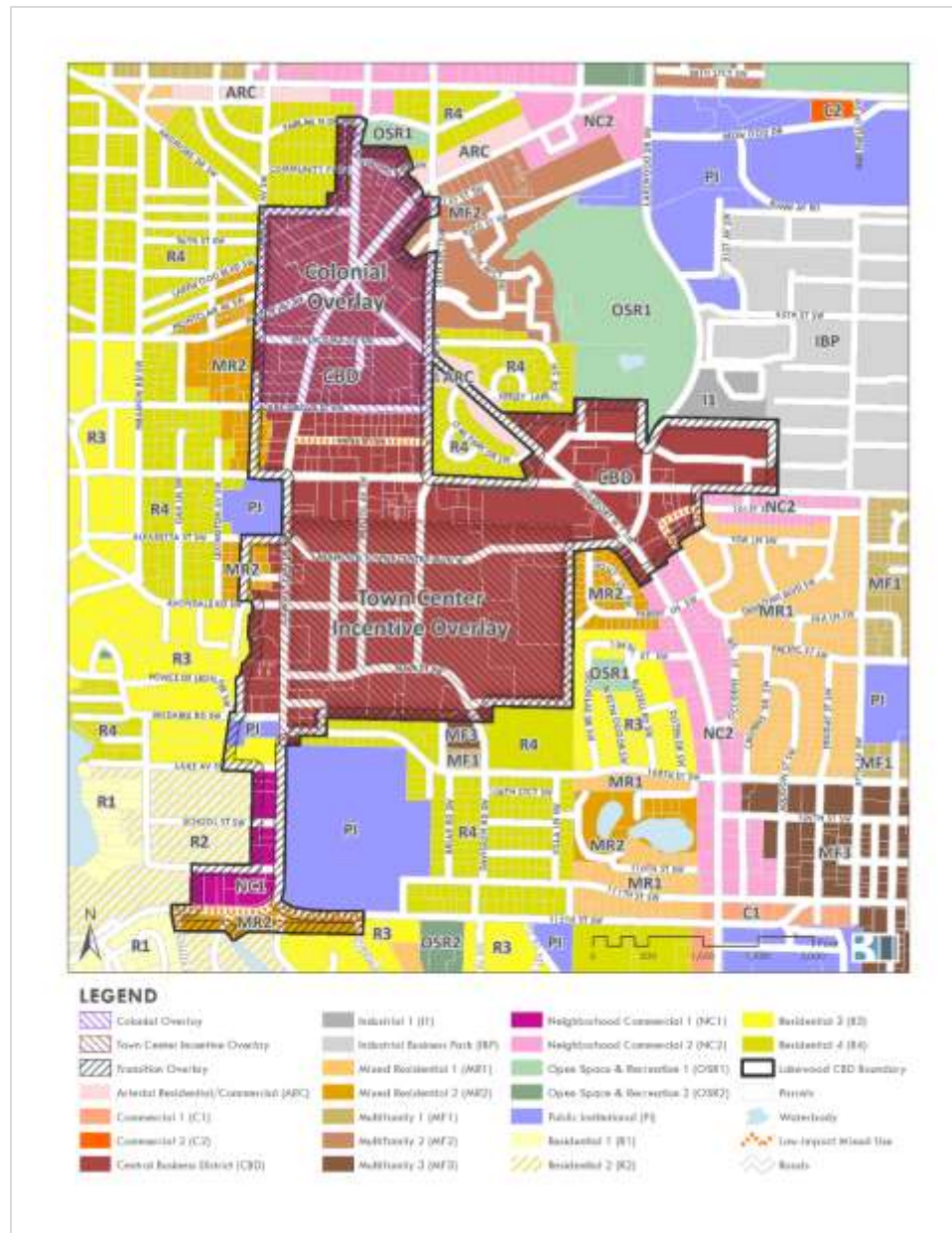


Source: City of Lakewood 2017, BERK Consulting 2018

[Note: Slight correction to Low Impact Mixed Use street at far south end to match regulating plan.]

A consistent application of the Overlay Zones and Low-Impact Mixed Use Street designation with the current base zones appears below for comparison.

Exhibit 5. Current Base Zones with Proposed Overlays and Special Designations

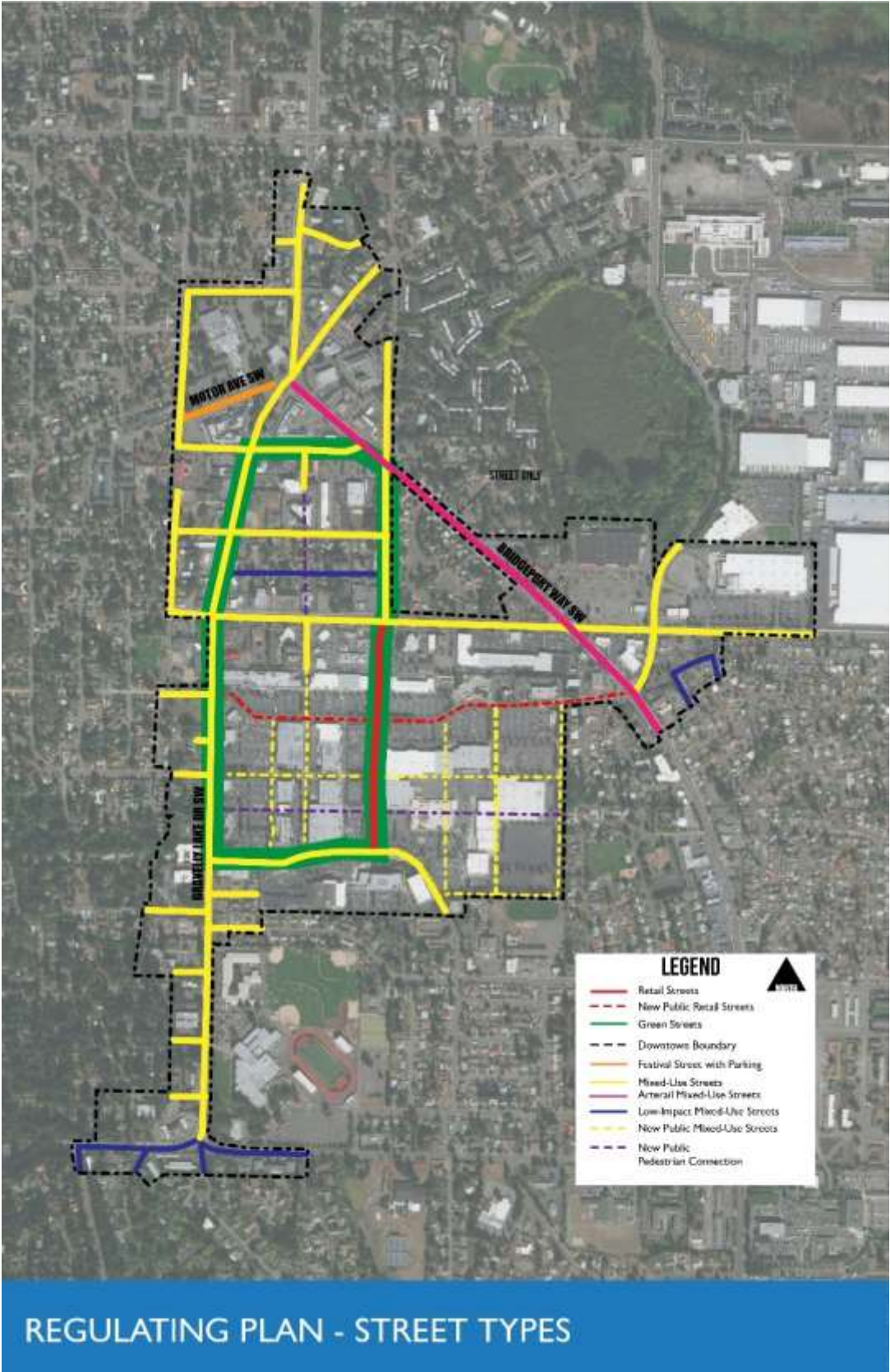


Source: City of Lakewood 2017, BERK Consulting 2018

REGULATING PLAN

The Downtown Plan at page 33, Figure 28, included a regulating plan with street types. It focused on street types for particular streets. Uncategorized streets would have followed standard City classifications in the Transportation Plan. To ensure consistent streetscapes and for ease of implementing the development code, each street is typed in this updated Regulating Plan.

Exhibit 6. Regulating Plan

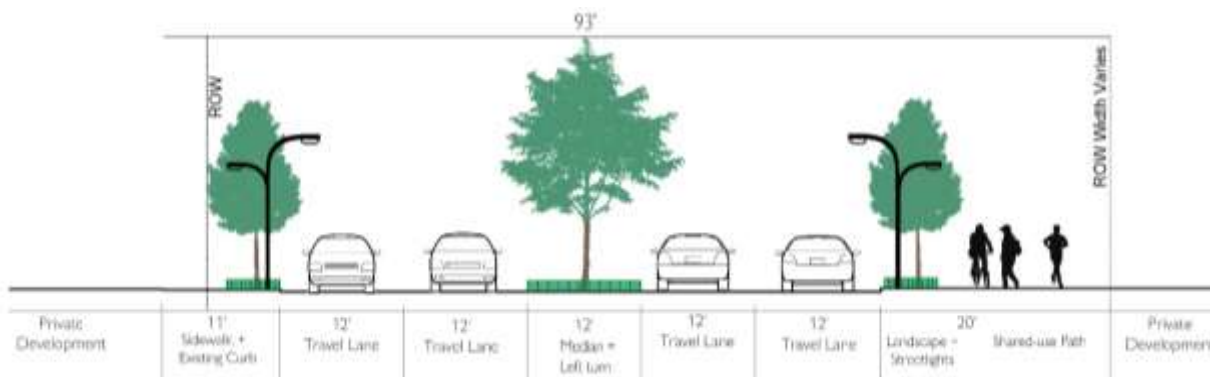


Source: Framework 2018

Cross Section

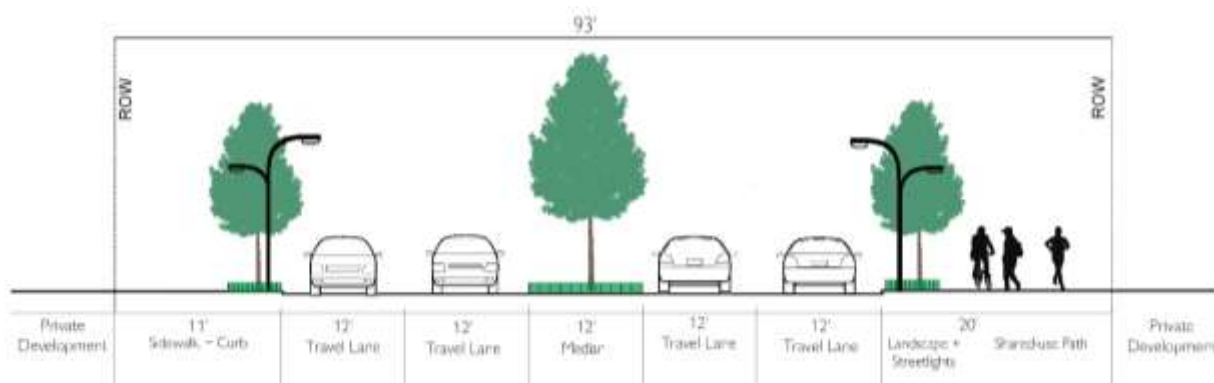
To protect recent sidewalk investments and limit the need for right of way, as well as to limit new intersection improvements, a 4-lane street section with center turn lane and median is proposed for Gravelly Lake Drive between 100th and 112th Streets SW. This is consistent with Figures 34 and 35 in the Draft Downtown Plan.

Exhibit 7. Gravelly Lake Drive SW Revision – Concept #3A (Looking north)



Source: KPG and Framework 201

Exhibit 7. Gravelly Lake Drive SW Revision – Concept #3B (Looking north)



Source: KPG and Framework 2018

In general, references throughout the plan including cross sections should change “Motor Ave” to “Lakewood Colonial Plaza.”

Urban Design + Land Use

It is recommended that some text be added in a sidebar regarding activity units (population and jobs) and consistency with regional guidelines:

Activity Units - Population + Employment in Downtown Lakewood

The Lakewood Urban Center was designated as a Regional Growth Center by the Puget Sound Regional Council (PSRC) in 1995, recognizing the potential of the center to provide jobs and housing and to help eligibility for infrastructure funding. Guidance from PSRC is that center targets “must represent a significant portion of the jurisdictions’ overall housing and employment growth targets for the 20-year planning period” (PSRC 2014). The housing and/or employment targets for each center should exceed the center’s shares of existing housing and/or jobs and exceed the center’s shares of recent growth in housing and/or jobs. Based on 2011 guidance, new regional growth centers must have a minimum existing activity level (population + employment) of at least 18 activity units per gross acre. The future target is to have a minimum target activity level of 45 activity units per gross acre. While not required of a 1995 designated center, the guidance helps the City understand what a significant share of the City’s growth targets mean.

The Downtown Plan supports jobs and housing opportunities. The current level of activity units is about 19.3 in the proposed Downtown boundaries. Modified Alternative 1 would result in 45.3 activity units per acre, while Alternative would result in 57.8 activity units per acre. For more information, see the Planned Action Environmental Impact Statement.

ECONOMIC DEVELOPMENT

Based on public survey input the following additional policies and strategies are suggested to be added:

- New Policy: Improve the comfort and safety of residents, business owners and employees, customers, and visitors to the Downtown through design, maintenance, and policing strategies.
- New Strategy: Implement “crime prevention through environmental design” principles at the time of design and through maintenance programs.
- New Strategy: Through extension of public streets improve regular police patrols.
- New Strategy: Evaluate regulations, procedures, and fees to remove barriers to business formation and development while remaining effective and reasonable to achieve the Vision of this plan.

HOUSING

Based on public survey input the following additional policies and strategies are suggested to be added:

- New Policy: Promote well-designed and maintained diverse mixed use and multifamily housing opportunities available to all incomes.

Add information in a sidebar on homelessness and City responses to it:

Homelessness, the opioid crisis, and lack of state and federal funding for mental health conditions have individually and collectively created challenges for communities for quite

some time. The City of Lakewood has responded to this problem, in multiple ways, through partnerships and contributing funding, including, but not limited to:

- Lakewood allocates 1% of its general fund in support of human and social services annually.
- In 2015 the City began to embed mental health professionals with patrol officers, and the program now has 2 full-time equivalents. In 2016, they helped 594 people find needed services, followed by another 629 in 2017. These are individuals who did not have to go to jail and/or hospital only to end up back in the same or similar dire straits.
- Lakewood partners with multiple organizations to address homelessness and mental health including Living Access Support Alliance (LASA), Habitat for Humanity, Western State Hospital, Catholic Community Services, Greater Lakes Mental Health, St Clare Hospital, and Tacoma Methadone Clinic. This has included funding for housing units and a homeless shelter.
- Lakewood is part of a consortium (Continuum of Care) with Pierce County and the City of Tacoma to qualify for Federal and Community Development Block Grant (CDBG) dollars that in turn is invested into program to address homelessness.
- The City of Lakewood has been partnering with Pierce County on a program modeled after the City of Albuquerque's called Homeless Empowerment Labor Program or HELP that would provide temporary employment opportunities for individuals to include access to social and human services. It is expected to be operational later this year.
- Lakewood is working with the Cohen Veterans Network who will be opening a clinic in Lakewood to serve the South Puget Sound region. The Cohen Veterans Network is a private foundation established to provide veterans and their family members with free accessible mental health care in select cities across the country.

PARKING

Based on public survey input and mixed opinions on a maximum parking policy, the following changes are proposed:

- Policy: Consider ~~maximum~~ parking requirements for higher density areas that offer sufficient parking and access as well as to encourage alternative transportation modes.

TRANSPORTATION

To match the Modified Alternative 1, the Preferred Alternative, while not precluding Alternative 2, the following changes are proposed.

PROPOSED IMPROVEMENTS

The City's six-year transportation improvement program (TIP) includes a "road diet" project ((i.e., removing travel lanes from a roadway and utilizing the space for other uses and travel modes"¹) on Gravelly Lake Drive SW between Bridgeport Way and Steilacoom Drive which will reduce the road from four lanes to three lanes and proposes other various intersection pedestrian, and bicycle improvements. This Plan includes all of the City's six-year projects for the area, considers a revision to another section of Gravelly Lake Drive SW between 100th and 112th Streets SW, and proposes new public streets and connected non-motorized features.

Table 1. Proposed Transportation Improvements

Six-Year TIP	Downtown Subarea Plan – Additions
<p>Per current plan. The City's 6-year TIP (2018-2023) includes the following relevant improvement projects:</p> <ul style="list-style-type: none"> 2.69B – Gravelly Lake Drive Road Diet b/w Bridgeport and Steilacoom (4 lanes to 3 lanes with bicycle lanes) 2.72 – 100th St & Lakewood Dr. curb, gutter, sidewalks, new signal 2.82 – New sidewalk east side of 59th Ave from 100th St to Bridgeport Way 3.13 – Install a traffic signal at Gravelly Lake Drive / Avondale Road 5.7 – Improve non-motorized connections on Motor Ave b/w Whitman and Gravelly Lake Dr. 9.16 – 59th Ave pavement restoration from Main St to 100th St 9.22 – 100th St pavement restoration from 59th Ave to Lakeview Ave 	<p>In addition to the six-year TIP:</p> <ul style="list-style-type: none"> Retain Bridgeport Way SW as primary vehicle entrance-strengthen gateway Retain 100th Street SW as a primary east-west vehicle connection between I-5 and subarea Modify cross section of Gravelly Lake Blvd. Study, 3, 4, and 5 lane cross sections with left turn pockets between Bridgeport and Nyanza Road SW to allow for improved bicycle and pedestrian facilities[*] Conversion of Lakewood Towne Center Blvd and Bristol Ave as public streets Lakewood Towne Center Blvd at 59th Ave SW, consider roundabout Reduce 59th Avenue SW to two lanes, allowing for bicycle facilities Addition of new street connections to support walkability. Alternative 1 assumes fewer connections based on phasing or property owner preferences, compared with Alternative 2. Consider 400 feet as the desired maximum block lengths throughout Subarea.

City of Lakewood, KPG and Fehr & Peers 2017

~~Note: * For a conservative test of alternative transportation improvements, the EIS authors modeled the greatest shift in traffic for Gravelly Lake Drive SW at three lanes and then compared it to no change in the section at five lanes. The analysis provides information indicating that added public streets help distribute the traffic, but that other arterial conditions would require more mitigation. Fewer improvements on other arterials would be needed if four or five lanes is retained in the roadway. This helps the City determine what combination of capital improvements, amenities, and costs are desired.~~

Housing and job growth as proposed under this Plan would increase trips and create additional congestion Downtown, though this is offset in part by a greater network of public streets. It is

¹ Source: Federal Highway Administration

anticipated that more persons would use non-motorized travel, particularly under Alternative 2, due to an increase in mixed use development.

Table 2. Land Use Assumptions and Daily Person Trip Ends Generated by Planned Action EIS Alternative

	Existing	No Action	Alternative 1	<u>Modified Alternative 1</u>	Alternative 2
Total Housing Existing/2035	357	813	1,936		2,614
Total Jobs Existing/2035	5,240	6,907	9,387		12,609
Total Person Trip Ends	<u>77,000</u>	<u>93,400</u>	<u>142,900</u>	<u>149,700</u>	<u>191,000</u>
Vehicular Mode Trip Ends	71,000	85,700	129,800	<u>135,300</u>	168,900
Non-vehicular mode Trip Ends	6,000	7,700	13,100	<u>14,400</u>	22,100
Total Person Trip Ends	77,000	93,400	142,900	<u>9%</u>	191,000
Non-vehicular Mode Split	8%	8%	9%	<u>10%</u>	12%

City of Lakewood, BERK 2017 (Land Use); Fehr & Peers 2018 (Trips)

MITIGATION

Additional Capital Improvements

Considering proposed transportation improvements and land use together in the City's transportation model, some Plan area intersections would require additional capital improvements, or alternatively changes in programs or policies, as described below. ~~For a conservative test of alternative transportation improvements, the EIS authors modeled the greatest shift in traffic for Gravelly Lake Drive SW at three lanes and then compared it to no change in the section (five lanes). The table below shows the full list of improvements if Gravelly Lake Drive SW were modified to a cross-section of three lanes.~~

~~The results without that change are described below the table.~~

Table 3. Potential Additional Transportation Mitigation

Intersection	No Action	Alt 1	Alt 1 Mitigated	Alt 2	Alt 2 Mitigated
Gravelly Lake Dr SW/59th Ave SW					
Signalize intersection	E/38	E/46	B/19	F/82	B/19
100th St SW/Bridgeport Way SW					
Add westbound right turn pocket, convert existing westbound through-right lane to through-only, and prohibit east and westbound left turns	E/68	F/85	C/34	F/102	D/49

Intersection	No Action	Alt 1	Alt 1 Mitigated	Alt 2	Alt 2 Mitigated
100th St SW/Lakewood Dr SW					
Signal timing revisions to provide more green time to protected left turn phases and reduce time for eastbound and southbound through phases	D/50	E/56	D/49	E/56	D/54
Lakewood Dr SW/Bridgeport Way SW					
Convert westbound through-left lane to left only to remove split phase or move the pedestrian crossing to the north side of the intersection coincident with the WB phase*	C/34	E/66	D/39	E/67	D/48
108th St SW/Bridgeport Way SW**					
Add northbound right turn pocket	D/48	D/51	D/47	E/58	D/52
112th St SW/Gravelly Lake Dr SW**					
Add second westbound left turn pocket and combine through and right turn movements into outside lane	C/31	E/61	C/34	E/65	C/35

Fehr & Peers 2018

Notes: * The LOS results are slightly better if the split phasing is removed (D/48) than if the pedestrian crossing is relocated (D/54).

~~**These intersections remain within the City's LOS standard of D if the Gravelly Lake Drive SW revision is not implemented.~~

The travel demand model was also run to estimate how volumes might change under Alternative 2 land use without the Gravelly Lake Drive SW three-lane section.

If five lanes were retained, the following intersections would not require change:

- 108th St SW/Bridgeport Way SW
- 112th St SW/Gravelly Lake Dr. SW

Comparing results with three lanes and with five lanes on Gravelly Lake Drive SW suggests that volumes on a five-lane Gravelly Lake Drive SW would be approximately 200 to 500 vehicles higher in each direction with smaller differences at the north end of the corridor and larger differences at the south end of the corridor, improving the intersection of Gravelly Lake Drive SW/112th Street from LOS E to D while increasing delay at Gravelly Lake Drive SW/59th Avenue SW. The volume reductions on Bridgeport Way would be smaller, likely no more than 200 vehicles in a single direction, though it would improve the intersection of 108th Street/Bridgeport Way from LOS E to D. The other impacted intersections would remain impacted with or without the revision. This indicates that the diverted traffic is distributed among multiple alternate routes and that much of the increase in volumes on Bridgeport Way is associated with increased land use rather than the Gravelly Lake Drive SW revision.

An alternative design could be considered which limits the extent of the road to Main Street instead of 112th Street SW. This shorter section would reduce the overall cost of the project and would limit the changes to portions of Gravelly Lake Drive SW with slightly lower volumes. The area south of Main Street is not projected to see as much new development as the Study Area so reconfiguring the cross-section all the way to 112th St SW would not provide as much additional benefit.

Screening Transportation Improvements and Additional Mitigation

To assist with City decision-making, the major additional improvements proposed beyond the 6-year TIP or as a result of mitigation are evaluated across criteria. Based on the testing of the land use alternatives and transportation improvements, some are interdependent with others, some advance multi-modal travel, some reduce delay for automobiles, some serve to distribute traffic, and some provide opportunities to advance the linear park feature, green infrastructure, or streetscape amenities. Implementation costs will be developed for the preferred plan. However, inclusion of improvements that require implementation of other improvements would have a greater cost than improvements that can be implemented independently.

Table 5. Transportation Improvements and Additional Mitigation Screening

Improvements	Reduced Vehicle Delay or Improved Auto Mobility	Multi-modal Focus	Traffic Distribution	Recreation or Amenity Value	Independent Implementation
1. Gravelly Lake Drive SW Revised Street Section	No	Yes	No	Yes	No, 3 lanes – requires public streets (#2). Yes, 4 or 5 lanes
2. Conversion of Lakewood Towne Center Blvd and Bristol Ave as public streets. Addition of new street connections to support walkability.	Yes	Yes	Yes	Yes	Yes
3. Lakewood Towne Center Blvd at 59th Ave SW, consider roundabout.	Yes	No	Yes	Yes	Yes
4. Reduce 59th Avenue SW to two lanes, allowing for bicycle facilities	No	Yes	No	Yes	Yes
5. Potential Additional Transportation Mitigation in Table 4.	Yes	No	No	No	No, 108th St SW/ Bridgeport Way SW and 112th St SW/Gravelly Lake Dr SW required with 3-lane Gravelly Lake Drive SW section <u>Yes all others</u> <u>Yes</u>

BERK and Fehr & Peers 2018

CAPITAL FACILITY PLAN

This section provides a draft capital facility plan for transportation and parks improvements. It would be appended to the Downtown Subarea Plan and would be a basis for amending the City's Transportation and Capital Facilities Elements of the Comprehensive Plan.

Downtown Plan Appendix – Capital Facilities Plan Text

The Draft EIS and Downtown Plan identified new transportation and park improvements. This capital plan identifies priorities for public investments based on City levels of service and the Downtown Plan Vision and concepts. It identifies available funding sources including local, state, and federal funds in addition to grant opportunities, and considers the City's budget and revenue projections and the Transportation Improvement Program (TIP).

Transportation Improvements

The list below, together with Exhibit 8, summarizes the transportation network assumptions for the Downtown Plan including projects in the City's Six-Year TIP and additional projects.

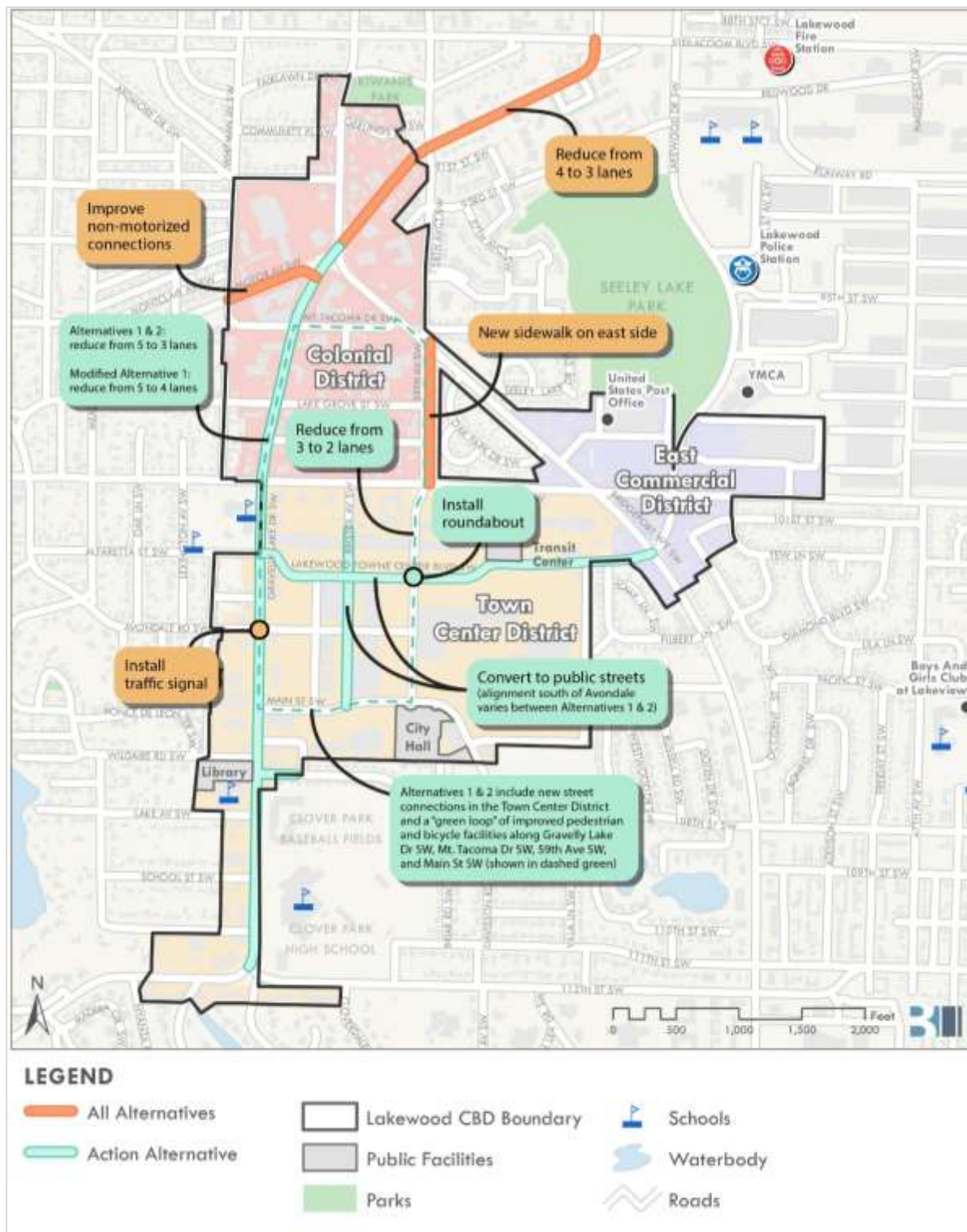
Transportation Improvement Program Improvements: 2018-2023

- 2.69B – Reduce Gravelly Lake Drive SW from four lanes to three lanes (with bicycle lanes) between Bridgeport Way SW to Steilacoom Blvd SW;
- 3.13 – Install a traffic signal at the Gravelly Lake Drive SW/Avondale Road SW intersection;
- 5.7 – Improve non-motorized connections on Motor Avenue SW between Whitman Avenue SW and Gravelly Lake Drive SW; and
- 2.82 – Construct sidewalk on the eastern side of 59th Avenue SW between Bridgeport Way SW and 100th Street SW.
- 2.72 – 100th St. & Lakewood Dr. curb, gutter, sidewalks, new signal
- 9.16 – 59th Ave pavement restoration from Main Street to 100th St
- 9.22 – 100th Street pavement restoration from 59th Ave to Lakeview Ave

Preferred Alternative Network Changes

- Consideration of reducing Gravelly Lake Drive SW from five lanes to three-four lanes with center turn lane/median between Bridgeport Way SW and 112th Street SW and construct improved pedestrian and bicycle facilities ~~(extending the three-lane section south of the currently planned project)~~;
- Convert Lakewood Towne Center Blvd SW and Bristol Avenue SW to public streets within Lakewood Towne Center;
- Reduce 59th Avenue SW from three lanes to two lanes between Main Street SW and 100th Street SW and construct bicycle facilities;
- Install a one-lane roundabout at the 59th Avenue SW/Lakewood Towne Center Blvd SW intersection; and
- Construct more street connections to support walkability ~~(Alternative 2 would have more street connections than Alternative 1)~~.

Exhibit 8. Transportation Network Assumptions [Map is slightly updated to illustrate Modified Alt 1]



Source: Fehr & Peers, BERK 2018

Additional Intersection Improvements

Based on the Planned Action EIS, in addition to the Six-Year TIP and additional Network Improvements described above, additional intersection improvements will be required as listed in Exhibit 9.

Exhibit 9. Proposed Mitigation Measures.

INTERSECTION	NO ACTION	ALT 1	ALT 1 MITIGATED	ALT 2	ALT 2 MITIGATED
Gravelly Lake Dr SW/59th Ave SW					
Signalize intersection	E/38	E/46	B/19	F/82	B/19
100th St SW/Bridgeport Way SW					
Add westbound right turn pocket, convert existing westbound through-right lane to through-only, and prohibit east and westbound left turns	E/68	F/85	C/34	F/102	D/49
100th St SW/Lakewood Dr SW					
Signal timing revisions to provide more green time to protected left turn phases and reduce time for eastbound and southbound through phases	D/50	E/56	D/49	E/56	D/54
Lakewood Dr SW/Bridgeport Way SW					
Convert westbound through-left lane to left only to remove split phase or move the pedestrian crossing to the north side of the intersection coincident with the WB phase *	C/34	E/66	D/39	E/67	D/48
108th St SW/Bridgeport Way SW**					
Add northbound right turn pocket	D/48	D/51	D/47	E/58	D/52
112th St SW/Gravelly Lake Dr SW**					
Add second westbound left turn pocket and combine through and right turn movements into outside lane	C/31	E/61	C/34	E/65	C/35

Notes: * The LOS results are slightly better if the split phasing is removed (D/48) than if the pedestrian crossing is relocated (D/54)

~~**These intersections remain within the City's LOS standard of D if the Gravelly Lake Drive SW Revision is not implemented.~~

Source: Fehr & Peers, 2018.

Transportation Costs

The table below identifies the cost for proposals in the Six-Year TIP. The total is about \$5.8 million. The City has funded about 40% of these improvements. About 58% is covered by grants, and the final 3% by Developer contributions.

Exhibit 10. Six-Year Transportation Improvement Program (2018-2023) in Downtown Study Area

PROJECT	COST	YEARS	FUNDING SOURCES
2.69B – Reduce Gravelly Lake Drive SW from four lanes to three lanes (with bicycle lanes) between Bridgeport Way SW to Steilacoom Blvd SW;	\$1,300,000	2018-2019	City: \$200,000 Grant: \$1,100,000
3.13 – Install a traffic signal at the Gravelly Lake Drive SW/Avondale Road SW intersection;	\$250,000	2022	City: \$100,000 Other (Developer): \$150,000
5.7 – Improve non-motorized connections on Motor Avenue SW between Whitman Avenue SW and Gravelly Lake Drive SW; and	\$930,000	2018-2019	City: \$100,000 Grant: \$830,000
2.82 – Construct sidewalk on the eastern side of 59th Avenue SW between Bridgeport Way SW and 100th Street SW.	\$125,000	2019	City: \$25,000 Grant: \$100,000
2.72 – 100th St. & Lakewood Dr. curb, gutter, sidewalks, new signal	\$1,680,000	2018-2019	City: \$330,000 Grant: \$1,350,000
9.16 – 59th Ave pavement restoration from Main Street to 100th St	\$450,000	2020	City: \$450,000
9.22 – 100th Street pavement restoration from 59th Ave to Lakeview Ave	\$1,100,000	2022	City: \$1,100,000
Total	\$5,835,000		City \$2,305,000 Grant \$3,380,000 Other \$150,000

Note: Other includes Developer contributions.

Source: City of Lakewood 2017

The Planned Action EIS describes potential improvements to the network and impacted study intersections in addition to the City's 2018-2023 6-Year Transportation Improvement Program; see Exhibit 9. Implementation of improvements would occur through a SEPA fair share fee program such that new development contributes its share of the cost for these projects.

Planned Action EIS traffic modeling identified approximately [4539%](#) pass-through traffic in the study area [under Modified Alternative 1](#); to support citywide or regional travel the City would provide some funding and much of it would come from grants or other funding sources. The responsibility of cumulative planned action development would equal [5561%](#) unless the combination of City and Grant resources was more successful. The proportionate share of costs of the Planned Actions would be determined based

on their proportionate share of trips identified in the Planned Action Ordinance. ~~[This approach is being reviewed by Fehr & Peers.]~~

Exhibit 11. Transportation Improvements in addition to Six-Year Transportation Improvement Program

PROJECT	TITLE	COST (100%) 2018\$ <u>ROUNDED</u>	PLANNED ACTION SHARE 55 <u>61</u> %
1	Gravelly Lake Dr SW Revised Section: 4-lane section plus median/turn lane shown in the March 2018 Subarea Plan concept #3A on page 38	<u>\$19,410,000</u> <u>\$19,410,488</u>	<u>\$11,840,100</u> <u>\$10,675,768</u>
2.1	Conversion of Lakewood Towne Center Blvd as Public Street	<u>\$11,757,000</u> <u>\$11,756,511</u>	<u>\$7,171,770</u> <u>\$6,466,081</u>
2.2	Conversion of Bristol Ave as Public Street	<u>\$7,357,000</u> <u>\$7,357,170</u>	<u>\$4,487,770</u> <u>\$4,046,444</u>
3	Lakewood Towne Center Blvd at 59th Ave SW, Roundabout	<u>\$2,402,000</u> <u>\$2,401,959</u>	<u>\$1,465,220</u> <u>\$1,321,077</u>
4	Reduce 59th Ave SW to two lanes, allowing for bicycle facilities (sharrows)	<u>\$189,000</u> <u>\$188,559</u>	<u>\$115,290</u> <u>\$103,708</u>
5	Gravelly Lake Dr / Avondale Rd SW New Signalized Intersection	<u>\$1,178,000</u> <u>\$1,177,548</u>	<u>\$718,580</u> <u>\$647,651</u>
6	100th St SW / Bridgeport Way SW	<u>\$649,000</u> <u>\$648,673</u>	<u>\$395,890</u> <u>\$356,770</u>
7	100th St SW / Lakewood Dr SW	<u>\$8,000</u> <u>\$8,000</u>	<u>\$4,880</u> <u>\$4,400</u>
8	Option A: 100th St SW / Lakewood Dr SW: Convert westbound through-left lane to left only to remove split phase	<u>\$13,000</u> <u>\$13,000</u>	<u>\$7,930</u> <u>\$7,150</u>
	Option B: 100th St SW / Lakewood Dr SW: Move the pedestrian crossing to the north side of the intersection coincident with the WB phase	<u>\$269,000</u> <u>\$268,688</u>	<u>\$164,090</u> <u>\$147,779</u>
9	108th St SW / Bridgeport Way SW [remove from list]	\$1,093,206	\$601,263
10	112th St SW / Gravelly Lake Dr SW [remove from list]	\$73,000	\$40,150
Total	with 8A	<u>\$44,128,114</u>	<u>\$24,270,463</u>
-	with 8B	<u>\$44,383,803</u>	<u>\$24,411,091</u>
Total	with 8A minus 9 and 10 [Proposed]	<u>\$42,962,000</u> <u>\$42,961,908</u>	<u>\$26,918,690</u> <u>\$23,629,049</u>
	with 8B minus 9 and 10 [Proposed]	<u>\$43,218,000</u> <u>\$43,217,596</u>	<u>\$27,074,850</u> <u>\$23,769,678</u>

Source: KPG, BERK 2018

Potential Funding Sources

The City would need to blend funding sources to pay for infrastructure improvements. Traditional funding sources include sales, property, and utility taxes, state and federal competitive grants and legislative allocations, and mitigation from development similar to the above. The City is also considering several sources in its Six-Year Financial Forecast Update (January 2018), including: an additional \$20 vehicle licensing fee (total \$40 VLF), property tax levy lid lift and capital bond.

The City could also consider specialized funding options like community revitalization financing, community facility districts, Local Improvement Districts or Road Improvement Districts, and latecomer agreements. These various sources of revenue are described below.

Opportunities to Capture Contributions from New Development

- **Sales Tax Generated on Development.** Sales tax is generated from the taxable sales of goods occurring within the city boundaries. Sales tax impacts from potential site development in the Downtown study area will be generated in two ways:
 - The initial construction of the development will generate sales tax for the full cost of supplies, material, and labor used in construction.
 - Retail and hotel development will generate significant ongoing sales and use tax revenues.
- **Property Tax Generated on Development.** Assessed value (AV) from new construction is the only way for a jurisdiction to increase its property tax base and revenues beyond the 1% per year cap on the property tax levy.
- **Utility Tax Generated on Development.** Utility taxes and franchise fees are charged against total utility revenues, and revenue from utility taxes scales in proportion with the quantity of utilities purchased by the study area's future tenants. The development in the study area would generate utility tax revenue for the City, based on the total utility billing generated by the area occupants.

In addition to the general tax benefits described above, there are funding mechanisms that provide opportunities to more directly tap the value increase in the land to support infrastructure development for the Downtown properties, summarized as follows:

- **Community Facility Districts.** Allow jurisdictions (including cities and counties) to finance infrastructure improvement through establishing a special assessment district for a variety of improvements including water, sewer, roads, storm drainage, sidewalks, and other forms of infrastructure. The formation of a district requires 100% of property owners within the district to sign a petition to form the district.
- **Road Improvement Districts (RID).** Levy a special assessment on properties that would benefit from roadway improvements to pay for those improvements. This mechanism can be particularly effective when: (1) there are significant and demonstrable benefits to the property values associated with the road improvements; and, (2) there are relatively few large property owners within the assessment area and they see the benefit of participating in the RID.

Finally, there are mechanisms that provide opportunities to address some of the equity balancing issues associated with allocating some of the funding responsibility to future development.

- **Latecomer Agreements.** Funding agreements that allow property owners who have paid for capital improvements to recover a portion of the costs from other property owners in the area who later develop property that will benefit from those improvements. This approach reflects the reality that it is difficult to phase some of these infrastructure investments which can result in the early participants carrying a larger financial burden to get the project off the ground. Latecomers agreements would offer a mechanism for the early commitments to recover some of their investment.

Community Contributions

Development of the Downtown area will result in general tax revenue and economic benefits. As a result, there is an appropriate role for public funding to build some of the infrastructure necessary to generate these broader community benefits. Investing in infrastructure with public funds (City or other agency) can result in several benefits:

- **Economic Opportunity.** The range of employment opportunities and the real wage gains of employees.
- **Constituent Tax Burdens.** Efficient land use and public services and high-value development opportunities can keep tax burdens lower than they would otherwise be.
- **Productive and Efficient Returns on Infrastructure.** Infrastructure is by nature a capacity building asset. Effectively leveraging infrastructure capacity and targeting new investments to open up economic opportunities are integral to supporting private investment in the community.

The following is a brief discussion of the mechanisms available to local jurisdictions seeking to generate public funding to support infrastructure development in the area.

- **Transportation Benefit District (TBD).** Funding districts that may be established for the construction and operation of improvements to roadways within their jurisdiction. TBDs have two available funding mechanisms:
 - **Sales and Use Tax (RCW 82.14.0455).** TBDs can levy up to a 0.2% local sales and use tax with voter approval. This tax must be authorized by voters, and may not be in effect longer than 10 years unless reauthorized by voters.
 - **Motor Vehicle Excise Tax (MVET) (RCWs 81.100 and 81.104).** TBDs can levy up to a \$100 fee for each new vehicle weighing less than 6,000 pounds registered in its jurisdiction. Initially, \$20 of this fee can be leveraged without a public vote. After two years that amount increases to \$40, and later to \$50.

On September 15, 2014, the Lakewood City Council, acting as the Transportation Benefit District Board, voted to enact a \$20 vehicle license fee. In 2015, the legislature increased the allowable nonvoted vehicle license fee up to a \$50 maximum. However, a TBD may only impose a nonvoted vehicle license fee above \$20 as follows:

- Up to \$40, but only if a \$20 fee has been in effect for at least 24 months.
- Up to \$50, but only if a \$40 fee has been in effect for at least 24 months. Any nonvoted fee higher than \$40 is subject to potential referendum.
- **Property Tax Levy Lid Lift.** A taxing jurisdiction that is collecting less than its maximum statutory levy rate may ask a simple majority of voters to “lift” the total levy amount collected from current assessed valuation by more than 1% (RCW 84.55.050; WAC 458-19-045). With a single-year lid lift, a jurisdiction can exceed the 1% annual limit for one year only, and then future increases are limited to 1% (or inflation) for the remainder of the levy. With a multi-year lid lift, a jurisdiction can exceed the 1% annual limit for up to 6 consecutive years. A multi-year levy lid lift may be used for any purpose, but the ballot must state the limited purposes for which the increased levy will be used (unlike a single-year lid lift, where there is no requirement to state the purpose). (MRSC 2018)

- **Grants and Loans.** There are state and federal grant and revolving loan programs, which could provide some funding. These programs are extremely competitive; however, any grant funding that could be made available would significantly improve the funding and economic feasibility of the Downtown development, since these funds would reduce the amount that needs to come from development and local public sources.
- **Legislative Allocation.** In addition to the grant programs, some infrastructure funding is allocated through the state budget process. Since there are investments required for state transportation facilities, a contribution through the state budget would have the same benefits as a grant. As with grants, these discretionary funds are limited, subject to state appropriation, and very competitive.
- **Community Revitalization Financing.** A form of tax increment financing from local property taxes generated within the area authorized by Chapter 39.89 RCW. The law authorizes counties, cities, towns, and port districts to create tax increment areas within their boundaries where community revitalization projects and programs are financed by diverting a portion of the regular property taxes imposed by local governments within the tax increment area. The law allows local governments raise revenue to finance public improvements that are designed to “encourage economic growth and development in geographic areas characterized by high levels of unemployment and stagnate employment and income growth.” Use of the funds is expected to “encourage private development within the increment area and to increase the fair market value of real property within the increment area.” The law requires there be a signed, written agreement among taxing districts, a public hearing, and adoption of an ordinance. The agreement indicates that taxing districts in the aggregate will levy at least 75 percent of the regular property tax within the increment area.

Parks Costs

The roadway improvements above address the Green Loop, a linear park and non-motorized travel improvement. In addition to the Green Street Loop the Downtown Plan supports a Central Park. A two to four-acre park has been evaluated. It is likely that with the Preferred Alternative: Modified Alternative 1 level of growth the City would initially pursue a two-acre Central Park. This would also result in less potential disruption to future public road improvements and retain more area for private redevelopment.

The capital costs (not including cost of land and design) will be in a range of \$3 to \$5 million. For reference, Downtown Redmond’s construction cost is \$11 million for 2.2 acres.

Exhibit 12. Park Size and Costs Excluding Acquisition and Design

	TWO-ACRE PARK	FOUR-ACRE PARK
Capital Cost	\$10,000,000	\$20,000,000

Source: KPG, BERK 2018

The Downtown Development Code allows a developer to pay an in-lieu fee for up to half of the required private common and unit-specific open space, and instead contribute to the Central Park or the Green Loop.

Citywide the City is considering park financing options and exploring metropolitan park district options.

Note: This document shows changes and additions to the Ordinance framework included in the Draft Environmental Impact Statement for the Downtown Plan.

PLANNING COMMISSION RESOLUTION NO. 2018 - XX

**A RESOLUTION OF THE CITY OF LAKEWOOD PLANNING COMMISSION ADOPTING
THE DOWNTOWN SUBAREA PLANNED ACTION**

I. RECITALS

APPENDIX B

ORDINANCE NO. ____

~~AN ORDINANCE of the City Council of the City of Lakewood, Washington,
establishing a planned action for Downtown Lakewood pursuant to the State
Environmental Policy Act.~~

WHEREAS, the State Environmental Policy Act (SEPA) and its implementing regulations provide for the integration of environmental review with land use planning and project review through the designation of planned actions by jurisdictions planning under the Growth Management Act (GMA), such as the City of Lakewood (“City”); and

WHEREAS, Section 43.21C.440 of the Revised Code of Washington (RCW), Sections 197-11-164 through 172 of the Washington Administrative Code (WAC) allow for and govern the adoption and application of a planned action designation under SEPA, and Section 14.02.030 of the Lakewood Municipal Code (LMC) adopts Chapter 197-11 WAC by reference as amended; and

WHEREAS, the designation of a planned action expedites the permitting process for projects of which the impacts have been previously addressed in an environmental impact statement (EIS); and

WHEREAS, a subarea of the City commonly referred to as the “Downtown”, as depicted on the map attached hereto as Exhibit A and incorporated herein by this reference, has been identified as a planned action area for future redevelopment to a mixed-use center (“Planned Action Area”); and

WHEREAS, the City has developed and adopted a subarea plan complying with the GMA (RCW 36.70A), dated [REDACTED] 2018, to guide the redevelopment of the Planned Action Area (“Downtown Plan”); and

WHEREAS, after extensive public participation and coordination with all affected parties, the City, as lead SEPA agency, issued the Downtown Planned Action Final Environmental Impact Statement (“[Final](#) EIS”) dated [REDACTED] 2018, which identifies the impacts and mitigation measures associated with planned development in the Planned Action Area as identified in the Downtown Plan; the [Final](#) EIS includes by incorporation the Downtown Planned Action Draft Environmental Impact Statement issued on [REDACTED] 2018 (collectively referred to herein as the “Planned Action EIS”); and

WHEREAS, the City desires to designate a planned action under SEPA for the Downtown (“Planned Action”); and

WHEREAS, adopting a Planned Action for the Downtown with appropriate standards and procedures will help achieve efficient permit processing and promote environmental quality protection; and

WHEREAS, the City has adopted development regulations and ordinances that will help protect the environment and will adopt regulations to guide the allocation, form, and quality of development in the Downtown; and

WHEREAS, the City Council finds that adopting this Ordinance is in the public interest and will advance the public health, safety, and welfare;

¶II. NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAKEWOOD, WASHINGTON DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

The purpose of this Ordinance is to:

A. Combine environmental analysis, land use plans, development regulations, and City codes and ordinances together with the mitigation measures in the Planned Action EIS to mitigate

environmental impacts and process Planned Action development applications in the Planned Action Area;

B. Designate the Downtown shown in Exhibit A as a Planned Action Area for purposes of environmental review and permitting of designated Planned Action Projects pursuant RCW 43.21C.440;

C. Determine that the Planned Action EIS meets the requirements of a planned action EIS pursuant to SEPA;

D. Establish criteria and procedures for the designation of certain projects within the Planned Action Area as “Planned Action Projects” consistent with RCW 43.21C.440;

E. Provide clear definition as to what constitutes a Planned Action Project within the Planned Action Area, the criteria for Planned Action Project approval, and how development project applications that qualify as Planned Action Projects will be processed by the City;

F. Streamline and expedite the land use permit review process by relying on the Planned Action EIS; and

G. Apply applicable regulations within the City’s development regulations and the mitigation framework contained in this Ordinance for the processing of Planned Action Project applications and to incorporate the applicable mitigation measures into the underlying project permit conditions in order to address the impacts of future development contemplated by this Ordinance.

Section III. Findings

A. The Recitals above are adopted herein as Findings of the Planning Commission

B. The City is subject to the requirements of the GMA.

C. The City has adopted a Comprehensive Plan complying with the GMA and is amending the Comprehensive Plan to incorporate text and policies specific to the Downtown.

D. The City is adopting zoning and development regulations concurrent with the Downtown Plan to implement said Plan, including this Ordinance.

E. The Planned Action EIS adequately identifies and addresses the probable significant environmental impacts associated with the type and amount of development planned to occur in the designated Planned Action Area.

F. The mitigation measures identified in the Planned Action EIS, attached to this Ordinance as Exhibit B and incorporated herein by reference, together with adopted City development regulations are adequate to mitigate significant adverse impacts from development within the Planned Action Area.

G. The Downtown Plan and Planned Action EIS identify the location, type, and amount of development that is contemplated by the Planned Action.

H. Future projects that are implemented consistent with the Planned Action will protect the environment, benefit the public, and enhance economic development.

I. The City provided several opportunities for meaningful public involvement and review in the Downtown Plan and Planned Action EIS processes, including a community meeting consistent with RCW 43.21C.440; has considered all comments received; and, as appropriate, has modified the proposal or mitigation measures in response to comments.

J. Essential public facilities as defined in RCW 36.70A.200 are excluded from the Planned Action as designated herein and are not eligible for review or permitting as Planned Action Projects unless they are accessory to or part of a project that otherwise qualifies as a Planned Action Project.

K. The designated Planned Action Area is located entirely within an [Urban Growth Area](#).

L. Implementation of the mitigation measures identified in the Planned Action EIS will provide for adequate public services and facilities to serve the proposed Planned Action Area.

Section IV. Procedures and Criteria for Evaluating and Determining Planned Action Projects within the Planned Action Area.

A. Planned Action Area. This “Planned Action” designation shall apply to the area shown in Exhibit A of this Ordinance.

B. Environmental Document. A Planned Action Project determination for a site-specific project application within the Planned Action Area shall be based on the environmental analysis contained in the Planned Action EIS. The mitigation measures contained in Exhibit B of this Ordinance

are based upon the findings of the Planned Action EIS and shall, along with adopted City regulations, provide the framework the City will use to apply appropriate conditions on qualifying Planned Action Projects within the Planned Action Area.

C. Planned Action Project Designated. Land uses and activities described in the Planned Action EIS, subject to the thresholds described in Subsection III.D of this Ordinance and the mitigation measures contained in Exhibit B of this Ordinance, are designated “Planned Action Projects” pursuant to RCW 43.21C.440. A development application for a site-specific project located within the Planned Action Area shall be designated a Planned Action Project if it meets the criteria set forth in Subsection III.D of this Ordinance and all other applicable laws, codes, development regulations, and standards of the City, including this Ordinance, are met.

D. Planned Action Qualifications. The following thresholds shall be used to determine if a site-specific development proposed within the Planned Action Area was contemplated as a Planned Action Project and has had its environmental impacts evaluated in the Planned Action EIS:

(1) Qualifying Land Uses.

(a) Planned Action Categories: The following general categories/types of land uses are defined in the Downtown Plan and can qualify as Planned Actions:

- i. Townhome dwelling units
- ii. Multi-family dwelling units
- iii. Commercial Office
- iv. Services,
- v. Medical
- vi. Hotel and Lodging
- vii. Retail and Eating and Drinking Establishments
- viii. Open Space, Parks, Plazas, Trails, Gathering Spaces, Recreation
- ix. Cultural Facilities
- x. Governmental Facilities

(b) Planned Action Project Land Uses: A primary land use can qualify as a Planned Action Project land use when:

- i. it is within the Planned Action Area as shown in Exhibit A of this Ordinance;
- ii. it is within one or more of the land use categories described in Subsection III.D(1)(a) above; and
- iii. it is listed in development regulations applicable to the zoning classifications applied to properties within the Planned Action Area.

A Planned Action Project may be a single Planned Action land use or a combination of Planned Action land uses together in a mixed-use development. Planned Action land uses may include accessory uses.

- (c) Public Services: The following public services, infrastructure, and utilities can also qualify as Planned Actions: onsite roads, utilities, parks, trails, and similar facilities developed consistent with the Planned Action EIS mitigation measures, City and special district design standards, critical area regulations, and the Lakewood Municipal Code.

(2) Development Thresholds:

- (a) Land Use: The following thresholds of new land uses are contemplated by the Planned Action:

FEATURE	PHASE 1: ALTERNATIVE 1; MODIFIED	PHASE 2: ALTERNATIVE 2
Residential Dwellings (units): Net 2018-2035	4,5791,725	2,257
Commercial Square Feet: Net 2018-2035	1.65 million square feet	2.85 million square feet
Jobs: Net 2018-2035	4,1474,531	7,369

Note: Under Alternative 1, to achieve 45 activity units per acre, the density would need to increase to nearly 95 units per acre instead of 80 units per acre. Alternatively, the job capture would need to increase to 60%. A combination approach of 85 units per acre, and job capture of 55% would also create sufficient activity units. This combination approach is assumed above. If uses are housing and office/service oriented it would have less impact on traffic trips than retail.

Modified Alternative 1 is the Preferred Alternative, but the Planned Action Ordinance does not preclude Action Alternative 2.¹

- (b) Shifting development amounts between land uses in identified in Subsection III.D(2)(a) may be permitted when the total build-out is less than the aggregate amount of development reviewed in the Planned Action EIS; the traffic trips for the preferred alternative are not exceeded; and, the development impacts identified in the Planned Action EIS are mitigated consistent with Exhibit B of this Ordinance.
- (c) Further environmental review may be required pursuant to WAC 197-11-172, if any individual Planned Action Project or combination of Planned Action Projects exceeds the development thresholds specified in this Ordinance and/or alter the assumptions and analysis in the Planned Action EIS.

(3) Transportation Thresholds:

- (a) Trip Ranges & Thresholds. The number of new PM peak hour trips anticipated in the Planned Action Area and reviewed in the Planned Action EIS for 2035 is as follows:

	LAND USE QUANTITY (NET NEW)	PM PEAK HOUR TRIPS (NET NEW)
--	--------------------------------	---------------------------------

¹ BlueOrange shaded text illustrates more recent information developed for a Preferred Alternative Modified Alternative 1.

<u>LAND USE</u>	<u>ITE CODE</u>	<u>No Action</u>	<u>Alt. 1</u>	<u>Mod Alt. 1</u>	<u>Alt. 2</u>	<u>No Action</u>	<u>Alt. 1</u>	<u>Mod Alt. 1</u>	<u>Alt. 2</u>
<u>Multi-family DU</u>	<u>220</u>	<u>456</u>	<u>1,579</u>	<u>1,725</u>	<u>2,257</u>	<u>283</u>	<u>979</u>	<u>1,070</u>	<u>1,399</u>
<u>Retail Jobs*</u>	<u>820</u>	<u>280</u>	<u>865</u>	<u>923</u>	<u>1,346</u>	<u>519</u>	<u>1,606</u>	<u>1,714</u>	<u>2,497</u>
<u>Office Jobs</u>	<u>710</u>	<u>1,243</u>	<u>3,157</u>	<u>3,464</u>	<u>5,814</u>	<u>572</u>	<u>1,452</u>	<u>1,593</u>	<u>2,674</u>
<u>Light Industrial Jobs</u>	<u>110</u>	<u>144</u>	<u>125</u>	<u>144</u>	<u>209</u>	<u>60</u>	<u>53</u>	<u>60</u>	<u>88</u>
<u>ITE Gross PM Peak Hour Vehicle Trips</u>						<u>1,434</u>	<u>4,090</u>	<u>4,437</u>	<u>6,658</u>
<u>Mainstreet Adjustments</u>									
<u>Internal Capture (% / % / %)</u>						<u>20%</u>	<u>22%</u>	<u>22%</u>	<u>22%</u>
<u>External Walk/Bike/Transit (% / % / %)</u>						<u>6%</u>	<u>8%</u>	<u>8%</u>	<u>8%</u>
<u>External Vehicle Trips</u>						<u>1,060</u>	<u>2,877</u>	<u>3,119</u>	<u>4,658</u>

Notes: ITE Trip Generation Manual, 9th Edition

*Retail jobs converted to KSF for trip generation calculations using estimate of 2 employees per KSF

- i. In no case shall trips exceed Action Alternative 2. At the time each level of trips is reached – No Action, Alternative 1, Modified Alternative 1, monitoring shall be conducted by the City to ensure planned improvements are implemented concurrent with development before the final level of trips in Action Alternative 2 is authorized for development.
- ii. A range of alternative results are illustrated as they may help phase desired transportation improvements. No Action level of trips is supported by the 2018 Transportation Improvement Program (TIP). All Action Alternatives require additional transportation improvements tested in the Planned Action EIS and listed in Exhibit D; the improvements consider arterial throughput on Gravelly Lake Drive is retained at four lanes or more. Additional improvements are identified in the Final EIS if higher volumes are found on Bridgeport Way though not expected if improvements are implemented consistent with Exhibit D.

<u>QUANTITY</u>					<u>ITE-GROSS PM-PEAK-HOUR TRIPS</u>		
<u>Land-Use</u>	<u>Existing</u>	<u>No-Action</u>	<u>Alternativ e-1</u>	<u>Alternativ e-2</u>	<u>No-Action</u>	<u>Alternativ e-1</u>	<u>Alternativ e-2</u>
<u>Total Dwelling Units</u>							
<u>Total Commercial Sq.-Ft. (ksf)</u>							
<u>Mainstreet Adjustments</u>							
<u>Internal Capture (% / % / %)</u>							
<u>External Trips—All Modes</u>							

Land Use	QUANTITY				ITE GROSS PM PEAK-HOUR TRIPS		
	Existing	No Action	Alternative e-1	Alternative e-2	No Action	Alternative e-1	Alternative e-2
External Walk/Bike (% / % / %)							
External Transit (% / % / %)							
External Vehicle Trips							
Total Reduction Applied to Travel Model							

Source: Fehr & Peers, 2018

- (b) Concurrency. All Planned Action Projects shall meet the transportation concurrency requirements and the Level of Service (LOS) thresholds established in LMC 18A.50.195.
- (c) Traffic Impact Mitigation. Transportation mitigation shall be provided consistent with mitigation measures in ~~Exhibit B, Attachment~~ [Exhibit B-1 and Exhibit D](#) of this Ordinance, attached hereto and incorporated by this reference.
- (d) The responsible City official shall require documentation by Planned Action Project applicants demonstrating that the total trips identified in Subsection III.D(3)(a) are not exceeded, that the project meets the concurrency and intersection standards of Subsection III.D(3)(b), and that the project has mitigated impacts consistent with Subsection III.D (3)(c).
- (e) Discretion.
 - i. The responsible City official shall have discretion to determine incremental and total trip generation, consistent with the Institute of Traffic Engineers (ITE) Trip Generation Manual (latest edition) or an alternative manual accepted by the City's Public Works Director at his or her sole discretion, for each project permit application proposed under this Planned Action.
 - ii. The responsible City official shall have discretion to condition Planned Action Project applications to meet the provisions of this Planned Action Ordinance and the Lakewood Municipal Code.
 - iii. [Planned Action Project applicants shall pay a proportionate share of the costs of the projects identified in Exhibit D.](#) The responsible City official shall have the discretion to adjust the allocation of responsibility for required improvements between individual Planned Action Projects based upon their identified impacts.
- (4) Elements of the Environment and Degree of Impacts. A proposed project that would result in a significant change in the type or degree of adverse impacts to any element(s) of the environment analyzed in the Planned Action EIS would not qualify as a Planned Action Project.
- (5) Changed Conditions. Should environmental conditions change significantly from those analyzed in the Planned Action EIS, the City's SEPA Responsible Official may determine that the Planned Action Project designation is no longer applicable until supplemental environmental review is conducted.

E. Planned Action Project Review Criteria.

- (1) The City's SEPA Responsible Official, or authorized representative, may designate as a Planned Action Project, pursuant to RCW 43.21C.440, a project application that meets all of the following conditions:
 - (a) the project is located within the Planned Action Area identified in Exhibit A of this Ordinance;
 - (b) the proposed uses and activities are consistent with those described in the Planned Action EIS and Subsection III.D of this Ordinance;
 - (c) the project is within the Planned Action thresholds and other criteria of Subsection III.D of this Ordinance;
 - (d) the project is consistent with the Lakewood Comprehensive Plan including the policies of the Downtown Plan incorporated into the Comprehensive Plan and the regulations of the Downtown Plan integrated into the Lakewood Municipal Code;
 - (e) the project's significant adverse environmental impacts have been identified in the Planned Action EIS;
 - (f) the project's significant impacts have been mitigated by application of the measures identified in Exhibit B of this Ordinance and other applicable City regulations, together with any conditions, modifications, variances, or special permits that may be required;
 - (g) the project complies with all applicable local, state and/or federal laws and regulations and the SEPA Responsible Official determines that these constitute adequate mitigation; and
 - (h) the project is not an essential public facility as defined by RCW 36.70A.200, unless the essential public facility is accessory to or part of a development that is designated as a Planned Action Project under this Ordinance.
- (2) The City shall base its decision to qualify a project as a Planned Action Project on review of the SEPA Checklist form in WAC 197-11 and review of the Planned Action Project submittal and supporting documentation, provided on City required forms.

F. Effect of Planned Action Designation.

- (1) Designation as a Planned Action Project by the City's SEPA Responsible Official means that a qualifying project application has been reviewed in accordance with this Ordinance and found to be consistent with the development parameters and thresholds established herein and with the environmental analysis contained in the Planned Action EIS.
- (2) Upon determination by the City's SEPA Responsible Official that the project application meets the criteria of Subsection III.D and qualifies as a Planned Action Project, the project shall not require a SEPA threshold determination, preparation of an EIS, or be subject to further review pursuant to SEPA. Planned Action Projects will still be subject to all other applicable City, state, and federal regulatory requirements. The Planned Action Project designation shall not excuse a project from meeting the City's code and ordinance requirements apart from the SEPA process.

G. Planned Action Project Permit Process. Applications submitted for qualification as a Planned Action Project shall be reviewed pursuant to the following process:

- (1) Development applications shall meet all applicable requirements of the Lakewood Municipal Code and this Ordinance in place at the time of the Planned Action Project application. Planned Action Projects shall not vest to regulations required to protect public health and safety.
- (2) Applications for Planned Action Projects shall:
 - (a) be made on forms provided by the City;
 - (b) include the SEPA checklist in WAC 197-11;
 - (c) meet all applicable requirements of the Lakewood Municipal Code and this Ordinance.
- (3) The City's SEPA Responsible Official shall determine whether the application is complete and shall review the application to determine if it is consistent with and meets all of the criteria for qualification as a Planned Action Project as set forth in this Ordinance.
- (4) (a) If the City's SEPA Responsible Official determines that a proposed project qualifies as a Planned Action Project, he/she shall issue a "Determination of Consistency" and shall mail or otherwise verifiably deliver said Determination to the applicant; the owner of the property as listed on the application; and federally recognized tribal governments and agencies with jurisdiction over the Planned Action Project, pursuant to [Chapter 1, Laws of 2012 \(Engrossed Substitute Senate Bill \(ESSB\) 6406\) RCW 43.21C.440\(3\)\(b\)](#).
 - (b) Upon issuance of the Determination of Consistency, the review of the underlying project permit(s) shall proceed in accordance with the applicable permit review procedures specified in Chapter 18A.02 LMC, except that no SEPA threshold determination, EIS, or additional SEPA review shall be required.
 - (c) The Determination of Consistency shall remain valid and in effect as long as the underlying project application approval is also in effect.
 - (d) Public notice and review for qualified Planned Action Projects shall be tied to the underlying project permit(s). If notice is otherwise required for the underlying permit(s), the notice shall state that the project qualifies as a Planned Action Project. If notice is not otherwise required for the underlying project permit(s), no special notice is required by this Ordinance.
- (5) (a) If the City's SEPA Responsible Official determines that a proposed project does not qualify as a Planned Action Project, he/she shall issue a "Determination of Inconsistency" and shall mail or otherwise verifiably deliver said Determination to the applicant; the owner of the property as listed on the application; and federally recognized tribal governments and agencies with jurisdiction over the Planned Action Project, pursuant to Chapter 1, Laws of 2012 (Engrossed Substitute Senate Bill (ESSB) 6406).
 - (b) The Determination of Inconsistency shall describe the elements of the Planned Action Project application that result in failure to qualify as a Planned Action Project.
 - (c) Upon issuance of the Determination of Inconsistency, the City's SEPA Responsible Official shall prescribe a SEPA review procedure for the non-qualifying project that is consistent with the City's SEPA regulations and the requirements of state law.
 - (d) A project that fails to qualify as a Planned Action Project may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to meet the non-qualifying project's SEPA requirements. The City's SEPA Responsible Official may limit

the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

- (6) To provide additional certainty about applicable requirements, the City or applicant may request consideration and execution of a development agreement for a Planned Action Project, consistent with RCW 36.70B.170 et seq.
- (7) A Determination of Consistency or Inconsistency is a Process I land use decision and may be appealed pursuant to the procedures established in Chapter 18A.02 LMC. An appeal of a Determination of Consistency shall be consolidated with any pre-decision or appeal hearing on the underlying project application.

Section IV. Monitoring and Review.

A. The City should monitor the progress of development in the designated Planned Action area as deemed appropriate to ensure that it is consistent with the assumptions of this Ordinance and the Planned Action EIS regarding the type and amount of development and associated impacts and with the mitigation measures and improvements planned for the Planned Action Area.

B. This Planned Action Ordinance shall be reviewed by the SEPA Responsible Official no later than five (5) years from its effective date in conjunction with the City's regular Comprehensive Plan review cycle, as applicable. The timing of subsequent reviews after the first review shall be determined with the completion of the first review. The review shall determine the continuing relevance of the Planned Action assumptions and findings with respect to environmental conditions in the Planned Action Area, the impacts of development, and required mitigation measures (Exhibit B) and Public Agency Actions and Commitments (Exhibit C). Based upon this review, the City may propose amendments to this Ordinance or may supplement or revise the Planned Action EIS.

Section V. Conflict. In the event of a conflict between this Ordinance or any mitigation measures imposed thereto, and any ordinance or regulation of the City, the provisions of this Ordinance shall control.

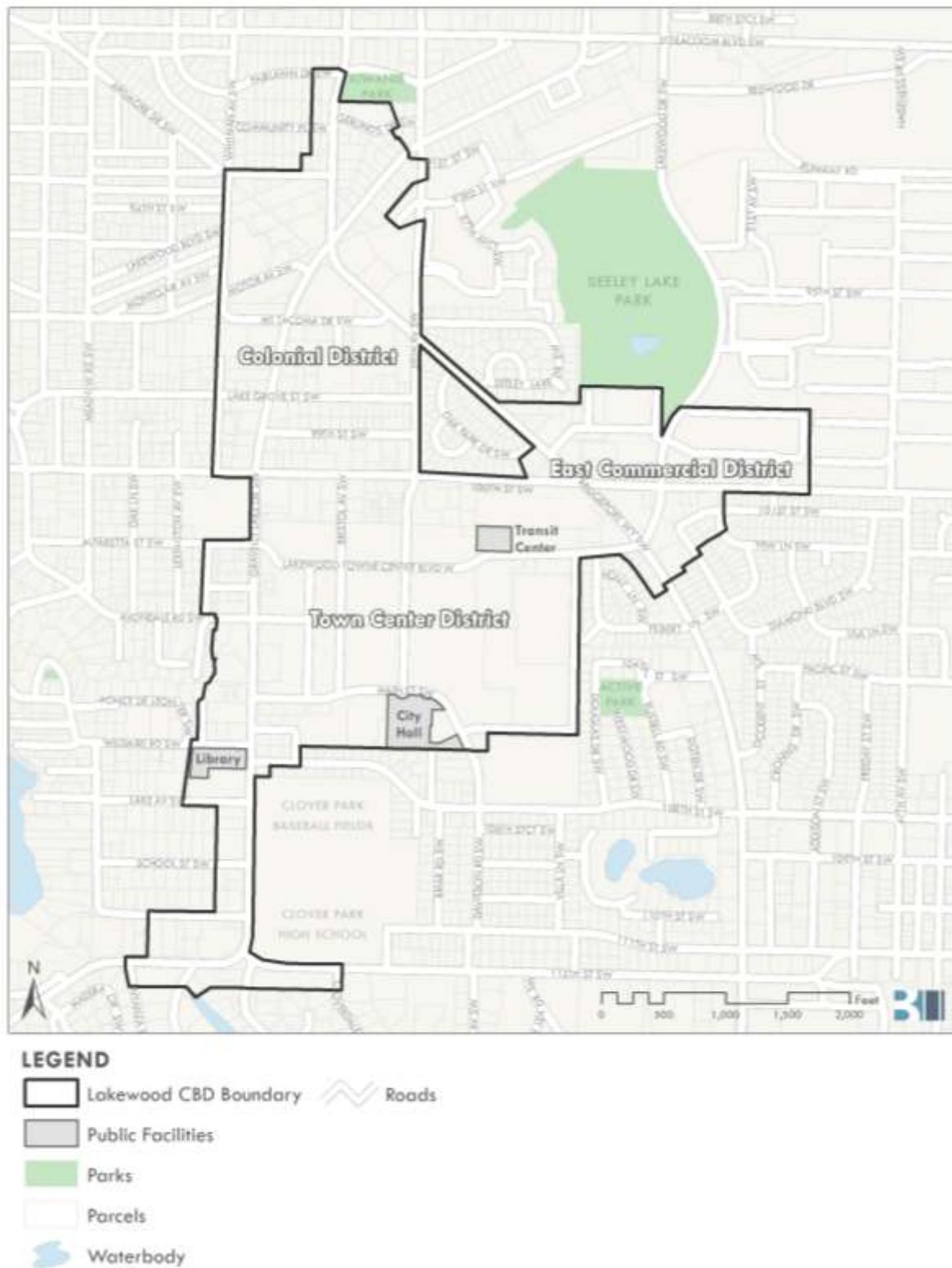
Section VI. Severability. If any one or more sections, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid such decision shall not affect the validity of the remaining portions of this Ordinance and the same shall remain in full force and effect.

Section VII. Effective Date. This Ordinance shall take effect and be in force ~~thirty~~ (30) days after publication as provided by law.

ADOPTED by the City Council this ____ day of _____, 2018. CITY OF LAKEWOOD.

	<hr/> Don Anderson, Mayor
Attest: <hr/> Alice M. Bush, MMC, City Clerk	
Approved as to Form: <hr/> Heidi A. Wachter City Attorney	

Exhibit A. Planned Action Area



Note: Map adjusts centerline boundaries to ensure full rights of way are included to provide for a common consistent landscaping. Likewise, the right of way for Bridgeport Way between the East Commercial Area and Colonial District is included for consistent landscaping. Abutting land use is not included in that segment.

EXHIBIT B. MITIGATION DOCUMENT

Note: This is filled in based on the Draft EIS. Tracks on mitigation measures are included to show differences.

The Planned Action EIS has identified significant beneficial and adverse impacts that are anticipated to occur with the future development of the Planned Action Area, together with a number of possible measures to mitigate those significant adverse impacts. Please see Final EIS Chapter 1 Summary for a description of impacts, mitigation measures, and significant unavoidable adverse impacts.

A Mitigation Document is provided in this Exhibit B-1 to establish specific mitigation measures based upon significant adverse impacts identified in the Planned Action EIS. The mitigation measures in this Exhibit B-1 shall apply to Planned Action Project applications that are consistent with the Preferred Alternative range reviewed in the Planned Action EIS and which are located within the Planned Action Area (see Exhibit A).

Where a mitigation measure includes the words “shall” or “will,” inclusion of that measure in Planned Action Project application plans is mandatory in order to qualify as a Planned Action Project. Where “should” or “would” appear, the mitigation measure may be considered by the project applicant as a source of additional mitigation, as feasible or necessary, to ensure that a project qualifies as a Planned Action Project. Unless stated specifically otherwise, the mitigation measures that require preparation of plans, conduct of studies, construction of improvements, conduct of maintenance activities, etc., are the responsibility of the applicant or designee to fund and/or perform.

Any and all references to decisions to be made or actions to be taken by the City’s SEPA Responsible Official may also be performed by the City’s SEPA Responsible Official’s authorized designee.

Section B-1. Mitigation Required for Development Applications

Natural Environment

1. With major redevelopment that would propose activities that could involve groundwater discharge or potential changes to groundwater flow (such as underground structures), the City ~~could~~shall require site specific evaluation of groundwater protection. The susceptibility and vulnerability of the critical aquifer recharge area ~~should~~shall be evaluated by a licensed hydrogeologist. All stormwater ~~should~~shall be treated appropriately to avoid any potential groundwater contamination. Stormwater improvements should be designed to improve aquifer recharge.
2. The City ~~could~~shall require a conservation easement or other regulatory structure for piped streams to ensure that the possibility of creek daylighting is not precluded by future redevelopment.

Transportation

3. Implementation of transportation improvements identified as mitigation measures ~~could~~shall occur through a SEPA fair share fee program such that new development contributes its share of the cost for these projects. See Appendix D.

Environmental Health (SEPA Checklist Draft EIS Appendix A)

4. Applicants for development shall conduct a site assessment to determine if contamination is present from past use.

Section B-2. Advisory Notes to Applicants: Applicable Regulations and Commitments

The Planned Action EIS identifies specific regulations that act as mitigation measures. These are summarized in this section by EIS topic. All applicable federal, state, and local regulations shall apply to Planned Action Projects. Planned Action Project applicants shall comply with all adopted regulations where applicable including those listed in the Planned Action EIS and those not included in the Planned Action EIS. In addition, this section identifies voluntary water and energy conservation measures that may be implemented by new development.

Natural Environment

Planned Actions shall comply with applicable regulations:

- City of Lakewood Critical Area Regulations (Title 14A), which includes protection of:
 - Aquifer recharge areas;
 - Fish and wildlife habitat areas (including streams) and their buffers;
 - Flood hazard areas;
 - Wetlands and their buffers;
- City of Lakewood Engineering Standards Manual (City of Lakewood, 2016);
- 2012 Stormwater Management Manual for Western Washington (as amended in 2014) (Washington Department of Ecology, 2014);
- Pierce County Stormwater Management and Site Development Manual (Pierce County, 2015) ; and
- WSDOT Highway Runoff Manual (Washington State Department of Transportation, 2014)

Planned Actions shall comply with the Downtown Development Code:

- 18A.35. 540.E: Native and/or drought tolerant landscaping shall be incorporated into required landscape plans. **[Proposed]**
- 18A.35. 540.F: The City may require educational signage for aboveground stormwater facilities and/or added natural features. **[Proposed]**

Population, Employment, and Housing

The City allows for tax exemptions for development projects including low and moderate-income housing units in “Tax Incentive Urban Use Centers” in Chapter 3.64 in the Lakewood Municipal Code. As defined in 3.64.010, such a center means “a compact, identifiable district where urban residents may obtain a variety of products and services” and which has businesses, adequate public facilities, and a mix of uses including housing, recreation, and cultural activities. The Downtown Study Area is included in

this boundary. Planned actions are encouraged to implement this voluntary incentive. [Suggest boundary adjustment to match Downtown Plan boundary.]

Land Use

- Planned Actions shall comply with the Downtown Development Code: Title 18A.35. [Proposed]

Transportation

- Washington State Commute Trip Reduction (CTR) law focuses on employers with 100 or more employees whose shifts begin during the typical AM commute. This law requires employers to develop commute trip reduction plans and work toward meeting their mode share targets through internal programs and monitoring.

Public Services and Utilities

Planned Actions shall comply with applicable regulations:

- City of Lakewood Comprehensive Plan including the Capital Facilities and Utilities elements, and Legacy Plan for Parks, regarding levels of service.
- Downtown Development Code: 18A.35.530 Common and Open Space Standards. [Proposed]
- Lakewood Municipal Code standards for water, sewer, and stormwater infrastructure for new development. (LMC Title 12A)
- Lakewood Municipal Code requires application of the national energy code (LMC Chapter 15A.25).

Following are voluntary measures that result in water and energy efficiency and are encouraged in new development:

- Developments may reduce water demand by using new technologies that would reduce per-capita water use (and therefore wastewater service demand) by using newer, low- or no-flow plumbing fixtures and equipment.
- Implementation of sustainable requirements including the construction and operation of LEED-compliant (or similar ranking system) buildings could reduce the increase required in power systems.
- Implementation of conservation efforts and renewable energy sources to conserve electricity in new developments, including energy efficient equipment (i.e., light bulbs, appliances, and heating and air conditioning), could reduce energy consumption.

Environmental Health (SEPA Checklist)

The State Model Toxics Control Act (MTCA) sets standards for cleanup of lower levels of contaminants that are incorporated into new development and redevelopment parcels noted to have contamination potential. The City applies relevant standards regarding hazardous materials handling in the International Fire Code and Zoning Codes.

EXHIBIT C. PUBLIC AGENCY ACTIONS AND COMMITMENTS

Under some elements of the Planned Action EIS, specific City or other agency actions are identified. Generally, incorporation of these actions is intended to provide for consistency within the City's Comprehensive Plan, Downtown Plan, or between the Downtown Plan and implementing regulations; to document pending City actions; to establish a protocol for long-term measures to provide for coordination with other agencies; or to identify optional actions that the City may take to reduce impacts. These actions are listed in Exhibit 1.

Exhibit 1. Public Agency Actions and Commitments

MITIGATION MEASURES	PROPOSED SYNCHRONOUS AMENDMENTS	SHORT TERM: NEXT DOCKET OR WITHIN 5 YEARS	LONG TERM	OTHER AGENCY	ESTIMATED YEAR OF IMPLEMENTATION AND RESPONSIBLE DEPARTMENT
Natural Environment					
The ecological benefits of daylighting a portion of Ponce de Leon Creek could be evaluated by the City. An evaluation could include leaving the stream piped but identifying its historic location, as well as considering water quality treatments that benefit the nearby open channel stream, and serve as landscape amenities in the Study Area.			X		Public Works
The Downtown Plan can offer support for Pierce County efforts to address potential habitat, stormwater, and recreation improvements to Seeley Lake Park.		X		X	Parks and Community Development
Population, Employment, and Housing					
The City works with the Economic Development Board for Tacoma-Pierce County on business retention, expansion, and recruitment activities, as well as the Lakewood Chamber of Commerce. If small business relocation assistance is needed, the City could work with these agencies or others to develop strategies and solutions.			X	X	Economic Development
Land Use					
Amend the Comprehensive Plan Land Use Designation for the Study Area and create a new implementing "form-based code". Amend capital facility and transportation elements.	X				Community Development
In collaboration with Pierce County, The 2014 Buildable Lands Report methods for Lakewood should be updated at the next Buildable Lands Report Update to reflect an alternative method to the jobs per acre approach. The analysis should also reflect a higher density in the Downtown.		X		X	Community Development

MITIGATION MEASURES	PROPOSED SYNCHRONOUS AMENDMENTS	SHORT TERM: NEXT DOCKET OR WITHIN 5 YEARS	LONG TERM	OTHER AGENCY	ESTIMATED YEAR OF IMPLEMENTATION AND RESPONSIBLE DEPARTMENT
Transportation					
The City of Lakewood <u>has included</u> policies aimed at managing auto travel demand in its Comprehensive Plan. The policies call for the City to encourage and assist employers who are not affected by the CTR law to offer TDM programs on a voluntary basis, encourage large employers to offer flexible or compressed work schedules to reduce localized congestion, and implement a public awareness and educational program to promote TDM strategies.		X			Public Works
Public Services					
Implement the Legacy Plan and Downtown Plan to promote urban nodal and urban linear parks meeting distance standards. [See Downtown Plan for proposed.]	X		X		Parks
Utilities					
City of Lakewood Comprehensive Plan including the Capital Facilities and Utilities element that set levels of service and coordination policies with service providers.	X		X		Community Development
Ongoing updates to Comprehensive Water System Plan by the Lakewood Water District and the Unified Sewer Plan by Pierce County would address the increases in density in the Study Area and ensure services are in place to meet the growing demand.			X	X	Community Development in association with Lakewood Water District and Pierce County
Power service providers conduct regular electric utility resource planning to address service demand and conservation.			X	X	Community Development in association with Tacoma Public Utilities and Lakewood Light and Power

EXHIBIT D. TRANSPORTATION COST ESTIMATES

Note: Tracks show changes to EIS text. Green shaded text was updated between 4/25/18 and 4/30/18 – rounding dollars and updating the planned action share as explained. Blue shaded text shows slight updates to address Alternative 1 Modified per the transportation analysis.

The City could make capital improvements to increase the capacity of impacted intersections and roadways in the Study Area. Exhibit 3.4-24 The Planned Action EIS describes potential improvements to the network and impacted study intersections in addition to the City's 2018-2023 6-Year Transportation Improvement Program. Implementation of improvements identified in Exhibit 2 could shall occur through a SEPA fair share fee program such that new development contributes its share of the cost for these projects.

The maximum responsibility of cumulative planned action development is 61%². The proportionate share of costs of the Planned Actions shall be determined based on their proportionate share of trips identified in Section III.D(3) of this ordinance.

For a conservative test of alternative transportation improvements, the EIS authors modeled the greatest shift in traffic for Gravelly Lake Drive at three lanes and then compared it to no change in the section (five lanes). The table of mitigation measures below shows the full list of improvements if Gravelly Lake Drive were modified to a cross-section of three lanes.

If five lanes were retained, the following intersections would not require change:

- 108th St SW/Bridgeport Way SW
- 112th St SW/Gravelly Lake Drive SW

Exhibit 2. Transportation Improvements in addition to Six-Year Transportation Improvement Program (assumes Alternative 1 – to be revisited when evaluating Alternative 1 – Modified which may slightly increase percentage share)

<u>PROJECT</u>	<u>TITLE</u>	<u>COST (100% IN 2018\$ ROUNDED)</u>	<u>PLANNED ACTION SHARE 61%</u>
1	Gravelly Lake Dr SW Revised Section: 4-lane section plus median/turn lane shown in the March 2018 Subarea Plan concept #3A on page 38	\$19,410,000	\$11,840,100
2.1	Conversion of Lakewood Towne Center Blvd as Public Street	\$11,757,000	\$7,171,770
2.2	Conversion of Bristol Ave as Public Street	\$7,357,000	\$4,487,770

² The percentage of the cost of improvements that should be borne by the Planned Action should be calculated using the growth in trips, instead of the total number of trips in the future. Looking at the increase in trips within the subarea, the Planned Action would be responsible for approximately 60% of the cost in Alternative 1 and 70% of the cost in Alternative 2. The remaining cost would be attributable to growth outside the study area (pass-through trips). Also, since none of the mitigations are needed to address existing deficiencies, 100% of the cost is attributable to future trips. Alternative 1 Modified would result in a Planned Action Share of 61% since it is slightly higher in growth than Alternative 1.

<u>PROJECT</u>	<u>TITLE</u>	<u>COST (100% IN 2018\$ ROUNDED)</u>	<u>PLANNED ACTION SHARE 61%</u>
<u>3</u>	<u>Lakewood Towne Center Blvd at 59th Ave SW, Roundabout</u>	<u>\$2,402,000</u>	<u>\$1,465,220</u>
<u>4</u>	<u>Reduce 59th Ave SW to two lanes, allowing for bicycle facilities (sharrows)</u>	<u>\$189,000</u>	<u>\$115,290</u>
<u>5</u>	<u>Gravelly Lake Dr / Avondale Rd SW New Signalized Intersection</u>	<u>\$1,178,000</u>	<u>\$718,580</u>
<u>6</u>	<u>100th St SW / Bridgeport Way SW</u>	<u>\$649,000</u>	<u>\$395,890</u>
<u>7</u>	<u>100th St SW / Lakewood Dr SW</u>	<u>\$8,000</u>	<u>\$4,880</u>
<u>8</u>	<u>Option A: 100th St SW / Lakewood Dr SW: Convert westbound through-left lane to left only to remove split phase</u>	<u>\$13,000</u>	<u>\$7,930</u>
-	<u>Option B: 100th St SW / Lakewood Dr SW: Move the pedestrian crossing to the north side of the intersection coincident with the WB phase</u>	<u>\$269,000</u>	<u>\$164,090</u>
<u>Total</u>	<u>with 8A [Proposed]</u>	<u>\$42,962,000</u>	<u>\$26,918,690</u>
-	<u>with 8B [Proposed]</u>	<u>\$43,218,000</u>	<u>\$27,074,850</u>

Downtown Development Code

Draft April ~~25~~30, 2018 | BERK and Framework

Note: Track changes reflect further Consultant review following Developers' Forum meeting on April 26, 2018 and other consistency edits suggested by the Consultant team.

Overview

The area within the Downtown study area is currently regulated primarily by Sections 18A.30 Zoning Districts and 18A.50 Development Standards of the Lakewood Municipal Code. Section 18A.50.200 includes the community design standards applicable to commercial, mixed-use, and multi-family development.

The new hybrid form-based code will become a new section of the Municipal Code 18A.35 Downtown Districts and will regulate all development and land use in Downtown. The Downtown code section would supersede the standards in Section 18A.50 for all development within Downtown boundary unless incorporated by reference.

The draft code includes the following sections:

- 18A.35.100 Downtown District
- 18A.35.200 Land Use and Zoning
- 18A.35.300 Streets and Blocks
- 18A.35.400 Site Design, Buildings, and Frontage
- 18A.35.500 Landscaping, Open Space, and Green Infrastructure
- 18A.35.600 Parking
- 18A.35.700 Administration

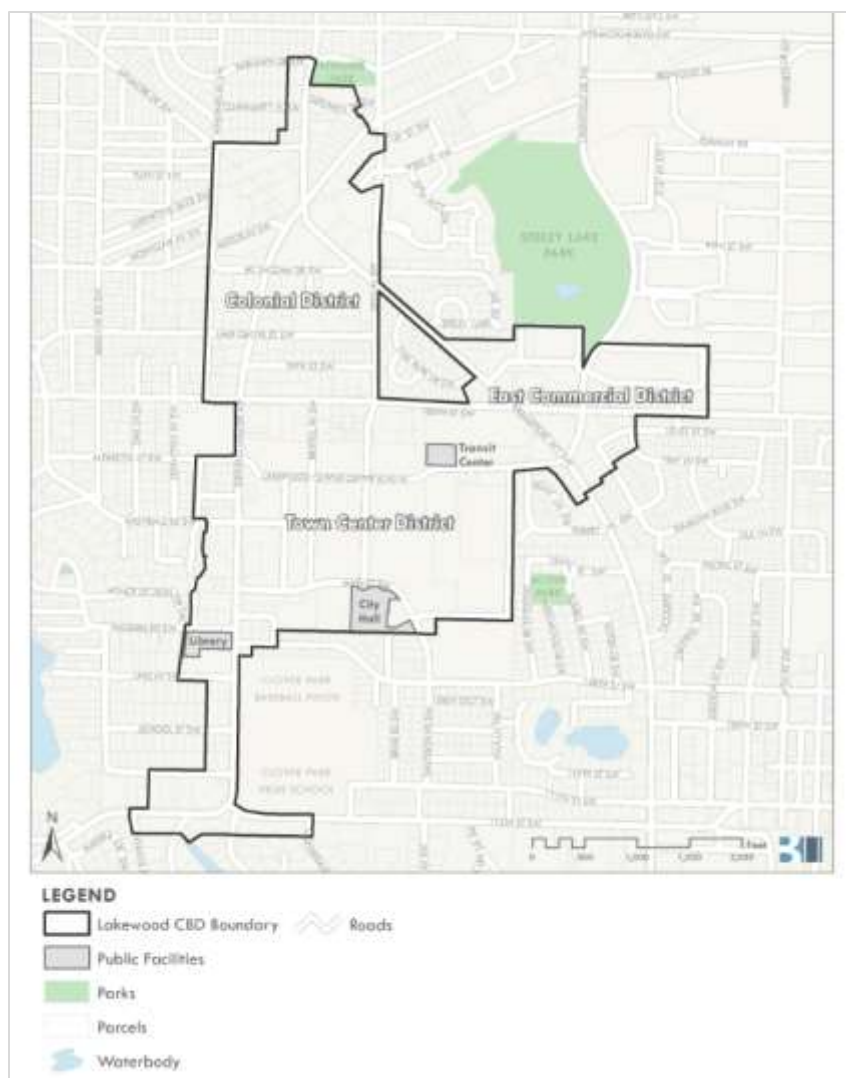
18A.35 Downtown Development Code

18A.35.100 Downtown District

The purpose of the Downtown District is to implement the direction and policies of the Lakewood Comprehensive Plan, the Lakewood Community Vision, and the Downtown Plan. The Downtown District will be redeveloped into an area of rich civic amenities, walkable streets, and a mix of uses including housing, entertainment, restaurants, and retail that builds upon the cultural and economic assets of the city.

The Downtown District is defined as the area shown in the map below.

18A.35.100-1. Downtown District



18A.35.110 Vision and Guiding Principles

Downtown is the “heart” of Lakewood where people go to do fun things, see friends and neighbors, eat good food, and experience the cultural diversity of the City. Downtown carries a strong sense of pride for the community by celebrating all things Lakewood. Downtown is best experienced by walking or biking and is safe, inviting, and connected. It has a mix of retail, restaurant, employment, and housing options that are well-designed and support civic life and a strong economy.

The following principles are intended to guide the development of Downtown according to the community’s vision for the district. All land use decisions made for Downtown shall demonstrate how they are consistent with and implement these guiding principles. Downtown is:

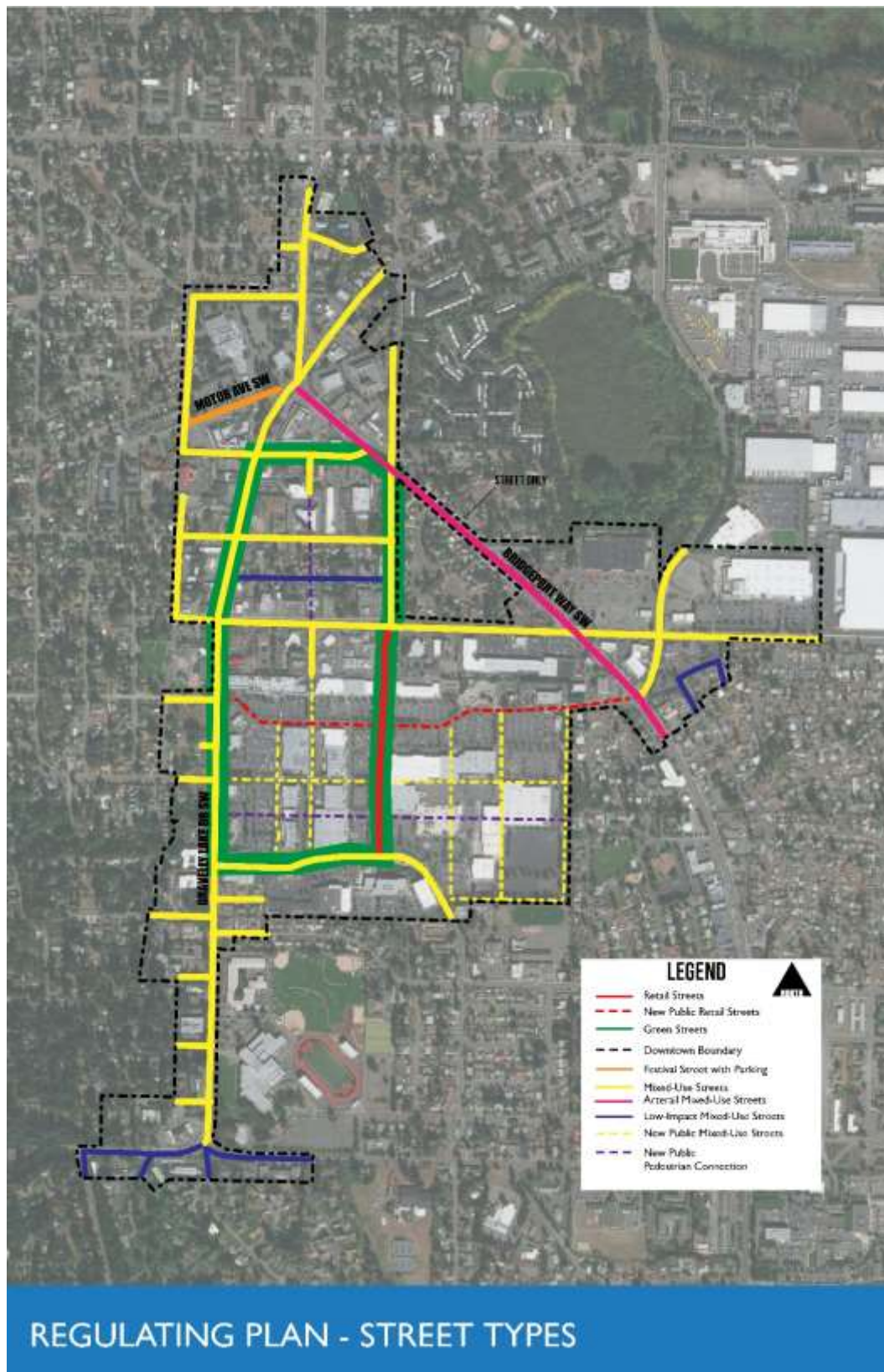
- A vibrant mixed- use community. It’s an inviting place where people live, work, shop, and recreate.

- A multi-modal environment. It's designed for people to walk and bike safely and freely throughout the district.
- A signature part of Lakewood's identity. Downtown is a community gathering place that celebrates Lakewood's rich heritage, cultural communities, and civic pride.
- Environmentally sustainable. Greenery, open space, and landscaping connect this urban environment to nature and mimic natural systems where possible.
- A thriving business community. Increased day-time and night-time populations support local businesses and create a lively place to shop, eat, or own a business.

18A.35.120 THE REGULATING PLAN MAP

The Regulating Plan translates the community vision into a map. The Regulating Plan designates the locations, subdistricts, and streets that are intended to embody specific physical characteristics. It specifies the location and applicability of specific design treatments and maps where they are required. The Regulating Plan works in tandem with the development standards, tables, and figures to define the shape, size, and location of streets, through connections, infill blocks, buildings, and landscaping.

18A.35.120 -1. Regulating Plan



18A.35.130 DEFINITIONS

Pending.

18A.35.140 RELATIONSHIP TO OTHER REGULATIONS

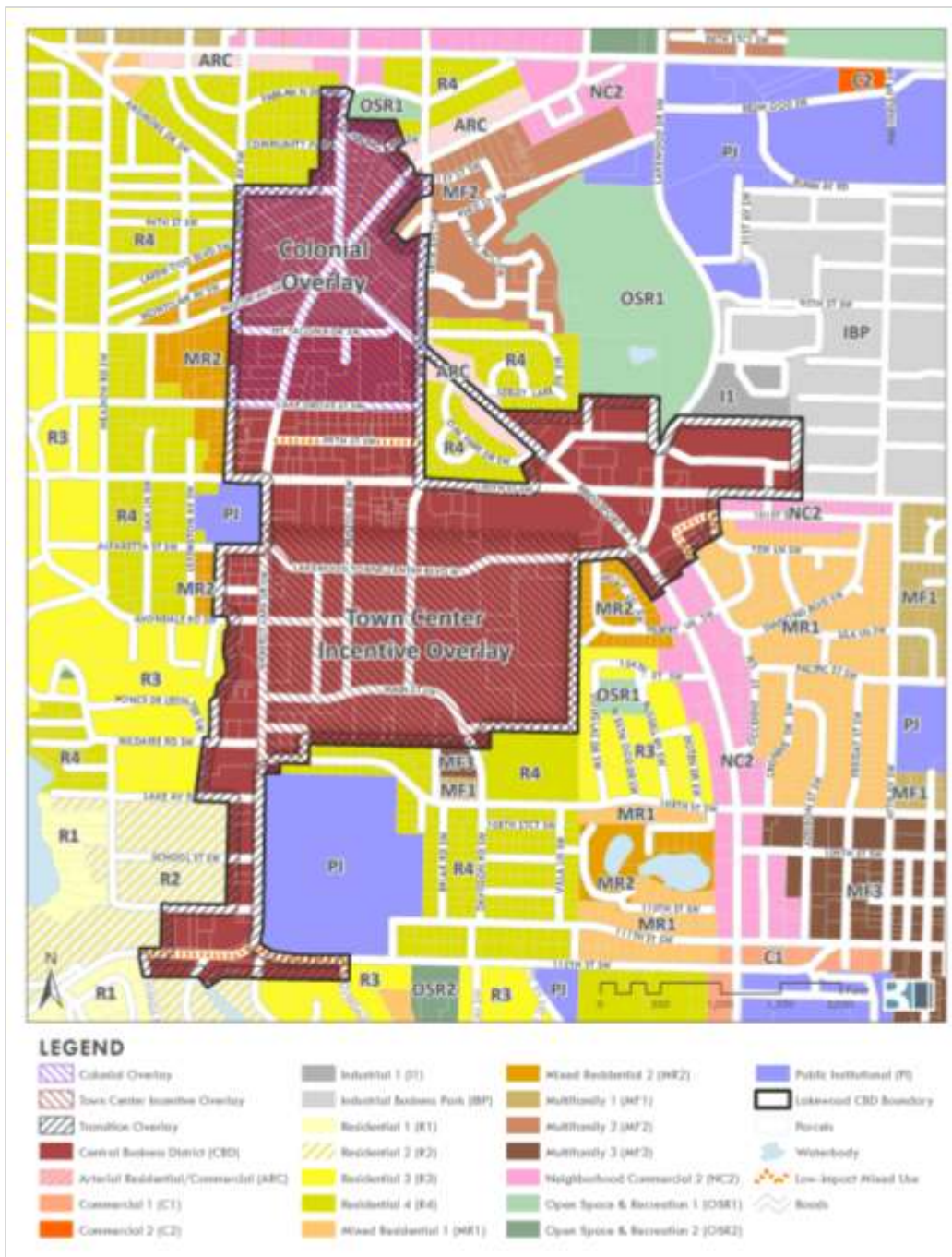
In the case of a conflict between the regulations in 18A.35 Downtown Districts and the rest of the Lakewood Municipal Code, the regulations in 18A.35 Downtown Districts shall control.

18A.35.200 Land Use and Zoning

One base zone and several zoning overlays are applied within the Downtown District, as shown in the map below.

- A. The Central Business District (CBD) zoning district is the primary retail, office, social, urban residential, and government center of the city. The complementary and interactive mixture of uses and urban design provides for a regional intensity and viability with a local character. The regional focus and vitality of the district is evident in the urban density, intensity, and composition of the uses in the district. Local character is reflected in the district's design, people orientation, and connectivity between uses, structures, and public spaces that foster a sense of community.
- B. Colonial Overlay (C-O) district is a special design district in the CBD zone that preserves the unique colonial style aesthetic within that area.
- C. Town Center Incentive Overlay (TCI-O) district allows for the holistic development of the Lakewood Towne Center in alignment with the vision and policies of the Downtown Plan. This area is available for Master Planning accordance with the provisions in LMC 18A.35.720.
- D. Low-Impact Mixed-Use Roads (LIMU-0) district supports the transformation of the Downtown District according to the Downtown Plan and the fulfillment of the purpose of the CBD zone, but allows for existing single-family residential development to remain in place.
- E. Transition Overlay – The Transition Overlay (TO) is any property or portion of a property in the Downtown District that is within 100 ft. of an abutting single-family residential zone or mixed residential zone (also called the district receiving the transition). Properties within the Downtown District that are separated from a single-family residential or mixed residential zone by a city-owned right of way of at least 60 ft. in width do not have to provide a transition area.

18A.35.200-1. Zoning Map



18A.35.220 USES¹

A. All Residential Uses, Civic Uses, and Commercial Uses and their related Accessory Uses as defined in LMC Chapter 18A.20 are permitted within the Downtown District, except in the Low-Impact Mixed-Use Roads district. Permitted uses are subject to the approval of all required development permits. Provided that the following uses are prohibited:

1. Prohibited Residential Uses:

- a. Single-Family Residential, Levels 1, 2, 3, and 4.²
- b. Group Homes, Type 3, 4, or 5³

2. Prohibited Civic Uses:

- a. Military Installations
- b. Postal Services, Level 3
- c. Public Maintenance, Level 2/3
- d. Public Safety Services, Level 3/4
- e. Transportation, Level 4/5

3. Prohibited Commercial Uses:

- a. Bulk Fuel Dealers
- b. Funeral Services, Level 2/3
- c. Lodging, Level 2, primary or accessory⁴
- d. Manufactured and Modular ~~and Manufacturing~~ Home Sales⁵
- e. Motor Vehicle Sales and Rental
- f. Motor Vehicles Service and Repair, Level 3/4/5
- g. Pet Sales and Service, Level 3/4
- h. Rental and Repair, Level 4
- i. Sales of Secondhand Property, Level 2/3
- j. Sexually Oriented Businesses

¹ At the Developers' Forum, desired clarifications included ensuring: 1) lodging is allowed (hotels/motels and similar are allowed except for Level 2 Camping); 2) ensuring pet sales and service is allowed like Petco or others (indoor is allowed; level 3 and 4 with outdoor kennels would not be allowed); 3) that uses like Play it Again or Big Lots are not restricted by limits on Sales of Secondhand Property (the uses referenced are allowed as Level 1; restricted Level 2 include flea markets and military surplus and pawnshops); 4) make drive-throughs allowed with landscaping/site design conditions and don't make CUP.

² Level 5 includes cottages and is addressed as an allowed use when part of a mixed use development in subsection 4.

³ Match current allowances in CBD.

⁴ Level 2 involves camping.

⁵ Match code wording.

k. Storage

4. The following uses are allowed administratively provided conditions are met:

a. Single-Family Residential, Level 5, if part of a mixed-use development with other Multifamily Residential, Civic Uses, and Commercial Uses.

b. ~~Drive-Through Facilities~~, provided:⁶

- i. Drive-through facilities are limited to one drive-through lane per establishment;
- ii. Drive-through facilities must have a primary customer entrance and cannot provide customer service exclusively from a drive-through or walk-up window;
- iii. Drive-through facilities shall be designed so that vehicles, while waiting in line to be served, will not block vehicle or pedestrian traffic in the right-of-way;
- iv. Drive-through facilities shall be appropriately and attractively screened from the public right-of-way:
 - 1. Drive-through facilities shall not parallel the Green Street Loop;
 - 2. Drive-through lanes shall only be placed parallel to a road if separated by a distance of 30 feet, or if fully screened by a 15-foot landscape setback with a designed landscape berm (six feet high at center of berm in 15-foot landscape setback) or three-and-one-half-foot decorative masonry wall;
 - 3. Drive-through lanes oriented perpendicular to a public right-of-way shall include landscape screening to shield headlights from shining directly into an abutting or adjacent street right-of-way.

4.5. Allowed Residential Uses, Civic Uses, and Commercial Uses subject to approval of a conditional use permit and all applicable development permits:

a. ~~Group Homes, Type 3~~⁷

~~a.b. Education Facilities~~

~~b.c. Outdoor Recreation, Level 4~~

d. Amusement and Recreation, Level 2 outdoor and Level 4 outdoor⁸

e. Building/Garden Supply and Nurseries, Level 3⁹

~~e.f. Buy-Back Recycling Center~~

~~d.g. ~~Drive-Through Facilities~~~~

⁶ This is still subject to internal staff review. Conditions are similar to Puyallup. Lacey also regulates drive-throughs orienting them to secondary streets and ensuring they are accessory.

⁷ Match current allowances in CBD.

⁸ Due to large outdoor area, regulate to ensure urban environment.

⁹ Due to large outdoor area, regulate to ensure urban environment.

~~e-h.~~ Essential Public Facilities not otherwise permitted or prohibited

- B. All Utilities Uses, Industrial Uses, and Agricultural Uses are prohibited within the Downtown District with the exception of the following ~~permitted~~ uses, which are subject to the approval of all required development permits:

1. Permitted Utilities Uses:

a. Communication Facilities

b. Electrical Facilities

~~b-c.~~ Natural Gas, Level 1¹⁰

~~c-d.~~ Sewage Collection Facilities

~~d-e.~~ Stormwater Facilities

~~e-f.~~ Water Supply Facilities

2. Conditionally Permitted Utility Uses:

a. Pipelines¹¹

- ~~2-3.~~ Permitted Industrial Uses allowed in the Downtown, except not allowed on Retail Streets, Festival Streets, Or Low-Impact Mixed Use Streets. Where permitted, such uses shall be as part of mixed use development with secondary to the primary use of the sites for commercial, retail, or residential uses:

a. Limited Manufacturing/Assembly, Level 1

b. Flex Space, Level 1/2¹²

~~b-c.~~ Food and Related Products, Level 1¹³

~~c-d.~~ Printing and Publishing

~~d-e.~~ Research, Development, and Laboratories, Level 1

f. Industrial Accessory Uses, if accessory to one of the permitted Industrial Uses listed above.

4. Conditionally-Permitted Industrial Uses allowed in the Downtown, except not allowed on Retail Streets, Festival Streets, Or Low-Impact Mixed Use Streets. Where part of a mixed-use development with commercial, retail, or residential uses:

¹⁰ Due to an oversight, not listed.

¹¹ Match current CBD allowance.

¹² Related Code Update: Consider adding retail into the flex space definitions in 18.20.700.E This may allow artisanal industrial production, such as furniture making, breweries, coffee roasters with a retail store in the front.

¹³ Primary goal is to allow for makers/small production as part of other uses, e.g. bakery production with associated retail store. Had intended to allow for this in original and thought covered by Flex Space, but to be sure have added this distinct use.

e.g. [Food and Related Products, Level 2](#)¹⁴

- C. Low-Impact Mixed-Use Roads district: Permitted uses include professional office uses, personal services, private training school, community and cultural services, [single-family residential uses](#), multiple-family residential uses, and community and cultural services in areas not suitable for general commercial development or adjacent to residential development. The Director may permit other uses consistent with the uses allowed in the NC2 zoning district where the footprint of development and customer visits are compatible with adjacent single-family residential development within or outside the Downtown district.

18A.35.230 District-wide Development Standards

Unless otherwise specifically modified by an adopted [development](#) agreement or Master Plan, in addition to the regulations and requirements contained in other sections of this title, the following property [development](#) standards apply to all land and [buildings](#) in the Downtown District:

- A. *Density*. Maximum density 80 units per acre except that density may be increased up to 100 units per acre for affordable housing according to the provisions of LMC 18A.50.740 Inclusionary Density Bonus-Housing Incentives Program. No density limit may be allowed in the Town Center Incentives Overlay if a Master Plan is approved per LMC 18A.35.720, provided that that total number of dwellings is consistent with the Planned Action Ordinance (XXX) and allowable height and bulk per 18A.35 design parameters.
- B. *Lot Size*. There is no minimum established [lot](#) size for the Downtown District. Proposed [uses](#) and the applicable design standards in this Chapter shall be used to establish the minimum [lot](#) size for a project.
- C. *Lot Coverage*. There is no maximum lot coverage standard for the Downtown District. However, lot coverage may be reduced on individual properties due to stormwater or landscaping requirements.
- D. *Setbacks*. The minimum distance [setbacks](#) for the Downtown District shall be determined by frontage type in LMC 18A.35.400, except where increased [setbacks](#) due to [building](#)/fire code requirements apply.
- E. *Building Height*. The maximum [building height](#), not including any applicable height bonus, for the Downtown District shall be determined by frontage type in LMC 18A.35.400, except where the Transition Area Standards under LMC 18A.35.250, require less height.
- F. *Large-Scale Commercial Facilities*. [Large-Scale Commercial Facilities](#) shall meet the additional requirements specified in LMC [18A.50.241\(L\)](#).
- G. *Design*. Design features shall be required as set forth in LMC 18A.35.300 Streets and Blocks and 18A.35.400 Site Design, Buildings, and Frontage and the community design standards in 18A.50.231.
- H. *Tree Preservation*. [Significant tree](#) identification and preservation and/or replacement shall be required as set forth in LMC [18A.50.300](#), [Tree](#) Preservation.

¹⁴ [Ensure appropriate to intent of Downtown and part of mixed use development.](#)

I. *Landscaping*. Landscaping shall be provided as set forth in LMC 18A.35.500 and 18A.50.400¹⁵, Landscaping.

J. *Parking*. Parking shall conform to the requirements of LMC 18A.35.600 and 18A.50.500, Parking.

K. *Signs*. Signage shall conform to the requirements of LMC 18A.50.600, Sign Regulations.

L. *Tax Incentive*. The Downtown District is considered a residential target area for purposes of LMC 3.64¹⁶, Tax Incentive Urban Use Center Development.

18.35A.240 Colonial District Standards

American Colonial Revival Design is a part of Lakewood's history. The Lakewood Theater, constructed in 1937, is the most prominent example of Colonial Architecture in the District. Newer buildings in the district continue to exhibit Colonial Architectural elements and the community desires to reinforce the character of the district through adoption of design standards, but also provide flexibility to support other goals for activating public spaces in Downtown including along Motor Avenue adjacent to the Lakewood Theater.

¹⁵ Minor consistency edits in this section would be needed but vast majority still applies

¹⁶ Amend map to include new Downtown boundary.

- A. Purpose and Intent. To maintain and enhance the colonial character and design elements within the district and require new development and modifications to be compatible with the scale, materials, and architectural elements of American Colonial Revival architecture. Sites and buildings should be designed to be recognizable as modern structures and not to appear as historic structures. Creativity is encouraged to design sites and buildings that represent modern interpretations of Colonial Architecture through building scale, materials, symmetry, window patterns, entry design, and other elements. Development shall be consistent with the Secretary of the Interiors Standards for the Rehabilitation of Historic Structures for new additions, exterior alterations, and related new construction (Standards 9 and 10).¹⁷ Additionally, the Colonial District Design Standards are intended to achieve the following:
1. To improve the image and character of the District and the Downtown.
 2. To connect to Lakewood's History and identity as it relates to colonial architecture and the district's role as a community gathering place
 3. To support the community's vision for a vibrant Downtown for all and the implementation of the Downtown Subarea Plan
 4. To create a great experience on Downtown Streets and in public spaces that is unique to Lakewood
- B. Relationship to Other Standards. Development in the Colonial District shall be consistent with the frontage standards in Section 18A.35.400.A and all other standards in Section 18A.35 unless waived by the City based on site specific conditions and to further purpose and intent of the Colonial District design standards.
- C. Review Levels. The following types of review are required for development and modifications in the Colonial District.
1. Facade Improvements and Modifications. Modifications to the facade of existing structures are required to comply with the standards of the Colonial District only when determined by the City to be practical and consistent with the scope of the planned improvements. The addition of detailed Colonial Architectural elements to non-colonial style buildings is not required. Examples of modifications that require compliance with the Colonial District standards may include:
 - i. Replacement of facade materials
 - ii. Replacement of windows
 - iii. Modification of building entrances
 - iv. Roof replacement

¹⁷ These are the two standards that would apply: 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

2. Additions. Building additions shall comply with the requirements of the Colonial District Design Standards where practical and consistent with the design of the existing building and other buildings on the site. Additions and modifications that are valued at more than 50% of the value of existing improvements on site shall comply with the Colonial District Design Standards for new buildings and redevelopment.
 3. New Buildings and Redevelopment. New buildings and redevelopment shall comply with all Colonial District Design Standards.
- D. Design Standards. Buildings and structures in the Colonial District shall comply with the following design standards:
1. Roofs. Building shall use the following roof lines:
 - i. Gambrel
 - ii. Gable
 - iii. Side-Gable
 - iv. Hip Roof
 2. Symmetrical Window Fenestration. Window patterns shall be designed to be symmetrical and consistent with American Colonial Revival architecture for all stories above the first floor. First floor facades shall meet the frontage and transparency requirements in Section 18A.35.400.A
 3. Facade Materials. The following facade materials shall be used unless an alternative is Approved by the City upon determination it is consistent with the purpose and intent of the Colonial District Design Standards
 - i. Brick
 - ii. Clapboards
 - iii. Wood
 4. Prominent Front Entry Design. The entry shall be designed to be prominent and, where practical, centered along the primary street frontage.
 5. Design Elements. Designs should include some of the following architectural elements:
 - a. Columns
 - b. Chimney
 - c. Cupola
 - d. Arched Windows
 - e. Gablet Dormers
 - f. Pediment
 - g. Shutters
 - h. Portico

- i. Other elements, as approved by the City, that are consistent with American Colonial Revival Architecture.

18.35A.250 Transition Area Standards

The transition area provides a buffer between higher intensity uses in the Downtown District and lower intensity uses in the residential zones that surround Downtown. When development is planned adjacent to residential uses it shall incorporate the following elements into its site and building design to soften its impact and result in a compatible transition.

A. Building Height. Building Height in the transition area is limited to 10 feet higher than the maximum height of the district receiving the transition.

B. Building Setbacks. Structures within the transition area must be setback 30 feet from the property line of the district receiving the transition. At least 20 feet of the setback shall be planted as a landscaped buffer consistent with the landscape standards in LMC 18A.50.400.

C. Parking and Loading. Surface parking lots and loading zones shall be located away from adjacent residential properties when feasible. Surface parking lots and loading zones that are visible from the ground level views of the abutting residential district shall be screened through the use of berms, hedges, walls, or combinations thereof.

D. Refuse Containers. Refuse and recycling containers shall be located on the side of the building facing away from the abutting residential district, but may not be located in a front setback. All refuse and recycling containers shall be contained within structures enclosed on all four sides and utilize lids made of molded plastic or other sound buffering materials.

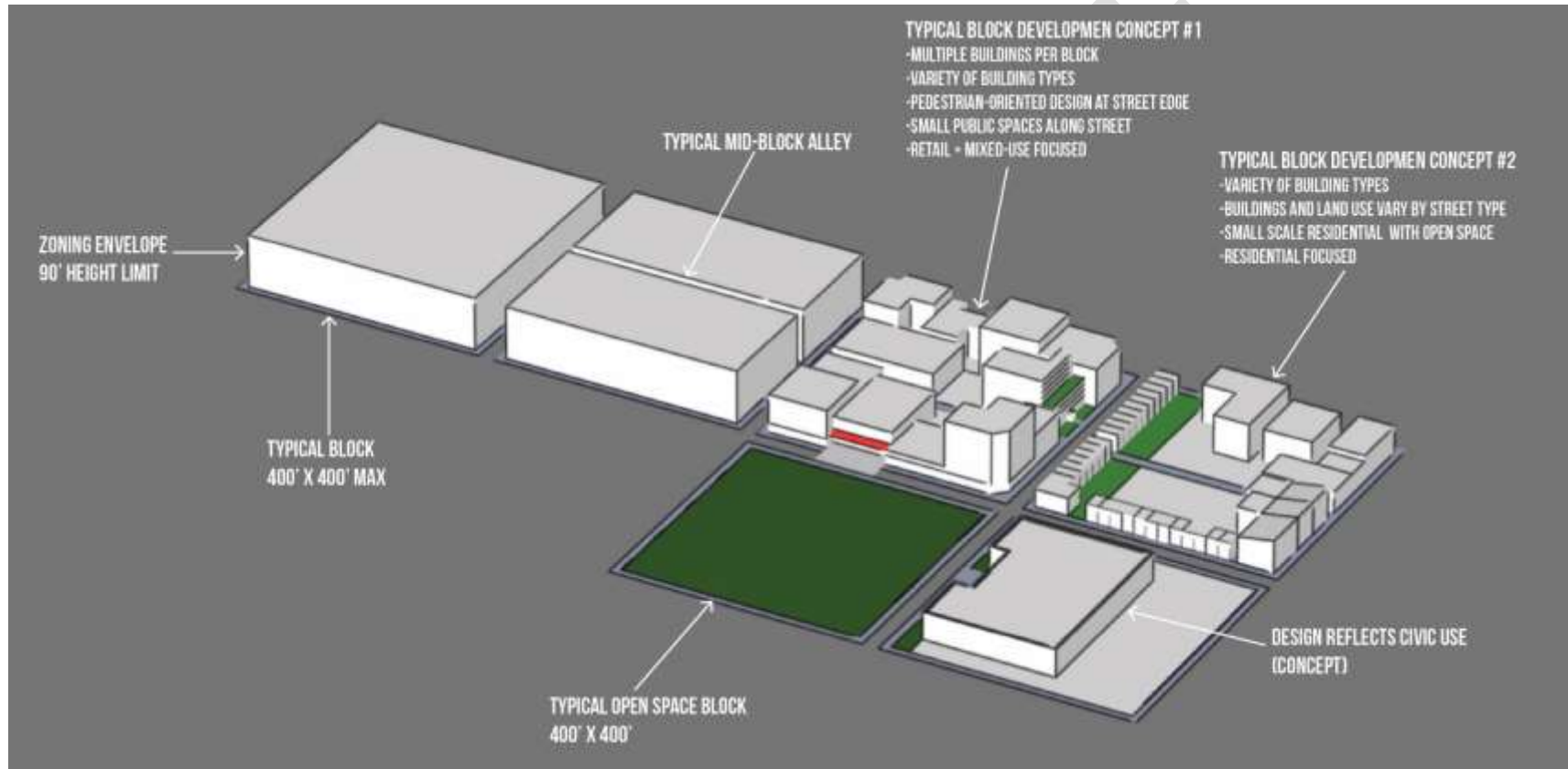
E. Mechanical Equipment. All mechanical equipment which is located on the roof shall be incorporated into the roof form and not appear as a separate penthouse or box. Mechanical equipment shall be fully screened and accommodated within the maximum height limit.

18A.35.300 Streets and Blocks

A. Street Grid and Blocks.

1. *Street Grid.* New and redevelopment must demonstrate the plan supports and accommodates the expansion of the public street grid to improve circulation for vehicles, pedestrians, and bicyclists. A circulation plan must be submitted for review by the City as part of any development permit in Downtown unless waived by the City upon finding the project will not impact circulation or the enhancement of the public street grid.
2. *Block Size.* The maximum block size is 400' and the maximum distance permitted between public streets. New public street alignments shall be consistent with the regulating plan map. The City may approve modifications to the street alignments and waive the 400' maximum block size to take advantage of existing travel corridors, the location of utilities, and required improvements.
3. *Private Streets.* Private streets shall only be permitted when the City has determined there is no public benefit for circulation in the Downtown. All private streets must be constructed to public standards.
4. *Mid-block Connections.* A minimum 20' wide mid-block connection shall be provided at the midpoint along each block face or every 200'. The mid-block connections shall be designed to accommodate service needs and for pedestrian use and be free from permanent obstructions.
5. *Street Sections.* The typical street sections provided below are the minimum requirements for the design of public streets. The City may approve modifications to the typical street section based on localized conditions and adjacent land uses. Modifications may include adding or removing on-street parking, wider sidewalks, loading zones, bicycle facilities, and transit accommodations.
6. *Block Development.* The minimum number of buildings per 400' of block frontage is 4 or one building per 100' to create variety in the streetscape experience and support human-scale design. A single-building may meet this requirement through building design and architecture that visually appears as multiple buildings. The City may approve modifications to this requirement based on site specific conditions including parcel ownership and configuration.
7. *Street Grid and Block Diagram.* The diagram in Figure 2 highlights the major features of the form-based code for the CBD including block size, building height, mid-block connections, and typical development within the block and grid structure. Development in the CBD should be generally consistent with the major features highlighted in this diagram.

18A.35-300-1. Street Grid and Block Diagram



B. Street Types

1. *Retail Streets.* Street level retail is required along the frontage of designated retail streets including 59th Street SW and Lakewood Towne Center Boulevard SW. Pedestrian-oriented design standards for retail streets address site and building design, building frontages, window transparency, weather protection, sidewalk widths, street entrances, access, and on-street parking. Building frontage types are more limited on retail streets.

18A.35-300-2. 59th Street SW Retail Street Concept



2. *Mixed-Use Streets.* Mixed-use streets support a variety of activities and functions both in the public right-of-way and development along the street edges. Street level retail is permitted, but not required and a wider range of building frontage types are permitted including street-level residential and office uses. Mixed-use streets also require pedestrian oriented design and requirements may vary based on the location with the Downtown.
 3. *Arterial Mixed-Use Streets.* Arterial mixed-use streets maintain the existing vehicle capacity and allow a range of land use and building frontage types and including surface parking lots.
 4. *Low-Impact Mixed-Use Streets.* Low-impact mixed-use streets allow for less intense commercial uses while maintaining the existing residential character for site and building design. Lower-density multi-family residential uses are permitted. Street design shall be consistent with City standards for residential streets including sidewalks.
 5. *Green Loop.* Streets designated as part of the Green Loop include design features for pedestrian and bicycle use and vary by street. Pedestrian and bicycle facilities include a shared-use path, sharrows, sidewalks, and other park like amenities that may include seating, bicycle parking, a bicycle repair station, signage, and landscaping.
 6. *Festival Street.* Festival streets are designed to support a variety of activities and events in addition to typical street elements such as travel lanes, parking, and sidewalks. Festival streets are developed with high-quality materials and are intended to be significant community gathering places within the CBD.
- C. *Street Standards and Frontage Types.* The following street standards are the minimum required and modifications to the standards may be approved by the City upon finding that the modification is consistent with the Vision and Guiding Principles in 18A.35.110 and the Downtown Plan, supports pedestrian-oriented design, and balances the needs for traffic flow to minimize congestion.

18A.35-300-3. Street Standards and Frontage Types

Street Type	Sidewalk Width	Linear	Forecourt	Plaza	Landscape	Porch/Stoop/Terrace	Parking
Retail Street	14' Minimum	P	P	P/R ¹	X	X	X
Mixed-Use Street	10' Minimum	P	P	P	P	P	X
Low-Impact Mixed-Use Streets	As determined by Public Works	P	P	P	P	P	X
Arterial Mixed-Use Street	As determined by Public Works	P	P	P	P	P	P
Festival Street	10' Minimum	P	P	R ²	X	X	X

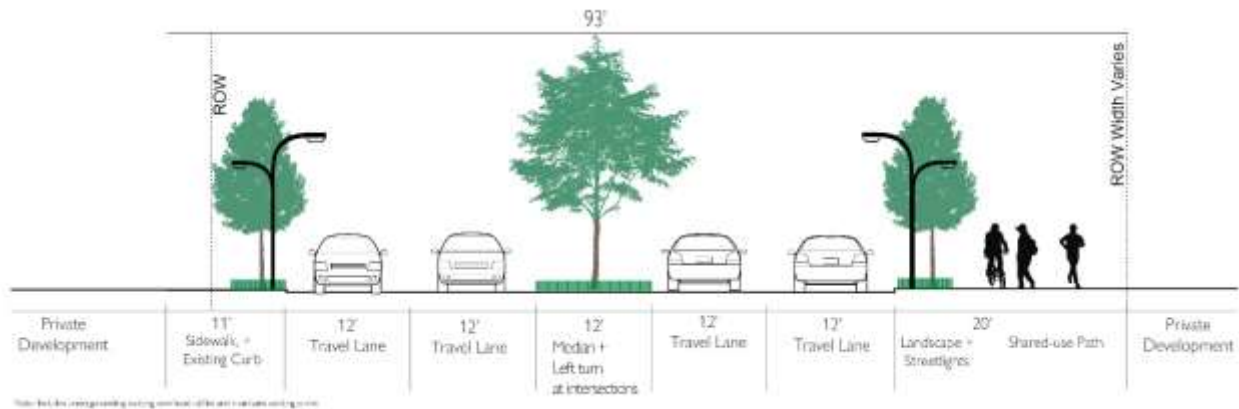
P=permitted, X=Prohibited, Required

¹Required when on a corner lot.

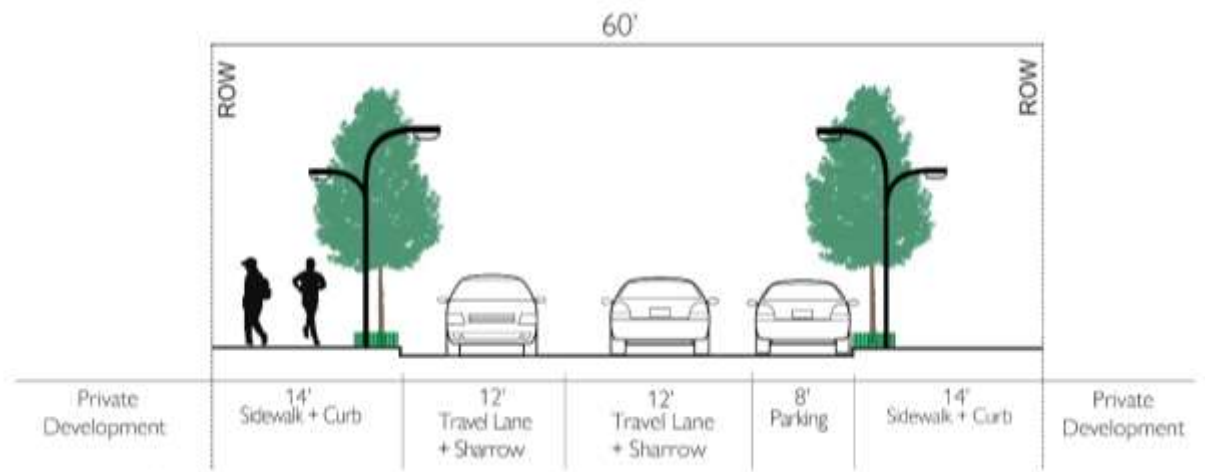
²Required pursuant to Motor Avenue Design Plan.

- D. Street Sections. The following street sections show the basic elements of the streetscape for each of the streets highlighted in the CBD. The City may approve modifications to the typical cross sections based on site-specific conditions including adjacent land uses, traffic management, parking needs, and right-of-way constraints.

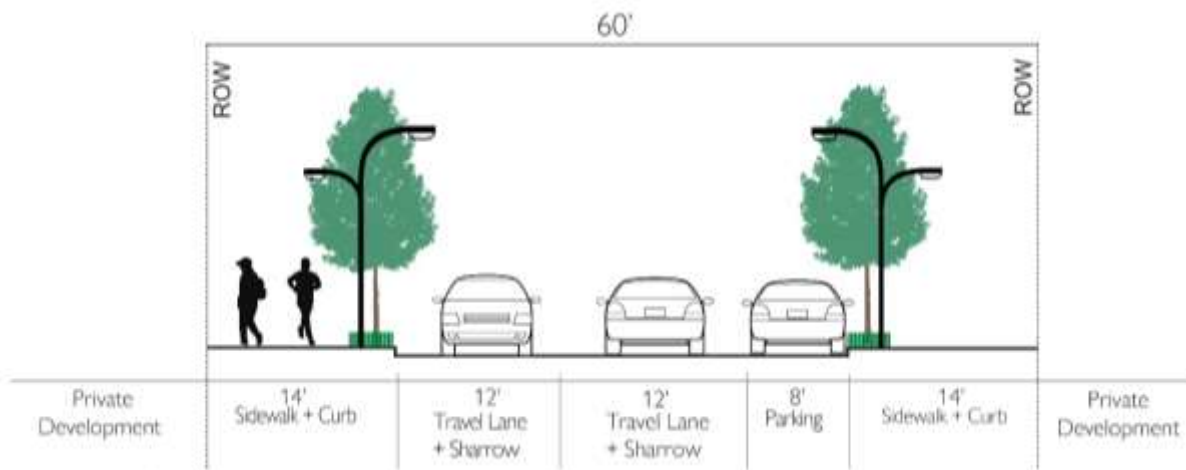
18A.35-300-4. Gravelly Lake Drive (Between Main Street SW and Bridgeport Way SW Looking North)



18A.35-300-5. 59th Avenue SW (Between Main St SW and 100th St SW Looking North)

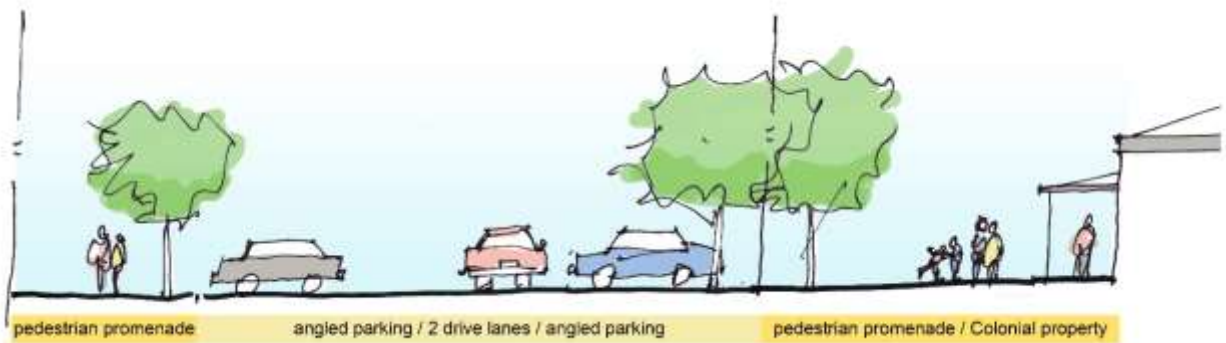


18A.35-300-6. Lakewood Towne Center Boulevard SW Looking North

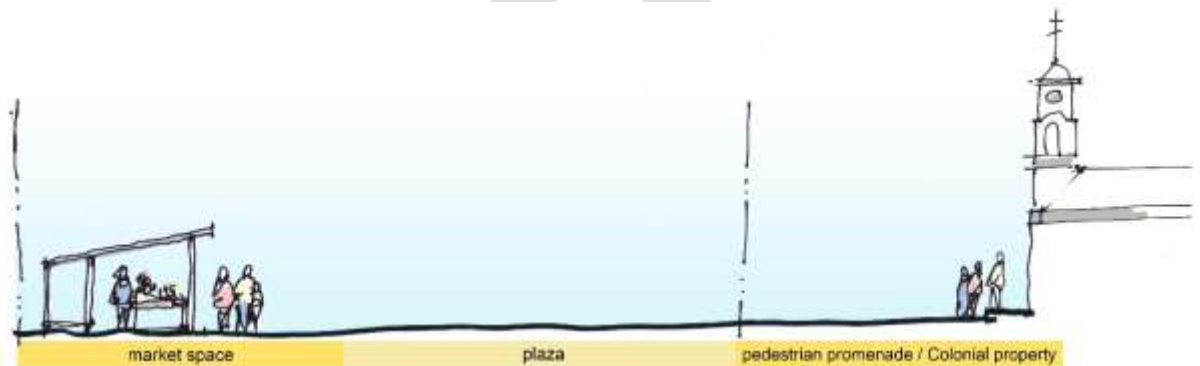


1. Motor Avenue Festival Street. Improvements to Motor Avenue should be consistent with the Motor Avenue Urban Design Plan Preferred Alternative as adopted by the City Council or as modified by the City.

18A.35-300-7. Motor Avenue Festival Street Section Looking Northeast (Preferred Alternative Selected by City Council)



18A.35-300-8. Motor Avenue Festival Street Plaza Section (Typical)



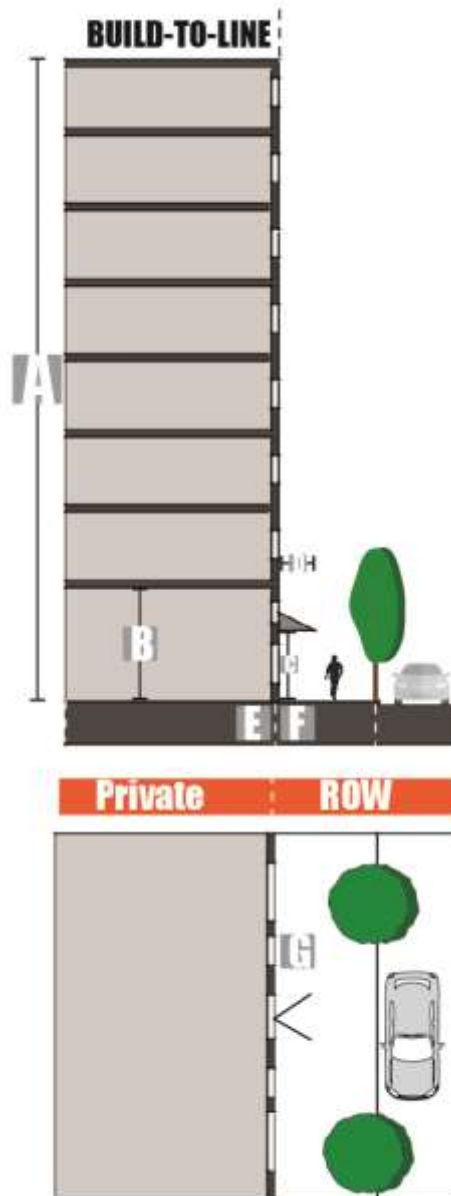
18A.35.400 Site Design, Buildings, and Frontage

- A. Frontage Types. The building frontage types below address the required standards for the relationship of buildings to the edge of the street and other site plan and design requirements. The permitted frontage types vary by street type as shown in Section 18A.35.300.C. The building setback may be modified as approved by the City when necessary to expand the width of the right-of-way to accommodate the desired street design and cross section.

Draft

1. Linear. The linear building frontage has zero setback from the street edge and is the primary frontage type on retail streets and is also appropriate for land uses such as townhouses and row houses.

18A.35-400-1. Linear Building Frontage



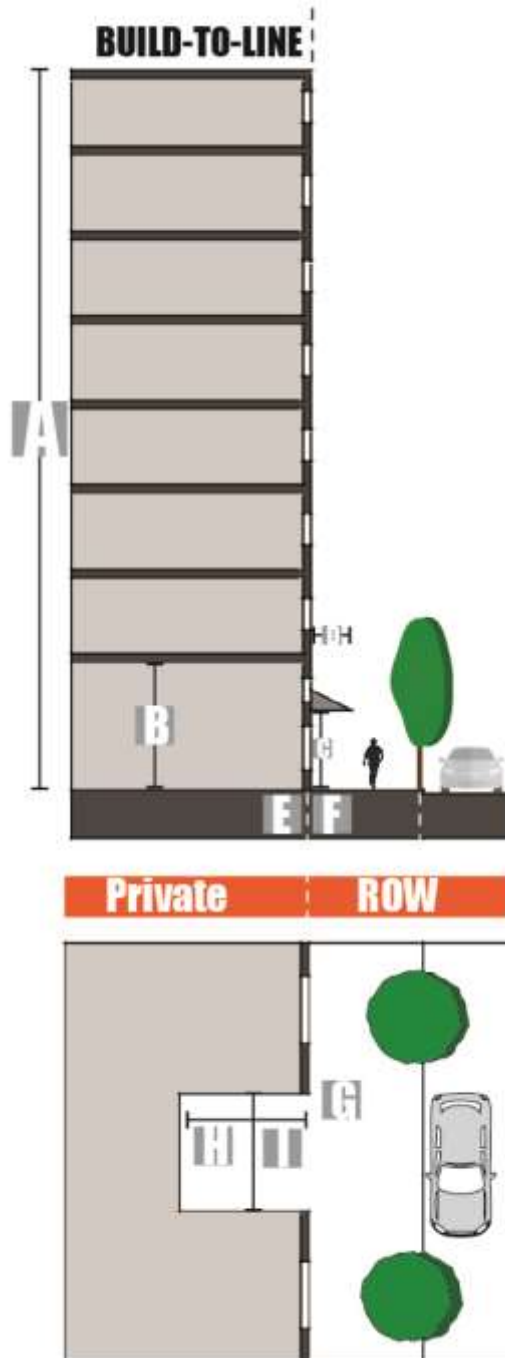
18A.35-400-2. Linear Frontage Standards

Standard	CBD	Retail Street	Mixed-Use Street	Mixed-Use Arterial	Low-Impact Mixed-Use Streets	Festival Street
A Building Height	90'	90'	90'	90'	35'	90'
B First Floor Minimum Height	16'	16'	16'	16'	None	16'
C Weather Protection Height	10'	10'	10'	10'	None	10'
D Weather Protection Minimum Depth and Linear Frontage	10' Depth 60% of frontage must have weather protection	10' Depth Weather projection required for minimum of 60% of frontage	10' Depth Weather projection required for minimum of 60% of frontage	10' Depth Weather projection required for minimum of 60% of frontage	None	10' Depth 60% of frontage must have weather protection
E Building Maximum Setback from Planned Right of Way	0'	0'	0'	0'	0'	0'
F Building Setback Minimum	0'	0'	0'	0'	0'	0'
G Front Entrance	An entrance must be located along the primary street frontage; 50% transparency required	An entrance must be located along the primary street frontage; 50% transparency required	An entrance must be located along the primary street frontage; 50% transparency required	An entrance must be located along the primary street frontage; 50% transparency required	An entrance must be located along the primary street frontage; 50% transparency required	An entrance must be located along the primary street frontage; 50% transparency required
H Window Transparency ¹⁸	A minimum 80 70% transparency required at street level between 30" and 8'	A minimum 80 70% transparency required at street level between 30" and 8'	A minimum 60% transparency required at street level between 30" and 8' for non-residential uses.	None.	None.	A minimum 80 70% transparency required at street level between 30" and 8'

¹⁸ At developer forum, there was a request to reduce this transparency requirement. Lacey Woodland District: 60% min. Draft Olympia Downtown Design Guidelines requires 75% except at entry streets where 50% min. is required.

2. Forecourt. The forecourt building frontage type that has an open area at the entrance along the street edge. This building type is applicable to a wide range of land use types and mixed-use development.

18A.35-400-3. Forecourt Frontage Type



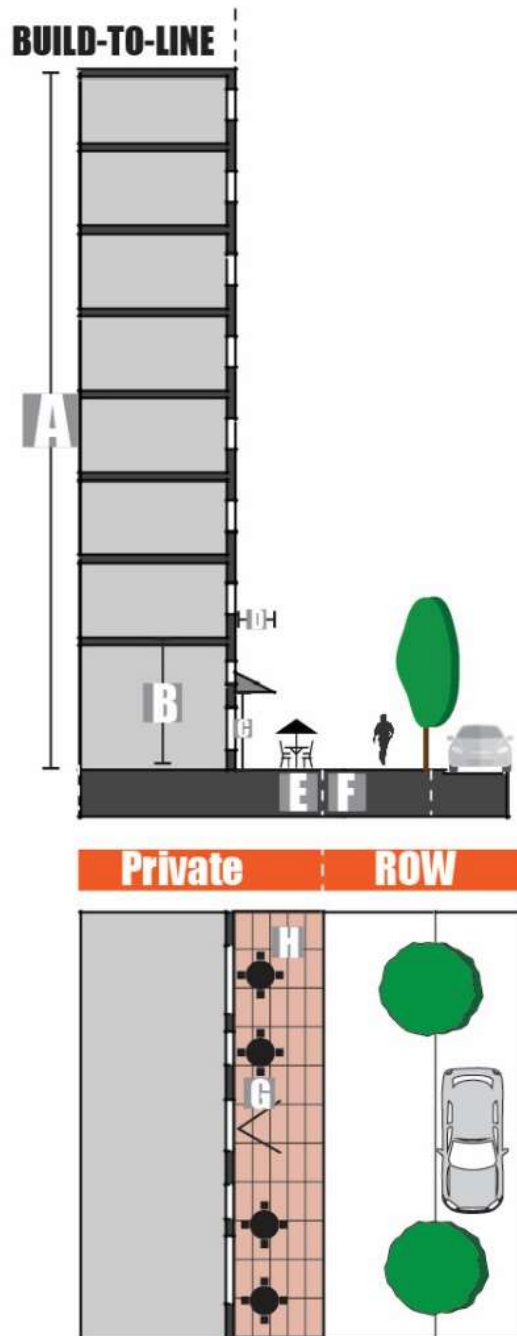
18A.35-400-4. Forecourt Frontage Standards

	Standard	CBD	Retail Street	Mixed-Use Street	Mixed-Use Arterial	Low-Impact Mixed-Use Streets	Festival Street
A	Building Height	90'	90'	90'	90'	35'	90'
B	First Floor Minimum Height	16'	16'	16'	16'	None	16'
C	Weather Protection Height	10'	10'	10'	10'	None	10'
D	Weather Protection Minimum Depth and Linear Frontage	5' min depth; 60% of frontage along sidewalk must have weather protection. Weather protection required over primary entrance.	5' min depth; 60% of frontage along sidewalk must have weather protection. Weather protection required over primary entrance.	15' min depth 60% of frontage along sidewalk must have weather protection. Weather protection required over primary entrance.	5' min depth; 60% of frontage along sidewalk must have weather protection. Weather protection required over primary entrance.	None	5' min depth; 60% of frontage along sidewalk must have weather protection. Weather protection required over primary entrance.
E	Building Maximum Setback from Planned Right of Way	0'	0'	0'	0'	0'	0'
F	Building Setback Minimum	0'	0'	0'	0'	0'	0'
G	Front Entrance	An entrance must be located along the primary street frontage; 50% transparency required	An entrance must be located along the primary street frontage; 50% transparency required	An entrance must be located along the primary street frontage; 50% transparency required	An entrance must be located along the primary street frontage; 50% transparency required	An entrance must be located along the primary street frontage; 50% transparency required	An entrance must be located along the primary street frontage; 50% transparency required
H	Forecourt Depth	10' minimum; 30' maximum	10' minimum; 30' maximum	10' minimum; 30' maximum	10' minimum; 30' maximum	10' minimum; 30' maximum	10' minimum; 30' maximum
I	Forecourt Width	10' minimum; 30' maximum	10' minimum; 30' maximum	10' minimum; 30' maximum	10' minimum; 30' maximum	10' minimum; 30' maximum	10' minimum; 30' maximum
J	Window Transparency ¹⁹	A minimum 80 70% transparency required at street level between 30" and 8'	A minimum 80 70% transparency required at street level between 30" and 8'	A minimum 60% transparency required at street level between 30" and 8' for non-residential uses	None	None	A minimum of 80 70% transparency required at the street level between 30" and 8'

¹⁹ At developer forum, there was a request to reduce this transparency requirement. Lacey Woodland District: 60% min. Draft Olympia Downtown Design Guidelines requires 75% except at entry streets where 50% min. is required.

3. Plaza. The plaza frontage type includes a pedestrian-oriented plaza between the building and the street edge. The plaza frontage type is applicable to retail and dining uses and can support activities such as outdoor dining, public art displays, seating, entertainment, and events. The plaza must be designed to support human activity and support a safe and inviting streetscape environment.

18A.35-400-5. Plaza Frontage Type

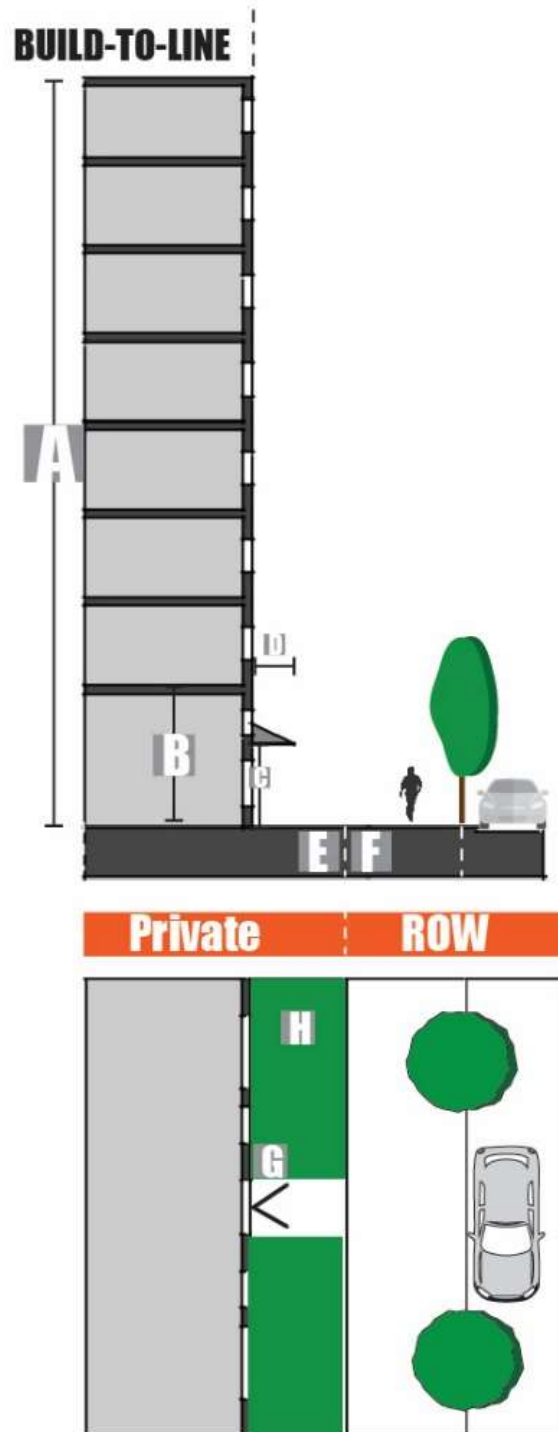


18A.35-400-6. Plaza Frontage Type Standards

	Standard	CBD	Retail Street	Mixed-Use Street	Mixed-Use Arterial	Low-Impact Mixed-Use Streets	Festival Street
A	Building Height	90'	90'	90'	90'	35'	90'
B	First Floor Minimum Height	16'	16'	16'	16'	None	16'
C	Weather Protection Height	10'	10'	10'	10'	None	10'
D	Weather Protection Minimum Depth and Linear Frontage	5' min depth; 60% of frontage along sidewalk must have weather protection.	5' min depth; 60% of frontage along sidewalk must have weather protection.	5' min depth; 60% of frontage along sidewalk must have weather protection.	5' min depth; 60% of frontage along sidewalk must have weather protection.	None	5' min depth; 60% of frontage along sidewalk must have weather protection.
E	Building Maximum Setback from Planned Right of Way	0'	0'	0'	0'	0'	0'
F	Building Setback Minimum	0'	0'	0'	0'	0'	0'
G	Front Entrance	An entrance must be located along the primary street frontage; 50% transparency required	An entrance must be located along the primary street frontage; 50% transparency required	An entrance must be located along the primary street frontage; 50% transparency required	An entrance must be located along the primary street frontage; 50% transparency required	An entrance must be located along the primary street frontage; 50% transparency required	An entrance must be located along the primary street frontage; 50% transparency required
H	Plaza Design	Plaza area must be designed for human activity and include seating, landscaping, and other amenities	Plaza area must be designed for human activity and include seating and other amenities.	Plaza area must be designed for human activity and include seating and other amenities.	Plaza area must be designed for human activity and include seating and other amenities.	n/a	Plaza area must be designed for human activity and include seating, landscaping, and other amenities

4. Landscape. The landscape frontage has landscaping between the building and street edge. The landscape frontage is not permitted on retail streets and is appropriate for office and residential uses particularly when on the ground floor.

18A.35-400-7. Landscape Frontage

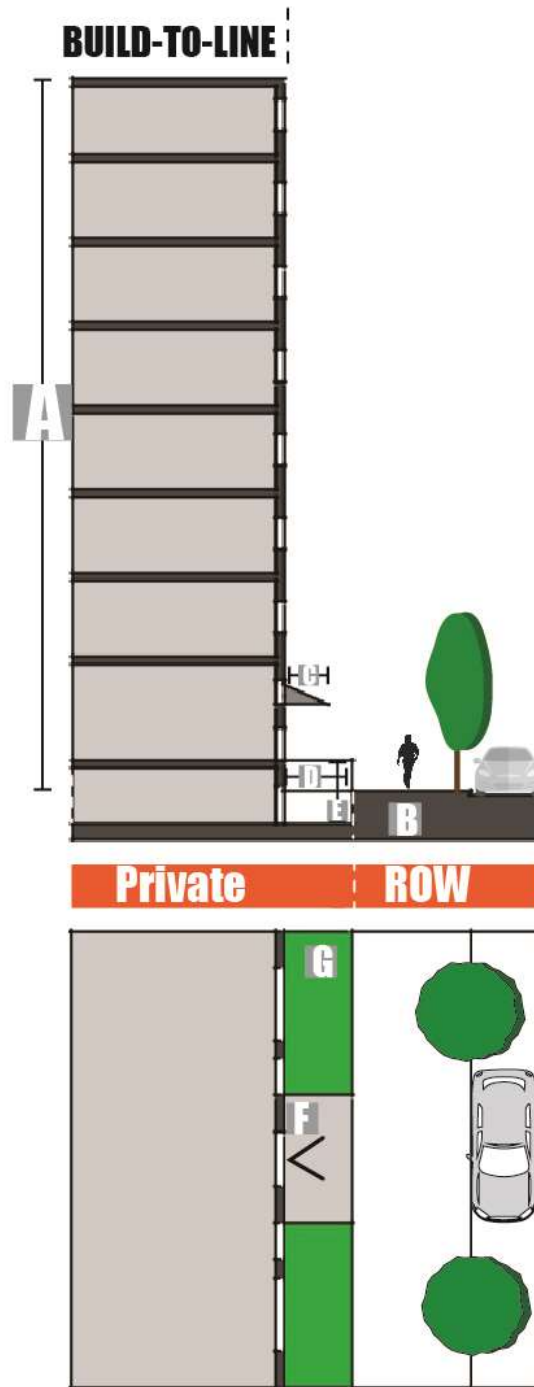


18A.35-400-8. Landscape Frontage Standards

	Standard	CBD	Retail Street	Mixed-Use Street	Mixed-Use Arterial	Low-Impact Mixed-Use Streets	Festival Street
A	Building Height	90'	n/a	90'	90'	35'	n/a
B	First Floor Minimum Height	16'	n/a	16'	16'	None	n/a
C	Weather Protection Height	10'	n/a	10'	10'	None	n/a
D	Weather Protection Minimum Depth and Linear Frontage	5' minimum depth; required over primary entrance	n/a	5' minimum depth; required over primary entrance	5' minimum depth; required over primary entrance	5' minimum depth; required over primary entrance	n/a
E	Building Maximum Setback from Planned Right of Way	20'	n/a	20'	20'	20'	n/a
F	Building Setback Minimum	10'	n/a	10'	10'	10'	n/a
G	Front Entrance	An entrance must be located along the primary street frontage	n/a	An entrance must be located along the primary street frontage	An entrance must be located along the primary street frontage	An entrance must be located along the primary street frontage	n/a
H	Landscape Requirements	The landscape area shall comply with the City's landscaping requirements.	n/a	The landscape area shall comply with the City's landscaping requirements.	The landscape area shall comply with the City's landscaping requirements.	The landscape area shall comply with the City's landscaping requirements.	n/a

5. Porch/Stoop/Terrace. This frontage type has the building setback from the street edge to accommodate a porch, stoop, or terrace to serve as the primary access to the building. This frontage type is applicable primarily to residential and non-retail commercial uses and is not permitted on retail streets.

18A.35-400-9. Porch/Stoop/Terrace Frontage Type

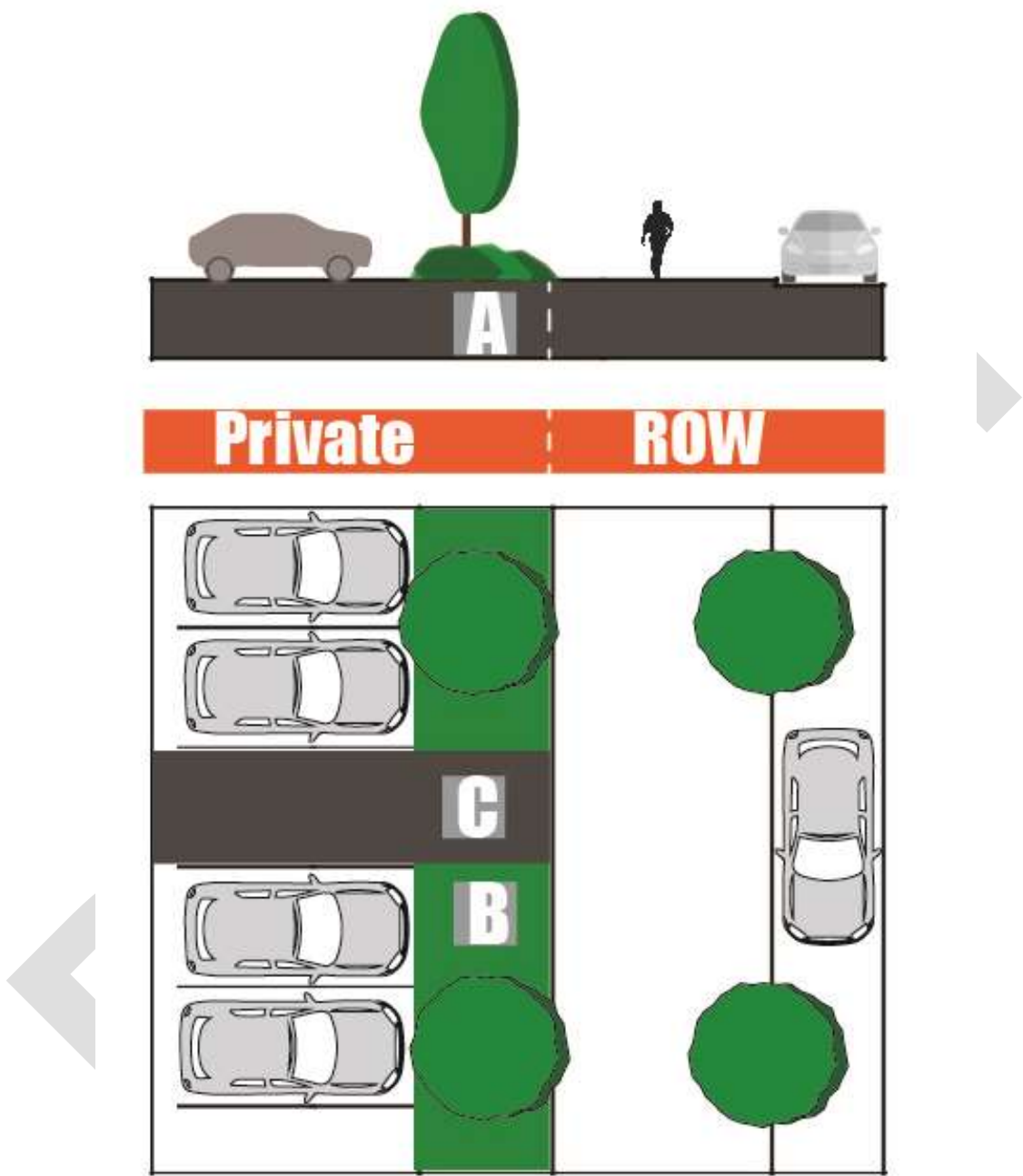


18A.35-400-10. Porch/Stoop/Stoop Frontage Standards

	Standard	CBD	Retail Street	Mixed-Use Street	Mixed-Use Arterial	Low-Impact Mixed-Use Streets	Festival Street
A	Building Height	90'	n/a	90'	90'	35'	n/a
B	First Floor Minimum Height	16'	n/a	16'	16'	None	n/a
C	Weather Protection Height	10'	n/a	10'	10'	None	n/a
D	Threshold Depth	4' minimum	n/a	4' minimum	4' minimum	None	n/a
E	Threshold Height	Below-grade maximum 4'; Above-grade maximum 5'	n/a	Below-grade maximum 4'; Above-grade maximum 5'	Below-grade maximum 4'; Above-grade maximum 5'	Below-grade maximum 4'; Above-grade maximum 5'	n/a
F	Front Entrance	An entrance must be located along the primary street frontage;	n/a	An entrance must be located along the primary street frontage;	An entrance must be located along the primary street frontage;	An entrance must be located along the primary street frontage;	n/a
G	Landscape Requirements	The landscape area shall comply with the City's landscaping requirements.	n/a	The landscape area shall comply with the City's landscaping requirements.	The landscape area shall comply with the City's landscaping requirements.	The landscape area shall comply with the City's landscaping requirements.	n/a

6. **Parking.** The parking frontage type is only permitted on Arterial Mixed-Use streets and is the only frontage type where parking is allowed between the building and the street edge. Landscape and trees are required in the landscaped area between the street edge and the parking area.

18A.35-400-11. Parking Frontage Type



18A.35-400-12. Parking Frontage Standards

Standard	CBD	Retail Street	Mixed-Use Street	Mixed-Use Arterial	Low-Impact Mixed-Use Streets	Festival Street
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	Standard	CBD	Retail Street	Mixed-Use Street	Mixed-Use Arterial	Low-Impact Mixed-Use Streets	Festival Street
A	Landscape Buffer Width	Minimum 10'; Maximum 20'	n/a	n/a	Minimum 10'; Maximum 20'	n/a	n/a
B	Landscape Requirements	The landscape area shall comply with the City's landscaping requirements. A minimum of one tree must be planted every 30'.	n/a	n/a	The landscape area shall comply with the City's landscaping requirements.	n/a	n/a
C	Pedestrian Walkway	Required from the street to primary building entrance(s)	n/a	n/a	Minimum width 8'	n/a	n/a

B. Civic Uses. Sites and buildings where the primary use is civic should be designed to reflect a public use and therefore may deviate from the frontage standards. Civic buildings and sites should be recognizable and accessible as public buildings in the Downtown and to reflect civic pride in the community. The following standards address the design of civic uses:

1. Civic uses are permitted on the ground level on all street types except the low-impact mixed-use streets and may be designed in accordance with any of the frontage types except Parking.
2. Civic uses are not subject to the maximum setback requirements.
3. Civic uses may provide the main entry on the side of the building when necessary to the function of the site including safety and security. A pedestrian connection shall be provided from the sidewalk to the entry.
4. The design sites and buildings for civic uses should incorporate public open space when feasible and practical and provide for a variety of activities such as public art, seating, play equipment, games, and events.

18A.35.500 Landscaping, Open Space, and Green Infrastructure

18A.35.510 BASIC STANDARDS

Landscaping shall be provided consistent with 18A.50.400 Landscaping except as supplemented or superseded by this Chapter 18A.35.

18A.35.520 SPECIAL LANDSCAPE TREATMENTS

The following special landscape treatments are required or permitted along street types.

18A.35.520 -1. Special Landscape Treatments

Street Type	Foundations	Plazas	Courtyards	Pedestrian Walkways
Retail Street	R	R	P	R
Mixed-Use Street	R	P	R	R
Low-Impact Mixed-Use Streets	P	P	R	P
Arterial Mixed-Use Street	P	P	P	R
Festival Street	R	R	P	R

P=permitted, R=Required

- A. Foundations: Buildings shall be accented by foundation plantings. Foundation plantings may frame doors, anchor corners, or screen undesirable areas with. Foundation plantings shall allow for 5' of unobstructed movement on the sidewalk. Examples of foundation plantings include raised planter boxes, containers, and similar.
- B. Plazas and Courtyards: Plazas are required for commercial and mixed-use developments fronting retail streets and festival streets. Courtyards are required for multifamily and mixed-use developments along mixed-use streets and low-impact mixed use streets.
- C. Plazas and courtyards shall be visible and accessible to the public.
- D. Minimum dimensions of plazas and courtyards are 20'. Courtyards may qualify as common open space per 18A.35.520 Common and Open Space Standards.
- E. Plazas or courtyards shall include one or more element from each category below.
 1. Special Paving: Scored concrete, stained/colored concrete, concrete pavers, paving inlays, mosaics, or other special paving material.

2. Landscaping: Trees, shrubs, trellises, flowers, or container plants. Landscaping shall be consistent with LMC 18A.35.500 and 18A.50.400, Landscaping.
3. Seating Area: Benches or low seating walls. Walls or benches shall be a min. of 4' long. Seating shall be provided at a ratio of at least one seat per 60 square feet of plaza area or open space.

F. Pedestrian Walkways: Pedestrian walkways are required as follows:

1. Street to Building: Required between a public right-of-way and building entrances where the building is set back from the street, sidewalk, or parking area.
2. Parking: Required between parking lots and building entrances.
3. Mid-block connections: One pedestrian walkway shall be provided between the street and the rear property line, spaced an average of every 200' or less of street frontage.

G. Dimensional Standards:

1. Pedestrian Walkway Width

- a. 6' minimum exclusive of landscaping or site furnishings, except that mid-block crossings shall have minimum walkway widths of 12'.
- b. Lines of Sight: Walkways shall be located and designed with clear sight lines for safety.
- c. Definition: Pedestrian walkways shall be defined through paving, landscaping, furnishings, and lighting.

2. Design:

- a. Pedestrian walkways shall be defined using a combination of one or more of the following techniques as follows:
- b. Special Paving: Scored concrete, stained/colored concrete, concrete pavers, paving inlays, mosaics, or other special paving material. Not all portions of the pedestrian walkway are required to be paved; however, a min. of 4' in width of the pedestrian walkway shall provide an all-weather walking surface.
- c. Architectural Features: Trellises, railing, low seat walls, weather protection, bollards, or other architectural features. Chain link fences are not allowed.
- d. Landscaped Edges: A continuous, landscaped area consistent with Type II Streetscapes where the pedestrian walkway is from the street to building or mid-block connection, otherwise Type III, Open Space is required, per LMC 18A.50.400, Landscaping. If the walkway abuts a driveway or driving aisle on both sides, the landscaped edge shall apply to both sides.
- e. Lighting: Pedestrian walkways shall include lighting such as pedestrian lights, bollards, and accent lighting to assist pedestrian navigation and promote a safe and comfortable walking space.

18A.35.530 COMMON AND OPEN SPACE STANDARDS

The purpose of this section is to provide residents with access to useable privately maintained and owned open space to create opportunities for active living and respite for onsite residents. This section provides a fee in lieu of providing onsite open space recognizing different site configurations, resident needs and desires, and opportunities to provide and enhance publicly owned and maintained system parks. Publicly owned urban parks include nodal and linear parks consistent with the Downtown Plan and the City's Parks, Recreation, and Open Space Plan. Transferring the fee in lieu to a nearby nodal or linear park reinforces accessibility to larger public open spaces within walking distance of current and future residential and mixed-use development in Downtown Lakewood.

A. Common Open Space – Private:

1. Each mixed-use or residential development shall provide a common open space per dwelling unit of 100 square feet per dwelling unit.
2. For the purposes of this section, common open space means an open air area intended for use by all residents, guests, employees or patrons of a site and may include lawns, gardens, squares, plazas, courtyards, terraces, barbecue and picnic areas, games court or multi-use recreational areas, and other types of built space.
3. Design Standards:
 - i. Required setback areas shall not count toward the open space requirement unless they are part of an open space that meets the other requirements of common open space.
 - ii. Space shall have a minimum dimension of 20 feet in any direction to provide functional leisure or recreational activity. This dimension can be adjusted by the Community Development Director based on site conditions such as topography or irregular lot geometry.
 - ii. Space shall feature paths or walkable areas, landscaping, seating, lighting, play structures, sports courts, or other pedestrian amenities to make the area more functional and enjoyable for a range of users.
4. Common space shall be separated from ground level windows, streets, service areas and parking lots with landscaping, low-level decorative fencing (no chain link), or other treatments as approved by the Community Development Director that enhance safety and privacy for both the common open space and dwelling units.
5. The space shall be oriented to receive sunlight and preferably face south, if possible. Open space may also face east or west, but not north, unless the Community Development Director determines that site conditions such as topography or irregular lot geometry warrant waiving this requirement. The common open space shall be designed to provide landscaping that defines the open space but permit surveillance from units and roads.
6. The space must be accessible from the dwelling units. The space must be oriented to encourage activity from local residents.
7. No more than thirty (30) percent of the area may be covered by a structure.

8. The common open space may include multi-use stormwater detention facilities, if the Community Development Director determines that the facilities are designed to function as common open space by providing an enhanced nature or visually aesthetic design.

9. The common space shall be designed to ensure that the open space network addresses CPTED²⁰ principles such as security and surveillance from residential units. Common recreational spaces shall be located and arranged to allow windows to overlook them.

10. The common space shall provide adequate lighting in the open space network, but place and shield lighting so that it does not glare into housing units.

B. Private Open Space:

1. Each dwelling unit shall have a private open space, at a minimum of 48 square feet with a minimum width or depth of 6 feet.

2. For the purposes of this section, private open space includes individual decks, balconies, or patios.

C. Fee in Lieu for Portion of Open Space:

1. Within the Downtown Planned Action Area, a development may pay a fee in lieu of providing common open space or a portion of the private open space to support park land purchase and improvements within the Downtown Planned Action Area for urban nodal or urban linear parks identified in the Downtown Plan.

2. The fee in lieu is allowed for each 100 square feet of common open space not provided. No less than 50 square feet of common open space per unit shall be provided on-site.

3. The fee in lieu is allowed for balconies or patios not provided on street-front façade. No less than 50 percent of the units shall include private open spaces.

4. The fee shall be equal to the average fair market value of the land otherwise required to be provided in on-site common or private open space.

5. Fee payment and use:

a. The payment shall be held in a reserve account by the City and may only be expended to fund a capital improvement for parks and recreation facility identified in the Downtown Plan;

b. The payment shall be expended in all cases within five years of collection; and

c. Any payment not so expended shall be refunded with interest to be calculated from the original date the deposit was received by the City and at the same rate applied to tax refunds pursuant to RCW 84.69.100; however, if the payment is not expended within five years due to delay attributable to the developer, the payment shall be refunded without interest.

²⁰ Crime Prevention Through Environmental Design.

18A.35.540 GREEN INFRASTRUCTURE

- A. Development shall implement stormwater standards that incorporates low impact development (LID) principles and standards consistent with City standards in LMC Chapter 12A.11.
- B. Where onsite filtration is feasible, it shall be provided.
- C. Permeable surfaces shall be incorporated into plazas, courtyards, and pedestrian walkways, unless demonstrated infeasible to the satisfaction of the City Engineer, and shall meet City standards per LMC Chapter 12A.11.
- D. Open ponds shall be designed with both natural landscape and urban access and edge treatments consistent with LMC 18A.50.420.
- E. Native and/or drought tolerant landscaping shall be incorporated into required landscape plans.

18A.35.600 Parking

- A. Off-street Parking Requirements. The following off-street parking requirements supersede the requirements in 18A.50.560. Uses not listed below must comply with the requirements in 18A.50.560.

18A.35-600-1. Off-street Parking Requirements.

Land Use	Parking Requirement
Residential	1 per dwelling unit
Retail, Services, Restaurants	2 per 1,000 GSF minimum; 3 per 1,000 GSF maximum
Office	2 per 1,000 GSF minimum; 3 per 1,000 GSF maximum
Street level retail 3,000 sq ft or less per business	None where there is available public parking within 500' or abutting on-street parking designed to serve street level retail²¹

- B. Parking Reductions. The amount of required parking may be reduced or eliminated based on a site-specific parking study that demonstrate one or more of the following:
 - 1. *Shared Parking at Mixed-use Sites and Buildings.* A shared use parking analysis for mixed-use buildings and sites that demonstrate that the anticipated peak parking demand will be less than the sum of the off-street parking requirements for specific land uses.
 - 2. *Public Parking Availability.* The availability of public parking to accommodate the parking demand generated by the site or building. The City may approve a reduction in the amount of required parking by up to 50% for any parking stalls that will be open and available to the public.
 - 3. *Lower Parking Demand.* Demonstrating that anticipated parking demand will be less than the minimum parking required based on collecting local parking data for similar land uses on a typical day for a minimum of 8 hours.

²¹ [To response to the Developers' Forum regarding counting on-street parking. A general comment was also to ensure that street standards encouraged on-street parking whenever possible.](#)

- C. **Parking Location and Design.** Parking shall be located behind the building or in a structure except in locations where the parking frontage type is permitted.
- D. **Shared Parking.** Shared parking is encouraged to support a walkable and pedestrian-oriented CBD where people can park once and visit multiple destinations. Off-site shared parking may be authorized per the standards in 18A.50.550.
- E. **Public Parking.** Public parking is permitted as a principal or accessory use in the Downtown District subject to the frontage and design standards.
- F. **Dimensional Standards.** Parking stall and circulation design shall meet the standards of 18A.50.

18A.35.700 Administration

18A.35.710 FORM-BASED CODE REVIEW

- A. **Purpose.** The purpose of Form-Based Code Review is to ensure that all development in the Downtown District implements the Downtown Plan.
- B. **Applicability.** All development requiring a land use or building permit in the Downtown District shall be subject to Form-Based Code Review.
- C. **Review Process.** Form-Based Code Review is a Process I application type under 18A.02.540. Review shall be conducted concurrently with any related planning review process or building permit, including consideration of the proposal as a Planned Action (Ordinance XXX), and is subject to LMC 18A.02.530²² Permit Procedures.
- D. **Preapplication Conference.** A preapplication conference is required for all development in the Downtown District. The preapplication conference shall be conducted in accordance with LMC 18A.02.622. The site plan, landscaping plan, and building design may be conceptual in form for the preapplication conference.
- E. **Submittal Requirements.** Applications for Form-Based Code Review shall be filed with the Community Development Department. All projects submitted for Form-Based Code Review shall be subject to the submittal requirements in LMC 18A.02.630 Project Permit Applications. Additional information or materials may be requested during the review process if the Community Development director determines they are necessary for proper review of the application. Request for additional materials shall not affect the Determination of Completeness under LMC 18A.02.635, but is subject to LMC 18A.02.735 Time Limitations.
- F. **Review Decision.** The Community Development Director shall provide the applicant with a written decision either approving, denying, or approving the application with modifications and/or conditions of approval. In such case that the application is processed in conjunction with a Process III or higher permit application under the provisions of LMC 18A.02.630 Permit Procedures, the Community Development Director shall provide a written recommendation to either approve, deny, or approve

²² Note for additional code change: Add permit type to 18A.02.502 as a Process 1 permit.

with modifications and/or conditions of approval to the appropriate decision-making body for the higher process permit, as listed in LMC 18A.02.502 Table 3.

G. Review Standards. A decision on a Form-Based Code Review Application shall be based on the standard criteria for Process I Permits in LMC 18A.02.540 and the following:

1. Consistency with the vision and policies of the Lakewood Comprehensive Plan.
2. Consistency with the guiding principles of the Downtown Plan in LMC 18A.35.110.
3. Compliance with the standards in LMC Chapter 18.35.
4. Compliance with the Downtown Planned Acton Ordinance (XXX).

H. Amendments to Approved Applications. Applicants wishing to amend approved applications may submit the amendment to the Community Development Director for review. The application shall meet the submittal requirements of 18A.35.610C unless waived by the Community Development Director. A preapplication conference is not required, but is encouraged for amendment applications that incorporate major changes.

18A.35.720 MASTER PLANNED DEVELOPMENT – TOWN CENTER INCENTIVE OVERLAY

A. Purpose. The purpose of a Master Planned Development in the Downtown District is to provide the developer and the City the opportunity to implement the Downtown Plan in way that could not be achieved through strict application of the standards in this chapter. It also allows for the development of larger, more complex, and multi-phased projects to develop with certainty.

B. Applicability. Development within the Town Center Incentive Overlay may apply for a Master Plan for the development of ten or more acres.

C. Allowed Modification. Adoption of a Master Planned Development allows for the modification of Downtown District development standards within the Town Center Incentive overlay district including modification of standards for height, site design, building design, landscaping, parking, and signage. In addition, density may be calculated by evaluating the number of residential units over the entire acreage subject to the Master Plan instead of the acreage of a particular site. This allows housing units to be clustered at higher intensities, if desired.

D. Review Process. A Master Planned Development is a Process III application under LMC 18A.02.550. Notice of application shall be provided pursuant to LMC [18A.02.670](#).²³

E. Submittal Requirements. Applications for a Master Planned Development shall be filed with the Community Development Department on forms provided by the Department along with established fees. An applicant for a Master Planned Development shall submit the following items to the City, unless the director finds in writing that one or more submittals are not required due to unique circumstances related to a specific development proposal:

1. A detailed narrative that includes:

²³ Note for additional code update: update the applicability for Process III permits in 18A.02.502 Table 3 to include Master Planned development.

- a. A description detailing how the proposed development will be superior to or more innovative than conventional development methods as allowed under the City's land use regulations and how the approval criteria set forth in LMC 18A.35.720F have been satisfied;
 - b. A description of how the proposed Master Planned Development will benefit the public in a manner greater than that achieved if the project was to be developed under the adopted standards of the CBD zone;
 - c. A table illustrating the density and lot coverage of the overall development, with the proportion of the site devoted to public and open space clearly indicated;
 - d. A description of the land use planned for the site, including types and numbers for commercial, civic, industrial, and residential land uses;
 - e. A description of the dwelling units proposed and the overall density and intensity, including the types and numbers of affordable housing units;
 - e. A description of the proposed park, open space and recreation areas including any proposed improvements, including specific details regarding the ownership and maintenance of such areas;
 - f. Detailed information regarding all proposed landscaping that is not included on an associated landscaping plan;
 - g. A description of the specific City standards as set forth in the underlying zoning district that the applicant is proposing for modification;
 - h. A description of how the Master Plan meets guiding principles of the Downtown Plan in LMC 18A.35.110.
2. A site plan with the heading "Master Planned Development Site Plan" that includes information including, street frontage types, building footprints, proposed landscaping, open space and parks and/or recreational areas including trails, public spaces, pedestrian walkways, parking locations, and proposed setbacks;
 3. Conceptual elevation drawings illustrating facade and building design elements, including height, overall bulk/mass and density and proposed residential design features that will provide for a superior development;
 4. A conceptual landscape plan/map showing the proposed location and types of vegetation and landscaping. The landscape plan may also be incorporated into the Master Planned Development site plan and narrative;
 5. A phasing plan, if the development will occur in distinct phases with a written schedule detailing the timing of improvements;
 6. A draft development agreement, if proposed by the applicant, or as required by the City; and
 7. All of the submittal requirements in LMC 18A.02.630 Project Permit Applications.

E. Additional Information. Additional information or materials may be requested during the review process if the Community Development director determines they are necessary for proper review of the application.

F. Required Findings: A Master Planned Development shall only be granted after the Hearing Examiner has reviewed the proposed use and has made written findings that all of the standards and criteria set forth below have been met or can be met subject to conditions of approval:

1. The Master Planned Development is consistent with the comprehensive plan; and
2. The Master Planned Development is consistent with the guiding principles of the Downtown Plan in LMC 18A.35.110.
3. The Master Planned Development by the use of permitted flexibility and variation in design, is a development practice that results in better urban design features than found in traditional development. Net benefit to the City may be demonstrated by one or more of the following:
 - a. Placement, type or reduced bulk of structures, or
 - b. Interconnected usable open space, or
 - c. Recreation facilities, or
 - d. Other public facilities, or
 - e. Conservation of natural features, or
 - f. Conservation of critical areas and critical area buffers beyond, or
 - g. Aesthetic features and harmonious design, or
 - h. Energy efficient site design or building features, or
 - i. Use of low impact development techniques;
4. The Master Planned Development results in no greater burden on present and projected public utilities and services than would result from traditional development and will be served by adequate public or private facilities including streets, fire protection, and utilities; and
5. Open space within the Master Planned Development is an integrated part of the project rather than an isolated element of the project; and
6. The design is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity; and
7. Roads and streets, whether public or private, within and contiguous to the site comply with guidelines for construction of streets and the street frontage standards; and
8. Each phase of the proposed development, as it is planned to be completed, contains the parking spaces, open space, recreation space, landscaping and utility area necessary for creating and sustaining a desirable and stable environment.
9. The Master Plan development is consistent with the Planned Action Ordinance (XXX).

G. Action of the Hearing Examiner. In addition to demonstrating compliance with the criteria as determined by the Hearing Examiner, the applicant shall accept those conditions that the Hearing Examiner finds are appropriate to obtain compliance with the criteria.

18A.35.730 UPDATE OF NONCONFORMING LOTS²⁴

A. Purpose. The establishment of design standards to implement the Downtown Plan resulted in the creation of nonconforming lots. This section defines how nonconforming lots are to be updated to meet the Downtown District design standards for street frontage, site design, and landscaping when incremental changes occur.

B. Applicability. This section applies to all nonconforming lots in the Downtown District, with the exception of lots subject to a development agreement or Master Planned Development. It supplements the standards and requirements for nonconformities in LMC 18A.02.800 through 18A.02.870.

C. Full Compliance. Within any three (3) year period, the expansion of any structure or complex of structures on a lot, which constitutes fifty percent (50%) or more of the existing floor area or building footprint, whichever is less, shall activate the requirement to bring the lot into full compliance with the Downtown District standards for street type, site design, and landscaping.

D. Proportional Compliance. Remodels, alterations, or other improvements to the existing structure activate the requirement to make improvements to the nonconforming lot to reduce the extent of the nonconformity. The degree to which the standards are applied shall be evaluated on a project specific basis and related to the improvement proposed. For example, if new windows are proposed to be installed, the project should address standards related to window transparency and weather protection (if located on a designated street frontage). The Community Development Director shall determine the type, location, and phasing sequence of proposed proportional compliance.

²⁴ Notes for Additional Code Updates: Amend the definition in 18A.90:

NONCONFORMING LOT. A lot which does not conform to the design or density requirements of the zoning district in which it is located. A non-conforming lot is a lot that was legal when it was created but no longer meets the current area, width, or depth dimensional requirements and/or does not meet the landscaping, site planning, or site design requirements for the zoning district in which the property is located. Nonconforming lots may be occupied by any permitted use in the district, provided that all other development regulations in effect at the time of development must be met.

Update 18A.02.850A to apply to lots in addition to uses and developments. Suggest renaming developments to structures for precision.

Update 18A.02.855 to change the title to Nonconformities instead of Nonconforming uses. Add a provision to subsection A that specifies the lot must be brought into conformity if damaged or destroyed greater than 50% of the value. Add a provision to subsection B that exempts development in the Downtown District from this standard

Lakewood Comprehensive Plan Amendments

To maintain consistency with the Comprehensive Plan and Downtown Plan, which will be considered a subarea plan and element of the plan, some text and policy changes are proposed. As the preferred alternative is fleshed out and implementation strategies and costs are developed, further edits to the Transportation Element and Capital Facilities Element will be needed. This document presents the basic land use and urban design related changes.

2.0 OFFICIAL LAND USE MAPS

2.3 Land Use Designations

2.3.6 ~~Central Business District (CBD)~~ Downtown

The ~~CBD~~ Downtown is the primary retail, office, social, urban residential, and government center of the City. The complementary, interactive mixture of uses and urban design provides for a regional intensity and viability with a local character. The regional focus and vitality of the district are evident in the urban intensity and composition of the uses in the district. Local character is reflected in the district's design, people-orientation, and connectivity, which foster a sense of community. The CBD is intended to attract significant numbers of additional office and retail jobs as well as new high-density housing. The plan anticipates that the properties within the CBD will be developed into ~~75 percent commercial and 25 percent commercial and~~ residential mixed uses.

Table 2.1 Comprehensive Plan Designation by Density and Housing Type

Land-Use Designation	Major Housing Types Envisioned	Density ¹		Acres
		Low	High	
Residential Districts:				
Residential Estate	Larger single-family homes	1	2	1044.97 1045.00
Single-Family Residential	Single-family homes	4	6	4,080.77 4083.43
Mixed Residential	Smaller multi-unit housing	8	14	344.07 354.21
Multi-Family Residential	Moderate multi-unit housing	12	22	313.59
High Density Multi-Family	Larger apartment complexes	22	40	442.82
Mixed Use Districts:				
Central Business District Downtown	High-density urban housing	30	54-80- 100	318.69 289.78

Land-Use Designation	Major Housing Types Envisioned	Density ¹		Acres
		Low	High	
Neighborhood Business District	Multi-family above commercial	12	40	287.30 299.61
Arterial Corridor	Live/work units	6	6	18.85
Air Corridor 2	Single-family homes	2	2	235.77
Non-Residential Districts:				
Corridor Commercial	N/A	--	--	471.48
Industrial	N/A	--	--	752.48
Public/Semi-Public Institutional	N/A	--	--	807.18 10.65
Air Corridor 1	N/A	--	--	376.18
Open Space & Recreation	N/A	--	--	1945.26
Military Lands	N/A	--	--	24.95
Total designated area	10969.06			
Excluded: Water & ROW	N/A	--	--	1172.14
TOTAL:				12,141.20

1 As expressed in the comprehensive plan for new development; existing densities are unlikely to match and may already exceed maximums in some cases.

2.4.1 Urban Center

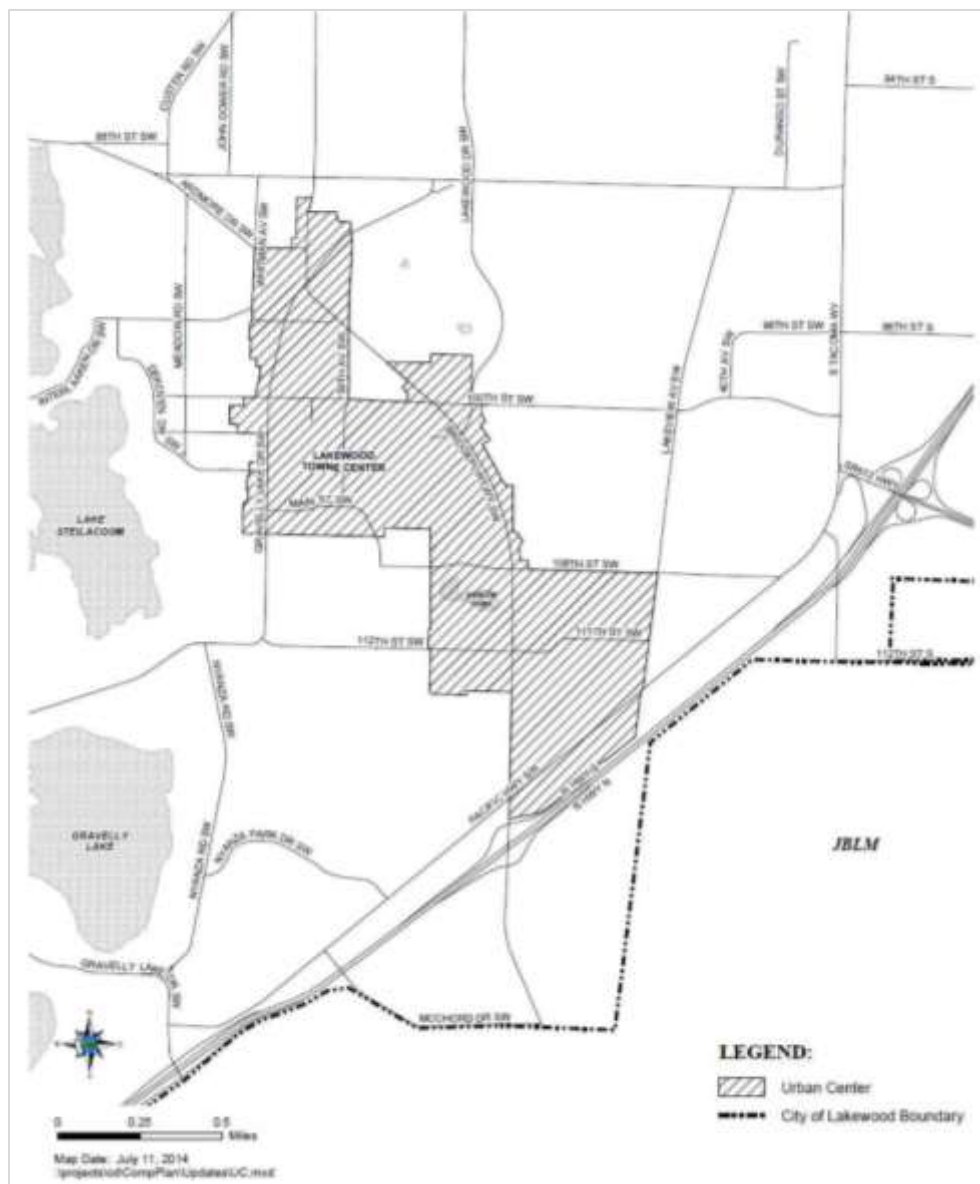
Urban centers as relatively compact clusters of densely mixed business, commercial, and cultural activity.

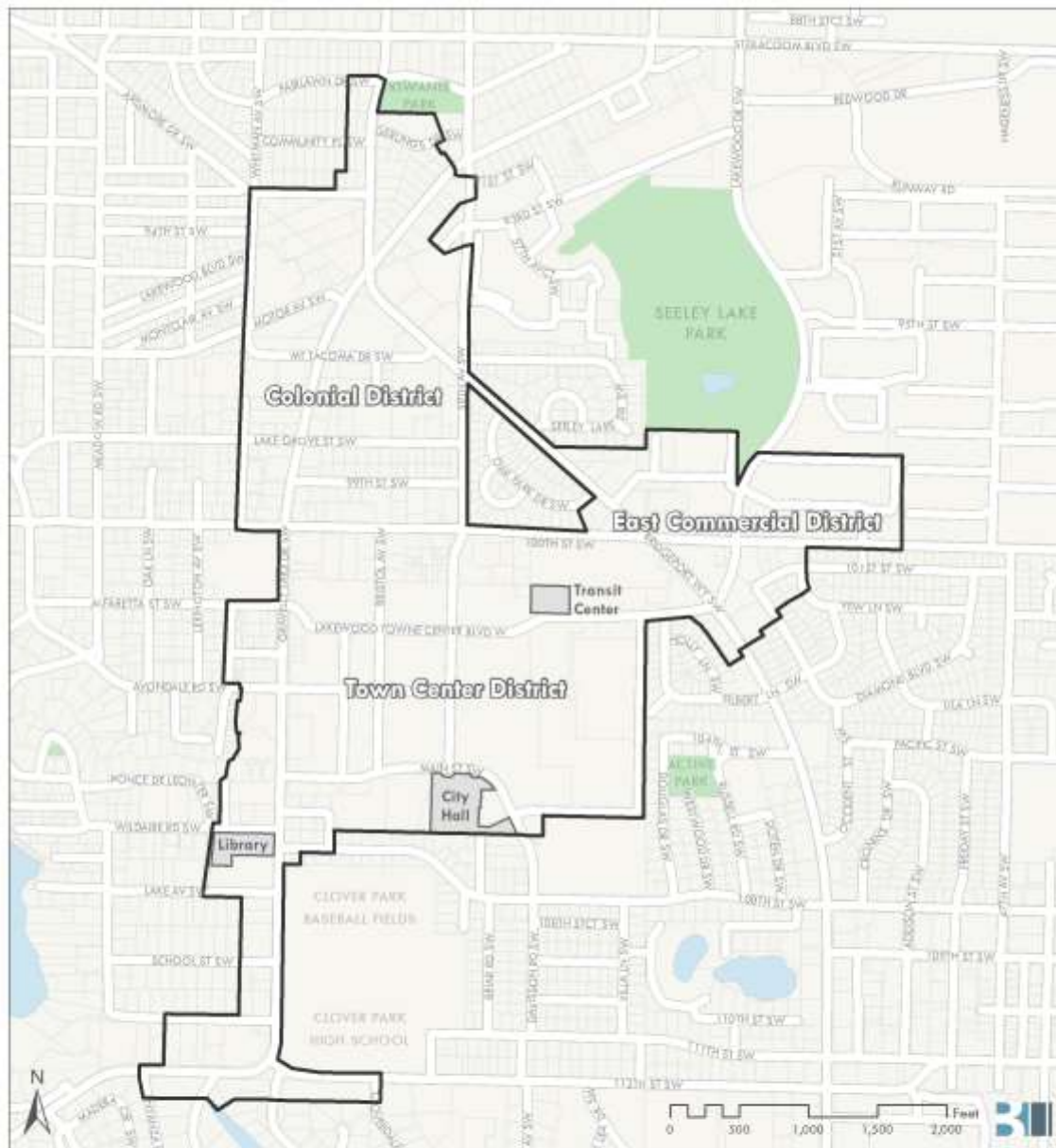
Urban centers are targeted for employment and residential growth with excellent transportation, including high capacity transit service and major public amenities.

Lakewood has one Urban Center; see Figure 2.2. The boundaries of the Urban Center were drawn to include the most appropriate balance of high-density employment and housing in the City. The Urban Center includes the entire ~~CBD Downtown and the majority of the Lakewood Station District. The span of mixed residential and neighborhood commercial connecting the two ends of the Bridgeport corridor are also included.~~ High capacity transit is provided by the existing Pierce Transit Center in Lakewood Towne Center, ~~with connections to and~~ the Sound Transit commuter rail at Lakewood Station ~~and direct high occupancy vehicle (HOV) access to I-5 for bus service outside the center. In addition to the commuter rail station, there is direct high occupancy vehicle (HOV) access to I-5 for bus service, as well as general vehicle on-ramps located nearby at the intersection of Bridgeport Way and I-5.~~ Major public amenities will include improved pedestrian facilities such as design treatments, trails, and parks to be developed concurrent with implementation of the comprehensive plan. Policy language addressing designation of the urban center is located in Section 3.5 of this plan.

Figure 2.2 Lakewood Urban Center

OLD





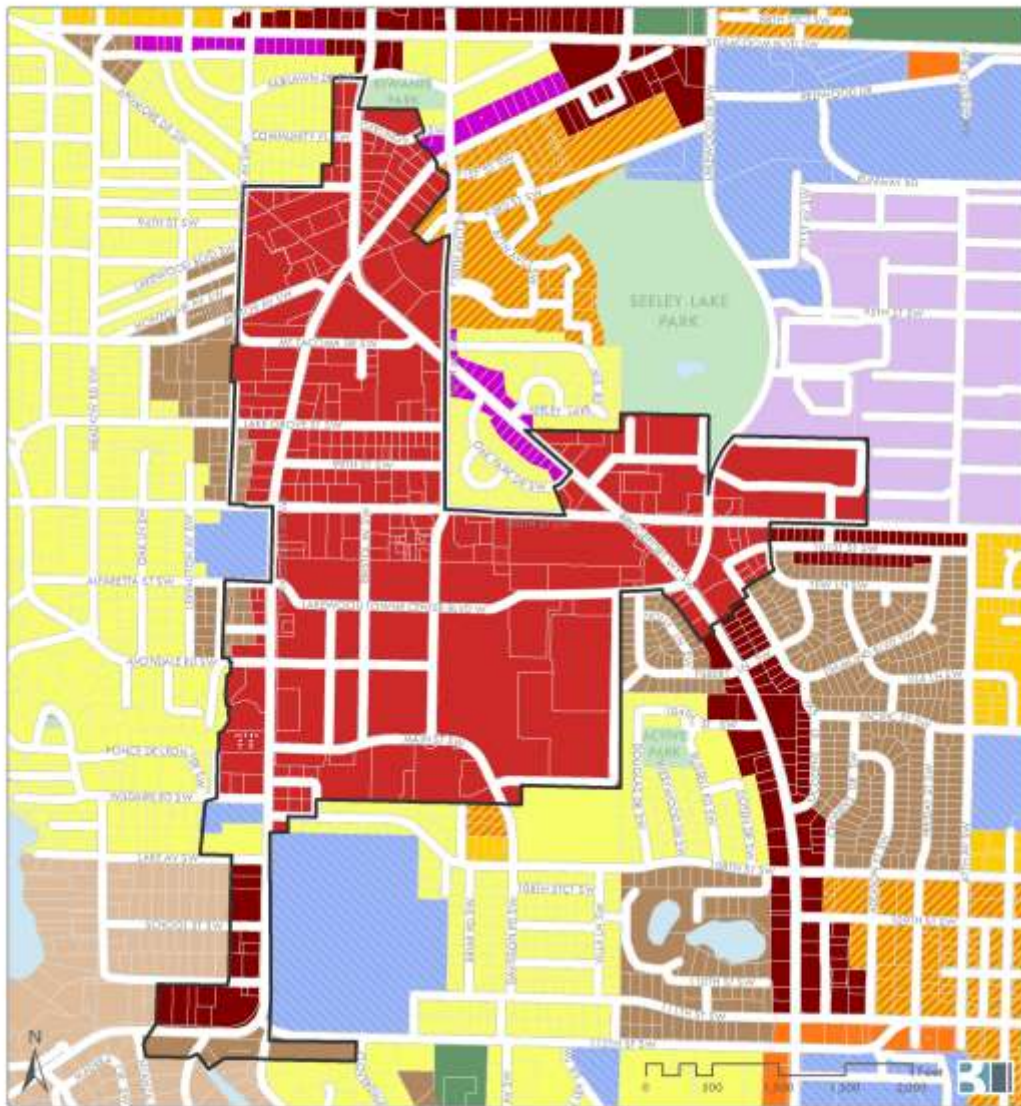
LEGEND

- Lakewood CBD Boundary
- Public Facilities
- Parks
- Parcels
- Waterbody
- Roads

Future Land Use Map

Staff Description: A portion of the Future Land Use Map (Figure 2.1 in the plan; see map here: https://www.cityoflakewood.us/documents/community_development/FLU_11x17.pdf) would be amended to show the whole Downtown area as “Downtown” – the City would implement it with a CBD zone or other multifamily or commercial zones.

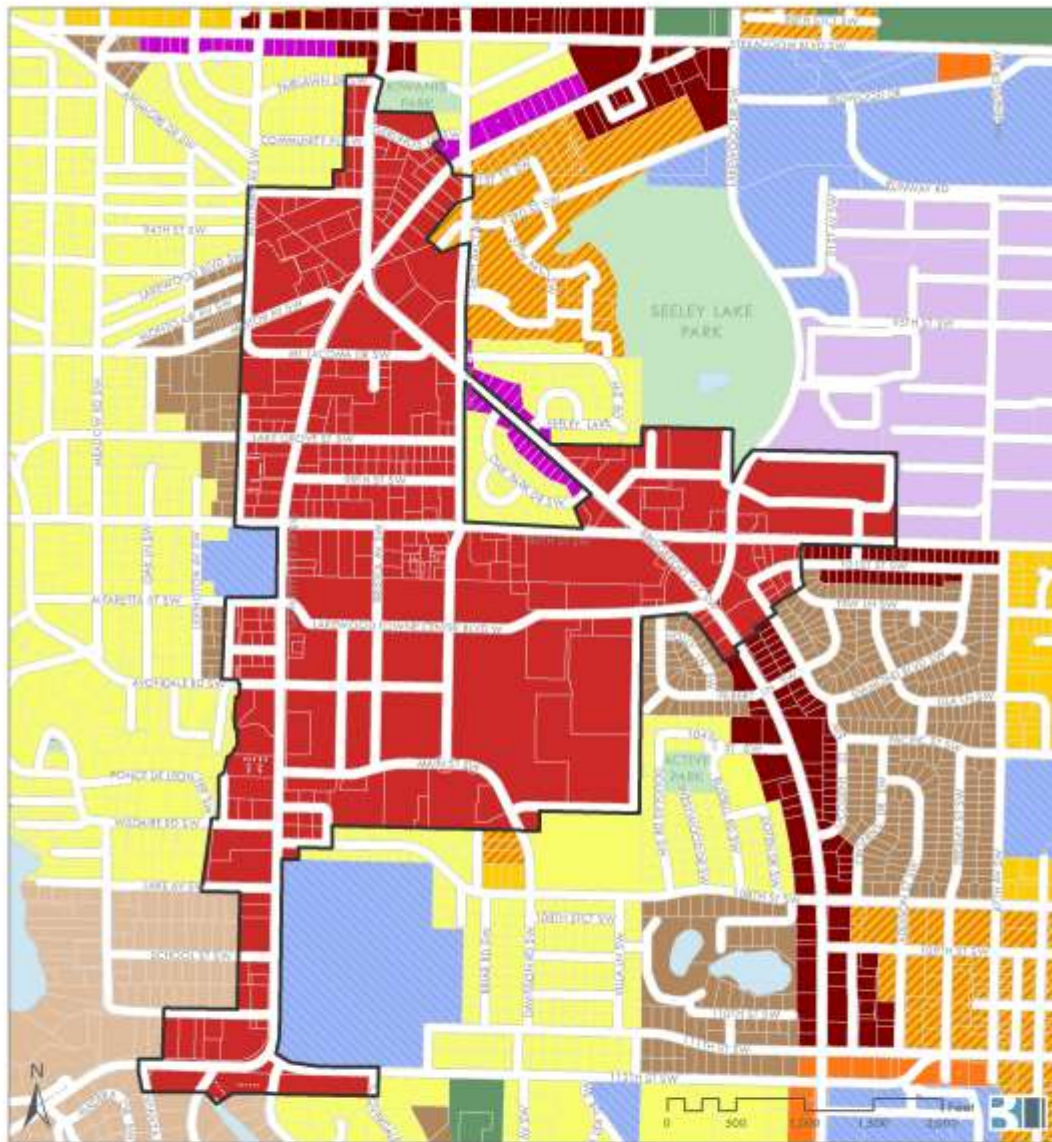
OLD portion of map (with study area as described in Draft Plan)



FUTURE LAND USE

Lakewood CBD Boundary	Open Space / Recreation	Residential - Mixed
Corridor Commercial	Public Semi-Public Institutional	Parks
Central Business District	Residential - Single Family	Parcels
Neighborhood Business District	Residential - Multi Family	Waterbody
Arterial Corridor	Residential - High Density Multi Family	Roads
Industrial	Residential - Estate	

New portion of map (similar study area also shows Bridgeport ROW included on north for consistent landscaping)



FUTURE LAND USE

Lakewood CBD Boundary	Open Space / Recreation	Residential - Mixed
Downtown	Public Semi-Public Institutional	Parks
Corridor Commercial	Residential - Single Family	Parcels
Neighborhood Business District	Residential - Multi Family	Waterbody
Arterial Corridor	Residential - High Density Multi Family	Roads
Industrial	Residential - Estate	

3.0 LAND USE

3.2.6 Lakewood's 2030 Housing Capacity

In 2014, Pierce County Planning and Land Services prepared a capacity analysis for Lakewood based on their buildable lands methodology. That model is based on existing land inventories, and a calculation of underutilized parcels based on transportation and land use demand. The accompanying map, Figure 3.1, which originates from the Pierce County 2014 Buildable Lands Report, identifies vacant, vacant single family, and underutilized properties. The analysis shows that by 2030, Lakewood would need to provide 9,565 new housing units. The data is described in Table 3.1. Current "built-in" capacity based on existing zoning densities and shown in Table 3.2 shows a new housing unit capacity of 11,885-12,563 – Preferred is 12,027¹~~10,915~~.

*** See plan for Table 3.1 ***

Table 3.2 City of Lakewood: Housing Unit Capacity

Zoning District	Adjusted Net Acres	Assumed Density	Unit Capacity	Plus 1 Dwelling Unit per Vacant (single-unit) Lot	Housing Capacity
R-1	47.97	1.45	70	3	73
R-2	132.76	2.2	292	12	304
R-3	376.08	4.8	1,805	43	1,848
R-4	71.28	6.4	456	5	461
MR-1	21.65	8.7	188	0	188
MR-2	60.65	14.6	885	3	888
MF-1	46.54	22	1,024	0	1,024
MF-2	67.44	35	2,360	0	2,360
MF-3	31.44	54	1,698	0	1,698
ARC	13.23	15	198	0	198
NC-1	1.59	22	35	2	37
NC-2	15.02	35	526	7	533
TOC	12.78	54	690	0	690
CBD	17.46	54	943	0	613 <u>1,579-2,257</u> <u>Preferred: 1,725</u>
Total Housing Capacity					10,915 <u>11,885-12,563</u> <u>Preferred: 12,027</u> ¹

¹The total is about four units higher than adding absolute values due to rounding in the Pierce County Buildable Lands Report 2014, upon which much of this analysis is based.

3.3.1 General Commercial Goals and Policies

LU-17.2: Promote the [CBD Downtown](#) as the primary location for businesses serving a Citywide market.

3.3.2 Central Business District

GOAL LU-19: Promote redevelopment of the [CBD Downtown](#) as a mixed-use urban center that creates a downtown and bolsters Lakewood's sense of identity as a City.

LU-19.1: Promote the [CBD Downtown](#) as the primary center for retail, office, public services, cultural activities, urban residential, and civic facilities of Lakewood.

LU-19.2 Encourage neighborhood businesses that provide daily goods and services in the [CBD Downtown](#).

LU-19.3: Promote the [CBD Downtown](#) as a daytime and nighttime center for social, entertainment, cultural, business and government activity.

LU-19.4: Promote cultural institutions, performing arts uses, and recreational activities within the [CBD Downtown](#).

LU-19.5: Remove underlying deed restrictions and/or covenants that prohibit office development, open space, high density residential development and/or mixed-use development in the Towne Center.

LU-19.6: Acquire lands and construct community-gathering destinations such as plazas, open space or community facilities within the Towne Center.

LU-19.7: Support the formation of a Towne Center association or similar organization to establish economic improvement strategies and to sponsor social and safety events.

LU-19.8: Consider the use of the City's eminent domain powers to establish public streets and public open spaces in the Towne Center.

LU-19.9: Revise land use and development regulations to require mixed use development within the [CBD Downtown](#) for any new development excepting standalone commercial pads and service commercial uses.

[LU-19.10: Implement the policies and strategies in the Downtown Plan, which is hereby incorporated by reference as amended, to serve as a subarea plan and to supplement the Downtown policies of the comprehensive plan.](#)

GOAL LU-20: Emphasize pedestrian and bicycle connectivity and transit use within the [CBD Downtown](#) while accommodating automobiles.

LU-20.1: Accommodate automobiles in balance with pedestrian, bicycle, and transit uses within the [CBD Downtown](#) and on individual sites.

LU-20.2: Maintain the Pierce Transit Center located in the Lakewood Towne Center.

LU-20.3: Maintain an appropriate supply of parking in the [CBD Downtown](#) as development intensifies.

LU-20.4: Encourage shared parking agreements within the Towne Center.

[LU-20.5: Encourage multi-modal policies, improvements, and strategies consistent with the Downtown Plan.](#)

3.5 Urban Center

Lakewood's Urban Center, Chapter 2, Figure 2.2 includes the entire ~~CBD Downtown, the majority of the Lakewood Station district, and a significant amount of residential and commercial land along the Bridgeport corridor.~~ Designation of this urban center is consistent with the vision of this plan and the region's VISION 2040 strategy.

GOAL LU-33: Achieve the VISION 2040 Urban Center criteria.

LU-33.1 Designate the ~~Bridgeport Corridor from Pacific Highway SW to the Colonial Center~~Future Land Use Map "Downtown" designation -as an Urban Center.

LU-33.2 Adopt by reference and implement the Countywide Planning Policies for Urban Centers.

4.0 URBAN DESIGN AND COMMUNITY CHARACTER

4.3 Relationship Between Urban Design and Transportation

See Element for framework of streets

Civic Boulevards: These are the key vehicular routes people use to travel through or to districts and neighborhoods. These road corridors should be a priority for improvements to vehicular and pedestrian functioning and safety, and for general streetscape improvements such as street trees, street lighting, landscaping, signage and pedestrian sidewalks, building orientation, and the location of on-street parking. They have been identified as civic boulevards due to the prominent role they play in carrying people into the city and therefore creating an image of the city. The urban design framework plan identifies the following arterials as civic boulevards: the full length of Bridgeport Way, Gravelly Lake Drive from Nyanza Boulevard to Steilacoom Boulevard, 100th Street from South Tacoma Way to Gravelly Lake Drive, and the entirety of S. Tacoma Way and Pacific Highway Southwest, the entire length of Steilacoom Blvd., Veterans Drive from Vernon Ave. to Gravelly Lake Drive, Washington Blvd. from Military Road to Gravelly Lake Drive, and Military Road from 107th Ave. to Washington Blvd, as well as N. Thorne Lane and Union Avenue in Tillicum (Table 4.2).

Table 4.2: Civic Boulevards.

Civic Boulevards	Locations
Bridgeport Way	Full length
Gravelly Lake Drive 100th Street	from Nyanza Boulevard to Steilacoom Boulevard from South Tacoma Way to Gravelly Lake Drive See also Downtown Plan for street sections
S. Tacoma Way/ Pacific Hwy SW	All (except So. Tac. Way extension)
N. Thorne Lane	from I-5 to Union Avenue
Union Avenue	from N. Thorne Lane to Berkeley Street
Veterans Drive	Vernon Ave SW to Gravelly Lake Drive
Steilacoom Blvd SW	South Tacoma Way to Far West Drive

Civic Boulevards	Locations
Washington Blvd.	Military Road to Gravelly Lake Drive
Military Road	107th Avenue to Washington Blvd.

Key Pedestrian Streets or Trails (“Green Streets”): This term identifies streets that function as preferred pedestrian routes between nodes of activity, trails that link open space areas, or streets with a distinctive pedestrian oriented character, such as a shopping street. Key pedestrian streets should have wide sidewalks; streetscape features such as street trees, benches, way-finding signage, and pedestrian-oriented street lighting; and safe street crossings. The framework plan identifies pedestrian-friendly green streets in several areas including the [CBD Downtown](#) where they are important to create a downtown atmosphere. Lastly, Lakewood’s Legacy Parks Plan identifies a system of off-street trails to be developed that link the city’s major open spaces.

Table 4.3: Key Pedestrian Routes.

Green Streets	Neighborhood	Extents
83rd Ave.	Oakbrook	Steilacoom Blvd. to Garnett
Onyx Drive	Oakbrook	Oakbrook Park to 87th Ave.
Phillips Road	Oakbrook	Steilacoom Blvd. to 81st St.
87th Ave SW	Oakbrook	Onyx Drive to Fort Steilacoom Park
Hipkins Road		104th to Steilacoom Blvd.
Green Street Loop with Arterial and Local Streets in Downtown	Downtown	See Downtown Plan for extent and street sections
Lakewood Town Center	CBD	Various pedestrian links within LTC property
Lakewood Drive	CBD	Bridgeport Way to Steilacoom Blvd.
Steilacoom Blvd.	CBD	Lakeview Drive to 63rd Ave.
63rd Ave.	CBD	Steilacoom Blvd. to Motor Ave.
Motor Avenue	CBD	Gravelly Lake Dr. to Whitman
72nd Ave.	Lakewood Center	Steilacoom Blvd. to Waverly Dr.
Waverly Drive	Lakewood Center	72nd Ave. to Hill Grove Lane
Hill Grove Lane	Lakewood Center	Waverly Drive to Mt. Tacoma Drive
Mt. Tahoma Drive	Lakewood Center	Dekoven to Bridgeport Way
108th Street	Lakeview	Pacific Hwy. to Davisson Road
Kendrick Street	Lakeview	Entire length
San Francisco Ave.	Springbrook	Bridgeport Way to 49th Ave.

Green Streets	Neighborhood	Extents
49th Ave.	Springbrook	San Francisco Ave. to 127th St.
127th St.	Springbrook	49th Ave. to 47th Ave.
Bridgeport Way	Springbrook	123rd St. to McChord Gate
123rd St.	Springbrook	Entire length
47th Ave.	Springbrook	From Pacific Hwy. SW to 127th St.
Washington Ave.	Tillicum	W. Thorne Lane to N. Thorne Lane
Maple Street	Tillicum	Entire length
Custer Road	Flett	Bridgeport Way to Lakewood Drive

4.5 Focus Area Urban Design Plans

Three areas of the city were selected for a focused review of urban design needs: the [CBD Downtown](#), the Lakewood Station district, and Tillicum. These areas were singled out for their prominence, for the degree of anticipated change, and for the rich mixture of land uses within a limited space, calling for a higher level of urban design treatment. Each area is discussed in terms of a vision for that area, its needs, and proposed actions to fulfill those needs and realize the vision. A graphic that places those identified needs and proposed actions in context accompanies the discussion.

4.5.1 Central Business District

A major goal of this comprehensive plan is to create a downtown in the [CBD Urban Center where CBD zoning is largely applied](#), redeveloping it into a rich urban area with civic amenities, walkable streets, and a mix of uses including housing, entertainment, restaurants, and retail. The [CBD Downtown](#) has significant economic assets such as the Lakewood Towne Center, historic and cultural assets such as the Colonial Center, nearby open space assets such as Seeley Lake, civic assets such as Clover Park High School and City Hall, and other major retail and entertainment assets. There is a strong street pattern, including the intersection of three of the city's major civic boulevards: Bridgeport Way, Gravelly Lake Drive, and 100th Street.

To create a downtown atmosphere, a number of land use and infrastructure changes will be needed, including:

- [Green Street Loop: To address the lack of park space, improve public streets, and improve circulation for pedestrians and bicyclists the green loop will include park like elements, green infrastructure, and support redevelopment in Downtown.](#)
- [New Public Streets: The Downtown lacks a dense and walkable street grid to support urban development, circulation, and an active public realm.](#)
- [Central Park: A new urban park of between two to four acres is proposed just north of City Hall to serve as the main gathering space for the community and to include a variety of features and programming.](#)

- **Revised Gravelly Lake Drive:** As part of the Green Street Loop, a revised road design for Gravelly Lake Drive SW is proposed. The revision will allow for expanded sidewalks and a multi-use path on the east side of the street.
- **Catalyst Sites:** Catalyst sites are the best opportunities to weave together public improvements in infrastructure and amenities with infill and redevelopment by the private sector. The best opportunities for redevelopment based on vacant and underutilized sites, and large surface parking areas, and surrounding context have been identified as catalyst sites in the near term to further the implementation of this Plan.
- **Motor Avenue Festival Street:** The City intends to move forward with creating a festival street along Motor Avenue consistent with the adopted concept plan. The plan includes a large central plaza, a pedestrian promenade, a farmer's market and event structure, street trees, landscaping, and public art opportunities.

- intensification of land use within the CBD, including some higher density residential infill;
- development of more urban civic amenities, including park space, civic plazas, and recreation opportunities;
- establishment of pedestrian linkages between the Colonial Center and Lakewood Towne Center; and
- creation of an urban streetscape with pedestrian-oriented spaces, buildings that define street edges, and high quality design in the streetscape.

Key to this vision for the CBD is continuation of the successful and creative evolution of Lakewood Towne Center. Specific actions the City can take in support of this redevelopment include assistance with strengthening the street grid within the CBD, including specific streetscape improvements along major civic boulevards; good transportation planning, including a strong transit link between the CBD and the new commuter rail station; and good land use planning, working with the development community to promote residential growth within the CBD where it is close to available jobs and services.

The urban design framework plan depicting some of the potential land use and urban design changes in the CBD is shown in Figure 4.2. Some of the specific urban design actions shown in that figure that may occur as the CBD develops are as follows:

Landmarks/Activity Nodes: Streetscape enhancements to the intersection of Gravelly Lake Drive and Bridgeport Way would create a positive image of the city, with new landscaping, crosswalks, signal poles, central island, signage, and other treatments.

Civic Boulevards: The framework plan identifies various safety and image-oriented streetscape improvements to Bridgeport Way, Gravelly Lake Drive, and 100th Street, including the use of landscaped medians in the current turning lanes, crosswalks, undergrounding of utilities, and general aesthetic improvements. Improvements to the intersection of Bridgeport Way with Lakewood Boulevard and 100th Street would improve visibility and access to the Towne Center.

Green Streets: For the network of pedestrian-oriented streets identified in between the Colonial Center and the Towne Center, improvements would be made to increase pedestrian interest and safety, such as curb ramps, street trees, crosswalks, and lighting.

Open Space: Improved access and recreational opportunities are shown for Seeley Lake Park. The development of smaller urban parks within the CBD could occur through density bonuses to private

developers in exchange for development of public open space. Integrated park/plaza spaces are a priority in the CBD, particularly in the Towne Center and Colonial Center areas. Such spaces should provide for the display of public art, other cultural and festive celebration, and for visitors and workers to relax and enjoy.

OLD

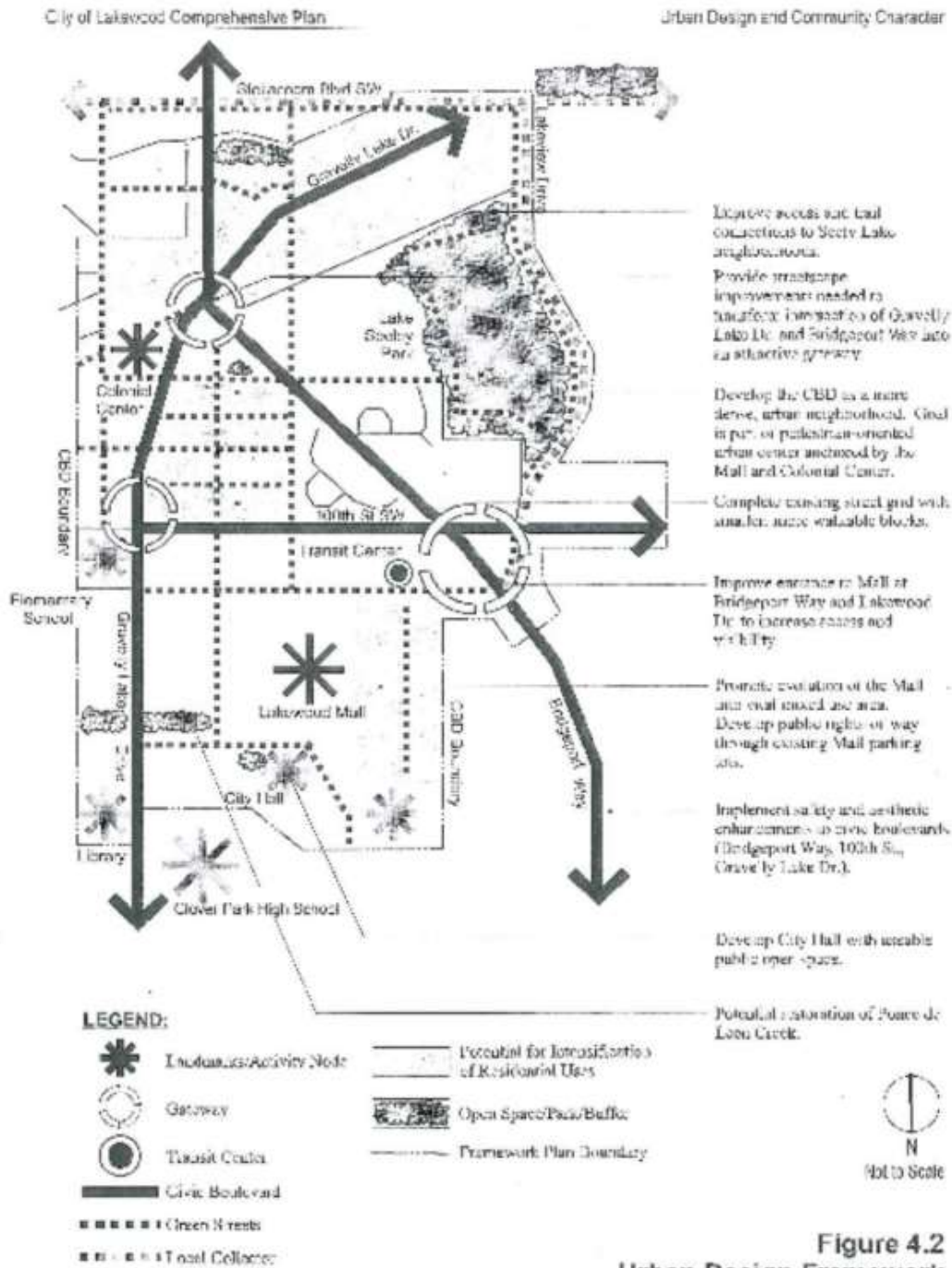


Figure 4.2
Urban Design Framework
for Central Business District (CBD)

Chapter 4, page

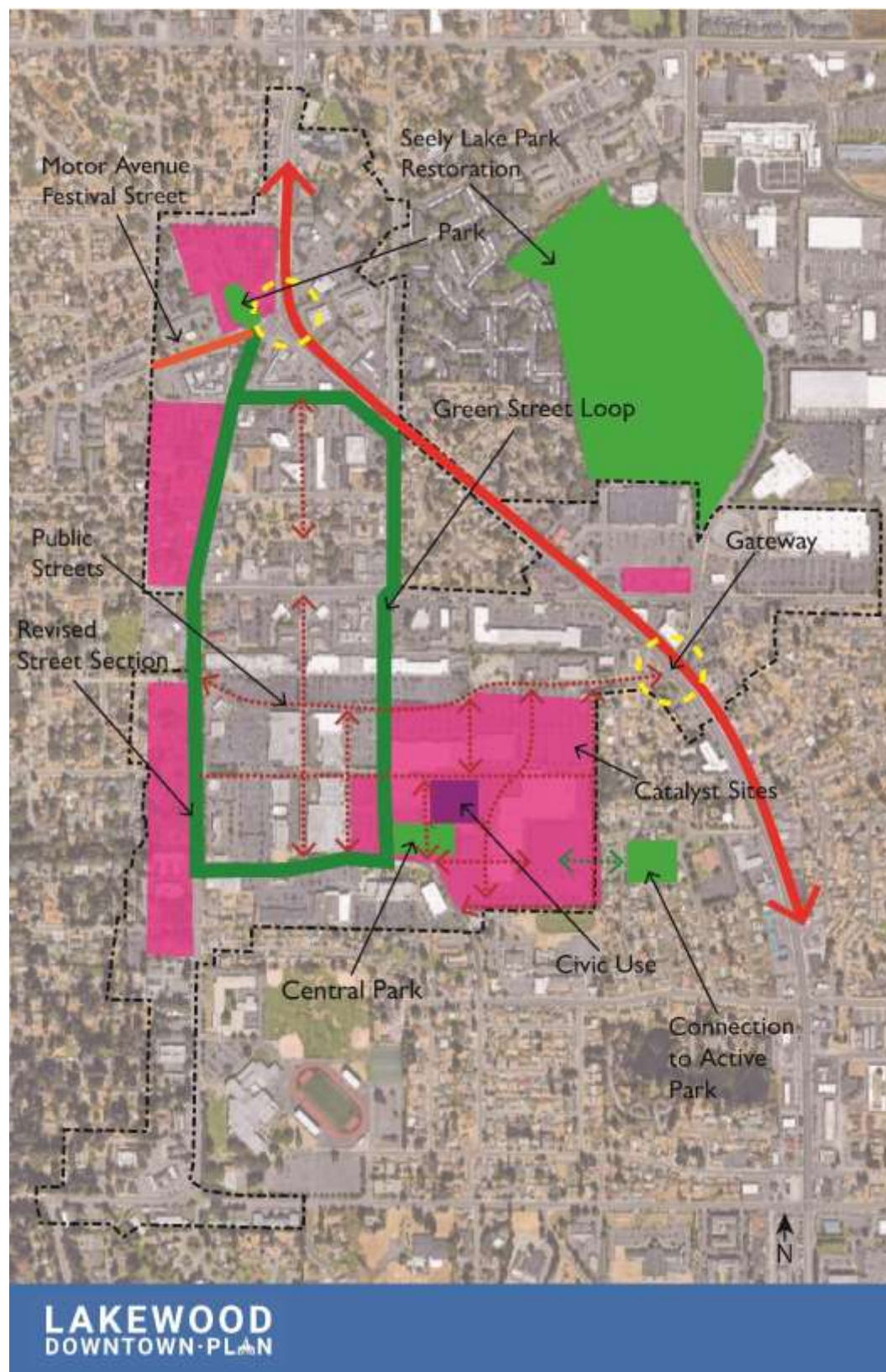
SOURCE: EDRA, Inc. 1359.

July 2000

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NEW

Figure 4.2 Downtown Plan Concept



[Framework, 2018](#)

PLANNING COMMISSION RESOLUTION NO. 2018 - XX

A RESOLUTION OF THE CITY OF LAKEWOOD PLANNING COMMISSION ADOPTING THE DOWNTOWN SUBAREA PLAN, AMENDING TITLE 18A, LAND USE AND DEVELOPMENT CODE, ESTABLISHING A NEW CHAPTER 18A.35 (DOWNTOWN DEVELOPMENT CODE), AND AMENDING THE LAKEWOOD COMPREHENSIVE PLAN

I. RECITALS

WHEREAS, the City of Lakewood is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the State of Washington, and planning pursuant to the Growth Management Act (GMA), Chapter 36.70A RCW; and

WHEREAS, the City has adopted a Comprehensive Plan under the GMA and, as provided in RCW 36.70A.080(2), is authorized to adopt a subarea plan as an optional planning element; and

WHEREAS, RCW 36.70A.130(2)(a)(i) exempts the initial adoption of a subarea plan from the GMA's limitation on comprehensive plan amendments to once per year; and

WHEREAS, the City's Comprehensive Plan includes policies for the creation of a subarea plan for the Downtown (e.g., City of Lakewood Comprehensive Plan, page 71, Goal LU-19; page 88, Goal LU-43; and page 121, Subsection 4.5.1); and

WHEREAS, the Lakewood Comprehensive Plan anticipates the adoption of subarea plans as an implementation tool, including for the Central Business District (City of Lakewood Comprehensive Plan, page 220, Strategy 11.3.3); and

WHEREAS, the City commissioned and received a Motor Avenue Urban Design Vision in 2016; and

WHEREAS, the City commissioned and received a Central Business District Assessment in 2017; and

WHEREAS, the City prepared the Downtown Subarea Plan after an extensive public participation and review process for the Subarea Plan including online surveys, open houses, community meetings, stakeholder meetings, and study sessions and public meetings before the Planning Commission and the City Council in 2017 and 2018; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), RCW 43.21C, on June 15, 2018, the City issued the Downtown Subarea Planned Action Final Environmental Impact Statement (PAFEIS) which identifies the impacts and mitigation measures associated with the adoption of the Subarea Plan; and

WHEREAS, the City held the Downtown Planned Action Ordinance Community Meeting on April 26, 2018 as required by RCW 43.21C.440 (3)(b); and

WHEREAS, the Planning Commission, after required public notice, on May 2, 2018 held a public hearing on the Downtown Subarea Plan, including changes to the City's Comprehensive Plan text and Land Use Map, reviewed the public record, and made a recommendation to the City Council on June 6, 2018; and

WHEREAS, the City Council, after required public notice, held a study session for the Downtown Subarea Plan, including changes to the City's Comprehensive Plan text and Land Use Map, on June 25, 2018 and held a public hearing on July 2, 2018; and

WHEREAS, the City Council reviewed the Planning Commission's recommendation and the entire public record presented to the City Council; and

WHEREAS, pursuant to RCW 36.70A.370, the City has utilized the process established by the Washington State Attorney General so as to assure the protection of private property rights; and

WHEREAS, pursuant to RCW 36.70A.106, on March 16, 2018, the City provided the Washington State Department of Commerce with a 60-day notice of its intent to adopt the amendments to City's Comprehensive Plan;

II. NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAKEWOOD, WASHINGTON DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1: The procedural and substantive requirements of the State Environmental Policy Act have been complied with.

SECTION 2: The procedural requirements of RCW 36.70A have been complied with.

SECTION 3: The proposed amendment is consistent with the requirements of Revised Code of Washington, and the Washington Administrative Code.

SECTION 4: The proposed amendment is consistent with the City of Lakewood Comprehensive Plan.

SECTION 6: The proposed amendments have been reviewed and processed in accordance with the requirements of Title 14 Environmental Protection, Title 14A Critical Areas, and Title 18A Land Use and Development of the City of Lakewood Municipal Code.

SECTION 7: All of the facts set forth in the Recitals are true and correct, and are incorporated herein by reference.

SECTION 8: All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State law and the City's municipal code.

SECTION 9: The Lakewood Planning Commission finds and determines that the regulation and prohibition of marijuana production, processing, and retail uses is within the City's regulatory authority.

SECTION 10: The Lakewood Planning Commission finds and determines that approval of such amendments prohibiting the production and processing of marijuana in the City of Lakewood is supported by case law and the Opinion of the Washington State Attorney general, is in the best interests of the residents of Lakewood, and will promote the general health, safety and welfare.

SECTION 11: The Lakewood Planning Commission finds and determines that regulation of marijuana for retail sales and for recreational or medical purposes is subject to the authority and general police power of the City to develop specific and appropriate land use controls regarding such uses, and the City reserves its powers and authority to appropriately amend, modify and revise such prohibition to implement such land use controls in accordance with applicable law;

SECTION 12: The documents and other materials that constitute the record of the proceedings upon which the Planning Commission's recommendations are based, which include, but are not limited to, the staff reports for the Project and all of the materials that support the staff reports for the Project, are located in the City of Lakewood, Community and Economic Development Department at 6000 Main Street SW, Lakewood, Washington, 98499-5027. The custodian of these documents is the Assistant City Manager for Development Services of the City of Lakewood;

NOW, THEREFORE,

Section 1. Adoption of the Downtown Subarea Plan. The Downtown Subarea Plan, filed with the City Clerk and attached hereto as **Exhibit A**, is adopted.

Section 2. Adoption of the Downtown Subarea Plan Planned Action. The Planned Action Environmental Impact Statement for the Downtown Subarea Plan, filed with the City Clerk and attached hereto as **Exhibit B**, is adopted.

Section 3. Amendment of Lakewood Municipal Code Title 18A, Land Use and Development Code. The City of Lakewood's Municipal Code Title 18A is amended to include a new Chapter 18A.35, Downtown Development Code, filed with the City Clerk and attached hereto as **Exhibit C**.

Section 4. Amendment of the Comprehensive Plan and Land Use Map. The City of Lakewood's Comprehensive Plan is amended to include the Downtown Subarea Plan, the City's Comprehensive Plan Land Use Map is amended to include the land use designations set forth in the Downtown Subarea Plan, and the Comprehensive Plan's text is hereby amended as shown in **Exhibit D**, filed with the City Clerk and attached hereto.

Section 4. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any other person or situation.

Section 5. Effective Date. This Ordinance shall be in full force and effect thirty (30) days

after publication as required by law.

PASSED, APPROVED, and ADOPTED this 6th day of June, 2018 upon a motion of Commissioner BLANK, seconded by Commissioner BLANK, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Chair

ATTEST:

KAREN DEVEREAUX, Secretary

EXHIBIT A

Exhibit A – Downtown Subarea Plan

EXHIBIT B

Exhibit B – Downtown Development Code (LMC Title 18A Amendments)

EXHIBIT C

Exhibit C – Comprehensive Plan Map and Text Amendments

Comparison of Allowed Uses in Draft Downtown Development Code

The following series of charts identify allowed uses, with a focus on all street types, except Low-Impact Mixed Use Roads where a more select list of uses is allowed and addressed in a separate section.

Comparison of Allowed Uses in Draft Downtown Development Code.....	1
Residential Uses.....	1
Civic Uses	4
Utilities.....	8
Commercial Uses	11
Industrial.....	20
Agricultural.....	26
Accessory Uses.....	27
Low-Impact Mixed-Use Streets.....	30

RESIDENTIAL USES

Note: P= Permitted, CUP = Conditional Use Permit, X = Prohibited

Addresses all streets except Low-Impact Mixed Use Streets

18A.20.300 Residential Use Category - Land Use Types and Levels.	Draft 4/25	Draft 4/30
The Residential use category includes permanent living accommodations for individuals or families of varying economic means, including those having special needs. The Residential use category has been separated into the following types based upon distinguishing features such as the type and scale of the structure , ownership pattern; number, age and special needs of individuals who reside in the structure ; and any applicable state and/or local licensing requirements.		
A. Single-Family Residential. A residential dwelling unit that provides living accommodations for a single individual or family . This category includes development with up to two (2) dwelling units per individual lot , except cottage housing development where multiple detached single- family dwellings are required, does not including accessory dwelling units P under LMC 18A.70.310 .		

18A.20.300 Residential Use Category - Land Use Types and Levels.

Draft 4/25

Draft 4/30

Level 1: Detached single-family: conventionally built , manufactured, or modular homes permanently constructed on-site to meet applicable uniform codes, and placed on a permanent foundation as specified by the manufacturer, where each unit is detached from any other unit and located on its own separate legal lot of record. Manufactured and modular homes are subject to the provisions of LMC 18A.50.180 , Manufactured Homes on Individual Lots .	X	X except P in Low-Impact Mixed Use
Level 2: Two Family Residential: A legal lot of record containing two units, whether attached or detached from each other (including instances where individual units are held in condominium ownership on a commonly owned parcel), but not including units attached to multiple units on other lots , which are instead classified as Single Family - Level 3 (Attached Single Family-multiple). Two Family Residential also includes attached single-family conventionally built or modular homes permanently constructed on-site to meet applicable uniform codes, and placed on a permanent foundation, where each unit is structurally attached to one, and only one, other unit on a separate parcel , so that the units are attached in pairs.	X	X except P in Low-Impact Mixed Use
Level 3: Attached Single Family-multiple: Attached single-family conventionally built or modular homes permanently constructed on-site to meet applicable uniform codes, and placed on a permanent foundation, where each unit is structurally attached to at least one other unit, usually on a separate parcel . A maximum of two units may be located on any individual parcel . This term includes " townhouses " and " rowhouses ."	X	X except P in Low-Impact Mixed Use
Level 4: Manufactured home parks , subject to the provisions of LMC 18A.70.400 , Manufactured Home Parks .	X	X
Level 5: Cottage Housing, subject to the provisions of LMC 18A.70.700 , Cottage Housing.	X	P if part of a mixed-use development.
B. Multifamily Residential. Multiple residential units within a single residential structure , or multiple residential structures , which provide separate living accommodations for multiple individuals or families on a single parcel of land, not including manufactured home parks , which are instead treated as a Level 4 Single-Family Residential use type . Multifamily dwelling units are typically under common ownership and management but may be separately owned condominium units on a commonly owned parcel or cooperatively owned. Modular construction may be utilized.		
Level 1: Three (3) or more attached or detached dwelling units on a single parcel of land, in structures comprising six or less units.	P	P
Level 2: Seven (7) or more attached or detached dwelling units on a single parcel of land in structures comprising more than six units.	P	P
Level 3: Multiple, horizontally and/or vertically attached dwelling units combined vertically with and above an allowed commercial use . Commercial uses shall comprise a minimum of fifty (50) percent of the square footage of the ground floor and shall align with the building's street frontage .	P	P
C. Co-Housing. A variety of housing options in which a community facility is included for the purpose of such things as communal meals, laundry, recreation or socialization, day care, and/or other functions supportive of voluntary communal living by an organized group. Examples include fraternity/sorority houses; intentional communities; and religious orders, whether or not in conjunction with a Religious Assembly use type .	P	P

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D. Type 1 Group Home. Publicly or privately operated living accommodations for related or unrelated individuals having handicaps, subject to compliance with all applicable federal, state, and/or local licensing requirements. For the purposes hereof, "handicap" shall mean a physical or mental impairment which substantially limits one or more of the person's major life activities, a record of having such an impairment, or being regarded as having such an impairment; however, the term does not include current, illegal use of or an addiction to a controlled substance.	P	P
E. Type 2 Group Home. Publicly or privately operated living accommodations for related or unrelated individuals such as group homes for children, group homes providing an alternate residential setting for families in crisis, and other groups not listed within Type 1, 3, 4, or 5 Group Home Residential use types ; all subject to compliance with all applicable federal, state, and/or local licensing requirements.		
Level 1: A group home with a maximum of seven (7) residents, plus resident staff.	P	P
Level 2: A group home with a maximum of ten (10) residents, plus resident staff.	P	P
Level 3: A group home with more than ten (10) residents, plus resident staff.	P	P
F. Type 3 Group Home. ¹ Publicly or privately operated living accommodations for juveniles under the jurisdiction of DSHS and/or the criminal justice system, including state-licensed group care homes or halfway houses for juveniles which provide residence in lieu of incarceration, and halfway houses providing residence to juveniles needing correction or for juveniles selected to participate in state-operated minimum security facilities as defined in RCW 72.05.150 , as hereafter may be amended . A community facility as defined in RCW 72.05.020(1) , as hereafter may be amended , is considered to constitute a Type 3 Group Home. All are subject to compliance with all applicable federal, state, and/or local licensing and other requirements.		
Level 1: A group home with a maximum of eight (8) residents, plus resident staff.	X	CUP
Level 2: A group home with a maximum of twelve (12) residents, plus resident staff.	X	CUP
Level 3: A group home with more than twelve (12) residents, plus resident staff.	X	CUP
G. Type 4 Group Home. ² Publicly or privately operated living accommodations for adults under the jurisdiction of the criminal justice system who have entered a pre- or post-charging diversion program or have been selected to participate in state-operated work/training release or other similar programs as provided in Chapters 137-56 and -57 WAC , as may hereafter be amended . All are subject to compliance with all applicable federal, state, and/or local licensing and other requirements.	X	X

¹ Current allowance in CBD is as a CUP.

² Currently not allowed in CBD zone.

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H. Type 5 Group Home. ³ A secure community transition facility as defined in RCW 71.09.101(14) , as hereafter may be amended , which is a residential facility that provides supervision and security for people who have completed their criminal sentences for sexually violent offenses but who remain subject to additional requirements for sexually violent predators under Chapter 71.09 RCW , as hereafter may be amended . All are subject to compliance with all applicable federal, state, and/or local licensing and other regulations.	X	X
I. Assisted Living Facilities. A multifamily residential facility serving elderly and/or persons with special needs, which provides its residents with assistance with Activities of Daily Living (ADL) and which are regulated under Chapter 18.20 RCW , subject to compliance with all applicable federal, state, and/or local licensing requirements. This use type may include dementia care but does not include hospitals, nursing homes , medical clinics or offices, medical treatment, or multifamily residences which do not provide ADL assistance .	P	P
J. Continuing Care Retirement Community. A residential community for the elderly which operates under a single ownership on a contractual basis and offers a range of living arrangements which may include independent living, assisted living, and/or skilled nursing care, along with a variety of common amenities and ancillary services; subject to all applicable federal, state, and/or local licensure.	P	P
K. Nursing Home. Multi-unit or multi-bed facilities that are licensed or approved to provide living accommodations and round-the-clock health care and medical supervision and which are regulated under Chapter 18.51 RCW , subject to compliance with all appropriate federal, state, and/or local licensing requirements.	P	P
L. Hospice Care Center. A homelike, non-institutional facility where services such as symptom and pain management are provided to terminally ill individuals and emotional, spiritual, and bereavement support is offered for the individual and family , and which are regulated under Chapter 70.127 RCW , subject to compliance with all appropriate federal, state, and/or local licensing requirements.	P	P

CIVIC USES

Note: P= Permitted, CUP = Conditional Use Permit, X = Prohibited

Addresses all streets except Low-Impact Mixed Use Streets

18A.20.400 Civic Use Category - Land Use Types and Levels.**Draft 4/25****Draft 4/30**

The Civic use category includes facilities or services that serve a demonstrated public function and are generally considered to be of community importance, such as educational, cultural, medical, protective, and governmental facilities and uses .		
A. Community and Cultural Services. Establishments primarily engaged in the provision of services that are strongly associated with community, social, or public importance. Examples include libraries, museums, art galleries, senior centers, community centers, performing arts theaters, and community clubs and organizations.		

³ Currently not allowed in CBD zone.

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Level 1: Establishments which do not exceed five thousand (5,000) gross square feet .	P	P
Level 2: Establishments of between five thousand (5,000) and twenty thousand (20,000) gross square feet .	P	P
Level 3: Establishments which are larger than twenty thousand (20,000) gross square feet .	P	P
B. Daycare Facilities. The use of a building , or any portion thereof, for the regular care of individuals needing supervision and care on a less-than-around-the-clock basis. The term shall also include facilities commonly known as day care facilities, day care centers, and preschools , but not pet day cares, which shall instead be treated as a Pet Sales and Services Commercial use type . All are subject to compliance with all appropriate federal, state, and/or local licensing requirements and the specific standards set forth in LMC 18A.70.100, Daycare Facilities .		
Level 1: Home-based day care for up to twelve (12) children or adults.	P	P
Level 2: Daycare centers serving children or adults that provide services for periods of less than twenty-four (24) hours that are not based from a home.	P	P
C. Education. ⁴ Educational services provided by public, private, or parochial institutions. Examples include grade schools, community colleges, public and private colleges or universities.		
Level 1: Primary and secondary educational facilities such as kindergarten, elementary, middle schools, junior high schools, and high schools.	CUP	CUP
Level 2: Higher educational facilities such as community colleges, colleges or universities.	CUP	CUP
D. Essential Public Facilities. Under the state Growth Management Act, essential public facilities include those facilities that are typically difficult to site such as airports , state education facilities and state or regional transportation facilities as defined in RCW 47.06.140 ; state and local correctional facilities ; solid waste handling facilities; and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020 . For the purposes of and within this title, essential public facilities are treated as listed or substantially similar to listed use types , thereby affirming their siting in appropriate areas; except as applied to public lands, where they are liberally construed to include a broad array of public services. Essential public facilities do not include wireless telecommunications facilities .	CUP, except where P or X	CUP, except where P or X
E. Government Administration Facilities. The executive, legislative, judicial, administrative and regulatory activities of local, state, federal, and international governments or special districts that may perform public services and work directly with citizens. Examples include courthouses, armories, human and social service offices, health offices, and government offices.		
Level 1: Uses that do not exceed 5,000 gross square feet .	P	P

⁴ Allowed currently in CBD as a CUP.

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Level 2: Uses of between five thousand (5,000) and twenty thousand (20,000) gross square feet .	P	P
Level 3: Uses that exceed twenty thousand (20,000) gross square feet .	P	P
F. Health Services. Any health-related facilities and services that are not listed elsewhere such as hospitals, day surgery facilities, medical facilities providing round-the-clock walk-in services, and blood banks.	P	P
G. Military Installations. A governmentally owned or controlled property and facilities which support a range of uses to facilitate military operations in a “compound” setting, as distinguished from stand-alone facilities such as recruiting stations. The autonomy associated with governmental ownership or control of the property, in combination with the unique character of the military operations and support structures , are not typical of civilian uses .		
Level 1: State installation owned or controlled by the Washington State Military Department .	X	X
Level 2: Federal installation owned or controlled by the U.S. Department of Defense.	X	X
H. Outdoor Recreation. Recreational areas and recreation facilities which primarily are owned or operated by public or non-profit entities for the use and enjoyment of the general public. Examples include neighborhood parks , community parks, regional parks, waterfront parks, open space , arboretums, small or special landscaped areas, community and “pea patch” gardens, fairgrounds, zoos, and swimming pools. In some cases, such areas and facilities may be incidental to private development , such as open space set-asides necessary for environmental mitigation and children’s play areas (“tot lots ”) within a subdivision ; are intended to be principally used by a finite group; and may constitute private property.		
Level 1: Natural open space and passive recreation . Protected open space areas in a natural state, together with low-impact passive recreational facilities including single-track hiking trails, beaches, viewing areas, interpretive signage, and fences.	P	P
Level 2: Neighborhood-scale active recreation and limited accessory structures . Parks, playgrounds, arboretums, and community gardens two (2) acres or less in size; open sports fields two (2) acres or less in size, with no spectator seating; improved trail systems; paved multi- use areas and bridle trails within defined park areas; ranger stations; public restrooms; playground equipment; sports equipment, including swimming pools, for neighborhood use ; and picnic tables and shelters.	P	P
Level 3: Parks and playgrounds from two (2) to twenty (20) acres in size; multi- use linear trails; open sports fields with unenclosed seating for up to four hundred (400) spectators; swimming pools for community or regional use ; public and private outdoor recreational facilities such as golf courses and associated driving ranges, equestrian clubs, and marinas ; and arboretums and community gardens more than two (2) acres in size.	P	P
Level 4: Parks and playgrounds over twenty (20) acres in size, open sports fields with unenclosed seating for more than four hundred (400) spectators, and regional recreational facilities.	CUP	CUP
I. Postal Services. Mailing services provided by the United States Postal Service or contractors, including branch post offices , contract stations , terminals, and distribution centers.		

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Level 1: Postal facilities serving neighborhoods, such as contract stations or branch offices.	P	P
Level 2: Central or main postal facilities which process mail and provide full customer services.	P	P
Level 3: Terminal postal processing facilities which provide no or limited customer services.	X	X
J. Public Maintenance Facilities. Facilities for storage and maintenance of vehicles, equipment, or related materials used in a utility or public facility activity. May include usable and/or scrap tire piles of up to a total of two hundred (200) tires as an accessory use .		
Level 1: Indoor maintenance and storage facility not exceeding three thousand (3,000) gross square feet . Outdoor storage of equipment, materials, or vehicles and vehicle maintenance is X.	P	P
Level 2: Indoor maintenance and storage facility not exceeding five thousand (5,000) gross square feet with outdoor storage not exceeding two thousand (2,000) gross square feet .	X	X
Level 3: City-wide or regional maintenance and storage facility exceeding five thousand (5,000) gross square feet and/or exceeding two thousand (2,000) gross square feet of outdoor storage .	X	X
K. Public Safety Services. Public safety and emergency services such as police and fire stations; animal control facilities, such as an animal shelter or Humane Society facilities; and correctional facilities . This use type may include accessory dispatch facilities but does not include stand-alone dispatch facilities ("com centers") that, by their nature, provide service to multiple jurisdictions or entire regions, which shall instead be treated as a Level 3 Communication Facilities Utilities use type .		
Level 1: Police and fire/emergency medical aid stations, including private ambulance services.	P	P
Level 2: Animal control services.	P	P
Level 3: City correctional facilities .	X	X
Level 4: County, state, federal, or private correctional facilities .	X	X
L. Religious Assembly. Religious services involving public assembly such as those that customarily occur in synagogues, temples, and churches. For the purpose of compliance with the federal Religious Land Use and Institutionalized Persons Act of 2000, except where lands are restricted to public facilities , Religious Assembly use types shall be treated equally with Community and Cultural Services Civic use types . These use types do not include homeless shelters, food banks, or other social services, which shall instead be treated as a Social Services Civic use type ; daycares or preschools , which shall instead be treated as a Daycare Facilities Civic use type ; schools, which shall instead be treated as an Education Civic use type ; or facilities for residence of religious orders, which shall instead be treated as a Co-Housing Residential use type .		
Level 1: Establishments where the principal place of assembly does not exceed five thousand (5,000) gross square feet .	P	P

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Level 2: Establishments where the principal place of assembly is between five thousand (5,000) and twenty thousand (20,000) gross square feet .	P	P
Level 3: Establishments which have a principal place of assembly more than twenty thousand (20,000) gross square feet .	P	P
M. Social Services. Establishments primarily engaged in the provision of services that are strongly associated with meeting basic needs. Examples include clothing banks, food banks, temporary shelters, and counseling services.		
Level 1: Establishments which are accessory to a primary Community and Cultural Services, Religious Assembly , or Education Civic use type and do not exceed one thousand (1,000) gross square feet or twenty (20) percent of the structure , whichever is less, and do not contain more than five (5) beds or serve more than fifteen (15) people per day or meal.	P	P
Level 2: Establishments which are accessory to a primary Community and Cultural Services, Religious Assembly , or Education Civic use type and do not exceed one thousand, five hundred (1,500) gross square feet or twenty (20) percent of the structures , whichever is less, and does not contain more than ten (10) beds or serve more than twenty-five (25) people per day or meal.	P	P
Level 3: Establishments which are a primary or accessory use and serve a city-wide or regional area with an intensity greater than Level 2.	P	P
N. Transportation. The provision of public or semi-public transportation services. Examples include parking garages , park-and-ride lots , commercial parking lots , bus shelters, bus stations, bus transfer centers, passenger rail stations, ferry docks , and other types of public and quasi-public transportation facilities.		
Level 1: Transportation uses serving neighborhoods, such as bus shelters.	P	P
Level 2: Transportation uses serving communities and regions, such as passenger rail and bus stations; parking facilities, including park-and-rides; and weigh stations.	P	P
Level 3: Commercial parking lots , structures , and satellite lots providing short-term parking for operational vehicles.	P	P
Level 4: Taxi, shuttle, and bus “ barns ” and yards , and motor pool facilities. May include usable and/or scrap tire piles of up to a total of two hundred (200) tires as an accessory use .	X	X
Level 5: Airports , heliports, landing fields or waterways, and ferry docks .	X	X

UTILITIES

Note: P= Permitted, CUP = Conditional Use Permit, X = Prohibited

Addresses all streets except Low-Impact Mixed Use Streets

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18A.20.500 Utilities Use Category - Land Use Types and Levels.

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The Utilities use category refers to facilities serving the public by means of an integrated system of collection, transmission, distribution, and processing facilities through more or less permanent physical connections between the plant of the serving entity and the premises of the customer. Included are systems for the delivery of water, natural gas, electricity, telecommunication services, for the collection of stormwater, and for the collection and disposal of sewage and refuse.		
A. Communication Facilities. Facilities used in the transmission of information by wire, radio, optical cable, electromagnetic or other similar means. Examples include central office switching units, remote switching units, telecommunications radio relay stations and cellular communication facility support structures.		
Level 1: Local cable, fiber optics, traffic control, or telephone transmission lines, poles, or apparatus, not including antennae, wireless telecommunications facilities, structures, or private antenna and satellite dishes.	P	P
Level 2: Regional cable, fiber optics, traffic control, or telephone transmission lines, poles, or apparatus, not including antennae or wireless telecommunications facilities.	P	P
Level 3: Stand-alone emergency services dispatch facilities ("com centers") that provide service to multiple jurisdictions or entire regions.	P	P
Level 4: Commercial or non-profit radio and/or television broadcasting stations.	P	P
Level 5: Wireless telecommunications facilities, subject to specific standards, including siting criteria, set forth in LMC 18A.70.600.	P	P
B. Electrical Facilities. Level 1: Above ground and below ground electrical distribution lines, poles, and associated facilities and appurtenances with voltages of 55,000 volts and under.	P	P
Level 2: Above ground electrical transmission facilities of an operating voltage greater than 55,000 volts, with associated facilities and appurtenances, including substations.	P	P
C. Electrical Generation Facilities. Facilities that generate or cogenerate electric energy by, or as a resource for, utilities engaged in the transmission and distribution of electricity to the public. Examples include hydropower facilities, thermal generation facilities such as cogeneration and combustion turbines, and other facilities employed to generate electric energy by or as a resource for utilities.	X	X
D. Natural Gas Facilities. Facilities engaged in the distribution and storage of natural gas. Examples include natural gas gate stations, natural gas storage facilities and interim propane storage systems.		
Level 1: Local distribution lines.	X	P
Level 2: Natural and other compressed gas storage tanks for transportation.	X	X
E. Organic Waste Processing Facilities. Any solid waste facility specializing in the controlled decomposition of organic solid waste and which requires a solid waste permit under RCW 70.95.		

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Level 1: Soil treatment facilities. Solid waste facilities which utilize bioremediation, a thermal desorption process, or similar processes to treat petroleum contaminated soil or vactor waste for reuse or final disposal.	X	X
Level 2: Composting facility designed to handle more than forty (40) cubic yards. Solid waste facilities specializing in the composting of one (1) or more organics of a known and consistent composition, other than mixed municipal waste, to produce a marketable product for reuse or as a soil conditioner. Feedstocks may include, but are not limited to, yard waste, biosolids or food waste.	X	X
Level 3: Municipal solid waste composting facility. Solid waste facilities specializing in the composting of mixed waste from municipal sources to reduce the waste for final disposal or to produce a marketable product.	X	X
F. Pipelines. ⁵ Facilities engaged in the transmission of water, petroleum, oil, natural gas, or other substance, where lines do not serve as local distribution lines but may serve as a single regional facility.	X	CUP
G. Sewage Collection Facilities. Facilities used to collect sewage, such as wastewater transfer facilities, odor control structures, pump stations and lift stations.	P	P
H. Sewage Treatment Facilities. Facilities used to treat any liquid or waterborne waste of domestic origin or a combination of domestic, commercial or industrial origin, and which by its design requires the presence of an operator for its operation, including alternative treatment works and package treatment plants. Also included are all of the various types of associated equipment, structures, and operations as they are currently constructed and operating or will result from technology, such as administrative offices, storage, laboratories, public walkways, recreational and educational uses, and parking lots. Sewage treatment facilities do not include any facility used exclusively by an individual residence, septic tanks with subsoil absorption, industrial pretreatment facilities, privately owned treatment plants for industrial wastewater, or wastewater collection systems.	X	X
I. Stormwater Facilities. A conveyance, system of conveyances, or stormwater control facilities (including roads with drainage systems, catch basins, curbs, and gutters); ditches; man-made channels; storm drains; retention/detention facilities; and infiltration facilities which are designed or used for collection, storage, conveyance and treatment of stormwater.		
Level 1: Stormwater collection and local conveyance systems.	P	P
Level 2: Regional detention/retention ponds and facilities, and constructed wetlands.	P	P
Level 3: Stormwater pond facilities that are also developed to allow uses such as parks, recreational, educational and research structures and activities, known as stormwater multiple use facilities.	P	P
J. Waste Disposal Facilities. Permanent disposal sites for solid waste. Examples include wood waste, inert/demolition, municipal solid waste, special waste and biosolids landfills, and waste-to-energy facilities. Excludes tire piles.		

⁵ Currently allowed in CBD as a CUP. Possible that water and natural gas pipelines may be appropriate.

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Level 1: Inert landfill.	X	X
Level 2: Inert landfills as accessory uses to mineral extraction sites.	X	X
Level 3: Wood waste, demolition, and special waste landfills.	X	X
Level 4: Municipal solid waste landfills, special waste landfills (including ash landfills, any landfill for special waste not previously identified and biosolids landfills), and waste-to-energy facilities.	X	X
K. Waste Transfer Facilities. Solid waste facilities where solid waste is collected or subjected to interim processing before being transported to a permanent disposal site. Examples include recycling collection sites, drop-box transfer stations, transfer stations, recyclables recovery facilities, waste separation recovery facilities, moderate-risk waste facilities, and scrap tire piles which are not otherwise listed as accessory to numerous specific use types.		
Level 1: Recycling collection sites serving a single neighborhood or limited area, not requiring a state solid waste permit.	X	X
Level 2: Drop-box transfer stations.	X	X
Level 3: Scrap tire piles not exceeding a total of eight hundred (800) tires, with no pile larger than forty (40) horizontal feet or more than ten (10) feet in height, and each pile having a thirty (30) foot fire lane on all sides, subject to Fire Marshal approval.	X	X
Level 4: Transfer stations; waste separation recovery facilities; moderate-risk waste facilities; and scrap tire piles between a total of eight hundred (800) and four thousand, five hundred (4,500) tires, with no pile larger than forty (40) horizontal feet or more than ten (10) feet in height, and each pile having a thirty (30) foot fire lane on all sides, subject to Fire Marshal approval.	X	X
L. Water Supply Facilities. Water purification facilities, water storage facilities, wellheads and pump stations.		
Level 1: Local distribution systems, wellheads, pump stations, water purification facilities not exceeding two thousand (2,000) square feet of building area. Water storage facilities.	P	P
Level 2: Water purification facilities exceeding two thousand (2,000) square feet of building area.	P	P
Level 3: Chemical storage, handling, and usage in a water supply facility. (Ord. 264 § 1 (part), 2001.)	P	P

COMMERCIAL USES

Note: P= Permitted, CUP = Conditional Use Permit, X = Prohibited

Addresses all streets except Low-Impact Mixed Use Streets

18A.20.600 Commercial Use Category - Land Use Types and Levels.**Draft 4/25****Draft 4/30**

18A.20.600 Commercial Use Category - Land Use Types and Levels.

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The Commercial use category includes establishments, facilities, and individuals providing services and the sale, distribution or rental of goods that benefit the daily needs of the general public, which are not otherwise classified in another use category .		
A. Amusement and Recreation. Establishments or places of business primarily engaged in the provision of sports, entertainment, or recreational services to the general public or members, which may or may not include Eating and Drinking Establishment Commercial use types in conjunction, but where eating and drinking is clearly secondary to a primary Amusement and Recreation Commercial use type , and which do not otherwise constitute Sexually Oriented Business Commercial use types . Examples include video arcades ; teen clubs; dance halls; athletic clubs; indoor swimming pools; billiard parlors; bowling alleys ; ice or roller skating rinks ; indoor and drive-in movie theaters; outdoor recreational equipment rental, including marine-related; mini-golf and indoor or outdoor driving ranges that are not located in conjunction with a golf course; enclosed sports arenas or stadiums; amusement parks; and gambling establishments or activities such as cardrooms, enhanced cardrooms ("mini-casinos"), bingo parlors, off-track betting, or similar gambling activities, subject to appropriate state licensure; specifically excluding Lottery and pull tabs. Such uses may include facilities or activities clearly incidental and secondary to the primary use which provide functions typical of a "pro shop" in conjunction with the primary use .		
Level 1: Indoor facilities not exceeding five thousand (5,000) gross square feet and/or outdoor facilities of less than thirty-five thousand (35,000) square feet, without alcohol sales.	P	Permit indoor and outdoor
Level 2: Indoor facilities of between five thousand (5,000) and thirty thousand (30,000) gross square feet and/or outdoor facilities of between thirty-five thousand (35,000) and eighty-seven thousand, one hundred twenty (87,120) gross square feet (two acres), without alcohol sales.	P	Permit indoor CUP outdoor
Level 3: Indoor facilities of up to thirty thousand (30,000) gross square feet with up to five thousand (5,000) gross square feet of enclosed outdoor facilities, with or without alcohol sales.	P	Permit indoor and outdoor
Level 4: Indoor facilities exceeding thirty thousand (30,000) gross square feet and/or outdoor facilities exceeding five thousand (5,000) gross square feet , with or without alcohol sales.	CUP	Permit indoor CUP outdoor

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B. Building/Garden Supply and Nurseries. Establishments primarily engaged in wholesale and retail selling of lumber, building materials, paint, glass, wallpaper, hardware, nursery stock, lawn and garden, plumbing, and electrical supplies.		
Level 1: Establishments primarily engaged in retail sales. Utilization of outdoor areas for retail display and storage may occur as an accessory use . The combination of total floor area and outdoor storage and display area is less than ten thousand (10,000) gross square feet .	P	P
Level 2: Establishments primarily engaged in retail sales. Utilization of outdoor areas for retail display or storage purposes may occur as an accessory use . The combination of total floor area and outdoor storage and display area ranges between ten thousand (10,000) and eighty thousand (80,000) gross square feet .	P	P
Level 3: Establishments primarily engaged in retail sales where the combination of total floor area and outdoor storage and display area exceeds eighty thousand (80,000) square feet.	P	CUP
Level 4: Establishments primarily engaged in wholesale activities, except for and as distinguished from Level 2 Agriculture uses .	P	P
C. Bulk Fuel Dealers. Establishments that sell fuels which, by their nature, are flammable, explosive, or toxic, to businesses and households for transportation, heating, and business purposes. Examples include propane gas sales, heating oil dealers, liquefied petroleum gas dealers, coal, wood, or other fuel dealers.	X	X
D. Business Services. Businesses primarily engaged in providing services to other businesses on a contract or fee basis. Examples include courier services, parcel delivery services, fax services, telegraph services, reproduction services, commercial art and photography services, stenographic services, and janitorial services.	P	P
E. Buy-Back Recycling Center. Any small-scale business without industrial activity which collects, receives or buys recyclable materials (typically recyclable consumer goods and containers) from household, commercial or industrial sources for the purpose of sorting, grading or packaging recyclables for subsequent shipment and marketing, as distinguished from Recycling Processor Industrial use types , which use heavy equipment for processing and may provide for outdoor storage of recyclable materials. Examples of commercial buy-back recycling centers include small scale glass or aluminum container and paper buy-back centers. Facilities which process vehicle parts, building materials, or industrial scrap material are classified under the Recycling Processor Industrial use type . All materials stored outdoors must be containerized.	P	CUP
F. Convenience Commercial. Stores which may be either primarily engaged in serving the auto-driving public or, at lesser levels, principally oriented to neighborhood pedestrian traffic, which may include any combination of gasoline sales, uses typical of Food Stores as listed herein, and same- structure collocation of limited prepared food and drink sales such as fast food or espresso; as distinguished from Food Stores Commercial use type , which does not allow gasoline sales.		

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Level 1: Structure of up to ten thousand (10,000) gross square feet , without gas sales.	P	P
Level 2: Structure of up to 10,000 gross square feet , with up to six (6) two-sided gas pumps.	P	P
Level 3: Structure of up to twenty thousand (20,000) gross square feet , with up to nine (9) two-sided gas pumps.	P	P
Level 4: Structure of over twenty thousand (20,000) gross square feet , with more than nine (9) two-sided gas pumps. Level 4 shall include levels 1, 2 and 3.	P	P
G. Drive-Through Facilities. Facilities which are standalone or provided in conjunction with and accessory to a collocated allowed use for the purposes of allowing a customer or patron to transact business from a motor vehicle . Examples include fast food, coffee kiosks , financial institutions or unstaffed automatic teller machines, and pharmacy prescription drop-off/pick-up. Does not include drive-through car washes or other forms of automobile service, which shall instead be treated as Motor Vehicle Service and Repair Commercial use types . Drive-Through Facilities shall not be comprised of a mobile unit such as a trailer or other vehicle with chassis which has been parked and/or converted to a permanent installation by virtue of removal of wheels or addition of blocking and skirting.	CUP	P, except subject to design standards.
H. Eating and Drinking Establishment. Establishments that sell prepared food and/or beverages, which may include liquor, subject to appropriate state and local licensure, including health permits. Such uses may or may not include Amusement and Recreation Commercial use types in conjunction but shall be considered to constitute Eating and Drinking Establishments for the purpose of zoning only where amusement and recreation is clearly secondary to a primary Eating and Drinking Establishment Commercial use type . Does not include sexually oriented businesses serving food and/or beverages, which are instead treated as Sexually Oriented Business Commercial use types .		
Level 1: Mobile vending occurring from motorized or non-motorized outdoor carts or vehicles which go from place to place selling pre-prepared or made-to-order products, where no seating is provided. Examples include lunch wagons, coffee or hot dog carts, popcorn vendors, and ice cream trucks.	P	P
Level 2: Mobile vending as described in Level 1, but occurring from a fixed, identifiable location to which the vendor returns each business day, serving pre-prepared or made-to-order products intended to be consumed off the premises. Examples include taco trucks.	P	P
Level 3: Establishments selling pre-prepared or made-to-order products intended to be consumed on the premises or which may, at the customer's option, be taken away, where a Drive-Through Facilities Commercial use type may or may not be collocated. Examples include coffee shops; juice bars; fast food, fast casual, and family style restaurants; and fine dining establishments.	P	P

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Level 4: Establishments primarily involved in alcohol sales, or which include a specific bar/lounge area, serving made-to-order products intended to be consumed solely on the premises, which may, from time to time, feature entertainment such as video sports events, comedy shows, or dancing to recorded or live music, or low-intensity entertainment such as video games, pool tables, darts, television, and/or jukebox music. A Level 4 Eating and Drinking Establishment shall not be collocated with a Drive-Through Facilities Commercial use type . Examples include sports bars, restaurants with bars/lounges, taverns and brewpubs. Distinguished from establishments primarily involved in alcohol sales, where pre-prepared or made-to-order food may also be available, which routinely offer entertainment such as dancing to live or recorded music, which shall instead be treated as Amusement and Recreation Commercial use types . Examples include dance or karaoke bars and “nightclubs.”	P	P
I. Food Stores. Stores primarily engaged in the retail sale of a variety of canned and dry foods, fresh fruits and vegetables, or meats, poultry, and fish, which may include a variety of non-food products as well. Examples include meat and fish markets, vegetable markets, retail bakeries, dairy stores, grocery stores, and specialty food and beverage stores; provided, that gasoline sales shall not be located on the same lot and as distinguished from Convenience Commercial use types .		
Level 1: Floor area up to thirty thousand (30,000) gross square feet .	P	P
Level 2: Floor area between thirty thousand (30,000) and eighty thousand (80,000) gross square feet .	P	P
Level 3: Floor area over eighty thousand (80,000) gross square feet .	P	P
J. Funeral Services. Funeral facilities such as preparation and display facilities, funeral chapels, crematories, and affiliated offices.		
Level 1: Mortuaries, including affiliated funeral chapels and offices.	X	X
Level 2: Crematories, including affiliated funeral chapels and offices, subject to state air quality standards and intensity limits when situated within the military-related zoning districts .	X	X
Level 3: Cemeteries , which may include Level 1 and Level 2 uses .	X	X
K. Lodging. Establishments that provide transitory lodging services, subject to appropriate state and local licensure.		
Level 1: Bed and breakfast , subject to the requirements of LMC 18A.70.900 .	P	P
Level 2: Camping and recreational vehicle parks where a tract of land under single ownership or unified control is developed with individual sites for rent and containing roads and utilities to accommodate recreational vehicles or tent camping for vacation or other similar short stay purposes, subject to design standards set forth in LMC 18A.70.500 . This use does not include the rental of recreational vehicles or manufactured home parks .	X	X

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Level 3: Hotels and motels , or other transient lodging facilities not listed herein, containing a single building or a group of detached or semi- detached buildings containing guest rooms or self-contained suites, with parking provided on the site for the use of those staying in the rooms or suites, which is or are designed and used for the accommodation of transient travelers.	P	P
L. Manufactured and Modular Homes Sales. Establishments that provide for the marketing, sale, and distribution of new manufactured and modular homes .	X	X
M. Motor Vehicle Sales and Rental. Establishments or places of business engaged in the sales or leasing of motor vehicles , utility trailers , recreational and/or sporting vehicles , commercial vehicles , construction equipment, and heavy equipment subject to compliance with all applicable federal, state, and/or local licensing requirements. Service of vehicles may be P as an incidental, and clearly secondary, accessory use .		
Level 1: New and used motor, recreational, and sporting vehicle sales and rental of up to two (2) acres in size.	X	X
Level 2: New and used motor, recreational, and sporting vehicle sales and rental of more than two (2) and up to five (5) acres in size.	X	X
Level 3: New and used motor, recreational, and sporting vehicle sales and rental of larger than five (5) acres.	X	X
Level 4: Commercial truck-trailer and heavy equipment sales and rental.	X	X
N. Motor Vehicle Service and Repair. Facilities or places where the repair and service of motor vehicles , recreational vehicles , sporting vehicles , commercial vehicles , and construction equipment occurs. Includes the sale of or refilling of personal or recreational propane tanks. Where outdoor storage is allowed, may include usable and/or scrap tire piles of up to a total of two hundred (200) tires as an accessory use .		
Level 1: Minor service and repair of motor vehicles , including glass repair and replacement, truck bedliners, installation of vehicle accessories, lube/oil, tires, mufflers, brakes, and carpet/upholstery and other related services, conducted entirely within a completely enclosed building of less than two thousand (2,000) gross square feet which utilizes no outdoor storage . Specifically excludes transmission and engine rebuild shops, vehicle painting, body work or the installation and/or testing of audio or alarm systems; but may include short-term parking of customer vehicles while awaiting service.	P	P
Level 2: Car wash , subject to water recapture and treatment, and/or motor vehicle detailing services. May include short-term parking of customer vehicles while awaiting service.	P	P
Level 3: Minor service and repair of motor vehicles with up to two thousand (2,000) gross square feet of outdoor storage of vehicles under repair. Level 3 shall include Level 1 uses .	X	X

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Level 4: Major service and repair of motor vehicles including transmission and engine rebuild shops; towing services; vehicle customization and fabrication; motor vehicle rebuilds; motor vehicle and vehicle trailer manufacturing/assembly; installation and/or testing of audio or alarm systems; body work and vehicle painting, subject to state air quality standards, including outdoor storage of vehicle body parts and vehicles under repair; and minor service and repair uses with more than two thousand (2,000) gross square feet of outdoor storage . Level 4 shall include Level 3 and Level 1 uses .	X	X
Level 5: Commercial vehicle fueling and/or service stations, such as truck stops, with or without convenience shopping; wash and repair services for commercial vehicles , their trailers, and recreational vehicles ; and construction and heavy equipment service, repair and body work.	X	X
O. Personal Services. Businesses primarily engaged in providing services to meet individuals' periodic personal needs. Examples include coin-operated laundries, dry cleaning drop-off/pick-up establishments, dry cleaners, beauty shops, barber shops, clothing alterations, tanning salons which do not otherwise constitute Sexually Oriented Business Commercial use types , travel agencies, payday loan establishments, photographic studios, carpet and upholstery cleaners, and personal improvement services.		
Level 1: Establishments of up to two thousand, five hundred (2,500) gross square feet which do not involve outdoor storage of vehicles.	P	P
Level 2: Establishments exceeding two thousand, five hundred (2,500) gross square feet or which involve outdoor storage of vehicles.	P	P
P. Pet Sales and Services. Businesses primarily engaged in retail sales and services associated with small animals and household pets. Examples include pet stores, pet grooming shops, pet day cares, and veterinary hospitals for small animals and pets.		
Level 1: Completely indoor retail and service establishments, with or without accessory kennels , of less than two thousand, five hundred (2,500) gross square feet .	P	P
Level 2: Completely indoor retail and service establishments, with or without accessory kennels , exceeding two thousand, five hundred (2,500) gross square feet .	P	P
Level 3: Retail and service establishments with outdoor sales, kennels , and/or yard area.	X	X
Level 4: Commercial kennels and catteries , subject to LMC 5.52 .	X	X

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Q. Private Training School. Educational services provided for profit by private organizations or individuals with the primary purpose of preparing students for jobs in a trade or a profession. Examples include commercial/vocational schools, drivers' training, beauty and barber schools, business or computer training schools, and conservatories of art, music, or drama. Facilities larger than ten thousand (10,000) gross square feet shall be regulated as a Level 2 Education Civic use type .		
Level 1: Establishments of up to five thousand (5,000) gross square feet and/or which utilize up to one thousand (1,000) square feet of outdoor area for instructional purposes or for parking of vehicles or storage of materials utilized in the instructional program.	P	P
Level 2: Establishments of between five thousand (5,000) and ten thousand (10,000) gross square feet and/or which utilize more than one thousand (1,000) square feet of outdoor area for instructional purposes or for parking of vehicles or storage of materials utilized in the instructional program.	P	P
R. Professional Offices. Offices, private firms, or organizations which provide professional or administrative services to individuals or businesses . Examples include employment services, property management services, title companies, law offices, engineering/surveying consulting firms, architecture and landscape architecture firms, advertising and public relations firms, medical and dental offices, diagnostic testing services, advertising agencies, travel agencies, talent agencies, insurance offices, real estate offices, investment brokers, financial planners, banking services, administrative offices for non-profit and quasi-public agencies, and other business offices customarily associated with professional or administrative office services.		
Level 1: Office building of up to ten thousand (10,000) gross square feet .	P	P
Level 2: Office building of between ten thousand (10,000) and thirty thousand (30,000) gross square feet .	P	P
Level 3: Office building exceeding thirty thousand (30,000) gross square feet .	P	P
S. Rental and Repair Services. Establishments primarily engaged in the provision of rental and repair services or closely related uses . Examples include home improvement, garden, and party equipment rental; upholstery shops; appliance repair shops; small engine and power tool rental and repair such as lawn mowers and chainsaws; vacuum cleaner repair; medical equipment rental and repair services; rental furnishings; and instrument repair services. Does not include vehicle repair or auto body, which are instead treated as Motor Vehicle Service and Repair Commercial use types .		
Level 1: Rental and repair services not exceeding five thousand (5,000) gross square feet with no outdoor storage .	P	P
Level 2: Rental and repair services not exceeding five thousand (5,000) gross square feet with up to one thousand (1,000) gross square feet of outdoor storage /display of equipment.	P	P

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Level 3: Rental and repair services exceeding five thousand (5,000) gross square feet of floor area with no outdoor storage /display of equipment.	P	P
Level 4: Rental and repair services exceeding five thousand (5,000) gross square feet with over one thousand (1,000) square feet of outdoor storage /display of equipment.	X	X
T. Sales of General Merchandise. Establishments that sell new general merchandise including apparel and accessories; auto parts; bookstores which do not otherwise constitute Sexually Oriented Business Commercial use types ; legal pharmaceuticals; optical goods; furniture and home furnishings; and computers and electronics. Does not include establishments primarily engaged in selling lumber and other building materials, paint, glass, wallpaper, hardware, nursery stock, and lawn and garden supplies, which are instead treated as Building /Garden Supply and Nurseries Commercial use types . May include usable and/or scrap tire piles of up to a total of two hundred (200) tires as an accessory use .		
Level 1: Establishments of up to five thousand (5,000) gross square feet primarily engaged in retail sales activities.	P	P
Level 2: Establishments of between five thousand (5,000) and thirty thousand (30,000) gross square feet primarily engaged in retail sales activities.	P	P
Level 3: Establishments of up to thirty thousand (30,000) gross square feet primarily engaged in retail/ wholesale sales activities.	P	P
Level 4: Establishments exceeding thirty thousand (30,000) gross square feet primarily engaged in retail/ wholesale sales activities.	P	P
U. Sales of New and Secondhand Property. Individuals or establishments that sell new and secondhand property . Examples include pawnbrokers; secondhand, antique , and transient traders in secondhand property , including garage sales and flea markets . This use type does not include used or pre-owned automobiles or other vehicles, which are instead treated as Motor Vehicle Sales and Rental Commercial use types , nor wrecking or parts yards, which are instead treated as Salvage/Wrecking Yards and Vehicle Storage Facilities Industrial use types .		
Level 1: Antique stores; used bookstores which do not otherwise constitute Sexually Oriented Business Commercial use types ; and used clothing, furniture and appliances, jewelry and valuable coins, and valuable collectibles sales.	P	P
Level 2: Surplus, military, and miscellaneous sales and flea markets . Flea markets include swap meets but does not include antique malls where stalls are leased, which are instead treated as a Level 1 use listed above. This use type does not include junk and/or salvage dealers, which are instead treated as Salvage/Wrecking Yards and Vehicle Storage Facilities Industrial use types .	X	X

18A.20.600 Commercial Use Category - Land Use Types and Levels.

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Level 3: Pawnshops, subject to the provisions of Chapter 5.12 LMC. Businesses which are engaged, in whole or in part, in the business of loaning money on the security of pledges, deposits, or conditional sales of personal property; or which publicly display, at or near their place of business , any sign or symbol generally used by pawnbrokers or indicating that the business loans money on personal property on deposit or pledge.	X	X
V. Sexually Oriented Business. A business that includes as a primary use any one or more of the following: an adult entertainment facility; adult-oriented merchandise; adult retail use ; panoram; or similar facility, merchandise, or entertainment as defined in LMC 18A.40.400, subject to specific standards, including siting criteria, set forth therein.	X	X
W. Storage. Businesses engaged in the storage of items for personal and business use . Business activities other than rental of storage spaces are X. Does not include vehicle impound lots or wrecking yards, which are instead regulated as Salvage/Wrecking Yards and Vehicle Storage Facilities Industrial use types .		
Level 1: Indoor mini-warehouse/storage facility.	X	X
Level 2: Indoor/outdoor mini-warehouse/storage facility, including the storage of motor, recreational, and sporting vehicles not otherwise regulated as a Level 1 Salvage/Vehicle Storage Facilities Industrial use type .	X	X
Level 3: Outdoor storage , including the storage of shipping containers, which is not accessory to a primary P use on the site, including the storage of motor, recreational, and sporting vehicles not otherwise regulated as a Level 1 Salvage/Vehicle Storage Facilities Industrial use type .	X	X

INDUSTRIAL

Note: P= Permitted, CUP = Conditional Use Permit, X = Prohibited

Addresses all streets except Low-Impact Mixed Use Streets

18A.20.700 Industrial Use Category - Land Use Types and Levels.

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The Industrial use category includes the on-site production, manufacturing, assembly, processing, storage , movement, servicing or repair of goods and materials. Industrial uses regulated under this category typically exhibit one (1) or more of the following characteristics: requires relatively large acreage, creates substantial odor or noise, creates heavy traffic passenger vehicle and/or truck volumes, employs relatively large numbers of people , and/or creates visual impacts incompatible with residential development .		
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18A.20.700 Industrial Use Category - Land Use Types and Levels.

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<p>A. Primary Manufacturing. Uses that involve the primary processing of a raw or initially-processed material into a product that requires additional processing, manufacturing, or assembly in order to become a consumer good. This use type does not include animal rendering or rendering of animal products, nor manufacturing of illegal substances. Examples include:</p> <ul style="list-style-type: none"> • Production of basic chemicals. • Manufacturing of castings and other basic metal products, including sheet metal, and the manufacture of nails, spikes, and insulated wire and cable. • Tanning, curing, or storage of raw hides or skins. • Manufacturing of cement, ready-mix concrete, cut stone, and crushed rock and other primary products from materials taken principally from the earth in the form of stone, clay and sand. • Manufacturing of asphalt and asphalt reclamation processes. • Soil remediation facilities. • Saw, lathe, shingle, planing, plywood and veneer mills engaged in producing lumber and basic wood materials. • Manufacturing of pulps from woods and other cellulose fibers and from rags. • Petroleum and natural gas refining and processing. • Smelting and refining of ferrous and non-ferrous metals from ore or scrap, rolling, drawing and alloying metals. • Manufacturing of paving and roofing materials, compounding lubricating oils and greases, rubber reclaiming, manufacturing of synthetic rubber. 		
Level 1: Indoor manufacturing and assembly of up to thirty thousand (30,000) gross square feet .	X	X
Level 2: Indoor manufacturing and assembly exceeding thirty thousand (30,000) gross square feet and/or outdoor storage of materials.	X	X
<p>B. Secondary Manufacturing and Major Assembly. Uses that involve the processing of previously prepared natural and/or synthetic materials. This use type does not include animal rendering or rendering of animal products, nor manufacturing of illegal substances. Examples include:</p> <ul style="list-style-type: none"> • Manufacturing of products by predominantly chemical processes and which are to be used for ultimate consumer or industrial consumption. • Manufacturing of computer hardware components and related equipment, and other machinery, apparatus and supplies for the generation, storage, transmission, transformation and utilization of electrical energy. • Manufacturing and assembly of industrial and commercial machinery and equipment. • Manufacturing and assembly of paper and paperboard and its conversion into other paper-based products. • Manufacturing and assembly of ferrous and non-ferrous metal products and a variety of metal and wire products manufacturing, including sheet metal. • Manufacturing and assembly of woven and knit fabrics, and carpets and rugs from yarn. • Manufacturing and assembly of equipment for transportation of people or cargo by land, air, rail or water. 		

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Level 1: Indoor manufacturing and assembly of up to fifteen thousand (15,000) gross square feet .	X	X
Level 2: Indoor manufacturing and assembly exceeding fifteen thousand (15,000) gross square feet .	X	X
<p>C. Limited Manufacturing/Assembly. Uses that involve intermediate processing of semi-processed material into a consumer good and to uses that involve the assembly of semi-processed and/or intermediate processed products into a consumer good. Such uses also may involve intermediate services such as machining, welding, grinding, and machine/industrial repair. Examples include:</p> <ul style="list-style-type: none"> • Manufacturing and assembly of clothing and fabricated products. • Assembly of electronic computers, computer hardware components and related equipment, and other machinery, apparatus and supplies for the generation, storage, transmission, transformation and utilization of electrical energy. • Assembly of industrial and commercial machinery and equipment. • Assembly of finished products made entirely or mainly from wood for use in construction. • Assembly of ferrous and non-ferrous metal products and a variety of metal and wire products. • Manufacturing and assembly of products manufactured or assembled from plastic resins and from natural, synthetic or reclaimed rubber. • Manufacturing and assembly of instruments for measuring, testing, analyzing and controlling, optical instruments and lenses, surveying and drafting instruments, medical instruments and equipment, photographic equipment, watches and clocks, and supplies associated with the previous products. • Photographic processing labs. • Manufacturing and assembly of glass and glass products, clay products, pottery, concrete and gypsum products, abrasive and asbestos products, and other secondary products from materials taken principally from the earth in the form of stone, clay and sand. • Manufacturing and assembly of dyeing, finishing, coating, waterproofing and other treating of fiber, yarn and fabrics. • Manufacturing and assembly of felt, lace goods, non-woven fabrics, and miscellaneous textiles. • Other manufacturing and/or assembly processes in which processed or semi-processed materials are made or assembled into consumer products. 		
Level 1: Indoor manufacturing and assembly as an accessory use of up to one thousand (1,000) gross square feet .	P on selected streets and secondary to primary uses of commercial, retail, or residential uses	P on selected streets and as part of mixed use development (e.g. with office, or retail, or residential).

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Level 2: Indoor manufacturing and assembly of up to fifteen thousand (15,000) gross square feet .	P on selected streets and secondary to primary uses of commercial, retail, or residential uses	P on selected streets and as part of mixed use development (e.g. with office, or retail, or residential).
Level 3: Indoor manufacturing and assembly exceeding fifteen thousand (15,000) gross square feet .	P on selected streets and secondary to primary uses of commercial, retail, or residential uses	P on selected streets and as part of mixed use development (e.g. with office, or retail, or residential).
D. Contractor Yards. Construction or contracting business offices with area for associated interior or outdoor storage , repair or maintenance of heavy equipment, vehicles, and construction supplies and materials.		
Level 1: Maintenance and storage facilities of up to five thousand (5,000) gross square feet and outdoor storage and yard area of up to twenty thousand (20,000) gross square feet , without storage and maintenance of heavy equipment.	X	X
Level 2: Maintenance and storage facilities exceeding five thousand (5,000) gross square feet and outdoor storage and yard area exceeding twenty thousand (20,000) gross square feet , or where storage and maintenance of heavy equipment occurs.	X	X
E. Flex Space. Mixed-use industrial buildings or parks adaptable to multiple use types which primarily serve a number of small to medium-size tenants, which predominantly require direct access for truck deliveries and have limited or controlled on-site customer service, and which are generally comprised of adaptable open floor space with a delineated office area.		
Level 1: Commercial office/ warehouse /retail/residential uses combined within a single structure or structures , where residential is limited to live/work space and where a maximum of thirty-five (35) percent may be office use and a maximum of twenty-five (25) percent may be retail use .	P on selected streets and secondary to primary uses of commercial, retail, or residential uses	P on selected streets and as part of mixed use development (e.g. with office, or retail, or residential).
Level 2: Commercial office/ warehouse combined within a single structure or structures , where a maximum of thirty-five (35) percent may be office use .	P on selected streets and secondary to primary uses of commercial, retail, or residential uses	P on selected streets and as part of mixed use development (e.g. with office, or retail, or residential).
Level 3: Commercial office/secondary manufacturing and major assembly and limited manufacturing/assembly at the level allowed in the zoning district , combined within a single structure or structures , where a maximum of twenty-five (25) percent may be office use and where a maximum of fifty (50) percent may be warehouse use .	P on selected streets and secondary to primary uses of commercial, retail, or residential uses	P on selected streets and as part of mixed use development (e.g. with office, or retail, or residential).

18A.20.700 Industrial Use Category - Land Use Types and Levels.

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F. Food and Related Products. ⁶ Uses which involve the processing of non-animal food materials, raw milk, ice manufacturing, and other food products manufacturing, processing, storage and packaging. This use type does not include animal rendering or rendering of animal products. Examples include bakeries that distribute products to many retail outlets; creameries and other dairy products manufacturing without on-site dairy animals; soft drink bottling plants, breweries, and distilleries; feed, cereal, and flour mills; vegetable oil manufacturing, refining or storage ; yeast, starch, glucose and dextrin manufacturing; pickles, sauerkraut, and vinegar manufacturing; and sugar refining, all subject to appropriate state and local licensure.		
Level 1: Indoor production operations and associated warehousing of up to ten thousand (10,000) gross square feet .	X	P on selected streets and as part of mixed use development (e.g. with office, or retail, or residential).
Level 2: Indoor production operations and associated warehousing exceeding ten thousand (10,000) gross square feet .	X	CUP on selected streets as part of mixed use development.
G. Industrial Services. Uses providing large scale or bulk services to commercial and industrial businesses but not directly to the consumer. Examples include clothes cleaning plants, bulk laundries, diaper services, power laundries, linen supply, dry cleaning plants, industrial laundries, other laundry and garment services; and industrial services related strictly to industrial uses .	X	X
H. Mineral Extraction. The extraction of any natural substance, other than water, from the ground.	X	X
I. Motion Picture Production Studios. Warehouse -style facilities used in the production of motion pictures.	X	X
J. Off-Site Hazardous Waste Treatment and Storage Facilities. Facilities that treat and store hazardous substances and waste, extremely hazardous waste , or dangerous waste generated off-site and are authorized pursuant to RCW 70.105 , including hazardous substance processing or handling and moderate risk waste fixed facilities . All contiguous land and structures used for recycling, reusing, reclaiming, transferring, storing, or treating hazardous substances and waste, extremely hazardous waste , or dangerous waste are included.	X	X
K. Outdoor Distribution and Freight Movement. Large-scale distribution of raw, manufactured, or processed products for one (1) or more businesses at a central, predominantly outside location. This use type does not include the distribution or movement of illegal substances. Examples include raw log storage and shipping container yards.	X	X

⁶ The Consultant Team had intended to allow this use, e.g. bakeries that distribute when part of commercial office, retail, residential or other mixed use, and thought it was covered under Flex Space, but to be sure, we recommend adding a direct allowance.

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L. Printing and Publishing. Uses engaged in printing by one (1) or more common processes, such as letterpress, lithography, or screen ; services for the printing trade, such as bookbinding and platemaking; and publishing newspapers, books and periodicals.		
Level 1: Printing/pressing operation of up to five thousand (5,000) gross square feet .	P on selected streets and secondary to primary uses of commercial, retail, or residential uses	P on selected streets and as part of mixed use development (e.g. with office, or retail, or residential).
Level 2: Printing/pressing operation exceeding five thousand (5,000) gross square feet .	P on selected streets and secondary to primary uses of commercial, retail, or residential uses	P on selected streets and as part of mixed use development (e.g. with office, or retail, or residential).
M. Recycling Processor. Any large-scale buy-back recycling business or other industrial activity which specializes in collecting, storing and processing any waste, other than hazardous waste or municipal garbage, for reuse and which uses heavy mechanical equipment to do the processing, as distinguished from Buy-Back Recycling Center Commercial use types . Examples include facilities where commingled recyclables are sorted, baled or otherwise processed for transport off-site , which is referred to as a “clean” materials resource recovery facility. May include scrap tire piles of up to a total of two hundred (200) tires as an accessory use .	X	X
N. Research, Development, and Laboratories. Businesses primarily devoted to experimental research and development .		
Level 1: Research, development , and laboratories with limited manufacturing/assembly at the level allowed in the zoning district .	P on selected streets and secondary to primary uses of commercial, retail, or residential uses	P on selected streets and as part of mixed use development (e.g. with office, or retail, or residential).
Level 2: Research, development , and laboratories with secondary manufacturing and major assembly at the level allowed in the zoning district .	X	X
Level 3: Research, development , and laboratories and basic manufacturing.	X	X

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O. Salvage/Wrecking Yards and Vehicle Storage Facilities. Uses that involve the dismantling and salvage of wrecked vehicles, vehicle parts, appliances, building materials, and other such items intended for reuse or resale, and the associated storage of vehicles, subject to LMC 5.28 . May include usable and/or scrap tire piles of up to a total of five hundred (500) tires as an accessory use .		
Level 1: Vehicle storage facilities dealing with the storage and/or impound of vehicles which are associated with the repair, sale or other P vehicle uses on the same site, or another site, and not associated with wrecking or salvage. Examples include impound yards; auto, boat, and commercial vehicle transporters excluding hulk haulers; and vehicle auctions including motor, recreational, sporting and commercial vehicles and heavy equipment.	X	X
Level 2: Salvage yards dealing with the dismantling and/or salvage of appliances, building materials, and other goods, other than vehicles and heavy equipment.	X	X
Level 3: Wrecking yards dealing with dismantling facilities for motor vehicles and salvage facilities for wrecked motor vehicles and vehicle parts. Includes dismantling, wrecking, hulk haulers, and salvage of motor, commercial, recreational, and sporting vehicles and heavy equipment.	X	X
P. Warehousing, Distribution and Freight Movement. Warehousing and distribution of manufactured or processed products for one (1) or more businesses and the large scale distribution of raw, manufactured or processed products for one (1) or more businesses at a central location. This use type does not include warehousing , distribution, or movement of illegal substances. Examples include grocery chain distribution centers and parcel delivery distribution centers, storage of fabricated concrete blocks , finished lumber storage yards, new automobile storage areas.		
Level 1: Indoor facilities of up to ten thousand (10,000) gross square feet .	X	X
Level 2: Indoor facilities of up to twenty thousand (20,000) gross square feet and/or outside storage of up to five thousand (5,000) gross square feet .	X	X
Level 3: Indoor facilities exceeding twenty thousand (20,000) gross square feet and/or outside storage exceeding five thousand (5,000) gross square feet .	X	X

AGRICULTURAL

Note: P= Permitted, CUP = Conditional Use Permit, X = Prohibited

Addresses all streets except Low-Impact Mixed Use Streets

18A.20.800 Agricultural Use Category - Land Use Types and Levels.

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The Agricultural use category includes uses which typically might be found and are generally restricted to rural environments, but which can pose viable, inobtrusive land uses in portions of the urban environment that, by their nature, otherwise possess limited development potential.		
A. Agriculture. The use of land for growing, producing, or harboring plants and animals.		

18A.20.800 Agricultural Use Category - Land Use Types and Levels.**Draft 4/25****Draft 4/30**

Level 1: Crop and tree farms . Example include row crops, hay, alfalfa, orchards, Christmas trees , aquaculture, vineyards and wholesale nurseries without greenhouses.	X	X
Level 2: Wholesale nurseries with over seventy-five (75) percent of stock grown on-site , which may include associated greenhouses and other buildings .	X	X
Level 3: Raising or boarding of poultry or livestock, including fowl, swine, cattle, horses, sheep, goats, and exotic animals, but excluding domestic pets, which are otherwise regulated. (Ord. 264 § 1 (part), 2001.)	X	X

ACCESSORY USES

Note: P= Permitted, CUP = Conditional Use Permit, X = Prohibited

Addresses all streets except Low-Impact Mixed Use Streets

18A.20.900 Accessory Use Category - Land Use Types and Levels.**Draft 4/25****Draft 4/30**

The Accessory use category includes those uses which are customarily and routinely found in conjunction with, and which are clearly incidental and secondary to, other listed uses , except as may be specifically limited by use levels otherwise listed herein.		
A. Residential Accessory. Uses accessory to a primary P residential use or in conjunction with a residential use requiring a discretionary permit , subject to LMC 18A.50.140 , Residential Accessory Buildings , and all applicable construction permits.		
1. Accessory dwelling unit , subject to the provisions of LMC 18A.70.310 .	P	P
2. Boarding Houses , subject to the provisions of LMC 18.70.320 .	P	P
3. Private docks and mooring facilities as regulated by applicable shoreline management regulations.	P	P
4. Storage.	P	P
a. Attached carports or garages for the sole use of occupants of premises and their guests, for storage of personal household goods and motor, recreational, and sporting vehicles .	P	P
b. Detached carports or garages are allowed in conjunction with an approved access and driveway .	P	P
c. In addition to attached carports or garages , detached carports , garages , and other accessory buildings and structures such as hobbyist greenhouses and storage buildings for personal household goods and yard maintenance equipment, but excluding accessory dwelling units , are allowed.	P	P
5. Outdoor storage of two (2) recreational/sporting/ utility vehicles, subject to LMC 18A.50.145 , Outdoor Storage of Recreational, Utility and Sporting Vehicles Accessory to Residential Uses .	P	P
6. Home occupations and limited home occupations , subject to the provisions of LMC 18A.70.200 .	P	P

18A.20.900 Accessory Use Category - Land Use Types and Levels.

Draft 4/25

Draft 4/30

7. Minor maintenance of a vehicle owned by a resident or a relative of a resident of the site on which the activity is performed, where the activity is not performed for pay or the exchange of goods or services, and subject to the provision of LMC 18A.50.155 , Vehicle Service and Repair Accessory to Residential Uses .	P	P
8. Hobbyist crop or flower gardens which are non-commercial and serve one (1) or more neighborhood homes on an informal, cooperative basis, as distinguished from Outdoor Recreationuses .	P	P
9. Civic use types , limited to "pea patch" or community gardens, "tot lots ," private parks and open space set-asides. May include private, on-site composting facility with less than ten (10) cubic yards ' capacity.	P	P
10. On-site underground fuel storage tanks to serve a residential use .	P	P
11. Antennae and satellite dishes for private telecommunication services, subject to specific standards, including siting criteria, set forth in LMC 18A.70.600 , Wireless Telecommunications Facilities .	P	P
12. Decks and patios .	P	P
13. Non-commercial recreational facilities and areas, indoor and outdoor, including swimming pools and tennis courts, for exclusive use by residents and guests.	P	P
14. On-site soil reclamation in accordance with state regulations.	P	P
15. Retaining walls, freestanding walls, and fences.	P	P
16. Yard sales.	P	P
17. Eating and Drinking Establishment Level 1, limited to ice cream trucks but excluding their storage .	P	P
18. Continuation of equestrian uses , which are accessory to a single-family dwelling , already legally existing within the zone at the time of adoption of this title. Maintenance , repair and replacement of existing equestrian structures shall be P.	P	P
B. Civic Accessory. Uses accessory to a primary P civic use or in conjunction with a civic use requiring a discretionary permit , subject to all applicable construction permits.		
1. Professional Offices Level 1	P	P
2. Daycare Facilities Level 3	P	P
3. Eating and Drinking Establishment Level ½	P	P
4. Storage buildings and outdoor storage , subject to the provisions of LMC 18A.50.170 , Outdoor Storage and Commercial Yard Surfacing Standards, for maintenance equipment and goods utilized in the primary use .	P	P
5. Antennae and satellite dishes for private telecommunication services, subject to specific standards, including siting criteria, set forth in LMC 18A.70.600 , Wireless Telecommunications Facilities .	P	P
6. Facilities used in on-site grounds maintenance .	P	P

18A.20.900 Accessory Use Category - Land Use Types and Levels.

Draft 4/25

Draft 4/30

7. On-site soil reclamation treatment in accordance with state regulations.	P	P
8. Retaining walls, freestanding walls, and fences.	P	P
9. Accessory caretaker's dwelling , subject to the provisions of LMC 18A.70.350 .	P	P
10. Private docks and mooring facilities as regulated by applicable shoreline management regulations.	P	P
11. Community and Cultural Services Level 1/2, in conjunction with an Outdoor Recreation use type .	P	P
12. Amusement and Recreation Level 1, in conjunction with an Outdoor Recreation use type .	P	P
13. Lodging Level 2, in conjunction with an Outdoor Recreation use type .	X	X
C. Commercial Accessory. Uses accessory to a primary P commercial use or in conjunction with a commercial use requiring a discretionary permit , subject to all applicable construction permits.		
1. Professional Offices Level 1	P	P
2. Daycare Facilities Level 3	P	P
3. Eating and Drinking Establishment Level 1/2	P	P
4. Outdoor storage , subject to the provisions of LMC 18A.50.170 , Outdoor Storage and Commercial Yard Surfacing Standards.	P	P
5. Antennae and satellite dishes for private telecommunication services, subject to specific standards, including siting criteria, set forth in LMC 18A.70.600 , Wireless Telecommunications Facilities .	P	P
6. Facilities used in on-site grounds maintenance .	P	P
7. On-site soil reclamation treatment in accordance with state regulations.	P	P
8. Retaining walls, freestanding walls, and fences.	P	P
9. Accessory caretaker's dwelling , subject to the provisions of LMC 18A.70.350 .	P	P
10. Unloading of shipping containers and semi-truck trailers may occur in non-residential zoning districts . Railroad cars, shipping containers, and semi-truck trailers may be kept in conjunction with commercial, industrial and transportation use types only where the placement and or use of the vessel is typically integral to the use type , and properly screened areas for storage and maintenance of such vessels is shown on the site plans for the facility. For existing facilities, areas for storage of shipping containers and semi-truck trailers, etc. may be approved by the Community Development Director via the zoning certification process outlined in LMC 18A.02.140 .	P	P
D. Industrial Accessory. Uses accessory to a primary P industrial use or in conjunction with an industrial use requiring a discretionary permit , subject to all applicable construction permits.		
1. Professional Offices Level 1	P if accessory to P industrial use	P if accessory to P industrial use

18A.20.900 Accessory Use Category - Land Use Types and Levels.

Draft 4/25

Draft 4/30

2. Daycare Facilities Level 3	P if accessory to P industrial use	P if accessory to P industrial use
3. Eating and Drinking Establishment Level ½	P if accessory to P industrial use	P if accessory to P industrial use
4. Outdoor storage , subject to the provisions of LMC 18A.50.170 , Outdoor Storage and Commercial Yard Surfacing Standards.	P if accessory to P industrial use	P if accessory to P industrial use
5. Antennae and satellite dishes for private telecommunication services, subject to specific standards, including siting criteria, set forth in LMC 18A.70.600 , Wireless Telecommunications Facilities .	P if accessory to P industrial use	P if accessory to P industrial use
6. Incidental hazardous materials storage or use , subject to applicable federal and state regulations.	P if accessory to P industrial use	P if accessory to P industrial use
7. Facilities used in on-site grounds maintenance .	P if accessory to P industrial use	P if accessory to P industrial use
8. On-site soil reclamation treatment in accordance with state regulations.	P if accessory to P industrial use	P if accessory to P industrial use
9. Retaining walls, freestanding walls, and fences.	P if accessory to P industrial use	P if accessory to P industrial use
10. Accessory caretaker's dwelling , subject to the provisions of LMC 18A.70.350 .	P if accessory to P industrial use	P if accessory to P industrial use
E. Agricultural Accessory. Uses accessory to a primary P agricultural use or in conjunction with an agricultural use requiring a discretionary permit , subject to all applicable construction permits.		
1. Retail sales of products grown on site .		
2. Wholesale nursery activities on the site.	X	X
3. Outdoor storage , subject to the provisions of LMC 18A.50.170 , Outdoor Storage and Commercial Yard Surfacing Standards.	X	X
4. Incidental hazardous materials storage or use , limited to agricultural chemicals, subject to applicable federal and state regulations.	X	X
5. Retaining walls, freestanding walls, and fences.	X	X

LOW-IMPACT MIXED-USE STREETS

Low-impact mixed use streets are intended to allow a mixed use character compatible with abutting single-family neighborhoods and allowing a gentler transition from single-family residential uses to other higher density residential and a smaller range of commercial uses.

- Permitted uses include professional office uses, personal services, private training school, community and cultural services, [single-family residential uses](#), multiple-family residential uses, and community and cultural services in areas not suitable for general commercial development or adjacent to residential development. The Director may permit other uses consistent with the uses allowed in the NC2 zoning district where the footprint of development and customer visits are compatible with adjacent single-family residential development within or outside the Downtown district.

Downtown Code Follow Up

Draft May 2018 | Adjustments and Case Studies

Community Meeting and Developer Forum

Based on the Community Meeting and Developer Forum, desired clarifications in the Draft Downtown Development Code land uses included ensuring: 1) lodging is allowed (hotels/motels and similar are allowed except for Level 2 Camping); 2) ensuring pet sales and service is allowed like Petco or others (indoor is allowed; level 3 and 4 with outdoor kennels would not be allowed); 3) that uses like Play it Again or Big Lots are not restricted by limits on Sales of Secondhand Property (the uses referenced are allowed as Level 1; restricted Level 2 include flea markets and military surplus and pawnshops); 4) make drive-throughs allowed with landscaping/site design conditions and don't make CUP. In terms of standards, a lower level of window transparency is proposed. These ideas were presented in the staff presentation at the hearing. Details are attached in the track changes.

Draft Code Case Studies

In progress, the consultant team is testing the draft code on example sites. One site evaluated is Hop Jacks. An illustration of the draft code application, assuming the building was newly under construction, is attached. Some reorientation of entrances, transparency, and other features would likely have been required.

The consultant team is also revisiting areas west of Gravelly Lake Drive considered in the Charette to look at a more extensive property frontage. We anticipated sharing results on May 16, 2018 at the Planning Commission meeting.

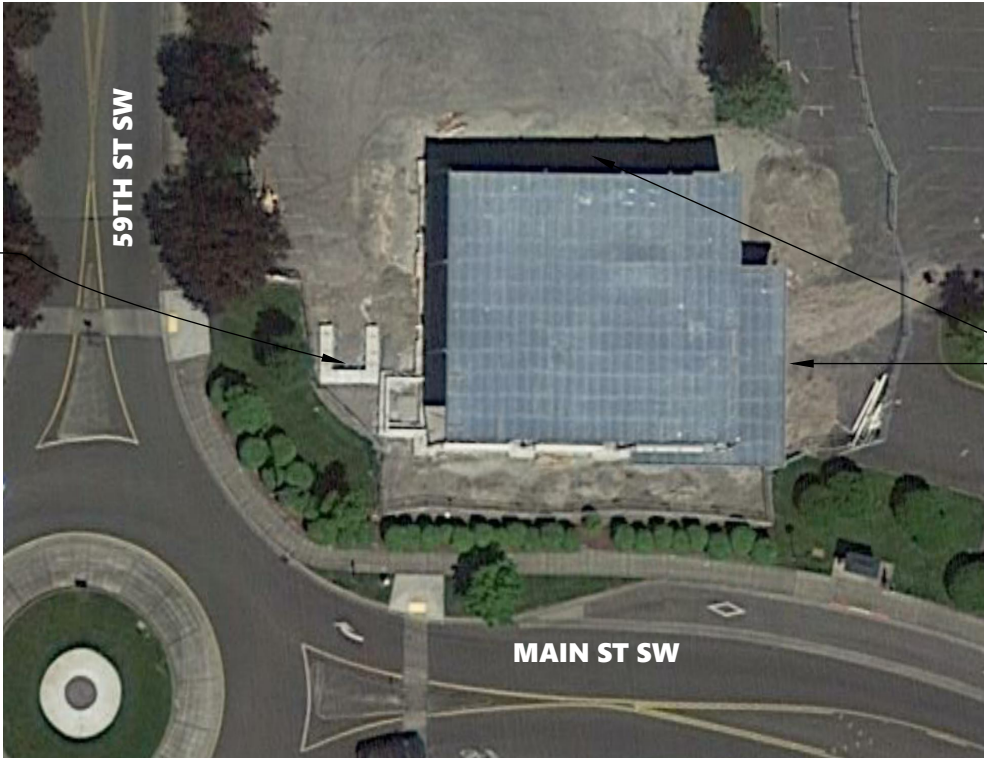
Other Shopping Center Redevelopments

Several shopping center or big box stores have been or will be reconfigured and redeveloped to add a wider range of commercial and residential uses, and to be more compact.

- Target – Ballard: Target would occupy the first floor of an office building having about 5-6 stories. The Target store is anticipated to open in the first quarter of 2019. Source: <http://www.myballard.com/2018/04/27/target-is-coming-to-ballard-next-year/>. An example of a Target in an urban multi-story shopping center area includes the Northgate Target across from Northgate Mall. Other example urban Target stores include: “CityTarget” and “TargetExpress”: See <https://corporate.target.com/article/tag/372/CityTarget>.
- Northgate Mall Redevelopment: The retail square footage would shrink and office space, residential units, restaurants, and a hotel would be added. These new uses would be on upper levels of the redevelopment leaving retail on the ground floor. See: <http://www.seattlecondoreview.com/2018/04/northgate-malls-redevelopment.html>.

- The Marketplace at Factoria will add 685 dwelling units to address the effect of ecommerce. See: <https://www.bizjournals.com/seattle/news/2018/04/17/marketplace-at-factoria-mall-residential-units.html>.

EXISTING



Building setback from street with loading along street frontage

Primary Entrances from Parking Areas

MAIN ST SW

59TH ST SW

Summary:

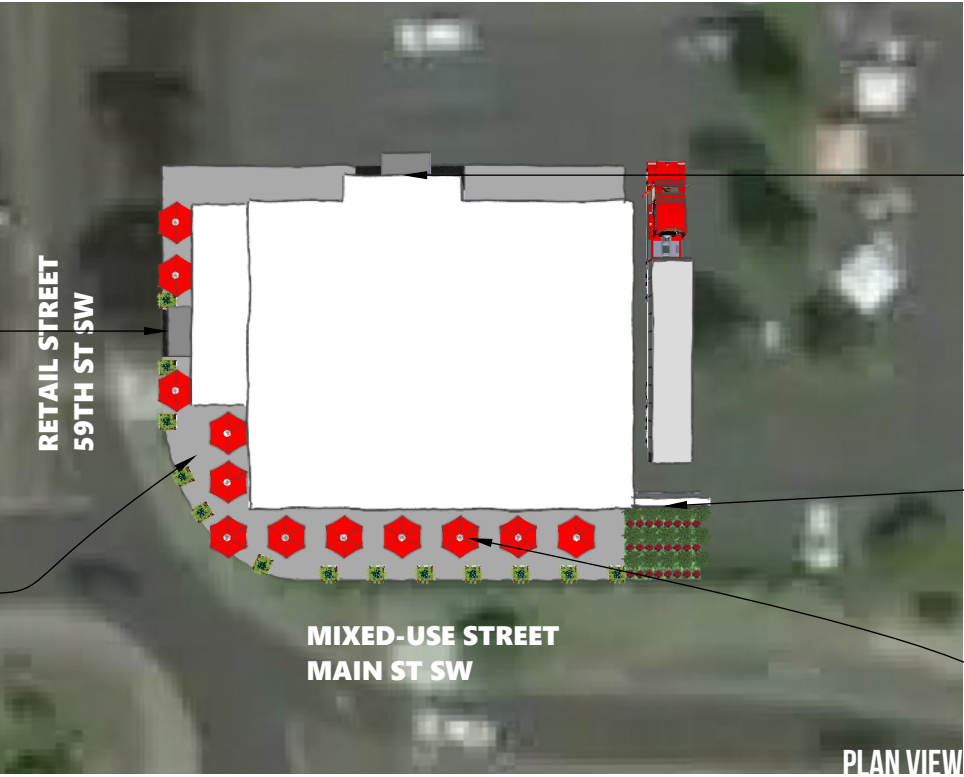
- Design concept shows new development under the proposed Downtown Code
- Provides one example of development that is consistent with the code requirements; other options exist
- The design concept orients the building and entrances towards the retail street frontage and relocates loading to the rear of the building



Lacks Windows and Transparency;

No pedestrian connection from street to building

DESIGN CONCEPT - DOWNTOWN CODE



Pedestrian Entrance on Retail Street

Plaza Frontage Outdoor Dining

RETAIL STREET
59TH ST SW

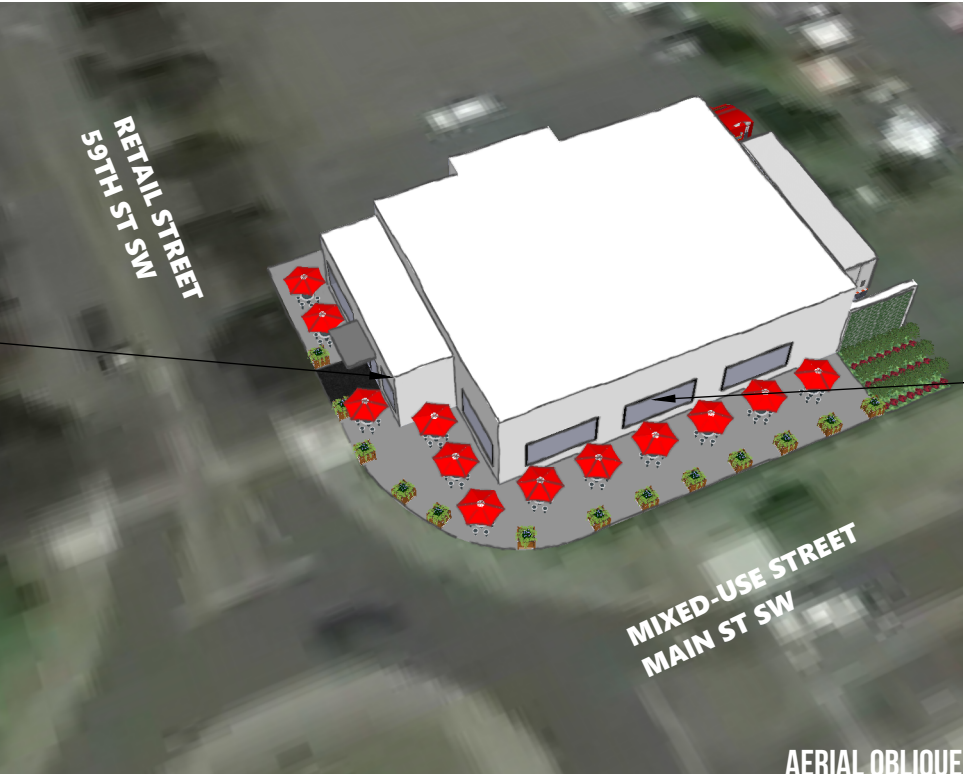
MIXED-USE STREET
MAIN ST SW

Entrance from Parking Area

Loading with Vegetative Screen

Plaza Frontage; Landscape also permitted

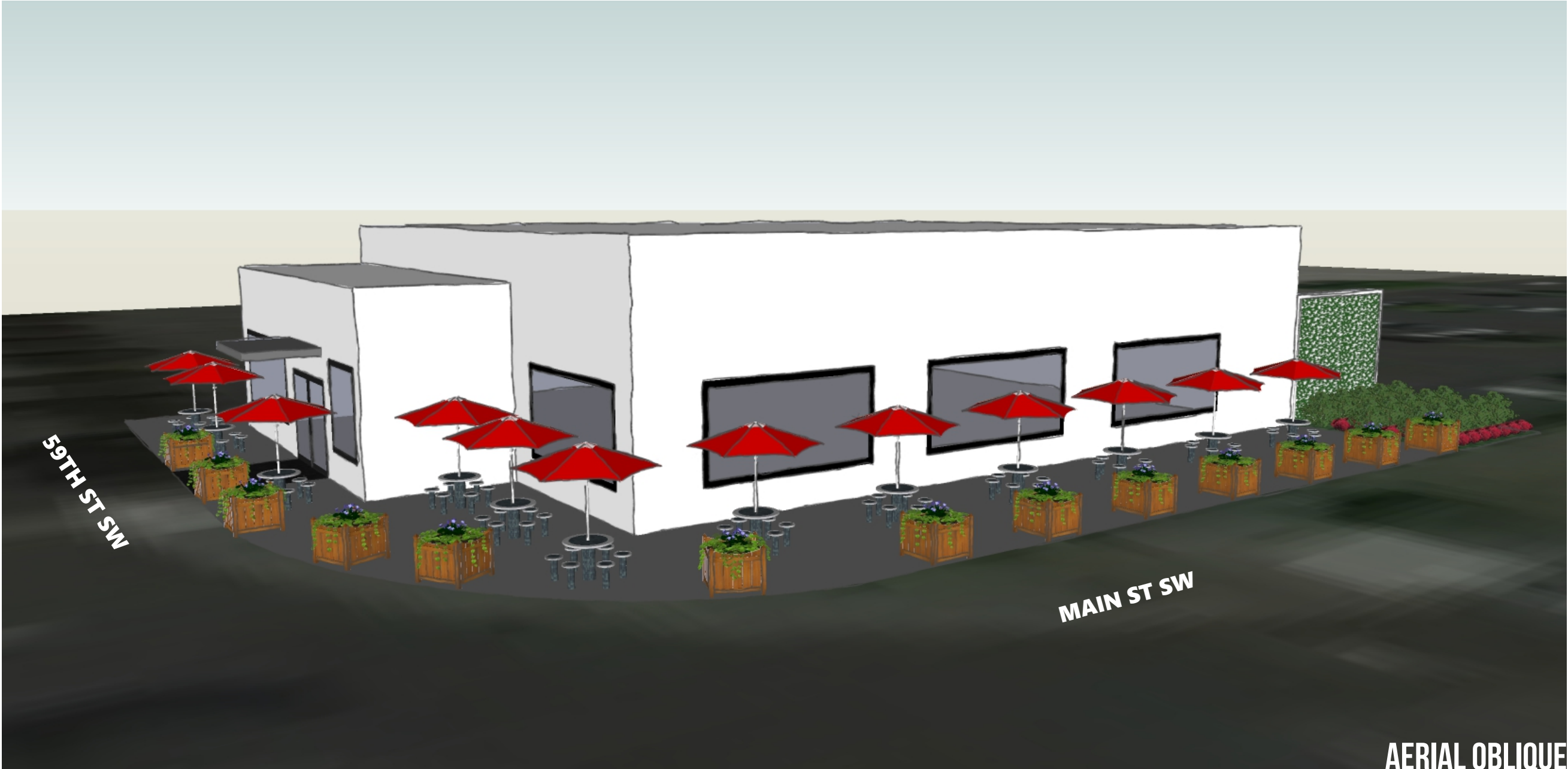
PLAN VIEW



Window Transparency 70% Required

60% Transparency Required

AERIAL OBLIQUE





TO: Lakewood Planning Commission

FROM: Courtney Brunell, Planning Manager

DATE: May 9, 2018

SUBJECT: Shoreline Master Plan Periodic Review

Purpose: The purpose of this memo is to introduce the Shoreline Management Plan (SMP) periodic review as required by the Washington State Shoreline Management act.

Background: As required by the Washington State Shoreline Management Act (SMA), RCW 90.58.080(4), the City of Lakewood is undertaking a periodic review of its Shoreline Master Program (SMP). The SMA requires each SMP be reviewed and revised, if needed, on an eight-year schedule established by the Legislature. The review ensures the SMP stays current with changes in laws and rules, remains consistent with other City of Lakewood plans and regulations, and is responsive to changed circumstances, new information and improved data. Attached is a summary of the State enabling legislation for local governments to complete a periodic review.

Discussion: Staff has completed a preliminary review of the current Shoreline Master Program and have identified minor amendments are needed in order to ensure consistency between the SMP and the 2015 Critical Areas Ordinance (CAO) Revisions. In addition, planning staff has requested that certain areas of the SMP be revised to increase functionality. Staff is proposing that the City move forward with these minor amendments.

Staff has been in contact with some identified stakeholders including members of the Chambers Clover Watershed Council who intend to attend the planning commission meeting and offer additional thoughts on the scope of the required update.

Next Steps:

- Once a scope of work has been established, staff will complete a grant application to receive funds from the Department of Ecology to complete the updates.
- Beginning in July 2018, staff will begin a public outreach plan (attached).
- All amendments shall be completed by June 30, 2019 per the Department of Ecology. The City is currently projecting a completion date of February 2019.

Attachments:

1. Shoreline Management Plan Periodic Review Checklist
2. Shoreline Management Plan public participation plan
3. SMP Amendment Procedures and Review Rules, Department of Ecology, 2018

CITY OF LAKEWOOD

SHORELINE MASTER PROGRAM PERIODIC REVIEW

Periodic Review Checklist

The City of Lakewood is undertaking a periodic review of its Shoreline Master Program (SMP), as required by the Washington State Shoreline Management Act (SMA), RCW 90.58.080(4). The SMA requires each SMP be reviewed and revised, if needed, on an eight-year schedule established by the Legislature. The review ensures the SMP stays current with changes in laws and rules, remains consistent with other City of Lakewood plans and regulations, and is responsive to changed circumstances, new information and improved data.

Ecology's rule outlining procedures for conducting these reviews is at [WAC 173-26-090](#). This checklist summarizes amendments to state law, rules and applicable updated guidance adopted between 2007 and 2017 that may trigger the need for local SMP amendments during periodic reviews.

Row	Summary of change	Review	Action
2017			
a.	OFM adjusted the cost threshold for substantial development to \$7,047.	2014 SMP, Chapter 7, page 132: Definition of Substantial Development includes reference to cost threshold of \$6,416 and contains language noting that this figure must be adjusted every five years.	No amendment needed.
b.	Ecology amended rules to clarify that the definition of “development” does not include dismantling or removing structures.	2014 SMP, Chapter 7, page 120: Definition of development references RCW 90.58.030(3a).	No amendment needed.
c.	Ecology adopted rules that clarify exceptions to local review under the SMA.	2014 SMP incorporates WAC 173-27-040 by reference. Page 105 Chapter 6.C.1.a.	No amendment needed.
d.	Ecology amended rules that clarify permit filing procedures consistent with a 2011 statute.	2014 SMP contains procedures for filing and includes language for “Date of Filing”. Page 106 Chapter 6.C.2.h.	No amendment needed.
e.	Ecology amended forestry use regulations to clarify that forest practices that only involves timber cutting are not SMA “developments” and do not require SDPs.	2014 SMP prohibits forest practices in all shoreline zones. Page 47 Chapter 4 Table 1.	No amendment needed.
f.	Ecology clarified the SMA does not apply to lands under exclusive federal jurisdiction	2014 SMP includes reference to RCW 90.58. Page 6, Chapter 2.C.	No amendment needed.
g.	Ecology clarified “default” provisions for nonconforming uses and development.	2014 SMP includes nonconformance regulations. Page 110, Chapter 6.F.	No amendment needed.
h.	Ecology adopted rule amendments to clarify the scope and process for conducting periodic reviews.	2014 SMP includes review provisions. Page 114, Chapter 6.H.	No amendment needed.
i.	Ecology adopted a new rule creating an optional SMP amendment process that allows for a shared local/state public comment period.	2014 SMP contains amendment provisions that reference RCW 90.58 and WAC 173.26. Page 114, Chapter 6.H.	No amendment needed.
j.	Submittal to Ecology of proposed SMP amendments.	2014 SMP contains amendment provisions that	No amendment needed.

Row	Summary of change	Review	Action
		reference RCW 90.58 and WAC 173.26. Page 115, Chapter 6.I.	
2016			
a.	The Legislature created a new shoreline permit exemption for retrofitting existing structures to comply with the Americans with Disabilities Act .	2014 SMP incorporates by reference WAC 173-27-040. Page 105, Chapter 6.C.1.a).	No amendment needed.
b.	Ecology updated wetlands critical areas guidance including implementation guidance for the 2014 wetlands rating system.	2015 updates to City critical area ordinances incorporate necessary language. Title 14A. 162.	Amend to reflect 2015 CAO update
2015			
a.	The Legislature adopted a 90-day target for local review of Washington State Department of Transportation (WSDOT) projects.	2014 SMP addresses this by reference to the SMA and WAC. Page 106, Chapter 6.C.2.e).	No amendment needed.
2014			
a.	The Legislature raised the cost threshold for requiring a Substantial Development Permit (SDP) for replacement docks on lakes and rivers to \$20,000 (from \$10,000).	2014 SMP includes this provision. Page 93, Chapter 5.C.5.b).	No amendment needed.
b.	The Legislature created a new definition and policy for floating on-water residences legally established before 7/1/2014.	None within the City. 2014 SMP prohibits them. Page 47, Table I.	No amendment needed.
2012			
a.	The Legislature amended the SMA to clarify SMP appeal procedures .	2014 SMP contains provisions. Page 104, Chapter 6.E.	No amendment needed.
2011			
a.	Ecology adopted a rule requiring that wetlands be delineated in accordance with the approved federal wetland delineation manual .	2015 updates to City critical area ordinances incorporate necessary language. Title 14A.162.020. 2014 SMP contains reference to federal manual. Page 24, Chapter 3.B.3.a)3)h.	Amend to reflect 2015 CAO update
b.	Ecology adopted rules for new commercial geoduck	City has no saltwater shoreline.	No amendment needed.

Row	Summary of change	Review	Action
	aquaculture.		
c.	The Legislature created a new definition and policy for floating homes permitted or legally established prior to January 1, 2011.	None within the City. 2014 SMP prohibits them. Page 47, Table I.	No amendment needed.
d.	The Legislature authorized a new option to classify existing structures as conforming.	2014 SMP contains provisions. Page 110, Chapter 6.F.2.a).	No amendment needed.
2010			
a.	The Legislature adopted Growth Management Act – Shoreline Management Act clarifications.	2014 SMP incorporates by reference. Page 115, Chapter 6.I	No amendment needed.
2009			
a.	The Legislature created new “relief” procedures for instances in which a shoreline restoration project within a UGA creates a shift in Ordinary High Water Mark.	2014 SMP contains provisions. Page 34, Chapter 3.B.6.c)15&16.	No amendment needed.
b.	Ecology adopted a rule for certifying wetland mitigation banks.	2015 updates to City critical area ordinances contain provisions. Title 14A.162.100.	Amend to reflect 2015 CAO update
c.	The Legislature added moratoria authority and procedures to the SMA.	N/A	N/A
2007			
a.	The Legislature clarified options for defining "floodway" as either the area that has been established in FEMA maps, or the floodway criteria set in the SMA.	2014 SMP contains definition. Page 123, Chapter 7.	No amendment needed.
b.	Ecology amended rules to clarify that comprehensively updated SMPs shall include a list and map of streams and lakes that are in shoreline jurisdiction.	2014 SMP contains a map listing streams and lakes. SMP Fig. 1.	No amendment needed.
c.	Ecology’s rule listing statutory exemptions from the requirement for an SDP was amended to include fish habitat enhancement projects that conform to the provisions of RCW 77.55.181.	2014 SMP incorporates exemptions by reference. Page 105, Chapter 6.C.1.a).	No amendment needed.

City of Lakewood SMP Periodic Review Public Participation Plan

Introduction

The City of Lakewood is undertaking a periodic review of its Shoreline Master Program (SMP), as required by the Washington State Shoreline Management Act (SMA), RCW 90.58.080(4). The SMA requires each SMP be reviewed and revised, if needed, on an eight-year schedule established by the Legislature. The review ensures the SMP stays current with changes in laws and rules, remains consistent with other City plans and regulations, and is responsive to changed circumstances, new information and improved data.

A Public Participation Plan is required as part of the periodic review process. The intent of the public participation plan is to engage the public and interested stakeholders in the review process and gather input and comments during the review. The City intends to provide opportunities for public engagement and public comments through a variety of means.

1.0 Public Participation Goals

- Provide interested parties with timely information, an understanding of the process, and multiple opportunities to review and comment on proposed amendments to the SMP.
- Actively solicit information from citizens, property owners and stakeholders about their concerns, questions and priorities for the Periodic Review process.
- Encourage interested parties to informally review and comment on proposed changes to the SMP throughout the process and provide those comments to decision makers.
- Provide forums for formal public input at project milestones prior to decision-making by local officials.
- Consult and consider recommendations from neighboring jurisdictions, federal and state agencies, and Native American tribes.

2.0 Participation Opportunities

The City will provide opportunities to participate, review and provide comment through the following:

2.1 Website

The City of Lakewood Community Development webpage will include information on the periodic review including the completed checklist, public participation timeline, copy of the current SMP, and contact information for parties interested in providing feedback, or who have questions or concerns.

2.2 Public Notice mailing list

An email list of interested parties will be created, advertised and maintained by the City of Lakewood. The list will be used to notify interested parties regarding Periodic Review progress and participation opportunities. Interested parties will be added to the list by contacting the Planning Department.

2.3 Planning Commission

The Planning Commission will be the primary forum for detailed review and recommendations to the City Council. Interested parties are encouraged to attend and provide comments during the Planning Commission meetings in addition to public hearings. Official notices of public hearings will be published as established in the Lakewood Municipal Code.

2.4 Public Comment

Interested parties will be encouraged to provide comments to City of Lakewood by letter or email. All comments will be forwarded to the Planning Staff and Planning Commission. The Community Development Webpage will be the central repository for information under consideration. Documents will be available for review at the City of Lakewood Planning Department, and copies will be provided at the established copying cost.

3.0 List of Stakeholders

The City of Lakewood will engage with the following stakeholders:

- Tacoma-Pierce County Health Department
- Lakeview Light and Power
- Lakewood Refuse Service
- Puget Sound Energy
- Pierce Transit
- Office of Attorney General, Ecology Division
- Pierce County Public Works and Utilities
- WA State Dept. of Fish & Wildlife
- Nisqually Indian Tribe
- The Puyallup Tribe
- Washington State Department of Transportation
- JBLM Head Quarters
- Pierce County- Planning and Land Services and Assessor's Office
- Puget Sound Clean Air Agency
- Tacoma Power
- Department of Commerce- Growth Management Services
- Town of Steilacoom

- City of Tacoma
- City of University Place
- US Fish and Wildlife- Endangered Species Review and Western Washington Office
- Lake Steilacoom Improvement Club
- American Lake Improvement Club
- Pierce County Master Builders Association
- Chambers Clover Watershed Council

4.0 Timeline

1. Scoping Conversation with the Planning Commission on May 16, 2018.
2. An explanation and summary of the periodic review process, a copy of the periodic review checklist, a notice that the City is soliciting comments and information on how to provide comments will be available on the City's website. (July 2018)
3. Notice of the review and a copy of the completed periodic review checklist will be sent to stakeholders asking them to review the checklist and provide comments. (July 2018)
4. Public meeting to discuss progress at the Planning Commission, public notice will be provided to stakeholder groups and on the City website. (September 2018)
5. A public hearing will be conducted by the Lakewood Planning Commission. Notice of the public hearing will be published in the Tacoma News Tribune and notice will be sent to interested parties, tribes and agencies (November-December 2018)
6. Final action will be by resolution at a regularly scheduled City Council meeting. (January-February 2019)

SMP amendment procedural review rules

The Shoreline Management Act (SMA) is a cooperative program of shoreline management between local governments and the state.¹ A key element of the shared responsibility is Ecology review and approval of Shoreline Master Programs (SMP) amendments.² The procedures for conducting the public comment and Ecology review process for proposed local amendments are outlined in state rules.

Since the 1970s, Ecology's rules had one approach that required both a local and state public comment period for all SMP amendments regardless of the substance. Effective September 7, 2017, Ecology revised those rules to create a new option that allows for a joint local/state review process.³

This document begins with a summary of the 2017 rules, followed by an annotated version of relevant procedural rules in their entirety.

Standard public review process

The standard public review process is still required for comprehensive SMP updates.⁴ This process requires a two-stage public review for all amendments (*see Figure 1*).

Counties and cities hold a **local public comment period** on proposed amendments. Elected officials formally adopt the SMP and submit proposed amendments to Ecology.

Ecology then holds a second **state-level public comment period** on the locally approved SMP and sends comments to the local government for their response. The local government may or may not identify areas where their locally approved SMP could be improved in response to comments. Ecology then makes a final determination on whether the SMP is consistent with the SMA and applicable rules.

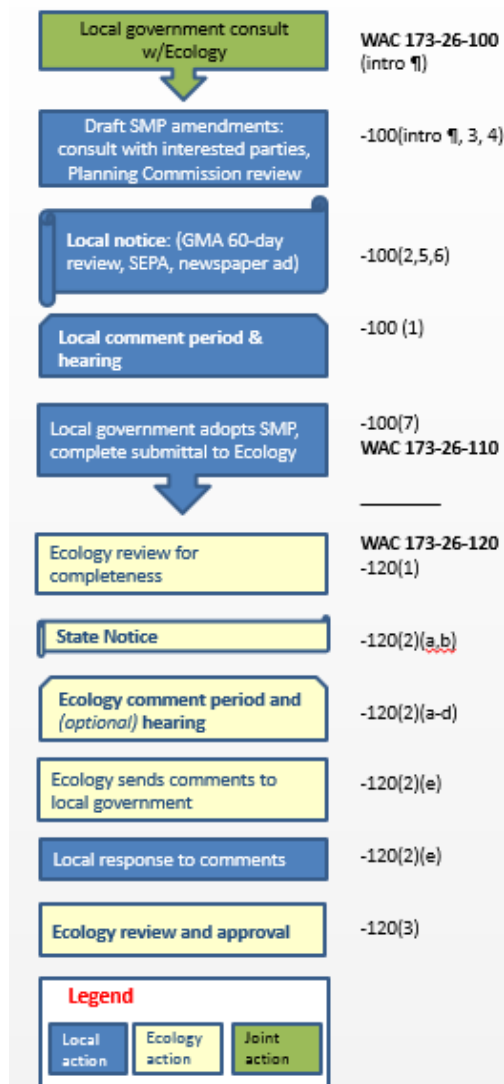


Figure 1. Standard SMP update process

¹ RCW 90.58.050

² RCW 90.58.090

³ WAC 173-26-104

⁴ The comprehensive updates are those found in RCW 90.58.080(2). Deadlines were from 2005-2014, with extensions and delays pushing out some approvals beyond the dates set in law. Ecology rules retained this requirement for the two-stage comment period to maintain the same procedural "ground rules" for all jurisdictions that complete the comprehensive update.

Optional joint local and state comment period

Ecology's 2017 rules create an option that allows for joint (*concurrent*) local and state public comment periods (see *Figure 2*).

Under the optional review process, a county or city considering an amendment would consult with Ecology early in the local adoption process. After this initial consultation, the local government would prepare amendments through the normal local process. Once amendments are drafted, the local government and Ecology would hold concurrent comment periods, using parallel notification and conducting a shared local public hearing.

Local governments would provide notice of the public comment period to local interested parties and Ecology would provide notice to statewide interested parties.

Just like under the standard process, the local government prepares a response to comments. The local government may or may not make changes in response to public comments, and then submits the amendment to Ecology for an initial determination of consistency with the SMA and state rules. This step is intended to improve the transparency of the overall SMP amendment process, because local elected officials would have an initial determination of consistency before taking final action to adopt the amendments.

The 2017 rules make no substantive changes to the final steps in the approval process. After local adoption, Ecology would conduct a final review to ensure that any changes to the draft SMP following from the joint public comment period are consistent with the SMA and applicable rules.

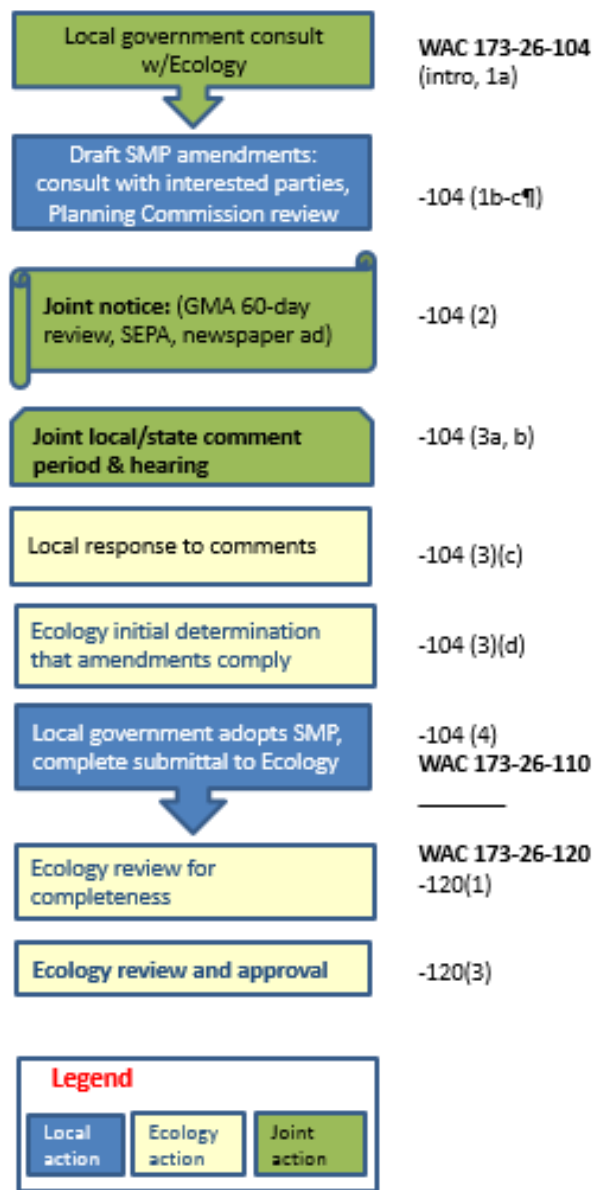


Figure 2. Joint review process

Shoreline amendment procedural rules (annotated)

Below is the complete text of Ecology’s rules outlining the shoreline amendment process. The annotation in colored boxes provides context and explanation for each section and is not part of the formally adopted rule.

Colored boxes formatted like this are explanatory and are not part of the rules.

Contents

WAC 173-26-100 Standard local process for approving/amending shoreline master programs.....	3
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WAC 173-26-100 Standard local process for approving/amending shoreline master programs.

This section establishes local procedures for approving new master programs and preparing comprehensive master program updates required by RCW [90.58.080](#)(2). A local government that proposes master program amendments may follow these procedures or the optional joint review process outlined in WAC [173-26-104](#).

Section 100 is titled the standard process to distinguish it from the new optional “joint review” process in WAC 173-26-104. The introductory paragraph explains that counties and cities must follow this process in two circumstances: adopting brand new SMPs (*e.g., in case of a new city incorporation*), and preparing comprehensive master program updates. The term “comprehensive master program update” refers to the one-time updates required under RCW 90.58.080(2) with deadlines set in statute from 2005 – 2014.

Counties and cities have a choice of using either the standard process or the optional joint review process for all other master program amendments, including amendments concluding the periodic reviews required by RCW 90.58.080(4).

Prior to submittal of a new or amended master program to the department, local government shall solicit public and agency comment during the drafting of proposed new or amended master programs. The degree of public and agency involvement sought by local government should be gauged according to the level of complexity, anticipated controversy, and range of issues covered in the draft proposal.

Recognizing that the department must approve all master programs before they become effective, early and continuous consultation with the department is encouraged during the drafting of new or amended master programs. For local governments planning under chapter [36.70A](#) RCW, local citizen involvement strategies should be implemented that ensure early and continuous public participation consistent with WAC [365-196-600](#).

At a minimum, local government shall:

- (1) Conduct at least one public hearing to consider the draft proposal;
- (2) Publish notice of the hearing in one or more newspapers of general circulation in the area in which the hearing is to be held. The notice shall include:
 - (a) Reference to the authority(s) under which the action(s) is proposed;
 - (b) A statement or summary of the proposed changes to the master program;
 - (c) The date, time, and location of the hearing, and the manner in which interested persons may present their views; and
 - (d) Reference to the availability of the draft proposal for public review;
- (3) Consult with and solicit the comments of any persons, groups, federal, state, regional, or local agency, and tribes, having interests or responsibilities relating to the subject shorelines or any special expertise with respect to any environmental impact. The consultation process should include adjacent local governments with jurisdiction over common shorelines of the state;
- (4) Where amendments are proposed to a county or regional master program which has been adopted by cities or towns, the county shall coordinate with those jurisdictions and verify concurrence with or denial of the proposal. For concurring jurisdictions, the amendments should be packaged and processed together. The procedural requirements of this section may be consolidated for concurring jurisdictions;
- (5) Solicit comments on the draft proposal from the department prior to local approval. For local governments planning under the Growth Management Act, the local government shall notify both the department and the department of commerce of its intent to adopt shoreline policies or regulations, pursuant to RCW [36.70A.106](#);
- (6) Comply with chapter [43.21C](#) RCW, the State Environmental Policy Act; and
- (7) Approve the proposal and submit for final agency approval as outlined in WAC [173-26-110](#).

WAC 173-26-104 Optional joint review process for amending shoreline master programs

This section establishes an optional joint review process a local government may elect to use for master program amendments other than comprehensive updates. The process combines the local and state public comment periods required by RCW [90.58.090](#). Recognizing that the optional review process requires close coordination in conducting a joint public review, early and continuous consultation with the department is required during the drafting of amendments. The department and local government

should work collaboratively to address local interests while ensuring proposed amendments are consistent with the policy of RCW [90.58.020](#) and applicable guidelines.

WAC 173-26-104 outlines an optional amendment process that consolidates the local and state public comment periods. The rule calling for “early and continuous consultation with the department” is more emphatic here than in the introduction to WAC 173-26-100 because local governments and Ecology will need to coordinate closely to successfully conduct a joint public review. The opening paragraph also articulates a guiding principle for a collaborative approach to addressing both local and statewide interests in crafting SMP amendments (which should apply even for amendments prepared under the standard review process).

(1) Local government solicits early public and agency feedback

(a) Prior to commencing the amendment process, local governments shall notify the department of intent to develop an amendment under the optional joint review process.

The department will provide shoreline master program amendment checklists to help local governments identify issues to address. The checklists will not create new or additional requirements beyond the provisions of this chapter. The checklists are intended to aid in the preparation and review of master program amendments.

§ 1(a) requires local government to start the process with a formal notice to Ecology. [Ecology’s website](#) includes checklists to help with the amendment process. Ecology has checklists for comprehensive updates and periodic reviews, as well as a submittal checklist that accompanies all amendments. The remainder of this section provides the same direction to involve the public as the standard review process under WAC 173-100.

(b) Prior to submittal of a master program amendment to the department, local government shall solicit public and agency comment during the drafting of proposed amendments.

(i) The degree of public and agency involvement sought by local government should be gauged according to the level of complexity, anticipated controversy, and range of issues covered in the draft proposal.

(ii) Local government shall make all reasonable effort to consult with and solicit comments of any persons, groups, federal, state, regional, or local agency, and tribes, having interests or responsibilities relating to the subject shorelines or any special expertise with respect to any environmental impact. The consultation process should include adjacent local governments with jurisdiction over common shorelines of the state, where applicable.

(iii) For local governments planning under chapter [36.70A](#) RCW, local citizen involvement strategies should be implemented to ensure early and continuous public participation consistent with WAC [365-196-600](#).

(c) Where amendments are proposed to a county or regional master program which has been adopted by cities or towns, the county shall coordinate with those jurisdictions and verify concurrence with or denial of the proposal. For concurring jurisdictions, the amendments should be packaged and processed together. The procedural requirements of this section may be consolidated for concurring jurisdictions.

(2) Local government and Ecology conduct joint public comment period

At a minimum, local governments and the department shall conduct the following steps:

(a) Local governments planning under the Growth Management Act shall notify the department of commerce of its intent to adopt shoreline policies or regulations, pursuant to RCW [36.70A.106](#).

(b) Local governments shall comply with chapter [43.21C](#) RCW, the State Environmental Policy Act.

(c) Local governments and the department will provide a formal public comment period.

(i) Provide a public comment period of at least thirty days. The local government will provide reasonable notice and opportunity for written comment to all parties of record who expressed interest regarding the proposal. The department will provide notice to the state interested parties list of persons, groups, agencies, and tribes that have requested in writing notice of proposed master programs or amendments generally or for a specific subject matter.

(ii) Conduct at least one joint local/state public hearing to consider the draft proposal. The local government will publish notice of the joint local/state hearing in one or more newspapers of general circulation in the area in which the hearing is to be held. The notice shall include:

(A) Reference to the authority(s) under which the action(s) is proposed;

(B) The date, time, and location of the hearing, and the manner in which interested persons may present their views;

(C) A statement or summary of the proposed changes to the master program; and

(D) Reference to the availability of the draft proposal for public review.

(d) Local governments shall make available to the public and shall accept comment on the following materials:

(i) Amended text clearly identifying the proposed changes;

(ii) Any amended environment designation map(s), showing both existing and proposed designations, with justification for changes;

(iii) A summary of proposed amendments together with explanatory text indicating the scope and intent of the proposal; and

(iv) An initial submittal checklist and other supporting material indicating how the proposed amendment is consistent with the policy of RCW [90.58.020](#) and applicable guidelines.

(e) Local governments shall prepare a response to public comments.

(i) Within thirty days after the close of the joint public comment period, the local government shall document the submitted comments and prepare a written response to the public comments. The response may identify changes to the proposed amendment in response to public comments. Any proposed changes shall be evaluated by the local government for consistency with the policy of RCW [90.58.020](#) and applicable guidelines.

(ii) A local government may request additional time to prepare responses. Such requests will be accompanied by estimates of additional time needed.

The steps in § 2 combine the local and state notice and comment periods.

§ 2(c)(i) clarifies that local governments provide notice to local interested parties, and Ecology provides notice to the state interested parties list. The rule provides a minimum local comment period of 30 days. Ecology recommends local governments let Ecology know when the comment period is anticipated as soon as possible to ensure Ecology meets its obligations to send notice.

§ 2(c)(ii) clarifies public notice requirements for the joint hearing. [Ecology's Shoreline Planners Toolbox](#) includes a sample public notice.

§ 2(d) outlines what items must be made available to the public. Ecology's website will direct the public to the local government website and local contacts.

§ 2(e) provides a default timeframe of 30 days, with an option for additional time when needed. Where there are no comments or minor comments, this step can be concluded more quickly.

(3) Local government obtains initial determination from the department

(a) After conducting the joint public comment period, and prior to local government adoption, the local government shall submit the proposed amendment to the department for initial review. In addition to providing the public comment record of materials, initial submittal shall include:

(i) Documentation of all public comments received during the comment period;

(ii) Local jurisdiction responses to public comments;

(iii) Description of any proposed amendments as a result of the public testimony, with findings supporting the consistency of the proposed amendments with the policy of RCW [90.58.020](#) and applicable guidelines;

(iv) Updated text and map amendments.

(b) The department shall provide the local government an initial determination of whether or not the proposal is consistent with the policy of RCW [90.58.020](#) and applicable guidelines.

(i) The department will provide the initial determination within thirty days of submittal. For complex proposals, the department may indicate to the local government that a longer review period of up to forty-five days is needed.

(ii) If the department's initial determination is that the proposal is consistent with applicable laws and rules, the department will provide a written statement of initial concurrence.

(iii) If the department concludes that the proposal is not consistent with applicable laws and rules, the department will provide a written statement describing the specific areas of concern.

§ (3) requires local governments to send the draft SMP amendments that incorporate any changes resulting from the comment period to Ecology after the joint public comment period. Ecology is required to reply with an initial determination before local adoption. The intent of this step is to provide local elected officials an opportunity to consider Ecology's analysis before local adoption. Ecology may provide this initial determination in the form of draft "Findings and Conclusions."

(4) Approve the proposal.

After receiving the initial determination from the department, the local government adopts the amendment through resolution or ordinance and submits it for final agency approval as outlined in WAC [173-26-110](#).

§ 4 simply summarizes the final step of formal adoption and submittal to Ecology.

WAC 173-26-110 Submittal to department of proposed master programs/amendments

A master program or amendment proposed by local government shall be submitted to the department for its review and formal action. Submittals may be in digital format.

This section applies to all formal SMP submittals, whether for a brand new SMP (e.g., for a newly incorporated city), or any kind of amendment (comprehensive update, periodic review, or locally-initiated amendment).

The section applies whether the amendment was prepared under WAC 173-26-100 or the optional joint process under WAC 173-26-104. The 2017 amendments clarify that digital submittals are acceptable, rather than requiring paper copies.

A complete submittal shall include the following, where applicable:

(1) Documentation (i.e., signed resolution or ordinance) that the proposal has been approved by the local government;

(2) If the proposal includes text amending a master program document of record, it shall be submitted in a form that can replace or be easily incorporated within the existing document. Amended text shall show strikeouts for deleted text and underlining for new text, clearly identifying the proposed changes. At the discretion of the department, strikeouts and underlined text may not be required provided the new or deleted portions of the master program are clearly identifiable;

(3) Amended environment designation map(s), showing both existing and proposed designations, together with corresponding boundaries described in text for each change of environment. All proposals for changes in environment designation and redesignation shall provide written justification for such based on existing development patterns, the biophysical capabilities and limitations of the shoreline being considered, and the goals and aspirations of the local citizenry as reflected in the locally adopted comprehensive land use plan;

(4) A summary of proposed amendments together with explanatory text indicating the scope and intent of the proposal, staff reports, records of the hearing, and/or other materials which document the necessity for the proposed changes to the master program;

(5) Evidence of compliance with chapter [43.21C](#) RCW, the State Environmental Policy Act, specific to the proposal;

(6) Evidence of compliance with the public notice and consultation requirements of either WAC [173-26-100](#) or [173-26-104](#);

(7) Copies of all public, agency and tribal comments received, including a record of names and addresses of interested parties involved in the local government review process or, where no comments have been received, a comment to that effect.

(8) A summary of amendments made in response to comments received.

(9) A copy of the applicable master program submittal checklist:

(a) For comprehensive master program updates, a checklist completed in accordance with WAC [173-26-201](#) (3)(a) and (h).

(b) For periodic reviews prepared under RCW [90.58.080](#)(4), a checklist completed in accordance with WAC [173-26-090](#).

(c) For locally initiated amendments, a checklist and any supporting material demonstrating consistency with RCW [90.58.020](#) and applicable guidelines.

(10) For comprehensive master program updates, copies of the inventory and characterization, use analysis, restoration plan and cumulative impacts analysis.

The submittal requirements were amended in 2017 to make a few minor clarifications, including:

§ 6 acknowledged that public notice may have occurred per the optional process under WAC 173-26-104.

§ 8 clarified that the submittal includes local responses to public comments.

§ 9(b) added a requirement for a checklist to accompany submittals that address the “periodic review” required under RCW 90.58.040. (Ecology [Shoreline Planners Toolbox](#) includes a review checklist.)

§ 9(c) mentions that “locally initiated” amendments must include a checklist to indicate how the proposed amendment meets applicable laws and guidelines. This refers to the Submittal Checklist that simply summarizes the requirements of WAC 173-26-110. The submittal checklist is posted on Ecology’s [Shoreline Planner Toolbox](#).

WAC 173-26-120 State process for approving/amending shoreline master programs

Review and approval of master programs and amendments by the department shall follow the procedures set forth below. The state public comment period under subsection (2) of this section does not apply to master programs adopted under the optional joint review process of WAC [173-26-104](#).

The state rule was amended in 2017 primarily to create three distinct sections: (1) Formal Review for Completeness; (2) State Public Comment Period; and (3) Approval. The introductory paragraph and § 1(a) acknowledge that § 2 is only for local governments that follow the “standard” amendment process under WAC 173-26-100. The section also include numerous edits to acknowledge the optional “joint review” amendment process proposed under WAC 173-26-104.

(1) Formal review for completeness

(a) The department shall review the submitted master program or amendment for compliance with either WAC [173-26-100](#) or [173-26-104](#), and [173-26-110](#). The department shall notify the local government in writing when it determines that a complete submittal has been received.

(b) If the submittal is determined to be incomplete, the department will identify the deficiencies and so notify the local government in writing. The review process will not begin until the department determines the submittal is complete.

(2) State public comment period

For local governments that have followed WAC [173-26-100](#), the department shall follow the procedures below:

(a) The department shall provide reasonable notice and opportunity for written comment to all parties of record who expressed interest regarding the local government proposal and to all persons, groups, agencies, and tribes that have requested in writing notice of proposed master programs or amendments generally or for a specific subject matter. The comment period shall be at least thirty days, unless the department determines that a lack of complexity or controversy surrounding the proposal supports a shorter period.

(b) For master program or amendment proposals involving local governments planning under chapter [36.70A](#) RCW, the department shall provide notice to the department of commerce of its intent to begin formal review of the local government proposal.

(c) At the department's discretion, it may conduct a public hearing during the comment period in the jurisdiction proposing the master program or amendment.

(d) If the department conducts a hearing pursuant to subsection (c) of this section, it shall publish notice of the hearing in at least one newspaper of general circulation in the area affected by the master program. The public notice shall include:

- (i) A description of the proposed master program or amendment;
- (ii) Reference to the authority under which the action is proposed;
- (iii) The dates, times, and locations of the public hearing, and the manner in which interested persons may obtain copies of the proposal and present their views.

For master program or amendment proposals involving adoption by rule, the notice of the hearing shall be published at least once in each of the three weeks immediately preceding the hearing in one or more newspapers of general circulation in the county in which the hearing is to be held.

(e) Within fifteen days after the close of the department's public comment period, the department shall request of the local government submitting the proposal a review of the issues if any, identified by the public, interested parties, groups, agencies, and tribes, and a written response as to how the proposal addresses the identified issues consistent with the policy of RCW [90.58.020](#) and the applicable guidelines. Local government shall submit its response to the department within forty-five days of the date of the department's letter requesting a response. If no response is received by the department within the forty-five-day period, the department may proceed with action on the proposal according to subsection (3) of this section. Within the forty-five-day period, the local government may request in writing additional time to prepare a response.

(3) Approval

(a) Within thirty days after receipt of the local government written response pursuant to subsection (2)(e) of this section, or for jurisdictions that followed WAC [173-26-104](#), after determination of completeness pursuant to subsection (1)(a) of this section, the department shall:

(i) Make written findings and conclusions regarding the consistency of the proposal with the policy of RCW [90.58.020](#) and the applicable guidelines;

(ii) For amendments adopted under WAC [173-26-100](#), provide a response to the issues identified in subsection (2)(e) of this section; and

(iii) Either approve the proposal as submitted, recommend specific changes necessary to make the proposal consistent with chapter [90.58](#) RCW policy and its applicable guidelines, or deny the proposal in those instances where no alteration of the proposal appears likely to be consistent with the policy of RCW [90.58.020](#) and the applicable guidelines. The written findings and conclusions shall be provided to the local government and made available to all interested persons, parties, tribes, groups, and agencies of record on the proposal.

(A) In reaching its determination of consistency with the policy of RCW [90.58.020](#) and the applicable guidelines, the department shall approve those parts of a master program relating to shorelines unless it determines that the submitted parts are not consistent with the policy of RCW [90.58.020](#) and the applicable guidelines.

(B) The department shall approve those parts of a master program relating to shorelines of statewide significance only after determining the program provides for optimum implementation of the statewide interest as set forth in the policy of RCW [90.58.020](#) and the applicable guidelines.

(b) If the department recommends changes to the proposal, within thirty days after the department provides the written findings and conclusions to the local government pursuant to this subsection (3), the local government may:

(i) Agree to the proposed changes by written notice to the department. The department shall provide written notice of the local government acceptance to all parties of record; or

(ii) Submit an alternative proposal. If, in the opinion of the department, the alternative is consistent with the purpose and intent of the changes originally proposed by the department in this subsection (3) and with the policy of RCW [90.58.020](#) and the applicable guidelines, it shall approve the alternative changes and provide written notice to all parties of record.

If the department determines the alternative proposal is not consistent with the purpose and intent of the changes proposed by the department, the department may either deny the alternative proposal or at the request of local government start anew with the review and approval process beginning in WAC 173-26-120.

(c) Department notice of final action.

(i) Promptly after approval or disapproval of a local government's shoreline master program or amendment, the department shall publish a notice consistent with RCW [36.70A.290](#) that the shoreline master program or amendment has been approved or disapproved. This notice must be filed for all shoreline master programs or amendments.

(ii) If the notice is for a local government that does not fully plan under RCW [36.70A.040](#), the department must, on the day the notice is published, notify the legislative authority of the applicable local government by telephone or electronic means, followed by written communication as necessary, to ensure that the local government has received the full written decision of the approval or disapproval.

(d) Effective date.

(i) A master program or amendment thereto takes effect in such form as it is approved or adopted by rule by the department. The effective date is fourteen days from the date of the department's written notice of final action to the local government stating the department has approved or rejected the proposal.

(ii) For master programs adopted by rule, the effective date is governed by RCW [34.05.380](#).

(iii) The department's written notice to the local government must conspicuously and plainly state that it is the department's final decision and that there will be no further modifications to the proposal.

§ 3(d) was amended in 2017 to incorporate a 2011 change to the SMA that establishes the effective date of SMPs as fourteen days after Ecology's approval [[RCW 90.58.090\(7\)](#)]. This amendment was adopted to provide local governments two weeks to codify their SMP locally.