



## LAKEWOOD CITY COUNCIL STUDY SESSION AGENDA

Tuesday, November 12, 2019

7:00 P.M.

Police Station

Multipurpose Room

9401 Lakewood Drive

Lakewood, WA 98499

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Page No.

### CALL TO ORDER

### ITEMS FOR DISCUSSION:

- (3) 1. Joint Youth Council meeting. – (Workplan)
- (5) 2. Review of the issuance of the bond and confirming final assessment roll for the Local Improvement District 1109 Panattoni Woodbrook Development. – (Memorandum)
- (131) 3. Review of 18A Land Use and Development Code Update. – (Memorandum)
- (188) 4. Review of 2020 Human Services funding recommendations. – (Memorandum)
- (194) 5. Review of 2020 Lodging Tax funding allocations. – (Memorandum)
- (205) 6. Review of 2020 Fee Schedule amendments. – (Memorandum)

### ITEMS TENTATIVELY SCHEDULED FOR THE NOVEMBER 18, 2019 REGULAR CITY COUNCIL MEETING:

- 1. Business Showcase.
- 2. Proclamation recognizing November as American Indian Heritage month.  
– *Mr. Hanford McCloud and Ms. Jackie Whittington, Nisqually Tribal Council*
- 3. Proclamation recognizing November 30, 2019 as Small Business Saturday.  
– *Ms. Linda Smith, Lakewood Chamber of Commerce*
- 4. Adopting the 2020 Human Services funding recommendations. – (Motion – Consent Agenda)
- 5. Adopting the 2020 Lodging Tax funding allocations. – (Motion – Consent Agenda)

*The Police Station Multipurpose Room is accessible to persons with disabilities. Equipment is available for the hearing impaired. Persons requesting special accommodations or language interpreters should contact the City Clerk, 253-983-7705, as soon as possible in advance of the Council meeting so that an attempt to provide the special accommodations can be made.*

6. Approving the 2019 Accounts Receivable write offs. – (Motion – Consent Agenda)
7. Adopting the 2020 Fee Schedule amendments. – (Resolution – Consent Agenda)
8. Adopting the 2020 Property Tax Levy. – (Ordinance – Consent Agenda)
9. Adopting the 2019-2020 Mid-Biennium Budget Adjustment. – (Ordinance – Consent Agenda)
10. Authorizing the issuance of its Local Improvement District No. 1109 (Panattoni Woodbrook Development) bond in a principal amount of not to exceed \$922,757.02 to finance and/or reimburse the city for costs of certain improvements within Local Improvement District No. 1109 (Panattoni Woodbrook Development); delegating the authority to select the initial purchaser of the bond; and delegating the authority to approve the final terms of the bond. – (Ordinance – Regular Agenda)
11. Approving and confirming the assessment roll certified to the City Council on September 16, 2019, for the cost of the improvement in Local Improvement District 1109 (Panattoni Woodbrook Development) in the City of Lakewood, pursuant to Ordinance No. 717, adopted on September 16, 2019; and levying and assessing the amount thereof against the lots, tracts, parcels of land and other property shown on the assessment roll; providing the prepayment of assessments; and providing for the disposition of the moneys collected upon said assessment. – (Ordinance – Regular Agenda)

## **REPORTS BY THE CITY MANAGER**

## **CITY COUNCIL COMMENTS**

## **ADJOURNMENT**

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**Lakewood Youth Council  
2020 ANNUAL WORK PLAN AND MEETING SCHEDULE**

**Members:**

Abel Alvarado	Hank Jones	Kera Buckmaster
Aiden Kluesner	Jasmine	Kloe Salazar
Anaya Davis	Jazmyn	Kyle King
Angel Lee	Jessie Yadao	Lynese Cammack
Annette Ray	Joo Gyeong Kim	Megan Duncan
Brian Noel	Josaphine Kaiser	Sammantha Reed
Dante Ost	Kathleen Julca	Theresa
Deyana Panagelinan	Sarah Wilton	Yajaira Gonzalez
Gloria Arauja Ruiz	Kayala Purdie	

**Council Liaison:** Councilmember, Paul Bocchi

**City Staff Support:** Cameron Fairfield, Recreation Coordinator

**Meeting Schedule:**

First Monday of Each Month, 6:00pm / Present to Council at 7:00pm, Lakewood City Hall

Third Monday of Each Month, 4:00pm, Lakewood City Hall

**2019 / 2020 Work Plan:**

<b>2019</b>	
<b>Date</b>	<b>Topic(s)</b>
9/3/19 Tuesday	First Meeting / Introductions / Purpose of the Board / Meeting Expectations Report to Council
10/7/19	Truck and Tractor Registration Parks Legacy Plan Update Meet and Greet with Lakewood City Council
10/12/19 Saturday	Truck and Tractor Day – Fort Steilacoom Park
10/18/19	Make-A-Difference Day Planning Grant Twyman – Diversity Inclusion Specialist CPSD Youth Summit Introduction
10/26/19 Saturday	Make-A-Difference Day Fort Steilacoom Park
11/4/19	Report to Council
11/12/19 TUESDAY	Joint Meeting with City Council Lakewood Police Station
12/2/19	Report to Council
12/7/19	Lakewood Christmas Tree Lighting Holiday Fair at Hudtloff Middle School
<b>2020</b>	
<b>Date</b>	<b>Topic(s)</b>
1/6/20	Board Member Reports / School Reports Report to Council
1/20/20 Tentative No School	Youth Summit Planning
2/1/20	MLK Celebration Harrison Prep School


TBD	Lions Club Crab Feed McGavic Center Clover Park Technical College
2/3/20	Board Member Reports / School Reports Report to Council
2/17/20	Youth Summit Planning / Subcommittees
3/2/20	Board Member Reports / School Reports Report to Council
TBD	ACW Quality Communities Scholarship Deadline Youth Council Completion Will Happen Prior to This Date
3/19/20	2020 Youth Summit
4/6/20	Youth Summit Review Board Member Reports / School Reports Report to Council
4/24/20	Math Relay Harry Lang Stadium Clover Park High School
5/4/20	Board Member Reports / School Reports Report to Council
6/1/20	Youth Council Review Updates / Changes What can we do better for next year! Final Report to Council





TO: Mayor and City Council

FROM: Paul A. Bucich, P.E., Public Works Engineering Director/City Engineer

THROUGH: John Caulfield, City Manager 

DATE: November 12, 2019

SUBJECT: Ordinance authorizing the issuance of its Local Improvement District (LID) 1109 (Panattoni Woodbrook Development) bond

ATTACHMENTS: Ordinance, Final cost estimate, Final assessment roll, Underwriter's bond estimate

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It is recommended that the City Council pass an ordinance authorizing the issuance of its Local Improvement District (LID) 1109 (Panattoni Woodbrook Development) bond in a principal amount of not to exceed \$922,757.02 to reimburse the City for costs associated with frontage improvements within LID 1109. It is further recommended that the City Council delegate authority to the Assistant City Manager for Administrative Services to select the purchaser of the bond and to approve the principal amount, interest rate, final maturity date, and redemption terms for the bond within the parameters set by this ordinance.

On June 19, 2017, the City Council adopted Ordinance No. 671 – forming LID 1109 for the purpose of completing road improvements on the public streets surrounding a warehouse project constructed by Panattoni Development Company, Inc. in the Woodbrook neighborhood. The improvements have been completed.

A public hearing for the final assessment roll for the LID was conducted before the City's Hearing Examiner on October 17, 2019. There is a single property owner for the four parcels within the LID boundary. No one objected to the final assessment roll.

The final costs and final assessment roll for the improvements are included for reference. The final costs of \$940,137.70 are less than the initial estimated LID costs of \$1,020,000.00. The proposed bond amount of \$922,757.02 is less than the final costs because the final cost estimated the bond and LID administration fees at 7% of the project cost. However, the bond cost prepared by the underwriter further refined the bond and LID administration fees bringing the bond cost

down further. The property owner has elected to pay back the bond over 13 years, which is reflected in the ordinance.

Council may elect to not authorize issuing a bond for this LID. However, the LID administrative costs will still need to be satisfied and more significantly the City would not recover the incurred project costs.

All costs of the LID will be paid for by the abutting property owner; therefore, there will be no fiscal impact on the City.

CITY OF LAKEWOOD, WASHINGTON

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF LAKEWOOD, WASHINGTON, AUTHORIZING THE ISSUANCE OF ITS LOCAL IMPROVEMENT DISTRICT NO. 1109 (PANATTONI WOODBROOK DEVELOPMENT) BOND IN A PRINCIPAL AMOUNT OF NOT TO EXCEED \$922,757.02 TO FINANCE AND/OR REIMBURSE THE CITY FOR COSTS OF CERTAIN IMPROVEMENTS WITHIN LOCAL IMPROVEMENT DISTRICT NO. 1109 (PANATTONI WOODBROOK DEVELOPMENT); DELEGATING THE AUTHORITY TO SELECT THE INITIAL PURCHASER OF THE BOND; AND DELEGATING THE AUTHORITY TO APPROVE THE FINAL TERMS OF THE BOND.**

Passed November 18, 2019

PREPARED BY:  
PACIFICA LAW GROUP LLP  
Seattle, Washington

CITY OF LAKEWOOD  
ORDINANCE NO. \_\_\_\_\_  
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\* This Table of Contents is provided for convenience only and is not a part of this ordinance.

CITY OF LAKEWOOD, WASHINGTON

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LAKEWOOD, WASHINGTON, AUTHORIZING THE ISSUANCE OF ITS LOCAL IMPROVEMENT DISTRICT NO. 1109 (PANATTONI WOODBROOK DEVELOPMENT) BOND IN A PRINCIPAL AMOUNT OF NOT TO EXCEED \$922,757.02 TO FINANCE AND/OR REIMBURSE THE CITY FOR COSTS OF CERTAIN IMPROVEMENTS WITHIN LOCAL IMPROVEMENT DISTRICT NO. 1109 (PANATTONI WOODBROOK DEVELOPMENT); DELEGATING THE AUTHORITY TO SELECT THE INITIAL PURCHASER OF THE BOND; AND DELEGATING THE AUTHORITY TO APPROVE THE FINAL TERMS OF THE BOND.

A. The City Council of the City of Lakewood, Washington (the “City”), previously created Local Improvement District No. 1109 (Panattoni Woodbrook Development) (“LID No. 1109”) for various local improvement purposes; and

B. The Council now desires to authorize the issuance of a local improvement district bond in the principal amount not to exceed \$922,757.02 (the “Bond”) to finance and/or reimburse the City for the costs of certain improvements in LID No. 1109, to make a deposit into the Guaranty Fund, if any is required, and to pay costs of issuance of the Bond; and

C. The Council wishes to delegate authority to the Assistant City Manager for Administrative Services (the “Designated Representative”), for a limited time, to select the purchaser of the Bond (the “Purchaser”) and to approve the principal amount, the interest rate, the final maturity date, and redemption terms for the Bond within the parameters set by this ordinance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON DO ORDAIN as follows:

Section 1. Definitions and Interpretation of Terms.

(a) *Definitions.* As used in this ordinance, the following words shall have the following meanings:

*Administrative Services Director* means the City's Assistant City Manager for Administrative Services or the successor to such officer.

*Assessments* mean the assessments levied pursuant to the LID Ordinance and not prepaid either during the legal prepayment period without interest or otherwise on or prior to January 2, 2020 for LID No. 1109.

*Bond* means the City of Lakewood, Washington, Local Improvement District No. 1109 Bond, 2020 authorized to be issued by the City pursuant to this ordinance.

*Bond Account* means the "City of Lakewood Local Improvement District No. 1109 Bond Redemption Fund" authorized to be created pursuant to Section 8 of this ordinance.

*Bond Register* means the registration records for the Bond maintained by the Bond Registrar.

*Bond Registrar* means the fiscal agency of the state of Washington, currently U.S. Bank, N.A.

*City* means the City of Lakewood, Washington, a municipal corporation duly organized and existing under the laws of the State of Washington.

*City Council* or *Council* means the City Council of the City as the general legislative authority of the City, as the same shall be duly and regularly constituted from time to time.

*Code* means the Internal Revenue Code of 1986 as in effect on the date of issuance of the Bonds or (except as otherwise referenced herein) as it may be amended to apply to obligations issued on the date of issuance of the Bonds, together with applicable proposed, temporary and final regulations promulgated, and applicable official public guidance published, under the Code.

*Designated Representative* means the Administrative Services Director, or her designee.

*Fair Market Value* means the price at which a willing buyer would purchase an investment from a willing seller in a bona fide, arm's-length transaction, except for specified investments as described in

Treasury Regulation §1.148-5(d)(6), including United States Treasury obligations, certificates of deposit, guaranteed investment contracts, and investments for yield restricted defeasance escrows. Fair Market Value is generally determined on the date on which a contract to purchase or sell an investment becomes binding, and, to the extent required by the applicable regulations under the Code, the term “investment” will include a hedge.

*Guaranty Fund* means the Local Improvement District Guaranty Fund of the City authorized and maintained pursuant to chapter 35.54 RCW.

*Interest Rate* means the rate of interest determined pursuant to Section 11 of this ordinance as the same may be adjusted pursuant to the Proposal.

*LID Fund* means the Local Improvement District 1109 (Panattoni Woodbrook Development) Fund.

*LID No. 1109* means Local Improvement District No. 1109 created pursuant to the LID Ordinance.

*LID Ordinance* means Ordinance No. 671 approved by the Council on June 19, 2017 authorizing the creation of LID No. 1109.

*Permitted Investments* means any investment permissible for the investment of public funds under Washington law, but only to the extent that the same are acquired at Fair Market Value.

*Project* means the local improvements completed pursuant to the LID Ordinance.

*Proposal* means the proposal letter submitted to the City by the Purchaser and approved by the Designated Representative.

*Purchaser* means the initial purchaser of the Bond, as selected by the Designated Representative.

*Registered Owner* means the person in whose name the Bond is registered on the Bond Register.

*Rule* means the Securities and Exchange Commission’s Rule 15c2-12 under the Securities Act of 1934, as the same may be amended from time to time.

*Securities Act* means the Securities Act of 1933 as the same may be amended from time to time.

(b) *Interpretation.* In this ordinance, unless the context otherwise requires:

(1) The terms “hereby,” “hereof,” “hereto,” “herein,” “hereunder” and any similar terms, as used in this ordinance, refer to this ordinance as a whole and not to any particular article, section, subdivision or clause hereof, and the term “hereafter” shall mean after, and the term “heretofore” shall mean before, the date of this ordinance;

(2) Words of any gender shall mean and include correlative words of any other gender and words importing the singular number shall mean and include the plural number and vice versa;

(3) Words importing persons shall include firms, associations, partnerships (including limited partnerships), limited liability companies, trusts, corporations and other legal entities, including public bodies, as well as natural persons;

(4) Any headings preceding the text of the several articles and sections of this ordinance, and any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this ordinance, nor shall they affect its meaning, construction or effect; and

(5) All references herein to “articles,” “sections” and other subdivisions or clauses are to the corresponding articles, sections, subdivisions or clauses hereof.

Section 2.      Local Improvement District No. 1109. The 30-day period for making cash payment of assessments without interest in the following local improvement district (“LID No. 1109”) has expired, and the City now desires to finance and/or reimburse itself for improvements made in such local improvement district from proceeds of the Bond authorized in Section 3 below:

<b>LID No.</b>	<b>LID Formation Ordinance</b>		<b>Confirmed Assessment Roll Amount</b>	<b>Assessment Balance After 30- day Prepayment Period</b>
	<b>No.</b>	<b>Date</b>		
1109	671	June 19, 2017	\$940,137.70	\$940,137.70



Section 3.      Authorization of the Bond. For the purpose of financing and/or reimbursing the City for the costs of certain improvements, making a deposit into the Guaranty Fund, if any, and paying costs of issuance of the Bond, the City is hereby authorized to issue and sell the Bond in the principal amount of not to exceed \$922,757.02; provided, such final principal amount of the Bond may not exceed the total amount on the assessment roll of LID No. 1109 remaining uncollected after the expiration of the 30-day interest-free prepayment period for assessments on such assessment roll and remaining outstanding as of January 2, 2020.

The Bond shall be designated “City of Lakewood, Washington, Local Improvement District No. 1109 Bond, 2020” with additional designation as set forth as approved by the Administrative Services Director.

The Bond shall be dated as of its date of delivery, shall be fully registered as to both principal and interest, shall be in one denomination, and shall mature on the date set forth in the Proposal as approved by the Designated Representative. The Bond shall bear interest from its dated date or the most recent date to which interest has been paid at the Interest Rate. Interest on the principal amount of the Bond shall be calculated per annum on a 30/360 basis, or as otherwise provided in the Bond. Interest on the Bond shall be payable annually on the dates set forth in the Proposal as approved by the Designated Representative (each, an “Interest Payment Date”).

The Bond is an obligation only of the Bond Account and the Guaranty Fund and is not a general obligation of the City.

Section 4.      Registration, Exchange and Payments.

(a)      *Registrar/Bond Registrar/Paying Agent.* U.S. Bank, N.A., as fiscal agency of the state of Washington, is hereby appointed to act as transfer agent, paying agent and registrar for the Bond (the “Bond Registrar”).

(b)      *Registered Ownership.* The Bond Registrar shall keep, or cause to be kept, at the office of the Administrative Services Director, sufficient records for the registration and transfer of the Bond.

The City and the Bond Registrar may deem and treat the Registered Owner of the Bond as the absolute owner for all purposes, and neither the City nor the Bond Registrar shall be affected by any notice to the contrary. The Bond Registrar is authorized, on behalf of the City, to authenticate and deliver the Bond in accordance with the provisions of the Bond and this ordinance to serve as the City's paying agent for the Bond and to carry out all of the Bond Registrar's powers and duties under this ordinance.

(c) *Transfer or Exchange of Registered Ownership.* The Bond shall not be transferable without the consent of the City unless (i) the Purchaser's corporate name is changed and the transfer is necessary to reflect such change; (ii) the transferee is a successor in interest of the Purchaser by means of a corporate merger, an exchange of stock, or a sale of assets; or (iii) the transferee is a "qualified institutional buyer" as defined under Rule 144A promulgated under the Securities Act or an "accredited investor" as defined in Sections 501(a)(1) through (3) of Regulation D promulgated under the Securities Act, and such transferee executes a purchaser letter substantially in the form attached hereto as Exhibit B. Every Bond presented or surrendered for transfer or exchange shall contain, or be accompanied by, all necessary endorsements for transfer. Any transfer of the Bond which fails to comply with this provision shall be null and void.

(d) *Registration Covenant.* The City covenants that, until the Bond has been surrendered and canceled, it will maintain a system for recording the ownership of the Bond that complies with the provisions of Section 149 of the Code.

(e) *Place and Medium of Payment.* Both principal of and interest on the Bond shall be payable in lawful money of the United States of America without surrender or presentation, by wire transfer or Automated Clearinghouse (ACH) transfer if requested by the owner of the Bond. Notwithstanding the foregoing, upon final payment of all principal and interest thereon, the Bond shall be submitted to the Bond Registrar for cancellation and surrender.

The Bond Register shall be maintained by the Bond Registrar, and shall contain the name and mailing address of the registered owner of the Bond or nominee of such registered owner.

Section 5.      Form of Bond. The Bond shall be in substantially the form set forth at Exhibit A.

Section 6.      Execution of Bond. The Bond shall be executed on behalf of the City with the manual or facsimile signature of the Mayor, and shall be attested by the manual or facsimile signature of the Clerk.

The executed Bond shall be delivered to the Bond Registrar for authentication. The Bond shall be numbered R-1 and with any additional designation as the Bond Registrar deems necessary for purposes of identification. Only a bond that bears a Certificate of Registration substantially in the form set forth herein and manually executed by an authorized representative of the Bond Registrar shall be valid or obligatory for any purpose or entitled to the benefits of this ordinance. Such Certificate of Authentication shall be conclusive evidence that the Bond so authenticated have been duly executed, authenticated and delivered hereunder and are entitled to the benefits of this ordinance. Such Bond bearing the Certificate of Authentication shall be delivered to the Purchaser as set forth in Section 11.

In case either of the officers who shall have executed the Bond shall cease to be an officer or officers of the City before the Bond so signed shall have been authenticated or delivered by the Bond Registrar, or issued by the City, such Bond may nevertheless be authenticated, delivered and issued and upon such authentication, delivery and issuance shall be as binding upon the City as though those who signed the same had continued to be such officers of the City. The Bond may also be signed and attested on behalf of the City by such persons who at the date of the actual execution of the Bond, are the proper officers of the City, although at the original date of such Bond any such person shall not have been such officer of the City.

Section 7.      Application of Bond Proceeds. Proceeds of the Bond and prepaid assessments shall be applied as follows:

(a)      An amount up to 10% of the principal amount of the Bond may be deposited into the Guaranty Fund, as directed by the Administrative Services Director; and

(b) The balance of the Bond proceeds, prepaid assessments and installments of assessments and interest received on or prior to January 2, 2020 shall be deposited into the LID Fund to finance and/or reimburse the City for costs of the improvements constructed in LID No. 1109, and to pay all expenses incidental thereto and to the issuance of the Bond.

The City may invest funds in the LID Fund in any Permitted Investment and the investment earnings shall be retained therein and applied to the purposes of the LID Fund.

Section 8.      Bond Account.      There is created and established in the office of the Administrative Services Director a special account within the LID Fund to be known and designated as the “City of Lakewood Local Improvement District No. 1109 Bond Redemption Fund” (the “Bond Account”). The Bond Account shall be a trust fund and shall be drawn upon only for the payment of the principal of and interest on the Bond. All money presently on hand representing collections pertaining to installments of Assessments and interest thereon in LID No. 1109 shall be transferred to and deposited in the Bond Account, and all collections pertaining to Assessments on the assessment roll of such local improvement district when hereafter received shall be deposited in the Bond Account to redeem the Bond. The Bond shall be an obligation only of the Bond Account and the Guaranty Fund and is not a general obligation of the City.

The City hereby covenants and agrees to foreclose assessment liens on all delinquent Assessments at the earliest opportunity available under state law and ordinances of the City, to pursue those foreclosure actions diligently, and to deposit promptly into the Bond Account or the Guaranty Fund, as applicable, the sale proceeds and all other payments received as a result of such foreclosure actions.

The City may invest funds in the Bond Account in any Permitted Investment and the investment earnings shall be retained therein and applied to the purposes of the Bond Account.

Section 9.      Pledge of Assessment Payments.      Assessments collected in LID No. 1109, together with interest and penalties, if any, are pledged to the payment of the Bond which is payable

solely out of the Bond Account and the Guaranty Fund in the manner provided by law. The Bond is not a general obligation of the City.

Section 10. Prepayment and Redemption. If the Bond is prepaid in accordance with this Section 10, interest shall cease to accrue on the date the Purchaser receives such prepayment.

The City reserves the right to redeem the Bond, in whole or in part, prior to its stated date of maturity on any Interest Payment Date, and shall call the Bond on an Interest Payment Date for redemption whenever there shall be sufficient money in the Bond Account to pay the Bond so called over and above the amount required for the payment of the interest payable on that Interest Payment Date on the Bond. The Bond shall be subject to scheduled redemptions to the extent, if any, set forth in the Proposal and as approved by the Designated Representative pursuant to Section 11 of this ordinance.

Section 11. Sale of the Bond.

(a) The Council hereby determines that it is in the best interest of the City to delegate to the Designated Representative for a limited time the authority to select the initial Purchaser of the Bond and to approve the final maturity date, redemption terms (including whether to have scheduled redemptions), and Interest Rate for the Bond, as set forth below. The Designated Representative shall solicit proposals, and shall select the Purchaser that submits the proposal that is in the best interest of the City. The Bond shall be sold to the Purchaser pursuant to the terms of this ordinance and the Proposal.

Subject to the terms and conditions set forth in this Section 11, the Designated Representative is hereby authorized to accept and execute, if necessary, the Proposal from the Purchaser, to approve the final maturity date, redemption terms (including whether to have scheduled redemptions), and Interest Rate for the Bond, and to agree to any other terms, conditions and covenants that are in the best interest of the City and in accordance with this ordinance so long as:

- (1) the principal amount of the Bond does not exceed \$922,757.02;
- (2) the final maturity date of the Bond is no later than 03/01/2035;
- (3) the Interest Rate for the Bond does not exceed 6.00%; and

(4) the Purchaser executes and delivers to the City a Purchaser Letter dated the date of issuance of the Bond in substantially the form set forth in Exhibit A attached hereto.

Following the sale of the Bond, the Designated Representative shall provide a report to the Council, describing the Purchaser and final terms of the Bond approved pursuant to the authority delegated in this section.

The authority granted to the Designated Representative by this Section 11 shall expire 180 days after the effective date of this ordinance. If a Proposal has not been accepted within 180 days after the effective date of this ordinance, the authorization for the issuance of the Bond shall be rescinded, and the Bond shall not be issued nor its sale approved unless such Bond shall have been re-authorized by ordinance of the Council. The ordinance re-authorizing the issuance and sale of such Bond may be in the form of a new ordinance repealing this ordinance in whole or in part or may be in the form of an amendatory ordinance.

(b) Upon the passage and approval of this ordinance, the proper officials of the City, including the Designated Representative, are authorized and directed to undertake all action necessary for the prompt execution and delivery of the Bond to the Purchaser thereof and further to execute all closing certificates and documents required to effect the closing and delivery of the Bond.

Section 12. Ongoing Disclosure; Covenants.

(a) *Ongoing Disclosure.* The Bond is exempt from ongoing disclosure requirements of the Rule.

(b) *Tax Covenants.* The City will take all actions necessary to assure the exclusion of interest on the Bonds from the gross income of the owners of the Bond to the same extent as such interest is permitted to be excluded from gross income under the Code as in effect on the date of issuance of the Bond, including but not limited to the following:

- a. Private Activity Bond Limitation. The City will assure that the proceeds of the Bond are not so used as to cause the Bond to satisfy the private business tests of Section 141(b) of the Code or the private loan financing test of Section 141(c) of the Code.
- b. Limitations on Disposition of Project. The City will not sell or otherwise transfer or dispose of (i) any personal property components of the Project other than in the ordinary course of an established government program under Treasury Regulation 1.141-2(d)(4) or (ii) any real property components of the Project, unless it has received an opinion of nationally recognized bond counsel to the effect that such disposition will not adversely affect the treatment of interest on the Bond as excludable from gross income for federal income tax purposes.
- c. Federal Guarantee Prohibition. The City will not take any action or permit or suffer any action to be taken if the result of such action would be to cause any of the Bond to be "federally guaranteed" within the meaning of Section 149(b) of the Code.
- d. Rebate Requirement. The City will take any and all actions necessary to assure compliance with Section 148(f) of the Code, relating to the rebate of excess investment earnings, if any, to the federal government, to the extent that such section is applicable to the Bond.
- e. No Arbitrage. The City will not take, or permit or suffer to be taken by the City or otherwise, any action with respect to the proceeds of the Bond that, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the date of issuance of the Bond would have caused the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code.
- f. Registration Covenant. The City will maintain a system for recording the ownership of the Bond that complies with the provisions of Section 149 of the Code until the Bond has been surrendered and canceled.

- g. Record Retention. The City will retain its records of all accounting and monitoring it carries out with respect to the Bond for at least three years after the Bond matures or is redeemed (whichever is earlier); however, if the Bond is redeemed and refunded, the City will retain its records of accounting and monitoring at least three years after the earlier of the maturity or redemption of the obligations that refunded the Bond.
- h. Compliance with Tax Certificate. The City will comply with the provisions of the Tax Certificate with respect to the Bond, which are incorporated herein as if fully set forth herein. In the event of any conflict between this Section and the Tax Certificate, the provisions of the Tax Certificate will prevail.
- i. Survival. The covenants of this Section will survive payment in full or defeasance of the Bond.

(c) *Financial Reporting Covenants*. So long as the Bond is outstanding, the City hereby covenants and agrees as follows:

- (1) To provide the Purchaser copies of the City's audited financial statements promptly after such statements become available; and
- (2) To provide the Purchaser financial or other information as may be reasonably requested in writing from time to time.

Section 13. Interest Rate on Installments and Delinquent Payments. The interest rate on the installments of Assessments in LID No. 1109 may be established by the Administrative Services Director at a rate per annum not to exceed the Interest Rate plus 0.50 percent. The interest rate on delinquent payments shall equal the not to exceed Interest Rate plus 5.00 percent.

Section 14. Lost, Stolen or Destroyed Bond. In case the Bond shall be lost, stolen or destroyed while in the Registered Owner's possession, the Bond Registrar may at the request of the Registered Owner execute and deliver a new Bond of like date, number and tenor to the Registered Owner thereof upon the Registered Owner's paying the expenses and charges of the City and the Bond



Registrar in connection therewith and upon its filing with the City written certification that such Bond was actually lost, stolen or destroyed and of its ownership thereof. In the case the Bond shall be lost, stolen, or destroyed while in the Registered Owner's possession, the Registered Owner may elect upon final payment of principal and interest of the Bond to surrender a photocopy of the Bond for cancellation at the office of the Bond Registrar together with written certification that such Bond was actually lost, stolen or destroyed and of its ownership thereof.

Section 15. Severability; Ratification. If any one or more of the covenants or agreements provided in this ordinance to be performed on the part of the City shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements shall be null and void and shall be deemed separable from the remaining covenants and agreements of this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the Bond. All acts taken pursuant to the authority granted in this ordinance but prior to its effective date are hereby ratified and confirmed.

Section 16. Effective Date of Ordinance. This ordinance shall take effect and be in force five days after its passage, approval, and publication as provided by law.

PASSED by the City Council this \_\_\_\_ day of \_\_\_\_, 2019.

By \_\_\_\_\_  
Mayor

ATTEST

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

PACIFICA LAW GROUP LLP

\_\_\_\_\_  
Bond Counsel

PASSED: \_\_\_\_\_ of \_\_\_\_\_, 2019

APPROVED: \_\_\_\_\_ of \_\_\_\_\_, 2019

PUBLISHED: \_\_\_\_\_ of \_\_\_\_\_, 2019

**Exhibit A**

UNITED STATES OF AMERICA

NO. R-1

\$\_\_\_\_\_

STATE OF WASHINGTON  
CITY OF LAKEWOOD  
LOCAL IMPROVEMENT DISTRICT NO. 1109 BOND, 2020

INTEREST RATE: \_\_\_\_\_ %  
MATURITY DATE: \_\_\_\_\_  
REGISTERED OWNER: \_\_\_\_\_  
PRINCIPAL AMOUNT: \_\_\_\_\_ AND NO/100 DOLLARS

RCW 35.45.070 provides, in part, as follows:

Neither the holder nor owner of any bond, interest coupon, or warrant issued against a local improvement fund shall have any claim therefor against the city or town by which it is issued, except for payment from the special assessments made for the improvement for which the bond or warrant was issued and except also for payment from the local improvement guaranty fund of the city or town as to bonds issued after the creation of a local improvement guaranty fund of the city or town. The city or town shall not be liable to the holder or owner of any bond, interest coupon, or warrant for any loss to the local improvement guaranty fund occurring in the lawful operation thereof.

The City of Lakewood, Washington (the "City"), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above from the City's Local Improvement District No. 1109 Bond Redemption Fund (the "Bond Account") created by Ordinance No. \_\_\_\_\_ (the "Bond Ordinance"), the Principal Amount indicated above and to pay interest thereon from \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_, and on each \_\_\_\_\_ thereafter to maturity or earlier redemption (each, an "Interest Payment Date"). This bond shall bear interest at the fixed rate stated above (the "Interest Rate"). Interest on this bond shall accrue from its dated date until paid and shall be computed per annum on the principal amount outstanding on a 30/360 basis.

This bond is issued pursuant to the Bond Ordinance to provide a portion of the funds necessary (a) to pay costs of improvements Local Improvement District No. 1109 ("LID No. 1109"), (b) to fund the Guaranty Fund, if any deposit is required, and (b) to pay costs of issuance for the bond.

This bond may be redeemed on any Interest Payment Date if sufficient assessment payments are available in the Bond Account over and above the amount necessary to pay interest currently due on the outstanding principal amount of this bond.

This bond is not a general obligation of the City. This bond is payable solely from the Bond Account and from the City's Local Improvement Guaranty Fund. The City has irrevocably obligated and bound itself to pay into the Bond Account all assessments levied within LID No. 1109 and received after the legal prepayment period or otherwise not collected on or before [January 2], 2020.

The City hereby covenants and agrees with the owner of this bond that it will keep and perform all the covenants of this bond and of the Bond Ordinance to be by it kept and performed. Reference is

hereby made to the Bond Ordinance for the definitions of defined terms used herein. Reference to the Bond Ordinance and any and all modifications and amendments thereto is made for a description of the nature and extent of the security for this bond, the funds pledged, and the terms and conditions upon which this bond is issued.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the Certificate of Authentication hereon shall have been manually signed by the Bond Registrar.

It is hereby certified that all acts, conditions and things required by the Constitution and statutes of the State of Washington to exist, to have happened, been done and performed precedent to and in the issuance of this bond exist, have happened, been done and performed and that the issuance of this bond does not violate any constitutional, statutory or other limitation upon the amount of bonded indebtedness that the City may incur.

IN WITNESS WHEREOF, the City of Lakewood, Washington, has caused this bond to be executed by the manual or facsimile signature of the Mayor of the City Council and attested by the manual or facsimile signature of the Clerk, as of this \_\_\_\_ day of \_\_\_\_\_, 2020.

[SEAL]

CITY OF LAKEWOOD, WASHINGTON

By \_\_\_\_\_/s/\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_/s/\_\_\_\_\_  
City Clerk

### REGISTRATION CERTIFICATE

This bond is registered in the name of the Registered Owner on the books of the City, in the office of U.S. Bank, N.A., as bond registrar (the "Bond Registrar"), as to both principal and interest, as noted in the registration blank below. All payments of principal of and interest on this Bond shall be made by the City with full acquittance by the Bond Registrar's wire transfer, made payable to the last Registered Owner as shown hereon and on the registration books of the Bond Registrar at his/her/its address noted hereon and on the registration books of the Bond Registrar.

Date of Registration	Name and Address of Registered Owner	Signature of Bond Registrar
_____, 2020	_____	_____ Bond Registrar

[insert scheduled redemption table]

## **Exhibit B**

[Form of Purchaser's Letter]

City of Lakewood  
Lakewood, Washington

RE: City of Lakewood, Washington, Local Improvement District No. 1109 Bond, 2020 (the "Bond")

Ladies and Gentlemen:

The undersigned, \_\_\_\_\_ (the "Purchaser"), hereby acknowledges receipt of the above-referenced Bond dated \_\_\_\_\_, 2020, originally issued in the principal amount of \$ \_\_\_\_\_. The undersigned acknowledges that the Bond was issued pursuant to Bond Ordinance No. \_\_\_\_ of the City of Lakewood (the "City") adopted by the City Council on [November 18, 2019] (the "Bond Ordinance"). Capitalized terms used in this letter have the meanings given such terms in the Bond Ordinance.

In connection with the acquisition of the Bond by the Purchaser, the Purchaser hereby makes the following representations upon which you may rely:

1. The Purchaser is a "qualified institutional buyer" as defined under Rule 144A promulgated under the Securities Act of 1933 (the "Securities Act") or an "accredited investor" as defined in Sections 501(a)(1) through (3) of Regulation D promulgated under the Securities Act.

2. The Purchaser has sufficient knowledge and experience in financial and business matters, including purchase and ownership of governmental obligations, to be able to evaluate the risks and merits of the loan represented by its purchase of the Bond, and its net worth and available assets are such that it is able to bear the economic risk of its purchase of the Bond.

3. The Purchaser understands that the Bond is a special fund obligation of the City, payable solely out of the City of Lakewood Local Improvement District No. 1109 Bond Redemption Fund (the "Bond Account"), to be funded from collections of local improvement district assessments levied against the benefited properties located within the boundaries of Local Improvement District No. 1109 ("LID No. 1109") and the City's Local Improvement Guaranty Fund. The Purchaser further understands that the Bond does not constitute an obligation of the State of Washington or any political subdivision thereof other than the City, and the full faith and credit of the City has not been pledged to the payment of the Bond. The Bond is not a general obligation of the City.

4. The Purchaser understands that the Bond may be redeemed on \_\_\_\_\_ 1 of any year if sufficient assessment payments are available in the Bond Account for such purpose, in such amounts as are available in the Bond Account in excess of the amount necessary to pay interest currently due on the unpaid principal portion of the Bond. The Purchaser acknowledges that the principal amount of the Bond to be redeemed and paid each year is only an estimate.

5. The Purchaser understands that no official statement, prospectus, offering circular or other offering statement containing material information with respect to the City or the Bond is being

issued, that the Bond is unrated, and that, with due diligence, it has made its own inquiry and analysis with respect to the City, the Bond and the security therefor, and other material factors affecting the security for and payment of the Bond, and is relying solely on such inquiry and analysis in its purchase of the Bond.

6. The Purchaser acknowledges that it has either been supplied with or been given access to information, including financial statements and other financial information, to which a reasonable investor would attach significance in making investment decisions, and the Purchaser has had the opportunity to ask questions and receive answers from knowledgeable individuals and organizations concerning the City, the use of proceeds of the Bond, and the Bond and the security therefor so that, as a reasonable investor, the Purchaser has been able to make its decision to purchase the Bond.

7. The Purchaser acknowledges that it is purchasing the Bond for investment for its own account and not with a present view toward resale or the distribution thereof, in that it does not now intend to resell or otherwise dispose of all or any part of its interests in the Bond. The Purchaser acknowledges that the Bond shall not be transferable without the consent of the City unless (i) the Purchaser's corporate name is changed and the transfer is necessary to reflect such change; (ii) the transferee is a successor in interest of the Purchaser by means of a corporate merger, an exchange of stock, or a sale of assets; or (iii) the transferee is a "qualified institutional buyer" as defined under Rule 144A promulgated under the Securities Act or an "accredited investor" as defined in Sections 501(a)(1) through (3) of Regulation D promulgated under the Securities Act, and such transferee executes a purchaser's letter substantially similar to this letter. The Purchaser also acknowledges that any transfer of the Bond which fails to comply with this provision and the transfer limitations on the Bond contained in the Bond Ordinance shall be null and void.

8. The Purchaser understands that the Bond is an exempted security under the Securities Act and that registration is not legally required as of the date hereof; and further understands that the Bond (a) is not being registered or otherwise qualified for sale under the "Blue Sky" laws and regulations of any state, (b) will not be listed in any stock or other securities exchange, (c) will not carry a rating from any rating agency and (d) will be issued only in one denominations of \$\_\_\_\_\_, which may not be readily marketable.

9. The Purchaser has had the opportunity to consult with and be advised by legal counsel as to the significance of this letter and it has satisfied itself that the Bond is a lawful investment for it under all applicable laws.

Very truly yours,

[PURCHASER]

By: \_\_\_\_\_  
Authorized Signatory

CERTIFICATE

I, the undersigned, the Clerk of the City Council (the “City Council”) of City of Lakewood, Washington (herein called the “City”), DO HEREBY CERTIFY:

1. That the attached ordinance numbered \_\_\_\_\_ (herein called the “Ordinance”) is a true and correct copy of an ordinance of the City, as finally adopted at a regular meeting of the City Council held on the [18<sup>th</sup>] day of [November], 2019, and duly recorded in my office.

2. That the meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a quorum of the City Council was present throughout the meeting and a legally sufficient number of members of the City Council voted in the proper manner for the passage of said Ordinance; that all other requirements and proceedings incident to the proper adoption of said Ordinance have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day of \_\_\_\_, 2019.

CITY OF LAKEWOOD, WASHINGTON

\_\_\_\_\_  
City Clerk

05/21/2019

**Final Cost for LID #1109**

Construction Costs	\$858,395.50
Deduct for 150th St work paid by others	-\$16,328.00
Design engineering	\$14,203.37
Construction engineering	\$23,779.36
LID admin at 7% of construction costs	\$60,087.47
<b>Grand Total</b>	<b>\$940,137.70</b>



CITY OF LAKEWOOD  
FINAL ASSESSMENT ROLL  
LID #1109 - TACOMA GATEWAY  
09/05/2019

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
1	0219221162	TA Tacoma Gateway LLC C/O TA Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660	\$787,561.06	\$0.00	\$787,561.06

Legal Description:

Parcel 0219221162:

Section 22 Township 19 Range 02 Quarter 12 PARCEL A OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 45 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 630.37 FT TH TH S 89 DEG 33 MIN 40 SEC W 40 FT TH S 00 DEG 23 MIN 26 SEC E 355 FT TH N 89 DEG 33 MIN 40 SEC E 40 FT TH S 00 DEG 23 MIN 26 SEC E 275.38 FT TH S 89 DEG 33 MIN 23 SEC W 659.9 FT TH N 00 DEG 23 MIN 51 SEC W 1175.92 FT TH NELY 118.44 FT ALG C TO R RAD OF 85 FT THRU C/A OF 79 DEG 50 MIN 09 SEC TH S 00 DEG 23 MIN 51 SEC E 68.68 FT TH N 89 DEG 33 MIN 59 SEC E 55 FT TH N 00 DEG 23 MIN 51 SEC W 70 FT TH N 89 DEG 33 MIN 59 SEC E 535.06 FT TO POB OUT OF 1-012, 1-027, 1-028, 1-038, 1-046, 1-061, 1-062, 1-063, 1-069, 1-111, 1-129, 1-145, 1-147, 5-003, & 6-007 SEG 2015-0107 JP 09/10/14 JP

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
2	0219221163	TA Tacoma Gateway LLC C/O TA Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660	\$50,715.62	\$0.00	\$50,715.62

Legal Description:

Parcel 0219221163:

Section 22 Township 19 Range 02 Quarter 12 PARCEL B OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
3	0219221164	TA Tacoma Gateway LLC C/O TA Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660	\$50,715.62	\$0.00	\$50,715.62
Legal Description: Parcel 0219221164: Section 22 Township 19 Range 02 Quarter 12 PARCEL C OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 118 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP					
LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
4	0219221165	TA Tacoma Gateway LLC C/O TA Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660	\$51,145.41	\$0.00	\$51,145.41
Legal Description: Parcel 0219221165: Section 22 Township 19 Range 02 Quarter 12 PARCEL D OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 236 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 119 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 119 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP					
<b>Grand Total:</b>					<b>\$940,137.70</b>

## SOURCES AND USES OF FUNDS

## CITY OF LAKEWOOD

## LID 1109 BOND, 2020

## 13 Annual Principal and Interest Payments

## Sources:

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Bond Proceeds:	
Par Amount	922,757.02
	<hr/>
	922,757.02

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## Uses:

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Project Fund Deposits:	
LID 1109 Project Fund Deposit	880,050.23
Delivery Date Expenses:	
Cost of Issuance	14,706.79
LID Admin Fee	<hr/>
	28,000.00
	42,706.79
	<hr/>
	922,757.02

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## BOND SUMMARY STATISTICS

## CITY OF LAKEWOOD

## LID 1109 BOND, 2020

## 13 Annual Principal and Interest Payments

Dated Date	01/29/2020
Delivery Date	01/29/2020
Last Maturity	03/01/2033
Arbitrage Yield	2.611947%
True Interest Cost (TIC)	2.611947%
Net Interest Cost (NIC)	2.648149%
All-In TIC	3.363230%
Average Coupon	2.648149%
Average Life (years)	7.090
Duration of Issue (years)	6.452
Par Amount	922,757.02
Bond Proceeds	922,757.02
Total Interest	173,262.56
Net Interest	173,262.56
Total Debt Service	1,096,019.58
Maximum Annual Debt Service	94,892.60
Average Annual Debt Service	83,736.64
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	
Total Underwriter's Discount	
Bid Price	100.000000

Bond Component	Par Value	Price	Average Coupon	Average Life
Serial Bond	922,757.02	100.000	2.648%	7.090
	922,757.02			7.090

	TIC	All-In TIC	Arbitrage Yield
Par Value	922,757.02	922,757.02	922,757.02
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount			
- Cost of Issuance Expense		-14,706.79	
- Other Amounts		-28,000.00	
Target Value	922,757.02	880,050.23	922,757.02
Target Date	01/29/2020	01/29/2020	01/29/2020
Yield	2.611947%	3.363230%	2.611947%

## COST OF ISSUANCE

CITY OF LAKEWOOD  
LID 1109 BOND, 2020

## 13 Annual Principal and Interest Payments

Cost of Issuance	\$/1000	Amount
Placement Agent	5.00001	4,613.79
Bond Counsel	10.93787	10,093.00
	15.93788	14,706.79

## BOND DEBT SERVICE

CITY OF LAKEWOOD  
LID 1109 BOND, 2020


## 13 Annual Principal and Interest Payments

Period Ending	Principal	Interest	Debt Service	Annual Debt Service
01/29/2020				
03/01/2021	70,757.02	24,135.58	94,892.60	94,892.60
03/01/2022	71,000.00	20,877.55	91,877.55	91,877.55
03/01/2023	71,000.00	19,514.35	90,514.35	90,514.35
03/01/2024	71,000.00	18,108.55	89,108.55	89,108.55
03/01/2025	71,000.00	16,688.55	87,688.55	87,688.55
03/01/2026	71,000.00	15,218.85	86,218.85	86,218.85
03/01/2027	71,000.00	13,678.15	84,678.15	84,678.15
03/01/2028	71,000.00	12,109.05	83,109.05	83,109.05
03/01/2029	71,000.00	10,483.15	81,483.15	81,483.15
03/01/2030	71,000.00	8,728.03	79,728.03	79,728.03
03/01/2031	71,000.00	6,751.39	77,751.39	77,751.39
03/01/2032	71,000.00	4,617.84	75,617.84	75,617.84
03/01/2033	71,000.00	2,351.52	73,351.52	73,351.52
	922,757.02	173,262.56	1,096,019.58	1,096,019.58



TO: Mayor and City Council

FROM: Paul A. Bucich, P.E., Public Works Engineering Director/City Engineer

THROUGH: John Caulfield, City Manager 

DATE: November 12, 2019

SUBJECT: Ordinance confirming final assessment roll for LID 1109  
(Panattoni Woodbrook Development)

ATTACHMENTS: Ordinance, Hearing Examiner's decision and exhibits

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It is recommended that the City Council pass an Ordinance approving and adopting the findings, conclusions and recommendations made by the appointed Hearing Examiner and approving and confirming the final assessment roll for Local Improvement District (LID) 1109.

The City formed LID 1109 in June 2017 for the purpose of constructing street improvements associated with the then proposed 475,000 square foot warehouse facility now located at 14801 Spring St SW. This LID was petitioned by the property owner (YKC Investments LLC) and lessee (Panattoni Development) to facilitate construction of frontage improvements required under various land use permits. Construction of the frontage improvements is now complete and the City is moving forward with closing out the LID.

A Final Assessment Roll Hearing for LID 1109 was held on October 17, 2019, before Phil Olbrechts, Hearing Examiner. At the hearing, staff presented information regarding the formation, notification, final costs and distribution of those final costs among the benefited properties. The property owner within the LID boundary, TA Tacoma Gateway LLC, was notified of their assessment and of the hearing pursuant to all applicable laws. The City received no written protests to the proposed final assessment nor did anyone appear at the hearing wishing to be heard.

The LID boundary encompasses 4 tax parcels: 0219221162, 0219221163, 0219221164 and 0219221165 (see attached revised Final Assessment Roll Exhibit C-15 (a zero has been added to the beginning of each parcel number to reflect the correct parcel numbers) and attached Vicinity Map Exhibit B).

Attached as Exhibit A are the Findings of Fact, Conclusions of Law and Recommendation prepared by Phil Olbrechts, Hearing Examiner.

Once the final assessment has been confirmed there is a 10-day appeal period. After the appeal period has expired, staff will notify the property owner that the assessment has been filed for collection and that they have a 30-day interest-free prepayment period in which they can prepay all or a portion of their assessment. After the 30-day prepayment period, staff will prepare for the sale of bonds in the amount of the unpaid balance. It is anticipated that the bond sale will be in the amount of \$922,757.02. This amount reflects calculated bond and LID administration costs whereas the final assessment of \$940,137.70 estimated these costs at 7% of the project costs

Council may elect not to confirm the final assessment roll as recommended. However, no protests to the final assessment or the method of calculation have been filed with the City and staff believes the final assessment roll as presented to be the most equitable distribution of the true costs among the benefited property within the LID boundaries. Not confirming or modifying the final assessment roll could provide cause for protest or appeal. Regardless, the LID administrative costs would still need to be satisfied and more significantly the City would not recover the incurred project costs.

All costs of the LID will be paid for by the abutting property owner; therefore, there will be no fiscal impact on the City.



ORDINANCE NO. \_\_\_\_

AN ORDINANCE relating to local improvement districts; approving and confirming the assessment roll certified to the City Council on September 16, 2019, for the cost of the improvements in Local Improvement District 1109 (Panattoni Woodbrook Development) in the City of Lakewood, pursuant to Ordinance No. 717, adopted on September 16, 2019; and levying and assessing the amount thereof against the lots, tracts, parcels of land and other property shown on the assessment roll; providing for the prepayment of assessments; and providing for the disposition of the moneys collected upon said assessment.

WHEREAS, an assessment roll levying special assessments against the properties located in LID No. 1109 (Panattoni Woodbrook Development) (the "LID"), in the City of Lakewood, Washington (the "City"), created under Ordinance No. 671, was filed with the City Clerk as provided by law; and

WHEREAS, the City Council (the "Council") fixed the time and place for a public hearing on the assessment roll for October 17, 2019, at 10:00 a.m., in the Council Chambers in Lakewood City Hall, 6000 Main Street SW, in the City of Lakewood, and designated its Hearing Examiner to conduct the hearing; and

WHEREAS, notice of the time and place of the hearing on and of making objections to the assessment roll was duly published at the times and in the manner provided by law and duly mailed to each property owner on the assessment roll; and

WHEREAS, at the time and place fixed and designated in the notices, the hearing on the assessment roll was duly held, as provided by the Hearing Examiner; and

WHEREAS, the Hearing Examiner issued his Findings, Conclusions and Recommendations on November 1, 2019, attached hereto, noting that no objections have been made to the LID; and

WHEREAS, the Hearing Examiner recommended that the City Council adopt an ordinance approving and confirming the assessments and assessment roll as shown in Exh. C-15, attached to the Hearing Examiner's decision, for the construction of certain street improvements as provided by Ordinance No. 671, and levying and assessing the cost and expense thereof against the parcels of land as shown on the final assessment roll; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

**Section 1.** The Council accepts, approves and adopts the Hearing Examiner's Findings, Conclusions and Recommendations. The Council finds that the special

benefit/proportionate assessment approach to establishing assessments for the LID is valid and supported by the Hearing Examiner's Findings, Conclusions and Recommendations and that it more fairly, equitably and accurately reflects the benefits to property resulting from the improvements in the LID than other methods.

**Section 2.** The final assessment roll shall be prepared in the total amount of \$940,137.70 and filed with the City Clerk. The Council hereby finds that this final assessment roll is just and equitable and that no assessment against property within the LID is greater than the special benefits to be derived from the improvements. Accordingly, this final assessment roll is hereby approved and confirmed, and the assessments set forth therein are hereby levied against each lot, tract and parcel of property described in the roll.

**Section 3.** The City Clerk is hereby directed to place in the hands of the Assistant City Manager of Administrative Services for collection the final assessment roll for the LID, when received as provided in Section 2 of this ordinance. Upon such placement, the amount of each assessment set forth in the roll and any interest or penalty imposed from time to time, will become a lien against the property so assessed. The lien will be paramount and superior to any other lien or encumbrance whatsoever, theretofore or thereafter created, except a lien for general taxes.

**Section 4.** Upon receipt of the final assessment roll for the LID, the Assistant City Manager of Administrative Services is hereby directed to publish notice at the times and in the manner required by RCW 35.49.010, stating that the roll is in her hands for collection and that such assessments or any portion thereof may be paid to the City at any time within thirty (30) days from the date of the first publication of such notice, without penalty, interest or costs.

**Section 5.** The amount of any assessment, or any portion thereof, against property in the LID not paid within the thirty (30) day period from the date of the first publication of the Assistant City Manager of Administrative Service's notice is payable in thirteen (13) equal annual installments, together with interest on the diminishing principal balance thereof at an estimated rate not to exceed 6 % per annum, with the exact interest rate to be fixed in connection with the issuance and sale of the local improvement bond that will provide the balance of financing for costs of the LID. Interest shall begin accruing on the thirtieth (30<sup>th</sup>) day following first publication of such notice. The first installment shall become due and payable one year from the expiration of the thirty (30) day prepayment period. Annual installments, including interest and any penalty, must be paid in full when due. Assessments shall be deposited into the special fund(s) created for this purpose.

**Section 6.** Any installment not paid when due shall thereupon become delinquent. As provided in Lakewood City Code Section 12.17.030, all delinquent installments shall be subject to a penalty from the date of the delinquency until paid. Whenever any installment shall become delinquent, each such delinquent installment

remaining unpaid at the date of delinquency shall have added thereto a penalty equal to the not to exceed rate of interest provided by in the ordinance (6.00%) authorizing the issuance and sale of the bonds to finance the LID improvements plus five percent (e.g. an interest rate of 11.00%).

**Section 7.** The lien of any assessment may be discharged at any time after the thirty (30) day prepayment period by payment of the entire principal amount of the assessment remaining unpaid together with interest thereon to the due date of the next installment.

**Section 8.** If a court of competent jurisdiction declares any provision of this ordinance to be contrary to law, then that provision will be null and void and will be deemed severable from the remaining provisions of this ordinance and will in no way affect the validity of the other provisions of this ordinance.

**Section 9.** This ordinance will be in full force and effect five days after its passage and publication as provided by law.

PASSED by the City Council this 18<sup>th</sup> day of November, 2019.

CITY OF LAKEWOOD

\_\_\_\_\_  
Don Anderson, Mayor

Attest:

\_\_\_\_\_  
Briana Schumacher, City Clerk

Approved as to form:

\_\_\_\_\_  
Heidi Ann Wachter, City Attorney

BEFORE THE HEARING EXAMINER FOR THE CITY OF LAKEWOOD

RE: Local Improvement District No. 1109  
150th St SW, Spring St and 146th St.  
SW Street Improvements  
Final Assessment Roll

FINDINGS OF FACT, CONCLUSIONS OF  
LAW AND RECOMMENDATION

**Summary**

It is recommended that the City Council adopt an ordinance approving and confirming the final assessment roll of Local Improvement District (“LID”) No 1109. LID No. 1109 is limited to four parcels owned by one entity. The improvements funded by the LID were a condition of approval for a warehouse development proposed by a former owner of the four parcels. Construction of the LID improvements has been completed and a final assessment roll has been prepared. The LID improvements are comprised of a full-width overlay and half-street improvements to 150th St SW and 146th St. SW and a full-width overlay along Spring Street. State law requires notice to the property owner that it may object to the final assessment. No objections have been made.

A hearing on the preliminary assessment roll was held by the hearing examiner on October 17, 2019 in accordance with RCW 35.44.070. No one attended the hearing other than City staff. RCW 35.44.100 requires that the final assessment roll be confirmed by the City Council by ordinance. To the extent substantiated by the hearing record, the Council may correct, review, raised, lower, change or modify the roll of any part thereof, or set aside the roll and order the assessments to be made de novo. However, if the Council reduces any parcel’s assessment, the City must agree to pay the difference, or the final assessment hearing process must be redone. If the Council raises a parcel’s assessment, the final assessment process must also be redone, with new hearing notices and a new public hearing, however only owners of parcels whose assessment have been raised may file objections.

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## Testimony

Greg Vigoren, Lakewood Engineering Services Manager, confirmed that no objections had been filed against the final assessment.

## Exhibits

The following exhibits were admitted into the final assessment roll hearing:

C-1 Petition to City to form LID from YKC Investment LLC

C-2 Determination of Non-Significance for Panattoni warehouse project

C-3 Resolution No. 2017-08 intending to form LID No. 1109; and setting time and place of formation hearing

C-4 Affidavit of Publication for Resolution No. 2017-08

C-5 Mailed Formation Hearing Notice with Certification of Mailing

C-6 Preliminary assessment roll

C-7 Hearing Examiner's Report on formation

C-8 Ordinance No. 671 establishing LID No. 1109

C-9 Affidavit of Publication for Ordinance No. 671

C-10 Pictures of typical Improvements

C-11 Affidavit of Publication of bid advertisement

C-12 Engineer's bid tabulation

C-13 Council minutes showing contract award

C-14 Final cost estimate

C-15 Final assessment roll

C-16 Ordinance No. 717 setting the date for final assessment roll public hearing

C-17 Affidavit of Publication for Ordinance No. 717

C-18 Mailed Final Assessment Hearing Notice with Certification of Mailing

C-19 Final Assessment Roll Hearing Examiner Staff Report

## Findings of Fact

1. Formation Ordinance. LID No. 1109 was formed June 19, 2017 by Ordinance No. 671. Exhibit A to Ordinance No. 671 identified the parcels subject to LID No. 1109 as Pierce County Tax Parcel Numbers 219221162, 219221163, 21922164, and 21922165. Section 2 of Ordinance No. 671 identified the required improvements as follows:

*The City Council orders the design, construction and carrying out of the Improvements, including installing half-street improvements consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch full street width asphalt overlay), storm drainage, street lighting, landscaping and other associated improvements along the street frontages of portions of 150th Street SW and 146th Street SW, and a full-width two-inch asphalt pavement overlay located on portions of Spring Street SW. All of the foregoing shall be in accordance with the plans and specifications therefor approved and/or prepared by the City's Public Works Department, and may be modified by the City Council as long as such modification does not affect the general purposes of the Improvements.*

(Collectively "The LID Improvements")

2. Property Ownership. All four parcels comprising LID No. 1109 are currently (as of the date of the October 17, 2019 final assessment hearing) owned by TA Tacoma Gateway LLC. The property owner at the time of LID formation, YKC Investments LLC, petitioned (Ex. C-1) the City to form LID No. 1109 on behalf of the future owner, Panattoni Development Company, to facilitate construction of frontage improvements required as a condition of developing the property with a 475,000 square foot warehouse.

3. Bid and Award. The LID Improvements were put to public bid and the City Council awarded the construction contract to Rodarte Construction, Inc. in the amount of \$804,613 by Motion 2017-41 on August 7, 2017. Ex. C-13.

4. Final Cost. Final Cost of the LID Improvements was \$940,137.70 as shown in the Final Cost Estimate. Ex. C-14.

5. Assessment Method. RCW 35.44.040 authorizes LID assessments to be levied proportionally based on property square footage. Staff determined this method fairly reflected the benefits resulting from the improvements and the method was employed to formulate the assessment amounts imposed by the final assessment roll, Ex. C-15.

6. Setting Assessment Roll Hearing. The City Council set the date for the hearing to be held by

1 the hearing examiner to consider the final assessment roll for LID No. 1109 in Ordinance No. 717,  
2 approved September 16, 2019. Notice of the Final Assessment Roll Hearing for LID No. 1109, along  
3 with a copy of Ordinance No. 717, which set the hearing date, were mailed via Certified Mail to the  
4 property owner of all LID 1109 property as shown on the Pierce County Assessor-Treasurer website  
(TA Tacoma Gateway LLC). Ex. C-18.

5 7. Assessment Roll Hearing. As directed by Ordinance No. 717, the hearing examiner held a  
6 hearing on the final assessment roll on October 17, 2019. No objections to the final assessment roll  
hearing were held prior to or at the hearing. No one attended the hearing except for City staff.

7 8. Benefit Conferred. Based upon proper application of the property square footage assessment  
8 method as demonstrated in Ex. C-15, it is determined that all of the parcels within the LID were  
9 specially benefited by the LID Project in an amount greater than or equal to their LID assessment, that  
the assessment method used by the City—special benefit analysis--was fair and equitable, and that it  
10 resulted in each property's assessment share being proportionate in relation to other parcels in the LID.

## 11 **Conclusions of Law**

12  
13 1. Authority. The hearing examiner was directed by Ordinance No. 717 to conduct the final  
14 assessment roll hearing and to report a recommendation to the City Council. The hearing examiner is  
authorized to conduct such hearings by LMC 1.36.128(A) and RCW 35.44.070.

15 2. Burden of Proof. It is presumed that all property in the assessment area is specially benefitted  
16 by the improvement in an amount at least equal to the assessment contained in the final assessment  
17 roll, and that the assessments in the final assessment roll are imposed on each property equitably and in  
18 proportion to all other property in the assessment area. *Seattle v. Rogers Clothing*, 114 Wn.2d 213, 229  
(1990). Competent evidence of appraisal values and benefits is necessary to rebut these presumptions.  
Id. at 229-230.

19 3. Assessment Roll Procedures. All procedures required prior to confirmation of the final  
20 assessment roll by RCW Chapters 35.43 and 35.44, the Lakewood Municipal Code and the Ordinances  
and Resolutions of the City relating to LID No. 1109 have been followed.

21 4. Benefit. all of the parcels within the LID were specially benefited by the LID Improvements in  
22 an amount greater than or equal to their LID assessment, that the assessment method used by the  
23 City—special benefit analysis--was fair and equitable, and that it resulted in each property's  
assessment share being proportionate in relation to other parcels in the LID.

24 5. Any Finding of Fact that should be denominated a Conclusion of Law shall be deemed to be a  
25 Conclusion of Law. Any Conclusion of Law that should be denominated a Finding of Fact shall be  
deemed to be a Finding of Fact.

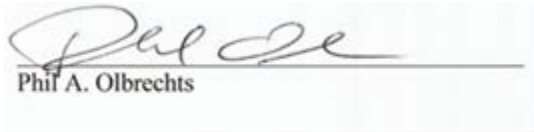
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## Recommendation

Based upon the foregoing findings and conclusions, it is recommended that the City Council adopt an ordinance approving and confirming the assessments and assessment roll as shown in Ex. C-15 of LID No. 1109 for the construction of certain street improvements as provided by ordinance no. 1909, and levying and assessing the cost and expense thereof against the parcels of land as shown on the final assessment roll.

DATED this 1st day of November, 2019.



Phil A. Olbrechts

Hearing Examiner for Lakewood



# Exhibit 'C-1'

February 17, 2017

Mr. Don Wickstrom, Public Works Director  
City of Lakewood  
6000 Main Street SW  
Lakewood, WA 98499

Project: Tacoma Gateway  
Subject: Request to form LID for frontage improvements

Dear Don Wickstrom:

I am currently under contract with Panattoni Development Company for purchase of my property in Lakewood for purpose of ground-up development of an industrial warehouse building. The extent of my decisions made to proceed with city improvements adjacent to my property will be a result of Panattoni's decisions. In the event Panattoni elects to terminate the purchase contract on my property, I will reserve the right to elect, upon my sole decision, to move forward with any city improvements.

I would like to formally request the formation of a Local Improvement District (LID) for the construction of frontage improvements along my property. I anticipate that I will likely be the only member/participant in the LID. My property includes parcel numbers 0219221162, 0219221163, 0219221164, and 0219221165.

The proposed improvements include frontages on 146<sup>th</sup> Street SW and 150<sup>th</sup> Street SW as described in the Determination of Non-Significance (DNS) for the proposed Tacoma Gateway project (formerly known as Thorne Lane Logistics). The frontage improvements include widening, curb, gutter, sidewalk, and a full width overlay. Also included in the proposed LID would be a full width 2" overlay to Spring Street SW between 150<sup>th</sup> Street SW and 146<sup>th</sup> Street SW.

I also anticipate entering into two separate No Protest Local Improvement District Covenant Agreements. The first No Protest LID Agreement will be for an overlay to 146<sup>th</sup> Street SW west of Spring Street SW as described in the DNS. The other No Protest LID Agreement will be for completion of the full improvements to Spring Street SW as required in the DNS. Both No Protest LID Agreements are for future LIDs and are separate from the proposed LID described above.

The project developer, Panattoni Development, plans to donate to the City the full design of the LID improvements. We expect that the construction of the LID improvements would take place concurrent with onsite construction of the Tacoma Gateway project. The project developer will be providing a detailed cost estimate for the improvements in order to start the LID formation process.

Sincerely,

*Tij - Liz Geh*  
*2/22/2017*



## Exhibit 'C-2'

### CITY OF LAKEWOOD DETERMINATION OF NON-SIGNIFICANCE

**APPLICATION NO.:** LU-16-00138

**PROJECT NAME:** Thorne Lane Logistics

**SITE ADDRESS:** 14801 Spring ST SW, Lakewood WA. The project will span over 4 parcels which will be combined through a Boundary Line Adjustment. (APN# 0219221162, -63, -64, -65)

**ACTION:** Construction of a new 471,300sf warehouse and distribution facility with associated parking, loading dock(s) and landscaping.

**PROJECT APPLICANT:** Contour Engineering, LLC  
PO Box 949  
Gig Harbor, WA 98335

#### **PROPOSAL:**

The Lakewood Community Development Department received a SEPA Environmental Review application from Contour Engineering LLC for a project that includes the construction of a new 471,300sf warehouse and distribution facility with associated parking, loading dock(s) and landscaping to be located at 14801 Spring ST SW. The property, which is part of the *Industrial Business Park* (IBP) zoning district, currently consists of 4 parcels which will be combined through the Boundary Line Adjustment process. All existing structures currently existing on-site will be demolished prior to construction activities. The project will also include on and off site improvements as required by the City of Lakewood Public Works Department including curb, gutter sidewalks and road improvements. The application was deemed complete on August 17, 2016.

The project submittal includes the following environmental information:

1. SEPA Checklist prepared by Stephen Bridgeford with Contour Engineering, LLC.
2. Geotechnical Engineering Study dated September 27, 2012 prepared by Earth Solutions NW, LLC.
3. Traffic Impact Analysis dated September 2016 prepared by Heath & Associates, Inc.
4. Project Plans dated July 2016, prepared by Contour Engineering.

#### **PUBLIC NOTICE AND AGENCY COMMENTS:**

As a part of the SEPA process, the City of Lakewood issued a Notice of Application on September 8, 2016, with a 15-day comment period and contacted other agencies and City departments to determine if the proposal would have impacts on environmental conditions, existing service levels or need additional review. No public comments were received about the project. Agency

comments were received from the City of Lakewood Public Works Department and the Washington State Department of Ecology:

1. Comments from the Washington State Department of Ecology, dated September 22, 2016 discuss toxic cleanup, waste removal related to demolition, and water quality. More specifically, if contamination is suspected, discovered, or occurs during the proposed construction, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by sampling, Ecology must be notified. With relation to waste removal, if greater than 250 cubic yard of inert, demolition, and/or wood waste if used as fill material, a Solid Waste Handling permit may be required pursuant to WAC 173-350-990. The applicant is required to consult with the Tacoma Pierce County Health Department regarding waste removal regulations and permitting requirements. Ecology suggests that the applicant review the "Dangerous Waste Rules for Demolition, Construction, and Renovation Wastes," on Ecology's website. Lastly, erosion control measures must be in place prior to any clearing, grading or construction. Certain construction activities may require coverage under the Construction Stormwater General Permit. If there are known soil/ground water contaminants present on-site, additional information will be required to be submitted. See Exhibit B for more detailed information.
2. Comments received from the City of Lakewood Public Works Department, dated November 23, 2016 indicate that a Site Development Permit and Drainage Review shall be required and approved prior to the issuance of building permits for the project. All other details and specific requirements can be reviewed in Exhibit C.

### **FINDINGS:**

The Responsible Official of the City of Lakewood hereby makes the following findings and conclusions based upon a review of the environmental checklist, other information on file with the City of Lakewood, and the policies, plans, and regulations designated by the City as a basis for the exercise of substantive authority under the Washington State Environmental Policy Act pursuant to RCW 43.21C.060.f

1. YKC Investment LLC has proposed the development of a 471,300sf industrial warehouse facility at 14801 Spring ST SW. The proposal will utilize the main property on Spring ST SW and 3 smaller adjacent properties, APN#0219221163, -64, -65.
2. The subject property is zoned *Industrial Business Park* (IBP). The IBP zoning district provides for a coordination of uses and design to facilitate an active integration of employment, services, and business/light industrial uses.
3. The surrounding area is developed with a variety of different use types. Properties to the north and east are developed with mostly single family and multi-family residential uses. Properties to the south are mostly vacant and the large property to the west remains Woodbrook Middle School.
4. The following permits are required for the proposal: Boundary Line Adjustment, Design Review, Tree Removal Permit, Conditional Use Permit, Site Development Permit, Drainage



Review, New Commercial/Industrial Building Permit, Plumbing Permit, Mechanical Permit and possible Tenant Improvement Permit from the City of Lakewood.

5. The existing site is relatively flat with slopes ranging between 2-10% and soils consisting of loose to medium dense sand with gravel. The site is not located in a geologically hazardous or critical area.
6. According to the SEPA Checklist, approximately 93.8% of the site will be covered with impervious surfaces.
7. The project will be reviewed by the City's Public Works Department for consistency with state and local regulations for temporary and permanent erosion and sediment control, and storm water quantity and treatment.
8. According to the SEPA Checklist, the proposed building will not exceed a height of 60ft. The principal building materials will be concrete, metal, and glass.
9. A Traffic Impact Analysis (TIA) prepared by Heath & Associates, Inc., in September 2016, indicates that the proposal, designated as a *High-Cube Warehouse/Distribution Center*, is anticipated to generate an average of 792 Average Weekly Daily Trips (AWDT), and 52-57 AM and PM peak-hour trips.
10. Based on traffic and additional independent analysis, off-site improvements and other requirements set forth by the City of Lakewood Public Works Department are detailed in Exhibit C, attached.
11. Application packets were sent to various agencies with jurisdiction for review once the application was deemed complete. Comments were received from Lakewood Public Works Department, and Washington State Department of Ecology (Exhibit B and C).
12. The City of Lakewood issued a Notice of Application for the proposal with a 15-day comment period on September 8, 2016. The notice was mailed to property owners within 100 feet of the project site, published in *The News Tribune*, and posted near the property frontage in accordance with notice requirements provided in Lakewood Municipal Code Section 18A.02.545. The City received no comments from the general public.
13. The City of Lakewood has utilized the optional DNS process outlined in WAC 197-11-355 to provide public notice for this project. This threshold determination will be final upon issuance, and no additional comment period will be provided.

#### **CONCLUSIONS OF RESPONSIBLE OFFICIAL:**

The Responsible Official concludes that all potentially significant environmental impacts will be mitigated through adherence to state, fire, building, and local code regulations and policies. Pursuant to WAC 197-11-350 (3), a Determination of Non-Significance (DNS) is hereby issued. This conclusion is based on staff review of the environmental checklist and application materials. The DNS is supported by plans, policies, and regulations adopted by the City of Lakewood for the exercise of substantive authority under SEPA.

The applicant shall comply with requirements specified in the correspondence from Washington State Department of Ecology dated September 22, 2016, and Lakewood Public Works Department memo dated November 23, 2016 (Exhibits B and C).

EXHIBITS:

- A. SEPA Checklist prepared by Stephen Bridgeford with Contour Engineering, LLC
- B. Comments from Washington State Department of Ecology dated September 22, 2016
- C. Comments from City of Lakewood Public Works Department dated November 23, 2016

Agency: City of Lakewood  
Community Development Department  
6000 Main Street SW  
Lakewood, WA 98499

Date of Issue: November 30, 2016

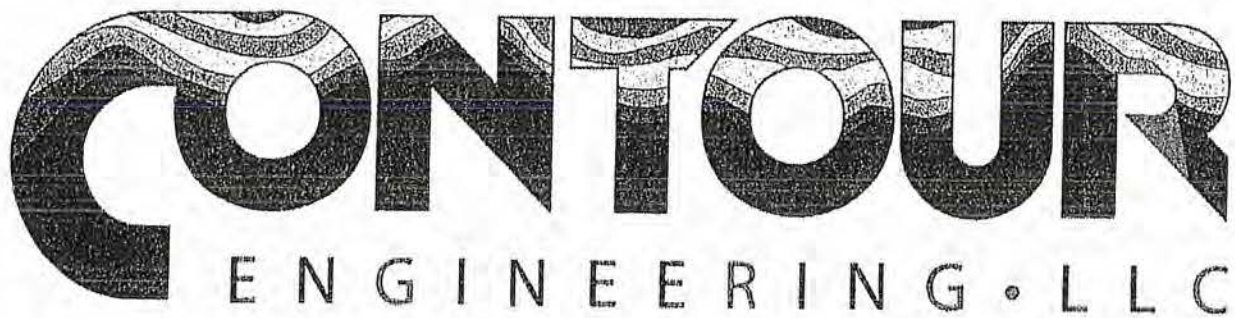
Appeal Deadline: December 14, 2016



SEPA Responsible Official:  
Frank Fiori  
Planning Manager

NOTE: This DNS will become final on the Date of Issuance. Pursuant to WAC 197-11-340, RCW 43.21C.075, LMC 14.02.200 and LMC 18A.02.740, decisions of the Responsible Official may be appealed to the City of Lakewood Hearing Examiner. The decision of the Hearing Examiner in any such appeal will be final. A written notice identifying the grounds for the appeal must be filed with the City Clerk within 14 days of the date the Determination of Non-Significance becomes final. Appeals are filed with a four-hundred and fifty (\$450.00) fee at the Community Development Department, located at the above address.

NOTE: The issuance of this Determination of Non-Significance does not constitute project approval. The applicant must comply with all other applicable requirements of City of Lakewood Departments and/or the Hearing Examiner prior to beginning construction.



**SEPA CHECKLIST**  
**FOR**  
**THORNE LANE LOGISTICS CENTER**

**CITY OF LAKEWOOD, WASHINGTON**

**JULY 2016**

**Prepared For:**  
**Panattoni Development Company**  
**Travis Hale**  
**900 SW 16<sup>th</sup> Street, Suite 330**  
**Renton, WA 98057**

**Prepared By:**  
**Stephen Bridgeford, Land Planner**

**Reviewed By:**  
**Jeremy F. Haug, P.E., Project Engineer**

**Contour Project #: 16-142**



## **A. Background**

1. Name of proposed project, if applicable:

**Thorne Lane Logistics Center**

2. Name of applicant:

**Stephen Bridgeford, Land Planner, Contour Engineering LLC**

3. Address and phone number of applicant and contact person:

**PO Box 949  
Gig Harbor, WA 98335**

4. Date checklist prepared:

**June 2016**

5. Agency requesting checklist:

**City of Lakewood**

6. Proposed timing or schedule (including phasing, if applicable):

**Work will begin after all necessary permits are obtained. It is anticipated that all work will be done in a single phase.**

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

**No**

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

**Geotechnical Engineering Study, Earth Solutions NW LLC, Sept. 2012 (Appendix B)**

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

**Yes, the subject site is involved in an area wide map amendment.**



10. List any government approvals or permits that will be needed for your proposal, if known.

**City of Lakewood: SEPA Review, Site Development Permit, Building Permits,  
Pierce County Utilities: Sewer Connection Permits  
Department of Ecology: NPDES**

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

**The project is to include new construction of an approximately 471,300 sf single story warehouse/distribution use facility with the possibility of a manufacturing use utilized as markets dictate. The subject site is 950,794 sq. ft. or 21.8 acres.**

**Please see Appendix A for the Site Plan and preliminary grading and utility exhibits.**

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

**The site is located on Spring St SW between 146th & 150th St. SW, Lakewood, WA 98439  
NE ¼ of Section 22, Township 19 N Range 2 E  
Tax parcels: 021922-1162, -1163, 1164 and 1165.**

**Please see Appendix A for the vicinity map**

## **B. ENVIRONMENTAL ELEMENTS**

### **1. Earth**

- a. General description of the site:  
(underline one): Flat, rolling, hilly, steep slopes, mountainous, other

**The site is generally flat to gently sloped with a section of 10% slope for approx. 100-ft.**

- b. What is the steepest slope on the site (approximate percent slope)?

**2 to 10 percent**

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

**The USDA Natural Resource Conservation Service (NRCS) Web Soil Survey for does not provide mapping of this area. Per the Geotechnical Engineering Study prepared for the project, see Appendix B, underlying the native topsoil layer is loose to medium dense sand with gravel and gravel with sand soils to the extent of the test pits.**

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

**None visible or noted in the Geotechnical Engineering Report of Appendix B**

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

**Proposed grading of the site will consist of excavating and reworking the existing earth materials with excavations for building footings, stormwater systems and site utilities. Exact earthwork quantities are on known at this time, however it is anticipated that up to 150,500 cubic yards of material will be moved during the grading operations with a estimated net cut of 20,000 cubic yard. The source of all fill materials has not been determined to date. Fill materials will likely include materials typical with site development like structural fill, top soil, and gravels.**

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

**As with any construction site, erosion can occur but an appropriate Temporary Erosion and Sediment Control (TESC) plan will be implemented during construction activities. There are no sources of erosion from the final use.**

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

**Approximately 93.8% of the site will be covered with impervious surfaces**

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

**A Construction Stormwater Pollution Prevention Plan (SWPPP) along with a Temporary Erosion and Sediment Control (TESC) Plan will be approved by the City of Lakewood and implemented for those.**

## **2. Air**

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

**During construction, there will be vehicle exhaust emissions from construction equipment, and some dust can be expected from various construction operations. The post-construction project will have emissions from trucks and automobiles similar to that of other comparable sized and use projects.**

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

**Not to our knowledge**

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

**During construction, dust control BMPs will be utilized as needed**

## **3. Water**

- a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

**There are no surface water bodies on or adjacent to the project site. Emerson Lake is north of the site approximately 250-ft from the sites northern property line.**

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

**No**

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

**The will be no fill or dredge material associated with the proposed**

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

**No**



5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

**There will be no discharge, the site will be served by public sanitary sewer. All existing septic systems will be decommissioned and removed as part of this project per current Tacoma-Pierce County Health Department and Department of Ecology standards and guidelines.**

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

**Stormwater runoff will be collected and conveyed from paved areas and roof drains via a tight-lined conveyance system to an infiltration facility. Stormwater from paved areas will be treated for water quality prior to being infiltrated.**

2) Could waste materials enter ground or surface waters? If so, generally describe.

No

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No

- d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

**Collection, conveyance and appropriate treatment of stormwater per the current City Stormwater Management guidelines with the on-site infiltration of generated stormwater**

#### 4. Plants

- a. Check the types of vegetation found on the site:

☒ deciduous tree: alder, maple, aspen, other  
☒ evergreen tree: fir, cedar, pine, other  
☒ shrubs  
☒ grass  
☐ pasture  
☐ crop or grain  
☐ Orchards, vineyards or other permanent crops.  
☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other  
☐ water plants: water lily, eelgrass, milfoil, other  
☒ other types of vegetation: Bramble

- b. What kind and amount of vegetation will be removed or altered?

**The vast majority of the site will be graded and therefore the majority of the existing vegetation will need to be removed.**

- c. List threatened and endangered species known to be on or near the site.

**None known**

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

**A landscape design plan will be prepared to comply with the requirements of the City of Lakewood Municipal Code**

- e. List all noxious weeds and invasive species known to be on or near the site.

**Himalayan blackberry are classified as a Class C Noxious Weed by the Washington State Weed Control Board and are listed as a Non Regulated Weed by the Pierce County Noxious Weed Control Board.**

## 5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:  
mammals: deer, bear, elk, beaver, other:  
fish: bass, salmon, trout, herring, shellfish, other

- b. List any threatened and endangered species known to be on or near the site.

**None known**

- c. Is the site part of a migration route? If so, explain.

**To our knowledge, the site is not a part of a migration route. However, as with the rest of Western Washington State, the project site is located within the Pacific flyway.**

- d. Proposed measures to preserve or enhance wildlife, if any:

**None Proposed**

- e. List any invasive animal species known to be on or near the site.

**None Known**

## 6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

**Electricity will be used for lighting, air conditioning, possible equipment use and/or re-charge, etc. It is anticipated that natural gas will be used for the buildings heating needs.**

**If a manufacturing use is utilized, manufacturing equipment would most likely use electricity however any specifics at this time are unknown.**

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

**No, not to our knowledge**

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

**The project will comply with applicable Energy Code requirements**

## 7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

**Not known at this time. It is unknown at this time what will be housed, stored, distributed, etc. at the facility or what will be manufactured or used in the manufacturing process if that use is utilized. Any such environmental hazards will be mitigated through the appropriate permitting process to ensure all appropriate BMPs are used and safety measures are adhered too.**

- 1) Describe any known or possible contamination at the site from present or past uses.

**There are no known contamination onsite from present or past uses.**

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

**There are no known hazardous chemicals or conditions that might affect the project development and design. As mentioned above it is unknown at this time what will be housed, stored, distributed, etc. at the facility or what will be manufactured or used in the manufacturing process if that use is utilized. Any such environmental hazards will be mitigated through the appropriate permitting process to ensure all appropriate BMPs are used and safety measures are adhered too.**

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

**There are no known hazardous chemicals that might be stored or used during the projects development.**

- 4) Describe special emergency services that might be required.

**No special services are foreseen at this time. The building will likely have a sprinkler or other fire suppression system**

- 5) Proposed measures to reduce or control environmental health hazards, if any:

**None foreseen as needed at this time**



b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

**Vehicle and airplane traffic noise from JBLM**

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

**In the short-term, there will be noise associated with grading and construction equipment. Hours of construction activities will be restricted to those allowed by City of Lakewood codes and regulations.**

**In the long-term, post-construction, noise will be generated from the truck and automobile traffic. The working hours of the facility are not known at this time.**

- 3) Proposed measures to reduce or control noise impacts, if any:

**Hours of construction activities will be restricted to those allowed by City of Lakewood codes and regulations.**

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

**The project site consists of 4 tax parcels, some vacant and some with SFR. Adjacent to the site to the north is 146th St. SW, to the south is 150th St. SW and to the west is Spring St. and a public school. The site borders single family and multi-family residences to the east.**

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

**Not to our knowledge**

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

**There are no known farm or forest land in the vicinity of the subject property.**



- c. Describe any structures on the site.

**There are currently multiple single family residences and associated assessor structures like garages and sheds.**

- d. Will any structures be demolished? If so, what?

**All existing structures will be removed**

- e. What is the current zoning classification of the site?

**Business Park (IBP) but the subject parcels are part of an Area Wide Map Amendment to enhance Industrial Uses**

- f. What is the current comprehensive plan designation of the site?

**Industrial**

- g. If applicable, what is the current shoreline master program designation of the site?

**Not applicable**

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

**No**

- i. Approximately how many people would reside or work in the completed project?

**It is unknown how many people will work at the completed project but it can be estimated at approximately 50-100 full and part time. This estimate will also adjust depending on utilization of a warehouse/distribution use or that of a manufacturing.**

- j. Approximately how many people would the completed project displace?

**The project would remove the capacity to house approximately 22 people**

- k. Proposed measures to avoid or reduce displacement impacts, if any:

**The are no proposed measures**

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

**The proposed will be developed and designed to comply with all applicable City of Lakewood codes and regulations**

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

**Not applicable**

## **9. Housing**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

**Not applicable**

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

**Not applicable**

- c. Proposed measures to reduce or control housing impacts, if any:

**Not applicable**

## **10. Aesthetics**

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

**The tallest height of any proposed portion of the building will be no more than 60 feet. The principle building materials will be concrete, metal and glass**

- b. What views in the immediate vicinity would be altered or obstructed?

**None**

- c. Proposed measures to reduce or control aesthetic impacts, if any:

**The proposal will comply with all applicable commercial development standards, specific use design standards, landscaping, and sign requirements for the City of Lakewood.**

## **11. Light and Glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

**Some area and parking lighting around the perimeter will occur during night-time hour. Glare is not expected to be an issue but could occur of some windows depending on time of day and weather conditions.**

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

**No**

- c. What existing off-site sources of light or glare may affect your proposal?

**None known**

- d. Proposed measures to reduce or control light and glare impacts, if any:

**All exterior lighting and/or illumination of the site and structure will be directed downward and contained on the site to avoid spillage onto abutting properties.**

## **12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity?

**There are none in the immediate vicinity of the project. The closest park is Harry Todd Park on the other side of Interstate 5, approximately 0.8 miles to the NW as the crow flies. There are several private equestrian facilities located to the east along 150<sup>th</sup> St SW.**

- b. Would the proposed project displace any existing recreational uses? If so, describe.

**No**

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

**There are none proposed with this application**

## **13. Historic and cultural preservation**

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

**To our knowledge, there are no buildings, structures, or site listed in or eligible for listing in national, state, or local preservation registers on or within 300-feet of the site**

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

**Not to our knowledge**

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

**Department of Archaeology & Historic Preservation WISAARD online Database**

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

**If any archaeological sites, Traditional Cultural Properties (TCPs), or historic buildings are identified within or adjacent to the project area that are eligible for national, state, or local registers, additional coordination with the City of Lakewood, Department of Archaeology and Historic Preservation, and the Puyallup or Nisqually Tribes (if applicable) will be necessary. Potential mitigation measures for controlling impacts would be to avoid the resource and/or minimize impact to the resource by conducting additional archaeological testing, a TCP study, and/or further documentation of the historic**

**14. Transportation**

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

**See Site Plan exhibit as Appendix A. The site is served by primarily 150th St. SW and 146th St SW with access to the site from both these streets as well as Spring St. which connects them both.**

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

**Pierce Transit Route 206 currently serves the site. Route 206 loops around 146th St SW and 150th St SW. The nearest stop is at the intersection of 150th St SW and Spring St.**

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

**No parking spaces will be eliminated. 239 spaces are proposed.**

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

**No new roads or streets are required.**

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

**No**



- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

**It is anticipated that the warehousing (high-cube)/distribution use will generate an AWDT total of 1610 vpd with the manufacturing use generating an AWDT total of 652 vpd.**

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

**No**

- h. Proposed measures to reduce or control transportation impacts, if any:

**None Proposed.**

#### **15. Public Services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

**No**

- b. Proposed measures to reduce or control direct impacts on public services, if any.

**None Proposed**

#### **16. Utilities**

- a. Underline utilities currently available at the site:

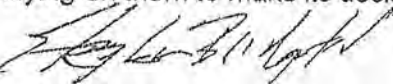
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

**Utility services proposed for the project include water and fire provided by the Lakewood Water, communication and cable provided by Comcast and/or CenterLink, sanitary sewer provided by Pierce County Utilities, and natural gas and power provided by PSE.**

### C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee STEPHEN BRIDGEMAN

Position and Agency/Organization CONTOUR ENGINEERING LLC

Date Submitted: 2016-07-18



EXHIBIT # B

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300  
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

September 22, 2016

Andrea Bell, Assistant Planner  
City of Lakewood  
Community Development Department  
6000 Main Street  
Lakewood, WA 98499

Dear Ms. Bell:

Thank you for the opportunity to comment on the optional determination of nonsignificance/notice of application for the Thorne Lane Logistics Center Project (LU1600138) located at 14801 Spring Street Southwest as proposed by Stephen Bridgeford, Contour Engineering, LLC. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

**TOXICS CLEANUP: Eva Barber (360) 407-7094**

This property is within a quarter mile of one contaminated site. The site is PSE Transformer at Meadowbrook Apts., Facility Site ID (FSID) 17519. To search and access information concerning this site, visit Ecology's website at: <http://www.ecy.wa.gov/fs/> and <https://fortress.wa.gov/ecy/gsp/SiteSearchPage.aspx>. If contamination is suspected, discovered, or occurs during the proposed construction of a warehouse and a distribution facility with associated parking, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by sampling, Ecology must be notified. Contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office (SWRO) at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact Eva Barber with the SWRO, Toxics Cleanup Program at the phone number given above.

**WASTE 2 RESOURCES: Beth Gill (360) 407-6380**

If greater than 250 cubic yards of inert, demolition, and/or wood waste is used as fill material, a Solid Waste Handling permit may be required (WAC 173-350-990). Check with your local jurisdictional health department for any permitting requirements that may be required.

The applicant proposes to demolish an existing structure(s). In addition to any required asbestos abatement procedures, the applicant should ensure that any other potentially dangerous or hazardous materials present, such as PCB-containing lamp ballasts, fluorescent lamps, and wall thermostats containing mercury, are removed prior to demolition. Also, be aware that PCBs are increasingly being found in caulking and paint. It is important that these materials and wastes are removed and appropriately managed prior to demolition. It is equally important that demolition debris is also safely managed, especially if it contains painted wood or concrete, treated wood, or other possibly dangerous materials. Please review the "Dangerous Waste Rules for Demolition, Construction, and Renovation Wastes," on Ecology's website at:  
[www.ecy.wa.gov/programs/hwtr/dangermat/demo\\_debris\\_constr\\_materials.html](http://www.ecy.wa.gov/programs/hwtr/dangermat/demo_debris_constr_materials.html).

**WATER QUALITY: Chris Montague-Breakwell (360) 407-6364**

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or stormdrains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants.

The following construction activities require coverage under the Construction Stormwater General Permit:

1. Clearing, grading and/or excavation that results in the disturbance of one or more acres **and** discharges stormwater to surface waters of the State; and
2. Clearing, grading and/or excavation on sites smaller than one acre that are part of a larger common plan of development or sale, if the common plan of development or sale will ultimately disturb one acre or more **and** discharge stormwater to surface waters of the State.
  - a) This includes forest practices (including, but not limited to, class IV conversions) that are part of a construction activity that will result in the disturbance of one or more acres, **and** discharge to surface waters of the State; and
3. Any size construction activity discharging stormwater to waters of the State that Ecology:
  - a) Determines to be a significant contributor of pollutants to waters of the State of Washington.
  - b) Reasonably expects to cause a violation of any water quality standard.

If there are known soil/ground water contaminants present on-site, additional information (including, but not limited to: temporary erosion and sediment control plans; stormwater pollution prevention plan; list of known contaminants with concentrations and depths found; a site map depicting the sample location(s); and additional studies/reports regarding contaminant(s)) will be required to be submitted.



You may apply online or obtain an application from Ecology's website at:  
<http://www.ecy.wa.gov/programs/wq/stormwater/construction/> - Application. Construction site operators must apply for a permit at least 60 days prior to discharging stormwater from construction activities and must submit it on or before the date of the first public notice.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology  
Southwest Regional Office

(SM:16-4940)

cc: Eva Barber, TCP  
Beth Gill, W2R  
Chris Montague-Breakwell, WQ  
Stephen Bridgeford, Contour Engineering, LLC (Applicant)



## Memorandum

**Date:** November 23, 2016

**To:** Andrea Bell, Assistant Planner

**From:** Don Wickstrom, Public Works Director

**RE:** SEPA Review for Thorne Lane Logistics Center on Spring St SW between 146<sup>th</sup> St SW and 150<sup>th</sup> St SW

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The Public Works Department has reviewed the SEPA application for the Thorne Lane Logistics Center project located between 146<sup>th</sup> St SW and 150<sup>th</sup> St SW. The submitted documents are complete enough for this department to provide review comments and conditions of approval as follows:

### Site Development and Site Stormwater

1. A Site Development Permit and Drainage Review will be required and shall be reviewed and approved prior to any building permits being issued. The submittal requirements can be found in Lakewood Municipal Code 12A.04.040 and 12A.10.080 and the City of Lakewood Engineering Standards Manual (ESM). The City of Lakewood utilizes the Pierce County Stormwater Management and Site Development Manual or the Stormwater Management Manual for Western Washington (DOE Manual) for storm water requirements and designs.
2. Storm water runoff from all pollution generation impervious surfaces shall be collected and receive water quality/quantity treatment per *LMC12A.11* and Figure 11.2.
3. There are several encumbrances of the subject property identified in the title report that affect the future development of the site (easements, agreements, etc). Prior to any building and/or site development permit issuance, the applicant shall provide documentation to the satisfaction of the Public Works Department, that these encumbrances have been eliminated or modified to accommodate the development.
4. A Title Report shall be provided that is current within the last 6 months.

### Traffic

The Public Works Department reviewed the Traffic Impact Analysis (TIA) completed by Heath & Associates, Inc. dated February 13, 2013 as well as the traffic report dated September 29, 2016. In addition, the City utilized its on-call consultant, Transpo Group, to evaluate the traffic operations at the Thorne Lane interchange and for consistency with the citywide traffic model and Woodbrook

Business Park Development Study 2009. The current designated level of service threshold on Murray Road at the interchange is LOS F. Based on the results of the TIA and additional independent analysis, the off-site improvements below shall be considered adequate mitigation for the proposed development.

### **Off Site Improvements**

According to the Lakewood Municipal Code 12A.09 street frontage improvements and other road improvements are required as follows:

1. 146<sup>th</sup> Street SW, Spring Street SW, and 150<sup>th</sup> Street SW Frontage Improvements shall be constructed per the following:
  - a. 146<sup>th</sup> Street SW and Spring Street SW: Widen the roadways eighteen (18') feet as measured from the existing centerline to face of curb. The roadway section shall be based on an approved pavement design but not less than a minimum of 6" hot mix asphalt (HMA) / 4" crushed surfacing top course (CSTC). Note: the exiting road pavement was recently totally reconstructed in 2011 and is 4" of hot mix asphalt (HMA) over 4" of crushed surfacing top course (CSTC). As such it does not need to be reconstructed and thus bulk of the road widening work will occur between the existing gutter line of the asphalt swale and the alignment of the new concrete curb and gutter section. Said minimum new widen road section shall be no less the 5' wide as noted in condition 1.h. below. Further the new curb and gutter section will be held 2" higher than the 4" of hot mix asphalt over 4" of crushed surfacing top course to allow for a 2" overlay of the both the existing pavement and new widen section thereof.
  - b. 150<sup>th</sup> Street SW: Widen the roadway twenty-three (23') feet as measured from the existing centerline to face of curb, except as noted below to accommodate the left turn lanes and other improvements. This half street includes a six (6') foot Two Way Left Turn Lane (TWLTL), twelve (12') foot travel lane, and five (5') foot bike lane. The roadway section shall be based on an approved pavement design but not less than a minimum 6" HMA / 4" CSTC. Note: the exiting road pavement was recently totally reconstructed in 2011 and is 4" of hot mix asphalt (HMA) over 4" of crushed surfacing top course (CSTC). As such it does not need to be reconstructed and thus the bulk of the road widening work will occur between the existing gutter line of the asphalt swale and the face of the new concrete curb and gutter section. Further the new curb and gutter section will be held 2" higher than the 4" of hot mix asphalt over 4" of crushed surfacing top course to allow for a 2" HMA overlay as noted in condition #2 below of the both the existing pavement and new widen section thereof.
  - c.
    - i. Dedicate a minimum five (5') feet of additional right-of-way along the property frontage. Additional right-of-way may be necessary to accommodate other required improvements as noted below.
  - d. Install concrete vertical curb and gutter.
  - e. Install seven (7') foot concrete sidewalks (attached).



- f. Install landscaping behind the sidewalk in accordance with Planning Department requirements.
  - g. Install city standard driveway approaches at the proposed locations. The wider driveways as shown on the site plan are acceptable, provided that adequate signing and striping are submitted for review and approval.
    - i. The northernmost driveway on Spring Street shall be relocated away from the intersection of 146<sup>th</sup> Street SW to the satisfaction of the Public Works Department.
    - ii. The southernmost driveway on Spring Street shall be relocated away from the intersection of 150<sup>th</sup> Street to accommodate the required turn pockets.
  - h. Road restoration shall include a minimum five (5) feet full asphalt replacement measured from sawcut line to face of new curb and an overlay of the asphalt pavement as noted below.
  - i. Install storm drainage system to include catch basins, infiltration system, etc., as required by the Civil Engineer's design.
  - j. All new utility services shall be placed underground with existing utility poles relocated, as needed to behind physical improvements (i.e. sidewalk, pavement, etc.).
  - k. Install street lighting per the Engineering Standards Manual (ESM).
  - l. Roadway widening shall also include adequate tapers from the frontage to transition to the existing roadway in accordance with the ESM.
2. The applicant shall provide a full road width HMA overlay of 146<sup>th</sup> Street SW, Spring Street SW, and 150<sup>th</sup> Street SW along the property frontage and tapers based on an approved pavement design. The depth of the overlay shall be consistent with the approved pavement design but not less than 2" and a total pavement thickness of not less than 6". The existing wedge curbs shall be removed and replaced to accommodate the overlay and a two (2') foot crushed rock (CSTC) shoulder shall be placed behind the wedge curb on the opposite side of the roadway from the subject property.
  3. 146<sup>th</sup> Street SW west of Spring Street SW is not suitable for heavy truck traffic associated with the proposed development. The applicant shall restrict truck traffic from traveling along 146<sup>th</sup> Street from Spring Street to Murray Road and direct them to 150<sup>th</sup> Street through a combination of measures to the satisfaction of the City Engineer as listed below. If truck traffic is adequately restricted, no additional off-site improvements along this section of 146<sup>th</sup> Street are required. Truck traffic restriction measures include:
    - a. Signage will be appropriately placed at the 146<sup>th</sup> Street SW and Spring Street driveways stating that 'no truck traffic is allowed onto 146<sup>th</sup> Street SW', with 'left turn only' signage for trucks on the Spring Street driveways.
    - b. A covenant restriction will be recorded on the properties title that restricts truck traffic onto 146<sup>th</sup> Street SW. This will be written so to be transferred to any future property ownership.

To ensure the above conditions are effective in preventing truck from utilizing this section of roadway, the property owner (applicant) shall enter into a No Protest Local Improvement District (LID) Covenant Agreement that is executed and runs with the property. This

agreement assures the City that there is a financing mechanism in place to pay for improvements to 146<sup>th</sup> St from Spring St to Murray Rd should in the City's sole judgment the above condition prove ineffective. Upon the City's determination that improvements are necessary to 146<sup>th</sup> Street said improvements shall include, but not limited to, a full width, 2-inch asphalt overlay of 146<sup>th</sup> street from Spring Street to Murray Road, removal and replacement of the existing wedge curb, crushed rock shoulders, and widening of 146<sup>th</sup> Street at the intersection of Murray Road to accommodate truck traffic right turns on to Murray Road. Upon the City determining said improvements are needed the property owner (applicant) shall complete same within 6 months of the City's notice to do so. Failure to do so shall be cause for revocation of permits and forfeiture of all rights to occupy or otherwise use the identified development. The exact terms, conditions and language contained in the LID Covenant agreement shall be subject to the review and approval of the City Engineer. It's the intent that the agreement shall run for no longer than 10 years on the property for which during that time should the City not notify the property that said improvements on 146<sup>th</sup> Street from Spring Street to Murray Road are required, the LID Covenant Agreement shall lapse along with the property owners obligation for same.

4. The applicant shall provide a left turn pocket on 150<sup>th</sup> Street to serve the driveway on 150<sup>th</sup> Street. Tapers and the turn pocket length shall meet the Engineering Standards Manual.
5. The applicant shall ensure right turns from the 150<sup>th</sup> Street driveway and Spring Street SW onto 150<sup>th</sup> Street can be made without impacting on-coming traffic. Turning templates will be allowed to demonstrate that trucks will not cross the roadway centerline. Additional widening may be necessary to accommodate.
6. The applicant shall widen Spring Street SW at the intersection of 150<sup>th</sup> Street SW to allow for a separate dedicated right turn only lane and left turn only lane. The length of turn lanes shall be per current City and AASHTO standards to the satisfaction of the Public Works Department. Additional right-of-way on the subject property will be required to accommodate these improvements.
7. The applicant shall be required to make signage improvements to the 146<sup>th</sup> Street SW and Spring Street SW intersection as determined acceptable by the City Engineer. This may include advanced warning signs, stop sign, striping, etc. as recommended through a report prepared and stamped by a professional engineer licensed to practice within the State of Washington. This report shall be prepared to include the specific project proposal at the time of building permit application.

NOTE: City's Standard Details, Engineering Standards Manual (ESM), Lakewood Municipal Code could be found at City's website: <http://www.cityoflakewood.us>

The plans for all work within the public right-of-way shall be prepared by a professional engineer licensed to practice within the State of Washington. The plans shall be submitted and approved prior to work beginning in the right-of-way. Right of way permit shall be obtained by the contractor for any work in a public right of way.

If you have any questions or comments, please contact Kent T Smith at 253-983-7787 or [ksmith@cityoflakewood.us](mailto:ksmith@cityoflakewood.us)



# Exhibit 'C-3'

## RESOLUTION NO. 2017-08

A RESOLUTION of the City Council of the City of Lakewood, Washington, declaring the intention of the City Council to order certain local improvements described herein and setting the date of a public hearing to consider the formation of Local Improvement District No. 1109 (Panattoni Woodbrook Development).

WHEREAS, it is the intention of the Council to order certain improvements described in Section 1 hereof, and

WHEREAS, the Council desires to form a local improvement district for the purpose of making the improvements described in Section 1 hereof, the cost of which improvements will borne in whole or in part by special assessments upon the property that will receive special benefit from the improvements, and

WHEREAS, the date, time and place of a public hearing to consider the proposed local improvement district and improvements should be established,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON HEREBY RESOLVES as follows:

Section 1. In accordance with Lakewood Municipal Code (LMC) 12A.17.010 and chapter 35.43 RCW, the City Council hereby declares its intention to order certain improvements, the nature and territorial extent of which are set forth as follows:

(a) Half-street improvements consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch half-street overlay), storm drainage, street lighting, landscaping and other associated improvements along the street frontages of portions of 150th Street SW and 146th Street SW; and

(b) A full-width two-inch asphalt pavement overlay located on portions of Spring Street SW.

All of the foregoing improvements shall be in accordance with the plans and specifications therefor prepared by the City and may be modified by the City as long as that modification does not affect the purpose of the improvements.

Section 2. The total cost and expense required to make a complete improvement, including legal, engineering, surveying, administrative, printing, acquisition and all other expenses of every kind, is estimated to be \$1,020,000.00. Upon adoption of an ordinance ordering the local improvements described in Section 1, such cost and expense shall be paid from special assessments against the property specially benefited by the local improvements and from other funds legally available to the City for such purpose, and a local improvement district to be designated "Local Improvement District No. 1109 (Panattoni Woodbrook Development)" shall be established as embracing as near as may be all the property specially benefited by such local improvements, which property shall be assessed to pay all of the cost of such local improvements under the mode of payment of bonds.

Section 3. Actual assessments may vary from assessment estimates, so long as they do not exceed a figure equal to the increased true and fair value the improvement, or street lighting, adds to the property.

Section 4. The Hearing Examiner of the City of Lakewood is hereby designated to conduct a public hearing to consider the creation of the proposed local improvement district described herein. The hearing shall be held in the Council Chambers, 6000 Main Street SW, Lakewood, Washington, on May 18, 2017 at 10:00 a.m. All persons who may desire to object to the making of the improvement or the formation of the local improvement district shall do so in writing and file such complaint with the City Clerk before 5:00 p.m. on May 11, 2017, or shall appear and present their objections at the hearing. Upon completion of the public hearing, the Hearing Examiner shall report recommendations to the City Council for final action.

Section 5. The Director of the Public Works Department shall certify to the City Council and submit to the Hearing Examiner on or at a date prior to May 11, 2017, the estimated cost and expense of the proposed improvement, a description of the boundaries of the proposed local improvement district (including a diagram or print showing the lots, tracts or parcels of lands or other property which will be specially benefited by the proposed improvement), and a statement of the portion of the total cost and expense of the proposed improvement that should be borne by the property within the proposed local improvement district.

Section 6. The City Clerk shall publish this Resolution in at least two consecutive issues of the official newspaper of the City of Lakewood, the first publication being at least 15 days before the day fixed for the public hearing to be held in accordance with this Resolution.

Section 7. The Director of the Public Works Department shall give notice by mail at least 15 days before the day fixed for the hearing to the owners or reputed owners of all lots, tracts and parcels of land or other property to be specially benefited by the proposed improvement, as shown on the rolls of the Pierce County Assessor, directed to the address thereon shown. The notice shall set forth the nature of the proposed improvement, the estimated cost, a statement that actual assessments may vary from assessment estimates so long as they do not exceed a figure equal to the increased true and fair value the improvement (or street lighting) adds to the property, and the estimated benefits of the particular lot, tract or parcel.

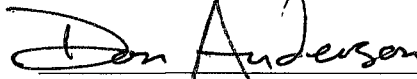
Section 8. If any sections, sentence, clause or phrase of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution or its application to any other person, property or circumstance.



Section 9. This Resolution shall be in full force and effect upon passage and signatures hereon.

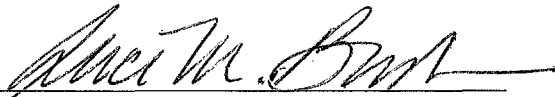
PASSED by the City Council this 17th day of April, 2017.

CITY OF LAKEWOOD



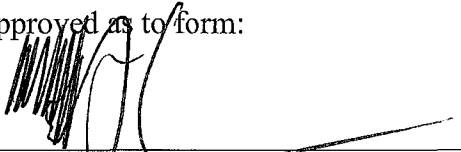
Don Anderson, Mayor

Attest:



Alice M. Bush, MMC, City Clerk

Approved as to form:



Heidi Ann Wachter, City Attorney

*m. Kaur, Asst. City Atty*

**AFFIDAVIT OF PUBLICATION**

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
256525	0003033616	RESOLUTION NO. 2017-08 A RESOLUTION of	RES 2017-08	\$1,623.71	1	150

**Attention: ALICE BUSH**

**CITY OF LAKEWOOD  
6000 MAIN ST SW  
LAKEWOOD, WA 984995027**

RESOLUTION NO. 2017-08  
A RESOLUTION of the City Council of the City of Lakewood, Washington, declaring the intention of the City Council to order certain local improvements described herein and setting the date of a public hearing to consider the formation of local improvement district No. 1109 (Panatieri Woodbrook Development).

WHEREAS, it is the intention of the Council to order certain improvements described in Section 1 hereof, and

WHEREAS, the Council desires to form a local improvement district for the purpose of making the improvements described in Section 1 hereof, the cost of which improvements will be borne in whole or in part by special assessments upon the property that will receive special benefit from the improvements, and

WHEREAS, the date, time and place of a public hearing to consider the proposed local improvement district and improvements should be established.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON HEREBY RESOLVES as follows:

Section 1. In accordance with Lakewood Municipal Code (LMC) 12A.17.010 and chapter 35.43 RCW, the City Council hereby declares its intention to order certain improvements, the nature and territorial extent of which are set forth as follows:

(a) Half-street improvements consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch half-street overlay), storm drainage, street lighting, landscaping and other associated improvements along the street frontages of portions of 150th Street SW and 146th Street SW; and

(b) A full-width two-inch asphalt pavement overlay located on portions of Spring Street SW.

All of the foregoing improvements shall be in accordance with the plans and specifications therefor prepared by the City and may be modified by the City as long as that modification does not affect the purpose of the improvements.

Section 2. The total cost and expense required to make a complete improvement, including legal, engineering, surveying, administrative, printing, acquisition and all other expenses of every kind, is estimated to be \$1,020,000.00. Upon adoption of an ordinance ordering the local improvements described in Section 1, such cost and expense shall be paid from special assessments against the property specially benefited by the local improvements and from other funds legally available to the City for such purpose, and a local improvement district to be designated "Local Improvement District No. 1109 (Panatieri Woodbrook Development)" shall be established as embracing as near as may be all the property specially benefited by such local improvements, which property shall be assessed to pay all of the cost of such local improvements under the mode of payment of bonds.

Section 3. Actual assessments may vary from assessment estimates, so long as they do not exceed a figure equal to the increased true and fair value the improvement, or street lighting, adds to the property.

Section 4. The Hearing Examiner of the City of Lakewood is hereby designated to conduct a public hearing to consider the creation of the proposed local improvement district described herein. The hearing shall be held in the Council Chambers, 6000 Main Street SW, Lakewood, Washington, on May 18, 2017 at 10:00 a.m. All persons who may desire to object to the making of the improvement or the formation of the local improvement district shall do so in writing and file such complaint with the City Clerk before 5:00 p.m. on May 11, 2017, or shall appear and present their objections at the hearing. Upon completion of the public hearing, the Hearing Examiner shall report recommendations to the City Council for final action.

Section 5. The Director of the Public Works Department shall certify to the City Council and submit to the Hearing Examiner on or at a date prior to May 11, 2017, the estimated cost and expense of the proposed improvement, a description of the boundaries of the proposed local improvement district (including a diagram or print showing the lots, tracts or parcels of lands or other property

ELIZABETH BROWN, being duly sworn, deposes and says: That he/she is the Principal Clerk of the publication; The News Tribune, printed and published in Tacoma, Pierce County, State of Washington, and having a general circulation therein, and which said newspaper(s) have been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The News Tribune, as amended, for:

2 Insertions

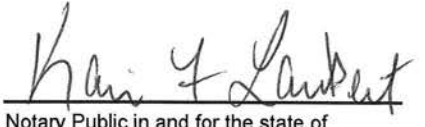
**Published On:**

April 20, 2017, April 27, 2017

  
(Principal Clerk)

Subscribed and sworn on this 27th day of April in the year of 2017 before me, a Notary Public, personally appeared before me Elizabeth Brown known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.



  
Notary Public in and for the state of Washington, residing in Pierce County 1950 S. State St, Tacoma, WA 98405

which will be specially benefited by the proposed improvement, and a statement of the portion of the total cost and expense of the proposed improvement that should be borne by the property within the proposed local improvement district.

Section 6. The City Clerk shall publish this Resolution in at least two consecutive issues of the official newspaper of the City of Lakewood, the first publication being at least 15 days before the day fixed for the public hearing, to be held in accordance with this Resolution.

Section 7. The Director of the Public Works Department shall give notice by mail at least 15 days before the day fixed for the hearing to the owners or reputed owners of all lots, tracts and parcels of land or other property to be specially benefited by the proposed improvement, as shown on the rolls of the Pierce County Assessor, directed to the address thereon shown. The notice shall set forth the nature of the proposed improvement, the estimated cost, a statement that actual assessments may vary from assessment estimates so long as they do not exceed a figure equal to the increased true and fair value the improvement (or street lighting) adds to the property, and the estimated benefits of the particular lot, tract or parcel.

Section 8. If any sections, sentence, clause or phrase of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution or its application to any other person, property or circumstance.

Section 9. This Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 17th day of April, 2017.

CITY OF LAKEWOOD  
Don Anderson, Mayor

Attest:  
Alice M. Bush, MMC, City Clerk  
Approved as to form:  
Heidi Ann Wachter, City Attorney



## Exhibit 'C-5'

Don Anderson  
Mayor

May 18, 2017

Jason Whalen  
Deputy Mayor

Mary Moss  
Councilmember

Michael D. Brandstetter  
Councilmember

John Simpson  
Councilmember

Marie Barth  
Councilmember

Paul Bocchi  
Councilmember

John J. Caulfield  
City Manager

### CERTIFICATION OF MAILING

I, WESTON OTT, for the City of Lakewood, Washington, do hereby certify that on 21<sup>st</sup> day of APRIL, 2017, the undersigned mailed the attached Notice of Public Hearing on Local Improvement District 1109.

NAME WESTON OTT  
TITLE TRANSPORTATION DIVISION MANAGER  
Attachment

## CITY OF LAKEWOOD, WASHINGTON

### NOTICE OF PUBLIC HEARING

You are listed on the rolls of the Pierce County Assessor as the owner of the following described properties located within the proposed City of Lakewood Local Improvement District No. 1109.

Property address: 14801 Spring St SW, Lakewood, WA  
Parcel No.: 0219221162  
Property address: 7360 146<sup>th</sup> St SW, Lakewood, WA  
Parcel No.: 0219221163  
Property address: 7345 150<sup>th</sup> St SW, Lakewood, WA  
Parcel No.: 0219221164  
Property address: 7335 150<sup>th</sup> St SW, Lakewood, WA  
Parcel No.: 0219221165

**NOTICE IS HEREBY GIVEN** that pursuant to Resolution No. 2017-08 (Exhibit A) adopted April 17, 2017, the City of Lakewood declared its intention to initiate the formation of Local Improvement District No. 1109 to construct half street improvements including but not limited to road widening, curb, gutter, sidewalk, storm drainage, street lighting, landscaping and associated improvements along 146<sup>th</sup> St SW and 150<sup>th</sup> St SW and a 2 inch thick full width asphalt overlay of Spring St SW within said local improvement district boundaries (Exhibit B, B1) and to proportionally assess benefited properties for said improvements.

The total cost of the proposed improvements is estimated to be \$1,020,000 which shall be borne and assessed against benefited properties within the local improvement district.

The actual assessment may vary from the estimated assessment as long as it does not exceed a figure equal to the increased true and fair value the improvements add to the property. The benefits to, and assessment against, the property herein listed is estimated as shown on the attached Preliminary Assessment Roll (Exhibit C).

The public hearing upon the proposed formation of Local Improvement District No. 1109 will be held before the City of Lakewood Hearings Examiner in the Council Chambers located at 6000 Main Street SW, Lakewood, Washington on May 18, 2017 at 10:00 a.m.

Those persons wishing to comment on the proposed improvements and the formation of Local Improvement District No. 1109 must either file a written response with and received by the City Clerk (6000 Main St SW, Lakewood, WA) by 5:00 p.m. on May 11, 2017, or appear and present their testimony at the hearing. No other responses will be considered. If the City Council elects to pass an ordinance forming the local improvement district, the owner(s) of property within the local improvement district subject to 60 percent or more of the total cost of the improvement shall have 30 days from and after the passage of such ordinance to file a written protest with the City Clerk to the ordering of such improvements. The protest shall be signed by the property owner(s) and identify the property by address or other appropriate description.

Dated this 21st day of April, 2017.



Exhibit A

RESOLUTION NO. 2017-08

A RESOLUTION of the City Council of the City of Lakewood, Washington, declaring the intention of the City Council to order certain local improvements described herein and setting the date of a public hearing to consider the formation of Local Improvement District No. 1109 (Panattoni Woodbrook Development).

WHEREAS, it is the intention of the Council to order certain improvements described in Section 1 hereof, and

WHEREAS, the Council desires to form a local improvement district for the purpose of making the improvements described in Section 1 hereof, the cost of which improvements will borne in whole or in part by special assessments upon the property that will receive special benefit from the improvements, and

WHEREAS, the date, time and place of a public hearing to consider the proposed local improvement district and improvements should be established,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON HEREBY RESOLVES as follows:

Section 1. In accordance with Lakewood Municipal Code (LMC) 12A.17.010 and chapter 35.43 RCW, the City Council hereby declares its intention to order certain improvements, the nature and territorial extent of which are set forth as follows:

(a) Half-street improvements consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch half-street overlay), storm drainage, street lighting, landscaping and other associated improvements along the street frontages of portions of 150th Street SW and 146th Street SW; and

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Section 9. This Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 17th day of April, 2017.

CITY OF LAKEWOOD



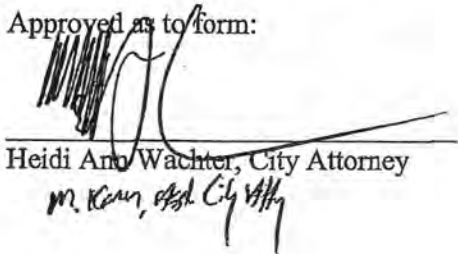
Don Anderson, Mayor

Attest:



Alice M. Bush, MMC, City Clerk

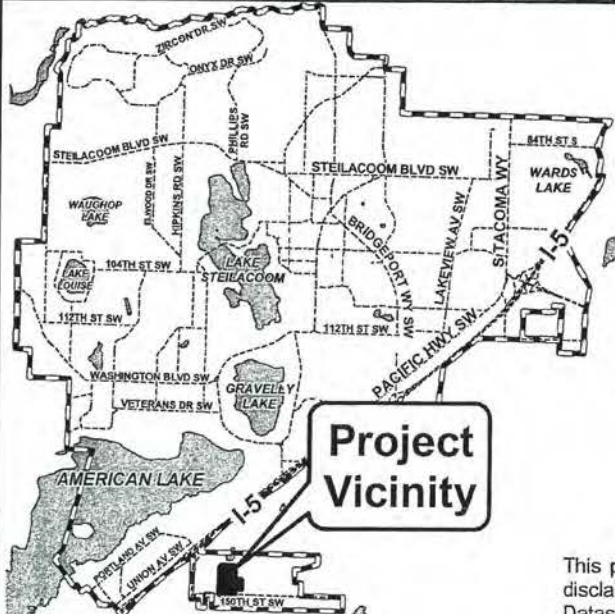
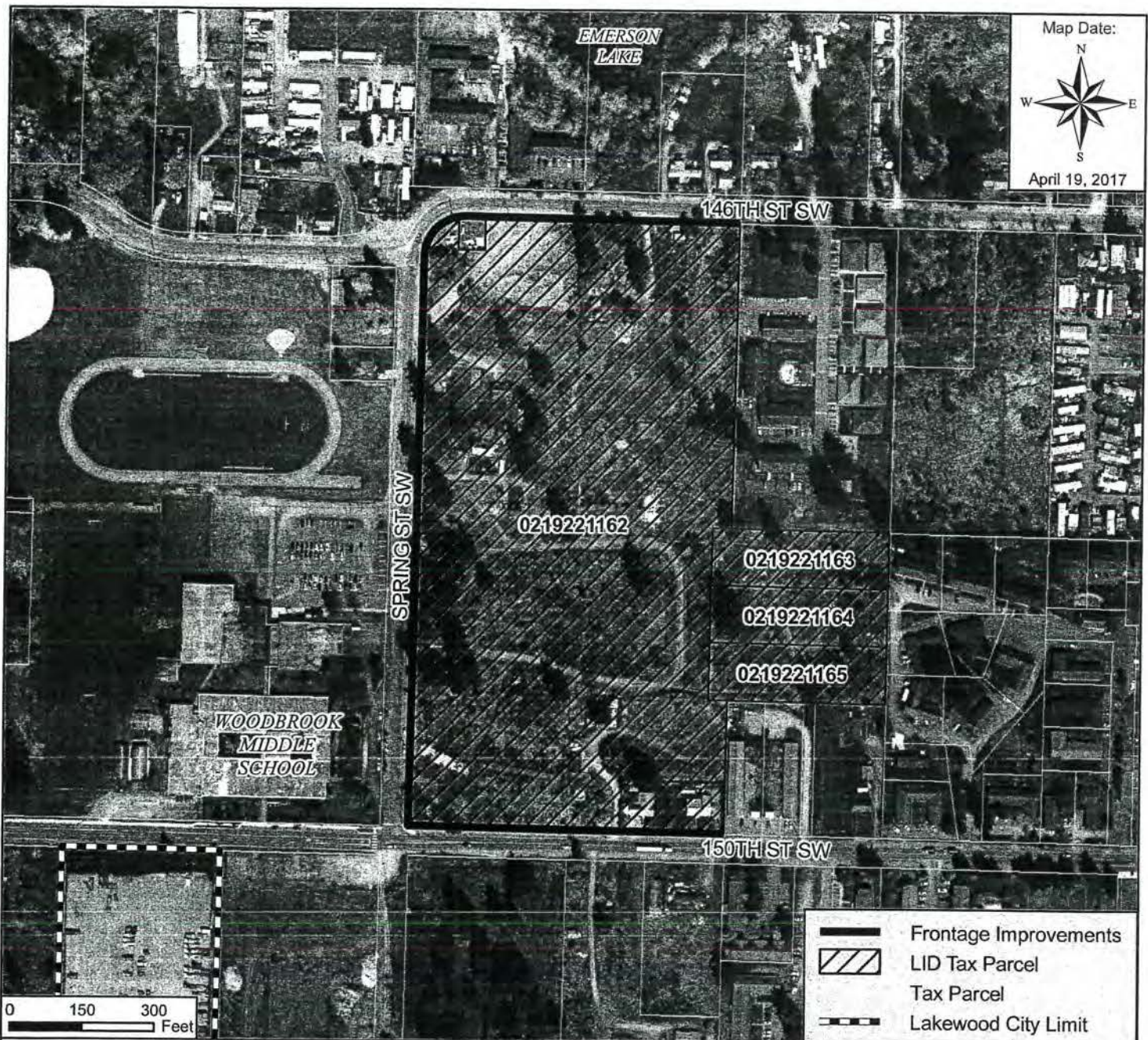
Approved as to form:



Heidi Ann Wachter, City Attorney

*m. Kern, Asst. City Atty*





## City of Lakewood Public Works

# Exhibit B LID 1109 Woodbrook Development

This product was prepared with care by City of Lakewood GIS. City of Lakewood expressly disclaims any liability for any inaccuracies which may yet be present. This is not a survey. Datasets were collected at different accuracy levels by various sources. Data on this map may be shown at scales larger than its original compilation. Call 253-589-2489 for further information.



EXHIBIT B1  
Legal Descriptions

Parcel 0219221162:

Section 22 Township 19 Range 02 Quarter 12 PARCEL A OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 45 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 630.37 FT TH TH S 89 DEG 33 MIN 40 SEC W 40 FT TH S 00 DEG 23 MIN 26 SEC E 355 FT TH N 89 DEG 33 MIN 40 SEC E 40 FT TH S 00 DEG 23 MIN 26 SEC E 275.38 FT TH S 89 DEG 33 MIN 23 SEC W 659.9 FT TH N 00 DEG 23 MIN 51 SEC W 1175.92 FT TH NELY 118.44 FT ALG C TO R RAD OF 85 FT THRU C/A OF 79 DEG 50 MIN 09 SEC TH S 00 DEG 23 MIN 51 SEC E 68.68 FT TH N 89 DEG 33 MIN 59 SEC E 55 FT TH N 00 DEG 23 MIN 51 SEC W 70 FT TH N 89 DEG 33 MIN 59 SEC E 535.06 FT TO POB OUT OF 1-012, 1-027, 1-028, 1-038, 1-046, 1-061, 1-062, 1-063, 1-069, 1-111, 1-129, 1-145, 1-147, 5-003, & 6-007 SEG 2015-0107 JP 09/10/14 JP

Parcel 0219221163:

Section 22 Township 19 Range 02 Quarter 12 PARCEL B OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

Parcel 0219221164:

Section 22 Township 19 Range 02 Quarter 12 PARCEL C OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 118 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

Parcel 0219221165:

Section 22 Township 19 Range 02 Quarter 12 PARCEL D OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 236 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 119 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 119 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

City of Lakewood  
EXHIBIT C  
PRELIMINARY ASSESSMENT ROLL  
LID No. 1109 Panattoni Woodbrook Development  
4/5/2017

PARCEL NO.	LEGAL OWNER	Zone & Termini Units	Cost/Weighted Unit	ASSESSMENT
0219221162	YKC Investment LLC PO Box 98630 Lakewood WA 98496-8630	1,625,136	\$0.58	\$943,724.41
0219221163	YKC Investment LLC PO Box 98630 Lakewood WA 98496-8630	43,660	\$0.58	\$25,353.58
219221164	YKC Investment LLC PO Box 98630 Lakewood WA 98496-8630	43,660	\$0.58	\$25,353.58
219221165	YKC Investment LLC PO Box 98630 Lakewood WA 98496-8630	44,030	\$0.58	\$25,568.44
	Total	1,756,486		\$1,020,000.00

# Exhibit 'C-6'

City of Lakewood  
EXHIBIT C  
PRELIMINARY ASSESSMENT ROLL  
LID No. 1109 Panattoni Woodbrook Development  
4/5/2017

PARCEL NO.	LEGAL OWNER	Zone & Termini Units	Cost/Weighted Unit	ASSESSMENT
0219221162	YKC Investment LLC PO Box 98630 Lakewood WA 98496-8630	1,625,136	\$0.58	\$943,724.41
0219221163	YKC Investment LLC PO Box 98630 Lakewood WA 98496-8630	43,660	\$0.58	\$25,353.58
219221164	YKC Investment LLC PO Box 98630 Lakewood WA 98496-8630	43,660	\$0.58	\$25,353.58
219221165	YKC Investment LLC PO Box 98630 Lakewood WA 98496-8630	44,030	\$0.58	\$25,568.44
	Total	1,756,486		\$1,020,000.00

# Exhibit 'C-6'

City of Lakewood  
EXHIBIT C  
PRELIMINARY ASSESSMENT ROLL  
LID No. 1109 Panattoni Woodbrook Development  
4/5/2017

PARCEL NO.	LEGAL OWNER	Zone & Termini Units	Cost/Weighted Unit	ASSESSMENT
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0219221163	YKC Investment LLC PO Box 98630 Lakewood WA 98496-8630	43,660	\$0.58	\$25,353.58
219221164	YKC Investment LLC PO Box 98630 Lakewood WA 98496-8630	43,660	\$0.58	\$25,353.58
219221165	YKC Investment LLC PO Box 98630 Lakewood WA 98496-8630	44,030	\$0.58	\$25,568.44
	Total	1,756,486		\$1,020,000.00

# Exhibit 'C-7'

BEFORE THE HEARING EXAMINER FOR THE CITY OF LAKEWOOD

RE: Local Improvement District No. 1109

150th St SW, Spring St and 146th St.  
SW Street Improvements

Formation Hearing

FINDINGS OF FACT, CONCLUSIONS OF  
LAW AND RECOMMENDATION

## Summary

It is recommended that the City Council adopt an ordinance forming Local Improvement District ("LID") No. 1109. The LID will finance a full-width overlay and half-street improvements to 150th St SW and 146th St. SW and a full-width overlay along Spring Street. The improvements will be limited to the street frontages of four contiguous parcels of property. No objections have been made to the formation of the LID. The owner of the four parcels requested the formation of the LID and the four parcels comprise all the properties that will be assessed by the LID. Since the LID improvements will improve the City's public roads at the sole expense of a property owner who requested the LID, it serves the public health, safety and welfare to approve an ordinance forming LID No. 1109.

Adoption of a formation ordinance will form the LID and set the boundaries of benefitted properties that would be assessed for the LID improvements. Once the LID is formed, a second final assessment roll hearing will be held to give benefitted property owners an opportunity to contest the amounts they will be assessed. A hearing on the proposed formation was held by the City of Lakewood Hearing Examiner on May 18, 2017. No one except staff testified at the hearing.

## Testimony

Matthew Kaser, Assistant City Attorney, summarized the LID proposal. He noted that no objections

1 had been filed for the proposal.

2 Weston Ott, City of Lakewood Public Works Transportation Division Manager, noted that the LID  
3 improvements are very straightforward. The benefitted property is surrounded on three sides by public  
4 right of way, specifically 150th St SW, Spring St and 146th St. SW. The LID will fund half street  
5 improvements on all three sides, which includes curb and gutter, sidewalks, storm drainage and street  
6 lighting. Spring street will only need a two-inch overlay. In response to examiner questions, Mr. Ott  
7 responded that 146<sup>th</sup> St. SW does not have full street improvements on both sides, so that half of the  
8 street will still not be fully improved upon completion of L ID improvements.

## 9 **Exhibits**

10 The 17 exhibits identified at page 6 of the revised January 18, 2017 Staff Report were admitted into  
11 the record during the January 18, 2017 hearing.

- 12 1. March 6, 2017 Memo from Wickstrom to Mayor and Council re LID
- 13 2. Affidavit of Publication of Notice of LID Hearing
- 14 3. Preliminary Assessment Role
- 15 4. LID Project Design
- 16 5. February 17, 2017 letter from property owner requesting LID
- 17 6. Resolution of Intent
- 18 7. Aerial Photograph of LID site
- 19 8. Notice of Hearing
- 20 9. Certificate of Mailing for Hearing Notice
- 21 10. June 2, 2017 Letter from City Requesting Supplementation of Record
- 22 11. June 2, 2017 Letter from Panattoni Noting Full Width Overlay
- 23 12. June 5, 2017 email string from M. Kaser to Examiner re RE: *LID 1109 Hearings Examiner*  
24 *Report*, with attachments

## 25 **Findings of Fact**

### 26 **Procedural:**

1. Resolution of Intent. On April 17, 2017, the City of Lakewood City Council adopted Resolution No. 2017-08. The resolution declared an intention to form LID No. 1109 and set a date for a hearing on its formation for May 18, 2017.

2. Hearing. The hearing examiner held a hearing on the formation of the LID on May 18, 2017. No one except staff chose to testify at the hearing. No objections to the formation of the LID were filed in advance of the hearing or voiced at the hearing.

1 2.5. Supplementation of Record with Ex. 10, 11 and 12. After the close of the hearing, City staff  
2 submitted a request to supplement the record (Ex. 10) with a letter from Panattoni (Ex. 11), correcting  
3 the record and stating that the street overlays along 146<sup>th</sup> St. SW and 150<sup>th</sup> St. SW will be full width  
4 overlays, correcting testimony at the LID formation hearing that overlays would only be half-width.  
The supplementary exhibits are admitted and the record is corrected to reflect that the LID involves  
full width overlays along the street frontages identified in Finding of Fact No. 3 below.

5 Panattoni assumed ownership of the property subject to the LID from YKC Investments LLC the day  
6 after the LID formation hearing on May 19, 2017. While in the process of purchasing the property, it  
7 had requested YKC Investments LLC to ask the City to form the LID. YKC Investments submitted  
8 this request to the City via Ex. 5. Exhibit 12 evidences current ownership of Panattoni<sup>1</sup>. The full  
9 width overlay is included in the cost estimate of the project and was identified in construction plans  
10 submitted to the City. Given that the current owner initiated the request for the full width-overlays  
and that no one except City staff testified at the formation hearing, it is determined that no one will be  
prejudiced by the addition of Ex. 10, 11 and 12 and they are admitted into the record.

11 **Substantive:**

12 3. LID Improvements. LID improvements will be composed of half-street improvements  
13 consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch half-street  
14 overlay), storm drainage, street lighting, landscaping and other associated improvements along the  
15 street frontages of portions of 150th Street SW and 146th Street SW. Additionally, a full-width two-  
16 inch asphalt pavement overlay located on portions of Spring Street SW and full width overlays will be  
17 added along 146<sup>th</sup> St. SW and 150<sup>th</sup> St. SW frontages. According to Resolution No. 2017-08, the total  
cost and expense required to make a complete improvement, including legal, engineering, surveying,  
administrative, printing, acquisition and all other expenses of every kind, is estimated to be  
\$1,020,000.00. The identified improvements will be located along the street frontages of Tax Parcel  
No. 0219221162, 0219221163, 0219221164, and 0219221165.

18 4. LID Boundaries and Preliminary Assessment. The preliminary assessment role, Ex. 3,  
19 submitted by City staff identifies four parcels as located within the LID. All four parcels are owned by  
20 YKC Investment LLC. The preliminary assessment roll assesses the entire \$1,020,000 cost of LID  
improvements upon the four parcels.

21 5. Public Benefit. The proposed LID will improve public roads at the sole expense of the property  
22 owner who requested the LID. See Ex. 5. Staff did not express any concerns over the proposed LID  
23 and no objections were filed or voiced over formation of the LID. For these reasons, it is determined

24 <sup>1</sup> Ex. 12 is an email that contains a statement from Travis Hale, who represents Panattoni, that Panattoni assumed  
25 ownership of all the property subject to the LID on May 19, 2017, the day after the LID formation hearing. Mr. Hale  
26 attached closing documents to Ex. 12 showing transfer of property, but the purchaser of the property is identified in  
those documents as Tacoma Gateway Lakewood LLC. City staff should ensure that Tacoma Gateway Lakewood  
LLC is properly notified for the final assessment roll hearing.



1 that approval of the proposed LID will serve the public health, benefit and welfare.

## 2 3 **Conclusions of Law**

4 1. Authority. The hearing examiner was directed by Resolution No. No. 2017-08 to conduct the  
5 formation hearing and to report a recommendation to the City Council. The hearing examiner is  
6 authorized to conduct such hearings by LMC 1.36.127(A) and RCW 35.43.140.

7 2. Formation Hearing Requirements. City staff have complied with all requirements for an LID  
8 formation hearing.

9 RCW 35.43.140 authorizes the formation of an LID to be commenced by a resolution declaring the  
10 City's intent to form the LID. The resolution must set a date for a hearing to be held on the formation  
11 of the LID. Resolution No. 2017-08 served this purpose. RCW 35.43.140 requires the resolution to be  
12 published in at least two consecutive issues of the official newspaper of the city, with first publication  
13 at least 15 days prior to the hearing. Ex. 2, an affidavit of publication, establishes compliance with this  
14 requirement by publication in the Tacoma News Tribune on April 20 and April 27, 2017. Upon the  
15 adoption of a resolution, RCW 35.43.130 requires the preparation of a preliminary assessment roll.  
16 That roll has been completed and entered into the record as Ex. 3. RCW 35.43.150 requires notice of  
17 the formation hearing to be provided to all owners of benefitted properties to be provided by mail 15  
18 days in advance of the formation hearing. Ex. 8 and 9 establish compliance with the notice  
19 requirements of RCW 35.43.150, evidencing that notice of the hearing was mailed to the benefitted  
20 property owner on April 21, 2017.

## 21 **Recommendation**

22 It is recommended that the City Council adopt an ordinance approving the formation of LID No. 1109. As  
23 noted in the Findings of Fact, adoption of the LID would further public health, safety and welfare since the  
24 LID provides for public road improvements at the request and expense of the sole benefitted property  
25 owner and no objections have been voiced or filed against the LID. As determined in the Conclusions of  
26 Law, the formation hearing was held in conformity with applicable procedural requirements.

DATED this 6th day of June, 2017.

23  
24   
Phil A. Olbrechts

25 Pro Tem Hearing Examiner for Lakewood  
26

# Exhibit 'C-8'

## ORDINANCE NO. 671

AN ORDINANCE of the City Council of the City of Lakewood, Washington, establishing Local Improvement District No. 1109 (Panattoni Woodbrook Development); ordering certain improvements within the local improvement district; creating a local improvement district fund; providing for the issuance and sale of local improvement district warrants or other short-term financing for the improvements; and approving certain matters related thereto.

WHEREAS, by Resolution No. 2017-08, adopted April 17, 2017, the City Council of the City of Lakewood, Washington (the “City”) declared its intention to order the improvement of certain property located in the City including half-street improvements consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch half-street overlay), storm drainage, street lighting, landscaping and other associated improvements along the street frontages of portions of 150th Street SW and 146th Street SW, and a full-width two-inch asphalt pavement overlay located on portions of Spring Street SW (collectively, the “Improvements”), and to create a local improvement district to finance those Improvements, and fixed May 18, 2017, at 10:00 a.m., local time, in the Council Chambers of City Hall at 6000 Main Street SW, in Lakewood, Washington, as the time and place for hearing all matters relating to the proposed improvements and all comments thereon and objections thereto; and

WHEREAS, the Public Works Director of the City caused an estimate to be made of the cost and expense of the Improvements and certified that estimate to the City Council, together with all papers and information in his possession relating thereto, a description of the boundaries of the proposed local improvement district and a statement of what portion of the cost and expense of the Improvements should be borne by the property within the proposed district; and

WHEREAS, that estimate was accompanied by a diagram of the Improvements showing thereon the lots, tracts, parcels of land, and other property which will be specially benefited by the Improvements and the estimated cost and expense thereof to be borne by each lot, tract and parcel of land or other property; and

WHEREAS, after due notice by mailing and publication to affected property owners within the proposed district, as required by law, a hearing was held on the formation of such proposed district, before Phil Olbrechts, as Hearing Examiner, on May 18, 2017, at the appointed time and place, and all persons wishing to be heard were heard; and

WHEREAS, the report of the Hearing Examiner containing Findings of Fact, Conclusions of Law and Recommendation dated June 6, 2017, was duly filed with the City and has been made available to the public and members of the City Council and staff; and

WHEREAS, the City Council has determined it to be in the best interests of the City that the Improvements be carried out and that the proposed local improvement district be created in connection therewith; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as follows:

Section 1. Council Findings. Having reviewed the record of the hearing and considered the report of the Hearing Examiner, and being otherwise fully informed and advised, and after due consideration, the City Council finds and declares as follows:

(a) The Findings of Fact, Conclusions of Law and Recommendation are approved and adopted;

(b) The carrying out of the Improvements and formation of the proposed local improvement district is found to be in the public interest and should be ordered;

(c) No persons have protested or objected to creation of the proposed local improvement district to finance the Improvements and

(d) The assessments within the proposed local improvement district should be determined on the basis of the benefit of its Improvements as a whole to the properties within the entire district.

Section 2. Ordering of Improvements. The City Council orders the design, construction and carrying out of the Improvements, including installing half-street improvements consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch full street width asphalt overlay), storm drainage, street lighting, landscaping and other associated improvements along the street frontages of portions of 150th Street SW and 146th Street SW, and a full-width two-inch asphalt pavement overlay located on portions of Spring Street SW. All of the foregoing shall be in accordance with the plans and specifications therefor approved and/or prepared by the City's Public Works Department, and may be modified by the City Council as long as such modification does not affect the general purposes of the Improvements.

Section 3. Creation of Local Improvement District. The City Council orders the creation of a local improvement district to be known as "Local Improvement District No. 1109 (Panattoni Woodbrook Development) (the "District"). The boundaries of the District shall be as described in Exhibit A attached hereto and incorporated herein by this reference. It is hereby found that the boundaries of the District embrace as nearly as practicable all of the property specially benefitted by the Improvements.

Section 4. Estimated Costs and Assessments. The total estimated cost and expense of all of the Improvements is declared to be \$1,020,000.00, which amount does not exceed the estimated increase in the true and fair value of all property specially benefitted by the Improvements. All of such cost and expense shall be borne by and assessed against the property specially benefitted by such Improvements included in the District which embraces as nearly as practicable all property specially benefitted by such Improvements, plus debt issuance expenses.

Section 5. Assessment Methods. In accordance with the provisions of RCW 35.44.047, the City may use any method or combination of methods to compute assessments which may be deemed to most fairly reflect the special benefits to the properties being assessed.

Section 6. Interim Financing Authorized. The City may, for the purpose of meeting any and all costs and expenses of constructing the Improvements for which funds are not otherwise available, issue warrants against the hereinafter established Local Improvement Fund. Each such warrant shall bear interest from the date of issuance at a rate to be established hereafter by the Assistant City Manager – Administrative Services, as issuing officer. Such interim warrants, together with the interest due thereon, shall be redeemed from proceeds of the sale of local improvement district bonds or other obligations or the prepayment of assessments collected within the District. In the alternative, the City hereafter may provide for internal City financing by means of interfund loans or the issuance of other short-term obligations pursuant to chapter 39.50 RCW. Such warrants, loans or obligations shall be issued in an aggregate principal amount not in excess of the cost and expense of the Improvements, plus debt issuance expenses. Any warrants, bonds, or other obligations shall contain the language required by RCW 35.45.070.

The City may authorize expenditures to be made for the Improvements (other than for any cost or expenses expected to be paid by the City) prior to the date that any tax-exempt short term obligations or local improvement district bonds are issued to finance costs of the Improvements (such as from proceeds of interfund loans or other available resources of the City). The City hereby declares its official intent pursuant to Treasury Regulation Section 1.150-2(e), that those expenditures, to the extent not reimbursed with prepaid special benefit assessments, are to be reimbursed from proceeds of tax-exempt obligations to be issued in an



expected maximum principal amount of \$1,020,000.00 to finance or refinance the cost of the Improvements.

The City is authorized to issue local improvement district bonds for the District which shall bear interest at a rate and be payable on or before a date to be hereafter fixed by ordinance. The bonds shall be issued in exchange for and/or in redemption of any and all revenue warrants, interfund loans or other short-term obligations hereafter authorized and not redeemed from the prepayment of special assessments within twenty days after the expiration of the thirty-day period for the cash payment without interest of assessments on the assessment roll for the District. The bonds shall be paid and redeemed by the collection of special assessments to be levied and assessed against the property within the District, payable in annual installments, with interest at a rate to be hereafter fixed by ordinance. The exact form, amount, date, interest rate and denominations of such bonds hereafter shall be fixed by ordinance of the City Council. Such bonds shall be sold in such manner as the City Council hereafter shall determine.

Section 7. Competitive Bids for Improvements. In all cases where the work necessary to be done in connection with the making of such Improvements is carried out pursuant to contract upon competitive bids (and the City shall have and reserves the right to reject any and all bids), the call for bids shall include a statement that payment for such work will be made in cash warrants drawn upon the hereinafter created Local Improvement Fund.

Section 8. Local Improvement Account Created. An account for the District is hereby created and established in the office of the Assistant City Manager – Administrative Services, within the LID Debt Service Fund. The proceeds from the sale of revenue warrants, interfund loans or other short-term obligations drawn against such funds which may be issued and sold or made by the City and the collections of special assessments, interest and penalties thereon shall

be deposited in this Local Improvement Fund. Any cash warrants issued to the contractor or contractors in payment for the work to be done by them in connection with the Improvements, and cash warrants in payment for all other items of expense in connection with the Improvements shall be issued against this fund.

Section 9. Filing and Posting of Preliminary Assessment. Within 15 days of the passage of this ordinance there shall be filed with the Assistant City Manager – Administrative Services the title of the Improvements and the respective District number, a copy of the diagram or print showing the boundaries or territorial extent of the District and the preliminary assessment roll or abstract of each such roll showing thereon the lots, tracts and parcels of land that will be specially benefited thereby and the estimated cost and expense of the Improvements to be borne by each lot, tract or parcel of land. The Assistant City Manager – Administrative Services immediately shall post the proposed assessment roll upon their index of local improvement assessments against the properties affected by the Improvements.

Section 10. Ratification. All actions previously taken consistent with or in furtherance of the provisions and purposes of this ordinance are ratified and confirmed.

Section 11. Effective Date. This ordinance shall take effect and be in full force from and after its passage and five (5) days following its publication as required by law.

ADOPTED by the City Council this 19th day of June, 2017.

A handwritten signature in blue ink that reads "Don Anderson". The signature is written in a cursive style with a large, stylized "D" and "A".

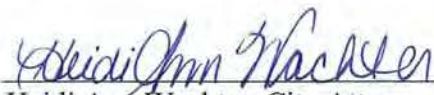
Don Anderson, Mayor

Attest:

A handwritten signature in blue ink that reads "Alice M. Bush". The signature is written in a cursive style with a large, stylized "A" and "B".

Alice M. Bush, MMC, City Clerk

Approved as to Form:

A handwritten signature in blue ink that reads "Heidi Ann Wachter". The signature is written in a cursive style with a large, stylized "H" and "W".

Heidi Ann Wachter, City Attorney



EXHIBIT A  
Legal Descriptions

Parcel 0219221162:

Section 22 Township 19 Range 02 Quarter 12 PARCEL A OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 45 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 630.37 FT TH TH S 89 DEG 33 MIN 40 SEC W 40 FT TH S 00 DEG 23 MIN 26 SEC E 355 FT TH N 89 DEG 33 MIN 40 SEC E 40 FT TH S 00 DEG 23 MIN 26 SEC E 275.38 FT TH S 89 DEG 33 MIN 23 SEC W 659.9 FT TH N 00 DEG 23 MIN 51 SEC W 1175.92 FT TH NELY 118.44 FT ALG C TO R RAD OF 85 FT THRU C/A OF 79 DEG 50 MIN 09 SEC TH S 00 DEG 23 MIN 51 SEC E 68.68 FT TH N 89 DEG 33 MIN 59 SEC E 55 FT TH N 00 DEG 23 MIN 51 SEC W 70 FT TH N 89 DEG 33 MIN 59 SEC E 535.06 FT TO POB OUT OF 1-012, 1-027, 1-028, 1-038, 1-046, 1-061, 1-062, 1-063, 1-069, 1-111, 1-129, 1-145, 1-147, 5-003, & 6-007 SEG 2015-0107 JP 09/10/14 JP

Parcel 0219221163:

Section 22 Township 19 Range 02 Quarter 12 PARCEL B OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

Parcel 0219221164:

Section 22 Township 19 Range 02 Quarter 12 PARCEL C OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 118 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

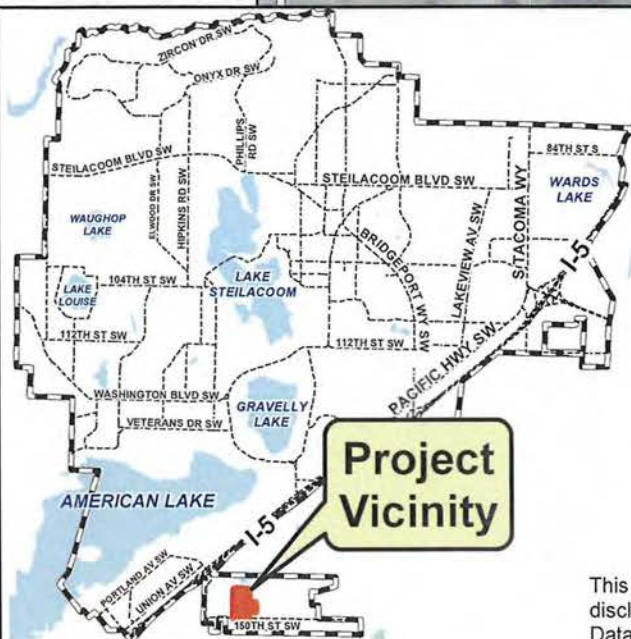
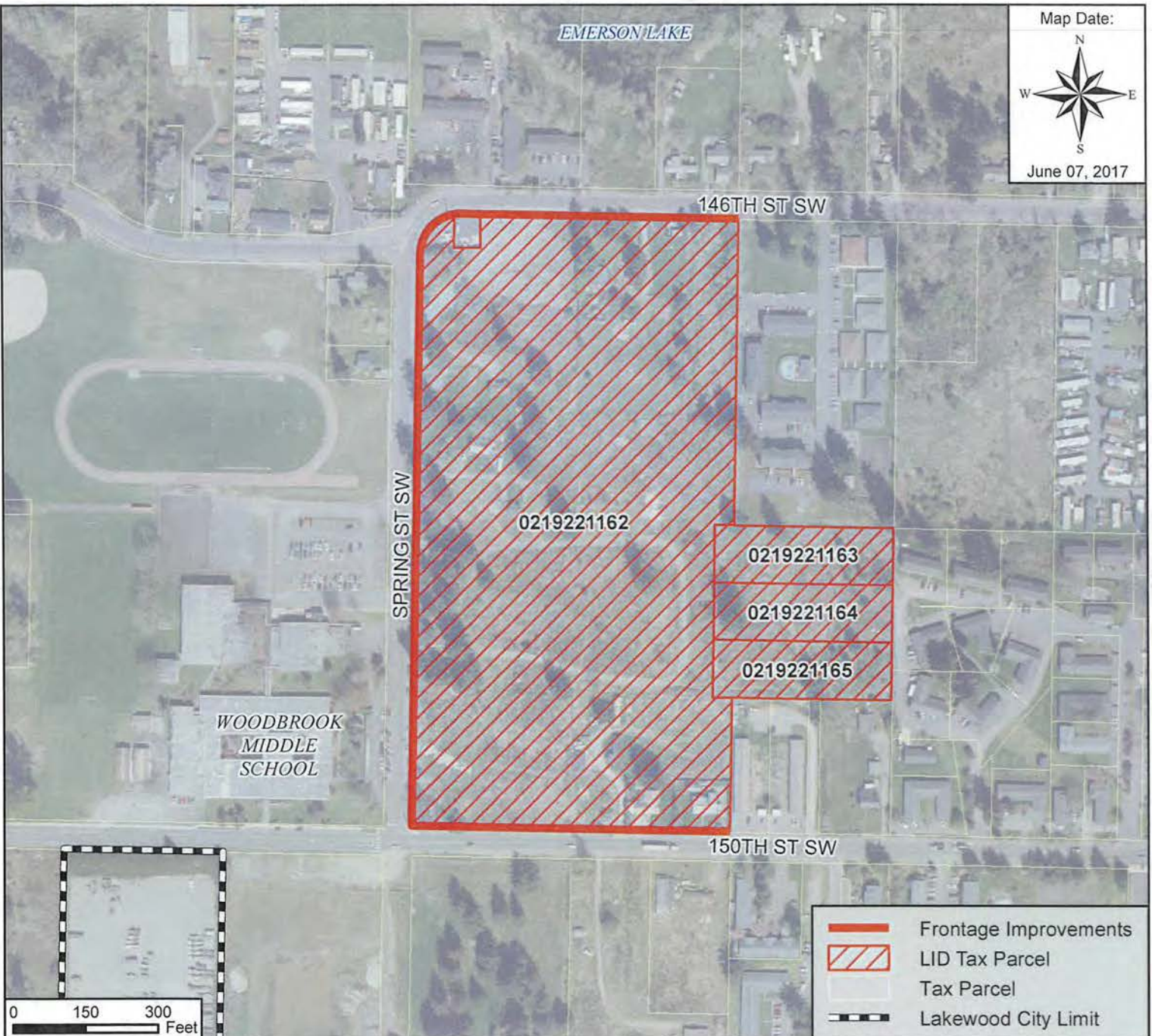
Parcel 0219221165:

Section 22 Township 19 Range 02 Quarter 12 PARCEL D OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 236 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 119 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 119 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

Map Date:



June 07, 2017



## City of Lakewood Public Works

# Exhibit A LID 1109 Woodbrook Development

This product was prepared with care by City of Lakewood GIS. City of Lakewood expressly disclaims any liability for any inaccuracies which may yet be present. This is not a survey. Datasets were collected at different accuracy levels by various sources. Data 102 this map may be shown at scales larger than its original compilation. Call 253-589-2489 for further information.



## CERTIFICATION

I, the undersigned, City Clerk of the City of Lakewood, Washington (the "City"), hereby certify as follows:

1. The attached copy of Ordinance No. 671 (the "Ordinance") is a full, true and correct copy of an ordinance duly passed at a regular meeting of the City Council of the City held at the regular meeting place thereof on June 19, 2017, as that ordinance appears on the minute book of the City; and the Ordinance will be in full force and effect five days after publication in the official newspaper of the City.

2. A quorum of the members of the City Council was present throughout the meeting and a majority of those members present voted in the proper manner for the passage of the Ordinance.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of June, 2017.

CITY OF LAKEWOOD, WASHINGTON

A handwritten signature in blue ink, appearing to read "Alice M. Bush", is written over a horizontal line.

Alice M. Bush, MMC, City Clerk

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
256525	0003134536	City of Lakewood Lakewood City Hall 6000 Main :	ORD 671	\$199.01	1	33

Attention: BRIANA SCHUMACHER

CITY OF LAKEWOOD  
6000 MAIN ST SW  
LAKEWOOD, WA 984995027

City of Lakewood  
Lakewood City Hall  
6000 Main Street SW  
Lakewood, WA 98499  
(253) 589-2489

(Legal Notice)  
June 20, 2017

NOTICE OF ORDINANCE PASSED  
BY LAKEWOOD CITY COUNCIL

The following is a summary of an Ordinance passed by the City of Lakewood City Council on the 19th day of June, 2017.

ORDINANCE NO. 671.

AN ORDINANCE of the City Council of the City of Lakewood, Washington, establishing Local Improvement District No. 1109 (Paradise Woodbrook Development); ordering certain improvements within the local improvement district; creating a local improvement district fund; providing for the issuance and sale of local improvement district warrants or other short-term financing for the improvements; and approving certain matters related thereto.

This ordinance shall take effect and be in full force from and after its passage and five (5) days following its publication as required by law.

The full text of the Ordinance is available at the City Clerk's Office, Lakewood City Hall, 6000 Main Street, SW, Lakewood, Washington 98499, (253) 589-2489. A copy will be mailed out upon request.

Alice M. Bush, MMC, City Clerk  
Published in the Tacoma News Tribune: June 22, 2017

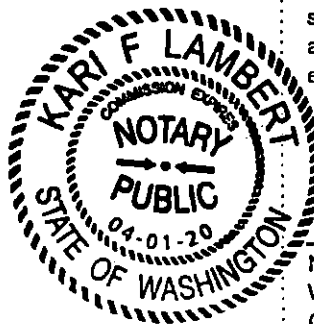
ELIZABETH BROWN, being duly sworn, deposes and says: That he/she is the Principal Clerk of the publication; The News Tribune, printed and published in Tacoma, Pierce County, State of Washington, and having a general circulation therein, and which said newspaper(s) have been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The News Tribune, as amended, for:

1 Insertions

Published On:  
June 22, 2017

*Elizabeth Brown*  
(Principal Clerk)

Subscribed and sworn on this 22nd day of June in the year of 2017 before me, a Notary Public, personally appeared before me Elizabeth Brown known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.



*Kari F Lambert*  
Notary Public in and for the state of Washington, residing in Pierce County 1950 S. State St, Tacoma, WA 98405

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
256525	0003134536	City of Lakewood Lakewood City Hall 6000 Main :	ORD 671	\$199.01	1	33

Attention: BRIANA SCHUMACHER

CITY OF LAKEWOOD

6000 MAIN ST SW

LAKEWOOD, WA 984995027

City of Lakewood  
Lakewood City Hall  
6000 Main Street SW  
Lakewood, WA 98499  
(253) 589-2489

(Legal Notice)  
June 20, 2017

NOTICE OF ORDINANCE PASSED  
BY LAKEWOOD CITY COUNCIL

The following is a summary of an Ordinance  
passed by the City of Lakewood City Council on the  
19th day of June, 2017

ORDINANCE NO. 671

AN ORDINANCE of the City Council of the City of  
Lakewood, Washington, establishing Local  
Improvement District No. 1109 (Panston/  
Woodbrook Development); ordering certain  
improvements within the local improvement  
district; creating a local improvement district  
fund; providing for the issuance and sale of local  
improvement district warrants or other short-term  
financing for the improvements; and approving  
certain matters related thereto.

This ordinance shall take effect and be in full force  
from and after its passage and five (5) days  
following its publication as required by law.

The full text of the Ordinance is available at the  
City Clerk's Office, Lakewood City Hall, 6000 Main  
Street, SW, Lakewood, Washington 98499, (253)  
589-2489. A copy will be mailed out upon  
request.

Alice M. Bush, MMC, City Clerk  
Published in the Tacoma News Tribune: June 22,  
2017

ELIZABETH BROWN, being duly  
sworn, deposes and says: That  
he/she is the Principal Clerk of the  
publication; The News Tribune,  
printed and published in Tacoma,  
Pierce County, State of Washington,  
and having a general circulation  
therein, and which said newspaper(s)  
have been continuously and  
uninterruptedly published in said  
County during a period of six months  
prior to the first publication of the  
notice, a copy of which is attached  
hereto: that said notice was published  
in The News Tribune, as amended,  
for:

1

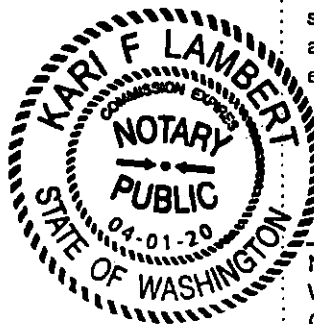
Insertions

Published On:

June 22, 2017

*Elizabeth Brown*  
(Principal Clerk)

Subscribed and sworn on this 22nd  
day of June in the year of 2017 before  
me, a Notary Public, personally  
appeared before me Elizabeth Brown  
known or identified to me to be the  
person whose name subscribed to  
the within instrument, and being by  
first duly sworn, declared that the  
statements therein are true, and  
acknowledged to me that he/she  
executed the same.



*Kari F Lambert*  
Notary Public in and for the state of  
Washington, residing in Pierce  
County 1950 S. State St, Tacoma, WA  
98405

## EXHIBIT 'C-10'



Looking west on 150<sup>th</sup> Street SW toward Spring Street SW



Looking north on Spring St SW toward 146<sup>th</sup> Street SW





Looking west on 146<sup>th</sup> Street SW toward Spring Street SW



**AFFIDAVIT OF PUBLICATION**

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
256525	0003180732	ADVERTISEMENT FOR BIDS Tacoma Gateway	TACOMA GATEWAY LID 302.01	\$884.33	1	81

**Attention: BRIANA SCHUMACHER**

**CITY OF LAKEWOOD  
6000 MAIN ST SW  
LAKEWOOD, WA 984995027**

**ADVERTISEMENT FOR BIDS**

**Tacoma Gateway**  
Local Improvement District No. 1109  
City Project Number: 302.0064

Sealed bids will be received by the City of Lakewood at the office of the City Clerk at 6000 Main Street SW, Lakewood, Washington 98499-5027, until 2:30 p.m. on Tuesday, August 1, 2017, and not later, and will then be opened and publicly read aloud in the Mt. Rainier Room (3rd floor).

This contract provides for the construction of improvements along portions of 148th St SW, Spring St SW, and 150th St SW in the Woodbrook neighborhood of Lakewood. Improvements consist of: road widening, installation of a storm water infiltration system, construction of curb, gutter, sidewalks, paving, and all other work necessary to complete the project as specified and shown in the Contract Documents.

Plans, specifications, addenda, and plan holders list for this project are available on-line through Builders Exchange of Washington, Inc. at <http://www.bewa.com>. Click on: "Posted Projects"; "Public Works"; "City of Lakewood, WA." Bidders are encouraged to "Register as a Bidder", in order to receive automatic email notification of future addenda and to be placed on the "Bidders List". Contact Builders Exchange of Washington at (425) 258-1303 should you require further assistance. Informational copies of any available maps, plans, and specifications are on file for inspection in the office of the Lakewood Public Works Director (253) 589-2489.

Bidders shall be qualified for the type of work proposed. A Bidder's Construction Experience form is included in the Contract Provisions.

All bids shall be submitted on the prescribed Bid Forms and in the manner as stated in this advertisement and in the Bid Documents, and said bids shall be accompanied by a bid deposit in the form of cash, cashier's check, certified check, postal money order, or a surety bond to the City of Lakewood in the amount of five percent (5%) of the total amount of the bid. Faxed bids and/or surety bonds will not be accepted.

Bids must be submitted in a sealed envelope with the outside clearly marked with the bid opening date and time, the project name and number as it appears in this advertisement and the name and address of the bidder. Bids shall be addressed to the City Clerk, City of Lakewood, 6000 Main Street SW, Lakewood, Washington 98499-5027 or hand delivered to the first floor receptionist.

The City of Lakewood reserves the right to determine and may waive any informalities or minor defects or reject any and all bids. The City of Lakewood reserves the right to determine the lowest responsible bidder based on factors other than price, including but not limited to the following: liability exposure, references and past performance, history of claims with other agencies on similar projects, inadequate or ambiguous specifications, specifications have been revised, lowest responsible bid deemed not best price obtainable, bids not independently arrived or submitted in bad faith (i.e. price fixing), a determination made that all the necessary requirements of bid process have not been met, insufficient competition, and other claims or other indications that cancellation or rejection of all bids is clearly in the best interest of the City. The City of Lakewood expressly reserves the right to accept the bids and award contracts to responsible bidders which are in the best interest of the City, to postpone the acceptance of bids and the award of the contracts for a period not to exceed 30 days, or to reject any and all bids received and to waive irregularities in the bid or in the bidding.

Alice M. Bush  
City Clerk  
Daily Journal of Commerce  
Publish: July 18, 2017 and July 25, 2017  
Tacoma News Tribune  
Publish: July 18, 2017 and July 25, 2017

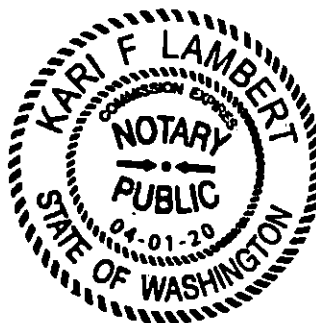
ELIZABETH BROWN, being duly sworn, deposes and says: That he/she is the Principal Clerk of the publication; The News Tribune, printed and published in Tacoma, Pierce County, State of Washington, and having a general circulation therein, and which said newspaper(s) have been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The News Tribune, as amended, for:

2 Insertions

Published On:  
July 18, 2017, July 25, 2017

*Elizabeth Brown*  
(Principal Clerk)

Subscribed and sworn on this 25th day of July in the year of 2017 before me, a Notary Public, personally appeared before me Elizabeth Brown known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.



*Kari F Lambert*  
Notary Public in and for the state of Washington, residing in Pierce County 1950 S. State St, Tacoma, WA 98405

**AFFIDAVIT OF PUBLICATION**

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
256525	0003180732	ADVERTISEMENT FOR BIDS Tacoma Gateway	TACOMA GATEWAY LID 302.01	\$884.33	1	81

**Attention: BRIANA SCHUMACHER**

**CITY OF LAKEWOOD  
6000 MAIN ST SW  
LAKEWOOD, WA 984995027**

**ADVERTISEMENT FOR BIDS**

Tacoma Gateway  
Local Improvement District No. 1109  
City Project Number: 302.0064

Sealed bids will be received by the City of Lakewood at the office of the City Clerk at 6000 Main Street SW, Lakewood, Washington 98499-5027, until 2:30 p.m. on Tuesday, August 1, 2017, and not later, and will then be opened and publicly read aloud in the Mt. Rainier Room (3rd floor).

This contract provides for the construction of improvements along portions of 148th St SW, Spring St SW, and 150th St SW in the Woodbrook neighborhood of Lakewood. Improvements consist of: road widening, installation of a storm water infiltration system, construction of curb, gutter, sidewalks, paving, and all other work necessary to complete the project as specified and shown in the Contract Documents.

Plans, specifications, addenda, and plan holders list for this project are available on-line through Builders Exchange of Washington, Inc. at <http://www.bewa.com>. Click on: "Posted Projects"; "Public Works"; "City of Lakewood, WA." Bidders are encouraged to "Register as a Bidder", in order to receive automatic email notification of future addenda and to be placed on the "Bidders List". Contact Builders Exchange of Washington at (425) 258-1303 should you require further assistance. Informational copies of any available maps, plans, and specifications are on file for inspection in the office of the Lakewood Public Works Director (253) 589-2489.

Bidders shall be qualified for the type of work proposed. A Bidder's Construction Experience form is included in the Contract Provisions.

All bids shall be submitted on the prescribed Bid Forms and in the manner as stated in this advertisement and in the Bid Documents, and said bids shall be accompanied by a bid deposit in the form of cash, cashier's check, certified check, postal money order, or a surety bond to the City of Lakewood in the amount of five percent (5%) of the total amount of the bid. Faxed bids and/or surety bonds will not be accepted.

Bids must be submitted in a sealed envelope with the outside clearly marked with the bid opening date and time, the project name and number as it appears in this advertisement and the name and address of the bidder. Bids shall be addressed to the City Clerk, City of Lakewood, 6000 Main Street SW, Lakewood, Washington 98499-5027 or hand delivered to the first floor receptionist.

The City of Lakewood reserves the right to determine and may waive any informalities or minor defects or reject any and all bids. The City of Lakewood reserves the right to determine the lowest responsible bidder based on factors other than price, including but not limited to the following: liability exposure, references and past performance, history of claims with other agencies on similar projects, inadequate or ambiguous specifications, specifications have been revised, lowest responsible bid deemed not best price obtainable, bids not independently arrived or submitted in bad faith (i.e. price fixing), a determination made that all the necessary requirements of bid process have not been met, insufficient competition, and other claims or other indications that cancellation or rejection of all bids is clearly in the best interest of the City. The City of Lakewood expressly reserves the right to accept the bids and award contracts to responsible bidders which are in the best interest of the City, to postpone the acceptance of bids and the award of the contracts for a period not to exceed 30 days, or to reject any and all bids received and to waive irregularities in the bid or in the bidding. Alice M. Bush  
City Clerk

Daily Journal of Commerce  
Publish: July 18, 2017 and July 25, 2017  
Tacoma News Tribune  
Publish: July 18, 2017 and July 25, 2017

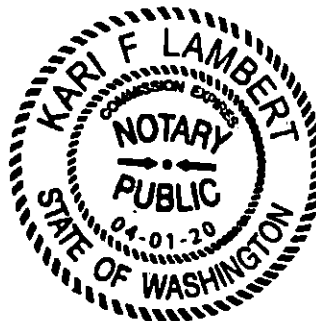
ELIZABETH BROWN, being duly sworn, deposes and says: That he/she is the Principal Clerk of the publication; The News Tribune, printed and published in Tacoma, Pierce County, State of Washington, and having a general circulation therein, and which said newspaper(s) have been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The News Tribune, as amended, for:

2 Insertions

Published On:  
July 18, 2017, July 25, 2017

*Elizabeth Brown*  
(Principal Clerk)

Subscribed and sworn on this 25th day of July in the year of 2017 before me, a Notary Public, personally appeared before me Elizabeth Brown known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.



*Kari F Lambert*

Notary Public in and for the state of Washington, residing in Pierce County 1950 S. State St, Tacoma, WA 98405

Exhibit 'C-12'

BID TABULATIONS													
PROJECT NAME: Tacoma Gateway Local Improvement District PROJECT NO.: 302.0064 - LID No. 1109 BID OPENING DATE: 8/1/2017								Note: We hereby certify that these tabulated bids represent all bids received and that the additions of all prices shown have been checked and corrected.					
				ENGINEER'S ESTIMATE		RODARTE CONSTRUCTION		MILES RESOURCES, LLC		PIVETTA BROTHERS CONSTRUCTION		SOUND PACIFIC CONSTRUCTION	
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Minor Change	1	FA	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
2	SPCC Plan	1	LS	\$8,000.00	\$8,000.00	\$250.00	\$250.00	\$900.00	\$900.00	\$513.00	\$513.00	\$1,000.00	\$1,000.00
3	Mobilization	1	LS	\$75,000.00	\$75,000.00	\$72,000.00	\$72,000.00	\$64,200.00	\$64,200.00	\$86,200.00	\$86,200.00	\$88,000.00	\$88,000.00
4	Project Temporary Traffic Control	1	LS	\$80,000.00	\$80,000.00	\$30,000.00	\$30,000.00	\$91,000.00	\$91,000.00	\$90,000.00	\$90,000.00	\$80,000.00	\$80,000.00
5	Clearing, Grubbing and Roadside Cleanup	1	LS	\$10,000.00	\$10,000.00	\$5,000.00	\$5,000.00	\$5,800.00	\$5,800.00	\$28,600.00	\$28,600.00	\$9,000.00	\$9,000.00
6	Sawcutting	5,460	LF	\$3.50	\$19,110.00	\$2.25	\$12,285.00	\$1.75	\$9,555.00	\$1.75	\$9,555.00	\$4.00	\$21,840.00
7	Removal of Structures and Obstructions	1	LS	\$20,000.00	\$20,000.00	\$5,000.00	\$5,000.00	\$43,350.00	\$43,350.00	\$13,755.00	\$13,755.00	\$12,000.00	\$12,000.00
8	Utility Potholing	10	EA	\$500.00	\$5,000.00	\$500.00	\$5,000.00	\$330.00	\$3,300.00	\$260.00	\$2,600.00	\$400.00	\$4,000.00
9	Roadway Excavation Incl. Haul	1	LS	\$20,000.00	\$20,000.00	\$38,500.00	\$38,500.00	\$29,850.00	\$29,850.00	\$71,250.00	\$71,250.00	\$25,000.00	\$25,000.00
10	Shoring or Extra Excavation Class B	1	LS	\$9,500.00	\$9,500.00	\$500.00	\$500.00	\$2,360.00	\$2,360.00	\$525.00	\$525.00	\$500.00	\$500.00
11	Crushed Surfacing Top Course	250	TON	\$40.00	\$10,000.00	\$35.00	\$8,750.00	\$51.00	\$12,750.00	\$41.50	\$10,375.00	\$49.00	\$12,250.00
12	Planing Bituminous Pavement	1,100	SY	\$3.00	\$3,300.00	\$10.00	\$11,000.00	\$8.30	\$9,130.00	\$8.60	\$9,460.00	\$6.00	\$6,600.00
13	HMA Cl. 1/2 In. PG 64-22	1,690	TON	\$125.00	\$211,250.00	\$92.00	\$155,480.00	\$71.25	\$120,412.50	\$91.20	\$154,128.00	\$90.00	\$152,100.00
14	Ductile Iron Sewer Pipe 12 In. Dia.	53	LF	\$80.00	\$4,240.00	\$150.00	\$7,950.00	\$93.50	\$4,955.50	\$91.75	\$4,862.75	\$89.00	\$4,717.00
15	Corrugated Polyethylene Storm Sewer Pipe 12 In. Dia.	108	LF	\$40.00	\$4,320.00	\$100.00	\$10,800.00	\$69.00	\$7,452.00	\$93.25	\$10,071.00	\$76.00	\$8,208.00
16	Catch Basin Type 1	12	EA	\$1,700.00	\$20,400.00	\$1,200.00	\$14,400.00	\$1,220.00	\$14,640.00	\$1,325.00	\$15,900.00	\$1,600.00	\$19,200.00
17	Catch Basin Type 1P w/ Downturned Elbow	6	EA	\$2,000.00	\$12,000.00	\$1,400.00	\$8,400.00	\$1,400.00	\$8,400.00	\$1,500.00	\$9,000.00	\$1,900.00	\$11,400.00
18	Sedeiment Control Structure, Type 2, 54 In. Dia.	3	EA	\$3,000.00	\$9,000.00	\$4,500.00	\$13,500.00	\$4,410.00	\$13,230.00	\$6,000.00	\$18,000.00	\$3,500.00	\$10,500.00
19	Clean Out	9	EA	\$500.00	\$4,500.00	\$1,000.00	\$9,000.00	\$1,260.00	\$11,340.00	\$800.00	\$7,200.00	\$800.00	\$7,200.00
20	Adjust Catch Basin	18	EA	\$525.00	\$9,450.00	\$450.00	\$8,100.00	\$430.00	\$7,740.00	\$440.00	\$7,920.00	\$700.00	\$12,600.00
21	Adjust Manhole	14	EA	\$580.00	\$8,120.00	\$450.00	\$6,300.00	\$570.00	\$7,980.00	\$440.00	\$6,160.00	\$700.00	\$9,800.00
22	Adjust Valve Box	12	EA	\$350.00	\$4,200.00	\$250.00	\$3,000.00	\$450.00	\$5,400.00	\$350.00	\$4,200.00	\$500.00	\$6,000.00
23	Infiltration Gallery, 12-In. Diam.	759	LF	\$105.00	\$79,695.00	\$110.00	\$83,490.00	\$50.00	\$37,950.00	\$42.50	\$32,257.50	\$75.00	\$56,925.00
24	Inlet Protection	25	EA	\$125.00	\$3,125.00	\$55.00	\$1,375.00	\$145.00	\$3,625.00	\$46.50	\$1,162.50	\$100.00	\$2,500.00
25	Planting	1	LS	\$90,300.00	\$90,300.00	\$100,000.00	\$100,000.00	\$111,000.00	\$111,000.00	\$110,975.00	\$110,975.00	\$105,000.00	\$105,000.00
26	Irrigation System	1	LS	\$55,900.00	\$55,900.00	\$80,000.00	\$80,000.00	\$66,720.00	\$66,720.00	\$66,100.00	\$66,100.00	\$70,000.00	\$70,000.00
27	Cement Conc. Traffic Curb and Gutter	1,335	LF	\$35.00	\$46,725.00	\$25.00	\$33,375.00	\$15.00	\$20,025.00	\$14.35	\$19,157.25	\$24.00	\$32,040.00
28	Cement Conc. Driveway Entrance, Type 1	145	SY	\$90.00	\$13,050.00	\$54.00	\$7,830.00	\$54.00	\$7,830.00	\$51.75	\$7,503.75	\$60.00	\$8,700.00
29	Cement Conc. Sidewalk	850	SY	\$70.00	\$59,500.00	\$40.00	\$34,000.00	\$31.00	\$26,350.00	\$30.00	\$25,500.00	\$40.00	\$34,000.00
30	Cement Conc. Curb Ramp	1	EA	\$3,500.00	\$3,500.00	\$1,500.00	\$1,500.00	\$1,275.00	\$1,275.00	\$1,225.00	\$1,225.00	\$1,700.00	\$1,700.00
31	Electrical System	1	LS	\$8,000.00	\$8,000.00	\$16,500.00	\$16,500.00	\$35,300.00	\$35,300.00	\$30,500.00	\$30,500.00	\$40,000.00	\$40,000.00
32	Permanent Signing	1	LS	\$2,000.00	\$2,000.00	\$1,500.00	\$1,500.00	\$21,820.00	\$21,820.00	\$2,260.00	\$2,260.00	\$20,000.00	\$20,000.00
33	Plastic Stop Line	42	LF	\$20.00	\$840.00	\$17.00	\$714.00	\$18.50	\$777.00	\$17.50	\$735.00	\$17.00	\$714.00
34	Plastic Traffic Arrow	2	EA	\$110.00	\$220.00	\$250.00	\$500.00	\$290.00	\$580.00	\$285.00	\$570.00	\$275.00	\$550.00
35	Plastic Lane Line	4,307	LF	\$1.50	\$6,460.50	\$2.00	\$8,614.00	\$2.25	\$9,690.75	\$2.15	\$9,260.05	\$2.00	\$8,614.00
	TOTAL				\$926,705.50								
<b>Bidder's Total</b>  Contractor has signed acknowledgement of receipt of addenda Contractor has correctly signed bid proposal Contractor has submitted bid bond or 5% Contractor has signed non-collusion affidavit Contractor has completed bid form							\$804,613.00		\$826,687.75		\$877,480.80		\$892,658.00
						N/A							
						Y							
						Y							

BID TABULATIONS

PROJECT NAME: Tacoma Gateway Local Improvement District  
PROJECT NO.: 302.0064 - LID No. 1109  
BID OPENING DATE: 8/1/2017

				ENGINEER'S ESTIMATE		R. W. SCOTT CONSTRUCTION		N. W. CASCADE		TUCCI & SONS		PUGET PAVING & CONSTRUCTION	
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Minor Change	1	FA	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
2	SPCC Plan	1	LS	\$8,000.00	\$8,000.00	\$500.00	\$500.00	\$5,000.00	\$5,000.00	\$250.00	\$250.00	\$500.00	\$500.00
3	Mobilization	1	LS	\$75,000.00	\$75,000.00	\$113,000.00	\$113,000.00	\$90,000.00	\$90,000.00	\$150,000.00	\$150,000.00	\$173,235.00	\$173,235.00
4	Project Temporary Traffic Control	1	LS	\$80,000.00	\$80,000.00	\$45,000.00	\$45,000.00	\$36,000.00	\$36,000.00	\$94,000.00	\$94,000.00	\$142,000.00	\$142,000.00
5	Clearing, Grubbing and Roadside Cleanup	1	LS	\$10,000.00	\$10,000.00	\$7,500.00	\$7,500.00	\$17,500.00	\$17,500.00	\$9,300.00	\$9,300.00	\$50,000.00	\$50,000.00
6	Sawcutting	5,460	LF	\$3.50	\$19,110.00	\$3.00	\$16,380.00	\$1.75	\$9,555.00	\$1.00	\$5,460.00	\$1.00	\$5,460.00
7	Removal of Structures and Obstructions	1	LS	\$20,000.00	\$20,000.00	\$18,000.00	\$18,000.00	\$13,500.00	\$13,500.00	\$14,000.00	\$14,000.00	\$87,200.00	\$87,200.00
8	Utility Potholing	10	EA	\$500.00	\$5,000.00	\$400.00	\$4,000.00	\$550.00	\$5,500.00	\$610.00	\$6,100.00	\$500.00	\$5,000.00
9	Roadway Excavation Incl. Haul	1	LS	\$20,000.00	\$20,000.00	\$85,000.00	\$85,000.00	\$70,000.00	\$70,000.00	\$24,000.00	\$24,000.00	\$72,446.00	\$72,446.00
10	Shoring or Extra Excavation Class B	1	LS	\$9,500.00	\$9,500.00	\$2,000.00	\$2,000.00	\$600.00	\$600.00	\$250.00	\$250.00	\$10,000.00	\$10,000.00
11	Crushed Surfacing Top Course	250	TON	\$40.00	\$10,000.00	\$33.00	\$8,250.00	\$39.00	\$9,750.00	\$65.00	\$16,250.00	\$50.00	\$12,500.00
12	Planing Bituminous Pavement	1,100	SY	\$3.00	\$3,300.00	\$8.00	\$8,800.00	\$12.00	\$13,200.00	\$11.00	\$12,100.00	\$6.00	\$6,600.00
13	HMA Cl. 1/2 In. PG 64-22	1,690	TON	\$125.00	\$211,250.00	\$95.00	\$160,550.00	\$100.00	\$169,000.00	\$92.00	\$155,480.00	\$95.00	\$160,550.00
14	Ductile Iron Sewer Pipe 12 In. Dia.	53	LF	\$80.00	\$4,240.00	\$130.00	\$6,890.00	\$135.00	\$7,155.00	\$185.00	\$9,805.00	\$148.00	\$7,844.00
15	Corrugated Polyethylene Storm Sewer Pipe 12 In. Dia.	108	LF	\$40.00	\$4,320.00	\$96.00	\$10,368.00	\$100.00	\$10,800.00	\$165.00	\$17,820.00	\$100.00	\$10,800.00
16	Catch Basin Type 1	12	EA	\$1,700.00	\$20,400.00	\$1,400.00	\$16,800.00	\$1,600.00	\$19,200.00	\$1,160.00	\$13,920.00	\$1,400.00	\$16,800.00
17	Catch Basin Type 1P w/ Downturned Elbow	6	EA	\$2,000.00	\$12,000.00	\$1,500.00	\$9,000.00	\$2,150.00	\$12,900.00	\$1,250.00	\$7,500.00	\$1,600.00	\$9,600.00
18	Sedeiment Control Structure, Type 2, 54 In. Dia.	3	EA	\$3,000.00	\$9,000.00	\$6,000.00	\$18,000.00	\$5,450.00	\$16,350.00	\$5,500.00	\$16,500.00	\$6,400.00	\$19,200.00
19	Clean Out	9	EA	\$500.00	\$4,500.00	\$900.00	\$8,100.00	\$1,100.00	\$9,900.00	\$700.00	\$6,300.00	\$850.00	\$7,650.00
20	Adjust Catch Basin	18	EA	\$525.00	\$9,450.00	\$400.00	\$7,200.00	\$500.00	\$9,000.00	\$750.00	\$13,500.00	\$800.00	\$14,400.00
21	Adjust Manhole	14	EA	\$580.00	\$8,120.00	\$800.00	\$11,200.00	\$600.00	\$8,400.00	\$750.00	\$10,500.00	\$800.00	\$11,200.00
22	Adjust Valve Box	12	EA	\$350.00	\$4,200.00	\$500.00	\$6,000.00	\$375.00	\$4,500.00	\$600.00	\$7,200.00	\$650.00	\$7,800.00
23	Infiltration Gallery, 12-In. Diam.	759	LF	\$105.00	\$79,695.00	\$120.00	\$91,080.00	\$102.00	\$77,418.00	\$80.00	\$60,720.00	\$98.00	\$74,382.00
24	Inlet Protection	25	EA	\$125.00	\$3,125.00	\$80.00	\$2,000.00	\$70.00	\$1,750.00	\$100.00	\$2,500.00	\$50.00	\$1,250.00
25	Planting	1	LS	\$90,300.00	\$90,300.00	\$98,000.00	\$98,000.00	\$106,345.50	\$106,345.50	\$97,000.00	\$97,000.00	\$116,000.00	\$116,000.00
26	Irrigation System	1	LS	\$55,900.00	\$55,900.00	\$54,000.00	\$54,000.00	\$32,500.00	\$32,500.00	\$80,000.00	\$80,000.00	\$55,000.00	\$55,000.00
27	Cement Conc. Traffic Curb and Gutter	1,335	LF	\$35.00	\$46,725.00	\$17.00	\$22,695.00	\$27.00	\$36,045.00	\$20.00	\$26,700.00	\$15.00	\$20,025.00
28	Cement Conc. Driveway Entrance, Type 1	145	SY	\$90.00	\$13,050.00	\$52.00	\$7,540.00	\$118.00	\$17,110.00	\$67.00	\$9,715.00	\$55.00	\$7,975.00
29	Cement Conc. Sidewalk	850	SY	\$70.00	\$59,500.00	\$31.00	\$26,350.00	\$52.00	\$44,200.00	\$39.00	\$33,150.00	\$32.00	\$27,200.00
30	Cement Conc. Curb Ramp	1	EA	\$3,500.00	\$3,500.00	\$1,700.00	\$1,700.00	\$2,125.00	\$2,125.00	\$2,500.00	\$2,500.00	\$1,300.00	\$1,300.00
31	Electrical System	1	LS	\$8,000.00	\$8,000.00	\$20,000.00	\$20,000.00	\$35,800.00	\$35,800.00	\$58,000.00	\$58,000.00	\$30,000.00	\$30,000.00
32	Permanent Signing	1	LS	\$2,000.00	\$2,000.00	\$5,600.00	\$5,600.00	\$25,700.00	\$25,700.00	\$41,000.00	\$41,000.00	\$3,000.00	\$3,000.00
33	Plastic Stop Line	42	LF	\$20.00	\$840.00	\$17.00	\$714.00	\$18.00	\$756.00	\$16.00	\$672.00	\$30.00	\$1,260.00
34	Plastic Traffic Arrow	2	EA	\$110.00	\$220.00	\$275.00	\$550.00	\$295.00	\$590.00	\$250.00	\$500.00	\$600.00	\$1,200.00
35	Plastic Lane Line	4,307	LF	\$1.50	\$6,460.50	\$2.10	\$9,044.70	\$2.50	\$10,767.50	\$2.00	\$8,614.00	\$4.00	\$17,228.00
	TOTAL				\$926,705.50								
							\$911,811.70		\$938,917.00		\$1,021,306.00		\$1,196,605.00

**Bidder's Total**

Contractor has signed acknowledgement of receipt of addenda  
Contractor has correctly signed bid proposal  
Contractor has submitted bid bond or 5%  
Contractor has signed non-collusion affidavit  
Contractor has completed bid form





## LAKESWOOD CITY COUNCIL MINUTES

Monday, August 7, 2017  
City of Lakewood  
City Council Chambers  
6000 Main Street SW  
Lakewood, WA 98499

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### CALL TO ORDER

Mayor Anderson called the meeting to order at 7:01 p.m.

### ROLL CALL

Councilmembers Present: 5 – Mayor Don Anderson; Deputy Mayor Jason Whalen; Councilmembers John Simpson, Marie Barth and Paul Bocchi.

Councilmembers Excused: 2 – Councilmember Mike Brandstetter (arrived at 7:05 p.m. and Councilmember Mary Moss (arrived at 7:13 p.m.)

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Anderson.

### PROCLAMATIONS AND PRESENTATIONS

#### Clover Park School District Board Report.

There was no Clover Park School District Board report.

### PUBLIC COMMENTS

Speaking before the Council were:

*Glen Spieth, Lakewood resident*, spoke about a homeless camp at Chambers Creek near Topaz Drive and at Fairlawn Drive on the west side of Bridgeport Way.

### C O N S E N T   A G E N D A

- A. Approval of the minutes of the City Council meeting of June 19, 2017.
- B. Approval of the minutes of the City Council meeting of July 17, 2017.

- C. Approval of the minutes of the City Council study session of July 24, 2017.
- D. Approval of payroll checks, in the amount of \$2,494,633.54, for the period June 16, 2017 through July 15, 2017.
- E. Approval of claims vouchers, in the amount of \$3,440,690.17, for the period June 16, 2017 through July 13, 2017.
- F. Motion No. 2017-39  
Appointing the 2017-2018 Youth Council members.
- G. Motion No. 2017-40  
Authorizing the execution of an agreement with Gray & Osborne, Inc., in the amount of \$258,500, for the design of improvements on Steilacoom Boulevard from Puyallup Street to Farwest Drive.
- H. Motion No. 2017-41  
Awarding a bid to Rodarte Construction, Inc., in the amount of \$804,613, for the construction of frontage improvements on portions of 150th Street SW, 146<sup>th</sup> Street SW, and overlay on portions of Spring Street. (LID 1109 Panattoni Woodbrook Development)
- I. Motion No. 2017-42  
Awarding a bid to Fenix Earthworks LLC, in the amount of \$328,814.75, for the construction of 600 linear feet of sanitary sewers and street improvements along 150<sup>th</sup> Street east of Woodbrook Drive.
- J. Items Filed in the Office of the City Clerk:
1. Planning Commission meeting minutes of May 3, 2017.
  2. Landmarks & Heritage Advisory Board meeting minutes of June 22, 2017.

\*\*\*\*\*

Councilmember Brandstetter arrived at 7:05 p.m.

\*\*\*\*\*

DEPUTY MAYOR WHALEN REQUESTED THAT ITEM NO. F BE REMOVED FROM THE CONSENT AGENDA TO THE REGULAR AGENDA.

\*\*\*\*\*

COUNCILMEMBER SIMPSON MOVED TO ADOPT ITEMS A-E AND G-J ON THE CONSENT AGENDA AS PRESENTED. SECONDED BY COUNCILMEMBER BRANDSTETTER. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

## R E G U L A R   A G E N D A

F. Motion No. 2017-39

Appointing the 2017-2018 Youth Council members.

DEPUTY MAYOR WHALEN MOVED TO ADOPT MOTION NO. 2017-39 APPOINTING THE 2017-2018 YOUTH COUNCIL MEMBERS. SECONDED BY COUNCILMEMBER SIMPSON. VOICE VOTE WAS TAKEN AND CARRIED.

### UNFINISHED BUSINESS

None.

### NEW BUSINESS

None.

### REPORTS BY THE CITY MANAGER

#### Review of Megan Court final plat.

Assistant City Manager for Development Services Bugher provided an overview of the Megan Court final plat development.

Discussion ensued relative to impervious surfaces if there are any financial requirements relative to homeowners associations setting aside sufficient reserves for repairs on private driveway and streets.

\*\*\*\*\*

Councilmember Moss arrived at 7:13 p.m.

\*\*\*\*\*

#### Review of Comprehensive Plan amendment process.

Assistant City Manager for Development Services Bugher provided an overview of the Comprehensive Plan amendment process and reviewed staff



# Exhibit 'C-14'

05/21/2019

## Final Cost for LID #1109

Construction Costs	\$858,395.50
Deduct for 150th St work paid by others	-\$16,328.00
Design engineering	\$14,203.37
Construction engineering	\$23,779.36
LID admin at 7% of construction costs	\$60,087.47
<b>Grand Total</b>	<b>\$940,137.70</b>

CITY OF LAKEWOOD  
FINAL ASSESSMENT ROLL  
LID #1109 - TACOMA GATEWAY  
09/05/2019

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
1	0219221162	TA Tacoma Gateway LLC C/O TA Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660	\$787,561.06	\$0.00	\$787,561.06

Legal Description:

Parcel 0219221162:

Section 22 Township 19 Range 02 Quarter 12 PARCEL A OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 45 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 630.37 FT TH TH S 89 DEG 33 MIN 40 SEC W 40 FT TH S 00 DEG 23 MIN 26 SEC E 355 FT TH N 89 DEG 33 MIN 40 SEC E 40 FT TH S 00 DEG 23 MIN 26 SEC E 275.38 FT TH S 89 DEG 33 MIN 23 SEC W 659.9 FT TH N 00 DEG 23 MIN 51 SEC W 1175.92 FT TH NELY 118.44 FT ALG C TO R RAD OF 85 FT THRU C/A OF 79 DEG 50 MIN 09 SEC TH S 00 DEG 23 MIN 51 SEC E 68.68 FT TH N 89 DEG 33 MIN 59 SEC E 55 FT TH N 00 DEG 23 MIN 51 SEC W 70 FT TH N 89 DEG 33 MIN 59 SEC E 535.06 FT TO POB OUT OF 1-012, 1-027, 1-028, 1-038, 1-046, 1-061, 1-062, 1-063, 1-069, 1-111, 1-129, 1-145, 1-147, 5-003, & 6-007 SEG 2015-0107 JP 09/10/14 JP

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
2	0219221163	TA Tacoma Gateway LLC C/O TA Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660	\$50,715.62	\$0.00	\$50,715.62

Legal Description:

Parcel 0219221163:

Section 22 Township 19 Range 02 Quarter 12 PARCEL B OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
3	0219221164	TA Tacoma Gateway LLC C/O TA Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660	\$50,715.62	\$0.00	\$50,715.62
Legal Description: Parcel 0219221164: Section 22 Township 19 Range 02 Quarter 12 PARCEL C OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 118 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP					
LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
4	0219221165	TA Tacoma Gateway LLC C/O TA Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660	\$51,145.41	\$0.00	\$51,145.41
Legal Description: Parcel 0219221165: Section 22 Township 19 Range 02 Quarter 12 PARCEL D OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 236 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 119 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 119 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP					
<b>Grand Total:</b>					<b>\$940,137.70</b>

AN ORDINANCE relating to the final assessment roll for local improvement district 1109 (Panattoni, Woodbrook Development); setting October 17, 2019, at 10:00 a.m. as the date and time for a hearing on the assessment roll; assigning the City of Lakewood Hearing Examiner as the officer to conduct the hearing on the assessment roll.

WHEREAS, on June 19, 2017, the City Council adopted Ordinance No. 671 forming LID 1109 (Panattoni Woodbrook Development) for the purpose of completing local improvements including half-street improvements consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch full street width asphalt overlay), storm drainage, street lighting, landscaping and other associated improvements along the street frontages of portions of 150th Street SW and 146th Street SW, and a full-width two-inch asphalt pavement overlay located on portions of Spring Street SW; and

WHEREAS, the local improvements authorized by LID 1109 are complete; and

WHEREAS, the final assessment roll for the local improvements has been prepared and filed with the City Clerk; and

WHEREAS, pursuant to RCW 35.44.070 a public hearing shall be held in order to confirm the final assessment roll for LID 1109; and

WHEREAS, this hearing will provide property owners an opportunity to file objections to their LID assessments, if so desired; and

WHEREAS, the City has established a Hearing examiner system under the provisions of Chapter 35A.63 RCW to hear and decide applications for land uses and other matters as specifically assigned by ordinance in Chapter 1.36 LMC.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD DO ORDAIN AS FOLLOWS:

**Section 1.** That October 17, 2019, at 10:00 a.m. is hereby fixed as the date and time, and the Council Chambers in Lakewood City Hall, 6000 Main Street SW, in the City of Lakewood, as the place for a public hearing on the final assessment roll for LID 1109.

**Section 2.** That the Hearing Examiner is assigned as the officer to conduct the hearing, and that the Hearing Examiner shall hold a hearing on the assessment roll and consider all objections filed, following which the Hearing Examiner shall make recommendations to the City Council.

**Section 3.** The City Clerk shall publish this Ordinance once a week for two consecutive weeks in the official newspaper of the City of Lakewood, the last publication being at least 15 days before the day fixed for the public hearing to be held in accordance with this Ordinance, providing notice to all persons who may desire to object thereto:

- (1) To make their objections in writing and to file them with the City Clerk at or prior to October 17, 2019;

- (2) That all objections to the confirmation of the assessment roll shall state clearly the grounds of objections and that all objections not made within the time and in the manner prescribed shall be conclusively presumed to have been waived;
- (3) That at the time and place fixed and at times to which the hearing may be adjourned, the City Council will sit as a board of equalization for the purpose of considering the roll;
- (4) That at the hearing the Hearing Examiner will consider the objections made and will correct, revise, raise, lower, change, or modify the roll or any part thereof or set aside the roll and order the assessment to be made de novo; and
- (5) That, following the hearing, the City Council will consider confirming the roll by ordinance.

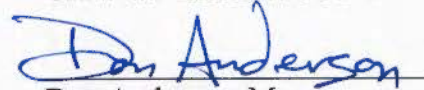
**Section 4.** The City Clerk shall give notice by mail at least fifteen days before the date fixed for hearing October 17, 2019 to the owner or reputed owner of the property whose name appears on the assessment roll, at the address shown on the tax rolls of the Pierce County Assessor for each item of property described on the list. The notice shall set forth the information regarding the hearing, and the opportunity for the property owner to make their objections, set forth in Section 3.

**Section 5.** If any sections, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance or its application to any other person, property or circumstance.

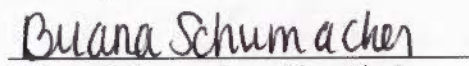
**Section 6.** This Ordinance shall be in full force and effect five days after the date of its publication.

PASSED by the City Council this 16th day of September, 2019.

CITY OF LAKEWOOD

  
Don Anderson, Mayor

Attest:

  
Briana Schumacher, City Clerk

Approved as to form:

  
Heidi Ann Wachter, City Attorney



## AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PQ	Amount	Cols	Depth
256525	0004384546	NOTICE OF ORDINANCE PASSED BY LAKEWOOD	NO. 717	\$156.43	1	2.24 In

Attention: Briana Schumacher

CITY OF LAKEWOOD  
6000 MAIN ST SW  
LAKEWOOD, WA 984995027NOTICE OF ORDINANCE PASSED  
BY LAKEWOOD CITY COUNCIL

The following is a summary of an Ordinance passed by the City of Lakewood City Council on the 16th day of September, 2019.

## ORDINANCE NO. 717

AN ORDINANCE relating to the final assessment roll for local improvement district 1109 (Paratoni, Woodbrook Development); setting October 17, 2019, at 10:00 a.m. as the date and time for a hearing on the assessment roll; assigning the City of Lakewood Hearing Examiner as the officer to conduct the hearing on the assessment roll.

This Ordinance shall be in full force and effect five days after the date of its publication.

The full text of the Ordinance is available at the City Clerk's Office, Lakewood City Hall, 6000 Main Street SW, Lakewood, Washington 98499; (253) 983-7705. A copy will be mailed out upon request. Briana Schumacher, City Clerk

VICTORIA RODELA, being duly sworn, deposes and says: That he/she is the Principal Clerk of the publication; The News Tribune, printed and published in Tacoma, Pierce County, State of Washington, and having a general circulation therein, and which said newspaper(s) have been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The News Tribune, as amended, for:

1 Insertions

Published On:

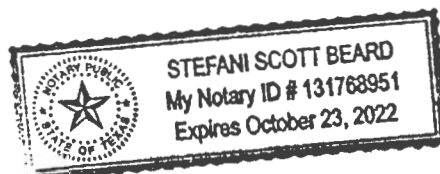
September 18, 2019

*V. Rodella*  
(Principal Clerk)

Subscribed and sworn on this 18th day of September in the year of 2019 before me, a Notary Public, personally appeared before me Victoria Rodella known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

*Stefani Scott Beard*  
Notary Public and for the state of Texas, residing in Dallas County

Extra charge for lost or duplicate affidavits.  
Legal document please do not destroy!





## Exhibit 'C-18'

Don Anderson  
Mayor

September 24, 2019

Jason Whalen  
Deputy Mayor

Mary Moss  
Councilmember

Michael D. Brandstetter  
Councilmember

John Simpson  
Councilmember

Marie Barth  
Councilmember

Paul Bocchi  
Councilmember

John J. Caulfield  
City Manager

### CERTIFICATION OF MAILING

I, Briana Schumacher, City Clerk, for the City of Lakewood, Washington, do hereby certify that on 24<sup>th</sup> day of September, 2019 the undersigned mailed the attached Notice of Public Hearing relating to the final assessment roll for Local Improvement District No. 1109 (Panattoni Woodbrook Development).

*B. Schumacher*

\_\_\_\_\_  
Briana Schumacher  
City Clerk



**CITY OF LAKEWOOD, WASHINGTON**  
**NOTICE OF PUBLIC HEARING**

You are listed on the rolls of the Pierce County Assessor as the owner of the following described properties located within the proposed City of Lakewood Local Improvement District No. 1109.

Property address:

TA Tacoma Gateway LLC C/O AT Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660

Parcel No.: 219221162

Property address:

TA Tacoma Gateway LLC C/O AT Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660

Parcel No.: 219221163

Property address:

TA Tacoma Gateway LLC C/O AT Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660

Parcel No.: 219221164

Property address:

TA Tacoma Gateway LLC C/O AT Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660

Parcel No.: 219221165

NOTICE IS HEREBY GIVEN that pursuant to Ordinance No. 717 (Exhibit A) adopted September 16, 2019 that **October 17, 2019 at 10:00 a.m.** is the hereby fixed as the date and time for the public hearing relating to the final assessment roll for Local Improvement District No. 1109 (Panattoni Woodbrook Development). The public hearing will be held before the City of Lakewood Hearing Examiner in the Lakewood City Hall Council Chambers located at 6000 Main Street SW, Lakewood, Washington.

All persons who may desire to object thereto or wish to comment must either file a written response received by the City Clerk (6000 Main St SW, Lakewood, WA) prior to October 17, 2019, or appear and present their testimony at the hearing. No other responses will be considered.

Dated this 24<sup>th</sup> of September, 2019.

## ORDINANCE NO. 717

AN ORDINANCE relating to the final assessment roll for local improvement district 1109 (Panattoni, Woodbrook Development); setting October 17, 2019, at 10:00 a.m. as the date and time for a hearing on the assessment roll; assigning the City of Lakewood Hearing Examiner as the officer to conduct the hearing on the assessment roll.

WHEREAS, on June 19, 2017, the City Council adopted Ordinance No. 671 forming LID 1109 (Panattoni Woodbrook Development) for the purpose of completing local improvements including half-street improvements consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch full street width asphalt overlay), storm drainage, street lighting, landscaping and other associated improvements along the street frontages of portions of 150th Street SW and 146th Street SW, and a full-width two-inch asphalt pavement overlay located on portions of Spring Street SW; and

WHEREAS, the local improvements authorized by LID 1109 are complete; and

WHEREAS, the final assessment roll for the local improvements has been prepared and filed with the City Clerk; and

WHEREAS, pursuant to RCW 35.44.070 a public hearing shall be held in order to confirm the final assessment roll for LID 1109; and

WHEREAS, this hearing will provide property owners an opportunity to file objections to their LID assessments, if so desired; and

WHEREAS, the City has established a Hearing examiner system under the provisions of Chapter 35A.63 RCW to hear and decide applications for land uses and other matters as specifically assigned by ordinance in Chapter 1.36 LMC.

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**Section 2.** That the Hearing Examiner is assigned as the officer to conduct the hearing, and that the Hearing Examiner shall hold a hearing on the assessment roll and consider all objections filed, following which the Hearing Examiner shall make recommendations to the City Council.

**Section 3.** The City Clerk shall publish this Ordinance once a week for two consecutive weeks in the official newspaper of the City of Lakewood, the last publication being at least 15 days before the day fixed for the public hearing to be held in accordance with this Ordinance, providing notice to all persons who may desire to object thereto:

- (1) To make their objections in writing and to file them with the City Clerk at or prior to October 17, 2019;



- (2) That all objections to the confirmation of the assessment roll shall state clearly the grounds of objections and that all objections not made within the time and in the manner prescribed shall be conclusively presumed to have been waived;
- (3) That at the time and place fixed and at times to which the hearing may be adjourned, the City Council will sit as a board of equalization for the purpose of considering the roll;
- (4) That at the hearing the Hearing Examiner will consider the objections made and will correct, revise, raise, lower, change, or modify the roll or any part thereof or set aside the roll and order the assessment to be made de novo; and
- (5) That, following the hearing, the City Council will consider confirming the roll by ordinance.

**Section 4.** The City Clerk shall give notice by mail at least fifteen days before the date fixed for hearing October 17, 2019 to the owner or reputed owner of the property whose name appears on the assessment roll, at the address shown on the tax rolls of the Pierce County Assessor for each item of property described on the list. The notice shall set forth the information regarding the hearing, and the opportunity for the property owner to make their objections, set forth in Section 3.

**Section 5.** If any sections, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance or its application to any other person, property or circumstance.

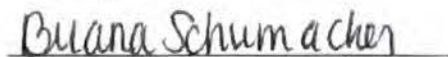
**Section 6.** This Ordinance shall be in full force and effect five days after the date of its publication.

PASSED by the City Council this 16th day of September, 2019.

CITY OF LAKEWOOD

  
Don Anderson, Mayor

Attest:

  
Briana Schumacher, City Clerk

Approved as to form:

  
Heidi Ann Wachter, City Attorney







CITY OF LAKEWOOD  
FINAL ASSESSMENT ROLL  
LID #1109 - TACOMA GATEWAY  
09/05/2019

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
1	219221162	TA Tacoma Gateway LLC C/O TA Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660	\$787,561.06	\$0.00	\$787,561.06

Legal Description:

Parcel 0219221162:

Section 22 Township 19 Range 02 Quarter 12 PARCEL A OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 45 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 630.37 FT TH TH S 89 DEG 33 MIN 40 SEC W 40 FT TH S 00 DEG 23 MIN 26 SEC E 355 FT TH N 89 DEG 33 MIN 40 SEC E 40 FT TH S 00 DEG 23 MIN 26 SEC E 275.38 FT TH S 89 DEG 33 MIN 23 SEC W 659.9 FT TH N 00 DEG 23 MIN 51 SEC W 1175.92 FT TH NELY 118.44 FT ALG C TO R RAD OF 85 FT THRU C/A OF 79 DEG 50 MIN 09 SEC TH S 00 DEG 23 MIN 51 SEC E 68.68 FT TH N 89 DEG 33 MIN 59 SEC E 55 FT TH N 00 DEG 23 MIN 51 SEC W 70 FT TH N 89 DEG 33 MIN 59 SEC E 535.06 FT TO POB OUT OF 1-012, 1-027, 1-028, 1-038, 1-046, 1-061, 1-062, 1-063, 1-069, 1-111, 1-129, 1-145, 1-147, 5-003, & 6-007 SEG 2015-0107 JP 09/10/14 JP

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
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Legal Description:

Parcel 0219221163:

Section 22 Township 19 Range 02 Quarter 12 PARCEL B OF BLA 2014-07-30-5001 BEG AT NE COR OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP

LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
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Legal Description: Parcel 0219221164: Section 22 Township 19 Range 02 Quarter 12 PARCEL C OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 118 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 118 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 118 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP					
LID PARCEL ID	TAX PARCEL NUMBER	LEGAL OWNER	LID ASSESSMENT	SPECIAL ASSESSMENT	TOTAL ASSESSMENT
4	219221165	TA Tacoma Gateway LLC C/O TA Realty LLC 1301 Dove St Ste 860 Newport Beach, CA 92660	\$51,145.41	\$0.00	\$51,145.41
Legal Description: Parcel 0219221165: Section 22 Township 19 Range 02 Quarter 12 PARCEL D OF BLA 2014-07-30-5001 BEG AT A PT ON E LI OF TR 57 OF UNREC PLAT OF AMERICAN LAKE GARDENS 236 FT S OF NE COR THEREOF TH S 00 DEG 23 MIN 26 SEC E 119 FT TH S 89 DEG 33 MIN 40 SEC W 370 FT TH N 00 DEG 23 MIN 26 SEC W 119 FT TH N 89 DEG 33 MIN 40 SEC E 370 FT TO POB OUT OF 1-111 & 1-145 SEG 2015-0107 JP 09/10/14 JP					
Grand Total:					\$940,137.70





## HEARING EXAMINER STAFF REPORT

TO: Phil Olbrechts, Hearing Examiner

DATE: October 7, 2019

FROM: Greg Vigoren, P.E., Engineering Services Manager

SUBJECT: Local Improvement District No. 1109 Final Assessment Roll Hearing

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### INTRODUCTION

The City formed Local Improvement District (LID) No. E1109 in May 2017 for the purpose of constructing street improvements associated with the then proposed 475,000 square foot warehouse facility now located at 14801 Spring Street SW. Construction of the street improvements is now complete and the City is moving forward with closing out the LID.

### LID FORMATION

The property owner at the time of formation, YKC Investments LLC, petitioned (Exhibit C-1) the City to form LID No. 1109 on behalf of the future owner, Panattoni Development Company, to facilitate construction of frontage improvements required as a condition of property redevelopment. The City formally initiated the LID formation process through the approval of Resolution 2017-08 (Exhibit C-3). The Formation Hearing was held before Phil Olbrechts, Hearing Examiner, on May 18, 2017 (Exhibit C-7). The City Council ordered the improvements be made and formed LID No. 1109 through Ordinance 671 (Exhibit C-8) on June 19, 2017.

## **IMPROVEMENTS**

Following formation, a consultant proceeded with the design of the improvements consistent with the mitigation requirements as stipulated in the Determination of Non-Significance (Exhibit C-2).

The improvements included road widening, paving, curb, gutter, sidewalks, street lighting, storm drainage, landscaping and other associated improvements along the street frontages of portions of 146<sup>th</sup> Street SW and 150<sup>th</sup> Street SW, and an asphalt overlay of Spring Street SW between 146<sup>th</sup> Street SW and 150<sup>th</sup> Street SW. Photos of the improvements are included (Exhibit C-10).

Upon completion of the design, the project was publicly advertised for bid in the Tacoma News Tribune (Exhibit C-11). A construction contract was awarded to Rodarte Construction, Inc. in August 2017 (Exhibit C-13) and construction commenced in September 2017.

## **BENEFIT RECEIVED**

By case law, the City is entitled to the presumption of special benefit unless nullified by expert testimony.<sup>1</sup>

At the time of formation the properties within the LID territory were not developed to their best and highest use. Panattoni Development Company, dba Tacoma Gateway Lakewood LLC, purchased the properties from YKC Investments LLC in May 2017 and pursued redevelopment of the property as a 475,000 square foot warehouse facility. As previously noted, the street frontage improvements constructed under LID No. 1109 were required mitigation for the proposed redevelopment. The preliminary assessment roll (Exhibit C-6) for the improvements was estimated to be \$1,020,000.

The property was sold again in December 2018 and the new owner, TA Tacoma Gateway LLC, was made aware of the LID.

## **ASSESSMENT METHOD and FINAL ASSESSMENT ROLL**

Final costs of \$940,137.70 have been calculated as shown in the Final Cost Estimate (Exhibit C-14). The Final Assessment Roll (Exhibit C-15) will be levied

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<sup>1</sup> Seattle v. Rogers Clothing, 114 Wash. 2d 23,, 229-231, 787 P.2d 39, 48 (Wash. 1990). See also Trautman, Assessments in Washington, 40 Wash. L. Rev. 100, 112 (1965).

proportionally based on property square footage against Pierce County Tax Parcel Numbers 219221162, 219221163, 21922164, and 21922165. The square foot method of assessment fairly reflects the benefits resulting from the improvements.

## **FINAL ASSESSMENT ROLL HEARING NOTICES**


Notice of the Final Assessment Roll Hearing for LID No. 1109, along with a copy of Ordinance No. 717, which set the hearing date, were mailed via Certified Mail to the current property owner as shown on the Pierce County Assessor-Treasurer website (TA Tacoma Gateway LLC). The notice, certification of mailing and address list for the mailing are attached as Exhibit C-18.

Notice of Ordinance No. 717 passed by the Lakewood City Council was published in the Tacoma News Tribune on September 18, 2019. The Tacoma News Tribune Affidavit of Publication is attached as Exhibit C-17.



TO: City Council

FROM: Tiffany Speir, Planning Manager, Special Projects  
David Bugher, Assistant City Manager for Development Services

THROUGH: John Caulfield, City Manager 

DATE: November 12, 2019

SUBJECT: Lakewood Municipal Code Development Code (LMCDC) Update  
(Titles 1, 3, 12; Chapters 18A.10 – 18A.40)

---

#### **BACKGROUND**

The City Council held a study session on October 28, 2019 and received an overview by CEDD regarding Lakewood's Land Use and Development Code proposed changes involving updates to LMC Titles 1, 3, 12, 14, 17 and 18B and the replacement of LMC Title 18A. The Council requested several additional study sessions with a focus on specific portions of the code update at each session, as well as hypothetical examples of how various actions would be reviewed under the proposed code.

The updated legislative schedule for the LMCD update is as follows:

November 12: Study Session focusing on 18A.10 – 18A.40 and hypothetical example  
November 25: Study Session focusing on 18A.50 – 18A.100 and hypothetical example  
December 2: Public Hearing  
December 16: Council Action on amendments and full package

#### **DISCUSSION: PROPOSED LMC CHAPTERS 18A.10 – 18A.40**

At the heart of LMC Title 18A is the question "Who can do what on a piece of property, and how?" This is answered in the reorganized 18A chapters much better than in the current code.

#### **Chapter 18A.10 General Provisions**

**Chapter 18A.10** explains that the purpose of the Title is to "implement the City of Lakewood Comprehensive Plan, as now adopted and as may be subsequently amended, hereinafter referred to as the "Comprehensive Plan," in order to protect and promote the health, safety, and general welfare of Lakewood's citizens through regulation of the city's physical development." The Chapter includes the basic framework within which the rest of the Title should be read and interpreted, including: the City's land use designations, zone

and overlays; descriptions of how the code will be interpreted; code construction rules; measurement and time interpretations; and more.

### **Chapter 18A.20 Administration**

**Chapter 18A.20** includes several tables and sections that address in summary what permits the City has, who has the authority to review permit applications and any appeals, and how long the City has to conduct its reviews and appeals. By reading 18A.20.050, .070, .080 and .090, an applicant can see what type of permit they need to pursue, who will be deciding the approval, and how long review will take. Included below are excerpts from Chapter 18A.20.

#### **18A.20.070 Approval and Appeal Authorities.**

The project review process for an application or a permit may include review and approval by one or more of the following processes:

A. Department Staff. Individual staff shall have the authority to review and approve, deny, modify, or conditionally approve, among others, the following actions and/or permits:

- |   |  |
|---|--|
| 1. Accessory Building   | 26. Preliminary and Final Short Plats (creating 2-9 lots)    |
| 2. Accessory Dwelling Unit  | 27. Reasonable Accommodation Request                         |
| 3. Administrative Nonconforming Determination                         | 28. Residential Addition/Remodel                             |
| 4. Appeal to Hearing Examiner   | 29. Senior Housing Overlay Permit                            |
| 5. Binding Site Plan  | 30. Shoreline Conditional Use Permit                         |
| 6. Business License   | 31. Shoreline Substantial Development Permit                 |
| 7. Certificate of Occupancy   | 32. Shoreline Exemption                                      |
| 8. Commercial Addition/Remodel  | 33. Shoreline Variance Permit                                |
| 9. Conditional Use Permit   | 34. Sign Permit  |
| 10. Conditional Use Permit – Minor Modification                       | 35. Site Development Permit                                  |
| 11. Cottage Housing Development                                       | 36. Senior Housing Permit                                    |
| 12. Demolition Permit   | 37. Small Cell Wireless Permit                               |
| 13. Design Review Permit  | 38. Temporary Use Permit                                     |
| 14. Environmental Review (SEPA Checklist and Threshold Determination) | 39. Transfer of Development Rights                           |
| 15. Final Subdivision Plat (10 or more lots)                          | 40. Transitory Accommodation Permit                          |
| 16. Home Occupation Permit  | 41. Tree Retention Plan                                      |
| 17. Housing Incentives Permit   | 42. Time Extension or Minor Modification to a Type I Permit  |
| 18. Landscape Plan Review   | 43. Time Extension or Minor Modification to a Type II Permit |
| 19. Land Use Approval   | 44. Transitory Accommodation Permit                          |
| 20. Lot Line Adjustment   | 45. Tree Removal Permit                                      |
| 21. Manufactured/Mobile Home Setup Permit                             | 46. Unusual Use(s) Permit                                    |
| 22. New Commercial Permit   | 47. Zoning Certification                                     |
| 23. New Multifamily Permit  | 48. Zoning Interpretations (map and/or text)                 |
| 24. New Single Family Permit  |  |
| 25. Pre-Application   |  |



B. Director. Pursuant to LMC Chapter 18A.30 Part V, Land Use Review and Approval, the Director shall have the authority to conduct pre-submission conferences and to grant, conditionally grant, deny, or modify, land use approvals regarding projects for which a public hearing is not required, and to extend the period of approval for land use approval granted by the Director or by the Hearing Examiner.

C. Lakewood Hearing Examiner. Lakewood Hearing Examiner shall have the authority vested pursuant to LMC Chapter 1.36.

D. The City Environmental Review Officer shall administer the State Environmental Policy Act (SEPA), LMC Title 14, Environmental Rules and Procedures, and LMC Title 14A, Critical Areas.

E. Shoreline Permit Review Process. See City of Lakewood Shoreline Master Program, Ordinance No. 711 or as amended hereafter.

F. Subdivision Review Process. See LMC Title 17.

#### 18A.20.080 Review Authorities

<b>KEY:</b>		
Appeal	=	Body to whom appeal may be filed
Director	=	Community and Economic Development Director
PC	=	Planning Commission
HE	=	Hearing Examiner
CC	=	City Council
R	=	Recommendation to Higher Review Authority
D	=	Decision
O	=	Appeal Hearing (Open Record)
C	=	Appeal Hearing (Closed Record)
N	=	No
Y	=	Yes

Permit Applications by Type	Public Notice of Application	Director	HE	PC	CC
<b>TYPE I ADMINISTRATIVE</b>					
Accessory building	N	D	O/Appeal	N	N
Accessory dwelling unit	N	D	O/Appeal	N	N
Administrative nonconforming Determination	N	D	O/Appeal	N	N
Business license	N	D	O/Appeal	N	N
Certificate of occupancy	N	D	O/Appeal	N	N
Commercial addition/remodel	N	D	O/Appeal	N	N
Conditional use permit – minor modification	N	D	O/Appeal	N	N
Demolition permit	N	D	O/Appeal	N	N
Design review	N	D	O/Appeal	N	N

Permit Applications by Type	Public Notice of Application	Director	HE	PC	CC
Final subdivision plant (10 or more lots)	Y	D	O/Appeal	N	N
Home occupation permit			O/Appeal		
Landscape plan approval	N	D	O/Appeal	N	N
Land use approval	N	D	O/Appeal	N	N
Lot line adjustment	N	D	O/Appeal	N	N
Manufactured/mobile home permit	N	D	O/Appeal	N	N
New commercial permit	N	D	O/Appeal	N	N
New multifamily permit	N	D	O/Appeal	N	N
New single family permit	N	D	O/Appeal	N	N
Pre-application permit	N	N	N	N	N
Preliminary & final short plats (creating 2-9 lots)	N	D	O/Appeal	N	N
Reasonable accommodation request	N	D	O/Appeal	N	N
Residential addition/remodel	N	D	O/Appeal	N	N
Senior housing overlay permit	N	D	O/Appeal	N	N
Shoreline exemption	N	D	O/Appeal	N	N
Sign permit	N	D	O/Appeal	N	N
Site development permit	N	D	O/Appeal	N	N
Small cell wireless permit	See LMC Chapter 18A.95				
Temporary use permit	N	D	O/Appeal	N	N
Transfer of development rights	N/A (Program administered by Pierce County).				
Tree retention plan	N	D	O/Appeal	N	N
Time extension or minor modification to a Type I permit	N	D	O/Appeal	N	N
Tree removal permit	N	D	O/Appeal	N	N
Zoning certification	N	D	O/Appeal	N	N
Zoning interpretation (map and/or text)	N	D	O/Appeal	N	N
<b>TYPE II ADMINISTRATIVE</b>					
Binding site plan	Y	D	O/Appeal	N	N
Cottage housing	Y	D	O/Appeal	N	N
Environmental review (SEPA) - (SEPA Checklist and Threshold Determination)	Y	D	O/Appeal	N	N
Preliminary and final short plats (2-9 lots)	Y	D	O/Appeal	N	N
Shoreline conditional use permit	Y	D	O/Appeal	N	N
Shoreline substantial development permit	Y	D	O/Appeal	N	N
Shoreline variance permit	Y	D	O/Appeal	N	N
Time extension or minor modification to a Type II permit	Y	D	O/Appeal	N	N
Transitory accommodation permit	Y	D	O/Appeal	N	N

<b>TYPE III DISCRETIONARY</b>					
Conditional use permit	Y	R	D	N	N
Conditional use permit – major modification	Y	R	D	N	N
Major modification to a Type III permit	Y	R	D	N	N
Planned development district	Y	R	D	N	N
Preliminary plat, long	Y	R	D	N	N
Public facilities master plan	Y	R	D	N	N
Shoreline conditional use permit when referred by the shoreline administrator	Y	R	D	N	N
Shoreline substantial development permit when referred by the shoreline administrator	Y	R	D	N	N
Shoreline variance when referred by the Shoreline Administrator	Y	R	D	N	N
Time extension to a Type III permit	Y	R	D	N	N
Unusual use(s) permit	Y	R	D	N	N
Variance	Y	R	D	N	N
Zoning map amendment, site specific	Y	R	D	N	CC/ Appeal
<b>TYPE IV OTHER</b>					
Scrivener corrections to CPA map and/or CPA text	Y	R	N	N	D
<b>TYPE V- LEGISLATIVE</b>					
Annexation	Y	R	N	R	D
Comprehensive plan map only amendment, AREA WIDE	Y	R	N	R	D
Comprehensive plan map only amendment, SITE SPECIFIC	Y	R	N	R	D
Comprehensive plan TEXT ONLY amendment	Y	R	N	R	D
Development agreement	Y	R	N	R	D
Shoreline Master Program amendment	Y	R	N	R	D
Zoning amendment TEXT only	Y	R	N	R	D
Annexation	Y	R	N	R	D

#### **18A.20.050 (H) Application Time Limits**

<b>Application</b>	<b>Planning Permit</b>	<b>Engineering Permit</b>	<b>Building Permit</b>	<b>Review Time Limits (Days)</b>
Accessory Building	Y	N	Y	90
Accessory Dwelling Unit	Y	N	Y	90
Administrative Nonconforming Determination	Y	N	N	90
Annexation	Y	N	N	180
Appeal to Hearing Examiner	Y	Y	Y	90

<b>Application</b>	<b>Planning Permit</b>	<b>Engineering Permit</b>	<b>Building Permit</b>	<b>Review Time Limits (Days)</b>
Binding Site Plan	Y	N	N	120
Business License	Y	N	N	120
Certificate of Occupancy	N	N	Y	60
Commercial Addition/Remodel	N	N	Y	120
Comprehensive Map Amendment, AREA WIDE	Y	N	N	120
Comprehensive Map Amendment, SITE SPECIFIC	Y	N	N	120
Comprehensive TEXT ONLY Amendment	Y	N	N	120
Conditional Use Permit	Y	N	N	120
Conditional Use Permit – Major Modification	Y	N	N	120
Conditional Use Permit – Minor Modification	Y	N	N	120
Cottage Housing Development	Y	N	N	120
Demolition Permit	N	N	Y	120
Design Review Permit	Y	N	N	90
Development Agreement	Y	N	N	120
Environmental Review (SEPA Checklist and Threshold Determination)	Y	N	N	120
Environmental Impact Statement (Draft)	Y	N	N	365
Final Subdivision Plat (10 or more lots)	Y	N	N	120
Home Occupation Permit	Y	N	N	90
Housing Incentives Permit	Y	N	N	90
Landscape Plan Review	Y	N	N	90
Land Use Approval	Y	N	N	120
Lot Line Adjustment	Y	N	N	90
Major Modification to a Type III Permit	Y	N	N	120
Manufactured/Mobile Home Setup Permit	N	N	Y	90
New Commercial Permit	N	N	Y	120
New Single Family Permit	N	N	Y	60
New Multifamily Permit	N	N	Y	120
Pre-Application	Y	Y	Y	60
Preliminary and Final Short Plats (creating 2-9 lots)	Y	Y	N	120
Preliminary Plat (10 or more lots)	Y	Y	N	120
Planned Development District	Y	N	N	120
Reasonable Accommodation Request	Y	N	N	90
Residential Addition/Remodel	N	N	Y	60
Scrivener Corrections to Comprehensive Plan Map, and/or Comprehensive Plan Text, Zoning Map, and/or Zoning Development Regulations	Y	N	N	N/A
Senior Housing Overlay Permit	Y	N	N	90
Shoreline Conditional Use Permit	Y	N	N	120

<b>Application</b>	<b>Planning Permit</b>	<b>Engineering Permit</b>	<b>Building Permit</b>	<b>Review Time Limits (Days)</b>
Shoreline Conditional Use Permit when Referred by the Shoreline Administrator	Y	N	N	120
Shoreline Exemption Permit	Y	N	N	120
Shoreline Master Program Amendment	Y	N	N	120
Shoreline Substantial Development Permit	Y	N	N	120
Shoreline Substantial Development Permit when Referred by the Shoreline Administrator	Y	N	N	120
Shoreline Variance Permit	Y	N	N	120
Shoreline Variance Permit when Referred by the Shoreline Administrator	Y	N	N	120
Sign Permit	Y	N	N	60
Site Development Permit	N	Y	N	90
Small Cell Wireless Permit	Y	N	N	See LMC 18A.95
Temporary Use Permit	Y	N	N	90
Transfer of Development Rights	Y	N	N	120
Transitory Accommodation Permit	X	N	N	120
Tree Removal Permit	Y	N	N	90
Tree Retention Plan	Y	N	N	90
Time Extension or Minor Modification To a Type I Permit	Y	N	N	120
Time Extension or Minor Modification To a Type II Permit	Y	N	N	120
Time Extension or Minor Modification To a Type III Permit	Y	N	N	120
Variance	Y	N	N	120
Unusual Use(s) Permit	Y	N	N	120
Zoning Certification	Y	N	N	60
Zoning Interpretations (map and/or text)	Y	N	N	90
Zoning Map Amendment, AREA WIDE	Y	N	N	120
Zoning Map, Site Specific	Y	N	N	120
Zoning Amendment TEXT ONLY	N	N	N	120
NOTES: "Y" means Yes. "N" means No.				

### **18A.20.090 Expiration of Approvals.**

The City shall provide expiration dates in notifications of permit approvals. Knowledge of the expiration date of any approval is the responsibility of the applicant. The City shall not be held accountable for notification of pending expirations.

A. Variance. Except for variances related to Chapter 18A.60.050 and .060(F), unless exercised, a variance shall expire one year from the date a final decision is issued. If timely exercised, a variance shall be valid indefinitely.

B. Conditional use permit. Unless exercised or otherwise specified, a conditional use permit shall be void one (1) year from the date a notice of final decision was issued. If exercised, a conditional use permit shall be valid for the amount of time specified by the Hearing Examiner. If the use allowed by the permit is inactive, discontinued or abandoned for twelve (12) consecutive months, the permit is void and a new permit shall be obtained in accordance with the provisions of this title prior to resuming operations.

C. Home occupation permit. A home occupation permit shall be valid indefinitely unless a time limitation is specified by staff or the Hearing Examiner or it is revoked for lack of compliance to conditions. A home occupation permit shall be void unless exercised within one (1) year from the date such permit was issued. If the use allowed by the permit is inactive, discontinued or abandoned for twelve (12) consecutive months, the permit is void and a new permit shall be applied for and obtained in accordance with the provisions of this title prior to resuming operations. A Home Occupation permit shall not be transferable to a new site or entity.

D. Land use approval. Unless exercised by complete application for necessary construction permits, any land use approval shall expire and be null and void two years from the date the final approval was issued. Land use approval shall be extended two additional years if a complete building or other construction permit application for the project is submitted prior to expiration of the land use approval. Even absent such application, upon finding that there has been no substantial change in relevant circumstances and standards, land use approval may be extended up to two (2) additional years by the Director pursuant to a written request submitted prior to expiration of land use approval. Upon receiving such request, notice shall be provided pursuant to the comparable notice of application procedures of LMC Section 18A.20.310. Following a comment period of at least 14 days, the Director may grant, limit or deny the extension and may impose such conditions of extension to ensure compliance with any subsequently revised standards. If such written request for extension is not received by the Department prior to expiration, such extension shall be denied.

E. Detailed Design Review approval shall expire simultaneously with expiration of any associated building or other construction permit.

### **Chapter 18A.30 Discretionary Permits**

**Chapter 18A.30** includes the land use development code regulations concerning “discretionary permits” – those land use and construction permits that require some sort of review and approval (potentially with case-specific conditions for approval identified) or denial by the Community & Economic Development Department (CEDD), the Hearing Examiner, or the City’s legislative bodies (i.e., the Planning Commission and City Council) before an applicant can proceed. These include:

- Comprehensive Plan Amendments (map or text);



- Conditional Use Permits (Conditional use permits are required for land uses which are appropriate in a zone but typically have certain characteristics such as traffic generation or building mass which warrant imposition of special conditions to ensure compatibility with permitted uses in the zone);
- Cottage Housing Permits;
- Development Agreements;
- Land Use Review and Approvals (“Land Use Approval” means a written approval or permit issued by the Director or Hearing Examiner, or designee thereof, finding that a proposed project is consistent with applicable plans, regulations and standards and authorizing the recipient to make use of property in a certain manner. The land use approval consolidates various non-construction permit reviews of a project such as design review, environmental review, zoning conformance, and site plan review.

Land Use Approval is a permit which does not directly authorize construction or improvements to real estate, but which is a necessary and required precursor to authorization of such construction or improvement.

Land Use Approval includes, but is not limited to, applications for review and approval of a preliminary or final subdivision, short plat, binding site plan, conceptual or detailed master planned development, planned residential development, conceptual design review, site plan review, conditional use permit, variance, shoreline development permit, or other such reviews pertaining to land use.

“Land Use Approval, Administrative” means a Land Use Approval which may be issued by an authorized official or body, usually the Director, without an open record pre-decision hearing.

“Land Use Approval, Quasi-Judicial” means a Land Use Approval issued by an authorized official or body, usually the Hearing Examiner, following an open record pre-decision hearing.);

- Planned Development Districts (PDDs);
- Rezone and Text Amendments that may or may not require Comprehensive Plan text or map amendments;
- Temporary Use Permits;
- Variances; and
- Unusual Uses.

### **Chapter 18A.40 Land Uses and Interpretation Tables**

**Chapter 18A.40** is one of the chapters with the most improvement when compared to the current Title 18A. Whereas in the current code there are hundreds of lines of text describing various land uses and allowed “levels” of such uses within various zoning districts, the new Chapter 18A.40 includes tables that simplifies the list of allowed uses and clarifies where they are allowed outright (“P”), allowed conditionally (“C”), or prohibited (“-”). The code no longer includes use levels, but instead simply indicates if a use is allowed or not. Footnotes follow each table within Chapter 18A.40 to provide specific details as needed.

The Purpose section from Chapter 18A.40 is included below:

#### **18A.40.010 Purpose.**

The purpose of this chapter is to establish permitted land uses for the city of Lakewood. The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained. The use is considered permanently established when that use will be or has been in continuous operation for a period exceeding 60 days, except that in no case shall a transitory accommodation, which may be allowed to operate continuously for a period of up to 90 days. A use which will operate for 60 days or less is considered a temporary use and is subject to the requirements of LMC Chapter 18A.30, Part VIII. All applicable requirements of this code, or other applicable state or federal requirements, shall govern a use located within the Lakewood city limits.

Section 18A.40.100 (Residential Uses) is included below to demonstrate how each table is presented in the Chapter:

#### **18A.40.110 Residential Uses.**

A. Residential Land Use Table. See 18A.10.120(D) for the Purpose and Applicability of Zoning Districts.

	Zoning Classifications																				
	R 1	R 2	R 3	R 4	M R 1	M R 2	M F 1	M F 2	M F 3	A R C	N C 1	N C 2	T O C	C B D	C 1	C 2	C 3	I B P	I 1	I 2	P I
Accessory caretaker's unit	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	P	P	-
Accessory dwelling unit B(1)*	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Babysitting care	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-
Boarding house	C	C	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Cottage housing B(2)	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Co-housing (dormitories, fraternities and sororities) B(3)	-	-	-	-	P	P	P	P	P	-	P	-	-	-	-	-	-	-	-	-	-
Detached single family B(4)	P	P	P	P	P	P	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
Two family residential, attached or detached dwelling units	-	-	-	C	P	P	P	-	-	P	P	P	-	-	-	-	-	-	-	-	-

	Zoning Classifications																				
	R 1	R 2	R 3	R 4	M R 1	M R 2	M F 1	M F 2	M F 3	A R C	N C 1	N C 2	T O C	C B D	C 1	C 2	C 3	I B P	I 1	I 2	P I
Three family residential, attached or detached dwelling units	-	-	-	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Multifamily, four or more residential units	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-
Mixed use	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	-
Family daycare B(5)	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-
Home agriculture	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-
Home occupation B(6)	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Mobile home parks B(8)	-	-	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Mobile and/or manufactured homes, in mobile/manufactured home parks B(8)	-	-	C	C	C	-	P	P	P	-	-	P	-	-	-	-	-	-	-	-	-
Residential accessory building B(9)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-
Rooms for the use of domestic employees of the owner, lessee, or occupant of the primary dwelling	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Small craft distillery B(6), (12)	-	P	P	P	P	-	-	-	-	-	-	P	P	P	P	P	P	-	P	-	-
Specialized senior housing B(10)	-	-	-	-	C	C	C	C	C	-	-	P	C	C	-	-	-	-	-	-	-
Accessory residential uses B(11)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-
	P: Permitted Use C: Conditional Use “-”: Not allowed *Numbers in parentheses reference use-specific development and operating conditions under subsection B of this section.																				

## B. Operating and Development Conditions

1. Accessory Dwelling Units (ADUs) are permitted when added to, created within, or detached from a principle dwelling unit subject to the following restrictions:

- One (1) ADU shall be allowed as an accessory use in conjunction with any detached single-family structure. Accessory dwelling units shall not be included in the density calculations. A single-family residence shall contain no more than one accessory dwelling unit.
- An ADU may be established by creating the unit within or in addition to the new or existing principle dwelling, or as a detached unit from the principal dwelling.
- The ADU, as well as the main dwelling unit, must meet all applicable setbacks, lot coverage, and building height requirements.
- The size of an ADU contained within or attached to an existing single-family structure shall be limited by the existing structure's applicable zoning requirements. An attached ADU incorporated into a single-family house shall be limited to forty (40) percent of the living space of the principal unit, excluding garage area.

The size of the living space of a detached ADU shall be a maximum of one thousand square feet (1,000) or forty (40) percent of the size of the living space of the principal unit, excluding garage area, whichever is smaller.

e. An ADU shall be designed to maintain the appearance of the principal dwelling as a single-family residence.

f. The entrance to an attached ADU shall not be directed towards any front yard unless utilizing an existing doorway.

g. The design of an attached ADU, including the facade, roof pitch and siding, shall be complementary to the principal dwelling unit, so as not to be obvious from the outside appearance that it is a separate unit from the principal dwelling unit.

h. A minimum of one (1) off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal dwelling, pursuant to LMC Section 18A.80.030(F).

i. Any legally constructed accessory building existing prior to the effective date of this title may be converted to an accessory dwelling unit, provided the living area created within the structure does not exceed forty (40) percent of the size of the living area of the principal unit, excluding garage area.

j. Where the residential accessory building is detached from an existing single-family structure, the building height shall be limited to twenty-four (24) feet.

k. If a structure containing an ADU was created without a building permit that was finalized, the city shall require a building inspection to determine if the structure is sound, will not pose a hazard to people or property, and meets the requirements of this section and building code. The ADU application fee will cover the building inspection of the ADU.

l. Any owner occupant seeking to establish an ADU shall apply for approval in accordance with established procedures. These procedures shall include:

1. One (1) of the dwelling units shall be owner occupied as the owner's principal residence for at least six (6) months a year, and at no time shall the owner-occupied unit be leased or rented.

2. No building permit or zoning certification for an ADU shall be issued until the owner files and records with the Pierce County Auditor a covenant evidencing this use limitation against the property. The covenant shall acknowledge the existence of the ADU and document the owner's agreement to all the ADU requirements as provided in this section.

The covenant shall be in a form specified by the Community Development Director, and shall include at a minimum: the legal description of the property which has been approved for an ADU; the applicability of the restrictions and limitations contained in this sub

section; a copy of the floor/site plan approved by the City; and the notarized signature of all property owners.

m. Discontinuation of an ADU.

1. An ADU shall be converted to another permitted use or shall be removed if one (1) of the two (2) dwellings is not owner occupied, pursuant to the requirements of this section.

2. If either the ADU or the principal unit ceases to be owner-occupied for more than six (6) months, the ADU permit shall be deemed revoked and use of the unit as an ADU shall cease immediately, and the ADU shall be removed or converted to a permitted use.

2. Cottage housing is permitted subject to the LMC 18A.20, Part III.

3. Dormitories, fraternities and sororities shall be permitted as accessory uses to public or private educational institutions or churches.

4. Detached primary dwelling units, or single-family dwelling units, include site-built homes, manufactured homes and modular homes.

a. All detached single-family dwellings (including manufactured homes) located in residential zones shall meet all of the following criteria:

1. May not have previously had a title granted to a retail purchaser and may not be a used mobile home as defined by RCW 82.45.032(2), now or hereafter amended.

2. Be built to meet or exceed the standards established by 42 U.S. Code Chapter 70 – Manufactured Home Construction and Safety Standards, now or hereafter amended.

3. Be thermally equivalent or better to that required by the state energy code for new residential structures, now or hereafter amended.

4. Be set on and securely attached to a permanent foundation as specified by the manufacturer.

5. Proof of title elimination per the Pierce County Auditor identified process is required prior to manufactured housing building occupancy.

6. Be connected to required utilities that include plumbing, heating and electrical systems.

b. All single-family dwellings (including manufactured homes) shall comply with the following siting and design standards unless sited within manufactured/mobile home parks:

1. The design and construction of the foundation must meet the requirements of the International Building Code, now or hereafter amended.

2. The gap from the bottom of the structure to the ground, around the entire perimeter of the structure, shall be enclosed by concrete or

other concrete product as approved by the building official, which may or may not be load-bearing.

3. Modular homes on individual lots shall incorporate design features of typical site-built homes including but not limited to modulation, articulation, sloped roofs, and wood siding or siding of a material which imitates wood.

5. Family day care is a permitted use, subject to obtaining a state license in accordance with Chapter 74.15 RCW and the following:

- a. Compliance with all building, fire, safety, health code, and city licensing requirements;
- b. Conformance to lot size, setbacks, building coverage, hard surface coverage, and other design and dimensional standards of the zoning classification in which the home is located;
- c. Certification by the office of child care policy licensor that a safe passenger loading area, if necessary, is provided.

6. Home occupations are permitted subject to the following:

- a. The home occupation shall be subordinate to the primary use of the premises as a dwelling unit.
- b. All activities of the home occupation shall be conducted indoors.
- c. The business shall be conducted by a member of the family residing within the primary residential premises plus no more than one additional person not residing in the dwelling unit.
- d. Home occupations may have on-site client contact subject to the following limitations:
  1. All the activities of the home occupation shall take place inside the primary residential structure or accessory building;
  2. The home occupation shall generate no more than two vehicle trips per hour to the licensed residence; and
  3. The home occupation shall not create a public nuisance.
- e. The following activities shall be prohibited:
  1. Automobile, truck, boat and heavy equipment repair;
  2. Auto or truck body work or boat hull and deck work;
  3. Parking and storage of heavy equipment;
  4. Storage of building materials for use on other properties;
  5. Painting or detailing of autos, trucks, boats, or other items;
  6. The outside storage of equipment, materials or more than one vehicle related to the business;
  7. Vehicles larger than 10,000 pounds gross weight operated out of the premises or parked on the property or on adjacent streets; and
  8. Taxicab, van shuttle, limousine or other transportation services, except for office activities; provided all other requirements of this subsection concerning home occupations are met.



- f. Home occupations shall not be allowed in accessory buildings within the rear yard setback.
  - g. Home occupations in accessory buildings shall not permit noise to intrude into another residential property at a level at or above 45 decibels outside the hours of 7:00 a.m. through 6:00 p.m. Monday through Friday, and 9:00 a.m. through 5:00 p.m. on Saturday.
  - h. Home occupations are required to obtain a city business license.
7. Households of more than six persons in which any one person is unrelated to any or all of the others are not permitted, except that the Director may allow larger numbers of unrelated persons to live together through a grant of special of reasonable accommodation when necessary to comply with the provisions of the Federal Housing Act amendments, RCW 49.60.222, or RCW 35.63.220.
- a. When necessary to comply with the provisions of the Federal Fair Housing Act amendments, RCW 49.60.222, or RCW 35.63.220, the Director may grant reasonable accommodation to individuals in order for them to live in a household of more than six persons, subject to the following:
    - 1. An applicant for reasonable accommodation must demonstrate to the satisfaction of the Director that the special needs of the proposed residents makes it necessary for them to live in a household of the size proposed in order to have equal opportunity to use and enjoy a dwelling.
    - 2. The Director shall determine what adverse land impacts, including cumulative impacts, if any, would result from granting the proposed accommodation. The Director shall take into account the size, shape and location of the dwelling unit and lot, the building occupancy load, the traffic and parking conditions on adjoining and neighboring streets, the vehicle usage to be expected from residents, staff and visitors, and any other circumstances the Director determines to be relevant as to whether the proposed increase in density will adversely impact the neighborhood.
    - 3. The Director shall consider the applicant's need for accommodation in light of the anticipated land use impacts, and the Director may impose conditions in order to make the accommodation reasonable in light of those impacts.
    - 4. A grant of reasonable accommodation permits a dwelling to be inhabited only according to the terms and conditions of the applicant's proposal and the Director's decision. If the Director determines that the accommodation has become unreasonable because circumstances have changed or adverse land use impacts have occurred that were not anticipated, the Director shall rescind or modify the decision to grant reasonable accommodation.
    - 5. A decision to grant reasonable accommodation is a Type I action. The decision shall be recorded with the Pierce County auditor.

6. Nothing herein shall prevent the Director from granting reasonable accommodation to the full extent required by federal or state law.
8. Mobile and/or manufactured homes are allowed only in mobile/manufactured home parks developed in accordance with LMC 18A.40.110(C).
9. Residential accessory building:
  - a. The maximum height for residential accessory building shall be twenty-four (24) feet.
  - b. Detached residential accessory structures which are less than one hundred twenty (120) square feet in size and not higher than ten (10) feet, including garden sheds or greenhouses or combination of both; children's play equipment; arbors; and gazebos, when placed in a rear half of the lot shall have a minimum three (3) foot setback.  
Attached accessory structures shall meet the same setbacks as the main building.
  - c. Pools, hot tubs, and similar accessory structures may not be located in the rear or interior yard setbacks.
  - d. Vehicle covers and other storage structures that are composed of pipes or poles with a fabric, plastic or other type of cover on the top of the framework are required to meet the development standards for the applicable zoning district, including lot coverage limitations and setback requirements. If the covering on such a structure is metal, wood, hard plastic or other rigid material and the structure exceeds 120 square feet in size, a building permit is required for the structure. If the structure is used for recreational, sporting or utility vehicle storage, the storage requirements of LMC 18A.60.160, including a parking pad and screening must be met. Fabric, vinyl, flexible plastic or other membrane material may be utilized to enclose the sides of the structure only if the structure is specifically designed and used for vehicle storage. Such enclosed structures are not exempt from the screening requirements of LMC 18A.60.150. Except as noted above, general storage is prohibited in tents, yurts or other tent-like structures.
  - e. Railroad cars, shipping containers, and semi-truck trailers shall not be placed or maintained in any single-family residential, mixed residential, or multi-family residential zoning district.
10. See LMC Section 18A.40.120.
11. Residential accessory uses are secondary, subordinate permitted uses and include the following:
  - a. Private docks and mooring facilities as regulated by applicable shoreline management regulations.

- b. 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.
- c. Detached carports or garages are allowed in conjunction with an approved access and driveway.
- d. 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.
- e. Outdoor storage of one (1) recreational/sporting/utility vehicles, subject to LMC Section 18A.60.160.
- f. 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 Section 18A.50.180.
- g. Hobbyist crop or flower gardens which are non-commercial and serve one (1) or more neighborhood homes on an informal, cooperative basis.
- h. "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.
- i. On-site underground fuel storage tanks to serve a residential use.
- j. Antennas and satellite dishes for private telecommunication services.
- k. Decks and patios.
- l. Non-commercial recreational facilities and areas, indoor and outdoor, including swimming pools and tennis courts, for exclusive use by residents and guests.
- m. On-site soil reclamation in accordance with state regulations.
- n. Retaining walls, freestanding walls, and fences.
- o. Yard sales.
- p. 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 permitted.

12. Small craft distilleries may contract distilled spirits for, and sell distilled spirits to, holders of distillery licenses, manufacturer's licenses and grower's licenses.

#### C. Manufactured/Mobile Home Parks

##### 1. Intent. It is the intent of this section to:

- a. Permit the location of manufactured homes in specially designed parks as an additional affordable housing option where manufactured homes lots can be leased as a permanent form of dwelling unit in all residential districts;
- b. Provide standards for the development and use of manufactured home parks appropriate to their location and use as permanent facilities;
- c. Designate appropriate locations for manufactured home parks;
- d. Ensure a high quality of development for such parks and dwelling units to the end that the occupants of manufactured home and the community as a

whole are protected from potentially adverse impact of such development or use;

- e. Provide for city review of proposed manufactured home parks;
- f. Make a distinction between manufactured home parks and other subdivisions, and their development and occupancy characteristics.

2. Permitted locations. Mobile and manufactured homes are permitted as follows:

- a. As a primary use in a mobile or manufactured home subdivision of not less than five nor more than forty acres in all residential districts.
- b. As a primary use in a mobile or manufactured home park of not less than three acres nor more than twenty acres. Mobile or manufactured home parks may be permitted in all residential districts after receiving a conditional use permit.
- c. As an accessory use for security or maintenance personnel in the following districts, subject to site plan review:

- i. General commercial district;
- ii. Light industrial/commercial district;
- iii. Industrial district;
- iv. Mineral extraction district;
- v. Open space/institutional district.

d. As temporary or emergency use in:

- i. Any district as part of a construction project for office use of construction personnel or temporary living quarters for security personnel for a period extending not more than ninety days beyond completion of construction. A thirty day extension may be granted by the city manager upon written request of the developer and upon the manager's finding that such request for extension is reasonable and in the public interest;
- ii. Any district as an emergency facility when operated by or for a public agency;
- iii. In the open space/institutional district where a community need is demonstrated by a public agency such as temporary classrooms or for security personnel on school grounds.

3. Development standards - Plot plan requirements. A complete and detailed plot plan shall be submitted to the community development department. The plot plan shall include the following information and such other information as the department may reasonably require to determine the acceptability of the proposed development:

- a. Location and dimensions of all lots;
- b. Roads, internal street system, and driveways;
- c. Common open space, community facilities;
- d. Utility lines, including water, sewer, electrical and any others contemplated;

- e. Landscaping and screening plan for exterior boundaries.
4. Manufactured home park design standards - Area and density. The minimum site for a manufactured home park shall be three acres. The maximum site for a manufactured home park shall be twenty acres. The maximum number of manufactured homes per acre shall be consistent with the underlying density or the zone in which it is located.
5. Manufactured home park design standards - Site requirements. The size and shape of individual manufactured home sites shall be in accordance with the following:
- a. Minimum space area, four thousand square feet;
  - b. Minimum width, forty feet;
  - c. Minimum depth, eighty feet;
  - d. Minimum setback from street or access road, ten feet with a ten foot planter and rear load access; fifteen feet with standard planter and no alleys;
  - e. Maximum development coverage of space, fifty percent;
  - f. Side yard setback five feet.
  - g. Rear yard setback fifteen feet.
6. Manufactured home park design standards - Off-street parking. Off-street parking shall be provided in accordance with LMC Chapter 18A.80.
7. Manufactured home park design standards - Open space. Ten percent of the gross site area shall be set aside for usable open space.
8. Manufactured home park design standards - Accessory buildings and structures.
- a. Buildings or structures accessory to individual manufactured homes are permitted, including enclosed carports, provided that the total development coverage of the space shall not exceed the development coverage permitted in LMC Section 18A.60.030.
  - b. Buildings or structures accessory to the manufactured home park as a whole, and intended for the use of all manufactured home occupants are permitted, provided the building area not exceed one-fourth of the common open space area.
9. Manufactured home park design standards - Landscaping and screening.
- a. Visual screening and/or landscaping may be required in those developments where such screening is deemed necessary and reasonable by the enforcing officer and/or the hearings examiner.
  - b. When required, such screening may consist of densely planted vegetation not less than four feet in height at the time of planting, or a solid fence, six feet in height, or a combination of fencing and vegetation which achieves the same screening effect.
  - c. Landscaping is also required in all setback areas and open space. All

applicable requirements of LMC Chapters 18A.60 and 18A.70 shall be satisfied.

- d. Visual interruption with appropriate vegetation between manufactured home units may also be required to relieve visual monotony.
- e. The perimeters of common parking areas shall be landscaped in such a way as to create a diversion between streets and parking areas, at the same time not obstructing the view of any walkways, driveways, or streets around entrances or exits to the mobile home park.
- f. All trees, flowers, lawns and other landscaping features shall be maintained in a healthy growing condition at all times.

10. Manufactured home park design standards - Ingress and egress.

- a. Each manufactured home site shall have access from an interior drive or roadway only.
- b. Access to the manufactured home park shall be limited to not more than one driveway from a public street or road for each two hundred feet of frontage.

11. Manufactured home park design standards - Surfacing requirements. All streets, roads and driveways shall be hard-surfaced, including permeable paving surfaces in conformance with the current City of Lakewood Stormwater Design Manual, to a standard of construction acceptable to the city engineer. Interior pedestrian walkways, carports and parking areas shall also be paved.

12. Manufactured home park design standards - Stormwater runoff. Stormwater management is required and shall comply with the current City of Lakewood Stormwater Design Manual and shall be subject to the city's review and approval, and shall, moreover, comply with LMC Chapter 12.11 pertaining to community facilities.

**HYPOTHETICAL EXAMPLE 1: APPLICATION FOR COMMERCIAL OFFICE BUILDING**


Included below is a table including a hypothetical example comparing the review process for a proposed commercial office building under the current 18A to that under the new 18A.

PROCESS UNDER THE <b>CURRENT CODE</b> –	PROCESS UNDER THE <b>REVISED CODE</b> –
“Can I build a commercial office at 7727 Custer Road SW?”	“Can I build a commercial office at 7727 Custer Road SW?”
<div> <b>STEP 1:</b> Applicant has to define what type of office space is desired. </div> <p>Planner will ask clarifying questions:</p> <ul style="list-style-type: none"> <li>▪ Any medical or dental functions? <ul style="list-style-type: none"> <li>▫ <i>Why do we ask?</i> Because under the current code, this use is allowed; however, this activity has</li> </ul> </li> </ul>	<div> <b>STEP 1:</b> Applicant has to define what type of office space is desired. </div> <p>Planner will ask clarifying questions:</p> <ul style="list-style-type: none"> <li>▪ Any medical or dental functions? <ul style="list-style-type: none"> <li>▫ <i>Why do we ask?</i> Under the proposed code, this activity is classified differently (building</li> </ul> </li> </ul>



<b>PROCESS UNDER THE CURRENT CODE –</b> <b>“Can I build a commercial office at 7727 Custer Road SW?”</b>	<b>PROCESS UNDER THE REVISED CODE –</b> <b>“Can I build a commercial office at 7727 Custer Road SW?”</b>
<p>specialized building code requirements, and often increased parking needs.</p> <ul style="list-style-type: none"> <li>▪ Any lab testing? <ul style="list-style-type: none"> <li>▫ <i>Why do we ask?</i> Because under the current code, this use is allowed; however, this activity has specialized building code requirements.</li> </ul> </li> <li>▪ Is the office to be used by government, a school district, or a state institution? <ul style="list-style-type: none"> <li>▫ <i>Why do we ask?</i> Because the use may fall into another category such as community and cultural services, education, essential public facilities; and government administration facilities.</li> </ul> </li> <li>▪ Are there any other ancillary uses associated with the proposed office? <ul style="list-style-type: none"> <li>▫ <i>Why do we ask?</i> Sometimes there is a limited retail activity, hazardous materials, etc.</li> </ul> </li> <li>▪ How big is the office? <ul style="list-style-type: none"> <li>▫ Because the current code limits the size of office space in certain zones, or prohibits its altogether.</li> </ul> </li> <li>▪ Can you provide me with details of the type of office? <ul style="list-style-type: none"> <li>▫ Under the current code, there are so many descriptors for office uses that it requires the planner to ask more questions in order to classify the office use appropriately.</li> </ul> </li> </ul> <div data-bbox="420 1486 615 1656" data-label="Image"> </div> <ul style="list-style-type: none"> <li>▪ Under Chapter 18A.20, land use types and descriptions, that office-type uses are “lumped in” amongst many different use types? (That makes it hard to find the appropriate definition.)</li> </ul>	<p>code requirements and the need for additional parking).</p> <ul style="list-style-type: none"> <li>▪ Any lab testing? <ul style="list-style-type: none"> <li>▫ <i>Why do we ask?</i> See answer above related to building code requirements.</li> </ul> </li> <li>▪ Is the office to be used by government, a school district, or a state institution? <ul style="list-style-type: none"> <li>▫ <i>Why do we ask?</i> Because under the revised code, these types of uses are classified differently, and, frankly, easier to find.</li> </ul> </li> <li>▪ Are there any other ancillary uses associated with the proposed office? <ul style="list-style-type: none"> <li>▫ <i>Why do we ask?</i> Sometimes there is a limited retail activity, hazardous materials, etc.</li> </ul> </li> </ul>

<b>PROCESS UNDER THE CURRENT CODE –</b> <b>“Can I build a commercial office at 7727 Custer Road SW?”</b>	<b>PROCESS UNDER THE REVISED CODE –</b> <b>“Can I build a commercial office at 7727 Custer Road SW?”</b>
<ul style="list-style-type: none"> <li>Some of the descriptions are antiquated. For example, business services list fax services, telegraph services, and stenographic services. (Who uses faxes or telegraph services?)</li> <li>Some of the descriptions are overly broad. Professional offices, for example, include medical and dental offices, and diagnostic testing services. These types of activities have very special building code requirements and should not be listed under the term professional office.</li> <li>In some cases, the level and types of activities are so many, it is sometimes difficult to determine under which category a use should be listed. For example, some of the uses listed under business services, personal services, and professional offices descriptions are quite similar.</li> </ul> <p>In sum, this level of complexity causes problems, and often leads to misunderstandings.</p>	
<div> <b>STEP 2:</b> Planner examines the land use development regulations and zoning map. There are three parts to the review. </div>	<div> <b>STEP 2:</b> Planner examines the land use development regulations and zoning map. There are three parts to the review. </div>
<ul style="list-style-type: none"> <li>Planner goes is to Chapter 18A.20, land use types and descriptions. The section number is 18A.20.600 Commercial Use Category – Land Use Types and Levels. As described by the applicant, the activity is a Professional Office, Level 1.</li> <li>Planner goes is to the zoning map. 7727 Custer Road SW is zoned Neighborhood Commercial 2 (NC2).</li> <li>Now that the planner knows the use-type and zoning, the planner goes to Chapter 18A.30, and reviews Sections 18A.30.400 through 18A.30.450, which outlines all of the</li> </ul>	<ul style="list-style-type: none"> <li>Planner goes to revised 18A.40, Section 18A.40.040 commercial &amp; industrial uses. There are three types of professional offices, business services, processing, and professional.</li> <li>Planner, next goes to revised 18A.10.180, Definitions. Planner looks up the three definitions for business services, processing, and professional. Determines that the use is professional, meaning, “office-type facilities occupied by business people that provide professional services and/or engaged in the production of intellectual property.”</li> </ul>

PROCESS UNDER THE <b>CURRENT CODE</b> –	PROCESS UNDER THE <b>REVISED CODE</b> –
<p><b>“Can I build a commercial office at 7727 Custer Road SW?”</b></p>	<p><b>“Can I build a commercial office at 7727 Custer Road SW?”</b></p>
<p>allowable uses in the NC2 zone in text form. Section 18A.30.430 (C.) (33.) allows professional offices (Levels 1/2).</p>	<ul style="list-style-type: none"> <li>▪ The third place the planner goes is to the zoning map. 7727 Custer Road SW is zoned Neighborhood Commercial 2 (NC2).</li> </ul>
<p><b>STEP 3:</b> Planner informs the applicant that an office as has been described is allowed as a primary permitted use. The applicant can build the proposed office subject to approval of a zoning certification<sup>1</sup> and all applicable development permits.</p>	<p><b>STEP 3:</b> Planner informs the applicant that an office as has been described is allowed as a primary permitted use. The applicant can build the proposed office subject to approval of a zoning certification and all applicable development permits.</p>
<p><b>What’s wrong with this process?</b></p> <p>This cartoon says it all...</p>  <ol style="list-style-type: none"> <li>1. This is an example of a fairly straight-forward exchange at the permit counter. This example can take up to 20 minutes. There are several reasons it takes so long: <p>Things are not easy to find. You have to go to <i>at least</i> three different locations in the current code to find appropriate code sections.</p> <p>Neither the general public nor professional developers understand Chapter 18A.20, land use types and descriptions. <i>It’s too complicated! It causes your brain to hurt.</i></p> </li> <li>2. Also, at this stage, the applicant may not know what type of office is desired. The way the current code is structured there is less</li> </ol>	<p><b>What’s right with this process?</b></p> <ol style="list-style-type: none"> <li>1. It’s easier to find “stuff.” The proposed code uses tables.</li> <li>2. Office space size has been deleted.</li> <li>3. Fewer questions and less time spent at the counter or on the telephone. <i>This ability to provide concise answers quickly, has a profound effect on increasing department efficiency.</i></li> <li>4. Under the revised code, the number of office types has been significantly reduced and the definitions simplified. <u>Further, all of the proposed land use descriptions have gone through this process.</u></li> <li>5. Medical and dental uses are not really offices. They are a different land use category under the revised code and are treated as such.</li> <li>6. The proposed land use definitions are now relevant to today’s needs.</li> </ol>

<sup>1</sup> Zoning certification is a written statement issued prior to a building permit being issued stating that the use is allowed in a zoning district.

PROCESS UNDER THE <b>CURRENT CODE</b> –	PROCESS UNDER THE <b>REVISED CODE</b> –
<b>“Can I build a commercial office at 7727 Custer Road SW?”</b>	<b>“Can I build a commercial office at 7727 Custer Road SW?”</b>
<p>flexibility. If market conditions for an office use change, the applicant may have to approach CEDD requesting clarification.</p> <p>3. Even the planning staff sometimes gets confused between Chapter 18A.20, land use types and descriptions, and Chapter 18A.90, definitions. And that’s because much of 18A.20 ought to be under the definitions chapter!</p> <p>4. All of the regulations are in text form. Lawyers may like it, which was the original reason it was designed this way, but there is a need to simplify using tables and charts.</p>	<p>7. Greater flexibility provided to the applicant.</p> <p>8. All of Chapter 18A.20, land use types and descriptions, has been DELETED. Again, this is an example of simplification, and not just for professional offices, but for every land use description found in the proposed code.</p>

# Updating Lakewood Municipal Code (LMC) Land Use & Development Code: Titles 1, 3, 12; Chapters 18A.10 – 18A.40

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## City Council Study Session

November 12, 2019

Tiffany Speir, Planning Manager, Special Projects



## **Current Council Schedule:**

November 12: Study Session focusing on Chapters 18A.10 – 18A.40

November 25: Study Session focusing on Chapters 18A.50 – 18A.100

December 2: Public Hearing

December 16: Council action on amendments and package

Project Website: [www.Lakewood18A.org](http://www.Lakewood18A.org)



## Scope of November 12 Discussion

- Amendments to Title 1 (General Provisions)
- Amendments to Title 3 (Revenue and Finance)
- Amendments to Title 12 (Public Works)
- Amendments to Title 17 (Subdivisions)
- Substantive amendments to Title 18A Chapters:
  - 18A.10 (Basic Provisions)
  - 18A.20 (Administration)
  - 18A.30 (Discretionary Permits)
  - 18A.40 (Land Use & Interpretation Tables)
- Hypothetical Examples: Navigating 18A

## **Titles 1, 3, 12 and 17 Changes:**

- Chapter 1.36 (Hearing Examiner System): Site Specific Rezones
  - The City Council takes action on site specific rezone decision by HE decision once appeal period finished
- New Chapter 3.80: Financial Guarantees
  - Consolidates current financial guarantee types and processes from Titles 12, 17 and 18A into a new LMC Chapter 3.80
- Chapter 12.09: Street Trees
  - To be regulated under Chapter 18A.70 (Section 12.09.080 to be removed)
  - List of street trees to be codified (from 2012 PSP LID Manual)

## Updating LMC Development Codes

### Focus for November 12 Study Session

Current Title 18A Land Use & Development Code	New Title 18A Land Use & Development Code
<b>Chapters:</b> <b>18A.01</b> Introduction <b>18A.02</b> Administration <b>18A.10</b> Discretionary permits <b>18A.20</b> Land use types and levels <b>18A.30</b> Zoning districts <b>18A.40</b> Overlay districts <b>18A.50</b> Development standards <b>18A.60</b> <i>Reserved</i> <b>18A.70</b> Use-specific standards <b>18A.85</b> Eligible facilities modification code (wireless telecommunications) <b>18A.90</b> Definitions	<b>Chapters:</b> <b>18A.10</b> <b>Basic Provisions &amp; Definitions</b> <b>18A.20</b> <b>Administration</b> <b>18A.30</b> <b>Discretionary Permits</b> <b>18A.40</b> <b>Land Use and Interpretation Tables</b> <b>18A.50</b> Overlay Districts <b>18A.60</b> Site Planning & General Development Standards <b>18A.70</b> Community Design, Landscaping, & Tree Preservation <b>18A.80</b> Parking <b>18A.90</b> Housing Incentives Program <b>18A.95</b> Wireless Services Facilities <b>18A.100</b> Signs [ <i>adopted in Ord. 706</i> ]

## CHAPTER 18A.10 - BASIC PROVISIONS

**Chapter 18A.10** explains that the purpose of the Title is to “implement the City of Lakewood Comprehensive Plan, as now adopted and as may be subsequently amended, hereinafter referred to as the “Comprehensive Plan,” in order to protect and promote the health, safety, and general welfare of Lakewood’s citizens through regulation of the city’s physical development.”

The Chapter includes the basic framework within which the rest of the Title should be read and interpreted, including: the City’s land use designations, zone and overlays; descriptions of how the code will be interpreted; code construction rules; measurement and time interpretations; and more.

## Updating LMC Development Codes

### CHAPTER 18A.10 - BASIC PROVISIONS

#### Sections

- 18A.10.010 Title.
- 18A.10.020 Purpose.
- 18A.10.030 Scope.
- 18A.10.040 Rules of Construction.
- 18A.10.050 Computation of Time.
- 18A.10.060 Measurements.
- 18A.10.070 Interpretations.
- 18A.10.080 Authority and Comprehensive Plan Consistency.
- 18A.10.090 Comprehensive Plan Amendments.
- 18A.10.100 General Requirements.
- 18A.10.110 Severability.
- 18A.10.120 Establishment of Zoning Districts.
- 18A.10.130 Establishment of Overlay Districts.
- 18A.10.135 Establishment of Military Influence Area.
- 18A.10.140 Establishment of Subareas.
- 18A.10.150 Adoption of City-wide and Subarea Zoning Maps.
- 18A.10.160 Boundaries – Administrative Determination.
- 18A.10.170 Boundaries – Planning Commission Recommendation –  
City Council Determination.

#### Substantive Changes? Yes

Measurements (Fractions) – round density calculations up at .5+ (.060)

New section re Military Influence Area (.135)

New section re Housing Reasonable Accommodation (.175)

New Consolidated Definitions Section (.180)

18A.10.175 Reasonable Accommodation.

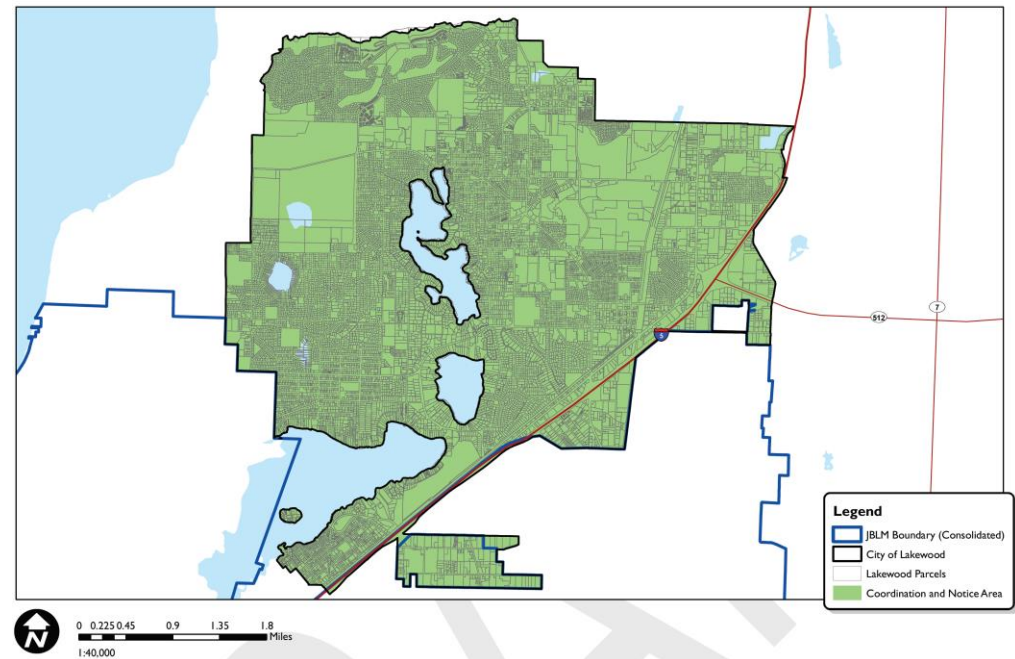
18A.10.180 Definitions.

**ALL** Title 18A Definitions  
incorporated into 18A.10.180

## 18A.10.135 Military Influence Area

- Applies to entire City
- The boundary is a contour representing the outermost extent of all the Imaginary Surfaces for Gray Army Airfield and McChord Field and those lands designated as “military-critical” and “military-important” in the 2019 *JBLM Lighting Study Report*.

JBLM MIAO - Coordination and Notice Area - Lakewood





### 18A.10.135 Military Influence Area

#### Purpose

- No development shall be approved within the Military Coordination & Notice Area that produces light emissions that would interfere with pilot vision and training at Joint Base Lewis-McChord.
- Exterior lighting used in conjunction with street, parking, signs, or use of land and structures shall be arranged and operated in such manner that it is not misleading or dangerous to aircraft operating from JBLM.
- Except for lighting provided in association with single-family homes, mobile homes, and duplexes, exterior lighting must be fully shielded so that all light emitted by the fixture projects below the horizontal direction and contain shielding permanently affixed to the fixture.

### 18A.10.135 Military Influence Area

- Requires coordination between Lakewood and JBLM per RCW 36.70A.530 (notice re proposed Comprehensive Plan and Zoning map and code amendments)
- Requires notice to property owners seeking building permits, zoning permits, subdivision plats, and site plans regarding noise, vibration, odors, flight safety hazards, and other impacts from JBLM operations, as well as potential limitations on use of property
- Requires similar notice to real estate buyers and lessees and tenants
- Requires Compatible Use Standards for Lakewood's Clear Zone (CZ), Air Corridor 1 (AC1) Zone and Air Corridor 2 (AC2) Zone

## 18A.10.175 Reasonable Accommodation re Housing

- The Federal Fair Housing Act (FFHA) requires that **reasonable accommodations be made in rules, policies, practices, or services, when such accommodations may be necessary to afford persons with disabilities equal opportunity to use and enjoy a dwelling in conformance with the Federal Fair Housing Act and the Washington Housing Policy Act.**
- A request for reasonable accommodation may be made by any person with a disability, the person's representative, or any entity, when the application of a zoning law or other land use regulation, policy or practice acts as a barrier to fair housing opportunities.
- A request for reasonable accommodation may include a **modification or exception to the rules, standards and practices for siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of his or her choice.**
- If no approval is sought other than the request for reasonable accommodation, the request shall be reviewed by the Community Development Director or designee.

## **Chapter 18A.20 - ADMINISTRATION**

**Chapter 18A.20** includes several tables and sections that address in summary what permits the City has, who has the authority to review permit applications and any appeals, processes for public noticing for certain permit types, and how long the City has to conduct its reviews and appeals. By reading 18A.20.050, .070, .080 and .090, an applicant can see what type of permit they need to pursue, who will be deciding the approval, and how long review will take.

The Chapter also includes regulations regarding nonconforming uses, structures and lots.

## Updating LMC Development Codes

### CHAPTER 18A.20 - ADMINISTRATION

#### Sections

18A.20.005 Definitions

#### Part I Administration (.010 - .199)

#### Sections

18A.20.010 Applications.

18A.20.020 Application Fees.

18A.20.030 Complete Application Form and Content.

18A.20.040 Consolidated Review of Applications.

18A.20.050 Determination of Complete Application.

18A.20.060 Effects of Project Permit Application Revisions.

18A.20.070 Approval and Appeal Authorities.

18A.20.080 Review and Appeal Authorities.

18A.20.090 Permit Review Time Periods.

18A.20.100 Expiration of Approvals.

18A.20.110 Licenses and Building Permits.

18A.20.120 Certificate of Occupancy.

18A.20.130 Annexed Land.

18A.20.140 Transfer of Development Rights.

#### **Substantive Changes? Yes**

**Vesting removed from LMC and analyzed case by case**

**New language re application resubmittals (.060)**

**New language re approval and appeal authorities (.070)**

**New Language re transfer of development rights (.140)**

## Updating LMC Development Codes

### 18A.20 Part II Nonconforming Uses and Structures (.200 – .299)

#### 18A.20.200 Purpose.

This section establishes uniform provisions for the regulation of nonconforming land uses, structures, and lots (termed “nonconformities” within this chapter.) The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained. See LMC Chapter 18A.40 for a further discussion of permitted uses.

#### 18A.20.208 Applicability – Nonconformities.

This section shall apply to legally existing nonconformities, except the following items, which shall be governed by the standards set forth in the chapters identified below.

1. Nonconforming uses and structures within the Downtown Subarea Plan, as governed in LMC Title 18B.
2. Nonconforming signs as defined in LMC Chapter 18A.100, Signs.
3. Nonconforming wireless services facilities as defined in LMC Chapter 18A.95, Wireless Services Facilities.
4. Nonconforming mobile home parks as defined in LMC Section 18A.40.110(C), Manufactured Home Parks.
5. Nonconforming sexually oriented businesses as defined in the LMC Chapter 18A.50, Section III, Sexually Oriented Businesses Overlay (SOBO.)
6. Permit applications at the time of this title’s passage that constitute vested development.



## CHAPTER 18A.20 - ADMINISTRATION

### Part II Nonconforming Uses and Structures (.200 – .299)

#### Sections

- 18A.20.200 Purpose.
- 18A.20.208 Applicability – Nonconformities.
- 18A.20.210 Preexisting, Nonconforming Lots of Record.
- 18A.20.218 Transfer of Ownership - Nonconforming Uses.
- 18A.20.220 Proof of Nonconformity.
- 18A.20.228 Nonconforming Uses.
- 18A.20.230 Nonconforming Structures.
- 18A.20.238 Repairs and Maintenance.
- 18A.20.240 Health or Safety Improvements.
- 18A.20.248 Nonconforming Parking Lots.
- 18A.20.250 Nonconforming Landscaped Areas.
- 18A.20.258 Conditional Uses.
- 18A.20.260 Administrative Determinations.
- 18A.20.268 Review of Administrative Decisions.

#### **Substantive Changes? Yes**

**New Sections (.200 - .299) – new requirements**

**Conditional uses and change of zoning (.258)**

## Updating LMC Development Codes

### Chapter 18A.20 Part III Public Notice Requirements (.300 – .399)

#### Part III Public Notice Requirements (.300 – .399)

##### Sections

18A.20.300 Public Notice Procedures.

18A.20.310 Public Notice Framework.

18A.20.320 Use of Pierce County Assessor's Office Taxpayer Data.

18A.20.330 Notice of Application – Permits.

18A.20.340 Notice of Public Hearing.

18A.20.350 Optional Public Notice.

18A.20.360 Joint Public Hearings.

### Chapter 18A.20 Part IV Appeals/Reconsiderations (.400 – .499)

#### Part IV Appeals/Reconsiderations (.400 – .499)

##### Sections

18A.20.400 Specific Appeal Procedures.

18A.20.410 Appeals to Hearing Examiner.

18A.20.420 Reconsideration of Hearing Examiner Decision.

18A.20.430 Clarification of Hearing Examiner Decision.

18A.20.440 No Appeals to City Council.

#### **Substantive Changes? Yes**

**New standard of review for Hearing Examiner appeals (.410)**

**Appeals to City Council removed (.440)**

## CHAPTER 18A.30 – DISCRETIONARY PERMITS

**Chapter 18A.30** includes the land use development code regulations concerning “discretionary permits” – those land use and construction permits that require some sort of review and approval (potentially with case-specific conditions for approval identified) or denial by the Community & Economic Development Department (CEDD), the Hearing Examiner, or the City’s legislative bodies (i.e., the Planning Commission and City Council) before an applicant can proceed. These include:

- Comprehensive Plan Amendments (map or text)
- Conditional Use Permits (Conditional use permits are required for land uses which are appropriate in a zone but typically have certain characteristics such as traffic generation or building mass which warrant imposition of special conditions to ensure compatibility with permitted uses in the zone.)

*\*Administrative Uses and Administrative Variances have been removed from the new 18A.*

- Cottage Housing
- Development Agreements
- Land Use Review and Approvals
- Planned Developments
- Rezone and Text Amendments (which may or may not involve Comprehensive Plan amendments)
- Temporary Use Permits
- Variances
- Unusual Uses

## Updating LMC Development Codes

### CHAPTER 18A.30 - DISCRETIONARY PERMITS

#### Sections

18A.30.005 Definitions

#### Part I Comprehensive Plan Amendment (.010 - .100)

#### Sections

18A.30.010 Type of action.

18A.30.020 Plan amendment procedures – Comprehensive Plan.

18A.30.030 Preliminary review and evaluation criteria – Comprehensive Plan.

18A.30.040 Council approval of final docket – Comprehensive Plan.

18A.30.050 Final review and evaluation – Comprehensive Plan.

18A.30.060 Decision criteria for rezone requests – Comprehensive Plan.

18A.30.070 Consistency between the zoning map and the future land use map - Comprehensive Plan.

18A.30.080 Planning commission and city council review and adoption process.

18A.30.090 Timing and exemptions.

18A.30.100 Notice to County Assessor of changes in Comprehensive Plan and development regulations.

**Substantive Changes? Yes**

**New Comprehensive Plan procedures (.010-.050)**

## Updating LMC Development Codes

### CHAPTER 18A.30 - DISCRETIONARY PERMITS

#### Part II Conditional Use Permit

##### 18A.30.110 Purpose – conditional use permit.

The purpose of this sub-chapter is to establish the type of action, contents of a complete application, and criteria for approval for conditional use permits. Conditional use permits are required for land uses which are appropriate in a zone but typically have certain characteristics such as traffic generation or building mass which warrant imposition of special conditions to ensure compatibility with permitted uses in the zone.

*\*Conditional uses removed from new 18A*

#### Part II Conditional Use Permit (.110 - .210)

##### Sections

18A.30.110 Purpose – conditional use permit.

18A.30.120 Type of action.

18A.30.130 Criteria for approval.

18A.30.140 Conditions of approval.

18A.30.150 Minor modifications to approved conditional use permits.

18A.30.160 Time frame for submission of construction permits.

18A.30.170 SEPA-exempt conditional uses

18A.30.180 Compliance - conditional use permit.

18A.30.190 Transferability - conditional use permit.

18A.30.200 Essential public facilities - conditional use permit.

18A.30.210 Special needs housing - conditional use permit.

**Substantive Changes? No**

## Updating LMC Development Codes

### CHAPTER 18A.30 - DISCRETIONARY PERMITS

#### Part III Cottage Housing (.220 - .310)

##### 18A.30.220 Purpose – Cottage housing.

Cottage housing provides for a specific residential development type (“cottage housing”) featuring modestly sized single family detached residences with commonly held community amenities, and oriented around commonly held open-space areas. Specific design standards must be met. An increase in allowable density over the maximum density allowed in the underlying zoning district is provided as an incentive to encourage development of this type of housing, and in recognition of the reduced impacts expected from this type of housing versus typical single-family residential development.

#### Sections

18A.30.220 Purpose – cottage housing.

18A.30.230 Applicability.

18A.30.240 General provisions.

18A.30.250 Development standards.

18A.30.260 Open space.

18A.30.270 Building design standards.

18A.30.280 Parking.

18A.30.290 Common area maintenance.

18A.30.300 Low impact development standards.

18A.30.310 Modifications.

**Substantive Changes? No**



## Updating LMC Development Codes

### CHAPTER 18A.30 - DISCRETIONARY PERMITS

#### PART IV Development Agreement (.320 - .400)

##### 18A.30.320 Authority.

The execution of a development agreement is a proper exercise of city police power and contract authority. The city may consider, and enter into, a development agreement with a person having ownership or control of real property within the city limits. The city may consider a development agreement for real property outside of the city limits but within the urban growth area ("UGA," as defined in RCW 36.70A.030(15), or as designated by the county pursuant to RCW 36.70A.110) as part of a proposed annexation or a service agreement.

#### Sections

- 18A.30.320 Authority.
- 18A.30.330 Type of action.
- 18A.30.340 Content.
- 18A.30.350 Application.
- 18A.30.360 Timing of public hearings.
- 18A.30.370 Notice.
- 18A.30.380 Staff report.
- 18A.30.390 Public hearing and City Council action.
- 18A.30.400 Term of agreement.

**Substantive Changes? No**

## Updating LMC Development Codes

### CHAPTER 18A.30 - DISCRETIONARY PERMITS

#### PART V Land Use Review and Approval (.410 - .520)

##### 18A.30.410 Purpose – land use review and approval.

The purpose of this section is to allow for the placement of uses permitted by Title 18A of the Lakewood City Code, through a comprehensive site plan review process, which insures compliance with the adopted plans, policies and ordinances of the City of Lakewood. It is further intended to provide for the examination of development proposals with respect to overall site design and to provide a means for guiding development in logical, safe and attractive manners.

#### Sections

18A.30.410 Purpose – land use review and approval.

18A.30.420 Type of action.

18A.30.430 Applicability.

18A.30.440 Delegation of authority.

18A.30.450 Application –content.

18A.30.460 Application – review process.

18A.30.470 Site plan review log – summary of action.

18A.30.480 Notification.

18A.30.490 Reconsideration in response to SEPA comments.

18A.30.500 Amendments.

18A.30.510 Dedication, improvements and performance bond.

18A.30.520 Final approval – expiration.

**Substantive Changes? Yes**

**Codification of current administrative procedure**

(The land use approval consolidates various non-construction permit reviews of a project such as design review, environmental review, zoning conformance, and site plan review. Land Use Approval is a permit which does not directly authorize construction or improvements to real estate, but which is a necessary and required precursor to authorization of such construction or improvement.) **176**

## Updating LMC Development Codes

### CHAPTER 18A.30 - DISCRETIONARY PERMITS

#### PART VI Planned Development (.530 - .660)

##### 18A.30.530 Purpose.

A planned development district is a mechanism by which the City may permit a variety in type, design, and arrangement of structures; and enable the coordination of project characteristics with features of a particular site in a manner consistent with the public health, safety and welfare. A planned development district allows for innovations and special features in site development, including the location of structures, conservation of natural land features, protection of critical areas and critical area buffers, the use of low impact development techniques, conservation of energy, and efficient utilization of open space.

#### Sections

18A.30.530 Purpose.

18A.30.540 Application.

18A.30.550 Public hearing.

18A.30.560 Required findings.

18A.30.570 Action of hearing examiner.

18A.30.580 Minimum size.

18A.30.590 Permitted modifications.

18A.30.600 Permitted residential density and lot sizes.

18A.30.610 Required open space and recreation facilities.

18A.30.620 Multiple zoning districts.

18A.30.630 Binding site plan.

18A.30.640 Phased development.

18A.30.650 Required certificates and approvals.

18A.30.660 Expiration.

**Substantive Changes? No**

## Updating LMC Development Codes

### CHAPTER 18A.30 - DISCRETIONARY PERMITS

#### PART VII Rezone and Text Amendment (.670 - .690)

##### 18A.30.670 Authority.

The City Council may, upon its own motion, amend, supplement or change by ordinance, any of the provisions, use district boundaries or use district classifications herein established.

In the case of site-specific rezones which do not require a Comprehensive Plan Amendment, and privately initiated rezones which require a Comprehensive Plan Amendment, the Council shall first review the recommendation of the Planning Commission.

Accordingly, the Department shall forward all proposed text amendments and rezone, i.e., zoning map amendment, proposals to the Planning Commission for review and recommendation, and to the City Council for consideration, review and action.

#### Sections

18A.30.670 Authority.

18A.30.680 Site-specific rezone procedures.

18A.30.690 Collection of rezone applications.

<b>Substantive Changes? Yes</b>
<b>Site Specific Rezone procedures (.670-.690) per Ord. 704</b>

## Updating LMC Development Codes

### CHAPTER 18A.30 - DISCRETIONARY PERMITS

#### PART VIII Temporary Use Permit (.700 - .760)

##### 18A.30.700 Purpose.

The provisions of this section are designed to provide standards and criteria for temporary relief to situations resulting from strict application of this title. Provisions authorizing temporary uses are intended to permit occasional temporary uses, activities and structures when consistent with the purpose of this title and when compatible with the general vicinity and adjacent uses.

#### Sections

18A.30.700 Purpose.

18A.30.710 Permitted uses.

18A.30.720 Exemptions.

18A.30.730 Application and authorization.

18A.30.740 Standards.

18A.30.750 Criteria for granting approval.

18A.30.760 Decision.

**Substantive Changes? No**

## Updating LMC Development Codes

### CHAPTER 18A.30 - DISCRETIONARY PERMITS

#### PART X. Variances (.840 - .890)

##### 18A.30.840 Purpose.

A variance shall not relieve an applicant from any of the procedural provisions of this title, conditions of approval established during prior permit review, any of the provisions of the critical areas code, except for the required buffer widths. The variance process shall not allow the establishment of a use that is not otherwise permitted in the zoning district in which the proposal is located or allow development that would result in an increase in density or a reduction in the minimum lot size.

*\*Administrative variances removed from new 18A*

#### Sections

18A.30.840 Purpose.

18A.30.850 Type of action.

18A.30.860 Limitations.

18A.30.870 Authority.

18A.30.880 Required findings.

18A.30.890 Additional conditions of approval.

**Substantive Changes? Yes**

**Minor variances eliminated**



## Updating LMC Development Codes

### CHAPTER 18A.30 - DISCRETIONARY PERMITS

#### PART XI. Unusual Uses (900 - .910)

##### 18A.30.900 Purpose.

Certain unusual uses, which are not identified in LMC Title 18A, may be allowed by the Hearing Examiner if such use will have no detrimental effect on other properties in the vicinity. In authorizing uses of this type, the Hearing Examiner shall impose limits and conditions necessary to safeguard the health, safety and general welfare of those persons that might be affected by the use.

#### Sections

18A.30.900 Unusual uses.

18A.30.910 Type of action.

<b>Substantive Changes? Yes</b>
<b>Addition of unusual uses sections (.900 - .910)</b>

## CHAPTER 18A.40 - LAND USES AND INTERPRETATION TABLES

**Chapter 18A.40** is one of the chapters with the most improvement when compared to the current Title 18A. Whereas in the current code there are hundreds of lines of text describing various land uses and allowed “levels” of such uses within various zoning districts, the new Chapter 18A.40 includes tables that simplifies the list of allowed uses and clarifies where they are allowed outright (“P”), allowed conditionally (“C”), or prohibited (“-”). The code no longer includes use levels, but instead simply indicates if a use is allowed or not. Footnotes follow each table within Chapter 18A.40 to provide specific details as needed.

## Updating LMC Development Codes

### CHAPTER 18A.40 - LAND USES AND INTERPRETATION TABLES

#### Sections

- 18A.40.005 Definitions
- 18A.40.010 Purpose.
- 18A.40.020 Interpretation of Land Use Tables.
- 18A.40.030 Agricultural Uses.
- 18A.40.040 Commercial and Industrial Uses.
- 18A.40.050 Eating and Drinking Establishments.
- 18A.40.060 Essential Public Facilities.
- 18A.40.070 Government Services, General.
- 18A.40.080 Health and Social Services.
- 18A.40.090 Lodging.
- 18A.40.100 Open Space.
- 18A.40.110 Residential Uses.
- 18A.40.120 Special Needs Housing.
- 18A.40.130 Special Regulations in AICUZ Zoning Districts.
- 18A.40.140 Transportation.
- 18A.40.150 Utilities.
- 18A.40.160 Marijuana.

#### **Substantive Changes? Yes**

**Administrative uses eliminated – now conditional uses**

**Agricultural Uses (.030)**

**Changes to allowed Industrial and Manufacturing uses (.040)**

**Eating & drinking drive through facilities conditions for approval (.050)**

**Lodging (.090)**

**Mobile Home Regulations (.110)**

**Reduced parking requirements for ADUs near transit facilities (.110)**

**Special Needs Housing (.120)**

**FAR, other new regulations per 2015 JBLM AICUZ (.130)**

## Updating LMC Development Code (LMCDC)

### Summary of Substantive Code Changes in new LMC Title 18A.10 – 18A.40

#### **18A.10 Basic Provisions & Definitions: Substantive Changes? Yes**

Measurements (Fractions) – round density calculations up at .5+ (.060)

New section re Military Influence Area (.135)

New section re Housing Reasonable Accommodation (.175)

New Comprehensive Definitions section (.180)

#### **18A.20 Administration: Substantive Changes? Yes**

Vesting removed from LMC and analyzed case by case

New language re application resubmittals (.060)

New language re approval and appeal authorities (.070)

New language re transfer of development rights (.140)

New language re nonconforming uses (.200 - .299)

Conditional uses and change of zoning (.258)

New standard of review for Hearing Examiner appeals (.410)

Appeals to City Council removed (.440)

## Updating LMC Development Code (LMCDC)

### Summary of Substantive Code Changes in new LMC Title 18A.10 – 18A.40

#### **18A.30 Discretionary Permits: Substantive Changes? Yes**

Comprehensive Plan procedures new (.010-.050)

Codification of current administrative procedure (.410 - .520)

Site Specific Rezone procedures (.670-.690)

Minor variances eliminated

Addition of unusual uses sections (.900 - .910)

#### **18A.40 Land Use and Interpretation Tables: Substantive Changes? Yes**

Administrative uses eliminated – now conditional uses

Agricultural Uses (.030)

Changes to allowed Industrial and Manufacturing uses (.040)

Eating & drinking drive through facilities conditions for approval (.050)

Lodging (.090)

Mobile Home Regulations (.110)

Reduced parking requirements for ADUs near transit facilities (.110)

Special Needs Housing (.120)

FAR, other new regulations per 2015 JBLM AICUZ (.130)

### HYPOTHETICAL EXAMPLE 1: APPLICATION FOR COMMERCIAL OFFICE BUILDING (SEE 11.2.19 STAFF REPORT)

PROCESS UNDER THE <b>CURRENT CODE</b> –	PROCESS UNDER THE <b>REVISED CODE</b> –
<b>“Can I build a commercial office at 7727 Custer Rd SW?”</b>	<b>“Can I build a commercial office at 7727 Custer Rd SW?”</b>
<b>STEP 1:</b> Applicant has to define what type of office space is desired.	<b>STEP 1:</b> Applicant has to define what type of office space is desired.
<b>STEP 2:</b> Planner examines the land use development regulations and zoning map. There are three parts to the review.	<b>STEP 2:</b> Planner examines the land use development regulations and zoning map. There are three parts to the review.
<b>STEP 3:</b> Planner informs the applicant that an office as has been described is allowed as a primary permitted use. The applicant can build the proposed office subject to approval of a zoning certification and all applicable development permits.	<b>STEP 3:</b> Planner informs the applicant that an office as has been described is allowed as a primary permitted use. The applicant can build the proposed office subject to approval of a zoning certification and all applicable development permits.



**Current Council Schedule:**

November 25: Study Session focusing on 18A.50 – 18A.100

December 2: Public Hearing


December 16: Council action on amendments and package

Project Website: [www.Lakewood18A.org](http://www.Lakewood18A.org)



TO: Mayor and City Council

FROM: Brian Humphreys, Human Services Coordinator

THROUGH: John Caulfield, City Manager 

DATE: November 12<sup>th</sup>, 2019

SUBJECT: 2020 Human Services Funding Recommendations

ATTACHMENTS: 1. 2020 Funding Recommendations  
2. 2019 3<sup>rd</sup> Quarter Funding & Contract Status

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## SUMMARY

Since incorporation the City of Lakewood has been a consistent human services funding source using 1% of its general funds to support services and programs assisting Lakewood residents. For the 2019-20 biennium this allocation is \$360,000 per year.

## REVIEW PROCESS

Consistent with past practices, the Community Services Advisory Board (CSAB) met to review the contract outputs and spending levels through three quarters, as well as site visit results, for each organization receiving human services funding. This review was followed by a discussion for each organization to determine whether to recommend maintaining, increasing, or decreasing funding levels for 2020. Board members agreed on the following standards:

- Organizations meeting contract outputs and receiving all “good” scores for their site visits should receive full funding unless there is a unique circumstance.
- Organizations on track to meet at least 80% of all contract outputs and receiving all “good” scores or no more than one “fair” score would require further discussion but should receive full funding.
- Organizations on track to meet less than 80% of at least one output, or which received a “poor” score or more than one “fair” score need to provide additional information and might be considered for reduced funding.

Using these standards, board members requested additional information from three organizations: Tacoma Community House, LASA, and Centerforce. LASA and Tacoma Community House provided information describing why their third quarter numbers were lower

and how they will meet the contract outputs by the end of the year. That information is provided at the bottom of Attachment Two. Board members are confident both organizations will meet or exceed their contract outputs.

Centerforce is on pace to serve around 50% of the number of clients they committed to for 2019. Board members reviewed the outcomes along with a letter submitted by the Executive Director explaining the number was overly optimistic.

Centerforce is one of the only organizations dedicated to serving Lakewood residents with disabilities and helping them become more self-sufficient. The City's human services funding supports their community inclusion work, which provides case managers to help their participants develop independent living skills, up to and including finding and retaining a job.

The organization's plan is to over-deliver the number of services provided to the Lakewood residents they are serving, however the board members disagree with this strategy and believe it is an example of going "wider" rather than "deeper" in terms of capturing the impact of the work. Board members recommend reevaluating the outputs for the second year of funding to include metrics such as wages of Lakewood residents who attain jobs rather than number of services provided.

After much discussion, the board is confident Centerforce is doing good work for Lakewood residents, is one of the only organizations serving this demographic in Lakewood, and the outcomes they will achieve are sufficient for the amount of funding allocated to them. This is also the first year Centerforce has received human services funding from the City of Lakewood. The advisory board recommends full funding for the second year of the contract on the condition they undergo a second site visit by the end of the first year to verify the total number of Lakewood clients served and develop new contract outputs.

**Attachment One** includes the CSAB recommendations for 2020 human services allocations to fund all contracts at their current levels.

**Attachment Two** is the 3<sup>rd</sup> Quarter Funding and Contract Status summary. The summary includes the status of billing, contract performance, and results of the site monitoring visit for each program.

**Attachment Two: Recommendations from the Community Services Advisory Board to the City Council for 2020 Human Services Funding Allocation**

Agency Name	Program Name	2019 Funding	Service Goals for Lakewood Residents (LR)	2020 Rec'd Allocation
<b>Access to Health &amp; Behavior Health</b>				
Centerforce	Community Inclusion for Adults w/disabilities	\$10,000	50 LR served	\$10,000
PC AIDS Foundation	Medical Case Management	\$10,000	60 LR served	\$10,000
Lindquist Dental	Uncompensated Care Fund	\$14,000	140 LR served	\$14,000
Rebuilding Hope	Therapy Services	\$7,000	9 LR served	\$7,000
PC Project Access	Donated Care	\$12,500	75 LR served	\$12,500
Community Health Care	Prompt Care	\$20,000	600 LR served	\$20,000
<b>Sub Total Health</b>				<b>\$73,500</b>
<b>Emotional Supports for Health Relationships</b>				
City of Lakewood	Lakewood's Promise	\$25,000	Promise work plan	\$25,000
YWCA	Children's Program	\$10,000	120 LR served (Total)	\$10,000
Boys & Girls Club	Lakewood Teen Program	\$20,000	365 LR served	\$20,000
YMCA	Friday Late Nites	\$8,000	350 LR served	\$8,000
PC AIDS Foundation	Oasis Center for LGBTQ Youth	\$12,500	100 LR served	\$12,500
Communities in Schools	School-wide Supports	\$17,500	200 LR served	\$17,500
<b>Sub Total Emotional Support</b>				<b>\$93,000</b>
<b>Housing Assistance</b>				
YWCA	Domestic Violence Shelter	\$10,000	2,000 bed nights	\$10,000
LASA	Homeless Prevention	\$18,750	175 LR served	\$18,750
Rebuilding Together	Rebuilding Day/Year Round Services	\$14,000	9 homes; \$24K value	\$14,000
Catholic Community Services	Family Housing Network	\$15,000	200 LR served	\$15,000
<b>Sub Total Housing</b>				<b>\$57,750</b>
<b>Stabilization Services</b>				
Greater Lakes	Behavioral Health Contact Team	\$25,000	300 LR served	\$25,000
YWCA	Legal Services Program	\$10,000	120 LR served (Total)	\$10,000
Tacoma Community House	Client Advocacy	\$18,750	20 LR served	\$18,750
Rebuilding Hope	Advocacy Program	\$7,000	28 LR served	\$7,000
<b>Sub Total Stabilization</b>				<b>\$60,750</b>
<b>Access to Food</b>				
Emergency Food Network	Co-op Food Purchasing	\$25,000	20,000 LR served	\$25,000
Nourish Pierce County	Nutritious Food for Families	\$20,000	8,500 LR served	\$20,000
St. Leo Food	Lakewood's Children and Springbrook Mobile	\$30,000	3,400 LR served	\$30,000
<b>Sub Total Food</b>				<b>\$75,000</b>
<b>Total All Programs</b>		<b>\$360,000</b>		<b>\$360,000</b>

City of Lakewood 2019 Human Services Funded Programs (October 31 Update)												
*Possible areas of concern are highlighted in yellow and an explanation is at the end of the document.									Site Visit Results ( <i>Good, Fair, Poor</i> )			
Agency	Program	Amount	Billed	%	Contract Outputs LR = Lakewood Residents	2019 Goal	Outputs through 3rd Quarter	%	Contract Compliance	Record Keeping	Financial Controls	Program Effectiveness
YWCA	CHILDREN'S PROGRAM	\$10,000	\$7,500	75%	LR Served	20	16	80%	Good	Good	Good	Good
					Children's services and legal advocacy hours	150	176	117%				
BOYS & GIRLS CLUB	LAKEWOOD TEEN PROGRAM	\$20,000	\$19,125	96%	LR Served	365	374	102%	Good	Good	Good	Good
					Average attendance	60	149	248%				
YMCA	FRIDAY LATE NITES	\$8,000	\$5,488	69%	LR Served	350	488	139%	Good	Good	Good	Good
					Late Nights held	70	49	70%				
PC AIDS FOUNDATION	OASIS CENTER FOR LGBTQ YOUTH	\$12,500	\$9,500	76%	Center days offered	200	165	83%	Good	Good	Good	Good
					LR Served	(Tracking)	97	N/A				
COMMUNITIES IN SCHOOLS OF LAKEWOOD	SCHOOL-WIDE SUPPORTS	\$17,500	\$13,125	75%	LR Served	200	273	137%	Good	Good	Good	Good
					Students receiving case management	(Tracking)	217	N/A				
					Support activities	75	91	121%				
City of Lakewood	Lakewood's Promise	\$25,000	\$10,000	40%								
EMOTIONAL SUPPORTS TOTAL		\$93,000	\$64,738	70%	TOTAL LR SERVED		827		Contract	Records	Financial	Effectiveness
EMERGENCY FOOD NETWORK	CO-OP FOOD PURCHASING	\$25,000	\$18,750	75%	LR Served	20,000	17,580	88%	Good	Good	Good	Good
					Visits at Lakewood locations	160,000	101,372	63%				
					Lbs of food distributed	1,600,000	1,581,102	99%				
NOURISH PC	NUTRITIOUS FOOD FOR FAMILIES	\$20,000	\$15,000	75%	LR Served	8,500	7,273	86%	Good	Good	Good	Good
					Meals provided to LR	500,000	638,793	128%				
ST. LEO FOOD	LAKEWOOD CHILDREN'S PROGRAM	\$14,000	\$11,852	85%	LR Served	3,400	2,743	81%	Good	Good	Good	Good
	SPRINGBROOK MOBILE	\$16,000	\$13,544	85%	Meals provided to LR	200,000	124,403	62%				
FOOD TOTAL		\$75,000	\$59,146	79%	TOTAL LR SERVED		20,990					

								Contract	Records	Financial	Effectiveness	
CENTERFORCE	COMMUNITY INCLUSION FOR ADULTS WITH DISABILITIES	\$10,000	\$7,500	75%	LR served	70	31	44%	Good	Good	Good	Fair*
					Services provided	500	2,487	497%				
PC AIDS FOUNDATION	MEDICAL CASE MANAGEMENT	\$10,000	\$6,125	61%	Active Lakewood clients	60	48	80%	Good	Good	Good	Good
					Case management contacts	50	145	290%				
LINDQUIST DENTAL	UNCOMPENSATED CARE FUND	\$14,000	\$8,728	62%	LR Served	142	155	109%	Good	Good	Good	Good
					Cost of care per visit	(Tracking)	\$44.99	N/A				
COMMUNITY HEALTH CARE OF LAKEWOOD	LAKEWOOD PROMPT CARE	\$20,000	\$15,000	75%	LR Served	600	1,600	267%	Good	Good	Good	Good
					Prompt care visits	1,200	1417	118%				
REBUILDING HOPE	THERAPY SERVICES	\$7,000	\$5,214	74%	LR Served	9	10	111%	Good	Good	Good	Good
					Therapy hours	128	213	166%				
PC PROJECT ACCESS	DONATED CARE	\$12,500	\$9,911	79%	LR Served	75	94	125%	Good	Good	Good	Good
					Value of care	\$300,000	\$344,425	115%				
HEALTH & BEHAVIORAL HEALTH TOTAL		\$73,500	\$52,478	71%	TOTAL LR SERVED		1,284		Contract	Records	Financial	Effectiveness
YWCA	DOMESTIC VIOLENCE SHELTER	\$10,000	\$7,500	75%	Shelter bed nights provided	2,000	1,641	82%	Good	Good	Good	Good
					LR Served	(Tracking)	35	N/A				
LASA	HOMELESS PREVENTION	\$18,750	\$13,571	72%	LR Served	175	147	84%	Good	Good	Good	Good
					Basic needs and essential services provided	150	126	84%				
					Case management hours	525	309	59%				
CATHOLIC COMMUNITY	FAMILY HOUSING NETWORK	\$15,000	\$9,035	60%	LR Served	200	287	144%	Good	Good	Good	Good
					Bed nights provided	15,000	18,122	121%				
REBUILDING TOGETHER	REBUILDING DAY/YEAR ROUND SERVICES	\$14,000	\$10,500	75%	LR Served	9	15	167%	Good	Good	Good	Good
					Home repair projects	4	8	200%				
					Value of repair projects	\$24,000	\$29,342	122%				
HOUSING ASSISTANCE TOTAL		\$57,750	\$40,606	70%	TOTAL LR SERVED		358					




									Contract	Records	Financial	Effectiveness
GREATER LAKES	BEHAVIORAL HEALTH CONTACT TEAM	\$25,000	\$18,750	75%	LR Served	300	226	75%	Good	Good	Good	Good
					Calls for service	450	388	86%				
					Referrals to community services	125	141	113%				
YWCA	LEGAL SERVICES PROGRAM	\$10,000	\$7,500	75%	LR Served	120	71	75%	Good	Good	Good	Good
						500	688	75%				
TACOMA COMMUNITY HOUSE	CLIENT ADVOCACY	\$18,750	\$14,340	76%	LR Served	20	17	85%	Good	Good	Good	Good
					Case management hours	150	87	58%				
					Safety plans and legal documents created	50	15	30%				
REBUILDING HOPE	ADVOCACY PROGRAM	\$7,000	\$5,214	74%	LR Served	28	110	393%	Good	Good	Good	Good
					Advocacy hours	175	183	105%				
STABILIZATION TOTAL		\$60,750	\$45,804	75%	TOTAL LR SERVED		313					
Total Requests		\$360,000	\$262,772	73%								
<p><b>*Centerforce:</b> They will likely serve around 50% of the number of clients they committed to serving for 2019. The advisory board reviewed the outcomes along with a letter submitted by the Executive Director explaining the number was overly optimistic. The advisory board discussed the issue and feels Centerforce is doing good work for Lakewood residents, is one of the only organizations serving this demographic in Lakewood, and the outcomes they will achieve are sufficient for the amount of funding allocated to them. This is also the first year Centerforce has received human services funding and has experienced Lakewood's contracting process. The advisory board will recommend full funding for the second year of the contract on the condition they undergo a second site visit by the end of the first year.</p>												
<p><b>*LASA:</b> LASA is 1% short of being on track for the 80% threshold for meeting contract deliverables. Staff reached out to LASA who said that deliverable will be 100% by the end of the year and was lower in the 3rd quarter only because of a delay in leveraged emergency assistance funds which will become available in the fourth quarter.</p>												
<p><b>*Tacoma Community House:</b> The number of clients served is good, but the number of safety plans created is low. The advisory board requested additional information, and TCH indicated that for Lakewood residents in 2019, more of them have required legal accomaniments than normal as part of the legal process, which creates a delay in the development of safety plans. The advisory board is confident TCH is doing critial work for Lakewood residents and is on track to meet its contract outcomes, so it recommends full funding for the second year of the contract.</p>												



To: Mayor and City Councilmembers

From: Tho Kraus, Assistant City Manager/Administrative Services

Through: John J. Caulfield, City Manager 

Date: November 12, 2019

Subject: Review of 2020 Lodging Tax Funding Allocations

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## Overview

As authorized under state law, the City of Lakewood has enacted a lodging tax. The City receives a 7% share of the taxes collected by Washington State from lodging-related businesses located within the City.

The 7% breaks down into 4% which can be used for tourism promotion, or the acquisition of tourism-related facilities, or operation of tourism-related facilities. The additional 3% is restricted to the acquisition, construction, expansion, marketing, management, and financing of convention facilities, and facilities necessary to support major tourism destination attractions that serve a minimum of one million visitors per year.

The memorandum discusses the City's Lodging Tax Advisory Committee (LTAC), the estimated funds available, how the funds may be used, grant requests and recommendations.

## Lodging Tax Advisory Committee

If a city collects lodging tax, state law requires the formation of a Lodging Tax Advisory Committee. The committee must have at least five members and each member must be appointed by the City Council. At least two of the members of the committee must represent businesses required to collect the tax, and at least two of the members of the committee must represent entities who are involved in activities authorized to be funded by the tax. The fifth member of the committee must be an elected official of the City, who shall serve as Chair of the committee. There is no maximum number of participants on the LTAC.

One role of the LTAC is to consider requests for use of lodging tax funds. The LTAC considers these requests in a public process, which is intended to generate comments and funding recommendations. These are forwarded to the Lakewood City Council who, in turn, reviews all of LTAC's proposals and votes yes or no to each one. The City Council cannot modify the recommended amounts or vendors provided to them by LTAC.

## 2019 Estimated Funds Available for 2020 Grant Awards

	Restrictions on Use		Total Estimated Funding Available for 2020 Grant Awards
	4%	3%	
	Reserved for tourism, promotion, acquisition of tourism related facilities, or operation of tourism related facilities.	Reserved for acquisition, construction, expansion, marketing, and management of convention facilities.	
Estimated Ending Balance, 12/31/2019	\$640,121	\$385,865	\$1,025,987
Less Required CPTC McGavick Center Allocation	\$0	(\$101,850)	(\$101,850)
<b>Available Balance for 2020 Allocation</b>	<b>\$640,121</b>	<b>\$284,015</b>	<b>\$924,137</b>

## Grant Requests

In August 1, 2019, the City solicited for and received 15 proposals requesting \$745,400. In addition, the City previously committed to an annual payment of \$101,850, beginning in 2007, for 20 years to Clover Park Technical College for construction of the Sharon McGavick Student/Conference Center.

## 2020 Grant Award Recommendations

The LTAC was provided completed applications on September 04, 2019 for review. On September 13, 2019 the LTAC met for a full day to hear presentations by each of the applicants. The members of the committee carefully considered each request based on the following criteria:

- Funds available
- Past performance
- Ability to attract tourism, particularly from outside the 50 mile radius
- Strength of the applications
- City of Lakewood's desire to retain dollars for future capital project(s)

Below are the Lodging Tax Advisory Committee's recommendations:

2019 Requests for 2020 LTAC Grant Funds Applicant	Total Project Cost	Funding Request		Recommended Funding	
		Non-Capital	Capital	Non-Capital (4%)	Capital (3%)
		Available Balance		\$ 640,121	\$ 385,865
Lakewood Historical Society	\$ 74,200	\$ 42,000	\$ -	\$ 42,000	\$ -
Lakewood Gardens	\$ 80,900	\$ 60,000	\$ -	\$ 50,000	\$ -
Historic Fort Steilacoom Association	\$ 14,000	\$ 12,000	\$ -	\$ 12,000	\$ -
Asian Pacific Cultural Center	\$ 37,500	\$ 15,000	\$ -	\$ 10,000	\$ -
TSSSC and TC&VB	\$ 2,740,086	\$ 120,000	\$ -	\$ 120,000	\$ -
Lakewood Sister Cities Association	\$ 23,900	\$ 23,900	\$ -	\$ 23,900	\$ -
Lakewood Arts Festival Association	\$ 27,000	\$ 19,500	\$ -	\$ 19,500	\$ -
Lakewood Playhouse	\$ 23,350	\$ 23,000	\$ -	\$ 23,000	\$ -
Lakewood Chamber of Commerce - Nights of Lights	\$ 20,000	\$ 20,000	\$ -	\$ 20,000	\$ -
Lakewood Chamber of Commerce - Tourism	\$ 90,000	\$ 90,000	\$ -	\$ 90,000	\$ -
City of Lakewood PRCS – SummerFEST	\$ 128,000	\$ 80,000	\$ -	\$ 80,000	\$ -
City of Lakewood PRCS – Farmers Market	\$ 45,200	\$ 20,000	\$ -	\$ 20,000	\$ -
City of Lakewood PRCS – Concert Series	\$ 25,500	\$ 20,000	\$ -	\$ 20,000	\$ -
City of Lakewood – Imaging Promotions	\$ 153,500	\$ 50,000	\$ -	\$ 30,000	\$ -
City of Lakewood PRCS – Gateways	\$ 150,000	\$ -	\$ 150,000	\$ -	\$ 150,000
	\$ 3,633,136	\$ 595,400	\$ 150,000	\$ 560,400	\$ 150,000
		Subtotal	\$ 745,400	Subtotal	\$ 710,400
CPTC McGavic Center (Committee, Annual Payment)	\$ 101,850	\$ -	\$ 101,850	\$ -	\$ 101,850
	\$ 3,734,986	\$ 595,400	\$ 251,850	\$ 560,400	\$ 251,850
		Total	\$ 847,250	Total	\$ 812,250

### Next Step

On November 18, 2019, the City Council will be requested to authorize the City Manager to enter into service contracts for the provision of tourism services in 2020.

### Attachments

- Draft LTAC Minutes from September 13, 2019 Retreat



## **LODGING TAX ADVISORY COMMITTEE (LTAC)**

**September 13, 2019 - Friday – 8:30 A.M.  
Lakewood City Hall, 6000 Main Street SW  
Mt. Rainier Conference Room, 3<sup>rd</sup> Floor**

### **CALL TO ORDER**

Chair Don Anderson called the meeting to order at 8:59 p.m.

### **ROLL CALL**

Members Present: Present: Lakewood Mayor Don Anderson, Chair; Asuka Ludden - Best Western Lakewood Motor Inn; Chelene Potvin-Bird, Travel Tacoma; Phillip Raschke - Lakewood Playhouse; and Linda Smith - Lakewood Chamber of Commerce

Members Absent: Jackeline Juy – Best Western Lakewood Motor; Brandi Lynn Hesson-Bullard, Candlewood

Staff Present: Tho Kraus, Assistant City Manager/Chief Financial Officer; Dana Kapla, Finance Supervisor; Heidi Wachter, City Attorney.

### **OPEN PUBLIC MEETING ACT**

Heidi Wachter, City Attorney, provided attendees with overview of the Open Public Meetings Act and stressed the importance. She reminded members of this state law and explained how each officials must understand their role in all City business. Ms. Wachter then distributed a sign off sheet for the committee members to indicate that they had been trained and understand this act.

### **PUBLIC COMMENTS**

None.

### **MEETING MINUTES APPROVAL**

The motion passed unanimously.

### **2019 GRANTS STATUS & FUND BALANCE**

Ms. Kraus provided a packet that includes historical awards, breakdown of available funds, JLARC, and other various reports. Ms. Kraus provided the breakdown of available funds available for 2020 and briefly discussed the reports. The 2019 hotel/motel lodging tax revenue was estimated at \$924,137 available for allocation, and is after the allocation of \$101,850 for the Clover Park Technical College McGavick Center.

## **2019 GRANT PROPOSAL PRESENTATIONS**

### **Lakewood Historical Society**

Sue Scott, Becky Hubert, James Schell, Darrell Owens, Phil Raschke and Glen Speack, members of the Lakewood Historical Society started off by giving their appreciation for the past LTAC support.

Phil Raschke, then provided a slide show of their relocation efforts and financial report. He explained restoration will continue to other areas of the building and noted this is all being done with only 9 volunteers. Mr. Raschke described recent achievements and then detailed their projected revenue and expenses for 2020, indicated a \$26,500 shortfall. He emphasized the importance of the LTAC funds and would help fill cover shortfall.

### **Lakewold Gardens**

Carla Pelster, Board President, accompanied by Cassandra de Kanter, began thanking the committee for their support and the opportunity to present their new proposal. Ms. Pelster updated the committee on their changing personnel and described their personnel strategy.

Ms. Pelster announced that Lakewold Gardens recently celebrated their 30<sup>th</sup> birthday and presented a slide show of Lakewold Gardens hosting different events throughout the four seasons and shared highlights of the major events. She went on to explain that the gardens can accommodate a wedding for 120 people, and how they would like to market to those interested in micro weddings. She described the weddings they have hosted along with other events at the gardens. She reported they had raised \$320,000 via generous donors and went on to describe their financial and marketing strategies.

Committee sought clarification that the garden is back to hosting wedding. Ms. Pelster confirmed this then went on to explain how they would like to emphasis micro weddings and a short discuss pursued.

### **Historic Fort Steilacoom Association**

Secretary, Joseph Lewis noted that Historic Fort Steilacoom Association (HFSA) is the oldest attraction soliciting from LTAC. He noted that they have been on the National Historic Register for 170 years and became a museum in 1983. He described how HFSA has three historic markers from the Historic Society and described their location.

Mr. Lewis described how they revamped their website after they hired a professional photographer/web artist. He explained how they can now get people's email via the website and how one can join the association using PayPal. He continued to describe how their marketing strategy has changed, reviewed highlights, and announced that their gift shop now takes credit cards, which has allowed for better sales.

He goes on to explain how the most frequent question they get is, "Why is HFSA not in Steilacoom?" Mr. Lewis explained how Lakewood was not established yet therefore Lakewood is not in the name, however there marketing strategy is to include "Lakewood, WA" on their marketing items to answer that question.

Committee member Potvin-Bird commented on how the new credit card system may be able to track the location of the consumers and how Trip Advisor may be a good tool to track people as well.

### **Asia Pacific Cultural Center (APCC)**

Faaluaina Pritchard, Executive Director, handed out a marketing publication that provided highlights from this year's Samoa Cultural Day. She thanked the committee for all the years of support and indicated they could not put on this event without LTAC support. She noted that 2020 is the 10<sup>th</sup> anniversary for the event. She explained how they were forced to move the full day event to the Tacoma Dome because the



performers' feet became uncomfortable/painful because of tough, hot turf was during their presentation. Tacoma Dome provides covered, cool stage for their performers.

Ms. Pritchard noted that Tacoma Dome is expensive and they need financial assistance with it along with equipment costs. She noted that although this main event was held outside of Lakewood all other events for the week were hosted in Lakewood. She mentioned that many of their members and family members stay or live in Lakewood during the event.

Lastly, Ms. Prichard mentioned their memorandum of understanding with Clover Park School District and continued to describe how they work together to work-with and teach Asian children.

### **South Sound Sports Commission and Tacoma Regional Convention + Visitor Bureau (TRCVB)**

Dean Burke, President and CEO, discussed how Tacoma South Sound Sports Commission and Travel Tacoma + Pierce County plan to officially merge January 2020. The rolling out of this new brand will be announced at the October 22 meeting, which is open to the public. Their first order of business is joining their resources and expenses to improve efficiencies and shift to drive up room nights, while being able to confidently calculate and report statistics (i.e., stays, types of people, health etc.) to stakeholders. They plan to adjust their marketing strategy to include more business/activity based events and less leisure.

Mr. Burke reviewed highlights of some of their events and listed the coming events, such as cycle cross national event and grass volleyball. He explained how stake holders are pushing for more data and increased hotel stays. This newly merged group plans to dive deep into the 2020 inventory study (feasible study) by reviewing over 170 events throughout our area and identify new strategies and opportunities for Lakewood and the surrounding areas. Mr. Burke noted that economic development in Lakewood, such as Motor Avenue and Fort Steilacoom Park create great potential packages for Lakewood.

Lastly, Mr. Burke provided the two current marketing brochures from the two companies. He demonstrated how, if you put the two brochures together they show the two groups coming together.

### **City of Lakewood Communications – Imaging Promotions 2020**

Brynn Grimley, Communications Manager, thanked the committee for their support in last year's new branding effort. She asked for continued support to continue their effort to change the perception of the city. "Build your better here" is the new tagline and brand anthem. Brynn presented slides describing their marketing plan and read the new anthem to promote the city. This is targeted to "starters, builders, long termers, and warriors (military)".

Through the presentation, Ms. Grimley presented data, goals, and highlighted events. She described how a powerful image can have more impact than words, and asked for continued support for a professional photographer. She mentioned that they can reach more with more money. If awarded, the proposed funds would go to imaging campaign advertising, online advertising, and professional photography videography.

### **City of Lakewood PRCS – Gateways**

Mary Dodsworth, Director, thanked the committee for this opportunity. She mentioned that there are great opportunities next years and presented a slide show. This presentation showed the difference between historic gateways to newly designed ones. Ms. Dodsworth noted that first impressions matter and these new gateways do not have taglines, as they are to promote a feeling that you are somewhere special. Ms. Dodsworth presented a map of current and potential gateway locations. The two proposed are located at Berkley/1-5 and Murray Road/I5 and will be done in coordination with road construction. This allows for a lower cost. She indicated there are currently 8 new gateways with a total of 14, as a follow-up to a question.

### **Sister Cities Association**

Connie Coleman-Lacadie, President, noted they had a great event this last year since they joined SummerFest. She indicated they had 9 visitors instead of 5 which stressed their budget a lot. She thanked Tho Kraus for her assistance during this time and also thanked the Police Department. She noted that everyone provided a warm welcome to Lakewood, along with Candlewood Suites and Enterprise Rental Car.

Ms. Coleman-Lacadie requested that her proposal be reviewed in two portions; one for International Festival need (costs for marketing, tradeshow, and entertainers \$8,300); and one for Sister/Friendship City needs (costs for media, travel, and rentals \$15,600). She explained they are requesting additional money this year to bring in more visitors for more events. She reported that they brought in entertainers from Cambodia to Russian, not just Asian entertainment and paid stipends. She noted this was another record year.

Ms. Coleman-Lacadie discussed how they depleted their bank account due to the increased visitors and kindly asked they be more generous than last year.

### **Lakewood Arts Festival Association**

Robert Lawrence, Chairman, announced this is the 7<sup>th</sup> Artsfest, which is part of the Lakewood Film, Arts and Book Festival (FAB) and were setting up as he speaks. Mr. Lawrence provided a visual presentation of the package they proposed. He reported that FAB fest is a one of a kind festival as it is combined with the international film fest and has many visiting authors.

Mr. Lawrence presented current flyers and displayed a slide show with many photos of before, during and after the festival. He also announced their special author Dorothy Wilhelm who wrote "True Tales of Puget Sound" and watercolor artist Ron Snowden, who will judge the work. Additional acts include a bonsai display and a flute performance.

Mr. Lawrence ended by stating that their goal is to create an artistic festival and because Lakewood is an ideal location (easy access etc.) for cultural events.

### **Lakewood Playhouse**

John Munn, Managing artistic Associate Artistic Director, announced this is opening week for Biloxi Blues. He reported that Lakewood Playhouse has been here for 81 years and this year they are focusing on legacy. He thanked the committee for their support and said that their success would not be possible with LTAC support, and that they depended on it. They provide programming 365 days a year plus offer a variety of theatrical education and performance opportunities (Lakewood Institute of Theatre). He mentioned that they are renting space next to the Dress Barn to stay within the city.

Mr. Munn handed out movie posters along with business cards that have City of Lakewood's brand saying on the back. He reported the plays they have presented and those that are planned, including details on current cast members. He also stated that they are ambassadors to theatre. He discussed some of their marketing strategies (Facebook, Instagram and community outreach with Clover Park) and described how they teamed up with an art class to create a logo, which was extend to the rotary club.

Mr. Munn described that James Stow was the artist for the 80 anniversary posters, and when the 6 posters are combined they create one large photo. He noted that their success could not have been done without LTAC support. This support allows them to keep costs down. Because of LTAC support they are now being awarded for their productions which provides them grants and because of this, for the first time, actors all now getting stipends, other volunteers are not. He then provided statics on audience/supports and described the success of the trifold pamphlet. Proposed funding would go to marketing.

Committee ask them if they did not get funding from LTAC what would happen. Mr. Munn responded that sponsorship would drop and they would no longer be successful.

#### **Lakewood Chamber of Commerce – Nights of Lights 2020**

Linda Smith, President/CEO, thanked the committee to allow her to submit two requests. Although results of the first funding will not be reported until next year (proposed for December 2019) this request is to build upon and grow the tradition in December 2020.

Ms. Smith stresses that she wants to assist and encourage business to participate in hanging up lights to bring back the tradition of blue lights. She continued with a short history of the Lakewood blue light tradition created by Norton Clapp's wife, Mary. She continued by discussing how blue lights took on new meaning in Lakewood November 29, 2009 during the police tragedy, and how the City Council adopted the color blue for the holiday light theme.

She proposes to motivate business to get a jump on this new tradition by sending out a direct mailer to businesses on Gravelly Lake Drive and going door to door. She also mentioned they may be able to assist businesses with the purchase of blue lights, if available. Lastly, Ms. Smith noted that Lakewood Hardware and Paint will be the official light blue store.

#### **Lakewood Chamber of Commerce - Tourism**

Linda Smith, President/CEO, thanks the council member to allow her to continue to serve as lead destination marketing organization to encourage visitors and groups.

Ms. Smith reported they have served 2,000 visitors this year and serve the State as well as Lakewood. She provided a presentation of photos of their headquarters and displayed their current flyer. She also mentioned they are the only participants involved with the military newcomer orientations that serves 400 to 700 new military every month.

Ms. Smith reviewed her marketing strategy, described partnerships, website, brochures, and funding history. She displayed the website and show where you can find a comprehensive list of community events, along with other parts of the site. She distributed handouts to the committee and demonstrated how they can customize the brochures binder for individual travelers. She went on to discuss how they assist people of all walks of life and how they can assist them in their travels.

#### **City of Lakewood PRCS – Summer Concert Series**

Sally Martinez, Parks and Recreation Coordinator, reported they put on six concerts in 2019. As she presented a slide show she mentioned how the people in Lakewood love to dance and noted that this is where families can dance together. She reminded the committee that these concerts are free to the community; old to younger, all cultures and with all abilities. They partner with Asia Pacific Cultural Center to provide entertainment and brought food trucks this year.

She reported the numbers of attendees per concert and reported the more expensive band drew in higher attendance. Most concerts brought in 200 to 250 attendance, whereas the Beatles Tribute band brought in a lot more. Ms. Martinez believes this is because they have a following allowing for free advertisement from the bands social media. This draws more people to the venue and gets the word out. Her goal is to have approximately 600 people per concert but this will mean more expensive entertainment, therefore the higher proposal.

Lastly, she mentioned that pavilion has been an outstanding venue and that the bands rave how create it is.

### **City of Lakewood PRCS – Farmers Market**

Sally Martinez, Parks and Recreation Coordinator, announced this was the 8<sup>th</sup> Annual Farmer's Market and it was the best year so far because of the vendor sales and attendance. Ms. Martinez provided a visual presentation which included photos and data. She noted the Army bands started off the celebrations on the same day as the ribbon cutting. She presented us with first bites video created by her interns provide by the University of Puget Sound at no charge to us. She reported these students work 30hrs per week for 3 months and provide invaluable support and energy. This video showed a diverse culture with organic foods within the Farmers Market.

Ms. Martinez listed her sponsors and described how they contribute to the success of the market. She reported the Healthy Bucks was a success again this year providing children free fresh fruits and vegetables. The market hosts and sustains 13 farms. She presented another video about the local vendors, also created by the interns.

Ms. Martinez presented her marketing strategies and reported that signs (similar to political signs) and support swag is very successful and because a great word by mouth. She then reported that, on average, visitors spent \$15 to \$45 per visit, same as last year, but because there were a lot more visitors that vendors (65) did much better than last year. She believes they have now hit their stride.

### **City of Lakewood PRCS – SummerFEST**

Sally Martinez, Parks and Recreation Coordinator, announced this is a 23 year iconic tradition. As she presented sides she played the SummerFest video. Ms. Martinez said they marketed it as a family tradition and now it is a mothership for the community. She stated that it is a big undertaking to provide a safe environment with a good foundation and due to the growth, costs have increased as well.

Ms. Martinez reported the vendors said it was their best festival in history of festivals. She reported that they believe it is because it is a perfect balance of big crowds and the number of vendors. Ms. Martinez listed and discussed all the sponsorship. She reported Coca Cola approached her for sponsorship due to the success of the event. This sponsorship is part money and donation, where they can pick non-profit to share profits. Coca Cola also provides a huge discount to vendors and provided ice buckets.

Ms. Martinez reported that 40% of the visitors were participating for the first time. She then discussed her advertising strategies and listed them. She mentioned that she has people hand out stickers that "stick around", and how keeping the pulse on younger populations has contributed to better marketing as they provided clever marketing ideas. Free advertising creating "hype" through partners like the Original Donut Shop, Clover Park, and Puget Sound Regional Volleyball. Ms. Martinez reported 600 people attended and along with many other statistics. They had 24 sport events, 14 art activities and presented a video of the very successful 8<sup>th</sup> annual Triathlon.

Lastly, she explained how the expense is growing due to the growth and popularity of the festival. Some of the proposed funding will go towards professional parking, honey buckets, handwashing stations, more garbage, and additional resources.

## GRANT FUNDING DECISIONS

Group discussion ensued on setting their 2020 recommendations. After review all proposals were funded as requested except for the following along with other recommendations:

Lakewold Gardens: reduced funding is due to prior funding support and scope of work. In previous year's Lakewold Gardens has been funded approximately \$35,000. Because their focus is on micro weddings, this allows for fewer hotel nights, therefore request does not support full funding.

Asian Pacific Cultural Center: reduced funding is due APCC's primary event is held outside of Lakewood, WA.

City of Lakewood – Imaging Promotions: reduced funding is due to changed scope of work as this has less emphasis on tourism in the city.

South Sound Sports Commission and Tacoma Regional Convention + Visitor Bureau (TRCVB): committee recommended their annual report include a larger spread for the City of Lakewood.

Historic Fort Steilacoom Association: one-time increased funding was provided to complete relocation endeavor.

## LAKEWOOD LODGING TAX ADVISORY COMMITTEE RECOMMENDATIONS

2019 Requests for 2020 LTAC Grant Funds	Total	Funding Request		Recommended Funding	
		Non-Capital	Capital	Non-Capital (4%)	Capital (3%)
Applicant	Project Cost				
		Available Balance		\$ 640,121	\$ 385,865
Lakewood Historical Society	\$ 74,200	\$ 42,000	\$ -	\$ 42,000	\$ -
Lakewold Gardens	\$ 80,900	\$ 60,000	\$ -	\$ 50,000	\$ -
Historic Fort Steilacoom Association	\$ 14,000	\$ 12,000	\$ -	\$ 12,000	\$ -
Asian Pacific Cultural Center	\$ 37,500	\$ 15,000	\$ -	\$ 10,000	\$ -
TSSSC and TC&VB	\$ 2,740,086	\$ 120,000	\$ -	\$ 120,000	\$ -
Lakewood Sister Cities Association	\$ 23,900	\$ 23,900	\$ -	\$ 23,900	\$ -
Lakewood Arts Festival Association	\$ 27,000	\$ 19,500	\$ -	\$ 19,500	\$ -
Lakewood Playhouse	\$ 23,350	\$ 23,000	\$ -	\$ 23,000	\$ -
Lakewood Chamber of Commerce - Nights of Lights	\$ 20,000	\$ 20,000	\$ -	\$ 20,000	\$ -
Lakewood Chamber of Commerce - Tourism	\$ 90,000	\$ 90,000	\$ -	\$ 90,000	\$ -
City of Lakewood PRCS – SummerFEST	\$ 128,000	\$ 80,000	\$ -	\$ 80,000	\$ -
City of Lakewood PRCS – Farmers Market	\$ 45,200	\$ 20,000	\$ -	\$ 20,000	\$ -
City of Lakewood PRCS – Concert Series	\$ 25,500	\$ 20,000	\$ -	\$ 20,000	\$ -
City of Lakewood – Imaging Promotions	\$ 153,500	\$ 50,000	\$ -	\$ 30,000	\$ -
City of Lakewood PRCS – Gateways	\$ 150,000	\$ -	\$ 150,000	\$ -	\$ 150,000
	\$ 3,633,136	\$ 595,400	\$ 150,000	\$ 560,400	\$ 150,000
		Subtotal	\$ 745,400	Subtotal	\$ 710,400
CPTC McGavic Center (Committee, Annual Payment)	\$ 101,850	\$ -	\$ 101,850	\$ -	\$ 101,850
	\$ 3,734,986	\$ 595,400	\$ 251,850	\$ 560,400	\$ 251,850
		Total	\$ 847,250	Total	\$ 812,250

Committee member made a motion to accept budget and another committee member second the motion. No discussion, motion passed.

#### **OTHER BUSINESS**

None

#### **ADJOURNMENT**

Chair Anderson thanked LTAC for their service. Chair Don Anderson adjourned the meeting at 3:50 p.m.

Minutes:

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Dana Kapla, Finance Supervisor (Preparer)

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Mayor Don Anderson, Chair



To: Mayor and City Councilmembers  
 From: Tho Kraus, Assistant City Manager/Administrative Services  
 Through: John J. Caulfield, City Manager *John J. Caulfield*  
 Date: November 12, 2019  
 Subject: 2020 Proposed Fee Resolution

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## BACKGROUND

On an annual basis, the proposed fee schedule for the upcoming year is presented to the City Council for consideration and approval.

## PROPOSED CHANGES

The following changes in red are proposed for the 2020 fee schedule:

### 1) Amendments to Part C. Planning and Development Fees:

#### a) Other Fees

Other Fees	
Staff Review Fees (includes re-inspection and investigative fees, and additional staff review when the processing of the application exceeds the application base fees as outlined in the fee schedule.)	<del>\$51.00</del> \$92.00 per hour

#### *Basis/Background*

The currently hourly rates are deemed to be too low. Inspection, re-inspection and staff review hourly rates were compared against Pierce County, Federal Way, Tacoma, Olympia, and Lacey. The average was \$160 to \$179 per hour. A comparison of the current hourly rates of these jurisdictions are provided below.

<u>Hourly Rate</u>	<u>Lakewood</u>	<u>Pierce Co.</u>	<u>Federal Way</u>	<u>Tacoma</u>	<u>Olympia</u>	<u>Lacey</u>
Inspection Fee	\$51	\$330	107	\$150	\$175	\$146
Reinspection/Staff Review Fee	\$51	\$330	\$71	\$138	\$350	\$135

An analysis of personnel and overhead costs for employees within the community development and economic development and public works and engineering departments was performed. The data showed an hourly rate at \$92 per hour.



**b) Amendments to Plans & Regulations**

<b>Amendments to Plans &amp; Regulations</b>	
Amendments to the Comprehensive Plan & other <del>related</del> policy documents	<del>\$850.00</del> \$2,100.00
Amendments to Development Regulations	<del>\$850.00 plus consultant fees over 4 hours</del> \$2,600.00
Amendments to the Shoreline Master Program	<del>\$1,800.00</del> \$3,200.00
<b>Site-Specific Rezone</b>	<b>\$3,100.00</b>

*Basis/Background*

Within this fee category, Lakewood is subsidizing private development applications. Current charges are substantially less for plan amendment fees than surrounding jurisdictions. The proposal would lessen the subsidy and assist CEDD in meeting its cost recovery objectives.

A review of plan amendment fees for Pierce County, Federal Way, Tacoma, Olympia, and Lacey was completed. Compared to the average of these jurisdictions, Lakewood charges less for plan amendment fees than other jurisdictions. Lakewood has the lowest fees for amendments to development regulations and site-specific rezones. Olympia has the lowest fee for comprehensive plan amendments and the City of Tacoma has the lowest fee for amendments to the shoreline master plan. Federal way has the highest fees for amendments to development regulations, comprehensive plan and site specific rezones, Lacey has the highest fee for amendments to the shoreline master program.

All jurisdictions perform site-specific rezones and would require review/action by the hearing examiner. Thus, the hearing examiner deposit was not included since it is intended to be a 100% cost-recovery model.

<u>Fee</u>	<u>Lakewood</u>	<u>Pierce Co.</u>	<u>Federal Way</u>	<u>Tacoma</u>	<u>Lacey</u>	<u>Olympia</u>
Comp Plan Amend.	\$850	\$3,000	\$3,543	\$1,400	\$3,532	\$320
Develop. Reg. Amend.	\$850	\$3,000	\$3,543	\$1,400	\$3,532	\$3,200
Shoreline Reg. Amend.	\$1,800	N/A	\$3,543	\$1,400	\$6,063	\$3,200
Site-Specific Rezone	\$850	\$1,600	\$7,066	\$1,400	\$4,165	\$3,500

*Note: Site-specific rezone is currently categorized as “Amendments to Development Regulations” and is proposed as a separate fee.*

Site-specific rezones and amendments to the comprehensive plan, development regulations and shoreline master program all take a substantial amount of staff time. Between reviewing applications, Department of Commerce notification, public notice requirements, staff report drafts and taking revisions before the planning commission and city council, the development services team likely spends upwards of 40 hours per amendment (\$3,800), assuming that the environmental review is not challenged, and the applications are reviewed individually.

### c) Hearing Examiner

Miscellaneous Planning Fees	
<sup>(1)</sup> Hearing Examiner Fees	
Where Examiner Review is required for any related use permit, appeal, etc., the applicant is responsible for and required to pay actual Hearing Examiner costs, which may be higher or lower than the deposit amount.	

Plat/Subdivision Fees		
Preliminary Plat		\$3,850.00 plus \$100.00 per lot; plus \$2,500 hearing examiner deposit <sup>(1)</sup>
Plat Amendment (before final plat approval)		
	Major	\$1,320.00 plus \$100 per lot; plus \$2,500.00 hearing examiner deposit <sup>(1)</sup>
	Minor	\$660.00 plus \$100 per lot; <del>\$1,000.00</del> <del>\$2,500.00</del> hearing examiner deposit <sup>(1)</sup>
Final Plat		\$2,750.00 plus \$50.00 per lot
Plat Alterations (after final plat approval)		\$2,500.00 plus \$1,000 hearing examiner deposit <sup>(1)</sup>

Discretionary Land Use Permits		
Conditional Use Permits		\$2,200.00 plus \$2,500.00 hearing examiner deposit <sup>(1)</sup>
Master Facilities Plan		\$2,200.00 plus \$2,500.00 hearing examiner deposit <sup>(1)</sup>
Major Variances		\$1,200.00 plus <del>\$500.00</del> \$2,500.00 hearing examiner deposit <sup>(1)</sup>
Shoreline Substantial Development Permit		\$2,300.00 plus <del>\$1,000</del> \$2,500.00 hearing examiner deposit <sup>(1)</sup>
Shoreline Conditional Use Permit/Shoreline Variance		\$2,300.00 plus <del>\$1,000.00</del> \$2,500.00 hearing examiner deposit <sup>(1)</sup>

Appeals & Reconsiderations	
Reconsideration of a Decision of the Hearing Examiner	\$300.00 plus <del>\$2,500.00</del> hearing examiner deposit <sup>(1)</sup>

SEPA & Wetland Fees		
	Reasonable Use Exception other than residential (RUE)	\$1,840.00 plus <del>\$500.00</del> \$2,500.00 hearing examiner deposit <sup>(1)</sup>

#### *Basis/Background*

The structure of the current fee schedule causes some confusion as to hearing examiner fees. The proposal is to increase transparency, reduce staff errors, and standardize deposit amounts.

The current fee schedule contains language within the table that states the applicant is responsible for paying all hearing examiner costs. However, its location is buried deep within the document. It sometimes gets missed by staff, applicants, and/or both. The proposal is to provide clarification through adding a text change in the form of an endnote.

The second issue is the deposit amount which can vary based on the type of application. For some applications that are simpler to process, the deposit was set at \$500 or \$1,000. However, there have been

occasions where the processing of the application exceeded the deposit, in which case, CEDD contacts the applicant and requests additional funds. That has not worked very well. Applicants are often disgruntled. Permits are delayed until the deposit is paid. It is proposed to standardize the deposit at \$2,500 for all applications. If the department spends less than \$2,500, then the applicant receives a refund.

**d) Environmental Checklist (for projects outside of the Downtown Subarea Plan boundaries)**

SEPA & Wetland Fees	
Environmental Checklist for <del>projects-</del> applicable Process I and II applications located outside of Downtown Subarea Plan Boundaries	<del>\$480.00</del> \$550.00
Environmental Checklist for applicable Process III, IV, and V applications (e.g. conditional use permits, variances, shoreline substantial development permits, plats, master plans, and land use map/text changes located outside of the Downtown Subarea Plan Boundaries	\$1,840.00
Environmental Checklist for applicable Process V applications (e.g. generalized or comprehensive ordinance text amendments, area-wide amendments, annexations, and adoption of new planning-related ordinance)	Staff review hourly rate; \$2,500.00 deposit is required
Reasonable Use Exception other than residential (RUE)	\$1,840.00 plus <del>\$500.00</del> \$2,500.00 hearing examiner deposit <sup>(1)</sup>

*Basis/Background*

Lakewood is currently subsidizing the environmental review process for private applications. The proposal would lessen the subsidy and assist the department in meeting its cost recovery objectives.

Lakewood's environmental checklist fee was compared against the checklist fees for Pierce County, Federal Way, Tacoma, Olympia, and Lacey. The average cost was \$1,066. The table below provides the fee amounts.

Fee	Lakewood	Pierce Co.	Federal Way	Tacoma	Lacey	Olympia
SEPA Checklist	\$480	\$1,900	\$2,126	\$1,000	\$410	\$480

Lakewood processes on average 17 checklists per year. The current fee has not been amended since incorporation. The time spent on a checklist can vary and is dependent on the type of project. A simple checklist, six hours (6 hours x \$92/hour = \$550). On more complex requests, 20 hours (20 hours x \$92/hour = \$1,840). The more complex projects are usually tied to a discretionary permit. The most controversial projects are public institutional master plans (Western State Hospital) and residential PDD plats.

To address the range in project costs, the proposal creates three types of checklists based on application-type.

e) **Written Zoning Determination by the Assistant City Manager for Development Services**

Other Fees		
Written Zoning Determination by the Assistant City Manager for Development Services		<del>\$50.00</del> \$250.00

*Basis/Background*

Lakewood is currently subsidizing written zoning certifications for private applications. The proposal would lessen the subsidy and assist the department in meeting its cost recovery objectives.

Lakewood's zoning determination fee was compared against the determination fees for Pierce County, Federal Way, Tacoma, Olympia, and Lacey. The average cost was \$259. The fee comparisons are found below.

<u>Fee</u>	<u>Lakewood</u>	<u>Pierce Co.</u>	<u>Federal Way</u>	<u>Tacoma</u>	<u>Lacey</u>	<u>Olympia</u>
Zoning Determination	\$50	\$135	\$709	\$250	\$211	\$200

Lakewood processes 37 determinations annually with total revenues at \$1,805. These requests are often complex. It is not uncommon to spend up to four hours reviewing the request and writing a determination. It is recommended that the fee be adjusted to \$250. Estimated annual revenue would be \$9,250.

**2) Amendments to Part D. General Requirements for all Construction Related Permits**

a) **Add a new fee for building permit extension requests.**

General Comments	
10)	Building permit extension (after two extensions have been previously authorized by the Building Official. The fee is 0.5 hours at the CEDD hourly rate (see Staff Review Fees under Other Fees section).

*Basis/Background*

In the event a permit is extended, the city is required to determine that the current permit complies, or can be modified to comply, with the current building and land use codes.

This city receives a large number of extension requests. This proposal helps the department recoup administrative costs. As proposed, an extension request would cost \$46.00. Also, should the economy move into a recession cycle, the city is likely to receive more requests for extensions.

### 3) Amendments to Part F. Public Works Permit Fees

PUBLIC WORKS PERMIT FEES - continued	
<b>Street Opening Permit</b> ( <i>Used to install new or repair/upgrade existing private and public facilities located in a street right-of-way; includes pavement cuts, excavation, traffic control, etc.</i> )	\$500.00 plus any staff time in excess of 10 hours at <del>\$51.00</del> \$92.00 per hour
<b>Reinspection Fee</b> ( <i>to cover cost of each reinspection, required in conjunction with a Right-of-Way Permit, necessary to assure compliance with the requirements of the permit</i> )	<del>\$51.00</del> \$92.00
<b>General Inspection Fee</b> ( <i>for inspection not otherwise listed</i> )	<del>\$51.00</del> \$92.00 per hour

#### Basis/Background

- Increase rates consistent with staff review fees.

### 4) Amendments to Part G. Parks and Recreation Programs (Facility/Use)

#### a) Special Use Permits

Special Use Permit*	
Events	\$200.00 - \$500.00
<del>Colonial Plaza and</del> Major events	\$1,000.00
<del>Event Deposit</del>	<del>\$250.00 - \$500.00 per event</del>

#### Basis/Background

- Add use of the Colonial Plaza to Special Use Permit fee. Extra fees are charged based on type and size of event.

The City has experience managing large and small events. When the City hosts events on City property we are extremely conscience of logistics, safety and risk management. Typically, during City sponsored events, all departments come together to share knowledge, information and best practices to protect City property and participants attending the events. When an event is on public property, but the City is not the sponsor, we have established facility use policies and best practices to protect the City as well as ensure a safe and successful event for user groups.

When scheduling the Colonial Plaza for public use, a variety of services will be needed to manage, maintain and protect the area. Services can be provided by City Staff or contracted personnel or a combination of both. The typical services needed include road closure, site supervision, event security, sanitation, cleaning, utility support, and insurance or special requirements if alcohol use is included. Equipment storage, parking plans and other event specific issues would need to be coordinated.

A permit fee is being proposed to cover the planning and logistics needed to prepare for an event at this site. This fee is in line with our special use permit fees for large events. The table below provides a breakdown of required services and typical costs associated with a six (6) hour festival type event at the Colonial Plaza site. Costs for these services as well as other event expenses will vary based on type and size of event. Other fees could include equipment rental, inspections, health department permits, entertainment, security, supplies, etc.

Fee	Cost	Information
Special Use Permit	\$1,000	Event planning, logistics, utilities
Alcohol Permit	\$1,000	Ensures third party endorsement
Staffing	\$150	6 hours x \$25/hour
Police	\$510	6 hours x \$85/hour
Insurance*	\$500	Estimated if not covered by another policy
Road Closure	\$50	Equipment dropped off for set up by staff
Sanitation*	\$700	5 units (could increase based on event size)
Garbage*	\$175	6 yard dumpster (could increase based on event size)
Cleaning	\$100	Includes street sweeping
Total	<u>\$4,185</u>	

\* paid to outside vendors

- The event deposit of \$250.00 - \$500.00 per event is consistent with the deposits required for use of the Pavilion and is intended as a start to charge for any issues associated with an event (turf or equipment damage, grease on new bricks, damage to a table or a curb, etc.).

**b) Lakewood Senior Activity Center**

Lakewood Senior Activity Center (two hour minimum)	
<del>Rainier Room</del>	
Rainier Room - Full activity room	\$65.00 per hour
Classroom	\$30.00 per hour
Artroom	\$30.00 per hour
Kitchen (only if available if renting full activity room)	\$15.00 per hour
Facility Deposit	\$150.00
Cleaning Fee	\$150.00
Additional Staffing Fee	<del>\$15.00</del> \$25.00 per hour

*Basis/Background*

- Combine Rainier Room with full activity room due to ½ room option is no longer available.
- The increased hourly rate for additional staffing is to covers the cost of part-time/seasonal employees and administrative costs such as scheduling, payroll processing and is consistent with the proposed City Hall after hours and pavilion facility attendant fees.

c) **Farmers Market**

Farmers Market	Daily Rate/ Farmers <del>Mkt</del> Market	Seasonal/Farmers Market <del>AM or PM</del>
Regular Stall 10x10	\$25.00	<del>\$250.00</del> <b>\$260.00</b>
<b>Regular Stall 10x20 or Food Trucks</b>	<b>\$50.00</b>	<b>\$585.00</b>
10x10 Stall W/ Electricity	\$30.00	\$300.00
Pull-Through Stall	<del>\$40.00</del> <b>\$50.00</b>	<del>\$400.00</del> <b>\$585.00</b>
Payment Plan Processing	\$35.00	\$35.00

*Basis/Background*

- Added “AM or PM” in anticipation of a future night market. The fee is for one or the other, not both.
- The increase for the regular stall 10x10 is based on a 13 week market at a reduced rate of \$20.00 per day if paid in full at the beginning of the season.
- Add new fee for regular stall 10x20 or food trucks. The fee is based on a reduced rate of \$45.00 per day for 13 weeks if paid at the beginning of the season and includes two spaces with this proposed rate.
- The increase for pull-through stall is based on a reduced rate of \$45.00 per day for 13 weeks if paid at the beginning of the season and includes two spaces with this proposed rate.



d) Fort Steilacoom Park

Fort Steilacoom Park		
<b>Large Picnic Shelter - Full day only May-Sep</b>		
- Half Day - 10:00 a.m. - 2:00 p.m. OR 3:00 p.m. - 7:00 p.m.		\$100.00
- Full Day (10:00 a.m. - 7:00 p.m.) - May require a special use permit.		\$200.00
<b>Small Picnic Shelters - Full day only May - Sep</b>		
- Half Day - 10:00 a.m. - 2:00 p.m. OR 3:00 p.m. - 7:00 p.m.		\$50.00
- Full Day (10:00 a.m. - 7:00 p.m.)		\$75.00
<b>Pavilion</b>		
- Half Day - 10:00 a.m. - 2:00 p.m. OR 3:00 p.m. - 7:00 p.m.		\$500.00
- Full Day (10:00 a.m. - 7:00 p.m.)		\$1,000.00
Hourly Rate (2 hour minimum)		\$150.00
Deposit		\$250.00 - \$500.00
Cleaning Fee		\$50.00 - \$70.00
<b>Sport Field Use Fees</b>		
	<u><del>With one field preparation, per field, per 1/2 day (5 hours or less)</del></u>	<u>With one field preparation, per field, per day</u>
- 1 Field	<del>\$150.00</del>	\$200.00
- 2 Fields	<del>\$200.00</del>	\$275.00
- 3 Fields	<del>\$250.00</del>	<del>\$325.00</del> \$350.00
- 4 Fields	<del>\$300.00</del>	<del>\$375.00</del> \$425.00
- 5 Fields	<del>\$350.00</del>	<del>\$425.00</del> \$500.00
<u><del>With second field preparation, per field, per day</del></u>		
<del>- 1 Field</del>		<del>\$45.00</del>
<del>- 2 Fields</del>		<del>\$90.00</del>
<del>- 3 Fields</del>		<del>\$135.00</del>
<del>- 4 Fields</del>		<del>\$180.00</del>
<del>- 5 Fields</del>		<del>\$225.00</del>
	<u><del>Without field preparation, per 1/2 day (5 hours or less)</del></u>	<u>Without field preparation, per day</u>
- 1 Field	<del>\$100.00</del>	\$150.00
- 2 Fields	<del>\$125.00</del>	\$200.00
- 3 Fields	<del>\$150.00</del>	\$250.00
- 4 Fields	<del>\$175.00</del>	\$300.00
- 5 Fields	<del>\$200.00</del>	\$350.00
Baseball Field #5 at Fort Steilacoom Park		\$25.00 per game or \$50.00 per day
<b>Single Sports Field (no preparation)</b>		<del>\$35.00</del> \$40.00 per 60 minutes
<b>Tournament Deposit and Cancellation Fee ( A full refund or credit less</b>		
- Nonrefundable tournament reservation fee (does not go towards tournament fees)		\$100.00
- Tournament Deposit Fee (will go towards tournament fees)		\$100.00 per field
- Tournament cancelled less than 30 days prior		50% of deposit refunded
- Tournament cancelled 31-60 days prior		75% of deposit refunded
Youth soccer teams not associated with city leagues but use city fields for league play, per team. Field availability may vary and field prep fees apply.		
- Age 10 years and under		\$100.00 per team
- Age 11 - 18 years		\$125.00 per team
- Adult, age over 18 years		regular field use rates apply
Youth baseball teams not associated with city leagues but use city fields for league play, per team. Field availability may vary and field prep fees apply.		\$50.00 per game fee (2.5 hours and one prep per day)
Field preparation (all sports)		<del>\$45.00</del> \$50.00 per prep \$75 per mid day mound change

*Basis/Background:*

- Add “Full day only May – Sep” to large and small picnic shelters. During peak season, maintenance staff have many parks to visit, special events and projects to support, increased garbage to pick each day and if there are vandalism or safety issues to address, it is difficult to get to a shelter when it is rented by two different groups on the same day and ensure it is clean and ready for the second group to use. Changing to full days during peak season will allow staff to create a quality park experience. Also, picnic shelters are generally sold out in the summer so a reduction in use is not expected with this new practice.
- Remove options for half day field usage and the associated rates for with or without field prep. The option is rarely requested and based on 5 hour use is almost a full day. Deleting this section will provide clarity for use and makes it easier to schedule the many different groups wanting to use the sport fields/facilities.
- Increase the fees associated “With one field preparation per field, per day” so that the fee is \$200.00 for the first field and \$75.00 for each additional field prep.
- Remove the section “With second field preparation, per field, per day”. This creates confusion since the field prep is based on each additional field prep. Removing this section does not eliminate the fee as the fees are already captured in the section below, rather it makes it easier to understand and manage.
- Single Sports Field (no preparation). Increase rate to reflect costs. The fee covers staff, equipment and supplies to mark a field. Last year, staff removed mounds on baseball fields so if a mound needs to be changed out during the day, an additional fee is charged.

**e) Other Fees**

Other Fees	
<del>Fort Steilacoom Park</del> Open Space: Half Day (10:00 a.m. - 2:00 p.m.) or (3:00 p.m. - 7:00 p.m.) Full Day (10:00 a.m. - 7:00 p.m.) - May require a special use permit.	\$100.00 \$200.00
Jumpy Houses <del>Permits</del> - Must be inspected and requires insurance.	\$20.00 each
Non-Refundable Vendor Application Fee	\$25.00
Advertising banner	\$100.00 per day
Concessions	\$25.00 - \$50.00 per day
Additional Staff Fee	\$25.00 per hour
Parking, camping and other revenue collected by renter for event	15% of gross revenue

*Basis/Background:*

- Removed “Fort Steilacoom Park” to allow flexibility for groups wanting to use parks for a variety of uses/events that are beyond a picnic shelter or reservation.
- Non-refundable Vendor Application Fee. The vendor application fee was included under special event fees and is being moved to section. Added “non-refundable” to the fee schedule to be transparent and consistent with the application.
- Additional Staff Fee. Add new fee to cover cost of part-time/seasonal employees and administrative costs such as scheduling, payroll processing and is consistent with the proposed City Hall after hours and pavilion facility attendant.

**f) Neighborhood Shelters**

<b>Neighborhood Shelters - Full day only May-Sept</b>	
- Half day (resident/nonresident): 10:00 a.m. - 2:00 p.m. OR 3:00 p.m. - 7:00	\$40.00 / \$50.00
- Full Day (resident/nonresident): 10:00 a.m. - 7:00 p.m.	\$60.00 / \$75.00

*Basis/Background:*

- Add “Full day only May – Sep” similar picnic shelters. During peak season, maintenance staff have many parks to visit, special events and projects to support, increased garbage to pick each day and if there are vandalism or safety issues to address, it is difficult to get to a shelter when it is rented by two different groups on the same day and ensure it is clean and ready for the second group to use. Changing to full days during peak season will allow staff to create a quality park experience. Also, picnic shelters are generally sold out in the summer so a reduction in use is not expected with this new practice.

**g) Special Event Fee**

<b>Special Event Fee</b>	
<b>Vendor Application Fee</b>	<b>\$25.00</b>

*Basis/Background:*

- This fee is proposed to be included under the “Other Fees” section.

## 2019 2020 FEE SCHEDULE

Resolution 2019-02 xx Adopted by City Council on ~~January 22, 2019~~ Nov. 18, 2019

Fee Type		Fee Amount
<b>All</b>		
	Taxes and Pass-Through Costs	All appropriate taxes and pass-through costs are added to fees when they are incurred, even if not specified in the fee schedule.
<b>A.</b>	<b>Copies/Duplication</b>	
	<b>Legal/City Clerk</b>	
	Certification of documents and Affixing City Seal	\$0.15 per page + \$3.00
	Preparation of verbatim City Council minutes	\$50.00/hour
	Reproduction of City Council audio tapes	\$5.00
	CD-ROMs	\$1.00
	<b>Various Departments</b>	
	Copies of resolutions, minutes of meetings, full municipal code, contracts, reports and other disclosable public records. <i>(No fee charged for copies of ordinances.)</i>	\$0.15 per page + mailing container, shipping/postage. Staff may in its discretion send copy jobs for outside printing, in which case, actual cost is charged.
	Non Sufficient Funds (NSF) Fee	\$25.00
	<b>Public Works</b>	
	Engineering Standards Manual	Cost plus 15%
<b>B.</b>	<b>City Hall Rental Fees - Two-hour minimum reservation required for facility use</b>	
	Cleaning Fee (non-refundable)	\$50.00 (Saturday & Sunday only)
	City staff attendant	Hourly rate of City staff attendant.
	Up to a 15% Administrative charge may be added to actual expenses. In addition, an hourly rate fee will be charged for repairs or additional cleaning that is required as a result of an event.	

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>C. PLANNING AND DEVELOPMENT FEES</b>		
<b>Administrative Fee</b>		
Technology Fee		2% of the total planning permit cost
<b>Plat/Subdivision Fees</b>		
Preliminary Plat		\$3,850.00 plus \$100.00 per lot; plus \$2,500 hearing examiner deposit <sup>(1)</sup>
Plat Amendment (before final plat approval)		
	Major	\$1,320.00 plus \$100 per lot; plus \$2,500.00 hearing examiner deposit <sup>(1)</sup>
	Minor	\$660.00 plus \$100 per lot; <del>\$1,000.00-\$2,500.00</del> hearing examiner deposit <sup>(1)</sup>
Final Plat		\$2,750.00 plus \$50.00 per lot
Plat Alterations (after final plat approval)		\$2,500.00 plus \$1,000 hearing examiner deposit <sup>(1)</sup>
Binding Site Plans		\$2,200.00
Short Plat		\$3,500.00
Short Plat Amendments		\$1,000.00
Boundary Line Adjustments (BLA)/Lot Combination		\$600.00
Recording Fees		Fees Not Included
<b>Discretionary Land Use Permits</b>		
Conditional Use Permits		\$2,200.00 plus \$2,500.00 hearing examiner deposit <sup>(1)</sup>
Master Facilities Plan		\$2,200.00 plus \$2,500.00 hearing examiner deposit <sup>(1)</sup>
Major Variances		\$1,200.00 plus <del>\$500.00</del> \$2,500.00 hearing examiner deposit <sup>(1)</sup>
Major Variances for single family dwelling (where project valuation does not exceed \$12,000)		\$660.00
Administrative Variances		\$400.00
Administrative Use Permits		\$1500.00
Temporary Use Permits		\$200.00
Major Modifications of Permit Approval		1/2 of original permit cost
Minor Modifications of Permit Approval		1/4 of original permit cost
Shoreline Substantial Development Permit		\$2,300.00 plus <del>\$1,000</del> \$2,500.00 hearing examiner deposit <sup>(1)</sup>
Shoreline Conditional Use Permit/Shoreline Variance		\$2,300.00 plus <del>\$1,000.00</del> \$2,500.00 hearing examiner deposit <sup>(1)</sup>
Written Shoreline Exempt Determination (The fee applies only to requests for a written determination by the Community and Economic Development Department that the project is exempt from the Shoreline Master Program.)		\$150.00
<b>Appeals &amp; Reconsiderations</b>		
Reconsideration of a Decision of the Hearing Examiner		\$300.00 plus <del>\$2,500.00</del> hearing examiner deposit <sup>(1)</sup>
Appeal of the Administrative Officer's Decision		\$450.00
Appeal of SEPA Determination		\$450.00
<b>Amendments to Plans &amp; Regulations</b>		
Amendments to the Comprehensive Plan & other <del>related</del> policy documents		<del>\$850.00</del> \$2,100.00
Amendments to Development Regulations		<del>\$850.00 plus consultant fees over 4 hours</del> \$2,600.00
Amendments to the Shoreline Master Program		<del>\$1,800.00</del> \$3,200.00
Site-Specific Rezone		\$3,100.00

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
C. PLANNING AND DEVELOPMENT FEES (continued)		
Zoning Certification/Site Plan Review		
Single family dwelling construction in residential zones are subject to the following fee schedule:		
Construction Value:		
\$0 - \$74,999		\$50.00
\$75,000 - \$124,999		\$100.00
\$125,000 - \$224,999		\$150.00
Over \$225,000		\$300.00
Other Developments: All new buildings or exterior tenant improvements in commerical or industrial zones, and all other construction and development activity, other than single-family dwelling construction, are subject to the following fee:		
Construction Value	Zoning Certification Fee	Compliance check w/ AUP, CUP, etc.
\$0 - \$99,999	\$260.00	\$50.00
\$100,000 - \$249,999	\$530.00	\$200.00
\$250,000 - \$499,999	\$790.00	\$450.00
\$500,000 - \$999,999	\$1,000.00	\$700.00
\$1,000,000 - \$4,999,999	\$2,000.00	\$1,200.00
\$5,000,000 - \$10,000,000	\$2,500.00	\$1,700.00
Over \$10,000,000	\$3,000.00	\$2,200.00
Site Plan Review without a Building Permit. The zoning certification and site plan review fee for those development projects for which no building permit is required but which requires site plan review and a zoning certification, shall be baed on the value of the proposed development to be undertaken. The value of the proposed construction/development shall be determined based on professional estimates by a licensed engineer, architect, landscape designer or contractor. These estimates may include but are not limited to, grade and fill of the site, paving, placement of utilities, lighting, landscaping, and other site improvements. The combined total of the cost estimates for all development on the site shall be the established value basis for the zoning certification and site plan review fee found in the table above.		
Zoning Certification with No Site Plan Review Required	A \$20.00 fee applies to zoning certifications where only a business license is required.	
	A \$50.00 fee applies to projects where the proposed land use must be reviewed with respect to development standards, but there is no requirement for submitting a site plan, e.g. an interior tenant improvement.	
Mixed Use Buildings	Site plan review and/or zoning certification application fees may be reduced by 50% if the application is for the construction of a mixed use building. Fee waivers do not apply to SEPA, short plat, subdivision or other permit requests associated with the development of a site, nor does fee reduction apply to mixed use development where the commercial and residential uses are not located within the same building.	

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>C. PLANNING AND DEVELOPMENT FEES - continued</b>		
<b>Miscellaneous Planning Fees</b>		
Accessory Living Quarters		\$100.00
Design Review		\$200.00
	Application fees may be reduced by 50% if the application is for a mixed use building. Fee reduction applies to site plan review/zoning certification and design review. Fee waivers do not apply to SEPA, short plat, subdivision or other permit requests associated with the development of a site, nor does fee reduction apply to mixed use development where the commercial and residential uses are not located within the same building.	
Time Extensions		\$240.00
Annexation Petition		
	Notice of Intent to Commence Annexation	\$320.00
	Petition to Annex	\$2,500.00
<sup>(1)</sup> Hearing Examiner Fees		
Where Examiner Review is required for any related use permit, appeal, etc., the applicant is responsible for and required to pay actual Hearing Examiner costs, which may be higher or lower than the deposit amount.		
<b>Other Fees</b>		
Staff Review Fees (includes re-inspection and investigative fees, and additional staff review when the processing of the application exceeds the application base fees as outlined in the fee schedule.)		<del>\$\$\$1.00</del> \$92.00 per hour
Development Agreement		\$2500.00
Pre-Application Conference		\$150.00 - Of this amount, \$100.00 can be applied to related permits filed within sixty (60) days of the preapplication conference
Final Certification of Occupancy/Site Certification		\$100.00
Home Occupation		\$200.00
Limited Home Occupation		\$50.00
Downtown Subarea Park Fee-in-Lieu of Common Open Space Construction		Up to 50% of valuation of required common open space (100 sq. ft. required per dwelling unit); see LMC 18B.530
Written Zoning Determination by the Assistant City Manager for Development Services		<del>\$\$\$50.00</del> \$250.00
WTF Administrative Use Permit		\$800.00
WTF Conditional Use Permit		\$2,000.00
Non-Conforming Sign Permit Fees (LMC 18A.50.675)		
	- If the permit is obtained within ninety (90) days of receipt of notification by the City advising the applicant of the need to obtain a permit	No permit fee
	- If the permit is obtained after the ninety (90) day time period following notification by the City.	\$84.00



**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>C. PLANNING AND DEVELOPMENT FEES - continued</b>		
<b>SEPA &amp; Wetland Fees</b>		
Written SEPA Exempt Determination (The fee applies only to requests for a written determination by the Community & Economic Development Department that the project is exempt from the requirements of SEPA.)		\$50.00
	Environmental Checklist for <del>projects</del> applicable Process I and II applications located outside of Downtown Subarea Plan Boundaries	<del>\$480.00</del> \$550.00
	Environmental Checklist for applicable Process III, IV, and V applications (e.g. conditional use permits, variances, shoreline substantial development permits, plats, master plans, and land use map/text changes located outside of the Downtown Subarea Plan Boundaries)	\$1,840.00
	Environmental Checklist for applicable Process V applications (e.g. generalized or comprehensive ordinance text amendments, area-wide amendments, annexations, and adoption of new planning-related ordinance)	Staff review hourly rate; \$2,500.00 deposit is required
	Environmental Checklist for projects inside of Downtown Subarea Plan Boundaries	\$50.00
	Environmental Impact Statement (EIS)	\$3,200.00 plus preparation at contract rate to be determined
	Reasonable Use Exception other than residential (RUE)	\$1,840.00 plus <del>\$500.00</del> -\$2,500.00 hearing examiner deposit <sup>(1)</sup>
	Residential RUE	\$500.00
	Additional SEPA Review (See WAC 197-11-335)	No charge, except any third-party consultant costs to the City.
	Downtown Subarea Planned Action Transportation Fee	\$2,174.00 per PM peak hour trip generated by use(s).
	<b>Multi-Family Tax Exemption Applications (LMC 3.64.030)</b>	
	Conditional Certificate Application	\$800.00
	Extension of Conditional Certificate of Application	\$500.00
	Final Certificate of Application	\$500.00
<b>Tree Removal/Replacement Permit Fees</b>		
	Significant Tree Removal Permit	No Fees
	Off-Site Tree Replacement Permit (when trees are not being replaced onsite)	\$400.00 for each replacement tree

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>D. GENERAL REQUIREMENTS FOR ALL CONSTRUCTION-RELATED PERMITS</b>		
	Building Permit fees shall be based upon valuation. The valuation shall be determined by the Building Official. For most projects the square footage costs in the most current Building Valuation Data Table published by the International Code Council (ICC) may be employed. For projects not covered by the table construction estimation tools such as Construction Cost Data by R.S. Means or the BNI <i>Construction Costbook</i> may be referenced as a guide.	
	Administrative Fee - Includes a technology fee equal to 2% of the total building permit cost.	
	Permit fees shall be calculated from valuation in the following manner:	
	<b>Valuation</b>	<b>Corresponding Permit Fee</b>
	\$0 - \$500	\$30.00
	\$501 - \$2,000	\$30.00 for the first \$500.00 plus \$4.00 for each additional \$100 or fraction thereof, to and including \$2,000.
	\$2,001 - \$25,000	\$90.00 for the first \$2,000.00 plus \$17.50 for each additional \$1,000 or fraction thereof, to and including \$25,000.
	\$25,001 - \$50,000	\$492.50 for the first \$25,000.00 plus \$12.50 for each additional \$1,000 or fraction thereof, to and including \$50,000.
	\$50,001 - \$100,000	\$805.00 for the first \$50,000.00 plus \$9.00 for each additional \$1,000 or fraction thereof, to and including \$100,000.
	\$100,001 - \$500,000	\$1,255.00 for the first \$100,000.00 plus \$7.25 for each additional \$1,000 or fraction thereof, to and including \$500,000.
	\$500,001 - \$1,000,000	\$4,155.00 for the first \$500,000.00 plus \$6.00 for each additional \$1,000 or fraction thereof, to and including \$1,000,000.
	\$1,000,001 - \$5,000,000	\$7,155.00 for the first \$1,000,000.00 plus \$4.00 for each additional \$1,000.00 or fraction thereof, to an including \$5,000,000.
	\$5,000,001 and up	\$23,155.00 for the first \$5,000,000.00 plus \$3.00 for each additional \$1,000.00 or fraction thereof.

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>D. GENERAL REQUIREMENTS FOR ALL CONSTRUCTION-RELATED PERMITS - continued</b>		
<b>Plan Review Fees</b>		
Plan review fees shall be 65 percent (65%) of the Building Permit Fee with a minimum fee of one hour (\$85.00)		
Plan review for residential site specific base plans shall be \$500.		
<b>Other Fees</b>		
	<b>Demolition Fees</b>	
	Single Family (including duplex)	\$200.00
	Residential Accessory Building	\$100.00
	Commercial/Multi-Family (including mobile home parks	
	Less than 10,000 square feet	\$200.00
	10,000 to 100,000 square feet	\$400.00
	100,000 square feet or more	\$600.00
State Building Code Council (SBCC) Surcharge - Residential		\$6.50 for each building permit issued, plus an additional surcharge of \$2.00 for each residential unit after the first unit, in accordance with RCW 19.27.085
State Building Code Council (SBCC) Surcharge - Commercial		\$25.00 for each building permit issued, plus an additional surcharge of \$2.00 for each residential unit after the first unit, in accordance with RCW 19.27.085
<b>General Comments</b>		
1)	Any person who commences any work on a building, structure, gas, mechanical, or plumbing system before obtaining the necessary permits may be subject to an investigative fee.	
2)	Additional inspection outside of normal business hours or investigative fee rates are calculated at \$51.00 per hour (2 hour minimum).	
3)	A reinspection fee shall be calculated at \$51.00 per occurrence.	
4)	Additional plan review resulting from revisions, resubmittals and other documents shall be calculated at \$51.00 per hour of staff time expended.	
5)	Additional hourly rates for which no specific fee is identified shall be calculated at \$51.00 per hour.	
6)	The use of outside consultants for plan checking and/or inspections will be the actual plus overhead adjustments as determined by the Building Official.	
7)	The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees as assessed.	
8)	Temporary Certificate of Occupancy (TCO): \$200.00 application filing fee (nonrefundable), plus a cash guarantee or other appropriate security, including letters of credit, in the amount of 150% of the estimated work remaining. The cash guarantee or other appropriate security, shall be forfeited to the City if the work is not completed within the time period specified on the application as agreed to between the City and the property owner or authorized person acting on the property's owners behalf. In the case where such cash guarantee or other appropriate security is forfeited to the City, the proceeds therefrom shall be placed in the City's general fund.	
9)	Any time the use of a building or tenant space is changed, a change of use permit is required. The fee for a change of use permit is \$250.00. If alterations to the space are to be performed, additional permits and fees may be required such as building permit, plumbing permit, mechanical permit, etc. Please note that an electrical permit may be required for changes to the electrical service or wiring.	
10)	Building permit extension (after two extensions have been previously authorized by the Building Official. The fee is 0.5 hours at the CEDD hourly rate (see Staff Review Fees under Other Fees section).	

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>D. GENERAL REQUIREMENTS FOR ALL CONSTRUCTION-RELATED PERMITS - continued</b>		
<b>Mechanical Permit Fees</b>		
New Single Family Residences and Duplex (per unit) Flat Fee		\$175.00
Residential (Prescriptive Design)		\$175.00
Commercial and Non-Prescriptive Residential		Per Valuation w/ Minimum \$175.00
New Commerical Building and Major Tenant Improvements permit fees will be based upon the following valuation table using the project valuation. Valuation based upon the prevailing market value including materials, labor and equipment.		
<b>Project Valuation</b>		<b>Fee</b>
Up to \$5,000		\$85.00
\$5,000 - \$100,000		\$85.00 for the first \$5,000 plus \$17.00 for each additional \$1,000 or fraction thereof, to and including \$100,000
> \$100,000		\$1,700.00 for the first \$100,000 plus \$12.00 for each additional \$1,000 or fraction thereof.
<b>Mechanical Review Fees</b>		
When plan reviews and/or specifications are required, the plan review fee shall be calculated at 25% of the Permit Fee.		
Small Tenant Improvements (mechanical < \$5,000) and equipment replacement or adding of new equipment shall use the equipment unit table below:		
<b>Equipment Unit Schedule Description</b>		<b>Fee</b>
Permit Issuance		\$34.00
Issuing supplemental permits		\$12.00
Furnaces up to and including 100,000 BTU		\$22.00
Furnaces over 100,000 BTU		\$29.00
Appliance vents		\$12.00
Repair or additions to A/C systems		\$22.00
Boilers, compressors and absorption systems up to and including 3 horsepower		\$29.00
Boilers, compressors and absorption systems over 3 horsepower and including 15 horsepower		\$53.00
Boilers, compressors and absorption systems over 15 horsepower and including 30 horsepower		\$76.00
Boilers, compressors and absorption systems over 30 horsepower and including 50 horsepower		\$100.00
Boilers, compressors and absorption systems over 50 horsepower		\$123.00
Air handlers up to and including 25 tons		\$18.00
Air handlers over 25 tons		\$29.00
Evaporative coolers		\$41.00
Ventilation and exhaust (fans and hoods)		\$18.00
Incinerators, domestic type		\$29.00
Incinerators, international type		\$41.00
Each gas piping from 1 to 5 outlets		\$12.00
- Additional outlets per outlet		\$3.00
Miscellaneous		\$18.00

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>D.</b>	<b>GENERAL REQUIREMENTS FOR ALL CONSTRUCTION-RELATED PERMITS - continued</b>	
	<b>PLUMBING PERMIT FEES</b>	
	New Single Family Residences and Duplex (per unit) flat fee	\$225.00
	New Commercial Buildings and Major Tenant Improvements permit fees will be based upon the following valuation table using the project valuation. Valuation based upon the prevailing market value including materials, labor and equipment.	
	<b>Project Valuation</b>	<b>Fee</b>
	Up to \$5,000	\$85.00
	\$5,000 - \$100,000	\$85.00 for the first \$5,000 plus \$17.00 for each additional \$1,000 or fraction thereof, to and including \$100,000
	\$100,000 and up	\$1,700.00 for the first \$100,000 plus \$12.00 for each additional \$1,000 or fraction thereof.
	<b>PLUMBING REVIEW FEES</b>	
	When plans and/or inspections are required, the plan review fee shall be calculated at 25% of the Permit Fee.	
	Small Tenant Improvements (mechanical < \$5,000) and equipment replacement or adding of new equipment shall use the equipment unit table below.	
	<b>Equipment Unit Schedule</b>	<b>Fixture Fee</b>
	Permit Issuance	\$34.00
	Issuing supplemental permits	\$12.00
	Furnaces up to and including 100,000 BTU	\$22.00
	Each plumbing fixture with one trap	\$12.00
	Each building sewer	\$22.00
	Each drain for indoors rainwater system	\$12.00
	Each cesspool	\$35.00
	Each private sewage disposal system	\$59.00
	Each water heater and vent	\$12.00
	Each gas piping from 1 to 5 outlets	\$12.00
	- Additional outlets per outlet	\$3.00
	Each waste incinerator	\$12.00
	Water piping or water treating system	\$12.00
	Repair or alteration of drainage or vent	\$12.00
	Backflow device for lawn sprinklers	\$12.00
	Vacuum breakers from 1 to 5	\$12.00
	- Additional units over 5 per each	\$3.00
	Backflow device for other systems over 2 inches in diameters	\$24.00
	Cross connection of reclaimed water system	\$47.00
	Each graywater system	\$59.00
	Medical gas system from 1 to 5 outlets	\$71.00
	- Additional outlets over 5 per each	\$12.00

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>E. GEOGRAPHICAL INFORMATION SYSTEMS AND OTHER FEES</b>		
<b>Geographical Information Systems (GIS)</b>		
LABOR COSTS: Labor costs for preparation of requested GIS information shall be billed on a quarter of an hour (15-minute) basis, at the rate of \$12.50 per fifteen (15) minute period of labor, in addition to any applicable mapping and/or electronic media costs, set forth below:		
<b>Standard Mapping Products</b>		
Photo Quality Paper (11 X 17)		\$15.00 each
Wall Map (22 X 34)		\$20.00 each
Wall Map (33 X 44)		\$25.00 each
<b>ELECTRONIC MEDIA: CD-ROM</b>		\$15.00
<b>Administrative Services</b>		
Extra Duty Contracts - Administrative Fee		\$2.00 per hour
Extra Duty Contracts - Processing Fee		\$10.00 per invoice
Lien Filing Fee		\$50.00 plus all recording fees
<b>F. PUBLIC WORKS PERMIT FEES</b>		
<b>Administrative Fee</b>		
Technology Fee		2% of the total public works permit cost
<b>Permits</b>		
<b>Site Development Permit</b> ( <i>covers site work, including erosion control, clearing, grading and drainage</i> )		
	<b>Project Value</b>	<b>Permit Fee</b>
	\$0 - 15,000	\$500.00
	\$15,001 - \$50,000	\$1,000.00
	\$50,001 - \$150,000	\$2,500.00
	\$150,001 - \$1,000,000	\$4,500.00
	Over \$1,000,001	\$9,000.00
<i>Project Value is defined as the value of all improvements outside the building footprint.</i>		
<b>Right-of-Way Permit</b> ( <i>authorization to use right-of-way for minor construction, parking or other non-intrusive use</i> )		\$150.00 plus any staff time in excess of 2 hours at \$51.00 per hour
<b>Pavement Degradation Fee</b> : ( <i>recovers loss in pavement serviceability due to pavement cuts</i> ):		
	<b>Road Material, Type, PCI Score</b>	<b>PDF Fee</b>
	Flexible, High Volume, In moratorium	\$85.00 per square yard
	Flexible, High Volume, PCI 100-85	\$42.00 per square yard
	Flexible, High Volume, PCI 84-70	\$34.00 per square yard
	Flexible, High Volume, PCI 69-50	\$25.00 per square yard
	Rigid, High Volume, In moratorium	\$164.00 per square yard
	Rigid, High Volume, PCI 100-85	\$82.00 per square yard
	Rigid, High Volume, PCI 84-70	\$66.00 per square yard
	Rigid, High Volume, PCI 69-50	\$49.00 per square yard
	Flexible, Med-Low Volume, In moratorium	\$54.00 per square yard
	Flexible, Med-Low Volume, PCI 100-85	\$27.00 per square yard
	Flexible, Med-Low Volume, PCI 84-70	\$22.00 per square yard
	Flexible, Med-Low Volume, PCI 69-50	\$16.00 per square yard
	Rigid, Med-Low, In moratorium	\$142.00 per square yard
	Rigid, Med-Low, PCI 100-85	\$71.00 per square yard
	Rigid, Med-Low, PCI 84-70	\$57.00 per square yard
	Rigid, Med-Low, PCI 69-50	\$43.00 per square yard

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>F.</b>	<b>PUBLIC WORKS PERMIT FEES - continued</b>	
	<b>Right-of-Way Vacation Permit</b> ( <i>"Sale" or vacation of city right-of-way to abutting property owners</i> )	\$1,000.00
	<b>Street Opening Permit</b> ( <i>Used to install new or repair/upgrade existing private and public facilities located in a street right-of-way; includes pavement cuts, excavation, traffic control, etc.</i> )	\$500.00 plus any staff time in excess of 10 hours at <del>\$51.00</del> <b>\$92.00</b> per hour
	<b>Oversize Load Permit</b> ( <i>all vehicles in excess of legal weight or size limitations according to RCW 46.44 shall obtain an oversize load permit prior to operating on Lakewood streets</i> )	Individual \$100.00 Annual \$300.00 Additional costs shall apply if police escorts or signal technician work is required.
	<b>Right-of-Way Tree Cutting Permit</b> ( <i>for residential or commercial cutting on or along a lot or in an area zoned for more than one single family home</i> )	\$200.00
	<b>Reinspection Fee</b> ( <i>to cover cost of each reinspection, required in conjunction with a Right-of-Way Permit, necessary to assure compliance with the requirements of the permit</i> )	<del>\$51.00</del> <b>\$92.00</b>
	<b>General Inspection Fee</b> ( <i>for inspection not otherwise listed</i> )	<del>\$51.00</del> <b>\$92.00</b> per hour
	<b>Miscellaneous Permits</b> ( <i>any Public Works permit not covered by the fee schedule, if performed by an employee</i> )	Rate will be based on actual hourly costs, plus benefits (30%), operating costs (16%) and central services costs (16%)
	<b>Professional Services Contracts</b> ( <i>any private or public professional service contract needed</i> )	Rate will be billed 100%, plus 10% administrative charges



**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>G. PARKS AND RECREATION PROGRAMS (Facility/Use)</b>		
<b>Parks, Recreation &amp; Community Services</b>		
<b>Special Use Permit*</b>		
Events		\$200.00 - \$500.00
Colonial Plaza and Major events		\$1,000.00
Event Deposit		<del>\$250.00</del> - \$500.00 per event
Additional event fees and services (plus 15% of gross private event revenue)		Market rate + 15%
* permit fee + extra costs associated with event (garbage, staff support, notification, sanitation, security, etc)		
<b>Alcohol Permit Fee ** (must be purchased in addition to a special use permit)</b>		
Small events		\$200.00
Large events		\$500.00
Major events		\$1,000.00
** Special conditions apply		
<b>Facility Use Cancellation Fees</b>		
- Recreation Administrative Fee		\$10.00 (non-refundable)
- Special Use Permit - less than 30 days prior to		(0%) 100% retained by City
- Special Use - 31-60 days prior to use		(50% refunded) 50% retained by City
- Special Use - more than 61 days prior to use		(75% refunded) 25% retained by City
<b>Lakewood Senior Activity Center (two hour minimum)</b>		
<del>Rainier Room</del>		
Rainier Room - Full activity room		\$65.00 per hour
Classroom		\$30.00 per hour
Artroom		\$30.00 per hour
Kitchen (only if available if renting full activity room)		\$15.00 per hour
Facility Deposit		\$150.00
Cleaning Fee		\$150.00
Additional Staffing Fee		<del>\$15.00</del> \$25.00 per hour
<b>Cancellation Fees</b>		
- Facility Deposit/Fees (less than 30 days)		(0%) 100% retained by City
- Facility Deposit/Fees (31-60 days prior)		(50% refunded) 50% retained by City
- Facility Deposit/Fees (more than 61 days prior)		(75% refunded) 25% retained by City
<b>Boat Launch</b>		
Per launch (Credit/Debit Cards Only)		\$15.00
Resident Season Pass		\$100.00
Non-Resident Season Pass		\$130.00
Overnight Pass		\$50.00
Commercial Pass		\$250.00
<b>Farmers Market</b>	<b>Daily Rate/ Farmers Market</b>	<b>Seasonal/Farmers Market AM or PM</b>
Regular Stall 10x10	\$25.00	<del>\$250.00</del> - \$260.00
Regular Stall 10x 20 or Food Trucks	\$50.00	\$585.00
10x10 Stall W/ Electricity	\$30.00	\$300.00
Pull-Through Stall	<del>\$40.00</del> - \$50.00	<del>\$400.00</del> - \$585.00
Payment Plan Processing	\$35.00	\$35.00
<b>Neighborhood Parks</b>		
Field Preparation Fees		\$25.00
Fields use		\$20.00 per hr (no prep); \$50.00 per game fee (2.5 hrs. and one prep per day)

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>G. PARKS AND RECREATION PROGRAMS (Facility/Use) - continued</b>		
<b>Fort Steilacoom Park</b>		
<b>Large Picnic Shelter - Full day only May-Sep</b>		
- Half Day - 10:00 a.m. - 2:00 p.m. OR 3:00 p.m. - 7:00 p.m.		\$100.00
- Full Day (10:00 a.m. - 7:00 p.m.) - May require a special use permit.		\$200.00
<b>Small Picnic Shelters - Full day only May - Sep</b>		
- Half Day - 10:00 a.m. - 2:00 p.m. OR 3:00 p.m. - 7:00 p.m.		\$50.00
- Full Day (10:00 a.m. - 7:00 p.m.)		\$75.00
<b>Pavilion</b>		
- Half Day - 10:00 a.m. - 2:00 p.m. OR 3:00 p.m. - 7:00 p.m.		\$500.00
- Full Day (10:00 a.m. - 7:00 p.m.)		\$1,000.00
Hourly Rate (2 hour minimum)		\$150.00
Deposit		\$250.00 - \$500.00
Cleaning Fee		\$50.00 - \$70.00
<b>Sport Field Use Fees</b>		
	<u><del>With one field preparation, per field, per 1/2 day (5 hours or less)</del></u>	<u><del>With one field preparation, per field, per day</del></u>
- 1 Field	<del>\$150.00</del>	\$200.00
- 2 Fields	<del>\$200.00</del>	\$275.00
- 3 Fields	<del>\$250.00</del>	<del>\$325.00</del> \$350.00
- 4 Fields	<del>\$300.00</del>	<del>\$375.00</del> \$425.00
- 5 Fields	<del>\$350.00</del>	<del>\$425.00</del> \$500.00
<u><del>With second field preparation, per field, per day</del></u>		
<del>- 1 Field</del>		<del>\$45.00</del>
<del>- 2 Fields</del>		<del>\$90.00</del>
<del>- 3 Fields</del>		<del>\$135.00</del>
<del>- 4 Fields</del>		<del>\$180.00</del>
<del>- 5 Fields</del>		<del>\$225.00</del>
	<u><del>Without field preparation, per 1/2 day (5 hours or less)</del></u>	<u><del>Without field preparation, per day</del></u>
- 1 Field	<del>\$100.00</del>	\$150.00
- 2 Fields	<del>\$125.00</del>	\$200.00
- 3 Fields	<del>\$150.00</del>	\$250.00
- 4 Fields	<del>\$175.00</del>	\$300.00
- 5 Fields	<del>\$200.00</del>	\$350.00
Baseball Field #5 at Fort Steilacoom Park		\$25.00 per game or \$50.00 per day
<b>Single Sports Field (no preparation)</b>		<del>\$35.00</del> \$40.00 per 60 minutes
<b>Tournament Deposit and Cancellation Fee (A full refund or credit less</b>		
- Nonrefundable tournament reservation fee (does not go towards tournament fees)		\$100.00
- Tournament Deposit Fee (will go towards tournament fees)		\$100.00 per field
- Tournament cancelled less than 30 days prior		50% of deposit refunded
- Tournament cancelled 31-60 days prior		75% of deposit refunded
Youth soccer teams not associated with city leagues but use city fields for league play, per team. Field availability may vary and field prep fees apply.		
- Age 10 years and under		\$100.00 per team
- Age 11 - 18 years		\$125.00 per team
- Adult, age over 18 years		regular field use rates apply
Youth baseball teams not associated with city leagues but use city fields for league play, per team. Field availability may vary and field prep fees apply.		\$50.00 per game fee (2.5 hours and one prep per day)
Field preparation (all sports)		<del>\$45.00</del> \$50.00 per prep \$75 per mid day mound change

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>G. PARKS AND RECREATION PROGRAMS (Facility/Use) - continued</b>		
<b>Other Fees</b>		
<del>Fort Steilacoom Park</del> Open Space:		
Half Day (10:00 a.m. - 2:00 p.m.) or (3:00 p.m. - 7:00 p.m.)		\$100.00
Full Day (10:00 a.m. - 7:00 p.m.) - May require a special use permit.		\$200.00
Jumpy Houses <del>Permits</del> - Must be inspected and requires insurance.		\$20.00 each
<del>Non-Refundable Vendor Application Fee</del>		<del>\$25.00</del>
Advertising banner		\$100.00 per day
Concessions		\$25.00 - \$50.00 per day
<del>Additional Staff Fee</del>		<del>\$25.00 per hour</del>
Parking, camping and other revenue collected by renter for event		15% of gross revenue
<b>Neighborhood Shelters - Full day only May-Sept</b>		
- Half day (resident/nonresident): 10:00 a.m. - 2:00 p.m. OR 3:00 p.m. - 7:00		\$40.00 / \$50.00
- Full Day (resident/nonresident): 10:00 a.m. - 7:00 p.m.		\$60.00 / \$75.00
<b>Special Event Fee</b>		
<del>Vendor Application Fee</del>		<del>\$25.00</del>
<b>McGavick Center Facility Use/Rental</b>		
Non-profit organizations may rent the entire facility for a flat fee of \$1,500.00. The City's available days for rental/use are limited in number each year.		

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>H. FIRE CODE OFFICIAL &amp; INTERNATIONAL FIRE CODE (IFC) FEES</b>		
<b>Community &amp; Economic Development</b>		
<b>Site Development Plan Review</b> (plats, short plats, commercial projects, residential infill's etc.)		
	Basic review fee	\$250.00
	- Additional review (over two hours)	\$125.00 per hour
	Vehicle Gates (includes plan review, inspection and testing)	\$125.00 per hour
	<b>Construction Plan Review</b> - A plan review fee will be charged for fire department review of requirements for construction and inspection of the IFC requirements for buildings classified as Group A, B, E, F, H, I, M, R, S and U. The plan review fee shall be:	15% of the plan review fee established for Building Permit Plan Review with a minimum fee of \$125.00
<b>Fireworks Fees</b>		
1)	Fees for temporary fireworks stand permit	\$100.00
2)	Fees for a public display permit	\$245.00
3)	A liability insurance policy(ies) is/are required in accordance with the Fireworks Ordinance for both fireworks stands and public displays as follows:	
	- \$500,000 for injuries to any one person in one accident or occurrence;	
	- \$1,000,000 for injuries to two or more persons in any one accident or occurrence;	
	- \$500,000 for damage to property in any one accident or occurrence; and/or	
	- \$1,000,000 combines single limit for any one accident or occurrence	
4)	A bond for clean-up is required in accordance with the Fireworks Ordinance for all fireworks stands (in a bond or cashiers check)	\$500.00
<b>Fire Alarm Systems</b>		
	<b>Tenant Improvements</b> (1st four zones)	\$215.00 plus \$6.00 (per
	- Additional zones	\$54.00 (each)
	<b>Residential</b> (one and two-family dwellings)	\$215.00 plus \$6.00 (per
	<b>Commercial and Multi-Family</b> (1st four zones)	\$325 plus \$6.00 (per device)
	- Additional zones	\$54.00 (each)
	- Sprinkler supervision only	\$270.00
	<b>Fire Alarm Permit Fee</b> for upgrading of an existing system	50 percent (50%) of the fee
	<b>Fire Alarm Plan Review Fee</b>	25 percent (25%) of the
	<b>Underground Sprinkler Supply</b> (includes plan review,	\$325.00
<b>New Suppression Systems (Halon, CO2, Dry Chemical, FM200, Integren, etc.):</b>		
	- 1 to 5 nozzles	\$200.00
	- Over 5 nozzles	\$200.00 plus \$20.00 per nozzle over 5
	- Bottle(s)	\$30.00 per bottle

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>H. FIRE CODE OFFICIAL &amp; INTERNATIONAL FIRE CODE (IFC) FEES - continued</b>		
<b>Above Ground Fire Sprinkler Systems</b>		
The fee for fire sprinkler systems shall be based on the Building Permit Fee Table. The valuation shall be based on the per square foot figure of sprinkler systems as established by policy in accordance with nationally-recognized standards.		
<b>Plan Review Fee</b> <i>(for the fire sprinkler systems are in addition to the permit fee)</i>		25 percent (25%) of the permit fee, with a minimum of \$125.00.
<b>Tenant Improvements</b> <i>(relocation and addition to existing system)</i>		valuation 20 percent (20%)
<b>System</b>		\$270.00
<b>Standpipes</b> (includes review, inspection and testing fees)		
Temporary Standpipe		\$162.00
Class I		\$184.00
Class II		\$297.00
Class III		\$318.00
<b>Other Fees</b>		
- Additional inspection fees may be imposed		\$50.00 for each additional inspection
- After hours inspections		\$75.00 hour (1-hour minimum)
Fire Pump Installations (includes review, inspection and testing fees)		\$540.00
Commercial Power Generator Installations (includes review, inspection and testing fees)		\$350.00
Battery Systems - Capacity over 50 Gallons		\$125.00
Compressed Gas Systems - Install, Modify, Repair or Abandon		\$200.00
Crogenic Fluids - Install or Modify		\$200.00
Emergency Responder Radio Coverage System - Install or Modify		\$200.00
Flammable and Combustible Liquids		
	Installation of Modification of Commercial Tank, Piping or Distribution System	\$250.00
	Installation of Modification to Pipeline System	\$125.00
	Removal of Abandoned Tank in Place of Residential Tank	No Fee
	Removal or Abandoned in Place of Residential Tank	\$55.00
Hazardous Materials - Installation, Repair, Abandon or Remove a Facility		\$125.00
Industrial Ovens - Installation		\$125.00
LP Gas - Installation of Storage and/or Distribution System		\$200.00
Solar/Polarvoltaic Power Systems (Commercial) - Installation and Modification		\$125.00
Spraying or Dipping Operations - Installation or Modification of Spray Booths, Room or Dip Tank		\$200.00
<b>False Fire Alarms</b>		
In the event of more than two false alarms in any 12 month period, the Fire chief may charge a fee for fire department response as specified below:		
- First and Second False Alarms		No Fee
- Third False Alarm		\$100.00
- Fourth and Additional False Alarms		\$250.00
EXCEPTION: False alarms resulting from the failure of a fire alarm service technician notifying the central, proprietary or remote monitoring station shall be billed at the rate of \$250.00 for each occurrence.		\$270.00 for each occurrence

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>H. FIRE CODE OFFICIAL &amp; INTERNATIONAL FIRE CODE (IFC) FEES - continued</b>		
<b>Fire Code Permit Fees</b>		
The following are annual fees, except where noted, in accordance with Section 105 of the International Fire Code.		
Permit charges may be waived by the Fire Chief or Fire Marshal for the following: Activities of Washington State non- profit corporations and/or civic or fraternal organizations which possess an IRS tax exempt status. Proof of IRS tax exempt shall be presented at the time of permit application. Non-profit organizations may be charged 1/2 of the listed occupancy permit fees. However, any group shall be assessed a full permit fee if the approved conditions of the permit are modified or not adhered to by the applicant.		
Permit Type		Fee
Aerosol products		\$110.00
Aircraft Refueling Vehicle		\$110.00
Amusement Buildings		\$110.00
- Haunted House - Commercial (Limited)		\$110.00
- Bizaars, Boutiques, Booths or Displays		\$110.00
- Flee Markets		\$110.00
Aviation Facilities		\$110.00
Carnivals and Fairs		
- Commercial		\$110.00
- Fairs, Bazaars, Famers Market, Etc.		\$110.00
- Special Events - Outdoors		\$110.00
Cellulose Nitrate Film		\$110.00
Combustible Dust Producing Operations		\$110.00
Combustible Fiber Storage		\$110.00
Compressed Gases		\$110.00
Covered and Open Mall Buildings		\$110.00
- Kiosks, Concessions, Booths, Etc.		\$110.00
- Used for Assembly (Limited)		\$110.00
- Use of Open Flame (Limited)		\$110.00
- Display of Flammable Liquid or Gas		\$110.00
Cryogenic Fluid		\$110.00
Cutting and Welding		\$110.00
Dry Cleaning		\$110.00
Dust Producing Operations		\$110.00
Explosives - Manufacture, Store, Handling, Sale or Use		\$110.00
Fireworks Stand, Limited		\$110.00
Flammable/Combustible Liquids		\$110.00
Fruit and Crop Ripening		\$110.00
Fumigation and/or Insecticidal Fogging		\$110.00
Hazardous Material - Store, Transport, Dispense, Use of Handle		\$110.00
HPM Facilities		\$110.00
High Pile Storage		\$110.00
Hot Work Operations		\$110.00
Industrial Ovens		\$110.00
Liquid or Gas-Filled Vehicles/Equipment in Assembly Bldgs.		\$110.00
Lumber Yards and Woodworking Plants		\$110.00
Magnesium		\$110.00

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>H.</b>	<b>FIRE CODE OFFICIAL &amp; INTERNATIONAL FIRE CODE (IFC) FEES - continued</b>	
	<b>Fire Code Permit Fees - continued</b>	
	<b>Permit Type (continued)</b>	<b>Fee</b>
	Mall (Covered)	\$110.00
	- Kiosks, Concessions, Booths, etc.	\$110.00
	- Used for Assembly (Limited)	\$110.00
	- Use Open Flame, etc. (Limited)	\$110.00
	- Display Flammable Liquid or Gas Filled	\$110.00
	Motor Vehicle Fuel Dispensing Station	\$110.00
	Organic Coatings	\$110.00
	Ovens- Industrial	\$110.00
	Parade Floats (limited)	\$110.00
	Place of Assembly	\$110.00
	Haunted House - Commercial (limited)	\$110.00
	Bazaars, Boutiques, Booths or Displays	\$110.00
	Flea Markets	\$250.00
	Other Special Events (Limited)	\$110.00
	Pyrotechnical Special Effects Material	\$110.00
	Radioactive Material	\$110.00
	Refrigeration Equipment (Commercial)	\$110.00
	Repair Garages	\$110.00
	Spraying and Dipping	\$110.00
	Tents and Canopies	\$110.00
	Tire and Storage	\$110.00
	Welding and Cutting	\$110.00
	<b>Tax Incentive Urban Use Center Fees</b>	
	- Application Fee	\$150.00 plus \$25.00 per multi-family unit, up to a maximum fee not to exceed \$300.00
	- Pierce County Assessor Processing Fee (specific to the Tax Incentive Urban Use Center Application Fee)	\$100.00
	- Extension to Conditional Certificate	\$50.00



**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>I. BUSINESS LICENSE FEE SCHEDULE</b>		
<b>Community &amp; Economic Development</b>		
General Business License (GBL)		\$60.00
Renewal of GBL		\$60.00
Temporary Business License		\$60.00
Temporary Business License Renewal		\$60.00
Pawnbroker Pawnshops		\$750.00
Second-hand and/or salvage dealers		\$150.00
Junk and/or salvage dealers		\$300.00
Transient Trader in second-hand property		\$53.00
Private Sales		No Fee
Flea Markets		\$750.00
Adult Cabaret Manager and Entertainer		\$150.00
Adult Entertainment Establishment		\$1,125.00
Panoram Premises License		\$1,125.00
Panoram Device License		\$75.00 per device
Panoram Owner License		\$1,125.00
Panoram Manager License		\$113.00
Carnivals and Circuses		\$150.00 per day
- Five or less machines or devices		\$75.00 per week*
- Five or more		\$15.00 per week per device*
* Alternative to device fees		\$150.00 annual fee
Wrecker License		\$150.00
Public Dances, Cabarets, Dance Halls and Teenager Dances		
- Cabaret		\$750.00
- Public Dance Hall		\$150.00
- Public Dances (per night)		\$53.00
- Public Dances (annually)		\$150.00 (maximum of four
- Teenager Dances		Same as Public Dances
Massage Businesses		
- Massage Business License		\$75.00
- Massage Manager		\$75.00
Bathhouses		
- Public Bathhouse		\$750.00
- Bathhouse Attendant		\$113.00
- Bathhouse Manager		\$113.00
Outdoor Public Music Festivals		\$1,125.00 per day of festival
Bondsmen		\$750.00
Theaters		\$150.00 per screen per year
<i>Transfer of license fee (commercial kennel or cattery, hobby kennel, foster kennel, private kennel, grooming parlor, or pet shop)</i>		No fee
Commercial Kennel/Cattery (6-50 dogs/cats)		\$100.00 plus \$2.00 per dog/cat
Commercial Kennel/Cattery (over 50 dogs/cats)		\$100.00 plus \$200.00
Solicitors and Peddlers		\$75.00 per solicitor or peddler

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>J. RENTAL HOUSING SAFETY PROGRAM</b>		
<b>Community &amp; Economic Development</b>		
Detached Single Family Rental Flat Fee Per Unit		\$12.00
Multi-Family Rental Flat Fee Per Unit		\$12.00
Late Fee for Rental Housing Registration (up to one month past due)		\$0.00
Certificate of Compliance		No Charge
Certificate of Compliance Transfer to New Owner		No Charge
Initial Safety Inspection		No Charge
Reinspection		\$125.00
Rental Housing Inspector's Initial Registration		\$0.00
Rental Housing Inspector's Annual Renewal		\$10.00
<b>K. SMALL CELL FRANCHISE ADMINISTRATIVE FEE</b>		
<b>Community &amp; Economic Development</b>		
Requires a deposit of \$5,000.00 with Small Cell franchise application. The deposit is intended to cover all administrative expenses incurred by the City (including staff/consultant related time) associated with the review of each franchise application and associated franchise negotiations. Additional fees may apply if additional staff/consultant related time is necessary. Any application fee deposit monies not used for administrative expenses associated with the review of each franchise application and franchise negotiation will be returned to the applicant following the approval or denial of the franchise by the City Council. This administrative fee excludes normal permit fees required for work within the City Rights-of-way. City personnel will be tracking all hours expended for each Small Cell application review and franchise negotiation.		
Interim Small Cell Facility Permit Fee: \$100.00 per small cell facility, plus time and materials beyond the base amount.		
Interim Annual ROW Access & Pole Attachment Fee: \$270.00, plus time and materials beyond the base amount.		
Interim New Pole for Small Cell Facility Attachment(s): \$1,000.00 per pole, plus time and materials beyond the base amount.		
<b>L. ANIMAL CONTROL LICENSING FEES</b>		
<b>Police</b>		
The annual license fees for the ownership, keeping, or having control of dogs and/or cats in the City shall be as follows:		
- Dogs (altered)		\$20.00
- Dogs (unaltered)		\$55.00
- Cats (altered)		\$12.00
- Cats (unaltered)		\$55.00
Reduced rates for physically disabled and senior citizens, 65 years of age or older:		
- Dogs (altered)		\$10.00
- Dogs (unaltered)		\$30.00
- Cats (altered)		\$4.00
- Cats (unaltered)		\$30.00
Animals exempted from payment of fee - Guide Dog or Service Animal (with proof)		No Fee
In order to receive the fee advantage for altered dogs and cats, an individual must provide either proof of alteration from a licensed veterinarian or a written statement from a licensed veterinarian that the spay/neuter procedure would be harmful to the animal.		

**2019 2020 FEE SCHEDULE - continued**

Fee Type		Fee Amount
<b>M.</b>	<b>BURGLAR/SECURITY ALARM PERMIT FEES</b>	
	<b>Police</b>	
	The fee for burglar/security alarm systems operating within the City of Lakewood as defined in Chapter 9A.13 of the Lakewood Municipal Code are as follows:	
	Annual Permit Fee	\$24.00
	- for Senior Citizens or Physically Disabled	\$12.00
	General False Alarm Fee	\$100.00 each incident
	Robbery False Alarm Fee	\$200.00 each incident
	Supplemental False Alarm Fee for Unregistered Alarm	\$100.00 each incident
	Late Fee if False Alarm Fee is not paid in 30 days of invoice	\$25.00
	Appeal Fee (refundable if fee is overturned)	\$50.00
	Alarm Company Fee for Failure to Verify Alarm Signal	\$100.00
	Alarm Company Fee for false statements concerning the inspection of an alarm site or alarm performance	\$200.00
	Failure to comply and provide customer lists to Alarm Administrator	\$25.00 per working day (after the initial 30-day notice expires, i.e. day 31)
	Failure to renew (assessed the Alarm Agreement Holding Company)	\$100.00
	Failure to obtain an alarm permit from the Police alarm Administrator	\$10.00 per each registered alarm user in City, with maximum of \$100.00
	Reinstatement fee for unregistered alarm installation company or unregistered company	Greater of 100.00 or \$10.00 per alarm user of letters that have been sent