



The Lakewood City Council adopted a new **Title 18A** and related amendments to the Lakewood Municipal Code on December 16, 2019 via **Ordinance 726** with an effective date of January 15, 2020. You can view the new code at www.lakewood18a.org.

The new Title 18A is organized as follows:

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. ALL Definitions for the entire Title 18A are included at 18A.10.180.

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.

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 eliminated from Lakewood’s Development Code.**
- 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



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.

Chapter 18A.50 OVERLAY DISTRICTS describes and regulates the City’s overlay zones: the Flood Hazard Overlay (FHO), the Senior Housing Overlay (SHO), and the Sexually Oriented Business Overlay (SOBO.) There are no substantive changes to the current Title 18A provisions.

- The FHO is intended to identify and recognize those areas of the city subject to the hazards of periodic flooding and to establish special standards and regulations to guide development and reduce personal injury, property damage and loss of life from flooding in those areas.
- The SHO provides opportunities for housing elders in areas of the city where the greatest level of services are available.
- The SOBO provides a content neutral regulation to diminish and control crime and the harmful secondary effects associated with sexually oriented businesses, while allowing the existence of constitutionally protected expression.

Chapter 18A.60 SITE PLANNING AND GENERAL DEVELOPMENT STANDARDS includes the area, dimension and design regulations that comply with and implement the Comprehensive Plan’s goals and policies regarding the desired intensity and appearance of development within the city’s residential, commercial, industrial, military, open space, and public institutional areas.

- The regulations address height limits, development density, open space, street improvements, outdoor storage, and more for the different types of land uses allowed in various areas of Lakewood.

18A.60.095 OUTDOOR LIGHTING applies to outdoor lighting (new lighting, replacement lighting, additions and alterations, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party.)

Exemptions: The following are not regulated by LMC 18A.60.095:

- Indoor lighting.
- Lighting solely for signs.
- Repairs to existing luminaires, including lamp, ballast, and lens replacements.
- Temporary lighting for one-time permitted events.
- Underwater lighting in swimming pools and other water features.
- Temporary lighting and seasonal lighting limited to cord-and-plug portable lighting or specifically permitted hard-wired lighting.
- Short-term lighting associated with activities authorized by a valid temporary use permit, special event permit or film permit.



SUMMARY OF LAKEWOOD TITLE 18A LAND USE & DEVELOPMENT CODE UPDATE EFFECTIVE 1/15/2020
(ORDINANCE NO. 726 / WWW.LAKEWOOD18A.ORG)

- Construction or emergency lighting provided such lighting is temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency necessitating said lighting.

Chapter 18A.70 PART I (COMMUNITY DESIGN) applies to all buildings other than single family dwellings. It includes design guidelines that enhances the established character of Lakewood and reflects the lifestyle values of its citizens and requirements that over time will expand pedestrian circulation, public open space, and pedestrian amenities in the city.

- Chapter 18A.70 encourages creativity in building and site design, balancing quality construction with administrative flexibility that considers the merits of individual proposals.

Chapter 18A.70 PART II (LANDSCAPING) applies to all land development proposals (except for those proposals listed at Section 18A.70.120) including tree removal permits, discretionary land use permits, zoning certifications, subdivisions and building permits. It establishes standards for landscaping, street trees and landscape maintenance for new development and uses, and encourages the protection and planting of vegetation native and common to the Puget Sound region while providing policies and standards for the preservation of natural vegetation and maintenance of landscaping within Lakewood.

Chapter 18A.70 PART III (TREE PRESERVATION) promotes tree preservation by regulating the removal of significant trees and providing incentives to preserve trees that, because of their size, species, or location, provide special benefits.

Chapter 18A.80 PARKING includes newly drafted parking requirements for on- and off-street parking. Building permits shall not be approved unless there is a building plan and plot plan identifying parking and loading facilities in accordance with this chapter. No permit or city license shall be issued unless there is proof that required parking and loading facilities have been or are currently provided in accordance with the provisions of 18A.80.

Chapter 18A.90 HOUSING INCENTIVES PROGRAM is unchanged from the current 18A.50.710 et seq. The City's Comprehensive Plan contains policies designed to encourage affordable housing; the incentives in Chapter 18A.90 allow a project proponent to receive more return from a project through additional density, relaxed development standards, and discounted review fees in return for helping meet public goals.

Chapter 18A.95 WIRELESS SERVICE FACILITIES applies to the placement of any wireless services facility in any location within the City, except those specifically exempted under LMC Section 18A.95.040 (E). It includes not only the language from existing LMC 18A.70.610 et seq. regulating "macro facilities", but also includes the reorganized requirements related to "small wireless facilities" (5G technology) as approved by the Council in Ordinance 713.

Chapter 18A.100 SIGNS is the same as adopted Ordinance 706 and current LMC 18A.50.600 et seq. It is compliant with the US Supreme Court case Reed v Gilbert. It includes regulations for temporary and permanent signage as well as nonconforming signage.

Questions? View the full Title 18A at www.lakewood18a.org or Contact Lakewood's Community & Economic Development Department at (253) 512-2261.