



## LAKEWOOD CITY COUNCIL STUDY SESSION AGENDA

Monday, August 22, 2022

7:00 P.M.

City of Lakewood

Council Chambers

6000 Main Street SW

Lakewood, WA 98499

Residents can virtually attend City Council meetings by watching them live on the city's YouTube channel:

<https://www.youtube.com/user/cityoflakewoodwa>

Those who do not have access to YouTube can call in to listen by telephone via Zoom: Dial +1(253) 215-8782 and enter meeting ID: 868 7263 2373

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Page No.

### CALL TO ORDER

### ITEMS FOR DISCUSSION:

- (3) 1. Community and Economic Development Report. – (Memorandum)
- (44) 2. Biennial Review of the Downtown Subarea Plan. – (Memorandum)
- (196) 3. Tree Preservation Code Update. – (Memorandum)

### ITEMS TENTATIVELY SCHEDULED FOR THE SEPTEMBER 6, 2022 REGULAR CITY COUNCIL MEETING:

- 1. Proclamation declaring September 11, 2022 as Patriot Day and Day of Remembrance. – *Chief Mike Zaro, Lakewood Police Department and Chief Jim Sharp, West Pierce Fire & Rescue*
- 2. Proclamation recognizing National Hispanic Heritage month.
- 3. Youth Council Report.
- 4. Clover Park School District Report.
- 5. Authorizing the execution of the 2022 Pierce County Countywide Planning Policies interlocal agreement.– (Motion – Consent Agenda)

*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. Authorizing the execution of an agreement with David Evans and Associates, Inc., in the amount of \$343,378, for design engineering services related to the Ardmore/Whitman/93rd sidewalks project. – (Motion – Consent Agenda)
7. Authorizing the execution of the Allocation Agreement and Participation Form related to the Washington Opioid Settlement. – (Motion – Consent Agenda)
8. This is the date set for a public hearing on the Biennial Review of the Downtown Subarea Plan. – (Public Hearings and Appeals – Regular Agenda)
9. This is the date set for a public hearing on the Tree Preservation Code Updates. – (Public Hearings and Appeals – Regular Agenda)
10. Considering the proposed vacation of the terminal westerly thirty-six (36) feet of 88th Ave Ct SW west of the intersection with Wadsworth Street SW. – (Ordinance – Regular Agenda)

## **REPORTS BY THE CITY MANAGER**

## **CITY COUNCIL COMMENTS**

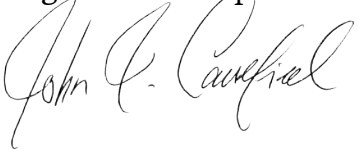
## **ADJOURNMENT**

*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.*



To: Mayor and City Councilmembers

From: David Bugher, Assistant City Manager for Development Services

Through: John J. Caulfield, City Manager 

Meeting Date: August 22, 2022

Subject: 2021-2022 Community and Economic Development Report

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The Community and Economic Development (CED) Department has prepared a comprehensive report on department activities to show the breadth of work we undertake and complete in building an economically vibrant future for Lakewood. While we regularly work across departments on many projects, we have focused here on CED.

The report outlines the CED directory of services and functional structure, and includes achievements towards meeting City Council goals, objectives, and strategies. Included is an overview of the department as a whole, community engagement, and work by division.

Details of the report will be shared at the study session.

Attachment  
2021-2022 Community and Economic Development Report

# 2021-2022

## City of Lakewood, Community and Economic Development (CED) Department Report



Prepared for the City of Lakewood Mayor and City Council  
Through the City Manager and by CED Staff  
August 22, 2022

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## Forward

The Community & Economic Development Department (CED) strives to create a strong sense of place and a vibrant, diversified economy with the express purpose of improving the lives of those who work and live in this City. The City Manager has requested that CED provide an annual report to the City Manager and the Lakewood City Council in pursuit of that end.

This report examines our work in relation to the City Council's adopted goals, objectives, and strategies over a 2 ½ year period from 2020 through July 2022.

The essential question of the annual report is:

*Were we successful in our endeavors?*

- If the answer is YES:
  - Why? Do we refine our intended purpose?
- If the answer is NO:
  - What changes do we make in our approach?

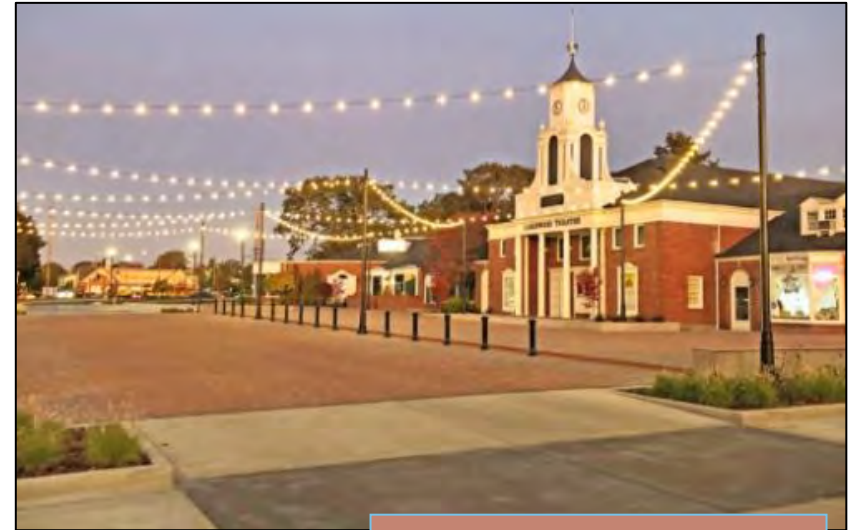
A strong sense of place correlates with the robust social ties that make places successful over time. People gravitate toward livable places, and they tend to stay. This gravity toward a place enhances economic sustainability. It is easier to attract jobs and build commerce in places that already have a high quality of life combined with a strong sense of place and community.

For years, Lakewood's biggest problem is that growth has been in a disorderly manner. Significant improvements made recently in policy and infrastructure to change this course are promising. The work of elected officials' vision for Lakewood is beginning to bear fruit. So, to answer the question, did Lakewood improve? Yes, Lakewood is much improved, but it still needs nurturing, along with careful policy analysis if it is to maintain its initiative. **GOOD CITY-BUILDING IS NOT EASY!**

What follows is the 2020-2022 Annual Report. At the beginning of this report, we tie our work to-date back to the City Council's adopted goals, objectives, and strategies. They represent the road map that led us to today. This report highlights the department's accomplishments, goals, and objectives, which we promulgate to:

- Implement the City Council's goals and objectives.
- Enhance the City of Lakewood as a safe, sustainable and highly desirable place to live, work, learn, recreate, visit and more.
- Report on achievements and performance.
- Effectively and efficiently, manage organizational assets, capabilities, and finances.
- Fulfill the department's regulatory compliance requirements.
- Address changes in state law.

Something to keep in mind - this report examines CED only. It does not include the efforts of other city departments to create a sense of place and build upon Lakewood's economic base. CED regularly works across departments in our work.



Colonial Plaza, Dedicated September 2019

## City Profile

Lakewood is home to over 63,000 residents and has one of the most culturally diverse populations in Washington, with 54% BIPOC, and a slightly younger average age, 35.6, as compared to peers in Pierce County.

Incorporated in 1996, Lakewood is the second largest city in Pierce County and the 18<sup>th</sup> largest in the state of Washington. It is the host community to Joint Base Lewis-McChord, the largest joint base on the West Coast - with a \$14 Billion economic impact - and one of the largest in the U.S. Lakewood is strategically located along the I-5 corridor with connections to major transportation networks, bordering JBLM, Camp Murray and Tacoma. Lakewood benefits from a hub of activity at the Ports of Tacoma, Olympia, and Seattle.

Regional Sound Transit commuter rail and the Pierce Transit bus system are easily accessible through Lakewood Station. Planned investment in these systems will provide enhanced connections for travelers and commuters to Sea-Tac International Airport and downtown Seattle.

Lakewood is home to Clover Park School District, and award-winning K-12 public system with the highest graduation rate of comparable South Sound districts. Pierce College offers baccalaureate and associate degrees, and Clover Park Technical College offers more than 120 certificates and degrees alongside a state-of-the-art school of advanced manufacturing.

We have lush parks, lakes, thriving businesses, and abundant opportunities.



## Geography

Total Land Area	17.17 Square Miles <sup>1</sup>
Water	1.78 Square Miles <sup>1</sup>

## Population

Total Population (2021)	63,331 <sup>1</sup>
Projected Growth (2044)	23,180 <sup>2</sup>
Projected Total (2044)	86,511 <sup>2</sup>
Percent Minority	43.4% <sup>1</sup>
Median Age	35.6 <sup>1</sup>

## Employment

Civilian Labor Force	34,111 <sup>1</sup>
Employed (Q3 2021)	31,382 <sup>1</sup>
Unemployed (2020)	2,729 <sup>1</sup>
Unemployment Rate (2020)	5.5% <sup>1</sup>
Projected Growth (2044)	9,863 <sup>2</sup>
Median Household Income	\$55,723 <sup>1</sup>

## Housing

Total Units (2020)	26,999 <sup>1</sup>
Owner Occupied	43.2% <sup>1</sup>
Renter Occupied	58.8% <sup>1</sup>
Vacant	3.9% <sup>3</sup>
Median Value (Q1 2022)	\$547,000 <sup>4</sup>
Median Monthly Owner Cost (2020)	\$1,821 <sup>1</sup>
Average Rent (Q2 2022)	\$1,576 <sup>5</sup>

### Source

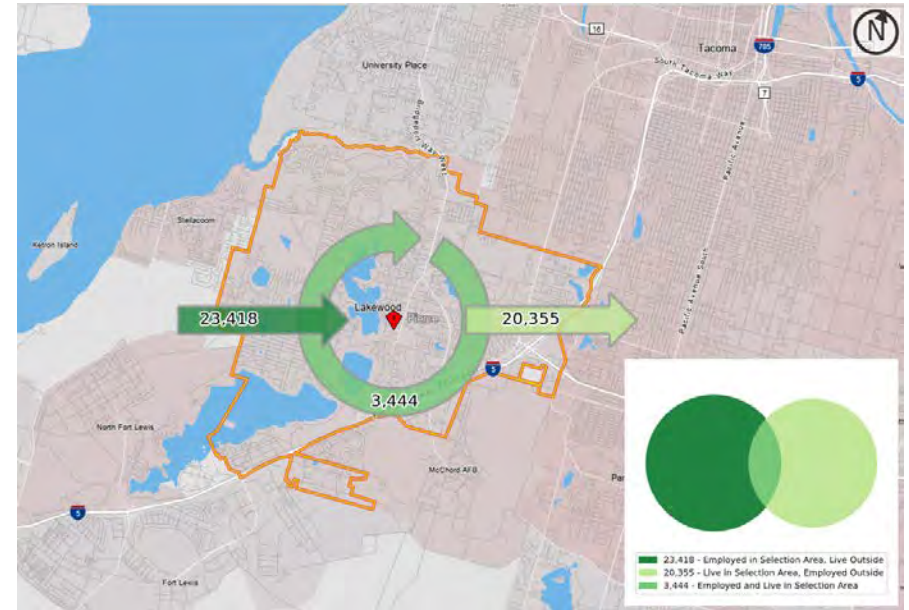
<sup>1</sup>U.S. Census Bureau,

<sup>2</sup>PCRC Recommendation

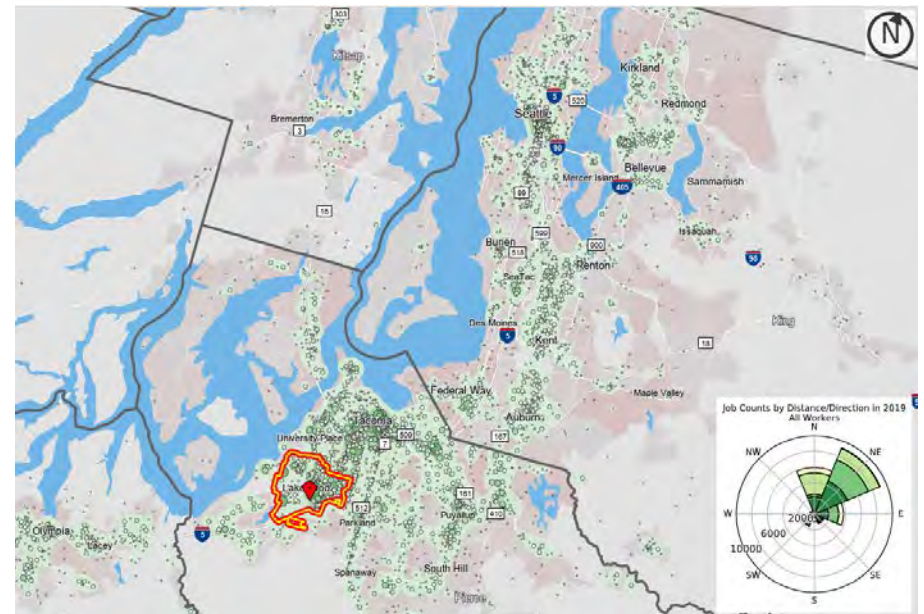
<sup>3</sup>WCRER Washington State Apartment Market Report – Spring 2022

<sup>4</sup>WCRER Washington State Housing Market Snapshot – Q1 2022

<sup>5</sup>RentCafe Rental Market Trends – Q2 2022



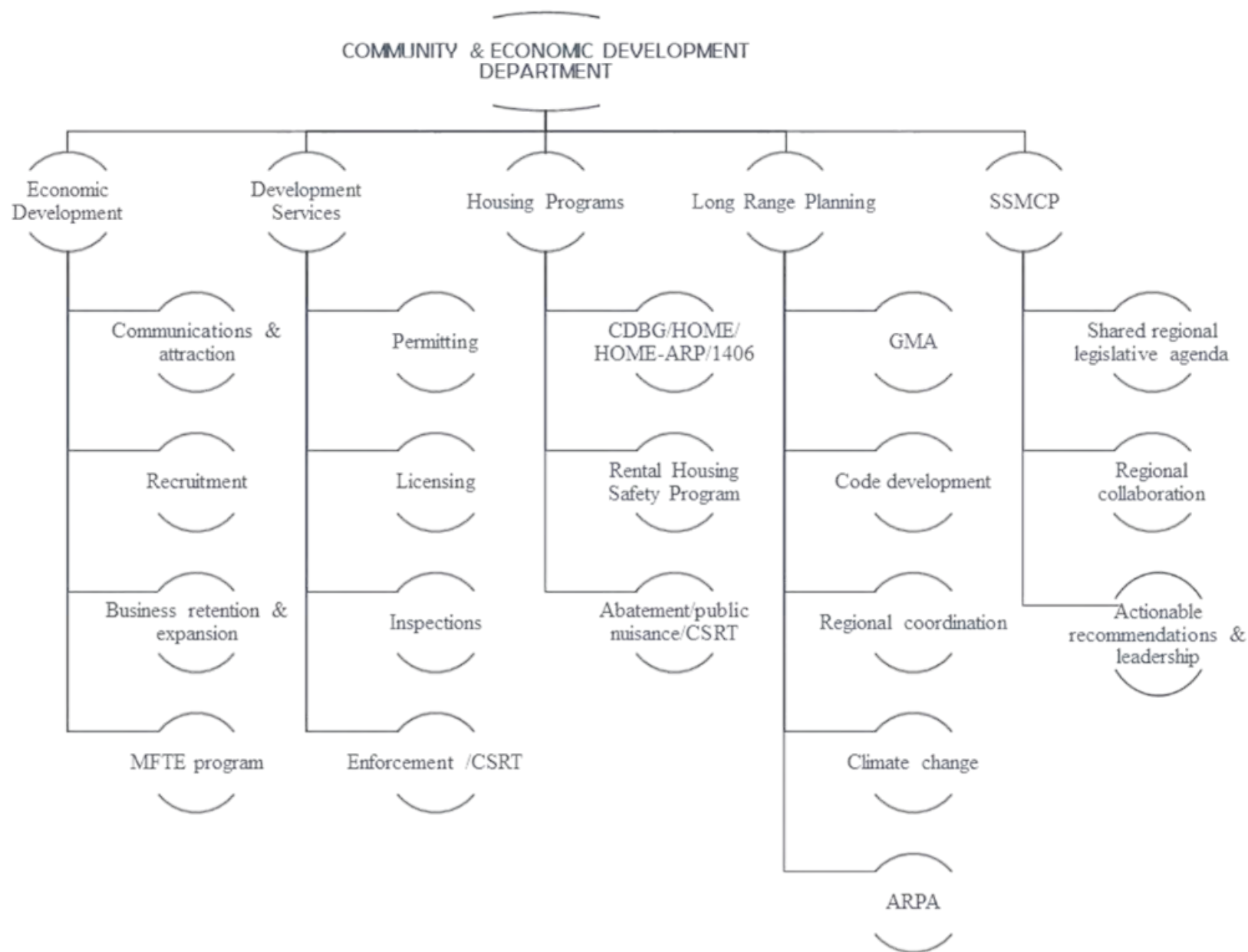
Commuter Flow



Lakewood Resident Commuter Heat Map

Directory of Services & Functional Structure

(figure 1)



## City Council's Economic Development Achievements (based on adopted goals, objectives, & strategies)

Referenced Goal & Objective; Listed Strategy	Achievements
<p>1.1 A.</p> <p>Implement and continue to adjust the City's comprehensive economic development strategy to attract and preserve family and high wage jobs.</p>	<ul style="list-style-type: none"> <li>➤ Attracted multiple companies, including advanced manufacturing company to Lakewood who doubled their employment base.</li> <li>➤ Average yearly employment growth over the last 10 years has been 3.1% as compared to 2.7% in the county overall.</li> <li>➤ Lakewood is a net importer of jobs.</li> </ul>
<p>1.1 B.</p> <p>Review and develop prudent business incentives that enhance economic development.</p>	<ul style="list-style-type: none"> <li>➤ Participation in the Pierce County Accelerator Program for businesses.</li> <li>➤ Continue to be accessible, provide constant assistance and "wrap-around" services to businesses, including technical assistance and expansion resources.</li> <li>➤ Creation of a City Economic Development Opportunity Fund.</li> <li>➤ Lakewood partnered with Pierce County and Washington State Procurement and Technical Assistance to bring back the purchasing forum at Alliance Northwest in March, 2022.</li> <li>➤ Partnered with outside agencies business resource seminars.</li> </ul>
<p>1.1 C.</p> <p>Direct growth through sound planning. Update land use codes as necessary and continue to improve internal processes, including the implementation of new technologies.</p>	<ul style="list-style-type: none"> <li>➤ See 1.2 A. subarea planning and redevelopment efforts</li> <li>➤ Annual review and updates to zoning and land use as requested and directed.</li> <li>➤ Comprehensive plan scheduled updates.</li> <li>➤ Updates to multifamily housing program per legislative changes and council direction.</li> <li>➤ New CED+ permit system with continual updates.</li> </ul>
<p>1.2 A.</p> <p>Implement catalyst projects that promote private investment. e.g., the Downtown Plan, Lakewood Station District Plan, and the Woodbrook Business Park and Lakewood Landing.</p>	<ul style="list-style-type: none"> <li>➤ Downtown Subarea Plan.</li> <li>➤ Lakewood Station District Subarea Plan.</li> <li>➤ Tillicum Subarea Plan.</li> <li>➤ Woodbrook Business Park ongoing development.</li> </ul>

Referenced Goal & Objective; Listed Strategy	Achievements
<p>1.2 B.</p> <p>Improve underutilized commercial and mixed use areas, e.g., the WSDOT facility, revise zoning regulations where appropriate, and minimize nonconforming uses.</p>	<ul style="list-style-type: none"> <li>➤ Remove nonconforming uses that have fallen into disrepair through the dangerous building abatement program.</li> <li>➤ Enforce Air Corridor I and II development regulations.</li> <li>➤ Remove nonconforming uses through purchasing of private property in the North Clear Zone.</li> <li>➤ Prepared conceptual designs, property options, and financial considerations for new WSDOT facility through MOU actions. Update underutilized property map, and custom maps for developers.</li> </ul>
<p>1.2 C.</p> <p>Expand and improve utilities and community assets, such as sewers, libraries, parks, public spaces, etc.</p>	<ul style="list-style-type: none"> <li>➤ Worked with utility providers on planning to support growth in the Downtown, and Lakewood Station District.</li> <li>➤ Implement and staff Library Advisory Committee.</li> <li>➤ Strategic planning and work with Lakewood Towne Center owner to incorporate a park in the Downtown.</li> </ul>
<p>1.3 A.</p> <p>Improve and expand programs and policies to increase homeownership, diversify housing stock, and preserve existing housing stock to meet community needs.</p>	<ul style="list-style-type: none"> <li>➤ Rental Housing Safety Program.</li> <li>➤ CDBG Major Home Repair.</li> <li>➤ Financial Assistance to Pierce County Housing Authority for Village Square/Oak Leaf Apartments.</li> <li>➤ Use of low-interest loans to preserve existing housing stock under SHB 1406.</li> </ul>
<p>1.3 B.</p> <p>Continue to support youth and senior programming and expand community events.</p>	<ul style="list-style-type: none"> <li>➤ Outreach to Youth Council for input on economic development efforts and planning.</li> <li>➤ Worked with Senior Center staff on potential locations for programming.</li> </ul>
<p>1.3 C.</p> <p>Support and preserve historical, cultural, and ecological places of significance.</p>	<ul style="list-style-type: none"> <li>➤ Installation of historic street signs.</li> <li>➤ Revised touring map.</li> <li>➤ New historic trolley map.</li> <li>➤ Continue efforts to work with Clover Park School District incorporating local Lakewood History into district curriculum.</li> <li>➤ Long term, consider the City acquiring historic properties on the Western State Hospital Campus, and managing on behalf of DSHS.</li> </ul>

Referenced Goal & Objective; Listed Strategy	Achievements
<p>1.4 A.</p> <p>Be a leader in local economic development, regional transportation and planning policies.</p>	<ul style="list-style-type: none"> <li>➤ Two Governor’s Excellence awards on the Lakewood Station District Subarea Plan and Climate Change Chapter to the City’s Comprehensive Plan (2022).</li> <li>➤ Pierce County Healthy Communities Planning Award.</li> <li>➤ Two 2021 Economic Development Board Excellent 10 Awards.</li> <li>➤ Planning awards from the Tacoma-Pierce County Health Department (2018).</li> <li>➤ Governor’s Smart Communities award (2019).</li> <li>➤ Member of multiple boards and commissions directing tourism, bond financing, manufacturing and industrial land use, state economic development initiatives, social services within the community, and various non-profits cleaning up Lakewood, serving people through the arts, providing food, education, and more.</li> </ul>
<p>1.4 B.</p> <p>Continue partnership with JBLM and Camp Murray to improve connectivity, land use development, and transportation.</p>	<ul style="list-style-type: none"> <li>➤ New community-wide Growth Coordination Plan (GCP) (Elected Official Council to adopt October 2022).</li> <li>➤ I-5/Nisqually Delta transportation project.</li> <li>➤ Pending resiliency planning study for JBLM (climate change).</li> <li>➤ Pending “Housing Study 2.0.”</li> <li>➤ Pending National Daycare Study for Military Families.</li> <li>➤ Support JBLM’s need for access to products through the Port of Tacoma.</li> </ul>
<p>1.4 C.</p> <p>Expand partnerships with the Chamber of Commerce, neighborhood groups and associations, and other civic groups.</p>	<ul style="list-style-type: none"> <li>➤ Lakewood Chamber Ambassador of the Year, three years.</li> <li>➤ Participant in multiple new collaboration groups born out of the pandemic (BRE ecosystem, Greater Seattle Partnership, WEDA monthly meetings, Recruitment roundtables).</li> <li>➤ Pierce County economic development working group.</li> </ul>

Referenced Goal & Objective; Listed Strategy	Achievements
<p>1.4 D.</p> <p>Develop an educated workforce through collaboration with local educational institutions to leverage collective resources and to enhance K-12 and higher education opportunities.</p>	<ul style="list-style-type: none"> <li>➤ Support Clover Park Technical College efforts to create an Advanced Manufacturing Training facility through connections and grant support.</li> <li>➤ Showcase Clover Park School District award-winning work through video.</li> <li>➤ Work with Invista, and local colleges, to connect businesses and their employees to customized training solutions.</li> </ul>
<p>1.5 A.</p> <p>Focus resources on business creation, attraction, retention, and expansion</p>	<ul style="list-style-type: none"> <li>➤ Continue with annual BRE outreach efforts and amend/modify the City's economic development efforts accordingly.</li> <li>➤ Currently examining the impacts of e-commerce in relation to commercial and industrial zoning districts. CED may introduce new programs that promote e-commerce but at the same time create new jobs/housing initiatives that accompany proposed development.</li> <li>➤ Outreach and follow up with over 100 businesses per year.</li> <li>➤ Multiple successful business retention cases.</li> <li>➤ Focused outreach to residential, commercial, retail, and industrial users.</li> </ul>
<p>1.5 B.</p> <p>Promote an entrepreneurial environment, and encourage a balance of manufacturing, commercial, professional, and retail and service businesses.</p> <p>3.3 A.</p> <p>Increase proactive abatement, code enforcement, and housing safety programs to eliminate blight and unsafe conditions.</p>	<ul style="list-style-type: none"> <li>➤ Completed media campaigns, branding and perception, and tourism.</li> <li>➤ Targeted developer outreach to 6,500 local, regional, national, and international multifamily/mixed use developers.</li> <li>➤ Developed relationship with over 30 active and interested mixed use developers.</li> <li>➤ Continue with present course to address unsafe and dangerous properties.</li> <li>➤ Amended the City's public nuisance regulations.</li> <li>➤ Expand public nuisance actions through the support of CSRT and West Pierce Fire &amp; Rescue.</li> <li>➤ Address recalcitrant landlords who refuse to register and inspect rental units (enforcement action is underway).</li> <li>➤ Provide relocation assistance to residents impacted by building closures.</li> </ul>

Referenced Goal & Objective; Listed Strategy	Achievements
<p>3.3 A. (continued)</p>	<ul style="list-style-type: none"> <li>➤ This report addresses this objective in other objectives listed above. While abatement activity slowed during the pandemic, CED has attempted to pick-up the pace in 2022. Significant commercial/industrial abatements are completed, with more underway. CED also focused abatement activity at the Karwan Village Mobile Home Park. This project is half-way completed.</li> <li>➤ One policy under consideration is the use of the City's economic opportunity fund to assist in the removal of older buildings in exchange for new housing opportunities or mixed-use development. This would take the form of a developer agreement and require City Council approval.</li> </ul>
<p>1.5 C.</p> <p>Continue to leverage and improve City assets, e.g., location, access, lakes, parks, civic engagement opportunities, transit options, cultural amenities, activity hubs, and utilities.</p>	<ul style="list-style-type: none"> <li>➤ Amended the City's parking regulations to strike a balance between parking needs and promoting housing development.</li> <li>➤ Tree Preservation Code Public Participation Plan.</li> <li>➤ Climate Change Perception Study.</li> <li>➤ Working with partners, promoting EV charging stations near transit facilities.</li> <li>➤ Assisting PWE with an outreach program to address potential flooding in Springbrook and along Clover Creek.</li> <li>➤ Review and updated detailed contaminated sites report.</li> <li>➤ Key contaminated site properties cleaned up, form Chevron on Gravelly Lakewood Drive SW, and SWAN property at the corner of Steilacoom Blvd. and Gravelly Lake Drive SW.</li> <li>➤ Key contaminated sites in process of clean up, including former Ken's Tire, and Lakewood Towne Center.</li> <li>➤ Focused campaigns on business, tourism, &amp; cultural diversity.</li> </ul>

Referenced Goal & Objective; Listed Strategy	Achievements
<p>3.4 D.</p> <p>Use innovative approaches and partnerships to provide connections to services to individuals experiencing behavioral health incidents and/or homelessness.</p>	<ul style="list-style-type: none"> <li>➤ Under the City’s RHSP and abatement program, City provides limited mental health counseling services for some residents impacted by property closures. City also has a significant issue problem with persons having hoarding disorders. The overall prevalence of hoarding disorder is approximately 2.6 percent, with higher rates for people over 60 years old and people with other psychiatric diagnoses, especially anxiety and depression. Hoarding behavior begins relatively early in life and increases in severity with each decade.</li> <li>➤ In exchange for bed space, City provided financial assistance to LIHI for to convert the Comfort Inn in Tacoma into a temporary housing shelter, referred to as “Aspen Court.” After two years of operation, LIHI would convert the property into transitional housing.</li> <li>➤ Proposed conversion of Candlewood Suites, 10720 Pacific Highway SW into permanent supportive housing. Some outstanding zoning issues remain. CED is also investigating the operations of other LIHI facilities.</li> </ul>
<p>4.1 A.</p> <p>Invest resources in core functions based on priorities.</p>	<ul style="list-style-type: none"> <li>➤ Implementation of a new CED automated permitting system.</li> <li>➤ CED allows photo inspections for some building division inspections.</li> <li>➤ Based on a 5-year average, CED maintains an 85 percent cost recovery.</li> <li>➤ Exploring a means by which some building division permits receive approval automatically.</li> </ul>

Referenced Goal & Objective; Listed Strategy	Achievements
<p>4.3 A.</p> <p>Continue to hire and cultivate top tier City personnel and strategically plan for future City leadership needs.</p>	<ul style="list-style-type: none"> <li>➤ Over the next five years, about 40 percent of the CED staff will be eligible for retirement. The department expects two significant senior leadership retirements over the next year. Other organizations actively recruit our mid-level staff.</li> <li>➤ Management strives to create a healthy work environment, in addition to worker flexibility. Remote work, while it does have some drawbacks, has helped to retain staff. However, if key people decide to move on, it will ultimately slow economic development efforts. Cross-training is absolutely essential to maintain momentum.</li> </ul>
<p>4.3 D.</p> <p>Continue to evaluate and implement strategic partnerships with other jurisdictions and entities for joint services when of benefit to the community.</p>	<ul style="list-style-type: none"> <li>➤ CED is already engaged in multiple partnerships across many disciplines. Details of these partnerships exist elsewhere in this report. Expect to see more partnerships on ecommerce, climate change, and waste management.</li> </ul>
<p>5.1 A.</p> <p>Create and implement a Communication Strategic Plan that prioritizes inclusivity, community engagement, meaningful civic participation, and enhances branding standards.</p>	<ul style="list-style-type: none"> <li>➤ CED has many programs in place that speak to creating a better image; this report outlines these programs.</li> </ul>
<p>5.2 A.</p> <p>Continue to serve in a leadership capacity in national, regional, and local affairs.</p>	<ul style="list-style-type: none"> <li>➤ Lakewood has fearlessly taken on leadership roles on regional transportation, military affairs, and climate change. Lakewood also recently received recognition for its transparency related to its ARPA programming.</li> </ul>

Referenced Goal & Objective; Listed Strategy	Achievements
<p>5.2 C.</p> <p>Improve awareness of JBLM's and Camp Murray's direct and indirect economic impacts on the city, region, county, and state.</p>	<ul style="list-style-type: none"> <li>➤ Working with UW Tacoma, SSMCP will be performing an updated economic analysis on the regional impact of JBLM. CED expects this analysis to include discussion as to how JBLM can soften the economic impact of the COVID-19 pandemic.</li> </ul>
<p>5.3 A &amp; B.</p> <p>Expand meaningful, two-way communication opportunities with community stakeholders and regional partners.</p> <p>Support and collaboratively engage with neighborhood groups, civic associations, and non-profits.</p>	<ul style="list-style-type: none"> <li>➤ Remains a work-in-progress. CED reached out to minority groups with the Climate Change Perception Study. We were not as successful as we desired. In the future, we need to improve. This topic will re-emerge as part of the comprehensive plan periodic update.</li> <li>➤ The pandemic has changed the landscape for neighborhood groups and civic associations. The level of engagement has diminished considerably, and it may not come back in the same form. Expect to see the growth of self-help activism, forms of self-organization aimed at practical problem solving <i>through the use social media</i>. Lakewood will need to pay close attention. Common problems at the community level may generate broad and new types of coalitions that we have not seen before.</li> </ul>
<p>5.3 C.</p> <p>Support access to information on workforce development, healthcare, and local services.</p>	<ul style="list-style-type: none"> <li>➤ Provide connections and customized data for mixed use developers on workforce and local resources, including healthcare.</li> </ul>

Referenced Goal & Objective; Listed Strategy	Achievements
<p>5.3 D.</p> <p>Strengthen relationship with local school districts, colleges, and other public entities.</p>	<ul style="list-style-type: none"> <li>➤ Maintain/update agency master plans for Clover Park Technical College, Pierce College, St. Clare Hospital, Western State Hospital, and Clover Park School District.</li> <li>➤ Connections with businesses on workforce training, and opportunities to partner with local colleges.</li> <li>➤ Work with Lakewood Chamber to connect with school district, communities in schools, and daycares for participation in Lemonade Day youth entrepreneurship program.</li> </ul>
<p>6.1 A.</p> <p>Continue to partner with community-based organizations and partner entities to support the communities most vulnerable individuals and families.</p>	<ul style="list-style-type: none"> <li>➤ Maintain partnerships with Pierce County Human Services, City of Tacoma (CDBG/HOME Consortium), Habitat for Humanity, Living Access Support Alliance (LASA), South Sound Housing Affordability Partners, and local food banks.</li> <li>➤ Work with Centerforce on partnerships in the sale of their building and leasing to veteran-owned business to support BIPOC and veteran start-ups.</li> </ul>
<p>6.2 B.</p> <p>Enhance and expand communication and outreach efforts to eliminate barriers to full civic engagement and participation, creating a more inclusive, connected, and active community.</p>	<ul style="list-style-type: none"> <li>➤ Regular presentations to service clubs, Lakewood Chamber, real estate broker groups, and other business organizations and community organizations on Lakewood plans and opportunities.</li> <li>➤ Participation in multiple working groups.</li> <li>➤ Outreach to multi-cultural organizations.</li> </ul>
<p>6.3 A.</p> <p>Celebrate, value and support the cultural diversity of the community through partnerships, public art, events and programs.</p>	<ul style="list-style-type: none"> <li>➤ Incorporated cultural celebrations within City events through partnership with Asian Pacific Cultural Center.</li> <li>➤ Worked with Parks &amp; Recreation Department on banners for International District.</li> <li>➤ Featured individuals, and businesses of varied cultures in websites, videos, and targeted social media.</li> <li>➤ Support of BIPOC Accelerator program with ARPA funds, partnerships, and planned program celebration and tradeshow to show case businesses.</li> </ul>

## Department Overview

### Who We Are

The Community & Economic Development Department (CED) is one of several City departments. CED has five divisions: Economic Development; Development Services; Long Range Planning & Special Projects, sometimes referred to as Policy Development; Housing Programs; and The South Sound Military & Communities Partnership (SSMCP). The duties of each of these divisions appear in CED's organizational chart, Figure 1.

The department's mission is to create and implement plans, policies, and programs based on a foundation of mobility, economic vitality, fairness, and improved quality of life for all.

### What We Do

CED implements the development regulations found in the Lakewood Municipal Code. In addition, CED implements the Washington State regulatory framework including the Growth Management Act (GMA), the State Environmental Quality Act (SEPA), the State Shoreline Management Act, subdivisions, International Building Codes as amended by the State Legislature, and other land use related enabling legislation. One division within CED focuses on federal and state entitlement programs to create and maintain affordable housing, and assist with homelessness.

SSMCP is a partnership of more than 50 members: cities, counties, tribes, nonprofits, corporations, organizations, and Joint Base Lewis-McChord (JBLM). This organization seeks to bridge military and civilian communities through innovative and flexible partnerships and performing mutually beneficial work in the South Sound. SSMCP takes on projects to advance infrastructure and regional improvements that support military readiness and the communities neighboring Joint Base Lewis-McChord. Projects encompass land use, infrastructure, traffic, community relations, child care, housing affordability, and economic development.

## Department Succession Planning

CED carries out a significant regulatory function, *and much of it is driven by state law*. The department issues thousands of permits and licenses every year. Through this work, CED employees increasingly receive more than their fair share of verbal attacks and heavy criticism. Some clients' comments show little restraint, are regularly mean-spirited, politically-charged, and derogatory. Over the years, public etiquette has gotten worse and it takes its toll on CED employees' morale.

- Developing and implementing strategies to retain and recruit staff. Upcoming staff retirements. (An estimated *40 percent* of current staff will be eligible for retirement within the next five years based on length of service). Use of outside contracts for services for plan review, inspections and planning services in the event Lakewood is unable to retain/recruit adequate staffing. Transitioning to, and implementing post-pandemic business operations such as continued remote working, continued expansion of CED online services, and meeting technologies. Continuing improvement of the department's website and other electronic internal and external services to improve efficiencies and service delivery.
- *Improving* post-pandemic public hearing and engagement strategies with in-person and remote/online participation.

## Big Picture Issues

City Hall re-design and pending CED reorganization, effective September 1, 2022. Lakewood is not a full service city, meaning the development review process will continue to require a high level of coordination with outside agencies. Project and administrative coordination within the Tacoma-Lakewood CDBG/HOME Consortium. Implementing new laws from the 2022 Legislative Session, in addition to upcoming years. Maintaining the work plan schedule for the 2024 Comprehensive Plan Periodic Update. Initiating a climate change work plan. Processing complex and controversial development projects and code compliance cases. Addressing affordable housing through collaboration with multiple partners.

## Community Engagement & Partnership

The CED Department constantly engages with the public, organizations, and other government agencies. Because the City does not own the water, sewer or power utilities serving Lakewood, other agencies review land use and building permits and are regular and essential partners in land and economic development activities.

2<sup>nd</sup> Stryker Brigade Combat Team (JBLM Community Connector)

Asian Pacific Cultural Center

Association of Washington Cities

Boys and Girls Club

Caring for Kids

Cities of DuPont, Steilacoom, Tacoma, and University Place

Clover Park School District

Clover Park Technical College

Communities in Schools

Economic Development Board for Tacoma - Pierce County

Emergency Food Network

Greater Seattle Partnership

Growth Management Coordinating Committee

Habitat for Humanity

International Economic Development Council

Joint Base Lewis-McChord (JBLM)

Kiwanis Club of Clover Park

Korean Women's Association

Lakeview Light & Power

Lakewood Chamber of Commerce

Lakewood Churches

Lakewold Gardens

Lakewood First Lions

Lakewood Historical Society

Lakewood Playhouse

Lakewood Towne Center

Lakewood United

Lakewood Water District

Lakewood YMCA

Living Access Support Alliance

Master Builders Association of Pierce County

Multicare Health System

Neighborhood Associations

Nisqually Tribe

Nourish Pierce County

Manufacturing Industrial Council

Partners for Parks

Pierce College

Pierce County

Pierce County Climate Change Working Group

Pierce County Healthy Communities Working Group

Pierce County Housing Authority

Pierce County Library System

Pierce County Regional Council

Port of Tacoma

Puget Sound Energy

Springbrook Connections

Sound Transit

South Sound Alliance, UWT Urban Studies Program

South Sound Housing Affordability Partners (SSHA3P)

St. Clare Hospital

Tacoma Housing Authority

Tacoma-Pierce County Association of Realtors®

Tacoma-Pierce County Health Department

Tacoma Public Utilities

United Way

Washington Association of Building Officials

Washington Chapter of the American Planners Association

Washington Department of Commerce

Washington Department of Ecology

Washington State Department of Transportation

Washington State Procurement and Technical Assistance Center

West Pierce Fire and Rescue

Western State Hospital

## Internal and External Boards & Commissions

### Internal Boards & Commissions

**Planning Commission.** The Planning Commission meets at least twice per month; it may meet more often for certain work plan items. CED staff prepares all materials and administers the Commissions meetings. The role of the Planning Commission is to assist the City Council in the following areas:

- General Land Use and City Planning Issues;
- Redevelopment Activities and Projects; and
- Transportation

**Landmarks and Heritage Advisory Board (LHAB).** The Landmarks and Heritage Board meets monthly and advises the City Council on the protection of historical landmarks by:

- Holding public meetings on potential historical landmarks;
- Hiring professionals to examine potential landmarks; and
- Deciding whether a location qualifies as a landmark.

**Ad hoc committees.** On occasion, the City Council will assign tasks to the CED Departments that requires establishing public or stakeholder committee task forces for a specific focus and/or limited duration. Recent examples include:

- 2022 Tree Advisory Committee
- 2022 Library Advisory Committee
- 2021 Lakewood Station District Subarea Plan Stakeholder Group
- (Pending) 2024 Comprehensive Plan Periodic Review Task Force

**Community Services Advisory Board (CSAB).** Human Services and CED provide staff to the monthly Community Services Advisory. The CSAB assists the City Council in the following areas:

- Conduct Public Hearings
  - To identify community and housing needs
  - To review the allocation of money to human services and programs
- **Recommend to the City Council:**
  - Which community service programs to fund
  - Funding for the development of housing program strategies
  - Funding for human services

### External Boards & Commissions

Aspen Court Community Advisory Committee

Clover Park Rotary

Economic Development Corporation of Pierce County

Growth Management Coordinating Committee

Pierce County 2060 & 2163 & Doc Recording Fee Funding Advisory Committee

Pierce County Climate Change

Pierce County Behavioral Health Advisory Board

Pierce County Comp Plan to End Homelessness Advisory Committee

Pierce County Healthy Community Planning Interest Group

Pierce County Housing Services Providers Group

Pierce County Tourism Promotion Area Commission

PSRC Regional Staff Committee

Tacoma-Lakewood Pierce County Continuum of Care

Tacoma Tideflats Subarea Plan Technical Advisory Group

Travel Tacoma Mt Rainier Tourism & Sports Executive Board

Washington Association of Building Officials

Washington Economic Development Association

Workforce Advisory Committee (led by Pierce College)

Ad hoc groups, recently including:

- 2022: Pierce County Housing Needs Advisory Board
- 2022: WA Dept. of Commerce Model Climate Change Chapter Advisory Group
- 2022: WA Dept. of Commerce MFTE Advisory Committee
- 2021: Pierce County Comprehensive Plan to End Homelessness Task Force

## Economic Development

### Communications and Attraction

The **Build Your Better Here** brand awareness campaign had a project goal to develop a strategic image and messaging to promote the many benefits of living and working in a growing community. The brand sentiments surveys demonstrated that continuing to invest in these efforts improved favorable opinions of the City of Lakewood. Engaged audiences reported being extremely (15%) and very (19%) favorable toward Lakewood at the end of the campaign as compared to 1% and 7%, respectively who had not seen the campaign. The website generated 6,862 users, 7,822 sessions, and 10,549 page views. Search visibility increased 253% over the last year. 2022 focused on new content on Lakewood incentives. Total social media impressions exceeded 3 million, with just under 2 million video views, and 26,552 clicks to additional content. Targeted ads focused on the Seattle market. 15 videos, 5 radio spots, and dozens of digital ads were produced in 2022.



**Nearcation.com**, a lodging tax funded tourism website, reflects a retro road-trip vibe with our own Nearcation Travel Agent, with fun videos on history, food, outdoor outings, and golf getaways. The website has continued to generate traffic. Media exposure included radio, print, and social media. The site garnered 523,314 total views, 3,799 clicks, and 10,495 total page views. Most people visited the website during the summer, from the Seattle-Tacoma area (48%) via a mobile device (78%).

### Downtown Attraction

Staff has regular contact with mixed use and multifamily developers, as well as brokers, retailers, restaurateurs, and other potential tenants. We have developed relationships with over 30 key mixed use builders, providing a range of housing products, combined with commercial development. Connections have been made, primarily with KITE Realty and Pacific Advisors (representing LAKHA Properties), two of the largest real property holders in Lakewood Towne Center, and other Downtown ownerships to assist in attracting tenants. The Downtown Subarea is showcased on our website, on social media, and through our economic development and tourism websites. Programs, policies, planning efforts, and acting as ombudsmen in assisting to facilitate development through meaningful connections has created momentum in revitalizing this key target area and Regional Center within Lakewood.

### Lakewood Landing

Through our relationship with a local design team, and a city-appointed broker, we developed a comprehensive pro forma, market analysis, and marketing materials for a proposed *Lakewood Landing* project. We emailed this project to 6,500 primarily mixed-use developers across the globe. While Phase I of this Pacific Highway ultimately attracted an e-commerce ‘new retail’ concept, the exposure started multiple conversations with new developers, and attracted new companies to the area. Due to this project, we held conversations and meetings with healthcare providers, recreational companies, retailers, and multiple multifamily developers.

### Social Media

Staff used social media through BYBH and Nearcation, and promoted Lakewood on LinkedIn through direct contacts and meetups.

### Editorial Calendar

In 2021 we implemented a bi-monthly release of articles related to economic development, written and published by the Economic Development Manager. Features answered the following questions, *What Incentives are available in Lakewood?*, *What is Economic Development?*, *Why do some properties remain vacant?*, *How can I find out what I can and can't do with my property?*, and *How long does it take to get a permit?*

## Recruitment

Over 1,400 new companies started or relocated to Lakewood in 2020 and 2021. We estimate new net operations of over 200. We noted a significant uptick in new homebased businesses. This level of activity has continued into 2022.

We provided permit and technical assistance to 229 businesses/projects, 2020-2021, for new commercial, tenant improvements, and land use (36 as of Q2 2022). We helped with navigation and support throughout the permitting process. We fielded 543 inquiries, 2020-2021 (160 through Q2 2022).

Businesses Located in Lakewood by Industry – April 2022				
Industry	#	LQ	Avg Wage	Ann % Growth
Ag., Forestry, Fishing, Hunting	7	.16	\$32,545	1.0%
Utilities	6	.47	\$80,758	.7%
Construction	360	.93	\$69,269	1.1%
Manufacturing	76	.40	\$63,566	.4%
Wholesale Trade	89	.85	\$72,559	1.0%
Retail Trade	644	1.17	\$42,370	.3%
Transportation and Warehousing	111	1.55	\$59,708	2.0%
Information	22	.29	\$66,904	3.9%
Finance and Insurance	110	.46	\$97,008	0.8%
Real Estate and Rental and Leasing	157	1.33	\$66,874	1.2%
Professional, Scientific, and Tech	302	.54	\$71,417	1.6%
Management of Companies	5	.04	\$92,945	0.9%
Admin & Support & Waste Mngmt	184	.47	\$51,837	1.7%
Educational Services	42	.99	\$58,989	1.7%
Health Care and Social Services	394	2.15	\$74,786	1.7%
Art, Entertainment, and Recreation	69	1.72	\$30,625	3.2%
Accommodations and Food Services	236	1.09	\$24,864	2.7%
Other Services (except Public Adm)	392	.79	\$39,063	1.9%
Public Administration	2	.28	\$88,160	1.0%
<b>Total</b>	<b>3,208</b>	<b>1.00</b>	<b>\$61,672</b>	<b>1.6%</b>

LQ = Industry concentration as compared to the nation

We attribute \$918 million of investment to economic development efforts for 2020-2021, \$243 million through Q2 2022, measured in valuation of projects and real estate purchases. This is due to the programs and policies set forth by the City Council, through ongoing and consistent staff efforts.

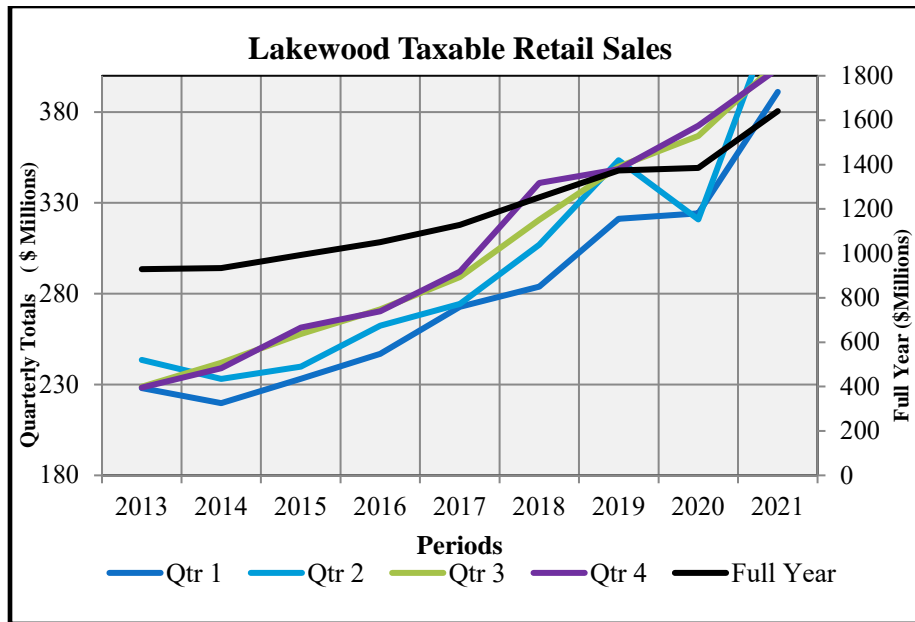
Changes between 2014 and 2020 suggest local retail is becoming stronger with attracting retail business from outside of Lakewood. While businesses have closed due to pandemic restrictions, new restaurants and retailers continued to open in 2020 and 2021, and into 2022. E-commerce is becoming a bigger part of the picture. New experiences, art related businesses, and entertainment are on the increase.

Retail Leakage				
Description	2020	Pull Factor		Avg. Growth
		2015	2020	
<b>Retail Trade</b>	<b>\$155,675,876</b>	<b>1.21</b>	<b>1.31</b>	<b>6.8%</b>
Motor Vehicle and Parts Dealers	\$38,906,500	1.14	1.35	6.4%
Furniture and Home Furnishings Stores	\$6,682,352	1.67	1.40	-0.1%
Electronics and Appliance Stores	-\$9,412,519	0.82	0.72	6.2%
Building Material and Garden Equipment	\$10,199,426	0.99	1.18	10.7%
Food and Beverage Stores	\$21,744,133	1.49	1.74	6.0%
Health and Personal Care Stores	\$4,557,194	1.28	1.20	7.9%
Gasoline Stations	\$2,565,330	1.35	1.21	-0.2%
Clothing and Clothing Accessories Stores	\$5,393,696	1.09	1.23	1.7%
Sporting Goods, Hobby, Musical Instruments	\$8,179,593	1.26	1.42	7.3%
General Merchandise Stores	\$57,384,277	1.38	1.74	5.6%
Miscellaneous Store Retailers	\$8,019,724	1.46	1.10	17.4%
Nonstore Retailers	\$1,456,169	0.79	1.07	-0.4%
<b>Food Services and Drinking Places</b>	<b>\$82,361,516</b>	<b>1.57</b>	<b>2.17</b>	<b>3.9%</b>
<b>Total Restaurant + Retail</b>	<b>\$238,037,392</b>	<b>1.27</b>	<b>1.41</b>	<b>6.2%</b>

Lakewood has two significant industrial parks, Lakewood Industrial Park (150 acres) with a job base of approximately 2,000 people and nearly 100% occupancy, and the new Woodbrook Business Park (188 acres), now building out, has 1.7 million square feet built, with another 285,000 square feet in permitting. The Amazon Distribution Center opened in 2021.

Star lite Distribution Center, 245,000 square feet, completed and leased, and Coleman Moving & Storage began site development for their new 10-acre site, formerly Oakbrook Elementary.

While local retail trade jobs were down in 2020 and 2021 as compared to 2019, the retail sales collection trend continued to rise. Local Sales & Use Tax increased 20.1% over 2020.



### Industry Impacts and Development Trends

Industry expansions included construction, warehousing & transportation, manufacturing, and government. Healthcare saw some retraction in revenues.

One of the hardest hit during the pandemic, hotels, experienced some return to normalcy, and occupancy generally outpaced the nation overall.

**Jan. 2-8, 2022**

	Occupancy (Y-O-Y)	ADR (Y-O-Y)	RevPar (Y-O-Y)
<b>Puyallup / Sumner +</b>	66.4% (+33.1%)	\$102.78 (+28.1%)	\$68.29 (+70.5%)
<b>Tacoma Mall / Hosmer +</b>	53.1% (+15.2%)	\$87.74 (+30.2%)	\$46.57 (+49.9%)
<b>Downtown Tacoma / Tacoma Dome +</b>	35.8% (+8.4%)	\$125.85 (+16.3%)	\$45.04 (+26%)
<b>DuPont / Lakewood +</b>	63.5% (+21.9%)	\$97.64 (+6.3%)	\$61.96 (+29.5%)
<b>Fife +</b>	65.3% (+8.8%)	\$74.81 (+17.8%)	\$48.83 (+28.2%)

Source: Travel Tacoma

Hotel data: ADR = Average Daily Rate; RevPAR = Revenue Per Available

### Incentives

No Local B&O Tax	Free Construction Watch Program
No Development Impact Fees*	Free Business Watch Program
Within Foreign Trade Zone #86	HUB Zone, EB5, New Market Tax
Workforce Customized Training	\$100 Million Capital Improvement
Diversified Residential Opportunity	Two Colleges
HUD Section 108 Lending Program	“Wrap-Around” Business Services

\*Traffic mitigation fee may be assessed in the Downtown subarea

### Sampling of New Businesses with Employment

firm-name	# Employees	Product Description
AERO PRECISION, USA	800	Advance Manufacturing
KOREAN WOMEN'S ASSOC	533	Home Care
AMAZON.COM SERVICES LLC	350	Distribution
HOPE HUMAN SERVICES LLC	244	Behavioral Health
TORRES CONTRACTORS	200	Construction
THE OAKS AT LAKEWOOD	102	Nursing Home
ACES	99	Education & Behavior
SOUTH SOUND FINAL MILE	80	Delivery Service
DAMCO DISTRIBUTION	80	Distribution
SOUTH SOUND FINAL MILE	80	Delivery Service
WILD RIVER DOOR	60	Manufacturing
CRUMBL - LAKEWOOD	60	Bakery - Retail
ELEVATED ACOUSTICS	52	Acoustical Installation
EXTRUSION TECHNOLOGY	49	Manufacturing
PATRIOTS CHOICE LLC	48	Commercial Painting
SOUTH SOUND EXPRESS	42	Delivery Service
KULCHIN FOUNDATION	41	Geotech Drilling
BBQ OLIVE CHICKEN	40	Restaurant
WOODSPEAR PROPERTIES	33	Property Management

## Business Retention & Expansion Program (BRE)

Business Retention & Expansion (BR&E) is a core program for the City of Lakewood. The purpose of the program is to support our local businesses, identify needs, concerns, and opportunities, and to provide guidance to the City on policies and programs beneficial to the overall health of Lakewood. Established businesses typically provide 70-80% of the job growth.

The pandemic continued in 2021, and state restrictions were cause for more closures. Biggest challenges were workforce recruitment and retention, supply chain issues, rising costs (including rent), and concern over housing prices and the homeless.

We conducted 229 business retention and expansion visits in 2020-2021. We also conducted 2 surveys. We hosted 3 business resource forums and one contracting event with a total of 364 attendees. We supported, participated in, and contributed to numerous Economic Development Board, Pierce County, and Lakewood Chamber forums throughout the year with 100's of attendees. We produced two Business Showcase video stories, six editorial calendar articles, and regular newsletters. The Annual Business Retention and Expansion reports was produced, and staff provided a BRE update to City Council March, 2021. A comprehensive contaminated sites report was also developed and presented to City Council March, 2021.

There were multiple retention and expansion cases, outside of visits noted above, including manufacturing companies, and retailers. Lakewood economic development staff partners with the Economic Development Board of Tacoma-Pierce County, Workforce Central, and other partners on retention and expansion cases depending on the specific needs of the business.

Lakewood continued to collaborate on weekly and bi-monthly BR&E calls, webinars, and training events. Partners regularly participating were Pierce County, Workforce Central, Pierce Transit, Impact Washington, Invista Performance Solutions, Tacoma Public Utilities, Impact Washington, Manufacturing Industrial Council, and municipalities across Pierce County.

Lakewood partnered with the Economic Development Board of Tacoma/Pierce County to host a two-hour business resource webinar including topics on finance, workforce, healthcare, real estate, regulatory tax code, and, diversity, equity, and inclusion. We also partnered with the Lakewood Chamber on multiple business webinars throughout 2020, 2021, and 2022. These events provided knowledge for business in various disciplines, and access to diversified streams of income for local businesses.

Lakewood partnered with Pierce County and Washington State Procurement and Technical Assistance to bring back the purchasing forum at Alliance Northwest in

March, 2022. Nearly 200 attendees specifically attended our breakout sessions, and Alliance attracted more than 700 attendees overall.

The City allocated American Rescue Plan Act (ARPA) monies to Pierce County for a Business Accelerator program. The multiple-language program continues into 2022.

Other partnerships included work with the Manufacturing Industrial Council around Port of Tacoma industrial lands, and South Sound Military & Communities Partnership to resolve North Clear Zone issues, and to address economic development and housing strategies Joint Base Lewis-McChord.

In 2020 we conducted 123 BRE visits. Below is an account of business outreach for 2021 (44 have been completed through Q2 2022).

### 2021 BRE Outreach

Industry	Number	Jobs
Construction	7	580
Manufacturing	5	244
Wholesale Trade	4	120
Retail Trade	21	1,984
Transportation & Warehousing	11	780
Information	4	89
Finance and Insurance	7	340
Real Estate, Rental, Leasing	3	167
Prof, Scientific, and Technical	4	278
Management of Companies	1	1
Admin, & Waste Management	3	380
Educational Services	4	76
Health Care & Social Assistance	9	2,760
Arts, Ent, and Recreation	4	340
Accomm & Food Services	13	1,535
Other Srvs (not Public Admin.)	6	230
TOTALS	106	9,904

Daytime Population 67,598

Note: significant uptick, homebased business startups

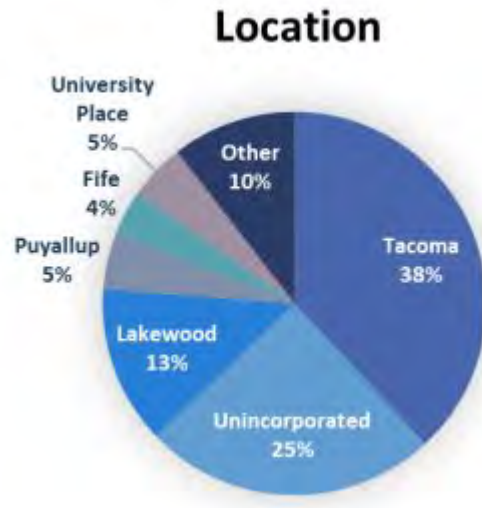
### Pierce County Business Accelerator

The City of Lakewood contributed \$500,000 of ARPA funds to a new Pierce County accelerator program for business. The program serves entrepreneurs and business owners with a focus on underserved communities, by providing direct access to business resources such as training, coaching, technical assistance, and networking support.

Cohorts met for training in various areas through the county, including here in Lakewood at Korean Women's Association with courses in various languages. We expect 200 participants to graduate from the program by fall, 2022. Graduates have access to additional grant funding and technical assistance.

City of Lakewood Graduates as of May, 2022:

- 14 business owners
- 93% Minority Owned
- 50% Women Owned
- 21<sup>st</sup> Veteran Owned
- 45 Coaching Hours
- 10 Obtained Capital Matching Grants
- \$142,750 Capital Raised
- \$96,750 in funded Training Hours
- 10 Rent Reimbursement Grants



Pierce County and Lakewood have partnered on an event to be held October, 2022 to showcase and celebrate the graduates with a trade show which will include access to resource partners.

## Multifamily Tax Exemption

Lakewood offers a multifamily property tax exemption in select residential target areas, including the Downtown, Lakewood Station District, and a portion of the Springbrook Neighborhood. Full market rate projects can apply for an 8-year property tax exemption on new residential units, or a 12-year exemption if the project includes 20% affordable units. Here are projects to date.

Project Name	Identified RTA	Term (years)	City Council Approval Date	Total Units	% Rent subsidized
Oak Grove Village	CBD	10	06/06/2006	254	0
Gravelly Lake Townhomes	CBD	10	06/06/2006	28	0
Springbrook Apartments	Springbrook	8	12/07/2016	219	0
Rainier Terrace	Lakewood Station/ Lakeview RTA	8	08/01/2016	11	0
Town View Apartments	CBD	8	10/17/2017	30	0
Lakeview Chapel, LLC/Toto Townhomes	Lakewood Station District Subarea Plan	12	Resolution No. 2021-11; August 16, 2021	50	Low-Mod 20%
112th Street Townhouses	Lakewood Station District Subarea Plan	8	Resolution No. 2021-09; July 19, 2021	15	0
				607	

## Development Services

### Business Licensing

In 2018 the City joined the Washington State Department of Revenue (DOR) business licensing services (BLS) processing system to process all general, non-resident and home occupation business licenses through the states portal. We process specialty licenses including pawnshops, solicitors, second-hand sales and temporary business licenses through the City's separate database. Since joining BLS, the City has seen growth in the number of licenses reviewed and processed each year. On average, the development services team processes approximately 100 licenses per month including the review of new licenses, and existing licenses that have renewed late or requested a change in ownership, business type or location. Many of the business licenses that come in through the system receive approval automatically once staff verifies that their business complies with the municipal code or is a continuation of a prior use. We receive licenses that require additional research weekly. In these instances, a permit technician or planner reach out to applicants to learn more about the business and, if required, request that they apply for appropriate permits prior to license approval.

We have a dedicated staff member who monitors licenses daily. In some instances, additional research or permits are required and the licenses are delayed. The department reviews all new licenses, change in ownership, name changes or business operational changes.

For home occupation licenses, the planning department reaches out to all new requests to determine if the business complies with the regulations outlined in our municipal code, specifically, that the proposed business will generate no outward appearance or, that they obtain a home occupation permit prior to license approval.

	2018	2022
City of Lakewood Active Licenses	3,215	4,539

### Permitting Activity Overview

In 2021 the Development Services Department processed 2,109 permit applications. Building, land use and public works engineering permits require inter-departmental review and processing. The City's permit counter process all incoming permit applications.

Application type	2020 total	% of total	2021 total applications	% of total	Jan- July 2022 applications	% of total
Building Commercial	354	15%	228	11%	131	9%
Building Residential	596	26%	487	23%	331	23%
Plumbing	176	8%	130	6%	146	10%
Mechanical	605	26%	657	31%	479	34%
Demo	76	3%	77	4%	24	2%
Land Use	217	9%	238	11%	145	10%
Public Works Engineering	304	13%	292	14%	173	12%
<b>Total Permits</b>	<b>2328</b>	<b>100%</b>	<b>2109</b>	<b>100%</b>	<b>1429</b>	<b>100%</b>

Beginning in January 2022 the City began processing all permit applications electronically through a new online system, CED+. From January- July 31, 2022 the City received 1,367 electronic submittals which created 1,474 individual permit applications.

As of January 2022 the City began to provide online chat services. From January- July 31, 2022 the City responded to 288 online chats over 211 work days. We also fielded 93 offline messages, which are messages received outside of regular business hours. The highest number of chats accepted in a single day ranges from 0-7, with an average of 1.3 per day.

The City provides in-person development services assistance Monday through Friday 9am-3pm and application review meetings upon request. The Department typically receives 0-5 in-person customers per day, and receives approximately 3 in-person appointments requests per month.

## Days to First Review

With the new CED+ system the City is now able to track the days between application intake and days to first review for some permit types. Below is a summary of the days to first review for some permit types, based on application being deemed complete.

Application Type	Total Intake	Avg days to first review Jan. 1, '22- July 31, '22	Targets
Building Commercial	131	13	30
Building Residential	331	14	30
Demo	24	1	5
Mechanical	479	1	5
Plumbing	146	4	5
SEPA	9	28	28
Short Plat	7	24	28
Land Use Action	32	17	28
Tree Removal	34	14	28
Site Development	22	81	60
Right of Way	149	3	6

## Inspections

On average, the building division processes 25+ inspections per day between two inspectors. The division accepts inspection requests via phone or the City's online portal. Once requested, inspections are typically complete by the next day. With the new online portal, clients are able to schedule inspections in advance in order to ensure they meet their individual timelines.

	2020	2021	2022 (through July 31)
Inspections	5,525	6,222	3,183

## Unsafe Building and Stop Work Orders

When individuals begin construction without permits the City performs proactive enforcement. Illegal construction is problematic for many reasons: if work is completed without permits there is no way to ensure that the workmanship or structural integrity of a building/unit is maintained. This puts future tenants at risk. For these reasons, our team will stop unpermitted construction activity and require that the plans be approved and properly inspected. When unpermitted work is identified, a member of the inspection team makes a site visit and posts a notice to the site, a "stop work order." Members from the Community and Economic Development Department team work with applicants to bring them into compliance. Often times, applicants are frustrated, our team is trained in de-escalation techniques to navigate these situations.

	2020	2021	2022 (through July 31 <sup>st</sup> )
Stop Work Orders	50	56	68
Unsafe	28	44	22

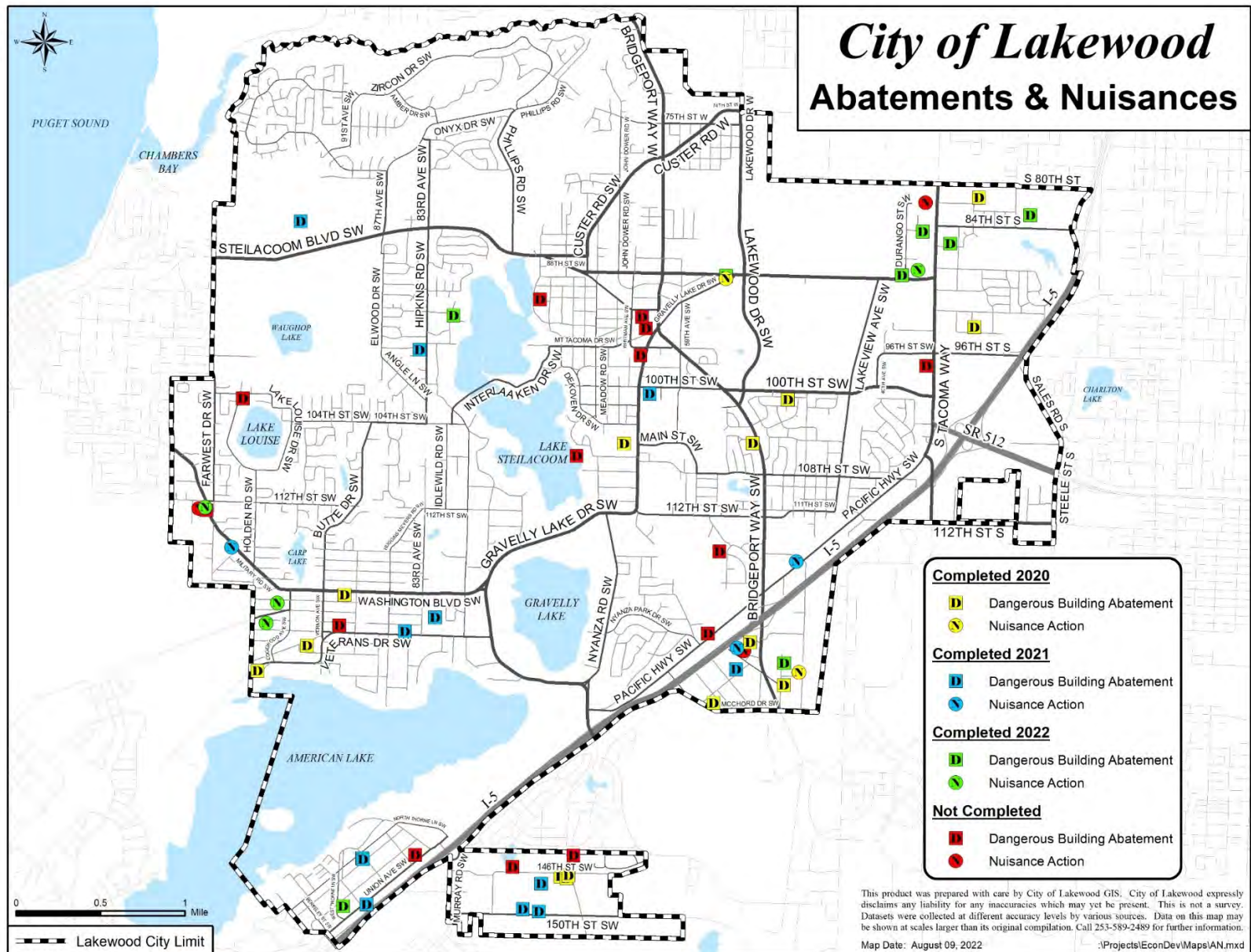
## Hearing Examiner Decisions

	2020	2021	2022
Conditional Use Permit	4	1	1
Master Facilities Plan	1	1	1
Plat Alteration	0	2	0
Variance	1	1	0
Administrative Appeal	0	2	4
Site Specific Rezone	1	1	0
Abatement/Nuisance Appeals	2	3	2
Totals	9	11	8

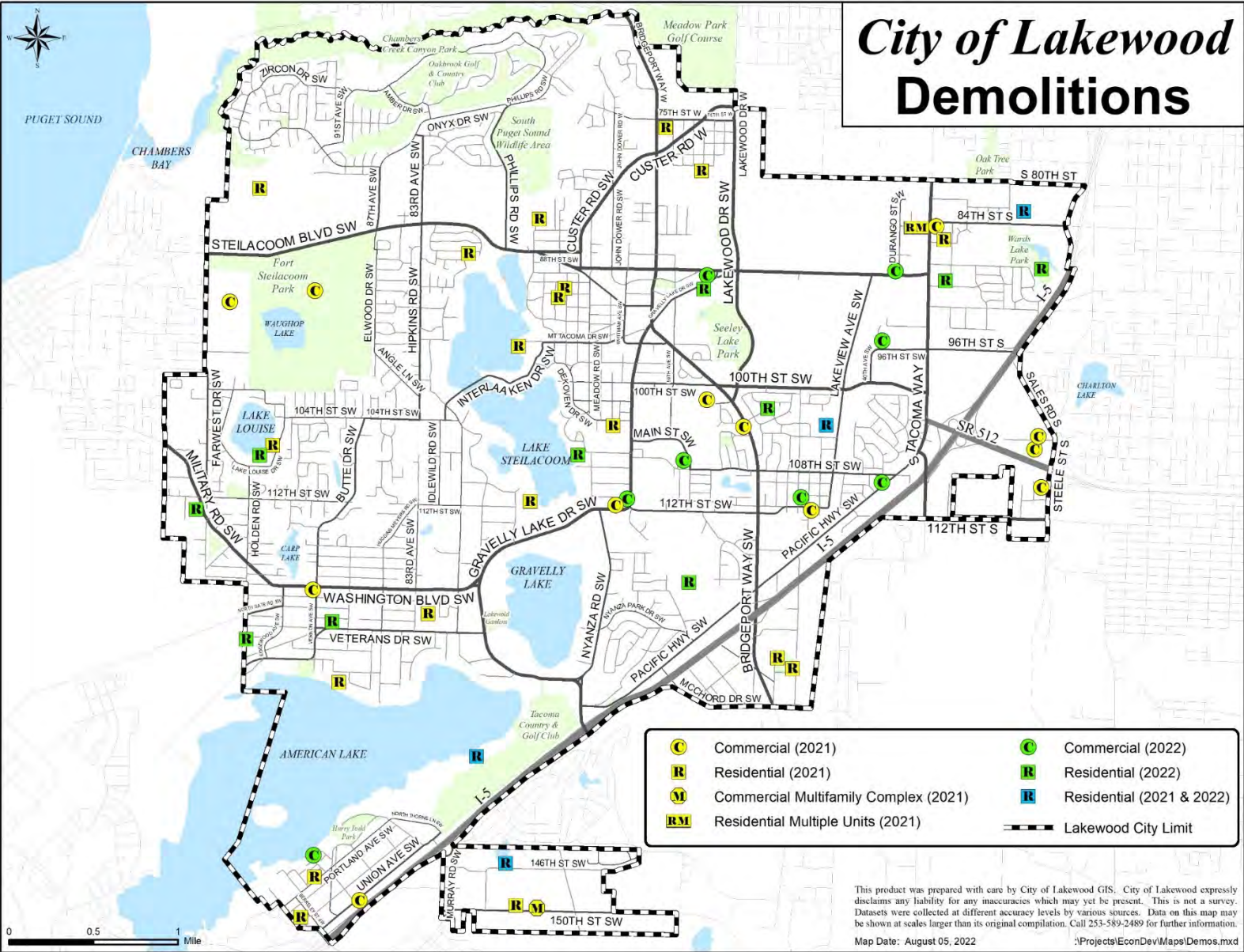
## Building Permits - Total Issuances

Building Permits- Total Permits Issued									
Permit Type	2020	Valuation	% of total	2021	Valuation	% of total	January 1- June 30, 2022	Valuation	% of total
Commercial Addition	8	\$21,836,280	0.50%	3	\$308,864	0.20%	2	\$1,632,504	0.50%
Change of Use	14	-	0.80%	1	-	0.10%	0	-	0.00%
Commercial Carport	1	\$8,800	0.10%	1	\$46,202	0.10%	0	-	0.00%
Commercial Deck	2	\$87,227	0.10%	0	-	0.00%	0	-	0.00%
Commercial Demolition Permit	28	\$1,215,884	1.60%	16	\$1,687,499	1.00%	4	\$228,750	1.00%
Day Care	2	\$3,000	0.10%	0	-	0.00%	0	-	0.00%
Commercial Gate	5	\$178,628	0.30%	2	\$60,000	0.10%	2	\$141,894	0.50%
Commercial Mechanical	115	-	6.50%	83	-	5.30%	25	\$968,147	6.10%
New Commercial Building	17	\$67,947,656	1.00%	21	\$62,676,204	1.30%	3	\$10,386,517	0.70%
New Commercial Bldg - Multi-Family	11	\$8,850,680	0.60%	1	\$850,000	0.10%	1	\$4,130,426	0.20%
Commercial Plumbing	106	-	6.00%	64	-	4.10%	8	\$124,100	1.90%
Commercial Retaining Wall	1	\$30,000	0.10%	3	\$610,056	0.20%	0	\$8,100	0.00%
Commercial Remodel	156	\$23,416,462	8.80%	88	\$42,347,141	5.60%	28	\$15,530,876	6.80%
Commercial Re-roof	27	\$1,163,142	1.50%	37	\$2,399,014	2.40%	0	\$86,778	0.00%
Permanent Signs	44	\$493,104	2.50%	52	\$674,976	3.30%	8	\$472,380	1.90%
Commercial Window Replacement	50	\$875,046	2.80%	7	\$9,119	0.40%	0	\$13,300	0.00%
Residential Accessory Structure	18	\$906,236	1.00%	24	\$1,117,520	1.50%	2	\$295,331	0.50%
Residential Addition	48	\$3,179,267	2.70%	28	\$2,004,270	1.80%	6	\$579,966	1.50%
Adult Family Home	22	-	1.20%	19	-	1.20%	4	-	1.00%
Residential Accessory Dwelling Unit	2	\$349,875	0.10%	7	\$1,209,496	0.40%	2	\$307,947	0.50%
Residential Demolition Permit	48	\$516,840	2.70%	59	\$946,922	3.80%	9	\$310,680	2.20%
Residential Gate	1	\$15,000	0.10%	0	-	0.00%	0	-	0.00%
Manufactured Home	2	\$160,000	0.10%	5	\$245,000	0.30%	0	-	0.00%
Residential Mechanical	496	-	28.00%	566	-	36.20%	154	\$10,350	37.30%
New Single Family Residence	58	\$20,498,217	3.30%	64	\$26,496,540	4.10%	30	\$10,159,061	7.30%
Residential Plumbing	102	\$346,202	5.80%	70	-	4.50%	36	\$153,610	8.70%
Residential Re-roof	87	\$1,289,279	4.90%	77	\$1,355,599	4.90%	19	\$782,784	4.60%
Residential Remodel/Repair	167	\$6,237,812	9.40%	136	\$4,901,122	8.70%	50	\$3,766,755	12.10%
Solar - Residential Prescriptive OTC	3	\$54,553	0.20%	11	\$100,420	0.70%	5	\$280,282	1.20%
Residential Window Replacement	129	\$923,587	7.30%	119	\$6,984,623	7.60%	15	\$548,760	3.60%
<b>Total</b>	<b>1771</b>	<b>\$160,582,777</b>		<b>1562</b>	<b>\$157,030,587</b>		<b>413</b>	<b>\$50,919,298</b>	

## Dangerous Building & Nuisance Abatement



Demolitions



## Long Range Planning

### Updated Development Rules

Ordinance	Year	Description
XXX	2022	Adopting proposed tree preservation code amendments.
772	2022	Adopting the 2022 annual comprehensive plan amendments.
771	2022	Amending the City's 2019 Lakewood Shoreline Restoration Plan.
763	2022	Adopts a Special Revenue Fund, "ARPA Fund" in the City's budget.
764	2021	Creating an economic opportunity fund for the purpose of accumulating excess funds from the General Fund and other funds that are eligible to provide funding for economic development opportunity related expenditures. To-date, the City has placed \$2M in this fund account.
759	2021	"ARPA Program": Adopts findings, policies and priorities, allocation categories, and approving initial expenditures.
758	2021	Updating the City's business licensing, critical areas, building, and land use development codes. Update was part of an annual development code process, and to respond to state legislative changes.
756	2021	Adopting the 2021 annual comprehensive plan amendments.
753	2021	Amending the list of public nuisances.
752	2021	Adopts the SEPA planned action for the Lakewood Station District Subarea.
751	2021	Adopts the Lakewood Station District Subarea Plan. LMC Title 18C
747	2020	Adopts revised building codes as required by State Legislature.
738	2020	Adopts annual development code amendments.
737	2020	2020 annual comprehensive plan amendments.
733	2020	Adopts site specific rezone at 11918 and 11920 Nyanza Road SW.
Res. 2020-11	2020	Establishes funding principles and a budget to guide expenditure of coronavirus relief funds

The CED is responsible for staffing and administering numerous ongoing current and long-range land use and housing planning projects that comply with the state Growth Management Act, regional and countywide planning policies, and state building and construction code requirements, including but not limited to:

- CDBG/HOME Consolidated Plan
- Current Planning, including Building Permit and Land Use Permit Activity
- Hearing Examiner Cases
- Periodic Building and Construction Code Updates
- Comprehensive Plan Annual Update Cycles & Decennial Periodic Reviews
- Subarea Plans Adoption and Implementation, including review of Title 18B, Downtown Subarea Plan
- Centers of Municipal Importance Adoption and Implementation
- Energy & Climate Change Program Implementation
- Periodic Shoreline Master Program Updates
- Tracking Shoreline Restoration Activities
- Environmental Protection (e.g., Critical Areas Ordinance administration, Shoreline Master Program administration)
- Tree Preservation & Urban Forestry
- Climate Change
- Agency/Organization Site Master Plans (Western State Hospital, Colleges, Hospitals)

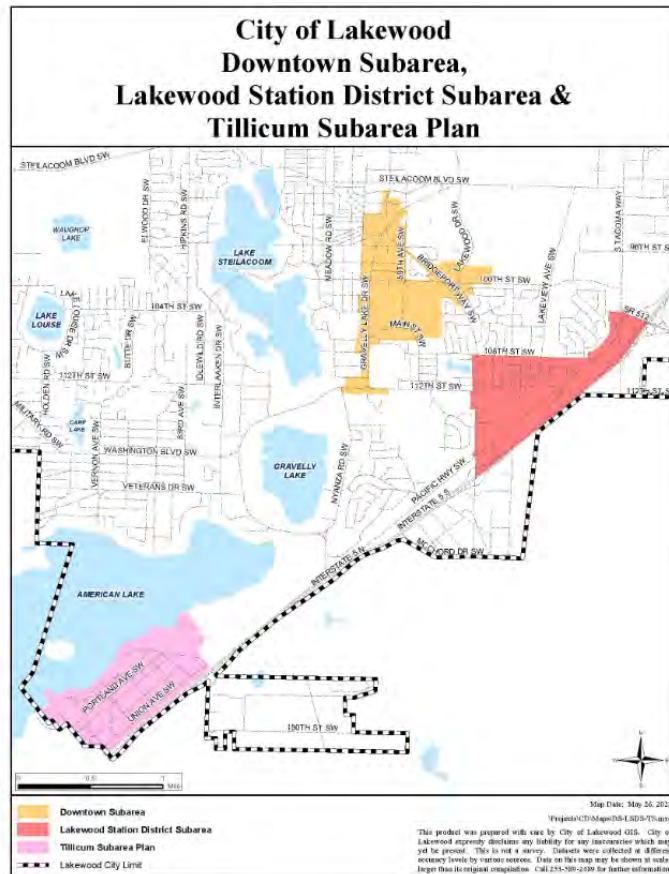
## Energy & Climate Change Chapter – Lakewood Comprehensive Plan

It is increasingly evident that there are dramatic relationships between greenhouse gas emissions and local transportation and land use patterns. Lakewood has opportunities to build higher density, mixed-use projects around existing public transit infrastructure, schools, parks and neighborhoods. Energy efficiency and sustainability can be further enhanced by incorporating green materials and construction practices into buildings and streetscape improvements. Sustainable development concepts such as natural resource conservation, transit-oriented development, multimodal transportation access and the encouragement of green building are integrated throughout this Comprehensive Plan Chapter.



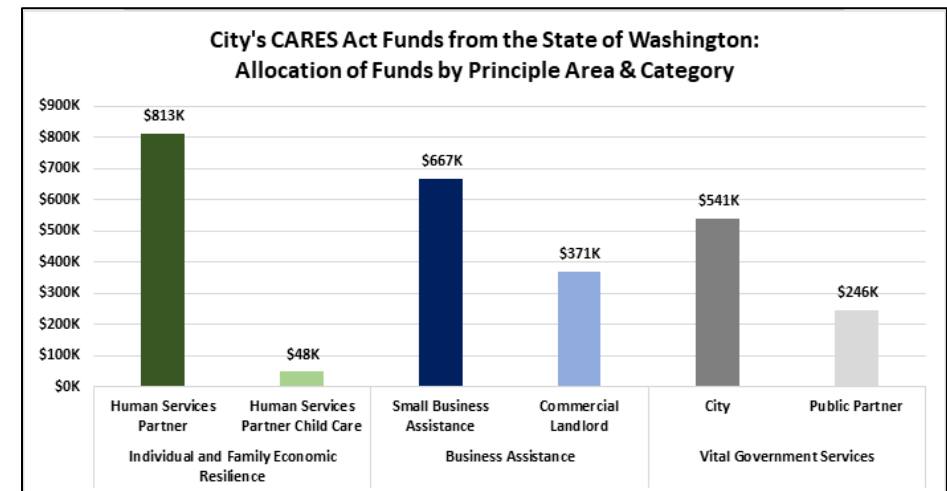
Figure 1 (ART DAILY, June 2019)

The Energy and Climate Change Chapter:



## Coronavirus Aid, Relief, and Economic Security (CARES) Act & American Rescue Plan Act (ARPA) Programs

In 2020, when the federal government established the CARES Act, the City appointed the CED Long Range & Strategic Planning Manager as the City's CARES Act Program Manager and established the internal and external program protocols. Division heads created and administered new programs for business, and commercial landlord assistance, and allowed for outside seating. Coordinating with Human Services and Finance, that year, Lakewood's CARES Act program distributed \$2.69M to residents and businesses.

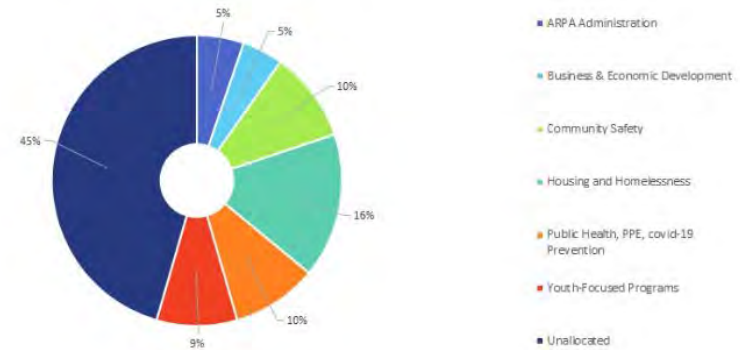


In 2021, when the ARPA Program was established, the City again appointed the CED Long Range & Strategic Planning Manager as the ARPA Program Manager. The City was allocated \$13.76 M to be exhausted by December 31, 2026; as of July 31, 2022, just over \$7.2M has been obligated to organizations providing the services the City Council prioritized. The CED Program Manager and ARPA Program Coordinator will be administering internal and external operations of Lakewood's ARPA program and working with Finance regarding reporting to Treasury on the City's performance under ARPA through 2026.



\$144,543 for services to disproportionately impacted communities

## How much ARPA funding has Lakewood spent so far?



## Comfort Inn Emergency Shelter Purchase Joint Project



\$1,000,000 to address negative economic impacts of the COVID-19 emergency

### *Next Steps*

In July 2022, the City Council directed that the City issue Requests for Proposals (RFPs) for food bank capital costs, construction of veterans emergency shelter, and capital costs for permanently supportive housing. The Council will be approving ARPA funding awards for these new types of projects in later 2022.

## Housing

### New Residential Construction

#### New Residential Units

The chart below provides a summary of all new residential units constructed in each respective year. A permit is final once it has been issued and completed all of the required inspections. In this chart, “pending” is a combination of recent applications that have not received full approval and those projects currently under construction.

New Residential Housing, All-Types, 2010-2022			
City	New Housing Construction 2010-2022	Average per year	Population Density Rank 2022 (lower the number, higher the density)
Bremerton	1,850	154	134
Shoreline	2,454	205	5
Des Moines	802	67	6
University Place	1,191	99	17
<b>Lakewood</b>	<b>599</b>	<b>50</b>	<b>28</b>
Puyallup	2,099	175	54
Olympia	4,118	343	51

New Residential Units - Permit Finaled				
Unit Type	2020	2021	2022	PENDING
Single family	24	85	35	73
Multifamily	-	48	-	110
Townhomes	-	7	-	65

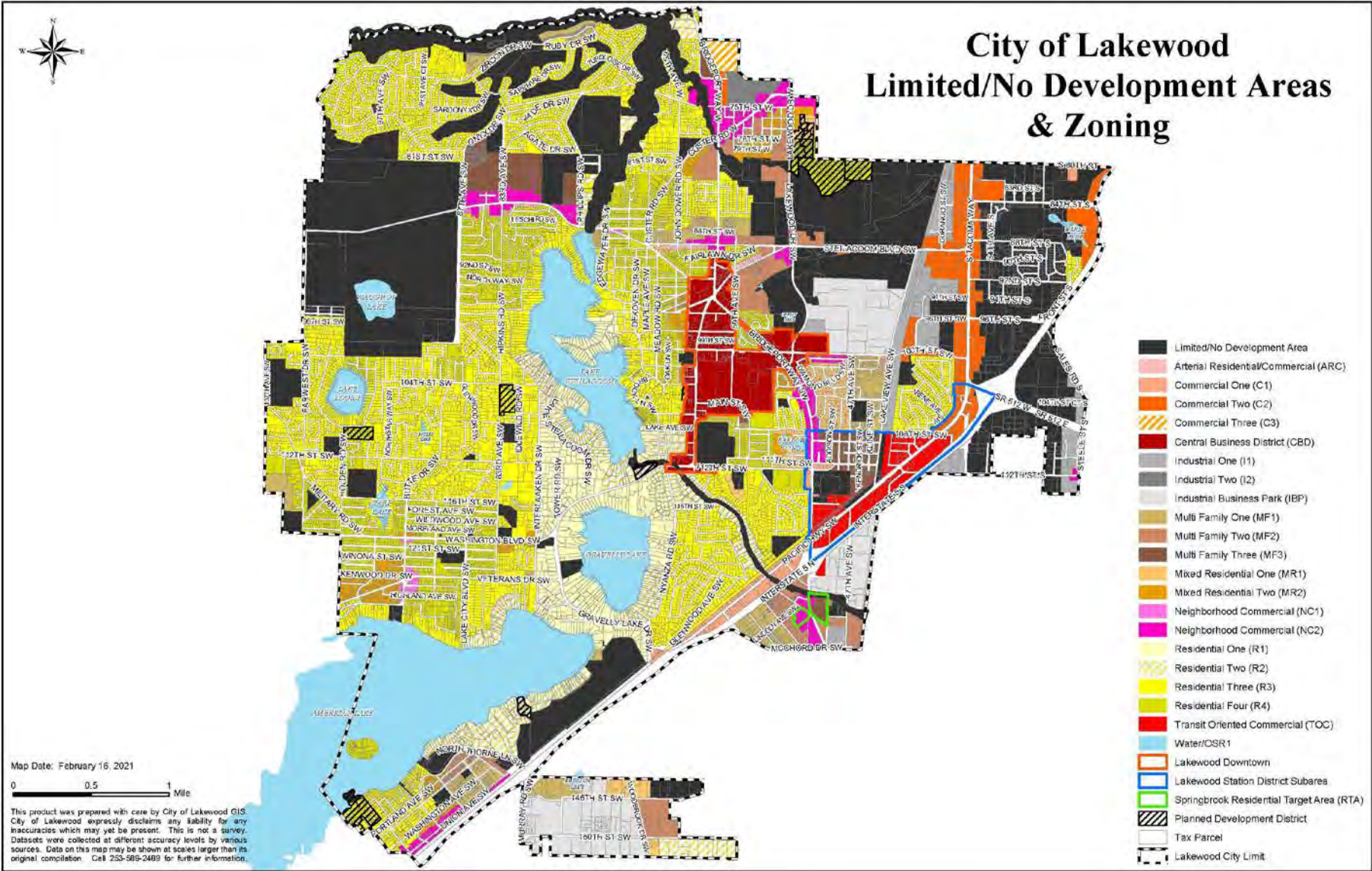
#### Lakewood’s housing production is lower as compared to other cities, why is that?

1. The market has not gone this far south, at least not yet.
2. The low residential densities found in the R1 and R2 zones.
3. City zoned state and some private property open space to protect it from development.
4. Shoreline regulations by lakes, creeks, and streams do not allow for higher density.
5. Sewer systems in some of Lakewood’s residential neighborhoods may not support a higher density without substantial new investments.
6. Higher density requires demolishing existing structure(s), or relocating the structure(s) elsewhere on the property, both expensive propositions.
7. Existing private street systems that would make higher density development unlikely.
8. Some parcels are locked up with city/county approved open space and conservation easements
9. Limitation on types of use and densities in the Air Corridor 1 and Air Corridor 2 zones.

Some of the city’s subdivisions, the exact number is unknown, have written on the face of the plat the underlying density.

Higher density is not allowed without having to go back and amend the plat, which is too difficult to do. This matter has been litigated affirming the density when the plat was approved. Current residential zoning is irrelevant.

However, the City has authorized accessory dwelling units in at least one such subdivision over the objection of some of local residents.



## Recent Subdivisions

Plats Approved/ Applied for in 2021-2022

9836 LLC SHORT PLAT	9836 NEWGROVE AV SW	5
B&R LAND INC SHORT PLAT	8142 VETERANS DR SW	4
BEYLER SHORT PLAT	12617 NAOMILAWN DR SW	2
CARLYLE COURT LLC SHORT PLAT	4702 124TH STCT SW	2
CONNIE KAY DESIGN SHORT PLAT	6718 ALFARETTA ST SW	3
DEKOVEN SHORT PLAT	9012 DEKOVEN DR SW	2
DURR SHORT PLAT	12102 COCHISE LN SW	2
DURR SHORT PLAT	12111 COCHISE LN SW	2
GLENWOOD ESTATES SHORT PLAT	12818 GLENWOOD AVE SW	6
GOLUB SIDING SHORT PLAT	8415 WILDWOOD AVE SW	2
GR AFFORDABLE SHORT PLAT	8107 VETERANS DR SW	2
HAQUE SHORT PLAT	9808-9810 KENWOOD DR SW	2
HURLOW SHORT PLAT	8211 NORTH WAY SW	2
IRWIN SHORT PLAT	11412 GRAVELLY LAKE DR SW	2
KEARNEY SHORT PLAT	12105 COCHISE LN SW	3
KIRICHUK SHORT PLAT	9802 KENWOOD DR SW	2
KULIBABA SHORT PLAT	8007 107TH ST SW	2
MADDEN SHORT PLAT	12795 GRAVELLY LAKE DR SW	3
MALYON/HAWKINS SHORT PLAT	7405 STEILACOOM BLVD SW	2
MIKASHANSKIY SHORT PLAT	10021 MEADOW RD SW	2
OFELT SHORT PLAT	10021 MEADOW RD SW	4
QBM LLC SHORT PLAT	9105 GRAMERCY PL SW	2
QWEST CORP SHORT PLAT	6330 111TH ST SW	2
REICKERT SHORT PLAT	9822 MEADOW RD SW	2
SLEEGER SHORT PLAT	8721 DOLLY MADISON ST SW	2
ST. JOHNS LUTHRAN CHURCH SHORT PLAT	8602 BRIDGEPORT WY SW	2
STOLZ SHORT PLAT	9901XXX ANGLE LN SW	4
TPC-HABITAT FOR HUMANITY SHORT PLAT	15123 TO 15127 88TH ST SW	9
TRUNG SHORT PLAT	10515 KLINE ST SW	2
WENNBERG SHORT PLAT	8101 VETERANS DR SW	2
HARWOOD COVE - FINAL PLAT	12404 GRAVELLY LAKE DR SW	19
OAKBROOK PARK - FINAL PLAT	7701 RUBY DR SW	16

All are short plats except for two, Harwood Cove, and Oakbrook Park.

## CDBG/HOME/1406 Entitlement Programs

Lakewood operates a myriad of federal and state funds to assist with new housing, housing repairs, business loans, and mortgage and rental assistance programs. It is a complex system. To help explain it, the table below has been prepared based on the HUD Consolidated Annual Performance and Evaluation Report (CAPER) for the last two fiscal years.

Program Status for All CDBG/HOME/1406 Entitlement Programs			
Entitlement Programs/ Housing Assistance	FY 2020/2021	FY 2021/2022	Totals
Major HOME Repair	7 units	6 units	13 units
Major Sewer	0 units	0 units	0 units
HOME Rehab	0 units	0 units	0 units
HOME Housing (includes TBRA clients, 48-units /104 persons)	49 unit	1 unit	50 units/ 106 persons
HOME Habitat	0 units	0 units	0 units
NSP Habitat	0 units	0 units	0 units
Down Payment Assistance	0 applications	1 application	1 application
Emergency Assistance Displaced Residents (EADR) – usually associated with RHSP or dangerous building actions	3 households	2 households	5 households
CDBG-CV3 Business Loans	15 businesses/ 38 jobs	0 businesses/ 0 jobs	12 businesses/ 38 jobs
CDBG-CV3 Rental Assistance	65 households/ 151 persons	110 households/ 264 persons	175 households/ 415 persons
CDBG-CV3 Mortgage Assistance	0 applications	12 units/ 38 persons	12 units/ 38 persons

### Summary of Lakewood’s Home Repair Programs

Lakewood administers three basic home repair programs: Housing Rehabilitation; Major Home Repair; and SHB 1406 Home Repair. Housing Rehabilitation loans up to \$65,000, & \$75,000 for accessibility improvements. Major Home Repair loans up to \$60,000, and SHB 1406, \$30,000. All three provide for affordable monthly

payments depending on income, and interest rates as low as 1% for up to 20-years.

Housing Rehabilitation and Major Home Repair derive from federal grant programs, CDBG and HOME.

SHB 1406 is a local state-shared tax for affordable and supportive housing. The legislation allows Lakewood to impose a local state-shared sales and use tax to fund affordable or supportive housing. The consumer does not pay this tax, and the effective sales tax rate remains the same. Instead, this tax is credited against the state sales tax. Lakewood receives about \$100,000 annually.

Per Ordinance 731 and Council direction, Lakewood uses its HB 1406 funds as described above. It is recommended that in the first quarter of 2023, the City Council review the potential use of 1406 funds for other purposes (e.g., rental assistance, emergency shelter or affordable housing unit operational costs, or other uses.)

### Applications In-the-Pipeline

Three SHB 1406 projects are in-process. Total, cumulative loan amount is \$68,250. All three projects are scheduled to begin construction this year.

Living Access Support Alliance (LASA) will soon begin construction of a client services center at their existing facility, 8956 Gravelly Lake Drive SW. Total cost of the project is \$130,000. Project is being funded through CDBG-CV2 (WA state funding, not Lakewood).

Habitat for Humanity will pursue construction of the 12-unit project in Tillicum, also known as the Boat Street property. The City provides funding assistance using HOME funds.

Further out is the expansion of LASA to include 27-units. Timeline is 2024-25. Funding is a combination of City HOME funds, Pierce County ARPA, WA State Housing Trust Fund and donations.

## Rental Housing Safety Program

On August 1, 2016 the Lakewood City Council approved ordinance No. 644 creating a Rental Housing Safety Program (RHSP). The program requires all residential rental properties (apartments, single family homes, duplexes, etc.) within Lakewood city limits to be registered. The program is designed to ensure that all rental housing units comply with specific life & safety standards and are providing a safe place for tenants to live. All rental properties owners will be required to register their property with the City every year and have the property inspected once every five years.



Rental Inspection Data	2018	2019	2020	2021	2022 through 2 <sup>nd</sup> Quarter
<b>Rental Properties</b>	3,346	3,346	2747	2,403	18
Unregistered	1,127	1,634	982	585	312
Registered	2,219	1,712	1765	1,818	1823
<b>Rental Units</b>	13,298	13,298	11,925	11,635	12,217
Unregistered	1,970	3,153	1,438	712	871
Registered	11,328	10,145	10,487	10,923	11,346
<b>Initial Property Inspections Total</b>	499	163	227	255	46
Multifamily Inspections	167	43	58	29	20
Single Family Inspections	208	98	137	198	20
Duplex Inspections	124	23	32	28	6
Results—Properties Passed	80	27	34	33	1
Results—Properties Failed	419	137	193	222	45
<b>Property Re-inspections Total</b>	212	321	297	257	84
Multifamily Inspections	61	107	109	78	19
Single Family Inspections	94	155	138	153	54
Duplex Inspections	57	59	50	26	11
Re-inspections—Passed	203	54	106	36	63
Re-inspections—Failed	18	16	191	360	20
<b>Tenant Requested Property Inspections (# units)</b>	8	3	6	17	22
<b>Landlord Requested Property Inspections (# units)</b>	0	0	0	1	1
<b>City Mandated Property Inspections (# units)</b>	5	4	12	3	1
<b>Posted Unsafe/Illegal to Occupy (# units)</b>	4	1	3	1	1

## Historic Preservation

The City has established a Landmarks and Heritage Advisory Board (LHAB) whose mission is to preserve, protect and promote the unique heritage and historic resources of the City of Lakewood. Currently there are four members.

LHAB's ongoing projects include:

- Expanding the historic streets recognition program.
- Continue to work with Clover Park School District to incorporate local Lakewood History into the Curriculum.
- Research grant opportunities to fund additional historic markers throughout the City of Lakewood.
- Update the Lakewood Touring map to include historic streets identified through the recognition program
- Work with Pretty Gritty Tours to develop a walking tour program for the City of Lakewood.
- Explore the use of the Community Landmark designation for a variety of private properties.
- Recruit new members to serve on LHAB.
- Engage with the City of Lakewood Youth Council.
- Create short, "History of Lakewood" videos to post online.

Two other projects that are not on the board's work plan but are worthy of mention, the first being the publication of a detailed map showing the private trolley system that served the Lakewood community in the early 1900's.

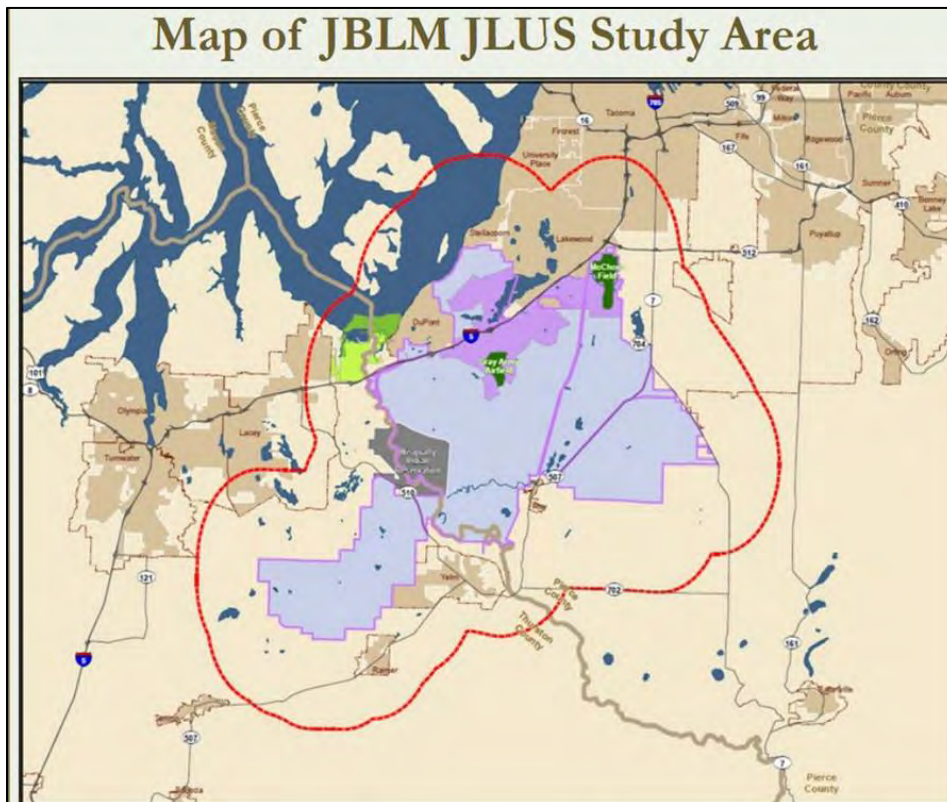
Another project, one that requires a significant investment, would be for the City to acquire and manage the historic properties found on the Western State Hospital Campus. There has been some preliminary discussion with DSHS on this proposal as part of the master plan update. DSHS was interested. They suggested that the City may want to investigate the proposal through the state's biennial budget and legislative process.



Historic Map Showing Early Trolley system serving Lake City and the Washington State Insane Asylum.

## South Sound Military and Communities Partnership

The South Sound Military and Communities Partnership (SSMCP) is a partnership of more than 50 members: cities, counties, tribes, nonprofits, corporations, organizations, and Joint Base Lewis-McChord. The city of Lakewood acts as the fiduciary agent on behalf of SSMCP. The City provides accounting, administrative and legal support. SSMCP exists within CED since the two share common assignments. SSMCP staff serve on behalf of the SSMCP Elected Officials Council, the SSMCP Executive Leadership Team and SSMCP Steering Committee.



## Develops a shared regional legislative agenda

- Conducts semi-annual SSMCP Elected Officials Councils to educate legislators and the general membership on its initiatives and legislative advocacy.
- Develops annual regional legislative agendas and lobbies on behalf of shared military community interests.
- Regional advocate for I-5 corridor transportation improvement. Advocacy efforts helped to secure \$75M in transportation funding for the I-5 Mounts Road to Tumwater / Nisqually Delta project from the Legislature in 2022.
- Evaluates alternate transportation routes and options to relieve traffic congestion and ensure mission readiness.
- Provides ongoing advocacy for the I-5 Nisqually Delta improvement program to prevent flooding, and enhance the environmental quality of the estuary.
- Regional champion for the development and funding of the state's Defense Community Compatibility Account.
- Secured \$1.4M from the state legislature and \$5.1M from federal government for North Clear Zone property acquisitions.
- Provides continued advocacy and lobbies for Occupational Licensure Portability for military spouses.
- Lobbies the WA State Legislature to improve occupational licensing portability for military spouses. SSMCP's advocacy efforts helped to secure two new occupational licensure compacts for occupational therapy and psychology in 2022.
- Promotes increasing access to quality affordable childcare for all WA residents, including service members, veterans, and their families.
- Advocates for the expansion of attainable housing opportunities in the South Sound Region for military members and their dependents.

## Promotes regional collaboration with communities & JBLM

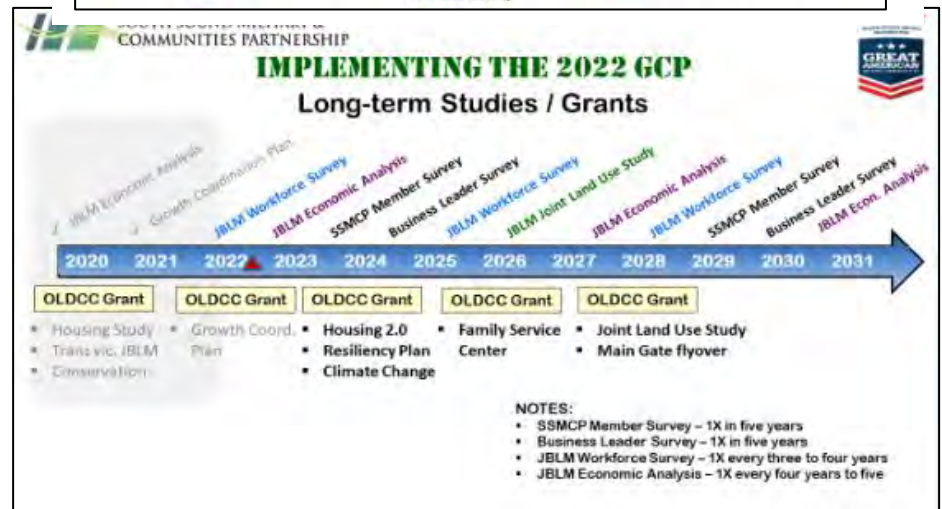
- Provides a framework for collaboration in the South Puget Sound Region between local governments, military installations, state agencies, federal agencies, and community organizations to better coordinate efforts in areas such as military relations; transportation and land use planning; environmental protection; emergency preparedness; data coordination; funding requests (e.g., grant applications); health care coordination; population forecasting; workforce development; education; housing; community development; economic development; and other issues that may arise.
- Focus is on the intersection of issues between local government and the military community. Facilitates and manages multiple working groups including health care, business & economic development, transportation, social services, and housing.
- Supports the JBLM Community Connector Program. The JBLM Community Connector Program links local municipalities with specific units from JBLM. The program's goal is to encourage community support and partnership with soldiers and families assigned to live within surrounding communities
- Assists with the planning and outreach for the 2022 JBLM Community Connector Golf Tournament.
- Conducts biannual JBLM Workforce surveys to gauge the needs & behaviors of military-affiliated members of the South Sound Community.
- Collaborates with the University of Washington to produce its third Regional Economic Impact Analysis (REIA) to highlight the economic impacts of JBLM, with the next REIA due out in 2023.
- Secures funding for its second housing study, Housing Study 2.0, and the JBLM Military Installation Resiliency Review (climate change); a study beginning in 2023.

- Collaborates with Army HQs, JBLM, USAF leadership, Washington Department of Commerce, Pierce County, and City of Lakewood to eliminate encroachment and acquire properties in the North Clear Zone. Ongoing discussions with remaining North Clear Zone property owners and funding sources for future acquisitions, and to improve the current North Clear Zone acquisition process.
- Works with other agencies to develop a project description and planning and environmental linkages study pertaining to a recent award of \$75M for the I-5, Tumwater to Mounts Road improvement programs.
- With assistance from the Economic Development Division, established lease agreement with Tactical Tailor until they relocate outside the North Clear Zone.
- Works with Development Services Division to enforce regulations in the Air Corridors I and II, and the North Clear zoning districts to prohibit new uses that would be incompatible with the Joint Land Use Study (JLUS) and the 2015 Air Installation Compatible Use Zone (AICUZ).



## Provides recommendations to regional leadership

- Provides actionable recommendations to regional leaders on initiatives, programs, and topics that strengthen the role that Joint Base Lewis-McChord (JBLM), the National Guard, and Reserves play in America's defense strategy, the economic health and vitality of the region, and the State of Washington.
- Provides project title and description recommendations for the \$75M award to the I5 Tumwater to Mounts Road Improvement project. Provides JBLM with recommendations for prioritizing North Clear Zone acquisitions and the procurement funding process.
- Provides policy recommendations to regional leaders based on analysis of analytics provided by the biannual JBLM Workforce survey.
- Provides recommendations to local, regional, and state jurisdictions focusing on the Regional Economic Impact Analysis.
- Provides recommendations to local and regional leadership based on the work within the SSMCP 2020 Housing Study, the work within the Housing Task Force, and future study findings as a part of Housing Study 2.0, and the Military Installation Resiliency Review.
- Presents and recommends biannual work plans subject to the review of SSMCP Executive Leadership and SSMCP Steering Committee.
- Provides recommendations for an SSMCP regional legislative agenda to its Executive Leadership Team and Steering Committee prioritizing SSMCP's legislative priorities and policy positions.





TO: City Council  
FROM: Tiffany Speir, Long Range & Strategic Planning Manager  
THROUGH: John Caulfield, City Manager *John F. Caulfield*  
DATE: August 22, 2022  
SUBJECT: Second Biennial Review of the Downtown Subarea Plan, Planned Action and Hybrid Form-Based Code (DSAP Package)  
ATTACHMENTS: Planning Commission Resolution 2022-05 (Attachment A);  
Background information regarding DSAP Package (Attachment B);  
Ordinance 695 (Attachment C); Ordinance 696 (Attachment D)

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## INTRODUCTION

On July 6, the Planning Commission reviewed the 2022 Biennial Review of the 2018 Downtown Subarea Plan and its related SEPA Planned Action and hybrid form-based development code (LMC Title 18B), or the “DSAP package”, per enacting Ordinances 695 and 696. A public hearing was held on July 13, and the Planning Commission took action on Resolution 2022-05 on July 20 (**Attachment A.**)

In 2020, no changes were made to the DSAP package in the initial biennial review, conducted less than 18 months after it was adopted.

In 2022, no substantive changes to the package are recommended since the development and redevelopment activity in the Downtown subarea was significantly slowed by the COVID-19 pandemic in 2020 and 2021. However, the Planning Commission has recommended amendments to the future review schedule:

## Planning Commission Resolution 2022-05 Recommendations:

1. It is recommended that the next review of the Downtown Subarea Plan, its development regulations in LMC Title 18B, its SEPA Planned Action Ordinance, and its transportation mitigation fee cost basis be conducted as part of the City’s 2024 required Comprehensive Plan periodic review rather than through a separate process.
2. It is recommended that after the 2024 Comprehensive Plan periodic review, the frequency for the review of the Downtown Subarea Plan, Planned Action Ordinance and implementing Development Regulations be changed from at least every two years to at least every five years. If this were approved, the next review of the DSAP package would occur in 2029.

3. If urgent, time sensitive issues are identified in the future, it is recommended that they be incorporated and considered within the City’s annual Comprehensive Plan, development regulations, and fee schedule amendment cycles.

#### **RECOMMENDATION**

It is recommended that the City Council amend Ordinances 695 and 696 to adjust the future review schedule of the DSAP package as described in the Lakewood Planning Commission Resolution 2022-05.

#### **DISCUSSION**

This staff report contains the second biennial review of the 2018 Downtown Subarea Plan, its related SEPA Planned Action, and its hybrid form-based Development Code (LMC Title 18B) (the “DSAP package”) per enacting Ordinances 695 (**Attachment C**) and 696 (**Attachment D**.)

Per Ordinance 695 through one of the implementing strategies of the Downtown Subarea Plan, the Lakewood City Council currently monitors the impact of the Downtown Code in implementing this Plan at least biennially and amends the Plan and its associated regulations as needed to improve outcomes.

Per Ordinance 696, the monitoring reviews of the Downtown SEPA Planned Action (see Ordinance 696 Section 4) and its transportation fees cost basis (see Ordinance 696 Exhibit D subsection 6) currently occur every two years.

Additional background information about the content and vision of the DSAP package is included in **Attachment B**.

#### **2022 Biennial Review Information**

Included below are updates regarding City actions and investments to spur private redevelopment within the Downtown Subarea in 2020 and 2021. Also included is a summary of development projects ongoing or completed in the Downtown through 2021.

#### **City Catalyst Actions**

##### Transportation Improvements

The table below identifying both existing and proposed new subarea transportation projects was adopted as part of the 2018 Downtown Subarea Plan:

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

City of Lakewood, KPG and Fehr & Peers 2017

In 2019, the projects listed below were added to the City's Six Year Comprehensive Transportation Improvement Program (TIP) (2020-2025) through Resolution 2019-11.

PROJECT	TITLE	100% COST (IN ROUNDED 2018 \$)	50% PLANNED ACTION SHARE
1	Gravelly Lake Dr SW Revised Section: 4-lane section plus median/turn lane shown in the Downtown Plan concept #3A	\$19,410,000	\$9,705,000
2	Conversion of Lakewood Towne Center Blvd as Public Street	\$5,096,000	\$2,548,000
3	Lakewood Towne Center Blvd at 59 <sup>th</sup> Ave SW, Roundabout	\$2,402,000	\$1,201,000
4	Reduce 59 <sup>th</sup> Ave SW to two lanes, allowing for bicycle facilities (sharrows)	\$189,000	\$94,500
5	Gravelly Lake Dr / Avondale Rd SW New Signalized Intersection	\$1,178,000	\$589,000
6	100 <sup>th</sup> St SW / Bridgeport Way SW	\$649,000	\$324,500
7	100 <sup>th</sup> St SW / Lakewood Dr SW	\$8,000	\$4,000
8	100 <sup>th</sup> St SW / Lakewood Dr SW: Convert westbound through-left lane to left only to remove split phase	\$13,000	\$6,500
Total		\$28,944,000	\$14,472,500

- **Lakewood TIP Project 2.72**, the 100<sup>th</sup> Street & Lakewood Drive SW Traffic Signal Replacement (replace 100<sup>th</sup>/Lakewood signal, street lighting, drainage, and overlay), was completed in 2021.
- **Lakewood TIP Project 2.82**, the installation of missing sidewalks along 59<sup>th</sup> Ave SW between Bridgeport Way to 100<sup>th</sup> Street SW, was completed in May 2022.



## Park Improvements

Lakewood has incorporated Downtown's planned Central Park and Green Street Loop into the 2020 Parks Legacy Plan update. The 2021-2026 Parks Capital Facility Program for the Legacy Plan includes the construction of a 2 acre Downtown park with a budget estimate of \$15M for property acquisition, developing a master plan, and developing the park. (The cost estimate for a 4 acre Downtown park project is \$30,000,000.)

If the City constructs a spray park (also included in the PCFP excerpt below), it would be located in the Downtown park.

### 6.3 PCFP

Parks Capital Facility Program (PCFP) with 2-Acre Downtown Park

TABLE P-F: PCFP 2021-2026 with 2 Acre Downtown Park									
	Potential funding sources*	Project Cost Estimate (2020)	2021	2022	2023	2024	2025	2026	Total w/ DT 2-acre park
<b>Downtown Park</b>		<b>\$15,000,000</b>							<b>\$17,525,000</b>
Phase I: Property Acquisition - 2 acres	General Fund, REET, LTAC, SWM, Donations, Voter-approved park levy/bond	\$5,000,000	\$0	\$0	\$0	\$0	\$5,795,000	\$0	\$5,795,000
Master Plan + Park Development	Sponsor, Development mitigation fees, Voter-approved park levy/bond	\$10,000,000	\$0	\$0	\$0	\$0	\$6,954,000	\$4,776,000	\$11,730,000
<b>Downtown Spray Park</b>		<b>\$750,000</b>							<b>\$895,500</b>
Design/Construction	WWRC local parks, LTAC, SWM, General Fund, REET, Donations, Voter-approved park levy/bond	\$750,000	\$0	\$0	\$0	\$0	\$0	\$895,500	\$895,500
<b>Other</b>		<b>\$1,230,000</b>							<b>\$1,230,000</b>
Park equipment replacement	General Fund, REET	\$120,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$120,000
Park playground resurfacing	General Fund, REET	\$60,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$60,000
Project support	General Fund, REET	\$300,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$300,000
Banners: Phase 3 / Phase 4	General Fund, REET	\$20,000	\$0	\$0	\$10,000	\$0	\$0	\$10,000	\$20,000
Park Sign Replacement Program 10 signs / 3 years	General Fund, REET	\$250,000	\$85,000	\$85,000	\$80,000	\$0	\$0	\$0	\$250,000
Public Art Program	General Fund, REET	\$480,000	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000	\$480,000
<b>Total w/ DT 2- Acre Park</b>		<b>\$33,910,000</b>	<b>\$1,851,800</b>	<b>\$1,831,195</b>	<b>\$4,567,350</b>	<b>\$9,280,600</b>	<b>\$13,024,900</b>	<b>\$7,901,150</b>	<b>\$38,444,635</b>

\* Local funding options available to the City. See Chapter 1 for more information on funding and implementation strategies.

\*\* Voter-approved park levy/bond – The City currently does not have a voter-approved park levy/bond. This is a potential local funding option that is available to the City. See Chapter 1 for more information on funding and implementation strategies.

## 2021 Sale of Lakewood Towne Center

In July 2021, KITE Realty Group Trust (<https://kiterealty.com/>) and Retail Properties of America, Inc. (RPAI) announced that they had entered into a merger agreement under which RPAI would merge into a subsidiary of KRG, with KRG continuing as the surviving public company. Lakewood Towne Center is now owned by KITE Realty.

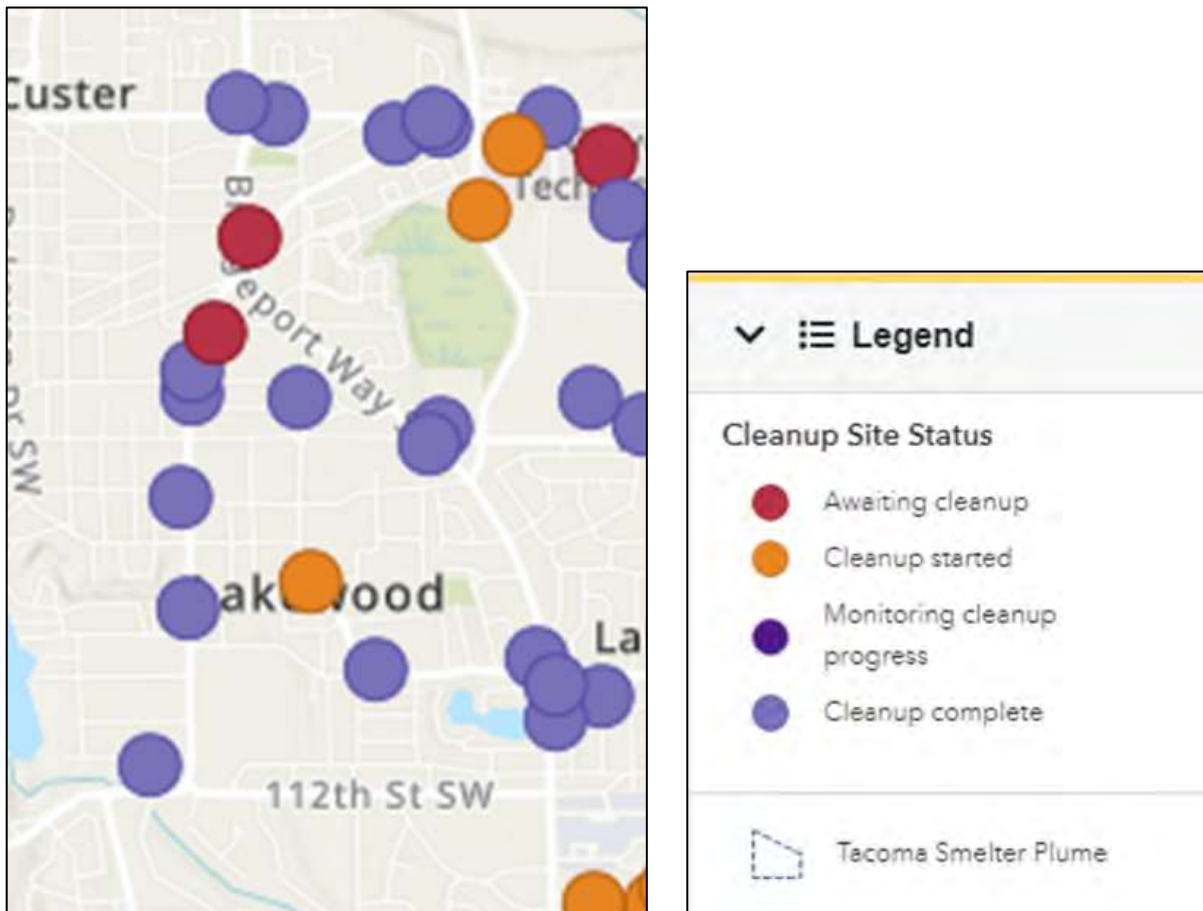
In December 2021, City representatives met with three representatives of KITE Realty while they were in state touring the property. In summary, Kite Realty representatives inquired about the City's vision for the property. The City provided a comprehensive overview for them, including the goals and vision of the Downtown Subarea Plan, development incentives offered by the City in the subarea, and the City's desire to have a park incorporated into the downtown. The City also communicated that there may be an opportunity for a new library at some time in the future, which KITE Realty noted as a positive. Both parties communicated their commitment to working in a collaborative manner. The City provided Kite Realty with a wide range of material specific to both the downtown area and other parts of the City.

City representatives are in regular communications with KITE Realty. The current focus is to find a mixed use or multifamily developer that can partner with KITE on mixed use development in the Towne Center footprint. In July 2022, KITE representatives shared the status of current mall tenants and possible relocation of some of them within the area, then also expressed interest in partnering with a developer to provide housing in the mall area and also in reviewing adding restaurant pads mixed with green space for outdoor dining and recreation within the mall footprint.

### Contaminated Properties

At a recent City Council Study Session, the question whether the presence of contaminated properties within Downtown Subarea would affect implementation of, or require amendment of, the Downtown FEIS or Planned Action. A summary of the four sites in the Downtown and their status as of May 2022 is included below.

The following EPA Confirmed and Suspect Contaminated Sites are accessible online via this web link: [Lakewood Contaminated Sites](#):



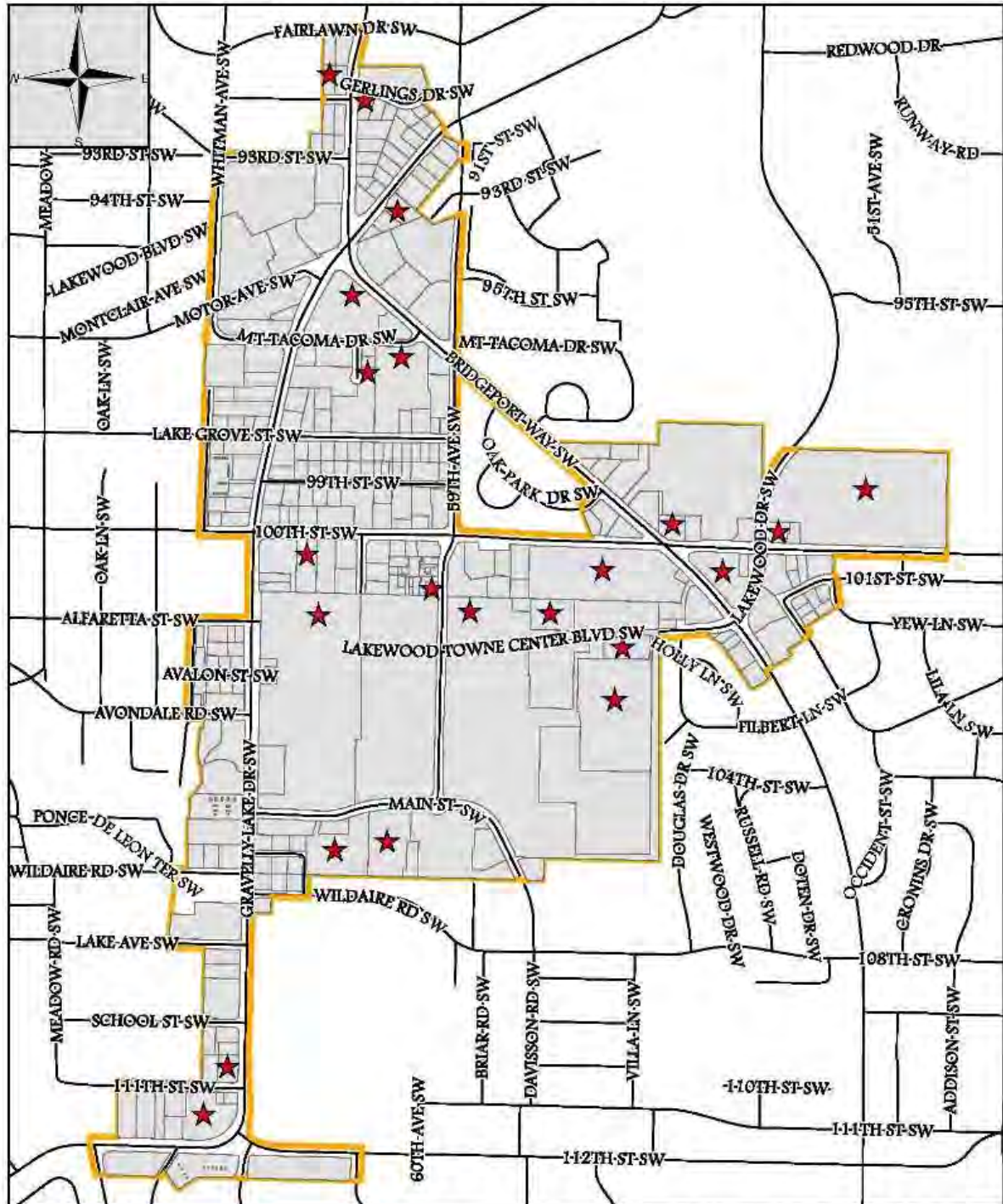
The following is an update on the four contaminated sites within the Downtown as of May 23, 2022. These sites are high priority due to potential for redevelopment.

Priority Contaminated Sites Update				
Site	Parcel	Property	Environmental	Status/Notes
BG Olson, 9152 Gravelly Lake Dr SW	5130001350	Commercial office, building remains	Heating oil released during removal of associated underground storage tank	Letter sent to agent, Daniel Sisk, August 2021; VM left October 2021 Connected with Darrin Davis,; <b>"colleagues talking with Ecology and will get back to us"</b> May 13, 2022, message left for Darrin.
Chevron USA, 10202 Gravelly Lake Dr SW	5030001350 5030001890 5030001920	Historical gas station, currently vacant lot	Release of petroleum products, petroleum associated constituents, and lead to soil and/or groundwater.	April, 2020: Monitoring well & soil investigation plan accepted by PLIA July, 2021: NFA received and Ecology confirmed August, 2021: Well removal plan accepted October, 2022: Anticipated closing on property; new owner is planning a retail store/convenience store
<b>Ken's Tire,</b> 9601 Gravelly Lake Dr. SW	0219022143	Automotive service facility	UST removed from site with follow-on investigation of dry- well and oil-water separator. Confirmed presence of petroleum products, petroleum related constituents, and halogenated solvents in soil. Suspected in groundwater.	Daughter of the owner, Shannon Draper managing the property; Hess property (adjacent) sold October 11, 2021- no contamination leaked to this property; As of mid-October awaiting environmental engineer report and plan for remediation; Owners plan to remediate. March 31, 2022 application for VCP signed, according to Shannon Draper; waiting on cleanup plan. Anticipated starting Spring, 2022.
Lakewood Towne Center	4002240010 4002240090 4002300090	Previously Lakewood Mall; area has since subdivided and been redeveloped to power center	Multiple dry cleaners had operated in the mall. Groundwater contamination confirmed with chlorinated solvents, and soil contamination by same suspected.	Herrera Environmental conducted groundwater monitoring, 2001-2012, then there was a lull; Herrera re-established monitoring August, 2021- sampling showed concentrations of halogenated volatile organic compounds plus Herrera submitted cleanup proposal to RPAI; October 22, 2021- RPAI/KITE merger complete; October 29, 2021- outreach to new KITE contact via email and message via phone. As of May 1, 2022, working with KITE on next steps, including mixed use development and central park

### Private Projects within the Downtown Subarea

The map below identifies 22 (19 new) project locations between January 1, 2020 and December 31, 2021. (Three (3) projects overlap on the 2019-2020 and the 2020-2021 downtown project maps: Tee Upper Cuts, Awn's Tailoring and Cleaning, and Altitude Trampoline Park.)

# Projects Within Downtown Subarea January 2020 ~ December 2021



## Legend

- ★ Project Location
- Yellow outline Downtown Boundary
- Gray fill Downtown Parcel

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.

### Transportation Mitigation Fees (TMFs)

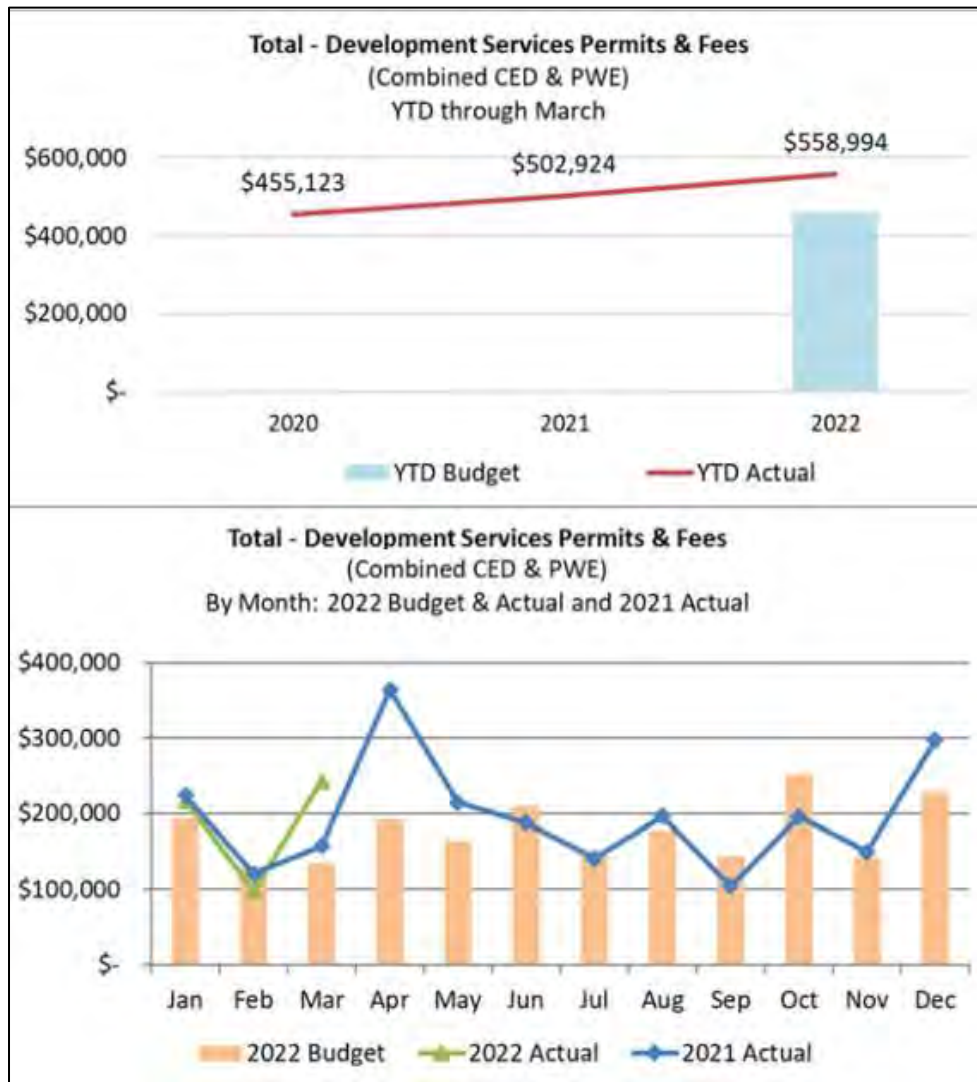
Between 2019 and the end of 2021, a total of \$172,239.86 was assessed in Downtown Subarea TMFs on 11 projects and all but the \$7,651.72 on the two pending projects listed below has been collected. 23 of the 34 projects were not assessed any TMFs based on the City's TMF program that reviews prior uses within a building to calculate TMFs (i.e., TMFs are charged only on net increases to transportation trips.)

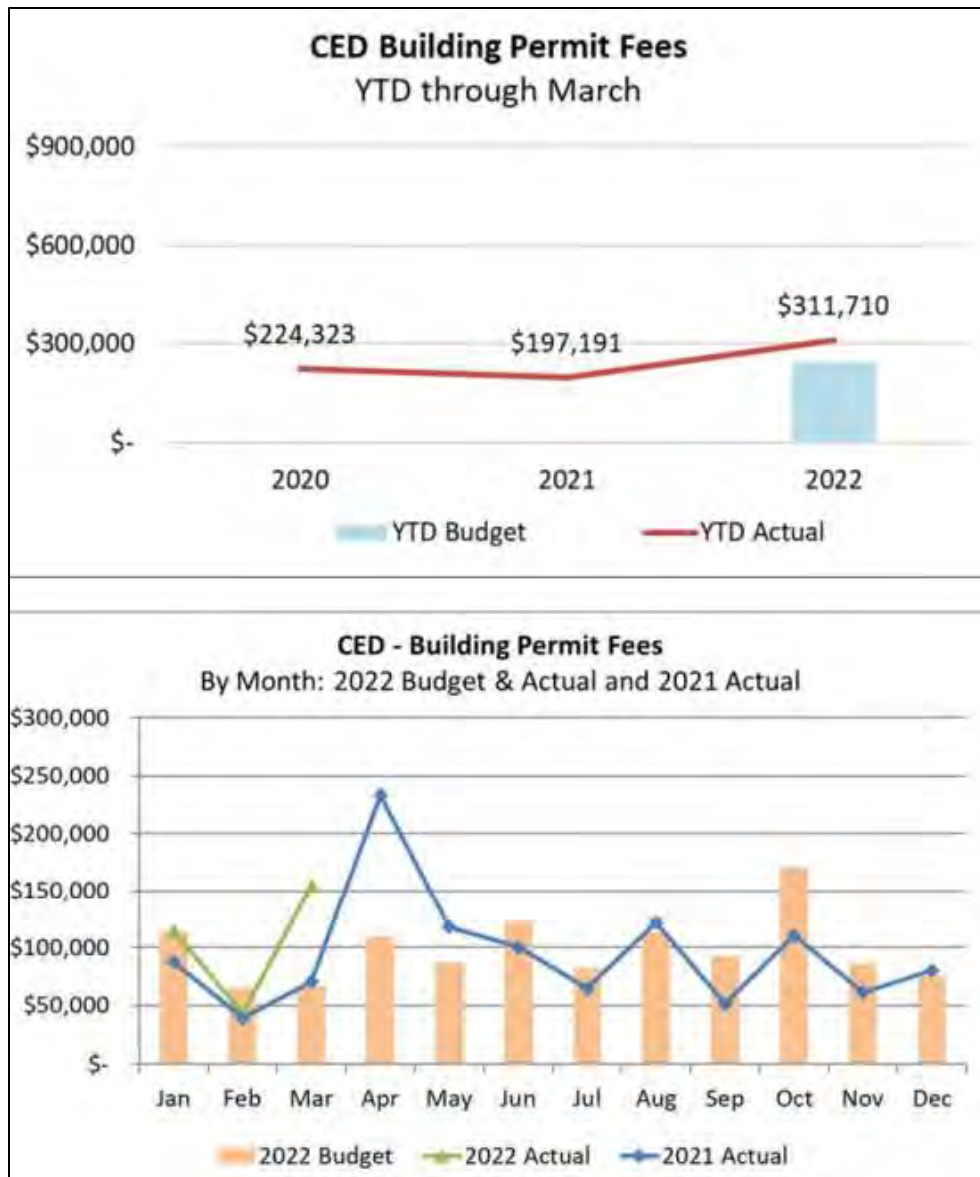
**Budget:** Through the end of 2021, a total of \$141,825 has been collected in TMFs.

Permit description	Full Permit Address	Final date	Current status	TMF
Beyler Consulting	5920 100 <sup>th</sup> St SW #25	01/17/2019	FINAL	\$682.14
PAK	5221 100 <sup>th</sup> St SW	08/19/2019	FINAL	-
ULTA	10310 59 <sup>th</sup> Ave SW	09/24/2019	FINAL	-
MMG Speech & Language Therapy LLC	9881 Bridgeport Way SW	09/26/2019	FINAL	-
Dutch Bros	9642 Gravelly Lake Dr SW	10/14/2019	FINAL	\$57,677.75
Revive Yoga Co.	11004 Gravelly Lake Dr SW	10/21/2019	FINAL	-
Jamba Juice	10321 Gravelly Lake Dr SW	10/29/2019	FINAL	\$5,331.98
Angels Academy (Expansion)	9103 Bridgeport Way SW	11/05/2019	FINAL	\$21,754.39
Rush Bowl	5700 100 <sup>th</sup> St SW	11/19/2019	FINAL	\$18,056.88
Tee Upper Cuts	6111 Lakewood Towne Ctr Blvd SW	01/09/2020	FINAL	-
Patron Investments, LLC	9116 Gravelly Lake Dr SW	01/23/2020	FINAL	-
<b>Awn's Tailoring &amp; Cleaning</b>	6111 Lakewood Towne Ctr Blvd SW	02/10/2020	FINAL	-
Altitude Trampoline Park	5831 MAIN ST SW	02/13/2020	FINAL	-
Edward Jones	6020 MAIN ST SW # D	04/27/2020	FINAL	-
Taqueria el Antojo #2	6112 100 <sup>th</sup> St SW	05/26/2020	FINAL	-
Lakewood Place Staffing Office	10011 Bridgeport Way SW #800	07/23/2020	FINAL	-
Sugar Faced Sweets (Proposed Bakery Kitchen)	11122 Gravelly Lake Dr SW	10/19/2020	FINAL	-
<b>BBQ Pete's</b>	6111 Lakewood Towne Ctr Blvd SW			\$61,085.00
Asian Counseling/Treatment Services	6111 Community Place SW	03/08/2021	FINAL	-
<b>Lowe's</b>	5115 100 <sup>th</sup> St SW	03/22/2021	FINAL	-
Chick-Fil-A	5429 100 <sup>th</sup> St SW	04/14/2021	FINAL	-
Xfinity	5606 Lakewood Towne Ctr Blvd SW	08/05/2021	FINAL	-
Mathnasium	5700 100 <sup>th</sup> St SW	10/18/2021	FINAL	-
US Bank	9310 Bridgeport Way SW	10/18/2021	FINAL	-
U-Break-I-Fix	10011 Bridgeport Way SW	11/29/2021	FINAL	-
Growing Tots Childcare	9805 Gravelly Lake Dr SW	12/03/2021	FINAL	-
Daiso	6111 Lakewood Towne Ctr Blvd SW	12/14/2021	FINAL	-
Crumb Cookie	5605 Lakewood Towne Ctr Blvd SW	12/27/2021	FINAL	-
Bristol Apartments (7 unit, 3 story bldg)	9615 Bristol Ave SW	07/26/2019	PENDING	\$5,477.72
Zesty Steak & Seafood	9905 Bridgeport Way SW		PENDING	\$2,174.00

### Economic Development Activity in the Downtown

Economic activity and development projects in the Downtown subarea, just like the rest of the City, were significantly negatively affected by COVID-19 in 2020 and 2021. Overall, Lakewood development activity began to pick up in 2021 and continues to do so in 2022, as demonstrated by the tables below regarding 1<sup>st</sup> Quarter 2022 City permits and fees revenue.





## CONCLUSION

2022 and beyond anticipate investment by the City as well as private developers into the Downtown subarea. To date, interactions with the new owners of Towne Center have been very positive regarding use of land within it toward the vision adopted in the subarea plan, including support for the creation of a central park and other green spaces as well as housing. On June 21, the City Council reviewed an MFTE application for the first mixed use project within the Downtown. The City continues to plan and seek funding for catalyst projects (e.g., road and open space improvements) that will spark additional private investment.

Draft amendatory language to Ordinances 695 and 696 that would reflect the Planning Commission's recommendations is included below.

## I. Ordinance 695

### Urban Design Policies + Strategies

**Strategy:** Monitor the impact of the Downtown Code in implementing this Plan in 2024 and at least biennially every five (5) years thereafter and amend the Plan and its associated regulations as needed to improve outcomes.

Table 5: Implementation Actions

	Plan Action	Timeline	Department
Urban Design + Land Use	<ul style="list-style-type: none"> <li>Update the City's Future Land Use Map and Zoning Map to designate the entire Study Area as "Downtown."</li> </ul>	Short-term	Community Development
	<ul style="list-style-type: none"> <li>Adopt a hybrid form-based code that combines design elements with traditional zoning to regulate Downtown development. Use Overlay Districts, Street Types, Building Frontage Standards, and a simplified list of allowed land uses in the subarea.</li> </ul>	Short-term	Community Development
	<ul style="list-style-type: none"> <li>Adopt standards to address the transition and minimize impacts from more intense development Downtown to lower-density residential neighborhoods.</li> </ul>	Short-term	Community Development
	<ul style="list-style-type: none"> <li>Encourage integrated mixed-use urban development, including housing, in the Downtown.</li> </ul>	Ongoing	Community Development
	<ul style="list-style-type: none"> <li>Train staff on maintenance and implementation of a hybrid form-based development code.</li> </ul>	Short-term	Community Development
	<ul style="list-style-type: none"> <li>Remove underlying deed restrictions and/or covenants that prohibit office, high density residential, and/or mixed-use development or open space.</li> </ul>	Mid-term	Community Development
	<ul style="list-style-type: none"> <li>Conduct a parking study in the Downtown to understand the existing demand for parking and identify opportunities for redevelopment of existing surface parking lots to support the implementation of this Plan.</li> </ul>	Short-term	Community Development
	<ul style="list-style-type: none"> <li>Update the City's parking requirements to "right size"</li> </ul>	Short-term	Community Development

	Plan Action	Timeline	Department
	the requirements based on the results of the parking study and to encourage shared parking and flexibility in meeting parking requirements. The updated parking requirements should consider parking maximums.		
	<ul style="list-style-type: none"> <li>Monitor the impact of the Downtown Code in implementing this Plan at least <u>biennially in 2024 and at least every five (5) years thereafter</u> and amend the Plan and its associated regulations as needed to improve outcomes.</li> </ul>	Short-term; Ongoing	Community Development
Economic Development	<ul style="list-style-type: none"> <li>Develop a Lakewood-specific business attraction and retention program with regional economic development partners including opportunities for incubator businesses.</li> </ul>	Ongoing	Community Development, Public Works Engineering, Parks and Recreation, Economic Development
	<ul style="list-style-type: none"> <li>Identify and implement incentives that would encourage new businesses to locate in Downtown Lakewood.</li> </ul>	Short-term; Ongoing	Economic Development
	<ul style="list-style-type: none"> <li>Provide resources for entrepreneurs and small businesses, including information available in multiple languages, and recruit key business services to the area.</li> </ul>	Short-term; Ongoing	Economic Development
	<ul style="list-style-type: none"> <li>Support a business improvement district and continue ongoing initiatives to make downtown Lakewood clean and safe.</li> </ul>	Short-term	Economic Development
	<ul style="list-style-type: none"> <li>Activate empty and underutilized places such as parking lots.</li> </ul>	Short-term	Community Development, Economic Development
	<ul style="list-style-type: none"> <li>Seek neighborhood businesses that provide daily goods and services in the CBD.</li> </ul>	Ongoing	Economic Development
	<ul style="list-style-type: none"> <li>Invest in civic amenities and infrastructure consistent with this Downtown Plan to attract business owners and investors who create living wage jobs.</li> </ul>	Mid-term	Community Development, Public Works Engineering, Parks and Recreation

	Plan Action	Timeline	Department
	<ul style="list-style-type: none"> <li>Explore the feasibility of a business incubator in Downtown and consider incorporating economic gardening for microenterprises into it.</li> </ul>	Mid-term	Economic Development
	<ul style="list-style-type: none"> <li>Work with local financial institutions on providing low interest loans for qualified small local businesses.</li> </ul>	Short-term; Ongoing	Economic Development
	<ul style="list-style-type: none"> <li>Implement “crime prevention through environmental design” principles at the time of design and through maintenance programs.</li> </ul>	Short-term; Ongoing	Community Development, Public Works Engineering,,
	<ul style="list-style-type: none"> <li>Improve regular police patrols through extension of public streets.</li> </ul>	Mid-term	Community Development, Public Works Engineering, Police Department
	<ul style="list-style-type: none"> <li>Evaluate regulations, procedures, and fees to remove barriers to business formation and development while remaining effective and reasonable to achieve the Vision of this plan.</li> </ul>	Short-term	Community Development
Housing	<ul style="list-style-type: none"> <li>Adopt form-based development regulations that improve the quality of attached and mixed-use housing development and create a walkable attractive Downtown.</li> </ul>	Short-term	Community Development
	<ul style="list-style-type: none"> <li>Revise land use and development regulations to promote mixed-use development within the CBD.</li> </ul>	Short-term	Community Development
	<ul style="list-style-type: none"> <li>Adopt transitional height and landscape standards to ensure compatibility with abutting lower-density areas.</li> </ul>	Short-term	Community Development
	<ul style="list-style-type: none"> <li>Engage affordable housing organizations about opportunities and partnerships to increase housing in the Downtown.</li> </ul>	Short-term; Ongoing	Community Development, Economic Development
	<ul style="list-style-type: none"> <li>Explore opportunities for transitional housing and services with homelessness service providers to address the health, social, and shelter needs of homeless in Lakewood.</li> </ul>	Short term; Ongoing	Community Development, Economic Development

	Plan Action	Timeline	Department
Street Grid, Streetscapes and Public Spaces	<ul style="list-style-type: none"> <li>Foster neighbor engagement and create a sense of safety through “crime prevention through environmental design” principles integrated into development designs.</li> </ul>	Ongoing	Community Development
	<ul style="list-style-type: none"> <li>Explore expanding current tax abatement programs and other incentives.</li> </ul>	Long Term	Community Development
	<ul style="list-style-type: none"> <li>Require land uses and development to support an active, safe, and engaging public realm in Downtown streets, parks, and public spaces.</li> </ul>	Mind-term; Ongoing	Community Development, Economic Development, Public Works Engineering, Parks and Recreation
	<ul style="list-style-type: none"> <li>Expand the number of events held in public spaces in Downtown by building off the success of the Lakewood Farmer’s Market.</li> </ul>	Short-term; Ongoing	Public Works Engineering, Community Development
	<ul style="list-style-type: none"> <li>Implement public and civic investment programs such as: public spaces, art, seasonal events; streets, streetscapes, and parks; and environmental remediation.</li> </ul>	Mid-term	Public Works Engineering, Community Development, Parks and Recreation
	<ul style="list-style-type: none"> <li>Adopt regulations for right-sized parking requirements, a larger on-street parking network, parking facilities within in structures or located away from the edges of streets and public spaces, and encouraged shared parking.</li> </ul>	Short-term; Ongoing	Community Development, Public Works Engineering
Transportation	<ul style="list-style-type: none"> <li>Amend City design and engineering standards to implement Downtown street sections.</li> </ul>	Short-term	Public Works Engineering
	<ul style="list-style-type: none"> <li>Ensure development standards require new development to provide convenient pedestrian connections to bus stops.</li> </ul>	Short-term	Community Development, Public Works Engineering
	<ul style="list-style-type: none"> <li>Provide pedestrian facilities and amenities, local access, on-street parking, and active streets on designated retail streets in the Downtown.</li> </ul>	Ongoing	Public Works Engineering
	<ul style="list-style-type: none"> <li>Prioritize the design and construction of the Green</li> </ul>	Ongoing	Community Development, Public Works Engineering

Plan Action	Timeline	Department
Loop, including the revision on Gravelly Lake Drive SW.		
<ul style="list-style-type: none"> <li>Provide sidewalks and/or upgraded sidewalk conditions within the Downtown area along the Green Loop roadways and along connections to parks and recreational spaces.</li> </ul>	Ongoing	Community Development, Public Works Engineering
<ul style="list-style-type: none"> <li>Construct high quality bicycle facilities for riders of all ages, including bicycle lanes and multi-use paths to provide safe east-west and north-south routes in the Downtown.</li> </ul>	Long-term	Community Development, Public Works Engineering
<ul style="list-style-type: none"> <li>Actively pursue the acquisition of the proposed public streets based on the priorities established in the Implementation Plan and as strategic opportunities arise.</li> </ul>	Short-term	Public Works Engineering
<ul style="list-style-type: none"> <li>Work with Pierce Transit, Sound Transit, and other partners to offer incentives to small employers that promote multimodal travel.</li> </ul>	Short-term	Public Works Engineering
<ul style="list-style-type: none"> <li>Provide a high level of transit stop amenities, including pads, bus shelters, and traveler information within the Plan area.</li> </ul>	Short-term	Pierce Transit, Public Works Engineering
<ul style="list-style-type: none"> <li>Conduct a parking study in the Downtown to understand the existing demand for parking and identify opportunities for redevelopment of existing surface parking lots to support the implementation of this Plan.</li> </ul>	Short-term	Community Development
<ul style="list-style-type: none"> <li>Update the City's parking requirements to "right size" the requirements based on the results of the parking study and to encourage shared parking and flexibility in meeting parking requirements.</li> </ul>	Short-term	Community Development
<ul style="list-style-type: none"> <li>Pursue opportunities to add on-street parking consistent with the street concept plans and support the redevelopment of existing surface parking lots and</li> </ul>	Short Term; Ongoing	Community Development, Public Works Engineering

	Plan Action	Timeline	Department
	prioritize access to street level retail uses.		
<b>Parks, Open Spaces, &amp; Trails</b>	■ Implement the Lakewood Legacy Plan urban parks level of service standard.	Mid-Term	Parks and Recreation, Community Development
	■ Explore grant and other funding opportunities for public space improvements and programming.	Mid-term	Parks and Recreation, Community Development, Public Works Engineering, Administrative Services
	■ Authorize partial fees in lieu of onsite parks and recreation facilities to contribute to central and linear park implementation.	Short-term	Parks and Recreation, Community Development
	■ Acquire land for and develop a central park in Downtown to provide citizens with recreation and cultural features.	Long-term	Community Development, Public Works Engineering
	■ Develop the Green Loop to connect the Downtown's parks, recreation, cultural, transit, and retail assets.	Short-term	Community Development, Public Works Engineering
	■ Explore the potential to designate a cultural district within Downtown to celebrate art and creativity and to attract funding.	Mid-term	Parks and Recreation
	■ Program and host events (e.g., farmers market, parades, holiday festivals or Oktoberfest) for Downtown public spaces.	Short-term; Ongoing	Parks and Recreation
	■ Create streetscapes and trails that link the Downtown area to parks and recreational facilities outside of Downtown.	Mid-term	Community Development, Public Works Engineering
<b>Stormwater</b>	■ Feature low impact development and green stormwater infrastructure along the Green Street Loop.	Short-term	Public Works Engineering, Community Development
	■ Use native and/or drought tolerant landscaping in the Downtown.	Short-term	Community Development, Public Works Engineering
	■ Provide educational signage at aboveground stormwater facilities and/or added natural features.	Short-term	Public Works Engineering
	■ Encourage that open ponds be an amenity for the Downtown, with both natural	Short-term	Public Works Engineering

	Plan Action	Timeline	Department
	landscape and urban access and edge treatments.		
	<ul style="list-style-type: none"> <li>Address protection and potential restoration of piped streams in development to improve downstream function.</li> </ul>	Mid-term	Community Development, Public Works Engineering
	<ul style="list-style-type: none"> <li>Require a conservation easement or other regulatory structure for piped streams to ensure the possibility of creek daylighting is not precluded by future redevelopment.</li> </ul>	Mid-term	Community Development, Public Works Engineering
	<ul style="list-style-type: none"> <li>Identify types of acceptable low impact development and green stormwater infrastructure techniques for small parcels in the Plan area. Be open to emerging ideas.</li> </ul>	Short-term; Ongoing	Public Works Engineering
Utility Infrastructure	<ul style="list-style-type: none"> <li>Facilitate the creation of public streets to maximize development potential that meets the Downtown Plan vision.</li> </ul>	Mid-term	Public Works Engineering, Community Development
	<ul style="list-style-type: none"> <li>Develop a water line replacement phasing plan in conjunction with the Lakewood Water District that dovetails with the installation of public street to reduce the costs of utility relocation.</li> </ul>	Short-term	Public Works Engineering
	<ul style="list-style-type: none"> <li>Coordinate with Pierce County on the relocation of sewer lines as public streets are developed.</li> </ul>	Short-term; Ongoing	Public Works Engineering
	<ul style="list-style-type: none"> <li>Promote energy-saving building materials and site designs (e.g., LEED or similar ranking systems) through development regulation incentives.</li> </ul>	Short-term; Ongoing	Community Development
Community Partnerships	<ul style="list-style-type: none"> <li>Create a Downtown Plan Advisory Commission with staff support to assist with implementation efforts.</li> </ul>	Mid-term	Community Development, Economic Development
	<ul style="list-style-type: none"> <li>Connect businesses to other Lakewood business support organizations' missions and programs including the Lakewood Chamber of Commerce.</li> </ul>	Short-term; Ongoing	Community Development, Economic Development

Plan Action	Timeline	Department
<ul style="list-style-type: none"> <li>Work with Lakewood Chamber of Commerce on a “buy local” initiative that builds on the small business movement.</li> </ul>	Short-term	Economic Development
<ul style="list-style-type: none"> <li>Seek community partnerships for the programming and management of public spaces for active use.</li> </ul>	Mid-term; Ongoing	Parks and Recreation
<ul style="list-style-type: none"> <li>Explore becoming a designated Main Street program through the State of Washington.</li> </ul>	Short-term	Community Development, Parks and Recreation

## II. Ordinance 696

### Section 4. Monitoring and Review.

- A. The City should monitor the progress of development in the designated Planned Action area ~~biennially~~ in 2024 and at least every five (5) years thereafter to ensure that it is consistent with the assumptions of this Ordinance and the Planned Action EIS regarding the type and amount of development and associated impacts and with the mitigation measures and improvements planned for the Planned Action Area.
- B. This Planned Action Ordinance shall be reviewed by the SEPA Responsible Official every ~~two (2) years~~ in 2024 and at least every five (5) years thereafter from its effective date in conjunction with the City's regular Comprehensive Plan review or docket cycle, as applicable. The review shall determine the continuing relevance of the Planned Action assumptions and findings with respect to environmental conditions in the Planned Action Area, the impacts of development, and required mitigation measures (Exhibit B) and Public Agency Actions and Commitments (Exhibit C). Based upon this review, the City may propose amendments to this Ordinance or may supplement or revise the Planned Action EIS.

### Exhibit D. Transportation Cost Estimates

6. The Planned Action Share Transportation Fees will be incorporated into the City of Lakewood's master fee schedule. Fees shall be subject to ~~biennial~~ review in 2024 and at least every five (5) years thereafter to affirm the cost basis.

## ATTACHMENT A

### RESOLUTION NO. 2022-05

**A RESOLUTION OF THE LAKEWOOD PLANNING COMMISSION RECOMMENDING AFFIRMATION OF THE DOWNTOWN SUBAREA PLAN, DEVELOPMENT CODE (LAKEWOOD MUNICIPAL CODE TITLE 18B) AND PLANNED ACTION AS ADOPTED IN ORDINANCE 695 AND 696, AND RECOMMENDING AMENDMENTS TO THE REVIEW SCHEDULE OF THE DOWNTOWN SUBAREA PLAN, DEVELOPMENT CODE (LAKEWOOD MUNICIPAL CODE TITLE 18B) AND PLANNED ACTION AS ADOPTED IN ORDINANCES 695 AND 696.**

WHEREAS, on October 1, 2018, the City of Lakewood City Council adopted Ordinance 695, which established a Downtown Subarea and adopted a Downtown Subarea Plan, added a new Title 18B to the Lakewood Municipal Code (LMC), and amended LMC Sections 18A.02.502, 18A.02.850, 18A.02.855, 18A.20.700 (E), 18A.50.425(A)(2), 18A.50.430(A) and (G), 18A.90.200, and the Comprehensive Plan and Land Use Map; and

WHEREAS, on October 1, 2018, the City of Lakewood City Council adopted Ordinance 696, which adopted a SEPA Planned Action related to the Lakewood Downtown Subarea; and

WHEREAS, per Ordinance 695, the Lakewood City Council monitors the impact of the Downtown Code in implementing this Plan at least biennially and amends the Plan and its associated regulations as needed to improve outcomes; and

WHEREAS, per Ordinance 696 Section 4, the Lakewood City Council monitors the progress of development in the designated Planned Action area biennially to ensure that it is consistent with the assumptions of the Ordinance and the Planned Action EIS regarding the type and amount of development and associated impacts and with the mitigation measures and improvements planned for the Planned Action Area; and

WHEREAS, per Ordinance 696 Section 4, the Planned Action Ordinance is reviewed by the SEPA Responsible Official every two (2) years from its effective date in

conjunction with the City's regular Comprehensive Plan review or docket cycle, as applicable, to determine the continuing relevance of the Planned Action assumptions and findings with respect to environmental conditions in the Planned Action Area, the impacts of development, and required mitigation measures (Exhibit B) and Public Agency Actions and Commitments (Exhibit C). Based upon this review, the City may propose amendments to Ordinance 696 or may supplement or revise the Planned Action EIS; and

WHEREAS, per Ordinance 696 Exhibit D, the Planned Action Share Transportation Fees are subject to biennial review to affirm the cost basis; and

WHEREAS, on September 8, 2020, the City of Lakewood City Council adopted Resolution 2020-13 affirming the Downtown Subarea Plan, Development Code (LMC Title 18B) and SEPA Planned Action (including Planned Action Share Transportation Fees) as adopted in Ordinance 695 and 696; and

WHEREAS, on July 13, 2022, following a discussion and review as directed in Ordinance 695 and 696, the Planning Commission held a duly noticed public hearing regarding the status and implementation of the Downtown Subarea Plan, Development Code (LMC Title 18B) and SEPA Planned Action; and

WHEREAS, after consideration of public testimony received, the Planning Commission considered whether to recommend any amendment to the Downtown Subarea Plan, Development Code (LMC Title 18B) and SEPA Planned Action; and

WHEREAS, the Planning Commission also considered whether to recommend amendments to the biennial review schedule for the Downtown Subarea Plan, Development Code and Planned Action;

**NOW, THEREFORE, BE IT RESOLVED BY THE LAKEWOOD PLANNING COMMISSION DOES RECOMMEND AS FOLLOWS:**

**Section 1.** Affirmation of the Downtown Subarea Plan, Development Code and SEPA Planned

Action. The Planning Commission recommends the affirmation of the Downtown Subarea Plan, Development Code (LMC Title 18B) and SEPA Planned Action as originally adopted in Ordinances 695 and 696.

**Section 2.** Schedule of Reviews of the Downtown Subarea Plan, Development Code and SEPA

Planned Action. The Planning Commission recommends updating the review schedule of the Downtown Subarea Plan, Development Code (LMC Title 18B) and SEPA Planned Action as originally established in Ordinances 695 and 696 as follows:

1. It is recommended that issues regarding the Downtown Subarea Plan, Development Code, and its SEPA Planned Action Ordinance (including the transportation mitigation fee (TMF)) be reviewed as part of the City's 2024 required Comprehensive Plan Periodic Update process rather than in a separate legislative process.
2. It is recommended that the frequency for the periodic review of the Downtown Subarea Plan, Development Code, and Planned Action Ordinance be changed from at least every two years to at least every five years after the 2024 Periodic Update. As a result, future periodic reviews would occur in 2029, 2034, and at least every five years thereafter.
3. If urgent and time sensitive issues are identified after the 2024 Periodic Update, it is recommended that they be considered within the City's annual Comprehensive Plan, development regulations, and fee schedule amendment cycles.

**Section 3.** The Lakewood Planning Commission hereby directs staff to transmit its recommendations as contained herein to the Lakewood City Council in a timely manner.

**PASSED AND ADOPTED** at a regular meeting of the City of Lakewood Planning Commission  
this 13<sup>th</sup> day of July, 2022, by the following vote:

AYES: 6 BOARDMEMBERS: DON DANIELS, RYAN PEARSON,  
PAUL WAGEMANN, PHILLIP COMBS, BRIAN PARSONS,  
ROBERT ESTRADA

NOES: 0 BOARDMEMBERS: NONE

ABSENT: 1 BOARDMEMBERS: LINN LARSEN

  
CHAIR, PLANNING COMMISSION

Attest:

  
KAREN DEVEREAUX, SECRETARY

## ATTACHMENT B

### BACKGROUND: DOWNTOWN SUBAREA PLAN VISION AND CONTENT

The Downtown subarea encompasses over 315 parcel acres, with three districts identified to reflect different characters. See Figure 1 below.

- **Colonial:** This district includes colonial-style commercial buildings. It includes the historic Lakewood Theater, which has not operated for approximately 20 years.
- **Town Center:** This district contains the upgraded Lakewood Towne Center, an auto-oriented shopping area with stores and restaurants, a transit center, the Lakewood Playhouse, and City Hall. (Referring to the district as a whole, “town” is used. Referring to the private mall, “towne” is used.)
- **East District:** This district at the intersection of Bridgeport Way SW and 100th Street SW has a mix of large auto-oriented commercial centers and smaller strip-commercial properties along arterials.

**Figure 1 (Downtown Subarea Boundaries and Districts)**



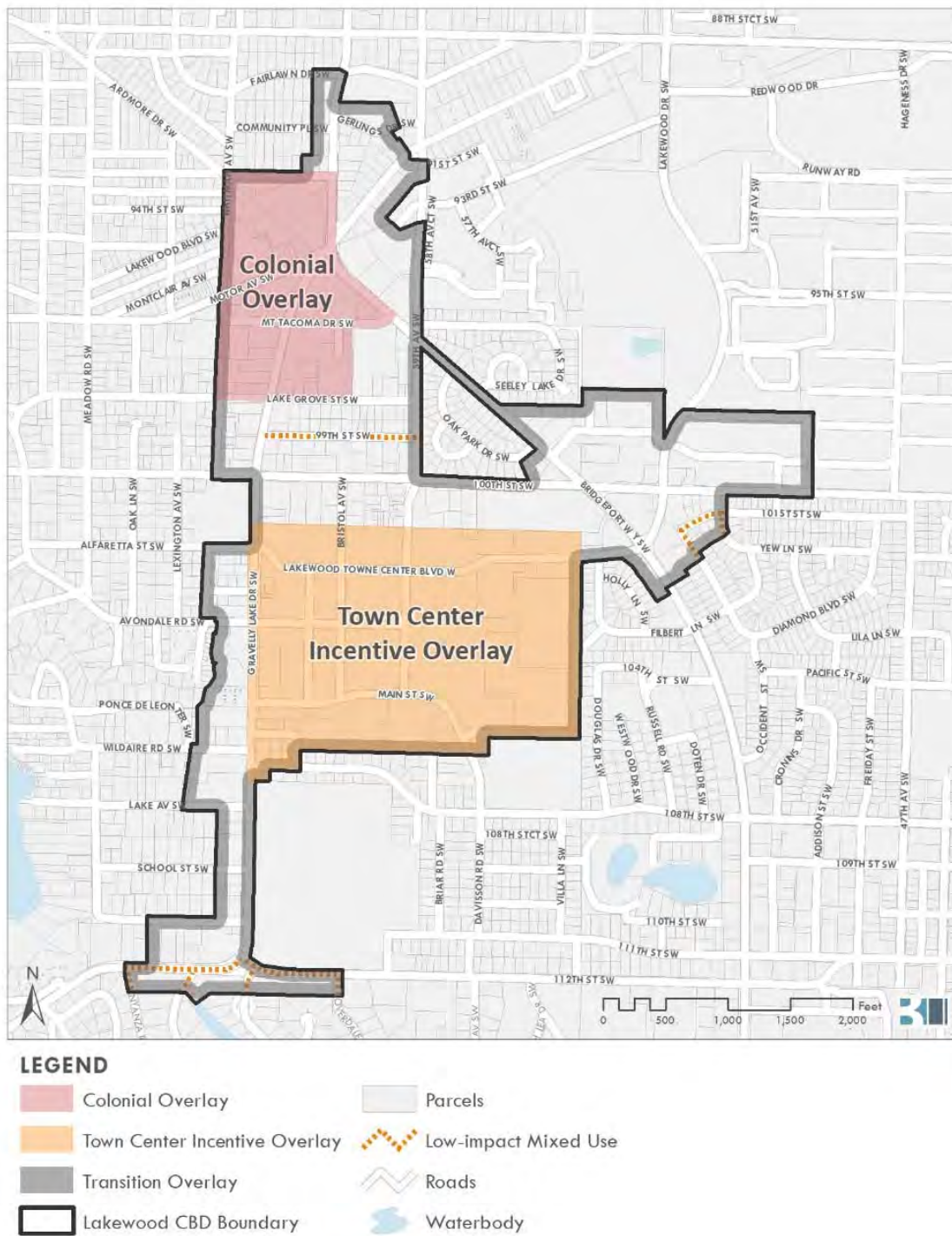
BERK Consulting 2018

When the Downtown subarea base zoning was adopted, overlay zoning districts were also adopted to provide unique characters or to address compatibility of abutting uses. The base and overlay zoning districts are described below:

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

See Figure 3 on the following page.

### Figure 3. Overlay Districts Map



As adopted, the intent of the subarea plan is to create a Lakewood Downtown focused in the Central Business District (CBD) zone, redeveloping it into a rich urban area with civic amenities, walkable streets, and a mix of uses including housing, entertainment, restaurants, and retail. Comprehensive Plan policies call for action to remove obstacles to mixed use development, invest in public community gathering spaces and public streets, and empower local organizations to promote the Downtown. The adopted vision statement follows:

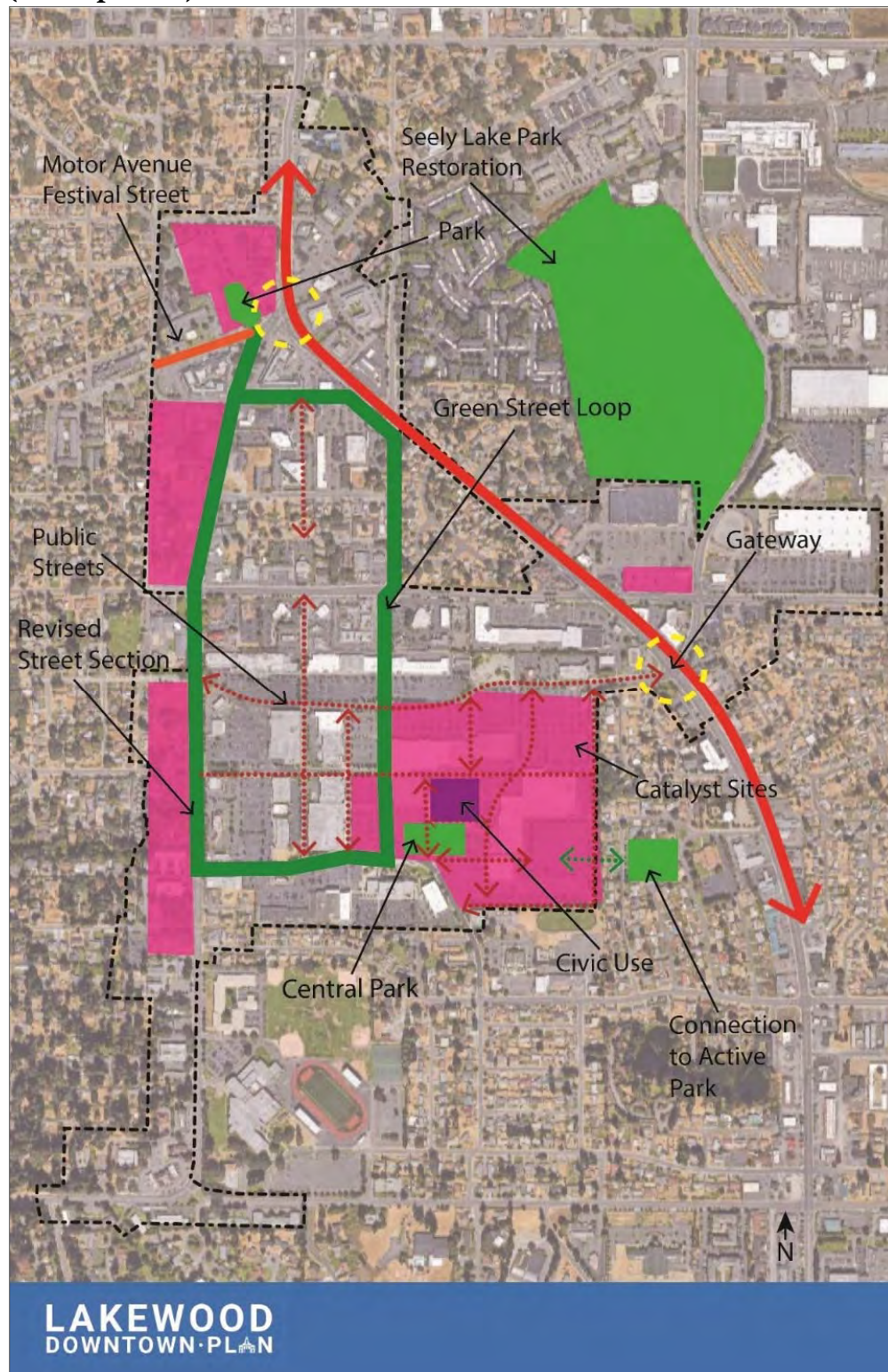
Our vision for downtown is that it is seen as the heart of Lakewood. Downtown is where people go to do fun things, see friends and neighbors, eat good food, and experience the cultural diversity of the City. Downtown brings a strong sense of pride for the community by celebrating all things Lakewood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

The overall Downtown Subarea concept plan was initially developed during the 2017 charrette and informed by the public design exercise, public input to date, and insights from the planning and design team based on best practices and experience on similar projects (See Figure 2). The following are highlights from the concept plan:

- **Green Street Loop:** To address the lack of park space, improve public streets, and improve circulation for pedestrians and bicyclists the green loop will include park like elements, green infrastructure, and support redevelopment in Downtown.
- **New Public Streets:** The Downtown lacks a dense and walkable street grid to support urban development, circulation, and an active public realm.
- **Central Park:** A new urban park of between two to four acres is proposed just north of City Hall to serve as the main gathering space for the community and to include a variety of features and programming.
- **Revised Gravelly Lake Drive:** As part of the Green Street Loop, a revised road design for Gravelly Lake Drive SW is proposed. The revision will allow for expanded sidewalks and a multi-use path on the east side of the street.
- **Catalyst Sites:** Catalyst sites are the best opportunities to weave together public improvements in infrastructure and amenities with infill and redevelopment by the private sector. The best opportunities for redevelopment based on vacant and underutilized sites, and large surface parking areas, and surrounding context have been identified as catalyst sites in the near term to further the implementation of this Plan.
- **Festival Street:** The City intends to move forward with creating a festival street along Motor Avenue consistent with the adopted concept plan for Lakewood Colonial Plaza Project. The plan includes a large central plaza, a pedestrian

promenade, a farmer's market and event structure, street trees, landscaping, and public art opportunities.

**Figure 2 (Concept Plan)**



In September 2019, the City completed the Colonial Plaza improvements along Motor Avenue within the Downtown subarea, which had been identified as the “Festival Street” in the Downtown Plan. The new stretch of roadway incorporates modern/upscale urban design practices, creating a vibrant and welcoming public gathering space with a park-like atmosphere. It also provides a central gathering space in the Lakewood downtown area, and will be the site of the upcoming inaugural Lakewood Night Market.

The Tacoma-Pierce County Economic Development Board named Colonial Plaza as one of its 2020 Excellent 10 projects as a catalyst site for private development and for its creation of new public open space. In addition, the Tacoma-Pierce County Health Department awarded Lakewood a Platinum Healthy Community Award for the Colonial Plaza because of its enhancement of the quality of life for Lakewood residents and visitors.



#### Private Projects within the Downtown Subarea

Since adoption of the DSAP package in late 2018, 35 projects within the subarea have been discussed with the City either informally or through formal permit submittal. The map below identifies project locations between January 1, 2019 and March 31, 2020.



## ATTACHMENT C

### ORDINANCE NO. 695

AN ORDINANCE of the City Council of the City of Lakewood, Washington, adopting the Downtown Subarea Plan as an element of the Comprehensive Plan, amending the Lakewood Municipal Code by establishing a new Title 18B (Downtown Development Code), amending Lakewood Municipal Code Chapters 18A.02 (Administration), 18A.20 (Land Use Types and Levels), 18A.50 (Development Standards), and 18A.90 (Definitions), and amending the Lakewood Comprehensive Plan and Land Use Map.

#### I. RECITALS

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

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

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

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

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

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

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

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

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

WHEREAS, implementation of the “Downtown Subarea Plan Packet” (including the Downtown Subarea Plan, amendments to the Lakewood Land Use and Development Code to adopt a new Chapter 18B (Downtown Development Code)), would improve conditions for pedestrians and bicyclists. Design regulations would include standards related to: integration of the natural environment including new parks, building design, low-impact development surface water features, public art, pedestrian experience and streetscapes, public spaces, mixed-use building features, site planning, parking, lighting, screening, and signage; and

WHEREAS, the DSAP would substantially increase housing capacity and commercial space and further support business investment with more flexible zoning and civic and infrastructure investments. Tax exemptions for low and moderate-income housing units in “Tax Incentive Urban Use Centers” are allowed per LMC Chapter 3.64; the DSAP area is within a TIUUC. Over 300 respondents to an online survey about the DSAP showed a strong interest in: housing for senior and disabled; mixed use with housing and commercial use on the same site or in the same building; and transitional housing for homeless persons and families; and

WHEREAS, the DSAP job mix would change to more services jobs and less retail. Office and professional services jobs offer higher wages than typical retail jobs and support the increase of a jobs-housing balance. The DSAP would also serve to co-locate dwelling units and jobs, meaning people can live, work, and play in the same area; and

WHEREAS, the Planning Commission, held a duly noticed public hearing on May 2, 2018 regarding the “Downtown Subarea Plan Packet” (including the Downtown Subarea Plan, amendments to the Lakewood Land Use and Development Code to adopt a new Chapter 18B (Downtown Development Code), associated amendments to the City's Comprehensive Plan text and Land Use Map, and associated amendments to the Lakewood Municipal Code at Chapters 18A.02 (Administration), 18A.50 (Development Standards) and 18A.90 (Definitions)), reviewed the public record and made a recommendation to the City Council on June 20, 2018; and

WHEREAS, the City Council held a duly noticed public hearing on July 16, 2018 regarding the “Downtown Subarea Plan Packet” and reviewed the public record; and

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

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

WHEREAS, pursuant to RCW 43.21C and WAC 197-11-508, the City submitted information to the Department of Ecology related to the Downtown Subarea Planned Action Environmental Impact Statement via the SEPA register on March 16, 2018 and the materials were assigned SEPA Register #201801318; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), RCW 43.21C, the City issued the Downtown Subarea Final Planned Action Environmental Impact Statement (FPAEIS) on July 12, 2018, which identifies the impacts and mitigation measures associated with the adoption of the Subarea Plan. The City issued an Addendum to the FPAEIS on September 10, 2018 and a Second Addendum on September 25, 2018.

## **II. FINDINGS**

The procedural and substantive requirements of the State Environmental Policy Act (RCW 43.21C) have been complied with.

The procedural requirements of the Growth Management Act (RCW 36.70A) have been complied with.

The proposed amendments are consistent with the requirements of Revised Code of Washington (RCW), and the Washington Administrative Code (WAC.)

The proposed amendments are consistent with the City of Lakewood Comprehensive Plan.

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

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

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

The Lakewood City Council finds and determines that the regulation of development and land use within the Downtown is within the City's regulatory authority.

The Lakewood City Council finds and determines that approval of such amendments to the Comprehensive Plan and Land Use and Development Code is in the best interests of the residents of Lakewood, and will promote the general health, safety and welfare.

The Lakewood City Council finds and determines that regulation of land use and development is subject to the authority and general police power of the City, and the City reserves its powers and authority to appropriately amend, modify and revise such land use controls in accordance with applicable law;

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

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

**Section 1. Adoption of the Downtown Subarea Plan.** The Downtown Subarea Plan, filed with the Community and Economic Development Department and attached hereto as **Exhibit A**, is adopted as an optional element of the Comprehensive Plan.

**Section 2. Adoption of Downtown Development Code.** The City of Lakewood's Municipal Code is amended to include a new Title 18B, Downtown Development Code, filed with the Community and Economic Development Department and attached hereto as **Exhibit B**.

**Section 3. Amendment of the Comprehensive Plan and Land Use Map.** The City of Lakewood's Comprehensive Plan is amended to include the Downtown Subarea Plan, the City's Comprehensive Plan Land Use Map is amended to include the land use designations set forth in

the Downtown Subarea Plan, and the Comprehensive Plan's text is hereby amended as shown in **Exhibit C**, filed with the Community and Economic Development Department and attached hereto.

**Section 4. Amendment of Lakewood Municipal Code Title 18A.** The City of Lakewood's Municipal Code Title 18A is amended at Chapter 18A.02 (Administration), 18A.20 (Land Use Types and Levels), 18A.50 (Development Standards), and 18A.90 (Definitions) as shown below, filed with the Community and Economic Development Department.

#### **18A.02.502 Process Types - Permits**

**TABLE 3: APPLICATION PROCESSING PROCEDURES**

	<b>Process I Administrative Action</b>	<b>Process II Administrative Action</b>	<b>Process III Hearing Action</b>	<b>Process IV Hearing Action</b>	<b>Process V Legislative Action</b>
Permits	Zoning certification; Building permit ; Design Review; Sign permit; Temporary Sign permit; Accessory Living Quarters; Limited Home Occupation; Temporary Use; Manufactured or Mobile Home permit; Boundary Line Adjustments; Minor modification of Process II and III permits; Final Site Certification; Certificate of Occupancy; ***Sexually Oriented Business extensions, <u>Form-Based Code Review</u>	Administrative Uses; Short Plat; SEPA; Home Occupation; Administrative Variance ; Binding Site Plans, Minor Plat Amendment, Major modification of Process II permits; Shoreline Conditional Use; Shoreline Variance; Shoreline Substantial Development Permits; Cottage Housing Development (may be considered together with residential binding site plan)	Conditional use; Major Variance; Preliminary Plat; Major Plat Amendment; Major modification of Process III permits: Shoreline Conditional use; Shoreline Variance; Shoreline Substantial Development Permit when referred by the Shoreline Administrator; Public Facilities Master Plan; <u>Master Planned Development – Town Center Incentive Overlay</u>	Zoning Map Amendments; Site-specific Comprehensive map amendments; Specific Comprehensive Plan text amendments; Shoreline Redesignation, **Final Plat**, **Development Agreement**  **No hearing required or recommendation made by Planning Commission**	Generalized or comprehensive ordinance text amendments; Area-wide map amendments; Annexation; Adoption of new planning-related ordinances

Add the following in LMC 18A.90.200 Definitions:

Building Recess: A recessed portion of a development created by the overhanging upper portion of the building to provide a sheltered area at grade level for pedestrians.

Marquee: A roof-like projection over the entrance to a theater, hotel, or other building.

Weather Protection: Awnings, canopies, marquees, building recesses, and arcades designed to shield pedestrians from precipitation or to offer shade.

Mixed Use Development: The development of a parcel or structure with one or more different land uses, such as a combination of residential, office, retail, public, or entertainment in a single or physically integrated group of structures. Mixed use is characterized by: 1) Complementary land uses – land uses that are at least compatible and, preferably, work together for mutual benefit (e.g., personal commercial services that serve adjacent residences); and 2) Convenient pedestrian connections.

Amend the following definition in LMC 18A.90.200 Definitions:

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

Amend the following sections of LMC Title 18A as follows:

**18A.02.850 Termination of Nonconforming Status.**

A. A nonconforming structure or use or lot shall terminate under the following conditions:

1. When the use has been discontinued for a period of six (6) or more months.

2. When a nonconforming structure has been damaged or destroyed to an extent exceeding fifty (50) percent or more of its fair market value as indicated by the records of the Pierce County Assessor.

3. When a nonconforming lot becomes subject to landscaping, site planning, or site design requirements.

B. Provided; that damaged uses that are allowed to reestablish, as provided in LMC 18A.02.855, Damage or Destruction, shall not be considered to be terminated. Once terminated, the use shall not be reestablished, and any subsequent use must comply with the regulations of the zoning district in which it is located. (Ord. 264 § 1 (part), 2001.)

#### **18A.02.855 Damage or Destruction - Nonconformities.**

A. If a nonconforming use or structure is damaged or destroyed by any means to the extent of fifty (50) percent or more of fair market value, it may not be reestablished except in compliance with the regulations of the zoning district in which it is located. This provision shall not apply to dwelling units located in residential districts or in established mobile home parks, which may be reconstructed or replaced with no substantial change in floor area or other nonconforming feature.

B. If a nonconforming use or structure is damaged due to an involuntary event of fire, natural disaster or other casualty, to the extent of less than fifty (50) percent of fair market value, it may be restored to substantially the same extent of nonconformance as preexisted the damage, provided that all applicable construction permits are obtained prior to commencement of demolition and reconstruction. This provision shall not be construed as reducing any requirements of construction standards in effect for rebuilt structures. Restoration or replacement shall commence within one (1) year from the date of damage or the use shall be terminated pursuant to LMC 18A.02.850, Termination

of Nonconforming Status. (Ord. 264 § 1 (part), 2001.) Subsection B shall not apply to the Downtown District in LMC 18B; instead proportional compliance 18B.730 (C) and (D) shall apply.

C. A nonconforming lot landscaping or site design must be brought into conformity if improvements are damaged or destroyed greater than 50% of the value. Restoration or replacement shall commence within one (1) year from the date of damage or the use shall be terminated pursuant to LMC 18A.02.850, Termination of Nonconforming Status.

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

E. Flex Space. Mixed-use industrial buildings or parks adaptable to multiple use types which primarily serve a number of small to medium-size tenants, which predominantly require direct access for truck deliveries and have limited or controlled on-site customer service, and which are generally comprised of adaptable open floor space with a delineated office area.

Level 1: Commercial office/warehouse/retail/residential uses combined within a single structure or structures, where residential is limited to live/work space and where a maximum of thirty-five (35) percent may be office use and a maximum of twenty-five (25) percent may be retail use.

Level 2: Commercial office/warehouse combined within a single structure or structures, where a maximum of thirty-five (35) percent may be office use. In the Central Business District zone, Level 2 Flex Space may include retail to a maximum of twenty-five (25) percent.

Level 3: Commercial office/secondary manufacturing and major assembly and limited manufacturing/assembly at the level allowed in the zoning district, combined within a single structure or structures, where a maximum of twenty-five (25) percent may be office use and where a maximum of fifty (50) percent may be warehouse use.

#### **18A.50.425 Landscaping Types.**

A. The landscaping types are intended to provide a basic list of landscaping standards that may be applied within a proposed project as necessary to provide for the intent of the comprehensive plan.

\*\*\*

2. Type II, Streetscapes. A unifying theme of canopy type trees along a public or private street within the right-of-way, with an optional landscaping strip and a minimum five (5) to eight (8) foot wide sidewalk citywide, or eleven (11) to twenty (20) feet in the CBD zone, as required by the City Engineer, shall apply to all zones and shall be applied to all proposed developments other than a single family dwelling. The following standards shall be applied:

- a. Curb, gutter, and sidewalks standards as required in LMC 18A.50.135 Streetscapes, LMC 17.46 Site Development Regulations, LMC Title 12, Streets Sidewalks and Public Thoroughfares, and LMC 18B, Downtown Development Code.
- b. Landscaping strip of vegetative groundcover of three to eight feet in width, or as specified in LMC 18B, Downtown Development Code. at the discretion of the City Engineer, located between the curb and the sidewalk.
- c. Deciduous street trees, pursuant to LMC 18A.50.440 Street Tree Standards are required along the entire street frontage at a spacing of no more than thirty (30) feet on center or as required to continue the existing pattern of street, whichever is less distance.
- d. Tree wells, a minimum of four (4) foot in any dimension, with a grating system approved by the City Engineer, are required when trees are placed within the sidewalk. Sidewalks must maintain a minimum 48-inch clear width exclusive of

curbing. Trees not located on the sidewalk shall be centered on the landscaping strip, or behind the sidewalk within 10 feet of the right-of-way if the right-of-way is insufficient to accommodate street trees, or if curbs, gutters and sidewalks already exist.

e. Level 1 Utilities shall be placed underground as appropriate.

f. Street lights as directed by the City Engineer.

g. Landscaped medians within the roadway may be required at the discretion of the City Engineer and the Community Development Director including.

(1) Curb, gutter, four (4) to twelve (12) foot wide landscaping strip within the roadway with a length determined by the City Engineer.

(2) One (1) street tree at each end of the median, plus one (1) street tree per thirty (30) feet of median.

(3) Vegetative groundcover.

(4) Small shrubs shall be placed within the landscaping strip so as to cover thirty (30) percent of the strip, have a maximum bush height of three (3) feet, and provide year-round screening.

h. Bus stop(s), benches and/or bus shelter(s) as deemed necessary by the Community Development Director and Pierce Transit.

\*\*\*

#### **18A.50.430 Landscaping Regulations by Zoning Districts.**

A. Type II, Streetscape shall apply to all zones and shall be applied to all proposed developments other than a single family dwelling, pursuant to LMC 18A.50.135 Streetscapes, LMC

17.46 Site Development Regulations, and LMC 12.02, Streets Sidewalks and Public Thoroughfares, and LMC 18B, Downtown Development Code.

\*\*\*

G. Zones and Uses Minimum Landscaping Requirements

\*\*\*

2. Multi Family Uses/Zones that abut:

Single Family Uses/Zones Type I, Vegetative Buffer, 10' landscape strip, except CBD 20 feet landscape strip in Transition Overlay

Open Space and Recreation Zones Type I, Vegetative Buffer, 10' landscape strip

3. Neighborhood Business and Commercial Uses/Zones that abut:

Single Family Uses/Zones Type I, Vegetative Buffer, 15' landscape strip, except CBD 20 feet landscape strip in Transition Overlay

Multi Family Uses/Zones Type I, Vegetative Buffer, 10' landscape strip, except CBD 20 feet landscape strip in Transition Overlay

Open Space and Recreation Zones Type I, Vegetative Buffer, 10' landscape strip

\*\*\*

**Section 2. Severability.** If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

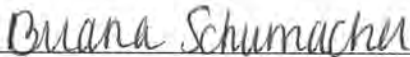
**Section 3. Effective Date.** That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 1<sup>st</sup> day of October, 2018.

CITY OF LAKEWOOD

Attest:

  
Don Anderson, Mayor

  
Briana Schumacher, City Clerk

Approved as to Form:

  
Heidi Ann Wachter, City Attorney

**EXHIBIT A**

Exhibit A – Downtown Subarea Plan

**EXHIBIT B**

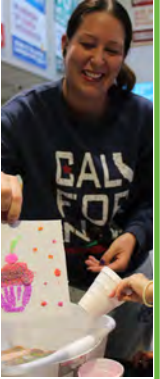
Exhibit B – Downtown Development Code (new LMC Title 18B)

**EXHIBIT C**

Exhibit C – Comprehensive Plan Amendments



# LAKEWOOD DOWNTOWN·PLAN



CITY COUNCIL APPROVED OCTOBER 2018

Prepared by: BERK  
ESA  
Fehr & Peers  
Framework  
KPG  
Seth Harry &  
Associates

## **VISION STATEMENT**

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

## **GUIDING PRINCIPLES**

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

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

# City Council Approved Lakewood Downtown Plan

City of Lakewood | October 2018

Prepared by: BERK, ESA, Framework, Fehr & Peers, KPG, and Seth Harry & Associates

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## Introduction

A major goal of the City of Lakewood is to create a Downtown focused in the Central Business District (CBD) zone, redeveloping it into a rich urban area with civic amenities, walkable streets, and a mix of uses including housing, entertainment, restaurants, and retail. See Figure 1. Downtown Lakewood has significant economic and cultural assets to build upon and some challenges to overcome. To help attain this ambitious goal for Downtown Lakewood, the City of Lakewood has commissioned this Lakewood Downtown Plan, considered a subarea plan under the Growth Management Act.

This Downtown Plan honors past planning efforts, and weaves in fresh ideas from extensive outreach efforts in fall 2017. This plan describes a vision, land use and design, gathering places, and action strategies that will help bring about desired change and development. This plan will be implemented by new design-oriented zoning standards. A proposed Planned Action Ordinance will streamline environmental review.

The Lakewood Downtown Plan encompasses over 315 parcel acres, with three districts that illustrate different characters. See Figure 1.

- **Colonial:** This district includes colonial-style commercial buildings. It includes the historic Lakewood Theater, which has not operated for approximately 20 years.
- **Town Center:** This district contains the upgraded Lakewood Towne Center, an auto-oriented shopping area with stores and restaurants, a transit center, the Lakewood Playhouse, and City Hall. Referring to the district as a whole, "town" is used. Referring to the private mall, "towne" is used.
- **East District:** This district at the intersection of Bridgeport Way SW and 100th Street SW has a mix of large auto-oriented commercial centers and smaller strip-commercial properties along arterials.

## History of Lakewood and the Downtown

Lakewood was a part of unincorporated Pierce County until 1996, when it officially incorporated to become the City of Lakewood. The City of Lakewood is now more than 20 years old and has a population of nearly 60,000 people. The City's existing auto-oriented development pattern reflects the Pierce County regulations that governed development for most of the community's history. In the last update to the City's Comprehensive Plan, the Lakewood community said that urban design was the number one issue that the City should address.

Figure 1. Downtown Plan Vicinity



BERK Consulting 2018

Downtown exemplifies Lakewood's auto-oriented pattern, but is also rich with history. In 1937, Norton Clapp built part of the Lakewood Colonial Center, one of the first suburban shopping centers in the country.

The original Lakewood Towne Center development was built a short distance away almost two decades after the Colonial Center was built. The Lakewood Towne Center property started as a Catholic girls' school. It was transformed into an auto-oriented strip mall in the 1950s called the Villa Plaza Shopping Center. In 1986, it became an indoor mall called the Lakewood Mall. In 2001, the site was "demalled" and converted into a "power center" (a development type with category-dominant anchors, including discount department stores, off-price stores, wholesale clubs, with only a few small tenants<sup>1</sup>) combined with neighborhood and civic center elements. It was renamed the Lakewood Towne Center at that point. Over the past 60 years, the property has changed ownership at least nine times. Facing rapidly evolving economic trends, such as online retail, the center is poised to evolve again into a destination-regional center that is walkable, mixed-use, and transit supportive.

This Plan maintains the spirit of the area's history while creating a new path for redevelopment within the Downtown.

## Related planning efforts for Downtown

### *Comprehensive Plan and Community Vision*

Citywide Comprehensive Plan policies, and the standards required and encouraged by the City of Lakewood, apply to the development of the Downtown Plan area. The policies and actions in this Downtown Plan supplement citywide guidance, providing specific direction for implementing the Downtown vision.

This Downtown Plan implements the Lakewood Community Vision that calls for a dynamic future and economic prosperity:

*Our VISION for Lakewood is a thriving, urban, South Puget Sound City, possessing the core values of family, community, education, and economic prosperity. We will advance these values by recognizing our past, taking action in the present, and pursuing a dynamic future.*

A key strategy to attaining the Lakewood Community Vision is a recognizable downtown through development of the Central Business District (CBD) as described in Section 1.4.3 of the Lakewood Comprehensive Plan:

*The CBD is the center of commercial and cultural activity for the city. It encompasses both the Lakewood Towne Center and Colonial Center. The area in and around the Towne Center is envisioned as a magnet for intensive mixed use urban development including higher density office and residential uses. At the north end of the CBD, the Colonial Center will serve as the hub of Lakewood's cultural activity. Higher quality, denser urban redevelopment is expected within the District, noticeably increasing social, cultural, and commercial activity. Streetscape and other urban design improvements will make this area more accessible and inviting to pedestrians.*

Comprehensive Plan policies call for action to remove obstacles to mixed use development, invest in public community gathering spaces and public streets, and empower local organizations to promote the Downtown:

- Remove underlying deed restrictions and/or covenants that prohibit office development, open space, high density residential development and/or mixed-use development in the Towne Center. (LU-19.5)
- Acquire lands and construct community-gathering destinations such as plazas, open space or community facilities within the Towne Center. (LU-19.6)

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<sup>1</sup> Sources: ICSC Research and CoStar Realty Information, Inc.

- Support the formation of a Towne Center association or similar organization to establish economic improvement strategies and to sponsor social and safety events. (LU-19.7)
- Consider the use of the City's eminent domain powers to establish public streets and public open spaces in the Towne Center. (LU-19.8)
- Revise land use and development regulations to require mixed use development within the CBD for any new development excepting standalone commercial pads and service commercial uses. (LU-19.9)

### *CBD Assessment*

A CBD Assessment developed in 2017 presents demographic, economic, and market information, as well as findings from targeted research and stakeholder engagement, to establish a shared understanding of baseline conditions in the CBD and to set realistic parameters for this Downtown Plan. Major report themes included:

- **Visioning.** Work with the community to set a realistic but aspirational Vision.
- **Place-Making** Create quality public spaces that contribute to people's health, happiness, and well-being.
- **Overcoming Lakewood's Community Challenges.** Implement strategies to overcome challenges to be successful in its subarea planning. These include: public safety, cleanliness, empty storefronts, fragmented property ownership, and a diffused, auto-oriented built environment.
- **Investing in Key Development Opportunities.** Successfully use public and private investment redevelopment opportunities to advance the community's Vision for the CBD.

The CBD Assessment shows a market potential of three million square feet of commercial growth in the City and much of that could be attracted to the Downtown through appropriate investments in amenities and infrastructure, as well as appropriate zoning and design standards. The CBD Assessment ideas and information are woven into this Downtown Plan.

### *Lakewood Colonial Plaza Project*

The Motor Avenue area was identified as an opportunity to create a much-desired public open space for Lakewood's Downtown, which currently lacks the urban design features desired by the community. Motor Avenue is owned by the City as public right-of-way and currently has low volumes of traffic. Its central location and adjacency to Lakewood Colonial Center offers an exciting potential to create a vibrant, welcoming community gathering space that is a key component of Lakewood's vision. The Motor Avenue Urban Design Vision (2016) creates an urban design and streetscape plan including ideas for programming the space. The urban design implementation effort is now called Lakewood Colonial Plaza Project and is integrated into this Downtown Plan.

## Existing Conditions Summary

As part of this Downtown Plan effort, an Existing Conditions Report characterizes the present status of natural systems and the built environment. This, together with the CBD Assessment, describe the current situation and are considered in this Plan. The information is also integrated into the companion Planned Action Environmental Impact Statement.

Table 1. Top Takeaways – Lakewood Downtown Conditions

Topic	Summary
Natural Environment	<p>Streams, some fish bearing, cross the Study Area in open channels and in enclosed pipes. City policies support restoration.</p> <p>Most of the area is developed with impervious surfaces though the area is an aquifer recharge area.</p> <p>Future redevelopment would be required to meet newer stormwater regulations and that would improve water quality.</p>
Land Use	<p>Current development is largely commercial, single story, with extensive parking, though the Comprehensive Plan Future Land Use Designation and Zoning authorize mixed-use buildings of much greater height. There is little housing. This is partly due to Covenants, Conditions &amp; Restrictions (CC&amp;R's) on the Lakewood Towne Center site, but is also due to the auto-oriented era in which development first occurred.</p> <p>Considering the CBD zoning and vacant and redevelopable land, as well as parking lots, there is a large capacity for employment and housing uses with underbuilding parking.</p>
Population, Housing, Employment	<p>The Study Area contains little housing and population. Market studies show an opportunity to add quality housing in the Study Area within the planned density of the area and with an investment in amenities such as parks.</p> <p>The Study Area is mostly in commercial use and contains over 5,000 jobs. Relatively lower-wage service sector jobs make up the bulk of this employment. Monthly wages earned would not be sufficient to support housing costs at fair market rents.</p>
Transportation	<p>Auto congestion is minimal outside of several key intersections along routes leading to I-5.</p> <p>Pedestrian and bicycle connections in the Study Area could be improved within and between districts to make non-motorized travel a more attractive and comfortable option.</p> <p>Lakewood's Transit Center acts as a hub for many Pierce Transit bus routes; this resource could be enhanced with better pedestrian and bicycle connections into the surrounding areas.</p> <p>Likewise, improved facilities between the Study Area and Lakewood Station could help connect the Study Area with a valuable regional transit amenity.</p>
Public Services	<p>The Study Area is fully served by public safety and school services. Water and sewer service is also available though some water lines in the Study Area will require replacement due to age.</p> <p>There are cultural facilities – a library, museum, and theater – but the primary finding in the Study Area is the lack of parks and open space. The City has developed urban design concepts for a linear park, and the CBD Assessment (BERK Consulting, 2017) has suggested placemaking as a tool to add gathering spaces and support economic development.</p>

*McCament & Rogers, 2014, BERK, ESA, and Fehr & Peers 2017*

## Challenges and Opportunities

Based on CBD Assessment stakeholder interviews and a Downtown Plan developer forum held in 2017, many assets, challenges, opportunities, and incentives were defined and considered in this Plans policies and strategies:

### Assets

- **Natural assets** that attract residents to community and by extension Downtown: natural features such as the lakes, creeks, and trees – though lakes are hidden – how to connect.
- Strengths of community and market area for Downtown: **cultural diversity and adjacent to JBLM**.
- **Attractive entertainment** and civic uses (AMC Theater stadium seating, Farmers Market).
- **Access and transit** center including informal park and ride that brings customers. Traffic patterns – customers and visibility on major roads.

### Challenges

- **Homelessness:** there are many homeless persons in Town Center area. Need solutions for services and housing, and will take broader effort by more than the City of Lakewood.
- **Perception of safety**, in part driven by factors unrelated to Town Center area or City conditions, that deter customers and residents.
- **Perceptions of quality of life:** Poorly maintained housing, lack of housing options, schools, and crime combine to deter new residents.

### Opportunities

- **Housing Options:** Adding housing options in Town Center area that is attractive to all incomes and fits community needs is important – future retirees may want luxury apartments, seniors need different housing choices including ability to age in place, young professionals want to live and work in same area provided there are amenities.
- Create a downtown that **attracts businesses with primary, high wage jobs**. For example, the City could incentivize office uses and other living-wage businesses. Encourage live/work to encourage entrepreneurs and younger households.
- **Catalyst sites for private reinvestment** on parking lots, vacant shopping centers, other possible redevelopment sites – Colonial Center, Lakewood Colonial Plaza Project, Southeast corner of Towne Center, west side of Gravelly Lake Drive SW, Bridgeport Way/Lakewood Drive, others.
- **Making more walkable and attractive** – break up blocks, add park features.
- **Cohesive and Connected Transportation and Landscaping:** Better signage, wayfinding, and beautification from highway interchanges and gateways to Downtown, and connection from Lakewood Station to Town Center.
- **Business owners work together and in collaboration with City:** e.g. form a business improvement district; incentives and funding for cleanup and maintenance (e.g. graffiti).

### Incentives

- **Have clear and flexible regulatory environment:** adjust zoning map and density; clear design standards and simple design review; address parking standards; other.
- Tax abatement and incentives.
- **Public and civic investments:** public spaces, art, seasonal events; streets, streetscapes, and parks; environmental remediation.

## What We Heard

Between September and November 2017, Lakewood hosted twelve public outreach and engagement efforts to encourage residents and business and property owners to participate in conversations about the best future for Downtown. Over 645 persons were reached through going to community markets, festivals, and classrooms, facilitating focus groups, hosting a multi-day charrette, and conducting an online survey. A dedicated website was created with hundreds of unique views: [www.lakewooddowntownplan.org/](http://www.lakewooddowntownplan.org/).

Activities promoted meaningful dialogue within Lakewood's diverse community of businesses and residents and included: imagining places for live, work, and play at four elementary school classrooms; a visioning exercise with the Lakewood Youth Council; intercept surveys at the BooHan Market, JBLM commissary, JBLM PX, and El Mercado Latino; a focus group discussion with the Korean Women's Association; and a developer's forum. See Figure 2.

Lakewood also provided comment opportunities on the Draft Plan during March 20 July 2018, including public meetings, hearings, and an online survey. Results are incorporated into this plan Vision, Policies, and Strategies.

### OUTREACH THEMES

More **entertainment** venues and restaurants

More **retail choices**, both mom and pop and brand stores

**Well-designed housing** for seniors & disabled and **mixed use** with housing and commercial together, within walking distance of work, shopping, and buses

**Pedestrian friendly** street design, well-maintained and safe roads

**Family activities and gathering spaces**, including Outdoor recreation (e.g. spray park, climbing walls, skating rink, other) and indoor cultural facilities (e.g. expanded library, children's museum, etc.)



## Vision for Downtown

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

### Vision Statement

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

### Guiding Principles

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

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

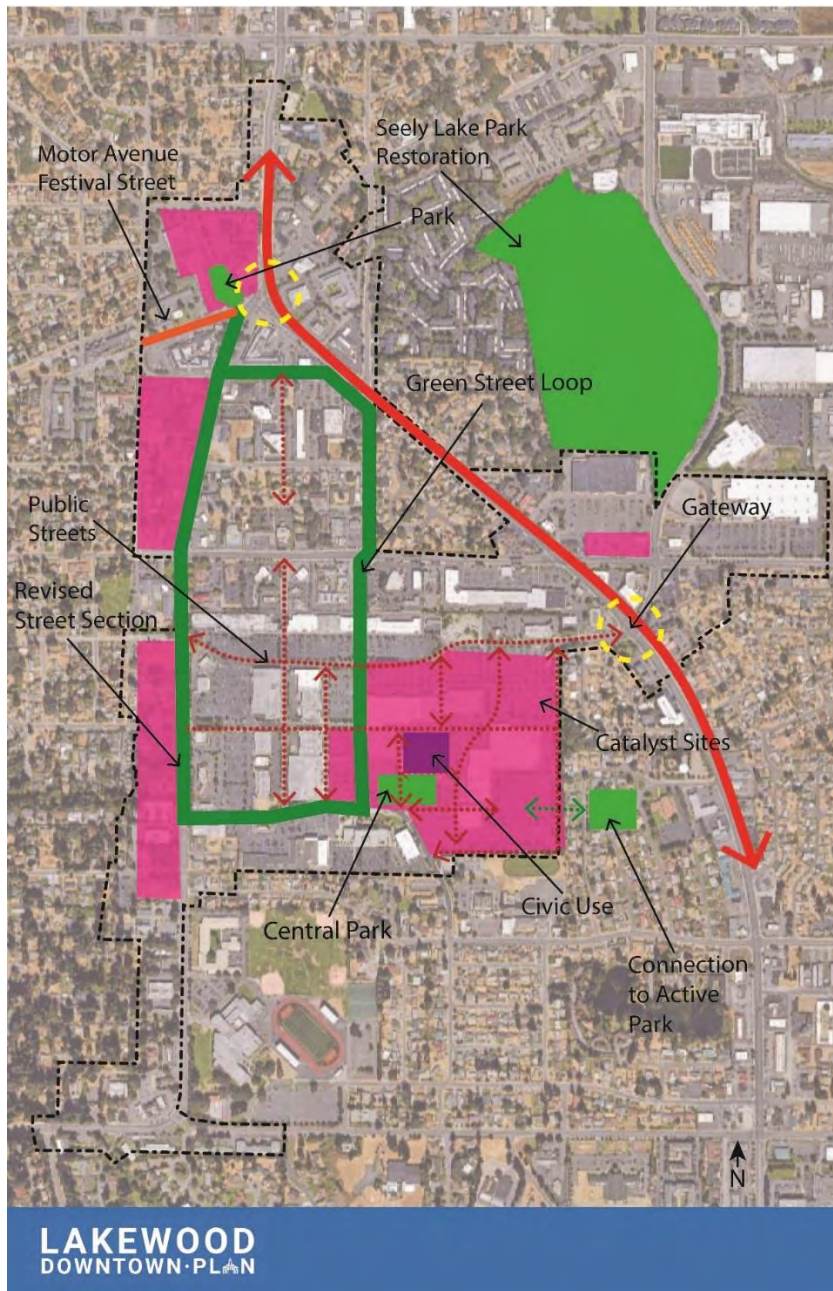
- The heart of the community and civic life
- Where all modes of travel are possible
- Designed for people to walk and bike
- Designed to be accessible by all ages and abilities
- Safe and welcoming
- Livable and affordable
- Where people of all ages go to do fun things, indoor and outdoor
- Rich with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

## Concept Plan

The overall concept plan was initially developed during the 2017 charrette and informed by the public design exercise, public input to date, and insights from the planning and design team based on best practices and experience on similar projects (See Figure 3). The following are highlights from the concept plan:

- **Green Street Loop:** To address the lack of park space, improve public streets, and improve circulation for pedestrians and bicyclists the green loop will include park like elements, green infrastructure, and support redevelopment in Downtown.
- **New Public Streets:** The Downtown lacks a dense and walkable street grid to support urban development, circulation, and an active public realm.
- **Central Park:** A new urban park of between two to four acres is proposed just north of City Hall to serve as the main gathering space for the community and to include a variety of features and programming.
- **Revised Gravelly Lake Drive:** As part of the Green Street Loop, a revised road design for Gravelly Lake Drive SW is proposed. The revision will allow for expanded sidewalks and a multi-use path on the east side of the street.
- **Catalyst Sites:** Catalyst sites are the best opportunities to weave together public improvements in infrastructure and amenities with infill and redevelopment by the private sector. The best opportunities for redevelopment based on vacant and underutilized sites, and large surface parking areas, and surrounding context have been identified as catalyst sites in the near term to further the implementation of this Plan.
- **Festival Street:** The City intends to move forward with creating a festival street along Motor Avenue consistent with the adopted concept plan for Lakewood Colonial Plaza Project. The plan includes a large central plaza, a pedestrian promenade, a farmer's market and event structure, street trees, landscaping, and public art opportunities.

Figure 3. Downtown Plan Concept



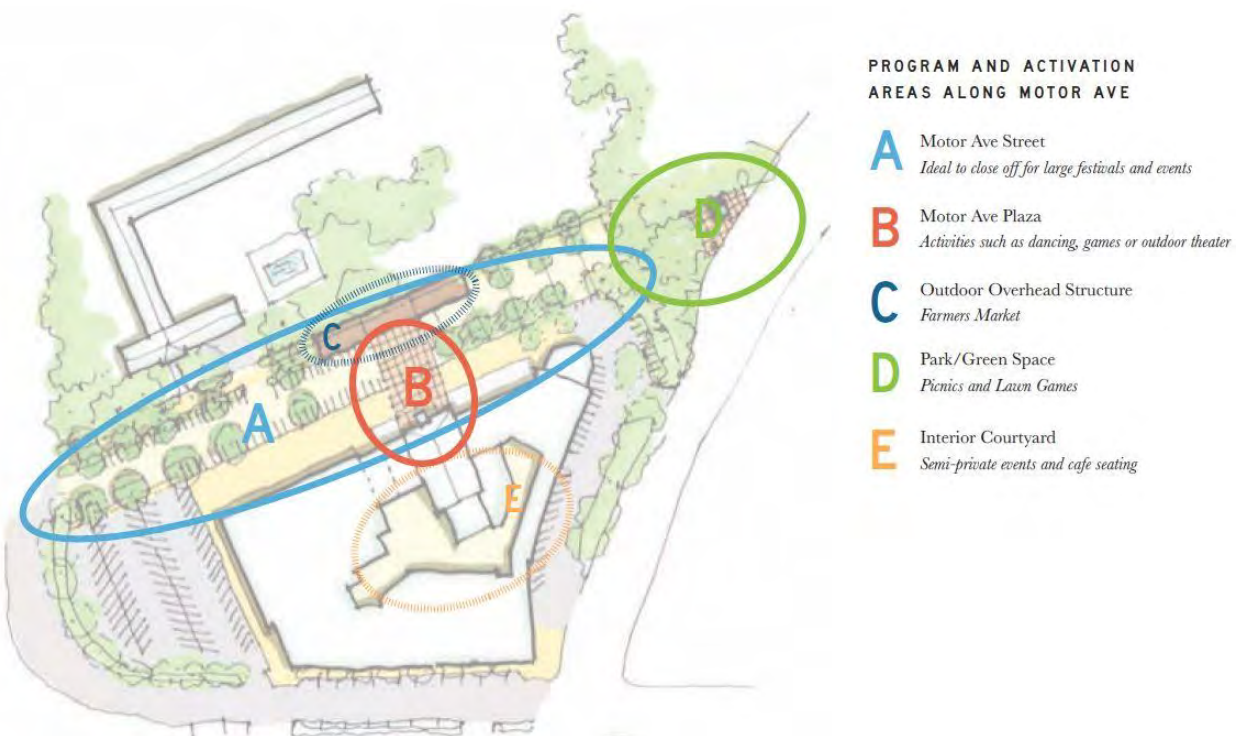
Framework, 2018

## Placemaking

Many of the design concepts in this plan require significant capital investments and in some cases the purchase of additional property or right-of-way. Placemaking is an opportunity to improve public spaces in the short-term through low-cost improvements that may include seating, games, events of various sizes, public art, food trucks, and other activities. These shorter-term placemaking activities are becoming more popular around the world as a strategy to begin improving places now without the long-term planning and costs associated with larger public improvement projects. The Lakewood Farmer's Market is an excellent local example of such a placemaking event that utilizes the primary public space in Downtown around City Hall.

Figure 4 shows a concept plan for programming along Motor Avenue, part of the Lakewood Colonial Plaza Project. Placemaking activities could occur prior to the redevelopment of Motor Avenue SW into a Festival Street. Figure 5 and Figure 6 show programming and activation examples.

Figure 4. Lakewood Colonial Plaza Project Programming Ideas



Framework, 2016

Figure 5. Programming and Activation Examples



Compiled by Framework 2018

Figure 6. Programming and Activation Examples



Compiled by Framework 2018

## Policies and Strategies

Each of this Plan's subsections below conclude with proposed policies and strategies that then form the basis of the Implementation Plan. A "policy" is a high-level overall statement. A "strategy" is a contemplated set of steps to be used toward a specific end.

## Urban Design + Land Use

### Context

Urban Design was identified by the Lakewood Community as the most important issue to be addressed by the City during a prior comprehensive planning process. Because the Downtown mostly developed as part of the unincorporated county prior to incorporation of the City in 1996, it lacks the physical features typical of a walkable, lively Downtown. Following is a summary of the existing physical qualities in the Downtown that will be addressed in this Plan:

- Lack of a dense public street grid network, particularly in the Towne Center.
- Auto-centric street design with gaps in pedestrian facilities.
- Absence of public parks in the Downtown Study Area.
- Minimal public spaces in the Downtown.
- Auto-oriented character with primarily vehicle access design for many Downtown land uses.
- Auto-oriented, suburban site design and building architecture.
- Run-down and unusable historically and culturally significant structures in the Colonial District.
- Minimal residential and mixed-use development.

### Hybrid Form-Based Code

As part of implementing this Plan, the adoption of a hybrid form-based development code (that combines form-based code elements with traditional zoning) for the Downtown subarea is recommended.

Form-based codes address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks. The regulations and standards in form-based codes are presented in both words and clearly drawn diagrams and other visuals. They are keyed to a regulating plan that designates the appropriate form and scale (and therefore, character) of development, rather than only distinctions in land-use types.

Most form-based codes have been applied to historic downtowns, neighborhood centers with well-established character and/or a well-defined vision, or master planned sites under consolidated ownership. By their nature, they are often very detailed and prescriptive in terms of streetscape design and development frontages. This makes them well suited to smaller targeted areas. These same features, however, make their application on a citywide basis or for areas with sloping terrain, irregular street patterns, and dispersed land ownership patterns

much more challenging. Over time, various hybrid codes have been developed for unique local conditions that combine form-based code elements with traditional zoning.<sup>2</sup> This is the recommended approach here.

## Land Use Study Area

The land use Study Area is shown on Figure 7. Areas outlined in red are additions to the Study Area that were identified during the design charrette in November 2017. The maps and figures included in the remainder of this Plan incorporate these additional areas that have Residential Mixed designations into the Downtown Plan to resolve uneven CBD boundaries and increase residential density potential in the Downtown (see the Future Land Use discussion below.)

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<sup>2</sup> Source: Form-Based Codes Institute, 2018; MRSC, 2012

Figure 7. Land Use Study Area



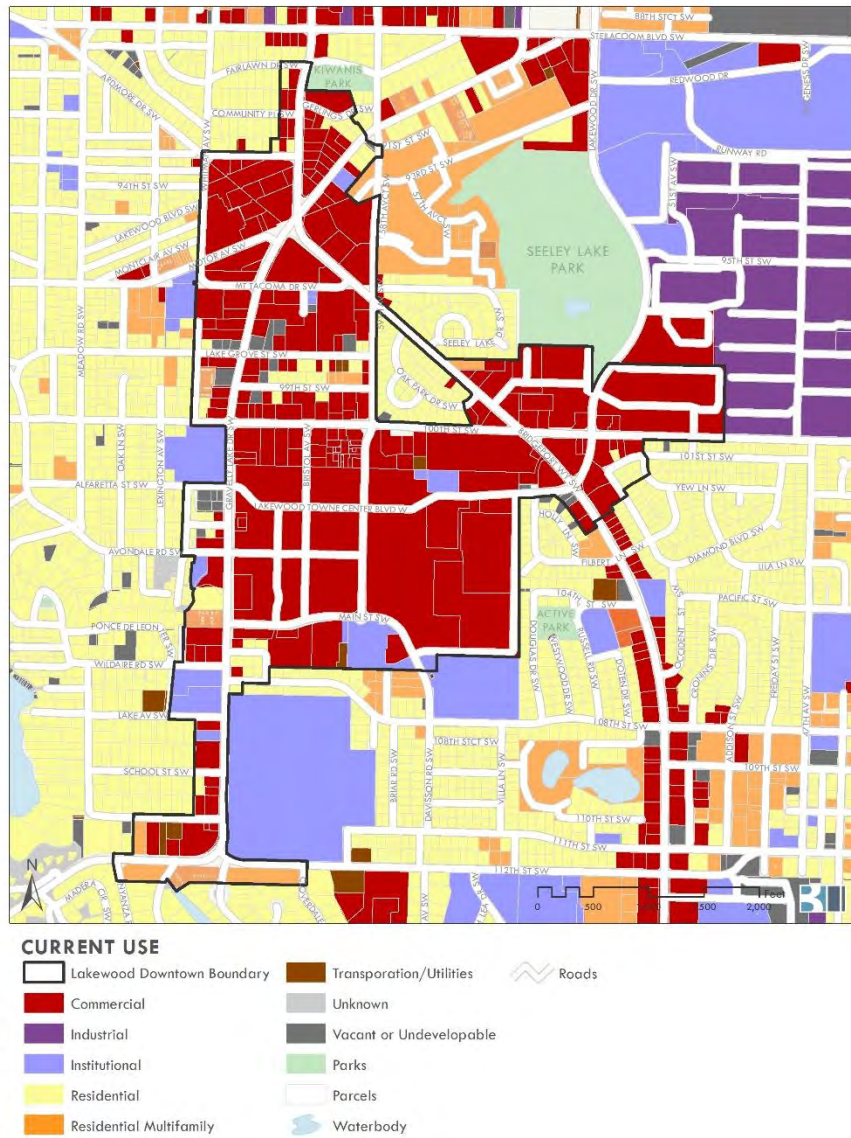
BERK, 2018

## Current + Future Land Use

### Current Land Use

As shown in Figure 8, the current land use in Downtown is primarily commercial, but also includes institutional uses and limited residential development. Mixed-use development is currently permitted with a maximum building height of 90' and a maximum residential density of 54 units per acre. Many commercial uses also have large surface parking lots, often between the building and the street.

Figure 8. Downtown Current Land Use

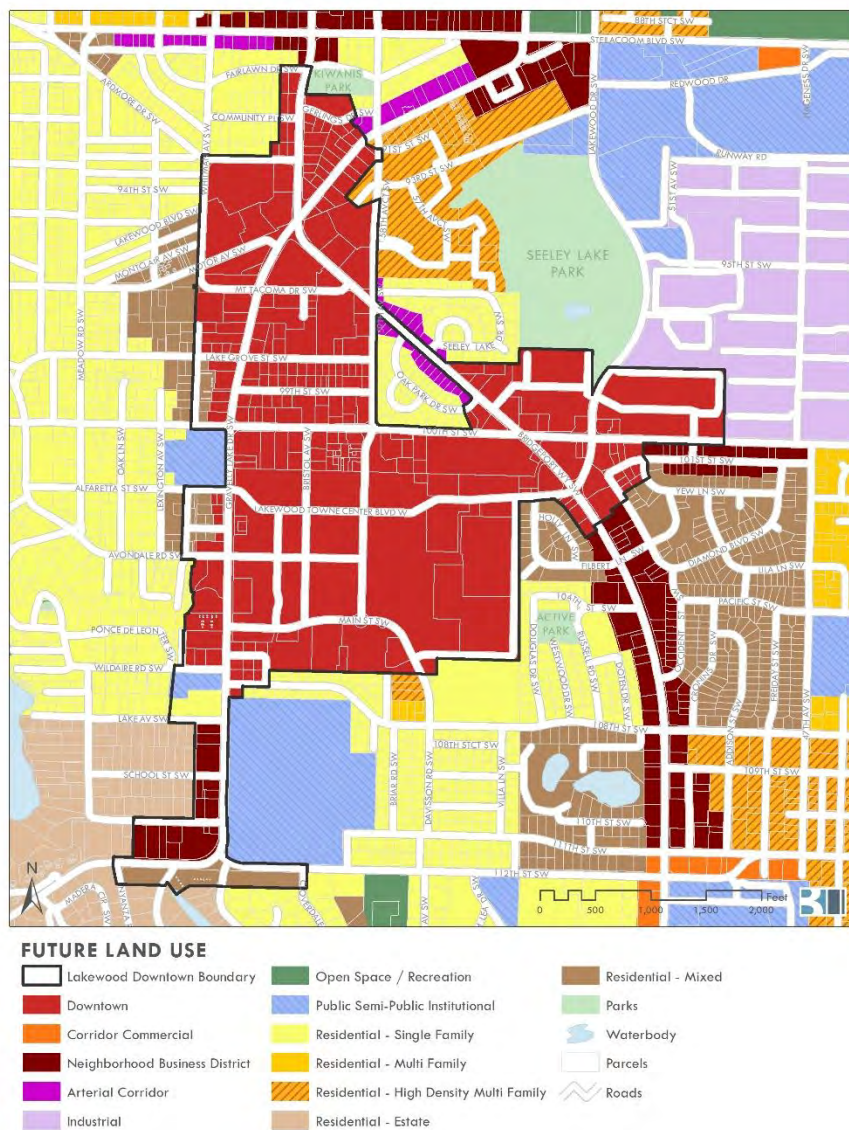


BERK, 2018; City of Lakewood, 2017

## Future Land Use

Figure 9 shows the current future land use designations for the Study Area. Most of the Study Area is designated as the Central Business District, except the area in the southeast; this area is designated Neighborhood Business and for residential uses. The proposed future land use map is shown in Figure 10.

Figure 9. Downtown Future Land Use Designations 2017



BERK, 2018; City of Lakewood, 2017

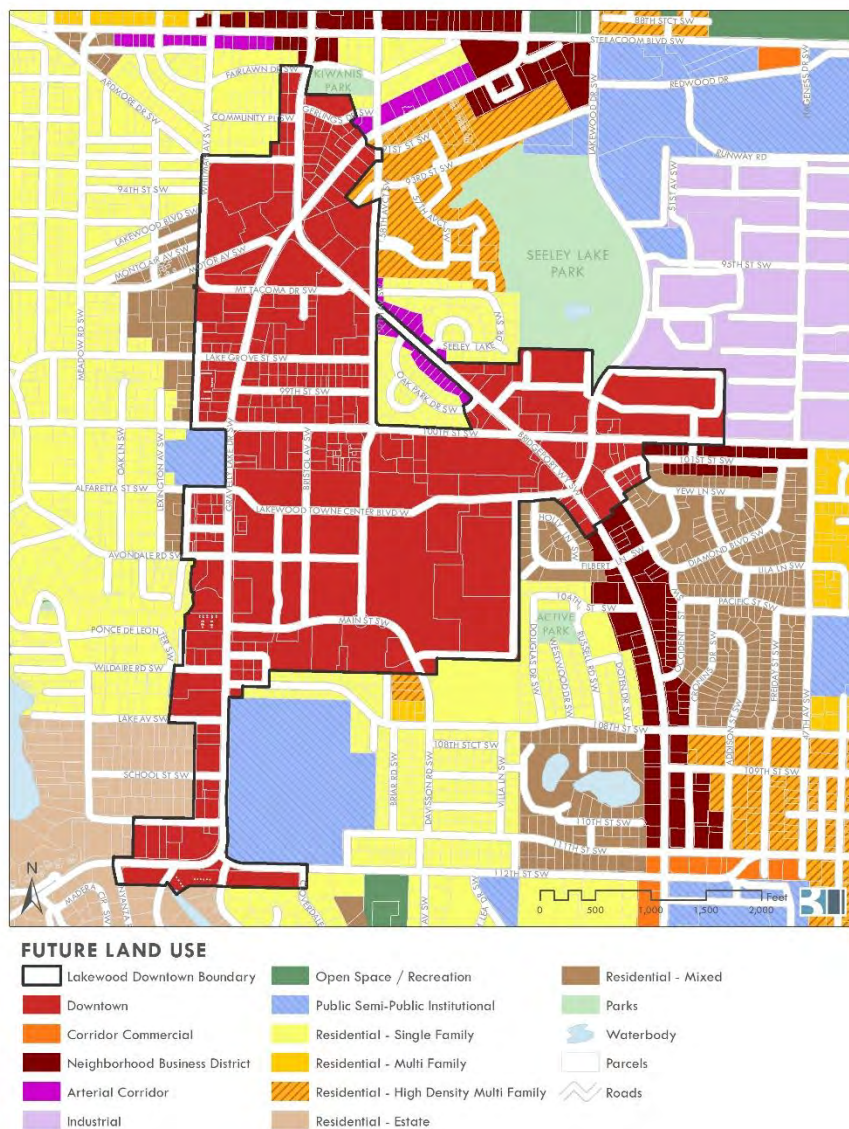
## Proposed Future Land Use + Zoning

### Future Land Use

The entire Study Area will be designated as Downtown in the updated Future Land Use Map for the City and will be subject to this Plan, its street typologies, and its associated development regulations.

The Downtown designation will also include an amended westward boundary to resolve uneven block boundaries and include properties presently designated Residential-Mixed as shown in Figure 7. Transitional building height, form, and landscaping standards would ensure compatibility with adjacent areas.

Figure 10. Proposed Future Land Use Map 2018

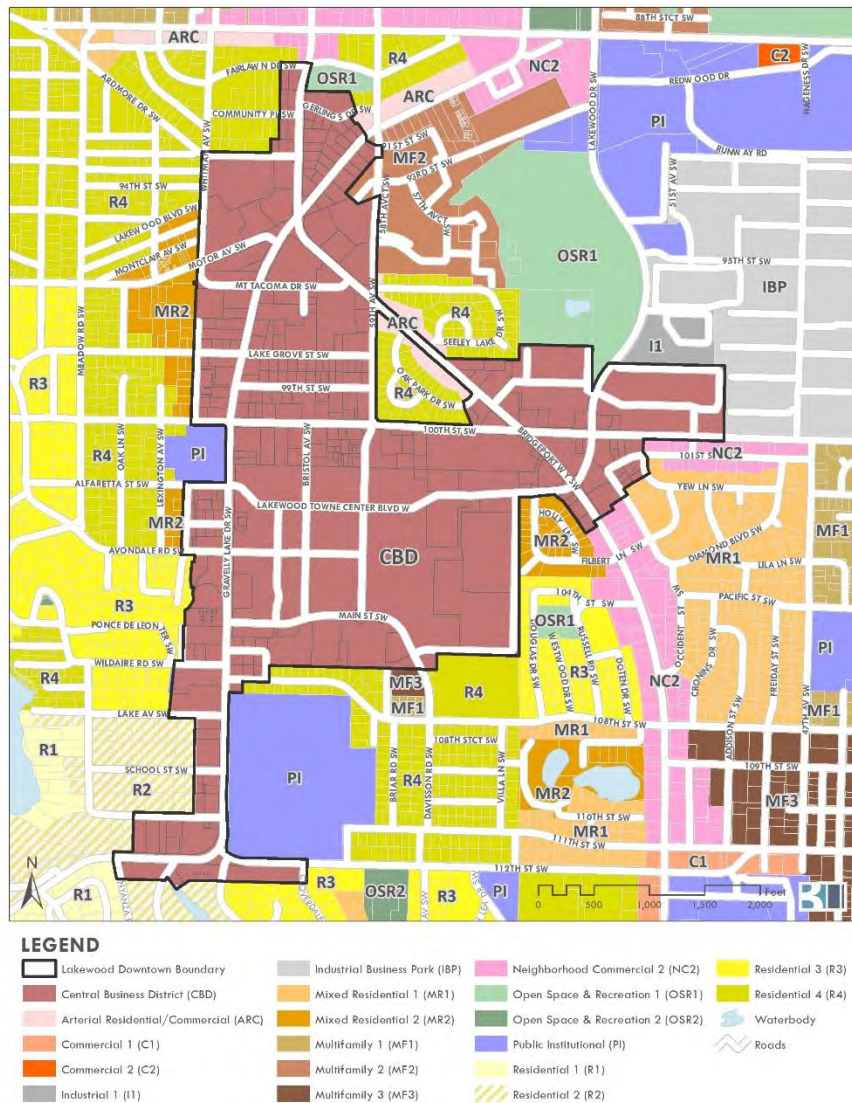


BERK, 2018; City of Lakewood, 2017

## Zoning

Plan Area development will be regulated based on a simplified list of allowed land uses, street types, building frontage types, and overlay districts to provide for more specific standards based on location and context. As discussed above, the hybrid form-based development standards will emphasize building form as well as relationships between buildings, streets, and public spaces. The development code will emphasize creating an active public realm with streets, parks, and public spaces that are welcoming, active, and fun. The proposed zoning is Central Business District (CBD) throughout the study area.

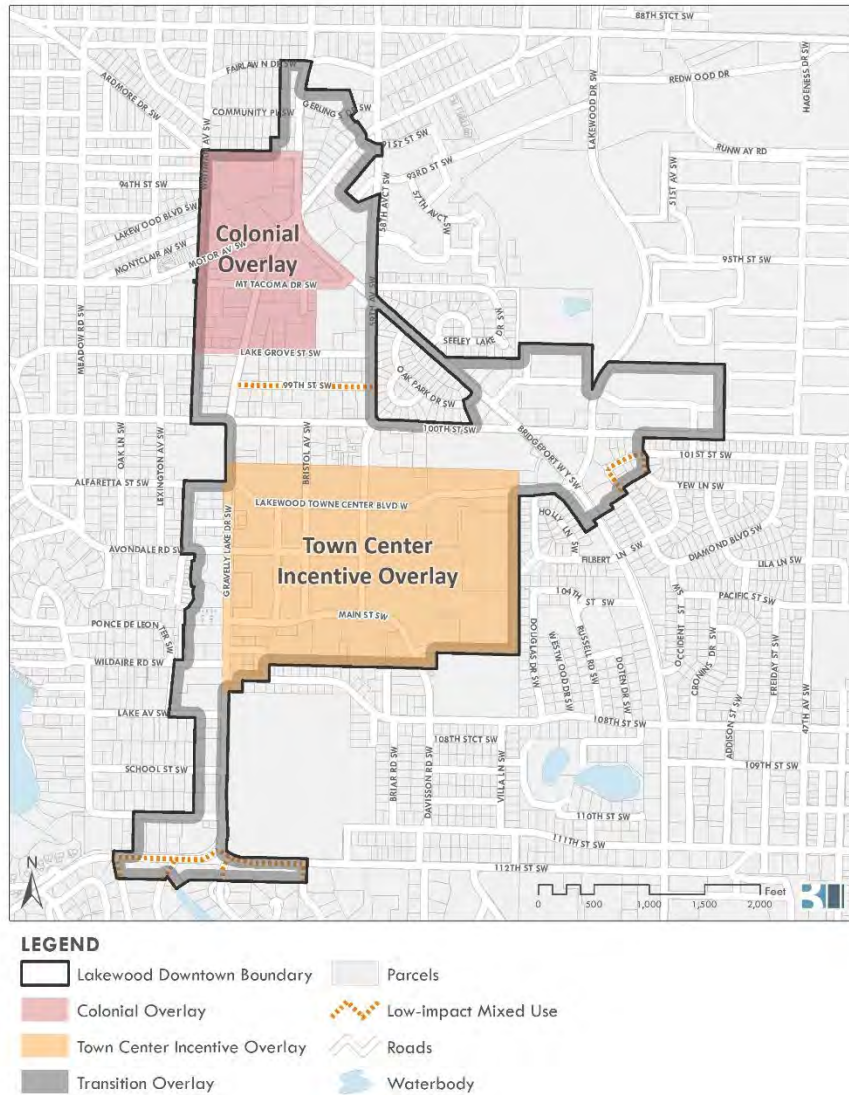
Figure 11. Proposed Zoning Map



BERK, 2018; City of Lakewood, 2017

Overlay districts also apply to provide unique characters or to address compatibility of abutting uses. See the Figure below.

Figure 12. Overlay Districts Map



The base and overlay district is described below:

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

More details regarding development standards are found in the Downtown Development Code.

## Urban Design

Although Lakewood is a diverse community with a rich history, a strong sense of community pride, and many assets, the physical development of the City, including Downtown Lakewood, has resulted in a lack of identity. Auto-oriented development provides few opportunities for walking and biking or interacting with friends and neighbors. Most of the Lakewood Towne Center acreage is used for surface parking, and many sections of the surrounding arterials feel unsafe for walking. Buildings often have little relationship with the street and are designed to be accessed by a vehicle and through a parking lot. Many of the uses in Downtown are large national chains, reflect corporate architecture, and lack a human scale.

Figure 13 shows the Lakewood Towne Center's beautiful natural setting with Steilacoom Lake in the background. The Lakewood Towne Center was developed in 2001 to replace an enclosed shopping mall. The open-air shopping mall is dominated by surface parking between the large scale mostly one-story retail buildings. A large retail building was recently torn down and another is vacant. These large buildings may be repurposed or removed for redevelopment or other purposes.

Figure 13. Lakewood Towne Center



Google Earth, 2018

Included below are several redevelopment concepts for Lakewood Towne Center ("Incremental Build-Out" and "Reimagined"), as well as Lakewood Colonial Plaza Project ("Infill" and Redeveloped"), and Mixed-Use Housing on Gravelly Lake Drive SW.

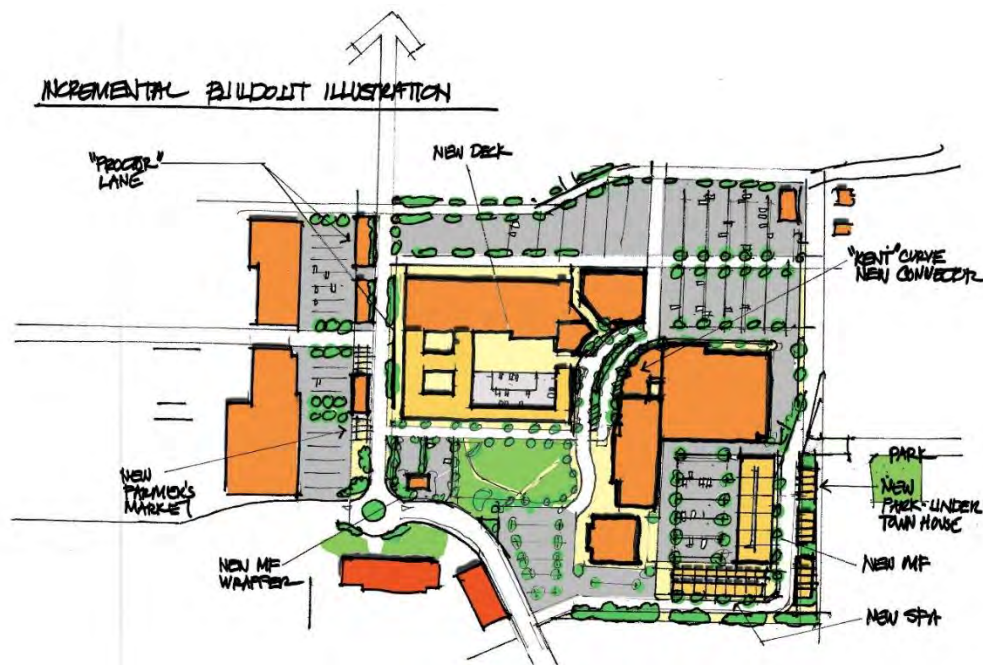
## Lakewood Towne Center Concepts

These are strictly illustrative and may include elements that are not included during redevelopment.

### Lakewood Towne Center Incremental Build-Out

This concept works with the existing building layout and street network to provide new mixed-use infill, a centralized parking structure, multifamily housing and active uses on 59th Avenue SW. A two-acre park is shown just northeast of City hall on a currently underutilized portion of the Towne Center. Figure 14 shows an earlier concept plan developed during the design charrette, and Figure 15 and Figure 16 show an updated model of the concept with more refinement.

Figure 14. Lakewood Towne Center Incremental Build-Out



Seth Harry and Associates, 2017

Figure 15. Lakewood Towne Center Incremental Build-Out 3D Model (View 1)



Seth Harry and Associates, 2017

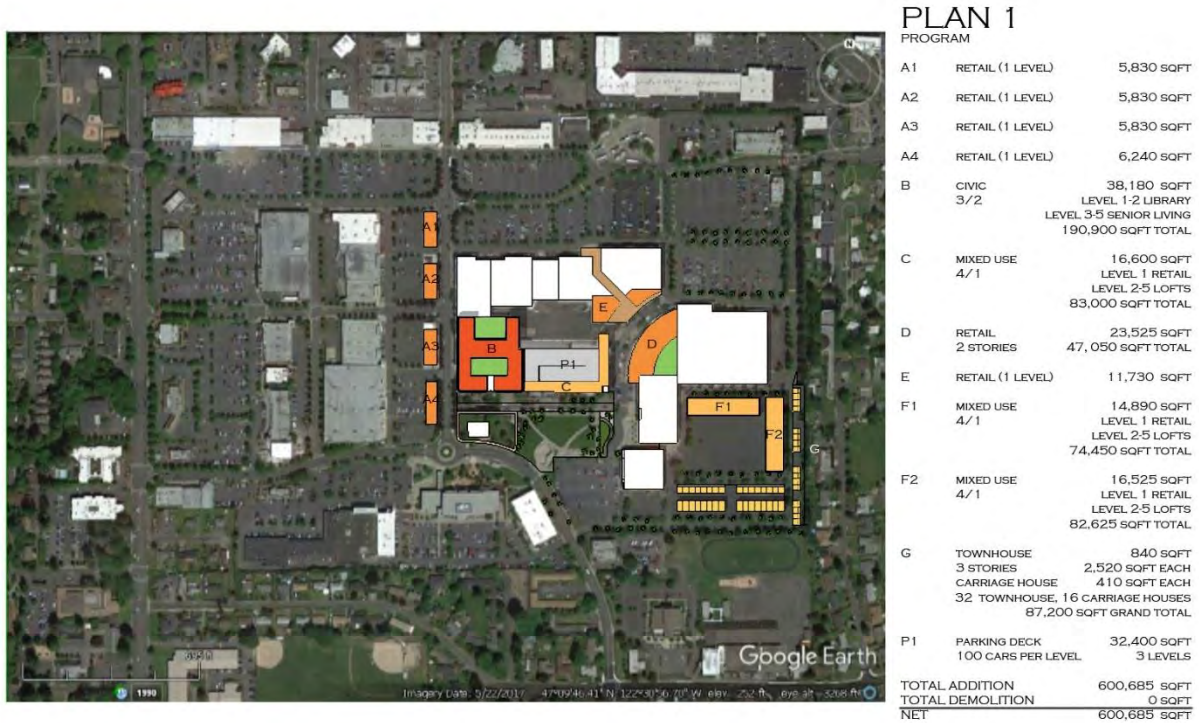
Figure 16. Town Center Incremental Build-Out 3D Model (View 2)



Seth Harry and Associates, 2018

Figure 17 shows the building program for concept plan #1 including land uses and building square footages.

Figure 17. Lakewood Towne Center Incremental Build-Out Site Plan

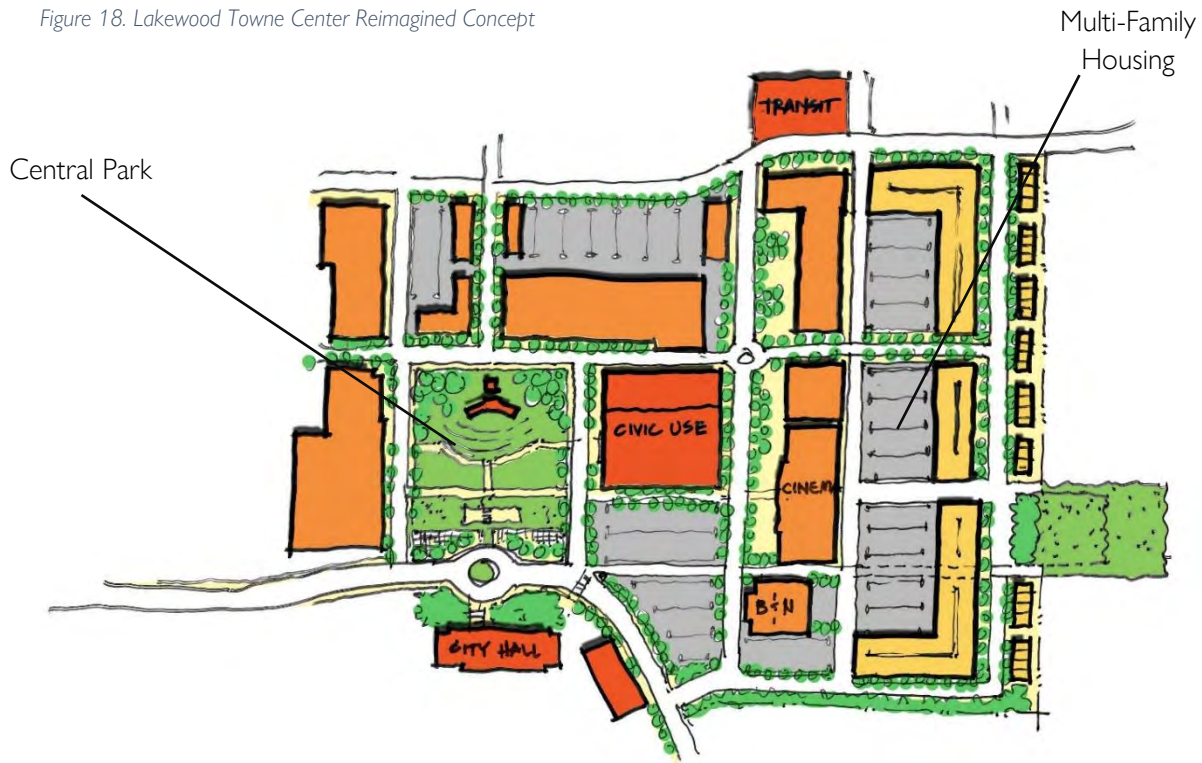


Seth Harry and Associates, 2017

### Lakewood Towne Center Reimagined

This concept imagines a full redevelopment of the Lakewood Towne Center with a four-acre central park just north of City Hall, a new civic use near the park and City Hall, new pedestrian oriented mixed-use development, a reconfigured urban street grid and diverse multifamily housing to the east. Figure 18 shows an earlier concept plan developed during the design charrette, and Figure 19 shows the Lakewood Towne Center Reimagined 3D Model Close-Up. Figure 20 and Figure 21 show an updated model of the concept with more refinement.

Figure 18. Lakewood Towne Center Reimagined Concept



Framework, 2017

Figure 19. Lakewood Towne Center Reimagined 3D Model



Seth Harry and Associates, 2017, Framework, 2018

Figure 20. Lakewood Towne Center Reimagined 3D Model Close-Up



Seth Harry and Associates, 2017, Framework, 2018

Figure 21. Lakewood Towne Center Reimagined Site Plan



Seth Harry and Associates, 2017; Framework, 2017

## Lakewood Colonial Plaza Project Concepts

These are strictly illustrative and may include elements that are not included during

## redevelopment.

During the Lakewood Colonial Plaza Project, the design team developed concepts for infill and redevelopment around Motor Avenue SW in addition to the redesign of the street.

The first concept shown in Figure 22 shows the existing shopping center north of Motor Avenue SW remaining and being renovated with small multifamily development in the northeast corner of the district. The second district concept shows the shopping center north of Motor Avenue SW as being fully redeveloped with an urban street grid, higher-density mixed-use development, and neighborhood green space (see *Figure 23*).

*Figure 22. Lakewood Colonial Plaza District Infill Concept*



Seth Harry and Associates, 2016

*Figure 23. Lakewood Colonial Plaza District Redevelopment Concept*



Seth Harry and Associates, 2016

## Mixed-Use Housing Concept

These are strictly illustrative and may include elements that are not included during redevelopment.

The concept plan in Figure 24 shows the redevelopment of a parcel on the west side of Gravelly Lake Drive SW. The concept includes townhouses at the rear of the property, a three-story multifamily building with street level retail along Gravelly Lake Drive SW and a mix of surface, garage, and structured parking in the first floor of the mixed-use building. This concept results in approximately 100 housing units per acre.

Figure 24. Mixed-use Housing Concept



Seth Harry and Associates, 2017; Framework, 2017

## ACTIVITY UNITS - POPULATION + EMPLOYMENT IN DOWNTOWN LAKEWOOD

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

The Downtown Plan supports jobs and housing opportunities. The current level of activity units less than 20 in the proposed Downtown boundaries. The Preferred Alternative would result in 58-69 activity units per acre, depending on the calculation of gross acres (parcels and road centerlines or parcels only). For more information, see the Planned Action Environmental Impact Statement (Alternative 2).

## Urban Design Policies + Strategies

### *Policies*

- **Policy:** Promote redevelopment of the Central Business District (CBD) as a mixed-use urban center that anchors the Downtown and bolsters Lakewood's sense of identity as a City.
- **Policy:** Develop Downtown as not only the “heart” of the city, but a regional urban center where commerce, culture, and government flourish.
- **Policy:** Promote the CBD as the primary center for retail, office, public services, cultural activities, urban residential, and civic facilities of Lakewood.
- **Policy:** Promote office development, open space, high density residential development and/or mixed-use development in the Towne Center.
- **Policy:** Promote the CBD as a daytime and nighttime center for social, entertainment, cultural, business and government activity.
- **Policy:** Adopt new urban design approaches to raise the aesthetic standards of the Downtown.
- **Policy:** Continue to foster transformation of the former mall to provide better public visibility; create additional public rights-of-way; and potentially develop entertainment, housing, visitor serving, and open space uses.

### *Strategies*

- **Strategy:** Update the City's Future Land Use Map and Zoning Map to designate the entire Study Area as “Downtown.”
- **Strategy:** Adopt a hybrid form-based code that combines design elements with traditional zoning to regulate Downtown development. Use Overlay Districts, Street Types, Building Frontage Standards, and a simplified list of allowed land uses in the Study Area.
- **Strategy:** Adopt standards to address the transition and minimize impacts from more intense development Downtown to lower-density residential neighborhoods.
- **Strategy:** Encourage integrated mixed-use urban development, including housing, in the Downtown.
- **Strategy:** Train staff on maintenance and implementation of the hybrid form-based development code.
- **Strategy:** Remove underlying deed restrictions and/or covenants that prohibit office, high density residential, and/or mixed-use development or open space.
- **Strategy:** Conduct a parking study in the Downtown to understand the existing demand for parking and identify opportunities for redevelopment of existing surface parking lots to support the implementation of this Plan.
- **Strategy:** Update the City's parking requirements to “right size” the requirements based on the results of the parking study and to encourage shared parking and flexibility in meeting parking requirements. The updated parking requirements should consider parking maximums.
- **Strategy:** Monitor the impact of the Downtown Code in implementing this Plan at least biennially and amend the Plan and its associated regulations as needed to improve outcomes.

# Economic Development

## Context

Surveys of business leaders and employees reveal that today's companies and employees "vote with their feet" and choose to be physically close to other knowledge workers, city infrastructure and cultural amenities. Workers in the new economy want to work in thriving locations that stimulate their creativity, along with an environment with openness and tolerance of ideas and people of all kinds. A 1998 KPMG survey of more than 1,200 high-technology workers examined the factors associated with the attractiveness of a new job. Community quality of life was second only to salary (outperforming benefits, stock options, or company stability). Given this preference, quality of life factors such as the availability of high quality public space, recreational amenities, transportation options, good schools, infrastructure, and safety are important drivers of economic development.

In terms of retail, larger trends within the industry indicate that retailers are exploring new business models given the threat of online competition and the ongoing fragmentation within the industry. One increasingly common response to these trends is the redevelopment of older retail areas as walkable, mixed-use, transit supportive neighborhoods. These redevelopments typically add housing and professional offices to the retail mix, with other non-retail uses such as parks, libraries, and town halls. This wide spectrum of uses in an attractive format work together to change the character and market perception of retail districts from generic retail areas to a distinctive place. (Seth Harry and Associates, 2017)

An unintended consequence of "placemaking" and similar quality of life investments (see further discussion of placemaking earlier in this Plan) is its potential to increase commercial rents and displace small, local businesses. Given this, economic development policies will need to address strategies around commercial affordability and support for small, local businesses.

## Economic Development Policies + Strategies

### *Policies*

- **Policy:** Develop Downtown as a destination for retail, office, public services, cultural activities (art, culture, and entertainment), urban residential, and civic facilities of Lakewood.
- **Policy:** Ensure Downtown is home to a wide spectrum of businesses that reflect the area's most competitive and desired industries.
- **Policy:** Prioritize and market catalytic sites identified through this Plan for mixed-use development.
- **Policy:** Improve the comfort and safety of residents, business owners and employees, customers, and visitors to the Downtown through design, maintenance, and policing strategies.

### *Strategies*

- **Strategy:** Develop a Lakewood-specific business attraction and retention program with regional economic development partners including opportunities for incubator businesses.
- **Strategy:** Identify and implement incentives that would encourage new businesses to locate in Downtown Lakewood.

- **Strategy:** Provide resources for entrepreneurs and small businesses, including information available in multiple languages, and recruit key business services to the area.
- **Strategy:** Support a business improvement district and continue ongoing initiatives to make downtown Lakewood clean and safe.
- **Strategy:** Activate empty and underutilized places such as parking lots.
- **Strategy:** Seek neighborhood businesses that provide daily goods and services in the CBD.
- **Strategy:** Invest in civic amenities and infrastructure consistent with this Downtown Plan to attract business owners and investors who create living wage jobs.
- **Strategy:** Explore the feasibility of a business incubator in Downtown and consider incorporating economic gardening for microenterprises into it.
- **Strategy:** Work with local financial institutions on providing low interest loans for qualified small local businesses.
- **Strategy:** Implement “crime prevention through environmental design” principles at the time of design and through maintenance programs.
- **Strategy:** Improve regular police patrols through extension of public streets.
- **Strategy:** Evaluate regulations, procedures, and fees to remove barriers to business formation and development while remaining effective and reasonable to achieve the Vision of this plan.

# Housing

## Context

Very little housing is found in the Downtown area today; there are about 419 dwelling units. Lakewood has a tight housing supply with low vacancies, and as a built-out community has few opportunities to develop new housing. Downtown presents an opportunity as a place for a mixed-use, high amenity neighborhood.

Given the changing landscape of the retail sector described under Economic Development above, as well as infill opportunities on catalyst sites, Lakewood can attract a range of quality affordable housing choices.

Figure 25 Mixed Use Housing Examples – Rhode Island Avenue Development and Kirkland Juanita Village



Lakewood Downtown Survey 2017

### MORE AND DIVERSE HOUSING WANTED

Over 300 respondents to an online survey about the Downtown vision showed a strong interest in:

- Housing for senior and disabled
- Mixed use with housing and commercial use on the same site or in the same building
- Transitional housing for homeless persons and families

With any housing type, the following design factors were heavily favored:

- Site design and architectural standards to ensure quality development
- Housing in walking distance of work, shopping, or bus service
- Stand-alone apartments and condominiums were not favored. Cottage housing was well liked and could serve as a transition housing type along with townhomes.

Adding residential to existing centers along with non-retail uses, such as civic functions, like libraries, or city halls, helps to increase the consumer base close in to the center itself, as well as changes the character and perception of the center from a generic retail experience to that of a genuine place, with amenities to match, including parks, civic, cultural, and recreational uses, along with quality dining and entertainment. (Seth Harry & Associates 2017)

## LAKEWOOD'S RESPONSE TO HOMELESSNESS

Homelessness, the opioid crisis, and lack of state and federal funding for mental health conditions have individually and collectively created challenges for communities for quite some time. The City of Lakewood has responded to this problem, in multiple ways, through partnerships and contributing funding, including, but not limited to:

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

## Housing Policies + Strategies

### *Policies*

- **Policy:** Encourage a diversity of housing types to ensure housing choices for current and future residents, workers, military families, and to strengthen commercial areas.
- **Policy:** Provide increased densities and regulatory flexibility in Downtown development regulations to attract diverse housing for all ages, abilities, and incomes.
- **Policy:** Create mechanisms that attract and increase multifamily development Downtown.
- **Policy:** Support hosting quality cultural, educational, and recreational activities to attract families to live Downtown.
- **Policy:** Promote well-designed and maintained diverse mixed use and multifamily housing opportunities available to all incomes.

### *Strategies*

- **Strategy:** Adopt form-based development regulations that improve the quality of attached and mixed-use housing development and create a walkable attractive Downtown.
- **Strategy:** Revise land use and development regulations to promote mixed-use development within the Central Business District (CBD).
- **Strategy:** Adopt transitional height and landscape standards to ensure compatibility with abutting lower-density areas.
- **Strategy:** Engage affordable housing organizations about opportunities and partnerships to increase housing in the Downtown.
- **Strategy:** Explore opportunities for transitional housing and services with homelessness service providers to address the health, social, and shelter needs of homeless in Lakewood.
- **Strategy:** Foster neighbor engagement and create a sense of safety through “crime prevention through environmental design” principles integrated into development designs.
- **Strategy:** Explore expanding current tax abatement programs and other incentives.

# Street Grids, Streetscapes & Public Spaces

## Context

The amount and quality of public space are two defining features of successful Downtowns. Streets are the primary public spaces in Downtowns, in some cases accounting for almost half the land depending on the size and layout of the street grid. Lakewood currently lacks an urban street grid typical of a Downtown or the types of active public spaces that attract people to come Downtown.

Figure 26 shows the existing streetscape along 59th Avenue SW, which is one of the few public streets in the Towne Center. The existing streetscape has adequate sidewalks, but is not very active or pedestrian friendly. The concept plan in Figure 27 shows 59th Street SW reimaged as a pedestrian-oriented retail street with shops, restaurants, on-street parking, and mixed-use building. Figure 28 is an example of an active streetscape with street level retail and wide sidewalks.

Figure 26. 59<sup>th</sup> Avenue SW - Existing



Framework, 2017

Figure 27. 59<sup>th</sup> Avenue SW - Concept



Seth Harry and Associates, 2017

Figure 28. Active Retail Streetscape Example



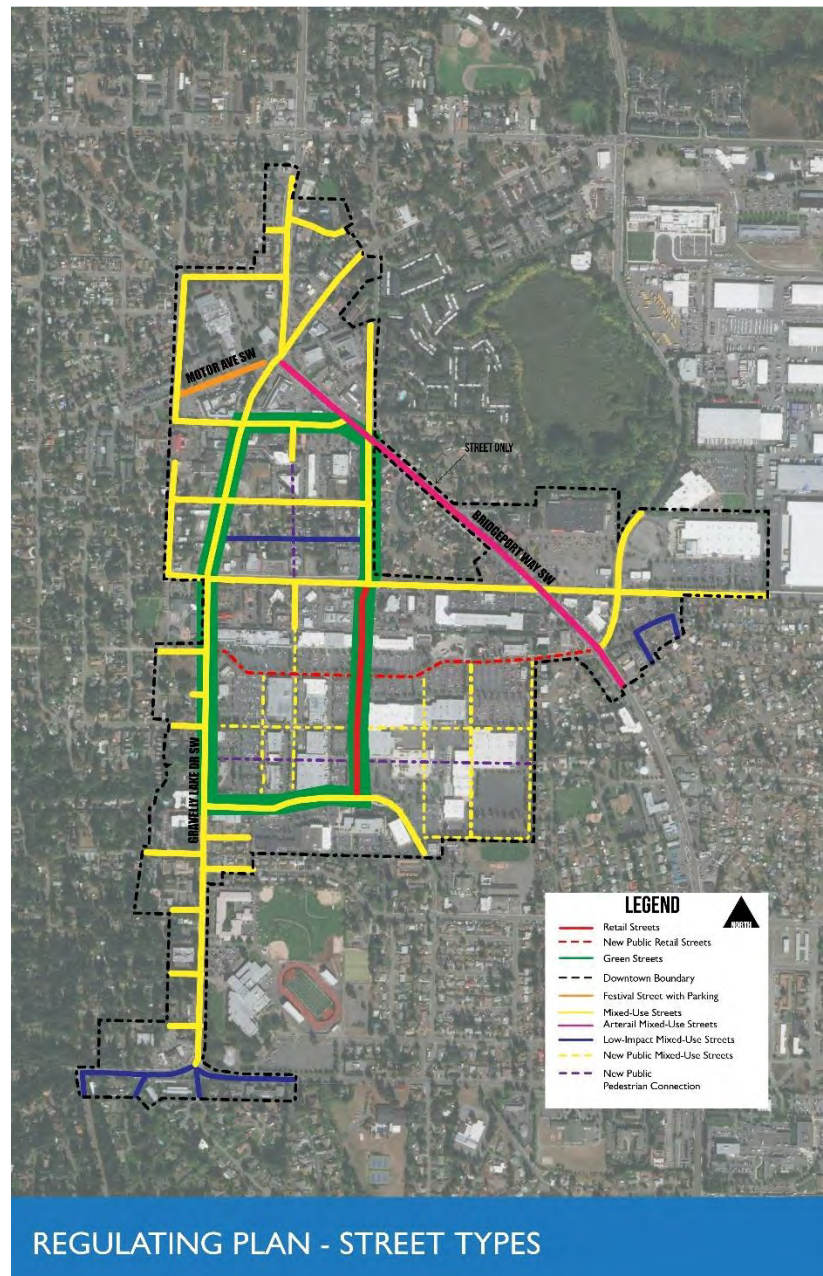
1kfriends.org, 2018

## Streets

Expanding the network of public streets, primarily in the Towne Center, is a primary objective for this Plan.

Figure 29 shows the proposed street network based in part on the existing circulation pattern and a goal to reduce block sizes to a maximum of about 400'. The expanded public street grid will improve connectivity, particularly for pedestrians and bicyclists, by reducing travel distances, providing greater opportunities for on-street parking, improved sidewalks, and bike facilities. It is expected that streets will be improved based on the street concepts in this Plan and existing public works standards as they become public streets.

Figure 29. Downtown Regulating Plan – Street Types



Framework, 2018

The relationship between streets and private development along the street edge has a major impact on the pedestrian experience. Active uses, including retail, personal services, restaurants, and cafes create pedestrian activity, make the streets lively and fun, and attract people to Downtown. Much of the existing development in the Downtown includes surface parking along the street edge and is designed for vehicular access while negatively impacting the pedestrian experience Downtown.

To implement this Plan, development in the Downtown will be regulated, in part, by street typologies that address the design and function of the street. The street typologies will be paired with building or site development frontage types that are permitted along that street edge. For example, on the designated retail streets, either active first floor uses will be required with buildings primarily at the street edge, or any space between the street and building will be required to be active pedestrian space (e.g. outdoor dining, seating, public art, and other amenities.) Other street typologies will allow for a range of building frontage types and land uses to provide flexibility in design.

### *Street Concepts*

The proposed street concepts support the expansion of the public street network, the green street loop, a better pedestrian experience and connectivity, and urban mixed-use infill development.

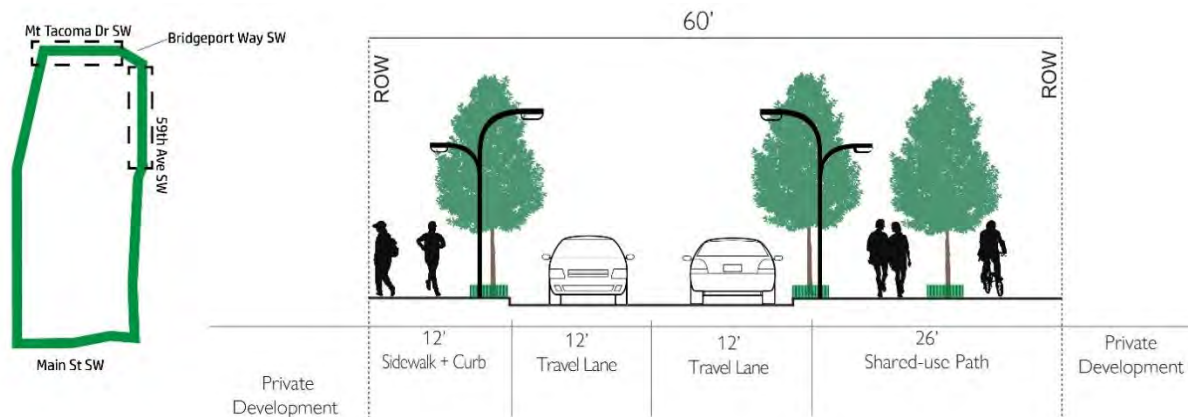
### **Green Street Loop**

The Green Street Loop includes Gravelly Lake Drive SW, 59th Avenue SW, Mt Tacoma Drive SW, and a small portion of Bridgeport Way SW. The Green Loop proposes continuous pedestrian and off-street protected bike facilities, street trees, landscaping, and low-impact development stormwater improvements.

### **Mt Tacoma Drive SW/59th Avenue SW**

The concept plan in Figure 30 for these streets is to reduce the number of travel lanes from three to two. The reduction in vehicle lanes allows for a 12' sidewalk on the west side and a 26' multi-use path on the east side.

*Figure 30. Mt. Tacoma Drive SW and 59th Avenue SW between 100th Street SW and Bridgeport Way SW*



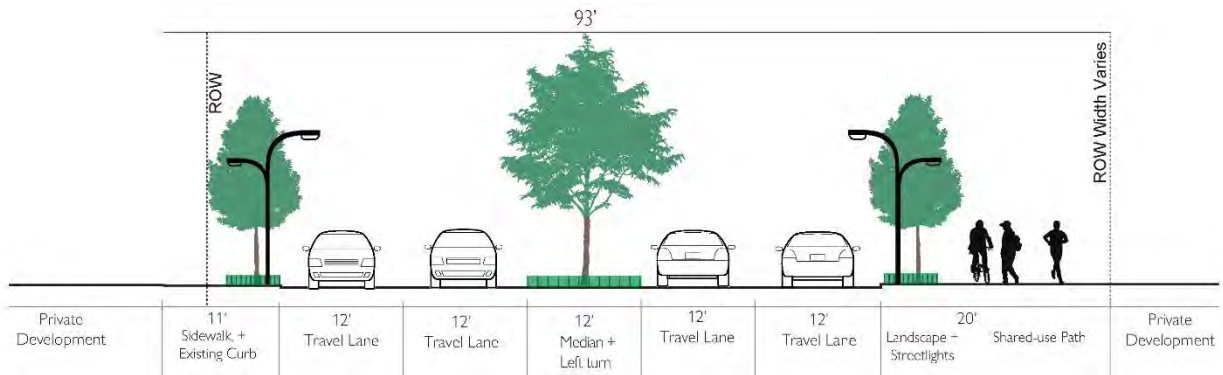
*Framework and KPG, 2018*

### **Gravelly Lake Drive SW**

After evaluating several cross sections in the Draft EIS, Figure 31 illustrates the preferred section that includes four travel lanes and a center median with left turn pockets at public street intersections. The street section maintains the existing curbs and expands the sidewalks on the west side of the street through acquiring

additional ROW potentially as properties redevelop. Sidewalks may be expanded on the west side as part of frontage improvements associated with private development or a City capital project.

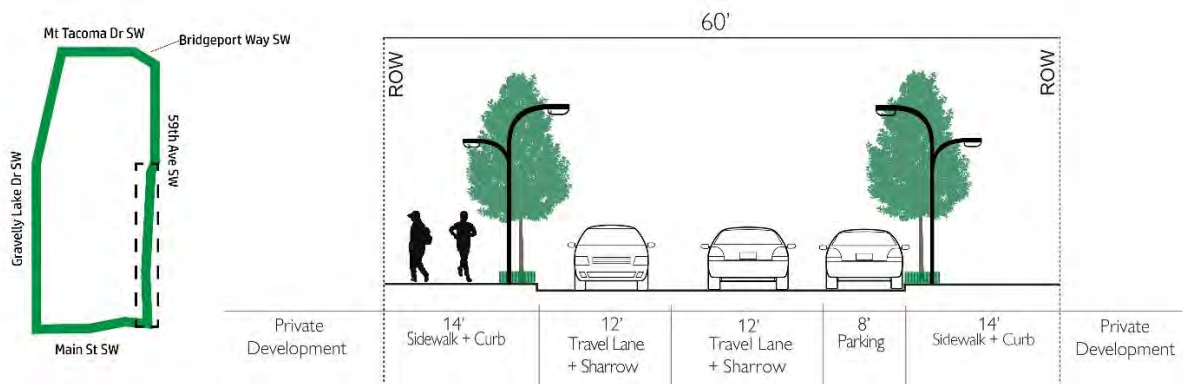
Figure 31. Gravelly Lake Drive SW Revision – Concept #3A (Looking north)



### 59<sup>th</sup> Avenue SW

59th Avenue SW is one of the few public streets in the Towne Center. It currently has three vehicle lanes and sidewalks on both sides of the street within an approximately 60' right-of-way. The concept shown in Figure 36 includes only the existing right-of-way and converts one of the travel lanes to on-street parallel parking and allows for sidewalks up to 14' in width on both sides. This concept supports the transition of 59th Street SW to a pedestrian oriented retail street.

Figure 32. 59<sup>th</sup> Avenue NW (Existing ROW)



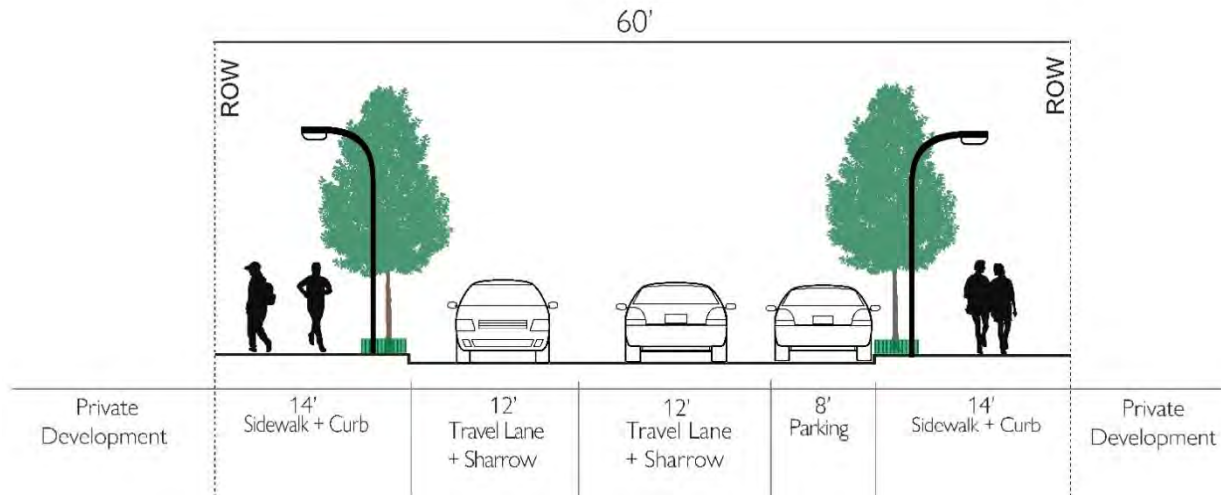
Framework and KPG, 2018

### Lakewood Towne Center Boulevard SW

Lakewood Towne Center Boulevard SW is currently a private street with three vehicle travel lanes and sidewalks on both sides of the street. Figure 38 shows two 12' vehicle travel lanes with "sharrows" (i.e., road markings used to indicate a shared lane environment for bicycles and automobiles<sup>3</sup>), on-street parallel parking on one side of the street, and 14' sidewalks on both sides of the street.

<sup>3</sup> Source: NACTO Urban Bikeway Design Guide

Figure38. Lakewood Towne Center Boulevard between Bridgeport Way SW and Gravelly Lake Dr. SW



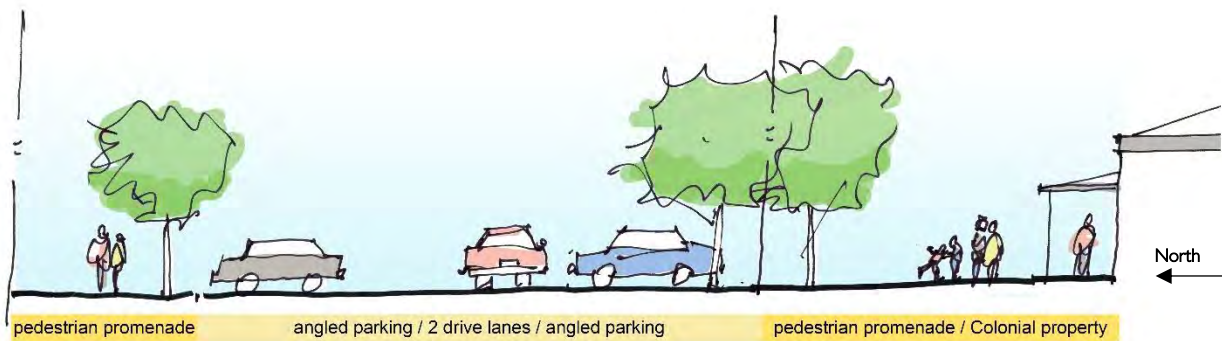
Framework and KPG, 2018

## Lakewood Colonial Plaza

**These are strictly illustrative and may include elements that are not included during redevelopment.**

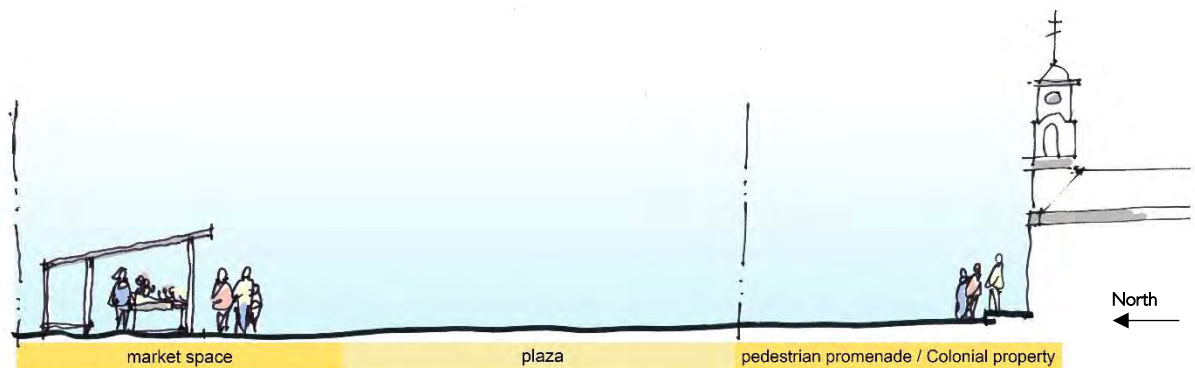
The concepts shown in Figure 39 and Figure 40 are from the preferred alternative developed as part of the Lakewood Colonial Plaza Project along Motor Avenue SW. The goal for the project is to expand public space in the Downtown and provide opportunities for programming, events, and to encourage redevelopment in the area. The typical section in Figure 39 shows angled parking on both sides of the street, wide sidewalks on the north side and a pedestrian promenade on the south side. The design supports programming for events with a variety of potential configurations depending on the size of the events including closing the street to vehicular traffic during major events. The concept design also includes a small structure to support a farmer's market, small concerts, and other events and a large central plaza to highlight the Lakewood Theater.

Figure 39. Lakewood Colonial Plaza Typical Section



Framework, 2016; KPG, 2016

Figure 40. Lakewood Colonial Plaza Typical Section



Framework, 2016; KPG, 2016

## Public Spaces

Expanding the street grid, developing a large central park, creating the green street loop, and improving existing public streets are the core elements of the streets and public space strategy. Another element of the strategy is to identify opportunities for programming, testing design concepts with low-cost temporary improvements, and holding more events in the Downtown like the successful Lakewood Farmer's Market.

In addition, there is an opportunity to expand public space and semi-public space as infill and redevelopment occur. For example, on pedestrian and retail-focused streets, buildings may be set back from the street if public space with pedestrian amenities is designed between the building and the street. Figure 41 shows a potential Lakewood Colonial Plaza Project design.

Figure 41. Lakewood Colonial Plaza Design Concept



Framework, 2016; KPG, 2016

# Parking

## Context

The amount, design, and management of parking has a major impact on the success and experience in downtowns. The Study Area, particularly the Towne Center, currently has large surface parking areas that often fronts along the street edge and has very limited on- or off-street public parking.

More urban downtown environments generally have more public parking, on-street parking, and shared parking options that tend to be located either behind or to the side of buildings or in parking structures. In addition, downtowns typically have a greater level of parking management such as time limits, parking pricing, permits, and other management strategies to ensure that parking is being used efficiently. As redevelopment and infill occurs in the Downtown consistent with this Plan, the City should plan to become more active in regulating, providing, and managing parking to support the Plan's goals.

## Street Grids, Streetscapes & Public Spaces Policies + Strategies

### *Policies*

- **Policy:** Promote the Central Business District (CBD) as a daytime and nighttime center for social, entertainment, cultural, business and government activity. (See related policy in Urban Design + Land Use section).
- **Policy:** Promote cultural institutions, performing arts uses, and recreational activities within the CBD.
- **Policy:** Consider the use of the City's eminent domain powers to establish public streets and public open spaces in the Lakewood Towne Center.
- **Policy:** Maintain a pedestrian-orientation in building, site, and street design and development in the CBD.
- **Policy:** Maintain an appropriate supply of parking in the CBD as development intensifies.
- **Policy:** Foster the evolution of a CBD that is compact and walkable and not defined by large expanses of parking lots.
- **Policy:** Consider parking requirements for higher density areas that offer sufficient parking and access as well as encourage alternative transportation modes.
- **Policy:** Confine the location of parking areas to the rear of properties to increase pedestrian safety and minimize visual impact.
- **Policy:** Identify places where on-street parking can be added adjacent to street-facing retail to encourage shopping and buffer sidewalks with landscaping to create a pleasant walking environment.
- **Policy:** Encourage the use of structured, underbuilding, or underground parking, where feasible with site conditions, to use land more efficiently.
- **Policy:** Encourage shared parking agreements within the Lakewood Towne Center.
- **Policy:** Focus investments in Downtown by promoting joint and mixed-use development and integrating shared-use parking practices.

## *Strategies*

- **Strategy:** Require land uses and development to support an active, safe, and engaging public realm in Downtown streets, parks, and public spaces.
- **Strategy:** Expand the number of events held in public spaces in Downtown by building off the success of the Lakewood Farmer's Market.
- **Strategy:** Implement public and civic investment programs such as: public spaces, art, seasonal events; streets, streetscapes, and parks; and environmental remediation.
- **Strategy:** Ensure parking in the Downtown reflects urban development patterns through use of right-sized parking requirements, a larger on-street parking network, parking facilities within structures or located away from the edges of streets and public spaces, and encouraged shared parking. (See related parking strategies in Transportation section.)

# Transportation

## Context

Downtown Lakewood is a predominantly auto-oriented environment. The local street network is made up of two-way streets with varying travel speeds. Auto congestion is minimal outside of several key intersections along routes leading to I-5. Bridgeport Way SW, 108th Street SW, and 100th Street SW are key access routes to Interstate 5 (I-5), so much of the traffic along the Study Area arterials is destined for I-5 rather than the Downtown itself. The arterials do not follow a typical grid pattern, and blocks vary in size considerably with smaller blocks in the Colonial District and East Commercial District and larger blocks in the Town Center District.

Pedestrian and bicycle connections in the Downtown could be improved within and between districts to make non-motorized travel a more attractive and comfortable option. Sidewalks are provided on most arterials within Downtown Lakewood, although there are some gaps, particularly along Gravelly Lake Drive SW at the north end of the Study Area. Most sidewalks are relatively narrow and do not have buffers, so pedestrians are walking alongside vehicle traffic, which can be uncomfortable for pedestrians on high speed and/or high-volume streets. Recently completed improvements, such as along Main Street SW, include more pedestrian friendly amenities such as buffered sidewalks and mid-block crossings.

While the arterial network has consistent sidewalk coverage, the adjacent residential areas generally lack sidewalks. The density of arterial connections is also a challenge for pedestrians who may have to complete out of direction travel to reach their destination. The Lakewood Towne Center at the heart of the Study Area includes wide swaths of surface parking lots. Some segments of the interior roadway network include sidewalks, but the segments are currently fragmented and would benefit from a more connected pedestrian network.

Lakewood's Transit Center acts as a hub for many Pierce Transit bus routes; this resource could be enhanced with better pedestrian and bicycle connections into the surrounding areas. Likewise, improved facilities between Downtown and Lakewood Station could help connect the Study Area with a valuable regional transit amenity.

## Proposed Improvements

The City's six-year transportation improvement program (TIP) includes a "road diet" project ((i.e., removing travel lanes from a roadway and utilizing the space for other uses and travel modes"<sup>4</sup>) on Gravelly Lake Drive SW between Bridgeport Way and Steilacoom Drive which will reduce the road from four lanes to three lanes and proposes other various intersection pedestrian, and bicycle improvements. This Plan includes all of the City's six-year projects for the area, considers a revision to another section of Gravelly Lake Drive SW between 100<sup>th</sup> and 112<sup>th</sup> Streets SW, and proposes new public streets and connected non-motorized features.

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<sup>4</sup> Source: Federal Highway Administration

Table 2. Proposed Transportation Improvements

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

City of Lakewood, KPG and Fehr & Peers 2017

Housing and job growth as proposed under this Plan would increase trips and create additional congestion Downtown, though this is offset in part by a greater network of public streets. It is anticipated that more persons would use non-motorized travel, particularly under the Preferred Alternative (EIS Alternative 2), due to an increase in mixed use development.

Table 3. Land Use Assumptions and Daily Person Trip Ends Generated by Preferred Alternative

	Existing	Preferred (Alternative 2)
Total Person Trip Ends	77,000	191,000
Vehicular Mode Trip Ends	71,000	168,900
Non-vehicular mode Trip Ends	6,000	22,100
Non-vehicular Mode Split	8%	12%

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

## Mitigation

### Additional Capital Improvements

Considering proposed transportation improvements and land use together in the City's transportation model, some Plan area intersections would require additional capital improvements, or alternatively changes in programs or policies, as described below.

The results without that change are described below the table.

Table 4. Potential Additional Transportation Mitigation

Intersection	No Action	Preferred without Mitigation	Preferred Mitigated
<b>Gravelly Lake Dr SW/59th Ave SW</b>			
Signalize intersection	E/38	F/82	B/19
<b>100th St SW/Bridgeport Way SW</b>			
Add westbound right turn pocket, convert existing westbound through-right lane to through-only, and prohibit east and westbound left turns	E/68	F/102	D/49
<b>100th St SW/Lakewood Dr SW</b>			
Signal timing revisions to provide more green time to protected left turn phases and reduce time for eastbound and southbound through phases	D/50	E/56	D/54
<b>Lakewood Dr SW/Bridgeport Way SW</b>			
Convert westbound through-left lane to left only to remove split phase or move the pedestrian crossing to the north side of the intersection coincident with the WB phase*	C/34	E/67	D/48

Fehr &amp; Peers 2018

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

### Screening Transportation Improvements and Additional Mitigation

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

Table 5. Transportation Improvements and Additional Mitigation Screening

Improvements	Reduced Vehicle Delay or Improved Auto Mobility	Multi-modal Focus	Traffic Distribution	Recreation or Amenity Value	Independent Implementation
1. Gravelly Lake Drive SW Revised Street Section	No	Yes	No	Yes	Yes, 4 or 5 lanes
2. Conversion of Lakewood Towne Center Blvd as a public street. Addition of new street connections to support walkability.	Yes	Yes	Yes	Yes	Yes
3. Lakewood Towne Center Blvd at 59th Ave SW, consider roundabout.	Yes	No	Yes	Yes	Yes
4. Reduce 59th Avenue SW to two lanes, allowing for bicycle facilities	No	Yes	No	Yes	Yes
5. Potential Additional Transportation Mitigation in Table 4.	Yes	No	No	No	Yes

BERK and Fehr &amp; Peers 2018

### Transportation Demand Management

To reduce capital and mitigation costs, a more robust implementation of Transportation Demand Management (TDM) strategies could be undertaken. With such a TDM program in place, it is expected that actual trip generation in the Downtown Plan area could be lowered below the levels analyzed in this plan and associated Planned Action EIS.

TDM strategies could include subsidies or discounts for non-auto travel, education, and assistance to help travelers identify non-auto commute options, rideshare, and ride match promotion, and local incentive and reward programs.

## Transportation Policies + Strategies

### *Policies*

- **Policy:** Balance the need for traffic flow with providing multi-modal travel options and supporting urban development in the Downtown.
- **Policy:** Emphasize pedestrian and bicycle connectivity and transit use within the Central Business District (CBD).
- **Policy:** Accommodate automobiles in balance with pedestrian, bicycle, and transit uses within the CBD and on individual sites.

### *Strategies*

- **Strategy:** Amend City design and engineering standards to implement Downtown street sections.
- **Strategy:** Ensure development standards require new development to provide convenient pedestrian connections to bus stops.
- **Strategy:** Provide pedestrian facilities and amenities, local access, on-street parking, and active streets on designated retail streets in the Downtown.
- **Strategy:** Prioritize the design and construction of the Green Loop, including the revision on Gravelly Lake Drive SW.
- **Strategy:** Provide sidewalks and/or upgraded sidewalk conditions within the Downtown area along the Green Loop roadways and along connections to parks and recreational spaces.
- **Strategy:** Construct high quality bicycle facilities for riders of all ages, including bicycle lanes and multi-use paths to provide safe east-west and north-south routes in the Downtown.
- **Strategy:** Actively pursue the acquisition of the proposed public streets based on the priorities established in the Implementation Plan and as strategic opportunities arise.
- **Strategy:** Work with Pierce Transit, Sound Transit, and other partners to offer incentives to small employers that promote multimodal travel.
- **Strategy:** Provide a high level of transit stop amenities, including pads, bus shelters, and traveler information within the Plan area.
- **Strategy:** Conduct a parking study in the Downtown to understand the existing demand for parking and identify opportunities for redevelopment of existing surface parking lots to support the implementation of this Plan.
- **Strategy:** Update the City's parking requirements to "right size" the requirements based on the results of the parking study and to encourage shared parking and flexibility in meeting parking requirements.
- **Strategy:** Pursue opportunities to add on-street parking consistent with the street concept plans and support the redevelopment of existing surface parking lots and prioritize access to street level retail uses..

## Parks, Open Spaces, & Trails

### Context

There are cultural facilities – a library, museum, and theater – in the Plan area, but the Downtown lacks parks and open space. Per its 2014 Legacy Plan, the City's open space level of service is 0.75-mile walking distance, or a 20-minute walking time, to urban parks serving residents living in high density residential or mixed-use areas. Most of the Downtown does not meet this standard.

North of Downtown, the City manages the Kiwanis Park, which is three acres and contains a skate park. The County's Seeley Lake Park abuts Downtown to the northeast near the East Commercial District and is about 47-acres containing a loop trail, woods, and wetlands. Active Park lies to the east of the Lakewood Towne Center Mall.

Community engagement showed a keen interest in outdoor recreation such as a spray park, a linear park, entertainment venues for art, music, and food and indoor cultural facilities.

*Figure 43. Outdoor Recreation: Spray Park and Linear Park*



*Lakewood Downtown Plan Survey 2017, McCament & Rogers LLC 2014*

## Park Concepts

Recognizing the value of gathering spaces and active, healthy lifestyles by residents and businesses, coupled with the current lack of parks and recreation space, this Plan proposes a focal central park and a linear green street connection most of the Plan area. Connections to adjacent parks, including Active Park and Seeley Lake Park, are also proposed.

Figure 44. Park Concepts for Downtown Lakewood

### Central Park Case Studies



Downtown Puyallup – Pioneer Park – 2 acres

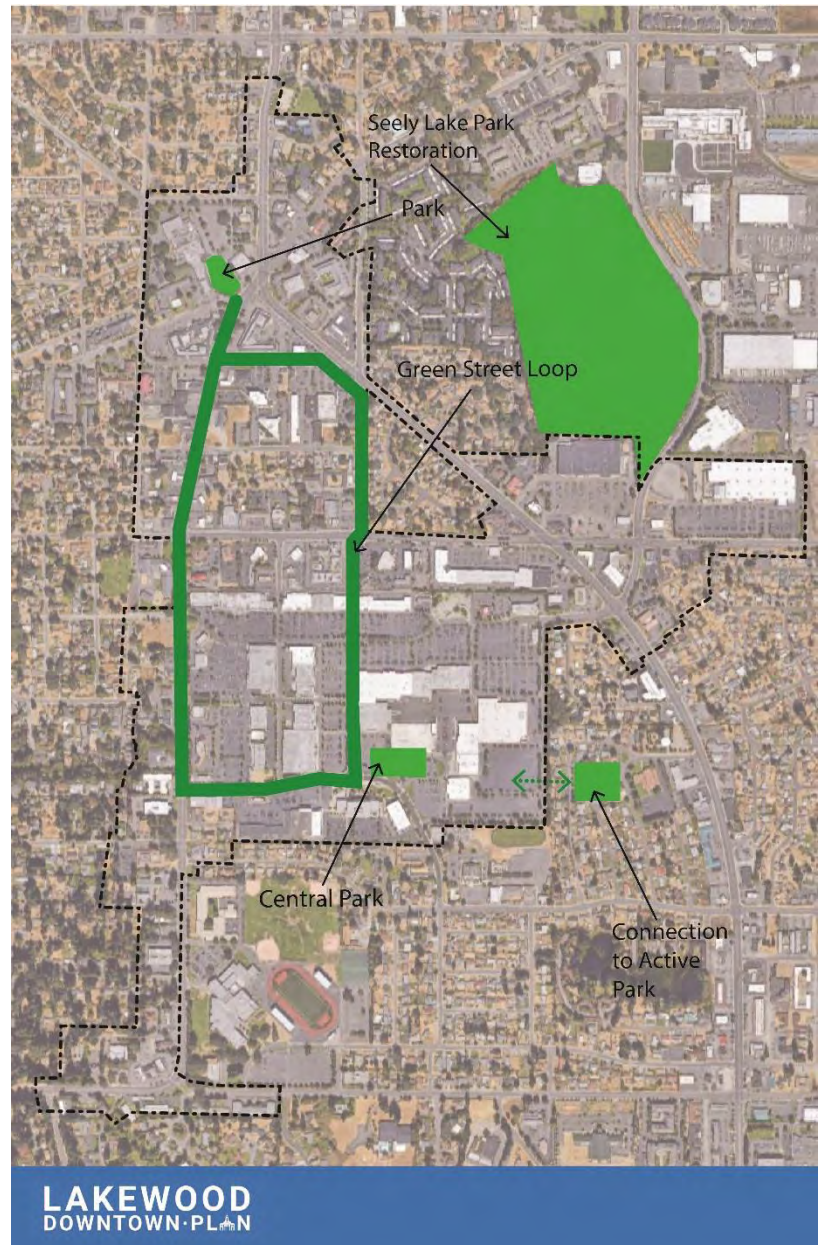


Downtown Burien – 1 acre



Downtown Redmond – 2 Acres, Under Construction

### Downtown Lakewood Park Concept



## Park, Open Spaces & Trails Policies + Strategies

### *Policies*

- **Policy:** Create public spaces and amenities in the Central Business District (CBD) to support Downtown businesses and residents
- **Policy:** Acquire lands and construct community-gathering destinations such as plazas, open space or community facilities within the Towne Center.
- **Policy:** Invest in a quality park and recreation system to enhance economic benefit.
- **Policy:** Encourage the development of open space and recreation amenities in business parks or other commercial areas to support workers and nearby residents.
- **Policy:** Increase emphasis on making Lakewood accessible and convenient for pedestrians and bicycle riders.

### *Strategies*

- **Strategy:** Implement the Lakewood Legacy Plan urban parks level of service standard.
- **Strategy:** Explore grant and other funding opportunities for public space improvements and programming.
- **Strategy:** Authorize partial fees-in-lieu of onsite parks and recreation facilities that would contribute to central and linear park implementation.
- **Strategy:** Acquire land for and develop a central park in Downtown to provide citizens with recreation and cultural features.
- **Strategy:** Develop the Green Loop to connect the Downtown's parks, recreation, cultural, transit, and retail assets.
- **Strategy:** Explore the potential to designate a cultural district within Downtown to celebrate art and creativity and to attract funding.
- **Strategy:** Program and host events (e.g., farmers market, parades, holiday festivals or Oktoberfest) for Downtown public spaces.
- **Strategy:** Create streetscapes and trails that link the Downtown area to parks and recreational facilities outside of Downtown.

# Stormwater and the Natural Environment

## Context

### *Natural Environment*

Downtown is located to the west in the City and within the drainage basins of Steilacoom and Gravelly Lakes. Clover Creek flows northwest into Steilacoom Lake, crossing the southwest corner of the Town Center District. Clover Creek is a salmonid bearing stream with documented Coho salmon and presumed winter steelhead. Ponce de Leon Creek, another salmonid-bearing stream, flows to the west of the Town Center District. In addition to mapped critical areas, several streams and waterbodies are piped within the planning area.

Portions of Clover Creek are within a special flood hazard area. Special flood hazard areas are subject to flooding and have a 1% annual chance of flood (100-year food).

The entire Downtown Study Area is within an aquifer recharge area (Lakewood Water District, 2018). The soils are highly permeable and gravelly in nature, and the area is rated as highly vulnerable on the DRASTIC index range (LMC 14A.150; (Brown and Caldwell et al., 1990)). The City's sole source of drinking water is from underground aquifers and recharge (replenishing) of the aquifers comes from local rainfall in the Clover-Chambers watershed which includes the Downtown Plan Study Area.

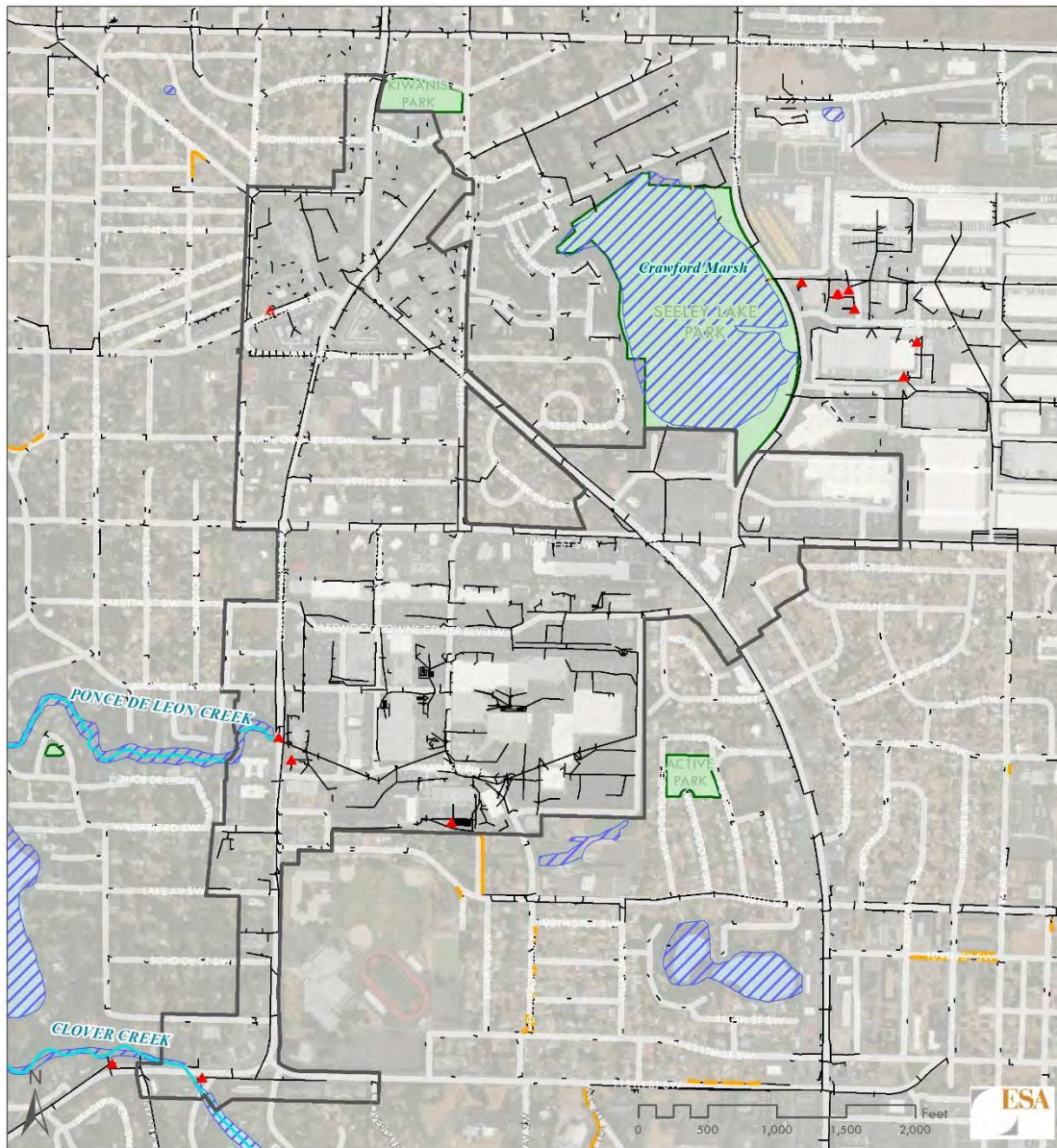
Urban adapted wildlife (e.g. rodents, raccoons, and some birds such as crows) may take advantage of the limited greenspace within Downtown Lakewood.

### *Stormwater*

The natural surface waters have been modified over time and have been integrated into the manmade stormwater system to enable development. The Downtown stormwater pipes and vaults are shown in Figure45.

Redevelopment in the Downtown will require compliance with modern stormwater standards, including which best management practices to minimize stormwater impacts on water quality and quantity.

Figure45. Surface Water Features



#### LEGEND

- |                            |           |
|----------------------------|-----------|
| Lakewood Downtown Boundary | Wetland   |
| Vault                      | Waterbody |
| Channel                    | Parks     |
| Creek                      | Roads     |
| Storm Drainage Pipe        |           |

Digital Globe, 2016, City of Lakewood, Pierce County GIS, ESA

## Proposed Improvements

This plan supports restoration of Seeley Lake Park outside the Study Area and an option to daylight a portion of Ponce de Leon Creek per Comprehensive Plan policies.

Depending on the extent and type of restoration of Seeley Lake Park, these changes could help to improve the water quality of the wetland and improve habitat for urban wildlife.

Daylighting a portion of Ponce de Leon Creek could provide additional instream and riparian habitat along the daylighted portion of the stream. Daylighting a portion of the creek could also have a community benefit and be an opportunity for education as it would be a natural feature in an urban environment. However, daylighting a portion of the creek would not necessarily address water quality issues, which could hinder ecological benefit. The area also has a high water table, and daylighting may have an effect on groundwater. Additionally, depending upon site constraints and easements acquired, the riparian area may be too narrow to provide any ecological benefit or costs may render daylighting impractical.

Improvements in the stormwater system, which currently has limited areas of filtration or water quality treatment, would be supported by the City's application of its stormwater standards, including:

- 2012 Stormwater Management Manual for Western Washington (as amended in 2014) (Washington Department of Ecology, 2014);
- Pierce County Stormwater Management and Site Development Manual (Pierce County, 2015); and
- Washington State Department of Transportation (WSDOT) Highway Runoff Manual (WSDOT, 2014)

## Stormwater and the Natural Environment Policies + Strategies

### *Policies*

- **Policy:** Protect the quality and quantity of groundwater.
- **Policy:** Require that development follow adopted stormwater standards that incorporate low impact development (LID) principles and standards.
  - Where onsite filtration is feasible, it should be provided.
  - Permeable surfaces should be considered for sidewalks.

### *Strategies*

- **Strategy:** Feature low impact development and green stormwater infrastructure along the Green Street Loop.
- **Strategy:** Use native and/or drought tolerant landscaping in the Downtown.
- **Strategy:** Provide educational signage at aboveground stormwater facilities and/or added natural features.
- **Strategy:** Encourage that open ponds be an amenity for the Downtown, with both natural landscape and urban access and edge treatments.
- **Strategy:** Address protection and potential restoration of piped streams in development to improve downstream function.
- **Strategy:** Require a conservation easement or other regulatory structure for piped streams to ensure the possibility of creek daylighting is not precluded by future redevelopment.
- **Strategy:** Identify types of acceptable low impact development and green stormwater infrastructure techniques for small parcels in the Plan area. Be open to emerging ideas.

## Utility Infrastructure (Water, Sewer, Power)

### Context

Water service is provided by the Lakewood Water District, and Downtown is fully served. The District began a 35-year program of replacement and rehabilitation in 1995, and some of the lines are mapped as needing replacement in the Downtown Plan area. Once these replacements are complete, water service will be sufficient for Downtown including daily use and fire suppression demand.<sup>5</sup>

Sewer service is provided by Pierce County Public Works and Utilities. Downtown is in the County's Lakewood East Sewerage Sub-basin and is fully served. Pierce County plans to increase sewer capacity in the area. Designs under consideration currently include either an increase in the size of the current interceptor (from 54" to 72") or the addition of a parallel sewer line. Any needs for additional flow can be considered and incorporated into Unified Sewer Plan updates in 2018 or beyond. (Bedi, 2018)

Power providers in the Downtown include Lakeview Light and Power and Tacoma Power.

Water and sewer lines traverse larger private properties within the Plan area such as the Lakewood Towne Center Mall. This could affect where and how public streets are added. The addition of new public streets could necessitate changes to some utility lines. Developers are responsible for the cost of these alterations, which may be identified during the design review for individual projects. The City should consider development incentives to advance public street improvements and to help offset developer responsibility for the cost of utility alteration.

## Utility Infrastructure (Water, Sewer, Power) Policies + Strategies

### Policies

- **Policy:** Ensure Downtown features a connected public street grid and updated utility infrastructure to support densification.
- **Policy:** Encourage energy efficient development in the Downtown Study Area.

### Strategies

- **Strategy:** Facilitate the creation of public streets to maximize development potential that meets the Downtown Plan vision.
- **Strategy:** Develop a water line replacement phasing plan in conjunction with the Lakewood Water District that dovetails with the installation of public streets to reduce the costs of utility relocation.
- **Strategy:** Coordinate with Pierce County on the relocation of sewer lines as public streets are developed.
- **Strategy:** Promote energy-saving building materials and site designs (e.g., LEED or similar ranking systems) through development regulation incentives.

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<sup>5</sup> Water supply requirements for fire flow can be much greater than the average daily usage for single buildings. Developers are responsible for improvements needed to meet fire code requirements on their property, so additional improvements may be identified during the design review for individual projects.

## Community Partnerships and Organization

### Context

Successful Downtowns often have active community organizations to partner with the City and the community to manage and improve the Downtown. The National Main Street Association and the Washington Main Street Association are two of the best examples of national and organizations that provide guidance and resources for local communities interested in revitalizing their Downtown. There are many main street organizations in Washington and throughout the United States (see Figure 46).

Figure 46. Map of Main Street Associations in the United States



Mainstreet.org, 2018; Google Maps, 2018

The main street approach is based on the understanding that the City governments do not have the resources to take on all aspects of a downtown revitalization effort and need resources from the community. It includes creating a sustainable organization that is committed to the revitalization of the Downtown and uses the Four Point Approach (see Figure 47) that includes organization, promotion, design, and economic vitality subcommittees. Business improvement associations, merchant associations, chambers of commerce, historic preservation organizations, and arts and culture organizations can also contribute to the success of a city's Downtown. Lakewood currently has many community organizations, but none focused exclusively on the revitalization of the Downtown.

Figure 33. Main Street Four Point Approach



Mainstreet.org, 2018

## Community Partnerships and Organization Policies + Strategies

### Policies

- **Policy:** Focus on the revitalization of the Downtown through partnerships among the City, business and property owners, and the community; develop an organization whose primary function is to support implementation of this Plan.
- **Policy:** Support formation of business improvement organizations.
- **Policy:** Support the formation of a Lakewood Towne Center association or similar organization to establish economic improvement strategies and to sponsor social and safety events.

### Strategies

- **Strategy:** Create a Downtown Plan Advisory Commission with staff support to assist with implementation efforts.
- **Strategy:** Connect businesses to other Lakewood business support organizations' missions and programs including the Lakewood Chamber of Commerce.
- **Strategy:** Work with Lakewood Chamber of Commerce on a "buy local" initiative that builds on the small business movement.
- **Strategy:** Seek community partnerships for the programming and management of public spaces for active use.
- **Strategy:** Explore becoming a designated Main Street program through the State of Washington.

## Implementation Plan

During the public outreach for this Plan, the community expressed a very strong desire to see progress towards realizing their vision for the Downtown and some frustration that more has not happened to date. Therefore, the implementation plan is a critical component to advancing the Downtown vision. The implementation plan outlines the project actions, the timeline for implementation, the responsible department (See Table 5). The timeline for plan actions include short-term (0-3 years), Mid-term (3-5 years) and long-term (5+ years).

Table 5. Implementation Plan

	Plan Action	Timeline	Department
Urban Design + Land Use	<ul style="list-style-type: none"> <li>Update the City's Future Land Use Map and Zoning Map to designate the entire Study Area as "Downtown."</li> </ul>	Short-term	Community Development
	<ul style="list-style-type: none"> <li>Adopt a hybrid form-based code that combines design elements with traditional zoning to regulate Downtown development. Use Overlay Districts, Street Types, Building Frontage Standards, and a simplified list of allowed land uses in the subarea.</li> </ul>	Short-term	Community Development
	<ul style="list-style-type: none"> <li>Adopt standards to address the transition and minimize impacts from more intense development Downtown to lower-density residential neighborhoods.</li> </ul>	Short-term	Community Development
	<ul style="list-style-type: none"> <li>Encourage integrated mixed-use urban development, including housing, in the Downtown.</li> </ul>	Ongoing	Community Development
	<ul style="list-style-type: none"> <li>Train staff on maintenance and implementation of a hybrid form-based development code.</li> </ul>	Short-term	Community Development
	<ul style="list-style-type: none"> <li>Remove underlying deed restrictions and/or covenants that prohibit office, high density residential, and/or mixed-use development or open space.</li> </ul>	Mid-term	Community Development
	<ul style="list-style-type: none"> <li>Conduct a parking study in the Downtown to understand the existing demand for parking and identify opportunities for redevelopment of existing surface parking lots to support the implementation of this Plan.</li> </ul>	Short-term	Community Development

	Plan Action	Timeline	Department
	<ul style="list-style-type: none"> <li>Update the City's parking requirements to "right size" the requirements based on the results of the parking study and to encourage shared parking and flexibility in meeting parking requirements. The updated parking requirements should consider parking maximums.</li> </ul>	Short-term	Community Development
	<ul style="list-style-type: none"> <li>Monitor the impact of the Downtown Code in implementing this Plan at least biennially and amend the Plan and its associated regulations as needed to improve outcomes.</li> </ul>	Short-term; Ongoing	Community Development
Economic Development	<ul style="list-style-type: none"> <li>Develop a Lakewood-specific business attraction and retention program with regional economic development partners including opportunities for incubator businesses.</li> </ul>	Ongoing	Community Development, Public Works Engineering, Parks and Recreation, Economic Development
	<ul style="list-style-type: none"> <li>Identify and implement incentives that would encourage new businesses to locate in Downtown Lakewood.</li> </ul>	Short-term; Ongoing	Economic Development
	<ul style="list-style-type: none"> <li>Provide resources for entrepreneurs and small businesses, including information available in multiple languages, and recruit key business services to the area.</li> </ul>	Short-term; Ongoing	Economic Development
	<ul style="list-style-type: none"> <li>Support a business improvement district and continue ongoing initiatives to make downtown Lakewood clean and safe.</li> </ul>	Short-term	Economic Development
	<ul style="list-style-type: none"> <li>Activate empty and underutilized places such as parking lots.</li> </ul>	Short-term	Community Development, Economic Development
	<ul style="list-style-type: none"> <li>Seek neighborhood businesses that provide daily goods and services in the CBD.</li> </ul>	Ongoing	Economic Development
	<ul style="list-style-type: none"> <li>Invest in civic amenities and infrastructure consistent with this Downtown Plan to attract business owners and investors who create living wage jobs.</li> </ul>	Mid-term	Community Development, Public Works Engineering, Parks and Recreation

	Plan Action	Timeline	Department
	<ul style="list-style-type: none"> <li>Explore the feasibility of a business incubator in Downtown and consider incorporating economic gardening for microenterprises into it.</li> </ul>	Mid-term	Economic Development
	<ul style="list-style-type: none"> <li>Work with local financial institutions on providing low interest loans for qualified small local businesses.</li> </ul>	Short-term; Ongoing	Economic Development
	<ul style="list-style-type: none"> <li>Implement “crime prevention through environmental design” principles at the time of design and through maintenance programs.</li> </ul>	Short-term; Ongoing	Community Development, Public Works Engineering
	<ul style="list-style-type: none"> <li>Improve regular police patrols through extension of public streets.</li> </ul>	Mid-term	Community Development, Public Works Engineering, Police Department
	<ul style="list-style-type: none"> <li>Evaluate regulations, procedures, and fees to remove barriers to business formation and development while remaining effective and reasonable to achieve the Vision of this plan.</li> </ul>	Short-term	Community Development
Housing	<ul style="list-style-type: none"> <li>Adopt form-based development regulations that improve the quality of attached and mixed-use housing development and create a walkable attractive Downtown.</li> </ul>	Short-term	Community Development
	<ul style="list-style-type: none"> <li>Revise land use and development regulations to promote mixed-use development within the CBD.</li> </ul>	Short-term	Community Development
	<ul style="list-style-type: none"> <li>Adopt transitional height and landscape standards to ensure compatibility with abutting lower-density areas.</li> </ul>	Short-term	Community Development
	<ul style="list-style-type: none"> <li>Engage affordable housing organizations about opportunities and partnerships to increase housing in the Downtown.</li> </ul>	Short-term; Ongoing	Community Development, Economic Development
	<ul style="list-style-type: none"> <li>Explore opportunities for transitional housing and services with homelessness service providers to address the health, social, and shelter needs of homeless in Lakewood.</li> </ul>	Short term; Ongoing	Community Development, Economic Development

	Plan Action	Timeline	Department
	<ul style="list-style-type: none"> <li>Foster neighbor engagement and create a sense of safety through “crime prevention through environmental design” principles integrated into development designs.</li> </ul>	Ongoing	Community Development
	<ul style="list-style-type: none"> <li>Explore expanding current tax abatement programs and other incentives.</li> </ul>	Long Term	Community Development
Street Grid, Streetscapes and Public Spaces	<ul style="list-style-type: none"> <li>Require land uses and development to support an active, safe, and engaging public realm in Downtown streets, parks, and public spaces.</li> </ul>	Mind-term; Ongoing	Community Development, Economic Development, Public Works Engineering, Parks and Recreation
	<ul style="list-style-type: none"> <li>Expand the number of events held in public spaces in Downtown by building off the success of the Lakewood Farmer’s Market.</li> </ul>	Short-term; Ongoing	Public Works Engineering, Community Development
	<ul style="list-style-type: none"> <li>Implement public and civic investment programs such as: public spaces, art, seasonal events; streets, streetscapes, and parks; and environmental remediation.</li> </ul>	Mid-term	Public Works Engineering, Community Development, Parks and Recreation
	<ul style="list-style-type: none"> <li>Adopt regulations for right-sized parking requirements, a larger on-street parking network, parking facilities within in structures or located away from the edges of streets and public spaces, and encouraged shared parking.</li> </ul>	Short-term; Ongoing	Community Development, Public Works Engineering
Transportation	<ul style="list-style-type: none"> <li>Amend City design and engineering standards to implement Downtown street sections.</li> </ul>	Short-term	Public Works Engineering
	<ul style="list-style-type: none"> <li>Ensure development standards require new development to provide convenient pedestrian connections to bus stops.</li> </ul>	Short-term	Community Development, Public Works Engineering
	<ul style="list-style-type: none"> <li>Provide pedestrian facilities and amenities, local access, on-street parking, and active streets on designated retail streets in the Downtown.</li> </ul>	Ongoing	Public Works Engineering

Plan Action	Timeline	Department
<ul style="list-style-type: none"> <li>■ Prioritize the design and construction of the Green Loop, including the revision on Gravelly Lake Drive SW.</li> </ul>	Ongoing	Community Development, Public Works Engineering
<ul style="list-style-type: none"> <li>■ Provide sidewalks and/or upgraded sidewalk conditions within the Downtown area along the Green Loop roadways and along connections to parks and recreational spaces.</li> </ul>	Ongoing	Community Development, Public Works Engineering
<ul style="list-style-type: none"> <li>■ Construct high quality bicycle facilities for riders of all ages, including bicycle lanes and multi-use paths to provide safe east-west and north-south routes in the Downtown.</li> </ul>	Long-term	Community Development, Public Works Engineering
<ul style="list-style-type: none"> <li>■ Actively pursue the acquisition of the proposed public streets based on the priorities established in the Implementation Plan and as strategic opportunities arise.</li> </ul>	Short-term	Public Works Engineering
<ul style="list-style-type: none"> <li>■ Work with Pierce Transit, Sound Transit, and other partners to offer incentives to small employers that promote multimodal travel.</li> </ul>	Short-term	Public Works Engineering
<ul style="list-style-type: none"> <li>■ Provide a high level of transit stop amenities, including pads, bus shelters, and traveler information within the Plan area.</li> </ul>	Short-term	Pierce Transit, Public Works Engineering
<ul style="list-style-type: none"> <li>■ Conduct a parking study in the Downtown to understand the existing demand for parking and identify opportunities for redevelopment of existing surface parking lots to support the implementation of this Plan.</li> </ul>	Short-term	Community Development
<ul style="list-style-type: none"> <li>■ Update the City's parking requirements to "right size" the requirements based on the results of the parking study and to encourage shared parking and flexibility in meeting parking requirements.</li> </ul>	Short-term	Community Development

	Plan Action	Timeline	Department
	<ul style="list-style-type: none"> <li>Pursue opportunities to add on-street parking consistent with the street concept plans and support the redevelopment of existing surface parking lots and prioritize access to street level retail uses.</li> </ul>	Short Term; Ongoing	Community Development, Public Works Engineering
Parks, Open Spaces, & Trails	<ul style="list-style-type: none"> <li>Implement the Lakewood Legacy Plan urban parks level of service standard.</li> </ul>	Mid-Term	Parks and Recreation, Community Development
	<ul style="list-style-type: none"> <li>Explore grant and other funding opportunities for public space improvements and programming.</li> </ul>	Mid-term	Parks and Recreation, Community Development, Public Works Engineering, Administrative Services
	<ul style="list-style-type: none"> <li>Authorize partial fees in lieu of onsite parks and recreation facilities to contribute to central and linear park implementation.</li> </ul>	Short-term	Parks and Recreation, Community Development
	<ul style="list-style-type: none"> <li>Acquire land for and develop a central park in Downtown to provide citizens with recreation and cultural features.</li> </ul>	Long-term	Community Development, Public Works Engineering
	<ul style="list-style-type: none"> <li>Develop the Green Loop to connect the Downtown's parks, recreation, cultural, transit, and retail assets.</li> </ul>	Short-term	Community Development, Public Works Engineering
	<ul style="list-style-type: none"> <li>Explore the potential to designate a cultural district within Downtown to celebrate art and creativity and to attract funding.</li> </ul>	Mid-term	Parks and Recreation
	<ul style="list-style-type: none"> <li>Program and host events (e.g., farmers market, parades, holiday festivals or Octoberfest) for Downtown public spaces.</li> </ul>	Short-term; Ongoing	Parks and Recreation
	<ul style="list-style-type: none"> <li>Create streetscapes and trails that link the Downtown area to parks and recreational facilities outside of Downtown.</li> </ul>	Mid-term	Community Development, Public Works Engineering
Stormwater	<ul style="list-style-type: none"> <li>Feature low impact development and green stormwater infrastructure along the Green Street Loop.</li> </ul>	Short-term	Public Works Engineering, Community Development
	<ul style="list-style-type: none"> <li>Use native and/or drought tolerant landscaping in the Downtown.</li> </ul>	Short-term	Community Development, Public Works Engineering

	Plan Action	Timeline	Department
	<ul style="list-style-type: none"> <li>Provide educational signage at aboveground stormwater facilities and/or added natural features.</li> </ul>	Short-term	Public Works Engineering
	<ul style="list-style-type: none"> <li>Encourage that open ponds be an amenity for the Downtown, with both natural landscape and urban access and edge treatments.</li> </ul>	Short-term	Public Works Engineering
	<ul style="list-style-type: none"> <li>Address protection and potential restoration of piped streams in development to improve downstream function.</li> </ul>	Mid-term	Community Development, Public Works Engineering
	<ul style="list-style-type: none"> <li>Require a conservation easement or other regulatory structure for piped streams to ensure the possibility of creek daylighting is not precluded by future redevelopment.</li> </ul>	Mid-term	Community Development, Public Works Engineering
	<ul style="list-style-type: none"> <li>Identify types of acceptable low impact development and green stormwater infrastructure techniques for small parcels in the Plan area. Be open to emerging ideas.</li> </ul>	Short-term; Ongoing	Public Works Engineering
Utility Infrastructure	<ul style="list-style-type: none"> <li>Facilitate the creation of public streets to maximize development potential that meets the Downtown Plan vision.</li> </ul>	Mid-term	Public Works Engineering, Community Development
	<ul style="list-style-type: none"> <li>Develop a water line replacement phasing plan in conjunction with the Lakewood Water District that dovetails with the installation of public street to reduce the costs of utility relocation.</li> </ul>	Short-term	Public Works Engineering
	<ul style="list-style-type: none"> <li>Coordinate with Pierce County on the relocation of sewer lines as public streets are developed.</li> </ul>	Short-term; Ongoing	Public Works Engineering
	<ul style="list-style-type: none"> <li>Promote energy-saving building materials and site designs (e.g., LEED or similar ranking systems) through development regulation incentives.</li> </ul>	Short-term; Ongoing	Community Development

	Plan Action	Timeline	Department
Community Partnerships	■ Create a Downtown Plan Advisory Commission with staff support to assist with implementation efforts.	Mid-term	Community Development, Economic Development
	■ Connect businesses to other Lakewood business support organizations' missions and programs including the Lakewood Chamber of Commerce.	Short-term; Ongoing	Community Development, Economic Development
	■ Work with Lakewood Chamber of Commerce on a "buy local" initiative that builds on the small business movement.	Short-term	Economic Development
	■ Seek community partnerships for the programming and management of public spaces for active use.	Mid-term; Ongoing	Parks and Recreation
	■ Explore becoming a designated Main Street program through the State of Washington.	Short-term	Community Development, Parks and Recreation

## Appendix A Colonial District Design Overview

# COLONIAL DISTRICT DESIGN OVERVIEW

**LAKEWOOD**  
DOWNTOWN · PLAN 



# PRECEDENTS



# ELEMENTS

## \* MATERIALS

- \* BRICK
- \* CLAPBOARDS
- \* WOOD
- \* GLASS
- \* STONE
- \* STUCCO WHEN LIMITED IN AREA

## \* COLOR

- \* RED
- \* WHITE
- \* YELLOW
- \* BLUE/GRAY
- \* BLACK

## \* ARCHITECTURAL (COLONIAL REVIVAL)

- \* CUPOLA
- \* GABLET (DORMERS)
- \* COLUMNS
- \* PORTICO
- \* PEDIMENTS
- \* SHUTTERS
- \* CHIMNEYS
- \* PROMINENT ENTRY DESIGN
- \* CORNICE WITH DETAILING
- \* ORNATE DETAILING
- \* ARCHES
- \* ROOF FORMS
  - \* SIDE GABLE, GAMBREL, HIPPED, GABLE
  - \* FLAT ROOFS WHEN INCORPORATING FEATURES THAT  
CREATE A PROMINENT EDGE AND BREAK UP MASS
- \* WINDOWS
  - \* SYMMETRICAL FENESTRATION
  - \* MULTI-PANE
  - \* ARCHED
  - \* SMALLER UPPER STORY WINDOWS

THE ELEMENTS OF COLONIAL DESIGN PROVIDE A MENU OF OPTIONS FOR THE CITY AND THE COMMUNITY TO CONSIDER IN DEVELOPING DESIGN STANDARDS FOR THE DISTRICT



MOTOR AVENUE CONCEPT

# ELEMENTS



- CUPOLA
- COLUMNS
- SYMMETRICAL  
WINDOWS+ PANES
- BRICK
- WHITE TRIM
- CHIMNEY
- SIDE GABLE  
ROOF

# ROOF TYPES



**SIDE GABLE**



**GABLE**



**GAMBREL**

**SEE ELEMENTS FOR OTHER TYPES.**



**HIPPED**

# DESIGN STANDARDS

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

**Purpose and Intent.** To maintain and enhance the colonial character and design elements within the district and require new development and modifications to be compatible with the scale, materials, and architectural elements of American Colonial Revival architecture. Sites and buildings should be designed to be recognizable as modern structures and not to appear as historic structures. Creativity is encouraged to design sites and buildings that represent modern interpretations of Colonial Architecture through building scale, materials, symmetry, window patterns, entry design, and other elements. Development shall be consistent with the Secretary of the Interiors Standards for the Rehabilitation of Historic Structures for new additions, exterior alterations, and related new construction (Standards 9 and 10). Additionally, the Colonial District Design Standards are intended to achieve the following:

1. To improve the image and character of the District and the Downtown.
2. To connect to Lakewood's History and identity as it relates to colonial architecture and the district's role

3. as a community gathering place  
To support the community's vision for a vibrant Downtown for all and the implementation of the Downtown Subarea Plan
4. To create a great experience on Downtown Streets and in public spaces that is unique to Lakewood

## Levels of Review.

1. Facade Improvements and Modifications.
2. Additions.
3. New Buildings and Redevelopment.

**Design Standards.** See Downtown Development Code. Addresses Colonial Elements and Roof Types.

## Appendix B: Capital Facility Plan

### *Capital Facilities Plan Text*

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

### *Transportation Improvements*

The list below, together with Exhibit 1, summarizes the transportation network assumptions for the Downtown Plan including projects in the City's Six-Year TIP and additional projects.

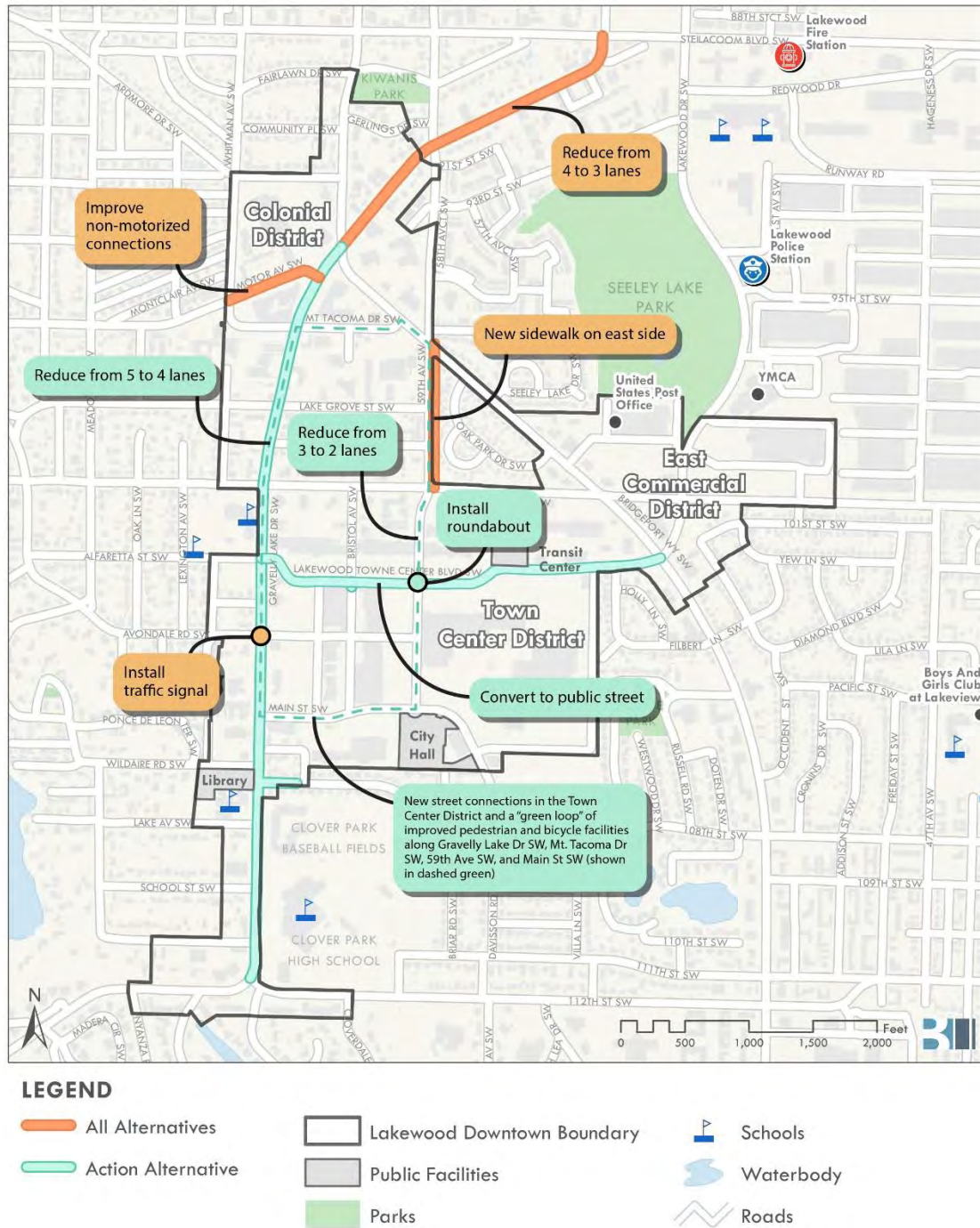
#### **Transportation Improvement Program Improvements: 2018-2023**

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

#### **Preferred Alternative Network Changes**

- Consideration of reducing Gravelly Lake Drive SW from five lanes to four lanes with center turn lane/medians between Bridgeport Way SW and 112th Street SW and construct improved pedestrian and bicycle facilities;
- Convert Lakewood Towne Center Blvd SW to a public street within Lakewood Towne Center;
- Reduce 59th Avenue SW from three lanes to two lanes between Main Street SW and 100th Street SW and construct bicycle facilities;
- Install a one-lane roundabout at the 59th Avenue SW/Lakewood Towne Center Blvd SW intersection; and
- Construct more street connections to support walkability.

Exhibit 1. Transportation Network Assumptions - Preferred



Source: Fehr & Peers, BERK 2018

### Additional Intersection Improvements

Based on the Planned Action EIS, in addition to the Six-Year TIP and additional Network Improvements described above, additional intersection improvements will be required as listed in Exhibit 2. The City Council selected Alternative 2 as its Preferred Alternative.

Exhibit 2. Proposed Mitigation Measures.

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

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

Source: Fehr & Peers, 2018.

### Transportation Costs

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

Exhibit 3. Six-Year Transportation Improvement Program (2018-2023) in Downtown Study Area

PROJECT	COST	YEARS	FUNDING SOURCES
2.69B – Reduce Gravelly Lake Drive SW from four lanes to three lanes (with bicycle lanes) between Bridgeport Way SW to Steilacoom Blvd SW;	\$1,300,000	2018-2019	City: \$200,000 Grant: \$1,100,000

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

Note: Other includes Developer contributions.

Source: City of Lakewood 2017

The Planned Action EIS describes potential improvements to the network and impacted study intersections in addition to the City's 2018-2023 6-Year Transportation Improvement Program; see Exhibit 2. Implementation of improvements would occur through a SEPA fair share fee program such that new development contributes its share of the cost for these projects.

Planned Action EIS traffic modeling identified approximately 39% pass-through traffic in the study area under Modified Alternative 1 and 30% pass-through under Alternative 2; to support citywide or regional travel the City would provide some funding and much of it would come from grants or other funding sources. The responsibility of cumulative planned action development would equal 70% maximum; however, the City Council has set the planned action share at 50% recognizing its desire to balance public and private investment in the transportation system serving the Planned Action Area and the expected growth and land use. The proportionate share of costs of the Planned Actions would be determined based on their proportionate share of trips identified in the Planned Action Ordinance.

Exhibit 4. Transportation Improvements in addition to Six-Year Transportation Improvement Program

PROJECT	TITLE	COST (100%) 2018\$ ROUNDED	COST (50%) 2018\$ ROUNDED
1	Gravelly Lake Dr SW Revised Section: 4-lane section plus median/turn lane shown in the May 2018 Subarea Plan concept #3A.	\$19,410,000	\$9,705,000
2	Conversion of Lakewood Towne Center Blvd as Public Street*	\$5,096,070	\$2,548,000
3	Lakewood Towne Center Blvd at 59th Ave SW, Roundabout	\$2,402,000	\$1,201,000
4	Reduce 59th Ave SW to two lanes, allowing for bicycle facilities (sharrows)	\$189,000	\$94,500
5**	Gravelly Lake Dr / Avondale Rd SW New Signalized Intersection	\$1,178,000	\$589,000
6	100th St SW / Bridgeport Way SW	\$649,000	\$324,500
7	100th St SW / Lakewood Dr SW	\$8,000	\$4,000
8	Option A: 100th St SW / Lakewood Dr SW: Convert westbound through-left lane to left only to remove split phase	\$13,000	\$6,500
	Option B: 100th St SW / Lakewood Dr SW: Move the pedestrian crossing to the north side of the intersection coincident with the WB phase	\$269,000	\$134,500
Total	with 8A	\$28,944,000	\$14,472,500
	with 8B	\$29,200,000	\$14,600,500

\* Costs for Lakewood Towne Center Blvd remove the 23% markup for potential federal funding and instead it is anticipated that non-federal funding would be used, such as state funding for complete streets; alternatively, if overall costs are similar to the total in Row 2, federal funds may be possible. Costs remove the right-of-way costs as the road is less essential to intersection results elsewhere, but since the roads do carry some new trips due to growth and promote multimodal trips, the road improvement costs remain.

\*\*To the extent this improvement overlaps the 2018-2023 TIP, the total could be reduced by \$250,000 to \$1.2 Million.

Source: KPG, BERK 2018

## Potential Funding Sources

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

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

### OPPORTUNITIES TO CAPTURE CONTRIBUTIONS FROM NEW DEVELOPMENT

- **Sales Tax Generated on Development.** Sales tax is generated from the taxable sales of goods occurring within the city boundaries. Sales tax impacts from potential site development in the Downtown study area will be generated in two ways:

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

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

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

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

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

### *COMMUNITY CONTRIBUTIONS*

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

- **Economic Opportunity.** The range of employment opportunities and the real wage gains of employees.
- **Constituent Tax Burdens.** Efficient land use and public services and high-value development opportunities can keep tax burdens lower than they would otherwise be.

- **Productive and Efficient Returns on Infrastructure.** Infrastructure is by nature a capacity building asset. Effectively leveraging infrastructure capacity and targeting new investments to open up economic opportunities are integral to supporting private investment in the community.

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

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

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

- Up to \$40, but only if a \$20 fee has been in effect for at least 24 months.
- Up to \$50, but only if a \$40 fee has been in effect for at least 24 months. Any nonvoted fee higher than \$40 is subject to potential referendum.
- **Property Tax Levy Lid Lift.** A taxing jurisdiction that is collecting less than its maximum statutory levy rate may ask a simple majority of voters to “lift” the total levy amount collected from current assessed valuation by more than 1% (RCW 84.55.050; WAC 458-19-045). With a single-year lid lift, a jurisdiction can exceed the 1% annual limit for one year only, and then future increases are limited to 1% (or inflation) for the remainder of the levy. With a multi-year lid lift, a jurisdiction can exceed the 1% annual limit for up to 6 consecutive years. A multi-year levy lid lift may be used for any purpose, but the ballot must state the limited purposes for which the increased levy will be used (unlike a single-year lid lift, where there is no requirement to state the purpose). (MRSC 2018)
- **Grants and Loans.** There are state and federal grant and revolving loan programs, which could provide some funding. These programs are extremely competitive; however, any grant funding that could be made available would significantly improve the funding and economic feasibility of the Downtown development, since these funds would reduce the amount that needs to come from development and local public sources.
- **Legislative Allocation.** In addition to the grant programs, some infrastructure funding is allocated through the state budget process. Since there are investments required for state transportation facilities, a contribution through the state budget would have the same benefits as a grant. As with grants, these discretionary funds are limited, subject to state appropriation, and very competitive.
- **Community Revitalization Financing.** A form of tax increment financing from local property taxes generated within the area authorized by Chapter 39.89 RCW. The law authorizes counties, cities, towns, and port districts to create

tax increment areas within their boundaries where community revitalization projects and programs are financed by diverting a portion of the regular property taxes imposed by local governments within the tax increment area. The law allows local governments raise revenue to finance public improvements that are designed to “encourage economic growth and development in geographic areas characterized by high levels of unemployment and stagnate employment and income growth.” Use of the funds is expected to “encourage private development within the increment area and to increase the fair market value of real property within the increment area.” The law requires there be a signed, written agreement among taxing districts, a public hearing, and adoption of an ordinance. The agreement indicates that taxing districts in the aggregate will levy at least 75 percent of the regular property tax within the increment area.

### *Parks Costs*

The roadway improvements above address the Green Street Loop, a linear park and non-motorized travel improvement. In addition to the Green Street Loop the Downtown Plan supports a Central Park. A two to four-acre park has been evaluated. A two-acre park would have less potential disruption to future public road improvements and retain more area for private redevelopment.

The capital costs per acre (not including cost of land and design) will be in a range of \$3 to \$5 million. For reference, Downtown Redmond’s construction cost is \$11 million for 2.2 acres. Depending on land costs and design the costs could increase by \$5 to \$10 Million for a total of \$15 to \$30 Million.

*Exhibit 5. Park Size and Costs Excluding Acquisition and Design*

	TWO-ACRE PARK	FOUR-ACRE PARK
<b>Capital Cost</b>	<b>\$10,000,000</b>	<b>\$20,000,000</b>

*Source: KPG, BERK 2018*

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

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

ATTACHMENT D  
ORDINANCE NO. 696

AN ORDINANCE of the City Council of the City of Lakewood, Washington, adopting a SEPA Planned Action related to the Lakewood Downtown Subarea.

**I. RECITALS**

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

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

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

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

WHEREAS, the City has developed and adopted a subarea plan complying with the GMA (RCW 36.70A), dated October 1, 2018, to guide the redevelopment of the Planned Action Area (“Downtown Plan”); and

WHEREAS, after extensive public participation and coordination with all affected parties, the City, as lead SEPA agency, issued the Downtown Planned Action Final Environmental Impact Statement (“Final EIS”) dated July 12, 2018, which identifies the impacts and mitigation measures

associated with planned development in the Planned Action Area as identified in the Downtown Plan;  
and

WHEREAS, The City issued an Addendum to the FPAEIS on September 10, 2018 and a  
Second Addendum on September 25, 2018; and

WHEREAS, the Final EIS includes by incorporation the Downtown Planned Action Draft  
Environmental Impact Statement issued on March 16, 2018 (collectively referred to herein as the  
“Planned Action EIS”); and

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

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

WHEREAS, the City is amending the Lakewood Comprehensive Plan to incorporate maps, text  
and policies specific to the Downtown; and

WHEREAS, the City is adopting zoning and development regulations concurrent with the  
Downtown Plan to implement said Plan, including this Resolution; and

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

## **II. FINDINGS**

The procedural and substantive requirements of the State Environmental Policy Act (RCW  
43.21C) have been complied with.

The procedural requirements of the Growth Management Act (RCW 36.70A) have been  
complied with.

The proposed action is consistent with the requirements of Revised Code of Washington, and the  
Washington Administrative Code.

The proposed action is consistent with the City of Lakewood Comprehensive Plan.

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

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

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

The Lakewood City Council finds and determines that the regulation of development and land use within the Downtown is within the City's regulatory authority.

The Lakewood City Council finds and determines that approval of such amendments to the Comprehensive Plan and Land Use and Development Code is in the best interests of the residents of Lakewood, and will promote the general health, safety and welfare.

The Lakewood City Council finds and determines that regulation of land use and development is subject to the authority and general police power of the City, and the City reserves its powers and authority to appropriately amend, modify and revise such land use controls in accordance with applicable law.

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

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

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

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

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

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

The designated Planned Action Area is located entirely within an Urban Growth Area.

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

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

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

**Section 1. Adoption of City Council Findings.** The Findings of the City Council are adopted as part of this Ordinance.

**Section 2. Purpose.** The purpose of this Ordinance is to:

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

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

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

**C.** Determine that the Planned Action EIS meets the requirements of a planned action EIS pursuant to the State Environmental Policy Act (SEPA);

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

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

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

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

**Section 3. Procedures and Criteria for Evaluating and Determining Planned Action Projects within the Planned Action Area.**

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

**B. Environmental Document.** A Planned Action Project determination for a site-specific project application within the Planned Action Area shall be based on the environmental analysis contained in the Planned Action EIS. The mitigation measures contained in Exhibit B of this Ordinance are based upon the findings of the Planned Action EIS and shall, along with adopted City regulations,

provide the framework the City will use to apply appropriate conditions on qualifying Planned Action Projects within the Planned Action Area.

**C. Planned Action Project Designated.** Land uses and activities described in the Planned Action EIS, subject to the thresholds described in Subsection 3.D of this Ordinance and the mitigation measures contained in Exhibit B of this Ordinance, are designated “Planned Action Projects” pursuant to RCW 43.21C.440. A development application for a site-specific project located within the Planned Action Area shall be designated a Planned Action Project if it meets the criteria set forth in Subsection 3.D of this Ordinance and all other applicable laws, codes, development regulations, and standards of the City, including this Ordinance, are met.

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

(1) Qualifying Land Uses.

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

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

xi. Industrial uses that are part of a mixed-use development

xii. Other uses allowed in the Downtown Development Code, LMC 18.B.

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

Project land use when:

- i. it is within the Planned Action Area as shown in Exhibit A of this Ordinance;
- ii. it is within one or more of the land use categories described in Subsection 3.D(1)(a) above; and
- iii. it is listed in development regulations applicable to the zoning classifications applied to properties within the Planned Action Area.

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

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

(2) Development Thresholds:

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

FEATURE	ALTERNATIVE 2
Residential Dwellings (units): Net 2018-2035	2,257
Commercial Square Feet: Net 2018-2035	2.85 million square feet
Jobs: Net 2018-2035	7,369

Action Alternative 2 is the Preferred Alternative.

(b) Shifting development amounts between land uses in identified in Subsection 3.D(2)(a) may be permitted when the total build-out is less than the aggregate amount of development

reviewed in the Planned Action EIS; the traffic trips for the preferred alternative are not exceeded; and, the development impacts identified in the Planned Action EIS are mitigated consistent with Exhibit B of this Ordinance.

- (c) Further environmental review may be required pursuant to WAC 197-11-172, if any individual Planned Action Project or combination of Planned Action Projects exceeds the development thresholds specified in this Ordinance and/or alter the assumptions and analysis in the Planned Action EIS.

(3) Transportation Thresholds:

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

<u>LAND USE</u>	<u>ITE CODE</u>	<u>LAND USE QUANTITY (NET NEW)</u>				<u>PM PEAK HOUR TRIPS (NET NEW)</u>			
		<u>No Action</u>	<u>Alt. 1</u>	<u>Mod Alt. 1</u>	<u>Alt. 2</u>	<u>No Action</u>	<u>Alt. 1</u>	<u>Mod Alt. 1</u>	<u>Alt. 2</u>
Multi-family DU	220	456	1,579	1,725	2,257	283	979	1,070	1,399
Retail Jobs*	820	280	865	923	1,346	519	1,606	1,714	2,497
Office Jobs	710	1,243	3,157	3,464	5,814	572	1,452	1,593	2,674
Light Industrial Jobs	110	144	125	144	209	60	53	60	88
<i>ITE Gross PM Peak Hour Vehicle Trips</i>						<i>1,434</i>	<i>4,090</i>	<i>4,437</i>	<i>6,658</i>

Notes: ITE Trip Generation Manual, 9<sup>th</sup> Edition

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

Source: Fehr & Peers, 2018

- i. In no case shall trips exceed Action Alternative 2. At the time each level of trips is reached – No Action, Alternative 1, Modified Alternative 1, monitoring shall be conducted by the City to ensure planned improvements are implemented concurrent with development before the final level of trips in Action Alternative 2 is authorized for development.
- ii. A range of alternative results are illustrated as they may help phase desired transportation improvements. No Action level of trips is supported by the 2018 Transportation Improvement Program (TIP). All Action Alternatives require additional transportation

improvements tested in the Planned Action EIS and listed in **Exhibit D**; the improvements consider arterial throughput on Gravelly Lake Drive is retained at four lanes or more.

Additional improvements are identified in the Final EIS if higher volumes are found on Bridgeport Way though not expected if improvements are implemented consistent with Exhibit D.

(b) Concurrency. All Planned Action Projects shall meet the transportation concurrency requirements and the Level of Service (LOS) thresholds established in LMC 18A.50.195.

(c) Traffic Impact Mitigation. Transportation mitigation shall be provided consistent with mitigation measures in Exhibit B-1 and Exhibit D of this Ordinance, attached hereto and incorporated by this reference.

(d) The responsible City official shall require documentation by Planned Action Project applicants demonstrating that the total trips identified in Subsection 3.D(3)(a) are not exceeded, that the project meets the concurrency and intersection standards of Subsection 3.D(3)(b), and that the project has mitigated impacts consistent with Subsection 3.D (3)(c).

(e) Discretion.

i. The responsible City official shall have discretion to determine incremental and total trip generation, consistent with the Institute of Traffic Engineers (ITE) Trip Generation Manual (latest edition) or an alternative manual accepted by the City's Public Works Director at his or her sole discretion, for each project permit application proposed under this Planned Action, provided that the method is compatible with Exhibit D.1.b.

ii. The responsible City official shall have discretion to condition Planned Action Project applications to meet the provisions of this Planned Action Ordinance and the Lakewood Municipal Code.

iii. Planned Action Project applicants shall pay a proportionate share of the costs of the projects identified in Exhibit D. The responsible City official shall have the discretion to

adjust the allocation of responsibility for required improvements between individual Planned Action Projects based upon their identified impacts.

- (4) Elements of the Environment and Degree of Impacts. A proposed project that would result in a significant change in the type or degree of adverse impacts to any element(s) of the environment analyzed in the Planned Action EIS would not qualify as a Planned Action Project.
- (5) Changed Conditions. Should environmental conditions change significantly from those analyzed in the Planned Action EIS, the City's SEPA Responsible Official may determine that the Planned Action Project designation is no longer applicable until supplemental environmental review is conducted.

#### **E. Planned Action Project Review Criteria.**

- (1) The City's SEPA Responsible Official, or authorized representative, may designate as a Planned Action Project, pursuant to RCW 43.21C.440, a project application that meets all of the following conditions:
  - (a) the project is located within the Planned Action Area identified in Exhibit A of this Ordinance;
  - (b) the proposed uses and activities are consistent with those described in the Planned Action EIS and Subsection 3.D of this Ordinance;
  - (c) the project is within the Planned Action thresholds and other criteria of Subsection 3.D of this Ordinance;
  - (d) the project is consistent with the Lakewood Comprehensive Plan including the policies of the Downtown Plan incorporated into the Comprehensive Plan and the regulations of the Downtown Plan integrated into the Lakewood Municipal Code;
  - (e) the project's significant adverse environmental impacts have been identified in the Planned Action EIS;

- (f) the project's significant impacts have been mitigated by application of the measures identified in Exhibit B of this Ordinance and other applicable City regulations, together with any conditions, modifications, variances, or special permits that may be required;
- (g) the project complies with all applicable local, state and/or federal laws and regulations and the SEPA Responsible Official determines that these constitute adequate mitigation; and
- (h) the project is not an essential public facility as defined by RCW 36.70A.200, unless the essential public facility is accessory to or part of a development that is designated as a Planned Action Project under this Ordinance.

- (2) The City shall base its decision to qualify a project as a Planned Action Project on review of the SEPA Checklist form in WAC 197-11 and review of the Planned Action Project submittal and supporting documentation, provided on City required forms.

#### **F. Effect of Planned Action Designation.**

- (1) Designation as a Planned Action Project by the City's SEPA Responsible Official means that a qualifying project application has been reviewed in accordance with this Ordinance and found to be consistent with the development parameters and thresholds established herein and with the environmental analysis contained in the Planned Action EIS.
- (2) Upon determination by the City's SEPA Responsible Official that the project application meets the criteria of Subsection 3.D and qualifies as a Planned Action Project, the project shall not require a SEPA threshold determination, preparation of an EIS, or be subject to further review pursuant to SEPA. Planned Action Projects will still be subject to all other applicable City, state, and federal regulatory requirements. The Planned Action Project designation shall not excuse a project from meeting the City's code and ordinance requirements apart from the SEPA process.

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

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

(5) (a) If the City's SEPA Responsible Official determines that a proposed project does not qualify as a Planned Action Project, he/she shall issue a "Determination of Inconsistency" and shall mail or otherwise verifiably deliver said Determination to the applicant; the owner of the property as listed on the application; and federally recognized tribal governments and agencies with jurisdiction over the Planned Action Project, pursuant to Chapter 1, Laws of 2012 (Engrossed Substitute Senate Bill (ESSB) 6406).

(b) The Determination of Inconsistency shall describe the elements of the Planned Action Project application that result in failure to qualify as a Planned Action Project.

(c) Upon issuance of the Determination of Inconsistency, the City's SEPA Responsible Official shall prescribe a SEPA review procedure for the non-qualifying project that is consistent with the City's SEPA regulations and the requirements of state law.

(d) A project that fails to qualify as a Planned Action Project may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to meet the non-qualifying project's SEPA requirements. The City's SEPA Responsible Official may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

(6) To provide additional certainty about applicable requirements, the City or applicant may request consideration and execution of a development agreement for a Planned Action Project, consistent with RCW 36.70B.170 et seq.

(7) A Determination of Consistency or Inconsistency is a Process I land use decision and may be appealed pursuant to the procedures established in Chapter 18A.02 LMC. An appeal of a Determination of Consistency shall be consolidation with any pre-decision or appeal hearing on the underlying project application.

**Section 4. Monitoring and Review.**

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

B. This Planned Action Ordinance shall be reviewed by the SEPA Responsible Official every two (2) years from its effective date in conjunction with the City's regular Comprehensive Plan review or docket cycle, as applicable. The review shall determine the continuing relevance of the Planned Action assumptions and findings with respect to environmental conditions in the Planned Action Area, the impacts of development, and required mitigation measures (Exhibit B) and Public Agency Actions and Commitments (**Exhibit C**). Based upon this review, the City may propose amendments to this Ordinance or may supplement or revise the Planned Action EIS.

**Section 5. Severability.** If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

**Section 6. Effective Date.** That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 1<sup>st</sup> day of October, 2018.

Attest:

CITY OF LAKEWOOD



Don Anderson, Mayor



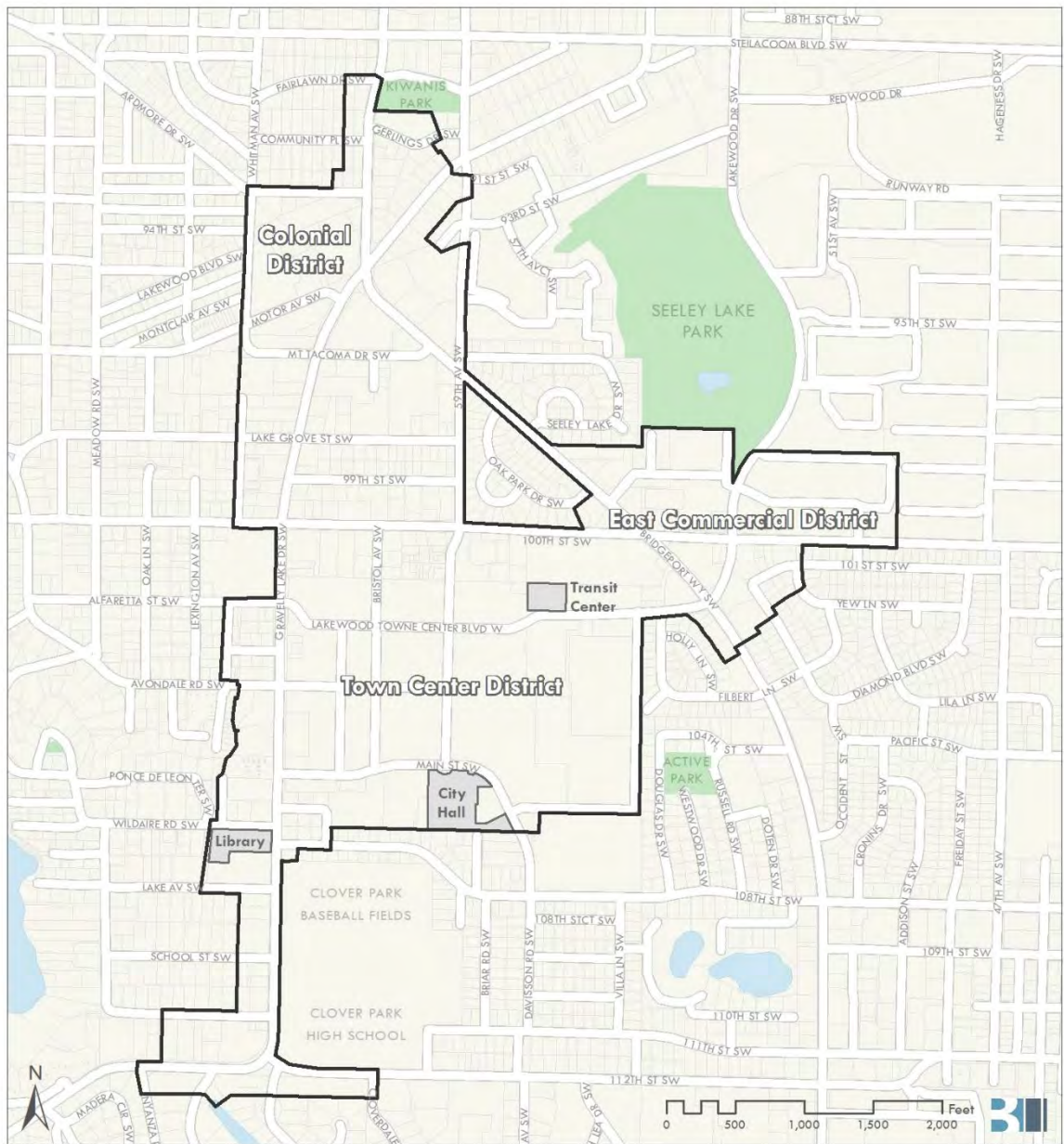
Briana Schumacher, City Clerk

Approved as to Form:



Heidi Ann Wachter, City Attorney

# **EXHIBIT A. Planned Action Area**



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

Map Note: The right of way for Bridgeport Way between the East Commercial Area and Colonial District is included for consistent landscaping. Abutting land use is not included in that segment.

## **EXHIBIT B. Mitigation Document**

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

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

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

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

### **Section B-1. Mitigation Required for Development Applications**

#### *Natural Environment*

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

#### *Transportation*

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

#### *Environmental Health (SEPA Checklist Draft EIS Appendix A)*

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

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

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

### *Natural Environment*

Planned Actions shall comply with applicable regulations:

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

Planned Actions shall comply with the Downtown Development Code:

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

### *Population, Employment, and Housing*

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

### *Land Use*

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

### *Transportation*

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

### *Public Services and Utilities*

Planned Actions shall comply with applicable regulations:

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

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

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

### *Environmental Health (SEPA Checklist)*

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

## EXHIBIT C. Public Agency Actions and Commitments

Under some elements of the Planned Action EIS, specific City or other agency actions are identified.

Generally, incorporation of these actions is intended to provide for consistency within the City's

Comprehensive Plan, Downtown Plan, or between the Downtown Plan and implementing regulations; to

document pending City actions; to establish a protocol for long-term measures to provide for

coordination with other agencies; or to identify optional actions that the City may take to reduce

impacts. These actions are listed in Exhibit 1.

### Exhibit 1. Public Agency Actions and Commitments

MITIGATION MEASURES	PROPOSED SYNCHRONOUS AMENDMENTS	SHORT TERM	LONG TERM	OTHER AGENCY	RESPONSIBLE DEPARTMENT
Natural Environment					
The ecological benefits of daylighting a portion of Ponce de Leon Creek could be evaluated by the City. An evaluation could include leaving the stream piped but identifying its historic location, as well as considering water quality treatments that benefit the nearby open channel stream, and serve as landscape amenities in the Study Area.			X		Public Works
The Downtown Plan offers support for Pierce County efforts to address potential habitat, stormwater, and recreation improvements to Seeley Lake Park.		X		X	Parks and Community Development
Population, Employment, and Housing					
The City works with the Economic Development Board for Tacoma-Pierce County on business retention, expansion, and recruitment activities, as well as the Lakewood Chamber of Commerce. If small business relocation			X	X	Economic Development

MITIGATION MEASURES	PROPOSED SYNCHRONOUS AMENDMENTS	SHORT TERM	LONG TERM	OTHER AGENCY	RESPONSIBLE DEPARTMENT
assistance is needed, the City could work with these agencies or others to develop strategies and solutions.					
Land Use					
Amend the Comprehensive Plan Land Use Designation for the Study Area and create a new implementing “form-based code”. Amend capital facility and transportation elements.	X				Community Development
In collaboration with Pierce County, the 2014 Buildable Lands Report methods for Lakewood should be updated at the next Buildable Lands Report Update to reflect an alternative method to the jobs per acre approach. The analysis should also reflect a higher density in the Downtown.		X		X	Community Development
Transportation					
The City of Lakewood has policies aimed at managing auto travel demand in its Comprehensive Plan. The policies call for the City to encourage and assist employers who are not affected by the CTR law to offer TDM programs on a voluntary basis, encourage large employers to offer flexible or compressed work schedules to reduce localized congestion, and implement a public awareness and educational program to promote TDM strategies.		X			Public Works
Public Services					
Implement the Legacy Plan and Downtown Plan to promote urban nodal and urban linear parks meeting distance standards.	X		X		Parks

MITIGATION MEASURES	PROPOSED SYNCHRONOUS AMENDMENTS	SHORT TERM	LONG TERM	OTHER AGENCY	RESPONSIBLE DEPARTMENT
Utilities					
City of Lakewood Comprehensive Plan including the Capital Facilities and Utilities element that set levels of service and coordination policies with service providers.	X		X		Community Development
Ongoing updates to Comprehensive Water System Plan by the Lakewood Water District and the Unified Sewer Plan by Pierce County would address the increases in density in the Study Area and ensure services are in place to meet the growing demand.			X	X	Community Development in association with Lakewood Water District and Pierce County
Power service providers conduct regular electric utility resource planning to address service demand and conservation.			X	X	Community Development in association with Tacoma Public Utilities and Lakewood Light and Power

## Exhibit D. Transportation Cost Estimates

1. Improvements and Fair Share: The Planned Action EIS describes potential improvements to the network and impacted study intersections in addition to the City's 2018-2023 6-Year Transportation Improvement Program. Implementation of improvements identified in Exhibit 2 below shall occur through a SEPA fair share fee program such that new development contributes its share of the cost for these projects.
  - a. The maximum responsibility of cumulative planned action development is 70% under Alternative 2; however, the City Council has set the planned action share at 50%, recognizing its desire to balance public and private investment in the transportation system serving the Planned Action Area and the expected growth and land use. The proportionate share of costs of the Planned Actions shall be determined based on their proportionate share of trips identified in Section 3.D(3) of this ordinance and this section.

### Exhibit 2. Transportation Improvements in addition to Six-Year Transportation Improvement Program – Preferred Alternative

PROJECT	TITLE	COST (100% IN 2018\$ ROUNDED)	ALT 2: PLANNED ACTION SHARE 50%
1	Gravelly Lake Dr SW Revised Section: 4-lane section plus median/turn lane shown in the Downtown Plan concept #3A	\$19,410,000	\$9,705,000
2	Conversion of Lakewood Towne Center Blvd as Public Street	\$5,096,000	\$2,548,000
3	Lakewood Towne Center Blvd at 59th Ave SW, Roundabout	\$2,402,000	\$1,201,000
4	Reduce 59th Ave SW to two lanes, allowing for bicycle facilities (sharrows)	\$189,000	\$94,500
5	Gravelly Lake Dr / Avondale Rd SW New Signalized Intersection	\$1,178,000	\$589,000
6	100th St SW / Bridgeport Way SW	\$649,000	\$324,500
7	100th St SW / Lakewood Dr SW	\$8,000	\$4,000
8	Option A: 100th St SW / Lakewood Dr SW: Convert westbound through-left lane to left only to remove split phase	\$13,000	\$6,500
	Option B: 100th St SW / Lakewood Dr SW: Move the pedestrian crossing to the north side of the intersection coincident with the WB phase	\$269,000	\$134,500
<b>Total</b>	<b>with 8A</b>	<b>\$28,944,000</b>	<b>\$14,472,500</b>
	<b>with 8B</b>	<b>\$29,200,000</b>	<b>\$14,600,500</b>

- b. Cost Basis: Unless amended, or replaced with a transportation impact fee, mitigation fees consistent with the proportionate share of costs shall be applied to planned action applications.
  - i. The per trip mitigation fee was determined using the gross number of PM peak hour vehicles trips generated by the proposed land use calculated using unadjusted Institute of Transportation Engineers [ITE] trip generation rates. For consistency, individual development projects should also calculate their total number of trips using the same methodology (raw ITE rates) without any reductions for internal capture, pass-by travel, or transit/walking/biking.

- ii. Though not included in the fee calculation, these types of vehicle trip reductions were included in the Lakewood travel model to produce intersection forecasts, calculate LOS, and determine required mitigations (and by extension the cost of the mitigation that is considered in the mitigation fee). Since these reductions have already been included in the analysis, it would be considered double counting to allow individual development projects to again take credit for them.

**Exhibit 3. Cost Basis and Per Trip Fee: Alternative 2 - 50% Planned Action Share**

SCENARIO	COST BASIS	FEE PER TRIP: ALT 2
PM Peak Hour Trips		6,658
Study Area Share 50%	\$14,472,500	\$2,174

2. Expenditure of Funds – Account: The City shall earmark mitigation fee receipts and retain them in an interest-bearing account, expending them on projects identified in Exhibit 2.
3. Mitigation Fee Payable at Permit Issuance: The mitigation fee shall be payable at the time of building permit issuance. For projects that require longer-term construction periods prior to occupancy and impacts to the transportation system, the City may allow for the mitigation fee to be paid prior to the issuance of occupancy permits subject to a construction schedule and supporting information provided to the satisfaction of the City.
4. Credit: The City shall provide a credit for the value of dedication or improvement to or new construction of any system improvements provided by the developer per subsection 1 above. The applicant shall be entitled to a credit for the value of the land or actual costs of capital facility construction against the fee that would be chargeable under the formula in subsection 1 above.
  - a. The dedication, improvement, or construction shall be conducted at suitable sites and constructed at acceptable quality as determined by the City. Such improvement or construction shall be completed, dedicated, or otherwise transferred to the City prior to the determination and award of a credit.
  - b. The value of a credit for right of way and easements shall be established on a case-by-case basis by an appraiser selected by, or acceptable to the City. The appraiser must be licensed in good standing by the State of Washington for the category of the property appraised. The appraisal shall be in accord with the most recent version of the Uniform Standards of Professional Appraisal Practice and shall be subject to review and acceptance by the City. The appraisal and review shall be at the expense of the applicant.
5. Period of Expenditure: The current owner of property on which traffic mitigation fees have been paid may receive a refund of such fees if the mitigation fees have not been expended or encumbered within 10 years of receipt of mitigation fees, unless the City has made a written finding that extraordinary or compelling reasons exist to extend the time for expending or encumbering the mitigation fees.
6. The Planned Action Share Transportation Fees will be incorporated into the City of Lakewood’s master fee schedule. Fees shall be subject to biennial review to affirm the cost basis.



TO: Mayor and City Council

FROM: Courtney Brunell, Planning Manager

THROUGH: John Caulfield, City Manager *John F. Caulfield*

Date: August 22, 2022

Subject: Tree Preservation Code Update

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## Purpose

This memo provides a response to several questions posed by the City Council on August 8, 2022, including additional code amendments and introduces programming for an urban forestry department.

## Background

On August 8, 2022 the City Council began to review proposed amendments to the City's Tree Preservation Code and associated chapters. Several councilmembers asked questions and for additional amendments to be considered. Below is a list of questions and options for the Council to consider:

1. Councilmembers Anderson and Brandstetter requested clarification regarding short-plat subdivisions, which do not currently require specific tree preservation.

**Response:** The City does not require any tree preservation for short-plats (maximum of 9 lots) when the final lot size is under 17,000gsf. The Planning Commission did not forward and proposed amendments to the Council to consider.

Option 1: The Adhoc Committee recommended that the City consider eliminating the exemption for single family residential lots regardless of lot size and require canopy coverage be maintained on every residential lot where it exists today. Additionally, the Adhoc Committee recommended that the Council consider looking at canopy coverage on a lot-per-lot basis rather than individual tree count. The City Council may choose to revisit this option, slides related to the single family residential lot canopy coverage will be included in the powerpoint (attachement A) presented on August 22, 2022.

Option 2: The City may consider further amending LMC 18A.70.320.b as shown below:

2. *Interior Trees. A percentage of all significant trees within the interior of a lot, excluding the perimeter area, shall be preserved within the applicable zoning district.*

a. For new single-family residential development including a single-family dwelling on an individual lot, multifamily residential development, and public/quasi-public institutional development, fifty (50) percent of the significant trees located within the interior area of the lot shall be retained.

b. For new residential subdivisions ~~where the proposed lot size is greater than seventeen thousand (17,000) square feet~~, all significant trees shall be retained and preserved except those required to be removed in order to construct streets, utilities, or other on-site improvements. Tree retention shall thereafter be provided on a lot-by-lot basis as the individual lots are developed. ~~For subdivisions where the proposed lots are less than seventeen thousand (17,000) square feet, no specific tree preservation is required. A tree survey shall be included as part of the subdivision application and a tree retention plan shall be recorded on the face of the plat to require compliance with this provision.~~

2. Councilmember Brandstetter asked if there are trees in Washington that have a higher level of protection than Oregon White Oak trees.

**Response:** Oregon White Oak Woodlands are the only tree species with published management recommendations by Washington Department of Fish and Wildlife. No other tree species are listed in the priority habitat and species list<sup>1</sup>.

3. Councilmember Brandstetter requested additional information on the definition of a “stand”.

**Response:** There is no known definition that sets a minimum number for a “stand of trees”. Attached to this memorandum, PlanIT GEO has provided options for the City to consider to further define “stand” using industry definitions (attachment 2).

4. Councilmember Anderson requested consideration for carbon sequestration to be an option in addition to canopy coverage for tree replacement options.

**Response:** The Council may consider further revising LMC 18A.70.320.I to include the following:

*I. Replacement. When a significant tree subject to this section cannot be retained, the tree shall be replaced as a condition for the removal of the significant tree, in accordance with the following:*

*1. On-Site Replacement.*

a. Based on DBH Size. Significant trees shall be replaced at a ratio of two to one (2:1) of the total diameter inches of all replacement trees to the diameter inches of all the significant trees removed.

b. Based on Canopy Coverage. The applicant may choose to plant fewer replacement trees than required by option (a) if an ISA Certified Arborist determines in a written report that they will compensate for the canopy lost when they reach maturity

c. Based on Carbon Reductions. The applicant may choose to plant fewer replacement trees than required by option (a) if an ISA Certified Arborist determines in a written report that the trees planted and preserved on the property meet the following criteria:

*i. Tree species to be planted on the site are selected for their optimal ability to sequester carbon and store it over the course of their lifetime, according to the latest and best science. The following list contains the top 10 species for carbon sequestration and storage in Lakewood, as calculated by the i-Tree Species tool in 2022:*

<sup>1</sup> <https://wdfw.wa.gov/species-habitats/at-risk/phs/recommendations>

Optimal Species for Carbon Sequestration in Lakewood, WA	
Scientific Name	Common Name
<i>Sequoia sempervirens</i>	Coast redwood
<i>Sequoiadendron giganteum</i>	Giant sequoia
<i>Quercus petraea</i>	Durmast oak
<i>Quercus suber</i>	Cork oak
<i>Nothofagus dombeyi</i>	Coigüe, Dombey's beech
<i>Nothofagus obliqua</i>	Roble, Patagonian oak
<i>Quercus falcata</i>	Southern red oak
<i>Quercus shumardii</i>	Shumard oak
<i>Quercus garryana</i>	Oregon white oak
<i>Nyssa aquatica</i>	Water tupelo
Source: <a href="https://species.itreetools.org/">https://species.itreetools.org/</a>	

ii. Trees are planted in the optimal locations on the property, relative to the structures, to reduce energy use and therefore avoid CO2 emissions.

5. Councilmember Bocchi requested options to require on-site replacement versus repayment into the City's Tree Fund.

**Response:** The Council may consider further revising LMC 18A.70.320 to include the following:

For any site proposed to be developed or cleared, at least 50 percent of significant trees located outside the buildable area of the lot shall be retained if they are rated in good condition or better by an ISA Certified Arborist.

Reference codes used: Gig Harbor, Mountlake Terrace, Mercer Island (citations below) and Olympia (Handout on Tree Density on Residential Properties)

6. Councilmember Bocchi requested information related to tree preservation standards in the Cities of Gig Harbor, Mercer Island, and Mt. Lake Terrace. Other reference cities are addressed in the City Council packet for the August 8, 2022 Council study session.

**Response:**

- a. Gig Harbor: Has a tree code and design manual. Requires retention of trees 6 inches diameter breast height in perimeter areas, 10 feet around each individual lot and 25 feet around plats. Can retain internal significant trees to equivalent area as perimeter. If a property is not well treed/landscaped, it must be enhanced or planted. Code limits clearing of vacant parcels to no more than 50 percent of significant trees and must retain vegetation in all required buffers and setbacks. Must incorporate approximately 25 percent of significant trees into the project or approximately 15 percent for short plats. Mixed use and non-residential areas must have perimeter landscaping equal to width of yard. Must protect native vegetation and critical areas.
- b. Mercer Island: A permit is required to remove any tree with diameter greater than 10 inches whether for development or non-development. Replacement trees are required. For development, at a minimum, 30 percent of the trees will need to be retained. Trees that are exceptional, are large, and have a high likelihood for long-term survival are prioritized for retention.

- c. Mountlake Terrace: Protects trees at least 6 inches in diameter and coniferous trees at least 10 feet in height (trees excluded from protection include black locust, cottonwood, native alder, native willow or Lombardy poplar). Every site development plan must identify significant trees prepared by an arboriculturist or urban forester. For any site proposed to be developed or cleared and which contains 10 or more significant trees that are in good condition, based on the approved significant vegetation inventory plan, at least 20 percent of such trees must be retained. Replacement is allowed at a 3:1 ratio. Must protect trees in critical area buffers.

## Critical Areas Overview

The designation of critical fish and wildlife habitat areas is regulated by LMC 14.154.020. Under our existing regulations, there are two categories of Critical Fish and Wildlife Species and Habitats.

- A. Federal and State Listed Species and their Associated Habitats. This includes federal and state listed endangered, threatened and sensitive species per [WAC 365-190-130\(4\)\(a\)](#).
- B. Habitats of local importance. This includes considering best available science including priority habitats and species identified by the Washington state department of fish and wildlife per [WAC 365-190-130\(4\)\(b\)](#).

Priority Oregon white oak woodlands are listed under the second category. It is under this category that we find Priority Oregon white oak woodlands.

WDFW prepared management recommendations for priority [Oregon white oak woodlands](#) in 1998. Its definitions included large single oaks and oak stands. An excerpt is below:

**Retention of Valuable Trees Recommendation.** Large oaks (>50 cm dbh [20 in]), medium oaks (>30 cm dbh [12 in]), older oaks, and oaks with well formed, dominant crowns, should be retained wherever oak enhancement activities occur. Very large oaks are rare and should be retained at the cost of efficient oak regeneration directly under their canopies. **Rationale.** Stands of medium to large oaks provide more cavities for nesting than do stands of smaller oaks (Gumtow-Farrior 1991). Trees with well formed, dominant crowns may produce more acorns, and large live trees provide habitat for branch-nesting species. Large well-developed trees produce more mast for regeneration and wildlife consumption (Connel et al. 1973). Very large, old oaks are rare. **Consequences of Compromise.** Fewer cavities may limit the number of cavity-nesting animals that can inhabit a particular oak woodlands. Stand domination by trees with smaller crowns and less canopy may limit acorn production. These limitations may affect the numbers of individuals and species that use oak woodlands.

Ad Hoc Committee recommendations considered state guidance and other example codes to protect large Oregon white oaks (<20") as critical areas; these trees would be considerably older and established. Regulating large individual Oregon white oaks as well as oak woodlands (more than one tree) would be consistent with State of Washington Department of Fish and Wildlife (WDFW) management guidelines for Oregon white oak. Balancing critical areas protections with reasonable use of property is also part of state guidance with the Washington Department of Commerce. The Planning Commission desired to retain the City's current definition

that focuses on oak stands rather than a single oak. Example regulations are summarized below referencing jurisdictions with similar prairie oak habitats.

**Table 1. Critical Areas – Priority Habitats and Species – Oregon White Oak**

Agency	WDFW Oak Woodlands	WDFW Single Large Oaks
Lakewood	X	.
Pierce County [1]	X	X
Olympia [2]	X	X
Lacey [2]	X	X
Thurston County [2]	X	X
Oak Harbor [3]	X	X

**1. Pierce County, Habitats of Local Importance, Oregon white oak trees and woodlands:** Critical area regulations recognize single oaks or stands of oaks larger than 1 acre, as well as smaller than 1 acre in size when any of the following criteria are met: (1) Individual trees having a diameter at breast height of 20 inches or more; or (2) Oregon white oak stands in which the oak trees have an average diameter at breast height of 15 inches or more regardless of stand size.

**2. State priority habitats and species are protected in ordinance.** This by definition includes Oregon White Oak. Code also refers to WDFW Management Recommendations which include Oregon White Oak stands and single large trees.

**3. Chapter 20.16 Garry Oak Protection.** Addresses single tree. Chapter 20.25 Fish and Wildlife Habitat Conservation Area addresses State priority habitats and species. See note 2.

While some jurisdictions protect single Oregon white oaks in their critical areas ordinances, others will protect such trees inside or outside of critical areas based on their significant tree regulations.

Protecting Oaks or any significant tree at 6“-12” is common in the Pacific Northwest based on the benchmarking research. Lacey regulates all trees 4” or greater. Based on information from PlanIT Geo to the Ad Hoc Committee in April 2022, it is reasonable throughout the industry to protect trees starting at 4” when it is appropriate for the species characteristics (i.e., growth rate and significance).

**Table 2. Tree Protection Code – Significant Trees including Oaks**

Agency	Size Definition (Min. DBH) for Oaks
Lakewood	Oak: 6” current, 4” proposed
Pierce County	Oak: 8”
Olympia	Not specific to Oregon White Oaks, a tree is at least 1” DBH maturing at a height of seven feet above ground level with a definite crown
Thurston County	Oak: 12”
Lacey	Not specific to Oregon White Oaks (tree is defined as 4”)
Federal Way	Not specific to Oregon White Oaks (tree is defined as 6”)

## Urban Forestry Program Overview

Planning Commission Resolution 2022-07 included a recommendation that, in order to administer the code revisions and continue to monitor the City's urban canopy, the City consider establishing an Urban Forestry Program as outlined in CPA Goal LU-60, first year deliverables may include:

- Identify areas within the City in need of additional canopy
- Work with a consultant to complete a city tree inventory
- Establish a tree replacement program/giveaway program
- Work with the City's contract arborist to review tree removal applications
- Monitor the City's canopy goal
- Provide public education opportunities regarding tree maintenance and appropriate planting standards; and

During the presentation on August 22, 2022 the City Council will receive a presentation (attachment 1) on options to collect tree inventory data, grow Lakewood's tree canopy and increase the capacity for a future urban forestry program.

## Cost Analysis

Today, the Planning Department is responsible for administering the Tree Preservation code. Below is the summary of tree removal permits processed annually:

**Table 4. Annual Number of Tree Removal Permits**

	2018	2019	2020	2021	2022 (YTD)
# of Permits	58	39	49	50	35

If the proposed revisions are adopted, tree removal standards will be implemented for single-family and industrial lots city-wide. There are 9,968 single-family residential lots that are currently exempt from tree removal permitting. The City does not have an estimate for the number of lots with Garry oaks and thus the number of additional permits that may be required under the proposed regulations.

It is likely that additional resources will be required to support tree permits, inspections, enforcement of tree code, and public education. Staff identified the following positions to support the Planning Department in building capacity for an urban forestry program.

- 1 full time employee (FTE) with a salary in the range of \$8,326 – \$10,562 per/month
- 1 contracted City Arborist estimated cost annually \$50k

In 2019 the Community and Economic Development Department completed a cost recovery report update. As part of the report, the City Council set a policy of 85% cost recovery across all divisions. To prepare the report staff was asked to document the total amount of time spent on individual permit types.

Tree removal permits typically fall into 2 categories:

1. "Over the Counter permits" where the planner is required to look at the address, lot size and total number of trees to be retained v. replaced to ensure code compliance (total time: <1 hour)
2. Permits that require review of tree retention survey to calculate credits and mitigation requirements (total time average 4 hours)

Using the 85% cost recovery model an appropriate fee may be \$315 for tree removal permits that require additional review including: removal of an Oregon White Oak Tree, removal on commercial or industrial

lots, and when associated with a subdivision or SEPA threshold determination. This item will be brought back before the Council for further review and consideration as part of the upcoming biennial budget process.

For reference, below is a look at the average permit fees of neighboring jurisdictions:

**Table 4. Tree Removal Permit Costs**

<b>Jurisdiction*</b>	<b>Type of Permit/Other</b>	<b>Fee (2021-2022)</b>
Federal Way	Many non-exempt activities do not require a permit application, only written approval by the city. A tree/vegetation retention plan must be prepared by a certified arborist or a certified landscape architect. Required when removing trees in critical areas, removing trees required for retention through a permit, tree removal that would change stormwater or groundwater.	Tree removal request: \$145
Lacey	Permits are coordinated with land use applications, or with a land clearing permit, or an exemption approval from director.	Rolled into land clearing permit \$109- \$328
Olympia	Tree Permit required for non-exempt activities, or where tree removal results in not meeting tree density or is on property line or street. See <a href="#">Olympia flow chart</a> .	Single Family and lots less than 2 acres Permit fee \$50
Pierce County	Reviewed as part of other land use or land clearing permits.	\$315.00 review (clearing) Hazard tree \$190-\$760
Puyallup	Landscape plan required for development greater than 4 units.	Tree removal ROW, heritage tree: \$50 Landscape plan review: \$90-\$300
Redmond	Tree removal application	No fee for single-family zoning; \$125.69 fee for commercial, multi-family, or industrial.
Renton	Routine Vegetation Management Permit without critical areas. Required for non-exempt permits.	\$105
Sammamish	Tree removal permit or part of land use approval	Tree removal: \$132
Tacoma	ROW: Required for street tree removal or tree pruning work. Site: Reviewed with building or site development permit.	No fee tree work permits.
Tukwila*	Single family: Inventory survey Other Uses: Landscape Modification Permit	Tree and Landscape Modification Permit and Exceptions \$719.25
University Place	A tree removal permit is required when the development activity will result in the removal of more than five trees.	Tree preservation plan review Single Family: \$ 240.00 ½ acre or less sit: \$650 ½ acre to 2 acres: \$1000 Over 2 acres: \$1,375

Sources: \*See other city permit fees collected by City of Seattle Tree permit fee evaluation in 2019.  
<https://www.seattle.gov/documents/Departments/UrbanForestryCommission/2019/2019docs/TreePermitFees.pdf>

## **Proposed Next Steps**

1. September 6, 2022 City Council Public Hearing
2. September 19, 2022 City Council Review and Adoption
3. November, 2022 fees reviewed as part of the biennial budget cycle

## **Attachments**

1. PowerPoint
2. Definitions for “stand of trees”
3. Proposed Redlines: Comprehensive Plan Amendment, Protection and Preservation of Landmarks, Tree Protection Regulations, Fish and Wildlife Habitat Conservation Areas, and other sections of Lakewood Municipal Code (LMC)
4. Study Session Memo August 8, 2022

# CITY OF LAKEWOOD, WA Tree Preservation Code Update

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City Council Meeting



**PLANIT GEO**<sup>™</sup>  
mapping a greener future

**BI BERK**

August 22, 2022

An aerial photograph of a suburban neighborhood with numerous houses and trees. In the background, a large, snow-capped mountain (Mount Rainier) is visible under a blue sky with some clouds.

# Agenda

01 Tree Code Research +  
Recommendations

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02 Urban Forestry  
Program

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03 Questions

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# Tree Code Research + Recommendations

## Tree Preservation for short plats (maximum of 9 lots)

Option 1: The Adhoc Committee recommended that the City consider eliminating the exemption for single family residential lots regardless of lot size and require canopy coverage be maintained on every residential lot where it exists today. Additionally, the Adhoc Committee recommended that the Council consider looking at canopy coverage on a lot-per-lot basis rather than individual tree count. The City Council may choose to revisit this option

Option 2: The City may consider further amending LMC 18A.70.320.b as shown below:

*2. Interior Trees. A percentage of all significant trees within the interior of a lot, excluding the perimeter area, shall be preserved within the applicable zoning district.*

*a. For new single-family residential development including a single-family dwelling on an individual lot, multifamily residential development, and public/quasi-public institutional development, fifty (50) percent of the significant trees located within the interior area of the lot shall be retained.*

*b. For new residential subdivisions ~~where the proposed lot size is greater than seventeen thousand (17,000) square~~ feet, all significant trees shall be retained and preserved except those required to be removed in order to construct streets, utilities, or other on-site improvements. Tree retention shall thereafter be provided on a lot-by-lot basis as the individual lots are developed. ~~For subdivisions where the proposed lots are less than seventeen thousand (17,000) square feet, no specific tree preservation is required. A tree survey shall be included as part of the subdivision application and a tree retention plan shall be recorded on the face of the plat to require compliance with this provision.~~*

# Tree Canopy on Single-Family Residential Lots

All Single-Family Residential Lots

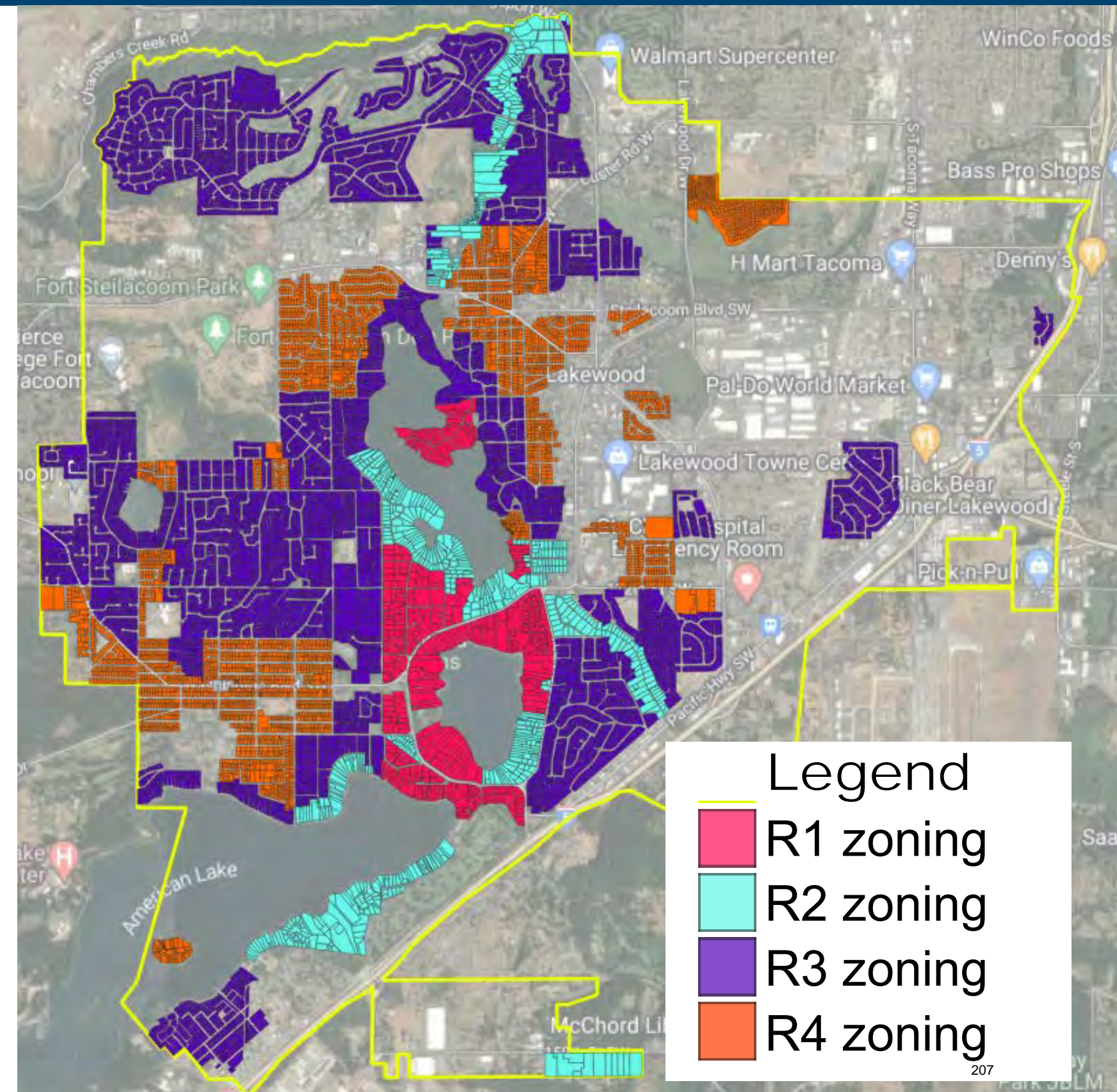
01

## Single-Family Residential Lots under 17,000 sq.ft.

Lots of less than seventeen thousand (17,000) square feet in single-family residential zones are exempt from this chapter, except where specific tree preservation is required as a mitigation measure under SEPA. In the event a permit is not required for the establishment of a use, the standards of this section shall still apply.

R1-R4 Zoning Districts make up 59% of the citywide tree canopy:

- R1 = 8.2%
- R2 = 10.1%
- R3 = 31.2%
- R4 = 9.5%



# Tree Canopy on Single-Family Residential Lots

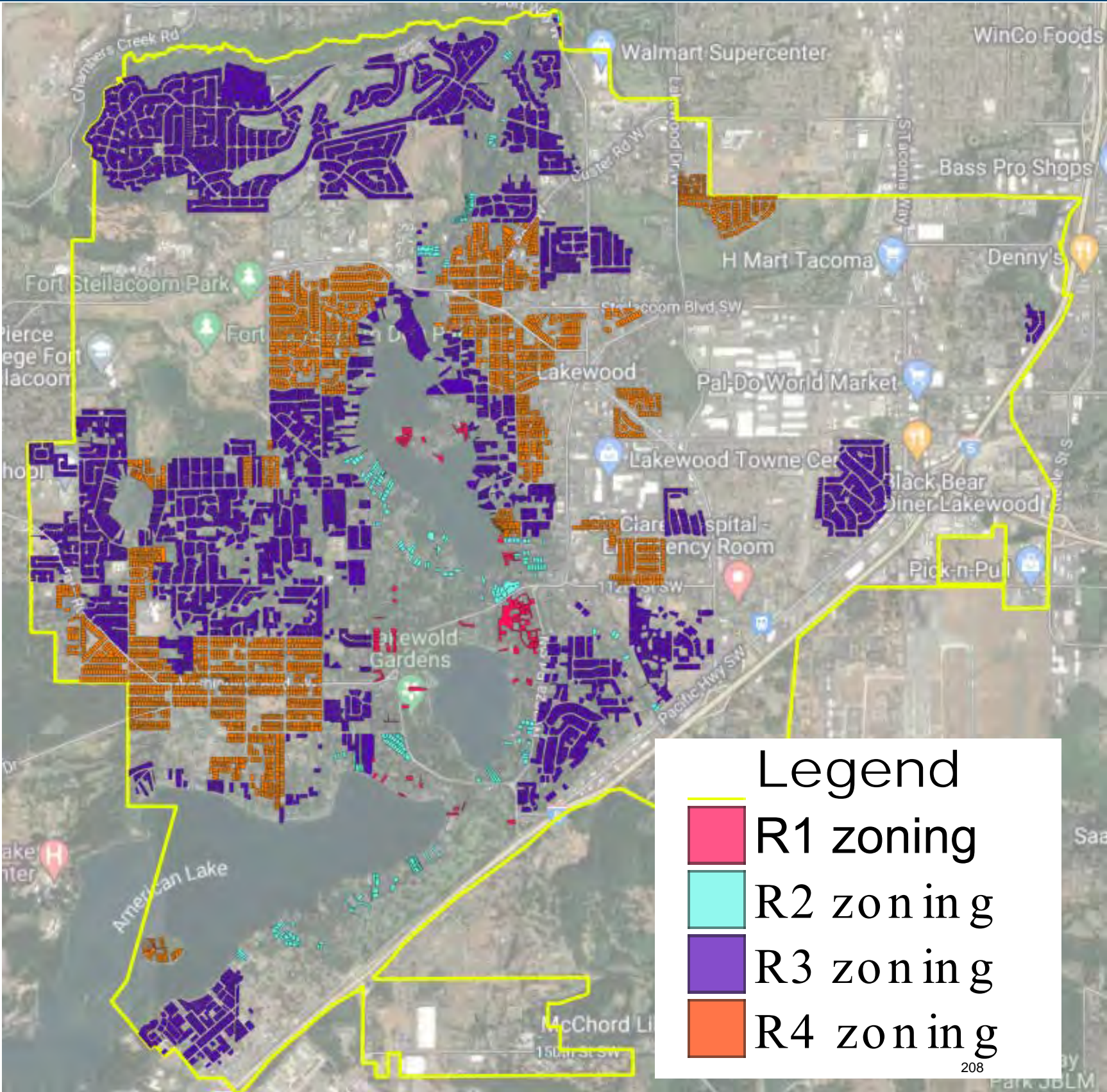
Single-Family Residential Lots Under 17,000 sq.ft.

01

Single-Family Residential Lots under 17,000 sq.ft.

	Average SF Residential Lot Size (sq.ft.)	# of SF Residential Lots	# of SF Residential Lots Under 17,000 sq.ft.	% of SF Residential Lots Under 17,000 sq.ft.
R1	33,631	472	87	18%
R2	29,062	777	284	37%
R3	13,234	7,315	6,257	86%
R4	10,814	3,537	3,340	94%
		12,101	9,968	82%

	Total SF Residential Land Area (sq.ft.)	Land Area of All SF Residential Lots Under 17,000 sq.ft.	% of SF Residential Land Area in Lots Under 17,000 sq.ft.
R1	15,873,999.7	967,863.5	6%
R2	22,581,353.7	3,013,756.1	13%
R3	96,803,705.6	66,545,860.0	69%
R4	38,249,617.4	30,338,327.6	79%
	173,508,676.3	100,865,807.1	58%



# Tree Code Research + Recommendations

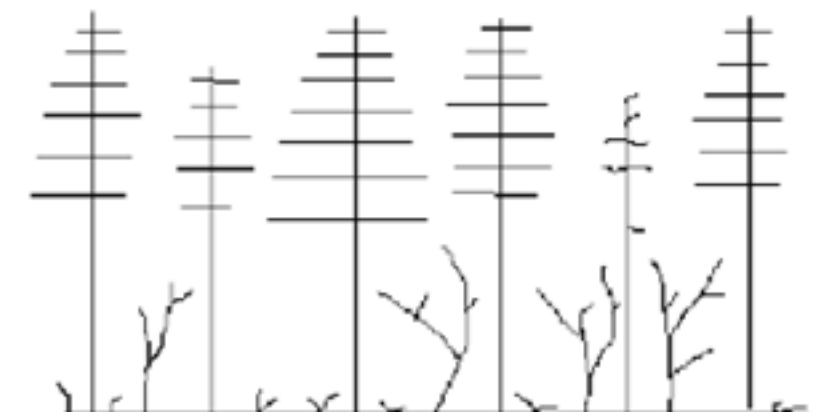
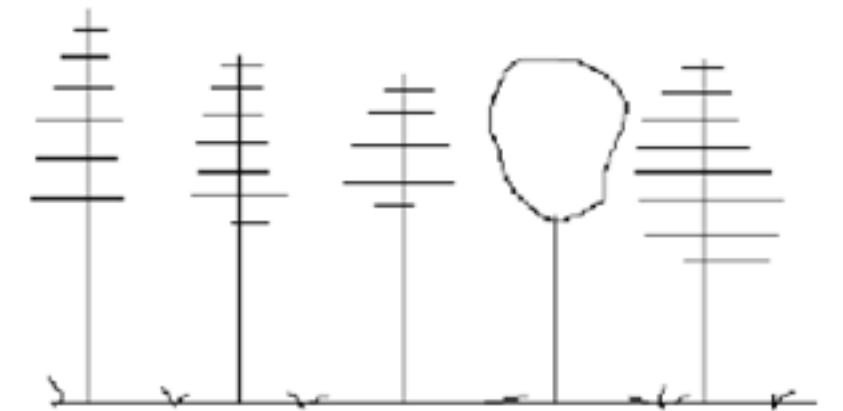
**There is no known definition that sets a minimum number of individual trees to designate a “stand of trees”. There are some options for how the City may choose to further define stands, the recommended definition is below:**

**Stand of Trees:** "Any area of forest vegetation whose site conditions, past history and current species composition are sufficiently uniform to be managed as a unit."

- Pure or mixed species
- Aged or uneven aged
- Urban forestry: generation of trees on a street and/or throughout a neighborhood

## Sources:

- Woodlands Guide | Model Regulations , Lehigh Valley Planning Commission March 2009 <https://lvpc.org/pdf/woodlands.pdf>
- Bozeman UFMP 2016  
<https://www.bozeman.net/home/showdocument?id=3621>
- Maco, Scott E., McPherson, Gregory E., 2002. Assessing Canopy Cover Over Streets and Sidewalks in Street Tree Populations. Journal of Arboriculture, 28(6): November 2002.  
[https://www.fs.fed.us/psw/publications/mcxpherson/psw\\_2002\\_mcpherson001\\_maco.pdf](https://www.fs.fed.us/psw/publications/mcxpherson/psw_2002_mcpherson001_maco.pdf)



# Tree Code Research + Recommendations

## Tree Replacement based on Carbon Reductions:

- optimal species for carbon sequestration
- optimal location for buildings energy efficiency

The Council may consider further revising LMC 18A.70.320.I to include the following:

1. Replacement. When a significant tree subject to this section cannot be retained, the tree shall be replaced as a condition for the removal of the significant tree, in accordance with the following:

1. On-Site Replacement.

a. Based on DBH Size. Significant trees shall be replaced at a ratio of two to one (2:1) of the total diameter inches of all replacement trees to the diameter inches of all the significant trees removed.

b. Based on Canopy Coverage. The applicant may choose to plant fewer replacement trees than required by option (a) if an ISA Certified Arborist determines in a written report that they will compensate for the canopy lost when they reach maturity

c. Based on Carbon Reductions. The applicant may choose to plant fewer replacement trees than required by option (a) if an ISA Certified Arborist determines in a written report that the trees planted and preserved on the property meet the following criteria:

- Tree species to be planted on the site are selected for their optimal ability to sequester carbon and store it over the course of their lifetime, according to the latest and best science. The following list contains the top 10 species for carbon sequestration and storage in Lakewood, as calculated by the i-Tree Species tool in 2022:
- Trees are planted in the optimal locations on the property, relative to the structures, to reduce energy use and therefore avoid CO2 emissions.

Optimal Species for Carbon Sequestration in Lakewood, WA	
Scientific Name	Common Name
<i>Sequoia sempervirens</i>	Coast redwood
<i>Sequoiadendron giganteum</i>	Giant sequoia
<i>Quercus petraea</i>	Durmast oak
<i>Quercus suber</i>	Cork oak
<i>Nothofagus dombeyi</i>	Coigüe, Dombey's beech
<i>Nothofagus obliqua</i>	Roble, Patagonian oak
<i>Quercus falcata</i>	Southern red oak
<i>Quercus shumardii</i>	Shumard oak
<i>Quercus garryana</i>	Oregon white oak
<i>Nyssa aquatica</i>	Water tupelo
Source: <a href="https://species.itreetools.org/">https://species.itreetools.org/</a>	

# Tree Code Research + Recommendations

## Option to require on-site replacement vs. repayment into the City's tree fund?

The Council may consider further revising LMC 18A.70.320 to include the following:

*For any site proposed to be developed or cleared, at least 50 percent of significant trees located outside the buildable area of the lot shall be retained if they are rated in good condition or better by an ISA Certified Arborist.*

Reference codes used: Gig Harbor, Mountlake Terrace, Mercer Island and Olympia (Handout on Tree Density on Residential Properties)



# Urban Forestry Program

- Measure, Maintain, and Update Lakewood's Urban Forestry Data
  - Urban Tree Canopy (UTC) Data
  - Tree Inventory Data

## Urban Tree Canopy (UTC) Cover

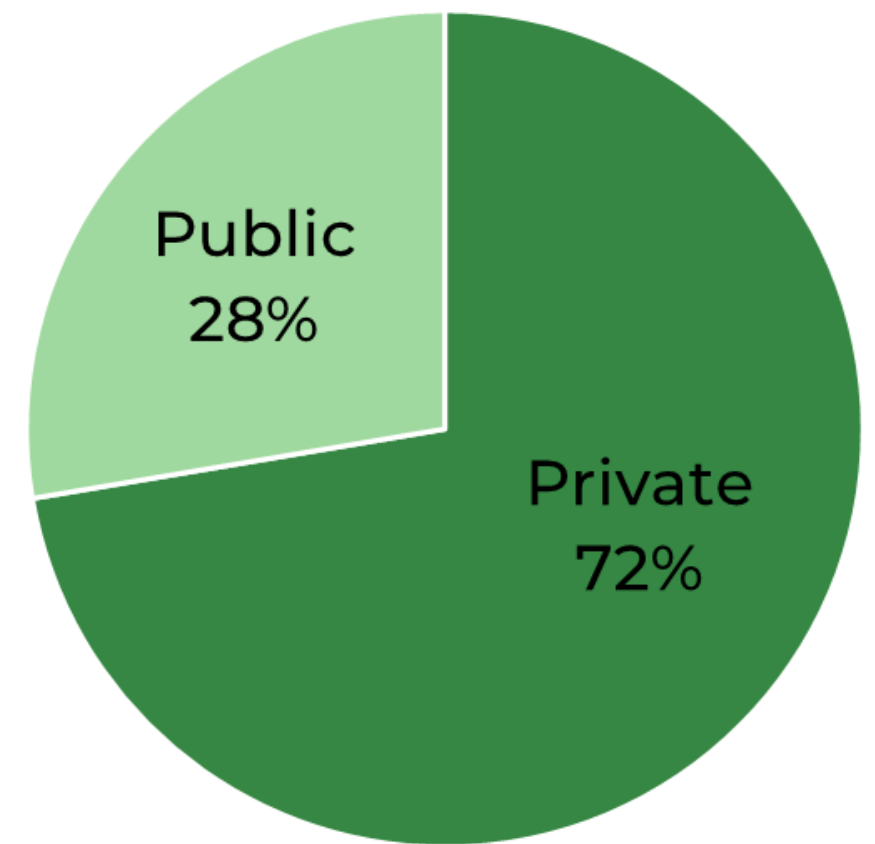
Lakewood's citywide UTC = 26.3%

Of the citywide UTC:

- 72% is on private land
- 28% is on public land

In total:

- 28% of private land has UTC
- 22% of public land has UTC



Lakewood's canopy has grown (2011-2019)!

- UTC gain = 53.5 acres or 0.5%

# Urban Forestry Program

- Measure, Maintain, and Update Lakewood’s Urban Forestry Data
  - Urban Tree Canopy (UTC) Data
  - Tree Inventory Data

Citywide Tree Locations and Estimated Tree Count			
	Square Miles	Cost	Timeline
All Trees Citywide	19	\$4,626	<1 month

Tree Point

Tree Polygon

Idealized Tree Crown



Public Tree Inventory			
	Tree Count (est.)	Cost	Timeline
Street Trees	20,000	\$80,000	3 months
An inventory of all trees greater than 1 inch in diameter at breast height (DBH, measured at 4.5' above grade) on public streets. Based on aerial imagery, sampling, Google Street View, and local city comparisons, it is estimated the City has approximately 20,000 trees along streets and in medians in the public right-of-way.			
Park Trees	2,000	\$8,000	1 month
An inventory of trees greater than 1 inch DBH in maintained areas of public parks.			
Private Tree Inventory			
	Tree Count (est.)	Cost	Timeline
All Trees >6" on Residential Property	150,000	\$469,800	10 months
An inventory of all trees greater than 6 inches in diameter at breast height (DBH, measured at 4.5' above grade) on private residential land. This approach utilizes the City's most recent Zoning Class to identify all residential parcels. Based on aerial imagery, sampling, Google Street View, and local city comparisons, it is estimated the City has over 150,000 trees greater than 6 inches DBH on private residential land.			
Oak Trees >6" on Residential Property	50,000	\$281,880	6 months
An inventory of only oaks (Quercus) greater than 6 inches DBH on private residential land. Based on research and comparisons, it is estimated the City has approximately 50,000 oak trees in this category.			
Oak Trees >6" on Residential, Industrial, and Commercial Property	70,000	\$375,840	8 months
In addition to residential areas, the City also needs to address the protection, preservation, and replacement of oak trees on commercial and industrial development and redevelopment projects. Using the most recent Zoning Class map, approximately 70,000 oak trees greater than 6 inches DBH reside on residential, industrial, or commercial property.			

# Urban Forestry Program

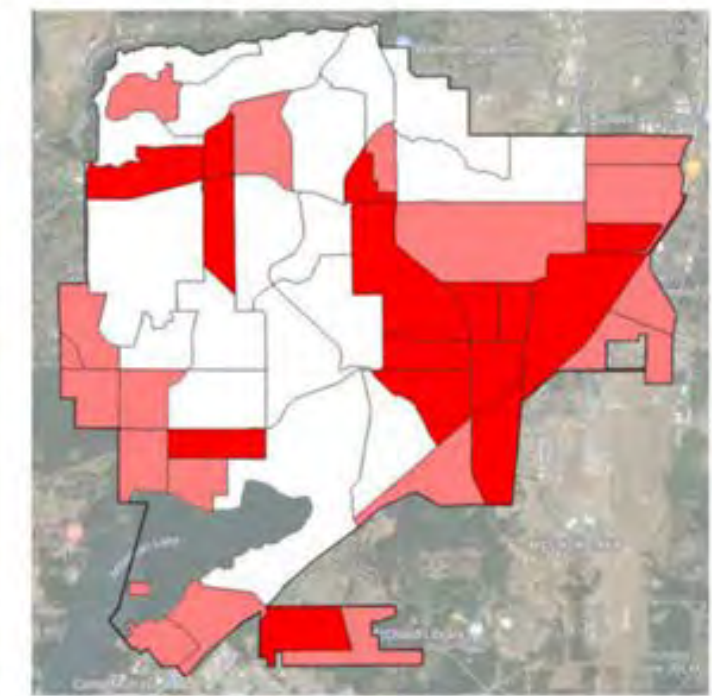
2. Grow Lakewood's Tree Canopy:  
UTC and PPA data aggregated by Census  
block groups and compared with several  
other socioeconomic and demographic  
datasets



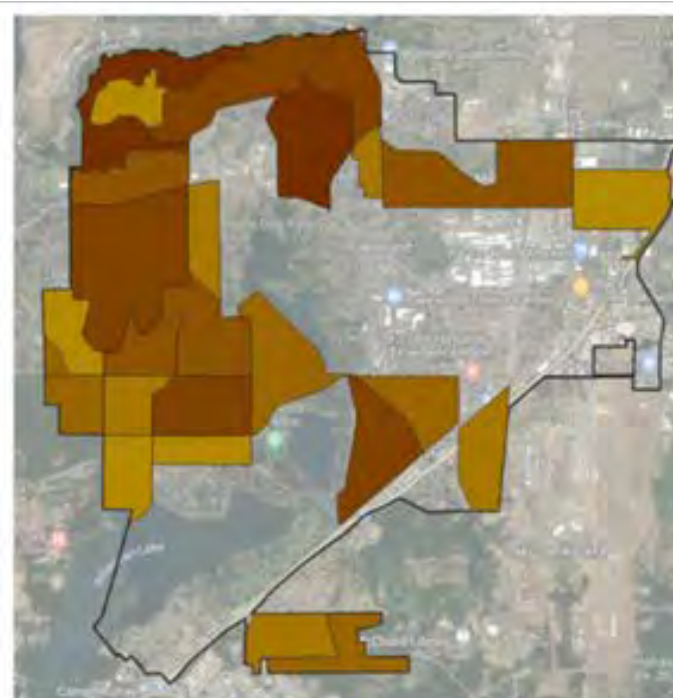
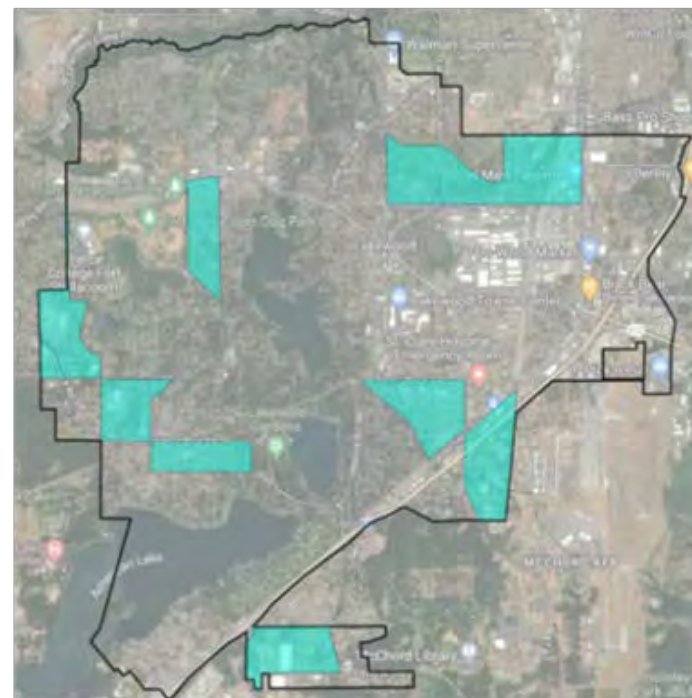
CBGs <75 TES



CBGs <25% UTC



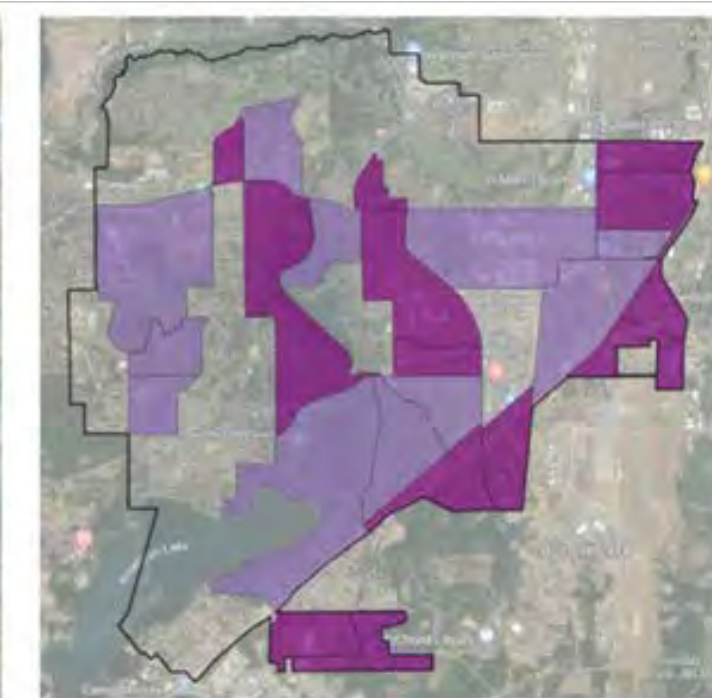
CBGs >85 avg temp



CBGs >50% PPA



CBGs >50% POC



Low Employment CBGs

# Thank You!

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**PLANIT GEO**<sup>™</sup>  
mapping a greener future

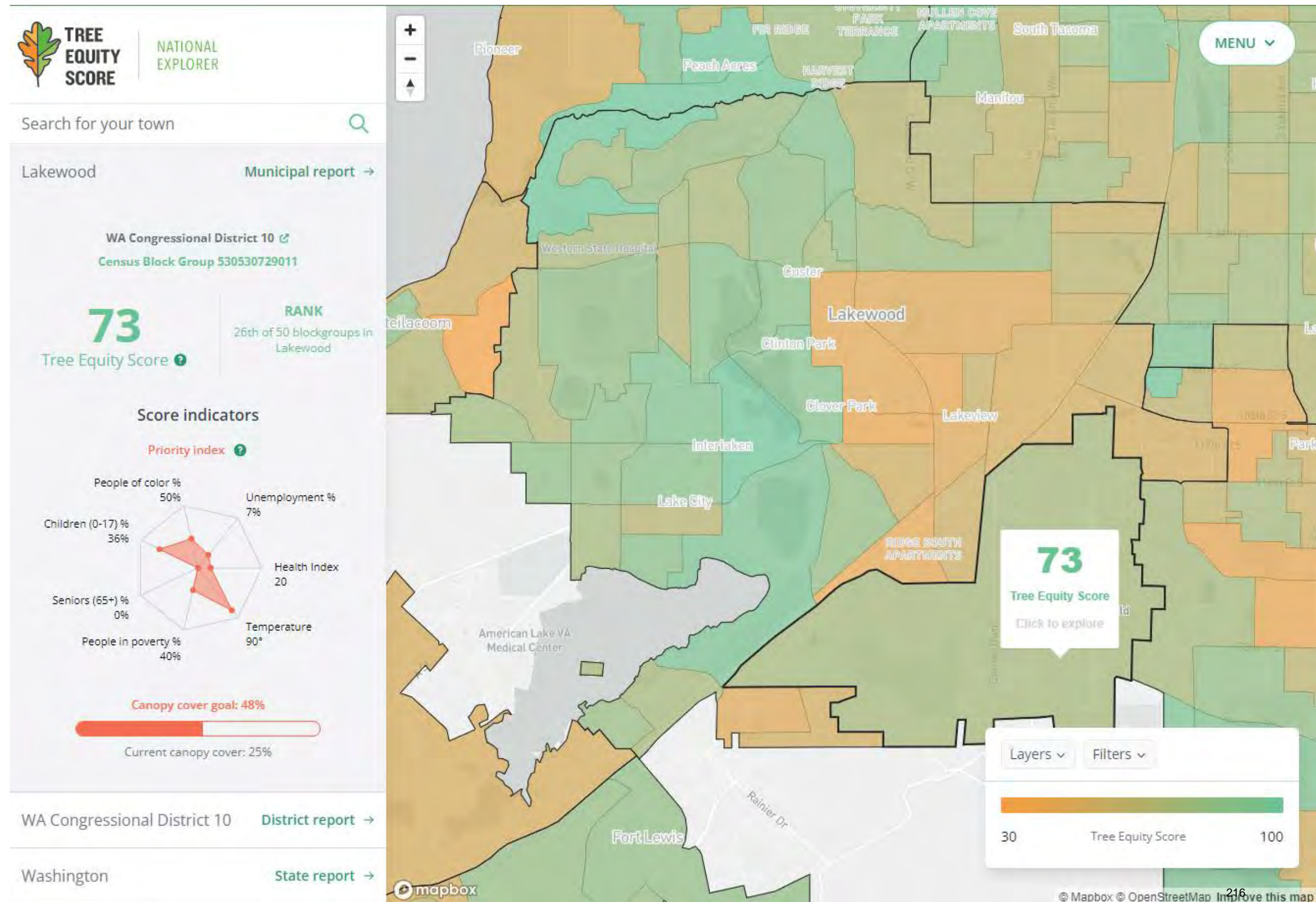


# Tree Equity

## American Forests Tree Equity Score

A Tree Equity Score is a metric that helps cities assess how well they are delivering equitable tree canopy cover to all residents.

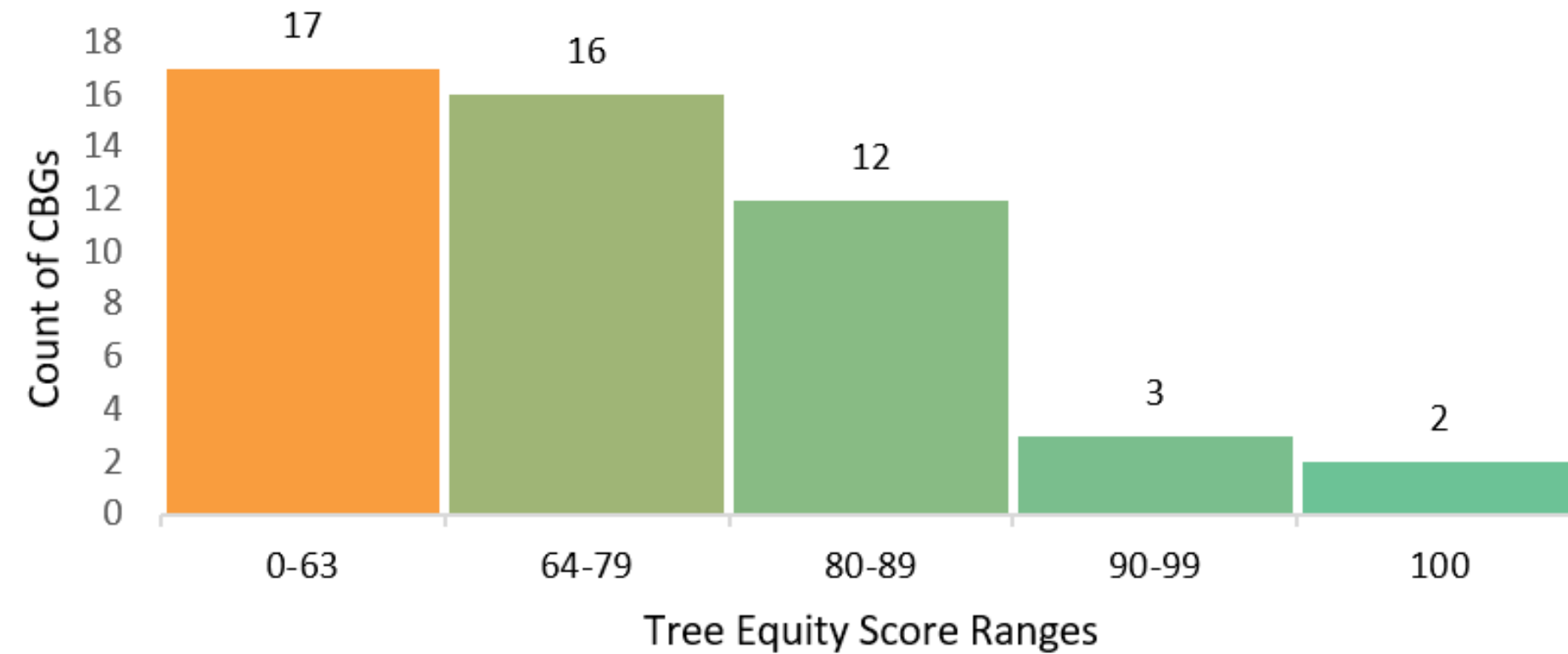
The score combines measures of tree canopy cover need and priority for trees in urban neighborhoods (defined as Census Block Groups). It is derived from tree canopy cover, climate, demographic and socioeconomic data.



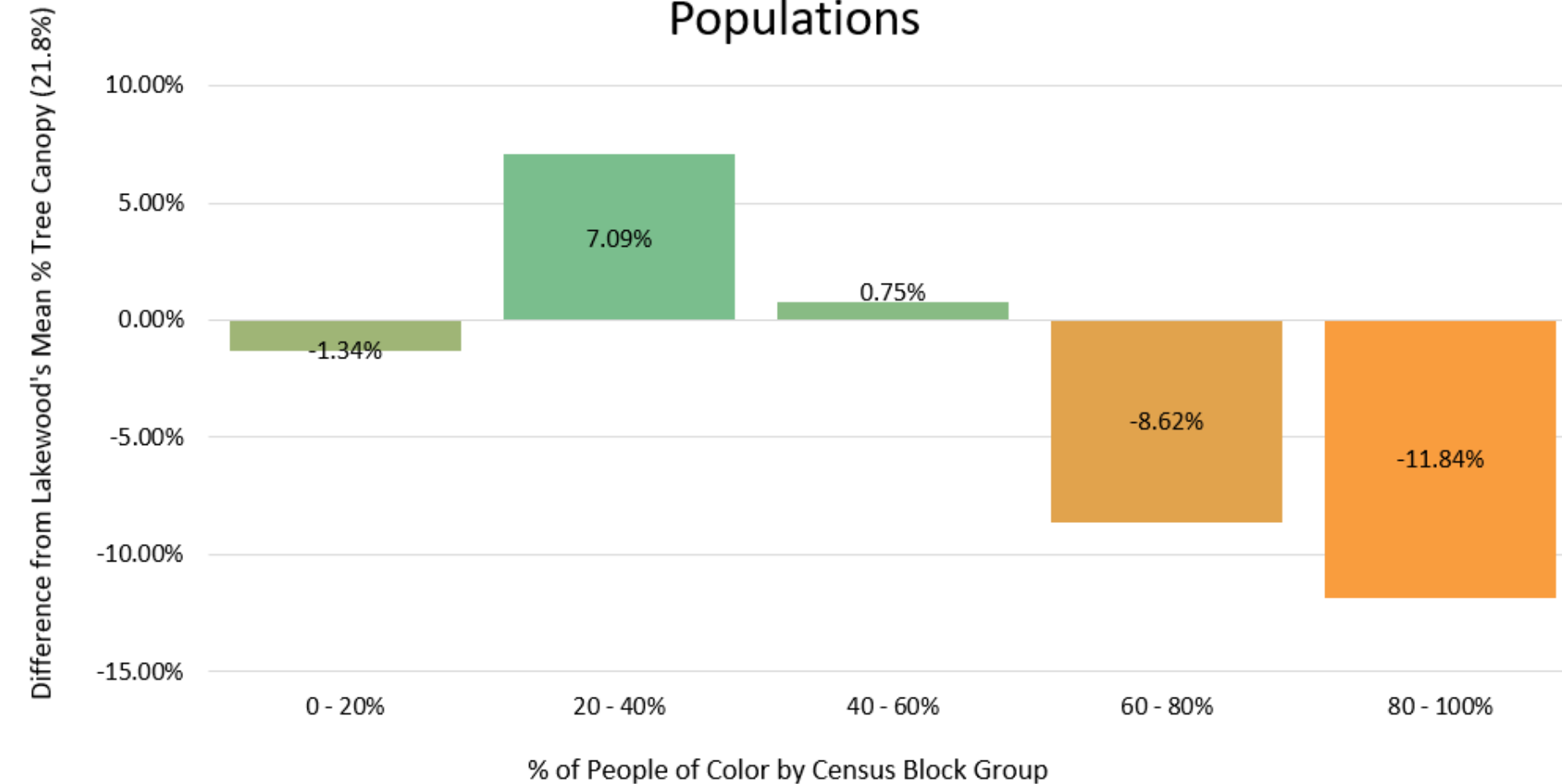
# Tree Equity

## Lakewood, WA: Tree Equity Score

Distribution of Tree Equity Scores among Lakewood's Census Block Groups



Comparing Tree Canopy Coverage to People of Color Populations



# Tree Equity

## Lakewood, WA: Tree Equity Score

Get all block groups to a Tree Equity Score of 75

28 of 50 have a Tree Equity Score below 75.



**59,634** trees will be needed to get all block groups to a score of **75**. See the significant benefits to the community this will create.

Sources: i-Tree Landscape, American Forests. For more details, review our [methodology](#).

Total Canopy Added	Annual Ecosystem Service Value	Jobs Supported
5.5 %	\$1.0 Million	434.0
Annual Service Benefits		
Carbon Sequestered 858.2 tons	Carbon Monoxide 0.2 tons	Nitrogen Dioxide 2.9 tons
Sulfur Dioxide 0.5 tons	PM10* Pollution 6.7 tons	PM2.5 Pollution 0.6 tons
Ozone 11.7 tons	Runoff Avoided 260,417 m <sup>3</sup>	Rain Interception 359,359 m <sup>3</sup>

## Definitions for "Stand of Trees"

**Source:** Bozeman UFMP 2016 <https://www.bozeman.net/home/showdocument?id=3621>

"Street tree stand age—meaning the age of a particular generation of trees—is typically 20 to 60 years (Maco, McPherson, 2002). Thus, maintaining a consistent maximized canopy cover can be difficult because a stand will maximize its canopy and then decline. If trees in poor condition or problem trees are removed and replaced with trees that have appropriate mature canopy attributes for their location, a consistent canopy cover can be achieved."

**Source:** Maco, Scott E., McPherson, Gregory E., 2002. Assessing Canopy Cover Over Streets and Sidewalks in Street Tree Populations. Journal of Arboriculture, 28(6): November 2002.

"Determining appropriate tree canopy cover over city streets and sidewalks is complicated because planners must consider the dynamics of stand development, as well as factors such as species composition and land use. For example, street tree stands are frequently even-aged for 20 to 60 years after planting."

**Source:** Nyland, Ralph D. (2007). Silviculture: concepts and applications (2nd ed.). Prospect Heights: Waveland Press.

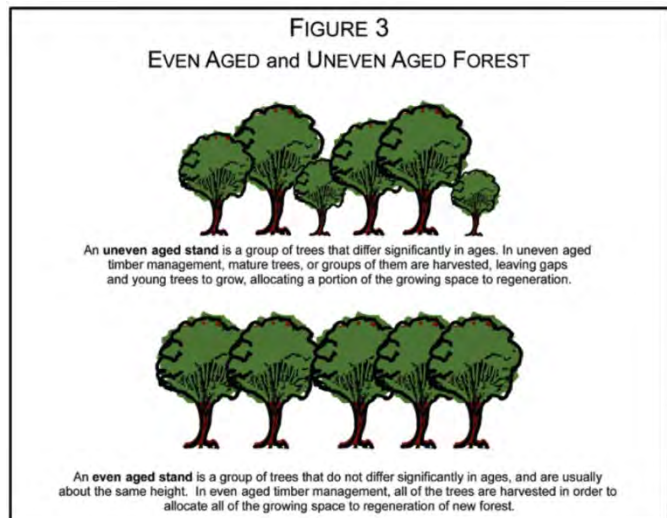
A forest stand is a contiguous community of trees sufficiently uniform in composition, structure, age, size, class, distribution, spatial arrangement, site quality, condition, or location to distinguish it from adjacent communities.

**Source:** Woodlands Guide | Model Regulations , Lehigh Valley Planning Commission March 2009 <https://lvpc.org/pdf/woodlands.pdf>

Stand. Any area of forest vegetation whose site conditions, past history and current species composition are sufficiently uniform to be managed as a unit.

A stand is an area of forest with similar species composition, age and site conditions. A stand can be pure (at least 90 percent of the dominant trees are of one species) or mixed. It also can be even aged (all the trees in the stand are approximately the same age) or uneven aged (trees in the stand are of different ages). (Figure 3) A pure, even aged stand has the simplest structure, while a mixed, uneven aged stand has the most complex. The forest is the sum of its stands. Keeping that in mind, it is easy to understand that the forest, as a whole, can be sustained even while timber harvesting and other regeneration practices are being carried out on individual, particular stands in different locations in the forest.

**Source:** Forest Measurements, An Applied Approach, Joan DeYoung



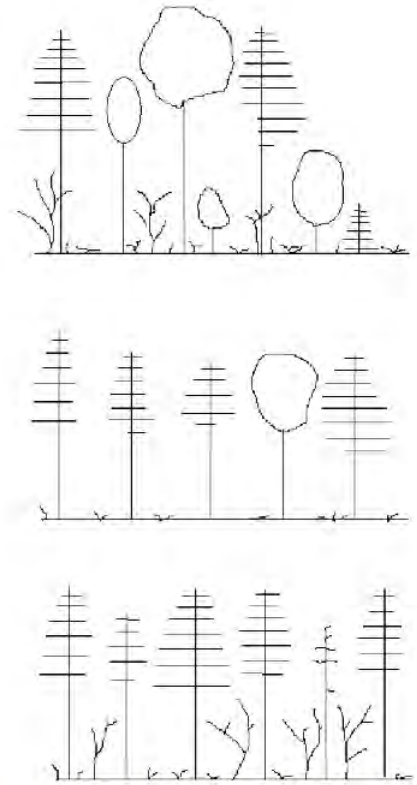
## Definitions for "Stand of Trees"

<https://openoregon.pressbooks.pub/forestmeasurements/chapter/5-2-stand-structure/>

A common task of the forest technician is to provide data to answer these questions. A survey called a **stand exam** is just that - an examination of the composition and structure of the forest. Once an assessment of the current conditions is completed, then questions about "What's out there?" can be addressed more readily.

**Stand Structure** refers to the overall "look" of a forest stand (Figure 5.1). It is the "horizontal and vertical distribution of components of a stand, including the height, diameter, crown layers and stems of trees, shrubs, herbaceous understory, snags and down woody debris" (Helms 1998).

As one might imagine, the structure of a forest changes over time, as trees grow, as fungi rot the wood, as insects or fire move through, as light conditions change, and so on. Therefore, a stand exam is always a measure of a forest at a point in time - a snapshot, not a hard and fast truism. To successfully manage for wildlife habitat, wood quality, desired growth rates and a myriad of other forest management objectives, foresters often a) assess what is present, b) describe what is desired in the future, and then c) develop guidelines for managing toward that future forest structure.



*Figure 5.1. Examples of various forest stand structures.*

**PLANNING COMMISSION RESOLUTION NO. 2022-04**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
LAKEWOOD, WASHINGTON, RECOMMENDING AMENDMENTS TO THE  
LAKWOOD TREE PRESERVATION CODE.**

WHEREAS, the City of Lakewood is a code city planning under the Growth Management Act, codified in RCW 36.70A, and

WHEREAS, the City Council adopted its Tree Preservation Code, LMC 18A.70.300- 330 via Ordinance No. 726 on December 16, 2019; and

WHEREAS, the Lakewood City Council adopted Title 14, Title 18A, Land Use and Development Code, of the Lakewood Municipal Code (LMC) via Ordinance No. 630 on December 7, 2015; and

WHEREAS, it is appropriate for the Lakewood City Council to consider and adopt amendments needed to ensure that the Plan and implementing regulations provide appropriate policy and regulatory guidance for growth and development; and

WHEREAS, the Lakewood City Council passed Resolution 2021-15 to form a Tree Advisory ad hoc Committee to review the tree preservation code and associated municipal code chapters and forward its recommendations onto the Planning Commission; and

WHEREAS, the Tree Advisory Ad hoc Committee met on seven (7) occasions between March-April, 2022; and

WHEREAS, at the conclusion of its meetings, the Ad hoc Committee created a framework report to provide advice to the Planning Commission; and,

WHEREAS, the Planning Commission reviewed the existing City tree preservation code and the Tree Advisory Ad hoc Committee recommendations on May 4<sup>th</sup>, May 18<sup>th</sup>, June 1<sup>st</sup>, June 8<sup>th</sup> and June 15<sup>th</sup>; and,

WHEREAS, on June 15, 2022 the Planning Commission also reviewed revisions to the City's Comprehensive Plan, Chapter 2.64, Chapter 14.154 and Title 18A of the Lakewood Municipal Code, and set a public hearing date of July 6, 2022; and,

WHEREAS, public notice provided pursuant to Lakewood Municipal Code 18A.20.310 on June 15<sup>th</sup> and through post cards that were mailed to every Lakewood resident on June 1<sup>st</sup>; and,

WHEREAS, the City published the Planning Commission proposed amendments online on June 22<sup>nd</sup> and reviewed with the public via YouTube on July 19<sup>th</sup>; and

WHEREAS, the Lakewood Planning Commission held an open record public hearing on

July 5, 2022; and

WHEREAS, the Planning Commission wants to establish additional protections for Oregon White Oak trees and ensure that tree removals are being accurately tracked; and,

WHEREAS, the Planning Commission reviewed the best practices, other jurisdictions' municipal code provisions, and received numerous presentations from experts in the field of urban forestry to establish its recommendations; and

WHEREAS, the Planning Commission wanted to encourage future development in the City of Lakewood consistent with the City's vision and Comprehensive Plan; and

WHEREAS, the Lakewood Planning Commission finds that the proposed amendments further the goals and policies of the Comprehensive Plan and promote the community's overall health, safety, and welfare;

**NOW, THEREFORE, THE LAKEWOOD PLANNING COMMISSION OF THE CITY OF LAKEWOOD, WASHINGTON, DOES RECOMMEND AS FOLLOWS:**

**Section 1.** Amendments to Chapter 2.48, Protection and Preservation of Landmarks ordinance as contained in Exhibit A to include designation criteria for heritage trees.

**Section 2.** Amendments to the City's Critical areas ordinance as contained in Exhibit B herein, summarized as follows:

**LMC 14.145.080 Provisions for Priority Oregon White oak trees and woodlands:**

Create a new section to establish a process to preserve priority white oak woodlands through maintenance and permit the removal of priority white oak woodlands subject to City review or a reasonable use exception.

Recommendation: Approval.

**14.156.010 Definitions.** Create a new definition for "feasible"

Recommendation: Approval.

**Section 3.** Amendments to the City's land use and development regulations as contained in Exhibit C hereto, summarized as follows:

**18A.70.310 Tree Removal applicability/exemptions:** Establish additional protections for Oregon White Oak trees. Remove the industrially zoned property exemptions.

Recommendation: Approval.

**18A.70.320 Significant Tree Preservation:** Set the size of a significant Oregon White Oak Tree at four (4) inches. Establish additional standards for trimming trees. Require a permit for tree removal on single family residential lots over 17,000 gsft. Establish a simple permitting process that is administrative for residential lots or non-Oregon White Oak tree removals not associated with a project permit/plan.

Establish a permitting process to remove heritage trees. Allow for additional on-site replacement options when approved by an ISA Certified Arborist. Provide Incentives for Tree Preservation. Establish enforcement procedures which will be charged to both the property owner and contractor.

Recommendation: Approval.

**18A.70.330 Oregon white oak preservation:** Establish a new code section to regulate Oregon white oak preservation.

Recommendation: Approval.

**18A.70.340 City Tree Fund.** Amend the code section to include tree permits fees and penalties as well as, to allow for the funds to be used for restoration projects and to administer the tree preservation code.

Recommendation: Approval.

**18A.70.350 Definitions.** Adopt new definitions related to tree preservation.

Recommendation: Approval.

**Section 4.** Include the following as an amendment in the next Comprehensive Plan update cycle:

#### 3.12.6 Urban Forestry

GOAL LU-60: Institute an urban forestry program to preserve significant trees, promote healthy and safe trees, and expand tree canopy coverage throughout the City.

Policies:

- LU-60.1: Establish an urban forestry program for the City.
- LU-60.2: Promote planting and maintenance of street trees.
- LU-60.3: Provide for the retention of significant tree stands and the restoration of tree stands within the City.
- LU-60.4: Work towards a citywide goal of 30% tree canopy cover by the year 2050. Consider opportunities to increase canopy and environmental equity when evaluating tree canopy distribution.

**Section 5.** To administer the code revisions and continue to monitor the City's urban canopy, that the City consider establishing an Urban Forestry Program as outlined in CPA Goal LU-60, first year deliverables may include:

- Identify areas within the City in need of additional canopy
- Work with a consultant to complete a city tree inventory
- Establish a tree replacement program/giveaway program
- Work with the City's contract arborist to review tree removal applications
- Monitor the City's canopy goal
- Provide public education opportunities regarding tree maintenance and appropriate planting standards; and
-

PASSED AND ADOPTED at a regular meeting of the City of Lakewood Planning Commission this 20<sup>th</sup> day of June, 2022, by the following vote:

AYES: 4      BOARDMEMBERS: Don Daniels, Ryan Pearson, Phillip Combs, and Robert Estrada

NOES: 2      BOARDMEMBERS: Paul Wagemann and Brian Parsons

ABSENT: 1      BOARDMEMBERS: Linn Larsen

  
\_\_\_\_\_  
CHAIR, PLANNING COMMISSION

ATTEST:

  
\_\_\_\_\_  
KAREN DEVEREAUX, SECRETARY

## Chapter 2.48

### PROTECTION AND PRESERVATION OF LANDMARKS

Sections:

<b>2.48.010</b>	<b>Purpose.</b>
<b>2.48.020</b>	<b>Definitions.</b>
<b>2.48.030</b>	<b>Landmarks and Heritage Advisory Board created.</b>
<b>2.48.035</b>	<b>Powers of Lakewood Landmarks and Heritage Advisory Board.</b>
<b>2.48.040</b>	<b>Designation criteria.</b>
<b>2.48.050</b>	<b>Nomination procedure.</b>
<b>2.48.060</b>	<b>Designation procedure.</b>
<b>2.48.070</b>	<b>Certificate of appropriateness procedure.</b>
<b>2.48.080</b>	<b>Evaluation of economic impact.</b>
<b>2.48.090</b>	<b>Appeal procedure.</b>
<b>2.48.110</b>	<b>Penalties for violating this chapter.</b>
<b>2.48.120</b>	<b>Special valuation for historic properties.</b>
<b>2.48.130</b>	<b>Severability.</b>
<b>2.48.140</b>	<b>Retroactive approval of acts.</b>

#### **2.48.040      Designation criteria.**

D. A tree may be designated as a heritage tree due to its historical, cultural, or environmental significance to the community. The purpose of the heritage tree designation is to ensure additional measures of protection and maintenance for trees with unique characteristics, historical importance, or cultural significance. A complete application shall include the following information:

1. A short description of the tree(s), including the address or location, species, and size (height, crown spread, and DBH);
2. Reason for designation as a heritage tree(s) including special characteristics of the tree and/or site; and
3. A report completed by an ISA Certified Arborist to identify the tree's characteristics, current condition, and maintenance needs.

## Title 14

### ENVIRONMENTAL PROTECTION\*

Chapters:

<b>14.02</b>	<b>Environmental Rules and Procedures</b>
<b>14.142</b>	<b>Critical Areas and Natural Resource Lands Authority, Intent, and General Provisions</b>
<b>14.146</b>	<b>Geologically Hazardous Areas</b>
<b>14.150</b>	<b>Aquifer Recharge Areas</b>
<b>14.154</b>	<b>Fish and Wildlife Habitat Areas</b>
<b>14.158</b>	<b>Flood Hazard Areas</b>
<b>14.162</b>	<b>Wetlands Areas</b>
<b>14.165</b>	<b>Definitions</b>

\* **Prior legislation note:** Ord. 362 repealed Chapters 14.138 through 14.170 and enacted a Title 14A; Ord. 590 repealed Chapters 14.06 through 14.134. Prior to its repeal and reenactment, the title was based on the provisions of Ords. 56, 57 and 585.

#### **14.154.020 Designation of critical fish and wildlife habitat areas.**

A. *General.* This chapter applies to proposed regulated activities within critical fish and wildlife habitat areas. Critical fish and wildlife habitat areas are those areas identified either by known point locations of specific species (such as a nest or den) or by habitat areas or both.

B. *Identification of Critical Fish and Wildlife Species and Habitats.*

1. *Critical Fish and Wildlife Habitat Areas.*

a. *Federal and State Listed Species and Their Associated Habitats.* Areas which have a primary association with federally or state listed endangered, threatened, or sensitive species of fish or wildlife (specified in [50 CFR 17.11](#), [50 CFR 17.12](#), [WAC 220-610-010](#) and [220-610-110](#)) and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term.

b. Habitats and species of local importance, including the following:

i. Areas with which state listed monitor or candidate species or federally listed candidate species have a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term.

ii. Documented habitat areas or outstanding potential habitat areas for fish and wildlife species. These areas include specific habitat types which are infrequent in occurrence in Pierce County and Lakewood, and may provide specific habitats with which endangered, threatened, sensitive, candidate, or monitor species have a primary association, such as breeding habitat, winter range, and movement corridors. These areas include the following:

- (A) Priority Oregon white oak woodlands.
- (B) Prairies.
- (C) Old growth forests.
- (D) Caves.
- (E) Cliffs.
- (F) Snag-rich areas.
- (G) Rivers and streams with critical fisheries.
- (H) Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat.
- (I) Waters of the state, including all water bodies classified by the Washington Department of Natural Resources (DNR) water typing classification system as detailed in WAC [222-16-030](#), together with associated riparian areas.
- (J) Lakes, ponds, streams, and rivers planted with game fish by a governmental entity or tribal entity.
- (K) State natural area preserves and natural resource conservation areas.

2. *Mapping.* The resources listed below provide information on fish and wildlife habitat areas:

- a. Puget Sound Environmental Atlas, Puget Sound Water Quality Authority.
- b. The following Washington Department of Natural Resources documents and data sources:
  - i. Stream typing maps.
  - ii. Natural Heritage Database.
- c. The following Washington Department of Wildlife documents and data sources:
  - i. Priority Habitats and Species Program.
  - ii. Nongame Database.

- iii. Washington Rivers Information System.
- d. The following Washington Department of Fisheries documents:
  - i. Water Resource Index Areas (WRIA). [Ord. 630 § 1, 2015; Ord. 362 § 3, 2004.]

### **14.154.030 Habitat protection standards.**

A. *Education and Information.* A voluntary education program to explain the need for and methods of habitat management will help provide for long-term protection and enhancement of critical fish and wildlife habitat areas. By informing citizens of the declining populations of several fish and wildlife species in Pierce County, the diminishing animal habitat available, and the management techniques that individuals can use to preserve and restore fish and wildlife habitat areas, the City can foster good stewardship of the land by property owners.

1. The Department will provide educational materials and lists of additional sources of information to applicants proposing regulated activities in the vicinity of critical fish and wildlife habitat areas. Materials will be selected from a variety of state and local resources.
2. The Department will accumulate information on the number of proposed activities associated with fish and wildlife habitat areas as identified by this chapter and indicated by County maps to be in the vicinity of identified critical fish and wildlife habitats pursuant to LMC [14.154.020](#). Information shall include the number of single-family residences and other development occurring in the vicinity of critical fish and wildlife areas. Based on this information, additional regulations may be developed.

B. *Use of Existing Procedures and Laws, Biological Assessments.* The primary procedures used to implement this chapter shall include this chapter itself, the City's Land Use and Development Code, the State Environmental Policy Act (Chapter [43.21C](#) RCW), the City's environmental regulations, the State Shoreline Management Act (Chapter [90.58](#) RCW), and the City's shoreline management regulations.

Regulated activities subject to environmental review shall be reviewed with consideration for impacts on critical fish and wildlife habitat as identified in this title. The Community Development Director may require a biological assessment prepared by a qualified wildlife biologist whenever the Director finds that a project site may contain, affect, or be affected by, species or habitats designated in this chapter. Biological assessments shall be prepared in accordance with LMC [14.154.050\(B\)](#), and are subject to the review and approval of the Director.

Projects undergoing review for fish and wildlife considerations shall be routed to the Washington Department of Fish and Wildlife, the Washington Department of Ecology, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers and any other appropriate state and federal agencies. These agencies will have an opportunity to provide specific habitat information on proposed development sites, advise the City of their

jurisdiction and applicable permit requirements, and suggest appropriate project modifications and/or other mitigation.

The City shall give substantial weight to the management recommendations contained in the Washington Department of Fish and Wildlife Priority Habitats and Species Program, ~~particularly the management recommendations for Oregon white oak woodlands~~. [Ord. 630 § 2, 2015; Ord. 362 § 3, 2004.]

#### **14.154.080 Provisions for Priority Oregon white oak trees and woodlands**

A. No person shall willfully remove, top, damage, destroy, break, injure, mutilate or kill any Priority Oregon white oak trees and woodlands except as allowed by this chapter.

B. During building or construction operations, suitable protective measures in LMC 18A.70.320(1) shall be erected around Oregon white oak trees, stands, or woodlands which may be subject to injury.

C. The following activities may be permitted regarding Priority Oregon white oak trees and woodlands:

1. Removal of diseased trees and trees that present an imminent threat to properties. The Director may require a written report by a certified arborist assessing the condition of any tree that is purported to be diseased or hazardous.

2. Trimming. Trimming shall be granted when it is determined:

(a) That trimming is needed for safety or public welfare or to remove diseased or dead branches; or

(b) That branches hang over an existing building or interfere with utility lines or right-of-way access.

3. Single Family Property. If the presence of the Priority Oregon white woodland renders the development of a house or permitted accessory structure infeasible, and the application of incentives in LMC 18A.70.320<sup>1</sup> is insufficient to result in a feasible development, the City may allow removal or trimming of a Priority Oregon white oak trees and woodlands in order to allow a maximum building footprint of one thousand five hundred (1,500) square feet for a single family residence, 1,000 square feet for an accessory dwelling unit, and 1000 square feet for a detached garage. Additional impervious area for the driveway will be permitted which provides the shortest and most direct access to the house with minimal encroachment or impact into the critical area. The proposal shall demonstrate prior tree removal has met Article III of Chapter 18A.70 LMC in effect at the time, the proposal results in the least possible impact to the critical area to achieve a feasible development, and includes mitigation to offset any impacts to critical areas consistent with the provisions of this chapter and in accordance

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<sup>1</sup> For example, building setbacks, parking standard adjustments, height/density bonuses, etc.

with a report prepared by a qualified biologist or certified arborist. The City may require a third-party review of the report at the applicant's expense. A minimum 2:1 replacement ratio shall be applied. See required findings in Subsection C.5. If a proposal does not meet the parameters of this paragraph see Subsection D.

4. Commercial, Industrial, Multifamily, Institutional or Other Development. On non-single-family properties where Priority Oregon white oak trees and woodlands does not exceed 1 acre in size contiguous and the application of incentives in LMC 18A.70.320<sup>1</sup> is insufficient to result in a feasible development<sup>2</sup>, the City may allow for removal or trimming of a Priority Oregon white oak trees and woodlands to accommodate a legal use of the property with the least possible impact to the critical area, provided no clearing of trees occurred prior to the application for a land use permit in violation of Article III of Chapter 18A.70 LMC in effect at the time, and provided mitigation is instituted consistent with a report prepared by a qualified biologist or certified arborist. The City may require a third-party review of the report at the applicant's expense. A minimum 2:1 replacement ratio shall be applied. See required findings in Subsection C.5. If a proposal does not meet the parameters of this paragraph see Subsection D.

5. Required findings. To approve a proposal for a single family home in paragraph 3 or other non-single family development in paragraph 4, the Director shall find:

- (a) The application of incentives in LMC 18A.70.320<sup>1</sup> is insufficient to result in a feasible development.
- (b) The development results in the least possible impact to the critical area to achieve a feasible development that accommodates a legal use of the property.
- (c) The report and mitigation prepared by a qualified biologist or certified arborist demonstrates to the satisfaction of the Director that mitigation addresses impacts to Priority Oregon white oak trees and woodlands consistent with the provisions of this chapter. The report and mitigation consider the Washington Department of Fish and Wildlife Priority Habitats and Species Program management recommendations for Oregon white oak woodlands. The report has been reviewed by either the Washington Department of Fish and Wildlife through SEPA review and/or a qualified biologist or certified arborist at the applicant's expense as required by the Director.
- (d) Prior tree removal has met Article III of Chapter 18A.70 LMC in effect at the time.

D. If the application of this section would deny all reasonable use of property, the applicant may apply for a reasonable use exception pursuant to LMC 14.142.080.

## Chapter 14.165

### DEFINITIONS

Sections:

**14.165.010 Definitions.**

#### **14.165.010 Definitions.**

For the purpose of this title, in addition to the definitions in LMC [18A.10.180](#), the following definitions shall apply:

“Abutting” means bordering upon, to touch upon, in physical contact with. Sites are considered abutting even though the area of contact may be only a point.

“Activity” means any use conducted on a site.

“Agricultural activities” means the production of crops and/or raising or keeping livestock, including operation and maintenance of farm and stock ponds, drainage ditches, irrigation systems, and normal operation, maintenance and repair of existing serviceable agricultural structures, facilities or improved areas, and the practice of aquaculture. Forest practices regulated under Chapter [76.09](#) RCW, Title [222](#) WAC are not included in this definition.

“Alluvial geologic unit” means geologically recent stream, lake, swamp and beach deposits of gravel, sand, silt and peat.

“Animal containment area” means a site where two or more animal units of large animals per acre or three-quarters of an animal unit of small animals per acre are kept, and where a high volume of waste material is deposited in quantities capable of impacting ground water resources.

“Animal unit” means the equivalent of 1,000 pounds of animal.

“Applicant” means a person, party, firm, corporation, or other legal entity that proposes a development on a site.

“Aquifer” means a saturated geologic formation which will yield a sufficient quantity of water to serve as a private or public water supply.

“Aquifer recharge area” means areas where the prevailing geologic conditions allow infiltration rates which create a high potential for contamination of ground water resources or contribute significantly to the replenishment of ground water with potential to be used for potable water. For the purposes of this title, all of the area located within the Clover/Chambers Creek Basin boundary or the two highest DRASTIC zone boundaries is included in the aquifer recharge area.

“Aquifer susceptibility” means the ease with which contaminants can move from the land surface to the aquifer based solely on the types of surface and subsurface materials in the area. Susceptibility usually defines the rate at which a contaminant will reach an aquifer unimpeded by chemical interactions with the vadose zone media.

“Base flood” means the flood having a one percent chance of being equaled or exceeded in any given year, also referred to as the “100-year flood.” The area subject to the base flood is the special flood hazard area designated on flood insurance rate maps as Zones “A” or “V.”

“Base flood elevation” means the elevation of the base flood above the datum of the effective firm.

“Basement” means any area of structure having its floor sub-grade (below ground level) on all sides.

“Best management plan” means a plan developed for a property which specifies best management practices for the control of animal wastes, storm water runoff, and erosion.

“Buffer” means an area contiguous with a critical area that is required for the integrity, maintenance, function, and structural stability of the critical area.

“Building footprint” means the horizontal area measured within the outside of the exterior walls of the ground floor of all principal and accessory buildings on a lot.

“Channel migration area” means that area within the lateral extent of likely stream channel movement due to stream bank destabilization and erosion, rapid stream incision, aggradation, avulsions, and shifts in location of stream channels plus 50 feet.

“Class” means one of the wetland classes used to categorize wetlands by their attributes and characteristics. Wetlands shall be rated using the latest adopted version of the Washington State Wetland Rating System for Western Washington published by the Washington State Department of Ecology.

“Class I injection well” means a well used to inject industrial, commercial, or municipal waste fluids beneath the lowermost formation containing, within one-quarter mile of the well bore, an underground source of drinking water.

“Class II injection well” means a well used to inject fluids: brought to the surface in connection with conventional oil or natural gas exploration or production and may be commingled with wastewaters from gas plants that are an integral part of production operations, unless those waters are classified as dangerous wastes at the time of injection; for enhanced recovery of oil or natural gas; or for storage of hydrocarbons that are liquid at standard temperature and pressure.

“Class III injection well” means a well used for extraction of minerals, including but not limited to the injection of fluids for: in-situ production of uranium or other metals that have not been conventionally mined; mining of sulfur by Frasch process; or solution mining of salts or potash.

“Class IV injection well” means a well used to inject dangerous or radioactive waste fluids.

“Class V injection wells” means all injection wells not included in Class I, II, III, or IV.

“Classification” means defining value and hazard categories to which critical areas and natural resource lands will be assigned.

“Clearing” means the cutting, moving on site, or removal of standing or fallen timber; the removal or moving on site of stumps; or the cutting or removal of brush, grass, ground cover, or other vegetative matter from a site in a way which exposes the earth’s surface of the site. In addition to the above, clearing is an activity which does not require reforestation per an approved forest practices application/notification issued by the Department of Natural Resources.

“Cliff” means a steep vertical or overhanging face of rock or earth greater than 25 feet in height.

“Compensatory mitigation” means mitigation to compensate for loss of wetland habitat due to filling of wetlands or other regulated activities in wetlands.

“Confined aquifer” means an aquifer bounded above and below by beds of distinctly lower permeability than that of the aquifer itself and that contains ground water under sufficient pressure for the water to rise above the top of the aquifer.

“Confining formation” means the relatively impermeable formation immediately overlying an artesian aquifer.

“Contaminant” means any chemical, physical, biological, or radiological substance that does not occur naturally or occurs at concentrations and duration as to be injurious to human health or welfare or shown to be ecologically damaging.

“Critical aquifer recharge area” means areas that are determined to have a critical recharging effect on aquifers used as a source for potable water, and are vulnerable to contamination from recharge.

“Critical areas” means wetlands, flood hazard areas, fish and wildlife habitat areas, aquifer recharge areas, and geologically hazardous areas as defined in this chapter.

“Critical facilities” means those facilities occupied by populations or which handle dangerous substances including but not limited to hospitals, medical facilities; structures housing, supporting or containing toxic or explosive substances; covered public assembly structures; school buildings through secondary including day-care centers; buildings for colleges or adult education; jails and detention facilities; and all structures with occupancy of greater than 5,000 people.

“Degraded” means to have suffered a decrease in naturally occurring functions and values due to activities undertaken or managed by persons, on or off a site.

“Delineation” means identification of wetlands and their boundaries done in accordance with the approved federal wetland delineation manual and applicable regional supplements.

“Delineation report” means a written document prepared by a wetland specialist which includes data sheets, findings of the delineation and a site plan which identifies the wetland boundaries.

“Department” means the City of Lakewood Department of Community Development.

“Designation” means taking formal legislative and/or administrative action to adopt classifications, inventories, and regulations.

“Developed lot” means any lot developed with a primary use and structure(s), not generally subject to further development with additional units or other primary uses.

“Development” means any human-induced change to improved or unimproved real property including, but not limited to, the construction of buildings or other structures, placement of manufactured home/mobile, mining, dredging, clearing, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, subdivision of property, removal of substantial amounts of vegetation, or alteration of natural site characteristics.

“Director” means the Director of the Department of Community Development or his/her designee.

“DRASTIC” means a model developed by the National Water Well Association and Environmental Protection Agency used to measure aquifer susceptibility.

“Dry certificate” means any combination of structural and nonstructural measures that prevent flood waters from entering a structure.

“Earth/earth material” means naturally occurring rock, soil, stone, sediment, or combination thereof.

“Ecotone” means a transition area between two adjacent vegetation communities.

“Elevation certificate” means the official form (FEMA form 81-31) used to provide elevation information necessary to ensure compliance with provisions of this title and determine the proper flood insurance premium rate.

“Enhancement” means actions performed to improve the condition of existing degraded wetlands and/or buffers so that the quality of wetland functions increases (e.g., increasing plant diversity, increasing wildlife habitat, installing environmentally compatible erosion controls, removing nonindigenous plant or animal species, removing fill material or solid waste).

“Erosion” means the wearing away of the earth’s surface as a result of the movement of wind, water, or ice.

“Erosion hazard areas” means those areas that because of natural characteristics, including vegetative cover, soil texture, slope, gradient, and rainfall patterns, or human-induced changes to such characteristics, are vulnerable to erosion.

“Excavation” means the mechanical removal of earth material.

“Existing” means those uses legally established prior to incorporation whether conforming or nonconforming.

“Extirpation” means the elimination of a species from a portion of its original geographic range.

"Feasible" means, for the purpose of this chapter, that an action, such as a development project, mitigation, or preservation requirement, meets all of the following conditions: (a) The action can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results; (b) The action provides a reasonable likelihood of achieving its intended purpose; and (c) The action does not physically preclude achieving the project's primary intended legal use. In cases where the chapter requires certain actions unless they are infeasible, the burden of proving infeasibility is on the applicant. In determining an action's infeasibility, the Director may weigh the action's relative public costs and public benefits, considered in the short- and long-term time frames.

“Fill/fill material” means a deposit of earth material, placed by human or mechanical means.

“Filling” means the act of placing fill material on any surface, including temporary stockpiling of fill material.

“Fish and wildlife habitat areas” means those areas identified as being of critical importance to maintenance of fish, wildlife, and plant species, including: areas with which endangered, threatened, and sensitive species have a primary association; habitats and species of local importance; naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat; waters of the state; lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity, or private organization; state natural area preserves and natural resource conservation areas.

“Fisheries biologist” means a professional with a degree in fisheries, or certification by the American Fisheries Society, or with five years’ professional experience as a fisheries biologist.

“Flood hazard areas” means areas of land located in floodplains which are subject to a one percent or greater chance of flooding in any given year. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and the like.

“Flood insurance rate map (FIRM)” means the official map on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

“Flood or flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters; and/or
2. The unusual and rapid accumulation of runoff of surface waters from any source.

“Flood protection elevation” (FPE) means the elevation above the datum of the effective FIRM to which the new and substantially improved structures must be protected from flood damage.

“Floodfringe” means the area subject to inundation by the base flood, but outside the limits of the floodway, and which may provide needed temporary storage capacity for flood waters.

“Floodplain” means the total area subject to inundation by the base flood, including the floodfringe and the floodway areas.

“Floodway” means the channel of a river, or other watercourse, and the land areas that must be reserved in order to convey and discharge the base flood without cumulatively increasing the water surface elevation by more than one foot, and those areas designated as deep and/or fast-flowing water.

“Geological assessment” means an assessment prepared by a professional engineer licensed by the state of Washington with expertise in geotechnical engineering or prepared by a professional geologist, hydrologist, or soils scientist, who has earned the related bachelor’s degree from an accredited college or university, or equivalent educational training, and has a minimum of five years’ experience assessing the relevant geologic hazard. A geological assessment must detail the surface and subsurface conditions of a site and delineate the areas of a property that might be subject to specified geologic hazards.

“Geologically hazardous areas” means areas that, because of their susceptibility to erosion, sliding, earthquake, or other geological events, may pose a risk to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

“Geotechnical report” means a report prepared by a professional engineer licensed by the state of Washington with expertise in geotechnical engineering, evaluating the site conditions and mitigating measures necessary to reduce the risks associated with development in geologically hazardous areas.

“Grading” means any excavating, filling, clearing, creating (or combination thereof) of impervious surfaces.

“Ground amplification” means an increase in the intensity of earthquake induced ground shaking which occurs at a site whereby thick deposits of unconsolidated soil or surficial geologic materials are present.

“Ground water” means all water found beneath the ground surface, including slowly-moving subsurface water present in aquifers and recharge areas.

“Ground water management area” means a specific geographic area or subarea designated pursuant to Chapter [173-100](#) WAC for which a ground water management program is required.

“Ground water management program” means a comprehensive program designed to protect ground water quality, to assure ground water quantity, and to provide for efficient management of water resources while recognizing existing ground water rights and meeting future needs consistent with local and state objectives, policies and authorities within a designated ground water management area or subarea and developed pursuant to Chapter [173-100](#) WAC.

“Habitat assessment” means a report prepared by a professional wildlife biologist or fisheries biologist, which identifies the presence of fish and wildlife habitat conservation areas in the vicinity of the proposed development site.

“Habitat management plan” means a report prepared by a professional wildlife biologist or fisheries biologist, which discusses and evaluates the measures necessary to maintain fish and wildlife habitat conservation areas on a proposed development site.

“Habitat of local importance” means an area, range or habitat within which a species has a primary association and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term. Examples include areas of high relative density or species richness, breeding habitat, winter range, and movement corridors. These areas may also include habitats that are of limited availability or high vulnerability to alteration. The Lakewood City Council may designate specific habitats of local importance by ordinance or resolution.

“Hazardous substance(s)” means any liquid, solid, gas, or sludge, including any materials, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical or biological properties described in WAC [173-303-090](#) or [173-303-100](#).

“Hazardous substance processing or handling” means the use, storage, manufacture, or other land use activity involving hazardous substances, but does not include individually packaged household consumer products or quantities of hazardous substances of less than five gallons in volume per container. Hazardous substances shall not be disposed on site unless in compliance with Dangerous Waste Regulations, Chapter [173-303](#) WAC, and any pertinent local ordinances, such as sewer discharge standards.

“Hazardous waste” means and includes all dangerous waste and extremely hazardous waste as designated pursuant to Chapter [70.300](#) RCW and Chapter [173-303](#) WAC.

1. “Dangerous waste” means any discarded, useless, unwanted, or abandoned substances including, but not limited to, certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:
  - a. Have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or
  - b. Are corrosive, explosive, flammable, or may generate pressure through decomposition or other means.
2. “Extremely hazardous waste” means any waste which:
  - a. Will persist in a hazardous form for several years or more at a disposal site and which in its persistent form presents a significant environmental hazard and may be concentrated by living organisms through a food chain or may affect the genetic make-up of humans or wildlife; and

- b. Is disposed of at a disposal site in such quantities as would present an extreme hazard to humans or the environment.

“Hazardous waste treatment and storage facility” means a facility that treats and stores hazardous waste and is authorized pursuant to Chapter [70.300](#) RCW and Chapter [173-303](#) WAC. It includes all contiguous land and structures used for recycling, reusing, reclaiming, transferring, storing, treating, or disposing of hazardous waste. Treatment includes using physical, chemical, or biological processing of hazardous wastes to make such waste nondangerous or less dangerous and safer for transport, amenable for energy or material resource recovery. Storage includes the holding of waste for a temporary period but not the accumulation of waste on the site of generation as long as the storage complies with applicable requirements of Chapter [173-303](#) WAC.

“Historic structure” means a structure that:

1. Is listed on the National Register of Historic Places, the Washington Heritage Register, or the Washington Heritage Barn Register; or
2. Has been certified to contribute to the historical significance of a registered historic district.

“Hydrogeologic assessment” means a report detailing the subsurface conditions of a site and which indicates the susceptibility and potential for contamination of ground water supplies.

“Hydrologic soil groups” means soils grouped according to their runoff-producing characteristics under similar storm and cover conditions. Properties that influence runoff potential are depth to seasonally high water table, intake rate and permeability after prolonged wetting, and depth to a low permeable layer. Hydrologic soil groups are normally used in equations that estimate runoff from rainfall, but can be used to estimate a rate of water transmission in soil. There are four hydrologic soil groups: A, with low runoff potential and a high rate of water transmission; B with moderate infiltration potential and rate of water transmission; C, with a slow infiltration potential and rate of water transmission; and D, with a high runoff potential and very slow infiltration and water transmission rates.

“Hydrologically isolated wetland” means a wetland which:

1. Is not contiguous to any 100-year floodplain of a lake, river or stream; and
2. Has no contiguous surface hydrology, hydric soil or hydrophytic vegetation between the wetland and any other wetland or stream system.

“Hyporheic zone” means a saturated layer of rock or sediment beneath and/or adjacent to a stream channel that contains some proportion of channel water or that has been altered by channel water infiltration.

“Impervious surface” means natural or human-produced material on the ground that does not allow surface water to penetrate into the soil. Impervious surfaces may consist of buildings, parking areas, driveways, roads, sidewalks, and any other areas of concrete, asphalt, plastic, etc.

“Infiltration” means the downward entry of water into the immediate surface of soil.

“In-kind mitigation” means to replace wetlands with substitute wetlands whose characteristics and functions and values are intended to replicate those destroyed or degraded by a regulated activity.

“Lakes” means impoundments of open water 20 acres or larger in size.

“Landfill” means a disposal facility or part of a facility at which solid waste is permanently placed in or on land and which is not a landspreading disposal facility.

“Landslide” means the abrupt downslope movement of soil, rocks, or other surface matter on a site. Landslides may include, but are not limited to, slumps, mudflows, earthflows, rockfalls, and snow avalanches.

“Landslide hazard areas” means areas which are potentially subject to risk of mass movement due to a combination of geologic, topographic, and hydrologic factors.

“Large animal” means an animal with an average weight of 100 pounds or more.

“Liquefaction” means a process by which a water-saturated granular (sandy) soil layer loses strength because of ground shaking commonly caused by an earthquake.

“Long-term commercial significance” means the growing capacity, productivity, and soil composition of land which makes it suitable for long-term commercial production, in consideration with the land’s proximity to population areas, and the possibility of more intense uses of land.

“Mineral resource lands” means lands primarily devoted to the extraction of minerals or which have known or potential long-term commercial significance for the extraction of minerals.

“Minerals” means gravel, sand, and valuable metallic substances.

“Mitigation” means to avoid, minimize or compensate for adverse environmental impacts. “Mitigation” includes:

1. Avoiding the impact altogether by not taking a certain action or parts of an action;
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and/or
6. Monitoring the impact and taking appropriate corrective measures.

“Natural floodplain functions” means the contribution that a floodplain makes to support habitat, including but not limited to providing flood storage and conveyance, reducing flood velocities, reducing sedimentation, filtering nutrients and impurities from runoff, processing organic wastes, moderating temperature fluctuations and providing breeding and feeding grounds for aquatic and riparian species.

“Natural resource lands” means mineral resource lands which have long-term commercial significance.

“New construction” for flood hazard purposes refers to structures for which the “start of construction” commenced on or after the effective date of the ordinance codified in this title.

“Old growth forests” means stands of at least two tree species, forming a multi-layered canopy with occasional small openings; with at least 20 trees/hectare (eight trees/acre) more than 81 centimeters (32 inches) dbh or more than 200 years of age; and more than 10 snags/hectare (four snags/acre) over 51 centimeters (20 inches) diameter and 4.6 meters (15 feet) tall; with numerous downed logs, including 10 logs/hectare (four logs/acre) more than 61 centimeters (24 inches) diameter and more than 15 meters (50 feet) long. High elevation stands (more than 762 meters (2,500 feet)) may have lesser dbh (more than 76 centimeters (30 inches)), fewer snags (more than 0.6/hectare (1.5/acre)), and fewer large downed logs (0.8 logs/hectare (two logs/acre)) that are more than 61 centimeters (24 inches) diameter and more than 15 meters (50 feet) long.

“Ordinary high water” means that mark on all lakes, streams, ponds, and tidal water that will be found by examining the bed and banks and ascertaining where the presence and action of water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on the effective date of this chapter or as it may naturally change thereafter; provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining fresh water shall be the mean high water.

“Oregon white oak” means the species *Quercus garryana*, also known as a Garry oak. All references to oak trees in this chapter refer to Oregon white oak. See also “priority Oregon white oak woodland.”

“Out-of-kind mitigation” means to replace wetlands with substitute wetlands whose characteristics do not approximate those destroyed or degraded by a regulated activity.

“Perched ground water” means ground water in a saturated zone is separated from the main body of ground water by unsaturated rock.

“Permanent erosion control” means continuous on-site and off-site control measures that are needed to control conveyance and/or deposition of earth, turbidity or pollutants after development, construction, or restoration.

“Permeability” means the capacity of an aquifer or confining bed to transmit water. It is a property of the aquifer and is independent of the force causing movement.

“Permeable surfaces” mean sand, gravel, and other penetrable deposits on the ground which permit movement of ground water through the pore spaces, and which permit the movement of fluid to the ground water.

“Person” means an individual, firm, company, partnership, association, corporation, or other legal entity.

“Ponds” means naturally occurring impoundments of open water less than 20 acres in size and larger than 2,500 square feet which maintain standing water throughout the year.

“Potable water” means water that is safe and palatable for human use.

“Prairies” means open areas predominated by native, drought-resistant, grasses, forbs (flowering nonwoody plants) and herbs. In Pierce County, prairies are an unusual vegetation regime found in areas of extremely well-drained soils.

“Priority Oregon white oak woodland” means forested areas of pure oak, or of oak/conifer associations one acre or larger, and all oak trees located within, where oak canopy coverage of the area is at least 25 percent. Stands of oaks less than one acre in size may also be considered priority habitat when found to be particularly valuable to fish and wildlife (i.e., they contain many cavities, have a large diameter at breast height (dbh), are used by priority species, or have a large canopy).

“Private organization” means a nonprofit corporation organized pursuant to Chapter [24.03](#) RCW, which includes the planting of game fish among its purposes for organizing as a nonprofit corporation.

“Protected area” means the lands that lie within the boundaries of the floodway, the riparian habitat zone and the channel migration area. Because of the impact that development can have on flood heights and velocities and habitat, special rules apply in the protected area.

“Public services” include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

“Qualified ground water scientist” means a hydrogeologist, geologist, engineer, or other scientist who meets all the following criteria:

1. Has received a baccalaureate or post-graduate degree in the natural sciences or engineering; and
2. Has sufficient training and experience in ground water hydrology and related fields as may be demonstrated by state registration, professional certifications, or completion of accredited university programs that enable that individual to make sound professional judgments regarding ground water vulnerability.

“Recessional outwash geologic unit” means sand and gravel materials deposited by melt-water streams from receding glaciers.

“Recharge” means the process involved in the absorption and addition of water to ground water.

“Regolith” means any body of loose, noncemented particles overlying and usually covering the bedrock.

“Regulated activities” include, but are not limited to, any activities which are directly undertaken or originate in a regulated critical area or resource land or their buffer that require any of the following entitlements from the City: building permit, commercial or residential; binding site plan; boundary line adjustment; conditional use permit; franchise right-of-way construction permit; site development permit; master plan development; right-of-way permit; shoreline conditional use permit; shoreline environmental redesignation; shoreline substantial development permit; shoreline variance; large lot subdivision, short subdivision; special use permit; subdivision; unclassified use permit; utility and other use permit; variance; zone reclassification; or any subsequently adopted permit or required approval not expressly exempted by this chapter. Regulated activities also include those specific activities listed in LMC [14.142.060](#).

“Regulatory floodplain” means the area of the special flood hazard area and all protected areas within the jurisdiction of the City of Lakewood.

“Restoration” means the reestablishment of ecological and/or habitat resources and features from a previously disturbed or degraded critical area site.

“Riparian” means of, adjacent to, or living on, the bank of a river, lake, pond, ocean, sound, or other water body.

“Seismic hazard areas” means areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement, or soil liquefaction.

“Short subdivision” or “short plat” means the division or redivision of land into four or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership.

“Site” means a lot, parcel, tract, or combination of lots, parcels, or tracts where a development is proposed.

“Slope” means an inclined earth surface, the inclination of which is expressed as the ratio of horizontal distance to vertical distance.

“Slump” means the downward and outward movement of a mass of bedrock or regolith along a distinct surface of failure.

“Snag-rich areas” means forested areas which contain concentrations of standing dead trees, averaging 10 snags or greater per acre, and averaging greater than 15 inches in diameter at breast height.

“Soil survey” means the most recent National Cooperative Soil Survey for the local area or county by the Soil Conservation Service, United States Department of Agriculture.

“Sole source aquifer” means an area designated by the U.S. Environmental Protection Agency under the Safe Drinking Water Act of 1974, Section 1424(e). The aquifer(s) must supply 50 percent or more of the drinking water for an area without a sufficient replacement available.

“Special flood hazard area (SFHA)” means the land subject to inundation by the base flood. Special flood hazard areas are designated on flood insurance rate maps with the letters “A” or “V,” including AE, AO, AH, A1-99, and VE. The special flood hazard area is also referred to as the area of special flood hazard or SFHA.

“Species of local importance” means species that are of local concern due to their population status or their sensitivity to habitat manipulation.

“Start of construction” for flood hazard purposes includes substantial improvements, and means the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement that occurred before the permit’s expiration date. The “actual start” is either the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the excavation for a basement, footing, piers, or foundations or the erection of temporary forms; nor does it include the installation on property of accessory structures not occupied as dwelling units or not part of the main structure. For a substantial improvement, the “actual start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

“Stockpiling” means the placement of material with the intent to remove it at a later time.

“Subdivision” or “formal subdivision” means the division or redivision of land into five or more lots, tracts, parcels, sites, or division for the purpose of sale, lease, or transfer of ownership.

“Substantial damage” for flood hazard purposes means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

“Substrate” means the soil, sediment, decomposing organic matter or combination of those located on the bottom surface of a wetland.

“Temporary erosion control” means on-site and off-site control measures that are needed to control conveyance or deposition of earth, turbidity or pollutants during development, construction, or restoration.

“Toe of slope” means a distinct topographic break in slope at the lowermost limit of the landslide or erosion hazard area.

“TPCHD” means the Tacoma-Pierce County Health Department.

“Unconfined aquifer” means an aquifer not bounded above by a bed of distinctly lower permeability than that of the aquifer itself and containing ground water under pressure approximately equal to that of the atmosphere. This term is synonymous with the term “water table aquifer.”

“Underground tank” means any one or a combination of tanks (including underground pipes connected thereto) which are used to contain or dispense an accumulation of hazardous substances or hazardous wastes, and the volume of which (including the volume of underground pipes connected thereto) is 10 percent or more beneath the surface of the ground.

“Urban governmental services” include those governmental services historically and typically delivered by cities, and includes storm and sanitary sewer systems, domestic water systems, street cleaning services, and other public utilities associated with urban areas and normally not associated with nonurban areas.

“Urban growth” refers to growth that makes intensive use of the land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of such land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources. When allowed to spread over wide areas, urban growth typically requires urban governmental services. “Characterized by urban growth” refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

“Utility line” means pipe, conduit, cable or other similar facility by which services are conveyed to the public or individual recipients. Such services shall include, but are not limited to, water supply, electric power, gas, communications and sanitary sewers.

“Vadose zone” is the distance between the land surface and the uppermost aquifer. This distance is also defined as the “depth to water” zone or unsaturated zone.

“View corridor” means an area which affords views of lakes, mountains, or other scenic amenities normally enjoyed by residential property owners.

“Water table” means that surface in an unconfined aquifer at which the pressure is atmospheric. It is defined by the levels at which water stands in wells that penetrate the aquifer just far enough to hold standing water.

“Water typing” means a system for classifying water bodies according to their size and fish habitat characteristics. The Washington Department of Natural Resources Forest Practices Water Typing classification system defines four water types:

1. Type “S” = Shoreline: streams that are designated “shorelines of the state,” including marine shorelines.
2. Type “F” = Fish: streams that are known to be used by fish or meet the physical criteria to be potentially used by fish.
3. Type “Np” = Nonfish Perennial streams.

4. Type “Ns” = Nonfish Seasonal streams.

“Well” means a bored, drilled or driven shaft, or a dug hole whose depth is greater than the largest surface dimension.

“Wellhead protection area” means the surface and subsurface area surrounding a well or well field that supplies a public water system through which contaminants are likely to pass and eventually reach the water well(s) as designated under the Federal Clean Water Act.

“Wetland” or “wetlands” means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands generally do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities. However, wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands, if permitted by the City.

“Wetland specialist” means a person with experience and training in wetlands issues, and with experience in performing delineations, analyzing wetland functions and values, analyzing wetland impacts, and recommending wetland mitigation and restoration. Qualifications include:

1. Bachelor of Science or Bachelor of Arts or equivalent degree in biology, botany, environmental studies, fisheries, soil science, wildlife, agriculture or related field, and two years of related work experience, including a minimum of one year of experience delineating wetlands using the Unified Federal Manual and preparing wetland reports and mitigation plans. Additional education may substitute for one year of related work experience; or
2. Four years of related work experience and training, with a minimum of two years’ experience delineating wetlands using the Unified Federal Manual and preparing wetland reports and mitigation plans.

The person should be familiar with the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, the City Site Development Regulations, the City wetland management policies, and the requirements of this title.

“Wildlife biologist” means a professional with a degree in wildlife, or certification by the Wildlife Society, or with five years’ professional experience as a wildlife biologist. [Ord. 758 § 2 (Exh. A), 2021; Ord. 726 § 2(Exh. A), 2019; Ord. 630 § 11, 2015; Ord. 362 § 3, 2004.]

**The Lakewood Municipal Code is current through Ordinance 767, passed December 20, 2021.**

Disclaimer: The city clerk's office has the official version of the Lakewood Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

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### Article III. Tree Preservation

#### 18A.70.300 Purpose.

This article promotes tree preservation by protecting the treed environment of the City of Lakewood by regulating the removal of significant trees and providing incentives to preserve trees that, because of their size, species, or location, provide special benefits. Tree preservation is an essential strategy for meeting Lakewood's citywide goal of 30% tree canopy cover by the year 2050. Tree preservation protects and enhances critical areas, facilitates aquifer recharge, reduces erosion and storm water runoff, and helps to define public and private open spaces. [Ord. 726 § 2 (Exh. B), 2019.]

#### 18A.70.310 Tree removal applicability/exemptions.

The requirements for tree preservation shall be provided in accordance with the development standards of each individual zoning district and the provisions of this section, and are applicable to all zoning districts. The following exemptions do not apply to Oregon white oaks. Refer to section 18A.70.330 for Oregon white oak protection standards.

A. Lots of less than seventeen thousand (17,000) square feet in single-family residential zones are exempt from this chapter, except for those lots that contain Oregon white oak trees where specific tree preservation is required in section 18A.70.330, or where specific tree preservation is required as a mitigation measure under SEPA. In the event a permit is not required for the establishment of a use, the standards of this section shall still apply.

~~B. Industrially zoned properties are exempt from this chapter, except where specific tree preservation is required as a mitigation measure under SEPA.~~

~~CB.~~ Removal of nonsignificant trees that are not protected by any other means is exempt from this chapter.

~~DC.~~ *Removal of Trees in Association with Right-of-Way and Easements.* Tree removal by a public agency or a franchised utility within a public right-of-way or upon an easement, for the purpose of installing and maintaining water, storm, sewer, power, gas or communication lines, or motorized or nonmotorized streets or paths is exempt from this chapter. Notification to the City by the public agency or franchised utility is required prior to tree maintenance or removal within City rights-of-way.

~~ED.~~ *Emergency Removal.* Any number of hazardous protected and nonprotected trees may be removed under emergency conditions. Emergency conditions include immediate danger to life or dwellings or similar stationary and valuable property, including the presence of a target. Emergency removal may occur and all the following conditions shall be met:

1. The City is notified the following business day of the unpermitted action;
2. Visual documentation (i.e., photographs, video, etc.) is made available; and
3. The felled tree remains on site for City inspection.
4. Replacement required.
  - a. Nonsingle-family use: The property owner will be required to provide replacement trees as established in LMC 18A.70.320(G), Replacement.

- b. Single-family use: The property owner will not be required to provide replacement trees.
5. Should the City determine that the tree(s) did not pose an emergency condition, the owner shall be cited for a violation of the terms of this chapter. [Ord. 726 § 2 (Exh. B), 2019.]

### **18A.70.320 Significant tree preservation.**

#### **A. Standards.** Significant tree preservation shall be required for any project permit.

1. A significant tree is an existing tree which:
  - a. When measured at four and one-half (4.5) feet above ground, has a minimum diameter of nine (9) inches for evergreen trees and deciduous trees;
  - b. When measured at four and one-half (4.5) feet above ground, has a minimum diameter of ~~six-four~~ (64) inches for ~~Garry Oaks~~Oregon white oaks (also known as ~~Oregon White Oaks~~Garry oaks); and
  - c. Regardless of the tree diameter, is determined to be significant by the Director due to the uniqueness of the species or provision of important wildlife habitat.
2. For the purposes of this section, existing trees are measured by diameter at four and one-half (4.5) feet above ground level, which is the usual and customary forest standard. Replacement trees are measured by diameter at six (6) inches above ground level, which is the usual and customary nursery standard.
3. *Damaged or Diseased Trees.* Trees will not be considered “significant” if, following inspection and a written report by a registered landscape architect, certified nursery professional or certified arborist, and upon review of the report and concurrence by the City, they are determined to be:
  - a. Safety hazards due to root, trunk or primary limb failure;
  - b. Damaged or diseased, and do not constitute an important wildlife habitat. At the discretion of the City, damaged or diseased or standing dead trees may be retained and counted toward the significant tree requirement, if demonstrated that such trees will provide important wildlife habitat and are not classified as a safety hazard.
4. *Preventive Measure Evaluation.* An evaluation of preventive measures by an arborist in lieu of removing the tree and potential impacts of tree removal may be required. If required, this evaluation shall include the following measures:
  - a. Avoid disturbing tree: Avoid disturbing the tree at all unless it represents a hazard as determined by an arborist;
  - b. Stabilize tree: Stabilize the tree, if possible, using approved arboricultural methods such as cable and bracing in conjunction with other practices to rejuvenate the tree such as repairing damaged bark and trunk wounds, mulching, application of fertilizer, and improving aeration of the tree root zones;
  - c. Pruning: Remove limbs from the tree, such as removing dead or broken branches, or by reducing branch end weights. If needed, remove up to one-quarter (1/4) of the branches from the canopy and main trunk only in small amounts, unless greater pruning is needed by approval of the arborist;
  - d. Wildlife tree: Create a wildlife tree or snag, or cut the tree down to a safe condition, without disturbing the roots, where the tree no longer poses a hazard. To create snags, remove all branches from the canopy, girdle deciduous trees, and leave the main trunk standing. Wildlife trees or snags are most appropriate in City parks, greenbelts, vacant property, and environmentally critical areas;

- e. Steep slopes: Removal of tree roots on steep slopes may require a geotechnical evaluation;
- f. Creeks and lakes: Trees fallen into creeks and lakes are to remain in place unless they create a hazard; and
- g. Provide professional recommendations on:
  - i. The necessity of removal, including alternative measures to removal;
  - ii. The lowest-impact approach to removal;
  - iii. A replacement tree plan, if required.

B. *Trimming.* Trimming of tree limbs and branches for purposes of vegetation management is permitted, provided the trimming does not cause the tree to be a safety hazard.

C. *Preservation Criteria.* All significant trees shall be preserved according to the following criteria:

1. *Perimeter Trees.* All significant trees within twenty (20) feet of the lot perimeter or required buffer, whichever is greater, shall be preserved; except that significant trees may be removed if required for the siting and placement of driveway and road access, buildings, vision clearance areas, utilities, sidewalks or pedestrian walkways, or storm drainage facilities and other similar required improvements, subject to the discretion of the Director.

This requirement shall not apply to single-family residential lots less than seventeen thousand (17,000) square feet in size, where no specific tree preservation is required.

2. *Maximum Tree Removal on Developed Properties.* Existing single-family lots: Except for Oregon white oaks which are regulated by section 18A.70.330, significant trees may be removed with a permit based on the following:

<u>Maximum Tree Removal on Existing Single-Family Lots <del>no permit required</del></u>		
<u>Lot Size</u>	<u>Maximum number of significant trees allowed to be removed in 1 year <del>without a permit</del></u>	<u>Maximum number of significant trees allowed to be removed in 5 years <del>without a permit</del></u>
<u>*Lots up to 17,000 sq. ft.</u>	<u>N/A</u>	<u>N/A</u>
<u>Lots 17,001 to 30,000 sq. ft.</u>	<u>2</u>	<u>4</u>
<u>Lots 30,001 sq. ft. or greater</u>	<u>4</u>	<u>8</u>
<u>*Section 18A.70.310(A) states that single-family lots up to 17,000 sq. ft. are exempted from tree preservation requirements.</u>		

32. *Interior Trees.* A percentage of all significant trees within the interior of a lot, excluding the perimeter area, shall be preserved within the applicable zoning district.

- a. For new single-family residential development including a single-family dwelling on an individual lot, multifamily residential development, and public/quasi-public institutional development, fifty (50) percent of the significant trees located within the interior area of the lot shall be retained.
- b. For new residential subdivisions where the proposed lot size is greater than seventeen thousand (17,000) square feet, all significant trees shall be retained and preserved except those required to be removed in order to construct streets, utilities, or other on-site improvements. Tree retention shall thereafter be provided on a lot-by-lot basis as the individual lots are developed. For subdivisions where the proposed lots are less than seventeen thousand (17,000) square feet, no specific tree preservation is required.

- c. For commercial and industrial development, ten (10) percent of the significant trees located within the interior area of the lot, or individual lots in the case of subdivisions, shall be retained.
- d. In Open Space and Recreation zones, ninety-five (95) percent of the significant trees located within the interior area of the lot shall be retained unless otherwise determined by the Director.

~~3. *Buffers and Sensitive/Critical Areas.* Tree preservation criteria listed above shall exclude sensitive/critical areas and their buffers, and open space areas and tracts. All trees within such areas shall be retained except as may be specifically approved and indicated in the written findings of a discretionary land use permit or a tree removal permit.~~

4. *SEPA Requirements.* Additional or specific tree retention may be required as SEPA mitigation in addition to the requirements of this section.

~~C. *Tree Retention Plan Required.*~~

~~1. A significant tree retention plan shall be submitted to the Community Economic and Development Department for any project permit, except building permits that do not increase the footprint of a building. The plans shall be submitted according to the requirements of the application form provided by the Community Economic and Development Department.~~

~~2. The Director shall review and may approve, approve with modifications, or deny a tree retention plan subject to the provisions of this section.~~

~~3. A significant tree permit is required for the removal of any significant tree unless specifically exempted within this section.~~

~~Any project permit, except building permits that do not increase the footprint of a building shall identify, preserve, and replace significant trees in accordance with the following:~~

~~D. *Tree Permits Associated with a Project Permit/Plan Requirements.*~~

D. *Tree Removal Permit Required.* Approval is required prior to the removal of any significant tree (as described in Section 18A.70.320.A) in accordance with the following:

E. *Tree Permits for residential lots or not Associated with a Project Permit/Plan.*

1. Criteria:

- a. The applicant shall submit a complete application using the form provided and kept by the City.
- b. The applicant shall confirm that the proposal complies with the requirements of Article III. Tree Preservation.

2. Permit review process:

- a. Applications and all submitted information will be verified and approved by City staff administratively.
- b. If an application does not comply with any requirement in this section, the permit is subject to additional review by an ISA Certified Arborist and/or City staff. A Tree retention plan may be required.
  - i. The Director shall review and may approve, approve with modifications, or deny a tree retention plan subject to the provisions of this

F. Tree Permits in non-residential zones or Associated with a Project Permit/Plan.

1. Submit a tree retention plan that consists of a tree survey that identifies the location, size and species of all significant trees on a site and any trees over three (3) inches in diameter at four and one-half (4.5) feet above ground level that will be retained on the site.
  - a. The tree survey may be conducted by a method that locates individual significant trees, or
  - b. Where site conditions prohibit physical survey of the property, standard timber cruising methods may be used to reflect general locations, numbers and groupings of significant trees.
  - c. Oregon white oaks that are to be retained on the site shall be indicated on the site plan with critical root zone protection per section 18A.70.330.
2. The tree retention plan shall also show the location, species, and dripline of each significant tree that is intended to qualify for retention credit, and identify the significant trees that are proposed to be retained, and those that are designated to be removed.
3. The applicant shall demonstrate on the tree retention plan those tree protection techniques intended to be utilized during land alteration and construction in order to provide for the continued healthy life of retained significant trees.
4. If tree retention and/or landscape plans are required, no clearing, grading or disturbance of vegetation shall be allowed on the site until approval of such plans by the City.

G. Heritage Tree Removal. The following criteria pertains only to those trees designated under LMC 2.48.040 D. Heritage Trees

1. A tree removal permit is required for removal of any heritage tree(s);
2. City Staff and an ISA Certified Arborist shall evaluate any heritage trees prior to a decision on the removal permit. Permit approval will be granted if an arborist report demonstrates that alteration or removal is necessary for health and safety, infrastructure operation, protection of existing buildings, or to accomplish reasonable use of property per state law. Recommendations for care, other than removal, will be considered.

H. Construction Requirements.

1. An area free of disturbance, corresponding to the dripline of the significant tree's canopy, shall be identified and protected during the construction stage with a temporary three (3) foot high chain-link or plastic net fence. No impervious surfaces, fill, excavation, storage of construction materials, or parking of vehicles shall be permitted within the area defined by such fencing.
2. At Director's sole discretion, a protective tree well may be required to be constructed if the grade level within ten (10) feet of the dripline around the tree is to be raised or lowered. The inside diameter of the well shall be at least equal to the diameter of the tree spread dripline, plus at least five (5) feet of additional diameter.
3. The Director may approve use of alternate tree protection techniques if the trees will be protected to an equal or greater degree than by the techniques listed above. Alternative techniques must be approved by a registered landscape architect, certified nursery professional or certified arborist, with review and concurrence by the City.
4. If any significant tree that has been specifically designated to be retained in the tree preservation plan dies or is removed within five (5) years of the development of the site, then the significant tree shall be replaced pursuant to subsection (G) of this section.

~~FG. *Maximum Tree Removal on Developed Properties.* Existing single-family lots: Single-family *Except for Oregon white oaks which are regulated by section 18A.70.330, homeowners may remove significant trees may be removed without a permit based on the following:*~~

<b>Maximum Tree Removal on Existing Single-Family Lots without a Permit</b>		
Lot Size	Maximum number of significant trees allowed to be removed in 1 year without a permit	Maximum number of significant trees allowed to be removed in 5 years without a permit
<del>*Lots up to 17,000 sq. ft.</del>	N/A	N/A
<del>Lots 17,001 to 30,000 sq. ft.</del>	2	4
<del>Lots 30,001 sq. ft. or greater</del>	4	8
<del>*Section 18A.70.310(A) states that single-family lots up to 17,000 sq. ft. are exempted from tree preservation requirements.</del>		

**I. Replacement.** When a significant tree subject to this section cannot be retained, the tree shall be replaced as a condition for the removal of the significant tree, in accordance with the following:

1. *On-Site Replacement.*

a. *Based on DBH Size.* Significant trees shall be replaced at a ratio of two to one (2:1) of the total diameter inches of all replacement trees to the diameter inches of all the significant trees removed.

~~b. *Based on Canopy Coverage.* The applicant may choose to plant fewer replacement trees than required by option (a) if an ISA Certified Arborist determines in a written report that they will compensate for the canopy lost when they reach maturity~~

~~b c.~~ Replacement trees shall be no smaller than three (3) inches in diameter at six (6) inches above ground;

~~e d.~~ Existing healthy trees anywhere on the site which are retained to support the remaining significant trees can be counted against the on-site replacement requirements on a one to one (1:1) basis of the total diameter inches of all replacement trees removed, provided it meets the following criteria:

- i. The tree does not present a safety hazard; and
- ii. The tree is between three (3) and nine (9) inches in diameter at four and one-half (4.5) feet above ground.

2. Each significant tree that is located interior to the twenty (20) foot perimeter area, and which is in excess of the fifty (50) percent of significant trees that are required to be retained, may be credited towards replacement on a one and one-half to one (1.5:1) basis of the total diameter inches for any perimeter trees required to be removed for development, provided the interior tree is between nine (9) inches and twenty-four (24) inches in diameter for evergreen trees, or between nine (9) inches and thirty (30) inches in diameter for deciduous trees.

3. Each significant tree that is located interior to the twenty (20) foot perimeter area, and which is in excess of the fifty (50) percent of significant trees that are required to be retained, may be credited towards replacement on a two to one (2:1) basis of the total diameter inches for any perimeter trees required to be removed for development, provided it meets one of the following criteria:

- a. The tree exceeds sixty (60) feet in height, or twenty-four (24) inches in diameter for evergreen trees, or thirty (30) inches in diameter for deciduous trees.

- b. The tree is located in a grouping of at least five (5) other significant trees with canopies that touch or overlap.
  - c. The tree provides energy savings, through wind protection or summer shading, as a result of its location relative to buildings.
  - d. The tree belongs to a unique or unusual species.
  - e. The tree is located within twenty-five (25) feet of any critical area or required critical area buffers.
  - f. The tree is eighteen (18) inches in diameter or greater and is identified as providing valuable wildlife habitat.
4. *Off-Site Replacement.* When the required number of significant trees cannot be physically retained or replaced on site, the applicant may have the option of:
- a. The planting of the required replacement trees at locations approved by the Director throughout the City. Plantings shall be completed prior to completion of the project permit requiring tree replacement.
  - b. Payment in lieu of replacement may be made to the City Tree Fund for planting of trees in other areas of the City. The payment of an amount equivalent to the estimated cost of buying and planting the trees that would otherwise have been required to be planted on site, as determined by the City's Tree Replacement Cost Schedule. Payment in lieu of planting trees on site shall be made at the time of the issuance of any building permit for the property or completion of the project permit requiring the tree replacement, whichever occurs first.

~~III. *Trimming.* Trimming of tree limbs and branches for purposes of vegetation management is permitted, provided the trimming does not cause the tree to be a safety hazard.~~ [Ord. 726 § 2 (Exh. B), 2019.]

J. *Incentives for Preservation.* Significant tree preservation is incentivized in the following code sections.

Tree Preservation Incentives			
Incentive	Code Sections	Description	Code Language
Parking Reduction	<u>18A.80.060 Parking Incentives</u>  <u>18B.600 Parking</u>  <u>18C.600 Parking</u>	<u>Allow for alternative standards to protect significant trees, e.g., alter parking dimensional standards or rates.</u>	<u>Credit for Preservation of Heritage Trees. For every Significant Tree preserved within the property, the required number of parking spaces may be reduced by 0.5 spaces, provided the total reduction does not exceed five (5) percent of the total required parking spaces, when combined with all parking incentive credits.</u>

<u>Density Increase</u>	<u>18A.60.110 Density standards</u>  <u>18B.200.230 District-Wide Development Standards</u>  <u>18C.200.230 District-wide development standards</u>	<u>Increase density if retaining significant trees, with special attention given to areas experiencing the urban heat island effect and/or low tree equity.</u>	<u>For multi-family use types, maximum density may increase by 1 unit for each significant tree preserved on a property that is located in the Downtown District (not to exceed of more than 20% of the total allowable units)</u>  <u>Bonus density, where applicable, shall be computed by adding the bonus units authorized by LMC 18A.90.050 to the base units computed under this section.</u>  <u>For multi-family use types, maximum density may increase by 1 unit for each significant tree preserved on a property that is located in a census tract with a tree equity score of under XX% (not to exceed of more than 20% of the total allowable units)</u>
<u>Master Plan Flexibility</u>	<u>18B.700.720 Master Planned Development – Town Center Incentive Overlay</u>	<u>Allow flexibility in a master plan if retaining significant trees, with special attention given to areas experiencing the urban heat island effect and/or low tree equity.</u>	<u>18B.700.720(G)(3) j. Preservation of Significant Trees on the property.</u>
<u>Tree Preservation Paired with Mixed Income Developments</u>	<u>18C.700.720 Optional master planned development</u>	<u>Include tree preservation as a criteria or condition of approval for mixed income developments.</u>	<u>18C.700.720(D)(3)(c) iv. The preservation of 5% of the existing significant trees on the property as identified by a tree survey (not greater than 5 significant trees).</u>
<u>Landscaping Reduction for Oregon White Oak Preservation</u>	<u>18A.70.140 Landscaping Standards</u>	<u>Allow for a reduction in the landscaping requirements for the preservation of Oregon white oaks.</u>	<u>A credit of one and one-half square feet for landscaping requirements under the city zoning code shall be given for every square foot of area devoted to new or the preservation of Oregon white oak tree use.</u>

<u>Building Setback Reduction</u>	<u>18A.60.030 Residential area and dimensions</u>  <u>18A.60.040 Commercial area and dimensions</u>  <u>18A.60.050 Industrial area and dimensions</u>  <u>18A.60.060 Military lands area and dimensions.</u>  <u>18A.60.070 Open space area and dimensions.</u>	<u>Allow for a reduction in the rear yard and/or side yard building setback requirements for the preservation of significant trees.</u>	<u>Tree Preservation. Significant tree identification and preservation and/or replacement shall be required as set forth in Chapter 18A.70, Article III. The Director may reduce a rear yard and/or side yard building setback to compensate for the preservation of a significant tree.</u>
<u>Impervious Surface Bonus</u>	<u>18A.60.030 Residential area and dimensions</u>  <u>18A.60.040 Commercial area and dimensions</u>  <u>18A.60.050 Industrial area and dimensions</u>  <u>18A.60.060 Military lands area and dimensions.</u>  <u>18A.60.070 Open space area and dimensions.</u>	<u>Allow an increase in allowable impervious surface on a site where a significant tree is being preserved. Impervious surface cannot be located within the critical root zone of the preserved tree(s)</u>	<u>Tree Preservation. Significant tree identification and preservation and/or replacement shall be required as set forth in Chapter 18A.70, Article III. The Director may increase the amount of allowable impervious surface area to compensate for the preservation of a significant tree. Impervious surface not to be located within the critical root zone of the preserved tree(s).</u>

#### **K. Enforcement**

a. Failure to comply with any lawful order issued under the authority of this title, constitutes a Class 2 civil infraction, as defined in Chapter 1.48 LMC. Any violation of this title which is deemed to be a public nuisance or a danger to the public health and/or safety shall be addressed as specified in Chapter 1.44 LMC.

b. Malicious Cutting. Malicious cutting may result in tripling of the amount of replacement value as provided in code Section 18A.70.320(G)(d).

**18A.70.330 Oregon white oak preservation.**

The Oregon white oak, *quercus garryana*, also known as Garry oak, is a native tree designated by Washington Department of Fish and Wildlife as a priority habitat. In Lakewood, individual trees and stands of trees are protected as critical fish and wildlife habitat area under Chapter 14.154 Fish and Wildlife Habitat Areas.

The requirements for Oregon white oak tree preservation shall be provided in accordance with the development standards of each individual zoning district and the provisions of this section and are applicable to all zoning districts.

- A. Priority White Oak Woodlands; or trees located within a critical area or buffer are subject to the critical areas ordinance LMC Chapter 14.154.
- B. Permits for Oregon white oaks and all trees within critical areas
  1. Permits for removal, topping and trimming
    - a. Removal or Topping, regardless of diameter, Aa permit for removal or topping may be granted when it is determined by the Director that the Oregon white oak tree is so diseased or damaged that it presents a danger to the public or adjacent property and trimming is inadequate to ameliorate the danger. Wherever feasible, dead Oregon white oak trees shall be left as snags for their habitat value.
      1. Individual Oregon white oak trees or stands with average DBH of > 4" but <20" may be removed subject to the following conditions:
        - i. The trees are not located in a critical area, in such case subject to the critical areas ordinance LMC Chapter 14.154
        - ii. The applicant has demonstrated no alternative siting in order to construct streets, utilities, or other on-site improvements.
        - iii. Tree replacement is required at a 2:1 ratio
- C. Construction Operations. During building or construction operations, suitable protective measures listed below shall be implemented around significant Oregon white oak trees to prevent injury:
  1. Establish a critical root zone (CRZ) for the tree which at a minimum is a circular area around the tree trunk with a radius of one foot for every one inch in diameter measured at four and one-half feet above grade.
  2. Install an access deterring fence with a minimum height of three feet around the CRZ that will remain in place till final inspections have been completed.
  3. Post highly visible and legible signs of caution, warning, or do not disturb, which are not less than 12 inches by 12 inches of the restrictions around the tree on the fence or restricted area to help convey the importance of CRZ to workers on site.
  4. No roots greater than four inches in diameter shall be cut, even if such roots are outside the CRZ.
  5. Make all necessary cuts to tree roots cleanly with sharp tools.
  6. Construction debris or stockpile construction material shall be done outside the CRZ and away from the tree as practically possible.
  7. The soil composition in and around the CRZ shall not be disturbed or altered during project construction.
  8. Change in soil grades around the CRZ and tree shall be gradual.
    - a. Washing equipment, vehicle maintenance and other potential soil contamination activities shall be done away from the CRZ and the tree as practically possible.

- b. All measures to avoid damage to tree trunks and branches should be taken during construction activities.
- D. If the protective measures listed above cannot be met due to site specific conditions, or if it is determined that the measures may not meet the intent of protecting the Oregon white oak tree, the applicant will be required to provide a tree protection plan prepared by a certified arborist.
- E. No hard surface area shall be allowed within the drip line of an Oregon white oak tree to the maximum extent possible. An administrative variance may allow hard surface on up to 25 percent of the area within the drip line when there is no practical alternative.

#### **18A.70.330340 City Tree Fund.**

A. *Funding Sources.* All civil penalties received under this chapter and all money received pursuant to Chapter 14.02 LMC, Environmental Rules and Procedures, shall be used for the purposes set forth in this section. In addition, the following sources may be used for the purposes set forth in this section:

- 1. Agreed-upon restoration payments or settlements in lieu of penalties;
- 2. Tree permit fees and penalties
- 2.3. Donations and grants for tree purposes;
- 3.4. Other moneys allocated by the City Council.

B. *Funding Purposes.* The City shall use money received pursuant to this section for the following purposes:

- 1. Acquiring, maintaining, and preserving wooded areas within the City;
- 2. Planting and maintaining trees within the City;
- 3. Restoration or enhancement of native trees like Oregon white oaks, such as on public lands, private tree tracts, critical area buffers, or lands with conservation easements
- 4. Establishment of a holding public tree nursery;
- 4.5. Urban forestry education;
- 5.6. Implementation of a tree canopy monitoring program;
- 6.7. Scientific research; or
- 7.8. Resources to support the administration of Ch. 18A.70 Art. III Tree Preservation
- 9. Other purposes relating to trees as determined by the City Council. [Ord. 726 § 2 (Exh. B), 2019.]

#### **18A.70.350 Definitions.**

“ANSI A300” means the industry standards for tree care in the United States.

“Certified Arborist” means a specialist in the care and maintenance of trees who is certified by and in good standing with the International Society of Arboriculture (ISA).

“Critical Root Zone” (CRZ) means the area of soil around a tree where the minimum amount of roots considered critical to the structural stability or health of the tree are located. CRZ can be determined using the dripline of the tree.

“DBH” is an acronym meaning tree diameter at breast height measured at 4.5 feet above ground. For multi-trunked trees, DBH is the total of all individual trunks added together.

“Dripline” means the outermost edge of a tree’s canopy. When viewed from above, the drip line will appear as a line that follows the contour of the tree’s branches. At a minimum, the drip line is a circle whose diameter is 15 times a tree’s DBH.

“Pruning” means removing branches from a tree to achieve a specified objective using approved practices according to ANSI A300 industry standards.

“Root Pruning” means removing roots from a tree to achieve a specified objective using approved practices according to ANSI A300 industry standards.

“Topping” means using inappropriate pruning techniques to reduce tree size that may result in unnecessary risk, tree stress, or decay.

“Trimming” means detaching a limb, branch, or root from a tree. Trimming shall include pruning and cutting.

## Lakewood Comprehensive Plan Goals and Policies

### 3.12.6 Urban Forestry

GOAL LU-60: Institute an urban forestry program to preserve significant trees, promote healthy and safe trees, and expand tree canopy coverage throughout the City.

Policies:

- LU-60.1: Establish an urban forestry program for the City.
- LU-60.2: Promote planting and maintenance of street trees.
- LU-60.3: Provide for the retention of significant tree stands and the restoration of tree stands within the City.
- LU-60.4: Work towards a citywide goal of 30% tree canopy cover by the year 2050. Consider opportunities to increase canopy and environmental equity when evaluating tree canopy distribution.



TO: Mayor and City Council

FROM: Courtney Brunell, Planning Manager

THROUGH: John Caulfield, City Manager

MEETING DATE: August 8, 2022 (Study Session)

SUBJECT: Tree Preservation Code Update

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## Purpose

This memorandum provides an overview of the work completed on the tree preservation code to-date and the recommendations forwarded to you by Ad-Hoc Tree Committee, and the Planning Commission via Resolution No. 2022-07.

## Background

The regulation of significant trees on residential, commercial, and institutional sites is contained in Lakewood Municipal Code (LMC) section [18A.70 Article III](#). Other relevant rules include the State Environmental Policy Act (SEPA) in [LMC 14.02](#) and Critical Areas in [Title 14](#).

Beginning in 202, some community members expressed interest and concern with tree preservation throughout the City. In response, the City Council directed the City Manager to complete a review of the tree preservation code and associated chapters. The City Council approved a Scope of Work and Public Participation Plan in November, 2022 and formed an Ad Hoc Tree Committee in February, 2022. Since February, the City has engaged the public in activities to learn about the tree code update including the urban tree canopy, habitat protection, and housing and job targets.

To seek public input and develop potential changes to tree regulations, the City has:

- Created a public participation program in November 2021;
- Selected a consultant team to evaluate the Lakewood tree canopy, share best practices and recommendations on tree regulations, and support public engagement activities also in November 2021;
- Passed City Council Resolution 2021-15 to form an Ad Hoc Tree Committee;

- Seated the Ad Hoc Tree Committee in February 2022, which met seven times over March and April 2022, and created a Report to provide advice to the Planning Commission and City Council;
- Shared information at a project website and events on social media and in media notices in winter, spring, and summer 2022;
- Contacted a stakeholders list, sought input on a survey, conducted targeted interviews in March and April 2022;
- Held an online tree talk and hosted an in person tree tour in Fort Steilacoom Park in April and June 2022;
- Held Planning Commission study sessions in May and June 2022 to review Ad Hoc Tree Committee recommendations and to develop proposals for a public hearing;
- Mailed a post card to each property address and published a legal notice of the Planning Commission hearing in May and June 2022;
- Held an online redline review on June 28, 2022 to share the hearing draft code before the Planning Commission and answer public questions; and
- Conducted a Planning Commission public hearing on July 6, 2022.

On July 20, 2022, the Planning Commission approved Resolution 2022-07, recommending amendments to the City's Comprehensive Plan, Protection of Lakewood Landmarks Code Chapter 2.48, Critical Areas Ordinance Title 14, Tree Preservation Code LMC 18A.70.300, and, further, that the City consider establishing an Urban Forestry Program with some items to consider for first year deliverables.

This memorandum is broken into four sections:

1. A comparison of the City's current policy/code, the Ad Hoc Tree Committee recommendations, and the Planning Commission recommendations;
2. A comparison of local jurisdictions;
3. Resources and options considered by the Ad Hoc Tree Committee & Planning Commission; and
4. Proposed Next steps.

## **Comparison of Current Code and Recommendations**

Table 1 below compares the current code, the Ad Hoc Tree Committee recommendations, and the Planning Commission recommendations.

**Table 1. Comparison of Tree Protection Regulations**

<b>Topic</b>	<b>Current Policy/Code</b>	<b>Ad Hoc Tree Committee Recommendation</b>	<b>Planning Commission Recommendation 7/20/2022</b>
<b>Key Issue #1: Canopy Goal</b>	No numeric target. General goal and policies.  GOAL LU-60: Institute an urban forestry program to preserve significant trees, promote healthy and safe trees, and expand tree coverage throughout the City.	Considered range – no net loss, 35%, and 40%.  Recommended adding a policy under Goal LU-60 for 40%.	Considered Ad Hoc Committee recommendations and range of targets.  Recommended adding a policy under Goal LU-60 for 30%.
<b>Key Issue #2: Residential lots exemption</b>	Exempts single family residential lots < 17,000 s.f.	No exemption	No exemption for Oregon white oak. Otherwise exempts single family residential lots < 17,000 sf.
<b>Key Issue #3: Industrially zoned properties</b>	Exempt	No exemption	No exemption
<b>Key Issue #4: Easements and Rights of Way</b>	Exempt	Remove exemption and meet similar standards as on private or public parcels, but provide for simple permit (see Key Issue #5). Redefine trimming and pruning for code interpretation/enforcement; address all tree types but ensure Garry Oaks have appropriate standards (e.g., Oak Harbor). Ensure appropriate arborist certifications for private or public entities, considering expertise and equity.	No exemption for Oregon white oak. Otherwise exempt.
<b>Key Issue #5: Set up tree permit process</b>	Review non-exempt activities for compliance with tree protection regulations with a tree permit.	Keep permits fair, inexpensive and simple, except for Garry Oaks which require review and monitoring by arborist.	Require permit for non-exempt development. Also require permit for any Oregon white oak.
<b>Key Issue #6: Significant tree definition and critical</b>	Regulate significant trees if at least 6 inches diameter breast	Regulate as a significant tree at 4	Similar to Ad Hoc Tree Committee in Tree Protection Code, Article

Topic	Current Policy/Code	Ad Hoc Tree Committee Recommendation	Planning Commission Recommendation 7/20/2022
<i>areas – Garry Oaks</i>	<p>height (DBH).</p> <p>Oregon white oak stands are regulated as critical areas.</p>	<p>inches DBH.</p> <p>Specify the size and quality of individual Garry Oaks that would qualify as heritage trees.</p> <p>Any single Garry Oak tree 20”+ or white oak stands with average diameter at breast height of 15” or more regardless of stand size qualify as a fish and wildlife habitat conservation area. Review under critical area rule; would require a reasonable use exception</p>	<p>III.</p> <p>Regulate as a significant tree at 4”+</p> <p>Set up heritage tree program with Landmark Committee.</p> <p>Do not add as a critical area a single tree over 20”. Retain current critical area definition focusing on tree stands.</p> <p>Set up administrative reasonable use for modest development; greater levels of change subject to reasonable use exception. Adds clarity for permitting that is lacking today.</p>
<b>Key Issue #7: Heritage Tree/ Historical Tree</b>	No heritage tree program.	Develop a Heritage Tree/Historical Tree Program to recognize valuable and irreplaceable trees and offer incentives to property owners that participate.	Set up heritage tree program with Landmark Commission.
<b>Key Issue #8: Maximum Tree Removal on Developed Single Family Properties.</b>	Allow a specific (maximum) number of trees to be removed per year per property. Relate the number of significant trees that can be removed to lot size annually and over 5 years: Up to 30,000 SF, 2 per year max. 4 in 5 years; over 30,000 SF, 4 per year up to 8 max. in 5 years. No significant trees may be removed in critical areas/buffers.	Maintain a specific percentage of trees canopy per property. No significant trees may be removed in critical areas/buffers or if a heritage tree. Require a permit.	Maximum tree removal per lots at different sizes similar to current code, except that blanket tree removal not applicable to Oregon white oaks which require review/permits and consistency with tree protection regulations.
Key Issue #9: Replacement	Currently, the City of Lakewood requires a ratio of 2:1 replacement for significant trees and any other existing healthy	Mitigation should be based on no-net-loss (caliper and number of trees required to be	Retain 2:1 replacement ratio for significant trees. An applicant may choose to plant fewer

Topic	Current Policy/Code	Ad Hoc Tree Committee Recommendation	Planning Commission Recommendation 7/20/2022
	trees (not significant) to be replaced at a 1:1 ratio.	planted is based on canopy % lost and/or ecosystem benefits lost). A certified arborist report must determine no-net loss conditions and mitigation to ensure this approach can be clearly regulated. Encourage tree planting of trees with significant canopy if tree removal is necessary.	replacement trees if an ISA Certified Arborist determines they will compensate for the canopy lost when they reach maturity.
<b>Key Issue #10: City Tree Fund Clarity</b>	Lakewood has identified a City Tree Fund. Currently the City requires that restoration/settlements in lieu of penalties, as well as donations and grants go into the fund. Uses of the fund are varied and include acquiring/maintaining/preserving wooded areas, planting and maintaining trees, providing a public tree nursery, education, monitoring, research, or other purposes.	Allow the City to use tree permit fees and penalties to go into the fund. Add an explicit funding purpose to include restoration or enhancement of native trees like Garry oaks, such as on public lands, private tree tracts, critical area buffers, or lands with conservation easements.	Allow tree permit fees and penalties to go into the fund. Promote explicit funding purpose to include restoration or enhancement of native trees like Garry oaks.
<b>Key Issue #11: Fines</b>	The City has collected fines and deposited it in its tree fund. The City has found that fees and fines may be reduced through court reviews.	Establish a free or low cost tree permit or affidavit/over the counter review to make compliance the easy path.  Provide clear decision criteria on tree permits. This provides certainty in decision-making including the potential for denial.  Increase penalties for non-compliance, e.g., triple penalties. Apply penalty to property owner and contractor individually. Have an administrative appeal opportunity with a code-based	Require a permit for removal of all significant Oregon white oak trees. Approval is required prior to the removal of any significant tree (track exempt removal on single family lots).  Add decision criteria on tree permits. Add construction standards for Oregon white oaks.  Add enforcement including stating a civil infraction, and triple fees for malicious cutting.

Topic	Current Policy/Code	Ad Hoc Tree Committee Recommendation	Planning Commission Recommendation 7/20/2022
		percentage limit on reductions.	
Key Issue #12: Incentives	No explicit incentives.	Add incentives for preservation throughout the City's development regulations to promote tree preservation.	Add incentives for preservation throughout the City's development regulations to promote tree preservation.

## A Look at Other Jurisdictions

**Example Jurisdictions:** As part of the Tree Preservation Code Update, example codes and urban forest programs were shared with the Ad Hoc Advisory Committee and Planning Commission. Table 2 lists jurisdictions that abut Lakewood or are similar in terms of geography, natural environment, population and demographics, or similar factors.

**Table 2. City Profiles**

City	County	Population (OFM 2022)	Square Miles (OFM 2022)	Population Density (OFM 2022)	Median Household Income (2020)	White Alone Population Share (2020)
Federal Way	King	101,800	22.33	4,559.1	\$68,672	48.8%
Lacey	Thurston	58,180	18.44	3,155.0	\$69,752	70.9%
Lakewood	Pierce	63,800	17.06	3,739.8	\$55,723	56.6%
Olympia	Thurston	56,370	18.22	3,093.7	\$63,185	80.1%
Puyallup	Pierce	43,260	14.36	3,011.7	\$76,565	80.1%
Renton	King	107,100	23.50	4,573.6	\$79,824	49.9%
Tacoma	Pierce	220,800	49.71	4,441.4	\$64,457	63.1%
University Place	Pierce	35,420	8.34	4,247.2	\$77,832	70.5%

**Why Set a Tree Canopy Goal?** The setting of a Tree Canopy Goal would be consistent with Goals and Policies in the Comprehensive Plan including but not limited to: GOAL LU-60: Institute an urban forestry program to preserve significant trees, promote healthy and safe trees, and expand tree coverage throughout the City. The setting of a 25-year goal would fit in the Comprehensive Plan.

Achieving the goal would be based on a combination of voluntary incentives and code requirements for new development or ongoing land management. The 30% goal proposed by the Planning Commission would not be something to be achieved on each individual property. Rather it would help the City prioritize resources, e.g., focus on adding trees in rights of way and on parking lots in eastern Lakewood, protecting and enhancing canopies on critical areas and parkland, and retaining or adding trees on the perimeters of parcels while allowing for allowed housing and employment spaces. Table 3 shares example tree canopy goals and metrics for the example jurisdictions.

**Table 3. City Tree Canopy Goals**

City	Canopy %	Tree Equity Score	Tree Canopy Goals
Federal Way	Unknown	80	<a href="#">Comp Plan</a> : Maintain urban tree canopy, preserve mature trees, implement tree density standards.
Lacey	28% (2020)	78	<a href="#">Comp Plan/UFMP, Metric</a> : No Net Loss.
Lakewood	26% (2019)	69	<a href="#">Comp Plan</a> : Institute an urban forestry program to preserve significant trees, promote healthy and safe trees, and expand tree coverage throughout the City.  <i>Draft Metric, Planning Commission</i> : 30% by 2050
Olympia	Unknown	83	<a href="#">Comp Plan</a> : Measure the tree canopy and set a city-wide target for increasing it through tree preservation and planting.
Puyallup	Unknown	71	<a href="#">Comp Plan</a> : Establish policies and programs to protect and enhance the urban forest, including establishing improved policies for protecting trees, increasing tree canopy, and ensuring sufficient resources to properly maintain trees, improve tree health, and reduce potential hazards to the public.
Renton	29% (2018)	83	<a href="#">Metric</a> : 33% by 2042 (subarea metrics range 18-49% by planning area).

City	Canopy %	Tree Equity Score	Tree Canopy Goals
Tacoma	20% (2017)	77	<a href="#">Metric</a> : 30% by 2030.
University Place	Unknown	72	<a href="#">Comp Plan</a> : Retain an abundance of mature trees; identify healthy significant trees that should be preserved; retain perimeter trees and preserve significant trees in interior of property.

**Other:** [Seattle](#): Current 28% (2016). Goal 30% by 2037. [Spokane](#): Current 23% (2021). 40% by 2030.

Example jurisdiction codes were considered during the development of options for Lakewood. In addition to the cities in Table 2, Pierce County is added since it is an abutting jurisdiction and manages tree canopy in urban unincorporated areas like Spanaway, Parkland, Midland, and elsewhere, as well as in rural areas. The City considered Pierce County regulations in the past when considering tree protection regulations. Tree protection codes are heavily summarized in Table 4. <sup>1</sup>

<sup>1</sup> In addition to standard tree protection code examples, other critical area regulations were evaluated too (see [Planning Commission packet for July 20, 2022](#)). At a following City Council workshop, the critical area regulation amendments would be addressed in more detail including options considered.

**Table 4. Abbreviated Example Tree Protection Codes**

City	Exemptions: Residential	Exemptions: Non- Residential	Regulated Trees	Retention / Standards	Replacement Standards	Permits	Fines & Penalties
Federal Way	X  Subject to criteria/ approval	X  Selected downtown zones	6" DBH	Tree densities	X  Tree size spec.	X  Written approval	X
Lacey	X  Max number over 3 years with City approval  Building footprint	X  Max number over 3 years with City approval	4" DBH	Trees per lot area & priorities	X  Per lot size.	X  With other permits/ written approval	X
Olympia	X  Max number over 1 year Maintain tree density Building footprint	X  Max number over 1 year	6" DBH	Tree densities	X  3:1	X	X
Puyallup	X  < 4 DU  (Heritage not exempt)	--	15" DBH	Retain significant trees and heritage trees.	X  Street Trees	X	X  Heritage
Renton	X  Max number over 3 years with criteria		6" DBH	Tree densities	X  Per tree size and lot size.	X	X
Tacoma	X  Onsite exempt; not street trees	--	No min. Potential for maturity to 15'+	Tree percentages	X  In-lieu	X  With other permits	X
University Place	X  Max number over 3 years  Building footprint	X  Max number over 3 years  Building footprint	6" DBH	Tree percentages or tree sizes	X  3:1	X	X
Pierce County	X  < 4 DU  Signif. tree retention still required	X  partial, mixed use	5"-24" for range of trees: > 40" legacy tree	Tree percentages and Tree units/acre	X	X  With other permits	X

In addition to regulatory approaches, example cities often include other voluntary programs or have developed urban forest plans or studies. See Table 5.

**Table 5. City Urban Forest Plans & Programs**

City	Plans & Studies	Heritage Trees	Other Programs
Federal Way	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>None.</li> </ul>
Lacey	<ul style="list-style-type: none"> <li><a href="#">Urban Forest Management Plan (2021)</a></li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Historical Tree</a></li> </ul>	<ul style="list-style-type: none"> <li>Tree City USA</li> <li>Arbor Day Tree Seedling Giveaway</li> </ul>
Olympia	<ul style="list-style-type: none"> <li><a href="#">Urban Forestry Manual (2021)</a></li> <li><a href="#">Greenbelt Stewardship Guide for Homeowners' Associations</a></li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Landmark Tree Protection and Registry</a></li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>
Puyallup	<ul style="list-style-type: none"> <li><a href="#">20-Year Natural Open Spaces Restoration Plan (2015)</a></li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Heritage Tree Registry</a></li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Green Puyallup Partnership</a></li> <li><a href="#">Neighbor Woods program</a> (free trees)</li> </ul>
Renton	<ul style="list-style-type: none"> <li><a href="#">Urban Forest Management Plan (2022)</a></li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Landmark Tree Protection</a></li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Tree City USA and Growth Award</a></li> <li>Request <a href="#">Tree Assistance</a></li> <li><a href="#">Historical Tree Tour Downtown</a></li> </ul>
Tacoma	<ul style="list-style-type: none"> <li><a href="#">Urban Forest Management Plan (2019)</a></li> <li><a href="#">Urban Forest Manual (2014)</a></li> </ul>	<ul style="list-style-type: none"> <li>A mid-term strategy in the urban forest management plan</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Free street tree program</a></li> <li><a href="#">Tree Coupon Program</a></li> </ul>
University Place	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>

## Resources and options considered by the Ad Hoc Tree Committee & Planning Commission

The Ad Hoc Committee and Planning Commission received staff reports and information and options as well as public input at each meeting. Table 6 provides a summary of the topics and packet materials for each meeting, as well as the overall project website information.

**Table 6. Resources, Options, and Materials Considered by Adhoc Committee & Planning Commission**

General Materials		
Topics Covered		Materials and Resources
City Trees Website		<a href="https://cityoflakewood.us/trees/">https://cityoflakewood.us/trees/</a>
City Environment Website		<a href="https://cityoflakewood.us/environment/">https://cityoflakewood.us/environment/</a>
City Tree Advisory Board Ad Hoc Committee		<a href="https://cityoflakewood.us/tree-committee/">https://cityoflakewood.us/tree-committee/</a>
Recordings of City Board, Committee, and Commission Meetings		<a href="#">YouTube Channel Link</a>
Lakewood Tree Code Review Fact Sheet		<a href="#">Tree Code Review Fact Sheet</a>
Ad Hoc Tree Committee Materials		
Topics Covered	Date	Packets and Resources
Lakewood to Form Ad Hoc Committee to Review Tree Preservation Code	12/21/2021	<a href="#">Website Announcement</a>
<u>Meeting #1</u> - Project Scope and Schedule, Ad Hoc Committee Charge and Roles	3/1/2022	<a href="#">Packet of Materials</a>
<u>Meeting #2</u> - Tree Canopy Data and Potential Goals, Spatial Data and Example Goals, Use of Goals in Lakewood Plan/Code	3/15/2022	<a href="#">Packet of Materials</a>
<u>Meeting #3</u> - Code Evaluation and Tree Canopy Goals and Options, Issues and Options, Lakewood's Planning Responsibilities	3/29/2022	<a href="#">Packet of Materials</a>
<u>Meeting #4</u> - Code Evaluation Options, Issues and Options, Draft Report Framework	4/5/2022	<a href="#">Packet of Materials</a>

<u>Meeting #5</u> - Code Evaluation Options, Issues and Options, Incentives, Information: Garry Oaks Follow Up	4/12/2022	<a href="#">Packet of Materials</a>
<u>Meeting #6</u> - Questions on Garry Oaks, WDFW Input Received on Ad Hoc Committee Questions, Draft Report	4/26/2022	<a href="#">Packet of Materials</a>
<u>Meeting #7</u> - Engagement Update, Share Interview and Survey Highlights, Code Evaluation Options, Draft Report	4/28/2022	<a href="#">Packet of Materials</a>
Tree Advisory Committee Report of Final Recommendations	5/4/2022	<a href="#">Tree Advisory Committee Report</a>
Planning Commission Materials		
Topics Covered	Date	Packets and Resources
<u>Meeting #1</u> – Overview, Lakewood's Tree Canopy, Community Engagement, Tree Code Evaluation	5/18/2022	<a href="#">Agenda</a> <a href="#">Minutes</a>
<u>Meeting #2</u> – Key Issues 1-4, 8-9, 12: Tree Canopy, Environmental Quality and Equity, Exemptions (Residential, Industrial, Easements and Rights of Way), Maximum Tree Removal on Developed Single Family Properties, Replacement, Incentives	6/1/2022	<a href="#">Agenda</a> <a href="#">Minutes</a>
<u>Meeting #3</u> - Key Issues 5-7, 10-11: Permit Process, Definition and Critical Areas, Garry Oaks, Heritage/Historical Tree, City Tree Fund, Fines	6/8/2022	<a href="#">Agenda</a> <a href="#">Minutes</a>
<u>Meeting #4</u> – Draft Redlines	6/15/22	<a href="#">Agenda</a>
<u>Meeting #5</u> – Public Hearing	7/6/22	<a href="#">Agenda</a>
<u>Meeting #6</u> - Discussion	7/13/22	<a href="#">Agenda</a>
<u>Meeting #7</u> – Final Recommendations	7/20/22	<a href="#">Agenda</a>

## Proposed Next Steps

August 22, 2022 City Council Review

September 6, 2022 City Council Public Hearing

September 19, 2022 City Council Review and Adoption

## **Attachments**

1. Planning Commission Resolution 2022-07
2. Proposed Redlines, Updated: Protection and Preservation of Landmarks, Tree Protection Regulations, Fish and Wildlife Habitat Conservation Areas, and other sections of Lakewood Municipal Code (LMC), Future Comprehensive Plan Amendment
3. Power Point