



TO: Planning Commission
FROM: Tiffany Speir, Long Range & Strategic Planning Manager
DATE: September 21, 2022
SUBJECT: Proposed 2023 Lakewood Comprehensive Plan and Zoning Map Amendment Docket

BACKGROUND

Lakewood has begun its 2023 Comprehensive Plan and Zoning Map amendment (23CPA) cycle process. There are several legally required steps in order to complete this process once a docket of potential amendments has been approved:

- City level SEPA review;
- WA Department of Commerce review;
- Planning Commission public hearing, review, and recommendation; and
- City Council public hearing, review and action.

The period for the public to submit applications was duly noticed and open during the month of August 2022.

DISCUSSION

Currently (and subject to change), the following four (4) privately initiated and four (4) City initiated amendments have been requested for inclusion in the 2023 Comprehensive Plan and Zoning Map amendment cycle:

- 2023-01 Rick Hjelm request to redesignate/Rezone Parcel 0220352126 (8821 John Dower Rd SW) from Multifamily (MF)/Multifamily 1 (MF1) to Corridor Commercial (CC)/Commercial 1 (C1).**
- 2023-02 Claude Remy request to redesignate/rezone parcel numbers 0219024020 and 0219024021 (5626 and 5634 Main St SW, respectively), and 0219024022 (10604 Davisson Rd SW) from Multifamily (MF)/Multifamily 3 (MF3) to Downtown/Central Business District (CBD).**
- 2023-03 Lakewood Racquet Club request to redesignate/rezone parcel(s) 0219111038, -1040, and 3097000312 (5820 112th St. SW) from Mixed Residential (MR)/Mixed Residential 1 (MR1) to Open Space & Recreation (OSR)/ Open Space & Recreation 2 (OSR2).**
- 2023-04 LASA request to Redesignate/Rezone parcel(s) for development of low income housing:**

- 5130001640 (5516 Fairlawn Dr. SW) and -1650 (5520 Fairlawn Dr. SW) from Residential (R)/Residential 4 (R4) to Neighborhood Business District (NBD)/Neighborhood Commercial 2 (NC2); and
- 5130001660 (8966 Gravelly Lake Dr. SW), and -1671 (8956 Gravelly Lake Dr. SW) from Arterial Corridor (ARC)/Arterial Residential-Commercial (ARC) to Neighborhood Business District (NBD)/Neighborhood Commercial 2 (NC2)

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|----------------|---|
| 2023-05 | Allow permanent supportive housing (PSH) and transitional housing (TH) within the City's Commercial 1, 2, and 3 zones. |
| 2023-06 | Amend Policy LU-5.3 to reflect changes in allowed types of funding for financial and relocation assistance for people displaced as a result of construction and development projects |
| 2023-07 | Rezone Parcel 880900340 from Residential/Residential 3 (R3) to Open Space & Recreation (OSR)/Open Space & Recreation 1 (OSR 1) for expansion of Wards Lake Park |
| 2023-08 | Update of Comprehensive Plan text regarding Western State Hospital to reflect adoption of new Master Plan (continued from 2021 amendment cycle) |

The schedule for the 23CPA legislative process (subject to change) is as follows:

- September 21: Planning Commission review and discussion of the list of initially submitted amendments and consideration of adding its own items to the docket;
- October 5: Planning Commission public hearing on proposed docket;
- October 19: Planning Commission action on 23CPA docket recommendation;
- November 7: City Council study session on Commission-recommended 23CPA docket;
- November 21: City Council public hearing on 23CPA docket
- December 5: City Council takes action on 22CPA docket Resolution;
- Winter - Spring 2023: City substantive review of the proposed 21CPAs and preparation of recommendations for each;
- Spring/Summer 2023: Planning Commission substantive review and public hearing on proposed 23CPA amendments; and
- Summer/Fall 2023: City Council adopts 2023 Comprehensive Plan Amendments.

Additional preliminary information about each of the proposed amendments is included below. Each of the descriptions below are subject to change.

PRIVATELY-INITIATED TEXT AND DESIGNATION/ZONE APPLICATIONS
(Text and/or maps for each being prepared)

2023-01 Rick Hjelm request to redesignate/rezone Parcel 0220352126 (8821 John Dower Rd SW) from Multifamily (MF)/Multifamily 1 (MF1) to Corridor Commercial (CC)/Commercial 1 (C1).

This application is for a single parcel. A “site-specific rezone” occurs when there are specific parties requesting a classification change for a specific tract. A site-specific rezone requires three (3) factors: (1) a specific tract or parcel of land, (2) a request for a classification change, and (3) a specific party making the request. A site-specific rezone is not handled as part of the annual Comprehensive Plan amendments schedule, but is instead subject to the review process per LMC 18A.30 Article VII and subsection .680.

A nonconforming use (a building contractor business) is currently operating on the parcel and can continue to do so per LMC Chapters 18A.10 and 18A.20:

LMC 18A.10.180: “Nonconforming use” means a use of land or a structure which was lawful when established and which does not now conform to the use regulations of the zone in which it is located. A use shall be considered established if it conformed to applicable zoning regulations at any time, or when it has commenced under permit, a permit for the use has been granted and has not expired, or a structure to be occupied by the use is substantially underway as defined in the International Building Code.

LMC 18A.20.218: The transfer of ownership of a nonconforming lot, use, or structure will not alter its legal nonconforming status.

LMC 18A.20.228 (A): Where a lawful structure exists at the effective date of adoption of the ordinance codified in this title that could not be built under the terms of this title by reason of restrictions on area, lot coverage, height, yards or other characteristics of the structure, it may be continued so long as the structure remains otherwise lawful subject to the [certain] provisions [described in 18A.20.228 (A) subsections 1-5.]

While the somewhat nearby Neighborhood Commercial 2 (NC2) zone does not allow building contractor uses, Commercial 1 (C1) does allow “Building Contractor, Light.” However, this parcel is not adjacent to or near any Commercial 1 (C1) zoning.

	Uses in Zones and Densities		
Type of Use	Use	NC2 35 dua	C1 35 dua
Commercial and Industrial	Building contractor, light	-	P
	Building contractor, heavy	-	-



2023-02 Claude Remy request to redesignate/rezone parcel numbers 0219024020 and 0219024021 (5626 and 5634 Main St SW, respectively), and 0219024022 (10604 Davisson Rd SW) from Multifamily (MF)/Multifamily 3 (MF3) to Downtown/Central Business District (CBD)

The parcels in question are immediately outside the Downtown Subarea Plan boundaries. They are within a Residential Target Area (RTA), meaning they are eligible for the City's MFTE program. They are bounded by Multifamily 1 (MF1) zoning to the south, Residential 4 (R4) to the east and west, and Central Business District (CBD) to the north.

The applicant wishes to remove the existing apartment building and its surface parking in order to construct a new building with approximately 200 housing units and 200 parking stalls. The site development standards and form-based code regulations for the CBD zone within the Downtown Subarea and LMC Title 18B would allow for higher building heights and higher density than is allowed in the MF1 zone:

Zone and Density	MF3 54 dua	CBD 80+ dua
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If rezoned to CBD by changing the Downtown Subarea Plan boundaries to include the parcels in question, the parcels would be located within the Town Center Incentive Transition Overlay (TCI-O) as defined in LMC 18B.200.210. This would mean the parcels would be available for master planning per LMC 18B.700.720, and while stand-alone residential development is prohibited in the TCI-O, mixed-use development incorporating multifamily residential uses is allowed.





2023-03 Lakewood Racquet Club request to redesignate/rezone parcel(s) 0219111038, -1040, and 3097000312 (5820 112th St. SW) from Mixed Residential (MR)/Mixed Residential 1 (MR1) to Open Space & Recreation (OSR)/ Open Space & Recreation 2 (OSR2).

Per Ordinance 629, these parcels were rezoned from OSR to MR1 in 2015 at the request of the Racquet Club, which was thinking that parcels would be developed and sold for revenue to operate the Club. Parcels 0219111040 and -1038 currently have split zoning, with part of each zone dMR1 and part zoned OSR2.

The Club is now requesting that the zoning for all three parcels be returned to OSR2 in order to be able to create six (6) new tennis courts for children, senior and family tennis.



2023-04 LASA request to Redesignate/Rezone parcel(s) for development of permanently low income housing:

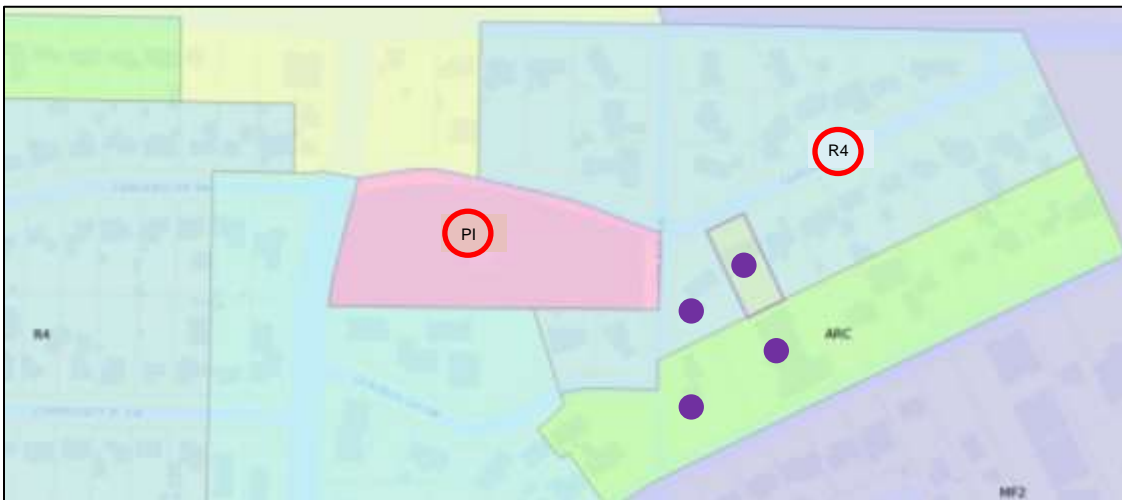
- 5130001640 (5516 Fairlawn Dr. SW) and -1650 (5520 Fairlawn Dr. SW) from Residential (R)/Residential 4 (R4) to Neighborhood Business District (NBD)/Neighborhood Commercial 2 (NC2); and
- 5130001660 (8966 Gravelly Lake Dr. SW), and -1671 (8956 Gravelly Lake Dr. SW) from Arterial Corridor (ARC)/Arterial Residential-Commercial (ARC) to Neighborhood Business District (NBD)/Neighborhood Commercial 2 (NC2)

LASA is planning to construct 25 permanently low income housing units with 1, 2, and 3 bedrooms as part of the third phase of its four-phase master plan for “Gravelly Lake Commons.” LASA plans to construct a fourth phase including a day care and 30 more permanently low income units. The parcels included in this application are where phases 3 and 4 would be located and would rezone them to the NC2 which would allow for higher density on the parcels.



As currently planned, Gravelly Lake Commons Phase 3 includes construction of 25 new affordable housing units in four separate two and three-story buildings that would include a total of 4 one-bedroom, 11 two-bedroom and 10 three bedroom units. Each unit has a private balcony or patio. Shared Laundry is provided for the one and two-bedroom units while the three bedroom units have in unit washer and dryers. Site work includes a

designated playground, parking, dumpster and recycling enclosure, landscaping and irrigation.



Type of Use	Use	R4 6.4 dua	ARC 15 dua	NC2 35 dua
Lodging	Bed and breakfast guest houses	C	-	-
	Hostels	-	-	-
	Hotels and motels	-	-	-
	Short term vacation rentals	P	P	P
Residential Uses	Accessory caretaker's unit	-	-	P
	Accessory dwelling unit	P	-	-
	Babysitting care	P	P	P
	Boarding house	C	-	-
	Cottage housing	P	-	-
	Co-housing (dormitories, fraternities and sororities)	-	-	P
	Detached single family	P	P	-
	Two family residential, attached or detached dwelling units	C	P	P
	Three family residential, attached or detached dwelling units	-	-	-
	Multifamily, four or more residential units	-	P	P
	Mixed use	-	-	P
	Family daycare	P	P	P
	Home agriculture	P	P	-
	Home occupation	P	-	-
	Mobile home parks	C	-	-
	Mobile and/or manufactured homes, in mobile/manufactured home parks	C	-	P
	Residential accessory building	P	P	P
	Rooms for the use of domestic employees of the owner, lessee, or occupant of the primary dwelling	-	-	-
	Small craft distillery	P	-	P
	Specialized senior housing	-	-	P
	Accessory residential uses	P	P	P

CITY-INITIATED TEXT AND DESIGNATION/ZONE APPLICATIONS

(Text and/or maps for each being prepared)

2023-05 Allow permanent supportive housing (PSH) and transitional housing (TH) within the City’s Commercial 1, 2, and 3 zones. (Related to purchase of parcel 0219018014 (10720 Pacific Hwy SW) for use as PSH.)

RCW 35A.21.430 states, “A code city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed.” The RCW also states “[r]easonable occupancy, spacing, and intensity of use requirements may be imposed by ordinance on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to protect public health and safety.”

“Permanent Supportive Housing” is defined in state law as subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors (RCW 36.70A.030 (19).)

“Permanent Supportive Housing” is currently undefined in the Lakewood Municipal Code (LMC), but is not Lakewood’s defined “group homes” or “adult family homes” that are currently regulated under LMC Title 18A:

“Adult family home” means a residential home in which a person or persons provide personal care, special care, room and board to more than one (1) but not more than eight (8) adults who are not related by blood or marriage to the person or persons providing the services (see RCW 70.128.010.) Adult family homes shall serve those with functional limitations and are not intended to serve those with a history of violence, including sex offenses. See also “Group Homes.”

“Transitional Housing” is defined in state law as a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living (RCW 84.36.043 (2)(c).)

The LMC defines “transitional housing” as:

[H]ousing that provides homeless individuals and families with the interim stability and support to successfully move to and maintain permanent housing. Transitional housing may be used to cover the costs of up to twenty-four (24) months of housing with accompanying supportive services. Program participants must have a lease (or sublease) or occupancy agreement in place when residing in transitional housing.

The following Lakewood land use zones currently allow hotels and/or residential dwelling units either conditionally or outright:

	Zoning Classifications									
Description(s)	R1, R2, R3, R4,	MR1, MR2	MF1, MF2, MF3	ARC, NC1, NC2	TOC, CBD	C1, C2, C3	IBP, I1, I2	OSR1, OSR2	PI	ML, CZ, AC1, AC2
Hotels	-	-	-	-	x	x	-	-	-	-
Residential	x	x	x	x	x	x	-	-	-	-

Under Lakewood’s current LMC 18A.40.120, the following land use zones currently allow Permanent Supportive Housing (PSH) and Transitional Housing (TH) either conditionally or outright:

	Zoning Classifications									
Description(s)	R1, R2, R3, R4,	MR1, MR2	MF1, MF2, MF3	ARC, NC1, NC2	TOC, CBD	C1, C2, C3	IBP, I1, I2	OSR1, OSR2	PI	ML, CZ, AC1, AC2
PSH	x	x	x	x	x	-	-	-	x	-
TH	x	x	x	x	x	-	-	-	x	-

In order to comply with RCW 35A.21.430, the allowed uses within the City’s C1, C2 and C3 zones must be amended to include PSH and TH. Per the same statute, “[r]easonable occupancy, spacing, and intensity of use requirements may be imposed by ordinance on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to protect public health and safety.”

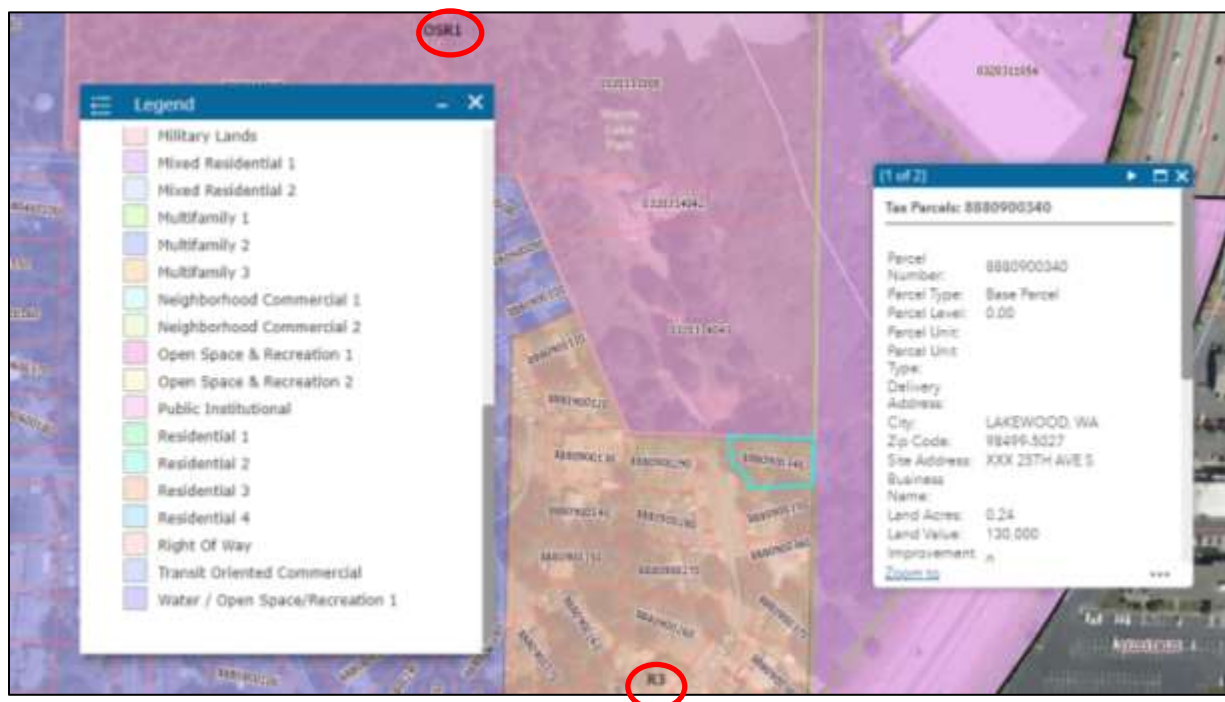
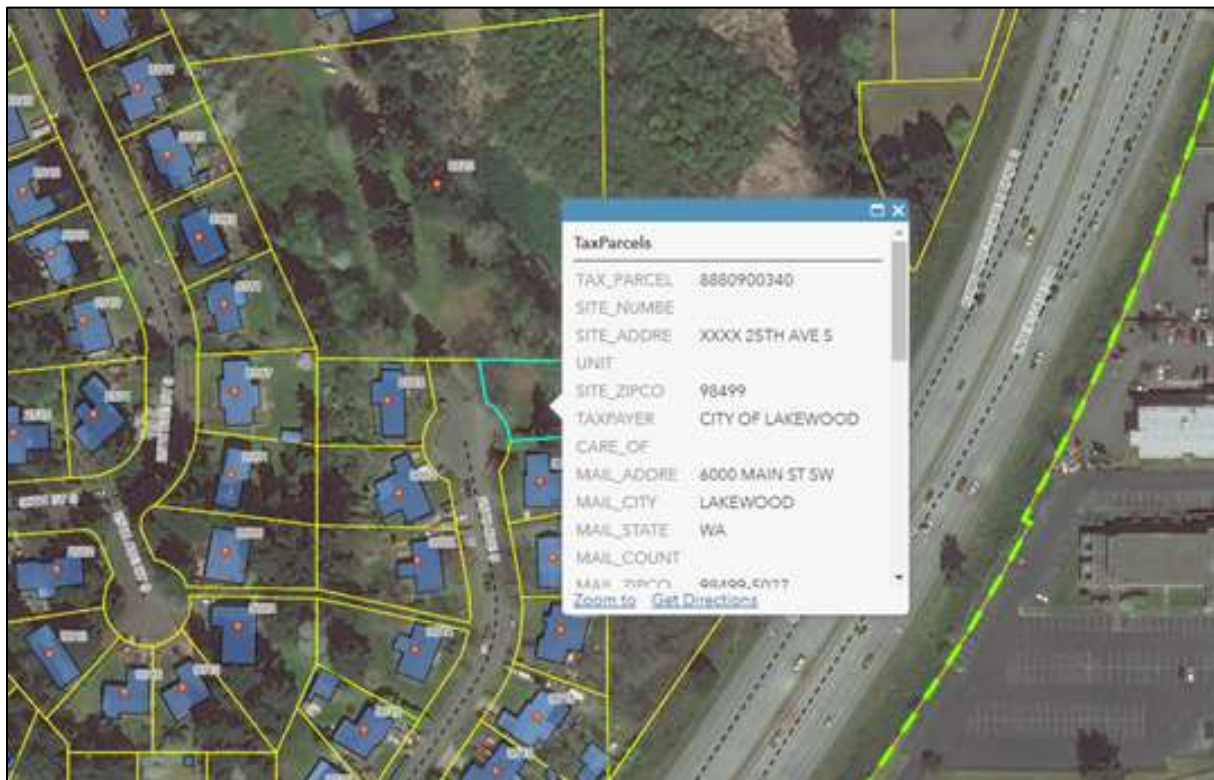
2023-06

Amend Policy LU-5.3 to reflect changes in allowed types of funding for financial and relocation assistance for people displaced as a result of construction and development projects as follows:

LU-5.3: Enforce the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended by the Uniform Relocation Act Amendments of 1987 and any subsequent amendments, to provide financial and relocation assistance for people displaced as a result of construction and development projects ~~using federal funds~~. Lakewood shall also enforce Section 104(d) of the Housing and Community Development Act of 1974, as amended, requiring the replacement of low- and moderate-income housing units that are demolished or converted to another use in connection with a CDBG project.

2023-07 Rezone Parcel 880900340 from Residential/Residential 3 (R3) to Open Space & Recreation (OSR)/Open Space & Recreation 1 (OSR 1) for expansion of Wards Lake Park

The City purchased parcel 880900340 with grant funds in 2020. Phase 2 of the City's Ward's Lake Park CIP improvements can include this parcel once it is zoned OSR1.



2023-08 Update of Comprehensive Plan text regarding Western State Hospital to reflect adoption of new Master Plan (continued from the 2021 Comprehensive Plan amendment cycle)

On August 22, 2022, the Lakewood Hearing Examiner issued his Final Decision on the DSHS conditional use permit and master plan application to amend the 1999 Western State Hospital (WSH) Master Facilities Plan for a major reconstruction of the WSH campus. On August 30, the Department of Social and Health Services filed a request for reconsideration on the Hearing Examiner's Decision, and on September 6, the Lakewood Hearing Examiner issued an Order setting the Briefing Schedule for Reconsideration of the Final Decision.

Edits to the following Comprehensive Plan and related LMC text and maps will be presented to the Planning Commission once the WSH Master Plan is approved and after the City Council takes action to include the amendment in the 2023 Comprehensive Plan amendment docket.

3.2.7 Housing Characteristics

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I. Group Quarters

There were 1,544 people living in group quarters in Lakewood at the time of the 2010 census, the most recent data available. This was equal to 2.7% of the total population in Lakewood. Group quarters includes Western State Hospital which is a regional facility serving 19 counties in Washington. There were 794 people counted residing at the psychiatric hospital.

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3.8 Western State Hospital (WSH)

Shortly after the City's incorporation in 1996, the state Department of Social and Health Services (DSHS) completed a master plan for the WSH campus. In 1998, DSHS applied for and received a public facilities permit from the City to formally acknowledge the proposed improvement projects within the master plan. The scope of work under the public facilities permit formed a basis upon which DSHS could then seek capital appropriations for projects upon the WSH Campus. The WSH public facilities permit (LU98059) was approved by the Hearing Examiner on September 22, 1998, and formally ratified by the City after adoption of an interlocal agreement in March 30, 1999. This action permitted DSHS to implement a six year capital facilities plan including the construction of a 163,000 square foot replacement legal offender unit. The plan, in part, was to include the demolition of a women's work release building which in past years was operated by the state Department of Corrections (DOC); demolition was to take place in 2004.

However, the women's work release building was not demolished. In February 2005, the City became aware of a plan by DOC to relocate the Tacoma-based Progress House, a work release facility to the WSH campus, in place of the women's pre-release facility which had been closed. Media surrounding the

action made it appear that DOC was not going to pursue a siting process, as required by law, or potentially, City permits to undertake the move. The City, unsure of the actions of DOC, imposed a moratorium on the WSH Campus. The City also instituted revised land use regulations for essential public facilities. Legal action ensued. Both the moratorium and the revised land use amendments were eventually upheld. To-date, the current master plan adopted in 1999 for WSH has never been updated. Only minor additions/alterations have been permitted on the WSH campus.

GOAL LU-40: Recognize the unique nature of federal patent lands at Western State Hospital and Fort Steilacoom Golf Course.

Policies:

LU-40.1: Work with DSHS to update the Western State Hospital Campus Master Plan.

LU-40.2: Enforce the City's public facilities master plan process confirming that: 1) appropriate provisions are made for infrastructure and/or services; 2) approval criteria and mitigation measures are incorporated into project approvals; and 3) the safety of the general public, as well as workers at, and visitors to, Western State Hospital is ensured.

LU-40.3: Avoid as much as possible incompatible uses on the WSH campus which could adversely impact existing uses, adjoining properties, or adversely impact at-risk or special needs populations, including but not limited to children and the physically or mentally disabled.

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7.1 Sanitary Sewers

Sewer service in the City of Lakewood is almost entirely provided by Pierce County Public Works and Utilities. Sewer service was recently expanded to serve the Tillicum and Woodbrook communities. The Town of Steilacoom provides sewer service to Western State Hospital. Steilacoom has indicated that its facilities serving the Western State Hospital currently have additional growth capacity. The City of Tacoma provides sewer service to the Flett subdivision, and to commercial and residential users located in northeast Lakewood (80th Street and 84th Streets). Figure 7.2 describes the locations of all major sewer trunk lines within Lakewood.

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7.1.1 Other Water Purveyors

Minor portions of the city are served by the Southeast Tacoma Mutual Water Company, and the City of Tacoma. Continued service to these areas is expected to be adequate for the 20-year planning period. Western State Hospital provides its own water service. There are also private wells servicing existing mobile home parks scattered throughout Lakewood.