



# A G E N D A

## PLANNING COMMISSION

Don Daniels • Ryan Pearson • Paul Wagemann  
Phillip Combs • Linn Larsen • Brian Parsons • Robert Estrada

**Wednesday, May 31, 2023 at 6:30 pm (Special Date)**

**Hybrid Meeting: In-Person & Virtual via ZOOM**

**Lakewood City Hall, American Lake Room (6000 Main St. SW, Lakewood 1<sup>st</sup> floor)**

**Per the Lakewood City Council, the Planning Commission will meet in a hybrid in-person and virtual format.**

Residents can attend in person at the Lakewood City Council Chambers; they can also attend virtually by watching them live on the City's YouTube channel at <https://www.youtube.com/user/cityoflakewoodwa> or by calling in to listen by telephone at +1 (253) 215-8782 and by entering meeting ID: 898 9967 6955

**To Submit Public Comment and/or Public Hearing Testimony Prior to Meeting:** Send comments by mail or email to Karen Devereaux, Planning Commission Clerk, at [kdevereaux@cityoflakewood.us](mailto:kdevereaux@cityoflakewood.us) or 6000 Main Street SW Lakewood, WA 98499. Comments received by noon on the day of the meeting will be provided to the Planning Commission electronically.

**Live Virtual Public Participation:** To provide live virtual Public Comments or Public Hearing Testimony during the meeting, join the Zoom meeting as an attendee by calling by telephone Dial +1(253) 215- 8782 and enter participant ID: 898 9967 6955 or by going online at <https://us06web.zoom.us/j/89899676955>. Each speaker will be allowed (3) three minutes to speak during the Public Comment and during each Public Hearing. Outside of Public Comments and Public Hearings, attendees will not be acknowledged and their microphone will remain muted.

By Phone: For those participating by calling in by phone to testify, the Chair will call on you during the Public Comment and/or Public Hearings portions of the agenda. When you are unmuted, please provide your name and city of residence.

Online: For those using the ZOOM link <https://us06web.zoom.us/j/89899676955> to testify, upon entering the meeting, please enter your name or other chosen identifier. Use the "Raise Hand" feature to be called upon by the Chair during the Public Comments and/or Public Hearings portions of the agenda. When you are unmuted, please provide your name and city of residence.

1.	<b>Call to Order</b>
2.	<b>Roll Call</b>
3.	<b>Approval of Minutes: None</b>
4.	<b>Agenda Updates</b>
5.	<b>Public Comments</b>
6.	<b>Public Hearings</b> <ul style="list-style-type: none"><li>• None</li></ul>
7.	<b>Unfinished Business</b> <ul style="list-style-type: none"><li>• Action on Comprehensive Plan Amendment 2023-03</li></ul>
8.	<b>New Business</b> <ul style="list-style-type: none"><li>• None</li></ul>
9.	<b>Reports from Council Liaison, City Staff &amp; Commission Members</b> <ul style="list-style-type: none"><li>• City Council Updates/Actions</li><li>• City Staff Updates</li><li>• Next Planning Commission meeting June 7, 2023</li></ul>

**Meeting materials will be distributed and published no later than 24 hours prior to the meeting**

1. Staff Report: Comprehensive Plan Amendment 2023-03

### Members Only

Please email [kdevereaux@cityoflakewood.us](mailto:kdevereaux@cityoflakewood.us) or call Karen Devereaux at 253.983.7767 no later than Tuesday, May 30, 2023 at noon if you are unable to attend. Thank you.



TO: Planning Commission  
 FROM: Tiffany Speir, Long Range & Strategic Planning Manager  
 DATE: May 31, 2023  
 SUBJECT: 2023 Comprehensive Plan Amendment 2023-03

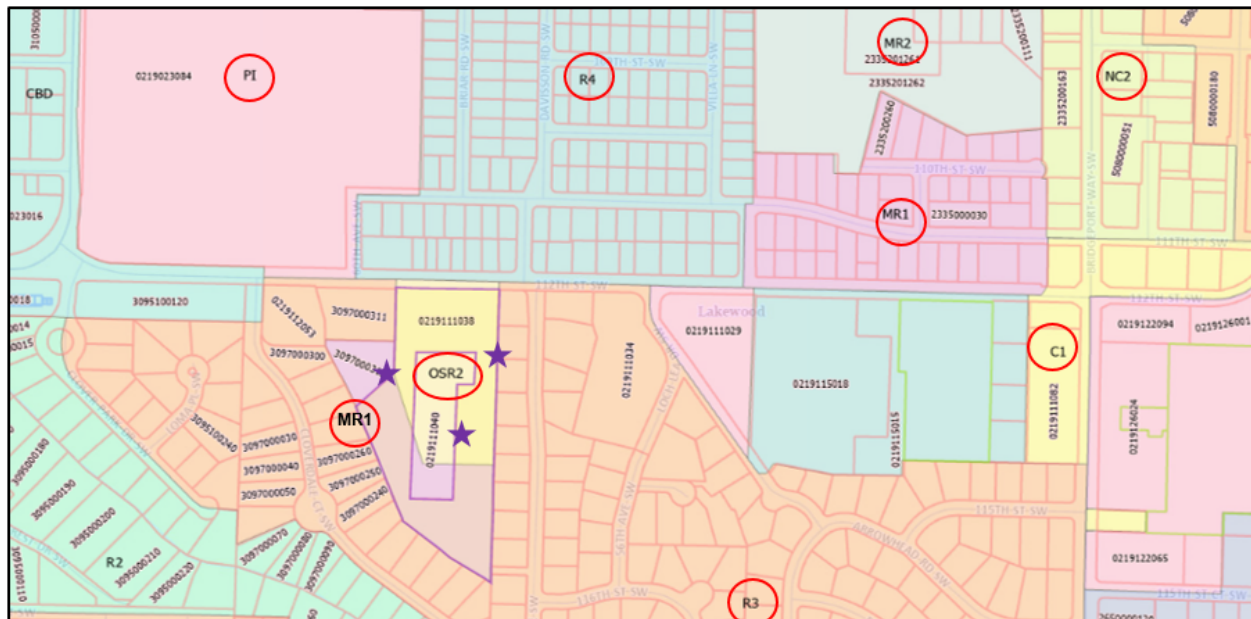
## BACKGROUND

On May 17, 2023, the Planning Commission took action on Resolution 2023-01 regarding its recommendations for the 2023 Comprehensive Plan amendments. However, because two members present recused themselves from the vote on 2023-03, there was no quorum for a vote on that specific amendment. A special Planning Commission meeting was scheduled for May 31 so the Commission can take action on proposed amendment 2023-03.

## DISCUSSION

Proposed amendment 2023-03 would amend the Open Space & Recreation (OSR) 2 zone to add “commercial and quasi-public health/fitness facilities” as conditional uses and then rezone parcels 0219111038, -1040, and 3097000312 to OSR2.

Type of Use	Use	OSR2
Commercial and Industrial	* * *	
	Health/fitness facility, commercial	<u>C</u>
	Health/fitness facility, quasi-public	<u>C</u>
	* * *	



Per LMC 18A.10.180, “health/fitness facility” means:

1. *Commercial.* A commercial, for profit, fitness center, gymnasium, health and athletic club, which may include any of the following: sauna, spa or hot tub facilities; indoor tennis, handball, racquetball, archery and shooting ranges and other indoor sports activities.
2. *Quasi-Public.* A not-for-profit fitness center, gymnasium, health and athletic club, which may include any of the following: sauna, spa or hot tub facilities; weight training facilities; swimming pools; exercise pools; basketball, handball, racquetball, and/or other sport courts; meeting rooms and related facilities; and which would provide on-site as well as outreach community activities such as, but not limited to day care, camps, educational assistance programs, swimming instruction and/or other fitness programs.

By designating these uses as conditional in the OSR2 zone, they would be subject to the review processes and requirements in LMC 18A.30 Article II (Conditional Use Permits.)

A conditional use permit is a “Type III” in Lakewood’s code, and would be considered in accordance with the procedures for such permits as set forth in LMC Chapter 18A.20:

<b>KEY:</b>					
Director	=	Community and Economic Development Director			
PC	=	Planning Commission			
HE	=	Hearing Examiner			
CC	=	City Council			
R	=	Recommendation to Higher Review Authority			
D	=	Decision			
N	=	No			
Y	=	Yes			
<b>Applications</b>		<b>Public Notice of Application</b>	<b>Director</b>	<b>HE</b>	<b>PC</b>
<b>TYPE III DISCRETIONARY</b>					
Conditional use permit		Y	R	D	N
* * *					

Authority to approve or deny Type III permits lies with the Hearing Examiner. The Hearing Examiner’s role is explained in LMC Chapter 1.36. Per 1.36.160(B),

The Examiner’s findings and conclusions shall set forth and demonstrate the manner in which the decision is consistent with, carries out and helps implement applicable state laws, the policies, objectives and goals of the comprehensive plan, **the approval criteria**, development standards and regulations of the land use and development code and the subdivision code, and other official laws, policies and objectives of the City.

Under LMC section 1.36.210(A) the Hearing Examiner has discretion:

The Examiner's decision may be to grant or deny the application or appeal, or the **Examiner may grant the application or appeal with such conditions, modifications and restrictions** as the Examiner finds necessary to make the application or appeal compatible with the environment and carry out applicable state laws and regulations, the policies, objectives and goals of the comprehensive plan, the approval criteria, development standard and regulations of the land use and development code and the subdivision code, and other ordinances, policies and objectives of the City.

Conditional uses are addressed in LMC 18A.30 Article II. Approval criteria are laid out in LMC Section 18A.30.130 and .140:

18A.30.130 A conditional use permit shall be granted by the City, only if the applicant demonstrates that:

- A. The granting of the conditional use permit will not:
  - 1. Adversely affect the established character of the surrounding vicinity. For the purposes of this section, character shall mean the distinctive features or attributes of buildings and site design on adjacent properties and in the vicinity and as articulated in the comprehensive plan, including but not limited to building facade, length, building modulation, building height, roof form, tree cover, types of flora, location of landscaping, size and location of signs, setbacks, amount and location of parking, fencing type, height and location, and the like;
  - 2. Be detrimental to the public health, safety and general welfare; and
  - 3. Be injurious to the property or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
- B. The granting of the proposed conditional use permit is consistent and compatible with the goals and policies of the comprehensive plan, and any code, ordinance, regulation or standard in effect to implement the plan.
- C. The proposed use is properly located in relation to other land uses, transportation and public facilities and services in the vicinity; and further, that the capacity of the transportation system and other public facilities and services will adequately serve the proposed use without placing an undue burden on such systems, facilities and services.
- D. The intensity (i.e., the nature, types and hours of human activity) and character of the proposed use are compatible with the intensity and character of the uses of adjacent property and of property in the vicinity.
- E. That the site is of sufficient size to accommodate the proposed use; and further that, in the opinion of the City, all yards, open spaces, landscaping, walls and fences,

parking, loading, and other necessary features are properly provided to assure the proposed use will be compatible with adjacent uses and the character of the vicinity.

F. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated so as to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazards.

G. The conditions necessary to mitigate the impacts of the proposed conditional use are capable of reasonable monitoring and reasonable enforcement.

#### 18A.30.140 Conditions of Approval

**The City may impose any condition of approval on a conditional use permit needed to mitigate adverse impacts to the environment, adjacent properties or the community, consistent with the goals and policies of the comprehensive plan, and any code, ordinance, regulation or standard in effect to implement the plan.**

#### 18A.30.570 Action of Hearing Examiner

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

Per LMC 18A.120(D)(9)(b), the OSR1 and OSR2 zoning districts are considered compatible with and may be applied to areas within all other comprehensive plan land use designations. The OSR2 zoning district may be applied to privately and publicly-owned active recreational uses and cemeteries. As a conditional use, an applicant would need to any address requested changes to the Operating and Development Standards listed in 18A.40.140(B) in their submittal.

**PLANNING COMMISSION RESOLUTION 2023-01**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
LAKEWOOD, WASHINGTON, FORMALIZING ITS RECOMMENDATIONS  
REGARDING THE 2023 COMPREHENSIVE PLAN/ZONING MAP  
AMENDMENTS AND FORWARDING ITS RECOMMENDATIONS TO THE  
LAKEWOOD CITY COUNCIL FOR CONSIDERATION AND ACTION.**

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 Comprehensive Plan via Ordinance No. 237 on July 10, 2000; and

WHEREAS, the Lakewood City Council adopted Title 18A, Land Use and Development Code, of the Lakewood Municipal Code (LMC) via Ordinance No. 264 on August 20, 2001; and

WHEREAS, it is appropriate for the Lakewood City Council to periodically 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 established a docket of proposed 2023 Comprehensive Plan and Zoning Map amendments through Resolution No. 2022-15; and

WHEREAS, the 2023 docket consists of nine (9) amendments (CPA/ZOA 2023-01 through 2023-09); and

WHEREAS, environmental review as required under the Washington State Environmental Policy Act (SEPA) has resulted in the issuance of a determination of environmental non-significance that was published on February 9, 2023 under SEPA #202300597 and updated on March 15, 2023 under SEPA #202301227; and

WHEREAS, notice was provided to state agencies on February 27, 2023 per City of Lakewood--2023-S-4821--60-day Notice of Intent to Adopt Amendment and updated on March 12, 2023 per City of Lakewood--2023-S-4856--60-Day Notice of Intent to Adopt Amendment, prior to the adoption of this Resolution, and state agencies have been afforded the opportunity to comment per RCW 36.70A.106(1); and

WHEREAS, notice has been provided to Joint Base Lewis-McChord (JBLM) prior to the adoption of this Resolution, and JBLM has been afforded the opportunity to comment per RCW 36.70A.530 (5); and

WHEREAS, the Lakewood Planning Commission held an open record public hearing on April 5, 2023 and continued the hearing first through April 19, 2023 on all proposed amendments and then through May 3 on proposed amendments 2023-03 and 2023-05; and

WHEREAS, the Lakewood Planning Commission has determined that the 2023 Comprehensive Plan amendments are consistent with the Growth Management Act and the other provisions of the City's Comprehensive Plan, and that the proposed text amendments meet the criteria for approval found in LMC 18A.30.050; 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; and

WHEREAS, the Lakewood Planning Commission recommends that the City support the conditional use permit approval for the Lakewood Racquet Club use that underlies the requests for rezoning the 3 parcels in 2023-03; and

WHEREAS, the Planning Commission recommends that the City Council consider the ramifications of adopting amendment 2023-05 as included here, particularly the location of the EHESO overlay, in light of the equity, racially disparate impacts, and anti-displacement requirements of the 2024 Comprehensive Plan periodic review;

**NOW, THEREFORE, THE LAKEWOOD PLANNING COMMISSION OF THE CITY OF LAKEWOOD, WASHINGTON, DOES RECOMMEND AS FOLLOWS:**

**Section 1.** Amendments to the City's Comprehensive Plan, Zoning Map, and land use and development regulations as contained in Exhibit A hereto, summarized as follows:

**2023-01** Add a citywide tree canopy goal of 40% by 2050 to the Comprehensive Plan as Land Use Policy LU-60.4.

**2023-02** Redesignate/rezone:

- Parcels 0219024020, -4021 and -4022 from Multifamily (MF)/Multifamily 3 (MF3) to Downtown/Central Business District (CBD); and
- Parcels 6720100160, -170, -180, -191, -200 and 0219024024 from Multifamily (MF)/Multifamily 1 (MF1) to Downtown/Central Business District (CBD.)

**2023-03** Allow commercial and quasi-public health/fitness facilities in the Open Space & Recreation 2 (OSR2) zone as conditional uses; and

- Redesignate/rezone parcel(s) 0219111038, -1040, and 3097000312 from Mixed Residential (MR)/Mixed Residential 1 (MR1) to Open Space & Recreation (OSR)/Open Space & Recreation 2 (OSR2)

**2023-04** Redesignate/rezone:

- redesignate/rezone parcel(s) 5130001640 and -1650 from Residential (R)/Residential 4 (R4) to Neighborhood Business District (NBD)/Neighborhood Commercial 2 (NC2); and
- redesignate/rezone parcel(s) 5130001660 and -1671 from Arterial Corridor (ARC)/Arterial Residential-Commercial (ARC) to Neighborhood Business District (NBD)/Neighborhood Commercial 2 (NC2.)

**2023-05** Allow:

- Indoor Emergency Housing (EH) and Emergency Shelter (ES) within 1 mile of transit and also within any land use zone where hotels are allowed via an Emergency Housing and Emergency Shelter Overlay (EHESO) district; and
- Permanent Supportive Housing (PSH), Rapid Rehousing (RH), and Transitional Housing (TH) within the City's residential zones and in any land use zone where hotels are allowed; and
- Foster Care Facilities within the City's Residential (R) 1, 2, 3, and 4 zones; Mixed Residential (MR) 1 and 2 zones; Multifamily (MF) 1, 2, and 3 zones; Arterial Residential Commercial (ARC) Zone; Neighborhood Commercial (NC) 1 and 2 zones; Transit Oriented Commercial (TOC) zone; Central Business District (CBD) zone; and Commercial (C) 1, 2, and 3 zones;

Remove concomitant agreements from LMC 18A.10.180 and LMC 18A.40.120 (C)(4).

**2023-06** Amend Land Use 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** Redesignate/rezone parcel 8880900340 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 Comprehensive Plan text and maps regarding Western State Hospital to reflect adoption of a new Master Plan.

**2023-09** Remove language from Land Use Policy LU-2.25 requiring that a property owner occupy either the primary or secondary unit when there is an accessory dwelling unit.

**Section 2:** 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 17<sup>th</sup> day of May, 2023, by the following vote:

**Amendments 2023-01, -02, -04, -06, -07, -08, -09**

AYES: BOARDMEMBERS: Daniels, Pearson, Combs, Larsen, Parsons

NOES: BOARDMEMBERS: None.

ABSENT: BOARDMEMBERS: Estrada, Wagemann



**Amendment 2023-03**

**(Commissioners Linn Larsen and Brian Parsons were recused due to conflicts of interest)**

AYES: BOARDMEMBERS:

NOES: BOARDMEMBERS:

ABSENT: BOARDMEMBERS:

**Amendment 2023-05**

AYES: BOARDMEMBERS: Daniels, Pearson, Combs, Larsen, Parsons

NOES: BOARDMEMBERS: None.

ABSENT: BOARDMEMBERS: Estrada, Wagemann

ATTEST:

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CHAIR, PLANNING COMMISSION

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KAREN DEVEREAUX, SECRETARY

**Sections of the Comprehensive Plan and Lakewood Municipal Code not included below are not affected by the 2023 Comprehensive Plan Amendments and remain unchanged.**

## Comprehensive Plan Section 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 40% tree canopy cover by the year 2050. Consider opportunities to increase canopy and environmental equity when evaluating tree canopy distribution.

**2023-02      Redesignate/Rezone:**

- **Parcels numbered 0219024020, -4021 and -4022 from Multifamily (MF)/Multifamily 3 (MF3) to Downtown/Central Business District (CBD); and**
- **Parcels numbered 6720100160, -170, -180, -191, -200 and 0219024024 from Multifamily (MF)/Multifamily 1 (MF1) to Downtown/Central Business District (CBD.)**



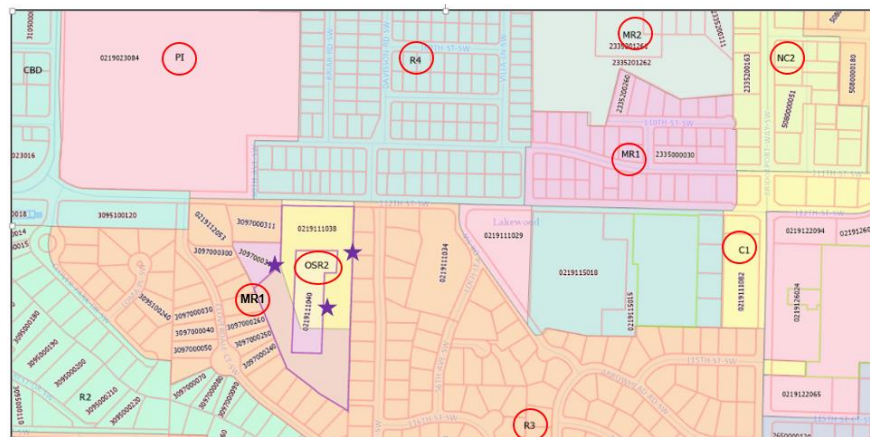
*[\*If this amendment is approved, the City will proceed with an update to the Downtown Subarea Plan's boundaries to incorporate the parcels in question. This will be reflected through the adoption of a Supplement to the Subarea Plan and possibly the Planned Action Ordinance as part of the 2024 Comprehensive Plan Periodic Update, which will include the next Downtown Subarea review.]*

**Allow commercial and quasi-public health/fitness facilities in the Open Space & Recreation 2 (OSR2) zone as conditional uses; and**

- Redesignate/rezone parcel(s) 0219111038, -1040, and 3097000312 from Mixed Residential (MR)/Mixed Residential 1 (MR1) to Open Space & Recreation (OSR)/Open Space & Recreation 2 (OSR2)

**LMC 18A.40.040 (A)**

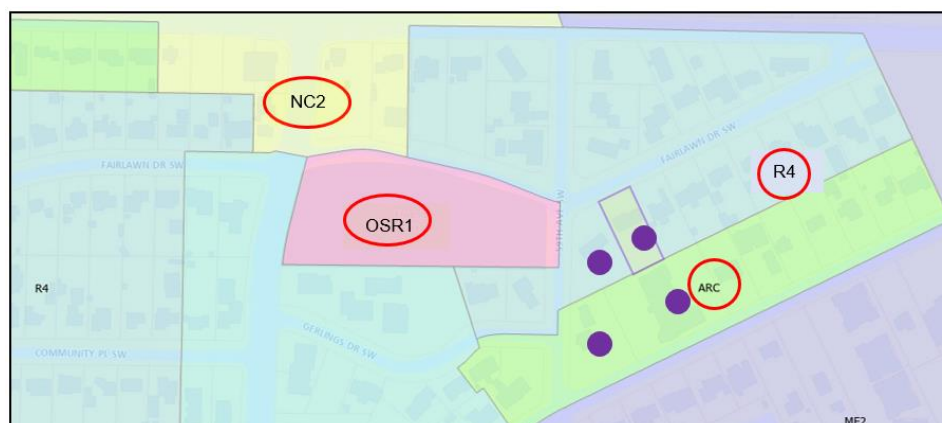
Type of Use	Use	OSR2
Commercial and Industrial	* * *	
	Health/fitness facility, commercial	<u>C</u>
	Health/fitness facility, quasi-public	<u>C</u>
	* * *	



**2023-04**

**Redesignate/rezone:**

- ***Parcels 5130001640 and -1650 from Residential (R)/Residential 4 (R4) to Neighborhood Business District (NBD)/ Neighborhood Commercial 2 (NC2); and***
- ***Parcels 5130001660 and -1671 from Arterial Corridor (ARC)/Arterial Residential-Commercial (ARC) to Neighborhood Business District (NBD)/Neighborhood Commercial 2 (NC2)***



2023-05      **Allow:**

- **Indoor Emergency Housing (EH) and Emergency Shelter (ES) within 1 mile of transit via an Emergency Housing and Emergency Shelter Overlay (EHESO) district and also within any land use zone where hotels are allowed; and**
- **Foster Care Facilities within: the Residential (R) 1, 2, 3, and 4 zones; Mixed Residential (MR) 1 and 2 zones; Multifamily (MF) 1, 2, and 3 zones; Arterial Residential Commercial (ARC) Zone; Neighborhood Commercial (NC) 1 and 2 zones; Transit Oriented Commercial (TOC) zone; Central Business District (CBD) zone; and Commercial (C) 1, 2, and 3 zones; and**
- **Permanent Supportive Housing (PSH), Rapid Rehousing (RH), and Transitional Housing (TH) within the City’s residential zones and in any land use zone where hotels are allowed.**

**Remove concomitant agreements from Sections LMC 18A.10.180 and LMC 18A.40.120 (C)(4).**

## **Comprehensive Plan**

### **1.62 Housing**

Housing issues are addressed in the land use chapter and several other locations. The Comprehensive Plan land use designations and map (Chapter 2) identify areas of the city targeted for different housing types. The land use chapter (Chapter 3) addresses goals and policies related to a variety of housing issues. Technical analysis of needs and capacity is contained in the background report and the EIS.

**Table 1.4: Relationship between State Law/GMA Requirements for Housing and the Lakewood Comprehensive Plan**

<b>RCW Section &amp; GMA Requirement</b>	<b>Location where Lakewood Comprehensive Plan Complies with Requirement</b>
36.70A.070(2)(a) Inventory/analysis of existing/projected housing needs (housing element)	Housing section of background report EIS Section 3.5 Housing
36.70A.070(2)(b) Statement of goals/policies/objectives/ mandatory provision for the preservation/improvement/ development of sufficient land for housing (housing element)	Comp. plan Section 3.2: Residential Lands and Housing
36.70A.070(2)(c) Sufficient land for housing, including government-assisted, low- income, manufactured, multi- family, group homes, & foster care (housing element)	Comp. plan Section 3.2: Residential Lands and Housing Comp. plan Section 2.3: Land Use Designations
36.70A.070(2)(d) Provisions for existing/projected needs for all economic segments (housing element)	Comp. plan Section 3.2: Residential Lands and Housing

<a href="#"><u>Chapter RCW 74.15 – Foster Family Homes and Group Care Facilities</u></a>	<a href="#"><u>LMC 18A.202.050, .080; 18A.40.110</u></a>
<a href="#"><u>RCW 36.70A.070.2(c) - Identify sufficient capacity of land for housing including, but not limited to, . . . foster care facilities[.]</u></a>	<a href="#"><u>LMC 18A.202.050, .080; 18A.40.110</u></a>
<a href="#"><u>RCW Chapter 43.185C (Homeless Housing and Assistance) – refers to RRH</u></a>  <a href="#"><u>RCW 36.22.176 (Recorded document surcharge - Use) – refers to RRH</u></a>	<a href="#"><u>In LMC 18A.10.180, “Rapid re-housing” (RRH) means housing search and relocation services and short- and medium-term rental assistance to move homeless persons and families (with or without a disability) as rapidly as possible into permanent housing.</u></a>
<a href="#"><u>RCW 35A.21.430 - Indoor emergency housing (EH) and indoor emergency shelters (ES) shall be allowed in any zones in which hotels are allowed, except in cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within one-mile of transit.</u></a>	<a href="#"><u>LMC 18A.50 Article III; Chapter 18A.120</u></a>
<a href="#"><u>RCW 35A.21.305 - Permanent supportive housing [PSH] shall be allowed in areas where multifamily housing is permitted.</u></a>	<a href="#"><u>LMC Chapter 18A.120</u></a>
<a href="#"><u>RCW 35A.21.430 - “A code city shall not prohibit transitional housing [TH] or permanent supportive housing [PSH] in any zones in which residential dwelling units or hotels are allowed.”</u></a>	<a href="#"><u>LMC Chapter 18A.120</u></a>

### 3.2 Residential Lands and Housing

Housing is a central issue in every community, and it plays a major role in Lakewood’s comprehensive plan. The community’s housing needs must be balanced with maintaining the established quality of certain neighborhoods and with achieving a variety of other goals related to transportation, utilities, and the environment. There are a number of considerations related to housing in Lakewood:

\* \* \*

Housing Affordability: The GMA calls for jurisdictions to provide opportunities for the provision of affordable housing to all economic segments of the population. Pierce County has established “fair share” allocations for affordable housing based on the 2010 census. Each city within the County is expected to accommodate a certain portion of the County’s affordable housing needs. The City has developed and possesses a number of tools and programs that help provide housing resources to low-income residents.

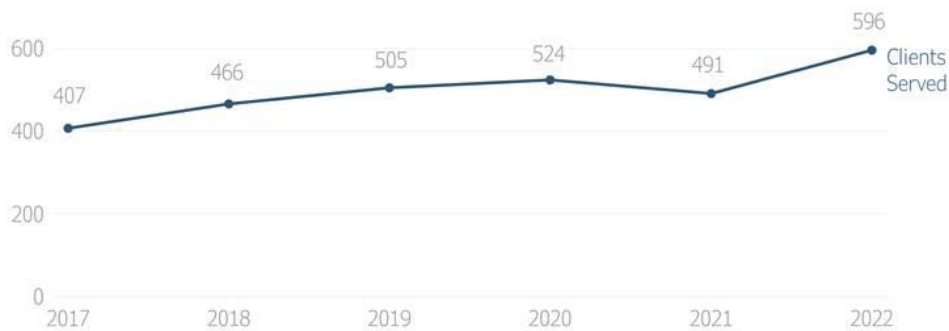
Special Needs Housing and Foster Care: Per state law, in 2023 the Department of Commerce established the number of emergency housing units as well as numbers of

housing units for various Area Median Income (AMI) levels that Lakewood must plan to be available by 2044.

Lakewood must identify capacity and adopt regulations that allow for 574 emergency housing units by 2044. As of 2023, Lakewood had 8 shelter beds within its boundaries.

### Unique clients from Lakewood that were served by emergency shelters from 2017-2022.

The number of unique clients from Lakewood served by emergency shelters increased by 46% from 2017 to 2022.



Note: This includes clients who reported the city they last slept in was Lakewood or who reported their last permanent zip code was in Lakewood.

Source: HMIS, 3/9/2023

Between January 1 and April 15, 2023, 93 clients were served by referrals to emergency shelters outside of the City.

Lakewood must also plan for 9,378 units of its 9,714 unit 2044 growth target broken out into the Pierce County area median income (AMI) levels as shown below:

0-30% AMI PSH	0-30% AMI Non-PSH	>30-50% AMI	>50-80% AMI	>80-100% AMI	>100-120% AMI	>120% AMI
1,212	1,637	1,739*	1,375*	592	536	2,287

### *Lakewood Municipal Code*

#### **18A.10.180 Definitions.**

"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 six (6) adults who are not related by blood or marriage to the person or persons providing the services. An adult family home may provide services to up to eight (8) adults upon approval from the department under RCW 70.128.066. See also "Group home."

~~"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 (RCW 70.128.010 and Chapter 220, Laws of 2020). Adult family homes shall serve those with functional limitations and are not intended to serve those with a history of violence, including sex offenses.~~

**“Area median income”** means the median family income for the Tacoma, WA HUD Metro FMR Area~~Seattle-Bellevue, WA Metro Fair Market Rent (FMR) Area~~ as most recently determined by the Secretary of Housing and Urban Development (HUD) under Section 8(f)(3) of the United States Housing Act of 1937, as amended. In the event that HUD no longer publishes median family income figures for the Seattle-Bellevue, WA HUD Metro FMR Area, the City may estimate the median income in such manner as the City shall determine.

**“Assisted living facility”** means any home or other institution, however named, which is advertised, announced, or maintained for the express or implied purpose of providing housing, basic services, and assuming general responsibility for the safety and well-being of the residents, and may also provide domiciliary care, consistent with chapter 142, Laws of 2004, ~~to seven (7) or more residents after July 1, 2000~~. However, an assisted living facility that is licensed for three (3) to six (6) residents prior to or on July 1, 2000, may maintain its assisted living facility license as long as it is continually licensed as an assisted living facility.

Assisted living facility shall not include facilities certified as group training homes pursuant to RCW [71A.22.040](#), nor any home, institution or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution or section thereof. Nor shall it include any independent senior housing, independent living units in continuing care retirement communities, or other similar living situations, including those subsidized by the Department of Housing and Urban Development (HUD).

~~**“Concomitant agreement”** means an agreement recorded against the title of a parcel of land under which a property owner binds the property to certain terms and conditions in exchange for development approval.~~

~~**“Emergency housing”** means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement. RCW 36.70A.030 (9). Emergency housing is not a Group Home under LMC Titles 18A, 18B, or 18C.~~

~~**“Emergency shelter”** means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations. RCW 36.70A.030 (10). Emergency shelter facilities are not a Group Home under LMC Titles 18A, 18B, or 18C.~~

**“Enhanced services facility”** means a facility that provides support and services to persons meeting the admission criteria in RCW 70.97.030 and for whom acute inpatient treatment is not medically necessary (RCW 70.97.010(5).) means a facility that provides treatment and services to persons for whom acute inpatient treatment is not medically necessary and who have been determined by the Department of Social and Health Services to be inappropriate for placement in other licensed facilities due to the complex needs that result in behavioral and security issues. (RCW 70.97.010)

**“Essential public facilities”** means those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, state and local correctional facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes, community facilities as defined in RCW 72.05.020, and secure community transition facilities as defined in RCW 71.09.020. Special needs housing as defined in this title are considered essential public facilities. means those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities and inpatient facilities including substance abuse facilities, mental health facilities, and group homes.

**“Extremely low income”** means an individual, family, or unrelated persons living together, regardless of age or ability, whose adjusted gross income is thirty (30) percent or less of the median income, adjusted for household size, as determined by the United States Department of Housing and Urban Development for the Tacoma, WA HUD Metro FMR Area~~Tacoma Primary Metropolitan Statistical Area~~.

**"Foster family home"** means an agency which regularly provides care on a twenty-four hour basis to one or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed (RCW 74.15.020.)

**“Foster care facility”** means both a foster family home and a group-care facility as governed under Chapter RCW 74.15.

**"Group-care facility"** means an agency, other than a foster family home, which is maintained and operated for the care of a group of children on a twenty-four hour basis.

"Group care facility" includes but is not limited to:

- (i) Qualified residential treatment programs as defined in RCW 13.34.030;
- (ii) Facilities specializing in providing prenatal, postpartum, or parenting supports for youth; and
- (iii) Facilities providing high quality residential care and supportive services to children who are, or who are at risk of becoming, victims of sex trafficking (RCW 74.15.020.)



**“Group home”** means group residential environments for people with disabilities, mental or physical. Group home does not include emergency housing or emergency shelter under LMC Title 18A. See also “Adult family home.” There are five (5) types of group homes:

1. “Type 1 Group Home” means publicly or privately operated living accommodations for related or unrelated individuals having handicaps, subject to compliance with all applicable federal, state, and/or local licensing requirements. For the purposes hereof, “handicap” shall mean a physical or mental impairment which substantially limits one or more of the person’s major life activities, a record of having such an impairment, or being regarded as having such an impairment; however, the term does not include current, illegal use of or an addiction to a controlled substance. A Type 1 Group Home includes an “adult family home.”
2. “Type 2 Group Home” means publicly or privately operated living accommodations for related or unrelated individuals such as group homes for children, group homes providing an alternate residential setting for families in crisis, and other groups not listed in Type 1, 3, 4, or 5 group home residential use types; all subject to compliance with all applicable federal, state, and/or local licensing requirements. ~~There are three (3) levels of Type 2 Group Homes:~~
  - ~~a. Level 1: A group home with a maximum of seven (7) residents, plus resident staff.~~
  - ~~b. Level 2: A group home with a maximum of ten (10) residents, plus resident staff.~~
  - ~~c. Level 3: A group home with more than ten (10) residents, plus resident staff.~~
3. “Type 3 Group Home” means publicly or privately operated living accommodations for juveniles under the jurisdiction of DSHS and/or the criminal justice system, including state-licensed group care homes or halfway houses for juveniles which provide residence in lieu of incarceration, and halfway houses providing residence to juveniles needing correction or for juveniles selected to participate in state-operated minimum security facilities as defined in RCW [72.05.150](#), as hereafter may be amended. A community facility as defined in RCW [72.05.020\(1\)](#), as hereafter may be amended, is considered to constitute a Type 3 Group Home. All are subject to compliance with all applicable federal, state, and/or local licensing and other requirements. ~~There are three (3) levels of Type 3 Group Homes:~~
  - ~~a. Level 1: A group home with a maximum of eight (8) residents, plus resident staff.~~
  - ~~b. Level 2: A group home with a maximum of twelve (12) residents, plus resident staff.~~
  - ~~c. Level 3: A group home with more than twelve (12) residents, plus resident staff.~~
4. “Type 4 Group Home” means publicly or privately operated living accommodations for adults under the jurisdiction of the criminal justice system who

have entered a pre- or post-charging diversion program or have been selected to participate in state-operated work/training release or other similar programs as provided in Chapters [137-56](#) and [137-57](#) WAC, as may hereafter be amended. All are subject to compliance with all applicable federal, state, and/or local licensing and other requirements.

5. “Type 5 Group Home” means a secure community transition facility as defined in RCW [71.09.020\(15\)](#), as hereafter may be amended, which is a residential facility that provides supervision and security for people who have completed their criminal sentences for sexually violent offenses but who remain subject to additional requirements for sexually violent predators under Chapter [71.09](#) RCW, as hereafter may be amended. All are subject to compliance with all applicable federal, state, and/or local licensing and other regulations.

“**Low-income household**” means a single person, family, or unrelated persons living together whose adjusted income is at or below eighty (80) percent of the median family income adjusted for family size, for the county, city, or metropolitan statistical area where the project is located, as reported ~~by for the Tacoma, WA HUD Metro FMR Area~~[United States Department of Housing and Urban Development](#).

“**Moderate-income household**” means a single person, family, or unrelated persons living together whose adjusted income is more than eighty (80) percent but is at or below one hundred fifteen (115) percent of the median family income adjusted for family size, for the county, city, or metropolitan statistical area where the project is located, as reported ~~by for the Tacoma, WA HUD Metro FMR Area~~[United States Department of Housing and Urban Development](#).

~~“Permanent Supportive Housing” means 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 does not mean multifamily housing projects with fewer than 50% of the units providing permanent supportive housing. “Permanent supportive housing” means 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. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident’s health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in Chapter 59.18 RCW.~~

**“Special Needs Housing”** means assisted living facilities, confidential shelters, continuing care retirement communities, emergency housing, emergency shelters, enhanced services facilities, hospice care centers, nursing homes, permanent supportive housing, rapid re-housing, transitional housing, adult family homes, and group home types 1-5. Special needs housing does not mean multifamily housing projects with fewer than 50% of the units providing special needs housing.

**“Transitional housing”** means 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).) Transitional housing does not mean multifamily housing projects with fewer than 50% of the units providing transitional housing. **“Transitional housing”** means housing 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.

**“Very low income”** means an individual, family, or unrelated persons living together, regardless of age or ability, whose adjusted gross income is fifty (50) percent or less of the median income, adjusted for household size, as reported for the Tacoma, WA HUD Metro FMR Area ~~determined by the United States Department of Housing and Urban Development for the Tacoma Primary Metropolitan Statistical Area.~~

**“Zoning”** means the regulation of the use of private lands or the manner of construction related thereto in the interest of implementing the goals and policies of the comprehensive plan. Zoning includes both the division of land into separate and distinct zoning districts, and the specific use and development standards that regulate development. Such regulation shall also govern those public and quasi-public land uses and buildings that provide for government activities and proprietary type services for the community benefit, except as prohibited by law. State and federal governmental activities are strongly encouraged to cooperate under these regulations to secure harmonious City development. There are several general categories of zoning used in this code:

1. Residential zoning can include single-family or any number of other designations which cover homes, apartments, duplexes, trailer parks, co-ops, **and** condominiums, **and special needs housing**. Residential zoning can cover issues such as whether mobile homes can be placed on property, and the number of structures allowed on certain property.
2. Commercial zoning usually has several categories and is dependent upon the business use of the property, and often the number of business patrons. Office buildings, shopping centers, nightclubs, hotels, certain warehouses, **special needs housing, and** some apartment complexes – as well as vacant land that has the

potential for development into these types of buildings – can all be zoned as commercial. ~~Almost any kind of real estate, other than single family home and single family lots, can be considered commercial real estate.~~

3. Like commercial zoning, industrial zoning can be specific to the type of business. Environmental factors including noise concerns usually are issues in determining into which industrial level a business falls. Manufacturing plants and many storage facilities have industrial zoning. Certain businesses – such as airports – may warrant their own designation.

Industrial zoning is often dependent upon the amount of lot coverage (which is the land area covered by all buildings on a lot) and building height. Additionally, setback requirements are often higher for industrial zoned properties.

## LMC 18A.20 Article I. Administration

\* \* \*

### 18A.20.050 Complete permit applications, notice and time periods.

\* \* \*

#### H. *Application Time Limits.*

Application	Planning Permit	Engineering Permit	Building Permit	Review Time Limits (Days)
Accessory Building	Y	N	N	90
Accessory Dwelling Unit	Y	N	N	90
Administrative Nonconforming Determination	Y	N	N	90
Annexation	Y	N	N	180
Appeal to Hearing Examiner	Y	Y	Y	90
Binding Site Plan	Y	N	N	120
Business License	Y	N	N	120
Certificate of Occupancy	N	N	Y	60
Commercial Addition/Remodel	N	N	Y	120
Comprehensive Map amendment, Area Wide	Y	N	N	120
Comprehensive Map amendment, site specific	Y	N	N	120
Comprehensive text only amendment	Y	N	N	120
Conditional Use Permit	Y	N	N	120
Conditional Use Permit – Major Modification	Y	N	N	120
Conditional Use Permit – Minor Modification	Y	N	N	120
Cottage Housing Development	Y	N	N	120
Demolition Permit	N	N	Y	120
Design Review Permit	Y	N	N	90

Application	Planning Permit	Engineering Permit	Building Permit	Review Time Limits (Days)
Development Agreement	Y	N	N	120
<u>Emergency Housing Permit*</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>120</u>
<u>Emergency Shelter Permit*</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>120</u>
Environmental Review (SEPA Checklist and Threshold Determination)	Y	N	N	120
Environmental Impact Statement (Draft)	Y	N	N	365
Final Subdivision Plat (10 or more lots)	Y	N	N	120
<u>Foster Care Facility Permit</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>60</u>
Home Occupation Permit	Y	N	N	90
Housing Incentives Permit	Y	N	N	90
Landscape Plan Review	Y	N	N	90
Land Use Approval	Y	N	N	120
Lot Line Adjustment	Y	N	N	90
Major Modification to a Type III Permit	Y	N	N	120
Manufactured/Mobile Home Setup Permit	N	N	Y	90
New Commercial Permit	N	N	Y	120
New Single-Family Permit	N	N	Y	60
New Multifamily Permit	N	N	Y	120
<u>Permanent Supportive Housing Permit*</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>120</u>
Pre-Application	Y	Y	Y	60
Preliminary and Final Short Plats (creating 2 – 9 lots)	Y	Y	N	120
Preliminary Plat (10 or more lots)	Y	Y	N	120
Planned Development District	Y	N	N	120
<u>Rapid Rehousing Permit*</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>120</u>
Reasonable Accommodation Request	Y	N	N	90
Residential Addition/Remodel	N	N	Y	60
Scrivener Corrections to Comprehensive Plan Map, and/or Comprehensive Plan text, Zoning Map, and/or Zoning Development Regulations	Y	N	N	N/A
Senior Housing Overlay Permit	Y	N	N	90
Shoreline Conditional Use Permit	Y	N	N	120
Shoreline Conditional Use Permit when Referred by the Shoreline Administrator	Y	N	N	120
Shoreline Exemption Permit	Y	N	N	120
Shoreline Master Program amendment	Y	N	N	120
Shoreline Substantial Development Permit	Y	N	N	120
Shoreline Substantial Development Permit when Referred by the Shoreline Administrator	Y	N	N	120
Shoreline Variance Permit	Y	N	N	120

Application	Planning Permit	Engineering Permit	Building Permit	Review Time Limits (Days)
Shoreline Variance Permit when Referred by the Shoreline Administrator	Y	N	N	120
Sign Permit	Y	N	N	60
Site Development Permit	N	Y	N	90
Small Cell Wireless Permit	Y	N	N	See Chapter <a href="#">18A.95</a> LMC
Temporary Use Permit	Y	N	N	90
Transfer of Development Rights	Y	N	N	120
<u>Transitional Housing Permit*</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>120</u>
Transitory Accommodation Permit	Y	N	N	120
Tree Removal Permit	Y	N	N	90
Tree Retention Plan	Y	N	N	90
Time Extension or Minor Modification to a Type I Permit	Y	N	N	120
Time Extension or Minor Modification to a Type II Permit	Y	N	N	120
Time Extension or Minor Modification to a Type III Permit	Y	N	N	120
Variance	Y	N	N	120
Unusual Use(s) Permit	Y	N	N	120
Zoning Certification	Y	N	N	60
Zoning Interpretations (map and/or text)	Y	N	N	90
Zoning Map amendment, Area Wide	Y	N	N	120
Zoning Map, site specific	Y	N	N	120
Zoning amendment text only	N	N	N	120

**Notes:**

“Y” means Yes.

“N” means No.

\*A building permit is only necessary if there is: 1) new construction per LMC Title 15; 2) change of use per LMC Title 15; or 3) construction activity where a building permit is required per LMC Title 15.

\* \* \*

### **18A.20.070 Approval and appeal authorities.**

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

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

1. Accessory building;
2. Accessory dwelling unit;
3. Administrative nonconforming determination;
4. Appeal to Hearing Examiner;
5. Binding site plan;
6. Business license;

7. Certificate of occupancy;
8. Commercial addition/remodel;
9. Conditional use permit;
10. Conditional use permit – minor modification;
11. Cottage housing development;
12. Demolition permit;
13. Design review permit;
14. Emergency Housing permit;
15. Emergency Shelter permit;
- ~~146.~~ Environmental review (SEPA checklist and threshold determination);
- ~~175.~~ Final subdivision plat (10 or more lots);
18. Foster Care Facility permit;
- ~~196.~~ Home occupation permit;
- ~~2017.~~ Housing incentives permit;
- ~~2118.~~ Landscape plan review;
- ~~1922.~~ Land use approval;
- ~~230.~~ Lot line adjustment;
- ~~241.~~ Manufactured/mobile home setup permit;
- ~~225.~~ New commercial permit;
- ~~263.~~ New multifamily permit;
- ~~274.~~ New single-family permit;
28. Permanent Supportive Housing permit;
- ~~259.~~ Pre-application;
- ~~3026.~~ Preliminary and final short plats (creating 2 to 9 lots);
31. Rapid Rehousing Permit;
- ~~3227.~~ Reasonable accommodation request;
- ~~3328.~~ Residential addition/remodel;
- ~~2349.~~ Senior housing overlay permit;
- ~~305.~~ Shoreline conditional use permit;
- ~~361.~~ Shoreline substantial development permit;
- ~~372.~~ Shoreline exemption;
- ~~383.~~ Shoreline variance permit;
- ~~394.~~ Sign permit;
- ~~4035.~~ Site development permit;
- ~~4136.~~ Senior housing permit;
- ~~3742.~~ Small cell wireless permit;
- ~~3843.~~ Temporary use permit;
- ~~3944.~~ Transfer of development rights;
45. Transitional Housing permit;
- ~~406.~~ Transitory accommodation permit;
- ~~417.~~ Tree retention plan;
- ~~482.~~ Time extension or minor modification to a Type I permit;
- ~~493.~~ Time extension or minor modification to a Type II permit;
- ~~5044.~~ Transitory accommodation permit;
- ~~451.~~ Tree removal permit;



F. *Subdivision Review Process.* See LMC Title [17](#).

The following table describes development permits, the public notice requirements, and the final decision and appeal authorities. See LMC [18A.20.400](#) et seq. for appeals. When separate applications are consolidated at the applicant's request, the final decision shall be rendered by the highest authority designated for any part of the consolidated application.

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



Accessory building	N	D	O/Appeal	N	N
Accessory dwelling unit	N	D	O/Appeal	N	N
Administrative nonconforming determination	N	D	O/Appeal	N	N
Boundary line adjustment	N	D	O/Appeal	N	N
Business license	N	D	O/Appeal	N	N
Certificate of occupancy	N	D	O/Appeal	N	N
Commercial addition/remodel	N	D	O/Appeal	N	N
Demolition permit	N	D	O/Appeal	N	N
Design review	N	D	O/Appeal	N	N
<u>Emergency Housing Permit</u>	<u>N</u>	<u>D</u>	<u>O/Appeal</u>	<u>N</u>	<u>N</u>
<u>Emergency Shelter Permit</u>	<u>N</u>	<u>D</u>	<u>O/Appeal</u>	<u>N</u>	<u>N</u>
Final subdivision plat (10 or more lots)	Y	D	O/Appeal	N	N
Form-based code review and decision	N	D	O/Appeal	N	N
<u>Foster Care Facility Permit</u>	<u>N</u>	<u>D</u>	<u>O/Appeal</u>	<u>N</u>	<u>N</u>
Home occupation permit			O/Appeal		
Hosting the homeless by religious organizations	See RCW <a href="#">35A.21.360</a>	D	O/Appeal	N	N
Land use permit – minor modification	N	D	O/Appeal	N	N
Manufactured/mobile home permit	N	D	O/Appeal	N	N
New commercial building permit	N	D	O/Appeal	N	N
New single-family building permit	N	D	O/Appeal	N	N
<u>Permanent Supportive Housing Permit</u>	<u>N</u>	<u>D</u>	<u>O/Appeal</u>	<u>N</u>	<u>N</u>
Pre-application conference permit	N	N	N	N	N
Preliminary and final short plats (creating 2 – 9 lots)	N	D	O/Appeal	N	N
Reasonable accommodation request	N	D	O/Appeal	N	N
Residential addition/remodel	N	D	O/Appeal	N	N
Shoreline exemption	N	D	O/Appeal	N	N
Sign permit	N	D	O/Appeal	N	N
Site development permit	N	D	O/Appeal	N	N
Small wireless facility permit	See Chapter <a href="#">18A.95</a> LMC				
Temporary use permit	N	D	O/Appeal	N	N
Transfer of development rights	N/A (Program administered by Pierce County)				
Time extension or minor modification to a Type I permit	N	D	O/Appeal	N	N
<u>Transitional Housing Permit</u>	<u>N</u>	<u>D</u>	<u>O/Appeal</u>	<u>N</u>	<u>N</u>
Tree removal permit	N	D	O/Appeal	N	N
Zoning certification	N	D	O/Appeal	N	N
Zoning (map and/or text) interpretation or determination	N	D	O/Appeal	N	N
<b>TYPE II ADMINISTRATIVE</b>					
Binding site plan	Y	D	O/Appeal	N	N

Cottage housing	Y	D	O/Appeal	N	N
Environmental review (SEPA) – (SEPA Checklist and Threshold Determination)	Y	D	O/Appeal	N	N
Preliminary and final short plats (2 – 9 lots)	Y	D	O/Appeal	N	N
Shoreline conditional use permit	Y	D	O/Appeal	N	N
Shoreline substantial development permit	Y	D	O/Appeal	N	N
Shoreline variance permit	Y	D	O/Appeal	N	N
Time extension or minor modification to a Type II permit	Y	D	O/Appeal	N	N
<b>TYPE III DISCRETIONARY</b>					
Conditional use permit	Y	R	D	N	N
Land use permit – major modification	Y	R	D	N	N
Major modification to a Type III permit	Y	R	D	N	N
Planned development district	Y	R	D	N	N
Preliminary plat, long	Y	R	D	N	N
Public facilities master plan	Y	R	D	N	N
Shoreline conditional use permit when referred by the Shoreline Administrator	Y	R	D	N	N
Shoreline substantial development permit when referred by the Shoreline Administrator	Y	R	D	N	N
Shoreline variance when referred by the Shoreline Administrator	Y	R	D	N	N
Time extension to a Type III permit	Y	R	D	N	N
Unusual use(s) permit	Y	R	D	N	N
Variance	Y	R	D	N	N
Zoning Map amendment, site specific	Y	R	D	N	CC/ Appeal
<b>TYPE IV OTHER</b>					
Scrivener corrections to CPA map and/or CPA text	Y	R	N	N	D
<b>TYPE V LEGISLATIVE</b>					
Annexation	Y	R	N	R	D
Comprehensive Plan Map only amendment, Area Wide	Y	R	N	R	D
Comprehensive Plan Map only amendment, site specific	Y	R	N	R	D
Comprehensive Plan text only amendment	Y	R	N	R	D
Development agreement	Y	R	N	R	D
Shoreline Master Program amendment	Y	R	N	R	D
Zoning amendment – Text only	Y	R	N	R	D

\* \* \*

### **18A.20.100 Licenses and building permits.**

Business and occupational licenses shall not be issued unless the applicant has a final inspection or certificate of occupancy as required by Chapter [15.05](#) LMC and as defined

hereunder. No building permit shall be issued for the construction, alteration, change of use, or relocation of any building, structure or part thereof unless the plans, specifications and intended use of such building or structure conforms in all respects with the provisions of this title.

\* \* \*

#### **18A.20.110 Certificate of occupancy.**

A certificate of occupancy shall be obtained from the Department ~~when~~ when a certificate of occupancy is required by the International Construction Codes and LMC Title 15.

#### **18A.30.210 Special Needs Housing – Conditional Use Permit**

A conditional use permit is required for all special needs housing listed as conditional uses in LMC 18A.40.120. ~~In addition to the regular conditional use permit review criteria, essential public facilities are subject to additional criteria as outlined in LMC 18A.40.120(C)(3).~~

#### **18A.40.040 Commercial and Industrial Uses.**

A. *Commercial and Industrial Land Use Table.* See LMC 18A.40.040(B) for Development and Operating Conditions. See LMC 18A.10.120(D) for the Purpose and applicability of zoning districts.

\* \* \*

	Zoning Classifications																					
Commercial and Industrial	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	MF3 (B)(1)	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	P
Accessory commercial (B)(5)	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	-	-

\* \* \*

P: Permitted Use C: Conditional Use “-”: Not allowed

\* Numbers in parentheses reference use-specific development and operating conditions under subsection (B) of this section.

Applications for all uses must comply with all of subsection B’s relevant general requirements.

B. ~~Operating and Development~~ and Operating Conditions.

\* \* \*

#### **18A.40.060 Essential public facilities.**

A. *Essential Public Facilities Land Use Table.* See 18A.40.060(B) for Development and Operating Conditions. See LMC 18A.10.120(D) for the purpose and applicability of zoning districts.

	Zoning Classifications																						
Essential Public Facilities	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI	OSR1	OSR2
Airport (Seaplane) <a href="#">(B)(1)*</a>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-

\* \* \*

P: Permitted Use C: Conditional Use “-”: Not allowed

\* Numbers in parentheses reference use-specific development and operating conditions under subsection (B) of this section. Applications for all uses must comply with all of subsection B’s relevant general requirements.

#### B. Development and Operating Conditions.

1. RCW 36.70A.200 requires cities to include in their comprehensive plans a process for identifying and siting essential public facilities (EPFs). EPFs are described in the Growth Management Act (GMA) as those facilities which are typically difficult to site, but are needed to support orderly growth and delivery of services. The GMA states that no local comprehensive plan or development regulation may preclude the siting of essential public facilities.

2. Except for special needs housing, existing electrical transmission lines of higher voltage than 115 kV, and military installations, essential public facilities shall require a conditional use permit. In addition to the regular conditional use permit review criteria, the following shall apply:

a. \* \* \*

### 18A.40.110 Residential uses.

A. Residential Land Use Table. See LMC 18A.40.110(B) for Development and Operating Conditions. See LMC 18A.10.120(D) for the purpose and applicability of zoning districts.

	Zoning Classifications																				
Residential Land Uses	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI
Accessory caretaker's unit	–	–	–	–	–	–	–	–	–	–	P	P	P	P	P	P	P	–	P	P	–
Accessory dwelling unit (ADU) (B)(1)*	P	P	P	P	P	P	P	P	–	–	–	–	P	–	–	–	–	–	–	–	–
Babysitting care	P	P	P	P	P	P	P	P	P	P	P	P	P	P	–	–	–	–	–	–	–
Boarding house (B)(2)	C	C	C	C	C	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Cottage housing (B)(3)	P	P	P	P	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Foster Care Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	=	=	=	=	=	=	=

	Zoning Classifications																				
Residential Land Uses	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI
Co-housing (dormitories, fraternities and sororities) <a href="#">(B)(4)</a>	–	–	–	–	P	P	P	P	P	–	P	P	–	–	–	–	–	–	–	–	–
Detached single-family <a href="#">(B)(5)</a>	P	P	P	P	P	P	–	–	–	P	–	–	–	–	–	–	–	–	–	–	–
Two-family residential, attached or detached dwelling units	–	–	–	C	P	P	P	–	–	P	P	P	–	–	–	–	–	–	–	–	–
Three-family residential, attached or detached dwelling units	–	–	–	–	C	C	P	–	–	P	P	P	–	–	–	–	–	–	–	–	–
Multifamily, four or more residential units	–	–	–	–	–	–	P	P	P	P	P	P	P	P	–	–	–	–	–	–	–
Mixed use	–	–	–	–	–	–	–	–	–	–	P	P	P	P	–	–	–	–	–	–	–
Family daycare <a href="#">(B)(6)</a>	P	P	P	P	P	P	P	P	P	P	P	P	–	–	–	–	–	–	–	–	–
Home agriculture	P	P	P	P	P	P	P	P	P	P	–	–	–	–	–	–	–	–	–	–	–
Home occupation <a href="#">(B)(7)</a>	P	P	P	P	P	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Mobile home parks <a href="#">(B)(8)</a>	–	–	C	C	C	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Mobile and/or manufactured homes, in mobile/manufactured home parks <a href="#">(B)(8)</a>	–	–	C	C	C	–	P	P	P	–	–	P	–	–	–	–	–	–	–	–	–
Residential accessory building <a href="#">(B)(9)</a>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	–	–	–	–	–	–	–
Rooms for the use of domestic employees of the owner, lessee, or occupant of the primary dwelling	P	P	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Small craft distillery <a href="#">(B)(6)</a> , <a href="#">(B)(12)</a>	–	P	P	P	P	–	–	–	–	–	–	P	P	P	P	P	P	–	P	–	–
Specialized senior housing <a href="#">(B)(10)</a>	–	–	–	–	C	C	C	C	C	–	–	P	C	C	–	–	–	–	–	–	–
Accessory residential uses <a href="#">(B)(11)</a>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	–	–	–	–	–	–	–

P: Permitted Use C: Conditional Use “-”: Not allowed

\* Numbers in parentheses reference use-specific development and operating conditions under subsection [\(B\)](#) of this section. Applications for all uses must comply with all of subsection B's relevant general requirements.

B. Development and Operating ~~and Development~~ Conditions.

\* \* \*

10. See LMC 18A.40.120 Special Needs Housing

\* \* \*

13. Conditions for Foster Care Facilities. Foster Care Facilities, including Foster Family Homes and Group Care Facilities, must comply with Chapter RCW 74.15 and hold a business license as required thereunder.

### 18A.40.120 Special needs housing.

A. *Intent.* It is found and declared that special needs housing facilities are essential public facilities which provide a needed community service. ~~It is also recognized that these types of facilities often need to be located in residential neighborhoods.~~

~~Thus, in order to protect the established character of existing residential neighborhoods, the public interest and safety dictates require that these facilities be subject to certain restrictions conditions. The intent of these regulations is to minimize concentrations of certain types of facilities, mitigate incompatibilities between dissimilar uses, preserve the intended character and intensity of the City's residential neighborhoods, and to promote the public health, safety, and general welfare.~~

B. *Special Needs Housing Table.* See LMC 18A.40.120 (C) for Development and Operating Conditions. See LMC 18A.10.120(D) for the Purpose and Applicability of Zoning districts. See LMC 18A.50 Article III for the Emergency Housing and Emergency Shelter Overlay (EHESO) district map.

Description(s)	Number of residents (size)	Zoning Classifications									
		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
Assisted Living Facility	N/A	–	C	P	P	P	P	–	–	–	–
Confidential Shelter (C)(5)	Max. of 16, plus resident staff	P	P	P	P	P	–	–	–	P	–
Continuing Care Retirement Community	N/A	–	C	P	P	P	P	–	–	–	–
Emergency Housing		P within EHESO	P within EHESO	P within EHESO	P within EHESO	P within EHESO	P within EHESO	=	=	=	=
Emergency Shelter		P within EHESO	P within EHESO	P within EHESO	P within EHESO	P within EHESO	P within EHESO	=	=	=	=
Enhanced Services Facility	Max. of 16, plus resident staff	–	–	–	C	C	C (C2 zone only)	–	–	–	–
Hospice Care Center	N/A	C	C	P	–	–	–	–	–	–	–
Nursing Home	N/A	–	C	P	P	P	P	–	–	–	–

Description(s)	Number of residents (size)	Zoning Classifications									
		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
Permanent Supportive Housing	N/A	P	P	<u>GP</u>	<u>GP</u>	<u>GP</u>	<u>P-</u>	-	-	C	-
Rapid Re-Housing	N/A	P	P	P	P	P	-	-	-	C	-
Transitional Housing	N/A	P	P	<u>GP</u>	<u>GP</u>	<u>GP</u>	<u>P-</u>	-	-	C	-
Type 1 Group Home, adult family home <u>(C)(1)</u>	Max. of 6 or 8 per <u>(C)(1)</u>	P	P	P	P	P	-	-	-	C	-
Type 2 Group Home, <del>Level 1</del>	Max. of 7, plus resident staff	P	P	P	P	P	-	-	-	C	-
Type 2 Group Home, <del>Level 2</del>	Max. of 10, plus resident staff	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	-	-	-	-
Type 2 Group Home, <del>Level 3</del>	More than 10, plus resident staff	-	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	<u>C</u>	-
Type 3 Group Home, <del>Level 1</del>	Max. of 8, plus resident staff	-	C	C	C	C	-	-	-	C	-
Type 3 Group Home, <del>Level 2</del>	Max. of 12, plus resident staff	-	-	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	<u>C</u>	-
Type 3 Group Home, <del>Level 3</del>	More than 12, plus resident staff	-	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	<u>C</u>	-
Type 4 Group Home	N/A	-	-	-	-	-	C (C1 and C2 zones only)	-	-	-	-
Type 5 Group Home	N/A	-	-	-	C (NC2 zone only)	C	C (C2 zone only)	-	-	-	-

P: Permitted Use \_\_\_\_\_ C: Conditional Use ~~(C)(2) (C)(3) (C)(4)~~ \_\_\_\_\_ - : Not allowed

Numbers in parentheses reference use-specific development and operating conditions under subsection (C) of this section. Applications for all uses must comply with all of subsection C's relevant general requirements.

C. Development and Operating and Development Conditions.

1. Adult Family Homes. Adult family homes are permitted, subject to obtaining a state license in accordance with Chapter 70.128 RCW, Chapter 220, Laws of 2020 and the following:

- a. Compliance with all building, fire, safety, health code, and City licensing requirements;

b. Conformance to lot size, setbacks, building coverage, hard surface coverage, and other design and dimensional standards of the zoning classification in which the home is located.

2. Development Conditions ~~at use permit requirements~~ for ~~s~~Special ~~n~~Needs ~~H~~ousing:

a. ~~Facilities Allowed by Conditional Use Permit.~~ Applications for ~~conditional use permits for~~ special needs housing facilities shall be processed in accordance with the standard procedures and requirements ~~for as outlined in LMC Chapter 18A.20, Article I, conditional use permits, as outlined in Chapter 18A.30 LMC, Article II, and~~ with the following additional requirements:

i. Required Submittals. Applications for special needs housing for special needs housing facilities are public records and shall include the following:

(a) A land use permit application containing all of the required information and submissions set forth in Chapter 18A.20 LMC, Article I;

(b) A copy of any and all capital funding grants or award contracts related to the construction of a new structure or conversion of an existing structure to operate as a special needs housing facility;

(c) Written documentation from the applicant agreeing to hold a public informational community meeting within four weeks, but no sooner than two weeks, from the time of application. The purpose of the community meeting is to provide an early, open dialogue between the applicant and the neighborhood surrounding the proposed facility.

The community meeting should acquaint the neighbors of the proposed facility with the operators and provide for an exchange of information about the proposal, including the goals, mission, and operation and maintenance plans for the proposed facility; the background of the operator, including their capacity to own, operate, and manage the proposed facility. The meeting is also an opportunity for the community to make the operator aware of the characteristics of the surrounding community and any particular issues or concerns.

The applicant shall provide written notification of the meeting to the appropriate neighborhood council, qualified neighborhood and community organizations, and to the owners of property located within three hundred (300) feet of the project site.

If the use is proposed in an existing facility, the community meeting shall be held following an inspection of the existing facility per (C)(2)(a)(i)(c) of this section.



(c) Written request from the applicant to the Fire Marshall and Building Official for an inspection of an existing facility to determine if the facility meets the building and fire code standards for the proposed use. The purpose of this inspection is not to ensure that a facility meets the applicable Code requirements or to force an applicant to bring a proposed facility up to applicable standards prior to application for a permit, but instead is intended to ensure that the applicant, the City, and the public are aware, prior to making application, of the building modifications, if any, that would be necessary to establish the use.

(d) An operation plan that provides per section (C)(5)(B)(1)(c)(iii) information about the proposed facility and its programs, per the requirements of the Community and Economic Development Department.

ii. Participation in HMIS. All special needs housing facilities should participate in the Pierce County homeless management information system (HMIS.)

~~3.—Special Needs Housing Specific Conditional Use Permit Review Criteria. In addition to the requirements outlined in Chapter 18A.30 LMC, Article II, a conditional use permit for a special needs housing facility shall only be approved upon a finding that such facility is consistent with all of the following criteria:~~

~~a.—There is a demonstrated need for the use due to changing demographics, local demand for services which exceeds existing facility capacity, gaps in the continuum of service, or an increasing generation of need from within the community.~~

~~b.—The proposed use is consistent with the goals and policies of the City of Lakewood Comprehensive Plan, and the City of Lakewood Consolidated Plan for Housing and Community Development.~~

~~c.—The proposed location is or will be sufficiently served by public services which may be necessary or desirable for the support and operation of the use. These may include, but shall not be limited to, availability of utilities, access, transportation systems, education, police and fire facilities, and social and health services.~~

~~d.—The use shall be located, planned, and developed such that it is not inconsistent with the health, safety, convenience, or general welfare of persons residing in the facility or residing or working in the surrounding community. The following shall be considered in making a decision:~~

~~i.—The impact of traffic generated by the proposed use on the surrounding area, pedestrian circulation and public safety and the ability of the proponent to mitigate any potential impacts.~~

~~ii.—The provision of adequate off-street parking, on-site circulation, and site access.~~

~~iii.—The adequacy of landscaping, screening, yard setbacks, open spaces, or other development characteristics necessary to mitigate the impact of the use upon neighboring properties, to include the following development criteria:~~

~~(a)—All program activities must take place within the facility or in an appropriately designed private yard space.~~

- ~~(b) Adequate outdoor/recreation space must be provided for resident use.~~
- ~~iv. Compatibility of the proposed structure and improvements with surrounding properties, including the size, height, location, setback, and arrangements of all proposed buildings, facilities, and signage, especially as they relate to less intensive residential land uses.~~
- ~~v. The generation of noise, noxious, or offensive emissions, light, glare, traffic, or other nuisances which may be injurious or to the detriment of a significant portion of the community.~~
- ~~vi. Demonstration of the owner's capacity to own, operate, and manage the proposed facility, to include the following:~~
  - ~~(a) Provision of an operation plan which will provide for sufficient staffing, training, and program design to meet the program's mission and goals.~~
  - ~~(b) Provision of a maintenance plan which will provide for the exterior of the building and site to be maintained at a level that will not detract from the character of the surrounding area, including adequate provision for litter control and solid waste disposal.~~
  - ~~(c) Demonstration of knowledge of the City's Property Maintenance and Public Nuisance Codes, and plans to educate the facility staff.~~
  - ~~(d) Provision of a point of contact for the facility to the City.~~
  - ~~(e) Written procedures for addressing grievances from the neighborhood, City, and facility residents.~~

~~4. *Concomitant Agreement.* Upon issuance of a conditional use permit for a special needs housing facility, the applicant shall sign and record with the Pierce County Auditor a notarized concomitant agreement. Such agreement shall be in a form specified by the Community and Economic Development Director and subject to the approval of the City Attorney, and shall include as a minimum: the legal description of the property which has been permitted for the special needs housing facility; and the conditions of the permit and applicable standards and limitations. The property owner shall submit proof that the concomitant agreement has been recorded prior to issuance of a certificate of occupancy by Community and Economic Development Department. The concomitant agreement shall run with the land as long as the facility is maintained on the property. The property owner may, at any time, apply to the Community and Economic Development Department for termination of the concomitant agreement. Such termination shall be granted upon proof that the facility no longer exists on the property.~~

35. *Development Application Process - Residents of Domestic Violence Shelters – Special Accommodations.* The Director may grant special accommodation to individuals who are residents of domestic violence shelters in order to allow them to live together ~~in groups of between seven (7) and fifteen (15) persons~~ in single-family dwelling units subject to the following:

- a. An application for special accommodation must demonstrate to the satisfaction of the Director that the needs of the residents of the domestic violence shelter make

it necessary for the residents to live together in a group of the size proposed, and that adverse impacts on the neighborhood from the increased density will be mitigated.

b. The Director shall take into account the size, shape and location of the dwelling unit and lot, the building occupancy load, the traffic and parking conditions on adjoining and neighboring streets, the vehicle usage to be expected from residents, staff and visitors, and any other circumstances the Director determines to be relevant as to whether the proposed increase in density will adversely impact the neighborhood.

c. An applicant shall modify the proposal as needed to mitigate any adverse impacts identified by the Director, or the Director shall deny the request for special accommodation.

d. A grant of special accommodation permits a dwelling to be inhabited only according to the terms and conditions of the applicant's proposal and the Director's decision. If circumstances materially change or the number of residents increases, or if adverse impacts occur that were not adequately mitigated, the Director shall revoke the grant of special accommodation and require the number of people in the dwelling to be reduced to six (6) unless a new grant of special accommodation is issued for a modified proposal.

e. A decision to grant special accommodation is a Process Type I action. The decision shall be recorded with the Pierce County Auditor.

46. *Development* Registration *Process* of Existing Special Needs Housing. The State intends to regularly allocate a number of people the City should expect to accommodate in special needs housing. To ensure that the City is aware of the existing special needs housing operating within the City, those operating special needs housing prior to Facilities existing as of the effective date of the ordinance codified in this title shall be required to register with the Community and Economic Development Department by within one (1) year after the effective date of the ordinance codified in this title. Such registration shall be in a form provided by the Community and Economic Development Department and shall include the following information:

- a. The type of facility;
- b. The location of the facility;
- c. The size of the facility, including the number of clients served and number of staff; and
- d. Contact information for the facility and its operator.

~~7. *Abandonment.* Any existing special needs housing facility that is abandoned for a continuous period of one (1) year or more shall not be permitted to be re-established, except as allowed in accordance with the standards and requirements for establishment of a new facility.~~

5. *General Development and Operating Conditions - Emergency Housing, Emergency Shelter, Permanent Supportive Housing, and Transitional Housing Development and Operation Conditions*

a. *Purpose and Applicability.*

i. *The purpose of this section is to establish reasonable standards for the safe operation and appropriate siting of Emergency Housing, Emergency Shelter, Permanent Supportive Housing, and Transitional Housing facilities within the City of Lakewood, so as to protect public health and safety for both facility residents and the broader community. This section does not include regulations for foster care facilities or group homes.*

ii. *Supportive housing facilities are allowed in all residential districts, provided they are of a similar scale as surrounding development (e.g., lot coverage, setbacks, impervious surface requirements, building height, etc.) As the needs of residents increase and/or the size of the facilities increase, such facilities should be located within areas of the City that allow increasing intensity of use and are in proximity of services in accordance with state law.*

b. *Performance Standards.*

i. *General Requirements for Emergency Housing, Emergency Shelter, Permanent Supportive Housing, and Transitional Housing Operations and Development Conditions*

a. *General.*

i. *When a site includes more than one (1) type of facility, the more restrictive requirements of this section shall apply.*

ii. *Each facility application will be reviewed through the Type 1 administrative permit review process in LMC Chapter 18A.20. In considering whether the permit should be granted, the Director shall use the requirements in this code to consider the effects on the health and safety of facility residents and the neighboring communities.*

iii. *All facilities shall comply with all federal, state, county and local requirements to ensure housing safety and habitability. See, e.g., the Pierce County, WA Homeless Housing Program Policy and Operations Manual Chapters 5, 6, 7, and 8.*

iv. *All facilities are subject to the business license requirements under LMC Chapter 5.02 as applicable.*

v. All facilities must comply with the Building and Construction Code under LMC Title 15. All facilities must also comply with the relevant provisions of LMC Title 18A and with LMC Title 18B or 18C if applicable.

vi. All facilities must comply with the provisions of crime prevention through environmental design (CPTED) under 18A.60.090, 18B.500.530 or 18C.500.530 as applicable; provided, however, that existing buildings being converted to Emergency Housing, Emergency Shelter, Permanent Supportive Housing or Transitional Housing shall not be required to make structural changes solely to comply with CPTED unless the relevant structural elements of the building are being altered as part of the conversion.

b. Site and Transit.

i. Facilities shall match the bulk and scale of residential uses allowed in the zone where the facility is located.

ii. Exterior lighting must comply with LMC 18A.10.135.8 and 18A.60.085.

iii. The minimum number of off-street parking spaces required for each facility will be determined by the Director through the approval process per LMC Chapter 18A.80, LMC Chapter 18B.600, or LMC Chapter 18C.600 and taking into consideration factors such as the potential number of residents, site constraints, and impact on the surrounding neighborhood.

iv. A description of transit, pedestrian, and bicycle access from the subject site to services must be provided at time of application by the sponsor and/or managing agency.

c. Facility Operations.

i. The sponsor or managing agency shall comply with all relevant federal, state, and local laws and regulations. The facility is subject to inspections by local agencies and/or departments to ensure such compliance and shall implement all directives resulting therefrom within the specified time period.

ii. Service providers must provide on-site supervision of facilities and program participants at all times, unless providers demonstrate in the operations plan that another level of supervision will be effective in keeping residents and the public healthy and safe.

iii. The sponsor or managing agency must provide the City with an operation plan at the time of the application per section (C)(2)(a)(i)(d) that adequately addresses the following elements:

(A) Name and contact information for key staff;

(B) Roles and responsibilities of key staff;

(C) Site/facility management, including security policies and an emergency management plan;

- (D) Site/facility maintenance;
- (E) Occupancy policies, to the degree legally applicable, including resident responsibilities and a code of conduct that address, at a minimum, the use or sale of alcohol and illegal drugs, threatening or unsafe behavior, and weapon possession;
- (F) Provision for human and social services, including staffing plan, credentials or certification, and outcome measures;
- (G) Outreach with surrounding property owners and residents and ongoing good neighbor policy; and
- (H) Procedures for maintaining accurate and complete records.

iv. Sponsors or managing agencies shall provide the City with accurate, written documentation demonstrating that the agency has applicable experience providing similar services to people experiencing homelessness.

v. Sponsors or managing agencies shall provide the City with accurate, written documentation demonstrating that the agency has a stable funding source for the facility and any on-site or off-site human and social services offered as part of the operations plan.

ii. Special Conditions for Emergency Housing and Emergency Shelters. In addition to the requirements under subsection (B)(1) of this section, emergency housing and emergency shelters are required to comply with the following:

a. Facility Standards.

i. No special needs housing may be located within a 1,000 foot radius of another property unless sponsored by the same governmental, religious, or not for profit agency.

ii. In residential zones, no more than one (1) adult bed per two hundred fifty (250) square feet of floor area is allowed per facility. For the purposes of this section the following zones are considered residential zones: R1, R2, R3, R4, MR1, MR2, MF1, MF2, and MF 3.

iii. In all other zones, no more than one (1) adult bed per thirty-five (35) square feet of floor area is allowed per facility.

b. Facility Operations.

i. Trash receptacles must be provided in multiple locations throughout the facility and site. A regular trash patrol in the immediate vicinity of the site must be provided.

ii. No children under the age of eighteen (18) are allowed to stay overnight in the facility, unless: the child is emancipated consistent with Chapter RCW 13.64; accompanied by a parent or guardian; or the facility is licensed to provide services to this population. If an non-emancipated child under the age of eighteen (18) without a parent or guardian present attempts to stay in a



facility not specifically licensed for providing housing to youth, the sponsor and/or managing agency shall immediately contact Child Protective Services and actively endeavor to find alternative housing for the child.

iii. No person under sex offender registration requirements can receive services from a provider, unless providing such services is consistent with the laws, regulations, and/or supervisory requirements related to such persons.

c. Facility Services.

i. Residents shall have access to the following services on site; if not provided on site, transportation shall be provided:

(A) For all facilities, medical services, including mental and behavioral health counseling.

(B) For emergency housing facilities, access to resources on obtaining permanent housing and access to employment and education assistance.

(C) For emergency shelter facilities, substance abuse assistance.

ii. All functions associated with the facility, including adequate waiting space, must take place within a building or on the site proposed to house the facility.

iii. Facilities serving more than five (5) residents shall have dedicated spaces for residents to meet with service providers.

iv. The sponsor or managing agency shall coordinate with the homelessness service providers for referrals to their program and with other providers of facilities and services for people experiencing homelessness to encourage access to all appropriate services for their residents.

iii. Special Conditions for Permanent Supportive and Transitional Housing. In addition to the requirements under subsection (B)(1) of this section, permanent supportive housing and transitional housing are required to comply with the following:

a. Facility Standards.

i. In residential zones, individual facilities shall not have more than eighty (80) dwelling units and are subject to the density standards of residential uses allowed in the zone where the facility is located. For the purposes of this section the following zones are considered residential zones: R1, R2, R3, R4, MR1, MR2, MF1, MF2, and MF 3.

ii. The multi-family housing design standards of LMC 18A.60.030 shall apply to all facilities with more than five (5) dwelling units.

b. Facility Services.

i. All residents shall have access to appropriate cooking and hygiene facilities.

ii. Facilities serving more than five (5) dwelling units shall have dedicated spaces for residents to meet with service providers.

iii. Residents shall have access to the following services on site or shall be provided transportation to such services by the sponsor or managing agency:

(A) Medical services, including mental and behavioral health counseling.

(B) Employment and education assistance.

6. *Abandonment of Special Needs Housing Use.* Any existing special needs housing facility that is abandoned for a continuous period of one (1) year or more shall not be permitted to be re-established, except as allowed in accordance with the standards and requirements for establishment of a new facility.

#### **18A.40.130 Air installation compatible use zones (AICUZ) and uses.**

\* \* \*

D. *AICUZ Land Use Table.* See LMC 18A.40.130(E) for Development and Operating Conditions. See LMC 18A.10.120(D) for the purpose and applicability of zoning districts.

Land Use Categories	APZ-I	APZ-II	CZ	Density
<b>Existing Uses</b>				
Continuation of conforming uses and structures already legally existing within the zone at the time of adoption of this chapter. Maintenance, repair, and alteration/addition of existing conforming structures shall be permitted.	P	P	–	N/A
Alteration or modification of nonconforming existing uses and structures. (Subject to LMC 18A.40.130(E)(4) and Chapter 18A.20 LMC, Article II, Nonconforming Uses and Structures.)	Director/HE	Director/HE	–	N/A
Adult family home: Alteration or modification of existing residential structure for use as an adult family home. Not subject to intensity of use criteria, LMC 18A.40.130(E)(1); and subject to the Washington State Building Codes, as amended.	P	P	–	N/A
<b>Agriculture and Natural Resources</b>				
Agriculture	–	–	–	N/A
Agriculture, clear zone	–	–	P	N/A
Agriculture, home	P	P	–	N/A
Natural resource extraction/recovery	C	C	–	Maximum FAR of 0.28 in APZ-I, no activity which produces smoke, glare, or involves explosives.
Research, scientific (small scale)	C	P	–	Office use only. Maximum FAR of 0.22 in APZ-I and APZ-II.
Undeveloped land	P	P	P	N/A
<b>Residential Uses</b>				



Land Use Categories	APZ-I	APZ-II	CZ	Density
Accessory caretaker's unit	–	–	–	N/A
Accessory dwelling unit	–	–	–	N/A
Cottage housing	–	–	–	N/A
Cohousing (dormitories, fraternities and sororities)	–	–	–	N/A
Detached single-family structure(s) on lot less than 20,000 square feet	–	–	–	N/A
Detached single-family structure(s) on lot greater than 20,000 square feet	–	P	–	N/A
<u>Foster care facilities</u>	=	=	=	<u>N/A</u>
Two-family residential structure(s), attached or detached dwelling units	–	–	–	N/A
Three-family residential structure(s), attached or detached dwelling units	–	–	–	N/A
Multifamily structure(s), 4 or more residential units	–	–	–	N/A
Mixed use	–	–	–	N/A
Home occupation	P	P	–	N/A
Mobile home parks	–	–	–	N/A
Mobile and/or manufactured homes, in mobile/manufactured home parks	–	–	–	N/A
Rooms for the use of domestic employees of the owner, lessee, or occupant of the primary dwelling	–	P	–	N/A
Child care facility	–	–	–	N/A
Child day care center	–	–	–	N/A
Family day care provider	–	–	–	N/A
<b>Special Needs Housing (Essential Public Facilities)</b>				
Type 1 group home	–	–	–	N/A
Type 2 group home	–	–	–	N/A
Type 3 group home	–	–	–	N/A
Type 4 group home	–	–	–	N/A
Type 5 group home	–	–	–	N/A
Assisted living facilities	–	–	–	N/A
<u>Emergency Housing</u>	=	=	=	<u>N/A</u>
<u>Emergency Shelter</u>	=	=	=	<u>N/A</u>
<u>Permanent Supportive Housing</u>	=	=	=	<u>N/A</u>
<u>Transitional Housing</u>	=	=	=	<u>N/A</u>
Continuing care retirement community	–	–	–	N/A
Hospice care center	–	–	–	N/A
Enhanced services facility	–	–	–	N/A

Land Use Categories	APZ-I	APZ-II	CZ	Density
Nursing home	–	–	–	N/A
<b>Commercial and Industrial Uses</b>				

\* \* \*

Director: Community and Economic Development Director

HE: Hearing Examiner

P: Permitted Use C: Conditional Use “–”: Not Allowed N/A: Not Applicable

Applications for all uses must comply with all of subsection E’s general requirements.

## Chapter 18A.50 OVERLAY DISTRICTS

Sections:

### **18A.50.005 Definitions.**

#### **Article I. Flood Hazard Overlay (FHO)**

- 18A.50.010 Purpose.
- 18A.50.020 Applicability.
- 18A.50.030 Administration.
- 18A.50.040 Alteration of water courses.
- 18A.50.050 Interpretation of FIRM boundaries.
- 18A.50.060 Variances – Flood hazard overlay.
- 18A.50.070 Provisions for flood hazard reduction.
- 18A.50.080 Allowable activities within the Regulatory Floodplain.

#### **Article II. Senior Housing Overlay (SHO)**

- 18A.50.110 Purpose.
- 18A.50.120 Applicability.
- 18A.50.130 Provisions.
- 18A.50.140 Monitoring.

#### **Article III. Emergency Housing and Emergency Shelter Overlay (EHESO)**

- 18A.50.210 Purpose.
- 18A.50.220 Applicability.
- 18A.50.230 Provisions.
- 18A.50.240 Monitoring.

#### **Article ~~IV~~<sup>V</sup>. Sexually Oriented Businesses Overlay (SOBO)**

- 18A.50.~~32~~10 Purpose and intent.
- 18A.50.~~32~~20 Applicability.
- 18A.50.~~32~~30 Definitions.
- 18A.50.~~32~~40 Findings and legislative record.
- 18A.50.~~32~~50 Sexually oriented business overlays (SOBOS) created.

18A.50. <del>32</del> 60	Sexually oriented business location within SOBOS.
18A.50. <del>32</del> 70	Processing of applications for licenses and permits.
18A.50. <del>32</del> 80	Conforming and nonconforming sexually oriented businesses.
18A.50. <del>32</del> 90	Notice to nonconforming sexually oriented business land uses.
18A.50. <del>43</del> 00	Expiration of nonconforming status.
18A.50. <del>43</del> 10	Notice and order.
18A.50. <del>43</del> 20	Provision for conformance.
18A.50. <del>43</del> 30	Prohibition and public nuisance.

## **Article ~~I~~V. Lakewood Overlay Districts Map**

### **18A.50.005 Definitions.**

See LMC [18A.10.180](#) for definitions relevant to this chapter.

\* \* \*

## **Article III. Emergency Housing and Emergency Shelter Overlay (EHESO)**

### **18A.50.110 Purpose.**

In order to comply with RCW 35A.21.430, the Comprehensive Plan creates an overlay area in which Emergency Housing and Emergency Shelter is allowed. This article carries forward the Comprehensive Plan's intent in creating a regulatory construct for Emergency Housing and Emergency Shelter facilities within the Emergency Housing and Emergency Shelter Overlay (EHESO.)

### **18A.50.120 Applicability.**

This section applies to land use applications for Emergency Housing and Emergency Shelter within the EHESO. This article shall not apply to Special Needs Housing other than Emergency Housing and Emergency Shelter. This article also shall not apply to foster care facilities.

### **18A.50.130 Provisions.**

In addition to other relevant sections of LMC Titles 18A, 18B, and/or 18C, all of the provisions and requirements of the following municipal code sections related to Emergency Housing and Emergency Shelter shall apply in the EHESO:

- LMC Title 15;
- section LMC 18A.20 Article I;
- sections LMC 18A.40.040, .060, .110, .120, .130; and
- sections 18A.60.090 and .095.

### **18A.50.140 Monitoring.**

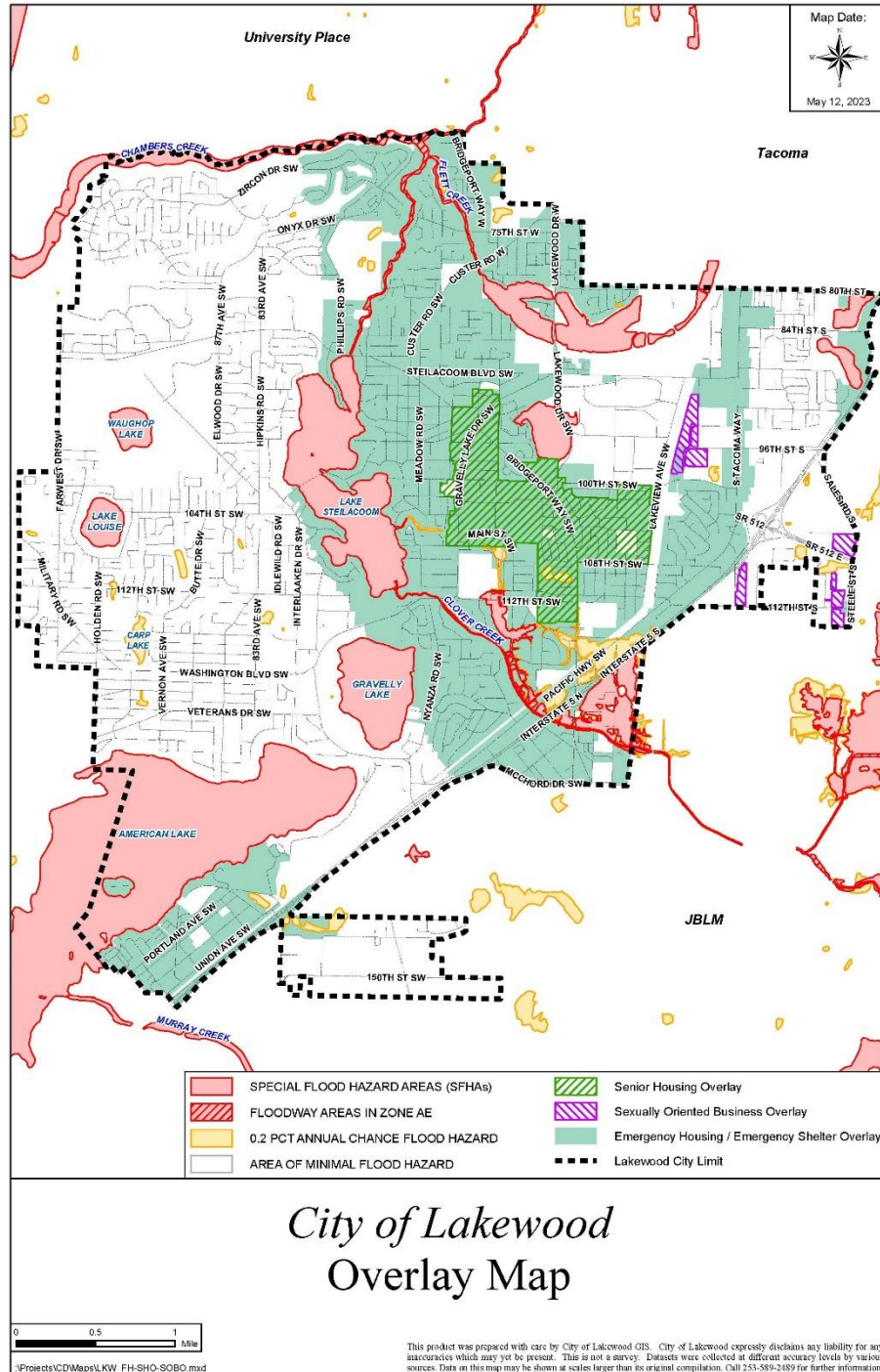
The Community and Economic Development Department shall maintain a list of all emergency housing and emergency shelter units created within the EHESO.

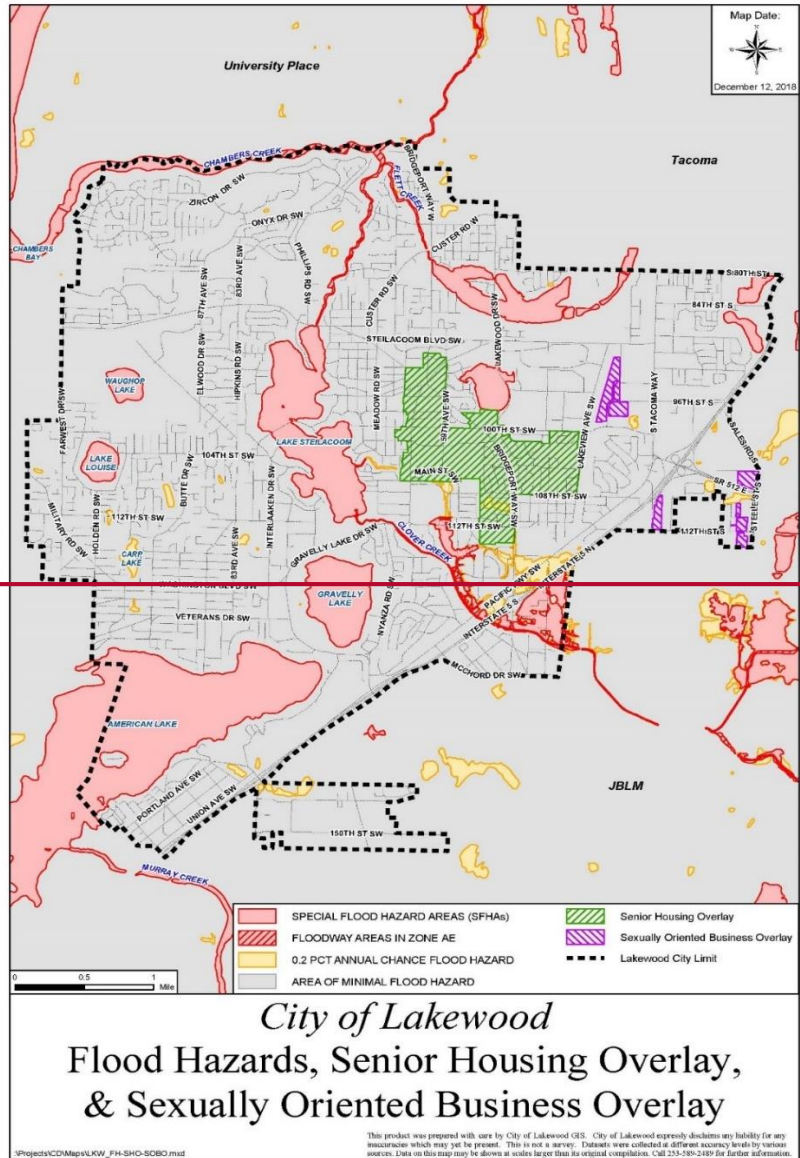
## Article IV. Sexually Oriented Businesses Overlay (SOBO)

\* \* \*

## Article IV. Lakewood Overlay Districts Map

Figure 1





## 18A.60.090 General Standards

\*\*\*

C. Common Space. The common space shall be designed to ensure that the open space network addresses Crime Prevention through Environmental Design (CPTED) principles such as security and surveillance from residential units; provided, however, that existing buildings being converted to Emergency Housing, Emergency Shelter, Permanent Supportive Housing or Transitional Housing shall not be required to make structural changes solely to comply with CPTED unless the relevant structural elements of the building are being altered as part of the conversion. Common recreational spaces shall be located and arranged to allow windows to overlook them.



## 18A.60.095 Outdoor lighting code.

\* \* \*

### F. *Lighting Zone-Specific Lighting Requirements.*

#### 1. *Applicability.*

a. Except as provided in subsection (B) and (F)(2) of this section, in addition to the foregoing within this section, all outdoor lighting must meet the following requirements based on lighting zone and whether the subject property is residential or nonresidential:

Residential properties other than single-family, duplex, and mobile homes shall comply with Table 1; nonresidential properties shall comply with Table 2 as described below. For the purposes of these requirements, multifamily residential properties of eight (8) dwelling units or more shall be considered nonresidential.

For the purposes of these requirements, Special Needs Housing shall be considered residential if for less than eight (8) dwelling units and nonresidential if for more than eight (8) dwelling units.

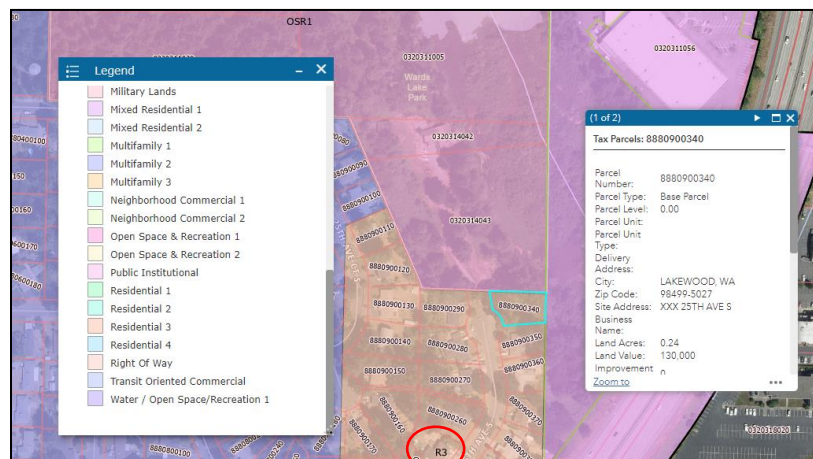
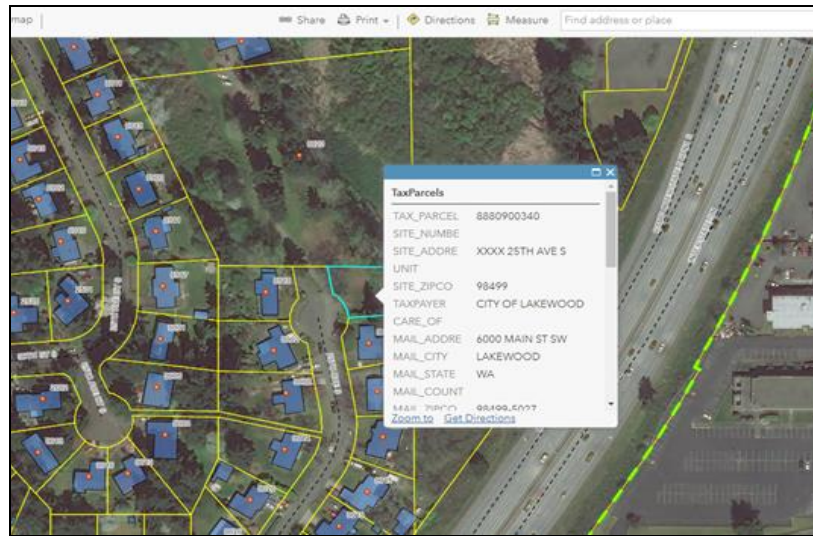
b. Subsection (C)(5) of this section and Table 3 of this section govern the installation of street lighting within Lakewood. This subsection F and Tables 1 and 2 do not apply to street lighting.

### **2023-06 Amend Land Use 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 Redesignate/rezone Parcel 8880900340 from Residential (R)/Residential 3 (R3) to Open Space & Recreation (OSR)/Open Space & Recreation 1 (OSR 1) for expansion of Wards Lake Park**

The City purchased parcel 8880900340 with grant funds in 2020. It is immediately adjacent to Ward's Lake Park. Phase 2 of the City's Ward's Lake Park CIP improvements can be expanded to include this parcel once it is zoned OSR1.



**2023-08      Update Comprehensive Plan text regarding Western State Hospital (WSH) to reflect adoption of 2022 WSH Master Plan.**

On August 22, 2022, the Lakewood Hearing Examiner issued a 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 21, the Hearing Examiner issued a Decision on the Request for Reconsideration.

Edits to the following Comprehensive Plan and related LMC text and maps are needed to reflect the new WSH Master Plan.

**3.2.7 Housing Characteristics**

\* \* \*

**I. Group Quarters**

There were 1,127 people living in group quarters in Lakewood at the time of the 2020 census, the most recent data available. This was equal to 1.8% of the total population in Lakewood of 63,612. Group quarters includes Western State Hospital, which is a regional facility serving 19 counties in Washington. There were 644 people counted residing at the psychiatric hospital in 2020.

\* \* \*

**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. 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. Between 1999 and 2022, only minor additions/alterations were permitted on the WSH campus since no updates to the Master Plan were approved. In 2022, the City approved an updated Master Plan that would include, among other actions, a replacement of the current main building 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 implement and 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.

\* \* \*

## **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. The connection to the Steilacoom sewer system is at the southwest corner of the WSH campus. This connection is being upgraded in 2023, including the addition of a meter. Steilacoom has indicated that its facilities serving the Western State Hospital currently have additional growth capacity. Future development will require additional sewer capacity charges and will be based on the calculated sewer demand from Pierce County Public Works and Utilities “Documented Water Use Data.”

The City of Tacoma provides sewer service to the Flett subdivision, and to commercial and residential users located in northeast Lakewood (80<sup>th</sup> Street and 84<sup>th</sup> Streets). Figure 7.2 describes the locations of all major sewer trunk lines within Lakewood.

\* \* \*

### **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.

**2023-09      Remove language from Land Use Policy LU-2.25 requiring that a property owner occupy either the primary or secondary unit when there is an accessory dwelling unit.**

LU-2.25: Support accessory dwelling units (ADUs) as strategies for providing a variety of housing types and as a strategy for providing affordable housing, with the following criteria:

- ~~▪ Ensure owner occupancy of either the primary or secondary unit;~~

- Allow both attached and detached accessory dwelling units and detached carriage units, at a maximum of one per single-family house, exempt from the maximum density requirement of the applicable zone;
- Require an additional parking space for each accessory dwelling unit, with the ability to waive this requirement for extenuating circumstances; and
- Allow a variety of entry locations and treatments while ensuring compatibility with existing neighborhoods.