



City of
Lakewood

AGENDA PLANNING COMMISSION

Don Daniels • Ryan Pearson • Paul Wagemann

Phillip Combs • Linn Larsen • Brian Parsons • Robert Estrada

Wednesday, September 20, 2023 at 6:30 pm

Hybrid Meeting: In-Person & Virtual via ZOOM

Lakewood City Hall, Council Chambers (6000 Main St. SW, Lakewood 1st 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: 817 9372 3141

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 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: 817 9372 3141 or by going online at <https://us06web.zoom.us/j/81793723141>. 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/81793723141> 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.	Call to Order
2.	Roll Call
3.	Approval of Minutes dated September 6, 2023
4.	Agenda Updates
5.	Public Comments
6.	Public Hearings <ul style="list-style-type: none">• 2023 Annual Development Regulations
7.	Unfinished Business <ul style="list-style-type: none">• None
8.	New Business <ul style="list-style-type: none">• 2024 Comprehensive Plan Periodic Review:<ul style="list-style-type: none">• Subarea Plan Update Processes
9.	Reports from Council Liaison, City Staff & Commission Members <ul style="list-style-type: none">• City Council Updates/Actions• City Staff Updates<ul style="list-style-type: none">• Next Planning Commission meeting October 4, 2023

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

1. Staff Report: 2023 Annual Development Regulations
2. Staff Report: 2024 Comprehensive Plan Periodic Review: Subarea Plan Update Processes

Members Only: Please email kdevereaux@cityoflakewood.us or call Karen Devereaux at 253.983.7767 no later than Tuesday, September 19, 2023 at noon if you are unable to attend. Thank you.



**PLANNING COMMISSION
MEETING MINUTES
September 6, 2023**

Hybrid In-Person/Virtual Meeting via ZOOM
6000 Main Street SW, Lakewood, WA

Call to Order

Mr. Don Daniels, Chair, called the hybrid ZOOM meeting to order at 6:30 p.m.

Roll Call

Planning Commission Members Present: Don Daniels, Chair; Ryan Pearson, Vice-Chair; Robert Estrada, Brian Parsons, Paul Wagemann, Phillip Combs and Linn Larsen

Planning Commission Members Excused: None

Commission Members Absent: None

Staff Present: Dave Bugher, Assistant City Manager for Development Services; Tiffany Speir, Long Range & Strategic Planning Manager; Jessica Olson, Current Planning Manager; and Karen Devereaux, Administrative Assistant

Council Liaison: Councilmember Paul Bocchi (present)

Approval of Minutes

The minutes of the meeting held on June 21, 2023 was approved as written by voice vote M/S/C Wagemann/Pearson. The motion carried unanimously, 6-0. (Mr. Larsen arrived just after this vote.)

Agenda Updates None.

Public Comments

Ms. Maria Tobin, SSMCP Program Coordinator, spoke in favor of the 2023 Annual Development Regulations Amendment #11 expanding land use zones allowing child care facilities.

Ms. Erika Snell, Commission for Land Advisory in Parkland / Spanaway, spoke in favor of the 2023 Annual Development Regulations Amendment #11 expanding land use zones allowing child care facilities.

Public Hearings None.

Unfinished Business None.

New Business

2023 Annual Development Regulation Amendments

Ms. Jessica Olson, Current Planning Manager, informed the group in 2023, there are 12 recommended amendments to various Lakewood Municipal Code (LMC) development regulation text, sections and maps. The amendments are based on statutory and regulatory updates, city staff experience and interaction with the City code, and customer feedback.

Ms. Olson reviewed Amendments 1 through 10; Ms. Speir reviewed Amendments 11 and 12. During the discussion all of the commissioners' questions were answered. On September 20, the Planning commission would hold a public hearing on the amendments and was scheduled to act on a resolution recommending action to the City Council.

Amendment 1. Permit standalone truck/trailer parking as a use type in the IBP, I1 and I2 spaces for general industrial and warehouses.

Amendment 2. Permit electric fencing in C1, C2, C3, and TOC zone classifications.

Amendment 3. Define “Unusual Use” and clarify that the Unusual Use Permit is for uses not similar to other uses or accessory uses within the municipal code.

Amendment 4. Correct inconsistencies between Title 17 and 18A and acknowledge binding site plan amendments, plat alterations, and short plat amendments in the list of permit types, review authorities, and timeframes.

Amendment 5. Move sign permit administration-related regulations with the other administration-related regulations in 18A and remove from the sign regulations in 18A.100 to avoid code inconsistencies.

Amendment 6. Update appeal timeframes for SEPA and land use decisions for internal consistency and consistency with State laws.

Amendment 7. Clarify that uses with a flex space building must be permitted in the applicable zone classification.

Amendment 8. Remove redundancy in mobile / manufactured home land use table and update permitted locations to current zone classifications.

Amendment 9. Update MR2 lot size standards to clarify lot size and reorganize interior setbacks for readability.

Amendment 10. Update Air Installation Compatible Use Zone (AICUZ) section for consistency with adopted Air Corridor 1 (AC1) and Air Corridor 2 (AC2) land use designations and zone classifications.

Amendment 11. Expanding Land Use Zones Allowing Child Care Facilities.

Amendment 12. Prohibit use of Accessory Dwelling Units as Short-Term Rentals.

Next Steps as follows:

September 20: Public Hearing and Action on 2023 Annual Development Regulation Amendments

September 25: City Council Study Session on 23ADRs

October 2: City Council Public Hearing on 23ADRs

October 16: City Council Action on 23ADRs

Discussion re 2024 Comprehensive Plan and Zoning Map Amendment Cycle Docket

Ms. Tiffany Speir explained that Lakewood has conducted its call for 2024 Comprehensive Plan and Zoning Map Amendments (24CPAs) cycle process. The period for the public to submit applications was duly noticed and open during the month of July 2023 per LMC Title 18A.

During discussion Ms. Speir clarified that no private applications were received. The two City-initiated amendments described below were requested. Rather than conducting a separate docket review this fall and next spring, these would be incorporated into the full 2024 Comprehensive Plan Period Review package that is scheduled for public hearing on May 1, 2024 at the Planning Commission meeting.

2024-01 Lakewood Parks Department request to redesignate/rezone Parcel 0320311063 from Corridor Commercial (C) / Commercial (C2) to Open Space Recreation (OSR) / Open Space Recreation 2 (OSR2.)

2024-02 Amend the Downtown Subarea Boundary to incorporate the 9 parcels rezoned to Central Business District (CBD) during the 2023 Comprehensive Plan Amendment Cycle.

Report from Council Liaison

Councilmember Paul Bocchi did not make any updates.

Reports from Commission Members and Staff

Ms. Speir reminded the group they have returned to the bi-weekly meeting schedule. Ms. Speir reviewed the upcoming meetings schedule with commissioners:

September 20: Public Hearing and Action on 2023 Annual development Regulation Amendments (23ADRs); 2024 Comprehensive Plan Periodic Review updates
October 4: 2024 Comprehensive Plan Periodic Review (Transportation, Utilities, Climate Change & HB 1181)
October 18: 2024 Comprehensive Plan Periodic Review (Regulatory Update Overview)

The Next Regular Meeting would be held as a hybrid in-person/ZOOM meeting on Wednesday, September 20, 2023 at 6:30 p.m.

Meeting Adjourned at 7:40 p.m.

Don Daniels, Chair
Planning Commission 09/20/2023

Karen Devereaux, Recording Secretary
Planning Commission 09/20/2023

TO: Planning Commission

FROM: Jessica Olson, Current Planning Manager and
Tiffany Speir, Long Range & Strategic Planning Manager

DATE: September 20, 2023

SUBJECT: 2023 Annual Development Regulation Amendments Public Hearing

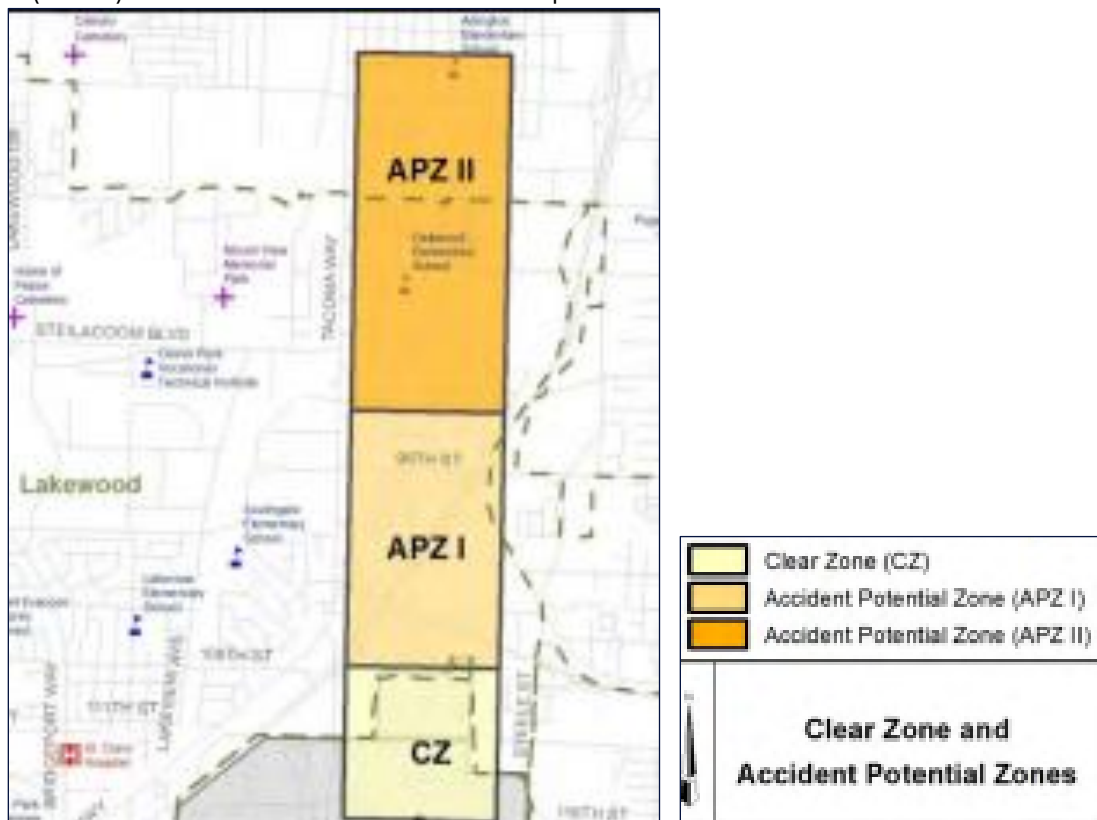
BACKGROUND

This staff report contains the 12 recommended amendments to various Lakewood Municipal Code (LMC) development regulation text, sections, and maps that are scheduled for public hearing on September 20, 2023. On September 6, the Planning Commission reviewed and held an initial discussion about the proposed amendments. The Commission is scheduled to take action on a resolution recommending action by the City Council on September 20.

DISCUSSION: PROPOSED 2023 DEVELOPMENT REGULATION AMENDMENTS

Since the September 6 Planning Commission meeting, City staff has conducted research and/or recommend refinements to proposed amendments 10 and 12. Information about each is included below and/or incorporated into the draft amendment language for public hearing comment on September 20.

Updated consideration of Amendment 10: The boundaries of the JBLM north Air Installation Compatibility Use Zones (AICUZ) Clear Zone (CZ) and Accident Potential Zones (APZs) I and II are shown on the map below.



The CZ and APZs and the reasons behind their dimensions (a 3,000 ft x 3,000 ft CZ and then two APZs of different dimensions) are described in the 2015 JBLM AICUZ Study:

4.3 Clear Zones and Accident Potential Zones

Areas around airfields are exposed to the possibility of aircraft accidents even with well-maintained aircraft and highly trained aircrews. Despite stringent maintenance requirements and countless hours of training, accidents may still occur.

The risk of people on the ground being killed or injured by aircraft accidents is miniscule. However, an aircraft accident is a high-consequence event and, when a crash does occur, the result is often catastrophic. Because of this, the DOD does not attempt to base its safety standards on accident probabilities. Instead it approaches this safety issue from a land use planning perspective. Designation of safety zones around the airfield and restriction of incompatible land uses can reduce the public's exposure to accident safety hazards.

The AICUZ program includes three safety zones: the Clear Zone (CZ), Accident Potential Zone (APZ) I and APZ II. These zones were developed from analysis of over 800 major Air Force accidents that occurred within 10 miles of an Air Force installation between 1968 and 1995. Appendix B provides detail background and results of the analysis.

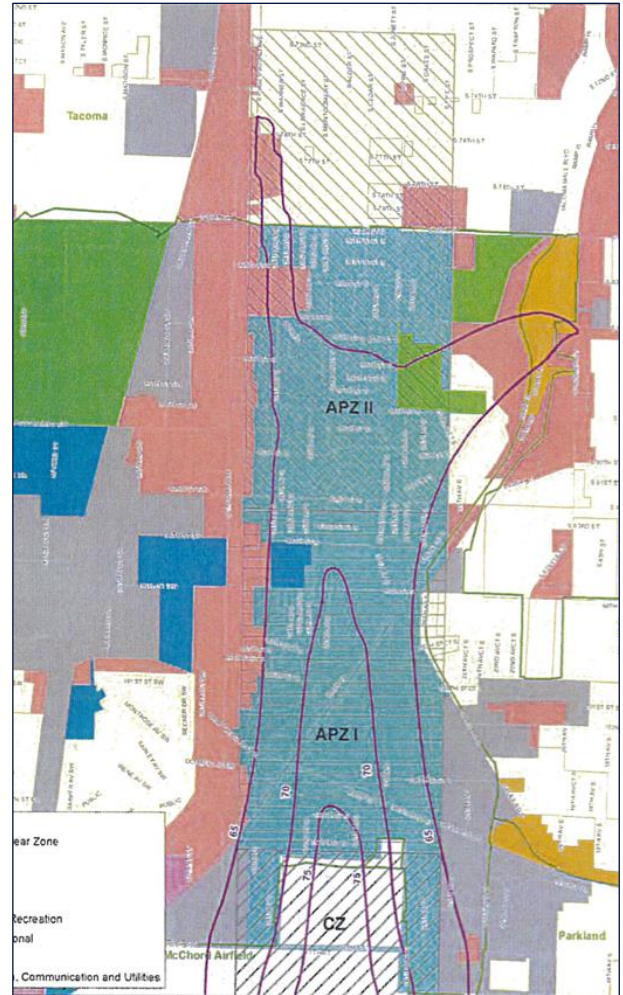
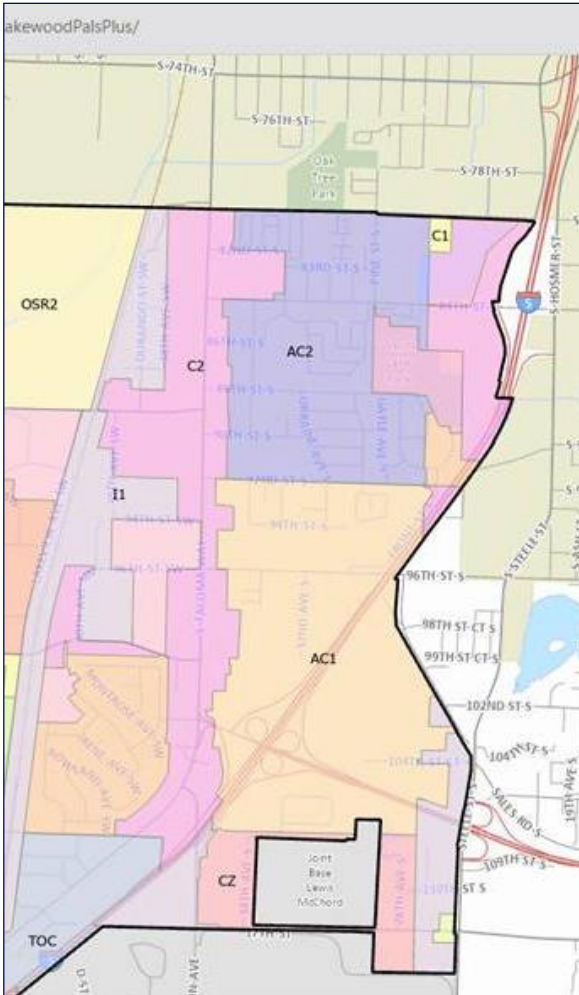
Final Air Installation Compatible Use Zone Study

The CZ has the highest accident potential of the three zones, as 27 % of accidents studied occurred in this area. Due to the relatively high accident potential, the Air Force adopted a policy of acquiring real estate interests in the CZ through purchase or easement when feasible.

APZ I is an area that possesses somewhat less accident potential than the CZ, with 10 % of the accidents studied occurring in this zone. APZ II has less accident potential than APZ I, with 6 % of the accidents studied occurring in this zone. While the potential for aircraft accidents in APZs I and II does not warrant land acquisition by the Air Force, land-use planning and controls are strongly encouraged in these areas for the protection of the public.

Figure 4-2 depicts the CZs and APZs for Runways 16/34 at McChord Airfield. Each end of the runway has a 3,000-foot by 3,000-foot CZ and two APZs.

The two maps below show the slight differences along the western edge of Lakewood's Air Corridor (AC) 1 and 2 zones (left map) versus the 2015 JBLM AICUZ APZ I & II zones (right map.) These differences generally reflect historical land use decisions before Lakewood's incorporation and also actions by the City of Lakewood to allow certain uses along the South Tacoma Way corridor to promote commercial development there.



Updated language for amendment 10 is included in the list of amendments later in this memorandum.

Updated consideration of Amendment 12:

As proposed, this amendment would add definitions related to short terms rentals to LMC Title 18A and prohibit the use of accessory dwelling units (ADUs) as short term rentals as provided for in 2023 HB 1337.

City staff continues to recommend adopting a prohibition of the use of ADUs as short term rentals.

- 1) The State Legislature was clear in its explicit intent why it adopted HB 1337: as a tool to create affordable housing.
- 2) The legislature was also explicit in anticipating that local governments may want to restrict (limit or prohibit) the use of ADUs as short term rentals in order to ensure that ADUs are used to achieve the purpose of HB 1337.

2023 HB 1337 (Accessory Dwelling Unit Expansion)

NEW SECTION. Sec. 1.

(1) The legislature makes the following findings:

- (a) **Washington State is experiencing a housing affordability crisis. Many communities across the state are in need of more housing for renters across the income spectrum.**
- (b) Many cities dedicate the majority of residentially zoned land to single detached houses that are increasingly financially out of reach for many households. **Due to their smaller size, accessory dwelling units can provide a more affordable housing option in those single-family zones.**
- (c) **Localities can start to correct for historic economic and racial exclusion in single-family zones by opening up these neighborhoods to more diverse housing types, including accessory dwelling units, which provide lower cost homes.** Increasing housing options in expensive, high-opportunity neighborhoods will give more families access to schools, parks, and other public amenities otherwise accessible to only the wealthy.
- (d) **Accessory dwelling units are frequently rented below market rate, providing additional affordable housing options for renters.**
- (e) **Accessory dwelling units can meet the needs of Washington's growing senior population,** making it possible for this population to age in their communities by offering senior-friendly housing, which prioritizes physical accessibility, in walkable communities near amenities essential to successful aging in place, including transit and grocery stores, without requiring costly renovations of existing housing stock.
- (f) Homeowners who add an accessory dwelling unit may benefit from added income and an increased sense of security.
- (g) Accessory dwelling units provide environmental benefits. On average they are more energy efficient than single detached houses, and they incentivize adaptive reuse of existing homes and materials.

- (h) Siting accessory dwelling units near transit hubs, employment centers, and public amenities can help to reduce greenhouse gas emissions by increasing walkability, shortening household commutes, and curtailing sprawl.

(2) The legislature intends to promote and encourage the creation of accessory dwelling units as a means to address the need for additional affordable housing options.

* * *

(5) Nothing in this section or in section 4 of this act prohibits a city or county from:

(a) Restricting the use of accessory dwelling units for short term rentals[.]

Lakewood is wanting to ensure that ADUs are used as new affordable housing units, the underlying motivation for the State Legislature's adoption of HB 1220, HB1110, as well as HB 1337 in recent years.

MRSC recently published information regarding the effects of short term rentals (STRs) on the affordable housing market:

Short-term rentals (STRs), sometimes also referred to as "Home Sharing," are very popular with travelers. They are viewed as a way for visitors to temporarily feel part of a local neighborhood rather than staying in a hotel or motel situated in a commercial area.

Short-term rentals have been in existence for several decades but widespread usage of them exploded with the advent of online platforms such as Airbnb and VRBO. The market took a major hit during the early days of the COVID-19 pandemic, but its popularity has been rising now that more people are traveling again.

With the ever-increasing popularity of STRs, however, has come unanticipated and unwanted problems, particularly for residential neighbors living close to them. Negative impacts caused by some short-term rental visitors include excessive noise, after-hours partying, and parking conflicts, to name just a few of the major ones. In response, several communities have adopted regulations to address those negative impacts (for more details, see my blogs: [12 Examples of Short-Term Vacation Rental Regulations](#); [Local Government Catching Up with Airbnb and Other Short-Term Transient Rental Businesses](#)).

One major item that has recently been facing increasing local government scrutiny, however, is the impact that STRs have on the supply of affordable housing. The worry is not about a homeowner renting out a room or two to help with monthly mortgage payments. Instead, there is a concern that investors will purchase existing residential units and rent them out on a short-term basis to out-of-town visitors, thereby taking those units out of the long-term rental housing market.

[STRs Effect on the Local Affordable Housing Supply](#)

While not the primary cause of affordable housing problems, many experts believe that STRs do have a negative impact on affordable housing at the local level, especially in high-tourism communities. Several organizations, such as The Pew Charitable Trusts and the Harvard Business Review (HBR), have conducted or published research showing that as the number of short-term rentals increase in a community, the quantity of affordable housing units decrease.

The authors of a [2019 HBR article](#) focusing on the effects of Airbnb observed that, “**because of Airbnb, absentee landlords are moving their properties out of the long-term rental and for-sale markets and into the short-term rental market.**” The authors noted that as *absentee* landlords reduce the housing supply, it increases the housing cost for local renters:

(I)n aggregate, the growth in home-sharing through Airbnb contributes to about one-fifth [or 20%] of the average annual increase in U.S. rents and about one-seventh [or 14%] of the average annual increase in U.S. housing prices.

But what about *non-absentee* property owners using online platforms like Airbnb to rent out their properties, you might ask? The HBR researchers found that “owner-occupiers” who rent out their spare rooms or even an entire house (when they are away for a set period of time) to short-term visitors using a virtual house-sharing platform do not impact the long-term rental market.

Source: <https://mrsc.org/stay-informed/mrsc-insight/december-2021/affordable-housing-and-the-impact-of-short-term-re>

In its May 2023 Guidance Manual for ADUs, the WA State Department of Commerce states that:

The primary rationale for prohibiting or limiting ADUs being used as STRs is that renting an ADU as a long-term housing unit, defined as being rented for more than 30 consecutive days, will have the dual benefit of providing a positive income stream to a homeowner and adding a new residential unit to the local housing supply. . .

Given the significant policy implications, local jurisdictions located in areas with high demand for short-term rentals, such as popular tourist destinations, should carefully consider the pros and cons of allowing ADUs to be used as short-term rentals.

At the time of publication of Commerce’s guide quoted above, it cited the following examples from cities restricting the use of ADUs as STRs. Lakewood anticipates that more cities will restrict ADUS as STRs now that HB 1337 has been adopted.

[Bellingham Municipal Code Sec. 20.10.037](#) – Does not allow STRs in Detached ADUs in single-family zones, but does allow them in Detached ADUs in other zones, and in Attached ADUs citywide.

[Poulsbo Municipal Code Sec. 18.70.070](#) – Does not allow ADUs to be used as STRs.

[Sequim Municipal Code Ch. 18.66](#) – Does not allow ADUs to be used as STRs.

[La Conner Municipal Code Sec. 15.110.080](#) – ADUs may not be used as short-term rentals.

[Langley Municipal Code Sec. 5.40.030](#) – A maximum of 50 ADUs can be used as short-term rentals in Langley.

[Marysville Municipal Code Sec. 22C.180.030](#) – ADUs aren't permitted as short-term rentals.

[Roslyn Municipal Code Sec. 18.140.030](#) – ADUs may be rented for a minimum of 60 days.

[Tukwila Municipal Code Sec. 18.50.220](#) – Doesn't allow ADUs to be rented for periods of less than 30 days.

HB 1337 restricts what the City can require for ADU off-street parking, meaning allowing the use of ADUs as STRs would exacerbate Lakewood's concern regarding parking shortages as the City continues to plan for its growth targets while not allowing on-street parking:

- On lots smaller than 6,000 square feet, no more than one off-street parking space may be required per ADU before any zero lot line subdivisions;
- On lots greater than 6,000 square feet, no more than two off-street parking spaces per unit may be required; and
- Off street parking may not be required as a condition of permitting ADUs within one half mile of a major transit stop.

In 2023, in response to HB 1337 requirements, Lakewood removed the Comprehensive Plan policy requirement for homeowners to be "owner-occupiers" on parcels with ADUs. (This change had already been made to LMC 18A.40.110 and LMC 18A.40.090.)

Included below are the current City regulations on ADUs:

18A.40.110 Residential uses.

A. *Residential Land Use Table.* 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 dwelling	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
unit (ADU) (B)(1)*																					

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

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

B. Operating and Development Conditions.

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

- a. One (1) ADU shall be allowed as an accessory use in conjunction with any detached single-family structure, duplex, triplex, townhome, or other housing unit. ADUs shall not be included in the density calculations. A lot shall contain no more than one (1) ADU.
- b. An ADU may be established by creating the unit within or in addition to the new or existing principal dwelling, or as a detached unit from the principal dwelling.
- c. The ADU, as well as the main dwelling unit, must meet all applicable setbacks, lot coverage, and building height requirements.
- d. The size of an ADU contained within or attached to an existing single-family structure shall be limited by the existing structure's applicable zoning requirements. An attached ADU incorporated into a single-family house shall be limited to one thousand (1,000) square feet, excluding garage area. The size of a living space of a detached ADU shall be a maximum of one thousand (1,000) square feet excluding garage.
- e. An ADU shall be designed to maintain the appearance of the principal dwelling as a single-family residence.
- f. Wherever practicable, a principal dwelling shall have one (1) entrance on the front, with additional entrances permitted on the side and rear. On corner lots, it is permissible to locate the entry door to the accessory dwelling unit on a street side of the structure other than the street side with the entry door for the principal dwelling unit. The entrance to an attached accessory dwelling unit may be on the front of the house only if (i) it is located in such a manner as to be clearly secondary to the main entrance to the principal dwelling unit; or (ii) it is screened from the street.
- g. The design of an attached ADU, including the facade, roof pitch and siding, shall be complementary to the principal dwelling unit, so as not to be obvious from the outside appearance that it is a separate unit from the principal dwelling unit.

h. A minimum of one (1) off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal dwelling, pursuant to LMC [18A.80.030\(F\)](#). Such parking shall consist of a driveway, carport, garage, or a combination thereof, located on the lot they are intended to serve.

i. For lots located within one-quarter (1/4) mile of a Pierce Transit bus route, the Sound Transit Lakewood Station, or other major transit stop, and also zoned R1, R2, R3, R4, MR1, MR2, MF1, MF2, or TOC, off-street parking may not be required provided there is adequate street capacity, and there is curb, gutter, and sidewalk, constructed to City standards, adjoining the lot where an ADU is proposed. Parking may be required if the ADU is in an area with a lack of access to street parking capacity, physical space impediments, or other reasons to support that on-street parking is infeasible for the ADU.

j. Any legally constructed accessory building existing prior to the effective date of the ordinance codified in this title may be converted to an accessory dwelling unit, provided the living area created within the structure does not exceed one thousand (1,000) square feet, excluding garage area.

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

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

Lakewood's current short term rental regulations are drafted to allow STRs included here:

18A.40.090 Lodging.

A. *Lodging Land Use Table.* See LMC [18A.10.120\(D\)](#) for the purpose and applicability of zoning districts.

	Zoning Classifications																	
Lodging	R 1	R 2	R 3	R 4	M R1	M R2	MF 1	MF 2	MF 3	AR C	NC 1	NC 2	TO C	CB D	C 1	C 2	C 3	IB P
Short term vacation rentals (B)(2)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-

P: Permitted Use C: Conditional Use "-": Not permitted

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

B. *Development and Operating Conditions.*

1.

- a. Bed and breakfast guest houses may be converted from existing residences or newly constructed residences, but shall not contain more than four (4) bedrooms for guests.
- b. Parking for bed and breakfast guest houses shall be limited to that which can be accommodated in the guest house's garage and driveway. No such garage or driveway shall be wider than that necessary to park three (3) vehicles abreast. No on-street parking shall be allowed.
- c. The establishment shall be operated in such a manner as to give no outward appearance nor manifest any characteristics of a business that would be incompatible with the ability of the neighboring residents to enjoy peaceful occupancy of their properties.
- d. The owner shall operate the establishment and reside on the premises.
- e. Meal service shall be limited to serving overnight guests of the establishment. Kitchens shall not be allowed in individual guest rooms.
- f. Signs for bed and breakfast uses in the R zones are limited to one (1) identification sign use, not exceeding four (4) square feet and not exceeding forty-two (42) inches in height.

2.

- a. The property owner is required to obtain a City business license.
- b. As a condition of the business license, the property owner shall provide a notification letter describing the short term rental operations, in addition to the means by which to contact the property owner.
- c. The short term rental shall be inspected by the City and Fire District to ensure the facility meets all applicable building and fire code requirements. Any deficiencies shall be corrected prior to the structure being made available for rental. [Ord. 726 § 2 (Exh. B), 2019.]

Lakewood currently has an estimated 146 unlicensed STRs. The potential for significantly more unlicensed STRs, even if the City ensures that its LPD's Community Service Response Team (CSRT) is including enforcement in its regular operations, is a concern for the City.

Option: Lakewood staff recommend prohibiting the use of ADUs as STRs.

However, draft language is included here for the Planning Commission's consideration as possible changes to proposed amendment 12:

- If an ADU is to be used as a short term rental (STR) for 30 days or less at any one time, the owner of the parcel must occupy one unit on the parcel while the ADU is used as a STR (allowed under HB 1337); and

- On parcels with more than one ADU, the ADUs are prohibited from being used as STRs unless there is adequate parking on-site; and
- No ADU can be used as a STR for more than 30 days within one calendar year.

Where portions of code sections or chapters are included below, the remainder of those sections or chapters remain unchanged.

Amendment 1. Permit standalone truck / trailer parking as a use type in the IBP, I1, and I2 zone classifications as a conditional use and require truck / trailer parking spaces for general industrial and warehouses

18A.10.180 Definitions.

* * *

“Parking facility” means a surface parking area or parking garage for temporarily storing passenger vehicles not intended for long-term storage of vehicles. Also refers to parking lot.

* * *

“Truck / Trailer parking” means a surface parking area for the purpose of temporarily parking semi-trucks and/or semi-truck trailers, not intended for long-term storage of vehicles.

* * *

18A.40.040 Commercial and industrial uses.

A. *Commercial and Industrial Land Use Table.* 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	CB D	C1	C2	C3	IBP	I1	I2	PI
Truck / Trailer parking	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	C	C	C	=

* * *

Amendment 2. Permit electric fencing in C1, C2, C3, and TOC zone classifications
18A.60.090 General standards.

* * *

- B. *Setbacks and Lot Lines.* Setbacks shall be measured from the property line of a lot to the wall line of a building or the exterior perimeter of a structure. A property line is a line of record bounding a lot that divides one (1) lot from another lot or from a public or private street right-of-way or any other private or public space.

* * *

12. *Fences Within the Required Setbacks or Located on the Property Line.*
Fences to enclose, screen, or separate areas may be erected within required yard setbacks; provided, that fences or other barriers:

* * *

- e. *Electric Fences.* The construction and use of electric fences shall be allowed pursuant to a director's determination in the C1, C2, C3, TOC, IBP, I1, I2 and P/I zones, subject to the following standards:

Amendment 3. Define “Unusual Use” and clarify that the Unusual Use Permit is for uses not similar to other uses or accessory uses within the municipal code

18A.10.180 Definitions.

* * *

“Use, Unusual” means a use that is not identified and not similar to another use or accessory use identified in LMC Title 18A. Furthermore, a use that could not have been anticipated as a possible use to regulate at the time LMC Title 18A was written.

* * *

18A.30.900 Purpose.

Certain unusual uses which are not identified and not similar to another use or accessory use identified in LMC Title 18A may be allowed by the Hearing Examiner if such use will have no detrimental effect on other properties in the vicinity. In authorizing uses of this type, the Hearing Examiner shall impose limits and conditions necessary to safeguard the health, safety and general welfare of those persons that might be affected by the use.

Amendment 4. Correct inconsistencies between Title 17 and 18A and acknowledge binding site plan amendments, plat alterations, and short plat amendments in the list of permit types, review authorities, and timeframes

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
<u>Binding Site Plan Amendment</u>	<u>Y</u>	<u>N</u>	<u>N</u>	<u>120</u>
Business License	Y	N	N	120
Certificate of Occupancy	N	N	Y	60
Commercial Addition/Remodel	N	N	Y	120
Comprehensive Map amendment, Area Wide	Y	N	N	120
Comprehensive Map amendment, site specific	Y	N	N	120
Comprehensive text only amendment	Y	N	N	120
Conditional Use Permit	Y	N	N	120
Conditional Use Permit – Major Modification	Y	N	N	120
Conditional Use Permit – Minor Modification	Y	N	N	120
Cottage Housing Development	Y	N	N	120
Demolition Permit	N	N	Y	120
Design Review Permit	Y	N	N	90
Development Agreement	Y	N	N	120
Emergency Housing Permit*	N	N	Y	120
Emergency Shelter Permit*	N	N	Y	120
Environmental Review (SEPA Checklist and Threshold Determination)	Y	N	N	120
Environmental Impact Statement (Draft)	Y	N	N	365
Final Subdivision Plat (10 or more lots)	Y	N	N	120
Foster Care Facility Permit	N	N	Y	60
Home Occupation Permit	Y	N	N	90
Housing Incentives Permit	Y	N	N	90

Application	Planning Permit	Engineering Permit	Building Permit	Review Time Limits (Days)
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
Permanent Supportive Housing Permit*	N	N	Y	120
Pre-Application	Y	Y	Y	60
Preliminary and Final Short Plats (creating 2 – 9 lots)	Y	Y	N	120
Preliminary Plat (10 or more lots)	Y	Y	N	120
Planned Development District	Y	N	N	120
Rapid Rehousing Permit*	N	N	Y	120
Reasonable Accommodation Request	Y	N	N	90
Residential Addition/Remodel	N	N	Y	60
Scrivener Corrections to Comprehensive Plan Map, and/or Comprehensive Plan text, Zoning Map, and/or Zoning Development Regulations	Y	N	N	N/A
Senior Housing Overlay Permit	Y	N	N	90
Shoreline Conditional Use Permit	Y	N	N	120
Shoreline Conditional Use Permit when Referred by the Shoreline Administrator	Y	N	N	120
Shoreline Exemption Permit	Y	N	N	120
Shoreline Master Program amendment	Y	N	N	120
Shoreline Substantial Development Permit	Y	N	N	120
Shoreline Substantial Development Permit when Referred by the Shoreline Administrator	Y	N	N	120
Shoreline Variance Permit	Y	N	N	120
Shoreline Variance Permit when Referred by the Shoreline Administrator	Y	N	N	120
<u>Short Plat Amendment</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>120</u>
Sign Permit	Y	N	N	60
Site Development Permit	N	Y	N	90
Small Cell Wireless Permit	Y	N	N	See Chapter 18A.95 LMC
<u>Subdivision Plat Alteration</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>120</u>
Temporary Use Permit	Y	N	N	90

Application	Planning Permit	Engineering Permit	Building Permit	Review Time Limits (Days)
Transfer of Development Rights	Y	N	N	120
Transitional Housing Permit*	N	N	Y	120
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

* * *

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. Binding site plan amendment;
- ~~67.~~ Business license;
- ~~78.~~ Certificate of occupancy;
- ~~89.~~ Commercial addition/remodel;
- ~~910.~~ Conditional use permit;
- ~~1011.~~ Conditional use permit – minor modification;
- ~~1112.~~ Cottage housing development;
- ~~1213.~~ Demolition permit;
- ~~1314.~~ Design review permit;
- ~~1415.~~ Emergency Housing permit;
- ~~1516.~~ Emergency Shelter permit;
- ~~1617.~~ Environmental review (SEPA checklist and threshold determination);
- ~~1718.~~ Final subdivision plat (10 or more lots);

- ~~1819.~~ Foster Care Facility permit;
- ~~1920.~~ Home occupation permit;
- ~~2021.~~ Housing incentives permit;
- ~~2122.~~ Landscape plan review;
- ~~2223.~~ Land use approval;
- ~~243.~~ Lot line adjustment;
- ~~2425.~~ Manufactured/mobile home setup permit;
- ~~2526.~~ New commercial permit;
- ~~2627.~~ New multifamily permit;
- ~~2728.~~ New single-family permit;
- ~~2829.~~ Permanent Supportive Housing permit;
- ~~2930.~~ Pre-application;
- ~~3031.~~ Preliminary and final short plats (creating 2 to 9 lots);
- ~~3132.~~ Rapid Rehousing Permit;
- ~~3233.~~ Reasonable accommodation request;
- ~~3334.~~ Residential addition/remodel;
- ~~3435.~~ Senior housing overlay permit;
- ~~3536.~~ Shoreline conditional use permit;
- ~~3637.~~ Shoreline substantial development permit;
- ~~3738.~~ Shoreline exemption;
- ~~3839.~~ Shoreline variance permit;
- 40.Short plat amendment;
- ~~3941.~~ Sign permit;
- ~~4042.~~ Site development permit;
- ~~4143.~~ Senior housing permit;
- ~~4244.~~ Small cell wireless permit;
- 45.Subdivision plat alteration;
- ~~4346.~~ Temporary use permit;
- ~~4447.~~ Transfer of development rights;
- ~~4548.~~ Transitional Housing permit;
- ~~4649.~~ Transitory accommodation permit;
- ~~4750.~~ Tree retention plan;
- ~~4851.~~ Time extension or minor modification to a Type I permit;
- ~~4952.~~ Time extension or minor modification to a Type II permit;
- ~~5053.~~ Transitory accommodation permit;
- ~~541.~~ Tree removal permit;
- ~~5255.~~ Unusual use(s) permit;
- ~~5356.~~ Zoning certification;
- ~~5457.~~ Zoning interpretations (map and/or text).

* * *

18A.20.080 Review authorities.

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.

KEY:		
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

Applications	Public Notice of Application	Director	HE	PC	CC
TYPE I ADMINISTRATIVE					
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
Emergency Housing Permit	N	D	O/Appeal	N	N
Emergency Shelter Permit	N	D	O/Appeal	N	N
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
Foster Care Facility Permit	N	D	O/Appeal	N	N
Home occupation permit			O/Appeal		
Hosting the homeless by religious organizations	See RCW 35A.21.360	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
Permanent Supportive Housing Permit	N	D	O/Appeal	N	N

Applications	Public Notice of Application	Director	HE	PC	CC
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 18A.95 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
Transitional Housing Permit	N	D	O/Appeal	N	N
Tree removal permit	N	D	O/Appeal	N	N
Zoning certification	N	D	O/Appeal	N	N
Zoning (map and/or text) interpretation or determination	N	D	O/Appeal	N	N
TYPE II ADMINISTRATIVE					
Binding site plan	Y	D	O/Appeal	N	N
<u>Binding site plan amendment</u>	<u>Y</u>	<u>D</u>	<u>O/Appeal</u>	<u>N</u>	<u>N</u>
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
<u>Short plat amendment</u>	<u>Y</u>	<u>D</u>	<u>O/Appeal</u>	<u>N</u>	<u>N</u>
Time extension or minor modification to a Type II permit	Y	D	O/Appeal	N	N
TYPE III DISCRETIONARY					
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

Applications	Public Notice of Application	Director	HE	PC	CC
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
<u>Subdivision plat alteration</u>	<u>Y</u>	<u>R</u>	<u>D</u>	<u>N</u>	<u>N</u>
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
TYPE IV OTHER					
Scrivener corrections to CPA map and/or CPA text	Y	R	N	N	D
TYPE V LEGISLATIVE					
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

Amendment 5. Move sign permit administration-related regulations with the other administration-related regulations in 18A.20 and remove from the sign regulations in 18A.100 to avoid code inconsistencies.

18A.20.090 Expiration of approvals.

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

* * *

F. *Sign Permit.* If a sign is not installed and a use permit issued within six (6) months following the issuance of a sign permit (or within thirty (30) days for temporary signs), the permit shall be void. The City of Lakewood may revoke a sign permit under any of the following circumstances:

1. The City of Lakewood determines that information in the application was materially false;
2. The sign as installed does not conform to the sign permit application;
3. The sign violates this code, building code, or other applicable law, regulations or ordinance; or
4. The Community and Economic Development Department Director determines that the sign is not being properly maintained.

* * *

Chapter 18A.100 Signs

* * *

18A.100.030 Administration – Sign regulations.

~~D. *Application for a Permit.*~~

- ~~1. An application for a sign permit must be filed with the Community and Economic Development Department on forms furnished by that department. The applicant must provide sufficient information to determine if the proposed sign is allowed under this code and all other applicable laws, including the International Building Code, regulations and ordinances.~~
- ~~2. Review and Time Limits. The Community Development Director shall promptly review the application upon the receipt of a completed permit application and payment of the permit fee by the applicant. The Community Development Director shall grant or deny the permit application within twenty (20) days from the date the completed application and permit fee is filed with the Community and Economic Development Department.~~
- ~~3. If the application is rejected, the Community and Economic Development Department must provide a list of the reasons for the rejection in writing. An application may only be rejected for noncompliance with the terms of this code, the building code, or other applicable law, regulation or ordinance.~~

~~E. *Permit Fee.* A nonrefundable fee as set forth in the fee schedule adopted by the City of Lakewood City Council must accompany all sign permit applications.~~

~~F. *Duration and Revocation of Permit.* If a sign is not installed and a use permit issued within six (6) months following the issuance of a sign permit (or within thirty (30) days for temporary signs), the permit shall be void. The City of Lakewood may revoke a sign permit under any of the following circumstances:~~

- ~~1. The City of Lakewood determines that information in the application was materially false;~~
 - ~~2. The sign as installed does not conform to the sign permit application;~~
 - ~~3. The sign violates this code, building code, or other applicable law, regulations or ordinance; or~~
 - ~~4. The Community and Economic Development Department Director determines that the sign is not being properly maintained.~~
- ~~G. *Appeal of Sign Permit Determinations.* Final decisions regarding issuance of a sign permit application may be appealed to the City's Hearing Examiner pursuant to LMC 18A.02.740. An appeal hearing regarding the issuance of a sign permit shall be conducted within thirty (30) days of the receipt of the appeal petition and appeal fee.~~
- ~~H. *Enforcement.* This section shall be enforced pursuant to the procedures established in LMC 18A.20.105.~~
- ~~I. *Signs Placed in Roundabouts.* A right-of-way permit shall be required for any sign located in a roundabout.~~

Amendment 6. Update appeal timeframes for SEPA and land use decisions for internal consistency and consistency with State laws

14.02.210 Time limitation on appeals.

A written notice of appeal identifying the grounds for appeal must be filed with the City Clerk within ~~10-14~~ days of the date of issuance of the final threshold determination of significance, final determination of nonsignificance, or final EIS.

* * *

18A.20.400 Specific appeal procedures.

* * *

C. SEPA.

* * *

2. The City establishes the following administrative appeal procedures under RCW 43.21C.075 and WAC 197-11-680:
 - a. Any agency or person may appeal the City's conditioning, lack of conditioning or denial of an action pursuant to Chapter 197-11 WAC. All such appeals shall be made to the Hearing Examiner and must be filed within ~~fourteen seven-(7)14~~ days after the comment period before the threshold decision has expired. This appeal and any other appeal of a land use action shall be considered together.
 - b. The following threshold decisions or actions are subject to timely appeal:
 - i. *Determination of Significance.* Appeal of a determination of significance (DS) or a claim of error for failure to issue a DS may only be appealed to the Hearing Examiner within that ~~fourteen ten-(10)14~~ day period immediately following issuance of such initial determination.
 - ii. *Determination of Nonsignificance or Mitigated Determination of Nonsignificance.* Conditions of approval and the lack of specific conditions may be appealed to the Hearing Examiner within ~~fourteen seven-(7)14~~ calendar days after the SEPA comment period expires.
 - iii. *Environmental Impact Statement (EIS) Adequacy.* A challenge to a determination of adequacy of a Final EIS may be heard by the Hearing Examiner in conjunction with any appeal or hearing regarding the associated project permit. Where no hearing is associated with the proposed action, an appeal of the determination of adequacy must be filed within fourteen (14) days after the thirty (30) day comment period has expired.
 - iv. *Denial of a Proposed Action.* Any denial of a project or nonproject action using SEPA policies and rules may be appealed to the Hearing Examiner within ~~fourteen seven-(7)14~~ days following the final administrative decision.

Amendment 7. Clarify that uses within a flex space building must be permitted in the applicable zone classification

18A.10.180 Definitions.

* * *

“Flex space” means flex space industrial or mixed-use industrial buildings or parks adaptable to multiple use types which primarily serve a number of small- to medium-size tenants, which predominantly require direct access for truck deliveries and have limited or controlled on-site customer service, and which are generally comprised of adaptable open floor space with a delineated office area. May include space within a single or multiple structures. The specific uses permitted in flex space buildings are limited to those uses allowed in the applicable zone classification.

* * *

18A.40.040 Commercial and industrial uses.

* * *

B. Operating and Development Conditions.

* * *

7. *Flex Space Industrial.* Mixed-use industrial buildings or parks adaptable to multiple use types which primarily serve a number of small- to medium-size tenants, which predominantly require direct access for truck deliveries and have limited or controlled on-site customer service, and which are generally comprised of adaptable open floor space with a delineated office area. May include space within a single or multiple structures. The specific uses permitted in flex space buildings are limited to those uses allowed in the applicable zone classification.

Amendment 8. Remove redundancy in mobile / manufactured home land use table and update permitted locations to current zone classifications.

18A.40.110 Residential uses.

A. *Residential Land Use Table.* See LMC 18A.10.120(D) for the purpose and applicability of zoning districts.

	Zoning Classifications																				
Residential Land Uses	R 1	R 2	R 3	R 4	MR 1	MR 2	MF 1	MF 2	MF 3	AR C	NC 1	NC 2	TO C	CB D	C 1	C 2	C 3	IB P	I 1	I 2	P I
Mobile home parks (B)(8)	–	–	C	C	C	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Mobile and/or manufactured homes, in mobile/manufactured home parks (B)(8)	–	–	C	C	C	–	P	P	P	–	–	P	–	–	–	–	–	–	–	–	–

B. *Operating and Development Conditions.*

8. Mobile and/or manufactured homes are allowed only in mobile/manufactured home parks developed in accordance with subsection (C) of this section.

C. *Manufactured/Mobile Home Parks.*

2. *Permitted Locations.* Mobile and manufactured homes are permitted as follows:
 - a. As a primary use in a mobile or manufactured home subdivision of not less than five (5) nor more than forty (40) acres in all residential districts.
 - b. As a primary use in a mobile or manufactured home park of not less than three (3) acres nor more than twenty (20) acres. Mobile or manufactured home parks may be permitted in all residential districts after receiving a conditional use permit.
 - c. As a primary use in existing non-conforming mobile or manufactured home parks.
 - d. As an accessory use for security or maintenance personnel in ~~the following districts~~all zone classifications, subject to site plan review:
 - i. ~~General commercial district;~~
 - ii. ~~Light industrial/commercial district;~~
 - iii. ~~Industrial district;~~
 - iv. ~~Mineral extraction district;~~
 - v. ~~Open space/institutional district.~~
 - e. As temporary or emergency use in:
 - i. Any district as part of a construction project for office use of construction personnel or temporary living quarters for security

personnel for a period extending not more than ninety (90) days beyond completion of construction. A thirty (30) day extension may be granted by the City Manager upon written request of the developer and upon the Manager's finding that such request for extension is reasonable and in the public interest;

- ii. Any district as an emergency facility when operated by or for a public agency;
- iii. In the ~~open space~~Public/institutional Institutional zone classification ~~district~~ where a community need is demonstrated by a public agency such as temporary classrooms or for security personnel on school grounds.

Amendment 9. Update MR2 lot size standards to clarify lot size and reorganize interior setbacks for readability.

18A.60.030 Residential area and dimensions.

A. Development Standards Table.

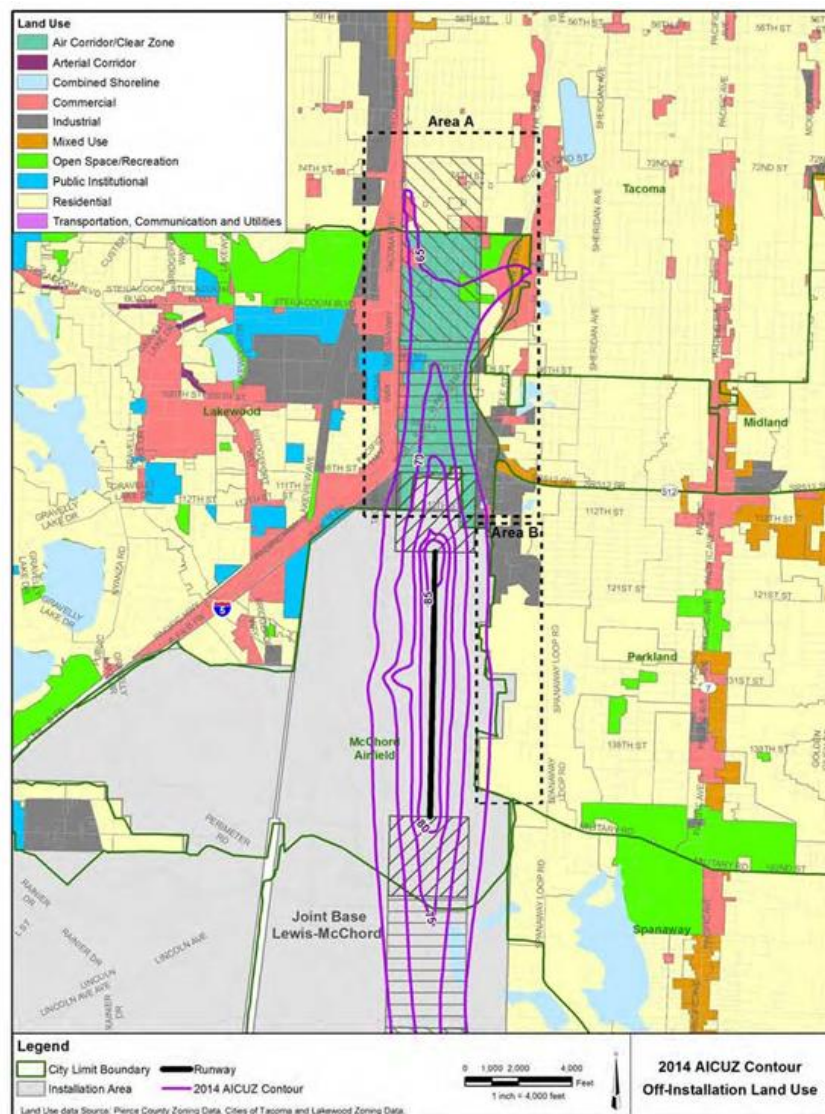
	Zoning Classifications								
	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3
Density	1.45 DUA	2.2 DUA	4.8 DUA	6.4 DUA	8.7 DUA	14.6 DUA	22 DUA	35 DUA	54 DUA
Lot size	25,000 GSF	17,000 GSF	7,500 GSF	5,700 GSF	5,000 GSF /unit	3,000 GSF /unit for 2 or more units	No minimum lot size	No minimum lot size	No minimum lot size
Building coverage	35%	35%	45%	50%	55%	60%	60%	60%	60%
Impervious surface	45%	45%	60%	70%	70%	75%	70%	70%	70%
Front yard/ street setback	25 feet	25 feet	10 feet	10 feet	5 feet	5 feet	15 feet	15 feet	15 feet
Garage/ carport setback	30 feet	30 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet
Principal arterial and state highway setback	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet
Rear yard setback	20 feet	20 feet	10 feet	10 feet	5 feet	5 feet	15 feet	15 feet	15 feet
Interior setback	8 feet	8 feet	5 feet	5 feet	Attached units: 0 feet; Detached units: 5 feet	Attached units: 0 feet; Detached units: 5 feet	8 feet	8 feet	8 feet
Interior setback for attached units					0 feet	0 feet			
Interior setback for detached units					5 feet	5 feet			
Building height	35 feet	35 feet	35 feet	35 feet	35 feet	50 feet	45 feet	65 feet	80 feet
Design	Design features shall be required as set forth in Chapter 18A.70, Article I.								
Landscaping	Landscaping shall be provided as set forth in Chapter 18A.70, Article II.								
Tree Preservation	Significant tree identification and preservation and/or replacement shall be required as set forth in LMC 18A.70.300 through 18A.70.330.								
Parking	Parking shall conform to the requirements of Chapter 18A.80.								
Signs	Signage shall conform to the requirements of Chapter 18A.100.								

Amendment 10. Update Air Installation Compatible Use Zone (AICUZ) section for consistency with adopted Air Corridor 1 (AC1) and Air Corridor 2 (AC2) land use designations and zone classifications

18A.10.125 JBLM Air Installation Compatible Use Zone (AICUZ) in relation to land use zones.

The City of Lakewood is host city to Joint Base Lewis McChord, and portions of the JBLM flight patterns' clear zone (CZ) and accident potential zones (APZs) are located within the City's boundaries. The City follows Department of Defense guidance and limits land use densities within the CZ and APZs. The AICUZ contour was used as a guide to establish the Clear Zone (CZ), Air Corridor 1 (AC1), and Air Corridor 2 (AC2) zone classifications under the Air Corridor 1 and Air Corridor 2 land use designations as described in 18A.10.120(D). The CZ and AC zones do not exactly align with the AICUZ contour in order to achieve a logical geographic boundary. See Figure 3.

Figure 3. 2014 AICUZ Contour and Off-Installation Land Use



Source: 2015 JBLM Air Installation Compatible Use Zone (AICUZ) Study [Ord. 758 § 2 (Exh. A), 2021.]

18A.40.130 Air ~~installation compatible use zones (AICUZ) and uses~~Corridor and Clear Zone.

- A. *Title.* This section ~~shall be known as the Air Installations Compatible Use Zones (AICUZ) of the City of Lakewood~~ applies to the Clear Zone (CZ), Air Corridor 1 (AC1), and Air Corridor 2 (AC2) zone classifications.

* * *

- D. ~~AICUZ~~ Air Corridor and Clear Zone 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-IAC1	APZ-IIAC2	CZ	Density
Existing Uses				
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
Agriculture and Natural Resources				
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-IAC1 , 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-IAC1 and APZ-IIAC2 .
Undeveloped land	P	P	P	N/A
Residential Uses				
Accessory caretaker's unit	–	–	–	N/A
Accessory dwelling unit	–	–	–	N/A
Cottage housing	–	–	–	N/A

Land Use Categories	APZ-IAC1	APZ-IIAC2	CZ	Density
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
Foster care facilities	-	-	-	N/A
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
Special Needs Housing (Essential Public Facilities)				
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
Emergency Housing	-	-	-	N/A
Emergency Shelter	-	-	-	N/A
Permanent Supportive Housing	-	-	-	N/A
Transitional Housing	-	-	-	N/A
Continuing care retirement community	–	–	–	N/A
Hospice care center	–	–	–	N/A
Enhanced services facility	–	–	–	N/A
Nursing home	–	–	–	N/A

Land Use Categories	APZ- I AC1	APZ- I AC2	CZ	Density
Commercial and Industrial Uses				
Building and landscape materials sales	P	P	–	Maximum FAR of 0.28 in APZ I AC1 and 0.56 in APZ I AC2.
Building contractor, light	P	P	–	Maximum FAR of 0.28 in APZ I AC1 and 0.56 in APZ I AC2.
Building contractor, heavy	C	–	–	Maximum FAR of 0.11 in APZ I AC1 and 0.22 in APZ I AC2.
Business support service	P	–	–	Maximum FAR of 0.22 in APZ I AC1.
Catering service	P	P	–	Maximum FAR of 0.22 in APZ I AC2.
Construction/heavy equipment sales and rental	C	C	–	Maximum FAR of 0.11 in APZ I AC1; and 0.22 in APZ I AC2.
Equipment rental	P	P	–	Maximum FAR of 0.11 in APZ I AC1; and 0.22 in APZ I AC2.
Furniture, furnishings, appliance/equipment store	–	C	–	Maximum FAR of 0.28 in APZ I AC1.
Handcraft industries, small-scale manufacturing	P	P	–	Maximum FAR of 0.28 APZ I AC1; Maximum FAR of 0.56 in APZ I AC2.
Kennel, animal boarding	P	P	–	Maximum FAR of 0.11 APZ I AC1; Maximum FAR of 0.22 in APZ I AC2.
Laundry, dry cleaning plant	P	–	–	Maximum FAR of 0.22 in APZ I AC2.
Live/work and work/live units	P	P	–	N/A
Maintenance service, client site services	P	P	–	Maximum FAR of 0.22 in APZ I AC2.
<u>Manufacturing, assembling and packaging, light</u>	<u>P</u>	<u>P</u>	<u>–</u>	<u>Maximum FAR of 0.28 in AC1</u> <u>and 0.56 in AC2.</u>
Military installations	P	P	P	N/A
Mobile home, RV, and boat sales	C	C	–	Maximum FAR of 0.14 in APZ I AC1 and 0.28 in APZ I AC2.
Office, business services	P	P	–	Maximum FAR of 0.22 in APZ I AC2.
Office, professional	P	–	–	Maximum FAR of 0.22 in APZ I AC2.
Places of assembly	–	–	–	N/A
Personal services	P	–	–	Office uses only. Maximum FAR of 0.11 in APZ I AC2.
Small craft distillery	–	P	–	Maximum FAR 0.56 in APZ I AC2.
Storage, personal storage facility	P	P	–	Maximum FAR of 1.0 in APZ I AC1; 2.0 in APZ I AC2.

Land Use Categories	APZ-IAC1	APZ-IIAC2	CZ	Density
Vehicle services, minor maintenance/repair	P	P	–	Maximum FAR of 0.11 APZ IAC1 ; 0.22 in APZ IIAC2 .
Vehicle storage	C	C	–	Maximum FAR of 0.28 in APZ IAC1 and 0.56 in APZ IIAC2 .
Warehouse retail	P	–	–	Maximum FAR of 0.16 in APZ II.
Warehouse	P	P	–	Maximum FAR of 1.0 in APZ IAC1 ; 2.0 in APZ IIAC2 .
Wholesaling and distribution	P	P	–	Maximum FAR of 0.28 in APZ IAC1 and 0.56 in APZ IIAC2 .
Wildlife preserve or sanctuary	P	P	–	N/A
Eating and Drinking Establishments				
Bar/tavern	–	–	–	N/A
Brewery, brew pub	–	–	–	N/A
Mobile food vending facility	P	P	–	N/A
Night club	–	–	–	N/A
Restaurant, café, coffee shop, counter ordering	–	–	–	N/A
Restaurant, café, coffee shop, drive-through services	–	–	–	N/A
Restaurant, café, coffee shop, table service	–	–	–	N/A
Restaurant, café, coffee shop, outdoor dining	–	–	–	N/A
Restaurant, café, coffee shop, serving alcohol	–	–	–	N/A
Tasting room	–	–	–	N/A
Lodging				
Bed and breakfast guest houses	–	–	–	N/A
Hostels	–	–	–	N/A
Hotels and motels	–	–	–	N/A
Recreational vehicle parks	–	–	–	N/A
Transportation				
Parking facilities (surface)	P	P	–	N/A
Parking facilities (structured)	–	–	–	N/A
Streets with pedestrian and bicycle facilities	P	P	–	N/A
Transit park and ride lots	P	P	–	N/A
Transit shelter	P	P	–	N/A
Utilities				
Above-ground electrical distribution lines, pipes, and support poles, transformers, and related facilities, not including substations	P	P	–	N/A

Land Use Categories	APZ-IAC1	APZ-IIAC2	CZ	Density
Underground electrical distribution lines, pipes, and support poles, transformers, and related facilities, not including substations	P	P	P	N/A
Electrical distribution substations	P	P	–	N/A
Electrical transmission lines of 115 kV or less and support poles	P	P	–	N/A
Electric vehicle battery charging stations	P	P	–	N/A
Above-ground natural gas conveyance facilities	–	–	–	N/A
Underground natural gas conveyance facilities	P	P	P	N/A
Potable water conveyance facilities	P	P	–	N/A
Potable water storage facilities	C	P	–	N/A
Storm water collection and conveyance facilities	P	P	P	N/A
Storm water detention/retention facilities	P	P	C	N/A
Telecommunications earth receiving stations (satellite dishes)	P	P	–	N/A
Telecommunications lines, pipes, support poles and related facilities, not including earth receiving stations, personal wireless service, transmission/receiving/relay facilities, or switching facilities	P	P	–	N/A
Telecommunications switching facilities	P	P	–	N/A
Telecommunications transmission/receiving/relay facilities		P	–	N/A
Waste water conveyance facilities	P	P	P	N/A
Wireless communication facilities (WCFs)	P	P	–	N/A
Essential Public Facilities				
Airport (American Lake Seaplane Base)	–	–	–	N/A
Community and technical colleges, colleges and universities	–	–	–	N/A
Correctional facilities	–	–	–	N/A
Electrical transmission lines of higher voltage than 115 kV, in existing corridors of such transmission lines	–	C	–	N/A
Electrical transmission lines of higher voltage than 115 kV, in new corridors	–	–	–	N/A
Group home	–	–	–	N/A
In-patient facility including but not limited to substance abuse facility	–	C	–	N/A
Intercity high-speed ground transportation	–	–		N/A
Intercity passenger rail service	–	–	–	N/A
Interstate Highway 5 (I-5)	P	–	–	N/A

Land Use Categories	APZ-IAC1	APZ-HAC2	CZ	Density
Mental health facility	–	–	–	N/A
Military installation	P	P	P	N/A
Minimum security institution	–	–	–	N/A
Secure community transition facility (SCTFs)	–	–	–	N/A
Solid waste transfer station	–	–	–	N/A
Sound Transit facility	–	–	–	N/A
Sound Transit railroad right-of-way	–	–	–	N/A
Transit bus, train, or other high capacity vehicle bases	–	–	–	N/A
Washington State Highway 512	P	–	–	N/A
Work/training release facility	–	–	–	N/A

Director: Community and Economic Development Director

HE: Hearing Examiner

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

E. Operating and Development Conditions.

1. In addition to the other requirements of the chapter, the intensity of use criteria are applicable to all new land uses in the CZ, ~~APZ-IAC1~~, and ~~APZ-HAC2~~ zoning districts and shall be used to determine compatibility of proposed uses with aircraft operations hazards. The applicant shall bear the burden of proof to demonstrate compliance of a proposed development with the following intensities of uses:
 - a. Within the CZ zoning district, the total number of people on a site at any time shall not exceed one (1) person per four thousand three hundred fifty-six (4,356) square feet of gross site area, or ten (10) persons per acre.
 - b. Within the ~~APZ-IAC1~~ zoning district, the total number of people on a site at any time shall not exceed one (1) person per one thousand seven hundred forty-two (1,742) square feet of gross site area, or twenty-five (25) persons per acre.
 - c. Within the ~~APZ-HAC2~~ zoning district, the total number of people on a site at any time shall not exceed one (1) person per eight hundred seventy-one (871) square feet of gross site area, or fifty (50) persons per acre.
2. In addition to other requirements of the code, the following performance criteria shall be used to determine the compatibility of a use, project design, mitigation measures and/or any other requirements of the code with respect to aircraft operation hazards in the CZ, ~~APZ-IAC1~~, and ~~APZ-HAC2~~ zoning districts. The applicant shall bear the burden of proof to demonstrate compliance of a proposed development with the following performance criteria:

* * *

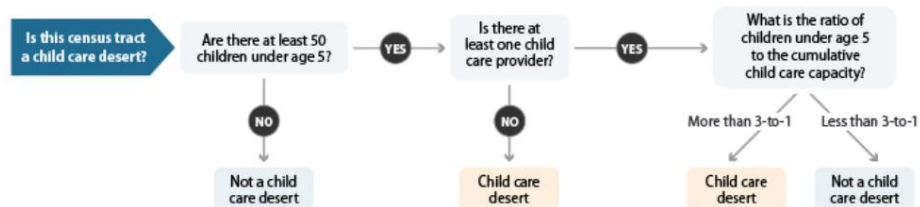
3. *Noise Attenuation.* Provisions for noise mitigation shall apply to all buildings or structures constructed or placed in use for human occupancy on sites within the Clear Zone (CZ), ~~Accident Potential Zone~~Air Corridor One (~~APZ-I~~AC1), and ~~Accident Potential Zone~~Air Corridor Two (~~APZ-II~~AC2) zoning districts, which are located within the sixty-five (65) Ldn Noise Contour or higher, as shown in the Final Air Installation Compatible Use Zone (AICUZ) Study Update, Joint Base Lewis-McChord, May 2015, and on file with the Community and Economic Development Department.

Amendment 11. Expanding Land Use Zones Allowing Child Care Facilities.

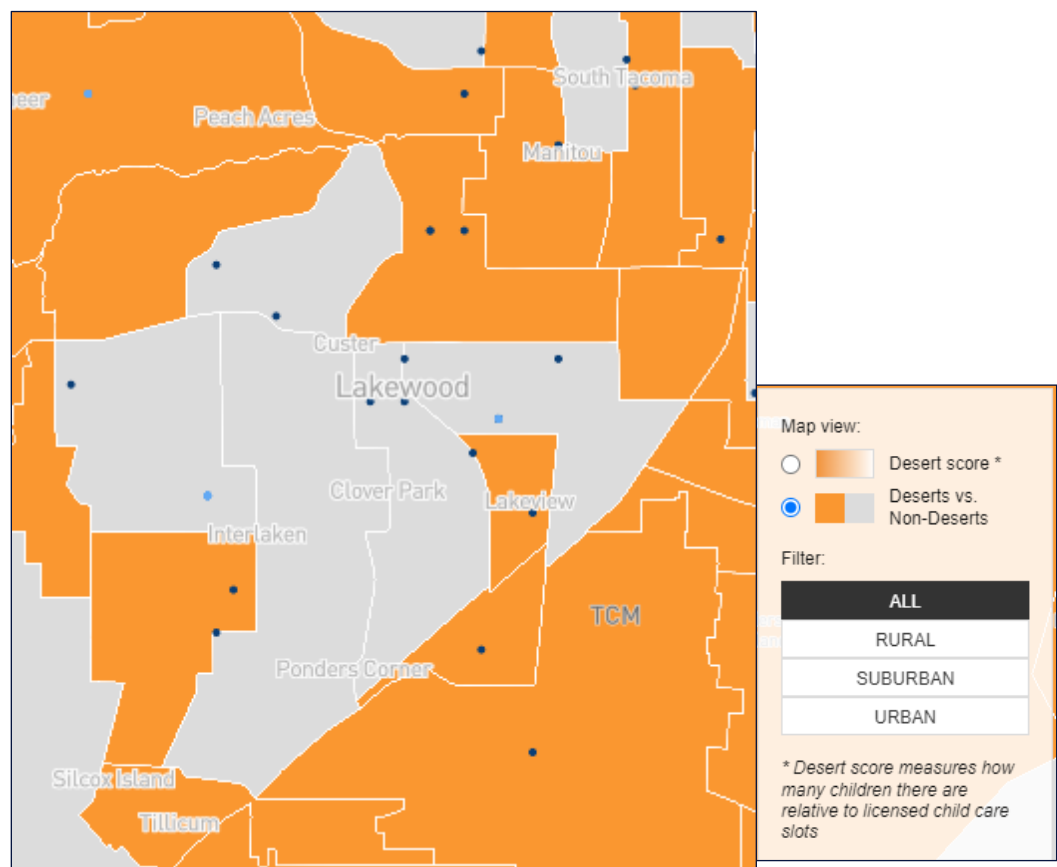
This amendment would allow commercial child care facilities in more of Lakewood's land use zones as well as change the use from conditional to permitted outright in certain zones that currently allow them. This is in response to the county- and citywide shortage of child care facilities and a priority by JBLM and SSMCP regarding the availability of affordable child care for military families and civilians alike.

FIGURE 1

A working definition for child care deserts



Lakewood has child care deserts in its “outer” areas, including some of its poorest census tract areas (see map below.)



<https://childcaredeserts.org/2018/?state=WA&urbanicity=All&split=true>

The 2019 Mounting Costs of Child Care: Impacts of Child Care Affordability and Access to Washington's Employers and Economy Report is attached and is available here:

(https://www.uschamberfoundation.org/sites/default/files/AWB_MountingCostsReport_September2019.pdf)

LMC 18.10.180 Definitions (for reference only - no changes to 18A.10.180 proposed)

“Child care facility” means a building or structure in which an agency, person or persons regularly provide care for a group of children for periods of less than twenty-four (24) hours a day. Child day care facilities include family day care homes and child day care centers regulated by the Washington State Department of Social and Health Services, as presently defined in Chapter 74.15 RCW and as such statute or regulations may hereafter be amended.

“Child day care” means the providing of supplemental parental care and supervision for a child or children who are not related to the provider on a regular basis for less than twenty-four (24) hours per day and under license by the Washington State Department of Social and Health Services. The term does not include babysitting services of a casual, nonrecurring nature or in the child's own home. The term is further not intended to include cooperative, reciprocative child care by a group of parents in their respective homes.

“Child day care center” means a facility providing regularly scheduled care for a group of thirteen (13) or more children within an age range of one (1) month through twelve (12) years, for periods of less than twenty-four (24) hours.

“Day care center,” “nursery school,” or “preschool” means any type of group day care programs, for children or adults, including nursery schools for children under minimum age for education in public schools, parent cooperative nursery schools, playgroups for preschool children, covering afterschool care for school children, and programs which provide organized learning and education experiences, provided such establishments are licensed by the state and conducted in accordance with state requirements.

For the purpose of this title the following shall also apply to day care centers, nursery schools or preschools:

1. “Babysitting care” means a dwelling which provides occasional custodial care to children, for periods of less than twenty-four (24) hours, who do not reside within the residence of the person providing the care. Babysitting care is not necessarily provided in exchange for compensation.
2. “Family day care” means a state-licensed day care provider as defined in RCW 74.15.020, who regularly provides day care for not more than twelve (12) children in the provider's home in the family living quarters.

3. “Day care center” means a place, other than the home of the provider, which provides regular custodial care for twelve (12) or more children, for periods of less than twenty-four (24) hours.

LMC 18A.40.080

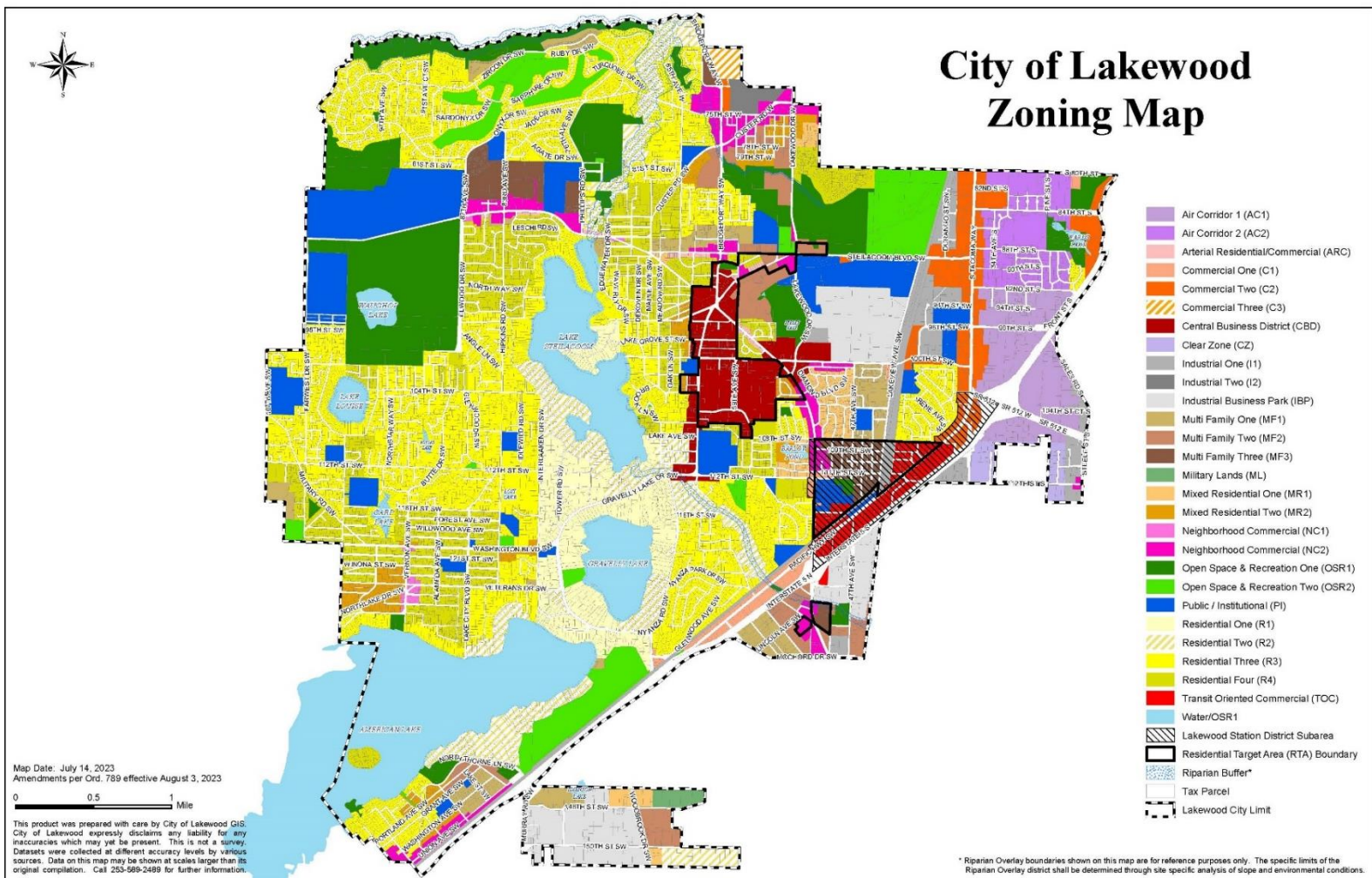
A. *Health and Social Services Land Use Table.* See LMC 18A.10.120 (D) for the purpose and applicability of zoning districts.

	Zoning Classifications																				
Health and Social Services	R 1	R 2	R 3	R 4	M R 1	M R 2	M F 1	M F 2	M F 3	A R C	N C 1	N C 2	T O C	C B D	C 1	C 2	C 3	I B P	I 1	I 2	P I
Day care center in existing and new schools	-	-	-	-	-	-	-	-	<u>P</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	-	-	-	P
Day care center in existing or new churches	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-	<u>P</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	-	-	-	-
Day care center providing care for children and/or adult relatives of owners or renters of dwelling units located on the same site.	-	-	-	-	P	P	P	P	P	<u>C</u>	<u>P</u>	C	P	P	<u>P</u>	<u>P</u>	<u>C</u>	-	-	-	-
Day care center providing care for children and/or adult relatives of employees of a separate business establishment located on the same site.	-	-	-	-	-	-	-	-	-	<u>C</u>	<u>P</u>	<u>P</u>	C	C	<u>P</u>	<u>P</u>	<u>C</u>	P	-	-	C
Day care center, independent	-	-	-	-	-	-	-	-	<u>P</u>	<u>C</u>	<u>P</u>	P	P	P	<u>P</u>	<u>P</u>	<u>C</u>	-	-	-	C
Preschool/nursery school	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>P</u>	P	P	P	<u>P</u>	<u>P</u>	C	C	-	-	C
	Zoning Classifications																				
Residential Land Uses	R 1	R 2	R 3	R 4	M R 1	M R 2	M F 1	M F 2	M F 3	A R C	N C 1	N C 2	T O C	C B D	C 1	C 2	C 3	I B P	I 1	I 2	P I
Babysitting care	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-
Family daycare	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	-	-	-	-

Military-Related Land Use Categories	A P Z - I	A P Z - II	C Z
Residential Uses			
Child care facility	-	-	-
Child day care center	-	-	-
Family day care provider	-	-	-

The City’s zoning map is included below for reference. As proposed, commercial child care facilities would be allowed outright in the R1 – R4 , MF3, NC1, NC2, TOC, and CBD zones, and would be allowed through a conditional use permit in the ARC and

C3 zones. Altogether, this constitutes 52% of the City's land coverage and all land use zones besides the Mixed Residential 1 and 2; MultiFamily 1 and 2; military-related; public institutional; industrial; and open space zones.



Amendment 12. Prohibit use of Accessory Dwelling Units as Short Term Rentals.

This amendment would prohibit the use of accessory dwelling units (ADUs) as short term rentals as provided for in 2023 HB 1337. Lakewood is wanted to ensure that ADUs are used as new affordable housing units, the underlying motivation for the State Legislature's adoption of HB 1220, HB1110, and HB 1337 in recent years.

As stated in adopted [HB 1337](#):

(5) Nothing in this section or in section 4 of this act prohibits a city or county from:

(a) Restricting the use of accessory dwelling units for short term rentals[.]

18A.10.180 Definitions.

* * *

"Permanent residential occupancy" means multifamily housing that provides either rental or owner occupancy for a period of at least one month. This excludes hotels and motels that predominately offer rental accommodation on a daily or weekly basis.

* * *

"Short-term rental" or "short term vacation rental" means a lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental operator for a fee for fewer than thirty consecutive nights. Short-term rental does not include any of the following:

(i) A dwelling unit that is occupied by the owner for at least six months during the calendar year and in which fewer than three rooms are rented at any time;

(ii) A dwelling unit, or portion thereof, that is used by the same person for thirty or more consecutive nights; or

(iii) A dwelling unit, or portion thereof, that is operated by an organization or government entity that is registered as a charitable organization with the secretary of state, state of Washington, or is classified by the federal internal revenue service as a public charity or a private foundation, and provides temporary housing to individuals who are being treated for trauma, injury, or disease, or their family members.

"Short-term rental advertisement" means any method of soliciting use of a dwelling unit for short-term rental purposes.

"Short-term rental platform" or "platform" means a person that provides a means through which an operator may offer a dwelling unit, or portion thereof, for short-term rental use, and from which the person or entity financially benefits. Merely publishing a short-term rental advertisement for accommodations does not make the publisher a short-term rental platform.

* * *

18A.40.090 Lodging.

A. *Lodging Land Use Table*. See LMC [18A.10.120\(D\)](#) for the purpose and applicability of zoning districts.

	Zoning Classifications																							
Lodging	R 1	R 2	R 3	R 4	M R 1	M R 2	M F 1	M F 2	M F 3	A R C	N C 1	N C 2	T O C	C B D	C 1	C 2	C 3	I B P	I 1	I 2	P 1	O S R 1	O S R 2	
Bed and breakfast guest houses (B)(1)*	C	C	C	C	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	
Hostels	–	–	–	–	–	–	–	–	–	–	–	–	P	P	–	–	–	–	–	–	–	–	–	
Hotels and motels	–	–	–	–	–	–	–	–	–	–	–	–	P	P	C	P	P	–	–	–	–	–	–	
Short term vacation rentals (B)(2)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	–	–	–	–	–	–	–	–	–	

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

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

B. Development and Operating Conditions.

1.

- Bed and breakfast guest houses may be converted from existing residences or newly constructed residences, but shall not contain more than four (4) bedrooms for guests.
- Parking for bed and breakfast guest houses shall be limited to that which can be accommodated in the guest house’s garage and driveway. No such garage or driveway shall be wider than that necessary to park three (3) vehicles abreast. No on-street parking shall be allowed.
- The establishment shall be operated in such a manner as to give no outward appearance nor manifest any characteristics of a business that would be incompatible with the ability of the neighboring residents to enjoy peaceful occupancy of their properties.
- The owner shall operate the establishment and reside on the premises.
- Meal service shall be limited to serving overnight guests of the establishment. Kitchens shall not be allowed in individual guest rooms.
- Signs for bed and breakfast uses in the R zones are limited to one (1) identification sign use, not exceeding four (4) square feet and not exceeding forty-two (42) inches in height.

2.

- The property owner is required to obtain a City business license.
- As a condition of the business license, the property owner shall provide a notification letter describing the short term rental operations, in addition to the means by which to contact the property owner.
- The short term rental shall be inspected by the City and Fire District to ensure the facility meets all applicable building and fire code requirements. Any deficiencies shall be corrected prior to the structure being made available for rental.

d. Accessory dwelling units of any type shall not be used as short term vacation rentals.

18A.40.110 Residential uses.

A. Residential Land Use Table. See LMC [18A.10.120\(D\)](#) for the purpose and applicability of zoning districts.

	Zoning Classifications																				
Residential Land Uses	R 1	R 2	R 3	R 4	MR 1	MR 2	MF 1	MF 2	MF 3	AR C	NC 1	NC 2	TO C	CB D	C 1	C 2	C3	I B P	I 1	I 2	P I
Accessory caretaker's unit	–	–	–	–	–	–	–	–	–	–	P	P	P	P	P	P	P	–	P	P	–
Accessory dwelling unit (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	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Co-housing (dormitories, fraternities, and sororities) (B)(4)	–	–	–	–	P	P	P	P	P	–	P	P	–	–	–	–	–	–	–	–	–
Detached single-family (B)(5)	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 (B)(6)	P	P	P	P	P	P	P	P	P	P	P	P	–	–	–	–	–	–	–	–	–
Home agriculture	P	P	P	P	P	P	P	P	P	P	–	–	–	–	–	–	–	–	–	–	–
Home occupation (B)(7)	P	P	P	P	P	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Mobile home parks (B)(8)	–	–	C	C	C	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Mobile and/or manufactured homes, in mobile/manufactured home parks (B)(8)	–	–	C	C	C	–	P	P	P	–	–	P	–	–	–	–	–	–	–	–	–

	Zoning Classifications																				
Residential Land Uses	R 1	R 2	R 3	R 4	MR 1	MR 2	MF 1	MF 2	MF 3	AR C	NC 1	NC 2	TO C	CB D	C 1	C 2	C3	I B P	I 1	I 2	P I
Residential accessory building (B)(9)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	–	–	–	–	–	–	–
Rooms for the use of domestic employees of the owner, lessee, or occupant of the primary dwelling	P	P	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Small craft distillery (B)(6), (B)(12)	–	P	P	P	P	–	–	–	–	–	–	P	P	P	P	P	P	–	P	–	–
Specialized senior housing (B)(10)	–	–	–	–	C	C	C	C	C	–	–	P	C	C	–	–	–	–	–	–	–
Accessory residential uses (B)(11)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	–	–	–	–	–	–	–

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

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

B. Operating and Development Conditions.

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

- a. One (1) ADU shall be allowed as an accessory use in conjunction with any detached single-family structure, duplex, triplex, townhome, or other housing unit. ADUs shall not be included in the density calculations. A lot shall contain no more than one (1) ADU.
- b. An ADU may be established by creating the unit within or in addition to the new or existing principal dwelling, or as a detached unit from the principal dwelling.
- c. The ADU, as well as the main dwelling unit, must meet all applicable setbacks, lot coverage, and building height requirements.
- d. The size of an ADU contained within or attached to an existing single-family structure shall be limited by the existing structure’s applicable zoning requirements. An attached ADU incorporated into a single-family house shall be limited to one thousand (1,000) square feet, excluding garage area. The size of a living space of a detached ADU shall be a maximum of one thousand (1,000) square feet excluding garage.
- e. An ADU shall be designed to maintain the appearance of the principal dwelling as a single-family residence.

f. Wherever practicable, a principal dwelling shall have one (1) entrance on the front, with additional entrances permitted on the side and rear. On corner lots, it is permissible to locate the entry door to the accessory dwelling unit on a street side of the structure other than the street side with the entry door for the principal dwelling unit. The entrance to an attached accessory dwelling unit may be on the front of the house only if (i) it is located in such a manner as to be clearly secondary to the main entrance to the principal dwelling unit; or (ii) it is screened from the street.

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

h. A minimum of one (1) off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal dwelling, pursuant to LMC [18A.80.030\(F\)](#). Such parking shall consist of a driveway, carport, garage, or a combination thereof, located on the lot they are intended to serve.

i. For lots located within one-quarter (1/4) mile of a Pierce Transit bus route, the Sound Transit Lakewood Station, or other major transit stop, and also zoned R1, R2, R3, R4, MR1, MR2, MF1, MF2, or TOC, off-street parking may not be required provided there is adequate street capacity, and there is curb, gutter, and sidewalk, constructed to City standards, adjoining the lot where an ADU is proposed. Parking may be required if the ADU is in an area with a lack of access to street parking capacity, physical space impediments, or other reasons to support that on-street parking is infeasible for the ADU.

j. Any legally constructed accessory building existing prior to the effective date of the ordinance codified in this title may be converted to an accessory dwelling unit, provided the living area created within the structure does not exceed one thousand (1,000) square feet, excluding garage area.

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

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

[m. Accessory dwelling units of any type shall not be used as a short term rental.](#)

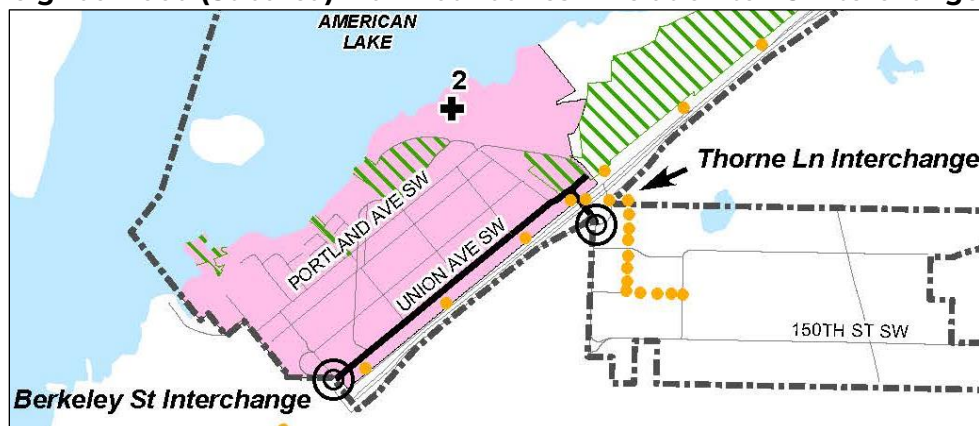
TO: City of Lakewood Planning Commission
 FROM: Tiffany Speir, Long Range & Strategic Planning Manager
 DATE: September 20, 2023
 SUBJECT: Lakewood Subarea Plan Updates: Tillicum, Downtown, Station District

DISCUSSION

Tillicum Neighborhood Plan (TNP):

The 2011 TNP predates other subarea plans adopted in Lakewood as well as the 2020 Census results, the construction of the new I-5 Thorne Lane and Berkeley interchanges, the adoption of VISION 2050 and updated Countywide planning policies, and several substantial changes to the state Growth Management Act (GMA) related to housing, climate change, and racial equity as issues local governments must address in policy and regulation.

Tillicum Neighborhood (Subarea) Plan Boundaries in relation to I-5 Interchanges



The Tillicum area is the subject of Comprehensive Plan in multiple sections:

- Comprehensive Plan Sections 2.5.1.
- Section 3.11, including Goal LU-52. Comprehensive Plan LU 52.5 directs to "Implement and as necessary update the Tillicum Community Plan."
- Goal LU-53, and Policies LU-53.1 through LU-53.4.
- Comprehensive Plan Section 4.5.
- Goals UD-10 and ED-5.
- Goal U-8 and Policy-8.3 identifies Tillicum as an area to which to provide sewer service.
- Land-Use Implementation Strategy 11.3.12 directs to "Continue with redevelopment efforts in Tillicum and the preparation of development regulations and design standards as described in the Tillicum Neighborhood Plan originally adopted in June 2011 and updated thereafter."
- Within the Comprehensive Plan's Transportation Implementation Strategies is direction to "Provide local support for the construction of a Sounder Station in Tillicum. The station could also serve as an Amtrak station if Amtrak service is added to the Sound Transit rail line."

The 2011 TNP near-term (5 years), ongoing (5-20 years), and long-term (20+ years) actions tables were tied to the subarea plan's goals and tasks. They included priorities and time frames, which were intended to provide guidance to decision-makers as they implemented the actions. The 2022 TNP Implementation Status Update reported that 38 of the 68 Implementation Strategies in the Tillicum Neighborhood Plan were done or ongoing. The remaining 30 were not done for a variety of reasons (e.g., lack of funding, lack of other resources, changed circumstances, etc.)

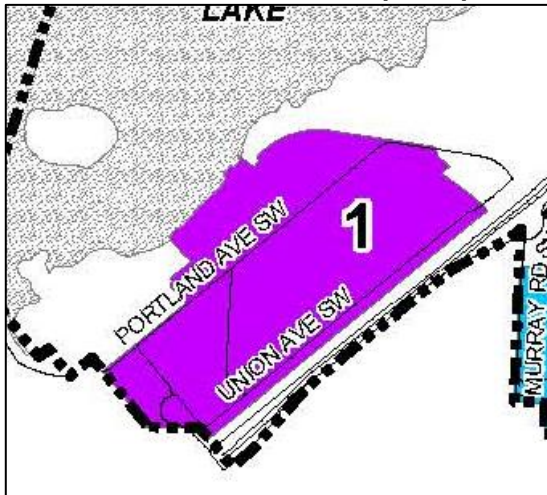


In September 2023, work began on improvements on Union Avenue between Orchard and Spruce streets in Tillicum. Pedestrian improvements along the southeast side of Union Avenue would include adding streetlights, curb, gutter, and sidewalk.

In 2014, the City adopted a Center of Local Importance (CoLI) (now called a “Center of Municipal Importance,” or “CoMI”) within the TNP boundaries. CoMIs were originally designated to focus development and funding to areas that are important to the local community. Lakewood’s residential CoMIs were intended to promote compact, pedestrian oriented development with a mix of uses, proximity to diverse services, and a variety of appropriate housing options.

In 2022, the Tillicum CoMI boundaries were expanded to reflect completion of sewer extensions and the Thorne Lane and Berkeley I-5 interchanges, but are still contained 100% within the Tillicum Neighborhood Plan boundaries:

2022 Tillicum Center of Municipal Importance



2011 Tillicum Neighborhood Plan Boundaries



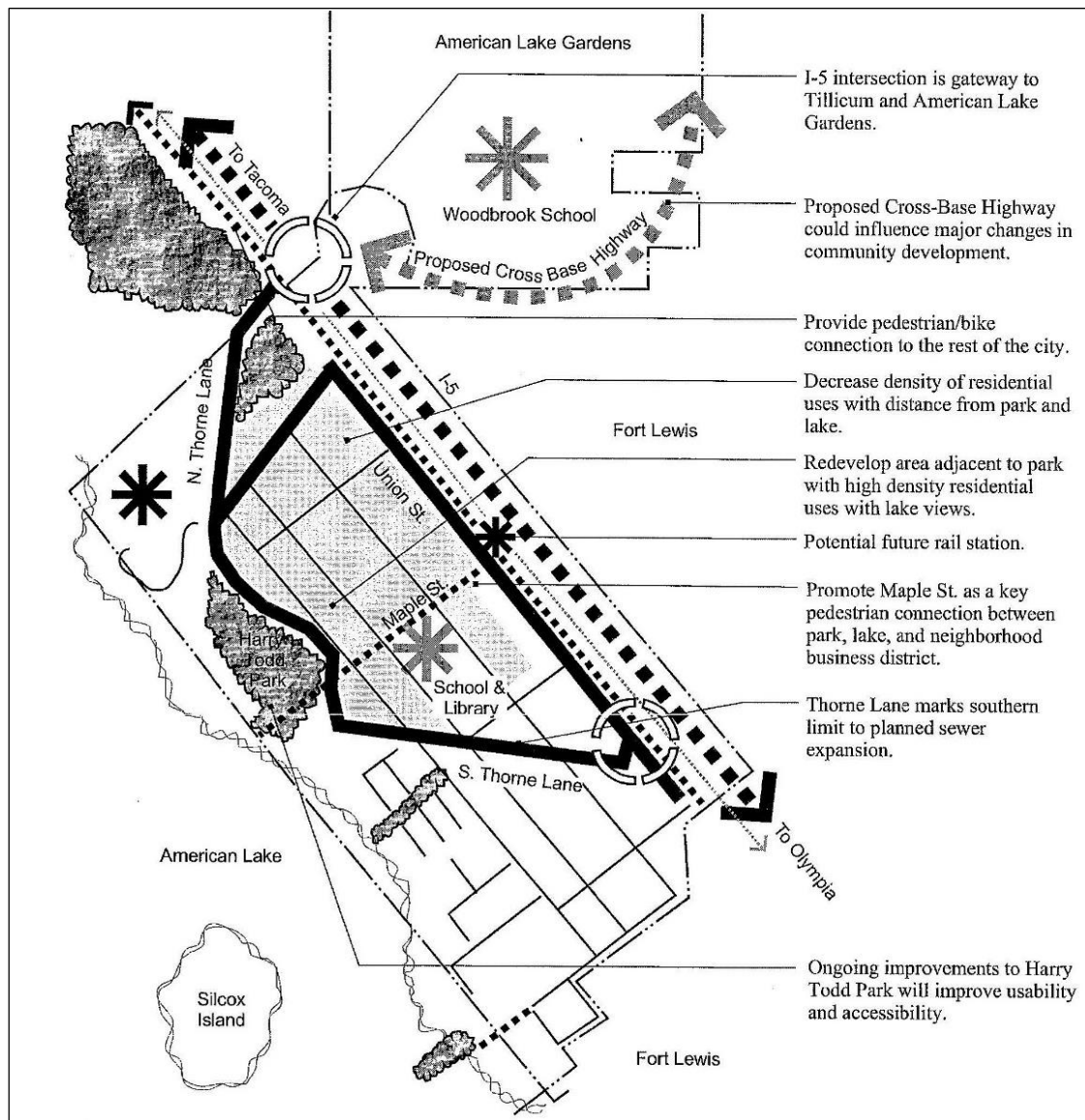
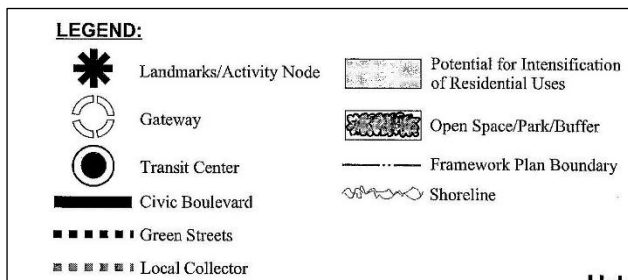
2023-2024 Tillicum Neighborhood Plan Review

The Tillicum Neighborhood Plan was originally developed in 2009 and adopted in 2011 per Resolution 2011-09 as a subarea plan under RCW 36.70A.080(2). As part of the 2022 Comprehensive Plan amendment cycle, the City adopted a status update memorializing the progress made to date on implementing the action items within the Plan. A more substantive and comprehensive update to the Tillicum Plan is being conducted as part of the 2024 Comprehensive Plan Periodic Review. When that process is completed, the Tillicum Subarea Plan will likely be subject to regular reviews over time by the City like the Downtown and Station District subarea plans.

The planning process and public engagement for the TNP update is launching in July and August 2023. The City is identifying key stakeholder groups and individuals to include for the start; some members of the Steering Committee that assisted Lakewood with the Energy & Climate Change Element and Housing Element reviews beginning in early 2023 will continue to assist the City, and other new participants are currently being identified and solicited. The update will include a thorough review and rewrite of the TNP, and potentially the adoption of subarea development regulations and/or a planned action ordinance. The update will be formally reviewed with the full 2024 Comprehensive Plan Periodic Review package.

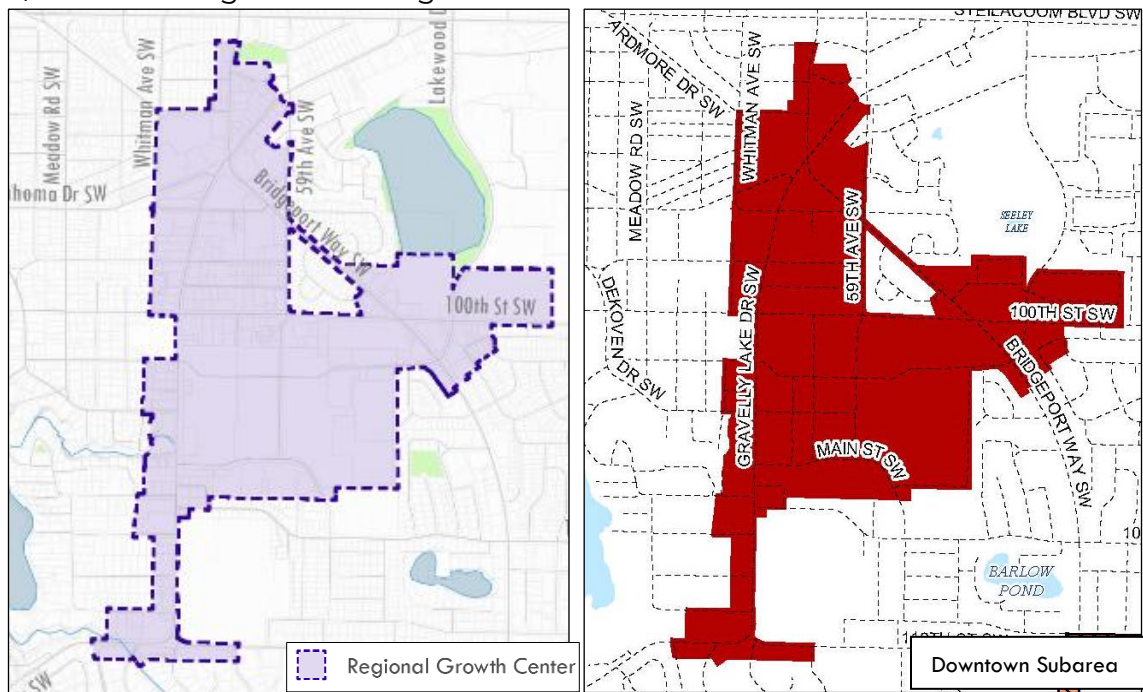
In 2011, the TNP identified 2,189 housing units and 2,089 workers (not jobs) within the subarea. These demographics will be updated in keeping with the 2020 Census and subsequent available data.

For historical reference, an urban design framework was created for Tillicum in 1999 soon after city incorporation (image rotated below for rough geographic accuracy; references in image to locations and objects are not to scale):



Downtown Subarea Plan, Development Code, and SEPA Planned Action Ordinance (DSAP package):

Lakewood adopted the DSAP package in 2018. At the same time, it updated the City's Puget Sound Regional Council (PSRC) Regional Urban Growth Area¹ boundaries to match the Downtown Subarea boundaries, and identified the Downtown as the location for most of the City's future residential and retail/commercial growth through 2044.



In 2018, there were 419 housing units within the Downtown Subarea. The DSAP package includes a net target of 2,257 new housing units by 2035. In 2018, there were an estimated 5,000 jobs, mostly retail, within the Downtown. The DSAP package includes a net target of 7,369 new jobs (1,346 retail, 5,814 office, and 209 light industrial) by 2035.

Per the 2023 Commerce HAPT Housing Targets for Lakewood by area median income (AMI) level as adopted by Pierce County in Ordinance 2023-22s, **Downtown's 2,257 planned new units by 2035 comprise about 24% of the City's total 2044 housing target** (shown in the table below.) Because the DSAP package predated E2SHB 1220 that established the mandate to plan for specific housing targets by

¹ Activity Units - Population + Employment in Downtown Lakewood

The Lakewood Urban Center was designated as a Regional Growth Center by the Puget Sound Regional Council (PSRC) in 1995. Guidance from PSRC is that center targets "must represent a significant portion of the jurisdictions' overall housing and employment growth targets for the 20-year planning period" (PSRC 2014). The housing and/or employment targets for each center should exceed the center's shares of existing housing and/or jobs and exceed the center's shares of recent growth in housing and/or jobs. The 2011 PSRC guidance held that regional growth centers needed a minimum existing activity level (population + employment) of at least 18 "activity units" per gross acre. The 2018 level of Downtown Subarea activity units totaled less than 20 per acre.

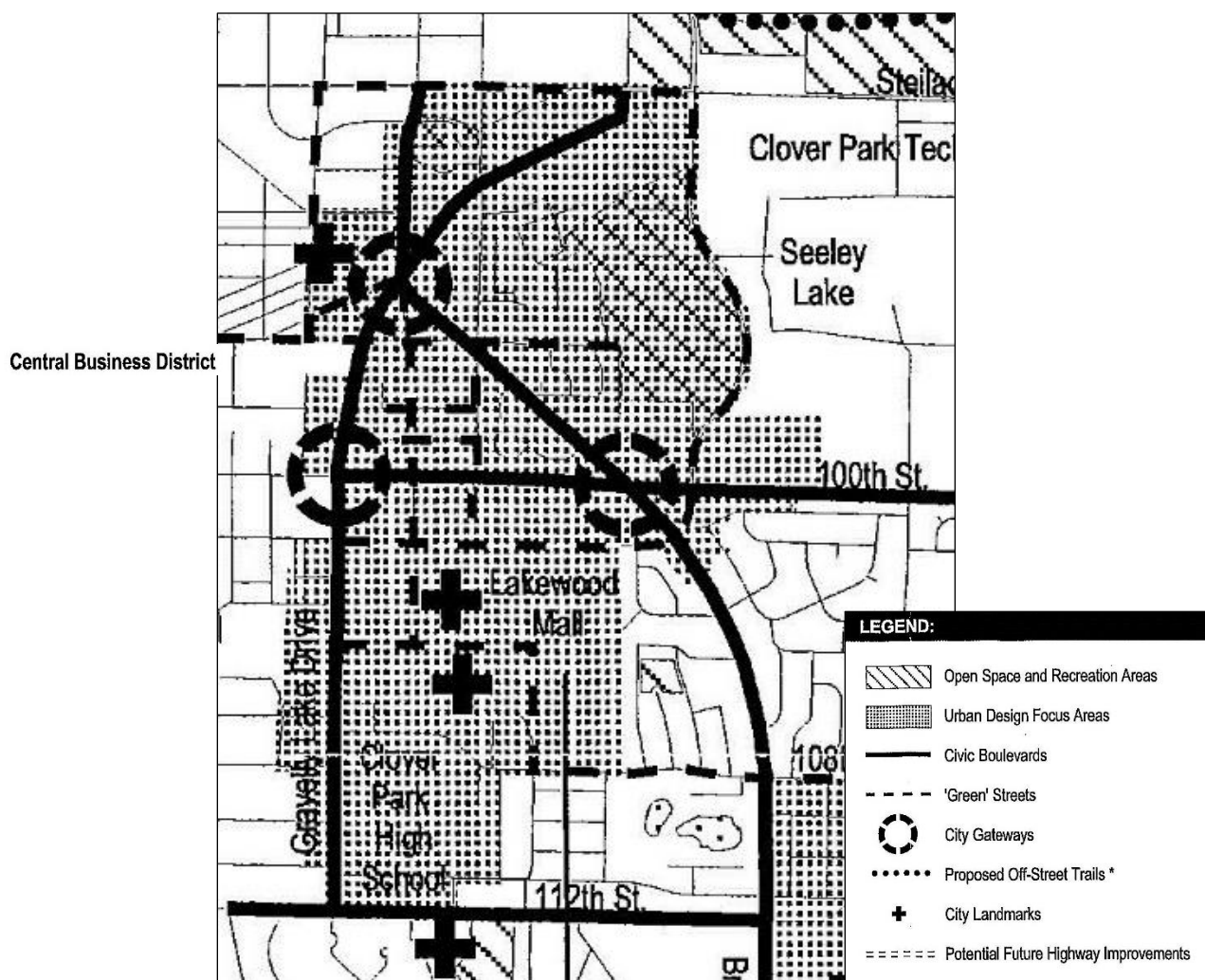
The 2022 PSRC activity level minimum target level is 45 activity units per gross acre in regional growth centers. The Downtown Subarea Plan supports jobs and housing opportunities. The adopted subarea plan was drafted with 58-69 activity units per acre at buildout, depending on the calculation of gross acres (parcels and road centerlines or parcels only.) PSRC will conduct a review of Lakewood's urban growth center per its 2022 Centers policies in 2025.

area median income percentages, the 2,257 total is not allocated to any specific AMI level.

Permanent Housing Needs by Income Level (% of Area Median income (AMI))										
		Total	0-30%		30-50%	50-80%	80-100%	100-120%	120%+	Emergency Units
			PSH*	Non-PSH						
Lakewood	'20 Estimate	26,999	588	101	4,565	11,699	4,347	2,250	3,449	8
	'44 Allocation	9,378	1,212	1,367	1,739	1,375	592	536	2,287	574

Pierce County Ordinance 2022-46s adopted Lakewood's 2044 employment growth target as 9,863 jobs. **The job growth planned by 2035 within the Downtown Subarea therefore comprises a full 75% of the City's employment growth by 2044.**

For historical reference, included below is the 1999 urban design framework for the "Central Business District":



2023-2024 Downtown Subarea Plan Review

Originally, the DSAP package directed that the City review Downtown land use and new development every two years to consider whether the package should be amended to increase subarea growth. The first biennial review was conducted within 18 months of adoption and no actions were taken to update the package given its short life at that time. The second review was completed in 2022 and again, no changes were made, this time due to the slowed economy during the COVID-19 pandemic.

Ordinance 774 changed the Downtown Subarea Plan, Code, & PAO review cycle from every 2 years to every 5 years following the 2024 Periodic Review. The required analyses that will be performed for the 2024 subarea review are laid out below:

Ordinance 695

Urban Design Policies + Strategies

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

Ordinance 696

Section 4. Monitoring and Review.

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

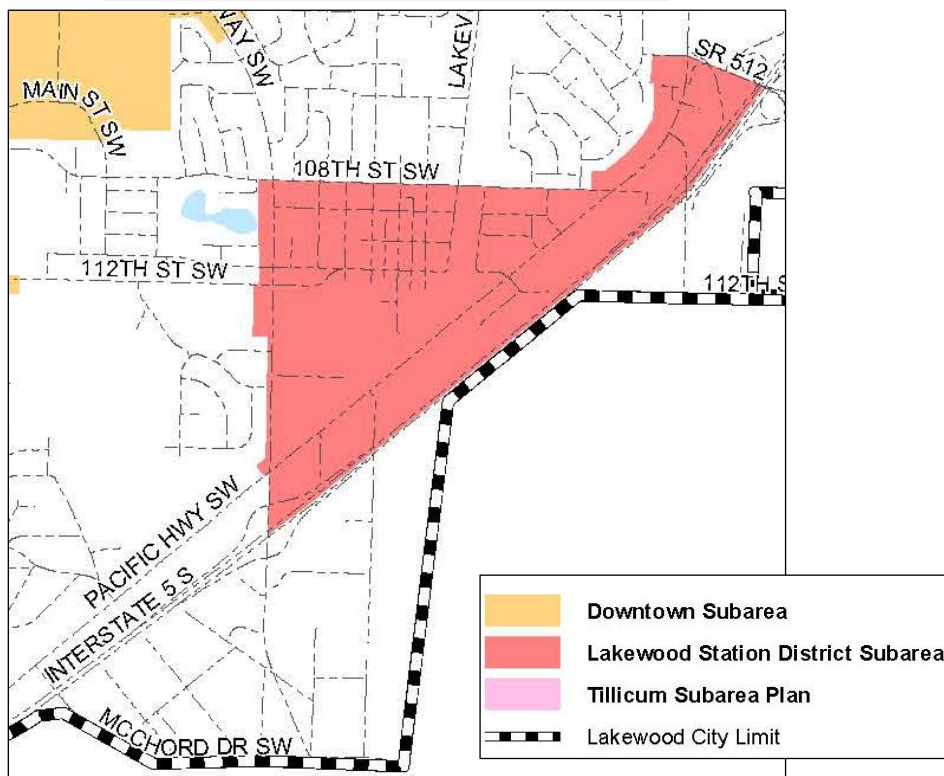
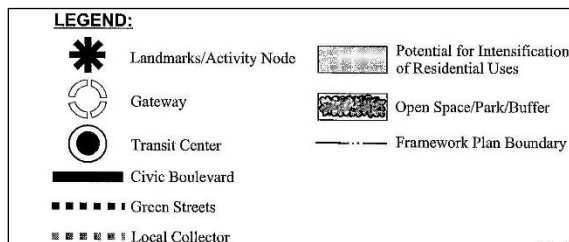
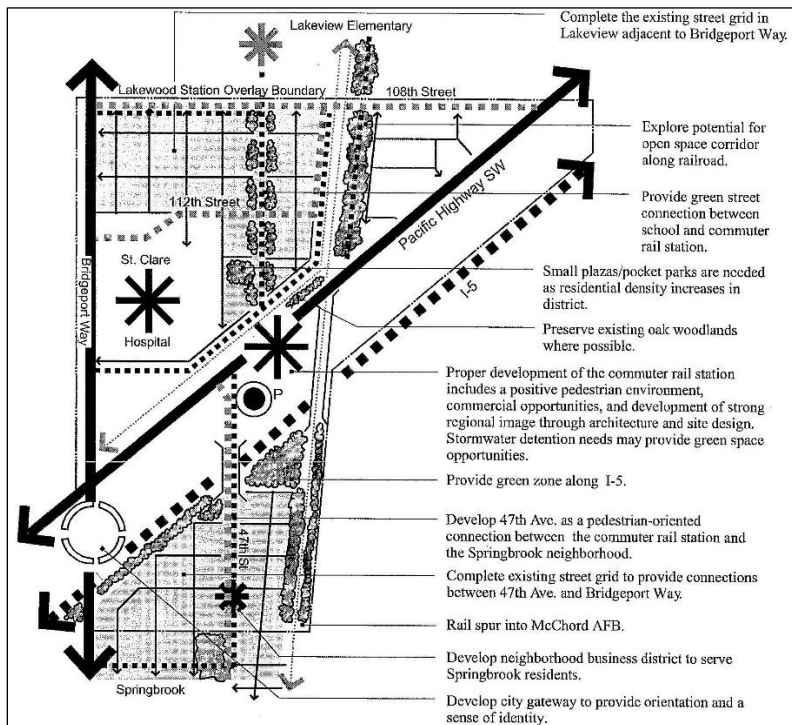
Exhibit D. Transportation Cost Estimates

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

Lakewood adopted the LSDS package in 2021. As its name suggests, it is focused around the Sound Transit Sounder Station. It does not include a CoMI within its boundaries; however, it was identified as one of the City's Urban Design Focus Areas in 2022 (along with the Tillicum and Downtown Subareas) in the Comprehensive Plan:



8



In 2021, there were 864 housing units within the Station District Subarea. The LSDS package includes a net target of 1,722 new housing units by 2035. In 2019, there were an estimated 2,300 jobs, mostly service and retail, within the Station District. The LSDS package includes a net target of 1,276 new jobs by 2035.

Per the 2023 Commerce HAPT Housing Targets for Lakewood by area median income (AMI) level as adopted by Pierce County in Ordinance 2023-22s, **the Station District's 1,722 planned new housing units by 2035 comprise about 18% of the City's total 2044 housing target** (shown in the table below.) Because the LSDS package predated implementation of E2SHB 1220 that established the mandate to plan for specific housing targets by area median income percentages, the 1,722 total is not allocated to any specific AMI level.

Permanent Housing Needs by Income Level (% of Area Median income (AMI))										
		Total	0-30%		30-50%	50-80%	80-100%	100-120%	120%+	Emergency Units
			PSH*	Non-PSH						
Lakewood	'20 Estimate	26,999	588	101	4,565	11,699	4,347	2,250	3,449	8
	'44 Allocation	9,378	1,212	1,367	1,739	1,375	592	536	2,287	574

Pierce County Ordinance 2022-46s adopted Lakewood's 2044 employment growth target as 9,863 jobs. **The 1,276 net job growth planned by 2035 within the Station District Subarea therefore comprises 13% of the City's employment growth by 2044.**

2023-2024 Lakewood Station District Subarea Plan Review

The City will conduct the first LSDS biennial review as part of the 2024 Comprehensive Plan Periodic Review process. *Of note:* the LSDS package assumed a major mixed use development called "Lakewood Landing" would occur within the LSDS boundaries. Since then, a portion of the land identified for Lakewood Landing has been purchased and is being developed as a "micro-fulfillment" center (i.e., last mile delivery.) In the first review of the LSDS package, the assumptions regarding Lakewood Landing's job and housing unit provision will need to be removed.

Ordinance 752 (the Station District Subarea Planned Action Ordinance) Section 4 includes direction for the biennial reviews, scheduled to begin in late 2023:

Section 4. Monitoring and Review.

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

B. This Planned Action Ordinance shall be reviewed by the SEPA Responsible Official every two (2) years from its effective date in conjunction with the City's regular Comprehensive Plan review or docket cycle, as applicable. The review

shall determine the continuing relevance of the Planned Action assumptions and findings with respect to environmental conditions in the Planned Action Area, the impacts of development, and required mitigation measures (Exhibit B and Exhibit C). Based upon this review, the City may propose amendments to this Ordinance or may supplement or revise the Planned Action Threshold Determination.