



LAKEWOOD CITY COUNCIL SPECIAL MEETING AGENDA

Monday, October 30, 2023

7:00 P.M.

City of Lakewood
Council Chambers
6000 Main Street SW
Lakewood, WA 98499

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

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

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

CALL TO ORDER

ROLL CALL

C O N S E N T A G E N D A

- (3) A. Approval of the minutes of the City Council study session of October 9, 2023.

- (7) B. Motion No. 2023-97

Authorizing settlement of Pierce County Superior Court Cause No. 23-2-06560-9 between the City of Lakewood and Heirs and Devisees of Edith Josephine Takemoto.

- (18) C. Items Filed in the Office of the City Clerk:
1. Lodging Tax Advisory Committee meeting minutes of September 22, 2022.
 2. American Lake – Lake Management District No. 1 Advisory Committee meeting minutes of May 9, 2023.
 3. Community Services Advisory Board meeting minutes of September 20, 2023.

Persons requesting special accommodations or language interpreters should contact the City Clerk, 253-983-7705, as soon as possible in advance of the Council meeting so that an attempt to provide the special accommodations can be made.

REPORTS BY THE CITY MANAGER

- (34) Park Sign Design Project Update.
- (91) Review of proposed 2024 Federal, State and County Legislative Agenda and Policy Manual.
- (156) Review of Multifamily Tax Exemption Code Amendments.
- (187) Review of 2023 Annual Development Regulation Code Amendments.

CITY COUNCIL COMMENTS**ADJOURNMENT**

Persons requesting special accommodations or language interpreters should contact the City Clerk, 253-983-7705, as soon as possible in advance of the Council meeting so that an attempt to provide the special accommodations can be made.



LAKEWOOD CITY COUNCIL STUDY SESSION MINUTES

Monday, October 9, 2023

City of Lakewood

Council Chambers

6000 Main Street SW

Lakewood, WA 98499

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

Telephone via Zoom: +1(253) 215-8782

Participant ID: 868 7263 2373

CALL TO ORDER

Mayor Whalen called the meeting to order at 6:00 p.m.

ROLL CALL

Councilmembers Present: 7 – Mayor Whalen; Deputy Mayor Mary Moss; Councilmembers Mike Brandstetter, Don Anderson, Patti Belle, J. Trestin Lauricella and Paul Bocchi (arrived at 6:09 p.m.)

ITEMS FOR DISCUSSION:

Review of 2023-2024 State Legislative Agenda and Policy Manual, 2024 Federal Policy Agenda and Pierce County Policy Manual.

Michael Vargas, Assistant to the City Manager introduced Shelly Helder, Gordon Thomas Honeywell Governmental Affairs, Chief Patrick Smith, and City Manager Caulfield.

Helder provided a high-level overview of what is expected to happen during the 2024 State Legislative Session noting that it is a short 60-day session, is the 2nd year in the biennium and will focus on adoption of supplemental operational, capital and transportation budgets.

She shared that the 2024 State Legislative Agenda will focus on public safety specifically the City requests the Legislature: 1) Provide tools to address auto theft and property crime, including increased state funding to grant programs to support regional enforcement and prosecution efforts; 2) Make refinements to the restrictions on vehicular pursuits; 3) Commit ongoing state funding for therapeutic courts to satisfy the new state drug possession law; and 4) Supply stable state funding for co-responder programs, such as the City's Behavioral Health Contact Team. Discussion ensued and a 5th request will be added regarding juvenile crime.

Helder provided an overview of the request regarding Geographic Equity in Discharge from State Facilities and reviewed proposed changes to State Legislative Policy Manual. Discussion ensued.

Jake Johnston, Johnston Group reviewed the 2024 Federal Policy Agenda. Discussion ensued.

Michael Vargas, Assistant to the City Manager reviewed the Pierce County Policy Manual. Discussion ensued.

**ITEMS TENTATIVELY SCHEDULED FOR THE OCTOBER 16, 2023
REGULAR CITY COUNCIL MEETING:**

1. Police Commissioning and Awards Ceremony. – *Chief Patrick Smith, Lakewood Police Department*
2. Recognition of Gomer Roseman, Habitat for Humanity.
3. Authorizing the execution of a Memorandum of Understanding with the Nisqually Indian Tribe. – (Motion – Consent Agenda)
4. Authorizing the execution of an agreement for the 2023 Electrical Services project. – (Motion – Consent Agenda)
5. Appointing Amelia Escobedo to serve on the Landmarks and Heritage Advisory Board through December 31, 2026. – (Motion – Consent Agenda)
6. Appointing Parks and Recreation Advisory Board members. – (Motion – Consent Agenda)
7. Appointing Lakewood Arts Commission members. – (Motion – Consent Agenda)
8. Naming the plaza area on Motor Avenue, Colonial Plaza. – (Resolution – Regular Agenda)
9. Review of 3rd Quarter (2023) Police Report. – (Reports by the City Manager)

REPORTS BY THE CITY MANAGER

City Manager Caulfield shared that changes to the legislative agenda will be brought back for City Council review on October 30th followed by adoption on November 6th.

He then shared that Bill Adamson, South Sound Military and Community Partnership (SSMCP) Program Manager is being recognized as an Association of Defense Communities (ADC) Community Champion.

He then announced the following upcoming meetings and events:

- October 13, 5:00 P.M., American KAPWA Community Celebration, Thomas Middle School
- October 14, 12:00 P.M. to 3:00 P.M., Truck & Tractor Day, Fort Steilacoom Park
- October 18, 8:30 A.M. to 12:00 P.M. Pierce County Thriving Together for Small Businesses, McGavick Conference Center
- October 30, 11:30 A.M. to 1:00 P.M., AWC District 6 Meeting, AWC Headquarters
- November 1, 6:30 P.M., Public Safety Roundtable, University Place City Hall

CITY COUNCIL COMMENTS

Councilmember Bocchi shared that he visited the Puget Sound Wildlife Refuge where there were over 100 volunteers beautifying the area with native plants.

Councilmember Lauricella shared that he looks forward to Truck and Tractor Day.

Councilmember Anderson shared that the City will need alternate for the Puget Sound Regional Council and spoke about the design for the temporary Lakewood Library location.

Deputy Mayor Moss shared that she looks forward to Truck and Tractor Day and shared that Lakewood Multicultural Coalition is working with the Clover Park School District to support youth in the community.

Mayor Whalen shared that Late Night at the YMCA has been a successful program for youth in the community. He shared that last week he attended a Habitat for Humanity event in Tillicum with Governor Inslee, the Economic Development Board Manufacturing Day and looks forward to Truck and Tractor Day.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:32 p.m.

JASON WHALEN, MAYOR

ATTEST:

BRIANA SCHUMACHER
CITY CLERK

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: October 30, 2023	TITLE: Authorizing the settlement of ligation.	TYPE OF ACTION: — ORDINANCE NO. — RESOLUTION NO. <u>X</u> MOTION NO. 2023-97 — OTHER
REVIEW:	ATTACHMENTS: Settlement Agreement and Stipulated Judgment and Decree of Appropriation	


SUBMITTED BY: Heidi Ann Wachter, City Attorney

RECOMMENDATION: It is recommended that the City authorize settlement of Pierce County Superior Court Cause No. 23-2-06560-9 between the City of Lakewood and Heirs and Devisees of Edith Josephine Takemoto.

DISCUSSION: The City initiated a condemnation action to take approximately 300 feet of a residential property for the Hipkins Road project. The City and the property owner have reached agreement for the City to take the necessary property, thus there is no need for further litigation.

ALTERNATIVE(S): The alternative to this settlement would be to offer less for the property and proceed with condemnation, but the Court will ultimately order the City to pay fair market value.

FISCAL IMPACT: The settlement amount is \$16,000 which is an expected part of the project.

Heidi Ann Wachter Prepared by	 City Manager Review
_____ Department Director	

CR 2A SETTLEMENT AGREEMENT

City of Lakewood, a Washington municipal corporation v. the Heirs and Devisees of Edith Josephine Takemoto

Pierce County Superior Court Cause No. 23-2-06560-9

THIS CR 2A AGREEMENT (the "Agreement") is made and entered into by and between the City of Lakewood (the "City") and the Heirs and Devisees of Edith Josephine Takemoto ("Takemoto"). The use of the term "parties" herein refers to the City and Takemoto.

Takemoto owns real property in Pierce County, Washington, parcel number 902500-0420 (the "Takemoto Property").

On or about May 2, 2023, the City filed a Petition for Condemnation entitled Pierce County Superior Court Cause No. 23-2-06560-9 (the "Lawsuit") to acquire certain property rights necessary for completion of the road roundabout project described in the Petition (the "Project"). The property rights sought to be condemned in this action involve the Takemoto Property and are legally described in Exhibit 1 to the Petition.

The parties, having reached an agreement to settle this matter, hereby enter into this CR 2A Agreement incorporating the above recitals and agreeing as follows:

1. Just Compensation. The parties agree that just compensation for the taking and damaging of the Takemoto Property shall be Sixteen Thousand and no/100 dollars (\$16,000.00).

2. Landscaping and Boundary Transitions. City agrees to sever two portions of the large rhododendron and replant immediately behind the new right of way line. Takemoto will mark the rhododendrons with survey ribbon. The City shall not be responsible for the survival of said plants but will make an effort to successfully transplant them. Large black rocks will be placed at the approximate locations depicted on the attached Exhibit "A". The rocks will be approximately 1 ton each. Anywhere there is a grade change, the transition area will be barked. The existing rock noted by callout #1 on Exhibit "A" is to be picked up and moved immediately northwest of its current location to allow unimpeded access to the red rock driveway. The driveway approach to Hipkins Road will be constructed to allow use of the red graveled area of driveway. The area noted by callout #2 on Exhibit "A" is to be asphalted as part of the Project to ensure there are no drainage issues to the catch-basin.

3. Right of Entry. Nikki and Gary Takemoto, as the non-defaulted owners of the Property in the Lawsuit, in consideration of mutual benefits, hereby grant to the City and its contractors and agents the right to enter upon the Property for the purpose of completing the noted tasks as described above.

4. Agreed Judgment and Decree of Appropriation. The parties shall execute a Stipulated Judgment and Decree of Appropriation in the form attached hereto, on or before October 12, 2023.

5. Mutual Releases. Except for claims arising from this CR 2A Agreement, the parties release each other, their agents, officers, elected officials, employees, managers, and members and any and all other parties from any and all other claims arising out the Lawsuit and any and all other claims, known and unknown, between the City and Takemoto as of the date of this CR 2A Agreement, including, but not limited to, damages, attorney's fees, expert fees, expenses, and costs, including court costs.

6. Cooperation. The parties agree to cooperate and execute any additional documents necessary to effectuate the settlement between them and to bind themselves and the Takemoto Property to the settlement terms, including but not limited to a Stipulated Judgment and Decree of Appropriation, and Easement.

7. Representations and Warranties. The parties represent and warrant that they own, and have not transferred or assigned, any claims to be dismissed or released under the terms of this CR 2A Agreement.


8. Arbitration. In the event any party commences an action for the enforcement or interpretation of this CR 2A Agreement, the prevailing party in such action shall be entitled to recover their reasonable attorneys' fees, expenses, and court costs. Any claims for enforcement or interpretation of this CR 2A Agreement shall be resolved by binding arbitration pursuant to RCW 7.0A.010, *et seq.*, by an arbitrator mutually agreed upon by the parties.

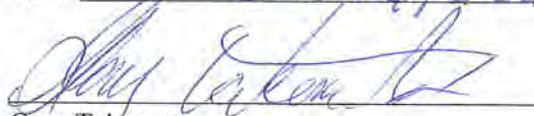
9. Fees and Costs. The parties shall bear their own attorneys' fees and costs except as otherwise stated herein.

10. Governing Law. This CR 2A Agreement shall be deemed to have been executed and delivered within the State of Washington, and the rights and obligations of the parties shall be construed and enforced in accordance with, and governed by, the laws of the State of Washington.

11. Severability. In the event any portion of this CR 2A Agreement shall be determined by competent authority to be ineffective, invalid, or unenforceable, that portion shall be deemed severable from this CR 2A Agreement and the invalidity or unenforceability thereof shall not affect the validity and enforceability of the remaining portions of this CR 2A Agreement.

AGREED TO AND EXECUTED BY:


Nikki Takemoto
Date: Oct. 16, 2023


Gary Takemoto
Date: 10/16/2023

THE CITY OF LAKEWOOD

By: _____
Title: _____
Date: _____

Exhibit A

(RIGHT-OF-WAY DEDICATION)

THAT PORTION OF LOT 22, BLOCK 3, TERRY ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 17 OF PLATS, PAGE 53, IN PIERCE COUNTY, WASHINGTON; SAID PORTION BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 22,

THENCE ALONG THE SOUTH LINE THEREOF, SOUTH 89°01'09" EAST, 57.44 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING, SOUTH 89°01'09" EAST, 12.17 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, FROM WHICH THE RADIUS BEARS NORTH 00°58'51" EAST 20.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°26'46", AN ARC LENGTH OF 31.57 FEET TO THE WEST RIGHT OF WAY MARGIN OF HIPKINS RD;

THENCE ALONG SAID RIGHT OF WAY MARGIN, NORTH 00°32'05" EAST, 15.08 FEET TO THE BEGINNING OF A NONTANGENT CURVE TO THE RIGHT, FROM WHICH THE RADIUS BEARS NORTH 64°51'50" WEST 76.50 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°16'33", AN ARC LENGTH OF 48.43 FEET TO THE POINT OF BEGINNING.

CONTAINING 361 SQUARE FEET, OR 0.01 ACRES MORE OR LESS.

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6 IN THE SUPERIOR COURT OF WASHINGTON IN AND FOR PIERCE COUNTY

7 CITY OF LAKEWOOD, a Washington
8 municipal corporation,

9 Petitioner,

10 v.

11 THE HEIRS AND DEVISEES OF EDITH
12 JOSEPHINE TAKEMOTO, deceased;
13 LAKEWOOD WATER DISTRICT,
14 a Washington municipal corporation; and also
15 all other persons or parties unknown claiming
16 any right, title, estate, lien, or interest in the real
17 estate described in the petition herein,

18 Respondents.

No. 23-2-06560-9

STIPULATED JUDGMENT AND
DECREE OF APPROPRIATION

CLERK'S ACTION REQUIRED

Tax Parcel No. 902500-0420

16 Petitioner, City of Lakewood, and Respondent non-defaulted Heirs and Devisees of Edith
17 Josephine Takemoto (Nikki Takemoto and Gary Takemoto), stipulate to entry of this Stipulated
18 Judgment and Decree of Appropriation ("Judgment"), as follows:

19 **1. JUDGMENT SUMMARY**

20 1.1. AMOUNT OF JUDGMENT.

21 1.1.1. Total amount of Just Compensation: \$16,000.00

22 1.2. JUDGMENT CREDITOR. Heirs and Devisees of Edith Josephine Takemoto,
23 deceased, represented by Nikki Takemoto, Pro Se, 7575 Dowerdell Lane West, Lakewood, WA

STIPULATED JUDGMENT AND DECREE OF APPROPRIATION - 1

FOSTER GARVEY PC
1111 THIRD AVENUE, SUITE 3000
SEATTLE, WASHINGTON 98101-3299
PHONE (206) 447-4400 FAX (206) 447-9700

98499, and Gary Takemoto, Pro Se, 3845 Fawcett Avenue, Tacoma, WA 98418, being the non-defaulted heirs and devisees of Edith Josephine Takemoto.

1.3. JUDGMENT DEBTOR. City of Lakewood, represented by Kinnon W. Williams and Adrian Urquhart Winder, Foster Garvey PC, 1111 Third Avenue, Suite 3000, Seattle, WA 98101, (206) 447-4400.

1.4. COSTS. Statutory costs are waived.

1.5. LEGAL DESCRIPTION. See descriptions contained in Exhibit A to this Judgment ("Property").

1.6. PIERCE COUNTY TAX ACCOUNT NUMBER: 902500-0420.

2. INTRODUCTION

THIS MATTER came before the undersigned judge of the above-entitled court on the stipulation of the Petitioner, City of Lakewood ("City"), and Respondent non-defaulted Heirs and Devisees of Edith Josephine Takemoto, (Nikki Takemoto and Gary Takemoto) (collectively, "Respondent"). The City is represented by Kinnon W. Williams and Adrian Urquhart Winder, Foster Garvey PLLC. Respondent is represented Pro Se by Nikki Takemoto and Gary Takemoto, who are the heirs that have not been defaulted in this action. The Court received this stipulation of the parties, including for entry of this Judgment, and is advised in the premises. The Court makes and enters this Judgment and Decree of Appropriation.

3. STIPULATION

3.1. The City and the Respondent are each a "Party" and together the "Parties" to this matter. The Parties agree that the total just compensation for the Property and other costs hereunder is Sixteen Thousand and No/100 Dollars (\$16,000.00) (the "Judgment Amount"). The Judgment Amount represents a full and final settlement of all claims related to the City's taking

1 of the Property, including but not limited to interest, expert fees, attorney fees, costs, and any
2 claims of damages or other diminution in value.

3 3.2. This Judgment and the Judgment Amount were reached following good faith
4 negotiations and reflect considered evaluation of the risks associated with further litigation,
5 including the continued commitment of resources by the Parties. The Judgment Amount is a
6 compromise and settlement and does not constitute an acknowledgement of the claims or defenses
7 of either Party as to the issues in this matter.

8 3.3. The Property acquired by the City is legally described in the attached Exhibit A,
9 which is incorporated herein by this reference.

10 3.4. The Parties hereby stipulate to entry of this Judgment.

11 **4. PUBLIC USE AND NECESSITY; POSSESSION AND USE**

12 The Court entered its Findings of Fact, Conclusions of Law, and Order on Public Use and
13 Necessity on August 11, 2023. The Parties did not stipulate to immediate possession and use.

14 **5. OTHER PARTIES**

15 5.1. Two heirs and devisees, Gregory Takemoto and Michael Takemoto, were defaulted
16 by order entered on June 30, 2023.

17 5.2. Respondent Lakewood Water District filed an Acceptance of Service on May 9,
18 2023.

19 5.3. All other persons or parties unknown claiming any right, title, estate, lien, or interest
20 in the real estate described in the petition herein were defaulted by order entered on September 22,
21 2023.

22 5.4. There are no other parties to this action.
23

1 **6. JUDGMENT AND APPROPRIATION**

2 6.1. The total just compensation to be paid by the City to Respondent Heir and Devisees
3 of Edith Josephine Takemoto, the fee owner of the property, for and in connection with the taking
4 and damaging of the Property, together with any improvements thereon, attorney,
5 expert/evaluation fees, and interest, if any, is the amount of Sixteen Thousand and No/100 Dollars
6 (\$16,000.00) (the "Judgment Amount").

7 6.2 Upon entry of this Judgment and payment of the Judgment Amount under
8 Section 6.1, the City shall have the right, title, and interest in the Property, as described in
9 Section 3.3.

10 **7. JUST COMPENSATION AND DISBURSEMENT**

11 Within twenty (20) court days of entry of this Judgment, the City shall pay into the court
12 registry the Judgment Amount (\$16,000.00) as payment in full of just compensation and costs for
13 the Property. Interest at the statutory rate shall accrue on and after the twenty-first (21st) day
14 following entry of the Judgment on the Judgment Amount until paid.

15 **8. JUDGMENT**

16 8.1. Sections 2 through 7 above are incorporated herein by this reference.

17 8.2. Upon entry of this Judgment and payment as set forth in Section 6 above, the City
18 has all right and title to the easement rights and interest in the Property (described at Section 3.3
19 herein).

20 8.3. The total Judgment Amount paid by the City to the Respondent as payment in full
21 of just compensation is the Judgment Amount.

22 8.4. The Clerk shall not issue a "certified abstract of judgment" contained in the
23 execution docket, otherwise denominated by the Clerk "transcript of judgment docket," the sole

1 and only purpose of which is presentation for payment. The sole method of payment shall be
2 through the court registry as directed herein.

3 8.5. No sums shall be disbursed to the Pierce County Treasury for real property taxes
4 and fees owing on the Property. Respondent elects, pursuant to RCW 84.60.070, to have any and
5 all taxes owing on the Property set over to the remainder portion of the Property.

6 8.6. Costs are waived as to both Parties.

7 8.7. Petitioner shall record a certified copy of this Stipulated Findings of Fact,
8 Conclusions of Law, Judgment, and Decree of Appropriation with the Pierce County Auditor's
9 office.

10 DATED this ____ day of _____, 2023.

11
12 _____
13 SUPERIOR COURT JUDGE /
COURT COMMISSIONER

14 **Stipulated to and presented by:**

15 FOSTER GARVEY PC

16
17 _____
18 Kinnon W. Williams, WSBA No. 16201
19 Adrian Urquhart Winder, WSBA No. 38071
20 1111 Third Avenue, Suite 3000
Seattle, Washington 98101-3299
Telephone: (206) 447-4400
Email: kinnon.williams@foster.com
adrian.winder@foster.com

21 *Attorneys for Petitioner City of Lakewood*

22 *////*

1 Stipulated to and notice of presentation waived by:

2 NIKKI TAKEMOTO

3 Nikki Takemoto Oct. 16, 2023
4 Pro Se

5 GARY TAKEMOTO

6 Gary Takemoto 10/16/2023
7 Pro Se
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LODGING TAX ADVISORY COMMITTEE (LTAC)
September 22, 2022 - Thursday – 8:30 A.M.
Council Chambers (and via Zoom)

CALL TO ORDER

Chair Mayor Jason Whalen called the meeting to order at 8:44 a.m.

ROLL CALL (Committee members announced their presence)

Members present: **In person:** Lakewood Mayor Jason Whalen, Chair; Chelene Potvin-Bird, Vice President of Sales & Servicing/CEO - Travel Tacoma; DJ Wilkins, Comfort Inn and Suites

Members arriving after roll call: Linda Smith, President/CEO - Lakewood Chamber of Commerce and Jarnail Singh, President - Comfort Inn & Suites.

Members Absent: None

City staff present: Dana Kapla, Assistant Finance Director; Jennifer Posalski, CED Office Assistant.

PUBLIC COMMENTS - None.

MEETING MINUTES APPROVAL - The motion to approve the 2022 LTAC meeting minutes from September 23, 2021 passed unanimously.

OPEN PUBLIC MEETINGS ACT

City Attorney Heidi Ann Wachter provided an annual update to the Open Public Meetings Act. She discussed some of the challenges surrounding public disclosures and described their responsibilities. Once the training concluded she noted that the three people in attendance had been trained. Linda Smith joined late, and Ms. Wachter asked Ms. Smith if she was familiar with the public meetings act and if she had been trained. Ms. Smith indicated she had been through this many times. Member Potvin-Bird asked to describe voting when members have interest in the proposals. Ms. Wachter stated they could not vote if they had interest and described when members could have input and discussed the quorum. Chair Mayor Whalen noted that he has not seen or heard any audit finding related to LTAC, Ms. Wachter confirmed and said that it could say with confidence that there would not be one. Ms. Wachter noted that if the committee needed her assistance or had question to contact her.

2022 GRANTS STATUS & FUND BALANCE – Dana Kapla, Assistant Finance Director.

Ms. Kapla gave an overview of the Lodging Tax Advisory Committee process and described the breakdown of the Washington State's lodging taxes paid by lodging businesses. She provided a brief overview of the agreement with Clover Park Technical College relating to the McGavick Center and announced that \$2,575,189 is available for allocation in 2023 (net of McGavick lease debt service requirement). She stated \$1,424,384 was available 4%, which is the unrestricted portion that can also be used for capital, and \$1,150,805 is from the 3% that is restricted for capital purposes only. She pointed out that this information was located within the package along with a 2021 funding report. Chair Mayor Whalen wanted confirmation that his understanding of the presentation regarding the McGavick center contract and the fact that the city had no ownership of the McGavick Center at the time of the contract. Ms. Kapla confirmed.

2023 GRANT PROPOSAL PRESENTATIONS

Grave Concerns Association – Laurel Lemke, Chair Person

Ms. Lemke began by describing the Grave Concerns Association (GCA) and how they are dedicated to the restoration of the historic Western State Hospital Cemetery at Fort Steilacoom Park. Ms. Lemke explained a place of burial is very sacred and should be identified by a tombstone or grave marker. While there are many grave markers many have deteriorated or need replacement, GCA works to replace them. To do this they would like request funds for; a) create and distribute tri-fold brochures; b) create and distribute postcards; c) would like to work with Pretty Gritty Tours which is online. They would like to distribute additional information about the Graves Concerns Association and to add more historical markers. Pretty Gritty Tours could assist in with this goal.

Historic Fort Steilacoom Association (HFSA) – Joseph Lewis, Secretary

Mr. Lewis began by describing how LTAC funding has help Historic Fort Steilacoom Association get caught up with technology. They have been able to update their website, renew membership, donate money and design and purchase tickets for tours. They use the Eventbrite Application to establish capacity for tours. They are now on social media which is one way they market in addition to publishing newsletters. They are now able to host hybrid meetings using Zoom. They use the Square for processing credit cards which provide inventory control. They are now in the process of creating videos and provided examples. Mr. Lewis displayed hats, long sleeved t-shirts, and jigsaw puzzles they now have available for advertising. He also explained how they join various events and gatherings to get their information out to the public. He stated he they only needed \$12,000 this year.

Chair Mayor Whalen asked what their goals were to attract attendance. Mr. Lewis stated they are limited by volunteers and have lost some due to COVID. They have started to attract younger people, but not available during the weeks.

Chair Mayor Whalen asked if they foresee any needs for capital money for sustainability. Mr. Lewis said yes and is aware of the discussions between DSHS and the City, but they do not own the building they are currently in. Chair Mayor Whalen stated that city was in discussions with DSHS which is similar to the transfer of Fort Steilacoom Park and provided some additional information.

Member Potvin-Bird asked how they are tracking attendance over 50 miles. Mr. Lewis said their attendance is less than 20% and described how they might obtain this information.

Member Potvin-Bird asked where they get their additional funding. Mr. Lewis stated they obtain revenue from tickets, merchandise, donations, and Nisqually tribe.

Asia Pacific Cultural Center (APCC) - Faaluaina Pritchard, Executive Director

Ms. Pritchard said the APCC could not take place without LTAC support. She noted that the Pacific Islander population has continued to increase over the years in this area. She presented information on the activities in 2022 and stated how they want to instill the language and culture on the younger generation so that their culture and language will go on. She provided an overview of the activities and stated that it is a wonderful event for people from all over. She thanked the committee and hoped they would continue to support them.

Travel Tacoma Mt. Rainier Tourism & Sports - Dean Burke, President/CEO

Mr. Burke started by stating they have a lot to look forward to 2023. They are making a 42% jump in stay within the county. 2022 had a delivery goal of 63,000 in 2022 and will go to 105,000 in 2023. He explained they are seeing an increase in attendance via the Geodata tool they currently use to track information. He listed priority events such as golf, cyclocross, cross county, baseball, SummerFEST Lakewold Gardens, Colonial Plaza Asia Pacific Cultural Center, Geo-Targeting complains, and have increased capacity for larger conventions. He mentioned they are requesting a very modest increase for 2023 with the leanest team ever and setting the highest ROI values ever. Using Geodata reports, he shared many trends over time such as trips, locations/ranges from area, celebrations attendance numbers, state visitation, and demographic information, with/such as age groups, income, education and ethnicity.

Chair Mayor Whalen asked what Lakewood is missing to increase tourism. Mr. Burke stated he would love to discuss offline as the questions is very complicated.

Chair Mayor Whalen asked what he was seeing regarding to meeting size/place/attendance and that are in demand. Mr. Burke stated this is a complex question because of the pandemic recovery, but what he is seeing at the moment he is smaller meetings. However, while the big national meetings are recovering this number could increase.

Member Wilkins asked what their plans were for the Colonial Plaza. Mr. Burke said there is detail in the proposal, but their plan for 2023 is to paint a larger narrative on the larger itineraries.

Lakewold Gardens - Tourism – Susan Warner, Executive Director, Robin Echtle, Contract Grant Writer. Ms. Warner thanked LTAC for their support. Ms. Warner presented a slide showing the breakdown of the requested \$100,000, which she announced was similar to last year. She then stated that their goal is to be a “garden of all seasons”. Ms. Warner presented slides with current trends for visitors, demographics, web presence, and social media. She introduced the Black Splendor series, explained their wedding series, their presence at the local farmer’s markets and State fairs. Ms. Warner introduced new exhibition series programs such as Rainbow to the Anthropocene, Artist Series, painting programs for veterans, and explained how they are a Blue Star Museum which attracts veterans. She was happy to announce their concert programs are selling out and presented information on their Halloween series, scavenger hunt, solstice lights, big nature flag, micro nature, Mayfest/Mother’s Day, and Fairyfest.

Chair Mayor Whalen asked if they had flyers available for the hotels and motel. She responded yes.

Lakewold Gardens - Capital – Susan Warner, Executive Director, Robin Echtle, Contract Grant Writer. Ms. Warner explained that the capital was for the restoration of the carriage house on the property which is the first building the visitor’s encounter. She stated that it is in need of rehabilitation and is the oldest building on the property. This building houses admission and their garden shop. She provided the history of the building and provided a rendering of their design. This new space would continue to contain admissions and garden shop, but then would also include exhibition space, education studio, and greeting rooms. The space would be flexible for community use. The total cost of renovation will be \$3.2M and was happy to say that they are over \$2M in their fund raising. The State’s Heritage Capital Fund is investing approximately \$800,000. She explained that this restoration will be available not only for the communities but for our schools. She show drawing for new restrooms, meeting rooms, activity rooms, new greenhouse, large doors that open to outdoor space, garden shop, admission office, upstairs/roof area. Ms. Warner asked that the City support this endeavor as an investment of \$400,000 over 4 years and in exchange the City would have access to this building for City use, similar to Clover Park.

Member Potvin-Bird asked how they plan to cover other costs. Ms. Warner stated they have increased their budget to support these new projects and have many foundations approaching them to support and described the other current funding.

Chair Mayor Whalen added that the rationale in building the facility increases their sustainability by having these new programs. Chair Mayor Whalen explained the need for this mid-size space. Committee then discussed space size further.

Lakewood Historical Society (LHS) - Phil Raschke, Board member; Sue Scott, President.

Ms. Scott presented the members with their latest newsletter about museums and introduced Mr. Raschke. Mr. Raschke started by providing a brief history of the museum and presented photos of their history, renovation, and changes. He then presented photos of their welcome flag, theater history show casing motion activated film, historic cabin with QR code, introduced the one-room Byrd School which was the beginning of the Clover Park School District, described how the buffalo soldier influenced Lakewood's growth, and introduced Lakewood's first mayor, Lt. Ret. William Harrison. Mr. Raschke stated how their current 8 volunteers (no paid staff) plan, maintain, conduct fundraising events, and operate the museum with a total operating cost of \$60,950 per year. He detailed their revenue and described how they would still have an operating shortfall of \$32,500. Their current goal is to host 10 historical events, place 2 historical markers, publish 4 publications (Prairie Gazette), maintain current paid memberships, increase their board, and refresh and maintain the museum. He then described a few of their featured stories, historical markers, historical films, and book program.

Lakewood Arts Festival Association – Phil Raschke, Vice Chair

Mr. Raschke provided a brief history. He stated that when they started with the Lakewood Art Commission they wanted to do something with film therefore they created a film festival in Lakewood. It started as the Asian FilmFest which was then combined with International FilmFest. This is how Film and Art and Book (FAB) was born. They had an overwhelming response which led to creation of a presence on Facebook, website and email. Mr. Raschke presented information on the 6th Annual Lakewood Festival (FAB) and told stories of visiting authors and special guests. He explained FAB is a one-of-a-kind festival with a unique combination of creative endeavors which has peaked interest from a broad section to the public. Mr. Raschke stated that their copy right brand "FAB" has proven to be a superb marketing technique. He then went on to describe the schedule for the 10th Annual Festival and the films, authors, musicians, presentations, displays, and award ceremony that have been included in this festival. Mr. Raschke then described some of the expenses they would use with City's funding such as maintain current schedules, international films, juried of fine arts/arts/graphics, marketing, and add a military art display, local tribal displays, a 3-dimensional art, youth art displays and REEL LIFT 96.

Chair Mayor Whalen asked what their attendance is. Mr. Raschke stated there was an approximately 20,100.

Member Potvin-Bird ask how do they track attendee zip code. Mr. Raschke stated they collect upon entry.

Chair Mayor Whalen suggested incentivizing free registration to track information where people come from.

Chair Mayor Whalen stated he understood admission is free and at what point will you be charging to recoup money. Mr. Raschke stated that because they are in growing stage they are not ready. Discussion occurred on ways to grow attendance.

Lakewood Chamber of Commerce – Tourism - Linda Smith, President/CEO

Ms. Smith stated they will be focused on the individual consumer (leisure) traveler through 2023. They serve travelers driving to Lakewood to overnight, shop, dine and tour the area while their focus market is Seattle-north, eastern Washington, Idaho and Portland south. Ms. Smith stated they would like to maintain operation of the information center 7 days a week, create and distribute informational publications, maintain online presence, produce destinations videos/guides and commercials, and partner with umbrella organization such as Travel+Tacoma. She presented information about the center, brochures, calendar-of-events, visitor guides/directory, and their website. She described what can be found on their website such as antiques, zoos, dining, accommodations, churches, parks, B&Bs, historical information, local attractions, events, tours, and a page for each of their partners. Here one can share information and provide reviews for travelers. Ms. Smith presented information on the “Continue to Drive Tour Ad Campaign”, their visitor guide, foodie road trip, international road trip, seasonal ads. She presented their concept for next year which is “Our Best Kept Secrets”.

Chair Mayor Whalen asked to if the City had any missing links. Ms. Smith stated Lakewood has a plethora of beauty but not many indoor attractions for all year around.

Member Potvin-Bird stated how the industry needed more resources to support tourism.

Lakewood Chamber of Commerce – Nights of Blue Lights

Ms. Smith mentioned that this event is the way to brand the community for the holiday season. She presented a history of the origins of the blue lights. She explained it started with decorating the Colonial Plaza theatre and how people travelled from all over to see the blue lights. This tradition was kept alive through the 70s and began to wane. The blue lights blazed again after the tragedy in Lakewood November 29, 2009. Ms. Smith would like to, once again, propose that Lakewood be branded as City of Blue lights this holiday season. She presented photos of some of the 55 businesses that took part in the past year’s event. The Chamber had lights installed for 38 businesses. Ms. Smith stated that they plan to kick off the event with an outdoor gathering prior to the Christmas Parade.

Chair Mayor Whalen asked what they do with the funds. Ms. Smith stated that the funds are used for marketing, materials, and labor to install the lights for the business that request the lights.

Lakewood Arts Foundation, Lakewood Community Playhouse dba Lakewood Playhouse and Lakewood Institute of Theatre – Paige Hansen – Vice President

Ms. Hansen gave thanks for the support and provided a history of Lakewood Playhouse. She stated that the Playhouse has been operating for 84 seasons. She described the uniqueness of their round theatre. People come from all over to see a show with the unique setting and the type of shows they present. She provided information about some of their shows, talent, directors, and attendees. Their mission statements states that they nurture students of all ages, at all stages, by offering a variety of education and performance opportunities, and empowers life skill through the experience of theatre. Ms. Hansen stated the pandemic effected their season, but plans to consolidate and rebuild. Their 2022 season will be shortened and plan to announce shows shortly. She was happy to announce they have received an angel donor that will help to support the Playhouse. She thanked the committee for prior support and hope they will continue their support and would it go to advertising. There is a population of approximately 876,000 in Pierce County and they estimate only 6,000 know about the Playhouse. They plan to reach a larger population through marketing and quality shows.

Member Wilkins ask what are some of the strategies they have for the new funding source. Ms. Hansen said they plan to put up large posters, create more press releases, advertise among a larger area, and by the word of mouth.

Chair Mayor Whalen asked how their facilities are holding up. Ms. Hansen stated the donation from the angel donor will be addressing issues with the side shed, roof, yard, storage, lobby refreshment, backstage and dressing room.

City of Lakewood PRCS – SummerFEST - Sally Martinez, Parks and Recreation Coordinator.

Ms. Martinez started by showing an advertisement for the event. She stated that radio ads are the key component for getting their information out. Sponsors Amazon and TwinStar Credit Union were new sponsors for 2021. Ms. Martinez stated because radio ads are expensive she has obtained the radio stations as sponsors to reduce this cost, which included 186 commercials heard by over 1 million people. Free advertising was also provided by Seattle Ballooning Company, Museum of Glass Hot Shop and other vendors. Ms. Martinez presented a variety of marketing reports, photos, and event information. With their sponsorship, and 25,000 people attending in attendance in 2021 Ms. Martinez says they are in their sweet spot. Based on their space and parking they do not want the festival larger or smaller. Ms. Martinez stated that it's important they have resources for print, radio, digital, posters, signs, banners, sticker, and swag for their marketing campaign. She presented information and videos from some of the entertainment and activities they had in 2021 and described how they had "something for everyone". Lastly, she presented photos of some of the 185 vendors, visitors, support, the drone show, and announced July 15, 2023 will be SummerFest 2023.

Member Potvin-Bird noted LTAC funding has increased and wanted to know what her expectation moving forward was. Ms. Martinez stated she now knows what is needed and that this should be the last increase to operate fully.

Chair Mayor Whalen asked how much money was used from the general fund subsidy. Ms. Martinez stated \$23,000 from the City, along with support from LTAC and sponsorships.

City of Lakewood PRCS – Farmers Market - Sally Martinez, Parks and Recreation Coordinator

Ms. Martinez opened by stating this last season was beyond successful. She thanked the committee for their sponsorship. She stated the market was moved from the parking lot to the grounds and could tell it was successful due to the increased attendance. In 2022, she estimates that she get 5,000 visitors a day which has increased sales. Ms. Martinez presented slides that support the growth of the market and believes it was due to funding increase. This year's market added SNAP and EBT, which brings money to our vendors but has increased the need for additional staff. She presented photos from this year's market. The location adjustment has provided vendors and attendees with more trees for shade, more room for Food Trucks, additional seating, more parking, and linear walkways for better accessibility and near the pavilion for the Concert Series. She provided many photos and videos from the event and provided a list of the type of vendors you can find at the market along of views of the market and diversity of the attendees.

Member Potvin-Bird asked how many people attend this year. Ms. Martinez stated 4K to 5K and will not change locations again as this is perfect.

Chair Mayor Whalen ask what their total cost was. Ms. Martinez said it was \$67,000 due to additional staffing. The city subsidizes \$20,000 plus LTAC funding and vendor fees. Ms. Martinez stated she will continue the marketing strategy and conduct surveys to obtain information from attendees.

City of Lakewood PRCS – Summer Concert Series - Sally Martinez, Parks and Recreation Coordinator

Ms. Martinez stated she did not need to ask for additional money as this is the right amount. She presented a video of the concert series and photos of the attendees and the artists. She noted that attendees are from all different backgrounds and having a great time. Ms. Martinez stated she has already booked the 6 or 7 bands for next year.

Chair Mayor Whalen asked why bands were not playing in the pavilion. Ms. Martinez stated the artists preferred outside of the pavilion due to the sound baffling problems. Mayor Whalen stated this is a good opportunity to ask for capital funding and may need to request for it next year.

City of Lakewood PRCS – Saturday Streets Festival – Sally Martinez, Parks and Recreation Coordinator

Ms. Martinez thanks the committee for their funding. She stated they had 4 events which were May through September. She highlighted the Jazz night and Car Show and presented information on awards activity, roaming entertainment, face painting, games, market vendors, live music, crafts, fire department, food trucks, and great partners. She also provided detail on the Fiesta la Familia event and proceeded to present the entertainment, food, sponsors, and activities that were included in the event.

Chair Mayor Whalen stated there are not a lot of activities during the shoulder months and wanted to know if she'd consider having a night market. Ms. Martinez stated it was hard to get food and vendor trucks during this time as they their regular day markets and didn't think a night market would work, but suggested perhaps a food truck rally could work. Discussion on night market or other types of events continued. After some discussion they concluded another market might be able to take place and Ms. Martinez could look into it.

Lakewood Sister Cities Association – Gimhae Delegation– Connie Coleman-Lacadie, President

Ms. Coleman-Lacadie introduced herself and thanked the committee for their support. Their sister cities are Okinawa, Japan; Bauang, Philippines; Gimhae, South Korea; and Danzhou, People's Republic of China, and mission is to promote relationships with international cities by providing cultural, social, educational, and governmental opportunities and encouraging trade, tourism, and economic development. Due to the pandemic they were unable to meet in person in 2021 and 2022 but did conduct meetings virtually. She stated that in 2021 the City of Lakewood hosted an art contest that included 80 submissions from Gimhae students, which one made the cover of Lakewood's Connection magazine. The City will host a commemorating ceremony to become a Sister City with Gimhae December of 2022. She thanked the committee for being flexible with the funding support due to the pandemic and travel adjustments due to the pandemic.

Chair Mayor Whalen asked if we pay for their lodging for their visits. Ms. Coleman-Lacadie stated they pay for all the travel to our city except for the airfare to the US. In turn, when we visit them, they do the same.

Chair Mayor Whalen asked if the Lt Governor has been included. Ms. Coleman-Lacadie stated state government has been invited (and attended) along with the Chamber, school districted, and City officials.

Lakewood Sister Cities Association — International Festival Kathleen Hoban, Vice President

Ms. Coleman-Lacadie stated that the international festival was their largest event. They have hosted 15 years at Sharon McGavick Center & Fort Steilacoom Pierce College to support student exchange. The students from the student exchanged helped created posters promoting the international festival, host calligraphy and origami booths, volunteer in the community and complete an internship in the field of

study with local businesses. In 2016 they jointed SummerFest which increased attendance by over 5,000 and continues to grow each year they participate. She presented photos, activities, entertainment, and other information from past events. Ms. Coleman-Lacadie noted that they have increased the request because of increased costs and the increased participation. She thanked the committee again for their support.

Chair Mayor Whalen asked if they work with or issues with the timing with the Asian Pacific Cultural Center. Ms. Coleman-Lacadie stated they had not except for one hiccup when they both had entertainment programs at once, but not since then. She said she has worked with the Asian Pacific Cultural Center for many years and they work well together.

City of Lakewood Communications – Imaging Promotions 2022 –Brynn Grimley, Communications Manager

Ms. Grimley stated they are requesting funding to continue the Nearcation campaign. The Nearcation campaign was created from the pandemic which is consistent with the City Council vision and goals. The LTAC support would go to support website management, content development focused on promoting Lakewood as a destination for special event, park exploration, restaurant crawls, business visits, and overnight stays. Ms. Grimley presented the marketing and promotion history and provided highlights from the current campaign, such as 523K video views, 3,799 total clicks, 360K YouTube impressions, and 163K Facebook impressions from paid ads. Goals for 2023 are to generate new content, increase outreach, and focus on overnight stays and attendance to local events. She stated beneficiaries will be residents, businesses, and others by raising awareness of Lakewood’s attractions, spurring development to create more economic activity, and increase tourism.

Member Potvin-Bird stated that Nearcation, like Travel+Tacoma, they are marketing for extended stays.

GRANT FUNDING DECISIONS

LTAC deliberations commenced to determine the amount of grants to be awards.

Basis for Awards and Other Recommendations

- Asian Pacific Cultural Center - The committee granted the full amount requested of \$15,000.
- Grave Concerns - The committee granted the full amount requested of \$5,000.
- Historic Fort Steilacoom Association - The committee granted the full amount requested of \$12,000.
- Lakewold Gardens - Capital - The committee granted the full amount requested of \$400,000 spread evenly over 6 years under the condition it is allowable.
- Lakewold Gardens - Tourism & Promotions - The committee granted the full amount requested of \$100,000.
- Lakewood Arts Book Festival Association - The committee granted the full amount requested of \$23, 000 and asks they track attendance.
- Lakewood Chamber of Commerce - Nights of Lights - The committee granted the full amount requested of \$25,000.
- Lakewood Chamber of Commerce - Tourism - The committee granted the full amount requested of \$100,000.
- Lakewood Historical Society & Museum - The committee granted the full amount requested of \$32,500.
- Lakewood Playhouse - The committee granted the full amount requested of \$25,000.
- Lakewood Sister Cities Association - Friendship Delegation - The committee granted the full amount requested of \$21,500.
- Lakewood Sister Cities Association - International Festival - The committee granted the full amount requested of \$9,000.
- Travel Tacoma - The committee granted the full amount requested of \$115,000.
- CoL - Communications - The committee granted the full amount requested of \$60,000.
- CoL - SummerFEST - The committee granted the full amount requested of \$135,000.
- CoL - Farmers Market - The committee granted the full amount requested of \$57,000.
- CoL - Summer Concert Series - The committee granted the full amount requested of \$30,000.
- CoL - Saturday Street Festivals on Motor Ave - The committee granted the full amount requested of \$30,000 and added an additional \$7,500 under the condition a one "night event" be added to their schedule during the off-season for a total of \$37,500.

LAKEWOOD LODGING TAX ADVISORY COMMITTEE RECOMMENDATIONS

2022 Requests for 2023 LTAC Grant Funds

Applicant	Funding Request			Recommended Funding			
	Non-Capital	Capital	Total	Non-Capital (4%)	Capital (3%)	Total	Notes
Asian Pacific Cultural Center	\$ 15,000	\$ -	\$ 15,000	15,000	-	15,000	
Grave Concerns	5,000	-	5,000	5,000	-	5,000	
Historic Fort Steilacoom Association	12,000	-	12,000	12,000	-	12,000	
Lakewold Gardens - Capital	-	400,000	400,000	-	400,000	400,000	Total award to be spread evenly over 4 years (\$100,00/yr) under the condition it is allowable.
Lakewold Gardens - Tourism & Promotions	100,000	-	100,000	100,000	-	100,000	
Lakewood Arts Book Festival Association	23,000	-	23,000	23,000	-	23,000	Ask that they track attendance.
Lakewood Chamber of Commerce - Nights of Lights	25,000	-	25,000	25,000	-	25,000	
Lakewood Chamber of Commerce - Tourism	100,000	-	100,000	100,000	-	100,000	
Lakewood Historical Society & Museum	32,500	-	32,500	32,500	-	32,500	
Lakewood Playhouse	25,000	-	25,000	25,000	-	25,000	
Association - Friendship Delegation	21,500	-	21,500	21,500	-	21,500	
Association - International Festival	9,000	-	9,000	9,000	-	9,000	
Travel Tacoma	115,000	-	115,000	115,000	-	115,000	
CoL - Communications	60,000	-	60,000	60,000	-	60,000	
CoL - SummerFEST	135,000	-	135,000	135,000	-	135,000	
CoL - Farmers Market	57,000	-	57,000	57,000	-	57,000	
CoL - Summer Concert Series	30,000	-	30,000	30,000	-	30,000	
CoL - Saturday Street Festivals on Motor Ave	30,000	-	30,000	37,500	-	37,500	An additional \$7,500 was added under the condition a one "night event" can be added in the off-season
	\$ 795,000	\$ 400,000	\$ 1,195,000	802,500	400,000	1,202,500	
CPTC McGavic Center (Committee, Annual Payment)	\$ -	\$ 101,850	\$ 101,850	-	101,850	101,850	
	\$ 795,000	\$ 501,850	\$ 1,296,850	802,500	501,850	1,304,350	

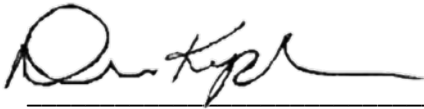
It was moved and seconded that the final allocation be approved.

With no further discussions, the motion to approve the recommended amounts was passed unanimously.

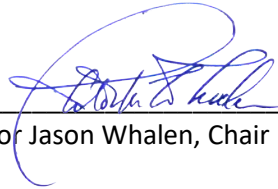
ADJOURNMENT - Chair Mayor Whalen adjourned the meeting at 4:32 p.m.

For the full video of this meeting go to the [City of Lakewood YouTube channel](https://www.youtube.com/watch?v=MtC8xg2AfoA) and visit the following link: <https://www.youtube.com/watch?v=MtC8xg2AfoA>

Minutes:



Dana Kapla, Asst. Finance Director (Preparer)



Mayor Jason Whalen, Chair



**American Lake – Lake Management District No. 1 Advisory Board
Meeting Minutes**
Tuesday, May 9, 2023, 6:00 p.m.
Lakewood City Hall, American Lake Room
6000 Main Street SW Lakewood, WA 98499

CALL TO ORDER

The meeting was called to order at 6:00 p.m.

ATTENDANCE:

American Lake – Lake Management District No. 1 Members Present:

5 - Kate Read, Mary Dodsworth, George Reed-Harmon, Todd Zuchowski, Richard Martinez. Excused Peter Marsh
Sign-in sheet attached

Staff: Weston Ott, Engineering Services Division Director.

PUBLIC COMMENT: Jeff Cox – Asked questions about the material on the website and that he is taking over the American Lake monitoring.

UNFINISHED BUSINESS: Approval of the March 2, 2023 meeting minutes. The minutes were approved by all members with no changes. Mary Dodsworth made the motion for approval of the minute, Todd Zuchowski seconded the motion. Approved unanimously by voice vote.

NEW BUSINESS

Review of Flyer – *Weston Ott*

The review of the draft flyer to be sent with the yearly assessment took the majority of the meeting. This included the flyer format and next meeting time and location.

Mailer to be sent with 2023 assessment

Financial report out – *Weston Ott*

The current expenses are within the yearly collections. The LMD collects approximately \$23,000 a year. To date the 2022 expense are \$16,945.

Liens – *Weston Ott*

Currently there are two liens

Other items discussed

None


NEXT MEETING: September 14, 2023

ADJOURNMENT

The meeting was adjourned at approximately 6:50 p.m.



Kate Read, Chair



Weston Ott

10/10/23

American Lake – Lake Management District No. 1 Advisory Committee Meeting
May 9, 2023, 6:00 pm
American Lake Conference Room, Lakewood City Hall

Committee members please initial by your name:

☒ Mary Dodsworth(COL)
☒ George Reed-Harmon(CM)
☐ Peter Marsh – Vice-Chair
☒ Richard Martinez *by phone*
☒ Kate Read - Chair
☒ Todd Zuchowski(JBLM)*

*Non-voting member

City Staff: Weston Ott

Public guests please sign in:

Name: JEFF COX Signature: _____

Name: [Signature] Signature: _____

Name: _____ Signature: _____

Name: _____ Signature: _____

Name: _____ Signature: _____

Name: _____ Signature: _____

Name: _____ Signature: _____



**Community Services Advisory Board
September 20, 2023 Meeting Minutes
Lakewood City Hall American Lake Conference Room
6000 Main St SW Lakewood WA 98499
In-person and via Zoom**

CALL TO ORDER

Edith Owen-Wallace called the meeting to order at 5:31 p.m.

ATTENDANCE VIA ZOOM

Denice Nicole' Franklin, Kyle Franklin

ATTENDANCE IN-PERSON

Board Members Present: Edith Owen-Wallace, Laurie Maus, Darrin Lowry and Michael Lacadie

MEMBERS ABSENT

Shelby Taylor

CITY COUNCIL LIAISON: Mike Brandstetter

GUEST PRESENT: Jeff Gumm, City of Lakewood

STAFF MEMBERS PRESENT: Shannon Bennett

MINUTES

August 28, 2023 meeting minutes were unanimously approved.

PUBLIC COMMENT

There was no one present who wished to comment.

NEW BUSINESS

Opioid Funding Presentation

Members unanimously agreed to present Council (during October 23rd joint meeting) with two options for spending the Opioid funds:

Option #1 – Hold onto annual allocations for a couple of years and pursue a project through issuance of a NOFA.

Option #2 – Include the funds in the 25/26 Human Services funding round and create a 6th priority for ease in the application and rating process.

Human Services Funding Priorities Discussion

Members unanimously agreed to recommend Council approve a second year for all 2023 Human Service contracts; with an effective date of January 1 through December 31, 2024.

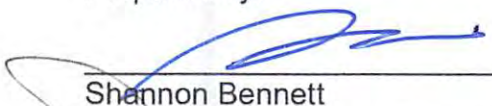
Jeff Gumm provided status of the 2022 Consolidated Annual Performance Evaluation Report (CAPER) and asked members to review the document prior to its submission to the Department of Housing and Urban Development (HUD) by September 30th, 2023 due date.

ADJOURNMENT

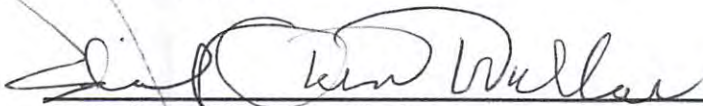
There being no other business, Owen-Wallace adjourned the meeting at 6:21 p.m.

Prepared by:

Date: 10/11/2023


Shannon Bennett

10/11/2023


Edith Owen-Wallace, Chair

10/18/2023
Date



TO: Mayor and City Council

FROM: Mary Dodsworth, Parks, Recreation & Community Services Director

THROUGH: John Caulfield, City Manager

DATE: October 30, 2023

SUBJECT: Park Sign Design Project

ATTACHMENTS: Park Sign Project Power Point

SUMMARY: Council authorized funds to design and install new signs for City Parks. During the design development portion of the project, Council expanded the scope to address park wayfinding and electronic media signs (readerboards). A stakeholder group and the Park and Recreation Advisory Board (PRAB) participated in the design process and are recommending a series of complimentary signs for parks, parks wayfinding and electronic readerboards.

DISCUSSION: The original park signs, installed in 2002, are outdated and not consistent with other City signs and the Gateway signs located near the various City entrances. Tangram, LLC was selected to support the park sign design process as well as prepare site plans, cost estimates and drawings to support sign installation. A stakeholders group representing economic development, tourism, communications, public works engineering, PRAB, park maintenance, capital projects and City Council was created to support the project. During design development several concurrent projects and community needs were noted that could be coordinated to make best use of the stakeholder team and the hired consultants. Council approved an expanded scope which included park wayfinding, signage for the new Fort Steilacoom Park main entry and electronic readerboards in the community.

PROJECT CRITERIA: The consultants and committees considered the following design criteria for sign concept selection:

- cost per park sign should not exceed \$30,000 (to include demolition, fabrication and installation);
- signs should use city/northwest colors and feature natural materials
- designs should be modern but reference other city signs and gateways,
- signs should be scalable to support various park / site locations,
- signs should be durable and easy to maintain

A number of sign concepts were considered. The concepts featured various shapes, sizes, colors and materials that complemented other city signs and features throughout the community. The stakeholder committee and PRAB each preferred the same concepts that together create a complimentary set of signs that could form a new branded look for the City. The concepts could easily be modified and used in future street, park and city development projects to expand pedestrian, vehicle and wayfinding throughout the community.

FUNDING and SCHEDULE: Funds to support the installation of eleven new park signs and electronic readerboard sign(s) has already been appropriated. Funds have not been appropriated for park wayfinding and the new Fort Steilacoom Park entry signs.

Park Sign Project Budget: \$330,000 = eleven park signs at \$30,000 each to include demolition, fabrication and installation. Construction is anticipated in 2024 at the following sites: Wards Lake Park, Active Park, Washington Park, Springbrook Park, Fort Steilacoom Park Angle Lane entrance, Harry Todd Park, American Lake Park, Oakbrook Park, Kiwanis and First Lions Skate Park, Primley Park and Edgewater Park. Wards Lake and Edgewater Park signs may be delayed due to selected location and construction schedules.

Readerboard Sign Budget: \$311,000 (ARPA funds) – the number of signs and locations will be determined at a later date when the cost estimates are complete.

LAKEWOOD, WASHINGTON

PARK IDENTIFICATION, WAYFINDING, & EMC SIGNAGE: CONCEPT DESIGNS



OCTOBER 30, 2023

project criteria & process

PROJECT CRITERIA

- Budget shall not exceed \$30,000 per sign
- Design shall reference the current city gateway monuments and the kiosk monument recently constructed for Fort Steilacoom Park
- Scalable design
- Easy and economical to maintain
- Durable
- Designs should include city colors



PROJECT PROCESS

- **December 2022:** Project kick-off meeting & site survey of park identification signs
- **July 2022:** Site survey of park wayfinding signage and EMC locations
- **September 8, 2022:** Present signage concept designs to Stakeholder Group
- **September 26, 2022:** Present signage concept designs to Parks and Recreation Advisory Board



STAKEHOLDER TEAM & PRAB

Stakeholder Team

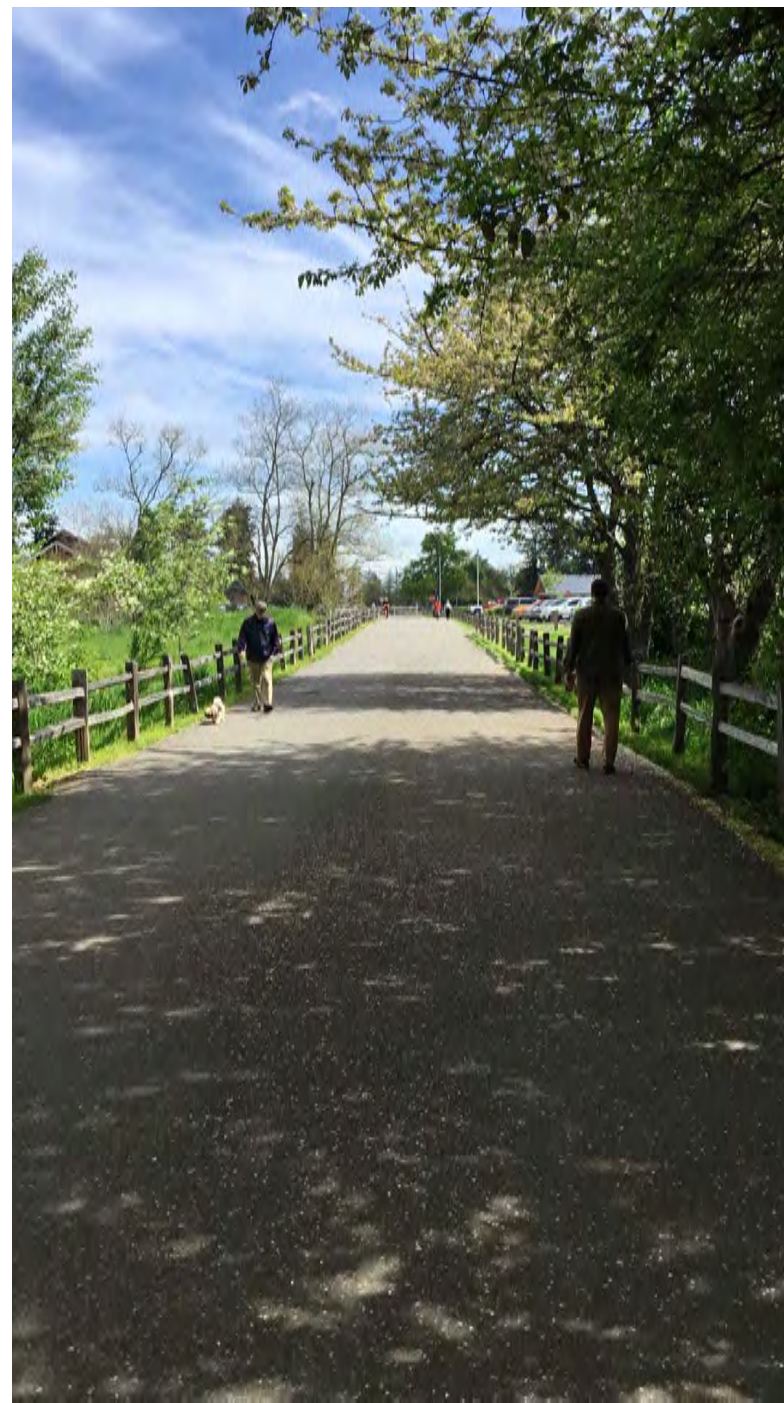
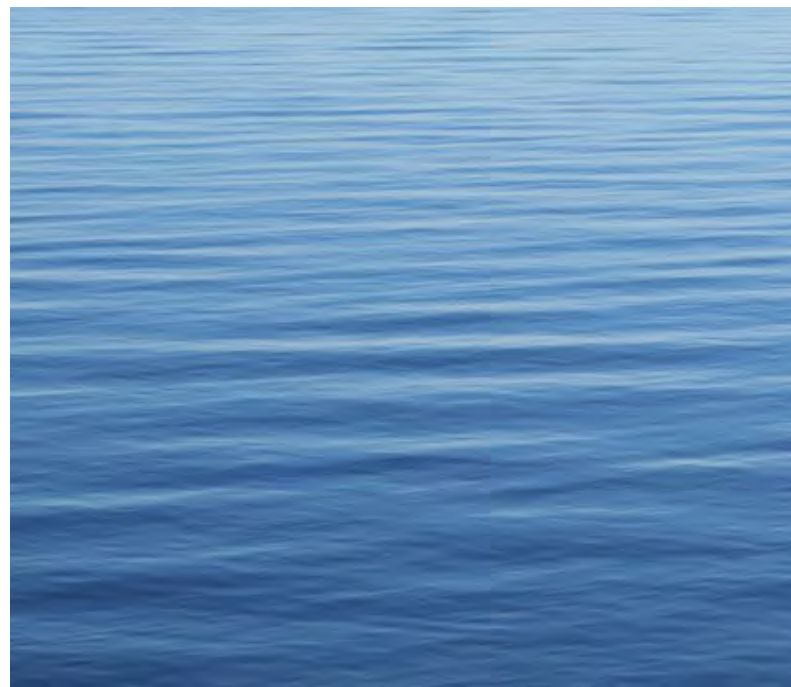
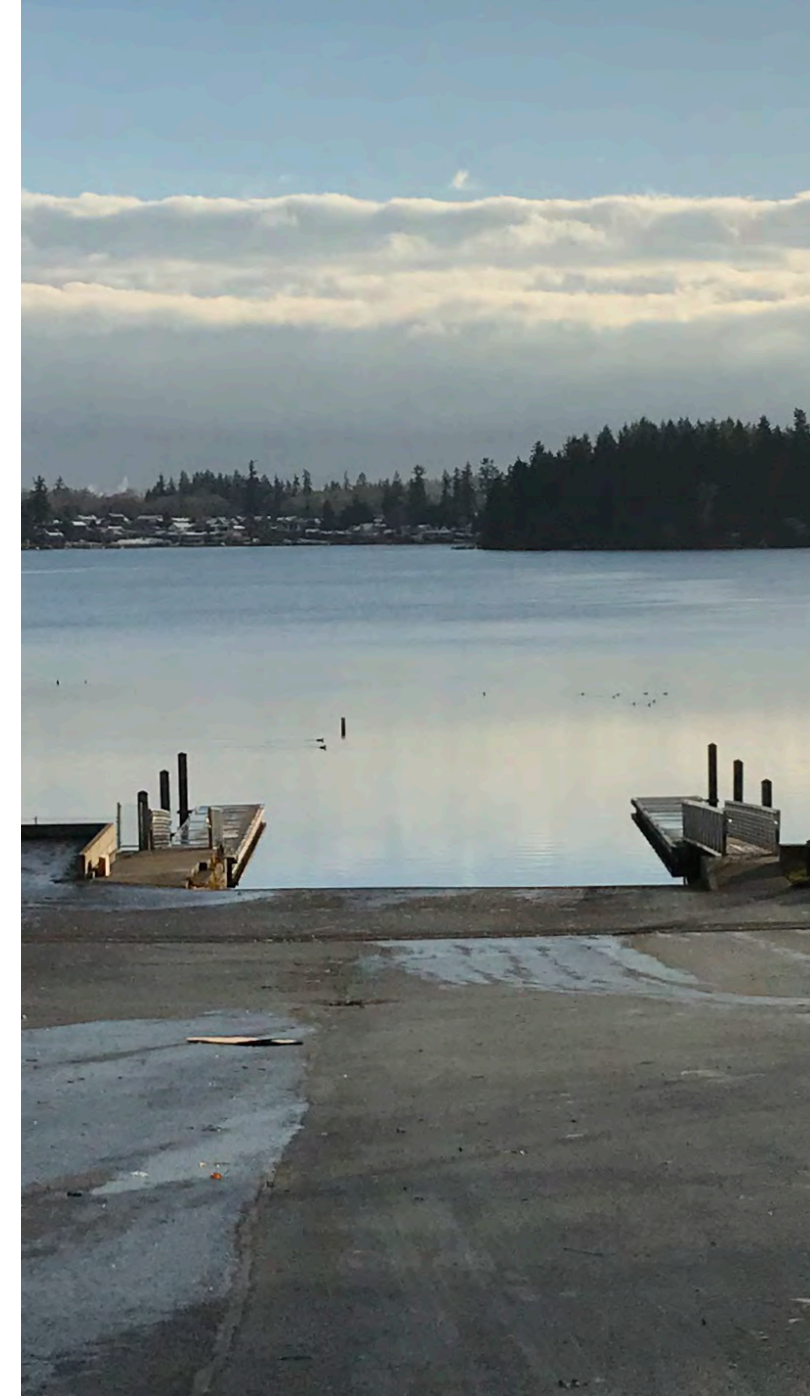
- Pattie Belle
- Paul Bucich
- Mary Dodsworth
- Brynn Grimley
- Vito Iacobazzi
- Becky Newton
- Stacey Reding
- Scott Williams

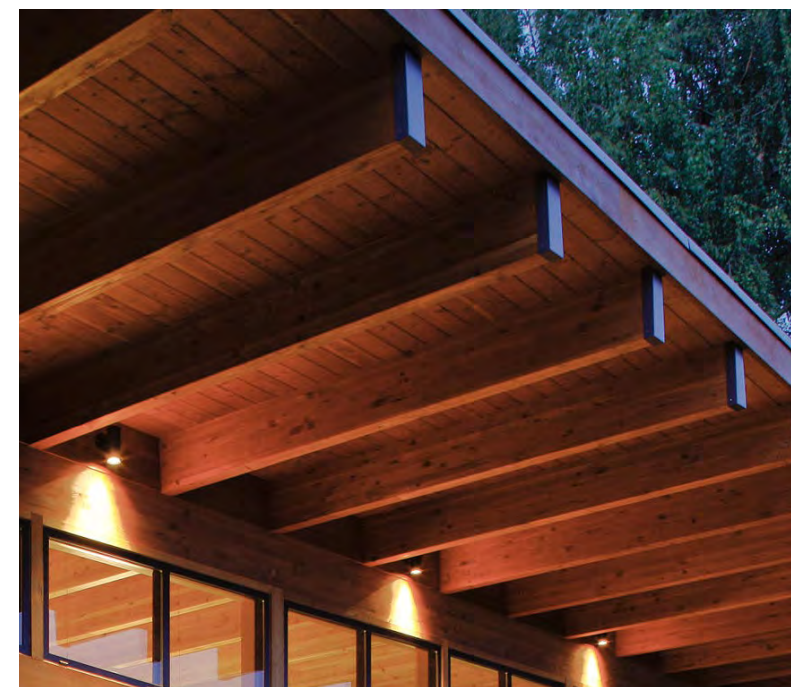
Parks & Recreation Advisory Board

- Sylvia Allen
- J. Alan Billingsley
- Jason Gerwen
- Vito Iacobazzi
- Michael Lacadie
- Anessa McClendon
- Janet Spingath
- Councilmember Don Anderson
(Council Liaison)

park signage
concept development

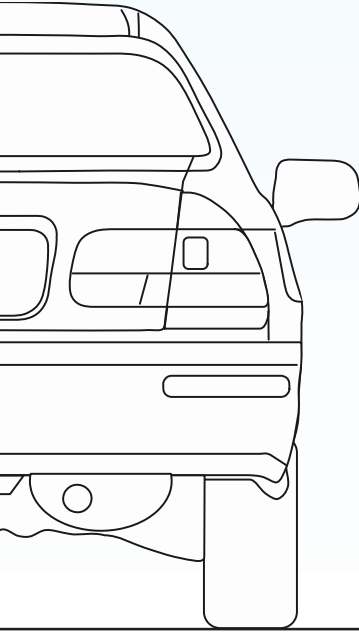
research





concept 1

Concept 1
Park Identification Signage



Freestanding Park Identification
(Horizontal - Small)

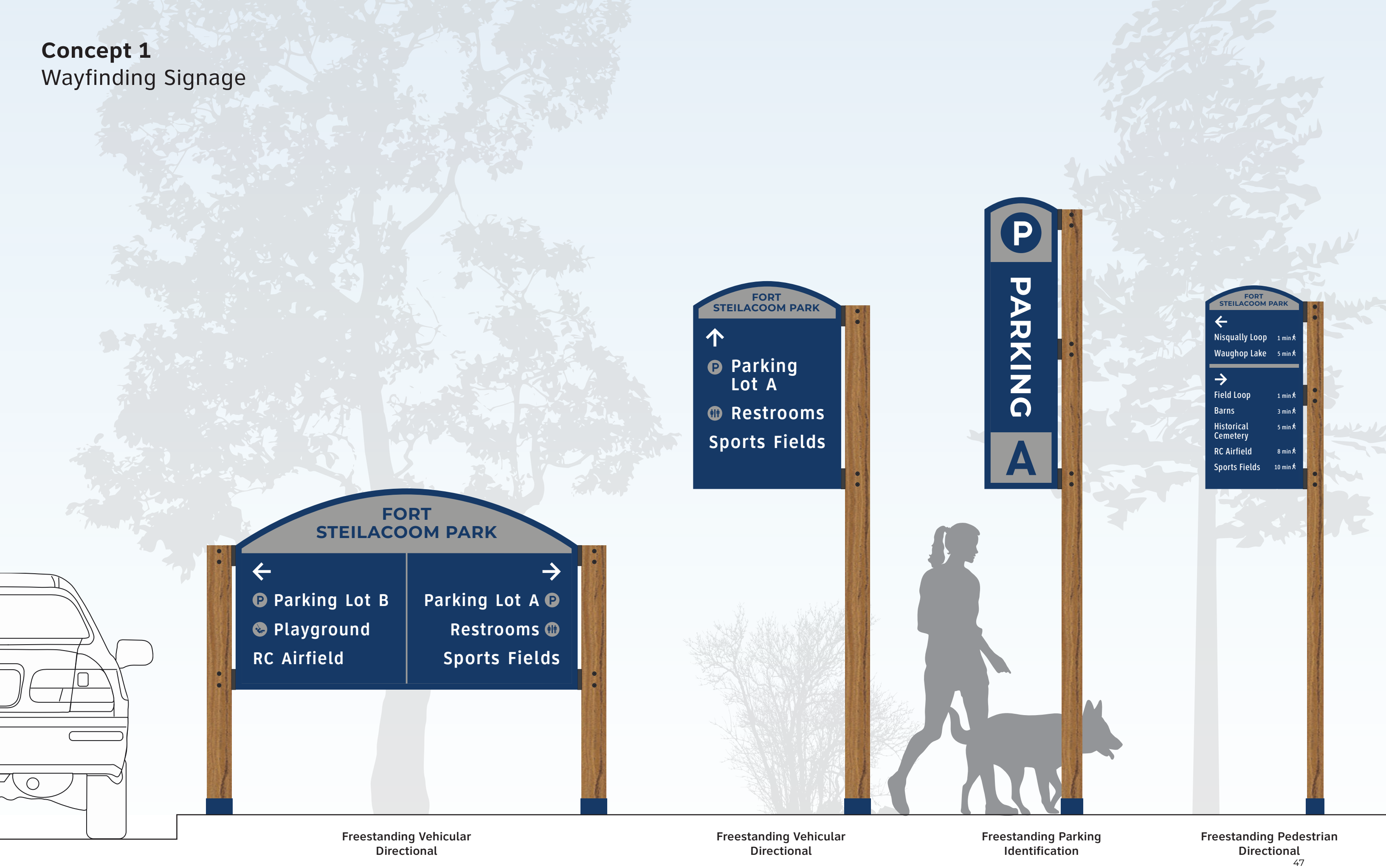


Freestanding Park Identification
(Horizontal - Large)



Freestanding Park Identification
(Vertical)

Concept 1
Wayfinding Signage



Freestanding Vehicular
Directional

Freestanding Vehicular
Directional

Freestanding Parking
Identification

Freestanding Pedestrian
Directional



Concept 1
3D's



concept 2

Concept 2
Park Identification Signage



Freestanding Park Identification
(Horizontal - Small)

Freestanding Park Identification
(Horizontal - Large)

Freestanding Park
Identification (Vertical)

Concept 2
Wayfinding Signage



←

P

Lot A

↘

Playground

RC Airfield

Lot A

P

→

Restrooms

♂

♀

Sports Fields

→

P

Lot A

♂

♀

Restrooms

Sports Fields

A

LOT

→

Nisqually Loop

1 min ⌛

Waughop Lake

5 min ⌛

←

Field Loop

1 min ⌛

Barns

3 min ⌛

Historical Cemetery

5 min ⌛

RC Airfield

8 min ⌛

Sports Fields

10 min ⌛

Freestanding Vehicular
Directional

Freestanding Vehicular
Directional

Freestanding Parking
Identification

Freestanding Pedestrian
Directional



Concept 2
3D's



concept 3

Concept 3
Park Identification Signage

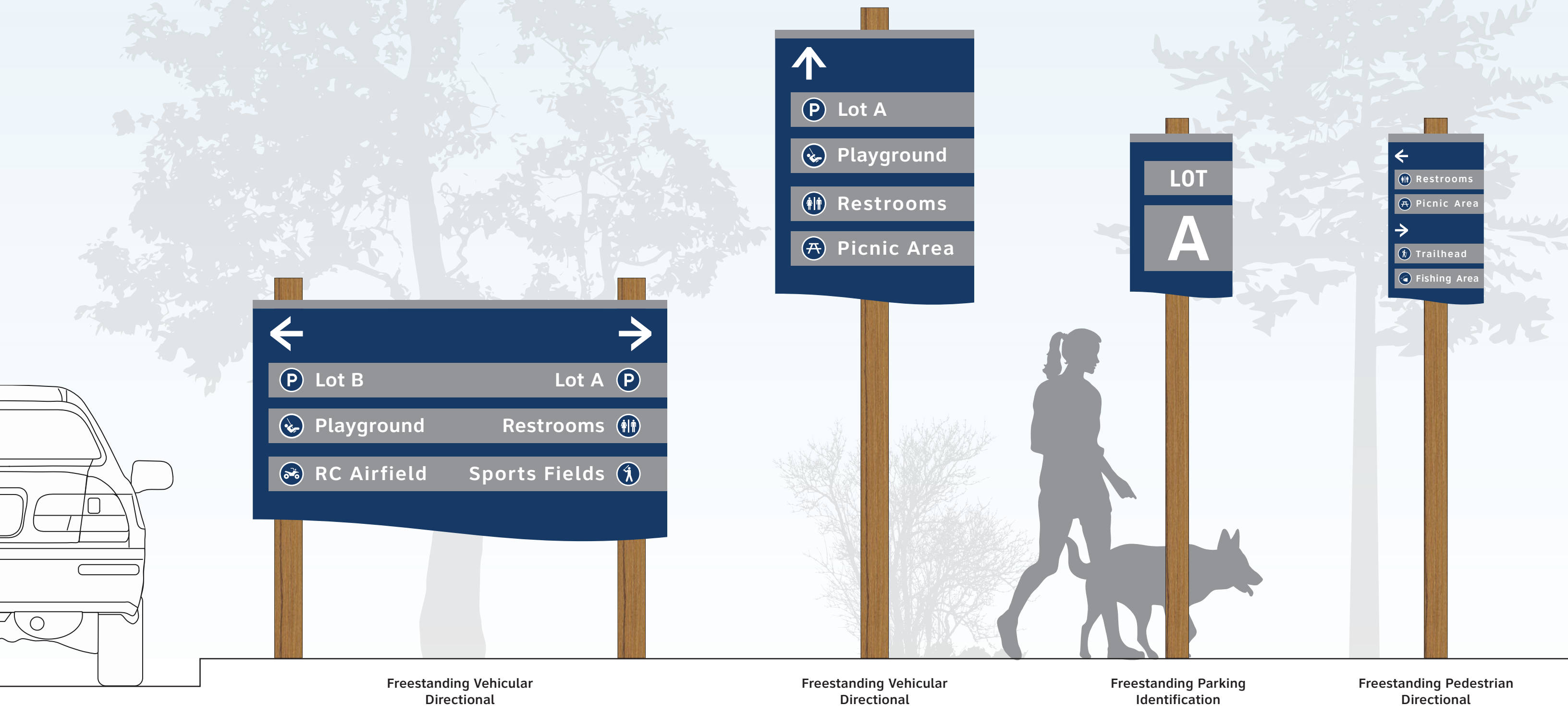


Freestanding Park Identification
(Horizontal - Small)

Freestanding Park Identification
(Horizontal - Large)

Freestanding Park
Identification (Vertical)

Concept 3
Wayfinding Signage



Freestanding Vehicular
Directional

Freestanding Vehicular
Directional

Freestanding Parking
Identification

Freestanding Pedestrian
Directional



Concept 3
3D's



concept 4

Concept 4
Park Identification Signage

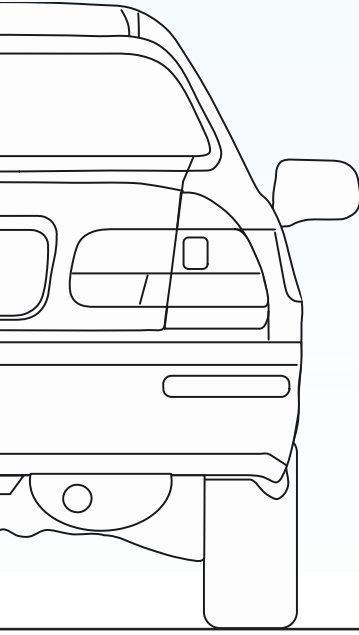


Freestanding Park Identification
(Horizontal - Small)

Freestanding Park Identification
(Horizontal - Large)

Freestanding Park
Identification (Vertical)

Concept 4
Wayfinding Signage



←

Parking Lot B **P**
Playground
RC Airfield

→

P Parking Lot A
 Restrooms
Sports Fields

Freestanding Vehicular
Directional

↑

Parking **P**
Lot A

Restrooms

Sports Fields

Freestanding Vehicular
Directional

P

PARKING

A

Freestanding Parking
Identification

←

Nisqually Loop 1 min

Waughop Lake 5 min

→

Field Loop 1 min

Barns 3 min

Historical Cemetery 5 min

RC Airfield 8 min

Sports Fields 10 min

Freestanding Pedestrian
Directional

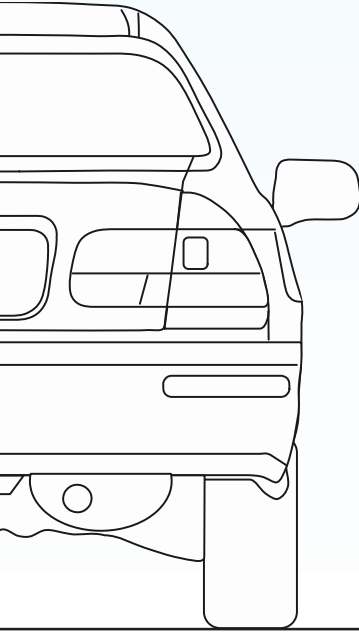


Concept 4
3D's



concept 5

Concept 5
Park Identification Signage



Freestanding Park Identification
(Horizontal - Small)

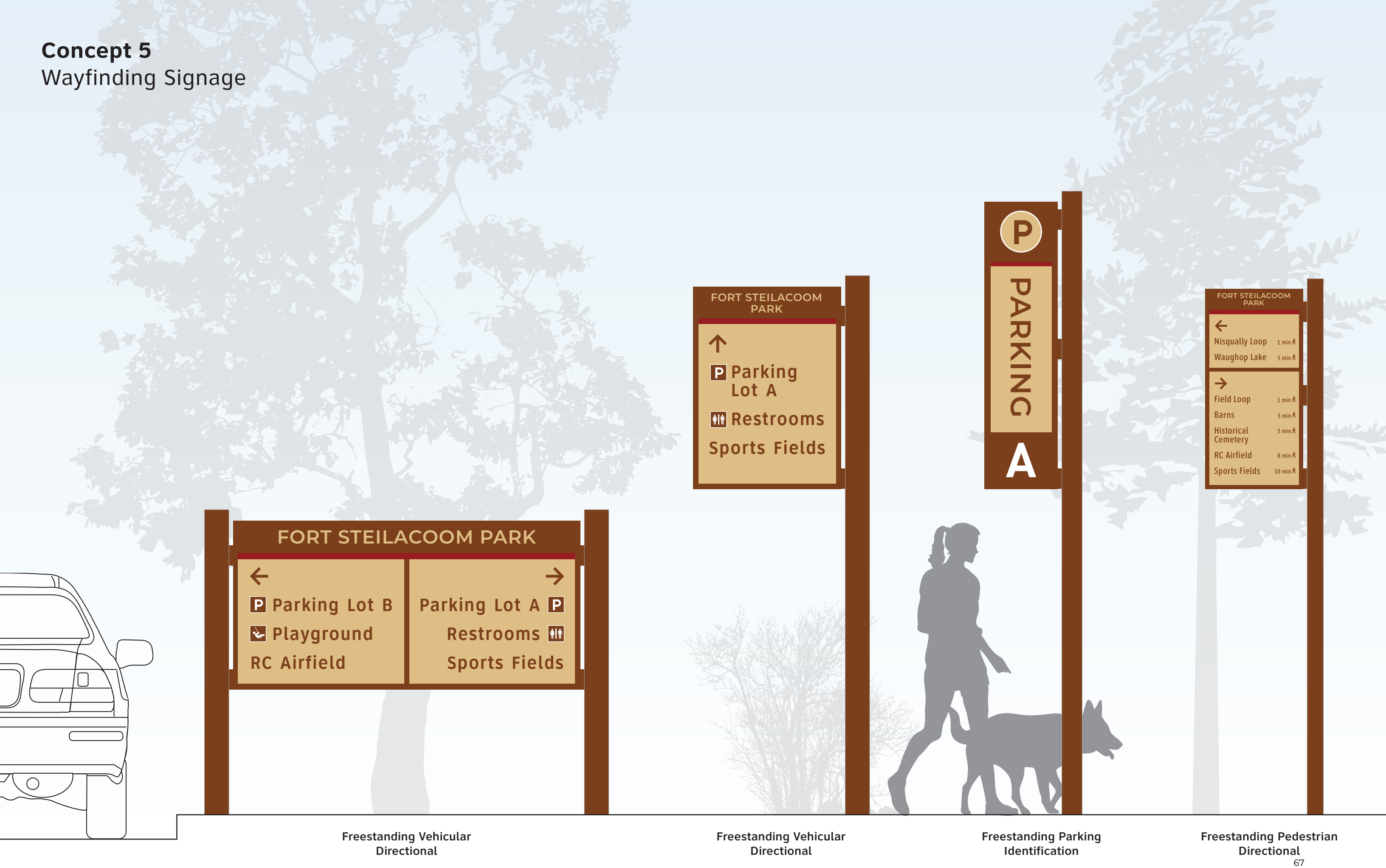


Freestanding Park Identification
(Horizontal - Large)



Freestanding Park Identification (Vertical)

Concept 5
Wayfinding Signage



Freestanding Vehicular
Directional

Freestanding Vehicular
Directional

Freestanding Parking
Identification

Freestanding Pedestrian
Directional



Concept 5
3D's



concept 6

Concept 6
Park Identification Signage

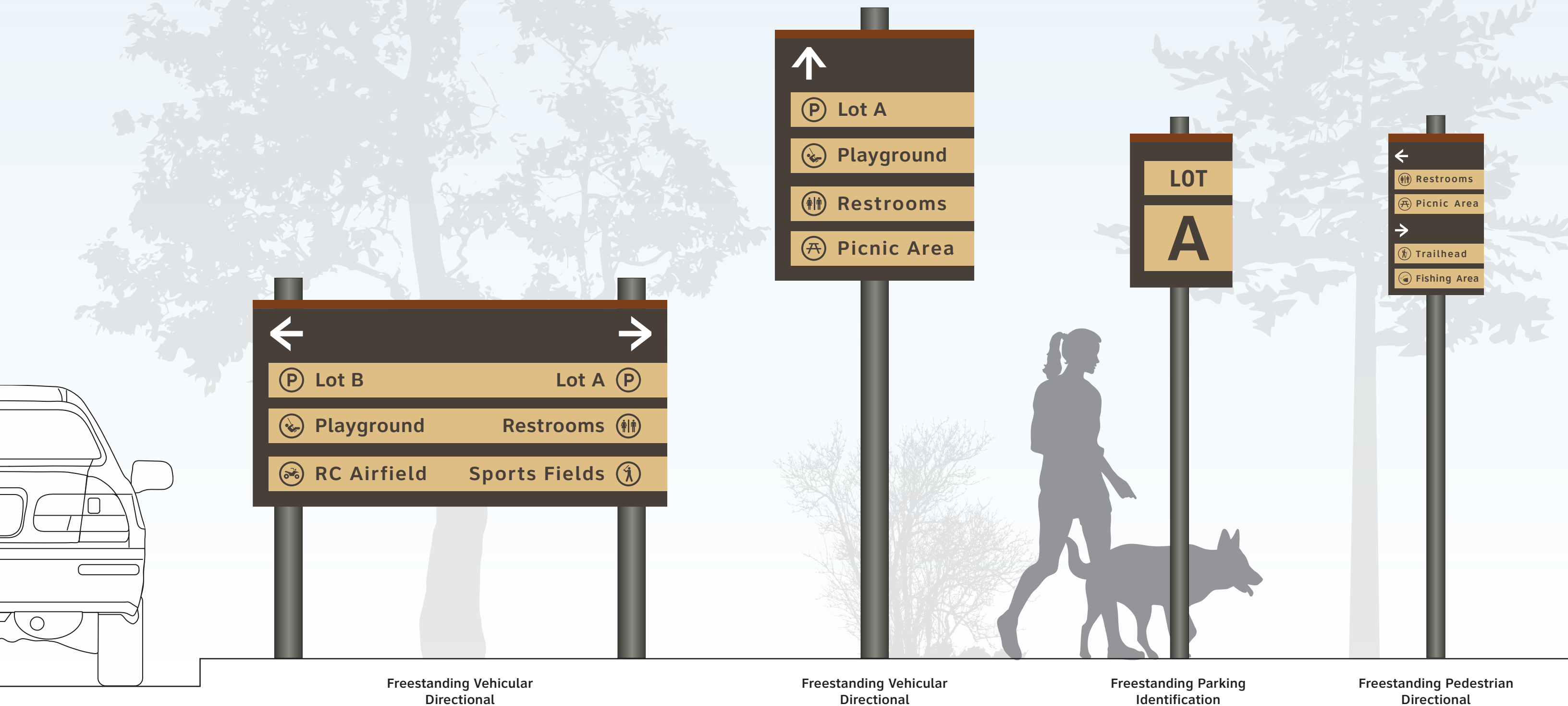


Freestanding Park Identification
(Horizontal - Small)

Freestanding Park Identification
(Horizontal - Large)

Freestanding Park
Identification (Vertical)

Concept 6
Wayfinding Signage



Freestanding Vehicular
Directional

Freestanding Vehicular
Directional

Freestanding Parking
Identification

Freestanding Pedestrian
Directional



Concept 6
3D's



park signage:
stakeholder & PRAB
feedback

Concept 1



Concept 2



Concept 3



Concept 4



Concept 5



Concept 6



Concept 1
 Stakeholder Team & PRAB Recommendation



Freestanding Park Identification
 (Horizontal - Small)

Freestanding Park Identification
 (Horizontal - Large)

Freestanding Park
 Identification (Vertical)

PARK SIGNAGE: NEXT STEPS

- Provide schedule for remaining tasks
- Design development of chosen concept
- Design Intent Drawings
- Sign Location Plan & Message Schedule
- Cost Estimate
 - Park identification signs (Current funds allow a max \$30,000 per sign)
 - Includes demolition of exiting park identification signs
 - No funds are currently allocated to the park wayfinding signage
- Determine fabrication/install timeline
- Put items out for public bid

fort steilacoom
main entry identification

Concept 1



Concept 2



Concept 3



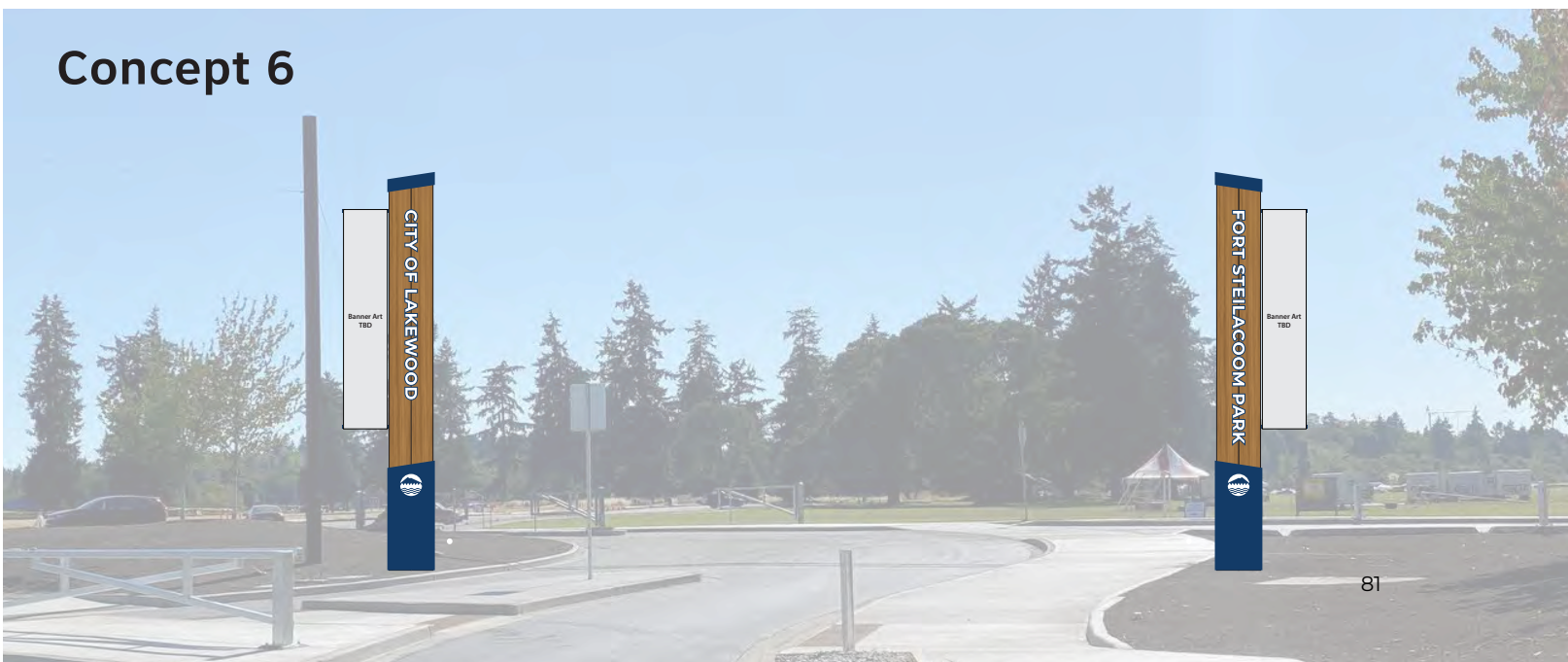
Concept 4



Concept 5



Concept 6



Concept 6
Stakeholder Team & PRAB Recommendation



FSP MAIN ENTRTY: NEXT STEPS

- **Provide schedule for remaining tasks**
- **Design Development to visually connect with the chosen park identification signage concept**
- **Design Intent Drawings**
- **Cost Estimate**
 - **No funds are currently allocated for the Fort Steilacoom main entry**

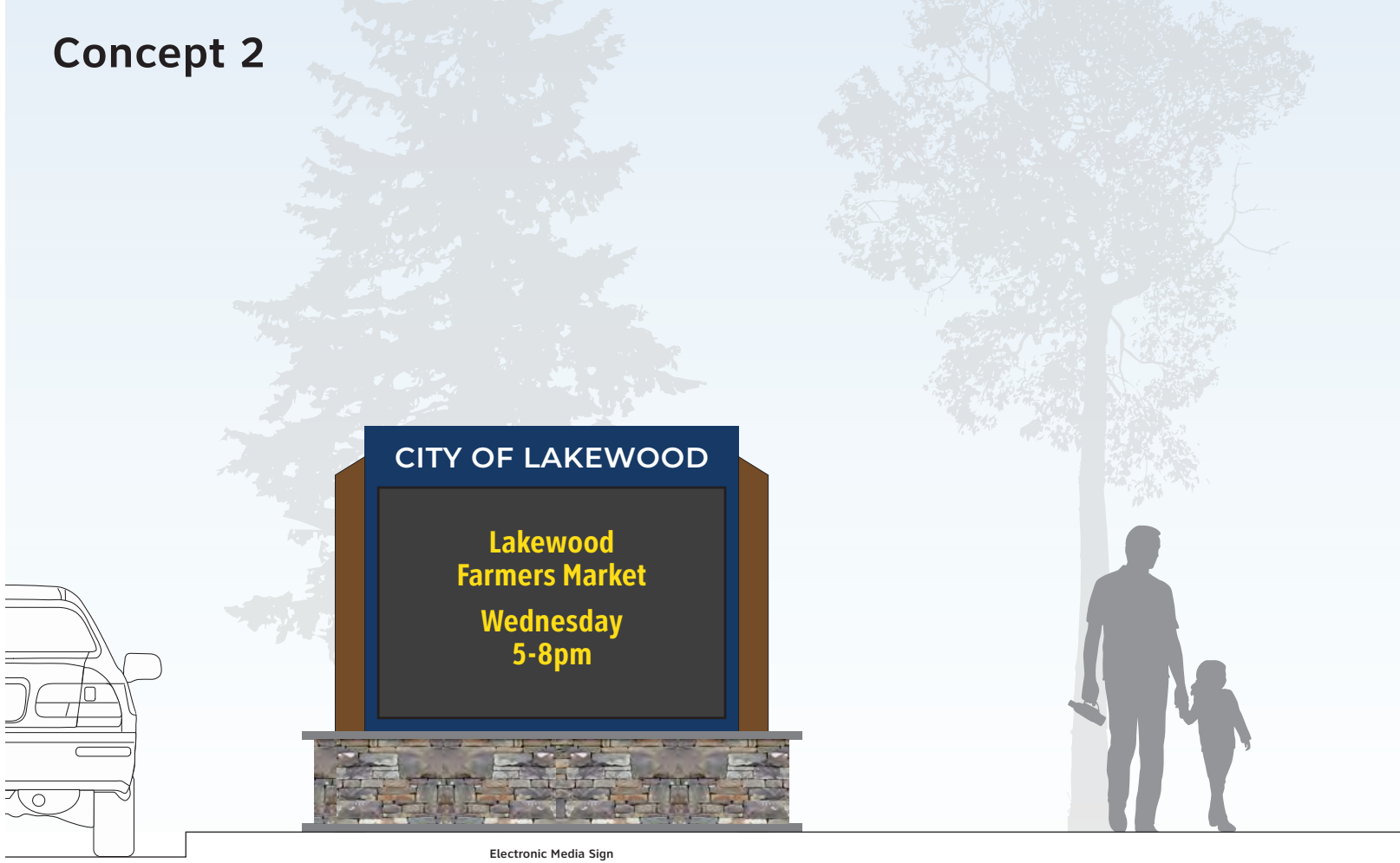
readerboards

Concept 1



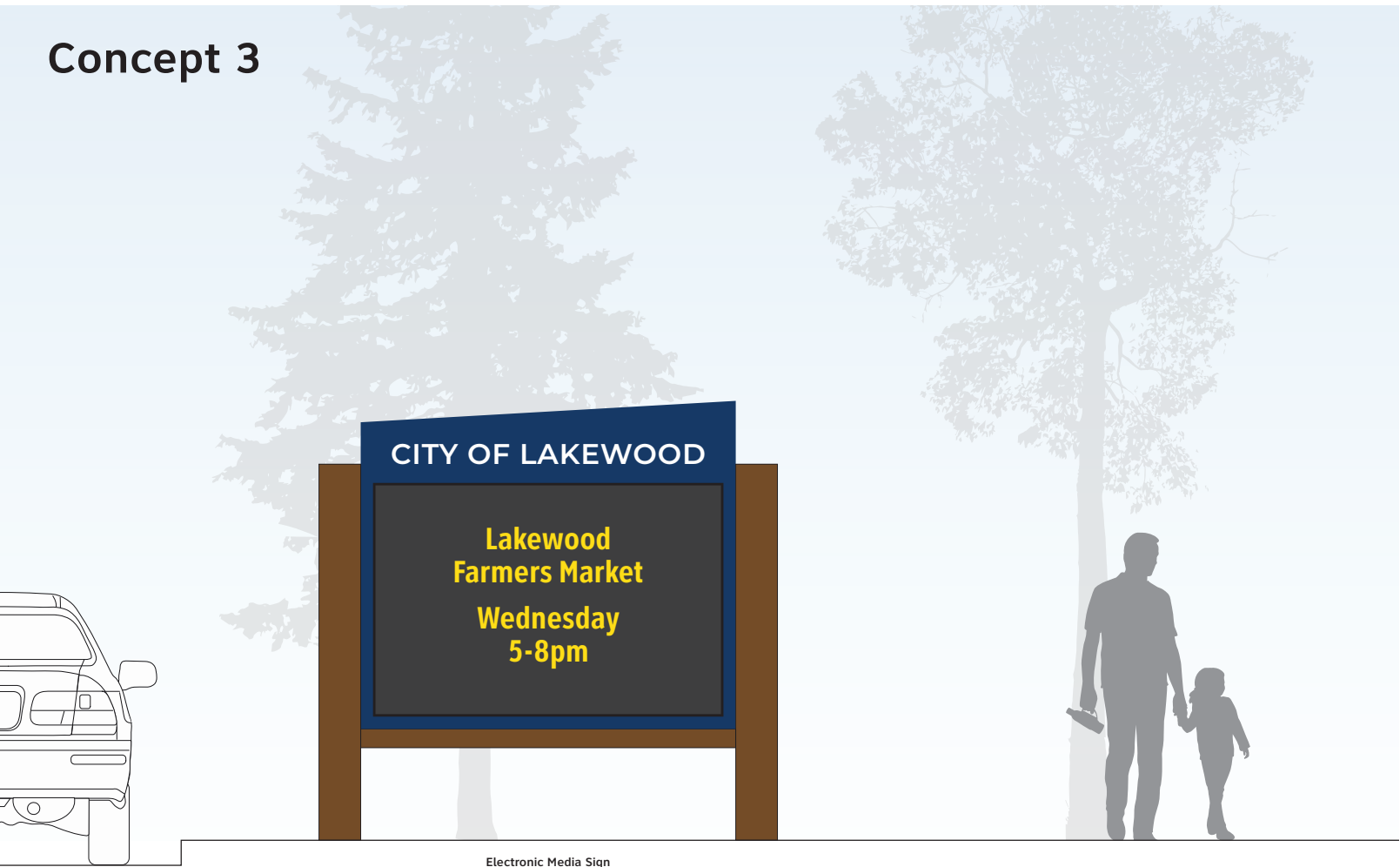
Electronic Media Sign

Concept 2



Electronic Media Sign

Concept 3



Electronic Media Sign

Concept 4



Electronic Media Sign

Concept 1
Stakeholder Team & PRAB Recommendation



Electronic Media Sign

READERBOARDS: NEXT STEPS

- Provide schedule for remaining tasks
- Determine final sign locations
- Design Intent Drawings
- Cost Estimate
 - Once estimates are finalized we'll determine how many signs can be installed based on allocated resources.

recommended
concept directions

Concept 1
Park Identification Signage

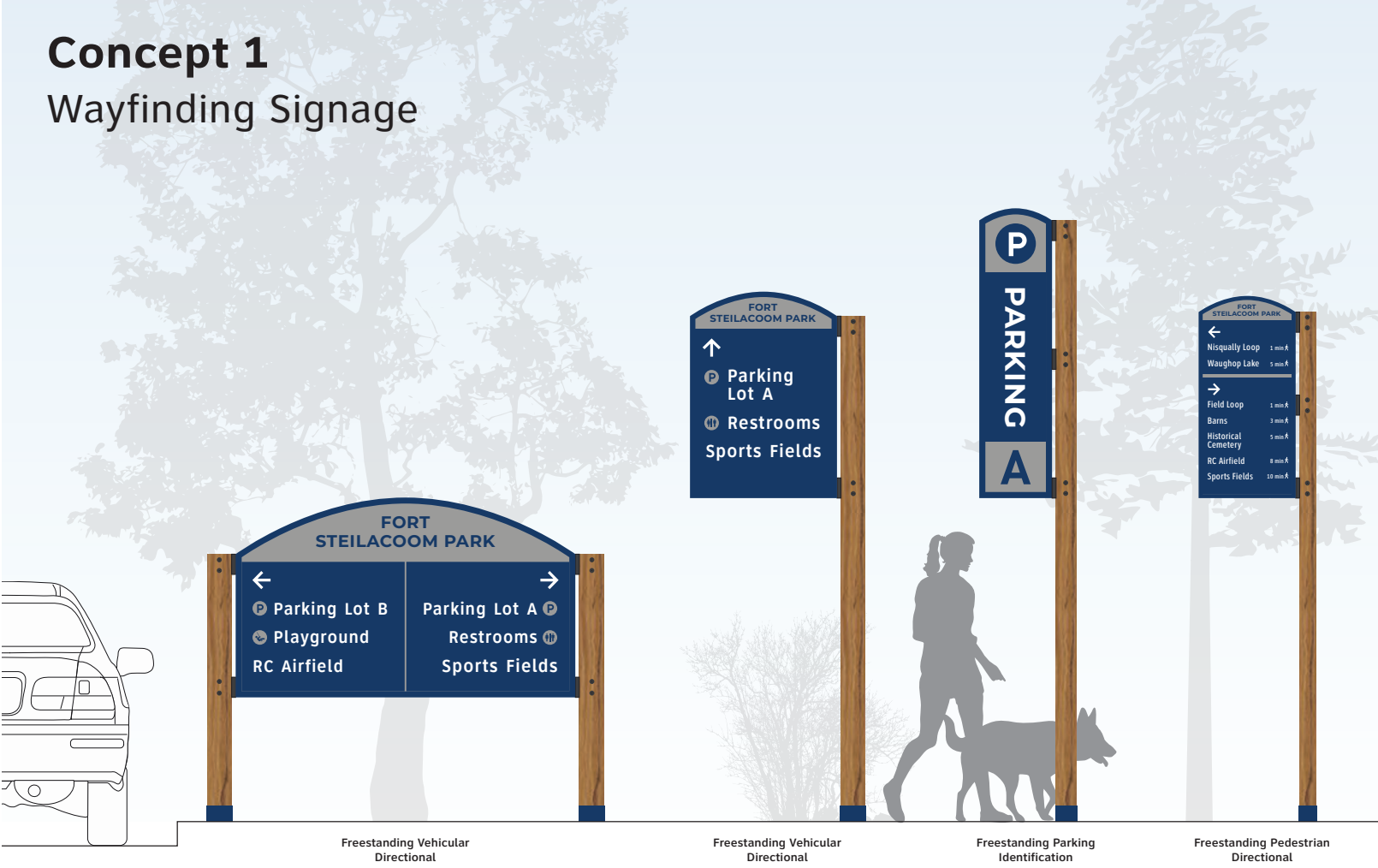


Freestanding Park Identification
(Horizontal - Small)

Freestanding Park Identification
(Horizontal - Large)

Freestanding Park
Identification (Vertical)

Concept 1
Wayfinding Signage



Freestanding Vehicular
Directional

Freestanding Vehicular
Directional

Freestanding Parking
Identification

Freestanding Pedestrian
Directional

Concept 6
FSP Main Entry



Concept 1
Readerboards



Electronic Media Sign

questions?

State Policy Agenda

Public Safety:

- Refined language on vehicular pursuits to emphasize that stolen vehicles are being used to commit other crimes
- Added 5th item related to juvenile crime, amending state law to allow for law enforcement interviews and guardian-consented property searches

State Policy Manual

(Word Document Pg. 13) Clover Creek Flood Plain – Made language signaling City’s desire to eventually seek outside funding less ambiguous

(Pg. 18) Public Safety – Same updates from Agenda item

(Pg. 19) Vehicular Pursuits – added language that stolen vehicles should be an eligible crime to initiate pursuits

(pg. 19) Juvenile Crime – New item that showcases juvenile crime uptick, amending state law to allow for law enforcement interviews and guardian-consented property searches, along with educating youth on both the consequences of criminal behavior, and social services to ensure a stable family environment, all in the service of stopping the development of criminal activity early on.

(pg. 20) Geographic Equity in Discharge from State Facilities – Language makes clear that adult family homes in Pierce County are disproportionately serving the Long-Term Civil Commitment patients, and that adult family homes should be incentivized to provide services in underserved areas.

(pg. 23) State Coordination for Federal Military Affairs – New item that emphasizes the need of a state cabinet level office to coordinate federal military affairs in WA State, in the vein of SSMCP.

One-Pagers on Public Safety and Geographic Equity – Language changes aligned with policy agenda/manual items

County Policy Manual

(pg. 9) Annexations, Arrowhead/Partridge Glenn – Language explicitly stating sewer and sidewalk improvements are needed to consider annexation.

(pg. 13) Opioid Settlement Funds – New item addressing the opioid settlement funds and the City’s position to remain in complete control over how the City spends it’s allocated funds amount.

(pg. 14) Public Safety – Language changes to align with state policy manual/agenda item

(pg. 15) Geographic Equity - Language changes to align with state policy manual item

(pg. 15) Juvenile Crime – New item, aligned with state policy item, with the additional paragraph referencing Remann Hall probation practices of releasing youth back to family setting, and how the City believes the often times a bad family setting leads to juvenile crime, emphasizing the importance of youth education to prevent juvenile crime

(pg. 17) Clover Creek Flood Plain – Language aligns with state policy manual item

(pg. 18) Pierce County Sewer Utility – Language change to emphasize the County’s unified sewer plan needs address the state-mandated allowance of ADUs on residential property

(pg. 20) State Coordination for Federal Military Affairs – New item aligned with state policy manual item

Federal Policy Manual

(pg. 5) Defense Community Infrastructure Program – Language addition under “Action” signaling the City’s support for the Lakewood Water District’s DCIP funding request to address JBLM-originating PFAS contamination of aquifers serving the City.

2023-2024 State Legislative Agenda

Amended for the 2024 Legislative Session

The City looks forward to continuing its partnership with its legislative delegation to improve the overall quality of life for everyone that calls Lakewood home.

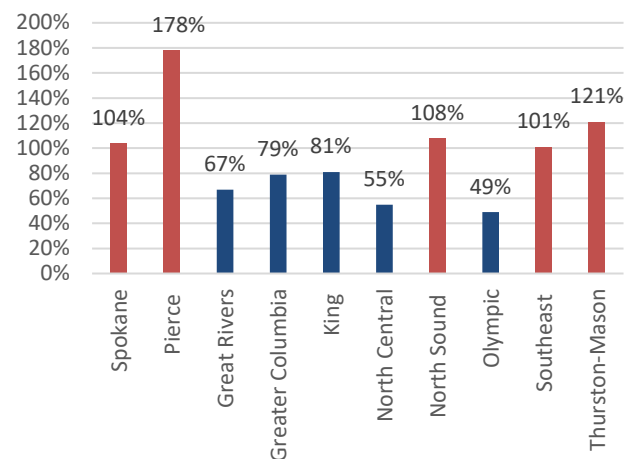
Public Safety: The City supports a commonsense and meaningful approach to public safety policies that protect lives and property and foster trust in government. During the 2023 session, progress was made in this area but there is still more work to be done. In collaboration with other Pierce County municipalities, the City requests the Legislature:

- 1) Provide tools to address auto theft and property crime, including increased state funding to grant programs to support regional enforcement and prosecution efforts;
- 2) Make refinements to the restrictions on vehicular pursuits to allow for the pursuit of stolen vehicles given the number of criminals using stolen vehicles to commit other crimes;
- 3) Commit ongoing state funding for therapeutic courts to satisfy the new state drug possession law;
- 4) Supply stable state funding for co-responder programs, such as the City's Behavioral Health Contact Team; and
- 5) Amend state law to allow for a parent or guardian to provide consent for a juvenile to be interviewed by law enforcement to include consent to search property to resolve unsolved crimes and prevent future incidents.

Geographic Equity in Discharge from State Facilities:

The City appreciates the State's recent efforts to move toward a more community-based behavioral health system. This transition presents an opportunity to not only provide more accessible services to those who need it most, but also for the facilities to be more geographically disbursed. Based on the findings from the April 2023 Commerce report, requested by Rep. Dan Bronoske, the Pierce County region far exceeds its proportional share of the services and supports needed to serve individuals discharging from long term civil commitment. To address this inequity, the State needs to prioritize securing housing and treatment facilities, referred to as services and supports by the state, in the five underserved regions of the state: Olympic, North Central, Great Rivers, Greater Columbia, and King.

Regional share of selected services and supports relative to the regional share of the LTCC population



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CITY OF LAKEWOOD
State Policy Manual
ADOPTED BY THE CITY COUNCIL ON XX



City of
Lakewood

State
POLICY MANUAL

ADOPTED BY THE LAKEWOOD CITY COUNCIL ON XX



CITY OF LAKEWOOD State Policy Manual

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INDIGENOUS PEOPLE AND LANDS ACKNOWLEDGEMENT

Every community owes its existence and vitality to generations from around the world who contributed their hopes, dreams, and energy to making the history which led to this moment. The City would like to recognize that we are on the lands of the Nisqually People, and acknowledge the history of dispossession that allowed for the growth of our community. We offer respect to the Nisqually People and their Elders, past, present, and emerging. We recognize our responsibility to value all people, and are committed to equitably serving all people in our diverse community.

A STATEMENT ON EQUITY BY THE LAKEWOOD CITY COUNCIL

The Lakewood City Council acknowledges that equity is essential to a healthy community.

We are committed to identifying and eliminating systemic racism. We intend to lead by example in the advancement of equity and the deliberate practice of inclusion.

The City Council commits to the following practices:

- Instilling equity as a priority of policy and the delivery of services.
- Enacting initiatives that support and celebrate the diversity of the community.
- Ensuring equity in municipal planning.
- Identifying and dismantling preconceived prejudices.
- Increasing sensitivity to social norms and cultural expectations.
- Pursuing justice and equity for all residents.

We recognize the critical role that city leaders have in removing barriers to opportunity. We recognize that systemic inequality has endured, but commit that it shall not persist. The City Council will not tolerate *intolerance*. It is unconscionable that some members of our community fall victim to acts of hate. Acts of hate based upon race, creed, ancestry, disability, sex, sexual orientation, gender identity and/or socioeconomic status are unwelcome in Lakewood, Washington. The Lakewood Police Department shall be vigilant in its investigation and prosecution of crimes of hate. These intentional practices will inform our decision-making on policing, zoning, capital investment and all other matters of the City Council. Our objective is to create a more diverse, equitable and inclusive Lakewood community for all residents and we invite all Lakewood organizations and residents to join us in this effort.



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State Policy Manual

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City Council Goals Legend

The policy goals in the County Policy Manual align with the City Council Goals 2021-2024. Each policy name is a different color to reflect the corresponding City Council Goal.

Economic Development Goal: The City of Lakewood promotes and supports a dynamic and robust local economy.

Dependable Infrastructure Goal: The City of Lakewood provides safe, clean, well-maintained, and dependable infrastructure.

Public Safety Goal: The City of Lakewood is one of the safest cities in Washington State.

Fiscal Responsibility Goal: The City of Lakewood maintains a strong fiscal position.

Transparency Goal: The City of Lakewood communicates its goals, successes, and challenges to the community and serves as a leader and champion for the community.

Robust & Active Community Goal: The City of Lakewood is a livable, resilient, and inclusive community that embraces and celebrates diversity and delivers equitable municipal services.



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HOUSING/ HOMELESSNESS SERVICES

LASA Affordable Housing Project

Living Access Support Alliance (LASA) is a nonprofit that provides emergency housing, rapid rehousing and transitional housing in Lakewood, in addition to case management, and a range of other services to prevent homelessness. LASA is planning to construct roughly 25 affordable low and lower-income housing units on their property in Lakewood. They are pursuing funding from city, county and state sources with an anticipated groundbreaking in 2024. Pierce County has committed \$3.5 million. The City has committed \$1 million in ARPA, \$1 million in HOME funds, and \$1.175 in HOME ARP funds, for a total \$3.175 million. In partnership with LASA, the City pursued federal funding in 2023 and \$1 million has been included in the appropriations process. The City is grateful for the \$500,000 included in the 2023-25 state capital budget.

South Sound Housing Affordability Partners

The City is a founding member of the South Sound Affordable Housing Partners (SSHA³P), which is a regional effort by member municipalities to address affordable housing with a coordinated approach. The City supports SSHA³P's 2024 state legislative priorities on affordable housing:

- Facilitating Development of Affordable Housing
 - Support capital budget funding for member government priority projects
 - Expand funding opportunities to support homeownership development for low income households
 - Expand eligibility for the Connecting Housing to Infrastructure Program
 - Support funding for the acquisition of real property for affordable housing
- Support Policy and Planning Efforts
 - Support transit-oriented development and priority considerations
 - Support construction trade industry workforce development efforts
- Information and Engagement
 - Expand eligibility for the disabled veteran property tax exemption program
- Support:
 - Funding for municipal Planned Actions
 - Technical fixes and clarifications to recent land use and



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- housing legislation
- Legislation to provide Fair Housing Training for ownership associations
- Funding for the Affordable Workforce Housing Accelerator pilot program
- Funding to assist in the implementation of state required land use actions
- Operating funding for service-supported housing
- Oppose:
 - Preemption of local land use authority
 - Legislation that would increase the cost to produce publicly funded affordable housing

Quality Affordable Housing

The City supports legislation that incentivizes developers to build affordable housing, such as the multifamily housing tax exemption, and funding allocated for public and nonprofit affordable housing, including the Housing Trust Fund.

Support for Homelessness Services

Every year since incorporation, the City has allocated 1% of its general fund to support low-income and vulnerable residents by partnering with and funding community-based organizations to provide access to: housing, food, youth programs, behavioral health services, and other human services. The City requests the state's partnership in supporting programs and services that help prevent temporary and recurrent homelessness.

Predatory Lending

The City supports legislation to stop all predatory home lending practices and supports enforcement of state laws to ensure all home renting practices are in compliance with existing regulations.

Foreclosure of Homes

The City supports legislation that assists local jurisdictions in managing vacant, abandoned, and tax-delinquent properties. Without responsible management, these properties can cause problems throughout an entire community. The properties can become fire hazards, home to squatters, location of crime, and result in general decline in property values. In the upcoming session, the City also supports evaluating the effectiveness of legislation passed in this area.



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COMMUNITY& ECONOMIC DEVELOPMENT

Economic Development Tools

The City supports robust and sustainable funding for the Economic Development Strategic Reserve Fund, Community Economic Revitalization Board, Public Works Assistance Account, Public Facility Districts, and other programs that assist local governments in neighborhood residential and commercial area rehabilitation.

The City also supports legislation that provides optional economic development tools for cities, such as the multi-family housing tax incentive, lodging tax, the Main Street Act (a series of small tax incentives for neighborhood business districts), creative districts, complete streets grant program, community facility financing, shared state revenue for construction of convention and special event centers, additional shared state revenue for urban renewal and other public facility improvements, and innovative approaches to property tax assessment that reduces the current incentive to allow property to remain blighted.

Annexation

The City believes that annexation laws should encourage the logical development and expansion of the City to provide for a healthy and growing local economy and efficient provision of urban services. The City supports legislation that would modify state annexation laws to reduce the administrative process and the overall cost of annexation, both of which would help encourage and incentivize the annexation of existing unincorporated islands.



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Middle Housing

The City supports local zoning authority and discretion for middle housing types and accessory dwelling units. Before the adoption of HB 1110 and HB 1337 in 2023, the City allowed middle housing types including duplexes, triplexes, ADUs and multifamily housing on 55% of the City's residential lots, and cottage housing was allowed wherever single family detached housing was allowed, or on 78% of the lots. The City had a variety of policy tools for supporting the development of middle housing types, such as the City's Multi-Family Tax Exemption (MFTE) program, a housing incentives regulatory code chapter, and inclusionary density bonuses for landowners interested in providing units for very low-income persons. Under HB 1110 and HB 1337, the City's programs and efforts at the local level to support middle housing development have been preempted by the State. The City opposes state legislation that dictates land use and zoning without consideration for unintended consequences such as displacement and gentrification.

- **Accessory Dwelling Units:** The City supports Accessory Dwelling Units (ADUs) to augment Lakewood's affordable housing stock. ADUs are a viable, equitable, and increasingly popular affordable housing option. Before HB 1337 (2023) was adopted, Lakewood had ADU policies and development code requirements providing for the easier creation of more attached and detached ADUs associated with housing types, such as single-family homes and townhomes, found in multiple city zones (R1-R4, MR1 & MR2, etc.) These regulations and zoning decision will now have to be updated due to the preemption under HB 1337.

However, utility and side sewer connections to accommodate ADUs on current lots can be prohibitively expensive, especially for lower-income households. HB 1337's requirements to allow ADUs on historically single family lots will require not just construction of the building, but also connection to utilities that the City does not own nor plan infrastructure expansions



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Transit Oriented Development

The City supports legislation that provides continued authority and expanded tools to local governments to best plan for transit oriented development. The City adopted the 2021 Lakewood Station District Subarea Plan to prompt development near the Lakewood Sound Transit Station and took into consideration displacement risks and other unique factors such as proximity to a major military installation. The City is conducting updates to its Downtown, Station District, and Tillicum Subarea Plans in 2024, anticipating future transit service. The City opposes state mandates on TOD that do not address displacement and other local characteristics.

Boundary Review Board

The City supports the elimination of Boundary Review Boards' (BRB) role in reviewing items that are governed by the GMA (RCW 36.70A) while authorizing counties to determine whether to retain their BRB to review non-GMA-governed issues (e.g., special purpose district expansions).

Local Authority for Land Use and Planning

The City supports preserving the authority of local governments regarding local taxation, as well as land use planning, zoning and regulation consistent with the GMA (RCW 36.70A) and SEPA (RCW 43.21C.) and opposes preemption of local authority by the state legislature. For example, the City is concerned with the potential negative consequences of HB 1110 and HB 1337 at the local level. The City supports state level efforts to bolster military installations' sustainability and operational readiness and address land use compatibility issues, so long as local jurisdictional control over land use and infrastructure planning is not eroded.

Need for Unique Restrictions in Air Corridors

The City believes that unique restrictions on land use density is necessary for land proximate to military installations. Such restrictions must be recognized within buildable lands reports, growth targets, and comprehensive planning. The North Clear Zone, Air Corridor 1 and Air Corridor 2 zones in Lakewood's case are zones that reflect the FAA and DoD guidance regarding safe densities and types of uses. Cities should not be forced to choose between GMA compliance and guidance from Army Compatible Use Buffer (ACUB) and Air Installation Compatible Use Zones (AICUZ) reports.



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PARKS, RECREATION, & COMMUNITY SERVICES

Historic Fort Steilacoom

The City requests that the State work with City and the Historic Fort Steilacoom Association to explore how to best preserve Historic Fort Steilacoom for future generations to use and enjoy. Historic Fort Steilacoom is one of the best preserved pre-civil war forts west of the Mississippi comprised of parade ground, two remaining junior officer's quarters, the headquarters building with the commanding officer's residence, and the post chapel and chaplain's quarters that presently serve as an interpretive center and offices. Currently, the fort is located on land and in buildings owned by DSHS and the facilities are in critical need of maintenance and repair. The City has begun a joint exploration with the state and the Historic Fort Steilacoom Association to determine how to best preserve this historic amenity in perpetuity. The City, with support of the Historic Fort Steilacoom Association, along with interest from DSHS, has begun to explore the process of assuming the historic buildings and land footprint, as well as determining how to best maintain the historic site moving forward. The final goal is to preserve the historic site, with possible site capital improvements funded by lodging tax dollars and state funding requests in the future.

H Barn Renovation at Fort Steilacoom Park

The City has made major investments at Fort Steilacoom Park. As a continuation of these efforts and in coordination with the Partners for Parks and the Town of Steilacoom, the City is planning to restore the historic H Barn. A capital fundraising effort, led by Partners for Parks, is underway. The City anticipates seeking the state's financial support in the coming years to renovate and preserve this important historic structure.

South Puget Sound Wildlife Area

The South Puget Sound Wildlife Area is a 100-acre open space area located in Lakewood. The site includes hiking and bike trails, picnic area with views of prairie habitat, native plant garden with information on indigenous plants, as well as an active fish hatchery and turtle ponds. This area is owned by the Washington Department of Fish and Wildlife but maintained by local volunteers. Over 2,000 volunteer hours and \$100,000 has been donated towards site improvements, by local service clubs and residents. The City requests that the state legislature ensure WDFW has appropriate funding for state funded maintenance at this site along with implementation of master plan capital site improvements.

State Funding

The City supports programs administered by the Washington State Recreation



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and Conservation Office (RCO) and opposes diversion from RCO programs. Specifically, the City supports ongoing funding for the Washington Wildlife and Recreation Program (WWRP), Aquatic Land Enhancement Account (ALEA), and the Youth Athletic Facilities (YAF) grant programs.

Camp Murray Boat Launch Improvements

In 2020 the City and Camp Murray leadership evaluated the installation for potential annexation. After jointly completing the Camp Murray Annexation Analysis Report, Camp Murray leadership is not supportive of annexation because it would result in increased costs for Camp Murray. However, the City and Camp Murray are exploring options to make improvements at the Camp Murray Boat Launch for the benefit of the public. The City and Camp Murray have agreed to complete a Master Plan for the area, which would identify the options for improvements and allow Camp Murray input into the process. The boat launch provides public access to American Lake and is currently managed by the Washington State Department of Fish & Wildlife (WDFW). The City could invest in infrastructure development to increase accessibility to American Lake. This may be accomplished through annexation of the boat launch property from Camp Murray or assuming the property lease from the Washington State Department of Fish & Wildlife.

TRANSPORTATION & INFRASTRUCTURE

Clover Creek Flood Plain

The City completed an engineering report to generate and evaluate project alternatives to mitigate 100-year flood risk along Clover Creek within the City limits. The City developed a flood model that was updated in 2019 for Clover Creek, which revealed a significant increase to the area impacted by floodwater when compared to the previous FEMA effective map of inundation for the 100-year event. The updated model suggests a significant portion of the City of Lakewood could be impacted by the floodwaters, including I-5. The flooding to I-5 could potentially result in significant new regulatory constraints placed on I-5 and would directly affect Joint Base Lewis-McChord mission readiness. The City began to explore flood mitigation alternatives to reduce these potential impacts to the City and I-5, and after collaborating with various state, local, and tribal agencies, four solutions were developed:

- 1) Do nothing
- 2) Stream and channel enhancements
- 3) Levee specific to I-5
- 4) Levee in general flooding area

The City has chosen to further explore Option 4, a levee in the general flooding area, as this option consists of a flood blocking structure along or setback from



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Clover Creek that would block nearly all flood water from the city and the I-5 corridor within city limits. This option provides the most comprehensive flood mitigation benefit. At an estimated cost of around \$20 million, the City will need outside resources, as well as continued collaboration with state agencies, such as WSDOT, to ensure Lakewood residents and the I-5 corridor are safe from this potentially devastating flood event.

City Right of Way

There have been several proposals in the last few years that would limit city authority over right of way and utility franchise agreements. The City opposes legislation that preempts and erodes local control over city right of way.

I-5 South Sound Corridor Improvements

The Washington State Department of Transportation (WSDOT) has indicated a preference to take a holistic approach to transportation improvements along the I-5 corridor. The City supports this position and WSDOT's efforts to ensure that future investments in the I-5 south sound corridor resolve, rather than shift traffic congestion points. Below are specific issues that require the Legislature's attention:

- 1) **I-5 JBLM Corridor Improvements:** The 2015 Connecting Washington package invested \$495 million to widen the I-5 corridor through Joint Base Lewis-McChord (JBLM), reconfigure three interchanges and build a connector road from Gravelly Lake Drive to Thorne Lane. Construction of this Connector should prioritize road safety and mitigate impacts to neighbors. A primary goal of this investment was to eliminate the bottleneck at Thorne Road by expanding the corridor from three to four lanes. Although this work is still underway, the congestion at Thorne Lane is significantly reduced due to the additional lane and interchange reconfiguration. Future investments along the I-5 corridor, particularly expanding I-5 north of Thorne Lane from four to five lanes to accommodate HOV lanes, should consider the impact it would have on this and other congestion points.
- 2) **I-5 High Occupancy Vehicle Lanes:** The City supports the I-5 Tacoma/Pierce County High-Occupancy Vehicle (HOV) Lanes Program and appreciates that the 2022 Move Ahead WA package allocated \$244 million to extend the program along I-5 between 38th and Gravelly Lake Drive. The City requests an extension of this program to include a dedicated HOV 5th lane (one each direction) from Tacoma to Mounts Road in DuPont which requires a reconfigured interchange at the Main Gate (Exit 120). If additional HOV lanes are not extended throughout the entire south sound corridor, the previous bottleneck that began at Thorne Lane will return, despite significant state investments to



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alleviate this congestion. The timing of this extension should align with the expansion of I-5 south of Mounts Road, to mitigate additional congestion at that chokepoint.

- 3) **Main Gate Interchange (Exit 120):** As part of the current I-5 JBLM Corridor Improvements, WSDOT identified the Main Gate Interchange (Exit 120) reconfiguration as a necessary future improvement to expand I-5 from four to five lanes and address systemic congestion through the corridor. This Interchange serves as the primary access to Lewis Main on the east side of I-5 and to Lewis North on the west side. The proximity of the at-grade rail crossing to the Lewis North gate is a safety concern and creates backups on I-5 during peak periods. Reconfiguring the interchange to include a grade separated crossing would eliminate this risk for service members and Clover Park School District buses that use this at-grade crossing to access the installation.
- 4) **I-5 Mounts Road to Tumwater & Nisqually River Delta:** I-5 is the lifeline of commerce, transportation, and JBLM's mission readiness in the Puget Sound Region. However, the current design of I-5 impedes critical ecological functions of the Nisqually River Delta, is at risk of being overtopped by the Nisqually River resulting in national security concerns and is inadequate to meet the growing commerce and transportation demands of our state.
 - The current I-5 design obstructs natural ecological functions of the Nisqually River Delta that are critical to **salmon survival**. The decrease in salmon population negatively impacts the Nisqually Indian Tribe's treaty rights and way of life. The environmental impacts of I-5 on the delta may compound into costly environmental remediation efforts in the future if left unaddressed.
 - According to a US Geological Survey, there is a high risk that I-5 will be overtopped by a major flooding event in the next 15 years. This would be devastating locally and regionally and it would impact **national security** since 30% of the JBLM workforce live south of the Nisqually River and would be unable to report to duty.
 - The current design of **I-5 has limited capacity** to handle the growing South Sound economy and population. Traffic models show lengthy delays through this corridor with no change to existing infrastructure.



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Lakewood, in partnership with SSMCP and the Nisqually Indian Tribe, support a redesign of I-5 south of Mounts Road through the Nisqually River Delta to improve salmon survival, eliminate the flood risk and address congestion in the region. The \$75 million allocated to this project in the Move Ahead Washington package is an important step but more work will be needed.

Infrastructure Funding

Local agencies, including the City of Lakewood, lack resources for infrastructure funding. As a result, city roads remain in disrepair or general fund dollars are taken from other important services to repair roads; or a combination thereof. The City requests expansion of state funding to assist with maintenance and preservation of local infrastructure. The City continues to support the state's ongoing and increased investment in infrastructure funding programs such as the Public Works Assistance Account.

Limiting Additional Freight on Point Defiance Bypass (Lakeview Rail Line)

The City opposes increased freight traffic along this corridor that is above and beyond the activity already in place and does not have a destination within Lakewood or Joint Base Lewis-McChord. With the opening of the Point Defiance Bypass project in support of Amtrak passenger rail coupled with increasing demands on freight rail, there is concern that the Point Defiance Bypass project could eventually lead to increased freight traffic in addition to new passenger rail.

Future Commercial Airfields - JBLM

The City opposes the use of Joint Base Lewis-McChord (JBLM) as a commercial airfield and as well as the identification of any location for a new commercial airfield, that would impede the operations of JBLM. In regards to considering JBLM as a potential site, there is strong opposition from the Lakewood congressional delegation, significant concerns raised by the military, high congestion issues, no transit service, and was rated "unlikely" by WSDOT and "unable to accommodate commercial air service" by the Puget Sound Regional Council. House Bill 1791 rebranded the Commercial Aviation Coordinating Commission (CACC) to be the Commercial Aviation Work Group and calls for annual reports on siting progress rather than identification of a single location by date certain. The Governor's veto of four sections resulted in removal of the legislature's guidance to eliminate any site that would be incompatible with the operations of a military installation.



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Stormwater & Culvert Funding

Cities have significant stormwater and culvert funding needs. The City of Lakewood requests secure, ongoing and sufficient funding for city culvert repair and replacement. The City supports funding for current and new grant programs for local stormwater and culvert projects.

Electric Vehicle (EV) Charging Stations

The City supports both Federal and State legislation for strategically implementing electric vehicle charging stations. The City requests that as EV charging station programs begin implementation, that regional and state public entities, such as Pierce Transit, Sound Transit, WSDOT and relevant utility companies, lead the implementation effort through both funding and administration.



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FINANCES

Insurance Costs

Recent legislation and subsequent court decisions have increased the legal liability of public entities, resulting in higher rates for liability coverage. The City's liability rates increased by 37% from 2022 to 2023 and by another 41.2% from 2023 to 2024. The City joins AWC in requesting that the Legislature protect against liability expansion and new policies that would drive additional claims and litigation increasing costs, especially in the area of law enforcement and public safety, and human resources.

State-Shared Revenues

Cities rely on state-shared revenues to provide critical funding for essential public services. The City request continued appropriation of committed state shared funds, such as Liquor Excise Taxes and Profits, City-County Assistance Account, Municipal Criminal Justice Account, Annexation Sales Tax Credit, and public health funding. These funds are used to support city activities, including police, infrastructure development, public defenders, municipal court, etc. In total, state-shared revenues constitute a significant portion of the City's operating revenue at around 6% each biennium.

General Fund Revenue

The City supports legislation that will increase, expand, or favorably restructure its revenue-raising ability. In consideration of 1) the continued growth in demand for services that exceed revenue growth and inflation, and 2) intimate knowledge of individual community needs, the City supports unrestricted uses of all general government tax revenue. For example, restrictions on the use of real estate excise tax (REET), gambling taxes, etc.

City Financial Liability for Indigent Defense

Indigent defense is a constitutional right that should be funded by the state. From 2012-21 county costs grew by more than 65%, from \$105M to \$174M. State funding during that same period grew only by 5.4%. Since 2018, the City has paid on average \$483,000 per year toward indigent defense, with a budgeted amount exceeding half a million dollars in coming years. This compensation has been trending upwards in recent years due to economic pressures, such as pandemic impacts and historic inflation. The City supports state funding for indigent defense that is standardized and non-competitive in order to ensure more equitable funding and uniform application of justice.

Unfunded Mandates & Other State & Federal Budget Impacts

Mandates from the Federal and State governments are rarely accompanied with adequate new revenues or taxing authority, but instead force the City to



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reduce funding levels for other services. The City opposes efforts by the State Legislature to balance budgets by shifting responsibilities to cities.

PUBLIC SAFETY

Public Safety

The City supports a commonsense and meaningful approach to public safety policies that protect lives and property and foster trust in government. During the 2023 session, progress was made in this area but there is still more work to be done. In collaboration with other Pierce County municipalities, the City requests the Legislature:

- 1) Provide tools to address auto theft and property crime, including increased state funding to grant programs to support regional enforcement and prosecution efforts;
- 2) Make refinements to the restrictions on vehicular pursuits to curb motor vehicle thefts;
- 3) Commit ongoing state funding for therapeutic courts to satisfy the new state drug possession law;
- 4) Supply stable state funding for co-responder programs, such as the City's Behavioral Health Contact Team; and
- 5) Amend state law to allow for a parent or guardian to provide consent for a juvenile to be interviewed by law enforcement to include consent to search property to resolve unsolved crimes and prevent future incidents.

Blake Response

The City is grateful the state has provided funding to help offset city costs created by the Blake Decision on how possession of controlled substances is handled by the criminal justice system. City costs include processing criminal conviction vacations and repaying legal financial obligations as well as support for ongoing costs for diversion programs and municipal court impacts. The City requests long-term state investment in alternative response teams, treatment facilities for adults and juveniles, treatment in jails, and to provide support to social workers, treatment providers and system navigators to help direct people to treatment.

Hiring and Retention

Public safety agencies nationwide are experiencing officers leaving the profession at an unprecedented rate, either through early retirement or leaving the field. The City supports state policies including funding to local law enforcement agencies that promote recruitment and retention of law enforcement officers and expedite opportunities for newly hired officers to



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receive training.

Vehicular Pursuits

The City thanks the legislature for making progress on clarifying the ability for law enforcement to conduct vehicular pursuits for the benefit of public safety. Since the probable cause threshold was established in 2021, there have been several occasions where the high standard prevented pursuit of a vehicle, jeopardizing public safety. The City will continue to support safety measures and training for officers who engage in vehicular pursuits as well as further refinements to the state's vehicular pursuit law, to include making additional crimes eligible for police pursuits including stolen vehicles.

Juvenile Crime

Compared to the five-year average (2017-2022), in the first half of 2023, juvenile robbery in Lakewood is up 400%, motor vehicle theft is up 500% and assaults are up 45%. For all crimes, known juvenile suspects have increased 67%. The City requests the state amend state law to allow for a parent or guardian to provide consent for a juvenile to be interviewed by law enforcement to include consent to search property to resolve unsolved crimes and prevent future incidents.

Youth education is also critical component to ensuring criminal behavior is stymied at a young age to prevent the uptick in youth crime experienced by the Lakewood community. The City supports educational efforts to teach youth about the consequences of criminal behavior. Youth education that prevents criminal activity upstream should also include intervention of at-risk youth and their families by connections to social services at an early age, such as Tacoma-Pierce County Health Department's Family Support Partnership. The City supports any state funding that would support youth education about social services, such as the County's Family Support Partnership.

By both educating at-risk youth and their families about social services, and about the consequences of criminal activity early on, the City expects that youth criminal activity will be prevented.

Geographic Equity in Discharge from State Facilities

The City appreciates the State's recent efforts to move toward a more community-based behavioral health system. This transition presents an opportunity to not only provide more accessible services to those who need it most, but also for the facilities to be more geographically disbursed. Based on



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the findings from the Commerce report, the State should invest in long term care facilities in underserved regions of the state.

The City requests the following changes be made to state law:

- 1) Per the findings from the April 2023 Commerce Report, the state needs to procure additional services and supports in Olympic, North Central, Great Rivers, Greater Columbia, and King regions. The report also shows that adult family homes in Pierce County are serving a large percentage of Long-Term Civil Commitment (LTCC) patients. Incentivize providers, particularly adult family homes, to provide services in underserved areas.
- 2) Institute fair share policies for discharge planning from state hospitals for individuals that have a history of one or more violent acts (extend SB 5163 (2021) policies, that only apply to the Special Commitment Center, to state hospitals).

Protecting Residents of Adult Family Homes

Adult Family Homes (AFHs) serve adults with functional limitations who need personal and special care. The City requests legislation that protects these vulnerable members of our community by preventing Level 2 and 3 registered sex offenders, sexually violent predators and “felony flips” from residing in AFHs. The City supports amending the definition of “resident” in RCW 70.128.010 to exclude individuals convicted of sexually violent crimes and crimes that require registration as a sex offender.

Body Worn Cameras

In the 2023 budget the state legislature allocated \$1.6 million for the body camera grant program administered by the WA Association of Sheriffs and Police Chiefs (WASPC). The City supports ongoing funding for this program to assist municipalities with the purchase, maintenance or replacement of Body Worn Cameras (BWC), ongoing costs related to record management, and hiring of personnel to operate the BWC program.

Binding Interest Arbitration Reform

The City recognizes the importance of having a tool to help resolve potentially devastating strikes by essential service personnel, such as police and firefighters. However, existing binding interest arbitration statutes are out-of-date and inflexible, resulting in many unintended consequences – the City finds this particularly true in regard to disciplinary processes. The City requests that the state reform existing binding interest arbitration language to limit unintended repercussions.



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Authority to Appoint Municipal Court Judges

The City supports cities' authority to appoint a municipal court judge and to maintain municipal courts. The City supports further technical and financial assistance for the administration of municipal courts.

Traffic Enforcement Cameras

The state legislature has authorized local government to use traffic enforcement cameras in limited situations, including red light enforcement at certain intersections and speed control in certain zones. Traffic enforcement cameras have proven to be successful at reducing instances of speeding and violations of traffic signals. The City supports the use of traffic enforcement cameras. The City also supports legislation allowing images from traffic enforcement cameras to be used by law enforcement in criminal cases when there is probable cause.

Basic Law Enforcement Academy (BLEA)

The City supports ongoing funding of the Basic Law Enforcement Academy which is the sole training program for police departments statewide. With an increasing number of law enforcement officers retiring, it is imperative this program receive adequate funding to provide ample training openings for new hires in a timely manner. The City supports adequate and ongoing funding for the recently established regional Criminal Justice Training Commission campuses which will help address the backlog of training slots at the Academy and ease of access to more agencies. The City also supports the discretion of CJTC to hold academy seats based on number of anticipated officer hires, as currently, academy seats are not held until a potential hire name has been provided, which can further delay the hiring process.

Jail and Court Costs

The City supports legislative proposals that reduce jail and court costs, and maintain its flexibility in providing jail and court services. The City supports additional funding for local grants through the Office of Public Defense and clarifying local authority to set standards for public defenders. The City also supports maintaining the flexibility to select the most appropriate manner in which to provide jail services. The City will monitor all legislation that impacts the City's ability to contract with government agencies.

State Hospital Reentry Program

The City supports language that would expand the reentry community safety program. The current program is designed for individuals being released from a correctional facility. The City supports expanding the program to apply to patients who are civilly committed after prosecution for a violent offense or



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who are civilly committed based on criminal insanity.

Enhanced Services Facilities

Enhanced Services Facilities (ESFs) serve adults with mental and chemical disorders or other impairments that require supervision and daily care. The City supports legislation that would prohibit Adult Family Home businesses (AFHs) from converting to ESFs, as well as legislation that would prohibit the locating of ESFs in residential neighborhoods.

Acute and Long-Term Care Facilities

The City supports the implementation of the Trueblood Settlement Agreement and state funding for the construction and ongoing operation of acute and long-term care facilities equitably dispersed in communities throughout the state.

Civil Asset Forfeiture

Civil asset forfeiture allows law enforcement agencies to take possession of property when the property itself is illegal, was used to facilitate a crime, is proceeds from a crime, or was purchased with proceeds traceable to criminal activity. The City views civil asset forfeiture as a valuable tool, and will closely monitor legislation and oppose provisions that add restrictions on law enforcement's use of civil asset forfeiture.

Consolidate Traffic-Based Financial Obligations

The City supports legislative proposals that would authorize the Administrative Office of the Courts to establish a unified payment plan system for the consolidation of multiple traffic-based financial obligations. This solution allows defendants to bring multiple outstanding obligations into the new payment plan for ongoing servicing with a single point of contact, reduces the volume of driver's license suspension for failure to respond or pay, fewer DWLS-3 prosecutions, and improved collection rates.

GENERAL GOVERNMENT

Public Records & Open Meetings

The City respects the right of the public to have access to legitimate public records and documents. The City believes its ability to recover the costs of searching for, gathering and reviewing requested documents is also in the public's interest. The City supports reasonable reforms to the Public Records Act. The City opposes requiring the recording of executive sessions or other restrictions on legitimate uses of executive sessions.



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MILITARY AFFAIRS

Defense Community Compatibility Account - North Clear Zone Funding

The DCCA is a grant program that supports necessary infrastructure and compatible land use near Washington military installations. The DCCA is the most viable long- term option to secure the required state/local match to resolve the incompatible development in the McChord North Clear Zone. The City supports the state's ongoing investment in the DCCA via the biennial capital budget.

Statewide Coordination for Federal Military Affairs

Washington is the 6th in the nation for the number of active-duty military and has five major military installations yet there is no statewide coordination of federal military affairs. The City supports the creation of a cabinet level position within the Governor's office to coordinate federal military affairs.

South Sound Military & Communities Partnership (SSMCP) & Joint Base Lewis- McChord

The City of Lakewood is a strong partner with Joint Base Lewis-McChord (JBLM) and a founding member of the South Sound Military & Communities Partnership (SSMCP), a nationally recognized organization that gives unique voice to a range of issues affecting Pierce and Thurston Counties and their cities as well as JBLM, the largest military installation in Washington State. JBLM is a regional employment hub and a major statewide economic driver. The City supports the ongoing efforts of SSMCP and supports policy and financial decisions that assist JBLM's operational readiness and sustainability.

The City also believes in strong policy and financial commitments from the State in support of statewide military affairs while preserving local governments' and regional coordinating organizations' flexibility and authority to maintain communications and relationships with area installations. Lakewood supports establishing a Military Advisory Council to advise the Governor and Legislature; providing financial support of regional military-community partnerships such as Forward Fairchild, Puget Sound Naval Bases Association and SSMCP; and strengthening financial, legislative and political support for military presence in Washington in anticipation of future force restructuring or defense contract reductions due to sequestration, Department of Defense budget reductions, and/or base realignment and closure (BRAC) rounds.

The City supports SSMCP's 2024 Legislative Priorities:

1) Military Family Quality of Life



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One of the greatest challenges facing military families in the South Sound are access to housing, childcare and spousal employment. SSMCP is working regionally to remove barriers to these necessities and supports state level action through 1) incentives, 2) increased investment and/or 3) reduction in administrative burdens that drive up costs.

2) Military/Defense Sector Statewide Economic Impact Analysis

SSMCP is grateful the Legislature has directed the Legislative Committee on Economic Development and International Relations (LCEDIR) to conduct a statewide analysis on the military/defense sector's impact. SSMCP has coordinated two regional economic impact analyses over the last several years and is working closely with the Lieutenant Governor's office to support this statewide study. The report is due to the Legislature in September 2024. SSMCP requests the report be used to inform future regional and statewide policy decisions.

3) Defense Community Compatibility Account (DCCA)

The 2023-25 Capital Budget invests \$35.8 million in defense community compatibility projects throughout the state. This investment leverages over \$126 million in local and federal funds. SSMCP requests the Legislature prioritize ongoing investment in the grant program that supports civilian communities near military installations. For the Sound Sound, biennial investment is critical to helping resolve encroachment in the McChord Airfield North Clear Zone which has a commitment of up to \$80 million from the federal government but requires a state match.

4) I-5 Mounts Road to Tumwater & Nisqually River Delta

SSMCP appreciates the Legislature's commitment of \$75 million over the next 6 years to address the challenges along I-5 from Mounts Road to Tumwater and through the Nisqually River Delta. The current design of I-5 restricts critical ecological functions impacting salmon survival, is at a high risk of being overtopped by a major flooding event and has limited capacity to handle the growing South Sound economy and population - a key component to national security since 30% of the JBLM workforce live south of the Nisqually River. Additional state or federal or state funds are required to finalize engineering work. This includes \$1.5 million for preliminary engineering of part time shoulder use on southbound I-5 between Sleater-Kinney and Henderson Boulevard. This practical solutions approach would improve the transportation outcomes of the initial investment the state has made in the Nisqually River delta.



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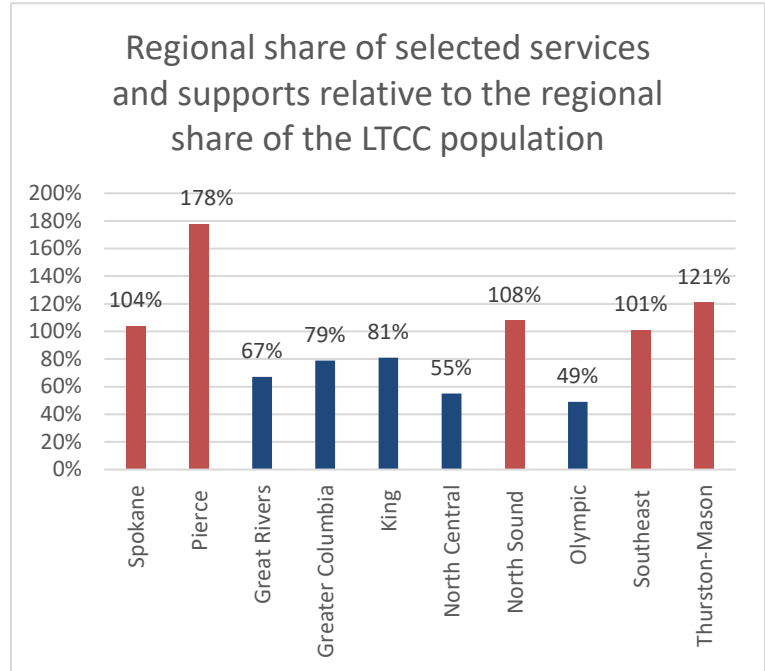
American Lake Veterans Golf Course Tax Exemption

The American Lake Veterans Golf Course (ALVGC) has always been a United States Department of Veterans Affairs (VA) golf course. In 2017, the VA decided to have the golf course run by Friends of American Lake Veterans Golf Course (Friends), a nonprofit, and it is unclear whether Friends will have to pay sales tax and business and occupation tax. The City supports legislation that clarifies that the ALVGC is not subject to sales tax or business and occupation tax.

Geographic Equity in Discharge from State Facilities

What is the problem?

Individuals are discharged from state facilities into Pierce County at a far higher rate compared to other communities throughout the state. This inequity was quantified in the Department of Commerce Report on [Housing Related Support for People Discharging from Long-Term Care](#), dated April 2023. The table to the right shows the ratio of a region's share of services and supports relative to the region's share of the overall population of people discharged from a long-term civil commitment (LTCC). A value of 100% indicates a region's share of services and supports is on par with its share of the long-term civil commitment population. Pierce County has a ratio of 178%, indicating the region's availability of services and supports far exceeds its proportional share.



Recent Examples:

- A sexually violent predator, also classified as Level 3 sex offender, committed in Thurston County was released from the Special Commitment Center to an adult family home in Lakewood on the basis that adequate housing was not available in his county of commitment. He received treatment in King County.
- A sexually violent predator, also classified as Level 3 sex offender, committed in Spokane County was released from the Secure Community Transition Facility in Pierce County on the basis that return to his county of commitment would be inappropriate. He received treatment in Thurston County.
- A sexually violent predator, also classified as Level 3 sex offender, committed in Mason County was released from the Special Commitment Center to an adult family home in Lakewood.
- Level 3 sex offender who was committed in Okanogan County, was determined likely to reoffend was planned to be released from Eastern State Hospital to an adult family home in Lakewood.

Proposed Solutions:

- 1) Per the findings from the April 2023 Commerce Report, the state needs to procure additional services and supports in Olympic, North Central, Great Rivers, Greater Columbia, and King regions. The report also shows that adult family homes in Pierce County are serving a large percentage of LTCC patients. Incentivize providers, particularly adult family homes, to provide services in underserved areas.
- 2) Institute fair share policies for discharge planning from state hospitals and secure community transition facilities. Expand SB 5163 (2021) policies which only apply to the Special Commitment Center.

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Public Safety

Status of Public Safety in Lakewood

Similar to other municipalities in the state, the City of Lakewood is experiencing increased crime, specifically property crimes and motor vehicle thefts. There has also been a staggering increase in juvenile crime. For example, the table below shows the increase in vehicle thefts and eludes before and after the passage of HB 1054, the “vehicle pursuit bill”.

Comparing Monthly Averages for 2 Years		Pre HB 1054	Post HB 1054	% Change
	Motor Vehicle Thefts	31	68	+119% (+37)
	Eluding	2.5	25.5	+920% (+23)

Public Safety is a Shared Responsibility

The state and local governments have a shared responsibility in protecting public safety. Part of the state’s responsibility is to provide adequate resources to local jurisdictions who deliver public safety services. Recent changes to state laws necessitate additional state investment in public safety. In some cases, the laws need refinement since they are hindering officers’ ability to protect the public. In collaboration with other Pierce County municipalities, the City requests the Legislature:

- 1) Provide tools to address auto theft and property crime, including increased state funding to grant programs to support regional enforcement and prosecution efforts;
- 2) Make refinements to the restrictions to allow for the pursuit of stolen vehicles given the number of criminals using stolen vehicles to commit other crimes;
- 3) Commit ongoing state funding for therapeutic courts to satisfy the new state drug possession law;
- 4) Supply stable state funding for co-responder programs, such as the City’s Behavioral Health Contact Team; and
- 5) Amend state law to allow for a parent or guardian to provide consent for a juvenile to be interviewed by law enforcement to include consent to search property to resolve unsolved crimes and prevent future incidents.

Public Safety Data in Lakewood

The following data show increasing trends in motor vehicle thefts, eludes from police, juvenile crimes to include vehicle theft, assaults, and robbery, and drug possession and overdoses. Lakewood has experienced increases across all these crime areas in the past several years, in spite of recent public safety state legislation aimed to address these problems.

Contact Information:

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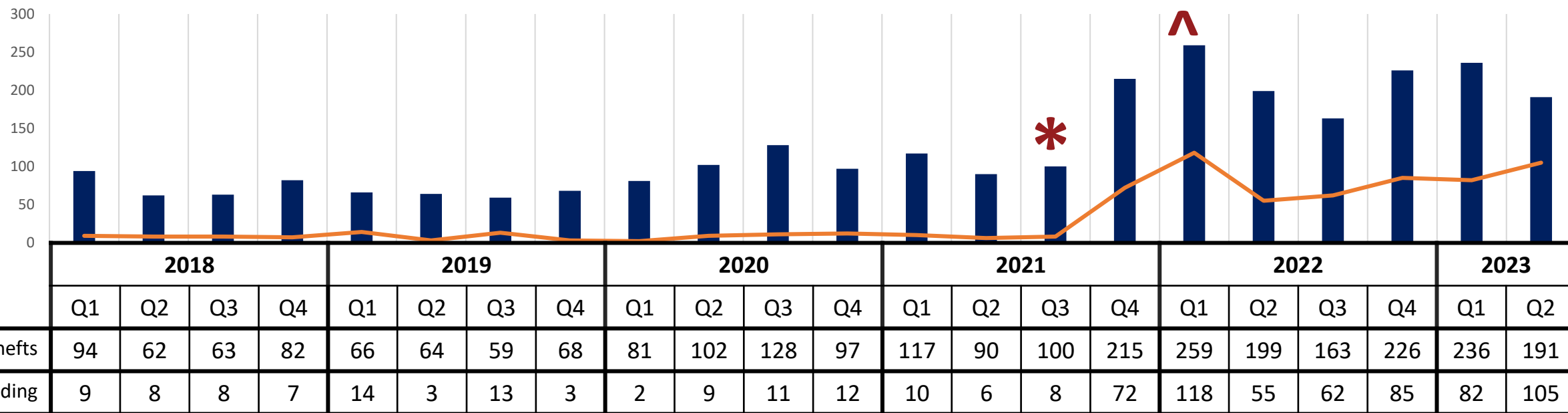
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Motor Vehicle Thefts



Motor Vehicle Thefts & Eluding



* HB 1054 & HB 1310 effective July 25th 2021
^ HB 1140 effective January 1st 2022

Comparing Monthly Averages for 2 Years		Pre HB 1054 & HB 1310	Post HB 1054 & HB1310	% Change
	Motor Vehicle Thefts	31	68	+119% (+37)
	Eluding	2.5	25.5	+920% (+23)

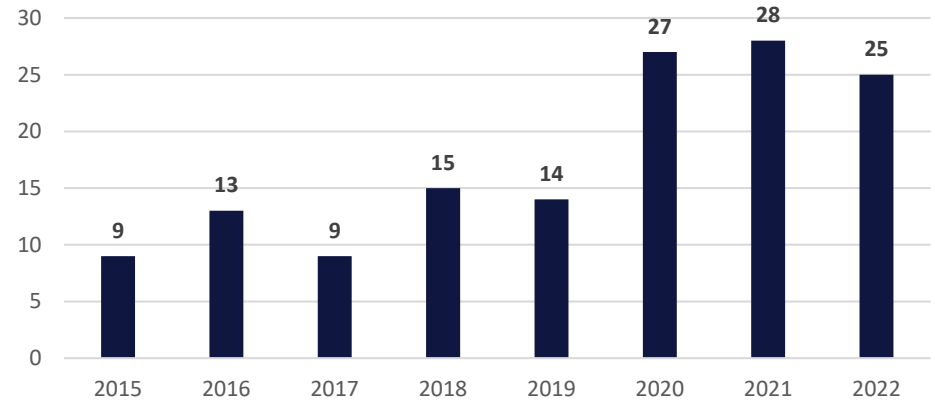


Drug Possession

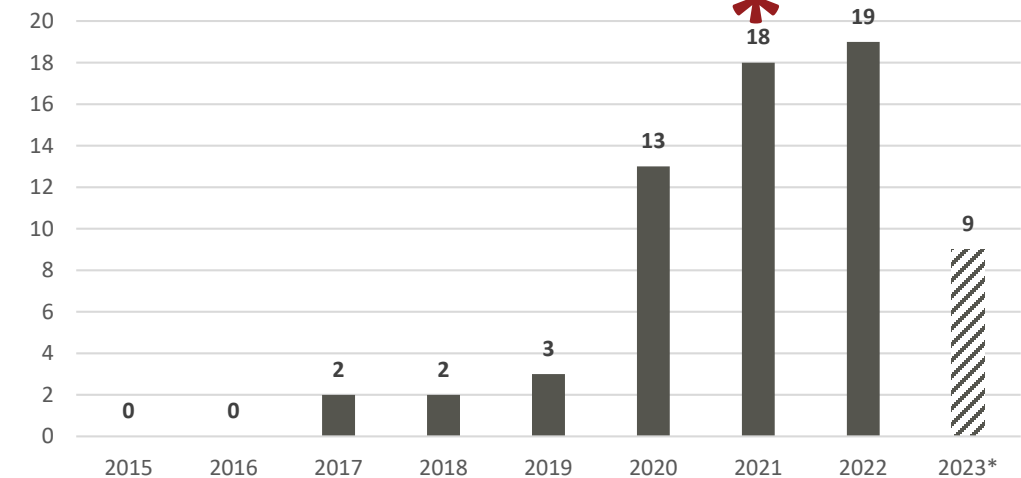
2015 – May 2023



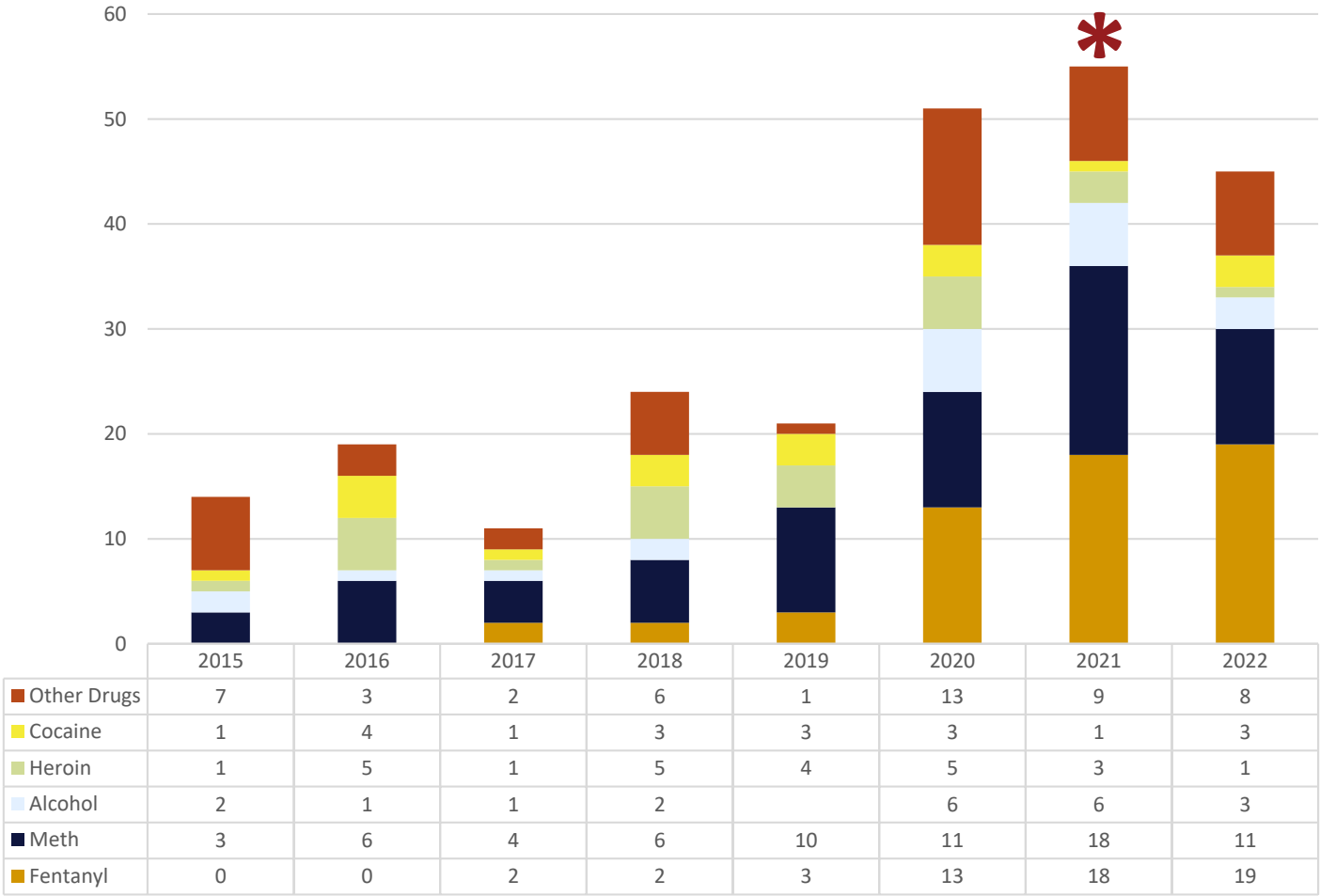
Overdose Deaths in Lakewood



Lakewood Fentanyl Related Deaths



Types of Drugs Used in Overdoses in Lakewood

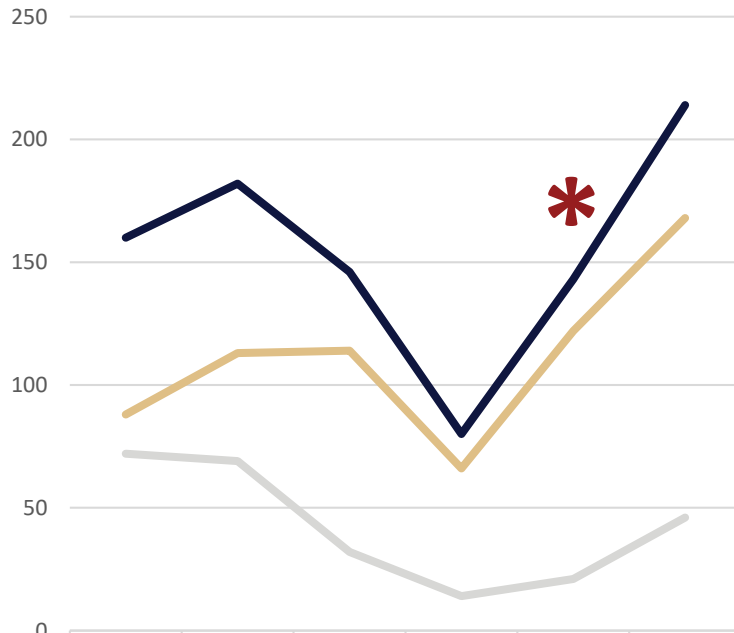


SB 5476 (Blake Bill) effective July 25th 2021



Juvenile Crimes

All Juvenile Crime Trends in Lakewood
YTD 2018-2023 (Jan 1 - Jul 31)



	2018	2019	2020	2021	2022	2023
Suspect	88	113	114	66	122	168
Arrestees	72	69	32	14	21	46
Total	160	182	146	80	143	214

Compared to the 5 Year Average

For All Crimes

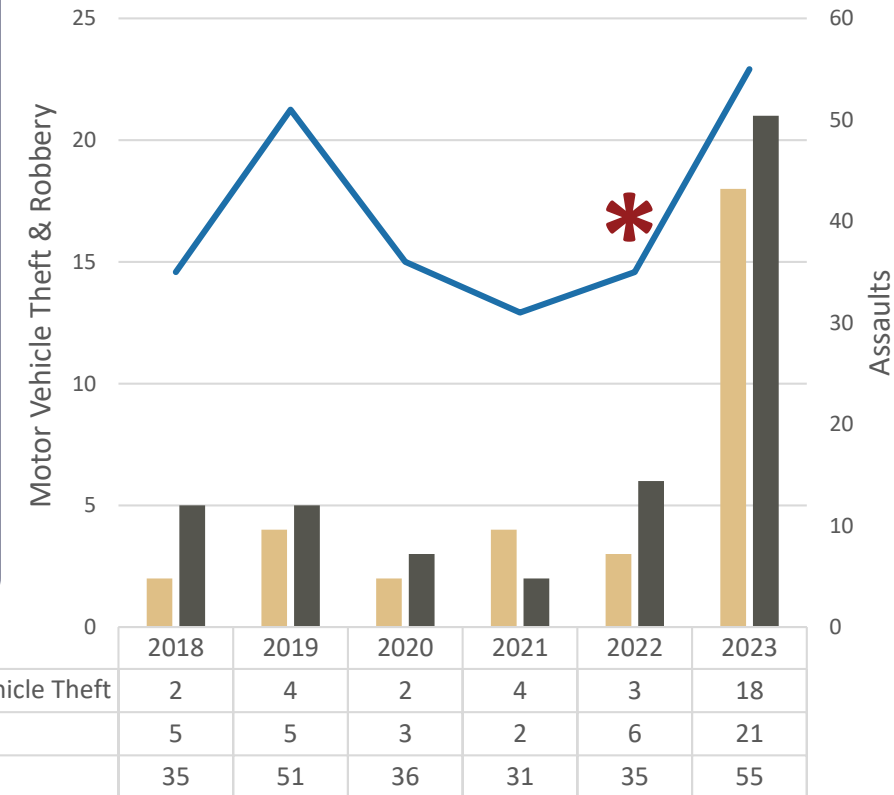
Known Juvenile Suspects **increased 67%**



Robbery **400%**
Motor Theft **500%**
Assaults **46%**

For Assaults, Robbery & Vehicle Thefts,
Known Juvenile Suspects **increased 114%**

Juvenile Crime By Type
YTD 2018-2023 (Jan 1 - Jul 31)



	2018	2019	2020	2021	2022	2023
Motor Vehicle Theft	2	4	2	4	3	18
Robbery	5	5	3	2	6	21
Assault	35	51	36	31	35	55

Note: Motor Vehicle Theft & Robbery use the scale on the Left;
Assaults use the scale on the Right



HB 1140 effective January 1st 2022



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City of
Lakewood

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INDIGENOUS PEOPLE AND LANDS ACKNOWLEDGEMENT

Every community owes its existence and vitality to generations from around the world who contributed their hopes, dreams, and energy to making the history which led to this moment. The City would like to recognize that we are on the lands of the Nisqually People, and acknowledge the history of dispossession that allowed for the growth of our community. We offer respect to the Nisqually People and their Elders, past, present, and emerging. We recognize our responsibility to value all people, and are committed to equitably serving all people in our diverse community.

A STATEMENT ON EQUITY BY THE LAKEWOOD CITY COUNCIL

The Lakewood City Council acknowledges that equity is essential to a healthy community.

We are committed to identifying and eliminating systemic racism. We intend to lead by example in the advancement of equity and the deliberate practice of inclusion.

The City Council commits to the following practices:

- Instilling equity as a priority of policy and the delivery of services.
- Enacting initiatives that support and celebrate the diversity of the community.
- Ensuring equity in municipal planning.
- Identifying and dismantling preconceived prejudices.
- Increasing sensitivity to social norms and cultural expectations.
- Pursuing justice and equity for all residents.

We recognize the critical role that city leaders have in removing barriers to opportunity. We recognize that systemic inequality has endured, but commit that it shall not persist. The City Council will not tolerate *intolerance*. It is unconscionable that some members of our community fall victim to acts of hate. Acts of hate based upon race, creed, ancestry, disability, sex, sexual orientation, gender identity and/or socioeconomic status are unwelcome in Lakewood, Washington. The Lakewood Police Department shall be vigilant in its investigation and prosecution of crimes of hate. These intentional practices will inform our decision-making on policing, zoning, capital investment and all other matters of the City Council. Our objective is to create a more diverse, equitable and inclusive Lakewood community for all residents and we invite all Lakewood organizations and residents to join us in this effort.



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City Council Goals Legend

The policy goals in the County Policy Manual align with the City Council Goals 2021-2024. Each policy name is a different color to reflect the corresponding City Council Goal.

Economic Development Goal: The City of Lakewood promotes and supports a dynamic and robust local economy.

Dependable Infrastructure Goal: The City of Lakewood provides safe, clean, well-maintained, and dependable infrastructure.

Public Safety Goal: The City of Lakewood is one of the safest cities in Washington State.

Fiscal Responsibility Goal: The City of Lakewood maintains a strong fiscal position.

Transparency Goal: The City of Lakewood communicates its goals, successes, and challenges to the community and serves as a leader and champion for the community.

Robust & Active Community Goal: The City of Lakewood is a livable, resilient, and inclusive community that embraces and celebrates diversity and delivers equitable municipal services.



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COMMUNITY & ECONOMIC DEVELOPMENT

Regional Planning

The City supports the continued partnership between Pierce County and other municipalities within the county concerning regional planning and transportation issues. Lakewood is a proud member jurisdiction of the Pierce County Regional Council (PCRC), which was created to ensure local planning between Pierce County municipalities is accomplished in a coordinated, efficient, and consistent manner. The primary responsibility of the PCRC is to ensure that the Growth Management Act requirements are coordinated within the region.

Regional Planning – Puget Sound Regional Council

The City supports a more equitable sharing of federal transportation dollars by the governing Regional Transportation Planning Organization (RTPO) and Metropolitan Planning Organization (MPO) – the Puget Sound Regional Council (PSRC).

The City also supports the limitation of PSRC’s authority and scope to that identified in Chapter RCW 47.80 and 23 USC § 134. In its Interlocal Agreement, the mission of PSRC is identified,

“to preserve and enhance the quality of life in the central Puget Sound area. In so doing, it shall prepare, adopt, and maintain goals, policy, and standards for regional transportation and regional growth management in the central Puget Sound area, in accordance with federal and state law and based on local comprehensive plans of jurisdictions within the region.” (emphasis added.)

However, PSRC’s continually expanding reach now includes: the establishment of Multi-County Planning Policies; a Regional Growth Strategy (RGS) and Growth Shares; and implementation activities including VISION 2050 adoption and interpretation. The City opposes any incursion by PSRC into local land use, housing issues and equity issues.

Regional Planning – Metropolitan Planning Organization

The City would support, and take the lead on, forming a Pierce County Metropolitan Planning Organization (MPO) and Regional Transportation Planning Organization (RTPO) as alternatives to the Puget Sound Regional Council (PSRC).



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South Sound Affordable Housing Partners

The City is a founding member of the South Sound Affordable Housing Partners (SSHA³P), which is a regional effort by member municipalities to address affordable housing with a coordinated approach. The City supports SSHA³P's 2024 legislative priorities on affordable housing:

- **FACILITATING DEVELOPMENT OF AFFORDABLE HOUSING**
 - Support capital budget funding for member government priority projects
 - Expand funding opportunities to support homeownership development for low income households
 - Expand eligibility for the Connecting Housing to Infrastructure Program
 - Support funding for the acquisition of real property for affordable housing
- **SUPPORT POLICY AND PLANNING EFFORTS**
 - Transit-oriented development and priority considerations
 - Support construction trade industry workforce development efforts
- **INFORMATION AND ENGAGEMENT**
 - Expand eligibility for the disabled veteran property tax exemption program
- **SUPPORT**
 - Funding for municipal Planned Action/EIS work
 - Technical fixes and clarifications to recent land use and housing legislation (e.g., HB 1110, and HB 1337)
 - Legislation to provide Fair Housing Training for COAs/HOAs
 - Funding for the Affordable Workforce Housing Accelerator pilot programs
 - Funding to assist in the implementation of state required land use actions
 - Operating funding for service-supported housing
- **OPPOSE**
 - Preemption of local land use authority
 - Legislation that would increase the cost to produce publicly funded affordable housing



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Middle Housing

The City supports local zoning authority and discretion for middle housing types and accessory dwelling units. Before the adoption of 2023 HB 1110 and HB 1331, the City allowed middle housing types including duplexes, triplexes, ADUs and multifamily housing on 55% of the City's residential lots, and cottage housing is allowed wherever single family detached housing was allowed, or on 78% of the lots. The City had a variety of policy tools for supporting the development of middle housing types, such as the City's Multi-Family Tax Exemption (MFTE) program, a housing incentives regulatory code chapter, and inclusionary density bonuses for landowners interested in providing units for very low income persons. Under HB 1100 and HB 1337, The City's programs and efforts at the local level to support middle housing development have been preempted by the State. The City opposes state legislation that dictates land use and zoning without consideration for unintended consequences such as displacement and gentrification.

- **Accessory Dwelling Units:** The City supports Accessory Dwelling Units (ADUs) to augment Lakewood's affordable housing stock. ADUs are a viable, equitable, and increasingly popular affordable housing option. Before 2023 HB 1337 was adopted, the City had ADU policies and development code requirements providing for the easier creation of more attached and detached ADUs associated with housing types, such as single-family homes and townhomes, found in multiple city zones (R1-R4, MR1 & MR2, etc.) These regulations and zoning decision will now have to be updated due to the preemption under HB 1337.

However, utility and side sewer connections to accommodate ADUs on current lots can be prohibitively expensive, especially for lower-income households. 2023 HB 1337's requirements to allow ADUs on historically single family lots will require not just construction of the building, but also connection to utilities that the City does not own nor plan infrastructure expansions.

The City also supports a dialogue with the County and other utility partners on how to address fee schedules and side sewer connections for Lakewood customers seeking to add one or more ADUs. The City supports solutions such as reducing and/or waiving connection fees and capacity charges for these customers, as well as allowing new ADUs to connect to existing side sewer lines.



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Annexations

Annexations should encourage the logical development and expansion of the City to provide for a healthy and growing local economy and efficient provision of urban services.

Arrowhead/Partridge Glenn

Annexation of this “urban island” has been attempted three times; twice by the Town of Steilacoom in 1995 and 1996, and once by Lakewood in 1997. All three annexation attempts failed at the ballot by an increasingly larger margin. The Town of Steilacoom, West Pierce Fire and Rescue, and Pierce County are not opposed to Lakewood annexing this area. The City would support and take the lead on, the annexation of this area *if, and only if, Pierce County* addresses this area’s aging infrastructure prior to annexation, **to include sewers and sidewalks.**

Camp Murray

The City and Camp Murray leadership evaluated this potential annexation after jointly completing the Camp Murray Annexation Analysis Report in 2020. Currently, Camp Murray leadership is not supportive of annexation after the report found annexation would not be revenue neutral and would result in increased costs for Camp Murray. The City is interested in acquiring the Camp Murray Boat Launch with the goal of creating and managing it as a city park. The City would invest infrastructure development to increase accessibility to American Lake. This may be accomplished through annexation of the boat launch property from Camp Murray or assuming the property lease from the Washington State Department of Fish & Wildlife.

Joint Base Lewis McChord

Lakewood’s Urban Growth Area (UGA) includes the urban area of Joint Base Lewis- McChord (JBLM). Over the past two decades JBLM has significantly developed this area. The City would consider annexing this area in the future, contingent on County approval, to include revising the existing agreement between the City and the County. The City would consider an incremental approach to annexing this area that would start with the annexation of American Lake Veteran’s Administration Medical Center and American Lake Veterans Golf Course.



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Lakewood Population Allocations

Lakewood is incorporating the 2044 growth targets and HAPT housing unit allocations as adopted by Pierce County in 2022 and 2023 into its land use planning. However, unique situations and existing spatial constraints can affect the ability of individual jurisdictions to meet these targets, and they should be recognized in state law and countywide policies. In Lakewood, the population and employment base are directly tied to, and subject to unpredictable change because of, the level of service members and contractors stationed or working at Joint Base Lewis-McChord (JBLM). In addition, there are several existing unique spatial and environmental constraints in Lakewood, including: JBLM's Air Corridor zones that prohibit urban residential development; several lakes and associated lands that can only be developed at lower densities; large tracts of public lands (including parks, Western State Hospital properties and the South Puget Sound Urban Wildlife Area); pre- incorporation and pre-GMA existing developments, and inadequate infrastructure. Lakewood is seeking support from Pierce County for the following:

The City supports policy direction for inclusion in the GMA, Multicounty Planning Policies, Countywide Planning Policies, individual Comprehensive Plans, and other appropriate documents that provide individual jurisdictions the ability to meet and/or adjust population and employment targets based on situations or issues outside their ability to govern.



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Lakewood Libraries

The City of Lakewood and Pierce County Library System (PCLS) have been partnering to bring new libraries to Lakewood since 2010 when the PCLS Master Facility Plan identified a need for new libraries in the City. The need for new libraries has been subsequently reflected in the City's Comprehensive Plan and Legacy Plan as it relates to partnerships and sharing facilities.

While the PCLS is the decision-maker on where libraries will be located, the City has become involved in this process: 1) given the City's involvement in the development of the 2010 Master Facility Plan; 2) the opportunity to create an economic catalyst in both the downtown and Tillicum neighborhood with a focus on library and other services to include better access to transportation and better parking; and 3) the opportunity to incorporate a senior activity/community center as part of new libraries to leverage synergies of programming as well as other "store front" services in the area of human and social services.

In 2017 the City and PCLS entered into a Memorandum of Understanding (MOU) to explore the options of new library facilities in both the Lakewood Towne Center and Tillicum neighborhood as called for in the 2010 Master Facility Plan. The result was the City acquiring property in 2019 for a new library in the Tillicum neighborhood. The City and PCLS also looked at property alternatives in the downtown area, however, none were available that met PCLS' needs. In 2019, PCLS initiated a community engagement process about future library facilities in Lakewood that included beginning to explore funding options and developing design options for new libraries.

This all stopped with the arrival of the pandemic in March 2020. In late 2021, the City and PCLS re-engaged to reconstitute the process of addressing library facilities in Lakewood. The outcome was the formation of the Library Advisory Committee (LAC) in April 2022, which is tasked with the objective of providing recommendations to the PCLS Board of Trustees and Lakewood City Council about library facilities in Lakewood. In June 2022, the PCLS closed the main library due to significant building issues and in October 2022 announced a location for an interim library. Demolition of the main library site, to be replaced with an interim library facility to be located at Alpharetta St. and Gravelly Lake Drive, is underway. The interim library is expected to open in 2024. The City supports the continued partnership with PCLS to address the urgent need of permanent and safe library spaces in Lakewood.



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COMMUNITY HEALTH & RESILIENCE

American Rescue Plan Act Funds

The federal American Rescue Plan Act (ARPA) allocated \$175,781,756 to Pierce County in 2021, with a final commitment of funds in October 2021. The City is appreciative of the beneficial programs that impacted Lakewood residents. The City requests the County continue to support programs and expenditures that benefit Lakewood residents and businesses, including but not limited to:

- Residential and Commercial rent, mortgage and utility assistance
- Residential and Commercial Landlord assistance
- Resident and Business Navigator Services
- Infrastructure funding (e.g., completing sewer system in Lakewood)
- BIPOC Business Assistance, e.g., continuing the BIPOC Business Accelerator Program
- Capital support for housing preservation and construction for residents at or below 80% of AMI

The City is supportive of Pierce County's Sewer and Water Utility Infrastructure Partnership Program, which the City has submitted and been awarded the following sewer extension projects:

- Grant Avenue and Orchard Street
- Wadsworth Street, Silcox Drive and Boat Road
- Rose Road and Forest Road
- Boat Street sewer extension for Habitat for Humanity

The City also supports fee relief from the County as well as the ability to connect to a new side sewer for Lakewood customers benefiting from the sewer extension projects who are seeking to add ADUs to their property to accommodate growth of the City's Middle Housing stock.



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Pierce County Village

The City supports County ARPA funds being allocated for the Pierce County Village to be located in Spanaway, provided it is developed with sewer connections. The proposed micro home village includes wrap-around services that would help Lakewood residents experiencing chronic homelessness, to include Veterans, who may receive a VASH voucher during their stay. The City is also pleased to see the selection of Tacoma Rescue Mission as the entity to manage and operate the Pierce County Village given its long-term regional leadership to provide effective services to the homeless.

The site identified for Pierce County Village is environmentally sensitive. Rather than constructing the village with community septic systems that run a heightened risk of contamination and damage to the surrounding wetlands, the City encourages the County to utilize sewer on the site. This approach aligns with fundamental GMA policies of having urban growth supported by urban services, including sewer and other appropriate infrastructure. Ensuring the health and safety of the community residents is another strong reason to bring sewer to the site.

Discretionary Spending of Public Health Resources

A wave of new funding for addressing public health in Pierce County has come to fruition in recent years. New funding sources include the County's collection of a one-tenth of one percent Sales and Use Tax for behavioral health such as mental health and substance use disorder treatment. The City supports the use of these funds at the county-wide level for addressing important public health issues, to include more discretionary funding to specifically address public health issues in Lakewood.

Opioid Settlement Funds

The Opioid Epidemic, originating in the 1990s, has progressed into its 'third wave,' characterized by a surge in overdose deaths linked to synthetic opioids, notably illicitly manufactured fentanyl. Pierce County is set to receive \$29 million in funding from various opioid settlements over the next 17 years. These settlements result from the misleading marketing by opioid manufacturers, who falsely portrayed opioids as non-addictive pain management solutions.

The City is projected to directly receive approximately \$1 million over the timeframe of 2022-2038. This funding will be used to address the impacts of the Opioid Epidemic on the Lakewood community and the City is collaborating with its Community Services Advisory Board to determine the best use of this funding for our city. Other jurisdictions will each be receiving disbursements as well,



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with amounts correlating to a formula intended to address the level of impact on each city and county. The settlement requires that expenditures of the settlement funds be reviewed by Opioid Abatement Councils. The City of Lakewood is represented on the Pierce County Opioid Abatement Council (PCOAC), whose role is to ensure that expenditures made are aligned with addressing the impact of the opioid epidemic. The City of Lakewood supports the current status quo that the City has full discretion on how to spend the City's allocated settlement funds to address the opioid epidemic in the Lakewood community, as the PCOAC has no authority to direct expenditures of member jurisdictions.

PUBLIC SAFETY

Public Safety

The City supports a commonsense and meaningful approach to public safety policies that protect lives and property and do not erode trust in government. During the 2023 state legislature session, progress was made in this area but there is still more work to be done. In collaboration with other Pierce County municipalities, the City requests the Pierce County Council, Pierce County Executive, Pierce County Prosecuting Attorney, and Pierce County Sheriff, to support the City's following requests of the State Legislature:

- 1) Provide tools to address auto theft and property crime, including increased state funding to grant programs to support regional enforcement and prosecution efforts;
- 2) Make refinements to the restrictions on vehicular pursuits to curb motor vehicle thefts;
- 3) Commit ongoing state funding for therapeutic courts to satisfy the new state drug possession law; and
- 4) Supply stable state funding for co-responder programs, such as the City's Behavioral Health Contact Team.
- 5) Amend state law to allow for a parent or guardian to provide consent for a juvenile to be interviewed by law enforcement to include consent to search property to resolve unsolved crimes and prevent future incidents.

Geographic Equity in Discharge from State Facilities

The City appreciates the State's recent efforts to move toward a more community-based behavioral health system. This transition presents an opportunity to not only provide more accessible services to those who need it most, but also for the facilities to be more geographically disbursed. Based on the findings from the Residential Facilities report, the County should join the City in requesting that the state invest in long term care facilities in all underserved regions of the state, which may include Pierce County. Secondly,



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building upon the work of the Sex Offender Policy Board, the County should join the City in requesting that the state should clarify that fair share principles apply to sexually violent predators released from state hospitals and secure community transition facilities. The City requests the County support additional changes so DSHS will have to:

- 1) Per the findings from the April 2023 Commerce Report, the state needs to procure additional services and supports in Olympic, North Central, Great Rivers, Greater Columbia, and King regions. The report also shows that adult family homes in Pierce County are serving a large percentage of Long-Term Civil Commitment (LTCC) patients. Incentivize providers, particularly adult family homes, to provide services in underserved areas.
- 2) Institute fair share policies for discharge planning from state hospitals for individuals that have a history of one or more violent acts (extend SB 5163 (2021) policies, that only apply to the Special Commitment Center, to state hospitals).

The City will continue to monitor the Western State Hospital Task Force's evaluation of Pierce County resources.

Juvenile Crime

Compared to the five-year average (2017-2022), in the first half of 2023, juvenile robbery in Lakewood is up 400%, motor vehicle theft is up 500% and assaults are up 45%. For all crimes, known juvenile suspects have increased 67%. The City requests the County to support amending state law to allow for a parent or guardian to provide consent for a juvenile to be interviewed by law enforcement to include consent to search property to resolve unsolved crimes and prevent future incidents.

Youth education is also critical component to ensuring criminal behavior is stymied at a young age to prevent the uptick in youth crime experienced by the Lakewood community. The City supports educational efforts to teach youth about the consequences of criminal behavior. Youth education that prevents criminal activity upstream should also include intervention of at-risk youth and their families by connections to social services at an early age, such as Tacoma-Pierce County Health Department's Family Support Partnership.

After contact with the criminal justice system, the City supports the youth continuing education about social service opportunities and criminal consequences through the programs administered at the County-owned juvenile court Remann Hall. The youth justice philosophy deployed at Remann Hall emphasizes keeping offending youth connected to family, community,



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and education/economic opportunities, yet the City recognizes that often times a family setting that lacks proper social support and opportunities may be the source of negative influence that drives youth criminal behavior.

By both educating at-risk youth and their families about social services, and about the consequences of criminal activity early on, the City expects that youth criminal activity will be prevented.

Protecting Residents of Adult Family Home Businesses

The City requests that the County advocate for legislation at the state level to address growing community and public safety concerns related to Adult Family Home businesses (AFHs). AFHs serve adults with functional limitations who need personal and special care. The City supports legislation that protects these vulnerable members of our community by preventing Level 2 and 3 registered sex offenders, sexually violent predators and “felony flips” from residing in Adult Family homes. The City suggests amending the definition of “resident” in RCW 70.128.010 to exclude individuals convicted of sexually violent crimes and crimes that require registration as a sex offender.

State Hospital Reentry Program

The City supports language that would expand the reentry community safety program. The current program is designed for individuals being released from a correctional facility. The City supports expanding the program to apply to patients who are civilly committed after prosecution for a violent offense or who are civilly committed based on criminal insanity.

Enhanced Services Facilities

Enhanced Service Facilities (ESFs) serve adults with mental and chemical disorders or other impairments that require supervision and daily care. The City requests that the County advocate for legislation that would prohibit Adult Family Home businesses (AFHs) from converting to ESFs, as well as legislation that would prohibit the citing of ESFs in residential neighborhoods.

Video Arraignment

The County does not provide video arraignment from the Pierce County Jail. Video arraignments allow the City to safely and effectively provide public defense services to jail populations, such as decreasing the number of jail transports, which are expensive and potentially hazardous. The City requests that the County find solutions to the issues impeding their ability to provide this service. The City supports the County allocating the necessary resources to provide for video arraignment.



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Booking Restrictions

The County has implemented booking restrictions at the Pierce County Jail in accordance with pandemic-related CDC and Washington State Department of Health guidelines. The new guidelines prioritize detention for individuals who pose an imminent threat to public safety, such as Felony arrests. However, detention has been discontinued for some arrests, including certain property crimes, even after some COVID-related guidelines have been lifted. These crimes still impact the City's public safety. The City requests the County to implement solutions to continue pre-pandemic detention policies, such as acquiring additional staff and detention space to augment jail capacity.

Pierce County Prosecuting Attorney's Office

The City relies on the Pierce County Prosecuting Attorney's Office for effective adjudication of significant offenders. The City supports consistent, transparent and timely felony charging and filing from the Prosecuting Attorney's Office. The City also supports regular communication regarding the Lakewood cases reviewed by the Prosecuting Attorney's Office.

TRANSPORTATION & INFRASTRUCTURE

Clover Creek Flood Plain

The City completed an engineering report to generate and evaluate project alternatives to mitigate 100-year flood risk along Clover Creek within the City limits. The City developed a flood model that was updated in 2019 for Clover Creek, which revealed a significant increase to the area impacted by floodwater when compared to the previous FEMA effective map of inundation for the 100-year event. The updated model suggests a significant portion of the City of Lakewood could be impacted by the floodwaters, including I-5. The flooding to I-5 could potentially result in significant new regulatory constraints placed on I-5 and would directly affect Joint Base Lewis-McChord mission readiness. The City began to explore flood mitigation alternatives to reduce these potential impacts to the City and I-5, and after collaborating with various state, local, and tribal agencies, four solutions were developed:

- 1) Do nothing
- 2) Stream and channel enhancements
- 3) Levee specific to I-5
- 4) Levee in general flooding area

The City Council has directed to explore Option 4, a levee in the general flooding area, as this option consists of a flood blocking structure along or setback from Clover Creek that would block nearly all flood water from the city and the I-5 corridor within city limits. This option provides the most comprehensive flood



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mitigation benefit. At an estimated cost of around \$20 million, the City will need outside resources, as well as continued collaboration with county agencies such as the Pierce County Surface Water Management and Flood District, to ensure Lakewood residents and neighboring jurisdictions, to include unincorporated Pierce County communities, and the I-5 corridor are safe from this potentially devastating flood event.

Flood Control Zone District

The City encourages the County to move the FCZD to a tiered rate based on risk of flooding. The City supports using flood control funds to mitigate existing risks rather than subsidize new development within the flood zone. The City is also concerned with the potential for the governing board to impose the maximum rate allowable. A tiered rate may also be a funding source for a levee solution addressing the Clover Creek 100-year flood.

Pierce County Transportation Coordinating Committee

The City is appreciative that the Pierce County Regional Council (PCRC) increased the transparency of the Transportation Coordination Committee (TCC), particularly in regards to how TCC scores and determines funding recommendations. TCC has made project score cards available to all member jurisdictions at the end of the scoring process when presented to TCC by subcommittee.

Pierce County Sewer Utility

The City urges Pierce County to proactively plan for and build sewer system expansions in passed over areas of the county's urban areas as it updates its Unified Sewer Plan. The City also encourages the County to actively collaborate with the City of Lakewood to incorporate planning assumptions based on the new 2044 growth targets as well as the increased housing density patterns and incorporating Accessory Dwelling Units based on 2023 state bills HB 1110 and HB 1337. These "infill" expansions would encourage efficient development and expansion of infrastructure systems. Historically, Pierce County has not proactively planned for, or built, sewer system expansions in its service area. Rather, private development has been required to extend sewer main systems, with the opportunity to seek at least partial reimbursement via latecomer agreements for oversizing lines to anticipate future development. This policy has led to older, urban sections of the county not having sewer access, and has encouraged leap-frog development, inconsistent with the Growth Management Act. The Pierce County Sewer Utility should change its capital facility planning policies and practices to "do business as a business," meaning that it should be willing and able to construct sewer extensions into incorporated areas. Lakewood would readily participate in the pending update to the Unified Sewer Plan to assist with updating utility policies.



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Future Commercial Airfields - JBLM

The City opposes the use of JBLM as a commercial airfield as well as the identification of any location that would impede the operations of JBLM. There is strong opposition from the Lakewood congressional delegation, significant concerns raised by the military, identification of such a site as having high congestion issues, no transit service, and rated “unlikely” by WSDOT and “unable to accommodate commercial air service” by PSRC.

Parks & Recreation

Chambers Creek Canyon

The City has partnered with Pierce County and University Place to work together on the Chambers Creek Trail Project. The majority of the land is owned by Pierce County with sections of the trail and trail heads located in University Place and Lakewood. With an anticipated completion date by end of 2024, this project will result in a 2.5 mile trail through the canyon. The City is supportive of continuing its partnership with the County and University Place to improve and expand the Chambers Creek canyon trail for residents to safely enjoy.

Seeley Lake Conservancy Park

Seeley Lake Conservancy Park contains 48 acres of urban forest land in the heart of Lakewood. The park includes woods, wetlands, natural areas, lake, and a 1.3 mile perimeter loop trail. The lake is a stormwater collection site with fluctuating water levels which flood portions of the trail during the winter rainy season. In December 2019, the City of Lakewood and Pierce County entered into an agreement to improve the site with the goal of "increasing habitat, recreation, and safety". The City is supportive of continuing its partnership with the County to finish these vital improvements in 2024 to expand use and make the site more accessible for all park users.

Lakewood Community Center

The Pierce County-owned and operated Lakewood Community Center is a multipurpose center, serving residents of all ages and abilities and was the home to the City of Lakewood’s Senior Activity Center starting in 2007. The site is in close proximity to Seeley Lake Conservancy Park and features the only gymnasium in the Pierce County parks system.

During the pandemic the City’s senior activity center was closed due to public health and safety precautions. During that time a number of issues relating to building safety have been identified. Currently the Lakewood Community Center houses a regional specialized recreation program supported by the



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City. The City is supportive of continued use of the center for this program. However, the City is moving forward with finding a new home for the Lakewood Senior Activity Center, given the building structural issues.

ENVIRONMENT

Regional Climate Change Efforts

The City is supportive of the recent increase in regional climate change efforts at the federal, state, county level such as new grant programs for projects mitigating the impacts of climate change, electric vehicle charging station development efforts, as well as the County's new 20-year Solid and Hazardous Waste Management Plan recently adopted by the City. The City is supportive of collaborating with the County on any regional climate change efforts, especially those that impact Lakewood residents. As the City begins its work to comply with 2023 HB 1181 and develops a GHG emissions reduction sub-element and a climate resiliency sub-element, the City is supportive of collaborating with the County and other Pierce County municipalities to increase the cumulative benefits of the effort.

MILITARY AFFAIRS

North Clear Zone

The City requests Pierce County's continued partnership in vacating the Joint Base Lewis McChord (JBLM) North Clear Zone (NCZ), the federally-designated, 3,000-by-3,000-foot safety corridor adjacent to the end of the runway with the highest statistical possibility of aircraft accidents. The NCZ lies partly within the City of Lakewood, and currently includes multiple commercial and industrial businesses that are incompatible with JBLM operations and violate its Air Installation Compatibility Use Zones (AICUZ) safety standards. Lakewood and Pierce County have signed an agreement signifying a commitment to execute a long-range plan that will restore this area to an uninhabited state. The City asks that this agreement continue to be a priority for the County in its local actions and state-level advocacy efforts. The City is appreciative of the County allocating resources for vacating private property located in the NCZ, and further supports additional County resources for continuing this effort.

Statewide Coordination for Federal Military Affairs

Washington is the 6th in the nation for the number of active-duty military and has five major military installations yet there is no statewide coordination of federal military affairs. The City requests the County join in support of the creation of a cabinet level position within the Governor's office to coordinate



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federal military affairs.

GENERAL GOVERNMENT

Innovative Service Solutions

The City supports innovative service solutions and technological advancements that would provide mutual benefits for Pierce County and Lakewood, such as the awarding of County ARPA funds to fund sewer extensions into the Tillicum Neighborhood. To improve the delivery of municipal services, the City supports contracting with the County for selective services and advocates for technological advancements in the County's video arraignment and continued development of the online building/permit platforms. The City is appreciative of recent innovative service collaborations with Pierce County such as the PALS+ permitting system and traffic signal contracting.



City of Lakewood

2024 Federal Policy Agenda

ADOPTED BY THE LAKEWOOD CITY COUNCIL ON XX

"Lakewood is a thriving, urban, South Puget Sound City, possessing the core values of family, community, education, economic prosperity, and the equitable delivery of municipal services. We will advance these values by recognizing our past, taking action in the present, and pursuing a dynamic future." – Lakewood City Council Vision

Lakewood City Council

Jason Whalen, *Mayor*
Mary Moss, *Deputy Mayor*
Don Anderson, *Councilmember*
Paul Bocchi, *Councilmember*
Patti Belle, *Councilmember*
Michael Brandstetter, *Councilmember*
Trestin Lauricella, *Councilmember*

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Introduction

The City of Lakewood has established a productive and trusted relationship with its congressional delegation over the past many years. The result is a delegation that actively partners with the City in support of shared goals, whether they be funding for critical infrastructure and economic development, or offering legislative language to modify Department of Defense policies. The City thanks the congressional delegation for securing improvements for the Lakewood community over the years.

2023 Accomplishments

The City continued its track record of partnering with its congressional delegation in 2023. Following the City's 2022 award of \$2.5 million federal funding for the South Tacoma Way Project, the City supported a \$2.5 million 2023 funding request for the LASA Campus Project. This project was once again selected by Congresswoman Strickland for funding and \$1 million has been included in the House Transportation Appropriations bill. The process is currently in negotiations between the House and the U.S. Senate and a final resolution on the funding for LASA is expected before the end of the year. The project has support from both Senator Murray and Senator Cantwell in addition to Congresswoman Strickland. The City also builds support within the delegation for the appropriate and needed changes at the Department of Defense that streamlines the purchasing of private land for compliance with military safety buffer zones. The delegation will help the City's continued efforts in resolving the issue of North Clear Zone encroachment.

Policy Opportunities

The City has identified a number of infrastructure and housing needs to prioritize in 2024 that would benefit the community. Congress and the Biden Administration are providing numerous funding opportunities for the City to pursue these important projects. Congress and the Biden Administration have provided numerous funding opportunities for the City to pursue via historic infrastructure and climate mitigation programs. After submitting a RAISE Planning Grant in 2023 and getting insightful feedback from USDOT about the application, the City will resubmit the "Green Loop" street portion of the Downtown Subarea Plan project to the RAISE program. The City will also consider its next federal earmark request for delegation consideration in 2025. Additionally, the City will partner with local, regional and state entities in support of a multi-year plan to secure significant federal support for the Nisqually Interstate 5 replacement project. Last, the City will continue efforts to change the Defense Community Infrastructure Program (DCIP) project eligibility to prioritize transportation projects, as several transportation projects around the City that improve military preparedness would benefit from DCIP funding access.

Congressional Delegation Opportunities

Lakewood's Congressional Delegation is extraordinarily well positioned to help the City in terms of their committee assignments and seniority. Congresswoman Strickland serves on the Transportation Committee and the Armed Services Committee with jurisdiction over JBLM and whose Chair, Adam Smith, is also from Washington State. Senator Murray is the Chairwoman of the Senate Appropriations Committee and the Senate President Pro Tem, placing her fourth in the line of presidential ascension. Senator Cantwell is the Chair of the Senate Commerce Committee with jurisdiction over a majority of transportation policy. From a statewide perspective, Washington State has three members on the Appropriations Committee and two on the Armed Services Committee.

Strategy

Lakewood's congressional delegation knows the Lakewood community's needs, as well as the City's funding and policy priorities. The City's legislative effort in 2024 will be to continue to drive major policy changes within the Department of Defense and the Department of Transportation and bring federal funding to City needs. The City's objective will be a sustained partnership with the federal government to bring federal funding into the City to support economic, infrastructure, housing, and environmental priorities.

The 2024 scope of work builds on the City's latest legislative efforts and continues to build support in 2023 and for longer-term initiatives in the years ahead. Additionally, the City will follow the work being done by partner agencies and organizations and will levy support when and where appropriate. Some of these organizations include the Association of Washington Cities, the Association of Defense Communities, the Puget Sound Regional Council and Pierce County, among others.

Policy Priorities

1) Bringing federal funding to the City's top infrastructure and housing priorities

Background: As Members of Congress restored earmarking authority in 2021, the City has ample opportunity to position its priority projects for federal support. In 2022, the City secured \$2.5 million to complete the South Tacoma Way project and has led the federal lobbying for funding for the LASA project in Lakewood – a project that seems to be in line to receive funding in 2023.

Action: The City's work in 2024 will be to use the new earmark rules and regulations to revisit the City's capital projects and position them for federal support. The City will make a decision about which projects to put forward from the transportation, economic development, watershed infrastructure and community development areas. With three years of earmarks to review and the successful positioning of the South Tacoma Way Project and the LASA project for funding, the City of Lakewood can continue to put needed projects forward for federal funding with a keen understanding of which projects compete well for congressional consideration.

The City also plans to resubmit a RAISE planning grant in 2023 in the amount of the original \$850,000 request for the Green Loop project and the City will seek congressional support for its grant submittal. Additionally, the City will partner with local, regional and state entities in support of a multi-year plan to secure significant federal support for the Nisqually Interstate 5 replacement project.

2) Supporting the ongoing efforts in the North Clear Zone

Background: The South Sound Military and Community Partnership (SSMCP) has been the driving leader in supporting the Air Force and Army funding the acquisition of property in the JBLM North Clear Zone. The City has successfully secured legislative language with its congressional delegation to clarify the appropriate use of federal dollars. Despite multiple round of increasingly clarifying language, the property acquisition process at the Army remains burdensome, unable to meet the specific property relocation needs of the business in the McChord Field Clear Zone and too slow to meet market conditions. The delegation is aligned with the city is support of changes to this process and continues to champion improvements in partnership with the City and SSMCP.

Action: The City will continue to lobby for funding and policy support for this effort. The House and Senate Armed Services Committees are both watching the work being done at the North Clear Zone at JBLM and the City has a strategy ready to enact should the contemporary work being done on the ground prove stuck. The City will also monitor the implementation of the language that was successfully added to the 2022 NDAA to ensure it meets local needs.

3) Defense Community Infrastructure Program (DCIP)

Background: In 2018, Congress included the creation of the Defense Community Infrastructure Program (DCIP) in the Defense Authorization bill with an initial authorization of \$100 million for the program. This program was the result of a multiple-year effort led by the City of Lakewood and pushed by former Congressman Denny Heck with the support of Congressman Derek Kilmer and Congressman Adam Smith. This new federal initiative created a new funding program for the Department of Defense to help cities construct infrastructure that serves military installation.

Congress failed to fund the program in 2018 but we were able to get \$50 million appropriated in 2019 to establish the program and support the first round of grants. As 2020 unfolded, the Office of Local Defense Community Cooperation (OLDCC, formerly known as the Office of Economic Assessment) established the DCIP with an emphasis on projects that enhanced military quality of life and de-emphasized infrastructure.

In 2021, Lakewood successfully lobbied for an increase in the amount of funding available to \$60 million and successfully re-prioritized infrastructure in the grant award criteria. This is key to the City's strategy of using the DCIP to fund the infrastructure improvements needed to connect JBLM North with the main base.

Thanks to the City's steadfast efforts, in 2023 the DCIP funding has grown to its fully authorized amount of \$100 million and has a dedicated title for infrastructure-specific projects.

Action: In 2024, the City will continue to support the fully authorized amount of funding for DCIP, and re-prioritization of infrastructure/transportation projects and look for specific projects within the City that might be strong fits for this program. The City will also support the Lakewood Water District's DCIP funding request to address the PFAS contamination from JBLM migrating in aquifers serving the City.

4) Transportation, Climate, and Infrastructure Program and Funding

Background: Congress and President Biden enacted the Bipartisan Infrastructure Bill in December 2021 and the Inflation Reduction Act of 2022 in August 2022. These two bills provide dozens of grant and program funding opportunities for the City of Lakewood. The City will evaluate these programs to determine if they are viable funding sources for the City's needs and priorities. The City has substantial concern that national grant programs disadvantage medium sized cities without a specific set aside so that cities of similar size compete on equal ground.

Action: Several proposals in both House and Senate bills have new programs identified for competitive grant funding (see below for a selected list). Influencing how these programs are developed by the agencies and ensuring they are set up in ways that make Lakewood's projects accessible and competitive will be a top priority. Each of these new programs provide an opportunity for the City to position projects and compete for funding. The City will work to modify the Infrastructure grant programs to create a medium sized city set aside and to ensure that program criteria meet the needs of the community. Each of these new programs has gone through at least one full funding cycle so far so the City will have experience with the specific criteria to evaluate good fits for Lakewood as well as to make recommendations for program modifications to congress, to include a medium city set aside. Some of the recent grant programs include:

- Clean Heavy Duty Vehicles
- Climate Pollution Reduction Grants
- Environmental and Climate Justice Block Grants
- Neighborhood Access and Equity Grant Program
- Latest and Zero Building Energy Code Adoption
- Safe Streets and Roads for All Program
- Reconnecting Communities Pilot Grant Program
- Culvert Removal, Replacement and Restoration Program
- Broadband Development and Deployment
- Charging and Fueling Infrastructure
- Bridge Investment Program
- Carbon Reduction Program
- Local and Regional Project Assistance Grant

Influencing how these programs are developed by the agencies and ensuring they are set up in ways that make Lakewood's projects accessible and

competitive will be a top priority. Each of these new programs provide an opportunity for the City to position projects and compete for funding. The City will work to modify the Infrastructure grant programs to create a medium sized city set aside and to ensure that program criteria meet the needs of the City of Lakewood.

5) Medium Sized City Set Aside

Background: Most federal infrastructure spending has a rural set aside which is critical for smaller communities to be able to access federal dollars. There is no comparable medium sized city set aside. Instead, medium sized cities compete against large cities like Seattle, Portland and Los Angeles for limited resources. Medium sized cities need a defined pool to compete within so as to make federal funds available in a way that simply aren't in their current status.

The RAISE program is the key federal funding program for local infrastructure investments. Yet, all cities compete within the same funding pool, putting smaller and medium sized cities at a competitive disadvantage for funding even as the transit and commuter challenges are similar to those of larger communities. There are efforts in Congress to create funding tiers so that cities of similar size can compete for federal funds. The City has supported efforts to designate a portion of federal transportation spending for cities between 10,000 and 75,000 in population size. In 2020, the RAISE grant criteria was changed so that half of all funding in the program went to cities below 200,000 in population size. While the City appreciates and supports this action, it puts all but three cities in Washington State in the same competitive pool and is not a true medium sized city set aside.

The issue applies beyond the RAISE program. With dozens of new and augmented federal grant programs for cities funded in the Infrastructure and Climate bills, ensuring these funds are accessible to medium sized cities is a top priority.

As for proof as to why this set aside is needed, since the RAISE program, formerly known as the BUILD or TIGER, was created in 2009 through 2021, not a single award was made to a city in Washington State between 10,000 and 75,000 in population size.

In 2022, there were signs that this legislative effort is seeing results. Of the six RAISE grant awards made in Washington State, two awards went to medium sized cities (Lynnwood and Bothell). This progress is a result of the work done by many Washington State cities and sets a good precedent for us to continue to refine population tiers for grant funding. In 2023, the City of

Shoreline was awarded \$20 million through the RAISE program.

In 2023, the City submitted an unsuccessful RAISE Planning Grant but had excellent and insightful feedback from USDOT about our application. As a result, the City expects to resubmit the grant in 2024 with the specific feedback addressed from USDOT.

Action: The City will continue to lobby for a portion of federal infrastructure dollars be set aside for medium sized cities. This policy position is consistent with the work the City has been doing for years and is supported broadly by similar sized cities throughout the state.

6) Continuation of Earmark Authority

Action: Congress reinstated its earmarking authority in 2021 and the City should continue to support the use of congressionally-directed spending in 2024 and beyond with full transparency and conflict of interest checks.

Defense Policies

7) Base Realignment and Closure (BRAC)

Background: A BRAC round is the best way to direct military construction and infrastructure funding to the bases and locations that need the most investments. While the prospects of a BRAC round over the next few years are unlikely, the DOD and the City's congressional delegation are supportive, including most importantly, Congressman Adam Smith who is the Chair of the House Armed Services Committee with jurisdiction over this issue.

Action: The City will continue to support a BRAC round to focus limited federal funding on critical military infrastructure needs. The City urges Congress to invest in the Office of Local Community Cooperation with any BRAC round. Moreover, for bases that see an increase in missions or personnel following a BRAC, Congress should consider creating a new funding support to address deficiencies on those installations.

8) Office of Local Defense Community Cooperation

Background: As Congress moves forward with annual Defense Authorization bills, preserving funding for the Office of Local Defense Community Cooperation (OLDCC) – formerly known as the Office of Economic Adjustment (OEA) – at the Pentagon is a key priority for the City. OLDCC funds economic studies and planning for cities that experience reductions or growth in their military installations.

Action: OLDCC is expected to continue to be a critical partner to the City for many shared initiatives in support of JBLM. The City supports stable funding for OLDCC in recognition of its strong role in the economic growth in the region.

9) Association of Defense Communities Engagement

Background: The Association of Defense Communities (ADC) has become a key ally for the City. The ADC's support for the Defense Community Infrastructure Program was key to enactment in 2018. Additionally, its steadfast support for the Office of Local Defense Community Cooperation (OLDCC) has been critically important for the viability of that agency.

Action: The City should continue to look for ways to deepen its relationship

with ADC, to include participating in ADC conferences and seeking committee and board positions with ADC.

10) Support for Military Projects at JBLM

Background: Congress restored limited earmarking authority to its appropriations bills. In 2021, Military Construction projects were not eligible for earmarking but there were 28 projects selected for earmarked funding in 2022 and dozens more in line to be funded in 2023.

Action: The City will support JBLM by supporting military construction projects that the base has identified as priorities for the Military Construction accounts within the congressional spending bills.

Community Economic Development Policies

11) Community Development Block Grants (CDBG) and the Home Investment Partnership Program (HOME)

Background: The City of Lakewood uses Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME) funding to support local initiatives that benefit the City's vulnerable population. Funding in the CDBG program increased by 30% in 2018 after falling to a decade low in 2016 and has been holding steady at that rate since then.

The CDBG program was used by Congress extensively as a distribution mechanism for federal relief funding for the COVID pandemic. However, those program increases in the CDBG budget are temporary and responsive to the pandemic – not permanent increases in the program.

Action: The City will continue to support the CDBG and HOME program at the federal level and lobby for increased funding that could be put to use in Lakewood immediately.

12) Support for Municipal Tax Policy

Background: Congress has adjusted various tax policies that have a direct impact on the City of Lakewood, including the New Markets Tax Credit, the Affordable Housing Tax Credit and the State and Local Sales Tax Deduction. These policies, in addition to policies that would negatively value municipal bonding authority, remain under debate in Congress and the City should advocate for strong municipal authority and tax credits that facilitate economic development and meet our region's critical housing needs

Action: The City will advocate for strong municipal authority and tax credits that facilitate economic development and meet the region's critical housing needs.



TO: Lakewood City Council

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

FROM: Dave Bugher, Assistant City Manager, Community & Economic Development Director
Becky Newton, Economic Development Manager

DATE: October 30, 2023

SUBJECT: Proposed Amendments to the Lakewood Multifamily Tax Exemption (MFTE) Program, LMC Title 3, Revenue & Finance, Chapter 3.64

ATTACHMENTS: Draft Ordinance 792 Amending LMC Title 3, Chapter 3.64; Draft MFTE Agreement: ECONorthwest Info Sheet

A. Purposes of this Memorandum:

- 1) Provide Council with a brief overview of the MFTE program;
- 2) Propose amendments to LMC Chapter 3.64 to comply with E2SSB 5287;
- 3) Propose local MFTE code amendments specific to Lakewood's housing needs;
- 4) Review current & proposed MFTE projects;
- 5) Explain how the overall program works;
- 6) Review the Planning Commission's recommendations amending LMC Chapter 3.64;
- 7) Review the challenges of administering the MFTE program; and
- 8) Share with the City Council MFTE income affordability process.

(NOTE: The City has been attempting to bring this forward for some time, but other projects, including the 2024 Comprehensive Plan Periodic Review, the Western State Hospital Master Plan update & administration of the WSH demolition and construction permitting, the City's Energy & Climate Change Chapter Implementation Plan, and new Tree Preservation Code, has caused delays.)

B. Recommendations:

It is recommended that the City Council adopt amendments to the current LMC Chapter 3.64 governing the City's MFTE program to comply with state law, to be more responsive to Lakewood's specific housing needs, and to be more "user friendly" for applicants and program administrators. The amendments, specific to this ordinance, are:

- 1) No MFTE project in "low density" areas; minimum project size, 15 units;
- 2) Parking costs are considered as part of affordability calculations for rent;
- 3) Retain 12-year MFTE, and add safeguards against affordable units being sold for market rate;

- 4) Provide a 20-year MFTE program in the Lakewood Station District and Springbrook Residential Target Areas; prohibit a 20-year MFTE program in the Downtown Residential Target Area;
- 5) Maintain the 8-year MFTE to encourage redevelopment and housing growth in all three existing residential target areas;
- 6) Any existing MFTE project in the *Lakewood Station District and Springbrook Residential Target Areas* that has received an eight or 12 year extension may apply for a subsequent 12-year extension in exchange for continued or increased income restrictions on affordable units.;
- 7) Initiate a MFTE administrative review process with approval by the Director, through the City Manager, but with Council provisos;
 - a. Council still approves MFTE contracts;
 - b. Council reviews/updates the conditional certificate;
 - c. Community Development Director, through the City Manager approves conditional and final certificates; and
 - c. Community Development Director, through the City Manager, reports to the City Council on all conditional and final certificates issued, and related terms and conditions;
- 7) Where appropriate, include the WA Department of Commerce best practices into the MFTE review/approval process;
- 9) Once the 2024 Comprehensive Plan Periodic Review and updated Tillicum Subarea Plans are completed, consider expanding areas to include Tillicum, Lakeview, and other multifamily areas close to commercial districts to meet the residential planning goals for each area;
- 10) Update existing MFTE manual (underway);
- 11) Update MFTE application (underway);
- 12) Provide clear and concise public facing web page (not started);
- 13) As part of the manual, include written process steps for notification, compliance, and state audit (not started).

Other recommendations not a part of the Draft Ordinance:

- 1) Update LMC 18A.90.050, Housing Incentives Program. Topics include density bonuses, and fee reductions (part of the 2024 comprehensive plan update).
- 2) Review/modify the Downtown Subarea Planned Action Transportation Impact Fee (part of the 2024 comprehensive plan update).
- 3) Review/modify the MFTE conditional certificate.

Other: The commission's recommendation on an in-lieu of affordable housing payment options requires further discussion; no action at this time.

C. Discussion:

The Multifamily Property Tax Exemption (MFTE) program provides opportunities for cities and counties to encourage the development of multifamily housing in certain areas. Originally, the program was focused on economic development and the creation of new multifamily housing. Over time, MFTE has also become an important tool to support the development of affordable housing and implement the goals of the Growth Management Act (Chapter 36.70A RCW).

Under this program, communities may choose to offer an eight (8)-year property tax exemption for qualifying residential improvements that add new housing units in a "residential targeted area" designated by a local council. They may also offer twelve (12) - and twenty (20)-year exemptions for developments that include income-restricted units. If a property owner chooses to participate, they still pay property taxes on the value of the land and non-residential improvements while the exemption is in place.

The Washington State Legislature first codified the program in Chapter 84.14 RCW in 1995, authorizing larger cities to adopt their own MFTE programs. Since then, the statute has been expanded to incorporate a greater focus on affordable housing and allow more jurisdictions to offer the program.

In 2021, E2SSB 5287 amended several elements of the statute, including:

- 1) Allowing a wider number of cities and counties to develop 12-year MFTE programs;
- 2) Permitting 12-year extensions to existing tax exemptions in exchange for the provisions of income and rent-restricted housing units;
- 3) Supplying tenant relocation assistance at the end of the MFTE period for tenants of rent-restricted units in projects approved after July 25, 2021, and projects receiving a 12-year extension;
- 4) Requiring an evaluation of the risk of physical and economic displacement as the result of the program;
- 5) Providing new reporting requirements for communities participating in the program; and
- 6) Allowing for a 20-year exemption in exchange for permanently affordable rental and owner-occupied housing.

D. Number of current & proposed MFTEs in Lakewood:

Approved				
Project Name	Location	Exemption, no. of years	CC approval year	Units
Oak Grove Village	4724 Steilacoom Blvd SW	10	2006	254
Gravelly Lake Townhomes	8911 & 8919 Gravelly Lake Dr SW	10	2006	28
Springbrook Apartments	12632 Bridgeport Way SW	8	2016	219
Rainier Terrace	4108 and 4110 108th St SW	8	2016	11
Town View Apartments	5915, 5909 & 5903 Lake	8	2017	30

Approved				
Project Name	Location	Exemption, no. of years	CC approval year	Units
	Grove Street SW			
Lake Grove Apartments (60-units)	5944 Lake Grove St SW	12	Not approved	0
Lakeview Chapel, LLC/ Toto Townhomes	4606 108th St SW	12	2021	50
112th Street Townhouses	4812 112th Street SW	8	2021	15
Bristol Apartments	9615 Bristol Ave SW	8	2022	7
Subtotal				614
Pending				
Alliance	5731 Main St SW	Unknown	TBD	420+
Subtotal				420+
Grand total				1,034+

E. MFTE Program Flowchart (excerpted from Commerce Handbook):



F. Planning Commission 2023 recommendations with CED Observations:

Current Lakewood MFTE	Planning Commission Recommendations & CED Observations
<p>Size. The project must include at least four (4) units of multifamily housing within a residential structure or as part of a mixed-use development. A minimum of four (4) new units must be constructed or at least four additional multifamily units must be added to existing occupied multifamily housing. Existing multifamily housing that has been vacant for 12 months or more does not have to provide additional units so long as the project provides at least four units of new, converted, or rehabilitated multifamily housing.</p>	<ol style="list-style-type: none"> 1) No MFTE in “low density” areas; if allowed in low density areas, there should be some additional restrictions. <i>(CED concurs. Such action would likely restrict MFTE for missing middle housing projects.)</i> 2) While consultant BERK recommended allowing the MFTE to apply to duplexes, the Planning Commission disagrees due to this being too much work for the developer. The Planning Commission does not support including duplexes in the MFTE program. <i>(CED concurs - it's too much work for the developer and the department!)</i> 3) Increase minimum size to 15 units (keep it simple; 4 units is too small). <i>(CED concurs, and, further, recommends that ADUs are prohibited from the MFTE program. This recommendation closes out a possible loophole.)</i> 4) Provide clear requirements in the code for affordable unit designations: The Code should include provisions comparable to the requirements included in LMC 18A.90.050 to ensure that units are properly dispersed throughout the project and comparable to the sizes and appearances of the market-rate units. Be mindful of market and community needs in terms of unit types (i.e. there is currently a shortage of studio and 1-bedroom units). (NOTES: LMC 18A.90.050 refers to the City's Housing Incentives Program which is scheduled to be updated as part of the 2024 comprehensive plan update. Dispersion issue already set forth in conditional certificate process.) 5) It should be specified whether parking costs are considered as part of affordability calculations for

	<p>rent. This recommendation would be added into the MFTE application process.</p> <p>(CED concurs.)</p>
<p>Permanent Residential Occupancy. At least 50 percent of the space designated for multifamily housing must be provided for permanent residential occupancy, as defined in LMC 3.64.010.</p>	<p>Retain 12-year MFTE, and add safeguards against affordable units being sold for market rate. This recommendation would be accomplished through the recordation of a deed restriction. (Under current state law, the 12-year MFTE for owner-occupied units has no clear safeguards against owners of income-restricted units from selling these units at market rates).</p> <p>(CED concurs.)</p> <p>(NOTE: BERK recommended removing the 12-year option for owner-occupied housing in favor of the 20-year approach. The Planning Commission noted that the 20-year approach is not being taken advantage of in the market. Although, it may be too early to tell as this is a newly added option.)</p> <p>Additional Planning Commission comments:</p> <ul style="list-style-type: none"> ▪ We need more housing, including affordable. ▪ Increase non-profit partnerships, watch the market, and consider 20-year in the future. ▪ Affordable is difficult to pencil at 20%. ▪ MFTE framework is a substantial incentive and still needed. ▪ Review housing needs and find out what we lose to the competition. ▪ Incentivize mixed use and consider other incentives. ▪ Not likely a developer will overbuild. ▪ The market still plays a major role in the development of housing. <p>(CED comments: A 20-year MFTE proposal allowed in for the Lakewood Station District and Springbrook Neighborhood RTAs, but not permitted in the Downtown RTA¹.)</p>
<p>Compliance with Guidelines and</p>	<p>1) Include partial waivers of the Downtown Subarea Planned Action Transportation Fee.</p>

¹ A 20-year MFTE in the Downtown Subarea Plan, which is also the location of a proposed Tax Increment (TIF) financing area, could have negative financial impacts on the promulgation of a TIF program.

<p>Standards. The project must be designed to comply with the City's comprehensive plan, building, housing, and zoning codes, and any other applicable regulations in effect at the time the application is approved. Rehabilitation and conversion improvements, and new construction, must comply with Chapter 15.05 LMC. The project must also comply with any other standards and guidelines adopted by the City Council for the residential target area (RTA) in which the project will be developed.</p>	<p><i>(See Council Ordinance No. 774; development code subject to review in 2024.)</i></p> <p>2) Allow for flexibility in development standards regardless of inclusionary zoning participation.</p> <p><i>(CED comments: too broad, needs clarification.)</i></p> <p>3) Identify the need for future in-lieu payment options for receiving bonus units under inclusionary zoning. Although an assessment of current feasibility suggest that bonus density can be challenging as an incentive, there is the potential that future market conditions could make bonus density more feasible in certain areas. The City should plan for future in-lieu payment options to allow the requirements under LMC 18A.90.050 to be met if there is a perceived demand for increased height and density in the future.</p> <p><i>(CED comments: outside scope of proposed ordinance; this could come back as an amendment to Chapter 18A.90 in 2024, although it is a significant work item.)</i></p> <p>4) Provide clearer fee reductions. Under LMC 18A.90.070, qualified low-income housing units can receive reduced permit fees based on the percentage of affordable units included in a project. As it is likely that the proportion of low-income units provided in a new project will align with other characteristics, this fee reduction should be simplified, potentially only including reductions by affordable unit, or for projects that qualify for the MFTE.</p> <p><i>(CED comments: outside scope of proposed ordinance; comes back as an amendment to Chapter 18A.90 in 2024.)</i></p>
<p>Application Procedure. An MFTE can be designated for either eight (8) or twelve (12) years.</p>	<p>1) Maintain the eight (8)-year MFTE to encourage redevelopment and housing growth in Downtown and Lakewood Station District Subareas.</p> <p><i>(CED concurs.)</i></p>

<p>- The default length is eight years (8) successive years beginning January 1st of the year immediately following the calendar year of issuance of the certificate.</p> <p>- However, the MFTE length can be extended to twelve (12) years if: The applicant commits to renting or selling at least 20 percent of the multifamily housing units as affordable housing units to low- and moderate-income households; and The property satisfies that commitment and any additional affordability and income eligibility conditions adopted by the local government under LMC Chapter 3.64.</p> <p>In the case of projects intended exclusively for owner occupancy, the project may qualify for twelve (12) years' exemption solely through selling housing affordable to moderate-income households.</p>	<p>2) Change the application process to administrative review, approved by the City Manager and/or designee, rather than a City Council review process.</p> <ul style="list-style-type: none"> ▪ Developers need assurances and consistency, and the Council process does not provide this. ▪ Some cities are willing to pass the authority to staff. ▪ Council would need assurance that the program and checklist are adequate. ▪ Minor adjustments to design should be at the staff level and not go back to Council, even if the program remains Council approved. ▪ Would like to know why Council is concerned about administrative approval. ▪ Council would still need to approve development agreements. ▪ Potential for Council to revoke MFTE can cause developers to balk at MFTE projects. An administrative checklist or similar could streamline the process and remove doubt from developers. This should be coordinated with a regular review process by Council. ▪ Time is money; Permitting time needs to be shorter and more simplified. ▪ MFTE costs need to be balanced with what is received. <p><i>(CED comments: pros and cons with this proposal. Some cities require legislative approval, others do not. Some applicants will not work in cities that have MFTE legislative approval requirements.</i></p> <p><i>Recommendation: initiate an administrative review process with approval by the City Manager, and/or designee, but with Council provisos:</i></p> <ol style="list-style-type: none"> a. Council still approves MFTE contract prior to action on the conditional certificate; b. Council reviews/updates the conditional certificate; c. Report to the City Council on all conditional and final certificates issued, and related terms and conditions; and d. Add a specific requirement that MFTE applications must provide adequate parking above minimum standards.
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	<p><i>Note: If an MFTE administrative action is denied, the appeal goes to the City Council.)</i></p> <p>3) Provide a more organized view of the project and formal checklist for approval, along with a detailed online guide.</p> <p><i>(CED comments: in progress, and would be available to applicants following adoption of revised regulations.)</i></p> <p>4) Provide a sunset provision or re-authorization deadline.</p> <p><i>(CED comments: can be added to the conditional certificate approval.)</i></p> <p>5) Streamline the process to be more efficient and predictable.</p> <p><i>(CED comments: include the WA Department of Commerce best practices into the review/approval process.)</i></p>
Existing MFTE Project Extensions	<p>Existing MFTE projects received an eight or 12 year extension may apply for a subsequent 12-year extension in exchange for continued or increased income restrictions on affordable units.</p> <p>Planning Commission Recommendation: None.</p> <p>(CED comments:</p> <p>1) Unlikely the City will receive applications requests for existing projects; and</p> <p>2) Allow extensions in the Lakewood Station District and Springbrook Residential Target Areas; prohibit extensions in the Downtown Residential Target Area².</p>

² An MFTE extension in the Downtown Subarea Plan, which is also the location of a proposed Tax Increment (TIF) financing area, could have negative financial impacts on the promulgation of a TIF program.

Residential Target Area (RTA) Boundaries.	<p>At a later date and once the 2024 Comprehensive Plan Periodic Review and updated Tillicum Subarea Plans are completed, consider expanding areas to include Tillicum, Lakeview, and other multifamily areas close to commercial districts to meet the residential planning goals for each area.</p> <p><i>(CED comments: concur.)</i></p>
Other.	<p>Consider risks to displacement, particularly in low income areas (i.e., don't put existing low income units at risk for market rate apartments.)</p> <p><i>(CED comments: discussion of displacement can take place through the MFTE application and conditional certificate process.)</i></p>

G. Challenges of Administering the MFTE Program:

1. The City's General Fund is subsidizing the administration of the MFTE program.

The City has examined ways to reduce costs, but as of yet, has not come upon a workable solution. This situation is common amongst all MFTE municipalities. One of the items the City is exploring is to have the developer submit a statement through a licensed CPA on the project requirements as required by Lakewood and Washington State. The statement is due no later than February 1 of each calendar year. City Council could also update the City's Fee Schedule.

2. Not all developers understand the MFTE process. The MFTE program has become much more complex than when the City started accepting MFTE applications in 2005. There are new behind-the-scenes procedural steps. For example, the Assessor's Office is much more involved than in previous years with property reassessments. If there is an affordability requirement, there are annual reporting requirements to the City, which are then filed with Department of Commerce. Failure to report could result in a project losing its tax exemption.

3. Incomplete applications. To obtain Lakewood MFTE approval, there are three applications: a pre-application; an MFTE application; and a supplemental design review application. We have problems with the design review application. The application details are often not complete, which causes delays in getting the project scheduled before the City Council.

What Lakewood currently requires:

1. Information about the grounds for the exemption;
2. A description of the project and site plan, including the floor plan of units;
3. A statement that the applicant is aware of the potential tax liability involved when the property is no longer eligible for this incentive;
4. A verification of the application by oath or affirmation from the property owner;

5. A description of the project;
6. Type of project (new construction, rehabilitation, or conversion); if rehabilitation or demolition will be involved, certification that the existing property is not compliant with current building and housing codes);
7. Tenure of residents (renter or owner-occupied);
8. Number and size of units (i.e., studio, 1 bedroom, 2 bedroom, etc.);
9. Floor area, total, and by use type (residential, commercial, etc.);
10. Projected rent or sales price by unit size;
11. Number and percentage of income-restricted units, if any;
12. Number of on-site parking spaces;
13. Projected project costs;
14. Projected construction timeline;
15. Preliminary site plan;
16. Preliminary floor plans;
17. Elevations/renderings;
18. Acknowledgement of relocation assistance (if required); and
19. Title report to verify property ownership.

4. Modifications in site design after the City Council has approved the project's conditional certificate. The site design is an approved exhibit to the conditional certificate. If the developer wants to make an amendment in design after Council approval, the program currently requires that the project be returned to the City Council for authorization.

5. Property owner affordable housing internal reporting. Yearly reporting requirements for the property owner, at a minimum, under RCW 84.14.100(1) include:

1. A statement of occupancy and vacancy of the property for the past 12 months;
2. A certification by the owner that the property has not changed use and follows requirements for income-restricted housing;
3. A description of changes or improvements constructed after the certificate of tax exemption was issued;
4. Any other information requested by the city (such as data for reporting to the state noted below).

Fulfilling the income-restricted housing requirements involves documentation of income, either at the time of the initial lease, or renewal for rentals, or at sale for owner-occupied housing.

6. New state auditing requirements. A city or county must also provide an additional detailed report if it issued a final certificate of tax exemption, or an extension in the prior year. In this detailed report, Commerce requests the following information overall for the tax exemptions issued over the previous year:

1. The number of tax exemption certificates granted;
2. Identifying information for each property using tax exemptions (parcel number/address).
3. The total number, size, and type of units produced;
4. The number, size, and type of units produced meeting affordable housing requirements;

5. The actual development cost of each unit produced;
6. The total monthly rent or total sale amount of each unit produced;
7. The annual household income and household size for each of the affordable units receiving a tax exemption and a summary of these figures for the city or county; and
8. The value of the tax exemption for each project receiving a tax exemption and the total value of tax exemptions granted

This report is due every April 1.

Commerce also requests the following tax and assessment information for the property, which can be obtained from the county assessor:

1. The assessed value of the development that is exempt from taxation during the term of the project;
2. The assessed value of the development that is subject to taxation during the term of the project;
3. The current year levy rate; and
4. The amount of tax exempted and paid in the first year of the exemption.

H. Anything else? Yes, the following question always comes up - what income requirements does the City use to determine MFTE program eligibility?

Engrossed Second Substitute Senate Bill 5287 defined the following terms (Note that it did not include an extremely-low income category for MFTE):

"Affordable housing" means residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low or moderate-income households.

"Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below eighty percent of the median family income adjusted for family size, for the county, city, or metropolitan statistical area, where the project is located, as reported by the United States department of housing and urban development."

"Moderate-income household" means a single person, family, or unrelated persons living together whose adjusted income is more than eighty percent but is at or below one hundred fifteen percent of the median family income adjusted for family size, for the county, city, or metropolitan statistical area, where the project is located, as reported by the United States department of housing and urban development.

Lakewood is located in the Tacoma-Lakewood Metropolitan Division within the Seattle-Tacoma Combined Statistical Area. The program income limits are as follows:

MFTE Program Income Eligibility			
Family Size	Extremely-low Income (30 % income limit)	Low-Income (50% income limit)	Moderate-Income (80% income limit)
1	\$22,600	\$37,650	\$60,200
2	\$25,800	\$43,000	\$68,800
3	\$29,050	\$48,400	\$77,400
4	\$32,250	\$53,750	\$86,000
5	\$34,850	\$58,050	\$92,900
6	\$37,450	\$62,350	\$99,800
7	\$40,000	\$66,650	\$106,650
8	\$42,600	\$70,950	\$113,550
Under state law, MFTE does not require the construction of extremely-low income housing units, only low-income and moderate-income. Extremely-low income data is shown for comparative purposes only.			
Income limits effective June 15, 2023.			

ORDINANCE NO. 792

AN ORDINANCE AMENDING THE CITY OF LAKEWOOD MUNICIPAL CODE, TITLE 3, REVENUE & FINANCE, PROPERTY TAX EXEMPTIONS FOR MULTIFAMILY HOUSING, CHAPTER 3.64

WHEREAS, the Multi-Family Housing Property Tax Exemption (MFTE) program began in 1995, codified as RCW 84.14, to incentivize residential development in urban centers, designated as “residential targeted areas,” for Washington’s largest cities; and

WHEREAS, the City of Lakewood has in place an MFTE program, Lakewood Municipal Code, Title 3, Revenue & Finance, Property Tax Exemptions for Multifamily Housing, Chapter 3.64, originally adopted in 2002, which has been subsequently amended; and

WHEREAS, in 2021, SB 5287 made substantial changes to the Multifamily Housing Tax Exemption (MFTE) Program with the Legislature intending to achieve multiple goals by: Incentivizing the development of multiple-unit housing including creating additional affordable housing; Encouraging urban development and density; Increasing market rate workforce housing; Developing permanently affordable housing opportunities; Promoting economic investment and recovery; and Creating family-wage jobs; and

WHEREAS, the Washington Department of Commerce was charged by the Washington State Legislature to develop guidance, complete a study, evaluate the impact of MFTE programs on cities and develop an MFTE auditing program; and

WHEREAS, the Washington Department of Commerce has completed its work; and

WHEREAS, in response to state legislative changes, the City of Lakewood proposed to make amendments to the City MFTE program; and

WHEREAS, the Community & Economic Development Department, as part of its work plan included an annual report on the City’s MFTE program; and

WHEREAS, on April 19, 2023, the Lakewood Planning Commission, received a presentation regarding updates to Lakewood’s MFTE program; and

WHEREAS, on June 7, 2023, the Lakewood Planning Commission, adopted Resolution 2023-02 recommending amendments to the MFTE program; and

WHEREAS, on June 26, 2023, the Lakewood City Council conducted a study session on the Planning Commission’s recommendations; and

WHEREAS, on November 6, 2023, the Lakewood City Council conducted a duly noticed public hearing on the proposed amendments to the City of Lakewood's MFTE regulations; and

WHEREAS, on November 6, 2023, the Lakewood City Council closed the public hearing; and

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

Section 1. Adoption of Amendments to the Lakewood Municipal Code.

Amendments to the City's Lakewood Municipal Code, Title 3, Revenue & Finance, Property Tax Exemptions for Multifamily Housing, Chapter 3.64, and Title 18A, Land Use and Development Code, Chapter 18A.10, Section 18A.10.180 Definitions. are adopted as summarized below and included in full in Exhibit A.

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

Section 3. Effective Date. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary. ADOPTED by the City Council this 20th day of November, 2023.

CITY OF LAKEWOOD

Jason Whalen, Mayor

Attest:

Briana Schumacher, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney

EXHIBIT A
Ordinance No. 792

Chapter 3.64
PROPERTY TAX EXEMPTIONS FOR MULTIFAMILY HOUSING

Sections:

- 3.64.010 Definitions.
- 3.64.020 Property tax exemption – Requirements and process.
- 3.64.030 Residential target area designation and standards.

3.64.020
Definitions.

See LMC 18A.10.180 for definitions related to this chapter.

3.64.020
Property tax exemption – Requirements and process.

A. Intent. Limited eight (8), ~~or twelve (12)-year or twenty (20)-year~~ exemptions from ad valorem property taxation for multifamily housing are intended to Residential Targeted Areas are intended to:

1. Encourage increased residential opportunities within mixed-use centers additional housing, all types, including permanently affordable housing opportunities, market rate workforce housing, and market rate housing within areas of the City designated by the City Council as residential target areas;
2. Achieve development densities which are more conducive to transit use within areas of the City designated by the City Council as residential target areas;
3. Promote economic investment and recovery and create family-wage jobs; and
4. Stimulate new construction or rehabilitation of existing vacant and underutilized buildings for multifamily housing in residential target areas to increase and improve housing opportunities.

~~3. Assist in directing future population growth to designated RTAs, thereby reducing development pressure on single-family residential neighborhoods; and~~

~~4. Achieve development densities which are more conducive to transit use.~~

B. Duration of Exemption. The value of improvements qualifying under this chapter will be exempt from ad valorem property taxation for eight (8), twelve (12) or twenty (20) successive years (depending on which ~~whether the property includes an~~ affordable housing component as described in subsections E, ~~and F, or G below of~~

~~this section~~) beginning January 1st of the year immediately following the calendar year of issuance of the Final Certificate of Tax Exemption.

C. Limits on Exemption. The exemption does not apply to the value of land or to the value of improvements not qualifying under this chapter, nor does the exemption apply to increases in assessed valuation of land and non-qualifying improvements. In the case of rehabilitation of existing buildings, the exemption does not include the value of improvements constructed prior to submission of the completed application required under this chapter.

D. Rehabilitation Provisions. Per RCW 84.14.030, property proposed to be rehabilitated must fail to comply with one or more standards of the applicable state or local building or housing codes on or after July 23, 1995.

E. Eight-Year (8) Exemption Project Eligibility. A proposed project must meet the following requirements for consideration for a property tax exemption:

1. Location. The project must be located within a residential target area, as designated in **LMC 3.64.030(C)**.
2. Size. The project must include at least ~~four~~ fifteen (15) units of multifamily housing within a residential structure or as part of a mixed-use development. A minimum of ~~four~~ fifteen (15) new units must be constructed or at least ~~four~~ fifteen (15) additional multifamily units must be added to existing occupied multifamily housing. Existing multifamily housing that has been vacant for 12 months or more does not have to provide additional units so long as the project provides at least ~~four~~ fifteen (15) units of new, converted, or rehabilitated multifamily housing.
3. Property tax exemptions for Accessory Dwelling Units (ADUs) are not permitted under this Chapter.
4. Permanent Residential Occupancy. At least 50 percent of the space designated for multifamily housing must be provided for permanent residential occupancy, as defined in **LMC 3.64.010**.
5. Proposed Completion Date. New construction multifamily housing and rehabilitation improvements must be scheduled to be completed within three (3) years from the date of approval of the application.
6. Compliance with Guidelines and Standards. The project must be designed to comply with the City's comprehensive plan, building, housing, and zoning codes, and any other applicable regulations in effect at the time the application is approved. Rehabilitation and conversion improvements, and new construction, must comply with Chapter 15.05 LMC. The project must also comply with any other standards and guidelines adopted by the City Council for the residential target area (RTA) in which the project will be developed.

7. Vacancy Requirement. Existing dwelling units proposed for rehabilitation must have one or more violations of Chapter 15.05 or 15.25 LMC. If the property proposed to be rehabilitated is not vacant or, in the case of applications for property to be developed as new construction which currently has a residential rental structure on it, an applicant must provide each existing household a ~~90~~ one-hundred and twenty (120) calendar-day move notice as well as provide housing of comparable size, quality, and price which meets standards acceptable to the City. If any household being provided a 120-calendar-day move notice is qualified as a low-income household, the applicant will provide the household with moving expenses according to the current Department of Transportation Fixed Residential Moving Costs Schedule.

F. ~~Twelve-Year (12) exemption requirements~~ Exemption Project Eligibility. A proposed project must meet the following requirements for consideration for a 12-year property tax exemption:

1. All requirements set forth in subsection E ~~of this section~~; and
2. The applicant must commit to renting or selling at least twenty (20) percent of the multifamily housing units as affordable housing units to low- and moderate-income households respectively, and the property must satisfy that commitment and any additional affordability and income eligibility conditions adopted by the City of Lakewood. In the case of projects intended exclusively for owner occupancy, the minimum requirement of this subsection may be satisfied solely through housing affordable to moderate-income households.

G. Twenty-year exemption Project Eligibility. A proposed project must meet the following requirements for consideration for a 20-year property tax exemption:

1. Applications accepted through December 31, 2031;
2. All requirements set forth in subsection E above;
3. Must be located in the Lakewood Station District and Springbrook residential target areas only, as designated in Section 3.64.030;
5. Provide 25 dwelling units or more per gross acre;
6. At least 25 percent of the units must be built by or sold to a qualified nonprofit or local government that will assure permanent affordable homeownership to households earning 70 percent Pierce County family median income or less.
 - a. In the case of projects intended exclusively for owner occupancy, households may earn up to 80 percent of the Pierce County family median income.

7. For purposes of this section, "permanently affordable homeownership" means homeownership that, in addition to meeting the definition of "affordable housing" in RCW 43.185A.010, is:

a. Sponsored by a nonprofit organization or governmental entity;

b. Subject to a ground lease or deed restriction that includes:

(1) A resale restriction designed to provide affordability for future low and moderate-income homebuyers;

(2) A right of first refusal for the sponsor organization to purchase the home at resale; and

(3) A requirement that the sponsor must approve any refinancing, including home equity lines of credit; and

c. Sponsored by a nonprofit organization or governmental entity and the sponsor organization:

(1) Executes a new ground lease or deed restriction with a duration of at least 99 years at the initial sale and with each successive sale; and

(2) Supports homeowners and enforces the ground lease or deed restriction.

H. Extension for projects receiving an initial eight-year or 12-year exemption. Any project in the Lakewood Station District and Springbrook Residential Target Areas receiving an eight or 12 year extension may apply for a subsequent 12-year extension in exchange for continued or increased income restrictions on affordable units.; and

1. Application must be received within 18 months of expiration of current exemption;

2. At least 20 percent of the housing must be occupied by households earning no more than 70 percent of the Pierce County family median income;

3. Conversion from market rate to affordable units must comply with the procedures outlined in the City's policies and procedures;

4. Applicants must provide notice to tenants in rent-restricted units at the end of the tenth and eleventh years of the continued 12-year exemption that the exemption will expire and the landlord will provide relocation assistance;

5. Landlords must provide one month's rent as relocation assistance to a qualified tenant in their final month when affordability requirements no longer apply, even when the affordable rent period extends beyond the expiration of the tax exemption;

6. New extensions are not permitted on or after January 1, 2046.

Any project in the Downtown Residential Target Areas receiving an eight or 12-year extension is prohibited from making an application for a 12-year extension.

G]. Application Procedure. A property owner who wishes to propose a project for a tax exemption shall complete the following procedures:

1. File with the Community and Economic Development Department the required application along with the required fees as set in the Lakewood Master Fee Schedule (adopted annually by resolution). If the application shall result in a denial by the City, the City will retain that portion of the fee attributable to its own administrative costs and refund the balance to the applicant.

2. A complete application shall include:

a. A completed City of Lakewood application ~~form~~ setting forth the grounds for the exemption;

b. Preliminary floor and site plans of the proposed project;

c. A statement acknowledging the potential tax liability when the project ceases to be eligible under this chapter;

d. For rehabilitation projects and for new development on property upon which an occupied residential rental structure previously stood, the applicant shall also submit an affidavit stating that each existing household was sent a ~~90 one-hundred and twenty day (120)~~ 90 one-hundred and twenty (120) calendar-day move notice and that each household was provided housing of comparable size, quality, and price ~~which meets the Uniform Physical Condition Standards or a similar standard acceptable to the City;~~

e. For any household being provided a ~~90 one-hundred and twenty (120)~~ 90 one-hundred and twenty (120) - calendar-day move notice that qualifies as a low-income household, the applicant will also submit an affidavit stating that moving expenses have been or will be provided according to the current Department of Transportation Fixed Residential Moving Costs Schedule;

f. In addition, for rehabilitation projects, the applicant shall secure from the City verification of the property's noncompliance with Chapter 15.05 LMC;

g. Verification by oath or affirmation of the information submitted.

J. Application Review and Issuance of Conditional Certificate. The Director may certify as eligible an application which is determined to comply with the requirements of this chapter. A decision to approve or deny an application shall be made within 90 calendar days of receipt of a complete application.

1. Approval. If an application is approved, the applicant shall enter into a contract with the City, subject to approval by resolution of the City Council regarding the terms and conditions of the project. Such contract shall require the applicant to comply with the City's Nuisance Code, Title 8, for the property at issue. Upon Council approval of the contract, the Director shall issue a Conditional Certificate of Acceptance of Tax Exemption. The Conditional Certificate expires three years from the date of approval unless an extension is granted as provided in this chapter.

2. Denial. The Director shall state in writing the reasons for denial and shall send notice to the applicant at the applicant's last known address within ten (10) calendar days of the denial. An applicant may appeal a denial to the City Council within fourteen (14) calendar days of receipt of notice. On appeal, the Director's decision will be upheld unless the applicant can show that there is no substantial evidence on the record to support the Director's decision. The City Council's decision on appeal will be final.

~~H~~K. Extension of Conditional Certificate. The Conditional Certificate may be extended by the Director for a period not to exceed twenty-four (24) consecutive months. The applicant must submit a written request stating the grounds for the extension, accompanied by a processing fee, the amount of which is listed in the City's Master Fee Schedule. An extension may be granted if the Director determines that:

1. The anticipated failure to complete construction or rehabilitation within the required time period is due to circumstances beyond the control of the owner;
2. The owner has been acting and could reasonably be expected to continue to act in good faith and with due diligence; and
3. All the conditions of the original contract between the applicant and the City will be satisfied upon completion of the project.

~~J~~L. Application for Final Certificate. Upon completion of the improvements agreed upon in the contract between the applicant and the City and upon issuance of a temporary or permanent certificate of occupancy, the applicant may request a Final Certificate of Tax Exemption. The applicant must file with the Community and Economic Development Department the following:

1. ~~A statement of expenditures made with respect to each multifamily housing unit and the total expenditures made with respect to the entire property~~ The total number and type of units produced;
2. ~~A description of the completed work and a statement of qualification for the exemption~~ The number, size, and type of units produced meeting affordable housing requirements;

3. ~~A statement that the work was completed within the required three-year period or any authorized extension~~ The development cost of each unit produced;
4. ~~If applicable, a statement that the project meets the affordable housing requirements as described in subsection F of this section. The total monthly rent or total sale amount of each unit produced, affordable and market rent;~~
5. The annual income and household size of each renter household for each of the affordable units; and
6. A statement that the work was completed within the required three-year period or any authorized extension.

Within thirty (30)-calendar days of receipt of all materials required for a Final Certificate, the Director shall determine which specific improvements satisfy the requirements of this chapter.

~~K~~ M. Issuance of Final Certificate. If the Director determines that the project has been completed in accordance with the contract between the applicant and the City and has been completed within the authorized time period, the City shall, within ten (10) - calendar days, file a Final Certificate of Tax Exemption with the Pierce County Assessor.

1. Denial and Appeal. The Director shall notify the applicant in writing that a Final Certificate will not be filed if the Director determines that:
 - a. The improvements were not completed within the authenticated time period;
 - b. The improvements were not completed in accordance with the contract between the applicant and the City; or
 - c. The owner's property is otherwise not qualified under this chapter.
2. Within ten (10) - calendar days of receipt of the Director's denial of a Final Certificate, the applicant may file an appeal with the City's Hearing Examiner, as provided in Chapter 1.36 LMC. The applicant may appeal the Hearing Examiner's decision in Pierce County Superior Court under RCW 34.05.510 through 34.05.598, if the appeal is filed within thirty (30) - calendar days of notification by the City to the owner of the decision being challenged.

~~L~~ N. Annual Compliance Review. ~~Within 30 calendar days after the first anniversary of the date of filing the Final Certificate of Tax Exemption, Annually, when requested by the Community & Economic Development Department and each year thereafter,~~ for a period of eight ~~(8)~~ - ~~or twelve (12)~~ -, or twenty (20)-years, the property owner shall file a notarized declaration with the Director indicating the following:

1. ~~A statement of occupancy and vacancy of the multifamily units during the previous year~~ The number, size, and type of each unit, market rate and affordable;
2. ~~A certification that the property continues to be in compliance with the contract with the City; and, if applicable, a certification of affordability based on documentation that the property is in compliance with the affordable housing requirements as described in Chapter 84.14 RCW since the date of the certificate approved by the City; The total monthly rent each unit, affordable and market rent; and~~
3. A description of any subsequent improvements or changes to the property.

~~The City staff~~ shall also conduct on-site verification of the declaration. Failure to submit the annual declaration may result in the tax exemption being canceled.

~~MO.~~ Cancellation of Tax Exemption. If the Director determines the owner is not complying with the terms of the contract, the tax exemption will be canceled. This cancellation may occur in conjunction with the annual review or at any other time when noncompliance has been determined. If the owner intends to convert the multifamily housing to another use, the owner must notify the Director and the Pierce County Assessor within 60 days of the change in use.

1. Effect of Cancellation. If a tax exemption is canceled due to a change in use or other noncompliance, the Pierce County Assessor may impose an additional tax on the property, together with interest and penalty, and a priority lien may be placed on the land, pursuant to state legislative provisions.
2. Notice and Appeal. Upon determining that a tax exemption is to be canceled, the Director shall notify the property owner by certified mail. The property owner may appeal the determination by filing a notice of appeal with the City Clerk within thirty (30) - calendar days, specifying the factual and legal basis for the appeal. The Hearing Examiner will conduct a hearing at which all affected parties may be heard and all competent evidence received. The Hearing Examiner will affirm, modify, or repeal the decision to cancel the exemption based on the evidence received. An aggrieved party may appeal the Hearing Examiner's decision to the Pierce County Superior Court.

3.64.030

Residential target area designation and standards.

A. Criteria. Following a public hearing, the City Council may, in its sole discretion, designate one or more residential target areas (RTAs). Each designated RTA must meet the following criteria, as determined by the City Council:

1. The target area lacks sufficient available, desirable, and convenient residential housing to meet the needs of the public who would likely live in the ~~mixed-use center~~ residential target area, if desirable, attractive, and livable places were available; and

2. The providing of additional housing opportunity in the target area will assist in achieving the following purposes:

- a. Encourage increased residential opportunities within the target area; or
- b. Stimulate the construction of new multifamily housing and the rehabilitation of existing vacant and underutilized buildings for multifamily housing.

3. In designating an RTA, the City Council may also consider other factors, including, but not limited to: whether additional housing in the target area will attract and maintain a significant increase in the number of permanent residents; whether an increased residential population will help alleviate detrimental conditions and social liability in the target area; and whether an increased residential population in the target area will help to achieve the planning goals mandated by the Growth Management Act under RCW 36.70A.020.

4. When designating a residential target area, the city council shall give notice of a hearing to be held on the matter and that notice shall be published, not less than fifteen (15) days nor more than thirty (30) days before the date of the hearing. The notice shall be published on the city's website. The notice must state the time, date, place, and purpose of the hearing and generally identify the area proposed to be designated.

~~4~~ 5. The City Council may, by ordinance, amend or rescind the designation of an RTA at any time pursuant to the same procedure as set forth in this chapter for original designation.

B. Target Area Standards and Guidelines. For each designated residential target area (RTA), the City Council shall adopt basic requirements for both new construction and rehabilitation supported by the City's property tax exemption for multifamily housing program, including the application procedures specified in LMC 3.64.020(I). The City Council may also adopt guidelines including the following:

- 1. Requirements that address demolition of existing structures and site utilization; and
- 2. Building requirements that may include elements addressing parking, building height, density, environmental impact, public benefit features, site security including installation of approved fencing and ingress/egress gates, compatibility with the surrounding property, and such other amenities as will attract and keep permanent residents and will properly enhance the livability of the residential target area. The required amenities shall be relative to the size of the proposed project and the tax benefit to be obtained as determined by the Director.

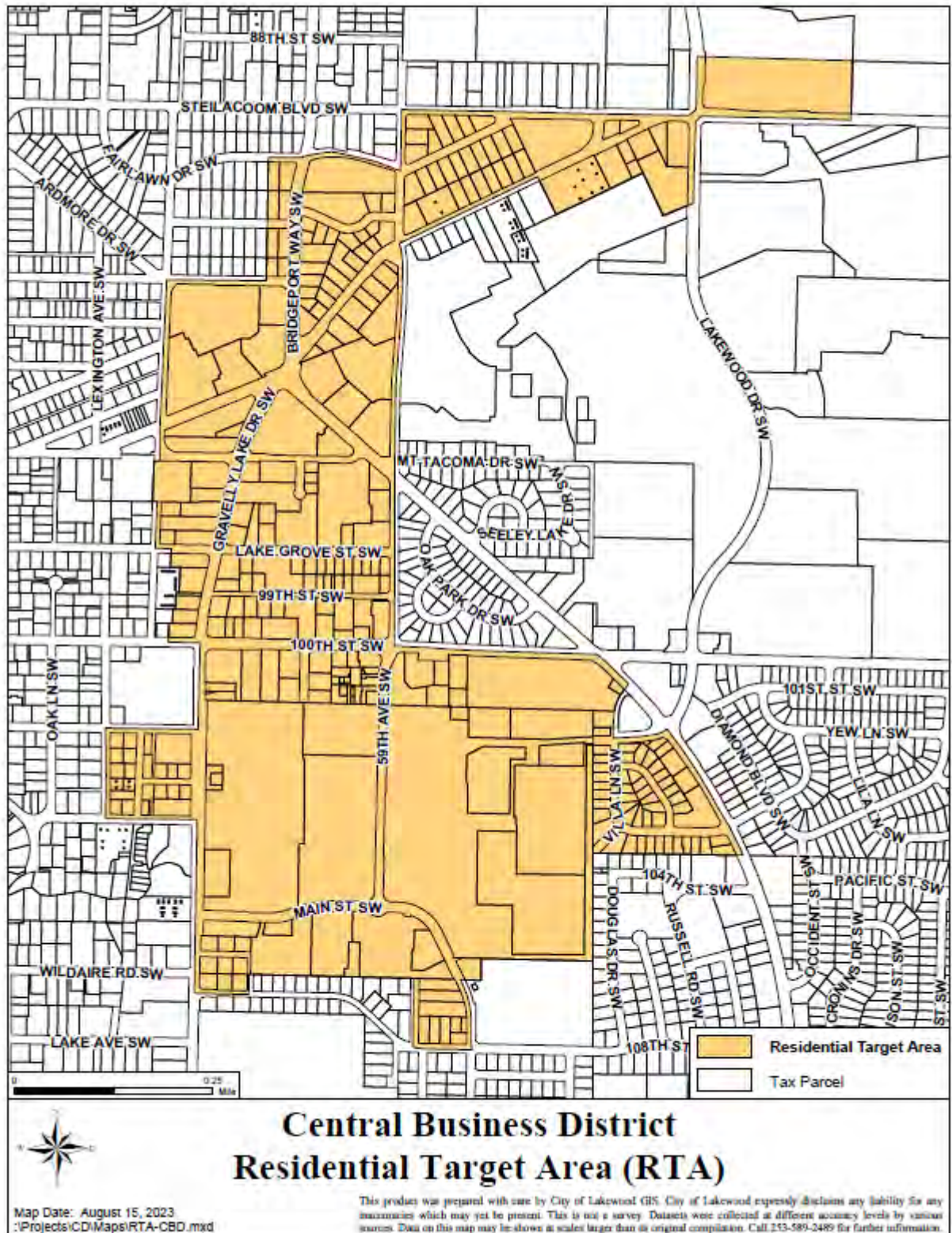
- a. Minimum parking requirements: studio apartment, one (1) parking space; one (1) bedroom apartment unit, 1.25 parking spaces; two (2) + bedroom apartment, 1.5 parking space; and at least ten (10)-percent of the total parking spaces must be set aside for unreserved guest parking.

C. Designated Residential Target Areas (RTAs). ~~The boundaries of the RTAs are the RTA boundaries previously established by City Council resolutions at the time of adoption of this chapter, and as such may be updated by future Council action, as depicted on the comprehensive plan future land use and zoning maps. The previous RTA resolutions and maps are incorporated herein by reference, and on file in the City Clerk's office.~~

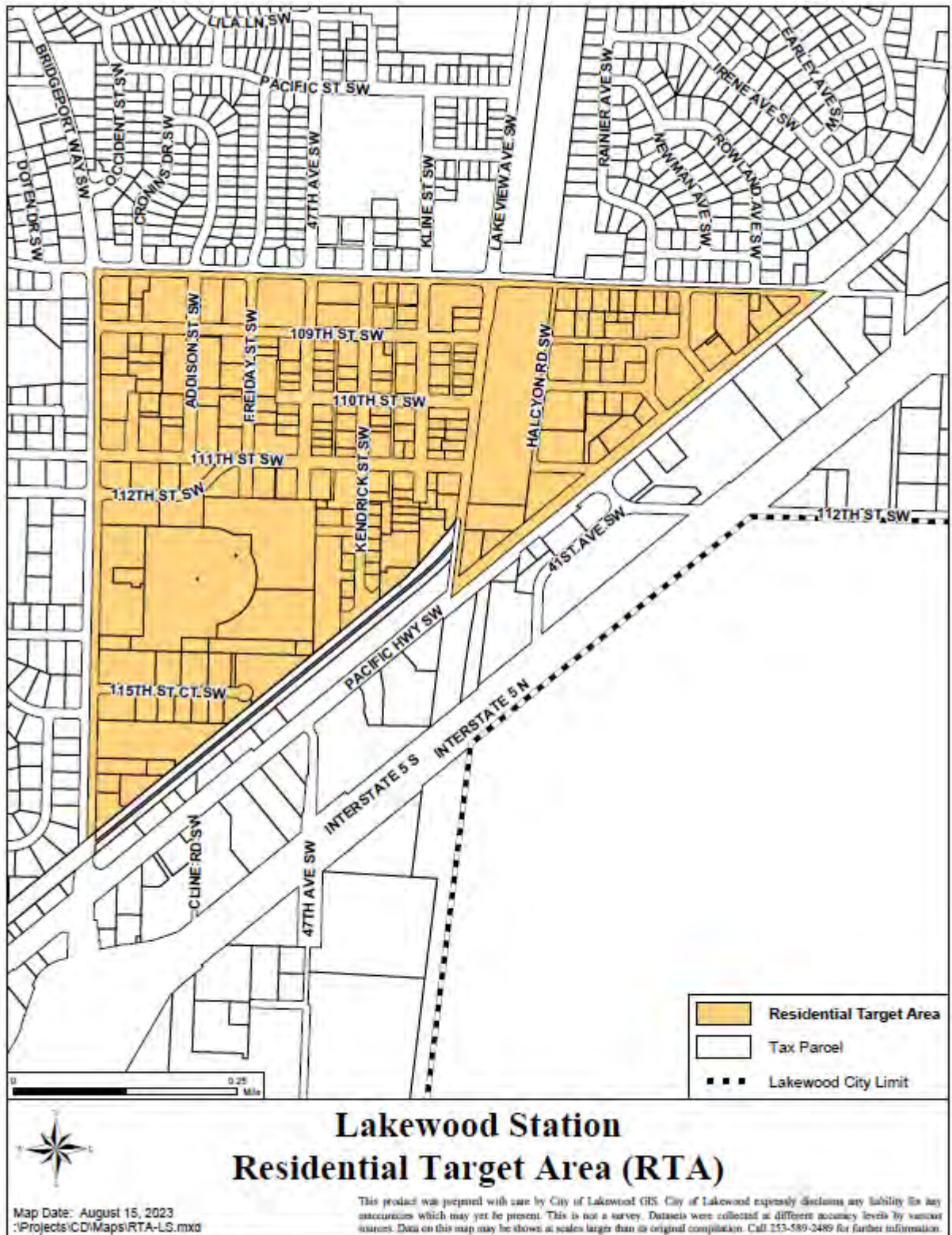
1. The proposed boundaries of the "residential target areas" include the boundaries of the geographic areas listed below and as indicated in the Comprehensive Plan, which are incorporated herein by reference and on file in the City Clerk's Office.

(See next page.)

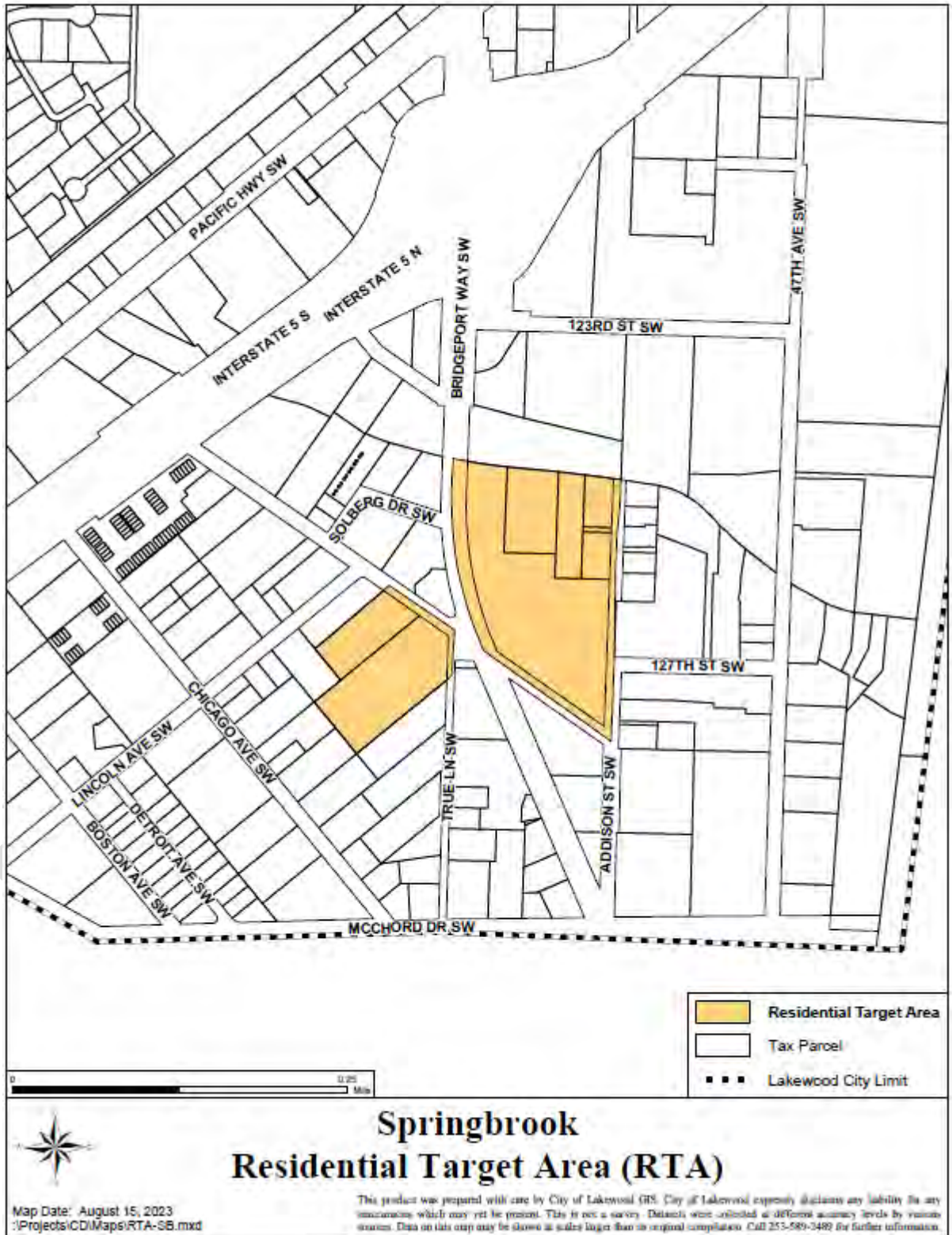
MAP 1: CBD Residential Target Area



MAP 2: Lakewood Station District Target Area



MAP 3: Springbrook Target Area





MULTI-FAMILY HOUSING DRIVES TAX REVENUES

Land development is a major driver of government tax revenues. Washington state tax policy explicitly favors tax growth resulting from real estate investments. Multi-family housing is a major contributor to the fiscal sustainability of many levels of government. New multi-family development represents a direct financial investment in building structures. Those structures are then occupied by residents and businesses that increase the lands' productive economic capacity. That economic value generates taxable bases at the property, business, and transaction level. State tax policy allows government jurisdictions to tax these bases to fund needed public services and infrastructure.



MULTI-FAMILY CONSTRUCTION IS A MAJOR SOURCE OF TAX REVENUE

Governments benefit from construction spending that allows them to tax that spending as well as business income earned from that same expenditure. First, state law allows construction spending to be taxed as a retail sale under the sales tax. Second, income earned by construction companies are taxed under B&O taxes. This form of tax pyramiding makes multi-family investment a highly taxable form of investment.



MULTI-FAMILY CREATES A MULTITUDE OF NEW TAX BASES

Land development and building occupation creates tax bases in all the principal bases of government taxation. These include:

- Assessed valuation for property taxes
- Retail sales for sales and use taxes
- Business income for business & occupation taxes (B&O)
- Utility consumption for utility taxes
- Property sales for real estate excise taxes (REET)



ALLOWS GOVERNMENTS TO EXCEED THE 101% LIMIT ON PROPERTY TAXES

New real estate investment allows governments to grow their property tax revenues above legislative limits. New construction assessed valuation enables governments to exceed the 101% limit on the growth of property tax revenues imposed by Initiative 747.



RESIDENTIAL USES GENERATE SALES TAXES

In the era of e-commerce, changes to a destination-based sales tax have made residential uses a more tax revenue efficient land use. Retail purchases made online and delivered to the residence are taxed at the local sales tax rate. As more and more retail spending moves online, residential uses (and not brick and mortar) generate a higher share of sales taxes for governments.



ALL LEVELS OF GOVERNMENT PROFIT

All levels of government participate in the revenue proceeds of multi-family development. Because land development generates such a diversity of tax bases, local, regional, state, and special purpose districts benefit from these investments.



PROPERTY TAXES

- City
- County
- Fire District
- School District
- State



SALES TAXES

- City
- County
- State
- Transit



B&O TAXES

- City
- State



UTILITY TAXES

- City
- State



REET

- City
- State

A TYPICAL PROJECT GENERATES \$11.5 MILLION

A 10-year present value on a 200-unit housing project, for instance, generates approximately \$11.5 MILLION IN NEW TAX REVENUES to governments over 10 years (including construction and occupancy).



REVENUE SOURCE	CITY	COUNTY	STATE	SCHOOL DISTRICT	FIRE DISTRICT	TRANSIT DISTRICTS	TOTAL
Property Taxes	\$1,030,000	\$560,000	\$680,000	\$520,000	\$510,000	N/A	\$3,290,000
Sales Tax on Construction	\$500,000	\$560,000	\$3,140,000	N/A	N/A	\$680,000	\$4,880,000
Ongoing Sales Tax	\$150,000	\$170,000	\$950,000	N/A	N/A	\$200,000	\$1,470,000
B&O on Construction	\$210,000	N/A	\$730,000	N/A	N/A	N/A	\$940,000
Ongoing B&O Tax	\$50,000	N/A	\$130,000	N/A	N/A	N/A	\$180,000
Utility Taxes	\$100,000	N/A	\$30,000	N/A	N/A	N/A	\$130,000
REET	\$310,000	N/A	\$346,000	N/A	N/A	N/A	\$656,000
TOTAL INCREMENTAL REVENUES	\$2,350,000	\$1,290,000	\$6,636,000	\$520,000	\$510,000	\$880,000	\$11,546,000

ECONorthwest was asked by the Washington Multi-Family Housing Association to discuss how multifamily housing creates a unique set of tax benefits—benefits that accrue to many levels of general purpose and special district governments. For tax impacts, the analysis assumes the tax profile of a typical Puget Sound city using a full array of tax policies.



TO: City Council
FROM: Tiffany Speir, Long Range & Strategic Planning Manager
THROUGH: John Caulfield, City Manager *John F. Caulfield*
DATE: October 30, 2023
SUBJECT: 2023 Annual Development Regulation Amendments
ATTACHMENT: Planning Commission Resolution 2023-03 (**Attachment A**)

BACKGROUND

On October 4, 2023, following a public hearing and multiple discussions, the Planning Commission passed Resolution 2023-03 providing recommendations to the City Council about the 12 proposed 2023 development regulation amendments. The only public comment received at the Commission's hearing was in favor of proposed Amendment 11 (increasing the number of land use zones where commercial child care facilities are allowed.)

Note: City staff recommended to the Planning Commission that the City prohibit ADUs being used as STRs; the Commission has recommended allowing it to Council. Included in this memorandum are the Commission members' positions regarding proposed amendment 12 that addresses allowing or prohibiting using accessory dwelling units (ADUs) as short term rentals (STRs.)

The Council is scheduled to hold a public hearing on the proposed amendment package on November 6 and take action on November 20.

Discussion

The six Planning Commission members present voted unanimously for proposed amendments 1-11. The Commission voted 4-1-1, with one member absent, on proposed amendment 12 related to allowing or prohibiting ADUs being used as short term rentals (STRs.)

Included below is a table summarizing the City staff's position and the positions voiced by Commissioners regarding its October 4 discussion of proposed amendment 12.

Party	Position re ADUs as STRs	Reasons for Position
City Staff	Prohibit	<p>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, and HB 1337 in recent years. Parking for STRs within historically SF areas that have narrow ROWs and no on-street parking is a concern.</p> <p>As stated in adopted HB 1337: (5) Nothing in this section or in section 4 of this act prohibits a city</p>

		or county from: (a) Restricting the use of accessory dwelling units for short term rentals[.]
Daniels	Allow	Allow ADUs as STRs to provide for return on investment; otherwise they may not be built.
Pearson	Allow	Allow ADUS to be STRs; market will dictate owners to switch from STR to long term rental/sales. Consider incentives to encourage ADUs as STRs vs. prohibition
Combs	Allow (abstained from vote)	If there are concerns re noise or other issues, address later via law enforcement.
Estrada	Prohibit	Purpose of state action was to create new permanent housing affordable to more people – not to create more STRs.
Larsen	Absent	-
Parsons	Allow	Need more housing built and short term ADU rentals an incentive to have them built.
Wagemann	Allow	Let market drive decision to build, rent ADUs.

Amendments 1-10 are technical in nature and reflect cleaning up the code per feedback by City staff and applicants.

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

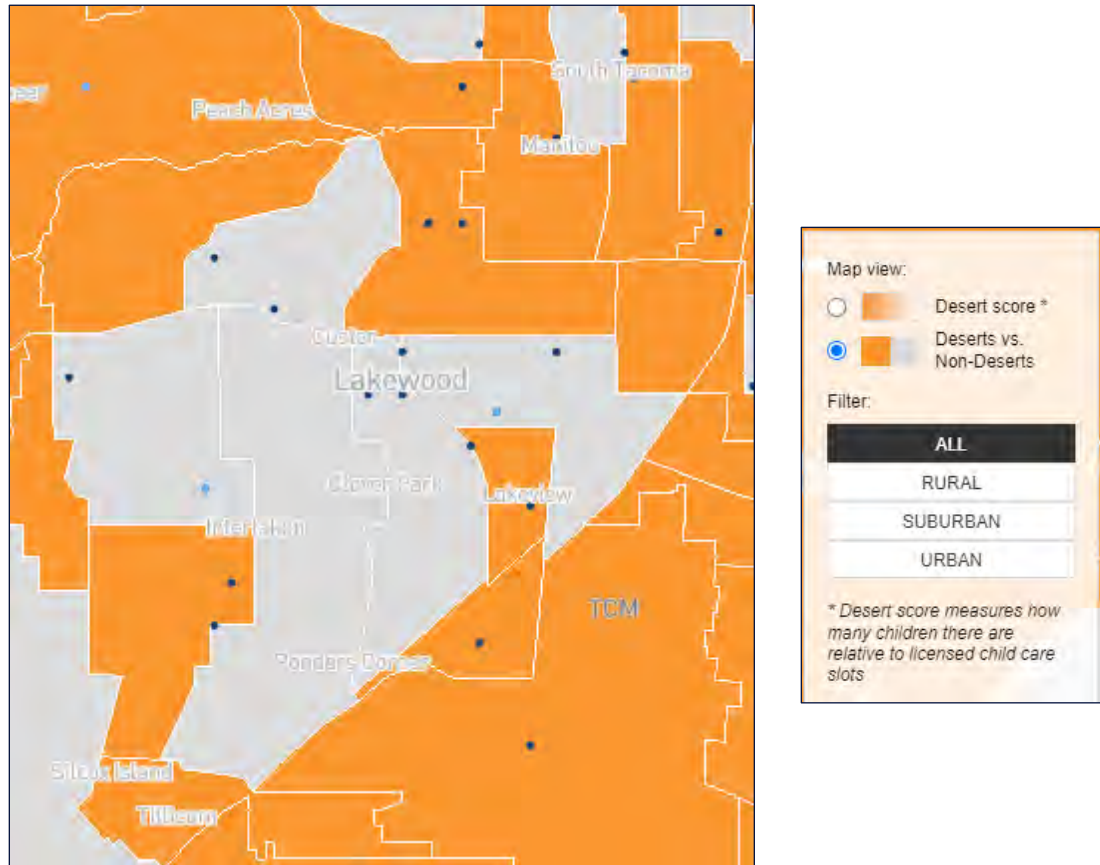
This amendment would allow commercial child care facilities in more of Lakewood's land use zones as well as change the use from conditional to permitted outright in certain zones that currently allow them. This is in response to the county- and citywide shortage of child care facilities and a priority 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

Amendment 12. Updating Accessory Dwelling Units Regulation following adoption of 2023 State Bills HB 1110 and HB 1337.

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 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.)

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.

Planning Commission Resolution 2023-03 (**Attachment A**) follows. It includes for City Council reference in strikeout, language to prohibit ADUs as STRs that had been proposed by City staff but that was not adopted by the Planning Commission in proposed amendment 12.

ATTACHMENT A
PLANNING COMMISSION RESOLUTION NO. 2023-03

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKEWOOD,
WASHINGTON, FORMALIZING ITS RECOMMENDATIONS REGARDING THE 2023
ANNUAL DEVELOPMENT REGULATION AMENDMENTS AND FORWARDING ITS
RECOMMENDATIONS TO THE LAKEWOOD CITY COUNCIL FOR CONSIDERATION
AND ACTION.**

WHEREAS, the City of Lakewood is a code city planning under the Growth Management Act, codified in RCW 36.70A, and

WHEREAS, the City Council adopted its Comprehensive Plan via Ordinance No. 237 on July 10, 2000; and

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

Whereas, the Growth Management Act (GMA) requires the City of Lakewood to adopt development regulations that are consistent with and implement the adopted Comprehensive Plan pursuant to Revised Code of Washington (RCW) 36.70A.040; and

Whereas, over time the Lakewood Planning Commission has reviewed the Lakewood Development Regulations and made certain modifications to Lakewood Municipal Code Titles 1, 12, 14, 15, 17, 18A and 18B to provide needed revisions, clarifications and updates; and

Whereas, the Lakewood Planning Commission held an open public hearing on June 16, 2021, regarding the proposed 2021 amendments to the Lakewood Development Regulations; and

WHEREAS, environmental review as required under the Washington State Environmental Policy Act (SEPA) has resulted in the issuance of a determination of environmental non-significance that was published on August 21, 2023 under SEPA #202303985; and

WHEREAS, notice was provided to state agencies through the Department of Commerce on August 21, 2023 per City of Lakewood – 2023-S-6386--Request for Expedited Review / Notice of Intent to Adopt Amendment, prior to the adoption of this Resolution, and state agencies have been afforded the opportunity to comment per RCW 36.70A.106(1); and

WHEREAS, the Lakewood Planning Commission determined that the 2023 Annual Development Regulation Amendments are consistent with the Growth Management Act and the provisions of the City's Comprehensive Plan; and

WHEREAS, the Lakewood Planning Commission finds that the proposed amendments further the goals and policies of the Comprehensive Plan and promote the community's overall health, safety, and welfare; and

Whereas, on October 4, 2023, the Planning Commission completed review;

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

Section 1. Amendments to the City's land use and development regulations as summarized below and included in full in Exhibit A, attached hereto:

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

- Addresses increased requests for off-site truck/trailer parking for warehousing and industrial uses to meet logistic needs
- Warehouse sites are often built as shell buildings that maximize building space and do not always provide the level of truck/trailer parking potentially needed for future tenants

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

- Due to the State's law enforcement pursuit laws, vehicle dealerships are seeing an increase in stolen vehicles and have been requesting electric fencing to prevent theft
- Electric fencing is currently allowed in industrial zones. The amendment would expand to commercial zones along the freeway where the larger dealerships are situated

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.

- The Unusual Use permit has been used for permitting typical uses in unusual circumstances rather than for its true intent to review uses that could not be anticipated in code
- Amending the definition would close the loophole to limit Unusual Use permits to those uses that are truly unusual

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.

- The list of permit types in the administrative section were not exhaustive to those listed in the subdivision code
- The amendment adds the missing permit types and removes a duplicate entry for short plats that placed it in both Type I and Type II permit categories (per the subdivision code it is Type II)

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.

- 18A.20 (Administration) and 18A.100 (Signs) state conflicting timeframes for sign permit review
- The amendment removes old language from 18A.100 and moves any remaining administration language to 18A.20

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

- Time frames are varied throughout the code
- All timeframes have been set to 14 days, or 21 days when combined with another land use decision
- Proposed amendment is consistent with RCW

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

- Applicants try to use the “flex space” use type to allow uses that are not permitted in the zone
- The amendment clarifies that the use type is in regard to the building type, and the uses within the flex space building must be permitted in the zone

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

- Mobile homes are only permitted in mobile home parks, but the use table allows them in zones where mobile home parks are not permitted, which is confusing to applicants
- The amendment consolidates the use types to just permit mobile home parks where they are already allowed and leaves the placement of new mobile homes in non-conforming code

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

- The MR2 zone only sets a minimum lot size for 2 or more units and does not address single family residences
- The amendment removes the “for 2 or more units” threshold and leaves the minimum lot size as 3,000 gross square feet

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.

- When the Air Corridor (AC) zones were established in LMC, the language referring to Accident Potential Zones (APZ) from AICUZ study was used

- The general public often voices confusion when looking for the AC zones, so the amendment updates “APZ” to AC”

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

- This amendment would allow commercial 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
- Allowing them in MF3 and NC2 zones will open up opportunities in the Springbrook and Lakeview child care deserts

Amendment 12. ~~Prohibit use of Accessory Dwelling Units as Short Term Rentals.~~
Update to City Zoning and Development Regulations related to Accessory Dwelling Units.

- This amendment would add definitions related to short term rentals as provided for in 2023 HB1337.

Section 2: The Lakewood Planning Commission hereby directs staff to transmit its recommendations as contained herein to the Lakewood City Council in a timely manner.

Section 3: If any provisions of this Resolution or the amendments to the Development Regulations are found to be illegal, invalid or unenforceable, the remaining provisions of this Resolution shall remain in full force and effect.

PASSED AND ADOPTED at a regular meeting of the City of Lakewood Planning Commission this 4th day of October, 2023, by the following vote:

Amendments 1-11

AYES: BOARDMEMBERS Daniels, Pearson, Combs, Estrada, Parsons, Wagemann

NOES: None

ABSENT: BOARDMEMBER Larsen

Amendment 12

AYES: BOARDMEMBERS Daniels, Pearson, Parsons, Wagemann

NOES: BOARDMEMBER Estrada

ABSTENTIONS: BOARDMEMBER Combs

ABSENT: BOARDMEMBER Linn Larsen

/s/

Don Daniels, CHAIR, PLANNING COMMISSION

ATTEST:

/s/

KAREN DEVEREAUX, SECRETARY

EXHIBIT A
2023 ANNUAL DEVELOPMENT REGULATION AMENDMENTS

Where portions of Lakewood Municipal 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)	AR C	NC1	NC2	TO C	CB D	C1	C2	C3	IB P	I1	I2	P I
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
Binding Site Plan Amendment	Y	N	N	120
Business License	Y	N	N	120
Certificate of Occupancy	N	N	Y	60
Commercial Addition/Remodel	N	N	Y	120
Comprehensive Map amendment, Area Wide	Y	N	N	120
Comprehensive Map amendment, site specific	Y	N	N	120
Comprehensive text only amendment	Y	N	N	120
Conditional Use Permit	Y	N	N	120
Conditional Use Permit – Major Modification	Y	N	N	120
Conditional Use Permit – Minor Modification	Y	N	N	120
Cottage Housing Development	Y	N	N	120
Demolition Permit	N	N	Y	120
Design Review Permit	Y	N	N	90
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
Short Plat Amendment	Y	Y	N	120
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
Subdivision Plat Alteration	Y	Y	N	120
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](#);
 7. Business license;
 8. Certificate of occupancy;
 9. Commercial addition/remodel;
 10. Conditional use permit;
 11. Conditional use permit – minor modification;
 12. Cottage housing development;
 13. Demolition permit;
 14. Design review permit;
 15. Emergency Housing permit;
 16. Emergency Shelter permit;
 17. Environmental review (SEPA checklist and threshold determination);
 18. Final subdivision plat (10 or more lots);

- ~~18~~19. Foster Care Facility permit;
- ~~19~~20. Home occupation permit;
- ~~20~~21. Housing incentives permit;
- ~~21~~22. Landscape plan review;
- ~~22~~23. Land use approval;
- ~~24~~3. Lot line adjustment;
- ~~24~~25. Manufactured/mobile home setup permit;
- ~~25~~26. New commercial permit;
- ~~26~~27. New multifamily permit;
- ~~27~~28. New single-family permit;
- ~~28~~29. Permanent Supportive Housing permit;
- ~~29~~30. Pre-application;
- ~~30~~31. Preliminary and final short plats (creating 2 to 9 lots);
- ~~31~~32. Rapid Rehousing Permit;
- ~~32~~33. Reasonable accommodation request;
- ~~33~~34. Residential addition/remodel;
- ~~34~~35. Senior housing overlay permit;
- ~~35~~36. Shoreline conditional use permit;
- ~~36~~37. Shoreline substantial development permit;
- ~~37~~38. Shoreline exemption;
- ~~38~~39. Shoreline variance permit;
- ~~40~~. [Short plat amendment;](#)
- ~~39~~41. Sign permit;
- ~~40~~42. Site development permit;
- ~~41~~43. Senior housing permit;
- ~~42~~44. Small cell wireless permit;
- ~~45~~. [Subdivision plat alteration;](#)
- ~~43~~46. Temporary use permit;
- ~~44~~47. Transfer of development rights;
- ~~45~~48. Transitional Housing permit;
- ~~46~~49. Transitory accommodation permit;
- ~~47~~50. Tree retention plan;
- ~~48~~51. Time extension or minor modification to a Type I permit;
- ~~49~~52. Time extension or minor modification to a Type II permit;
- ~~50~~53. Transitory accommodation permit;
- ~~54~~1. Tree removal permit;
- ~~52~~55. Unusual use(s) permit;
- ~~53~~56. Zoning certification;
- ~~54~~57. 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
Binding site plan amendment	Y	D	O/Appeal	N	N
Cottage housing	Y	D	O/Appeal	N	N
Environmental review (SEPA) – (SEPA Checklist and Threshold Determination)	Y	D	O/Appeal	N	N
Preliminary and final short plats (2 – 9 lots)	Y	D	O/Appeal	N	N
Shoreline conditional use permit	Y	D	O/Appeal	N	N
Shoreline substantial development permit	Y	D	O/Appeal	N	N
Shoreline variance permit	Y	D	O/Appeal	N	N
Short plat amendment	Y	D	O/Appeal	N	N
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
Subdivision plat alteration	Y	R	D	N	N
Time extension to a Type III permit	Y	R	D	N	N
Unusual use(s) permit	Y	R	D	N	N
Variance	Y	R	D	N	N
Zoning Map amendment, site specific	Y	R	D	N	CC/ Appeal
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.

* * *

E. *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~~ (~~714~~) 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~~ (~~1014~~) 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~~ (~~714~~) 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~~ (~~714~~) 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.

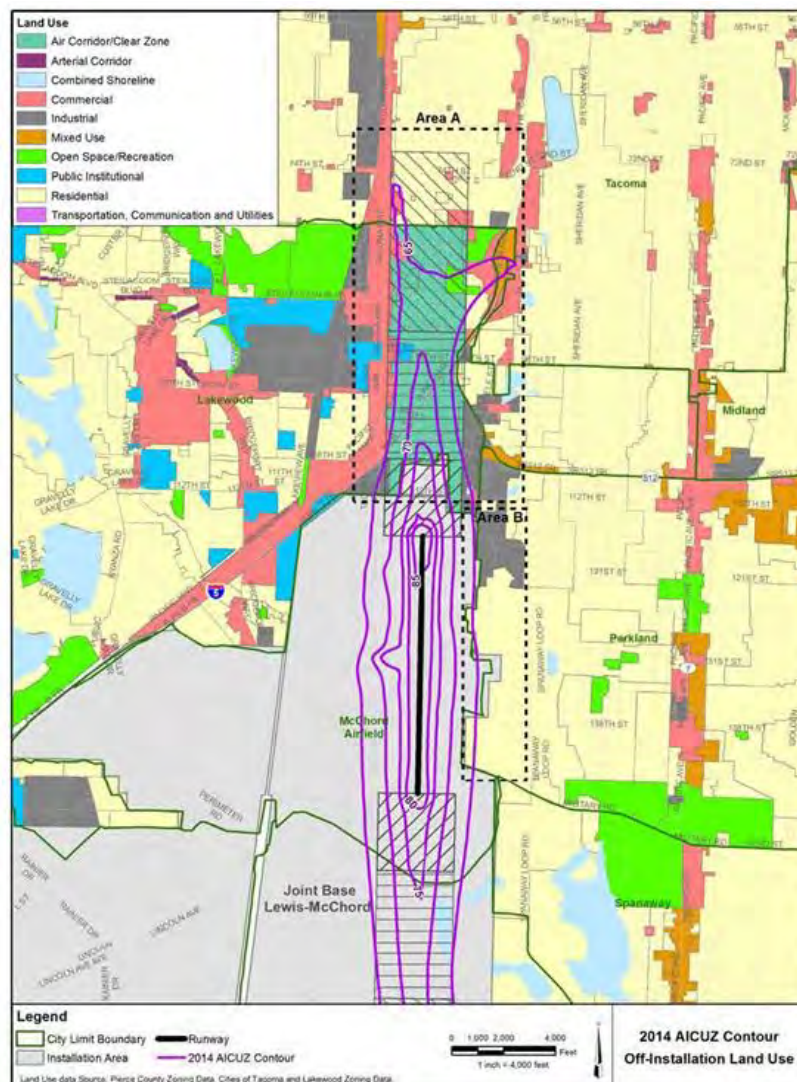
	Zoning Classifications								
	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3
Density	1.45 DUA	2.2 DUA	4.8 DUA	6.4 DUA	8.7 DUA	14.6 DUA	22 DUA	35 DUA	54 DUA
Lot size	25,000 GSF	17,000 GSF	7,500 GSF	5,700 GSF	5,000 GSF /unit	3,000 GSF /unit <i>for 2 or more units</i>	No minimum lot size	No minimum lot size	No minimum 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	<u>Attached units:</u> <u>0 feet;</u> <u>Detached units:</u> <u>5 feet</u>	<u>Attached units:</u> <u>0 feet;</u> <u>Detached units:</u> <u>5 feet</u>	8 feet	8 feet	8 feet
<i>Interior setback for attached units</i>					<u>0 feet</u>	<u>0 feet</u>			
<i>Interior setback for detached units</i>					<u>5 feet</u>	<u>5 feet</u>			
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	<u>APZ-IAC1</u>	<u>APZ-IAC2</u>	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 <u>APZ-IAC1</u> , no activity which produces smoke, glare, or involves explosives.
Research, scientific (small scale)	C	P	–	Office use only. Maximum FAR of 0.22 in <u>APZ-IAC1</u> and <u>APZ-IAC2</u> .
Undeveloped land	P	P	P	N/A
Residential Uses				
Accessory caretaker's unit	–	–	–	N/A
Accessory dwelling unit	–	–	–	N/A
Cottage housing	–	–	–	N/A
Cohousing (dormitories, fraternities and sororities)	–	–	–	N/A

Land Use Categories	APZ-IAC1	APZ-IIAC2	CZ	Density
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-IAC1	APZ-IIAC2	CZ	Density
Commercial and Industrial Uses				
Building and landscape materials sales	P	P	–	Maximum FAR of 0.28 in APZ-IAC1 and 0.56 in APZ-IIAC2 .
Building contractor, light	P	P	–	Maximum FAR of 0.28 in APZ-IAC1 and 0.56 in APZ-IIAC2 .
Building contractor, heavy	C	–	–	Maximum FAR of 0.11 in APZ-IAC1 and 0.22 in APZ-IIAC2 .
Business support service	P	–	–	Maximum FAR of 0.22 in APZ-IAC1 .
Catering service	P	P	–	Maximum FAR of 0.22 in APZ-IIAC2 .
Construction/heavy equipment sales and rental	C	C	–	Maximum FAR of 0.11 in APZ-IAC1 ; and 0.22 in APZ-IIAC2 .
Equipment rental	P	P	–	Maximum FAR of 0.11 in APZ-IAC1 ; and 0.22 in APZ-IIAC2 .
Furniture, furnishings, appliance/equipment store	–	C	–	Maximum FAR of 0.28 in APZ-IAC1 .
Handcraft industries, small-scale manufacturing	P	P	–	Maximum FAR of 0.28 APZ-IAC1 ; Maximum FAR of 0.56 in APZ-IIAC2 .
Kennel, animal boarding	P	P	–	Maximum FAR of 0.11 APZ-IAC1 ; Maximum FAR of 0.22 in APZ-IIAC2 .
Laundry, dry cleaning plant	P	–	–	Maximum FAR of 0.22 in APZ-IIAC2 .
Live/work and work/live units	P	P	–	N/A
Maintenance service, client site services	P	P	–	Maximum FAR of 0.22 in APZ-IIAC2 .
Manufacturing, assembling and packaging, light	P	P	–	Maximum FAR of 0.28 in AC1 and 0.56 in AC2.
Military installations	P	P	P	N/A
Mobile home, RV, and boat sales	C	C	–	Maximum FAR of 0.14 in APZ-IAC1 and 0.28 in APZ-IIAC2 .
Office, business services	P	P	–	Maximum FAR of 0.22 in APZ-IIAC2 .
Office, professional	P	–	–	Maximum FAR of 0.22 in APZ-IIAC2 .
Places of assembly	–	–	–	N/A
Personal services	P	–	–	Office uses only. Maximum FAR of 0.11 in APZ-IIAC2 .
Small craft distillery	–	P	–	Maximum FAR 0.56 in APZ-IIAC2 .
Storage, personal storage facility	P	P	–	Maximum FAR of 1.0 in APZ-IAC1 ; 2.0 in APZ-IIAC2 .

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-1~~AC1), and ~~Accident Potential Zone~~Air Corridor Two (~~APZ-2~~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.

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>C P</u>	<u>C P</u>	<u>C P</u>	<u>C P</u>	-	-	-	-	<u>P</u>	<u>C</u>	<u>P C</u>	<u>C P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P C</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 C</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 C</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 C</u>	<u>C P</u>	<u>P C</u>	<u>C P</u>	-	-	<u>C P</u>	<u>C P</u>	<u>C P</u>	<u>C</u>	<u>P C</u>	P	P	P	<u>P</u>	<u>C P</u>	<u>C</u>	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	-	-	-

Amendment 12. Prohibit use of Accessory Dwelling Units as 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 I	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	–	–	–	–	–	–

	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 I	O S R 1	O S R 2
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.

~~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	-	-	-	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	-	-	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
mobile/manufactured home parks (B)(8)																					
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.~~