

Lakewood Comprehensive Plan: Development Regulations Revisions

WORKING DRAFT | May 2024 (v.2)

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Introduction

Overview

As part of the updates to the Lakewood Comprehensive Plan, a thorough audit of the existing development regulations is essential to ensure alignment between policies and the Lakewood Municipal Code. This audit will ensure that these regulations do not conflict with the goals and policies of the Comprehensive Plan and can guide Lakewood's future growth in a sustainable and balanced manner.

This review provides a clear framework for Council, city staff, stakeholders, and the broader community to understand the recommended changes as part of this process. The revisions included provide both the changes necessary to reflect changes in the policies included in the Plan, and other required edits due to adjustments in the Growth Management Act and other enabling state statutes.

Structure of the Audit

The audit of the City of Lakewood's development regulations is organized into a table format with three main columns, ensuring a clear and effective review process:

- **Original Code:** This column lists the current text of the Lakewood Municipal Code.
- **Rationale for Changes:** This column provides the reasons for proposed changes to the code, linking the adjustments to necessary alignment with the Comprehensive Plan and state statutory changes.
- **Final Edited Code:** This column shows the proposed amended code, with the final text provided in line to allow for comparison with the original code.

This structured table format ensures that the audit process is transparent and easy to understand for decision-makers and stakeholders, focusing particularly on improving housing policies. Note that there is also a full version of the relevant code provided at the end of this document with markups to show the proposed changes. **(Note for the draft version that renumbering of the policies has not been performed; this will not be done until the edits have been finalized.)**

These edits included the following Titles:

- Title 18A (Land Use and Development Code)
- Title 18B (Downtown Development Code)
- Title 18C (Station District Development Code)

The proposed revisions to Title 14 (Environmental Protection) have been provided in a separate document describing revisions to the Critical Areas Ordinance.

Code Audit

Title 18A LAND USE AND DEVELOPMENT CODE

Chapter 18A.10 BASIC PROVISIONS

Revisions	Rationale for Change
18A.10.010 Title.	
This title shall be shall be known and may be cited as the “Lakewood Land Use and Development Code,” hereinafter referred to as “this title” or “this code.” [Ord. 726 § 2 (Exh. B), 2019.]	<ul style="list-style-type: none">▪ Proofing change.
18A.10.020 Purpose.	
...	
Specifically, this code is intended to:	
A. Foster improved relationships and harmony among land uses in order to overcome past, haphazard development patterns.	
B. Preserve the qualities of those residential neighborhoods that offer desirable living environments, while encouraging improvement to others whose character undermines good-quality living conditions.	
C. Diminish the reliance of current development patterns on automobile use and, over time, integrate multi-modal transportation opportunities into new development and redevelopment to support pedestrians, bicycles, and transit as well as cars.	
<u>X. Plan for housing to ensure affordability across all income levels, support different housing types to meet a range of household needs, and support the preservation of existing affordable housing stock.</u>	<ul style="list-style-type: none">▪ Provide a clear policy note in this document to highlight the importance of housing.
D. Provide for adequate public facilities and services to support land development.	
E. Promote social and economic well-being through integration of aesthetic, environmental, and economic values.	
F. Encourage protection of environmentally critical or historically significant resources.	
G. Ensure provision of adequate space for housing, commercial/industrial endeavors, and other activities necessary for public welfare.	

Revisions

Rationale for Change

H. Provide for effective and equitable administration and enforcement of the regulations contained herein. [Ord. 726 § 2 (Exh. B), 2019.]

...

18A.10.120 Establishment of zoning districts

...

B. Each zoning district and the abbreviated designation suffix are listed below. See subsections (C) and (D) of this section and Chapter 18A.40 LMC for more details about each zoning district.

[TABLE]

- This table is adjusted to rename “Single-Family Residential” to “Residential”. Changes that allow middle housing in these areas means that the name should be broader in scope.

C. Relationship between Comprehensive Plan Future Land Use Map Designations and Zoning Districts.

[TABLE]

D. Purpose and Applicability of Zoning Districts.

1. ~~Single-Family~~ Residential Zoning Districts.

- “Single-Family Residential” is renamed to “Residential” as changes that allow middle housing in these areas means that the name should be broader in scope.

a. Purpose. The Residential 1 (R1) ~~and Residential 2 (R2)~~ zoning districts ~~provide for a continuation of large residential lots in specific areas where a pattern of large lots and extensive tree coverage exists. These zoning districts seek to preserve the identity of these residential areas, preserve significant tree stands and riparian environments along lake shores and within stream corridors, and reduce traffic volumes in the east-west arterial corridors, primarily consists of larger residential lots where environmental factors would prevent more intensive development. This includes environmentally sensitive areas where development may impact lakes, creek habitat and Lakewood Water District wellheads.~~

- This has been rewritten as R1 zones will remain as larger lots, but should be targeted to areas where critical areas prevent additional development. In this case, R2/R3 should be combined.

~~The Residential 3 (R3) and Residential 4 (R4) zoning districts are the City's primary residential zones, which provide for single-family dwellings in established residential neighborhoods. The Residential 4 (R4) designation provides for increased residential density through smaller lot sizes and allowance for residential development comprising two (2) units per lot.~~

- This is removed to realign R2 and R3, and provide a new definition for R4 areas.

The Residential 2 (R2) and Residential 3 (R3) zoning districts accommodate a range of detached and attached housing types, including middle housing, accessory dwelling units (ADUs), and smaller- and moderate-scale multi-family housing.

- This is added to indicate that R2 and R3 zones will largely accommodate middle housing options given the increased density allowed on individual lots.

Revisions

Rationale for Change

The Residential 4 (R4) zoning districts include single-family, middle housing, ADUs, and smaller- and moderate-scale multi-family housing with greater densities and smaller lot sizes. These areas are typically allocated in neighborhoods where housing on individual lots is expected, but the area includes supporting infrastructure, amenities, and services that allow for higher-density development.

- This is added to acknowledge that the revised density of R4 zones is now comparable to the previous MR1/MR2 zones, and can accommodate additional development.

b. Applicability. The R1, ~~and R2, R3, and R4~~ zoning districts are applicable to lands designated Residential ~~Estate~~ in the comprehensive plan.

- “Residential Estate” is removed under this new land use framework.

~~The R3 and R4 zoning districts are applicable to lands designated Single-Family in the comprehensive plan.~~

- See above. All single-use residential zones are now included under one category.

...

3. Multifamily Zoning Districts.

a. Purpose. The Multifamily designation supports a mix of low- and moderate-density housing options that provides a variety of options for diverse families and lifestyles. This designation represents a transition to areas that include a greater amount of multifamily housing on larger lots.

- An introduction is provided to be consistent with other sections.

The Multifamily 1 (MF1) zoning district provides for a variety of medium-density housing types and designs offering a wide choice of living accommodations for families of diverse composition and lifestyles. The designation incorporates a combination of urban design elements to enhance the living environment while integrating the housing into a neighborhood. ~~Urban design elements such as private and public open space, pedestrian orientation and connections, and security are integrated into the housing to create a high standard of community cohesion and character.~~

- The urban design elements are removed as these are not a defining characteristic specifically of the MF zones.

The Multifamily 2 (MF2) zoning district provides for high-density housing types and designs, especially of a multiple-story design, that combine urban design elements to enhance the living environment. ~~Urban design elements stress pedestrian orientation and connections, security, transportation, and integration of housing.~~

- The urban design elements are removed as these are not a defining characteristic specifically of the MF zones.

The Multifamily 3 (MF3) zoning district is intended to integrate urban, high-density, multi-story housing in close proximity to a principal or minor arterial, with commercial/residential districts. The MF 3 zoning districts are predominantly located adjacent to land zoned NC2, CBD, or SD.

...

18A.10.130 Establishment of overlay districts.

...

Revisions

Rationale for Change

B. Each overlay district and the abbreviated designation suffix are listed below.

[TABLE]

The boundaries of overlay districts are shown on the City's official Overlay Districts Map included in Article XX Chapter 18A.50, which is included below as Figure 1 and hereby adopted as part of this title, and are further described as follows:

- This adds the transit overlay district and specifically highlights the article that discusses the overlay districts in more depth to ensure that the map is not duplicated.

...

X. The boundaries of the Transit (T) overlay shall be areas designated as Residential that are found within one-quarter (1/4) mile of a major transit stop for bus rapid transit (BRT) and commuter rail. These areas allow for increased residential densities beyond what is allowed under Residential designations for locations once service is available.

- This incorporates the transit overlay into the development regulations. Note that this is done versus providing a simple distance measure to ensure that the city has the flexibility to change the boundaries as needed.

...

18A.10.180 Definitions.

...

"Accessory dwelling unit (ADU)" means a habitable dwelling unit added to, created within, or detached from and on the same lot with a single family dwelling, a single-family housing unit, duplex, triplex, townhome, or other housing unit that provides basic requirements for living, sleeping, eating, cooking, and sanitation.

- This removes the conflict in the definition with the attached/detached ADU definition below, which indicates that they may be provided with other types of housing units.

...

"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 (30) 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. If not otherwise defined, affordable housing means housing that is within the means of:~~

- This definition is provided to clarify the term affordable housing to be consistent with statute and Department of Commerce recommendations.

1. Households in rental units earning sixty (60) percent of area median income or less; or

2. Households in ownership units earning eighty (80) percent of area median income or less.

...

"Emergency amendment" means any proposed change or revision to the Comprehensive Plan due to a situation that requires expeditious action to preserve the health, safety or welfare of the public; and when adherence to the annual amendment process would be further detrimental to public health, safety or welfare. Emergency amendments may be reviewed and acted upon outside the annual amendment review cycle.

- Added to provide a clear definition for the revised section on emergency amendments.

Revisions

Rationale for Change

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

- Remove RCW reference as it is currently incorrect.

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

- Remove RCW reference as it is currently incorrect.

...

“Permanent supportive housing” means subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors ~~(RCW 36.70A.030(19))~~. ~~Permanent supportive housing does not mean multifamily housing projects with fewer than fifty (50) percent of the units providing permanent supportive housing.~~ Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

- This definition is provided to clarify the term to be consistent with statute and Department of Commerce recommendations.
- Remove RCW reference as it is currently incorrect.

...

“Qualified household” means a household which has been assessed to meet the eligibility requirements to rent or purchase a qualified unit.

- This provides a definition to support Chapter 18A.70 LMC.

“Qualified project” is a residential or mixed-use development which includes qualified units and receives a bonus under Chapter 18A.90 LMC.

- This provides a definition to support Chapter 18A.70 LMC.

Revisions	Rationale for Change
<p>“Qualified unit” means residential housing for rental occupancy which, as long as the same is occupied by a very low income or extremely low income, as defined herein; requires payment of monthly housing costs, including utilities other than telephone, of no more than thirty (30) percent of the resident’s or residents’ income(s) household income. If not otherwise specified, these units shall be affordable to households with incomes of:</p> <ol style="list-style-type: none"> 1. <u>Sixty (60) percent of area median income adjusted for household size for rental housing; or</u> 2. <u>Eighty (80) percent of area median income at the time of sale adjusted for household size for owner-occupied housing.</u> 	<ul style="list-style-type: none"> ▪ This clarifies the definition included in the Code and highlights the definition given the different possible income levels where this can be applied.
<p>...</p> <p>“Religious organization” means the <u>federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.</u></p>	<ul style="list-style-type: none"> ▪ This definition is provided to clarify the term to be consistent with statute and Department of Commerce recommendations.
<p>...</p> <p>“STEP housing” means <u>emergency shelter, transitional housing, emergency housing and permanent supportive housing.</u></p>	<ul style="list-style-type: none"> ▪ New definition provided to be consistent with Department of Commerce guidelines.
<p>...</p> <p>“Transitional housing” means a project that provides housing and supportive services to homeless persons or families for up to two (2) years and that has as its purpose facilitating the movement of homeless persons and families into independent living (RCW 84.36.043(2)(c)). Transitional housing does not mean multifamily housing projects with- This definition does not apply if fewer than fifty (50) percent of the units <u>in a multifamily project are</u> providing transitional housing.</p>	<ul style="list-style-type: none"> ▪ Edited for clarity.

Chapter 18A.20 ADMINISTRATION

(no change)

Chapter 18A.30 DISCRETIONARY PERMITS

Original Goal/Policy	Rationale for Change
<p>...</p> <p>Article I. Comprehensive Plan Amendment</p>	
<p>...</p> <p>18A.30.020 Plan amendment procedures – Comprehensive plan.</p>	<ul style="list-style-type: none"> ▪ This section was difficult to read as a single paragraph, and has been split into subsections for readability.
<p><u>X.</u> Individual and agency initiated proposals to amend the Lakewood Comprehensive Plan shall be submitted to the Department on forms provided by the City.</p>	

Original Goal/Policy

Rationale for Change

X.Proposals may be submitted at any time; however, to be considered in the same calendar year, they must be submitted by the deadline set by the City Council, unless otherwise specifically authorized by the City Council.

X.All proposals shall be considered collectively once each year except in the case of an emergency as determined by the City Council (see LMC 18A.30.090, Timing and exemptions).

X.The comprehensive plan amendment calendar shall be approved by the City Council. No fee shall be charged at this proposal stage.

X.The Department shall maintain a log or docket of all such proposals including a summary of the proposal, the principal proponent’s name and address, the date on which the proposal was submitted, and its review status. [Ord. 726 § 2 (Exh. B), 2019.]

...

18A.30.090 Timing and exemptions.

A. The City will consider proposed amendments to the comprehensive plan only once each year, except when amendments are adopted as part of:

...

3. The response to an existing emergency, as specified in LMC 18A.30.XXX;

▪ This is included to reference new code language regarding emergency amendments.

...

5. The resolution of an appeal filed with the Growth Management Hearings Board or with a court; ~~or~~

6. The amendment of a capital facilities element that occurs concurrently with the adoption or amendment of the City budget; or

7. An update to the Transit Overlay under Article XX Chapter 18A.50.XXX consistent with changes in transit service.

▪ This is added to ensure that changes in transit can be reflected immediately and do not require waiting for the yearly update.

...

18A.30.XXX Emergency amendments.

▪ This section has been added to be consistent with [RCW 36.70A.130\(2\)\(b\)](#).

A. Emergency amendments to the Comprehensive Plan are those required in situations where regulatory action is needed to provide for the immediate protection of public health, safety, and welfare; and when adherence to the annual amendment process would be further detrimental to public health, safety or welfare.

▪ This provides a definition for an emergency under [RCW 36.70A.130\(2\)\(b\)](#) and [WAC 365-196-640](#). Note that there is no definition of “emergency” in Chapter RCW 36.70A, although this is specifically managed differently from a development moratorium.

B. The process to amend the Comprehensive Plan will be initiated by the City Council upon adoption of a resolution specifying the nature of the emergency.

▪ This is consistent with the process provided in [WAC 365-196-640](#).

Original Goal/Policy

Rationale for Change

C. Emergency amendments will be assessed by City staff at the direction of Council and reviewed by the Planning Commission at a public hearing consistent with the requirements of LMC 18A.30.030. A subsequent recommendation from the Planning Commission on the proposed emergency amendment will be forwarded to the City Council.

▪ This is consistent with the process provided in [WAC 365-196-640](#).

D. The City Council will evaluate the proposed emergency amendments based on recommendations of the Planning Commission. The Council may take action on the proposed emergency amendment after a public hearing.

▪ This is consistent with the process provided in [WAC 365-196-640](#).

...

Article III. Cottage Housing

18A.30.250 Development standards.

Cottage housing development shall be subject to the following development standards:

A. Density.

1. In the R1 and R2 zoning districts, cottage housing development shall be allowed a density not to exceed ~~three (3)~~ 1.5 times the base density allowed in the underlying zone.

▪ This has been adjusted given the increases in density required under [RCW 36.70A.635\(1\)\(a\)](#).

~~2. In R3 and R4 zoning districts, cottage housing developments shall be allowed a density not to exceed two (2) times the base density allowed in the underlying zone.~~

▪ This has been removed given the increases in density required under [RCW 36.70A.635\(1\)\(a\)](#).

...

18A.30.280 Parking.

A. A minimum of two (2) parking spaces per cottage shall be provided for the entire development. An additional fifteen (15) percent of total required spaces shall be designated for guests. If the lot is within one-half (1/2) mile of a major transit stop, defined as a stop for commuter rail or bus rapid transit, no parking is required if adequate provision of on-street parking facilities is available as determined by the Director.

▪ This has been changed to reflect the adjustments in parking requirements for areas located close to major transit stops as per [RCW 36.70A.635\(6\)\(d\)](#). Note that cottage housing is considered "middle housing" under [RCW 36.70A.030\(26\)](#).

...

Article VIII. Temporary Use Permits

18A.30.740 Standards.

...

E. No temporary use shall occupy a site or operate within the City for more than forty-five days (45) days within any calendar year, except as follows:

...

Original Goal/Policy

Rationale for Change

3. Hosting the homeless by a religious organization is permitted for a total of six months during a year, with a three-month separation required between continuous hosting terms of a maximum of four months at any one time.

- This is adjusted to account for the requirements on timing included under [RCW 35A.21.360\(d\) and \(e\)](#).

...

Chapter 18A.40 LAND USES AND INTERPRETATION TABLES

Original Goal/Policy

Rationale for Change

...

18A.40.010 Purpose.

The purpose of this chapter is to establish permitted land uses for the City of Lakewood. The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained. The use is considered permanently established when that use will be or has been in continuous operation for a period exceeding sixty (60) days, except that in no case shall a transitory accommodation, which may be allowed to operate continuously for a period of up to ~~ninety (90)~~ one hundred twenty (120) days. A use which will operate for sixty (60) days or less, and hosting the homeless by religious organizations, are considered temporary uses and are subject to the requirements of Chapter 18A.30 LMC, Article VIII. All applicable requirements of this code, or other applicable state or federal requirements, shall govern a use located within the Lakewood City limits. [Ord. 756 § 2, 2021; Ord. 726 § 2 (Exh. B), 2019.]

- This is adjusted to account for the requirements on timing included under [RCW 35A.21.360\(d\) and \(e\)](#).

...

18A.40.020 Interpretation of land use tables.

...

F. If a parenthetical designation number "(B)(-)" appears in the box describing the use, or in the box at the intersection of a column and a row, the use is subject to specific development and/or operational requirements which may be in addition to or in place of general requirements of this and other applicable titles. Such use-specific requirements typically follow the table and correspond to the number in the table, although some such requirements, such as those for specialized senior housing, are set forth in separate chapters.

- This has been changed to acknowledge that the designation may differ for the summary table included in this section and provide consistency accordingly.

Original Goal/Policy

Rationale for Change

G. Any proposed use not listed in the land use table(s) shall be classified by the Director as permitted, conditional, or not permitted, based on the listed use to which the proposed use is most similar. Where there is a question regarding the inclusion or exclusion of a particular proposed use within a particular zoning district, use category, or use type, the Director shall have the authority to make the final determination. If the Director determines that the proposed use is not similar to any use in the land use table(s), the proposed use shall not be permitted.

~~The determination of the Director shall be appealable to the Hearing Examiner as set forth in Chapter 18A.20 LMC, Part IV.~~

~~The Director shall report interpretation decisions to the Planning Commission when it appears desirable and necessary to amend this title.~~

- This has been split between different subsections to aid in readability.

X. The determination of the Director shall be appealable to the Hearing Examiner as set forth in Chapter 18A.20 LMC, Part IV.

- This has been added as noted above.

X. The Director shall report interpretation decisions to the Planning Commission when it appears desirable and necessary to amend this title.

- This has been added as noted above.

...

X. Summary Land Use Table. This table provides a summary of the land use tables included in this chapter, excluding open space. In cases where there are differences between this table and other land use tables in this chapter, the other table will take precedence. See LMC 18A.10.120(D) for the purpose and applicability of zoning districts.

[NEW TABLE + FOOTNOTES]

- This summary table has been added at the request of the city. Two points will need to be considered with managing this section going forward:

First, if this is essentially a duplicate chart in the code, there will be a need to ensure that there are no conflicts between this table and the individual use tables. (And that any conflicts can be resolved clearly, as noted in this provision.)

Second, the land uses included specifically for parks and open space do not map well to other categories and should be treated differently.

Over the longer term, the city may consider consolidating Chapter 18A.40 to only include the summary table, but this would likely involve a more detailed review of code references in the document which would be challenging to manage as part of changes from a Comprehensive Plan update.

18A.40.060 Essential public facilities.

A. Essential Public Facilities Land Use Table. See LMC 18A.40.060(B) for development and operating conditions. See LMC 18A.10.120(D) for the purpose and applicability of zoning districts.

[TABLE]

- This table has been edited to include “Organic materials (OM) management facilities”, as per [RCW 36.70A.142](#). Note that while this is not required until January 1, 2025, this should be included if these developments regulations are not updated by that point.

B. Development and Operating Conditions.

...

Original Goal/Policy

Rationale for Change

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

...

g. Distribution of Essential Public Facilities. In considering a proposal, the City shall examine the overall distribution of essential public facilities within greater Pierce County to avoid placing an undue burden on any one community, especially overburdened communities as defined under RCW 70A.02.010(11).

▪ This provides an update that explicitly includes a mention of "overburdened communities" as defined under [RCW 70A.02.010\(11\)](#). This is consistent with objectives in the Comprehensive Plan to manage racially disparate impacts in the community.

...

k. Proposed Impact Mitigation. The proposal must include adequate and appropriate mitigation measures for the impacted area(s) and community(ies), including consideration of overburdened communities. Mitigation measures may include, but are not limited to, natural features that will be preserved or created to serve as buffers, other site design elements used in the development plan, and/or operational or other programmatic measures contained in the proposal. The proposed measures shall be adequate to substantially reduce or compensate for anticipated adverse impacts on the local environment.

▪ This provides an update that explicitly includes a mention of "overburdened communities" as defined under [RCW 70A.02.010\(11\)](#). This is consistent with objectives in the Comprehensive Plan to manage racially disparate impacts in the community.

18A.40.110 Residential uses.

A. Residential Land Use Table. See LMC 18A.40.110(B) for development and operating conditions. See LMC 18A.10.120(D) for the purpose and applicability of zoning districts.

[TABLE]

▪ Additional allowances for middle housing types are provided to ensure compliance with [RCW 36.70A.635\(5\)](#).
▪ Duplex/triplex uses have been adjusted to allow them to be accommodated across all residential zones.
▪ Four- to sixplex uses have been separated from other multifamily uses to allow them to be accommodated across all residential zones to meet requirements under [RCW 36.70A.635\(5\)](#).

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)~~ Up to two (2) ADUs shall be allowed as ~~an~~ accessory uses 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 two (12)~~ ADUs.

▪ This has been updated to consider requirements under [RCW 36.70A.681\(1\)\(c\)](#).

Original Goal/Policy	Rationale for Change
<p>x. <u>Lots designated with critical areas or their buffers shall be allowed up to one (1) ADU as an accessory use in conjunction with any detached single-family structure, duplex, triplex, townhome, or other housing unit.</u></p>	<ul style="list-style-type: none"> This considers the exception under RCW 36.70A.681(4), and ensures that larger lots that may have more than one ADU.
...	
<p>e. An ADU shall be designed to maintain the appearance of the principal dwelling as a single-family residence.</p>	<ul style="list-style-type: none"> This considers the limitation on design requirements under RCW 36.70A.681(f)(h).
...	
<p>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.</p>	<ul style="list-style-type: none"> This considers the limitation on design requirements under RCW 36.70A.681(f)(h).
<p>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.</p>	<ul style="list-style-type: none"> Note that this is consistent with RCW 36.70A.681(2).
<p>i. For lots located within one-quarter (1/4) mile of a Pierce Transit bus route; or one-half (1/2) mile of the Sound Transit Lakewood Station, commuter rail or bus rapid transit stop, or other major transit stop providing fixed route service at intervals of at least fifteen minutes for at least five hours during weekday peak hours, and also zoned R1, R2, R3, R4, MR1, MR2, MF1, MF2, or TOC, off-street parking for an ADU may shall not be required provided there is adequate street capacity as determined by the Director, and there is curb, gutter, and sidewalk, constructed to City standards, adjoining the lot where an ADU is proposed. Parking may be required. Adequate street capacity is present if the ADU is in an area with a lack of access to street parking capacity, no physical space impediments, or <u>and no</u> other reasons to support <u>indicate</u> that on-street parking is infeasible for the ADU.</p>	<ul style="list-style-type: none"> This retains the existing relaxation of parking requirements, and includes the conditions under RCW 36.70A.681(f)(c).
...	
<p>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.</p>	<ul style="list-style-type: none"> This is not permitted under RCW 36.70A.681(f)(g)
...	
<p>x. <u>Discrete ownership of an ADU may be created through the residential binding site plan and/or condominium declaration process pursuant to Chapter 17.30 LMC and Chapter 64.34 RCW as applicable.</u></p>	<ul style="list-style-type: none"> This ensures that there is clarity that this is not prohibited under RCW 36.70A.681(f)(k). Note that no changes to subdivision/condo regulations have been proposed, as the process may align with the current framework.

2. Standards – Boarding House.

Original Goal/Policy

Rationale for Change

a. Parking Requirements. At a minimum, there must be one (1) off-street parking stall per occupant, or 0.75 space per room if the lot is within one-quarter (1/4) mile of a commuter rail or bus rapid transit stop. An owner may reduce the off-street parking requirement if an affidavit is signed that an occupant does not own a vehicle.

▪ This relaxation of parking requirements is intended to generally align with [RCW 36.70A.620](#).

18A.40.120 Special needs housing.

....

B. Special Needs Housing Table. See subsection C of this section for development and operating conditions. See LMC 18A.10.120(D) for the purpose and applicability of zoning districts. ~~See Chapter 18A.50 LMC, Article III, for the emergency housing and emergency shelter overlay (EHESO) district map.~~

▪ Mention of the EHESO is removed, as the underlying zoning designations meet the necessary requirements.
▪ Edits to the table are provided to include special needs housing in additional areas and remove type 4 and 5 group homes from areas as defined in the Subarea Plans.

[TABLE]

C. Development and Operating Conditions.

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

a. Purpose and Applicability.

...

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

▪ This has been edited for clarity.

b. Performance Standards.

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

(a) General.

(vi) All facilities must comply with the provisions of crime prevention through environmental design (CPTED) under LMC 18A.60.090, 18B.500.530 or 18C.500.530 as applicable and permitted under state law. ~~provided, however, that existing buildings being converted to emergency housing, emergency shelter, permanent supportive housing or transitional housing shall not be required to make structural changes solely to comply with CPTED unless the relevant structural elements of the building are being altered as part of the conversion.~~

▪ Edited to indicate that CPTED requirements are suggested in all areas and required where state law does not prohibit them.
▪ Separated the final sentence to a new provision below.

Original Goal/Policy

Rationale for Change

(x) Existing buildings being converted to emergency housing, emergency shelter, permanent supportive housing or transitional housing shall not be required to make structural changes solely to comply with CPTED requirements unless the relevant structural elements of the building are being altered as part of the conversion.

- Separated for readability.

...

ii. Special Conditions for Emergency Housing and Emergency Shelters. In addition to the requirements under subsection (C)(5)(b)(i) of this section, emergency housing and emergency shelters are required to comply with the following:

(a) Facility Standards.

(i) No ~~special needs housing~~ emergency housing or emergency shelter may be located within an eight hundred eighty ~~one thousand~~ (880) foot radius of another property with emergency housing or an emergency shelter unless sponsored by the same governmental, religious, or not-for-profit agency.

- Per [Commerce HB 1220 guidance \(Book 2\)](#), maximum spacing should not exceed 880 feet.
- Note that this excludes other “special needs housing”, which may encompass a broader range of housing types outside (ii).

(ii) Emergency housing and emergency shelters must meet all federal, state, county and local requirements to ensure housing safety and habitability, including occupancy requirements under the fire code.

- This is included to highlight the potential role for using the fire code to enforce occupancy requirements.

~~(ii) In residential zones, no more than one (1) adult bed per two hundred fifty (250) square feet of floor area is allowed per facility. For the purposes of this section the following zones are considered residential zones: R1, R2, R3, R4, MR1, MR2, MF1, MF2, and MF3.~~

- The definition of “reasonable occupancy requirements” under [RCW 35A.21.430](#) has not been included. Relying on capacity limitations under the fire code as indicated above may have a stronger foundation if these requirements are identified as being arbitrary.

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

- The definition of “reasonable occupancy requirements” under [RCW 35A.21.430](#) has not been included. Relying on capacity limitations under the fire code as indicated above may have a stronger foundation if these requirements are identified as being arbitrary.

...

iii. Special Conditions for Permanent Supportive and Transitional Housing. In addition to the requirements under subsection (C)(5)(b)(i) of this section, permanent supportive housing and transitional housing are required to comply with the following:

(a) Facility Standards.

(i) In residential zones, individual facilities ~~shall not have more than eighty (80) dwelling units and~~ are subject to the density standards of residential uses allowed in the zone where the facility is located. For the purposes of this section the following zones are considered residential zones: R1, R2, R3, R4, MR1, MR2, MF1, MF2, and MF3.

- The definition of “reasonable occupancy requirements” under [RCW 35A.21.430](#) has not been included. Relying on capacity limitations under the fire code as indicated above may have a stronger foundation if these requirements are identified as being arbitrary.

Original Goal/Policy

Rationale for Change

...

Chapter 18A.50 OVERLAY DISTRICTS

Original Goal/Policy

Rationale for Change

...

Article XX. Transit (T)

- This section implements the increased density identified under [RCW 36.70A.635](#).

18A.50.XXX Purpose.

To provide additional density in locations with frequent transit service to encourage the use of multimodal transportation options, the Comprehensive Plan defines an overlay area where additional density is allowed close to major transit stops, defined as within one-half (1/2) mile of a major transit stop, defined as a stop for commuter rail or bus rapid transit.

- This links to the requirements under [RCW 36.70A.635](#) and the definition under the Comprehensive Plan

18A.50.XXX Applicability.

This article applies at the developer's discretion to land use applications for duplexes and multifamily housing in Residential (R) zoning districts generally within one-quarter (1/4) mile of major transit stops as defined above. The Council has the discretion of changing the boundaries of the overlay to consider access to transit stops and consistency of the boundaries of the overlay.

- This is aligned with the requirements under [RCW 36.70A.635](#). Note that other districts where housing is allowed can generally include more than four units per acre.

18A.50.XXX Provisions.

A. For lots located within the Transit Overlay, additional development densities of at least four (4) units per lot are allowed as a maximum base density as per the provisions of RCW 36.70A.635(1)(a)(ii) and LMC 18A.60.030.

- While this is aligned with the requirements under [RCW 36.70A.635](#), this needs to be careful as the provisions of LMCC 18A.30.090(A) and (B) include allowable housing as units per acre and not as units per lot.

B. The timing of updates to the Transit Overlay under the Comprehensive Plan and Municipal Code may be managed under LMC 18A.30.090(A).

- Note that adjustments to this overlay should be made due to the availability of transit and not the

Chapter 18A.60 SITE PLANNING AND GENERAL DEVELOPMENT STANDARDS

Original Goal/Policy

Rationale for Change

...

18A.60.030 Residential area and dimensions.

A. Development Standards Table.

[TABLE]

- This table is changed to account for the increased density required under [RCW 36.70A.635](#). The conditions are specified under (B)(1)(a) below.

B. Specific Development Conditions.

1. Residential (R) Maximum Density

Original Goal/Policy

Rationale for Change

a. Maximum density requirements for Residential (R) zoning districts are listed as three figures, which are interpreted as follows:

i. The first number refers to the maximum housing density (excluding accessory dwelling units) permitted on lots where additional affordable units are provided according to LMC 18A.90.XXX or is located within the Transit Overlay as defined in Article XX Chapter 18A.50 LMC, and do not include critical areas or their buffers as defined under Title 14 LMC.

ii. The second number refers to the maximum housing density (excluding accessory dwelling units) permitted on lots that do not include critical areas or their buffers.

iii. The third number refers to the maximum housing density (excluding accessory dwelling units) permitted on lots that include critical areas or their buffers.

b. For all Residential (R) zoning districts, a minimum of two (2) housing units per lot (excluding accessory dwelling units) are allowed on all lots that meet minimum lot size requirements and do not include critical areas or their buffers, or four (4) housing units per lot where additional affordable units are provided according to LMC 18A.90.XXX or additional units are permitted in locations close to a major transit stop under Article XX Chapter 18A.50 LMC.

▪ This is done as the requirements under [RCW 36.70A.635](#) provide for three different situations: development where affordable housing is provided or it is close to transit, general increases in density under the section, and situations where these requirements do not apply due to critical areas or buffers.

▪ This represents areas where four units per acre are allowed. Note that this is translated into densities based on minimum lot sizes for these areas.

▪ This represents general increases in density to two units per acre. Note that this is translated into densities based on minimum lot sizes for these areas.

▪ Note that these densities are consistent with current values and represent situations where [RCW 36.70A.635](#) does not apply due to critical areas or buffers.

▪ This ensures that the strict requirements of [RCW 36.70A.635](#) are maintained in development regulations.

18A.60.040 Commercial area and dimensions.

A. Development Standards Table.

[TABLE]

▪ Densities for the MR zones are increased, as as-of-right densities in R4 zones could exceed them if they are not adjusted.

▪ Densities for TOC and CBD zones are increased to be more consistent with the subarea plans in Titles 18B and 18C, as well as assumptions provided regarding densities.

Chapter 18A.80 PARKING

Original Goal/Policy

Rationale for Change

...

18A.60.030 Residential area and dimensions.

...

F. Parking Standards. Note the parenthetical numbers in the matrix identify specific requirements or other information which is set forth following the matrix in subsection (G).

▪ This has been added to remove text information from the table and to be consistent with other tables previously found in the code.

Original Goal/Policy

Rationale for Change

[TABLES]

- The table has been adjusted for consistency with the format.
- Reduced parking requirements for multifamily housing from [RCW 36.70A.620](#), including very low income, disabled, and senior housing has been incorporated into this table.
- Reduced parking requirements for middle housing under [RCW 36.70A.635\(6\)\(d\)](#) have been incorporated.
- Reduced parking requirements for accessory dwelling units under [RCW 36.70A.681\(2\)](#) have been included.

X. Additional Provisions.

1. For day care, preschools, and nursery schools, one drop-off loading area must be provided per seven (7) students.

- These provisions were included in the table and have been pulled out separately.

2. Restaurants in hotels and motels are managed as a separate use under parking requirements.

- These provisions were included in the table and have been pulled out separately.

3. Accessory dwelling units within one-half (1/2) mile of a major transit stop, defined as a stop for commuter rail, bus rapid transit, or actual fixed route service at intervals of at least fifteen minutes for at least five hours during the peak hours of operation on weekdays, are not required to provide on-site parking spaces if adequate provision of on-street parking facilities is available as determined by the Director.

- This represents considerations for reduced parking requirements for accessory dwelling units under [RCW 36.70A.681\(2\)](#).

4. The requirements for reduced parking for affordable housing include the following:

- This represents considerations for reduced parking requirements for affordable multifamily housing from [RCW 36.70A.620](#).

a. Housing units must be affordable at fifty (50) percent of area median income or lower.

b. The housing unit is located within one-quarter mile of a transit stop that receives transit service at least two times per hour for twelve or more hours per day.

c. A covenant must be registered on title consistent with the requirements in Chapter 18A.90 LMC that will maintain units as affordable for a minimum of fifty (50) years.

5. For middle housing types, housing units that are within one-half (1/2) mile of a major transit stop, defined as a stop for commuter rail or bus rapid transit, are not required to provide on-site parking if adequate provision of on-street parking facilities is available as determined by the Director.

- This represents considerations for middle housing under [RCW 36.70A.635\(6\)\(d\)](#).

6. For multifamily housing types:

a. Housing units within one-half (1/2) mile of a transit stop that receives transit service at least two times per hour for twelve or more hours per day are required to provide 0.75 parking spaces per unit or one (1) space per bedroom, to a maximum of two (2) spaces per unit.

- This represents considerations for reduced parking requirements for market-rate multifamily housing from [RCW 36.70A.620](#).

b. At least 10% of the total parking spaces must be set aside for unreserved guest parking.

- These provisions were included in the table and have been pulled out separately.

Original Goal/Policy

Rationale for Change

7. In mobile home parks, parking spaces in excess of one (1) per mobile home may be grouped in shared parking areas.

▪ These provisions were included in the table and have been pulled out separately.

8. For housing units that are specifically for seniors or people with disabilities and are within one-half (1/2) mile of a transit stop that receives transit service at least two times per hour for twelve or more hours per day, no on-site parking is required.

▪ This represents considerations for reduced parking requirements for senior/special needs multifamily housing from [RCW 36.70A.620](#).

18A.80.060 Parking incentives.

A. When residential uses are combined with commercial uses in the same building, parking requirements may be reduced by twenty (20) percent, except when located within the CBD or TOC zoning districts for which parking requirements ~~are~~ may be reduced by thirty-five (35) percent.

▪ Edited to ensure this is voluntary (if required).

...

H. Phased Reduction of Maximum Parking Standards. One technique for transportation demand management (TDM) is to reduce maximum allowable parking spaces. This reduction in parking can be accomplished by slowly phasing down the maximum allowable number of parking spaces over a period of years. This procedure has advantages of reducing vehicle trips and conserving urban commercial land that can be used for other purposes. However, TDM has the potential to have a significant adverse impact on the jurisdiction's economic development if other reasonable forms of alternative transportation are not available, and should be evaluated accordingly. This technique should be periodically revisited to consider its viability but should not be implemented until its feasibility for Lakewood is established.

▪ Edited to reinforce that TDM can currently be used if desired.

1. Minimum Optional Guidelines and Maximum Standards. To promote parking reduction, the optional minimum guideline listed in LMC 18A.80.030(F) serves as a suggested parking number but is not mandatory ~~for automobiles except for single family residential development.~~ Applicants will be encouraged to provide less automobile parking than the minimum listed whenever possible based upon TDM, available on-street parking, and the potential for shared parking within walking distance and other factors. The minimum number listed for bicycle parking shall be provided as indicated in the table for both commercial and residential development.

▪ This is only considered for auto parking spaces. The potential for TDM for single-family housing is possible and should not be excluded completely, but note that this is at the discretion of the Director.

...

4. For large projects where a traffic study is required and the proposal has one hundred (100) or more employees, a comprehensive TDM strategy ~~may be proposed to achieve a reduction in minimum parking listed in LMC 18A.80.030(F)~~ will be a requirement to meet parking needs.

▪ This makes the provision of a TDM to ensure parking needs are met mandatory if a traffic study is required and the development will include a significant number of employees.

Original Goal/Policy

Rationale for Change

X. The reduction in parking permitted under TDM shall be commensurate with the permanence, effectiveness and demonstrated reduction in off-street parking demand effectuated by such alternative programs.

Alternative programs that may be considered by the Director under this provision include, but are not limited to, the following:

[LIST]

- Edited for clarity.

Chapter 18A.90

HOUSING INCENTIVES PROGRAM

Original Goal/Policy

Rationale for Change

...

18A.90.050 Inclusionary density bonuses.

A. Rate and Calculation. In return for the inclusion of ~~a number of "qualified," as defined herein, on-site units dedicated to serving and reserved for occupancy by very low and/or extremely low income, as defined herein, persons, families, or groups~~ qualified affordable units, one (1) additional, on-site market-rate unit is permitted as a bonus for each qualified ~~very low income~~ unit provided that is affordable at fifty (50) percent of area median income or less, and 1.5 additional, on-site market rate units are permitted as a bonus for each qualified ~~extremely low income~~ unit provided that is affordable at thirty (30) of area median income or less, up to ~~a maximum percentage 25%~~ above the maximum density permitted in the underlying zoning district ~~as shown below~~.

~~{ TABLE }~~

B. Duration. Prior to the final approval of any land use application for which density bonuses are being sought, the owner of the affected parcels shall deliver to the City a duly executed covenant running with the land, in a form approved by the City Attorney, requiring that the qualified ~~dwellings units~~ created pursuant to this section shall remain as such for a period of at least twenty (20) years from ~~the commencement date. The covenant shall form an enduring contractual agreement between the owner/applicant and the City. The owner/applicant shall be responsible for the cost of preparing and recording the covenant, and the owner/applicant or subsequent owner(s) or operator(s) shall be responsible for administering the covenant. The commencement date shall be the date that the first lease agreement with a qualified renter becomes effective~~ of the certificate of occupancy or final building inspection.

-
-
- Given the provision of two extra market-rate housing units for one affordable unit in Residential zones, limiting the maximum number of affordable units in ARC, MR, and MF zones below 25% would be inconsistent. This provides a uniform 25% for all multifamily zones.
- Revisions to provide consistency in defining bonuses in terms of percent AMI.
- This table has been removed, as per above.
- This shortens the regulation, and provides a date for the commencement of the covenant that is clearer for record-keeping purposes.

Original Goal/Policy

Rationale for Change

C. Siting of Units. The qualified units constructed under these provisions shall be integrated and dispersed within the development for which the density bonus is granted. The physical segregation of qualified ~~housing~~ units from unqualified market-rate housing units, or the congregation of qualified ~~housing~~ units into a single physical portion of the development, is prohibited.

- Edited for consistency of term.

D. Size of Units. The size of the qualified units constructed under the provisions of this ~~chapter~~ section shall be proportionate to the size of the units contained in the entire project; e.g., if fifty (50) percent of the units in the project are one (1) bedroom units and fifty (50) percent are two (2) bedroom units, then the qualified units shall be divided equally between one (1) and two (2) bedroom units.

- Minor change to consider that this chapter includes other incentives.

...

G. Exclusivity of Bonus. This incentive cannot be used in conjunction with other density bonuses defined in this chapter.

- This provision ensures that bonuses from the different sections of the chapter cannot be stacked.

18A.90.XXX Density bonuses – religious organizations.

- This section implements the provisions of [RCW 36.70A.545](#). While this is not mandatory, this should be considered as it must be allowed.

A. Calculation. In accordance with RCW 35A.63.300 and 36.70A.545, additional housing density is provided for property developed in partnership with religious organizations where all units are reserved for occupancy by qualified households under subsection (B). The density bonus amounts to an increase of twenty-five (25) percent above the density of the underlying zoning district.

- This bonus is consistent with the bonuses provided above.

B. Qualified Households. A household may qualify for housing units under this section if:

1. For rental units, the household has an income of sixty (60) percent of area median income, adjusted for household size; or

- This provision has a lower income threshold for rental housing.

2. For ownership units, the household has an income of eighty (80) percent of area median income at the time of sale, adjusted for household size.

C. Qualified Projects. An affordable housing development is allowed to receive the bonus described in subsection (A) provided that:

1. All housing units in the project are qualified units set aside for or occupied exclusively by qualified households as defined in subsection (B);

2. The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least fifty (50) years from the date of the certificate of occupancy or final building inspection, even if the religious organization no longer owns the property; and

- Note that the 50-year duration is the minimum required under [RCW 36.70A.545\(1\)\(b\)](#).

Original Goal/Policy

Rationale for Change

3. The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the Federal Fair Housing Amendments Act of 1988 (42 U.S.C. Sec. 3601 et seq.).

- This is required under [RCW 36.70A.545\(1\)\(c\)](#).

D. Rehabilitated Property. The bonus may be applied to the rehabilitation of an existing property.

- This is required under [RCW 36.70A.545\(6\)](#).

E. Resale of Owner-Occupied Units. Subsequent to the initial sale of a unit, a household purchasing a unit in a qualified project must also be considered a qualified household under subsection (B).

- This is included to ensure long-term affordability of ownership units after the initial sale. While it is not required, it is good practice to ensure that these units are maintained as affordable.

F. Covenant on Title. Prior to the final approval of any land use application for which the density bonus is being sought under this section, the owner of the affected parcels shall deliver to the City a duly executed covenant recorded on title in a form approved by the City Attorney stipulating the conditions provided under this section.

- This is included to ensure long-term affordability of rental units, even if the project is transferred to another property owner.

G. Exclusivity of Bonus. This incentive cannot be used in conjunction with other density bonuses defined in this section.

- This provision ensures that bonuses from the different sections of the chapter cannot be stacked.

18A.90.XXX Density bonuses – residential districts.

- This provision implements the bonus density provided under [RCW 36.70A.635\(1\)\(a\)\(iii\)](#).

A. Calculation. In accordance with RCW 36.70A.635, additional housing density is provided for all lots in Residential (R) districts where units are reserved for occupancy by qualified households under subsection (B). This density bonus is defined in LMC 18A.60.030(A).

- This connects this measure to the relevant code.

B. Qualified Households. A household may qualify for housing units under this section if:

1. For rental units, the household has an income of sixty (60) percent of area median income, adjusted for household size; or

- This provision has a lower income threshold for rental housing versus owner-occupied housing. This bonus is limited to 80% of AMI under [RCW 36.70A.545](#).

2. For ownership units, the household has an income of eighty (80) percent of area median income at the time of sale, adjusted for household size.

- This maintains the income limit for owner-occupied units.

C. Qualified Projects. An affordable housing development is allowed to receive the bonus described in subsection (A) provided that:

1. At least twenty-five (25) percent of housing units in the development are qualified units set aside for or occupied exclusively by qualified households as defined in subsection (B);

- This adapts the requirement for one unit per lot as affordable to situations where larger lots could accommodate more housing units under a density-based measure.

2. The qualified units are part of a lease or other binding obligation that requires them to be used exclusively for affordable housing purposes for at least fifty (50) years from the date of the certificate of occupancy or final building inspection;

- This is included to ensure long-term affordability of ownership units after the initial sale. While it is not required, it is good practice to ensure that these units are maintained as affordable.

Original Goal/Policy

Rationale for Change

3. Qualified units have the same style and architectural character and utilize the same building materials as market-rate units;

- This ensures that the affordable units are not substantively different from market-rate units.

4. The proportions of qualified units by size constructed under the provisions of this section shall be consistent with the proportion of units by size that are not qualified; and

- This ensures that the affordable units are not substantively different from market-rate units.

5. The lot does not include a critical area or buffer as defined under Title 14 LMC.

- This excludes lots with critical areas from consideration as per [RCW 36.70A.545\(8\)\(a\)](#).

D. Rounding. For the calculation of required units reserved as qualified units under subsection (C)(1), all fractions are rounded up.

- This adapts the requirement for one unit per lot as affordable to situations where larger lots could accommodate more housing units under a density-based measure.

E. Resale of Owner-Occupied Units. Subsequent to the initial sale of a unit, a household purchasing a qualified unit must also be considered a qualified household under subsection (B).

- This is included to ensure long-term affordability of ownership units after the initial sale. While it is not required, it is good practice to ensure that these units are maintained as affordable.

F. Covenant on Title. Prior to the final approval of any land use application for which the density bonus is being sought under this section, the owner of the affected parcels shall deliver to the City a duly executed covenant recorded on title in a form approved by the City Attorney stipulating the conditions provided under this section.

- This is included to ensure long-term affordability of units. While it is not required, it is good practice to ensure that these units are maintained as affordable.

G. Exclusivity of Bonus. This incentive cannot be used in conjunction with other density bonuses defined in this section.

- This provision ensures that bonuses from the different sections of the chapter cannot be stacked.

18A.90.060 Development standard modifications.

~~In order to accommodate bonus housing units awarded under this program, the~~ The development standards set forth separately in this code may be modified as follows ~~for properties containing qualified housing units for~~ projects receiving bonus housing units under this chapter:

- This clarifies that these changes to development standards are specific to projects receiving bonuses under this chapter.

...

B. Parking Requirements. For ~~multifamily developments containing qualified housing~~ qualified projects, the percentage of compact parking stalls may be increased up to fifty (50) percent of the total required parking. In addition, for multifamily developments containing qualified housing dedicated to extremely-low-income, as defined herein, persons, families, or groups, the number of required parking stalls serving such units shall be reduced by fifty (50) percent.

- Edited to streamline the requirements as the provision for qualified housing is tied to the overall section requirements.

C. In circumstances where housing serving qualified ~~populations~~ households is located within one quarter (1/4) mile of transit routes and can be shown to generate significantly lower-than-average parking demand, parking requirements may be further reduced at the Director's discretion. The applicant shall be responsible for preparing any additional studies or evaluation required to provide evidence of demand.

- Edited for consistency of terms.

...

18A.90.070 Fee reduction.

~~In order to further stimulate the provision of qualified units under this program, review~~ Review fees for land use applications and building permits for properties containing ~~housing-qualifying units dedicated to serving very low income and/or extremely low income, as defined herein, persons, families, and groups~~ shall be reduced by the percentage shown below at the time of application ~~based on the number of qualified units and maximum incomes for qualified households expressed as a percent of area median income (adjusted for size)~~. Discounts shall be applicable to the entire scope of the application, ~~including both standard and qualified units, and shall correspond to the percentage of dedicated qualified units in the overall project~~. For properties containing both levels of qualified units, the highest discount shall apply. For projects dedicating in excess of fifty (50) percent of units to qualified housing, a standard seventy-five (75) percent discount shall apply. Any available refunds for applications withdrawn in progress shall also be discounted correspondingly.

- This text has been edited to maintain consistency with the other sections of this chapter.

[TABLE]

- Note that the table has been edited to be consistent with the text above.

Chapter 18A.95 WIRELESS SERVICE FACILITIES

(no change)

Chapter 18A.100 SIGNS

(no change)

Title 18B DOWNTOWN DEVELOPMENT CODE

Chapter 18B.100 DOWNTOWN DISTRICT

(no change)

Chapter 18B.200 LAND USE AND ZONING

Original Goal/Policy	Rationale for Change
...	
18B.200.220 Uses.	
A. All residential uses, civic uses, and commercial uses and their respective uses and their related accessory uses as defined in Chapter 18A.40 LMC are permitted within the Downtown District, except in the Low-Impact Mixed-Use Roads district. Permitted uses are subject to the approval of all required development permits; provided, that the following uses are prohibited:	
...	
9. Special Needs Housing.	
a. Hospice Care Center.	
b. Type 4 Group Home.	▪ This use has been removed from consideration in these areas in the land use tables in Chapter 18A.40.
c. Type 5 Group Home.	▪ This use has been removed from consideration in these areas in the land use tables in Chapter 18A.40.
...	

Chapter 18B.300 STREETS AND BLOCKS

(no change)

Chapter 18B.400 SITE DESIGN, BUILDINGS, AND FRONTAGES

(no change)

Chapter 18B.500 LANDSCAPING, OPEN SPACE, AND GREEN INFRASTRUCTURE

(no change)

Chapter 18B.600 PARKING

Original Goal/Policy	Rationale for Change
...	
18B.600.610 Parking.	
A. Off-Street Parking Requirements. The following off-street parking requirements supersede the requirements in Chapter 18A.80 LMC. Uses not listed below must comply with the requirements in Chapter 18A.80 LMC.	<ul style="list-style-type: none">▪ This section has been amended to include bike parking requirements consistent with the general requirements in Chapter 18A.610.

Chapter 18B.700 ADMINISTRATION

(no change)

Title 18C STATION DISTRICT DEVELOPMENT CODE

Chapter 18C.100 STATION DISTRICT

(no change)

Chapter 18C.200 LAND USE AND ZONING

Original Goal/Policy	Rationale for Change
...	
18C.200.220 Land use.	
A. Allowed and Prohibited Uses. All residential uses, civic uses, and commercial uses and their respective uses and their related accessory uses as defined in Chapter 18A.40 LMC are permitted within the Station District except for those prohibited uses listed below. Permitted uses are subject to the approval of all required development permits. Uses identified as prohibited below that legally existed prior to the adoption of this code are considered nonconforming.	
...	
6. Prohibited uses in the C1 zoning district:	
...	
r. Type 4 group home;	▪ This use has been removed from consideration in these areas in the land use tables in Chapter 18A.40.
s. Type 5 group home;	▪ This use has been removed from consideration in these areas in the land use tables in Chapter 18A.40.
...	

Chapter 18C.300 STREETS AND BLOCKS

(no change)

Chapter 18C.400 SITE DESIGN, BUILDINGS, AND FRONTAGE

(no change)

Chapter 18C.500 LANDSCAPE, OPEN SPACE, AND GREEN INFRASTRUCTURE

(no change)

Chapter 18C.600 PARKING

Original Goal/Policy	Rationale for Change
18C.600.610 Parking.	
A. Off-Street Parking Requirements. The following off-street parking requirements supersede the requirements in Chapter 18A.80 LMC. Uses not listed below must comply with the requirements in Chapter 18A.80 LMC.	
[TABLE]	
B. Parking Reductions or Increases. The amount of required parking may be reduced or eliminated, or increased above the maximum, based on a site-specific parking study that demonstrates one (1) or more of the following:	
...	
<p>4. Reduction for Housing in Proximity to Sounder Station or Bus Rapid Transit (RCW 36.70A.620). When located within one-quarter (0.25) mile of the Sounder Station, <u>a bus rapid transit stop, or a fixed route transit stop receiving transit service at least four times per hour for twelve or more hours per day</u>, an applicant may apply for an exception allowing minimum parking requirements to be reduced at least to one (1) parking space per bedroom or three-quarters (0.75) space per unit, as justified through a parking study prepared to the satisfaction of the Community Development Director or their designee. <u>At the discretion of the Director, this may require evidence that there is sufficient on-street capacity to accommodate parking requirements.</u></p>	<ul style="list-style-type: none"> ▪ This expands these provisions to be consistent with the requirements included under RCW 36.70A.620.
<p><u>This exemption can apply to the following residential uses:</u></p>	
<p>a. Housing units that are affordable to very low-income or extremely low-income individuals, <u>which may be exempted from parking requirements if serviced by a fixed route transit stop receiving transit service at least twice per hour for twelve or more hours per day;</u></p>	<ul style="list-style-type: none"> ▪ This includes the provisions for affordable housing included in RCW 36.70A.620(1) that allow for lower thresholds of transit service.
<p>b. Housing units that are specifically for seniors or people with disabilities, <u>which may be provided with an exemption for all parking requirements;</u></p>	<ul style="list-style-type: none"> ▪ This includes the provisions for senior housing included in RCW 36.70A.620(2) that allow for no parking. Note that parking for staff/visitors may still be required and should be considered as per on-street capacity as noted above.
<p>c. Market rate multifamily housing.</p>	
...	

Chapter 18C.700 ADMINISTRATION

(no change)

Code Revisions

Title 18A LAND USE AND DEVELOPMENT CODE

Chapters:

18A.10	Basic Provisions
18A.20	Administration
18A.30	Discretionary Permits
18A.40	Land Uses and Interpretation Tables
18A.50	Overlay Districts
18A.60	Site Planning and General Development Standards
18A.70	Community Design, Landscaping, and Tree Preservation
18A.80	Parking
18A.90	Housing Incentives Program
18A.95	Wireless Service Facilities
18A.100	Signs

Prior legislation: Ords. 714, 706, 704, 697, 695, 683, 680, 678, 659, 651, 650, 630, 620, 604, 592, 591, 590, 585, 567, 552, 539, 536, 534, 525, 505, 500, 483, 472, 462, 425, 423, 412, 408, 397, 392, 385, 358, 357, 323, 322, 317, 308, 307, 293, 284, 277, 276, 266, 264.

Chapter 18A.10 BASIC PROVISIONS

Sections:

18A.10.010	Title.
18A.10.020	Purpose.
18A.10.030	Scope.
18A.10.040	Rules of code interpretation.
18A.10.050	Computation of time.
18A.10.060	Measurements.
18A.10.070	Interpretations.
18A.10.080	Authority and comprehensive plan consistency.
18A.10.090	Comprehensive plan amendments.
18A.10.100	General requirements.
18A.10.110	Severability.
18A.10.120	Establishment of zoning districts.
18A.10.125	JBLM Air Installation Compatible Use Zone (AICUZ) in relation to land use zones.
18A.10.130	Establishment of overlay districts.
18A.10.135	Establishment of military influence area.
18A.10.135.1	Purpose.
18A.10.135.2	Applicability.
18A.10.135.3	Definitions.
18A.10.135.4	Administration.
18A.10.135.5	Coordinating officials.
18A.10.135.6	Lakewood Military Coordination and Notice Area (MCNA).
18A.10.135.7	Coordination between the City of Lakewood and JBLM.
18A.10.135.8	Light emissions.
18A.10.135.9	Notice to property owners.
18A.10.135.10	Compatible use standards.
18A.10.135.11	Property records and GIS.
18A.10.135.12	No delegation of local authority.
18A.10.140	Establishment of subareas.
18A.10.150	Adoption of City-wide and subarea zoning maps.
18A.10.160	Boundaries – Administrative determination.
18A.10.170	Boundaries – Planning Commission recommendation – City Council determination.
18A.10.175	Reasonable accommodation.
18A.10.180	Definitions.

18A.10.010 Title.

This title shall be ~~shall be~~ known and may be cited as the “Lakewood Land Use and Development Code,” hereinafter referred to as “this title” or “this code.” [Ord. 726 § 2 (Exh. B), 2019.]

18A.10.020 Purpose.

The broad intent of the Lakewood Land Use and Development Code is to implement the City of Lakewood Comprehensive Plan, as now adopted and as may be subsequently amended, hereinafter referred to as the “Comprehensive Plan,” in order to protect and promote the health, safety, and general welfare of Lakewood’s citizens through regulation of the City’s physical development. The regulations included herein work toward overall public goals of providing for orderly development; lessening street congestion; promoting fire safety and public order; and ensuring the adequacy of public infrastructure such as transportation, water, sewer, schools, parks, and storm drainage.

The City strives to honor fundamental property rights and interests of private citizens while serving the overall good of the community as a whole. By their nature, land use regulations call upon government to balance the community’s interests with those of individual property owners. This may result in regulations for the community good that serve to limit the use of property and prevent maximum financial profit for individuals. In allowing reasonable use of property, this effect is not confiscatory and is a proper exercise of the police power afforded to government.

Specifically, this code is intended to:

- A. Foster improved relationships and harmony among land uses in order to overcome past, haphazard development patterns.
- B. Preserve the qualities of those residential neighborhoods that offer desirable living environments, while encouraging improvement to others whose character undermines good-quality living conditions.
- C. Diminish the reliance of current development patterns on automobile use and, over time, integrate multi-modal transportation opportunities into new development and redevelopment to support pedestrians, bicycles, and transit as well as cars.
- X. Plan for housing to ensure affordability across all income levels, support different housing types to meet a range of household needs, and support the preservation of existing affordable housing stock.
- D. Provide for adequate public facilities and services to support land development.
- E. Promote social and economic well-being through integration of aesthetic, environmental, and economic values.
- F. Encourage protection of environmentally critical or historically significant resources.
- G. Ensure provision of adequate space for housing, commercial/industrial endeavors, and other activities necessary for public welfare.
- H. Provide for effective and equitable administration and enforcement of the regulations contained herein. [Ord. 726 § 2 (Exh. B), 2019.]

...

18A.10.120 Establishment of zoning districts.

A. In order to regulate the use of land and structures, the City is divided into the following land use zoning district classifications. The development potential of any individual property under these zoning classifications shall be based on the net buildable area of that property, and shall be further subject to the availability of necessary utilities, critical area regulations, impact mitigation and other applicable development policies, regulations and standards.

Parcels Containing Two (2) or More Zoning Districts.

1. For parcels containing two (2) or more zoning districts (“split zoning”), the location of the zoning district boundary shall be determined by the Director.
2. For parcels containing two (2) or more zoning districts, the applicable regulations for each zoning district shall apply within the zoning district boundaries as identified on the Zoning Map.
3. When a zoning district boundary interferes with existing structures or setbacks, the Director may approve a minor adjustment of the boundary.

B. Each zoning district and the abbreviated designation suffix are listed below. See subsections (C) and (D) of this section and Chapter 18A.40 LMC for more details about each zoning district.

Name	Symbol
Single-Family Residential	
Residential 1	R1
Residential 2	R2
Residential 3	R3
Residential 4	R4
Mixed Residential	
Mixed Residential 1	MR1
Mixed Residential 2	MR2
Multifamily	
Multifamily 1	MF1
Multifamily 2	MF2
Multifamily 3	MF3
Neighborhood Business	
Arterial Residential/Commercial	ARC
Neighborhood Commercial 1	NC1

Name	Symbol
Neighborhood Commercial 2	NC2
Commercial	
Transit-Oriented Commercial	TOC
Central Business District	CBD
Commercial 1	C1
Commercial 2	C2
Commercial 3	C3
Military-Related	
Military Lands	ML
Air Corridor 1	AC1
Air Corridor 2	AC2
Clear Zone	CZ
Public/Institutional	
Public/Institutional	PI
Open Space/Recreation	
Open Space and Recreation 1	OSR1
Open Space and Recreation 2	OSR2

C. Relationship between Comprehensive Plan Future Land Use Map Designations and Zoning Districts.

Land Use Designation	Land Use Zoning District
Air Corridor 1 (AC1)	Clear Zone (CZ) Air Corridor 1 (AC1) Air Corridor 2 (AC2)
Air Corridor 2 (AC2)	Clear Zone (CZ) Air Corridor 1 (AC1) Air Corridor 2 (AC2)
Arterial Corridor (ARC)	Arterial Residential/Commercial (ARC) Transit-Oriented Commercial (TOC) -- only within Lakewood Station District
Corridor Commercial (CC)	Commercial 1 (C1) Commercial 2 (C2) Commercial 3 (C3)

Land Use Designation

Downtown

High-Density Multifamily (HD)

Industrial (I)

Public and Semi-Public Institutional (PI)

Multifamily (MF)

Military Lands (ML)

Mixed Residential (MR)

Neighborhood Business District (NBD)

Open Space and Recreation (OSR)

Residential (R)

Land Use Zoning District

Central Business District (CBD)

Multifamily 2 (MF2)

Multifamily 3 (MF3)

Industrial Business Park (IBP)

Industrial 1 (I1)

Industrial 2 (I2)

Public Institutional (PI)

Multifamily 1 (MF1)

Military Lands (ML)

Mixed Residential 1 (MR1)

Mixed Residential 2 (MR2)

Neighborhood Commercial 1 (NC1)

Neighborhood Commercial 2 (NC2)

Open Space and Recreation 1 (OSR1)

Open Space and Recreation 2 (OSR2)

Residential 1 (R1)

Residential 2 (R2)

Residential 3 (R3)

Residential 4 (R4)

D. Purpose and Applicability of Zoning Districts.

1. ~~Single-Family~~ Residential Zoning Districts.

- a. Purpose. The Residential 1 (R1) ~~and Residential 2 (R2)~~ zoning districts ~~provide for a continuation of large residential lots in specific areas where a pattern of large lots and extensive tree coverage exists. These zoning districts seek to preserve the identity of these residential areas, preserve significant tree stands and riparian environments along lake shores and within stream corridors, and reduce traffic volumes in the east-west arterial corridors.~~ primarily consists of larger residential lots where environmental factors would prevent more intensive development. This includes environmentally sensitive areas where development may impact lakes, creek habitat and Lakewood Water District wellheads.

~~The Residential 3 (R3) and Residential 4 (R4) zoning districts are the City's primary residential zones, which provide for single-family dwellings in established residential neighborhoods. The Residential 4 (R4) designation provides for increased residential density through smaller lot sizes and allowance for residential development comprising two (2) units per lot.~~

The Residential 2 (R2) and Residential 3 (R3) zoning districts accommodate a range of detached and attached housing types, including middle housing, accessory dwelling units (ADUs), and smaller- and moderate-scale multi-family housing.

The Residential 4 (R4) zoning districts include single-family, middle housing, ADUs, and smaller- and moderate-scale multi-family housing with greater densities and smaller lot sizes. These areas are typically allocated in neighborhoods where housing on individual lots is expected, but the area includes supporting infrastructure, amenities, and services that allow for higher-density development.

- b. Applicability. The R1, ~~and R2, R3, and R4~~ zoning districts are applicable to lands designated Residential ~~Estate~~ in the comprehensive plan.

~~The R3 and R4 zoning districts are applicable to lands designated Single-Family in the comprehensive plan.~~

2. Mixed Residential Zoning Districts.

- a. Purpose. The Mixed Residential 1 (MR1) and Mixed Residential 2 (MR2) zoning districts promote residential renewal to small-lot detached single-family residential dwellings, attached single-family dwellings, and two-family residential development. Small scale multifamily residential is permitted in the MR-2 zone. These districts provide for moderate residential density using a variety of urban housing types and designs. The mix of housing may take a variety of forms, either mixed within a single site or mixed within a general area, with varied dwelling types. Development standards for the Mixed Residential zoning districts are intended to encourage increased residential densities.
- b. Applicability – Mixed Residential Zoning Districts. The MR1 and MR2 zoning districts are applicable to land designated Mixed Residential in the comprehensive plan.

3. Multifamily Zoning Districts.

- a. Purpose. The Multifamily designation supports a mix of low- and moderate-density housing options that provides a variety of options for diverse families and lifestyles. This designation represents a transition to areas that include a greater amount of multifamily housing on larger lots.

The Multifamily 1 (MF1) zoning district provides for a variety of medium-density housing types and designs offering a wide choice of living accommodations for families of diverse composition and lifestyles. The designation incorporates a combination of urban design elements to enhance the living environment while integrating the housing into a neighborhood. ~~Urban design elements such as private and public open space, pedestrian orientation and connections, and security are integrated into the housing to create a high standard of community cohesion and character.~~

The Multifamily 2 (MF2) zoning district provides for high-density housing types and designs, especially of a multiple-story design, that combine urban design elements

to enhance the living environment. ~~Urban design elements stress pedestrian orientation and connections, security, transportation, and integration of housing.~~

The Multifamily 3 (MF3) zoning district is intended to integrate urban, high-density, multi-story housing in close proximity to a principal or minor arterial, with commercial/residential districts. The MF 3 zoning districts are predominantly located adjacent to land zoned NC2, CBD, or SD.

- b. Applicability – Multifamily Zoning Districts. The MF1 zoning district is applicable to lands designated Multifamily in the comprehensive plan.

The MF2 and MF3 zoning districts are applicable to lands designated High Density Multifamily in the comprehensive plan.

4. Neighborhood Business Zoning Districts.

- a. Purpose. The Arterial Residential/Commercial (ARC) zoning district provides for continuance of residential uses, many of which are existing, along busy City streets while permitting the incorporation of low-intensity and low-impact commercial uses into these compact areas.

The Neighborhood Commercial 1 (NC1) zoning district is intended to foster a sense of neighborhood identity and provide limited services within a neighborhood. The district provides for a small-scale mix of activities, including residential, retail, office, and local services, which serve the surrounding neighborhood.

The Neighborhood Commercial 2 (NC2) zoning district is intended to foster a sense of urban community in Lakewood. The district provides for a concentrated mix of activities, including residential, retail, office, and local services, which may serve the surrounding neighborhood or may serve more than one (1) neighborhood and attract people from other areas.

- b. Applicability. The ARC zoning district is applicable to lands designated Arterial Corridor in the comprehensive plan.

The NC1 and NC2 zoning districts are applicable to lands designated Neighborhood Business District in the comprehensive plan.

5. Commercial Zoning Districts.

- a. Purpose. The Transit-Oriented Commercial (TOC) zoning district is an interactive mixture of uses which focus on regional transportation networks while providing for urban design, people orientation, and connectivity between uses and transportation routes.

The Central Business District (CBD) zoning district is the primary retail, office, social, urban residential, and government center of the City. The complementary and interactive mixture of uses and urban design provides for a regional intensity and viability with a local character. The regional focus and vitality of the district is evident in the urban density, intensity, and composition of the uses in the district. Local

character is reflected in the district's design, people orientation, and connectivity between uses, structures, and public spaces, that foster a sense of community.

The Commercial 1 (C1), Commercial 2 (C2), and Commercial 3 (C3) zoning districts promote employment, services, retail, and business uses serving and linking neighborhoods to Lakewood's major transportation networks. The geographic relationship of the corridors to major road networks and their limited integration with adjacent neighborhoods promote employment, services, retail, and business/light industrial uses linked to access the major transportation networks. The C3 zoning district is distinguished by its arterial location and focus on "big-box" type uses which form an anchor for a large-scale commercial development.

- b. **Applicability.** The TOC zoning district is only applicable to lands designated Corridor Commercial in the comprehensive plan that are also within the Lakewood Station District established in the comprehensive plan.

The CBD zoning district is applicable to lands designated Central Business District in the comprehensive plan.

The C1, C2, and C3 zoning districts are applicable to lands designated Corridor Commercial in the comprehensive plan.

6. Industrial Zoning Districts.

- a. **Purpose.** The Industrial Business Park (IBP) zoning district provides for a coordination of uses and design to facilitate an active integration of employment, services, and business/light industrial uses.

The Industrial 1 (I1) zoning district provides for regional research, light manufacturing, warehousing, concentrated business/employment parks, and other major regional employment uses. These industrial lands are the primary working areas of Lakewood, integrated into the community economically and environmentally while maximizing a regional economic presence based on Lakewood's geographic position.

The Industrial 2 (I2) zoning district provides for high-intensity or high-impact uses and major regional employers.

- b. **Applicability.** The IBP, I1, and I2 zoning district are applicable to lands designated Industrial in the comprehensive plan.

7. Military-Related Zoning Districts.

- a. **Purpose.** The Military Lands (ML) zoning district formally recognizes the autonomy associated with federal and state ownership of the military installations adjacent to and within Lakewood and the unique character of their operations and support structures, which are not typical of civilian land uses and require special consideration by the City as a host community for the installations.

The purpose of the Clear Zone (CZ), Air Corridor 1 (AC1), and Air Corridor 2 (AC2) zoning districts is to promote land use and development that is compatible with the aircraft noise and accident potential associated with the proximity to McChord Air Force Base (AFB) aircraft flight operations. The potential risk to life and property from hazards associated with military aircraft operations necessitates control of the intensity, type, and design of land uses within the air corridor.

- b. Applicability. The ML zoning district is applicable to lands designated Military Lands in the comprehensive plan.

The CZ, AC1, and AC2 zoning districts are applicable to lands located within the area designated as Air Corridor 1 and Air Corridor 2 in the comprehensive plan and within the area identified as the Clear Zone in the most recent JBLM Air Installation Compatible (AICUZ) study. The AICUZ study is available for review at the Lakewood Community and Economic Development Department or by contacting Joint Base Lewis-McChord (JBLM).

8. Public/Institutional Zoning District.

- a. Purpose. The Public/Institutional (PI) zoning district provides for moderate-scale and large-scale activities relating to the purpose of state and local governmental entities, except for military uses which are separately designated and zoned; special districts; and semi-public institutions providing necessary public services. The designation allows for the specialized needs of providing public services to all areas of Lakewood.
- b. Applicability. The PI zoning district is applicable to lands designated Public and Semi-Public Institutional in the comprehensive plan.

9. Open Space/Recreation Zoning Districts.

- a. Purpose. The Open Space and Recreation 1 (OSR1) and Open Space and Recreation 2 (OSR2) zoning districts provide for open space and public or semi-public recreational activities throughout the City.
- b. Applicability. The OSR1 and OSR2 zoning districts are applicable to lands designated Open Space and Recreation in the comprehensive plan.

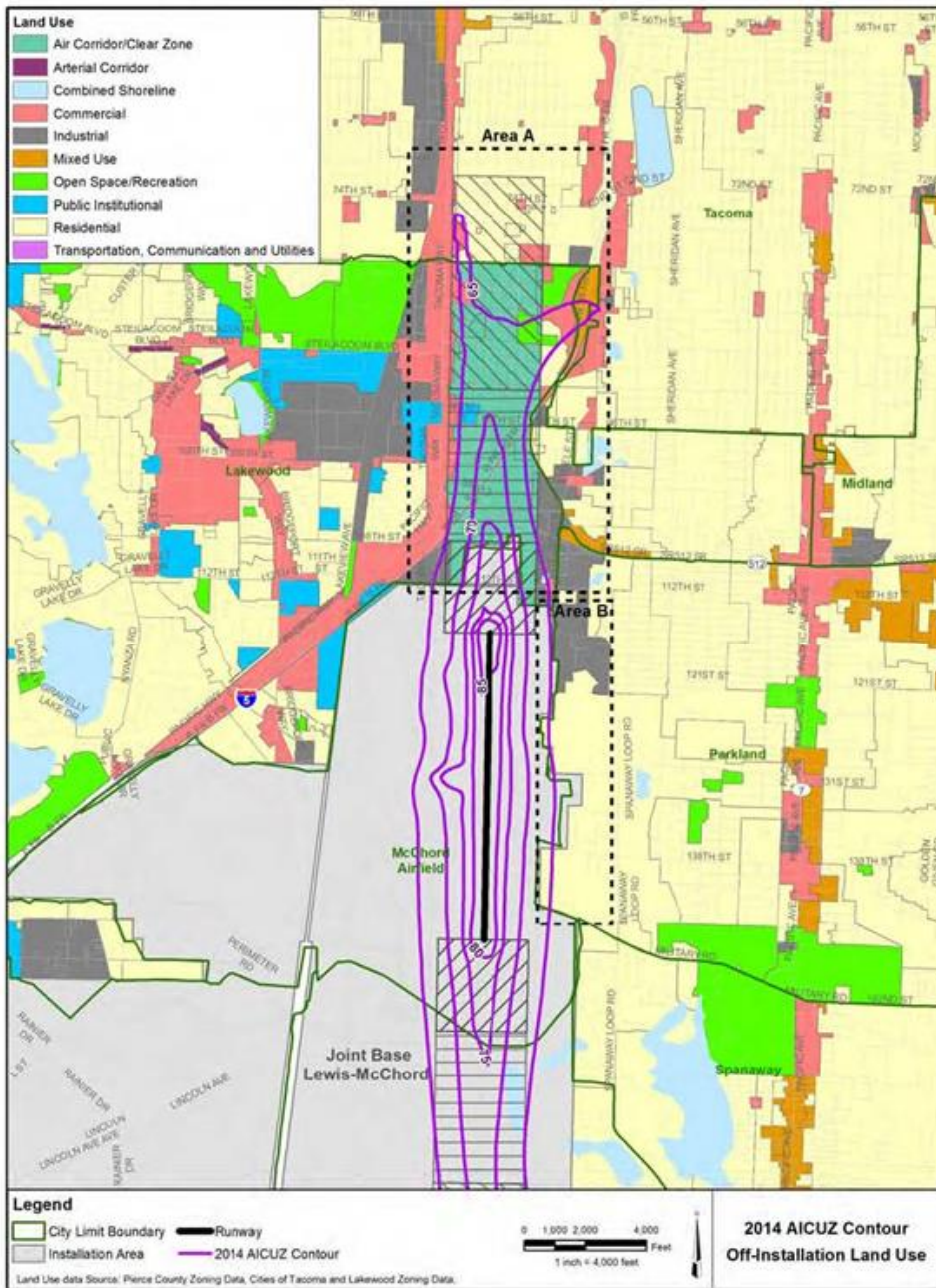
Unless otherwise shown on the official zoning map, all open bodies of water, including, but not limited to, American Lake, Lake Steilacoom, Gravelly Lake, Lake Louise, Waughop Lake, Wards Lake, Seeley Lake, Boyles Lake, Carp Lake, Lost Lake, Mud Lake and Barlow Pond, shall be considered to be within the OSR1 zoning district.

In addition, the OSR1 and OSR2 zoning districts are considered compatible with and may be applied to areas within all other comprehensive plan land use designations. The OSR1 zoning district zoning district may be applied to publicly or privately owned or controlled property used for natural open space and passive recreation. The OSR2 zoning district may be applied to privately and publicly owned active recreational uses and cemeteries. [Ord. 726 § 2 (Exh. B), 2019.]

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~~ Clear Zone (CZ) and ~~accident potential zones~~ 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~~ Clear Zone (CZ), ~~air corridor~~ Air Corridor 1 (AC1), and ~~air corridor~~ Air Corridor 2 (AC2) zone classifications under the ~~air corridor 1~~ AC1 and ~~air corridor 2~~ AC2 land use designations as described in LMC 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. 794 § 2 (Exh. A), 2023; Ord. 758 § 2 (Exh. A), 2021.]

18A.10.130 Establishment of overlay districts.

- A. An overlay district is a special purpose district that may be combined with any portion of any zone as appropriate to the purpose of the district. The regulations of an overlay district consist of additional sections of this title and additional standards. Some of these regulations are supplementary so that both the regulations of the overlay district and the zone apply, while in other cases the overlay district regulations preempt and override the

regulations of the underlying zone. Where these regulations conflict, the overlay regulations shall control.

B. Each overlay district and the abbreviated designation suffix are listed below.

Overlay District	Abbreviated Designation
Flood Hazard Overlay	FHO
Senior Housing Overlay	SHO
Sexually Oriented Business Overlay	SOBO
<u>Transit</u>	<u>T</u>

The boundaries of overlay districts are shown on the City's official Overlay Districts Map included in Article XX Chapter 18A.50, which is included below as Figure 1 and hereby adopted as part of this title, and are further described as follows:

1. The boundaries of the Flood Hazard Overlay (FHO) district shall be the areas of flood hazards identified by the Federal Insurance Administration in a report entitled: "The Flood Insurance Study for Pierce County, and Incorporated Areas" dated March 7, 2017, and any revisions thereto, with an accompanying Flood Insurance Rate Map (FIRM), and any revisions thereto, are hereby adopted by reference and declared to be a part of this title. (The Flood Insurance Study and the FIRM are on file at the City of Lakewood, 6000 Main Street SW, Lakewood, WA) Lakewood Ordinance No. 659.
2. The boundaries of the Senior Housing Overlay (SHO) district shall be the areas shown as Figure 3.1, Senior Housing Overlay in the Lakewood Ordinance No. 237.
3. The boundaries of the Sexually Oriented Business Overlay (SOBO) district shall be the areas identified and described in Lakewood Ordinance No. 358 "Exhibit A".

X. The boundaries of the Transit (T) overlay shall be areas designated as Residential that are found within one-quarter (1/4) mile of a major transit stop for bus rapid transit (BRT) and commuter rail. These areas allow for increased residential densities beyond what is allowed under Residential designations for locations once service is available.

Figure 1. — Overlay Districts

[Ord. 726 § 2 (Exh. B), 2019.]

...

18A.10.180 Definitions.

...

“Accessory dwelling unit (ADU)” means a habitable dwelling unit added to, created within, or detached from and on the same lot with a ~~single family dwelling~~ a single-family housing unit, duplex, triplex, townhome, or other housing unit that provides basic requirements for living, sleeping, eating, cooking, and sanitation.

...

“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 (30) 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.~~ If not otherwise defined, affordable housing means housing that is within the means of:

1. Households in rental units earning sixty (60) percent of area median income or less; or
2. Households in ownership units earning eighty (80) percent of area median income or less.

...

“Emergency amendment” means any proposed change or revision to the Comprehensive Plan due to a situation that requires expeditious action to preserve the health, safety or welfare of the public; and when adherence to the annual amendment process would be further detrimental to public health, safety or welfare. Emergency amendments may be reviewed and acted upon outside the annual amendment review cycle.

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

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

...

“Permanent supportive housing” means subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors ~~(RCW 36.70A.030(19)). Permanent supportive housing does not mean multifamily housing projects with fewer than fifty (50) percent of the units providing permanent supportive housing.~~ Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a

successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

...

"Qualified household" means a household which has been assessed to meet the eligibility requirements to rent or purchase a qualified unit.

"Qualified project" is a residential or mixed-use development which includes qualified units and receives a bonus under Chapter 18A.90 LMC.

"Qualified unit" means residential housing for rental occupancy which, as long as the same is occupied by a very low income or extremely low income, as defined herein, requires payment of monthly housing costs, including utilities other than telephone, of no more than thirty (30) percent of the resident's or residents' income(s) household income. If not otherwise specified, these units shall be affordable to households with incomes of:

1. Sixty (60) percent of area median income adjusted for household size for rental housing; or
2. Eighty (80) percent of area median income at the time of sale adjusted for household size for owner-occupied housing.

...

"Religious organization" means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.

...

"STEP housing" means emergency shelter, transitional housing, emergency housing and permanent supportive housing.

...

"Transitional housing" means a project that provides housing and supportive services to homeless persons or families for up to two (2) years and that has as its purpose facilitating the movement of homeless persons and families into independent living (RCW 84.36.043(2)(c)). ~~Transitional housing does not mean multifamily housing projects with~~ This definition does not apply if fewer than fifty (50) percent of the units in a multifamily project are providing transitional housing.

...

Chapter 18A.20 ADMINISTRATION

Sections:

- 18A.20.005 Definitions.**
- Article I. Administration**
- 18A.20.010 Applications.**
- 18A.20.015 Preapplication conferences.**
- 18A.20.020 Application fees.**
- 18A.20.030 Complete application form and content.**
- 18A.20.040 Consolidated review of applications.**
- 18A.20.050 Complete permit applications, notice and time periods.**
- 18A.20.060 Effects of project permit application revisions.**
- 18A.20.070 Approval and appeal authorities.**
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- Article II. Nonconforming Uses and Structures**
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- 18A.20.208 Applicability – Nonconformities.**
- 18A.20.210 Preexisting nonconforming lots of record.**
- 18A.20.218 Transfer of ownership – Nonconforming uses.**
- 18A.20.220 Proof of nonconformity.**
- 18A.20.228 Nonconforming uses.**
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- 18A.20.238 Repairs and maintenance.**
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- 18A.20.248 Nonconforming parking lots.**
- 18A.20.250 Nonconforming landscaped areas.**
- 18A.20.258 Conditional uses.**
- 18A.20.260 Administrative determinations.**
- 18A.20.268 Review of administrative decisions.**
- Article III. Public Notice Requirements**
- 18A.20.300 Public notice procedures.**
- 18A.20.310 Public notice framework.**
- 18A.20.320 Repealed.**
- 18A.20.330 Notice of application – Permits.**
- 18A.20.340 Notice of public hearing.**
- 18A.20.350 Optional public notice.**
- 18A.20.360 Joint public hearings.**

- Article IV. Appeals/Reconsiderations**
- 18A.20.400 Specific appeal procedures.**
- 18A.20.410 Appeals to hearing examiner.**
- 18A.20.420 Reconsideration of hearing examiner decision.**
- 18A.20.430 Clarification of hearing examiner decision.**
- 18A.20.440 No appeals to City Council.**

Chapter 18A.30 DISCRETIONARY PERMITS

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- 18A.30.005 Definitions.**
- Article I. Comprehensive Plan Amendment**
 - 18A.30.010 Type of action.**
 - 18A.30.020 Plan amendment procedures – Comprehensive plan.**
 - 18A.30.030 Preliminary review and evaluation criteria – Comprehensive plan.**
 - 18A.30.040 Council approval of final docket – Comprehensive plan.**
 - 18A.30.050 Final review and evaluation – Comprehensive plan.**
 - 18A.30.060 Decision criteria for rezone requests – Comprehensive plan.**
 - 18A.30.070 Consistency between the zoning map and the future land use map – Comprehensive plan.**
 - 18A.30.080 Planning Commission and City Council review and adoption process.**
 - 18A.30.090 Timing and exemptions.**
 - 18A.30.100 Notice to County Assessor of changes in comprehensive plan and development regulations.**
- Article II. Conditional Use Permit**
 - 18A.30.110 Purpose – Conditional use permit.**
 - 18A.30.120 Type of action.**
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 - 18A.30.180 Compliance – Conditional use permit.**
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 - 18A.30.240 General provisions.**
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 - 18A.30.280 Parking.**
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18A.30.690	Collection of rezone applications.
18A.30.695	Quasi-judicial rezone procedures.
18A.30.695.10	Purpose.
18A.30.695.20	Applicability.
18A.30.695.30	Application requirements.
18A.30.695.40	Public notice.
18A.30.695.50	Review.
18A.30.695.60	Burden of proof.

- 18A.30.695.70 Examiner’s authority.**
- 18A.30.695.80 Appeals.**
- 18A.30.695.90 Compliance with conditions.**

Article VIII. Temporary Use Permits

- 18A.30.700 Purpose.**
- 18A.30.710 Permitted uses.**
- 18A.30.720 Exemptions.**
- 18A.30.730 Application and authorization.**
- 18A.30.740 Standards.**
- 18A.30.750 Criteria for granting approval.**
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Article IX. (Reserved)

Article X. Variance

- 18A.30.840 Purpose.**
- 18A.30.850 Process type of action.**
- 18A.30.860 Limitations.**
- 18A.30.870 Authority.**
- 18A.30.880 Required findings.**
- 18A.30.890 Additional conditions of approval.**

Article XI. Unusual Uses

- 18A.30.900 Purpose.**
- 18A.30.960 Process type of action.**

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Article I. Comprehensive Plan Amendment

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18A.30.020 Plan amendment procedures – Comprehensive plan.

X. Individual and agency initiated proposals to amend the Lakewood Comprehensive Plan shall be submitted to the Department on forms provided by the City.

X. Proposals may be submitted at any time; however, to be considered in the same calendar year, they must be submitted by the deadline set by the City Council, unless otherwise specifically authorized by the City Council.

X. All proposals shall be considered collectively once each year except in the case of an emergency as determined by the City Council (see LMC 18A.30.090, Timing and exemptions).

X. The comprehensive plan amendment calendar shall be approved by the City Council. No fee shall be charged at this proposal stage.

X. The Department shall maintain a log or docket of all such proposals including a summary of the proposal, the principal proponent's name and address, the date on which the proposal was submitted, and its review status. [Ord. 726 § 2 (Exh. B), 2019.]

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18A.30.090 Timing and exemptions.

- A. The City will consider proposed amendments to the comprehensive plan only once each year, except when amendments are adopted as part of:
1. The adoption of a subarea plan;
 2. The adoption or amendment of a shoreline master program under the procedures set forth in Chapter 173-26 WAC;
 3. The response to an existing emergency, as specified in LMC 18A.30.XXX;
 4. Amendments necessitated by changes in state or federal laws;
 5. The resolution of an appeal filed with the Growth Management Hearings Board or with a court; ~~or~~
 6. The amendment of a capital facilities element that occurs concurrently with the adoption or amendment of the City budget; or
 7. An update to the Transit Overlay under Article XX Chapter 18A.50.XXX consistent with changes in transit service.
- B. The Department will accept proposals for comprehensive plan amendments and revisions at any time; however, proposals or applications received after their established due dates will be considered in the next annual amendment review cycle. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.XXX Emergency amendments.

- A. Emergency amendments to the Comprehensive Plan are those required in situations where regulatory action is needed to provide for the immediate protection of public health, safety, and welfare; and when adherence to the annual amendment process would be further detrimental to public health, safety or welfare.

B. The process to amend the Comprehensive Plan will be initiated by the City Council upon adoption of a resolution specifying the nature of the emergency.

C. Emergency amendments will be assessed by City staff at the direction of Council and reviewed by the Planning Commission at a public hearing consistent with the requirements of LMC 18A.30.030. A subsequent recommendation from the Planning Commission on the proposed emergency amendment will be forwarded to the City Council.

D. The City Council will evaluate the proposed emergency amendments based on recommendations of the Planning Commission. The Council may take action on the proposed emergency amendment after a public hearing.

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Article III. Cottage Housing

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18A.30.250 Development standards.

Cottage housing development shall be subject to the following development standards:

A. Density.

1. In the R1 and R2 zoning districts, cottage housing development shall be allowed a density not to exceed ~~three (3)~~ 1.5 times the base density allowed in the underlying zone.
- ~~2. In R3 and R4 zoning districts, cottage housing developments shall be allowed a density not to exceed two (2) times the base density allowed in the underlying zone.~~
3. On a site to be used for a cottage housing development, existing detached single-family residential structures, which may be nonconforming with respect to the standards of this section, may be permitted to remain at the discretion of the Community Development Director, but the extent of the nonconformity shall not be increased. The number of any such nonconforming dwelling unit(s) shall be multiplied by the factors noted in subsections (A)(1) or (A)(2) of this section, and included in calculating the density of the cottage housing development.
4. An applicant for a cottage housing development shall be required to show, through a conceptual site plan, the number of traditional units that could be constructed on the site under conventional development standards and addressing any environmental constraints affecting the property. This number of units shall be used to calculate the maximum number of cottage units that may be constructed on the property.

B. Locational Criteria.

1. The minimum area for a cottage housing project is three-fourths (0.75) acre, which may include more than one contiguous lot.
2. Cottage housing development shall be separated from another cottage housing development by a minimum of four hundred (400) feet measured between the closest points of the subject properties.

C. Site Design.

1. Cottage housing development shall be clustered and shall consist of a minimum of four (4) dwelling units and a maximum of twelve (12) dwelling units.
2. At least seventy-five (75) percent of dwelling units shall abut the common open space.
3. Common open spaces shall have dwelling units abutting at least two (2) sides.
4. Creation of individual lots shall only be permitted through the residential binding site plan process provided in LMC Title 17 Subdivisions, Chapter 17.34 LMC and Chapter 64.34 RCW.
5. Siting of dwelling units or common open space in areas with slopes exceeding fifteen (15) percent is discouraged. Dwelling units shall not be placed in such areas if extensive use of retaining walls is necessary to create building pads or open space areas.
6. Fencing and Screening. The intent of internal decorative fencing and screening is to delineate private yards, screen parking areas and structures, community assets, refuse and recycling areas, and unit walls. A cottage housing development is intended to be an internally open community sharing common areas. The intent of external fencing and screening is to conceal the higher density development from adjacent lower density land uses. Chain link and solid fences shall not be allowed internally. Solid fencing is allowed on the perimeter boundary, except where bordering an external street where streetscape landscaping is required.

D. Setbacks and Building Separation.

1. Dwelling units shall have at least a twenty (20) foot front setback, eight (8) foot side yard setback and a ten (10) foot rear setback.
2. Dwelling units shall be separated from one another by a minimum of ten (10) feet, not including projections.
3. Dwelling units shall maintain a ten (10) foot separation between buildings.
4. Dwelling units not abutting or oriented toward a right-of-way shall have a front yard oriented towards the common open space.
5. The approval authority may use appropriate discretion, consistent with the intent of this chapter, in determining orientation of yards.

- E. Minimum Lot Size. Beyond the density restrictions listed in this chapter, there is no required minimum lot size for lots created through the subdivision process.
- F. Lot Coverage (All Impervious Surfaces). Impervious surfaces shall not exceed fifty (50) percent. Lot coverage shall be calculated for the overall cottage housing development, not for individual lots. Paved components of common open space areas and walkways shall not be counted in lot coverage calculations.
- G. Refuse and Recycling. Refuse and recycling containers shall be screened from view by landscaping or architectural screening, and shall not be located in the front yard setback area, or in locations where smells may be offensive to adjacent properties.
- H. Pedestrian Network. Within the confines of the cottage housing development a network of pedestrian pathways shall be provided. Connections to the wider neighborhood shall be made where appropriate and allowed. All such pathways shall be accessible by the general public, except that walkways into and through the cottage housing development may be limited to residents and their guests. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.260 Open space.

- A. A minimum of five hundred (500) square feet of common open space shall be provided per dwelling unit.
- B. Common open space shall be a minimum of three thousand (3,000) square feet in size, regardless of number of dwelling units.
- C. No dimension of a common open space area used to satisfy the minimum square footage requirement shall be less than ten (10) feet, unless part of a pathway or trail.
- D. In subdivisions and short subdivisions, common open space shall be located in a separate tract or tracts.
- E. Required common open space shall be divided into no more than two (2) separate areas per cluster of dwelling units.
- F. Common open space shall be improved for passive or active recreational use. Examples may include but are not limited to courtyards, orchards, landscaped picnic areas or gardens. Common open space shall include amenities such as but not limited to seating, landscaping, trails, gazebos, barbecue facilities, covered shelters or water features.
- G. Surface water management facilities may be commonly held, but shall not counted toward meeting the common open space requirement.
- H. Parking areas, required setbacks, private open space, and driveways do not qualify as common open space area.
- I. Landscaping located in common open space areas shall be designed to allow for easy access and use of the space by all residents, and to facilitate maintenance needs. Where feasible, existing mature trees should be retained. [Ord. 726 § 2 (Exh. B), 2019.]

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18A.30.280 Parking.

- A. A minimum of two (2) parking spaces per cottage shall be provided for the entire development. An additional fifteen (15) percent of total required spaces shall be designated for guests. If the lot is within one-half (1/2) mile of a major transit stop, defined as a stop for commuter rail or bus rapid transit, no parking is required if adequate provision of on-street parking facilities is available as determined by the Director.
- B. All or a portion of new on-street parking provided as a component of the development may be counted towards minimum parking requirements if the approval authority finds that such parking configuration will result in adequate parking, and is compatible with the character and context of the surrounding area.
- C. Carports are prohibited in cottage housing development.
- D. Shared Detached Garages and Surface Parking Design. Parking areas should be located so their visual presence is minimized and associated noise or other impacts do not intrude into public spaces. These areas should also maintain the single-family character along public streets.
 - 1. Shared detached garage structures may not exceed four (4) garage doors per building, and a total of one thousand (1,000) square feet.
 - 2. For shared detached garages, the design of the structure must be similar and compatible to that of the dwelling units within the development.
 - 3. Shared detached garage structures and surface parking areas must be screened from public streets and adjacent residential uses by landscaping consistent with LMC 18A.60.160, or architectural screening.
 - 4. Shared detached garage structures shall be reserved for the parking of vehicles owned by the residents of the development. Storage of items which preclude the use of the parking spaces for vehicles is prohibited.
 - 5. Surface parking areas may not be located in clusters of more than four (4) spaces. Clusters must be separated by a distance of at least twenty (20) feet.
 - 6. The design of garages must include roof lines similar and compatible to that of the dwelling units within the development.
 - 7. Parking lots shall be set back at least twenty (20) feet from front property lines and ten (10) feet from external side and rear property lines.
 - 8. Garage doors shall not be oriented toward a public right-of-way with the exception of an alley.

9. Garages shall not be located between the common open space and the dwelling units.
[Ord. 726 § 2 (Exh. B), 2019.]

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Article IV. Development Agreement

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Article V. Land Use Review and Approval

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Article VI. Planned Development

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Article VII. Rezone and Text Amendments

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Article VIII. Temporary Use Permits

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18A.30.740 Standards.

- A. Each site occupied by a temporary use shall be left free of debris, litter or other evidence of temporary use upon completion or removal of the use.
- B. A temporary use conducted in a parking facility shall not occupy or remove from availability more than twenty (20) percent of the spaces required for the permanent use.
- C. Each site occupied by a temporary use must provide or have available sufficient off-street parking and vehicular maneuvering area for customers. Such parking must provide safe and efficient interior circulation and ingress and egress from the public right-of-way.
- D. No temporary use shall occupy or use public rights-of-way, parks or other public lands in any manner unless specifically approved by the City Council.
- E. No temporary use shall occupy a site or operate within the City for more than forty-five days (45) days within any calendar year, except as follows:
 - 1. When authorized by the Director, a temporary use may operate an additional forty-five (45) days if it is found that such an extension will be consistent with the requirements of LMC 18A.30.700, Purpose, LMC 18A.30.710, Permitted uses, and this section.
 - 2. A temporary use may be provided an additional extension if unique circumstances exist that necessitate a longer use such as construction office or security housing for an active construction site and such an extension will be consistent with the requirements of LMC 18A.30.700, Purpose, LMC 18A.30.710, Permitted uses, and this section.
 - 3. Hosting the homeless by a religious organization is permitted for a total of six months during a year, with a three-month separation required between continuous hosting terms of a maximum of four months at any one time.
- F. All signs shall comply with the requirements of Chapter 18A.100 LMC, Signs, except as otherwise specified in this section.
- G. All temporary uses shall obtain all required City permits, licenses or other approvals, prior to occupancy of the site.
- H. The Director may establish such additional conditions as may be deemed necessary to ensure land use compatibility and to minimize potential impacts on nearby uses. These include, but are not limited to, time and frequency of operation, setbacks, special yards, and spaces; control of points of vehicular ingress and egress, temporary arrangements for parking, loading and traffic circulation, requirements for screening or enclosure, site maintenance during use, and guarantees for site restoration and cleanup following temporary use.
- I. Subsequent temporary use permits may be denied to an applicant, event or organization based on failure to comply with the terms of an approved temporary use permit or applicable regulations. [Ord. 726 § 2 (Exh. B), 2019.]

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Article IX. (Reserved)

Article X. Variance

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Article XI. Unusual Uses

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Chapter 18A.40 LAND USES AND INTERPRETATION TABLES

Sections:

18A.40.005	Definitions.
18A.40.010	Purpose.
18A.40.020	Interpretation of land use tables.
18A.40.025	Restrictions on dangerous and objectional elements.
18A.40.030	Agriculture.
18A.40.040	Commercial and industrial uses.
18A.40.050	Eating and drinking establishments.
18A.40.060	Essential public facilities.
18A.40.070	Government services, general.
18A.40.080	Health and social services.
18A.40.090	Lodging.
18A.40.100	Open space.
18A.40.110	Residential uses.
18A.40.120	Special needs housing.
18A.40.130	Air corridor and clear zone.
18A.40.140	Transportation.
18A.40.150	Utilities.
18A.40.160	Marijuana prohibited.

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18A.40.010 Purpose.

The purpose of this chapter is to establish permitted land uses for the City of Lakewood. The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained. The use is considered permanently established when that use will be or has been in continuous operation for a period exceeding sixty (60) days, except that in no case shall a transitory accommodation, which may be allowed to operate continuously for a period of up to ~~ninety (90)~~ one hundred twenty (120) days. A use which will operate for sixty (60) days or less, and hosting the homeless by religious organizations, are considered temporary uses and are subject to the requirements of Chapter 18A.30 LMC, Article VIII. All applicable requirements of this code, or other applicable state or federal requirements, shall govern a use located within the Lakewood City limits. [Ord. 756 § 2, 2021; Ord. 726 § 2 (Exh. B), 2019.]

18A.40.020 Interpretation of land use tables.

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F. If a parenthetical designation number ~~“(B)(-)”~~ appears in the box describing the use, or in the box at the intersection of a column and a row, the use is subject to specific

development and/or operational requirements which may be in addition to or in place of general requirements of this and other applicable titles. Such use-specific requirements typically follow the table and correspond to the number in the table, although some such requirements, such as those for specialized senior housing, are set forth in separate chapters.

- G. Any proposed use not listed in the land use table(s) shall be classified by the Director as permitted, conditional, or not permitted, based on the listed use to which the proposed use is most similar. Where there is a question regarding the inclusion or exclusion of a particular proposed use within a particular zoning district, use category, or use type, the Director shall have the authority to make the final determination. If the Director determines that the proposed use is not similar to any use in the land use table(s), the proposed use shall not be permitted.

~~The determination of the Director shall be appealable to the Hearing Examiner as set forth in Chapter 18A.20 LMC, Part IV.~~

~~The Director shall report interpretation decisions to the Planning Commission when it appears desirable and necessary to amend this title.~~

X. The determination of the Director shall be appealable to the Hearing Examiner as set forth in Chapter 18A.20 LMC, Part IV.

X. The Director shall report interpretation decisions to the Planning Commission when it appears desirable and necessary to amend this title.

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X. Summary Land Use Table. This table provides a summary of the land use tables included in this chapter, excluding open space. In cases where there are differences between this table and other land use tables in this chapter, the other table will take precedence. See LMC 18A.10.120(D) for the purpose and applicability of zoning districts.

Zoning Classifications

	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	MF3 (I)	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI	OSR 1	OSR 2
Agriculture Uses																								
Commercial beekeeping (2)	P	P	P	P	P	P	P	P	P	P	C	C	C	C	C	C	C	-	C	C	C	C	P	P
Growing and harvesting of crops (3)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	P	P	P	-	P
Plant nurseries and greenhouses (3)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	P	P	P	P	P
Raising and keeping of animals for agricultural purposes (4)	P	P	P	P	P	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-
Residential beekeeping (2)	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Commercial and Industrial																								
Accessory commercial (4)	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Accessory industrial (5)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	P	-	-	-
Accessory retail or services	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	P	-	-
Artisan shop	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-	-	-
Auto and vehicle sales/rental (6)	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	P	P	-	-	-	-	-	-	-
Auto parts sales	-	-	-	-	-	-	-	-	-	P	-	P	P	P	P	P	P	-	-	-	-	-	-	-
Bank, financial services	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	P	-	-	-	-	-	-	-
Brewery, production (7)	-	-	-	-	-	-	-	-	-	P	-	-	C	C	C	P	C	-	P	-	-	-	-	-
Building and landscape materials sales	-	-	-	-	-	-	-	-	C	-	-	P	P	-	P	P	P	-	-	-	-	-	-	-
Building contractor, light	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	P	-	-	-
Building contractor, heavy	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	C	C	C	-	-	-
Business support service	-	-	-	-	-	-	-	-	-	P	-	P	P	P	P	P	P	-	P	-	-	-	-	-
Catering service	-	-	-	-	-	-	-	-	-	P	C	P	P	P	P	C	P	-	-	-	-	-	-	-
Cemetery, mausoleum, columbarium	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-
Club, lodge, private meeting hall	-	-	C	-	-	-	-	-	C	C	C	P	P	P	P	-	C	-	-	-	-	-	-	-

Zoning Classifications

	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	MF3 (1)	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI	OSR 1	OSR 2
Commercial recreation facility, indoor	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	C	C	-	C		
Commercial recreation facility, outdoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-		
Community center	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	P	-	-	-	-	C		
Construction/heavy equipment sales and rental	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	C	-		
Convenience store	-	-	-	-	-	-	-	-	-	P	-	P	P	C	C	C	P	-	-	-	-	-		
Equipment rental	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	-	-	P	-	-		
Flex space (8)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	P	P	-	-		
Fuel dealer	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	-	-		
Furniture/fixtures manufacturing, cabinet shop	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	C	P	P	-		
Furniture, furnishings, appliance/equipment store	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	P	-	-	-	-	-		
Gas station	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-		
General retail	-	-	-	-	-	-	-	-	-	P	-	P	P	P	P	-	P	-	P	-	-	-		
Golf course, country club	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Grocery store, large	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	P	-	-	-	-	-		
Grocery store, small	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	P	-	-	-	-	-		
Handcraft industries, small-scale manufacturing	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	C	-	P	P	-	-		
Health/fitness facility, commercial	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	-	-	P	C	-	-	-		
Health/fitness facility, quasi-public	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	P		
Kennel, animal boarding (9)	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	P	C	-	C	P	-	-		
Laboratory, medical/analytical	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	P	P	-	P		
Laundry, dry cleaning plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	C	C	-	-		
Library, museum	-	-	-	-	-	-	-	-	-	-	-	P	P	C	P	-	C	-	-	-	-	-		
Live/work and work/live units	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	C	C	-	C	C	-	-		
Maintenance service, client site services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	P	-		

Zoning Classifications

	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	MF3 (1)	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI	OSR 1	OSR 2
Manufacturing, assembling and packaging, light	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	P	-	-	-
Manufacturing, assembling and packaging, medium	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	P	P	P	-	-	-
Manufacturing, assembling and packaging, heavy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-
Metal products fabrication, machine and welding shops, American Direct	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	P	-	-	-
Medical services, lab													P	P	P	P	P		P				P	
Mixed use	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-
Mobile home, RV, and boat sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-
Mortuary, funeral homes and parlors										P	-	-	P	-	P	-	P	-	-	-	-	-	-	-
Motion picture production studios	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		P	P	-	-	-
Office, business services	-	-	-	-	-	-	-	-	-	P	P	P	P	C	P	P	P	-	P	-	-	-	-	-
Office, processing	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	-	-	-	P	-	-	-	-	-
Office, professional	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	C	P	-	P	-	-	-	-	-
Outdoor storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	P	-	-	-
Pawnbrokers and secondhand dealers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-
Personal services	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-
Personal services, restricted	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-	-	-
Petroleum product storage and distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		P	P	P	-	-
Places of assembly	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	-
Printing and publishing	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	P	-	P	P	-	-	-	-
Produce stand	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-	-	-	-
Recycling facility – processing facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	C	C	-	-	-
Recycling facility – scrap and dismantling yards	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-
Repair service, equipment, large appliances	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	-	C	P	P	-	-	-

Zoning Classifications

	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	MF3 (1)	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI	OSR 1	OSR 2
Research and development	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-
Secondhand store	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-
Shelter, animal (9, 10)	-	-	-	-	-	-	-	-	-	-	-	P	P	-	C	P	C	-	-	P	-	C	-	-
Shopping center	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	C	P	-	-	-	-	-	-	-
Social service organization	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	-	C	-	-	-	-	-	-	-
Solid waste transfer station	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	C	P	P	-	-	-
Small craft distillery (7)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	P	-	-	-	-	-
Sports and active recreation facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	C	-
Storage, personal storage facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	C	P	-	-	-	-
Studio, art, dance, martial arts, music, etc.	-	-	-	-	-	-	-	-	-	-	-	P	P	C	P	-	P	-	-	-	-	-	-	-
Swap meet	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Theater, auditorium	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	-	-	-	-	-
Truck/trailer parking	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-
Veterinary clinic (9)	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	P	-	-	P	-	C	-	-
Vehicle services, major repair/body work	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	P	C	-	C	P	P	-	-	-
Vehicle services, minor maintenance/repair	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	P	-	P	P	P	-	-	-
Vehicle storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	P	P	P	-	-	-
Warehouse	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	P	P	-	-	-	-
Warehouse retail	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	P	-	-	-	-	-
Wholesaling and distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	P	P	-	-	-	-
Wildlife preserve or sanctuary	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-
Wine production facility (7)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-
Eating and drinking establishments land uses																								
Bar/tavern (11)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-	-
Brewery, brew pub	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-	-	-

Zoning Classifications

	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	MF3 (1)	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI	OSR 1	OSR 2
Mental health facility (17, 18)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-
Military installation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Minimum security institution (17)	-	-	-	C	C	C	C	C	C	C	C	C	C	C	C	-	-	-	-	-	-	C	-	-
<u>Organic materials (OM) management facilities (17)</u>	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Secure community transition facility (SCTFs) (17, 19)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-	-	-
Solid waste transfer station (17)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	C	C	C	-	-	-
Sound Transit facility (17)	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	P	-	-	-	C
Sound Transit railroad right-of-way (17)	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	-	-	P	-	-	-	P
Transit bus, train, or other high capacity vehicle bases (17)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-
Washington State Highway 512 (17)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	-	-	-	-
Work/training release facility (17)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-	-	-
Government Services, General																								
City, county, special district, state, and federal offices	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	C	C	-	P		
Fire stations	P	P	P	P	C	C	C	C	C	C	-	P	P	P	P	P	P	P	C			P		
Maintenance shops and vehicle and equipment parking and storage areas for general government services (20)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	-	C	P	P	P	P		
Police stations, including temporary holding cells (21)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	P		
Post offices	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	P		
Health and Social Services (22)																								
Day care center in existing and new schools (23)	-	-	-	-	-	-	-	-	P	P	C	P	P	P	P	P	P	C	-	-	-	P	-	-
Day care center in existing or new churches (23)	P	P	P	P	-	-	-	-	P	P	C	P	P	P	P	P	P	C	-	-	-	-	-	-
Day care center providing care for children and/or adult relatives of	-	-	-	-	P	P	P	P	P	P	C	P	C	P	P	P	P	C	-	-	-	-	-	-

Zoning Classifications

	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	MF3 (1)	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI	OSR 1	OSR 2
owners or renters of dwelling units located on the same site (23, 24)																								
Day care center providing care for children and/or adult relatives of employees of a separate business establishment located on the same site (23, 24)	-	-	-	-	-	-	-	-	-	-	C	P	P	C	C	P	P	C	P	-	-	C	-	-
Day care center, independent (23)	-	-	-	-	-	-	-	-	P	P	-	P	P	P	P	P	P	C	-	-	-	C	-	-
Human service agency offices	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	-	P	P	P	-	-	-	-	-
Medical service, urgent care clinic	-	-	-	-	-	-	-	-	-	-	-	-	P	C	P	-	P	P	-	-	-	-	-	-
Medical service, doctor office	-	-	-	-	-	-	-	-	-	-	C	P	P	-	P	-	P	P	-	-	-	-	-	-
Medical service, hospital	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	C	-	-
Medical service, integrated medical health center	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	C	-	-	-	C	-	-
Medical service, lab	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	C	C	P	-	-	C	-	-
Pharmacy	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	P	P	-	-	-	-	-	-
Preschool/nursery school	P	P	P	P	-	-	P	P	P	P	C	P	P	P	P	P	P	C	C	-	-	C	-	-
Lodging																								
Bed and breakfast guest houses (25)	C	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hostels	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-
Hotels and motels	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	C	P	P	-	-	-	-	-	-
Short term vacation rentals (26)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-
Residential Land Uses																								
Accessory caretaker's unit	-	-	-	-	-	-	-	-	-	-														
Accessory dwelling unit (ADU) (27)	P	P	P	P	P	P	P	P	-	-														
Babysitting care	P	P	P	P	P	P	P	P	P	P														
Boarding house (28)	C	C	C	C	C	-	-	-	-	-														
Cottage housing (29)	P	P	P	P	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	P	P	-		
Foster care facility	P	P	P	P	P	P	P	P	P	P	-	-	-	P	-	-	-	-	-	-	-	-		
Co-housing (dormitories, fraternities and sororities) (30)	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-		

Zoning Classifications

	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	MF3 (1)	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI	OSR 1	OSR 2
Detached single-family (31)	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Two-family residential, attached or detached dwelling units	P P	P P	P P	P P	P P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Three-family residential, attached or detached dwelling units	P P	P P	P P	P P	P P	P P	P	-	-	-	P	P	P	P	P	-	-	-	-	-	-	-	-	-
<u>Four-family residential, attached or detached dwelling units</u>	P	P	P	P	P	P	P	P	P	P	-	P	P	-	-	-	-	-	-	-	-	-	-	-
<u>Five- and six-family residential, attached or detached dwelling units</u>	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-
Multifamily, four seven or more residential units	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-
Mixed use	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-	-	-
Family daycare (32)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Home agriculture	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Home occupation (33)	P	P	P	P	P	-	-	-	-	-	P	P	P	P	P	-	-	-	-	-	-	-	-	-
Mobile home parks (34)	-	-	C	C	C	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	-	-	-
Residential accessory building (35)	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	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-
Small craft distillery (32, 36)	-	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Specialized senior housing (37)	-	-	-	-	C	C	C	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Accessory residential uses (38)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-
Special Needs Housing (39)																								
Assisted Living Facility	-	-	-	-	C	C	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-
Confidential Shelter (40)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	P	-	-
Continuing Care Retirement Community	-	-	-	-	C	C	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-
Emergency Housing	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	-	-	-
Emergency Shelter	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	-	-	-
Enhanced Services Facility	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	-	C	-	-	-	-	-	-	-

Zoning Classifications

	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	MF3 (1)	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI	OSR 1	OSR 2	
Hospice Care Center	C	C	C	C	C	C	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Nursing Home	-	-	-	-	C	C	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	
Permanent Supportive Housing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	C	-	-	
Rapid Re-Housing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	C	-	-	
Transitional Housing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	C	-	-	
Type 1 Group Home, adult family home (41)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	C	-	-	
Type 2 Group Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	C	-	-	
Type 3 Group Home	-	-	-	-	C	C	C	C	C	C	C	C	C	C	C	-	-	-	-	-	-	C	-	-	
Type 4 Group Home	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C (42)	C (42)	-	-	-	-	-	-	-	
Type 5 Group Home	-	-	-	-	-	-	-	-	-	-	-	-	C (42)	-	-	-	C (42)	-	-	-	-	-	-	-	
Transportation																									
Parking facilities (surface or structured) (43)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C
Streets and pedestrian and bicycle facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Transit park and ride lots	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-		P	-	-	
Transit shelter	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-
Utilities																									
Electrical distribution lines, pipes, and support poles, transformers, and related facilities, not including substations (44)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electrical distribution substations (45)	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C
Electrical transmission lines of 115 kV or less and support poles (46)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electric vehicle battery charging stations (47)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C

Zoning Classifications

	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	MF3 (1)	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI	OSR 1	OSR 2
Natural gas or fuels related conveyance facilities; includes gas compressor stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C
Potable water conveyance facilities (48)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C
Potable water storage facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Storm water collection and conveyance facilities; includes levees and culverts	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Storm water detention/retention facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Telecommunications earth receiving stations (satellite dishes) (48)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C
Telecommunications lines, pipes, support poles and related facilities, not including earth receiving stations, personal wireless service, transmission/receiving/relay facilities, or switching facilities (44)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Telecommunications switching facilities	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C
Telecommunications transmission/receiving/relay facilities (45)	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C
Water purification and filtration activities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wastewater conveyance facilities; includes pumping and/or lift stations (48)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C
Water supply wells and pumping stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C

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

- (1) See LMC 18A.40.040(B)(1). Within that portion of the MF3 zoning district located within the Lakewood Station District as designated in the comprehensive plan, and solely in conjunction with multifamily use, four (4) or more units, the following standards shall be required:
 - (a) The commercial use is only permitted on the ground floor of the development.
 - (b) A minimum ratio of four (4) square feet of multifamily use to one (1) square foot of commercial use.
- (2) No person shall keep, have, maintain or protect upon his or her premises, or any premises or lot within the City, any apiary or colony, hive, cluster, or swarm of stinging insects other than bees pursuant to the following provisions included in LMC 18A.40.030(B)(1).
- (3) Activities associated with the growing and harvesting of crops and the operation of plant nurseries and greenhouses shall be controlled so as not to result in adverse impacts on nearby properties. Refer to the provisions included in LMC 18A.40.030(B)(2).
- (4) Commercial accessory uses are secondary permitted residential uses and must adhere to the provisions of LMC 18A.40.040(B)(5).
- (5) Industrial accessory uses are secondary permitted residential uses and must adhere to the provisions of LMC 18A.40.040(B)(6).
- (6) Establishments or places of business engaged in the sales or leasing of motor vehicles, utility trailers, recreational and/or sporting vehicles, commercial vehicles, construction equipment, and heavy equipment subject to compliance with all applicable federal, state, and/or local licensing requirements. Service of vehicles may be permitted as an incidental, and clearly secondary, accessory use. Proposed motor vehicle sales and rental land use types are subject to the requirements of LMC 18A.40.040(B)(8).
- (7) Breweries, small craft distilleries, and wineries may contain retail outlets. See LMC 18A.40.040(B)(2).
- (8) 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. See LMC 18A.40.040(B)(7).
- (9) The portion of the building or structure in which animals are treated, trained, or kept shall be soundproofed. Kennels, catteries, animal obedience schools, animal shelters, and veterinary clinics shall be operated in accordance with LMC Title 6, Animals, and LMC 18A.40.030, Agricultural uses. See LMC 18A.40.040(B)(3).

- (10) Animal shelters owned, maintained or operated by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization whose primary mission is the protection and welfare of animals may sell goods and products that enhance the health and comfort of the animals adopted. See LMC 18A.40.040(B)(4).
- (11) Bars and taverns may include brewing equipment. See LMC 18A40.050(B)(1).
- (12) Vendor carts and trucks shall be subject to the conditions of LMC 18A40.050(B)(2).
- (13) These standards are intended to allow for drive-through facilities while reducing the negative impacts they may create. See LMC 18A40.050(B)(3) for the specific requirements. Note that drive-through facilities are not a right; conditions such as size, configuration, or location of the site or existing structures may make it inappropriate to establish a drive-through on a specific property. If that is the case, a drive-through facility may be denied even if it is otherwise allowed in the zoning district.
- (14) Outdoor seating, tables, umbrellas and other appurtenances of outdoor dining may be placed on public sidewalks, provided a minimum sidewalk width of five (5) feet measured to the street side of the sidewalk shall be kept clear for pedestrians. See LMC 18A40.050(B)(4).
- (15) Vendor stands shall be considered permanent structures and shall meet all requirements for such structures. Vendor spaces placed within an existing building shall meet all International Building Code requirements and shall not exceed one thousand (1,000) square feet in total area, including product preparation and seating areas. Vendors shall comply with all applicable state and county health regulations. Evidence of compliance must be conspicuously posted on the vendor stand or space. Vendors are subject to the design standards listed in LMC 18A.70.050(K). See LMC 18A40.050(B)(5).
- (16) RCW 36.70A.200 requires cities to include in their comprehensive plans a process for identifying and siting essential public facilities (EPFs). EPFs are described in the Growth Management Act (GMA) as those facilities which are typically difficult to site, but are needed to support orderly growth and delivery of services. The GMA states that no local comprehensive plan or development regulation may preclude the siting of essential public facilities. See LMC 18A40.060(B)(1).
- (17) Except for special needs housing, existing electrical transmission lines of higher voltage than 115 kV, and military installations, essential public facilities shall require a conditional use permit. In addition to the regular conditional use permit review criteria, the provisions of LMC 18A40.060(B)(2) shall apply.
- (18) See provisions in LMC 18A40.060(B)(4) to (11) for additional facility provisions.
- (19) See provisions in LMC 18A40.060(B)(3) for additional listing criteria for secure community transition facilities.

- (20) Development and operating conditions for maintenance shops and parking/storage areas are subject to LMC 18A.40.070(1).
- (21) Temporary holding cells may include overnight stays. See LMC 18A.40.070(B)(2).
- (22) Family day care and other health and social services which are residential in nature are regulated under LMC 18A.40.110, Residential uses. Adult family homes are regulated under LMC 18A.40.120, Special needs housing. See LMC 18A40.080(B)(1).
- (23) Includes adult and child day care, subject to all state licensing requirements. See LMC 18A40.080(B)(2).
- (24) Day care centers providing care for children and/or adult relatives of owners or renters of dwelling units located on the same site, and day care centers providing care for children and/or adult relatives of employees of a separate business establishment located on the same site, shall be given allowances as per LMC 18A40.080(B)(3) to encourage development of such uses.
- (25) See LMC 18.40.090(B)(1) for additional development and operating conditions for bed and breakfast guest houses.
- (26) See LMC 18.40.090(B)(2) for additional development and operating conditions for short-term vacation rentals.
- (27) Accessory dwelling units (ADUs) are permitted when added to, created within, or detached from a principal dwelling unit subject to the restrictions in LMC 18A.40.110(B)(1).
- (28) See LMC 18.40.110(B)(2) for additional development and operating conditions for boarding houses.
- (29) Cottage housing is permitted subject to Chapter 18A.30 LMC, Article III.
- (30) Dormitories, fraternities and sororities shall be permitted as accessory uses to public or private educational institutions or churches. See LMC 18.40.110(B)(4).
- (31) Detached primary dwelling units, or single-family dwelling units, include site-built homes, manufactured homes and modular homes, and are subject to the requirements of LMC 18.40.110(B)(5).
- (32) Family day care is a permitted use, subject to obtaining a state license in accordance with Chapter 74.15 RCW and the requirements of LMC 18.40.110(B)(6).
- (33) Home occupations are permitted subject to LMC 18.40.110(B)(7).
- (34) Mobile and/or manufactured homes are allowed only in mobile/manufactured home parks developed in accordance with LMC 18.40.110(C).
- (35) Residential accessory buildings are subject to LMC 18.40.110(B)(9).

- (36) Small craft distilleries may contract distilled spirits for, and sell distilled spirits to, holders of distillery licenses, manufacturer's licenses and grower's licenses. See LMC 18.40.110(B)(12).
- (37) See special needs housing under LMC 18.40.120.
- (38) Residential accessory uses are secondary, subordinate permitted uses subject to the requirements of LMC 18.40.110(B)(11).
- (39) Special needs housing is subject to the requirements of LMC 18.40.120(C)(2).
- (40) Special accommodations for the residents of domestic violence shelters are provided in LMC 18.40.120(C)(3).
- (41) Adult family homes are permitted, subject to obtaining a state license in accordance with Chapter 70.128 RCW, Chapter 220, Laws of 2020 and LMC 18.40.120(C)(1).
- (42) Only permitted outside Downtown and/or Lakewood Station subareas.
- (43) In the residential zoning districts, parking facilities are permitted only as accessory uses to a principal use as per LMC 18.40.140(B)(1).
- (44) Electrical and telecommunications service lines on individual properties shall be placed underground in conjunction with new development or any construction activity which increases floor area, or, in the case of a remodel which does not increase floor area, has a valuation amounting to more than fifty (50) percent of the assessed value of the structure being remodeled, according to the records of the Pierce County Assessor. See LMC 18.40.150(B)(1).
- (45) Facilities associated with utilities are subject to the design requirements included in LMC 18.40.150(B)(2).
- (46) Support poles for transmission lines shall be designed so as to minimize adverse aesthetic impacts. Electrical transmission lines over 115 kV are classified as essential public facilities, and are regulated under LMC 18A.40.060. See LMC 18.40.150(B)(3).
- (47) Electric vehicle charging stations are permitted as an accessory use to any permitted primary use and shall count towards the required number of parking spaces for said primary use. See LMC 18.40.150(B)(7).
- (48) Aboveground water conveyance facilities and wastewater conveyance facilities shall require a conditional use permit. See LMC 18.40.150(B)(5).
- (49) Telecommunications earth receiving stations (satellite dish antennas) over two (2) feet in diameter shall be screened from view from neighboring properties by location, berms, fences, walls, landscaping, or a combination of these techniques; provided, however, that no screening shall be required which would prevent reception of satellite signals. See LMC 18.40.150(B)(4).

18A.40.060 Essential public facilities.

A. Essential Public Facilities Land Use Table. See LMC 18A.40.060(B) for development and operating conditions. See LMC 18A.10.120(D) for the purpose and applicability of zoning districts.

Essential Public Facilities	Zoning Classifications																					OSR 1	OSR 2
	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI		
Airport (Seaplane) (B)(1)*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
Community and technical colleges, colleges and universities (B)(1) , (B)(2)	-	-	-	-	-	-	-	-	-	-	-	C	-	C	-	-	-	C	-	-	C	-	-
Correctional facilities (B)(1) , (B)(2)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-
Electrical transmission lines of higher voltage than 115 kV, in existing corridors of such transmission lines	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electrical transmission lines of higher voltage than 115 kV, in new corridors (B)(1) , (B)(2)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Group home	See LMC 18A.40.120 , Special needs housing																						
In-patient facility including but not limited to substance abuse facility (B)(1) , (B)(2)	-	-	-	-	-	-	-	-	-	-	-	C	-	C	-	-	C	-	-	-	C	-	-
Intercity high-speed ground transportation (B)(1)	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	P	-	-	-	C
Intercity passenger rail service (B)(1)	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	P	-	-	-	C
Interstate Highway 5 (I-5) (B)(1)	-	-	P	-	-	-	P	-	-	-	-	P	P	-	P	P	-	-	-	-	-	P	P
Mental health facility (B)(1) , (B)(2) , (B)(4) through (B)(11)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-
Military installation (B)(1)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Minimum security institution (B)(1) , (B)(2)	-	-	-	C	C	C	C	C	C	C	C	C	C	C	-	-	-	-	-	-	C	-	-
<u>Organic materials (OM) management facilities</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Secure community transition facility (SCTFs) (B)(1) , (B)(2) , (B)(3)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-	-	-

Zoning Classifications

Essential Public Facilities	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI	OSR 1	OSR 2
Solid waste transfer station (B)(1) , (B)(2)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	C	C	C	-	-	-
Sound Transit facility (B)(1)	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	P	-	-	-	C
Sound Transit railroad right-of-way (B)(1)	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	-	-	P	-	-	-	P
Transit bus, train, or other high capacity vehicle bases (B)(1)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-
Washington State Highway 512 (B)(1)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	-	-	-	-
Work/training release facility (B)(1) , (B)(2)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-	-	-

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

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

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

B. Development and Operating Conditions.

1. RCW 36.70A.200 requires cities to include in their comprehensive plans a process for identifying and siting essential public facilities (EPFs). EPFs are described in the Growth Management Act (GMA) as those facilities which are typically difficult to site, but are needed to support orderly growth and delivery of services. The GMA states that no local comprehensive plan or development regulation may preclude the siting of essential public facilities.
2. Except for special needs housing, existing electrical transmission lines of higher voltage than 115 kV, and military installations, essential public facilities shall require a conditional use permit. In addition to the regular conditional use permit review criteria, the following shall apply:
 - a. Documentation of Need. Project sponsors must demonstrate the need for their proposed EPFs. Included in the analysis of need should be the projected service population, an inventory of existing and planned comparable facilities and projected demand for this type of essential public facility.
 - b. Consistency with Sponsor's Plans. The proposed project should be consistent with the sponsor's own long-range plans for facilities and operations.
 - c. Consistency with Other Plans. The proposal must demonstrate the relationship of the project to local, regional and state plans. The proposal should be consistent with the comprehensive plan and other adopted plans of the prospective host community. In evaluating this consistency, consideration shall be given to urban growth area designations and critical area designations, population and employment holding capacities and targets, and the land use, capital facilities and utilities elements of these adopted plans.
 - d. Relationship of Service Area to Population. With the exception of linear transmission facilities, the facility's service area population should include a significant share of the host community's population, and the proposed site should be able to reasonably serve its overall service area population.
 - e. Minimum Site Requirements. Sponsors shall submit documentation showing the minimum siting requirements for the proposed facility. Site requirements may be determined by the following factors: minimum size of the facility, access, support facilities, topography, geology, and mitigation needs. The sponsor shall also identify future expansion needs of the facility.
 - f. Alternative Site Selection. The project sponsor shall search for and investigate two (2) alternative sites before submitting a proposal for siting review. The proposal shall indicate whether any alternative sites have been identified that meet the minimum site requirements of the facility. The sponsor's site selection methodology will also be reviewed. Where a proposal involves expansion of an existing facility, the documentation shall indicate why relocation of the facility to another site would be infeasible.

- g. Distribution of Essential Public Facilities. In considering a proposal, the City shall examine the overall distribution of essential public facilities within greater Pierce County to avoid placing an undue burden on any one community, especially overburdened communities as defined under RCW 70A.02.010(11).
- h. Public Participation. Sponsors shall encourage local public participation in the development of the proposal, including mitigation measures. Sponsors shall conduct local outreach efforts with early notification to prospective neighbors to inform them about the project and to engage local residents in site planning and mitigation design prior to the initiation of formal hearings. The sponsor's efforts in this regard shall be evaluated.
- i. Consistency with Local Land Use Regulations. The proposed facility shall conform to local land use and zoning regulations that are consistent with the applicable county-wide planning policies. Compliance with other applicable local regulations shall also be required.
- j. Compatibility with Surrounding Land Uses. The sponsor's documentation shall demonstrate that the site, as developed for the proposed project, will be compatible with surrounding land uses.
- k. Proposed Impact Mitigation. The proposal must include adequate and appropriate mitigation measures for the impacted area(s) and community(ies), including consideration of overburdened communities. Mitigation measures may include, but are not limited to, natural features that will be preserved or created to serve as buffers, other site design elements used in the development plan, and/or operational or other programmatic measures contained in the proposal. The proposed measures shall be adequate to substantially reduce or compensate for anticipated adverse impacts on the local environment.

3. Additional Siting Criteria for SCTFs.

- a. In no case shall a secure community transition facility (SCTF) be sited adjacent to, immediately across a street or parking lot from, or within the line-of-sight of risk potential activities or facilities in existence at the time a site is listed for consideration. Line-of-sight has been estimated to be six hundred (600) feet from a risk potential activity or facility, which distance has been determined to be the maximum distance at which it is possible to reasonably visually distinguish and recognize individuals. Through the conditional use process, line-of-sight may be considered to be less than six hundred (600) feet if the applicant can demonstrate that visual barriers exist or can be created which would reduce the line-of-sight to less than six hundred (600) feet.
- b. The site or building shall meet all of the security requirements of RCW 71.09.285.
- c. No SCTF may be located within six hundred (600) feet of any residentially zoned property.

4. Additional Siting Criteria for Mental Health Facilities – Purpose. The purpose of the public facilities master plan process is to encourage essential public facilities civic uses on large parcels of land to be developed holistically, with internally compatible uses and physical development and with accommodations made for natural site and environmental conditions, assuring that:
- a. Appropriate provisions are made for water, sanitary sewer, drainage ways, utilities, roadways, emergency services, and any other applicable infrastructure or services;
 - b. Critical areas will be protected;
 - c. Usable open space will be provided;
 - d. Appropriate provisions are made for motorized and nonmotorized transportation circulation, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school;
 - e. Approval criteria and mitigation measures are established which include general design elements and linkage components; and
 - f. The safety of the general public as well as workers at and visitors to the facility is ensured.

5. Applicability.

A public facilities master plan is required for all essential public facilities civic uses which utilize contiguous parcels of land totaling twenty (20) acres or more and which are zoned Public/Institutional.

Exemption from a Public Facilities Master Plan. A public facilities master plan is not required for installation of portable classrooms as approved by the Director subject to Process Type I administrative action; permitted uses in the PI zoning district; renovations, remodeling and general maintenance, provided there is no expansion in occupiable space greater than one thousand (1,000) square feet of the structure proposed for renovation/remodeling; roof repairs; infrastructure improvements to existing systems (e.g., interior streets; sidewalks; lighting; security equipment; landscaping; and storm water, sewer, water, and power utilities); emergency repairs; and installation of fire/life safety equipment).

6. Uses. Uses not included in an approved public facilities master plan, except those listed in subsection (B)(5) of this section, shall not subsequently be allowed upon the site except by review and approval of an amended public facilities master plan following the same process as establishment of an initial public facilities master plan.

When a new essential public facility civic use is proposed which requires a public facilities master plan or amendment to an existing plan and it is located on the same property or site of an already established essential public facility civic use, the City shall require the project proponent to prepare a compatibility study which, at minimum, contains the following information on a form prescribed by the City:

- a. The purpose of the proposed essential public facility civic use;
 - b. An operational characteristics description of the proposed essential public facility civic use and an operational characteristics description of the existing use or uses;
 - c. An evaluation of the potential effects of the proposed essential public facility civic use upon the existing use or uses;
 - d. An evaluation of the potential effects of the proposed essential public facility civic use upon the adjacent properties;
 - e. An evaluation of the potential effects of the proposed essential public facility civic use upon overburdened communities or at-risk or special needs populations, including but not limited to children and the physically or mentally disabled; and
 - f. Identification of any applicable mitigation measures designed to address any potential effects identified through the evaluation required herein.
7. Previous Permits. A previously adopted public facilities permit issued under Pierce County predating City incorporation, or a previously adopted administrative use or other permit issued pursuant to LMC Title 18 or 18A after City incorporation, may constitute an adopted public facilities master plan for the purposes of fulfilling the requirements herein. Any subsequent amendment(s) sought to an existing public facilities permit shall follow the process for a public facilities master plan.
 8. Process. A public facilities master plan shall be reviewed as a Process Type III permit under LMC 18A.20.080.
 9. Termination and Expiration of Approval. If a condition of approval is violated, or if any provision of this code is violated, the Director may, in his sole discretion, initiate a revocation of the public facilities master plan which shall require a public hearing before and decision by the Hearing Examiner. Nothing in this section shall limit or affect the revocation of building permits, issuance of stop orders or other similar proceedings authorized by this code.

Recognizing that the nature of essential public facilities often requires approval of significant capital appropriations and that the appropriations process may be unpredictable, a public facilities master plan typically would not expire unless and until the slate of projects to be completed thereunder has been substantially completed, and new projects that are not included in the scope of the public facilities master plan are proposed. In such case, the proponent shall undertake an update which shall follow the same process as an initial public facilities master plan.

10. Discontinuance of Public/Institutional and/or Essential Public Facilities Civic Use. When a public/institutional and/or an essential public facilities civic use has been discontinued for a period of six (6) or more months, the use of land and/or structure(s) shall be considered discontinued. In the event of discontinuance, the public/institutional and/or essential public facilities civic use shall be demolished in accordance with the provisions of the International Building Code.

11. Adaptive Reuse. In the event that a public/institutional and/or an essential public facilities civic use is proposed for adaptive reuse, where buildings/structures are repurposed for viable new uses and modern functions, other than those originally intended, to address present-day needs, a public facilities master plan is required. Adaptive reuse does not constitute an exemption from a public facilities master plan as is outlined in subsection (B)(5) of this section. [Ord. 789 § 2 (Exh. A), 2023; Ord. 738 § 2 (Exh. A), 2020; Ord. 726 § 2 (Exh. B), 2019.]

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18A.40.110 Residential uses.

A. Residential Land Use Table. See LMC 18A.40.110(B) for development and operating conditions. See LMC 18A.10.120(D) for the purpose and applicability of zoning districts.

Residential Land Uses	Zoning Classifications																				
	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI
Accessory caretaker's unit	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	P	P	-
Accessory dwelling unit (ADU) (B)(1)*	P	P	P	P	P	P	P	P	-	-	-	-	P	-	-	-	-	-	-	-	-
Babysitting care	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-
Boarding house (B)(2)	C	C	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Cottage housing (B)(3)	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Foster care facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-
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	P	P	P	P	P	P	P	-	-	P	P	P	-	-	-	-	-	-	-	-	-
Three-family residential, attached or detached dwelling units	P	P	P	P	P	P	P	-	-	P	P	P	-	-	-	-	-	-	-	-	-
<u>Four-family residential, attached or detached dwelling units</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Five- and six-family residential, attached or detached dwelling units</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Multifamily, four <u>seven</u> 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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

Zoning Classifications

Residential Land Uses	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI	
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.

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

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)~~ Up to two (2) ADUs 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 two (12)~~ ADUs.

Lots designated with critical areas or their buffers shall be allowed up to one (1) ADU as an accessory use in conjunction with any detached single-family structure, duplex, triplex, townhome, or other housing unit.

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, or one-half (1/2) mile of the Sound Transit Lakewood Station, commuter rail or bus rapid transit stop, or other major transit stop providing fixed route service at intervals of at least

fifteen minutes for at least five hours during weekday peak hours, ~~and also zoned R1, R2, R3, R4, MR1, MR2, MF1, MF2, or TOC,~~ off-street parking ~~for an ADU may shall~~ not be required provided there is adequate street capacity as determined by the Director, ~~and there is curb, gutter, and sidewalk, constructed to City standards, adjoining the lot where an ADU is proposed.~~ ~~Parking may be required~~ Adequate street capacity is present if the ADU is in an area with ~~a lack of~~ access to street parking capacity, no physical space impediments, ~~or and no~~ other reasons to ~~support~~ indicate 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.

x. Discrete ownership of an ADU may be created through the residential binding site plan and/or condominium declaration process pursuant to Chapter 17.30 LMC and Chapter 64.34 RCW as applicable.

2. Standards – Boarding House.

- a. Parking Requirements. At a minimum, there must be one (1) off-street parking stall per occupant, or 0.75 space per room if the lot is within one-quarter (1/4) mile of a commuter rail or bus rapid transit stop. An owner may reduce the off-street parking requirement if an affidavit is signed that an occupant does not own a vehicle.
- b. Solid Waste Management Regulations.
 - i. All occupied units shall have minimum garbage service as prescribed by the City pursuant to LMC Title 13.
 - ii. The owner is responsible to provide each occupant with the solid waste collection schedule and that schedule is to be posted within the unit as approved by the City.
- c. International Property Maintenance Code. Pursuant to LMC Title 15, International Property Maintenance Code occupancy requirements are applicable to a boarding house regardless of the number of individuals living in the residence.
- d. Amortization Schedule. Existing boarding houses have until December 31, 2015, to become compliant with the regulations outlined in this title and LMC Title 5 as it pertains to boarding house.

- e. Additional Standards. The following additional standards are required to be met for any boarding house housing over four (4) unrelated individuals excluding Types 1, 2, 3, 4, and 5 Group Homes in LMC 18A.10.040; hotels and motels as defined in LMC 18A.10.040; and excluding state-licensed foster homes, in addition to the criteria for a conditional use permit under Chapter 18A.30 LMC, Article II.
 - i. Adequate living space based on the International Residential Code standards will be taken into account when a request for more than four (4) unrelated individuals is requested.
 - ii. A designated property manager that is available twenty-four (24) hours a day, seven (7) days a week, is required.
 - iii. The request for more than four (4) unrelated individuals will not adversely impact the surrounding community.
 - iv. General Business License Required. A boarding house falling under this subsection is deemed a business activity and is subject to the requirements of Chapter 5.02 LMC.
 - v. The applicant must adhere to the provisions of the City's noise control regulations found in Chapter 8.36 LMC.
- 3. Cottage housing is permitted subject to Chapter 18A.30 LMC, Article III.
- 4. Dormitories, fraternities and sororities shall be permitted as accessory uses to public or private educational institutions or churches.
- 5. Detached primary dwelling units, or single-family dwelling units, include site-built homes, manufactured homes and modular homes.
 - a. All detached single-family dwellings (including manufactured homes) located in residential zones shall meet all of the following criteria:
 - i. May not have previously had a title granted to a retail purchaser and may not be a used mobile home as defined by RCW 82.45.032(2), now or hereafter amended.
 - ii. Be built to meet or exceed the standards established by 42 U.S.C. Chapter 70 – Manufactured Home Construction and Safety Standards, now or hereafter amended.
 - iii. Be thermally equivalent or better to that required by the state energy code for new residential structures, now or hereafter amended.
 - iv. Be set on and securely attached to a permanent foundation as specified by the manufacturer.
 - v. Proof of title elimination per the Pierce County Auditor identified process is required prior to manufactured housing building occupancy.

- vi. Be connected to required utilities that include plumbing, heating and electrical systems.
 - b. All single-family dwellings (including manufactured homes) shall comply with the following siting and design standards unless sited within manufactured/mobile home parks:
 - i. The design and construction of the foundation must meet the requirements of the International Building Code, now or hereafter amended.
 - ii. The gap from the bottom of the structure to the ground, around the entire perimeter of the structure, shall be enclosed by concrete or other concrete product as approved by the building official, which may or may not be load-bearing.
 - iii. Modular homes on individual lots shall incorporate design features of typical site-built homes including but not limited to modulation, articulation, sloped roofs, and wood siding or siding of a material which imitates wood.
6. Family day care is a permitted use, subject to obtaining a state license in accordance with Chapter 74.15 RCW and the following:
 - a. Compliance with all building, fire, safety, health code, and City licensing requirements;
 - b. Conformance to lot size, setbacks, building coverage, hard surface coverage, and other design and dimensional standards of the zoning classification in which the home is located;
 - c. Certification by the office of child care policy licensor that a safe passenger loading area, if necessary, is provided.
7. Home occupations are permitted subject to the following:
 - a. The home occupation shall be subordinate to the primary use of the premises as a dwelling unit.
 - b. All activities of the home occupation shall be conducted indoors.
 - c. The business shall be conducted by a member of the family residing within the primary residential premises plus no more than one (1) additional person not residing in the dwelling unit.
 - d. Home occupations may have on-site client contact subject to the following limitations:
 - i. All the activities of the home occupation shall take place inside the primary residential structure or accessory building;
 - ii. The home occupation shall generate no more than two (2) vehicle trips per hour to the licensed residence; and

- iii. The home occupation shall not create a public nuisance.
 - e. The following activities shall be prohibited:
 - i. Automobile, truck, boat and heavy equipment repair;
 - ii. Auto or truck body work or boat hull and deck work;
 - iii. Parking and storage of heavy equipment;
 - iv. Storage of building materials for use on other properties;
 - v. Painting or detailing of autos, trucks, boats, or other items;
 - vi. The outside storage of equipment, materials or more than one (1) vehicle related to the business;
 - vii. Vehicles larger than ten thousand (10,000) pounds gross weight operated out of the premises or parked on the property or on adjacent streets; and
 - viii. Taxicab, van shuttle, limousine or other transportation services, except for office activities; provided all other requirements of this subsection concerning home occupations are met.
 - f. Home occupations shall not be allowed in accessory buildings within the rear yard setback.
 - g. Home occupations in accessory buildings shall not permit noise to intrude into another residential property at a level at or above forty-five (45) decibels outside the hours of 7:00 a.m. through 6:00 p.m. Monday through Friday, and 9:00 a.m. through 5:00 p.m. on Saturday.
 - h. Home occupations are required to obtain a City business license.
8. Mobile and/or manufactured homes are allowed only in mobile/manufactured home parks developed in accordance with subsection (C) of this section.
9. Residential Accessory Building.
- a. The maximum height for residential accessory buildings shall be twenty-four (24) feet.
 - b. Detached residential accessory structures which are less than one hundred twenty (120) square feet in size and not higher than ten (10) feet, including garden sheds or greenhouses or combination of both; children's play equipment; arbors; and gazebos, when placed in a rear half of the lot shall have a minimum three (3) foot setback.

Attached accessory structures shall meet the same setbacks as the main building.

- c. Pools, hot tubs, and similar accessory structures may not be located in the rear or interior yard setbacks.

- d. Vehicle covers and other storage structures that are composed of pipes or poles with a fabric, plastic or other type of cover on the top of the framework are required to meet the development standards for the applicable zoning district, including lot coverage limitations and setback requirements. If the covering on such a structure is metal, wood, hard plastic or other rigid material and the structure exceeds one hundred twenty (120) square feet in size, a building permit is required for the structure. If the structure is used for recreational, sporting or utility vehicle storage, the storage requirements of LMC 18A.60.160, including a parking pad and screening, must be met. Fabric, vinyl, flexible plastic or other membrane material may be utilized to enclose the sides of the structure only if the structure is specifically designed and used for vehicle storage. Such enclosed structures are not exempt from the screening requirements of LMC 18A.60.160. Except as noted above, general storage is prohibited in tents, yurts or other tent-like structures.
- e. Railroad cars, shipping containers, and semi-truck trailers shall not be placed or maintained in any single-family residential, mixed residential, or multifamily residential zoning district. Modified shipping containers or cargo containers approved for use as part of residential construction shall comply with criteria included in LMC 18A.10.180 under "Cargo containers."

10. See LMC 18A.40.120, Special needs housing.

11. Residential accessory uses are secondary, subordinate permitted uses and include the following:

- a. Private docks and mooring facilities as regulated by applicable shoreline management regulations.
- b. Attached carports or garages for the sole use of occupants of premises and their guests, for storage of personal household goods and motor, recreational, and sporting vehicles.
- c. Detached carports or garages are allowed in conjunction with an approved access and driveway.
- d. Other accessory buildings and structures such as hobbyist greenhouses and storage buildings for personal household goods and yard maintenance equipment, but excluding accessory dwelling units, are allowed.
- e. Outdoor storage of one (1) recreational/sporting/utility vehicle, subject to LMC 18A.60.160.
- f. Minor maintenance of a vehicle owned by a resident or a relative of a resident of the site on which the activity is performed, where the activity is not performed for pay or the exchange of goods or services, and subject to the provisions of LMC 18A.60.180.
- g. Hobbyist crop or flower gardens which are noncommercial and serve one (1) or more neighborhood homes on an informal, cooperative basis.

- h. “Pea patch” or community gardens, “tot lots,” private parks and open space set-asides. May include private, on-site composting facility with less than ten (10) cubic yards’ capacity.
 - i. On-site underground fuel storage tanks to serve a residential use.
 - j. Antennas and satellite dishes for private telecommunication services.
 - k. Decks and patios.
 - l. Noncommercial recreational facilities and areas, indoor and outdoor, including swimming pools and tennis courts, for exclusive use by residents and guests.
 - m. On-site soil reclamation in accordance with state regulations.
 - n. Retaining walls, freestanding walls, and fences.
 - o. Yard sales.
 - p. Continuation of equestrian uses, which are accessory to a single-family dwelling, already legally existing within the zone at the time of adoption of this title. Maintenance, repair and replacement of existing equestrian structures shall be permitted.
12. Small craft distilleries may contract distilled spirits for, and sell distilled spirits to, holders of distillery licenses, manufacturer’s licenses and grower’s licenses.
13. Conditions for Foster Care Facilities. Foster care facilities, including foster family homes and group-care facilities, must comply with Chapter 74.15 RCW and hold a business license as required thereunder.

...

18A.40.120 Special needs housing.

- A. Intent. It is found and declared that special needs housing facilities are essential public facilities which provide a needed community service. Public health and safety require that these facilities be subject to certain conditions.

B. Special Needs Housing Table. See subsection C of this section for development and operating conditions. See LMC 18A.10.120(D) for the purpose and applicability of zoning districts. See Chapter 18A.50 LMC, Article III, for the emergency housing and emergency shelter overlay (EHESO) district map.

Zoning Classifications

Description(s)	R1, R2, R3, R4	MR1, MR2	MF1, MF2, MF3	ARC, NC1, NC2	TOC, CBD	C1, C2, C3	IBP, I1, I2	OSR1, OSR2	PI	ML, CZ, AC1, AC2
Assisted Living Facility	P	EP	P	P	P	P	-	-	-	-
Confidential Shelter (C)(53)	P	P	P	P	P	-	-	-	P	-
Continuing Care Retirement Community	-	EP	P	P	P	P	-	-	-	-
Emergency Housing (1)	-	-	-	-	P	P	-	-	-	-
Emergency Shelter (1)	-	-	-	-	P	P	-	-	-	-
Enhanced Services Facility	-	-	-	C	C	C (C2 zone only)	-	-	-	-
Hospice Care Center	C	C	P	-	-	-	-	-	-	-
Nursing Home	-	C	P	P	P	P	-	-	-	-
Permanent Supportive Housing	P	P	P	P	P	P	-	-	C	-
Rapid Re-Housing	P	P	P	P	P	-	-	-	C	-
Transitional Housing	P	P	P	P	P	P	-	-	C	-
Type 1 Group Home, adult family home (C)(1)	P	P	P	P	P	-	-	-	C	-
Type 2 Group Home	P	P	P	P	P	-	-	-	C	-
Type 3 Group Home	-	C	C	C	C	-	-	-	C	-
Type 4 Group Home	-	-	-	-	-	C (C1 and C2 zones outside Station District Subarea only)	-	-	-	-

Description(s)	Zoning Classifications									
	R1, R2, R3, R4	MR1, MR2	MF1, MF2, MF3	ARC, NCI, NC2	TOC, CBD	C1, C2, C3	IBP, I1, I2	OSR1, OSR2	PI	ML, CZ, AC1, AC2
Type 5 Group Home	-	-	-	C (NC2 zones outside Downtown and Station District Subareas only)	-	C (C2 zones outside Station District Subarea only)	-	-	-	-

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

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

Applications for all uses must comply with all of subsection C of this section’s relevant general requirements.

C. Development and Operating Conditions.

1. Adult Family Homes. Adult family homes are permitted, subject to obtaining a state license in accordance with Chapter 70.128 RCW, Chapter 220, Laws of 2020 and the following:
 - a. Compliance with all building, fire, safety, health code, and City licensing requirements;
 - b. Conformance to lot size, setbacks, building coverage, hard surface coverage, and other design and dimensional standards of the zoning classification in which the home is located.
2. Development Conditions for Special Needs Housing.
 - a. Applications for special needs housing facilities shall be processed in accordance with the standard procedures and requirements as outlined in Chapter 18A.20 LMC, Article I, and with the following additional requirements:
 - i. Required Submittals. Applications for special needs housing for special needs housing facilities are public records and shall include the following:
 - (a) A land use permit application containing all of the required information and submissions set forth in Chapter 18A.20 LMC, Article I;
 - (b) A copy of any and all capital funding grants or award contracts related to the construction of a new structure or conversion of an existing structure to operate as a special needs housing facility;
 - (c) Written documentation from the applicant agreeing to hold a public informational community meeting within four (4) weeks, but no sooner than two (2) weeks, from the time of application. The purpose of the community meeting is to provide an early, open dialogue between the applicant and the neighborhood surrounding the proposed facility.

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

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

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

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

(e) An operation plan that provides per subsection (C)(5)(b)(i)(c)(iii) of this section information about the proposed facility and its programs, per the requirements of the Community and Economic Development Department.

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

3. Development Application Process – Residents of Domestic Violence Shelters – Special Accommodations. The Director may grant special accommodation to individuals who are residents of domestic violence shelters in order to allow them to live together in single-family dwelling units subject to the following:

a. An application for special accommodation must demonstrate to the satisfaction of the Director that the needs of the residents of the domestic violence shelter make it necessary for the residents to live together in a group of the size proposed, and that adverse impacts on the neighborhood from the increased density will be mitigated.

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

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

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

- e. A decision to grant special accommodation is a Process Type I action. The decision shall be recorded with the Pierce County Auditor.
4. Development Registration Process of Existing Special Needs Housing. The state intends to regularly allocate a number of people the City should expect to accommodate in special needs housing. To ensure that the City is aware of the existing special needs housing operating within the City, those operating special needs housing prior to the effective date of the ordinance codified in this title shall register with the Community and Economic Development Department within one (1) year after the effective date of the ordinance codified in this title. Such registration shall be in a form provided by the Community and Economic Development Department and shall include the following information:
- a. The type of facility;
 - b. The location of the facility;
 - c. The size of the facility, including the number of clients served and number of staff; and
 - d. Contact information for the facility and its operator.
5. General Development and Operating Conditions – Emergency Housing, Emergency Shelter, Permanent Supportive Housing, and Transitional Housing Development and Operation Conditions.
- a. Purpose and Applicability.
 - i. The purpose of this section is to establish reasonable standards for the safe operation and appropriate siting of emergency housing, emergency shelter, permanent supportive housing, and transitional housing facilities within the City of Lakewood, so as to protect public health and safety for both facility residents and the broader community. This section does not include regulations for foster care facilities or group homes.
 - ii. Supportive housing facilities are allowed in all residential districts, provided they are of a similar scale as surrounding development (e.g., lot coverage, setbacks, impervious surface requirements, building height, etc.) ~~As the needs of residents increase and/or the size of the facilities increase, such facilities should be located within areas of the City that allow increasing intensity of use and are in proximity of services in accordance with state law.~~
 - b. Performance Standards.
 - i. General Requirements for Emergency Housing, Emergency Shelter, Permanent Supportive Housing, and Transitional Housing Operations and Development Conditions.
 - (a) General.

- (i) When a site includes more than one (1) type of facility, the more restrictive requirements of this section shall apply.
- (ii) Each facility application will be reviewed through the Type 1 administrative permit review process in Chapter 18A.20 LMC. In considering whether the permit should be granted, the Director shall use the requirements in this code to consider the effects on the health and safety of facility residents and the neighboring communities.
- (iii) All facilities shall comply with all federal, state, county and local requirements to ensure housing safety and habitability. See, e.g., the Pierce County, WA Homeless Housing Program Policy and Operations Manual Chapters 5, 6, 7, and 8.
- (iv) All facilities are subject to the business license requirements under Chapter 5.02 LMC as applicable.
- (v) All facilities must comply with the Building and Construction Code under LMC Title 15. All facilities must also comply with the relevant provisions of LMC Title 18A and with LMC Title 18B or 18C if applicable.
- (vi) All facilities must comply with the provisions of crime prevention through environmental design (CPTED) under LMC 18A.60.090, 18B.500.530 or 18C.500.530 as applicable and permitted under state law; ~~provided, however, that existing buildings being converted to emergency housing, emergency shelter, permanent supportive housing or transitional housing shall not be required to make structural changes solely to comply with CPTED unless the relevant structural elements of the building are being altered as part of the conversion.~~
- (x) Existing buildings being converted to emergency housing, emergency shelter, permanent supportive housing or transitional housing shall not be required to make structural changes solely to comply with CPTED requirements unless the relevant structural elements of the building are being altered as part of the conversion.

(b) Site and Transit.

- (i) Facilities shall match the bulk and scale of residential uses allowed in the zone where the facility is located.
- (ii) Exterior lighting must comply with LMC 18A.10.135.8 and 18A.60.095.
- (iii) The minimum number of off-street parking spaces required for each facility will be determined by the Director through the approval process per Chapter 18A.80 LMC, Chapter 18B.600 LMC, or Chapter 18C.600 LMC and taking into consideration factors such as the potential number of residents, site constraints, and impact on the surrounding neighborhood.

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

(c) Facility Operations.

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

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

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

(A) Name and contact information for key staff;

(B) Roles and responsibilities of key staff;

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

(D) Site/facility maintenance;

(E) Occupancy policies, to the degree legally applicable, including resident responsibilities and a code of conduct that address, at a minimum, the use or sale of alcohol and illegal drugs, threatening or unsafe behavior, and weapon possession;

(F) Provision for human and social services, including staffing plan, credentials or certification, and outcome measures;

(G) Outreach with surrounding property owners and residents and ongoing good neighbor policy; and

(H) Procedures for maintaining accurate and complete records.

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

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

ii. Special Conditions for Emergency Housing and Emergency Shelters. In addition to the requirements under subsection (C)(5)(b)(i) of this section, emergency housing and emergency shelters are required to comply with the following:

(a) Facility Standards.

(i) No ~~special needs housing~~ emergency housing or emergency shelter may be located within an eight hundred eighty ~~one thousand (1,000)~~ 880 foot radius of another property with emergency housing or an emergency shelter unless sponsored by the same governmental, religious, or not-for-profit agency.

(ii) Emergency housing and emergency shelters must meet all federal, state, county and local requirements to ensure housing safety and habitability, including occupancy requirements under the fire code.

~~(ii) In residential zones, no more than one (1) adult bed per two hundred fifty (250) square feet of floor area is allowed per facility. For the purposes of this section the following zones are considered residential zones: R1, R2, R3, R4, MR1, MR2, MF1, MF2, and MF3.~~

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

(b) Facility Operations.

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

(ii) No children under the age of eighteen (18) are allowed to stay overnight in the facility, unless: the child is emancipated consistent with Chapter 13.64 RCW; accompanied by a parent or guardian; or the facility is licensed to provide services to this population. If a nonemancipated child under the age of eighteen (18) without a parent or guardian present attempts to stay in a facility not specifically licensed for providing housing to youth, the sponsor and/or managing agency shall immediately contact Child Protective Services and actively endeavor to find alternative housing for the child.

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

(c) Facility Services.

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

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

- (b) For emergency housing facilities, access to resources on obtaining permanent housing and access to employment and education assistance.
 - (c) For emergency shelter facilities, substance abuse assistance.
 - (ii) All functions associated with the facility, including adequate waiting space, must take place within a building or on the site proposed to house the facility.
 - (iii) Facilities serving more than five (5) residents shall have dedicated spaces for residents to meet with service providers.
 - (iv) The sponsor or managing agency shall coordinate with the homelessness service providers for referrals to their program and with other providers of facilities and services for people experiencing homelessness to encourage access to all appropriate services for their residents.
- iii. Special Conditions for Permanent Supportive and Transitional Housing. In addition to the requirements under subsection (C)(5)(b)(i) of this section, permanent supportive housing and transitional housing are required to comply with the following:
- (a) Facility Standards.
 - (i) In residential zones, individual facilities ~~shall not have more than eighty (80) dwelling units and~~ are subject to the density standards of residential uses allowed in the zone where the facility is located. For the purposes of this section the following zones are considered residential zones: R1, R2, R3, R4, MR1, MR2, MF1, MF2, and MF3.
 - (b) Facility Services.
 - (i) All residents shall have access to appropriate cooking and hygiene facilities.
 - (ii) Facilities serving more than five (5) dwelling units shall have dedicated spaces for residents to meet with service providers.
 - (iii) Residents shall have access to the following services on site or shall be provided transportation to such services by the sponsor or managing agency:
 - (a) Medical services, including mental and behavioral health counseling.
 - (b) Employment and education assistance.
6. Abandonment of Special Needs Housing Use. Any existing special needs housing facility that is abandoned for a continuous period of one (1) year or more shall not be permitted to be reestablished, except as allowed in accordance with the standards and requirements for establishment of a new facility. [Ord. 789 § 2 (Exh. A), 2023; Ord. 738 § 2 (Exh. A), 2020; Ord. 726 § 2 (Exh. B), 2019.]

Chapter 18A.50 OVERLAY DISTRICTS

Sections:

- 18A.50.005 Definitions.**
- Article I. Flood Hazard Overlay (FHO)**
 - 18A.50.010 Purpose.**
 - 18A.50.020 Applicability.**
 - 18A.50.030 Administration.**
 - 18A.50.040 Alteration of water courses.**
 - 18A.50.050 Interpretation of FIRM boundaries.**
 - 18A.50.060 Variances – Flood hazard overlay.**
 - 18A.50.070 Provisions for flood hazard reduction.**
 - 18A.50.080 Allowable activities within the Regulatory Floodplain.**
- Article II. Senior Housing Overlay (SHO)**
 - 18A.50.110 Purpose.**
 - 18A.50.120 Applicability.**
 - 18A.50.130 Provisions.**
 - 18A.50.140 Monitoring.**
- Article III. Sexually Oriented Businesses Overlay (SOBO)**
 - 18A.50.210 Purpose and intent.**
 - 18A.50.220 Applicability.**
 - 18A.50.230 Definitions.**
 - 18A.50.240 Findings and legislative record.**
 - 18A.50.250 Sexually oriented business overlays (SOBOS) created.**
 - 18A.50.260 Sexually oriented business location within SOBOS.**
 - 18A.50.270 Processing of applications for licenses and permits.**
 - 18A.50.280 Conforming and nonconforming sexually oriented businesses.**
 - 18A.50.290 Notice to nonconforming sexually oriented business land uses.**
 - 18A.50.300 Expiration of nonconforming status.**
 - 18A.50.310 Notice and order.**
 - 18A.50.320 Provision for conformance.**
 - 18A.50.330 Prohibition and public nuisance.**
- Article IV. Lakewood Overlay Districts Map**

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Article I. Flood Hazard Overlay (FHO)

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Article II. Senior Housing Overlay (SHO)

...

Article III. Sexually Oriented Businesses Overlay (SOBO)

...

Article XX. Transit (T)

18A.50.XXX Purpose.

To provide additional density in locations with frequent transit service to encourage the use of multimodal transportation options, the Comprehensive Plan defines an overlay area where additional density is allowed close to major transit stops, defined as within one-half (1/2) mile of a major transit stop, defined as a stop for commuter rail or bus rapid transit.

18A.50.XXX Applicability.

This article applies at the developer's discretion to land use applications for duplexes and multifamily housing in Residential (R) zoning districts generally within one-quarter (1/4) mile of major transit stops as defined above. The Council has the discretion of changing the boundaries of the overlay to consider access to transit stops and consistency of the boundaries of the overlay.

18A.50.XXX Provisions.

- A. For lots located within the Transit Overlay, additional development densities of at least four (4) units per lot are allowed as a maximum base density as per the provisions of RCW 36.70A.635(1)(a)(ii) and LMC 18A.60.030.
- B. The timing of updates to the Transit Overlay under the Comprehensive Plan and Municipal Code may be managed under LMC 18A.30.090(A).

Article ~~IV~~XX. Lakewood Overlay Districts Map

[MAP INCLUDED]

[Ord. 726 § 2 (Exh. B), 2019.]

Chapter 18A.60 SITE PLANNING AND GENERAL DEVELOPMENT STANDARDS

Sections:

- 18A.60.005 Definitions.
- 18A.60.010 Purpose.
- 18A.60.020 Interpretation of tables.
- 18A.60.030 Residential area and dimensions.
- 18A.60.040 Commercial area and dimensions.
- 18A.60.050 Industrial area and dimensions.
- 18A.60.060 Military lands area and dimensions.
- 18A.60.070 Open space area and dimensions.
- 18A.60.080 Public/institutional.
- 18A.60.090 General standards.
- 18A.60.095 Outdoor lighting code.
- 18A.60.100 Building transition area.
- 18A.60.110 Density standards.
- 18A.60.120 Height standards.
- 18A.60.130 Street improvements.
- 18A.60.140 Concurrency.
- 18A.60.150 Gated residential subdivisions.
- 18A.60.160 Outdoor storage of recreational, utility and sporting vehicles accessory to residential uses.
- 18A.60.170 Parking of commercial vehicles accessory to residential uses.
- 18A.60.180 Vehicle service and repair accessory to residential uses.
- 18A.60.190 Outdoor storage and commercial yard surfacing standards.
- 18A.60.195 Storage container standards.
- 18A.60.200 Standards for uses and accessory uses not otherwise listed.

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18A.60.030 Residential area and dimensions.

A. Development Standards Table.

	Zoning Classifications								
	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3
Density (units per acre)	<u>7.0 / 3.5 /</u>	<u>10.3 / 5.2 /</u>	<u>23.3 / 11.7 /</u>	<u>30.6 / 15.3 /</u>	<u>22</u>	<u>35</u>			
(B)(1)	1.8	2.6	5.9	7.7	8.7-DUA	14.6-DUA	22-DUA	35-DUA	54-DUA
	1.45-DUA	2.2-DUA	4.8-DUA	6.4-DUA					

Zoning Classifications

	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3
Lot size	25,000 GSF	17,000 GSF	7,500 GSF	5,700 GSF	5,000 GSF /unit <u>No minimum lot size</u>	3,000 GSF /unit <u>No minimum lot size</u>	No minimum lot size	No minimum lot size	No minimum lot size
Building coverage	35%	35%	45%	50%	55%	60%	60%	60%	60%
Impervious surface	45%	45%	60%	70%	70%	75%	70%	70%	70%
Front yard/street setback	25 feet	25 feet	10 feet	10 feet	5 feet	5 feet	15 feet	15 feet	15 feet
Garage/carport setback	30 feet	30 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet
Principal arterial and state highway setback	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet
Rear yard setback	20 feet	20 feet	10 feet	10 feet	5 feet	5 feet	15 feet	15 feet	15 feet
Interior setback	8 feet	8 feet	5 feet	5 feet	Attached units: 0 feet; Detached units: 5 feet	Attached units: 0 feet; Detached units: 5 feet	8 feet	8 feet	8 feet
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 .								

B. Specific Development Conditions.

1. Residential (R) Maximum Density

a. Maximum density requirements for Residential (R) zoning districts are listed as three figures, which are interpreted as follows:

- i. The first number refers to the maximum housing density (excluding accessory dwelling units) permitted on lots where additional affordable units are provided according to LMC 18A.90.XXX or is located within the Transit Overlay as defined in Article XX Chapter 18A.50 LMC, and do not include critical areas or their buffers as defined under Title 14 LMC.**
- i. The second number refers to the maximum housing density (excluding accessory dwelling units) permitted on lots that do not include critical areas or their buffers.**
- ii. The third number refers to the maximum housing density (excluding accessory dwelling units) permitted on lots that include critical areas or their buffers.**

b. For all Residential (R) zoning districts, a minimum of two (2) housing units per lot (excluding accessory dwelling units) are allowed on all lots that meet minimum lot size requirements and do not include critical areas or their buffers, or four (4) housing units per lot where additional affordable units are provided according to LMC 18A.90.XXX or additional units are permitted in locations close to a major transit stop under Article XX Chapter 18A.50 LMC.

BC. Tree Preservation Incentives.

1. The Director may reduce a rear yard and/or side yard building setback to compensate for significant or heritage tree preservation; provided, that the setback is not reduced more than five (5) feet, is no closer to the property line than three (3) feet, is the minimum reduction required for tree preservation, and complies with LMC 18A.60.100, Building transition area.
2. The Director may increase the amount of allowable impervious surface by five (5) percent to compensate for the preservation of a significant or heritage tree. [Ord. 794 § 2 (Exh. A), 2023; Ord. 775 § 1 (Exh. A), 2022; Ord. 726 § 2 (Exh. B), 2019.]

18A.60.040 Commercial area and dimensions.

A. Development Standards Table.

	Zoning Classifications							
	ARC	NC1	NC2	TOC	CBD	C1	C2	C3
Density (units per acre)	15-DUA	22-DUA	35-DUA	80 54-DUA	80 54-DUA			
Lot size	The minimum lot size for the ARC zoning district is 5,000 gross square feet (GSF), plus 2,750 GSF for each dwelling unit over 1 unit, where applicable.				There is no minimum established lot size for the commercial zoning districts. Proposed uses and their associated densities within these zoning districts, and the applicable community design standards shall be used to establish the minimum lot size for a project.			
Lot coverage	All building coverage and impervious surface maximums stated herein may be reduced at the time they are applied, because of storm water requirements. The maximum lot coverage standards for the commercial zoning districts shall be as follows:							
Building coverage	50%	70%	80%	100%	100%	100%	100%	100%
Impervious surface	60%	80%	90%	100%	100%	100%	100%	100%
Setbacks	The minimum yard setbacks for the commercial zoning districts shall be as follows, except where increased setbacks due to landscaping and building/fire code requirements apply:							
Front yard/street setback	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet
Garage/carport setback	20 feet	20 feet	20 feet	0 feet	0 feet	0 feet	0 feet	0 feet
Rear yard setback	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet
Interior setback	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet
Building height	40 feet	50 feet	60 feet	90 feet	90 feet	60 feet	60 feet	60 feet
Design	Design features shall be required as set forth in Chapter 18A.70 LMC, Article I.							

Zoning Classifications

	ARC	NC1	NC2	TOC	CBD	C1	C2	C3
Landscaping	Landscaping shall be provided as set forth in Chapter 18A.70 LMC, 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 LMC.							

B. Tree Preservation Incentives.

1. The Director may increase the amount of allowable impervious surface by five (5) percent to compensate for the preservation of a significant or heritage tree. [Ord. 775 § 1 (Exh. A), 2022; Ord. 726 § 2 (Exh. B), 2019.]

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Chapter 18A.70 COMMUNITY DESIGN, LANDSCAPING, AND TREE PRESERVATION

Sections:

18A.70.005	Definitions.
Article I.	Community Design
18A.70.010	Purpose.
18A.70.020	Applicability.
18A.70.030	Administration.
18A.70.040	Specific uses design standards.
18A.70.050	Special uses design standards.
Article II.	Landscaping
18A.70.100	Purpose.
18A.70.110	Applicability.
18A.70.120	Exceptions.
18A.70.130	Plan requirements.
18A.70.140	Landscaping standards.
18A.70.150	Landscaping types.
18A.70.160	Landscaping regulations by zoning districts.
18A.70.170	Street tree standards.
18A.70.180	Water conservation and suggested plant materials.
18A.70.190	Performance assurance.
18A.70.200	Maintenance.
Article III.	Tree Preservation
18A.70.300	Purpose.
18A.70.310	Tree removal applicability/exemptions.
18A.70.320	Significant tree preservation.
18A.70.330	Oregon white oak preservation.
18A.70.340	City Tree Fund.
18A.70.350	Definitions.

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Article I. Community Design

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Article II. Landscaping

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Article III. Tree Preservation

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Chapter 18A.80 PARKING

Sections:

- 18A.80.005 Definitions.**
- 18A.80.010 Purpose.**
- 18A.80.020 General requirements.**
- 18A.80.025 Maintenance.**
- 18A.80.030 Zoning district parking requirements.**
- 18A.80.040 Development standards.**
- 18A.80.050 Loading and unloading.**
- 18A.80.060 Parking incentives.**

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18A.80.030 Zoning district parking requirements.

- A. The requirements for any use not listed herein shall be those of the listed use most similar to the unlisted use. When similarity is not apparent, the Director shall determine the minimum and maximum for the unlisted use. The Director may require that the applicant conduct a parking study to evaluate the parking needs associated with a proposed use.
- B. For conditional uses, as identified and described in Chapter 18A.20 LMC, Article II, the parking requirement shall be as provided in that chapter or as determined by the Hearing Examiner.
- C. Residential Zoning District. Off-street parking requirements for residential districts are located in subsection (F) of this section.
- D. Commercial, Office and Industrial Uses. In commercial, industrial, and mixed use districts, off-street parking requirements shall be as shown in subsection (F) of this section; provided, that all of the property is controlled by a single person or corporation, or written agreements for shared parking, acceptable to the City, are filed with the Director.
- E. Rounding of Fractions. When the number of required parking spaces for a particular use or building results in a fractional space, any fraction less than one-half (1/2) shall be disregarded and any fraction of one-half (1/2) or over shall be counted as one (1) space.
- F. Parking Standards. Note the parenthetical numbers in the matrix identify specific requirements or other information which is set forth following the matrix in subsection (G).

PARKING STANDARDS TABLE

Use	Unit measure	Optional Minimum (TDM program only; see 18A.80.060(H));	Maximum	Required bicycle parking spaces
BUSINESS PARK				

PARKING STANDARDS TABLE

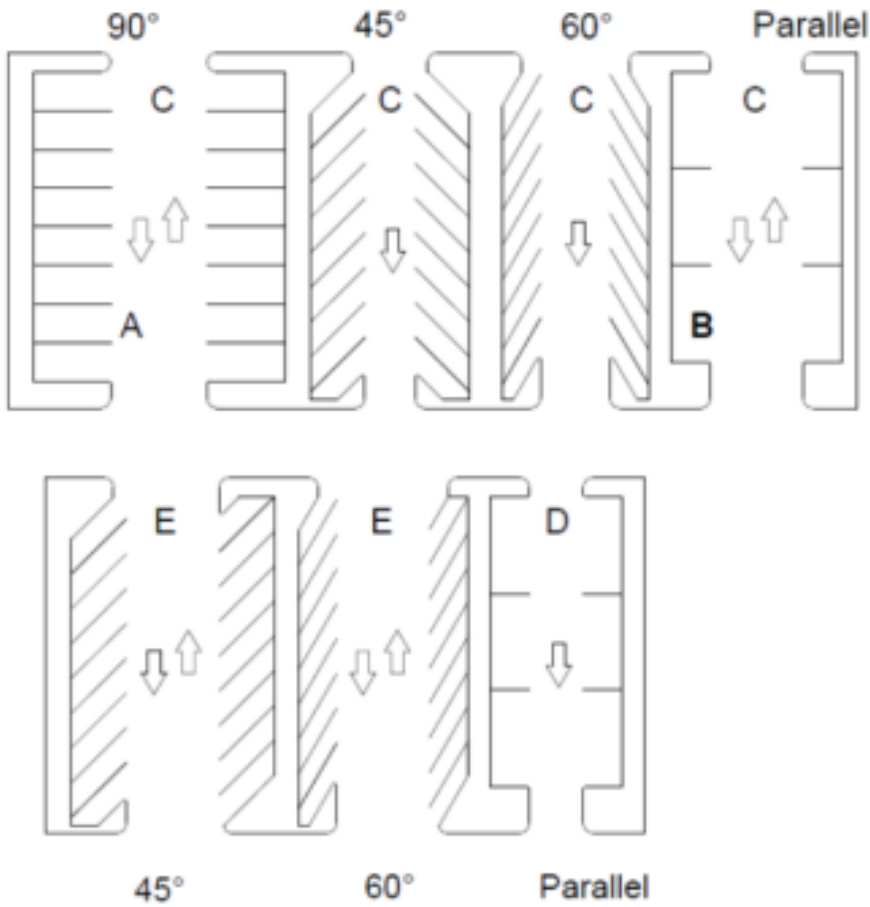
Use	Unit measure	Optional Minimum (TDM program only; see 18A.80.060(H))	Maximum	Required bicycle parking spaces
General business park	Per 1,000 square feet	2	4	See offices
COMMERCIAL				
Banks	Per 1,000 gross square feet	2	3	See offices
Billiard halls	Per table	1	2	1 per 20 auto stalls. Minimum of 4
Bowling alleys	Per alley	3	5	1 per 20 auto stalls. Minimum of 4
Commercial recreation	Per 1,000 square feet	3	5	1 per 20 auto stalls. Minimum of 4
Day care, preschools, nursery schools (1)	Per staff member plus one drop-off loading area per 7 students	0.5	1	1 per 25 auto stalls. Minimum of 1
Hotels, motels (2)	Per room or suite. Hotel/motel banquet and meeting rooms shall provide 6 spaces for each 1,000 square feet of seating area. Restaurants are figured separately.	1	2	See retail
	<u>Per 1,000 square feet of seating area of banquet and meeting rooms</u>	<u>6</u>	<u>N/A</u>	<u>See places of assembly without fixed seats</u>
Medical and dental clinic and offices	Per 1,000 square feet of GFA	2	4	See offices
Mini storage	Per 100 units or a minimum of 3 spaces plus 2 for permanent on-site managers	<u>1; or a minimum of 3 spaces plus 2 for permanent on-site managers</u>	<u>N/A</u>	None
Mortuaries, funeral homes	Per 4 seats	1	2	None
Neighborhood commercial shopping area	Per 1,000 square feet	1	2	See retail
Office building	Per 1,000 square feet of GFA			
	· With on-site customer service	2	4	1 per 15 auto stalls. Minimum of 2
	· Without on-site customer service	1.5	3	
Regional shopping centers, food and drug stores	Per 1,000 square feet of GFA	3	6	See retail
Restaurants	Per 100 square feet of dining area	1	4	See retail
Retail	Per 1,000 gross square feet	3	6	1 per 20 auto stalls. Minimum of 2
Retail in mixed-use development	Per 1,000 gross square feet	2	4	See retail

PARKING STANDARDS TABLE

Use	Unit measure	Optional Minimum (TDM program only; see 18A.80.060(H)).	Maximum	Required bicycle parking spaces
Service stations (mini marts are retail uses)	Per employee plus per service bay	0.5	1	None
INDUSTRIAL				
General industrial	Greatest number of employees on a single shift plus one space for each vehicle owned, leased or operated by the company	0.5	1	See offices
Warehouse	<u>Per 2,000 square feet of GFA plus per 400 square feet of GFA used for office or display area</u>	1	N/A	None
INSTITUTIONAL				
Convalescent facilities, nursing homes	Per 2 patient beds	1	3	See offices
Hospital	Per bed	0.5	1	See offices
Libraries	Per 200 square feet of GFA	0.5	1	1 per 20 auto stalls. Minimum of 2
Schools, elementary and junior high	Per classroom and office	1	1.5	1 per classroom
Schools, senior high	Per classroom and office plus per each 5 students of designated capacity	1	2	1 per 5 auto stalls. Minimum of 2
PLACES OF ASSEMBLY				
Places of assembly without fixed seats	Per 1,000 square feet of GFA	10	11	1 per 25 auto stalls. Minimum of 2
Places of assembly with fixed seats	Per 4 seats	1	2	1 per 40 auto stalls. Minimum of 4
Stadiums, auditoriums, gymnasiums, theaters	Per 4 seats of the permitted assembly occupants.	1	1.5	1 per 25 auto stalls. Minimum of 4
RESIDENTIAL				
Accessory dwelling unit (3)	Per dwelling unit	1	N/A	None
	<u>Per dwelling unit within 1/2 mile of a major transit stop (3)</u>	<u>0/1</u>	<u>N/A</u>	<u>None</u>
Affordable housing units within 1/4 mile of transit (any type) (4)	<u>Per dwelling unit within 1/4 mile of frequent transit service (4)</u>	<u>Studio – 0.75</u> <u>1 bedroom – 1</u> <u>2+ bedroom – 1.5</u>	<u>N/A</u>	<u>1 per 7.5 auto stalls. 3 minimum per building</u>
Single-family	Per dwelling unit	2	N/A	None
	Per dwelling unit	2	N/A	None
Duplexes (5)	<u>Per dwelling unit within 1/2 mile of frequent transit service (5)</u>	<u>0</u>	<u>N/A</u>	<u>0.5 per unit</u>
<u>Multifamily structures with four to six units (5)</u>	<u>Per dwelling unit</u>	<u>Studio – 1</u> <u>1 bedroom – 1.25</u>	<u>N/A</u>	<u>2</u>

PARKING STANDARDS TABLE

Use	Unit measure	Optional Minimum (TDM program only; see 18A.80.060(H))	Maximum	Required bicycle parking spaces
Multifamily structures with seven or more units (6)	<u>Per dwelling unit within 1/2 mile of a major transit stop</u>	2+ bedroom – 1.5	<u>N/A</u>	<u>0.5 per unit</u>
		<u>0</u>		
	Per dwelling unit	Studio – 1 1 bedroom – 1.25 2+ bedroom – 1.5 (At least 10% of the total parking spaces must be set aside for unreserved guest parking)	N/A	1 per 10 auto stalls. 2 minimum per building
		<u>Per dwelling unit within 1/2 mile of a major transit stop</u>		
Mobile home subdivision	Per dwelling unit	2	N/A	None
Mobile home parks (7)	Per dwelling unit. (In mobile home parks, the parking spaces in excess of 1 per mobile home may be grouped in shared parking areas.)	1.5	N/A	None
Rooming houses, lodging houses, bachelor or efficiency units (6)	Per occupant	1	3	<u>See multifamily</u>
	<u>Per room within 1/2 mile of a major transit stop</u>	<u>0.75</u>	<u>3</u>	<u>See multifamily</u>
Senior citizen apartments and housing for people with disabilities	Per 3 dwelling units	1	2	See multifamily
	<u>Per dwelling unit within ¼ mile of frequent transit service (8)</u>	<u>0</u>	<u>N/A</u>	<u>0.25 per unit</u>



Off-Street Parking Dimension Table

	45-Degree	60-Degree	90-Degree	Parallel
Parking Stall Width (A)	9'	9'	9'	9'
	(Compact 8')	(Compact 8')	(Compact 8')	(Compact 8')
Parking Stall Depth (B)	18'	18'	18'	18'
	(Compact 16')	(Compact 16')	(Compact 16')	(Compact 16')
Width of Driveway Aisle (C)	13'	18'	24'	12'
Width of One-Way Access Driveway (D)	14'	14'	14'	14'
Width of Parking Lot Access Driveway (E)	24'	24'	24'	24'

X. Additional Provisions.

1. For day care, preschools, and nursery schools, one drop-off loading area must be provided per seven (7) students.
2. Restaurants in hotels and motels are managed as a separate use under parking requirements.
3. Accessory dwelling units within one-half (1/2) mile of a major transit stop, defined as a stop for commuter rail, bus rapid transit, or actual fixed route service at intervals of at least fifteen minutes for at least five hours during the peak hours of operation on

weekdays, are not required to provide on-site parking spaces if adequate provision of on-street parking facilities is available as determined by the Director.

4. The requirements for reduced parking for affordable housing include the following:

a. Housing units must be affordable at fifty (50) percent of area median income or lower.

b. The housing unit is located within one-quarter mile of a transit stop that receives transit service at least two times per hour for twelve or more hours per day.

c. A covenant must be registered on title consistent with the requirements in Chapter 18A.90 LMC that will maintain units as affordable for a minimum of fifty (50) years.

5. For middle housing types, housing units that are within one-half (1/2) mile of a major transit stop, defined as a stop for commuter rail or bus rapid transit, are not required to provide on-site parking if adequate provision of on-street parking facilities is available as determined by the Director.

6. For multifamily housing types:

a. Housing units within one-half (1/2) mile of a transit stop that receives transit service at least two times per hour for twelve or more hours per day are required to provide 0.75 parking spaces per unit or one (1) space per bedroom, to a maximum of two (2) spaces per unit.

b. At least 10% of the total parking spaces must be set aside for unreserved guest parking.

7. In mobile home parks, parking spaces in excess of one (1) per mobile home may be grouped in shared parking areas.

8. For housing units that are specifically for seniors or people with disabilities and are within one-half (1/2) mile of a transit stop that receives transit service at least two times per hour for twelve or more hours per day, no on-site parking is required.

[Ord. 772 § 2 (Exh. A), 2022; Ord. 726 § 2 (Exh. B), 2019.]

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18A.80.060 Parking incentives.

A. When residential uses are combined with commercial uses in the same building, parking requirements may be reduced by twenty (20) percent, except when located within the CBD or TOC zoning districts for which parking requirements ~~are~~ may be reduced by thirty-five (35) percent.

- B. A structured parking space shall count as one and one-half (1.5) parking spaces towards the required number of parking spaces.
- C. When affordable housing is constructed pursuant to Chapter 18A.90 LMC, Housing Incentives Program, the parking space requirements shall be calculated employing any available modifications based upon LMC 18A.90.060.
- D. Shared Use Parking. Joint use of required parking spaces may be permitted where two (2) or more uses on the same site or separate sites in close proximity to one another are able to share the same parking spaces because their parking usage does not materially overlap (e.g., uses primarily of a daytime versus nighttime, or weekday versus weekend nature). Shared parking shall be legally encumbered and shall meet all of the applicable standards of this section pursuant to subsection (E) of this section, Off-Site Parking.
- E. Off-Site Parking. Joint use of required parking spaces may be authorized by the Director if the following documentation is submitted in writing to the Community and Economic Development Department:
1. The names and addresses of the owners and/or tenants that are sharing the parking.
 2. The uses that are involved in the shared parking.
 3. The location and number of parking spaces that are being shared.
 4. An analysis showing that the peak parking times of the uses occur at different times and/or that the parking area will be large enough for the anticipated demands of both uses.
 5. A legal instrument such as an easement or deed restriction that guarantees continuing access to the parking for both uses which shall be subject to review and approval by the Director.
- F. On-Street Parking Credit. Where adjacent roads are designed for on-street parking and approved by the Public Works Director, parking credit may be given for on-street parking.
- G. Electric Vehicle Charging Parking Provisions. For every electric vehicle charging station provided, the required number of parking spaces may be reduced by an equivalent number, provided the total reduction does not exceed five (5) percent of the total required parking spaces. For example, if forty (40) parking spaces are required and two (2) electric vehicle charging stations are provided, the total required parking may be reduced to thirty-eight (38) spaces, yielding thirty-six (36) "regular" parking spaces and two (2) electric vehicle charging parking spaces. Note that in this example the total reduction may not be in excess of two (2) spaces ($40 \times 5\% = 2$), so if three (3) electric vehicle charging stations were provided instead, the total reduction in required parking would still be two (2) spaces, yielding thirty-five (35) "regular" parking spaces and three (3) electric vehicle charging parking spaces.
- H. Phased Reduction of Maximum Parking Standards. One technique for transportation demand management (TDM) is to reduce maximum allowable parking spaces. This reduction in parking can be accomplished by slowly phasing down the maximum allowable number of parking spaces over a period of years. This procedure has advantages of

reducing vehicle trips and conserving urban commercial land that can be used for other purposes. However, TDM has the potential to have a significant adverse impact on the jurisdiction's economic development if other reasonable forms of alternative transportation are not available, and should be evaluated accordingly. ~~This technique should be periodically revisited to consider its viability but should not be implemented until its feasibility for Lakewood is established.~~

1. Minimum Optional Guidelines and Maximum Standards. To promote parking reduction, the optional minimum guideline listed in LMC 18A.80.030(F) serves as a suggested parking number but is not mandatory ~~for automobiles except for single family residential development.~~ Applicants will be encouraged to provide less automobile parking than the minimum listed whenever possible based upon TDM, available on-street parking, and the potential for shared parking within walking distance and other factors. The minimum number listed for bicycle parking shall be provided as indicated in the table for both commercial and residential development.
 2. The number of parking spaces needed to serve a project must be demonstrated to the Director based upon a parking plan considering TDM techniques and other relevant factors. Upon justification to the satisfaction of the Director, whatever number of parking spaces agreed upon shall be the number required, and this shall be an enforceable condition of the approval.
 3. The maximum parking standards may be increased if the Director finds compelling reasons to do so. Such determination shall be at the sole discretion of the Director based upon such factors as unique site or use requirements, historical data of a particular use or other relevant factors indicating additional parking is necessary to properly serve a use or uses at a site.
 4. For large projects where a traffic study is required and the proposal has one hundred (100) or more employees, a comprehensive TDM strategy ~~may be proposed to achieve a reduction in minimum parking listed in LMC 18A.80.030(F)~~ will be a requirement to meet parking needs.
- X. The reduction in parking permitted under TDM shall be commensurate with the permanence, effectiveness and demonstrated reduction in off-street parking demand effectuated by such alternative programs.

Alternative programs that may be considered by the Director under this provision include, but are not limited to, the following:

- a. Private vanpool operation;
- b. Transit/vanpool fare subsidy;
- c. Imposition of a charge for parking;
- d. Provision of subscription bus services;
- e. Flexible work hour schedule;

- f. Capital improvements for transit services;
 - g. Preferential parking for carpools/vanpools;
 - h. Participation in the ride-matching program;
 - i. Reduction of parking fees for carpools and vanpools;
 - j. Establishment of a transportation coordinator position to implement carpool, vanpool and transit programs;
 - k. Bicycle parking facilities including associated shower and changing facilities;
 - l. Compressed work week;
 - m. Telecommuting;
 - n. Other techniques and strategies approved by the Site Plan Review Committee.
5. Parking reduction under this subsection must provide information regarding the administration of the program to the Director. The information must include:
- a. Address each individual TDM strategy as part of the transportation impact analysis;
 - b. Provide the City with an estimate of peak hour employees as part of their development application and traffic impact analysis;
 - c. Provide estimated parking occupancy rates for the development as part of the transportation impact analysis showing average weekday use;
 - d. Demonstrate how TDM strategies will be used to minimize the need for parking.
- I. Credit for Tree Preservation. For every significant tree and/or heritage tree preserved within the property, the required number of parking spaces may be reduced by one-half (0.5) spaces, provided the total reduction does not exceed five (5) percent of the total required parking spaces, when combined with all parking incentive credits. [Ord. 775 § 1 (Exh. A), 2022; Ord. 726 § 2 (Exh. B), 2019.]

Chapter 18A.90 HOUSING INCENTIVES PROGRAM

Sections:

18A.90.010	Definitions.
18A.90.020	Purpose.
18A.90.030	Applicability.
18A.90.040	General provisions.
18A.90.050	Inclusionary density bonuses.
18A.90.060	Development standard modifications.
18A.90.070	Fee reduction.
18A.90.080	Review process.
18A.90.090	Monitoring.

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18A.90.050 Inclusionary density bonuses.

- A. Rate and Calculation. In return for the inclusion of ~~a number of "qualified," as defined herein, on-site units dedicated to serving and reserved for occupancy by very low and/or extremely low income, as defined herein, persons, families, or groups~~ qualified units, one (1) additional, on-site market-rate unit is permitted as a bonus for each qualified ~~very low income~~ unit provided that is affordable at fifty (50) percent of area median income or less, and 1.5 additional, on-site market rate units are permitted as a bonus for each qualified ~~extremely low income~~ unit provided that is affordable at thirty (30) of area median income or less, up to ~~a maximum percentage 25%~~ above the maximum density permitted in the underlying zoning district ~~as shown below~~.

~~Inclusionary density bonuses~~

Zoning district(s)	Maximum density increase as a percentage of the base zoning district
R1, R2, R3, R4	10%
MR1, MR2, ARC, NC1, NC2	15%
MFI, MF2, MF3	20%
CBD, TOC	25%

- B. Duration. Prior to the final approval of any land use application for which density bonuses are being sought, the owner of the affected parcels shall deliver to the City a duly executed covenant running with the land, in a form approved by the City Attorney, requiring that the qualified dwelling units created pursuant to this section shall remain as such for a period of at least twenty (20) years from ~~the commencement date. The covenant shall form an enduring contractual agreement between the owner/applicant and the City. The owner/applicant shall be responsible for the cost of preparing and recording the covenant, and the owner/applicant or subsequent owner(s) or operator(s) shall be responsible for~~

administering the covenant. The commencement date shall be the date that the first lease agreement with a qualified renter becomes effective of the certificate of occupancy or final building inspection.

- C. Siting of Units. The qualified units constructed under these provisions shall be integrated and dispersed within the development for which the density bonus is granted. The physical segregation of qualified ~~housing~~ units from unqualified market-rate housing units, or the congregation of qualified ~~housing~~ units into a single physical portion of the development, is prohibited.
- D. Size of Units. The size of the qualified units constructed under the provisions of this ~~chapter~~ section shall be proportionate to the size of the units contained in the entire project; e.g., if fifty (50) percent of the units in the project are one (1) bedroom units and fifty (50) percent are two (2) bedroom units, then the qualified units shall be divided equally between one (1) and two (2) bedroom units.
- E. Appearance of Units. Qualified units shall possess the same style and architectural character and shall utilize the same building materials as market-rate units.
- F. Completion. If a project is to be phased, the proportion of qualified units to be completed with each phase shall be determined as part of the phasing plan approved by the Director. [Ord. 726 § 2 (Exh. B), 2019.]

X. Exclusivity of Bonus. This incentive cannot be used in conjunction with other density bonuses defined in this chapter.

18A.90.XXX Density bonuses – religious organizations.

- A. Calculation. In accordance with RCW 35A.63.300 and 36.70A.545, additional housing density is provided for property developed in partnership with religious organizations where all units are reserved for occupancy by qualified households under subsection (B). The density bonus amounts to an increase of twenty-five (25) percent above the density of the underlying zoning district.
- B. Qualified Households. A household may qualify for housing units under this section if:
 - 1. For rental units, the household has an income of sixty (60) percent of area median income, adjusted for household size; or
 - 2. For ownership units, the household has an income of eighty (80) percent of area median income at the time of sale, adjusted for household size.
- C. Qualified Projects. An affordable housing development is allowed to receive the bonus described in subsection (A) provided that:
 - 1. All housing units in the project are qualified units set aside for or occupied exclusively by qualified households as defined in subsection (B);
 - 2. The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at

least fifty (50) years from the date of the certificate of occupancy or final building inspection, even if the religious organization no longer owns the property; and

3. The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the Federal Fair Housing Amendments Act of 1988 (42 U.S.C. Sec. 3601 et seq.).

D. Rehabilitated Property. The bonus may be applied to the rehabilitation of an existing property.

E. Resale of Owner-Occupied Units. Subsequent to the initial sale of a unit, a household purchasing a unit in a qualified project must also be considered a qualified household under subsection (B).

F. Covenant on Title. Prior to the final approval of any land use application for which the density bonus is being sought under this section, the owner of the affected parcels shall deliver to the City a duly executed covenant recorded on title in a form approved by the City Attorney stipulating the conditions provided under this section.

G. Exclusivity of Bonus. This incentive cannot be used in conjunction with other density bonuses defined in this chapter.

18A.90.XXX Density bonuses – residential districts.

A. Calculation. In accordance with RCW 36.70A.635, additional housing density is provided for all lots in Residential (R) districts where units are reserved for occupancy by qualified households under subsection (B). This density bonus is defined in LMC 18A.60.030(A).

B. Qualified Households. A household may qualify for housing units under this section if:

1. For rental units, the household has an income of sixty (60) percent of area median income, adjusted for household size; or
2. For ownership units, the household has an income of eighty (80) percent of area median income at the time of sale, adjusted for household size.

C. Qualified Projects. An affordable housing development is allowed to receive the bonus described in subsection (A) provided that:

1. At least twenty-five (25) percent of housing units in the development are qualified units set aside for or occupied exclusively by qualified households as defined in subsection (B);
2. The qualified units are part of a lease or other binding obligation that requires them to be used exclusively for affordable housing purposes for at least fifty (50) years from the date of the certificate of occupancy or final building inspection;
3. Qualified units have the same style and architectural character and utilize the same building materials as market-rate units;

4. The proportions of qualified units by size constructed under the provisions of this section shall be consistent with the proportion of units by size that are not qualified; and
 5. The lot does not include a critical area or buffer as defined under Title 14 LMC.
- D. Rounding. For the calculation of required units reserved as qualified units under subsection (C)(1), all fractions are rounded up.
- E. Resale of Owner-Occupied Units. Subsequent to the initial sale of a unit, a household purchasing a qualified unit must also be considered a qualified household under subsection (B).
- F. Covenant on Title. Prior to the final approval of any land use application for which the density bonus is being sought under this section, the owner of the affected parcels shall deliver to the City a duly executed covenant recorded on title in a form approved by the City Attorney stipulating the conditions provided under this section.
- G. Exclusivity of Bonus. This incentive cannot be used in conjunction with other density bonuses defined in this chapter.

18A.90.060 Development standard modifications.

~~In order to accommodate bonus housing units awarded under this program, the~~ The development standards set forth separately in this code may be modified as follows ~~for properties containing qualified housing units~~ for projects receiving bonus housing units under this chapter:

- A. Lot Coverage. Where it does not conflict with surface water management requirements, the maximum percentage of lot coverage may be increased by up to five (5) percent of the total square footage over the maximum lot coverage permitted by the underlying zoning district.
- B. Parking Requirements. For ~~multifamily developments containing qualified housing~~ qualified projects, the percentage of compact parking stalls may be increased up to fifty (50) percent of the total required parking. In addition, for multifamily developments containing qualified housing dedicated to extremely-low-income, as defined herein, persons, families, or groups, the number of required parking stalls serving such units shall be reduced by fifty (50) percent.
- C. In circumstances where housing serving qualified ~~populations~~ households is located within one quarter (1/4) mile of transit routes and can be shown to generate significantly lower-than-average parking demand, parking requirements may be further reduced at the Director's discretion. The applicant shall be responsible for preparing any additional studies or evaluation required to provide evidence of demand.
- D. Building Height. The maximum building height may be increased by up to twelve (12) feet for those portions of the building(s) at least twenty (20) feet from any property line. [Ord. 726 § 2 (Exh. B), 2019.]

18A.90.070 Fee reduction.

In order to further stimulate the provision of qualified units under this program, review Review fees for land use applications and building permits for properties containing housing-qualifying units dedicated to serving very low income and/or extremely low income, as defined herein, persons, families, and groups shall be reduced by the percentage shown below at the time of application based on the number of qualified units and maximum incomes for qualified households (adjusted for size). Discounts shall be applicable to the entire scope of the application, including both standard and qualified units, and shall correspond to the percentage of dedicated qualified units in the overall project. For properties containing both levels of qualified units, the highest discount shall apply. For projects dedicating in excess of fifty (50) percent of units to qualified housing, a standard seventy-five (75) percent discount shall apply. Any available refunds for applications withdrawn in progress shall also be discounted correspondingly.

Fee Reductions

% of Qualified Units	Discount for <u>Very Low Income Qualified Units Affordable at 50% AMI or Below</u>	Discount for <u>Extremely Low-income Qualified Units Affordable at 30% AMI or Below</u>
0 – 10 percent	10 percent	15 percent
11 – 20 percent	20 percent	25 percent
21 – 30 percent	30 percent	35 percent
31 – 40 percent	40 percent	45 percent
41 – 50 percent	50 percent	55 percent

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Chapter 18A.95 WIRELESS SERVICE FACILITIES

Sections:

18A.95.005	Definitions.
Article I.	General
18A.95.010	Purpose.
18A.95.020	Applicability.
18A.95.040	General provisions.
18A.95.050	Controlling provisions.
Article II.	Macro Facilities
18A.95.060	Application requirements.
18A.95.070	Procedure for macro facilities permit.
18A.95.080	Review criteria for macro facilities.
18A.95.090	Priority of locations for macro facilities.
18A.95.100	General siting and design requirements for macro facilities.
18A.95.110	Structure-mounted macro facility siting and design requirements.
18A.95.120	Tower siting and design requirements.
18A.95.130	Collocation.
Article III.	Eligible Facility Requests
18A.95.140	Purpose.
18A.95.160	Application and review.
Article IV.	Small Wireless Facilities
18A.95.170	Application requirements.
18A.95.180	Review criteria.
18A.95.190	Permit requirements.
18A.95.200	Modifications.
18A.95.210	Consolidated permit.
18A.95.220	Design zones for small wireless facilities and deployments on pedestrian poles.
18A.95.230	Small wireless facility design requirements.
18A.95.250	Design requirements for new poles for small wireless facilities, deployments in design zones, and deployments on pedestrian poles.

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Chapter 18A.100 SIGNS

Sections:

- 18A.100.005 Definitions.**
- 18A.100.010 Purpose – Sign regulations.**
- 18A.100.030 Administration – Sign regulations.**
- 18A.100.040 Prohibited signs.**
- 18A.100.050 General provisions.**
- 18A.100.060 Provisions for permanent signs or continuous displays.**
- 18A.100.070 Provisions for temporary signs.**
- 18A.100.080 Nonconforming signs.**

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Title 18B DOWNTOWN DEVELOPMENT CODE

Chapters:

- 18B.100 Downtown District**
- 18B.200 Land Use and Zoning**
- 18B.300 Streets and Blocks**
- 18B.400 Site Design, Buildings, and Frontage**
- 18B.500 Landscaping, Open Space, and Green Infrastructure**
- 18B.600 Parking**
- 18B.700 Administration**

Chapter 18B.100 DOWNTOWN DISTRICT

Sections:

- 18B.100.105 Purpose.**
- 18B.100.110 Vision and Objectives.**
- 18B.100.120 The Regulating Plan Map.**
- 18B.100.130 Definitions.**
- 18B.100.140 Relationship to Other Regulations.**

Chapter 18B.200 LAND USE AND ZONING

Sections:

- 18B.200.210** Application within Downtown District.
- 18B.200.220** Uses.
- 18B.200.230** District-Wide Development Standards.
- 18B.200.240** Colonial District Standards.
- 18B.200.250** Transition Area Standards.

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18B.200.220 Uses.

- A. All residential uses, civic uses, and commercial uses and their respective uses and their related accessory uses as defined in Chapter 18A.40 LMC are permitted within the Downtown District, except in the Low-Impact Mixed-Use Roads district. Permitted uses are subject to the approval of all required development permits; provided, that the following uses are prohibited:
1. Prohibited Agriculture.
 - a. Raising and keeping of animals for agricultural purposes.
 2. Prohibited Commercial and Industrial Uses.
 - a. Accessory industrial.
 - b. Auto vehicle sales and rental.
 - c. Building contractor, light.
 - d. Building contractor, heavy.
 - e. Commercial recreation – outdoor.
 - f. Construction/heavy equipment sales and rental.
 - g. Fuel dealer.
 - h. Furniture/furnishings, cabinet shop.
 - i. Furniture/furnishings, equipment store.
 - j. Laundry, dry cleaning plant.
 - k. Manufacturing, assembling and packaging, medium.

- l. Manufacturing, assembling and packaging, heavy.
 - m. Metal product fabrication, machine and welding.
 - n. Mobile home, RV, and boat sales.
 - o. Motion picture production studios.
 - p. Outdoor storage.
 - q. Pawn brokers and secondhand dealers.
 - r. Petroleum product storage and distribution.
 - s. Recycling facility – processing facility.
 - t. Repair service – equipment, large appliances.
 - u. Scrap and dismantling yards.
 - v. Sexually oriented businesses.
 - w. Solid waste transfer station.
 - x. Storage, personal storage facility.
 - y. Swap meet.
 - z. Vehicle services, major repair/body work.
 - aa. Vehicle storage.
 - bb. Warehouse.
 - cc. Warehouse retail.
 - dd. Wholesaling and distribution.
 - ee. Wildlife preserve or sanctuary.
 - ff. Wine production facility.
3. Prohibited Eating and Drinking Establishments.
- a. None.
4. Prohibited Government Services.
- a. Maintenance shops and vehicle and equipment parking and storage areas for general government services.
5. Prohibited Health and Social Services.
- a. Medical service hospital.

6. Prohibited Lodging.

- a. None.

7. Prohibited Open Space.

- a. Not applicable.

8. Prohibited Residential Uses.

- a. Boarding house.
- b. Detached single-family.
- c. Two-family residential, attached or detached dwelling units.
- d. Three-family residential, attached or detached dwelling units.
- e. Stand-alone residential uses within the Colonial Overlay (C-O) or Town Center Incentive Overlay (TCI-O) districts. Mixed-use development in the C-O and TCI-O incorporating multifamily residential uses is allowed.
- f. Mobile home park.
- g. Mobile and/or manufactured homes in mobile home parks.

9. Special Needs Housing.

- a. Hospice Care Center.
- ~~b. Type 4 Group Home.~~
- ~~c. Type 5 Group Home.~~

10. AICUZ.

- a. Not applicable.

11. Transportation.

- a. None.

12. Utilities.

- a. None.

B. The following uses are allowed provided the conditions listed herein are met:

1. Drive-through facilities; provided:

- a. Drive-through facilities are limited to one drive-through lane per establishment;
- b. Drive-through facilities must have a primary customer entrance and cannot provide customer service exclusively from a drive-through or walk-up window;

- c. Drive-through facilities shall be designed so that vehicles, while waiting in line to be served, will not block vehicle or pedestrian traffic in the right-of-way;
- d. Drive-through facilities shall be appropriately and attractively screened from the public right-of-way:
 - i. Drive-through facilities shall not parallel the Green Street Loop;
 - ii. Drive-through lanes shall only be placed parallel to a road if separated by a distance of 30 feet, or if fully screened by a 15-foot landscape setback with a designed landscape berm (six feet high at center of berm in 15-foot landscape setback) or three-and-one-half-foot decorative masonry wall;
 - iii. Drive-through lanes oriented perpendicular to a public right-of-way shall include landscape screening to shield headlights from shining directly into an abutting or adjacent street right-of-way.

C. Conditionally Permitted Uses.

- 1. Pipelines.
- 2. Manufacturing, assembling and packaging, light allowed in the downtown district, except not allowed on retail streets, festival streets, or low-impact mixed-use streets. Where permitted, such uses shall be as part of mixed-use development with commercial, retail, or residential uses.

D. Low-Impact Mixed-Use Roads District. Permitted uses include professional office uses, personal services, private training schools, community and cultural services, single-family residential uses, multiple-family residential uses, and community and cultural services in areas not suitable for general commercial development or adjacent to residential development. The Director may permit other uses consistent with the uses allowed in the NC2 zoning district where the footprint of development and customer visits are compatible with adjacent single-family residential development within or outside the Downtown District. [Ord. 726 § 2(Exh. A), 2019; Ord. 695 § 2 (Exh. B), 2018.]

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Chapter 18B.300 STREETS AND BLOCKS

Sections:

18B.300.310 Streets and Blocks.

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Chapter 18B.400 SITE DESIGN, BUILDINGS, AND FRONTAGE

Sections:

18B.400.410 Site Design, Buildings, and Frontage.

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Chapter 18B.500 LANDSCAPING, OPEN SPACE, AND GREEN INFRASTRUCTURE

Sections:

- 18B.500.510 Basic Standards.**
- 18B.500.520 Special Landscape Treatments.**
- 18B.500.530 Common and Open Space Standards.**
- 18B.500.540 Green Infrastructure.**

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Chapter 18B.600 PARKING

Sections:

18B.600.610 Parking.

18B.600.610 Parking.

A. Off-Street Parking Requirements. The following off-street parking requirements supersede the requirements in Chapter 18A.80 LMC. Uses not listed below must comply with the requirements in Chapter 18A.80 LMC.

18B-600-1. Off-Street Parking Requirements.

Land Use	Parking Requirement	Required Bicycle Parking Spaces
Residential	1 per dwelling unit	<u>1 per 10 auto stalls. 2 minimum per building</u>
Retail, Services, Restaurants	2 per 1,000 GSF minimum; 3 per 1,000 GSF maximum	<u>1 per 15 auto stalls. Minimum of 2</u>
Office	2 per 1,000 GSF minimum; 3 per 1,000 GSF maximum	<u>1 per 15 auto stalls. Minimum of 2</u>
Street level retail 3,000 sq. ft. or less per business	None where there is available public parking within 500' or abutting on-street parking designed to serve street level retail	<u>1 per 8,000 GSF of total retail. Minimum of 2</u>

B. Parking Reductions or Increases. The amount of required parking may be reduced or eliminated, or increased above the maximum, based on a site-specific parking study that demonstrates one or more of the following:

1. Reduction Due to Shared Parking at Mixed-Use Sites and Buildings. A shared use parking analysis for mixed-use buildings and sites that demonstrates that the anticipated peak parking demand will be less than the sum of the off-street parking requirements for specific land uses.
2. Reduction Due to Public Parking Availability. The availability of public parking to accommodate the parking demand generated by the site or building. The City may approve a reduction in the amount of required parking by up to 50 percent for any parking stalls that will be open and available to the public. On-street parking may be considered for the reduction; any new on-street parking provided will be counted toward the required parking availability.
3. Reduction Due to Lower Parking Demand or Increase Based on Greater Parking Demand. Demonstrating that anticipated parking demand will be less than the minimum parking required, or greater than the maximum allowed, based on collecting local parking data for similar land uses on a typical day for a minimum of eight hours.

C. Parking Location and Design. Parking shall be located behind the building or in a structure except in locations where the parking frontage type is permitted.

D. Shared Parking. Shared parking is encouraged to support a walkable and pedestrian-oriented CBD where people can park once and visit multiple destinations. Off-site shared parking may be authorized per the standards in Chapter 18A.80 LMC.

- E. Public Parking. Public parking is permitted as a principal or accessory use in the Downtown District subject to the frontage and design standards.
- F. Dimensional Standards. Parking stall and circulation design shall meet the standards of Chapter 18A.80 LMC. [Ord. 726 § 2(Exh. A), 2019; Ord. 695 § 2 (Exh. B), 2018.]

Chapter 18B.700 ADMINISTRATION

Sections:

- 18B.700.710 Form-Based Code Review.**
- 18B.700.720 Master Planned Development – Town Center Incentive Overlay.**
- 18B.700.730 Update of Nonconforming Lots.**

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Title 18C STATION DISTRICT DEVELOPMENT CODE

Chapters:

18C.100	Station District
18C.200	Land Use and Zoning
18C.300	Streets and Blocks
18C.400	Site Design, Buildings, and Frontage
18C.500	Landscape, Open Space, and Green Infrastructure
18C.600	Parking
18C.700	Administration

Chapter 18C.100 STATION DISTRICT

Sections:

- 18C.100.100 Background.**
- 18C.100.105 Purpose.**
- 18C.100.110 Vision and objective.**
- 18C.100.120 The regulating plan map.**
- 18C.100.130 Definitions.**
- 18C.100.140 Relationship to other regulations.**

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Chapter 18C.200 LAND USE AND ZONING

Sections:

- 18C.200.210 Application within Station District.**
- 18C.200.220 Land use.**
- 18C.200.230 District-wide development standards.**

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18C.200.220 Land use.

A. Allowed and Prohibited Uses. All residential uses, civic uses, and commercial uses and their respective uses and their related accessory uses as defined in Chapter 18A.40 LMC are permitted within the Station District except for those prohibited uses listed below. Permitted uses are subject to the approval of all required development permits. Uses identified as prohibited below that legally existed prior to the adoption of this code are considered nonconforming.

1. Prohibited uses in the AC1 zoning district:
 - a. None.
2. Prohibited uses in the MF3 zoning district:
 - a. Building and landscape materials;
 - b. Convenience store;
 - c. General retail.
3. Prohibited uses in the NC2 zoning district:
 - a. Auto and vehicle sales/rental;
 - b. Building and landscape materials;
 - c. Solid waste transfer station;
 - d. Vehicle services, major repair/body work.
4. Prohibited uses in the TOC zoning district:
 - a. Accessory caretaker's unit.
5. Prohibited uses in the C2 zoning district:
 - a. Auto and vehicle sales/rental;

- b. Manufacturing, assembling, and packaging, medium;
 - c. Manufacturing, assembling, and packaging, heavy;
 - d. Metal products fabrication, machine and welding;
 - e. Mobile home, RV, and boat sales;
 - f. Recycling facility – processing facility;
 - g. Repair service – equipment, large appliances.
 - h. Vehicle services, major repair/body work;
6. Prohibited uses in the C1 zoning district:
- a. Auto and vehicle sales/rental;
 - b. Building and landscape materials;
 - c. Construction/heavy equipment sales and rental;
 - d. Enhanced services facility;
 - e. Equipment rental;
 - f. Fuel dealer;
 - g. Furniture/fixtures manufacturing, cabinet shop;
 - h. Laundry, dry cleaning plant;
 - i. Manufacturing, assembling, and packaging, medium;
 - j. Manufacturing, assembling, and packaging, heavy;
 - k. Mobile home, RV, and boat sales;
 - l. Outdoor storage;
 - m. Pawnbrokers and secondhand dealers;
 - n. Recycling facility – processing facility;
 - o. Repair service – equipment, large appliances;
 - p. Secondhand stores;
 - q. Storage, personal storage facility;
 - ~~r. Type 4 group home;~~
 - ~~s. Type 5 group home;~~
 - t. Vehicle services, major repair/body work;

- u. Vehicle storage;
- v. Warehouse;
- w. Warehouse retail;
- x. Wholesaling and distribution.

B. Allowed Use Conditions. The following uses are allowed, provided the conditions listed below are met:

1. Uses in the MF3 zone within the LSDS boundary with an approved master plan per LMC 18C.700.720:
 - a. Multifamily use, four (4) or more units;
 - b. Mixed uses, when consistent with the following:
 - i. The commercial use is only permitted on the ground floor of the development; and
 - ii. A minimum ratio of four (4) square feet of multifamily use to one (1) square foot of commercial use is maintained.
2. Drive-through facilities; provided:
 - a. Drive-through facilities are limited to one (1) drive-through lane per establishment;
 - b. Drive-through facilities must have a primary customer entrance and cannot provide customer service exclusively from a drive-through or walk-up window;
 - c. Drive-through facilities shall be designed so that vehicles, while waiting in line to be served, will not block vehicle or pedestrian traffic in the right-of-way;
 - d. Drive-through facilities shall be appropriately and attractively screened from the public right-of-way:
 - i. Drive-through lanes shall only be placed parallel to a road if separated by a distance of thirty (30) feet, or if fully screened by a fifteen (15) foot landscape setback with a designed landscape berm six (6) feet high at center of berm in fifteen (15) foot landscape setback) or three-and-one-half (3.50) foot decorative masonry wall;
 - ii. Drive-through lanes oriented perpendicular to a public right-of-way shall include landscape screening to shield headlights from shining directly into an abutting or adjacent street right-of-way.

C. Conditionally Permitted Uses.

1. Pipelines.

2. Manufacturing, assembling and packaging, light, is allowed in the Station District, but such uses shall be as part of mixed-use development with commercial, retail, or residential uses.

D. Additional permitted uses in the MF3 zone within the LSDS.

1. Rowhouses.
2. Townhouses.
3. Three (3) family residential, attached. [Ord. 751 § 2 (Exh. B), 2021.]

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Chapter 18C.300 STREETS AND BLOCKS

Sections:

18C.300.310 Streets and blocks.

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Chapter 18C.400 SITE DESIGN, BUILDINGS, AND FRONTAGE

Sections:

18C.400.410 Site design, buildings, and frontage.

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Chapter 18C.500 LANDSCAPE, OPEN SPACE, AND GREEN INFRASTRUCTURE

Sections:

- 18C.500.510 Basic standards.**
- 18C.500.520 Special landscape treatments.**
- 18C.500.530 Common and open space standards.**
- 18C.500.540 Green infrastructure.**

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Chapter 18C.600 PARKING

Sections:

18C.600.610 Parking.

18C.600.610 Parking.

A. Off-Street Parking Requirements. The following off-street parking requirements supersede the requirements in Chapter 18A.80 LMC. Uses not listed below must comply with the requirements in Chapter 18A.80 LMC.

Table 18C.600-1. Off-Street Parking Requirements

Land Use	Vehicular Parking Requirement	Bicycle Parking Requirement
Residential	Single-family: 2 per dwelling unit	Meet rates and standards of: Chapter 18A.80 LMC
	Accessory dwelling: 1 per dwelling unit; provided, that no additional parking is required or zero when located within one- quarter <u>half</u> mile of the Sounder Station or a bus rapid transit stop. (RCW 36.70A.698)	
	Senior citizen apartments: 1 per 3 dwelling units*	
	Multifamily housing:*	
	Studio – 1 <u>per unit</u>	
	1+ bedroom – 1.25 <u>per unit</u>	
	(At least 10% of the total parking spaces must be set aside for unreserved guest parking)*	
	<i>*See process in subsection (B) of this section to prepare parking study to reduce further near station.</i>	
Retail. Services, Restaurants	2 per 1,000 GSF minimum; 3 per 1,000 GSF maximum	Meet rates and standards of: Chapter 18A.80 LMC
Office	2 per 1,000 GSF minimum; 3 per 1,000 GSF maximum	Meet rates and standards of: Chapter 18A.80 LMC
Street-Level Retail 3,000 sq. ft. or less per business	None where there is available public parking within 500' or abutting on-street parking designed to serve street level retail	Meet rates and standards of: Chapter 18A.80 LMC

B. Parking Reductions or Increases. The amount of required parking may be reduced or eliminated, or increased above the maximum, based on a site-specific parking study that demonstrates one (1) or more of the following:

1. Reduction Due to Shared Parking at Mixed-Use Sites and Buildings. A shared use parking analysis for mixed-use buildings and sites that demonstrates that the anticipated peak parking demand will be less than the sum of the off-street parking requirements for specific land uses.
2. Reduction Due to Public Parking Availability. The availability of public parking to accommodate the parking demand generated by the site or building. The City may approve a reduction in the amount of required parking by up to fifty (50) percent for any parking stalls that will be open and available to the public. On-street parking may be

considered for the reduction; any new on-street parking provided will be counted toward the required parking availability.

3. Reduction Due to Lower Parking Demand or Increase Based on Greater Parking Demand. Demonstrating that anticipated parking demand will be less than the minimum parking required, or greater than the maximum allowed, shall be based on collecting local parking data for similar land uses on a typical day for a minimum of eight (8) hours.
4. Reduction for Housing in Proximity to Sounder Station or Bus Rapid Transit (RCW 36.70A.620). When located within one-quarter (0.25) mile of the Sounder Station, a bus rapid transit stop, or a fixed route transit stop receiving transit service at least four times per hour for twelve or more hours per day, an applicant may apply for an exception allowing minimum parking requirements to be reduced at least to one (1) parking space per bedroom or three-quarters (0.75) space per unit, as justified through a parking study prepared to the satisfaction of the Community Development Director or their designee. At the discretion of the Director, this may require evidence that there is sufficient on-street capacity to accommodate parking requirements.

This exemption can apply to the following residential uses:

- a. Housing units that are affordable to very low-income or extremely low-income individuals, which may be exempted from parking requirements if serviced by a fixed route transit stop receiving transit service at least twice per hour for twelve or more hours per day;
 - b. Housing units that are specifically for seniors or people with disabilities, which may be provided with an exemption for all parking requirements;
 - c. Market rate multifamily housing.
5. Credit for Tree Preservation. For every significant tree and/or heritage tree preserved within the property, the required number of parking spaces may be reduced by one-half (0.5) spaces, provided the total reduction does not exceed five (5) percent of the total required parking spaces, when combined with all parking incentive credits.

In determining whether to grant a parking reduction, the Community Development Director may also consider if the project is proposed in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the unit.

In determining whether to grant a parking reduction, the Community Development Director may also consider if the project is proposed in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the unit.

- C. Parking Location and Design. Parking shall be located behind the building or in a structure except in locations where the parking frontage type is permitted.

- D. Shared Parking. Shared parking is encouraged to support a walkable and pedestrian-oriented Station District where people can park once and visit multiple destinations. Off-site shared parking may be authorized per the standards in Chapter 18A.80 LMC.
- E. Public Parking. Public parking is permitted as a principal or accessory use in the Station District subject to the frontage and design standards.
- F. Dimensional Standards. Parking stall and circulation design shall meet the standards of Chapter 18A.80 LMC. [Ord. 775 § 1 (Exh. A), 2022; Ord. 772 § 2 (Exh. A), 2022; Ord. 751 § 2 (Exh. B), 2021.]

Chapter 18C.700 ADMINISTRATION

Sections:

- 18C.700.710 Form-based code review.**
- 18C.700.720 Optional master planned development.**
- 18C.700.730 Update of nonconforming lots.**

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