



Wednesday, July 10, 2024 @ 6:30 PM

HOW TO ATTEND

- **In-person:** Council Chambers, Lakewood City Hall, 6000 Main St SW.
- **Virtually:** Online or by phone.
Online: <https://us06web.zoom.us/j/89895320571>
Phone: (253) 215-8782 and enter meeting ID: 898 9532 0571
- **Livestream:** <https://YouTube.com/CityofLakewoodWA>

Persons requesting special accommodation or language interpreters should call 253-983-7767 as soon as possible in advance of the meeting so that an attempt to provide special accommodation can be made.

PUBLIC COMMENT

Public comments or testimony on public hearings are accepted by mail, email, or by in-person or virtual attendance. Mail comments to Karen Devereaux, Planning Commission Clerk, 6000 Main Street SW Lakewood, WA, 98499 or email kdevereaux@cityoflakewood.us. Comments received by noon the day of the meeting will be provided to the commission electronically.

IN-PERSON/VIRTUAL COMMENTS

Those attending in person will be called on by the Chair. Those attending via Zoom should use the “raise hand” function to indicate they wish to speak. Once the Chair calls your name, you will be unmuted. First state your name and city of residence. Each person has 3 minutes. Attendees are allowed to speak during public comment or public hearings only.

WELCOME/CALL TO ORDER

ROLL CALL

APPROVAL OF MEETING MINUTES dated June 26, 2024

AGENDA UPDATES

PUBLIC COMMENT

PUBLIC HEARING None.

UNFINISHED BUSINESS

- Action on 2024 Comprehensive Plan Periodic Review

NEW BUSINESS

NEXT STEPS

REPORTS FROM CITY COUNCIL LIAISON, CITY STAFF, PLANNING COMMISSION MEMBERS
UPCOMING MEETING SCHEDULE TBD

Attachments

- Staff Report with Draft Resolutions 2024-03, 2024-04 2024-05 regarding the 2024 Comprehensive Plan Periodic Review and Associated Development Regulation Amendments



Lakewood Planning Commission June 26, 2024 Meeting Minutes

WELCOME/CALL TO ORDER

Robert Estrada, Chair, called the meeting to order at 6:30 p.m.

ROLL CALL

Planning Commission Members Present Robert Estrada, Chair; Phillip Combs, Vice Chair; Mark Herr, Ellen Talbo, Sharon Wallace, and Linn Larsen

Planning Commission Members Excused Philip Lindholm

Planning Commission Members Absent None

Staff Jeff Rimack, Planning and Public Works Director; Tiffany Speir, Long Range & Strategic Planning Manager; Angie Silva, Planning Manager, and Karen Devereaux, Administrative Assistant

Youth Council Liaison None in attendance.

Council Liaison Councilmember Paul Bocchi was present.

APPROVAL OF MINUTES

The minutes of the meeting held on June 12, 2024, were approved by voice vote 6-0 as written. M/S/C Herr/Talbo.

AGENDA UPDATES None

PUBLIC COMMENT None

PUBLIC HEARING

2024 Comprehensive Plan Periodic Review (24CPPR)

Ms. Tiffany Speir gave an overview for the listening audience on the process and policy of the 2024 Comprehensive Plan Periodic Review (24CPPR), focusing on pending changes to the regulation of lake and stream shorelands and riparian areas.

Kim Underwood, Lakewood resident representing Chambers Clover Creek Watershed Council read a public comment letter submitted on June 10, 2024 urging commissioners to amend the shoreline buffers to expand widths to enhance water quality and flow.

Jeanna Ehlers, Lakewood resident, encouraged the commissioners to think about existing cul-de-sac communities and the impacts of higher densities when changing living environments by doing away with single residence properties.

Christina Manetti, Lakewood resident, representing the Gary Oak Coalition named several concerns of protecting Garry Oak trees in Lakewood. Two points were made regarding the possible inventory of all Garry Oak in the City and that cement around

the tress in urban areas should be removed to allow the tree more growth opportunity.

James Dunlop, Lakewood resident, voiced concerns over the lack of documentation of what percentage of canopy or coverage has been lost since incorporation of the city in 1996. Mr. Dunlop urged the commissioners to begin record keeping and consider a 50 to 100-year window to be recorded.

Mr. Robert Estrada, Chair, closed the public hearing. Ms. Speir noted the commissioners would receive copies of all written comments collected since the 6/5/2024 start of the public hearing in the meeting materials for the July 10, 2024 meeting.

UNFINISHED BUSINESS

Discussion of Draft Comprehensive Plan Periodic Review

Planning Commission members discussed potential amendments to the 24CPPR package they may wish to make when approving their Resolution recommending action to the City Council.

Mr. Larsen made the motion to approve the Tillicum-Woodbrook Subarea Plan as presented. M/S/P, Larsen/Combs, 6-0.

NEW BUSINESS None

REPORTS

Council Liaison Comments None

City Staff Comments

Ms. Speir reviewed the specific topics the Council had asked the Planning Commission to provide recommendations about in addition to the 24CPPR package: the proposed Residential Target Area (RTA) map for the Downtown MFTE area; Parking Policies and Regulations in anticipation of densification in the city’s historically single family areas; and the Downtown Subarea Transportation Mitigation Fee (TMF) Program.

Future Meetings

- 7/10/24 (Special date) Action on 24CPPR Package Resolutions.
- 8/7/24 Cancelled to allow for summer break.
- 8/21/24 Cancelled to allow for summer break.
- 9/4/24 Regularly scheduled meetings would resume the 1st and 3rd Wednesdays at 6:30 pm.

NEXT MEETING September 4, 2024.

ADJOURNMENT Meeting adjourned at 8:30 p.m.

Robert Estrada, Chair

Karen Devereaux, Clerk



TO: City of Lakewood Planning Commission

FROM: Tiffany Speir, Long Range & Strategic Planning Manager

DATE: July 10, 2024

SUBJECT: 2024 Lakewood Comprehensive Plan Periodic Review (24CPPR)

ATTACHMENTS: Responses to Public Comments (**Attachment A**); Page 8 of Packet
Resolution 2024-03, regarding the 2024 amendments to the Comprehensive Plan, Downtown Subarea Plan, and Station District Subarea Plan (**Attachment B**); Page 35 of Packet
Resolution 2024-04, regarding the 2024 Periodic Review Development Regulation amendments to various titles of the Lakewood Municipal Code (**Attachment C**); Page 325 of Packet and
Resolution 2024-05, regarding proposed amendments to LMC Title 18B to update the minimum acreage for master planned developments in the Downtown Subarea and updating references to the Lakewood Planning & Public Works Department in the Lakewood Municipal Code Development Regulations (**Attachment D**.) Page 765 of Packet

BACKGROUND

Since September 2022, the City of Lakewood has been preparing its 2024 Comprehensive Plan Periodic Review materials¹, which include:

- Completely reorganized and updated 2024 Comprehensive Plan;
- 2024 Tillicum-Woodbrook Subarea Plan;
- Updated 2018 Downtown Subarea Plan to reflect new boundaries;
- Updated 2021 Lakewood Station District Subarea Plan to reflect removal of Lakewood Landing;
- Updated LMC Title 14, Environmental Protection (the City's Critical Area Ordinance (CAO));
- New LMC Title 16 incorporating the City's Shoreline Master Program
- Amendments to LMC Chapter 17.02 and a new LMC Chapter 17.24 regarding Unit Lot Subdivisions;
- Updates to development regulations contained in LMC Titles 18A, 18B, and 18C; and
- A 2024 Supplemental Environmental Impact Statement (SEIS) for the Comprehensive Plan

Public engagement has included:

¹ Background documents also prepared include: Transportation Background Report; Housing Needs Assessment, including an Equity Analysis; Critical Areas Ordinance Gap Analysis; Middle Housing Report; Commerce Periodic Update Checklists; Economic Development Audit; and Preliminary Analysis of the Lakewood PSRC Regional Urban Growth Center.

- Outreach to the public via City and 24CPPR websites (<https://cityoflakewood.us/24periodicreview/> and <https://lakewoodwaspeaks.org/>), social media, two *Connections* Magazine articles, and ten issues of electronic newsletter;
- Launch of the Lakewood Equity Index Map at (<https://lakewood.caimaps.info/cailive>)
- Four citywide direct mailings and one mailing to shoreline property residents and parcel taxpayers;
- 2023 Citizen Committee focused on Housing Element and Energy & Climate Change Element;
- 24CPPR Steering Committee;
- Tillicum-Woodbrook Subarea Plan (TWSP) Committee;
- 5 Open Houses held in different areas in Lakewood at different times of day to maximize accessibility;
- 20+ Planning Commission meetings and 10+ City Council meetings.

The Planning Commission opened its public hearing on June 5, 2024 and extended it through its June 12 and June 26 meetings. Responses to all of the public comments received are included in **Attachment A**.

Once the Planning Commission has adopted its Resolutions 2024-03, 2024-04, and 2024-05, the 2024 Periodic Review materials will be considered by the City Council. Per state law, the Council must take action on the periodic review materials no later than December 31, 2024.

DISCUSSION

Three resolutions are provided for the Planning Commission's consideration and action:

- **Resolution 2024-03 (Attachment B)**, regarding the 2024 amendments to the Comprehensive Plan, Downtown Subarea Plan, and Station District Subarea Plan; and regarding the adoption of the 2024 Tillicum-Woodbrook Subarea Plan;
- **Resolution 2024-04 (Attachment C)**, regarding the 2024 Periodic Review Development Regulation amendments to various titles of the Lakewood Municipal Code; and
- **Resolution 2024-05 (Attachment D)**, regarding proposed amendments to LMC Title 18B to update the minimum acreage for master planned developments in the Downtown Subarea and updating references to the Lakewood Planning & Public Works Department in the Lakewood Municipal Code Development Regulations.

Resolution 2024-03 includes several findings of fact that are based on discussions had by the Planning Commission, including:

- Recommending that the City Council implement Comprehensive Plan Policy SA-1.2, "Develop and implement redevelopment and subarea plans for other areas such as the Springbrook [area]";

- Recommending that the City implement Comprehensive Plan Urban Design Strategy UD-B, “Develop an individual identity for the International District [primarily along the South Tacoma Way corridor] through branding, visitor engagement, and city-sponsored events” via the development of a subarea plan;
- Recommending that the City Council amend the Downtown Transportation Mitigation Fee (TMF) program and direct the Planning & Public Works Department to amend its related administrative policy in order to ensure that the program is collecting the funds it was designed to collect for subarea transportation improvements; and
- Recommending that the City Council consider updating residential street design standard plans, as well as capital funding policies and practices, in order to successfully identify grants and other funds to mitigate impacts over time of the state-required housing densification in Lakewood’s historically single-family areas.

Resolution 2024-04 recommends approval of the proposed 24CPPR development regulation amendments to:

- LMC Title 14 (Environmental Protection), or the City’s Critical Areas Ordinance²;
- A new LMC Title 16, incorporating the Lakewood Shoreline Master Program (LMA Chapter 16.10) and Shoreline Restoration Plan (LMC Chapter 16.20);
- Amendments to LMC Chapter 17.02 and a new LMC Chapter 17.24 regarding Unit Lot Subdivisions;
- LMC Title 18A, Land Use and Development Code;
- LMC Title 18B, Downtown Development Code; and
- LMC Title 18C, Station District Development Code.

Resolution 2024-05 recommends approval of changes to the Downtown Subarea development code at LMC 18B.700.720 related to the applicable areas and required minimum acreage for master planned developments.

First, the option to use a master planned development is expanded from just the Towne Center District to all areas of the Downtown Subarea. Second, the minimum threshold for master planned developments is reduced from ten (10) acres to five (5) acres.

These recommended changes are based on the results of the 3rd Biennial Review of the Downtown Plan and its pace of implementation as well as the City Council’s identification of economic development in, and the revitalization of, the Downtown as top priorities of the City; expanding where master planned developments can be done, as well as reducing their minimum acreage, will incentivize more, and more rapid, development and redevelopment in the Downtown.

² As discussed at the June 26, 2024 Planning Commission meeting, a separate locally-initiated update to the City’s Shoreline Master Program (SMP) that will be strictly limited to updates related to the 2024 changes to the CAO being adopted per state law in the 24CPPR package will be presented for review and action to the Planning Commission in the fall of 2024. A separate set of CAO amendments will also be presented to clarify options for riparian buffer alterations.

The draft amendments to the Downtown Subarea regulatory code (LMC Title 18B) are included below as well as in Resolution 2024-05.

18B.700.720 Master Planned Development —~~Town Center Incentive Overlay.~~

A. *Purpose.* The purpose of a master planned development in the Downtown ~~District Subarea~~ is to provide the developer and the City the opportunity to implement the ~~d~~Downtown ~~p~~Plan in way that could not be achieved through strict application of the standards in this chapter. It also allows for the development of larger, more complex, and multi-phased projects to develop with certainty.

B. *Applicability.* Development within the ~~Town Center Incentive Overlay~~ Downtown Subarea may apply for a master plan for the development of ~~10~~ five (5) or more acres.

Resolution 2024-05 also includes a “global update” for the Lakewood Municipal Code’s Development Regulations to replace all references to:

- the Public Works Engineering Department (PWE) or its Director; and
- the Community & Economic Development Department (CED) or its Director

with reference to the Planning & Public Works Department (PPW) or its Director. Effective July 1, 2024, the PWE and CED departments were combined into the PPW department under a single Director.

Effective date of Resolutions 2024-03, 2024-04, and 2024-05

The recommended effective date for the 24CPPR documents (plans and regulations) in Resolutions 2024-03 and 2024-04 is January 1, 2025 in order to allow time for the City to prepare for the new policies, regulations, and resulting procedures.

The recommended effective date for the changes in Resolution 2024-05 is the standards 30 days after adoption by the City Council.

ATTACHMENT A

Name	Comments submitted to Planning Commission through June 26, 2024	July 10, 2024 City Response
Carolyn Read, Revenue for Housing, 8/3/2022	Here are some points that we ask local jurisdictions in Pierce County to note, particularly in the upcoming comprehensive planning processes – or sooner, if possible.	
	1. What is currently under discussion related to increased density does not clearly provide for services, such as transit, grocery stores and schools. These should be integral to how housing is planned and zoned. <ul style="list-style-type: none"> • Transit service is a top priority for areas in which affordable housing is built. We encourage Pierce Transit's participation in local planning work. • Services, such as grocery stores, and schools are necessary within close proximity to the affordable housing for people to walk, rather than drive. • Easy access to transit between housing and employment is also needed. 	<ul style="list-style-type: none"> ▪ Provisions for transit have been noted in Chapter 12 (Transit Element). ▪ School planning is discussed in Chapters 3 (Capital Facilities and Essential Public Facilities Element) and 10 (Public Services). Note that school planning is managed by the Clover Park School District, Historical Steilacoom School District, and Tacoma School District #410. ▪ Supportive retail and services for the community are discussed as part of the policies under Goal LU-5 and Policy HO-7.4. Additionally, TW-5.3 highlights the need for grocery stores in the Tillicum-Woodbrook subarea.
	2. It would be very helpful if clearly delineated zones, within which inclusionary housing and other affordable categories are encouraged, were established as soon as possible to encourage developers who might consider building in Pierce County.	<ul style="list-style-type: none"> ▪ Inclusionary zoning is not currently recommended as an approach in the Comprehensive Plan. ▪ The City has established areas where the Multifamily Housing Tax Exemption (MFTE) program is applicable, as per LMC 3.64.030(C). ▪ Aside from this, no policy has been included to specifically identify areas for affordable housing. It is not recommended to include a policy to delineate specific areas for affordable housing beyond areas with multifamily housing to encourage the integration of affordable housing with market-rate housing in neighborhoods.
	3. Permitting is a cost drain. We are not advocating for permitting processes to be less strenuous but we encourage each jurisdiction to find ways to expedite permitting for affordable housing proposals. Perhaps the more affordable housing will be in the project, the higher priority it would receive throughout the project.	<ul style="list-style-type: none"> ▪ Policy LU-2.2 highlights the need for efficient permitting processes across all projects, including affordable housing proposals.
	4. Provide incentives, such as density bonuses, additional tax credits and/or public land at no or low cost. In the case of surplus government land, it could be leased to a developer or offered at sub-market rates, avoiding the issue of a gift of public funds because of the community benefit that would accrue. Additionally, the City could partner with the philanthropic community or private individuals to encourage land purchases that would be placed in an affordable land trust.	<ul style="list-style-type: none"> ▪ HO-3.2 provides a surplus land policy for affordable housing. ▪ Note that the City currently includes minimal public land that would be available for surplus land policies for affordable housing.
Christina Manetti, Garry	<i>(Summary statement – full comment letter available on request.)</i>	<ul style="list-style-type: none"> ▪ The identified policies identified under Chapter 8 (Natural

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Oak Coalition, 12/29/2023	These [critical area] policies, regulations, and “interpretations” result in a failure to include the best available science and to achieve no net loss of ecosystem function; therefore, they violate GMA’s critical area protection requirement. As noted in the multiple specifics outlined above, Lakewood’s code as currently presented fails the best available science standard and mitigation sequencing, and results in a net loss.	Environment) and the associated changes to Title 14 LMC (Environmental Protection) have been reviewed to be consistent with current standards provided by the state.
Alyssa Wilbur and Angelica Greco, ICLEI, 1/19/2024	ICLEI has completed its high-level review of the current Lakewood Energy & Climate Change Comprehensive Plan Chapter, the proposed updates to it based on community engagement, and additional supplemental documents provided, against the Climate Element requirements (GHG emissions reduction and resilience) of the Growth Management Act.	
	GHG Emissions Reduction Sub-Element Consider completing a Dash GHG inventory to update the emissions profile from transportation, buildings, and waste. This will make monitoring of progress more streamlined, consistent, and in alignment with best practices than what is proposed in the pathway. It is unlikely that Lakewood has emissions data from 1990, so ICLEI USA recommends a baseline of 2018 or more recent, excluding 2020. Staff may leverage ICLEI membership benefit hours and office hours to support the completion of a Dash Inventory.	<ul style="list-style-type: none"> ▪ This will be considered as part of ongoing reviews as part of the implementation strategy of the Plan.
	<ul style="list-style-type: none"> ● ICLEI’s ClearPath Climate Planner (ClearPath) software provides effective emissions monitoring and reporting. If Lakewood decides to complete a Dash Inventory, ICLEI recommends using ClearPath to track emissions and report on progress over time. 	<ul style="list-style-type: none"> ▪ This will be considered as part of ongoing reviews as part of the implementation strategy of the Plan.
	<ul style="list-style-type: none"> ● Adopt a 2030 Science-Based Target (SBT) based on the results of the Dash Inventory. 	<ul style="list-style-type: none"> ▪ This will be considered as part of ongoing reviews as part of the implementation strategy of the Plan.
	<ul style="list-style-type: none"> ● Staff and the Steering Committee should review existing actions in the plan against the Multicriteria Prioritization Analysis in Section 5 of the State’s Climate Element Planning Guidance to ensure the strategies for implementation of each action meet the State’s requirements for considerations on the effectiveness of measures. 	<ul style="list-style-type: none"> ▪ This will be reviewed as part of the final edits of the document.
	<ul style="list-style-type: none"> ● Staff and the Steering Committee should review the Menu of Measures available on the State’s Climate Guidance Dashboard to identify any additional policies and actions to include in the plan update. 	<ul style="list-style-type: none"> ▪ This will be reviewed as part of the final edits of the document.
	Resilience Sub-Element The 2021 Comprehensive Plan, ECCC Chapter Revisions, and additional documents do not meet the requirements of the Resilience Sub-Element, with the following gaps identified:	<ul style="list-style-type: none"> ▪ These comments will be reviewed to determine next steps with the review of the Climate Change Element in Chapter 5. Note that new requirements for the detailed requirements under RCW 36.70A.070(9) are not required to be completed by the City until 2029.
	None of the documents reference the Climate Mapping for a Resilient Washington platform (CMRW)	<ul style="list-style-type: none"> ▪ This will be reviewed to determine next steps with the review of the

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	<p>as is required for this task. Climate projections (e.g. range of >90° F days possible in 2050 under RCP8.5) are not referenced in any of the planning documents. However, some of the provided documents, including Lakewood's CAO Review Working Draft and the Clover Creek Flood Study, contain some relevant information about climate change-related hazards that could supplement information from CMRW. Information about climate hazards included in the 2021 Comprehensive Plan is generally not locally specific enough to be actionable, though that Plan may help the City identify local impacts (i.e. impacts of climate change on Lakewood's economy, services, etc.)</p> <p>None of the submitted documents indicate that Lakewood has reviewed its existing plans to collate resilience gaps, opportunities, and barriers; completion of this step is also precluded by missing Step 1 because Task 2.1 should be conducted with the hazards identified in Step 1 in mind. At a minimum, the Intermediate Planning Guidance states that comprehensive plans and hazard mitigation plans should be reviewed.</p>	<p>Climate Change Element in Chapter 5. Note that new requirements for the detailed requirements under RCW 36.70A.070(9) are not required to be completed by the City until 2029.</p>
	<p>Gaps identified in foundational Steps 1 and 2 should be filled before continuing on with optional Step 3 (conduct a CRVA) or proceeding to the Pathways under Step 4.</p>	<ul style="list-style-type: none"> ▪ This will be reviewed to determine next steps with the review of the Climate Change Element in Chapter 5. Note that new requirements for the detailed requirements under RCW 36.70A.070(9) are not required to be completed by the City until 2029.
	<p>Under the option that involves skipping Step 3 and choosing Pathway 1, Lakewood could complete Steps 1 and 2, then use the Menu of Measures to fill all remaining gaps (page 29 of the Intermediate Planning Guidance spells out what this would look like). Commerce guidance allows for this option to be selected without having completed a climate action or hazard-focused plan or strategy.</p>	<ul style="list-style-type: none"> ▪ This will be reviewed to determine next steps with the review of the Climate Change Element in Chapter 5. Note that new requirements for the detailed requirements under RCW 36.70A.070(9) are not required to be completed by the City until 2029.
<p>Derek Mai, Resident, 1/12/24</p>	<p>Thank you very much for passing along information with regards to the 2024 Lakewood period review and proposed housing changes. The videos were helpful to help understand the case being made in favor of more housing options. My wife and I are very concerned with the requirements and proposed solutions set forth by the state legislature.</p> <p>Thank you for what you do, and I look forward to learning more about Lakewood's approach for implementing these mandates from the state legislature.</p>	<ul style="list-style-type: none"> ▪ Please note that the requirements from the state cannot be adjusted as part of this process. We would encourage you to contact your local legislators to address the concerns expressed.
	<p>In the first video entitled "why we need more housing", one of the speakers claims "people with larger incomes outbid less affluent households". Does Lakewood have data that would help determine if this is actually the case? More specifically, are the buyers truly people with more income, or private investment firms placing all cash offers? Are you aware of any plans by the state to bring legislation forward that</p>	<ul style="list-style-type: none"> ▪ The City has developed a Housing Needs Assessment to highlight the housing cost burdens on lower income households in aggregate. There is no available information to examine individual housing sales, but this highlights the increases in

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	<p>would limit the ability of investment firms to outbid individual families?</p>	<p>housing prices as compared to household incomes.</p> <ul style="list-style-type: none"> There are no plans for the City to introduce regulations about limitations on housing purchases.
	<p>I am concerned that adding additional “affordable housing units”, many of which are subsidized by the government, will lead to further price inflation and not solve the problem. Throughout my life and throughout 14 years of active military service, I’ve had the opportunity to live in different locations with and without an abundance of subsidized housing. The reality is that wherever multifamily subsidized housing is built, crime rates, drug problems, and generalized urban blight increase in that area. This is the case regardless of whether it is urban or rural, ethnically homogenous or diverse.</p>	<ul style="list-style-type: none"> The housing targets that the City is planning to are based on discussions with Pierce County and the Puget Sound Regional Council on receiving different amounts and types of housing. These are required for compliance with the Growth Management Act.
	<p>Lakewood is home to beautiful natural areas. Does that state have a plan to provide the funding necessary to keep these natural areas pollution free when the population density increases? The creeks in our City eventually drain into Puget Sound. Are there plans to keep new housing developments away from these areas?</p>	<ul style="list-style-type: none"> The City would encourage reaching out to local legislators regarding additional funding options to be proposed from the state. Revisions to Title 14 (Environmental Protection) is envisioned to include changes to buffers and other regulatory tools to address the health of natural areas and surface water. This Title is currently being reviewed.
<p>Tim Trohimovich, Futurewise, 1/18/24</p>	<p><i>(Summary – full letter available upon request.)</i></p> <p>The Housing Element must identify sufficient capacity of land for emergency housing and emergency shelters.</p>	<ul style="list-style-type: none"> The City has submitted previous changes to land use regulations under Ordinance 789 regarding emergency housing and emergency shelters to be compliant with this consideration, as noted in the comment. This included a discussion of compliance with the provision of land capacity as noted. This will be incorporated into the final Plan.
	<p>Lakewood Municipal Code (LMC) 18A.40.120C.5.b.ii.(e)(i) provides that “[n]o special needs housing may be located within a one thousand (1,000) foot radius of another property unless sponsored by the same governmental, religious, or not-for-profit agency. emergency housing.” Other regulations also apply to these housing types.</p> <p>In identifying a “sufficient capacity of land for housing including, but not limited to, government-assisted housing, ... emergency housing [and] emergency shelters” as RCW 36.70A.070(2)(c) requires, Lakewood must take into account its development regulations including those in LMC 18A.40.120. This is particularly important because as more of these housing types are established, more of the City of will be off limits to these uses because of the large spacing requirements.</p>	<ul style="list-style-type: none"> The requirement of 1,000 feet is consistent with previous regulations. While the WA Department of Commerce recommends 880 feet to be consistent with RCW 9.94A.030 and 9.94A.703, the primary requirement is to demonstrate sufficient capacity.

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	<p>If this analysis shows that sufficient capacity is not available, LMC 18A.40.120 will have to be amended as RCW 36.70A.040(3)(d) requires “development regulations that are consistent with and implement the comprehensive plan....” Development regulations, including LMC 18A.40.120, must comply with the GMA including RCW 36.70A.070(2)(c).</p> <p>The Housing Element must identify sufficient capacity of land for permanent supportive housing and affordable housing.</p> <p>If the inventory and analysis to identify sufficient capacity of land shows that sufficient capacity is not available, the comprehensive plan and development regulations, including LMC 18A.40.120, will have to be amended as RCW 36.70A.040(3)(d) requires “development regulations that are consistent with and implement the comprehensive plan....” Development regulations, including LMC 18A.40.120, must also comply with the GMA including RCW 36.70A.070(2)(c).</p>	<ul style="list-style-type: none"> Supporting information from Ordinance 789 regarding emergency housing and emergency shelters will be included in the supporting information for the Housing Element. This will be incorporated into the supporting information for the Housing Element.
<p>Christina Manetti, 4/18/2024</p>	<p>Please accept this public comment related to the Critical Areas update that is currently underway.</p> <p>1) NEW WDFW GARRY OAK RECOMMENDATIONS: Please relay to those working on the Critical Areas update that the City needs to update its Critical Areas regulations this year to reflect the new Garry oak (Oregon white oak) recommendations that were published by WDFW in February 2024, applicable also to the Garry oaks in Lakewood: "Best management practices for mitigating impacts to Oregon white oak priority habitat". (See attached file.)</p> <p>The City is bound by GMA to make these changes to its Critical Areas ordinance, as this WDFW publication reflects best available science on the subject of Garry oak (Oregon white oak) management, including in urban and urbanizing contexts:</p> <p>"Cities and counties must conduct a best available science review when updating critical area regulations." https://app.leg.wa.gov/WAC/default.aspx?cite=365-195-905</p> <p>The City will find this document very instructive. Here are just a few highlights:</p> <p>In it, the recommendations specify for example, that impacts to Garry oaks should be avoided (i.e., they should not be destroyed), and outlines mitigations of up to 250 Garry oak seedlings for the destruction of just one Garry oak:</p> <p>Compensating for the loss of individual locally important trees [...]</p> <ul style="list-style-type: none"> For trees > 30 inches diameter at breast height (dbh), use a tree replacement ratio of 250:1 For trees between 24 - 30 inches dbh, use a tree replacement ratio of 200:1 	<ul style="list-style-type: none"> The provisions for protection under Title 14 (Environmental Protection) have been reviewed with WDFW to ensure compliance. Note that additional revisions to Title 14 are being coordinated to address additional considerations.

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	<p>o For trees between 18 - 24 inches dbh, use a tree replacement ratio of 150:1</p> <p>o For trees between 12 - 18 inches dbh, use a tree replacement ratio of 100:1</p> <p>o For trees between 12 - 6 inches dbh, use a tree replacement ratio of 50:1</p> <p>(p. 18)</p> <p>For the destruction of 1 acre of Garry oak woodland, the mitigation would be 1000 oaks planted over two acres: "To restore an acre of woodland, use a 2:1 replacement ratio. Plant 1000 trees across 2 acres." (p. 18)</p> <p>Among other things, the recommendations also stipulate that the understory should also be recreated when replanting (pp. 18-19):</p> <p>When restoring an OWO woodland or compensating for the loss of a single OWO tree, we recommend filling the space between planted OWO with a diverse native understory community, leaving at least 5 feet of space around the OWO. Plant at least eight different native understory species.</p>	
	<p>2) REGULATIONS TO ENSURE WELL-BEING OF GARRY OAKS (and other trees):</p> <p>If the City is interested in preserving Lakewood's Garry oaks, the Critical Areas ordinance or tree code should also include new regulations to ensure that Garry oaks are able to thrive in Lakewood.</p> <p>Two important ways that the City can do this is to:</p> <p>1) PROHIBIT PAVING OVER CRITICAL ROOT ZONES: Prohibit property owners from paving over the Critical Root Zones of the Garry oaks (and of course other significant trees), as has recently been done at Mr. Claude Remy's new "Gravelly Lake Townhomes" apartment complex on Gravelly Lake Drive not far from the intersection with Steilacoom Boulevard. There, the parking lot asphalt has been put down just short of the trunks of the Garry oaks that line the eastern edge of the property.</p> <p>These trees will suffer and eventually die if their critical root zones are covered with asphalt. Such suffering takes decades in this kind of long-lived tree, but it is assured if they are deprived of water and their roots are baked in the longer, hotter, drier summers we have begun to experience. The governor has already declared a drought emergency this week, and as you have noticed, most of April will be without substantial rain.</p> <p>In decades past, for example in the 1970's and 1980's, the 9 or 10 months of rainfall made it easier for the oaks and other trees to endure such thoughtless treatment. Now it will just accelerate their suffering.</p> <p>This will eventually result in a net loss of critical areas, which is prohibited by GMA -- since single Garry oaks of such girth should, as the new oak recommendations stress, be considered Critical Areas.</p>	<ul style="list-style-type: none"> ▪ This review is intended to assess the viability of changes to the Natural Environment Element of the Comprehensive Plan (Chapter 8) and Title 14 of the Lakewood Municipal Code. Requests about enforcement actions should be made separately.

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	<p>We request that the City require that the asphalt be removed from the Critical Root Zones of the new parking lot at Mr. Remy's property before too much damage has been done.</p>	
	<p>2) PROHIBIT DAMAGE BY IVY AND OTHER INVASIVES:</p> <p>During work on the Critical Areas ordinance, the City should add a regulation specifically prohibiting property owners from allowing ivy and other invasive vines to grow onto and cover Garry oaks and other trees. The ivy -- as we saw recently on Brook Lane -- eventually becomes so heavy that the tree falls under its weight, while also being smothered under the ivy's heavy foliage. That Garry oak on Brook Lane measured 12" across and was surely over one hundred years old.</p> <p>The City would benefit from a more far-ranging regulation that would require property owners to eradicate the all the major invasives found in Lakewood (<u>English holly</u>, <u>English ivy</u>, <u>Himalayan blackberry</u>, <u>English (cherry) laurel</u>, <u>Scotch broom</u>), some of which have already destroyed parts of our forested areas (such the many Garry oaks and other trees that have succumbed to ivy along 112th across from Christ Lutheran, to Interlaaken).</p> <p>Other jurisdictions, such as Oak Harbor and Portland (see attached files), have such regulations.</p>	<ul style="list-style-type: none"> ▪ The comments will be reviewed.
<p>David Parker Brown, Puget Sound Energy, 4/26/2024</p>	<p>Summary (<i>full letter available upon request</i>): Provision of draft language to include in Lakewood Comprehensive Plan Policies demonstrating partnership with PSE.</p>	
	<ul style="list-style-type: none"> - Partner with PSE to promote financial assistance and discounted billing programs for income qualified residents in order to ensure that the most vulnerable are not disproportionately impacted by the State's clean energy transition. 	<ul style="list-style-type: none"> ▪ This can be considered under EC-1.2 regarding public awareness and support.
	<ul style="list-style-type: none"> - Support EV charging infrastructure throughout the community in order to support the decarbonization of our transportation sector. 	<ul style="list-style-type: none"> ▪ This will be reviewed to be included under E.C-3.2.
	<ul style="list-style-type: none"> - Partner with PSE to promote energy efficiency programs and initiatives. 	<ul style="list-style-type: none"> ▪ This can be considered under EC-1.2 regarding public awareness and support.
	<ul style="list-style-type: none"> - Partner with PSE to promote local investments and customer enrollment in clean energy projects and programs in order to achieve clean energy goals. 	<ul style="list-style-type: none"> ▪ This can be considered under EC-1.2 regarding public awareness and support.
	<ul style="list-style-type: none"> - Expedite permitting processes related to energy efficiency upgrades. 	<ul style="list-style-type: none"> ▪ General efforts to maintain an efficient permitting system are covered under LU-2.2. Any additional discussions on expediting permitting should be discussed as a separate, comprehensive City policy that

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		<ul style="list-style-type: none"> assigns priorities to permitting activities.
	<ul style="list-style-type: none"> - Partner with PSE to promote and support programs designed to decrease load on the grid during times of peak use. 	<ul style="list-style-type: none"> ▪ This can be considered under EC-3.2 regarding energy efficiency and conservation.
	<ul style="list-style-type: none"> - Expedite the local permitting and approval process in order to maintain grid capacity and reliability. 	<ul style="list-style-type: none"> ▪ General efforts to maintain an efficient permitting system are covered under LU-2.2. Any additional discussions on expediting permitting should be discussed as a separate, comprehensive City policy that assigns priorities to permitting activities.
	<ul style="list-style-type: none"> - Promote and support the growth of customer owned distributed energy resources. 	<ul style="list-style-type: none"> ▪ This can be considered under EC-3.2 regarding energy efficiency and conservation.
	<ul style="list-style-type: none"> - Support ongoing vegetation management in order to maintain system reliability. 	<ul style="list-style-type: none"> ▪ This should be incorporated into regular street standards and the administration of publicly owned facilities. It is unclear whether the Comprehensive Plan should have a policy that specifies this.
	<ul style="list-style-type: none"> - Pursue public-private partnership to seek funding sources to accelerate clean energy projects. 	<ul style="list-style-type: none"> ▪ This can be considered under EC-3.1 with respect to expanding renewable energy, and specific actions by the City related to public-private partnerships would be supported by this policy.
	<ul style="list-style-type: none"> - Support PSE's wildfire mitigation efforts including electric system upgrades, year-round vegetation management, and fire weather operational procedures. Work closely with utilities and local fire departments to lessen the risk and impact of wildfires. 	<ul style="list-style-type: none"> ▪ This will be reviewed to ensure that it is incorporated into policy regarding fire safety and wildfire.
	<ul style="list-style-type: none"> - Evaluate the potential for renewable, recoverable natural gas in existing systems. 	<ul style="list-style-type: none"> ▪ This can be considered under EC-3.1 with respect to expanding renewable energy.
Alan Billingsley, Resident, 5/1/2024	<p>The plan looks good overall. I am not in favor of tax incentives to large corporate builders. They rarely have Lakewood's best interests at heart. Special tax reductions are unfair to existing Lakewood housing providers that have paid full taxes for years.</p>	<ul style="list-style-type: none"> ▪ Tax incentives are currently included through Multifamily Housing Tax Exemption (MFTE) program under Chapter 3.64 LMC. ▪ Note that tax exemptions under that provision are included to boost the production of multifamily housing of 15 units or more, with a longer exemption provided for affordable housing. It is not possible to restrict this only to local builders, however.
Tricia Parish, Resident, 5/28/2024	<p>I think there are positives in this Comprehensive Plan, however, I think it's important to truly recognize the areas within our City that could benefit from some help and focus heavily in on improving those to entice</p>	<ul style="list-style-type: none"> ▪ The proposed changes to the Comprehensive Plan highlight the need for additional housing, as well as a greater focus on development in

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	<p>residents that will also love (or at least "like") and care about our City.</p> <p>It's important that we keep the environmental impact with any of these changes at top of mind. We're a City with creeks, lakes, and beautiful old growth trees, but our creeks are running dry earlier each year, our lakes are lower and more polluted each year, and we're removing trees faster than ever before.</p> <p>For the City to be successful we must pay attention to these. We are LAKE-WOOD and it's in the City's vision statement "characterized by the beauty of its lakes/parks and natural environment." The vision statement does not make mention of a "City characterized by cheap cookie-cutter developments with sidewalks and pavement instead of trees." We must keep this at top of mind as all these development requirements from the state come into play. How can we protect these creeks, lakes and trees and make their preservation a priority for Lakewood?</p> <p>Developments around these areas should be reconsidered-with a focus more on development in areas that truly have a need which points to this vision statement "Known for its safe and attractive neighborhoods, vibrant downtown, active arts and cultural communities" This is not currently a reality, it's close, but not quite there, and the focus could really be on the Town Center area, north of Gravelly Lake Drive (which is a pavement wasteland at the moment), and east of the Town Center along Bridgeport Way and Pacific Highway. I wouldn't say I feel "safe" in these areas at the moment, but I know we can get there if we focus our energy here instead of other areas of the City, focus on making these areas better.</p> <p>Can we develop Architectural guidelines to avoid building tomorrow's slums? Can we use developers that are local and care about the impact to our City? I have faith in Lakewood, keep being transparent and informing your citizens. We care about Lakewood, we just need to be looped in.</p>	<p>Centers of Municipal Importance (CoMIs).</p> <ul style="list-style-type: none"> ▪ The Downtown subarea and the Lakewood Station subarea both incorporate areas identified here. These locations are a particular focus in planning by the City, and have been identified as a focus for new residential, commercial, and public development. <p>▪ Goal UD-1 of the Plan highlights the need for standards and guidelines that can assist in improving the quality of future development.</p>
<p>Mandy Candler, Resident, 5/28/2024</p>	<p>Planning is a good thing for the City, unless it involves:</p> <ol style="list-style-type: none"> 1. Destruction of old-growth trees in established neighborhoods 2. More concrete on sensitive areas around our creeks and lakes 3. Developers from out of state who do not care about the impacts their projects have on our lifestyle quality and fragile ecosystem here in Lakewood 4. Neglecting to re- develop areas that have concrete pads already, yet no tree cover- would these be more suitable for future projects and tree planting? 5. The traffic that already exists in Lakewood - how 	<ul style="list-style-type: none"> ▪ The recent tree code updates under LMC 18A.70 Article III provide for increased protection of trees in neighborhoods. ▪ Recommended provisions under the Natural Environment Element in Chapter 8 and LMC Title 14 (Environmental Protection) include additional tree protections and buffers to protect sensitive areas around creeks and lakes. ▪ Changes in the development regulations of the City are intended to promote infill development in areas that include improvements like existing concrete pads.

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	do we mitigate the extra growth on already congested roads? I believe that your citizenry has spoken strongly about the need to protect our established neighborhoods, ample tree cover, and threatened watershed.	<ul style="list-style-type: none"> The Transportation Element in Chapter 2 highlights the intended changes to address road needs. Further development needs to be supported with several approaches to ensure that traffic impacts are mitigated, including a greater focus on local and regional transit and provisions for local services and employment.
Emily Atkins, Dept. of Ecology, 5/30/2024	<u>14.142.030 (C)</u> This could be expanded beyond state to federal. Recommended language from our guidance: "Compliance with the provisions of the Title does not constitute compliance with other federal, state, and local regulations and permit requirements that may be required (for example, Shoreline Permits, HPA permits, Army Corps of Engineers Section 404 permits, Ecology Section 401 permits, NPDES permits). The applicant is responsible for complying with these requirements, apart from the process established in this Title. Where applicable, the Designated official will encourage use of information such as permit applications to other agencies or special studies prepared in response to other regulatory requirements to support required documentation submitted for critical areas review."	<ul style="list-style-type: none"> This will be reviewed for integration into this subsection of the LMC.
	<u>14.142.040 (B)</u> Recommend inclusion language to make it clear that the presence of a critical area (regardless of map data) is what triggers this chapter: "The presence of critical areas on a parcel triggers the requirements of this chapter, regardless of whether or not a critical area or buffer is depicted on an official map."	<ul style="list-style-type: none"> This will be reviewed for integration into this subsection of the LMC.
	<u>14.142.070 (D)(1)</u> Mitigation should still be required after emergency action takes place within a certain amount of time. Would highly recommend including this as a requirement	<ul style="list-style-type: none"> This will be reviewed for integration into this subsection of the LMC.
	<u>14.142.070 (D)(4)</u> exemptions we have in our guidance. If anything we would like to see it kept to CAT III and IV as CAT II are still very high functioning wetlands important to the area.	<ul style="list-style-type: none"> This will be reviewed for integration into this subsection of the LMC. Note that the City is currently reviewing provisions related to wetlands and buffers and will be providing these results in the near future.
	<u>14.142.070 (D)(5)</u> Should this be Lakewood adoption of CAO?	<ul style="list-style-type: none"> This will be reviewed for integration into this subsection of the LMC.
	<u>14.142.070 (D)(8)</u> Recommend keeping this to CAT III and IV wetlands and consider some of the criteria from our guidance: Stormwater management facilities. A wetland or its buffer can be physically or hydrologically altered to meet the requirements of a Low Impact Development (LID) methodology or Flow Control BMP if ALL of the following criteria are met: <ol style="list-style-type: none"> The wetland is classified as a Category IV or a Category III wetland with a habitat score of 3-5 	<ul style="list-style-type: none"> This will be reviewed for integration into this subsection of the LMC. Note that the City is currently reviewing provisions related to wetlands and buffers and will be providing these results in the near future.

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	<p>points.</p> <p>b. There will be no net loss of functions and values of the wetland.</p> <p>c. The wetland does not contain a breeding population of any native amphibian species.</p> <p>d. The hydrologic functions of the wetland can be improved as outlined in questions 3, 4, and 5 of Chart 4 and questions 2, 3, and 4 of Chart 5 in Selecting Mitigation Sites Using a Watershed Approach, [Western Washington or Eastern Washington] (Ecology Publication [#09-06-032 or #10-06-007], or as revised); or the wetland is part of a restoration plan intended to achieve restoration goals identified in a shoreline master program or a local or regional watershed plan. Publication 22-06-014 Appendix A. Sample Wetland Regulations Page A-8 October 2022</p> <p>e. The wetland lies in the natural routing of the runoff, and the discharge follows the natural routing.</p> <p>f. All regulations regarding stormwater and wetland management are followed, including but not limited to local and state wetland and stormwater codes, manuals, and permits.</p> <p>g. Modifications that alter the structure of a wetland or its soils will require permits. Existing functions and values that are lost will need to be compensated.</p>	
	<p><u>14.142.070 (D)(8)(4)</u> Recommend to change language to "there is no loss of wetland area and wetland function"</p>	<ul style="list-style-type: none"> ▪ This will be reviewed for integration into this subsection of the LMC. Note that the City is currently reviewing provisions related to wetlands and buffers and will be providing these results in the near future.
	<p><u>14.142.100</u> Also, the expansion should be located on the side away from the critical area to the extent possible.</p> <p>The proposed exemption for modification of single-family residences allows increasing the footprint in a conservation buffer by up to 25% square feet. Mitigation in the form of enhancement or expansion of another part of the buffer should be required to offset such impacts.</p>	<ul style="list-style-type: none"> ▪ This will be reviewed for integration into this subsection of the LMC. Note that the City is currently reviewing provisions related to wetlands and buffers and will be providing these results in the near future.
	<p><u>14.142.150 (C)</u> Ecology now supports a watershed approach to mitigation rather than just on site though both are valid. You might consider allowing a path for off-site approaches as well. Example language is in the CAO Guidance.</p>	<ul style="list-style-type: none"> ▪ This will be reviewed for integration into this subsection of the LMC. Note that the City is currently reviewing provisions related to wetlands and buffers and will be providing these results in the near future.
	<p><u>14.142.160 (D)</u> Recommend addition of criteria: "Identification and characterization of all critical areas, water bodies, shorelines, floodplains, and buffers on or adjacent to the proposed project area. For areas off the project site, estimate conditions within 300 feet of the project boundaries using all reliable available information."</p>	<ul style="list-style-type: none"> ▪ This will be reviewed for integration into this subsection of the LMC. Note that the City is currently reviewing provisions related to wetlands and buffers and will be providing these results in the near future.

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	<p><u>14.162.020</u> Recommendation to include the name of the regional supplement (Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region) and the U.S. Army Corps of Engineers' (Corps) manual (U.S. Army Corps of Engineers, 1987) for clarity.</p> <p><u>14.162.030 (A)(3)</u> Ecology has published a vol 2 of the 2014 update. Please change all cases of the publication number to #23-06-009</p>	<ul style="list-style-type: none"> ▪ This will be reviewed for integration into this subsection of the LMC. Note that the City is currently reviewing provisions related to wetlands and buffers and will be providing these results in the near future.
	<p><u>14.162.030 (D)</u> changes text to "(scores fewer than 16 points)"</p>	<ul style="list-style-type: none"> ▪ This will be reviewed for integration into this subsection of the LMC. Note that the City is currently reviewing provisions related to wetlands and buffers and will be providing these results in the near future.
	<p><u>14.162.060</u> Is mitigation still required for these special permitted uses? It should be if this allows for impacts directly in the wetland.</p>	<ul style="list-style-type: none"> ▪ This will be reviewed for integration into this subsection of the LMC. Note that the City is currently reviewing provisions related to wetlands and buffers and will be providing these results in the near future.
	<p><u>14.162.080</u> As amended works but worth noting that we have published a version 2 of the 2014 rating system.</p>	<ul style="list-style-type: none"> ▪ This will be reviewed for integration into this subsection of the LMC. Note that the City is currently reviewing provisions related to wetlands and buffers and will be providing these results in the near future.
	<p><u>Table 14.1</u> In our [ECY's] guidance we recommend the use of the minimization measures and, for wetlands that score 6 or higher in habitat, a habitat corridor as defined in our guidance. There are various things that meet the definition of a habitat corridor. If not using a habitat corridor the buffer would need to be increased (only if 6 or higher). Recommend taking a look at our example tables. Otherwise, these widths look good.</p>	<ul style="list-style-type: none"> ▪ This will be reviewed for integration into this subsection of the LMC. Note that the City is currently reviewing provisions related to wetlands and buffers and will be providing these results in the near future.
	<p><u>14.162.110</u> Agreed with the comment here. New agricultural activity should still be mitigated and falls under the CAO.</p>	<ul style="list-style-type: none"> ▪ This will be reviewed for integration into this subsection of the LMC. Note that the City is currently reviewing provisions related to wetlands and buffers and will be providing these results in the near future.
	<p><u>14.165.10 definition of "agricultural activities"</u> Agricultural activities are not exempt from the CAO. It should be made clear what activities are ongoing and which ones are new agricultural activity. Recommend inclusion of this language in the definitions to clarify the difference between ongoing ag and new agriculture.</p> <p>"Those activities conducted on lands defined in RCW 84-34-020(2), and those activities involved in the production of crops and livestock, including but not limited to operation, maintenance and conservation measures of farm and stock ponds or drainage ditches, irrigation systems, changes</p>	<ul style="list-style-type: none"> ▪ This will be reviewed for integration into this subsection of the LMC. Note that the City is currently reviewing provisions related to wetlands and buffers and will be providing these results in the near future.

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	<p>between agricultural activities, and normal operation, maintenance or repair of existing serviceable structures, facilities or improved areas. Activities that bring an area into agricultural use are not part of an ongoing activity. An operation ceases to be ongoing when the area in which it was conducted is proposed for conversion to a nonagricultural use or has lain idle for a period of longer than five years, unless the idle land is registered in a federal or state soils conservation program."</p>	
	<p><u>14.165.10 definition of "wetland"</u> Missing part of definition about July 1, 1990: "'Wetland" or "wetlands" means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway.</p> <p>Wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands."</p>	<ul style="list-style-type: none"> ▪ This will be reviewed for integration into this subsection of the LMC. Note that the City is currently reviewing provisions related to wetlands and buffers and will be providing these results in the near future.
	<p><u>14.165.10 definition of "wetland specialist"</u> In the document you refer to a qualified wetland professional throughout. Recommend changing it to the same here for clarity.</p>	<ul style="list-style-type: none"> ▪ This will be changed.
Tricia Sears, WA Dept. of Natural Resources, 5/31/24	<p><u>Comprehensive Plan Policies:</u> On page 5-6, there is a goal "EC-5 Develop a Hazards Management Plan and a climate resilient community" with policies listed under it. The policies look good. Suggest adding a policy that more explicitly connects the comprehensive plan, the hazard mitigation plan, and climate change/resilience plans.</p>	<ul style="list-style-type: none"> ▪ The request here is unclear, as it is expected that the Energy and Climate Change Element would be considered as part of the Comprehensive Plan.
	<p>On page 8-4, there is a goal "NE-8 Protect natural topographic, geologic, and hydrological features within the City while addressing geological hazards" with policies listed under it.</p>	<ul style="list-style-type: none"> ▪ This is unclear in terms of actions to take for revisions.
	<p>NE-8.1 is somewhat awkwardly worded "Protect against seismic hazards to reduce risks to public safety and property." Suggest rewording it. Perhaps something like, Reduce risks to public safety and property from landslides (slope failures), erosion, seismic events, volcanic eruptions, or flooding hazards. Then your policy covers all the geologically hazardous areas hazards you identify in the definition of critical areas ordinance. Note, in the definition of geologically hazardous areas, you include erosion, landslide, and seismic, but not volcanic.</p>	<ul style="list-style-type: none"> ▪ This will be reviewed as a change to NE-8.1.

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	Based on review of NE-8.2-8.5, it might be useful to add a policy(cies) about stormwater management and vegetation removal.	<ul style="list-style-type: none"> Stormwater management is also covered under UT-4, and includes details on these considerations.
	On page 16-10, there is the only mention of mineral resources.	<ul style="list-style-type: none"> This inclusion of mineral resources is included to acknowledge the definition provided under RCW 36.70A.170, not to suggest that there are mineral resource extraction activities in the City.
	<p>Please consider the items below that could be useful in your comprehensive plan update and in other planning related endeavors.</p> <p>Recognizing the limitations of the current proposals, I want to mention that it would be great for you to consider these in future work, be it in your comprehensive plan, development code, and SMP updates, and in your work in general:</p> <ul style="list-style-type: none"> - Consider adding a reference to WAC 365-190-120 geologically hazardous areas for definitions. In addition, consider adding a reference to WAC 365-196-480 for natural resource lands. - Consider adding a reference to the WGS Geologic Information Portal. If you have not checked our interactive database, the WGS Geologic Information Portal, lately, you may wish to do so. Geologic Information Portal WA - DNR 	<ul style="list-style-type: none"> These will be reviewed as part of the definitions included in the Glossary.
	<p><u>Development Regulations</u></p> <p>On pages 11 and 70, critical areas are mentioned. Other than that, there are no proposed changes related to geologically hazardous areas and mineral resource lands. WGS has no recommended changes at this time.</p> <p>Please consider the items below that could be useful in your comprehensive plan update and in other planning related endeavors.</p>	<ul style="list-style-type: none"> If there are no recommended changes in these considerations, no changes shall be made.
	<p>Recognizing the limitations of the current proposals, I want to mention that it would be great for you to consider these in future work, be it in your comprehensive plan, development code, and SMP updates, and in your work in general:</p> <ul style="list-style-type: none"> - Consider adding a reference to WAC 365-190-120 geologically hazardous areas for definitions. In addition, consider adding a reference to WAC 365-196-480 for natural resource lands. - Consider adding a reference to the WGS Geologic Information Portal. If you have not checked our interactive database, the WGS Geologic Information Portal, lately, you may wish to do so. Geologic Information Portal WA - DNR 	<ul style="list-style-type: none"> These will be reviewed as part of the definitions included under LMC 18A10.180.
Trish Sears, DNR, 6/7/24	<p>The comments I provided on 6/2/24 for 2024-S-7088 for the Comprehensive Plan, remain the same.</p> <p>The comments I provided on 6/2/24 for 2024-S-7089</p>	<ul style="list-style-type: none"> (See above)

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	<p>for the Development Regulations, remain the same.</p> <p>Recognizing the limitations of the current proposals, I want to mention that it would be great for you to consider these in future work, be it in your comprehensive plan, development code, and SMP updates, and in your work in general:</p> <ul style="list-style-type: none"> - Consider adding a reference to WAC 365-190-120 geologically hazardous areas for definitions. In addition, consider adding a reference to WAC 365-196-480 for natural resource lands. - Consider adding a reference to the WGS Geologic Information Portal. If you have not checked our interactive database, the WGS Geologic Information Portal, lately, you may wish to do so. Geologic Information Portal WA - DNR <p>If you have not checked out our Geologic Planning page, you may wish to do so. Geologic Planning WA - DNR</p>	
Cindy Gardner, Resident, 6/6/2024	1) Was an environmental impact study done prior to the Barnes & Nobel approval? If not, why not?	<ul style="list-style-type: none"> ▪ A Supplement Environmental Impact Statement (SEIS) has been developed in parallel to highlight the potential impacts of the changes discussed in the Comprehensive Plan. This must be completed for the final approval of the Plan to be valid and is being developed according to State requirements.
	2) Could a member of this Commission personally or professionally benefit from any decision made by the panel?	<ul style="list-style-type: none"> ▪ This comment is unrelated to the proposal. All Planning Commissioners are bound by City of Lakewood conflict of interest rules.
	3) Question for Mark Herr: If you were a homeowner in our neighborhood how would you describe the benefits of the RTA? What are the disadvantages of the RTA to the homeowner in our neighborhood?	<ul style="list-style-type: none"> ▪ This comment should be submitted directly to Mr. Herr.
Renee Buck, Chambers-Clover Watershed Council (CCWC), 6/7/2024	<p>The CCWC Executive Committee met and would like to offer the following suggestions.</p> <p>1) Revise the buffers in the Critical Areas Ordinance for the City of Lakewood to provide increased buffer widths anywhere feasible, including areas with change of land use or proposed for development.</p>	<ul style="list-style-type: none"> ▪ The buffers provided under the draft Title 14 requirements are currently under review to ensure that they balance environmental protection considerations with the ability for landowners to use their property in responsible ways.
	<p>2) Utilize the City's existing communication tools to share information about the watershed and actions residents can take to protect and improve water quality and habitat. Examples could include postcard mailings, social media posts, and/or articles in Lakewood newsletter mailed to residents. The CCWC would be willing to collaborate with the City on such educational and informational materials.</p>	<ul style="list-style-type: none"> ▪ This will be noted for future City engagement activities.

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	3) Collaborate with Pierce Conservation District if you do not already. They have several programs that would be an excellent fit for the City, particularly their Green Stormwater and Habitat Stewardship programs.	<ul style="list-style-type: none"> ▪ This will be noted for future City activities, especially with respect to engagement with community groups.
	4) Make incorporating filtration and infiltration into stormwater facilities a priority. Infiltration is needed to support ground and surface water quantities, while filtration addresses water quality. This could be done by adding Green Stormwater features to development requirements or simply making a practice of adding these features to the City of Lakewood's projects.	<ul style="list-style-type: none"> ▪ This has been broadly discussed under Goal UT-4, but this will be reviewed as a policy to be included under this Goal. ▪ More detailed provisions for green stormwater features and low-impact development (LID) requirements will be pursued through changes to
	5) Contact Tacoma-Pierce County Health Department about supporting and expanding Toxic Algae Monitoring and Freshwater Lake Bacteria Monitoring programs in the City of Lakewood.	<ul style="list-style-type: none"> ▪ This is useful for implementing the surface water management considerations in the Comprehensive Plan. This will be considered as part of the implementation strategy for the Plan.
	6) Encourage invasive plant species education and removal. If the City has existing "Cleanup" programs you might consider expanding those efforts to allow for the collection and disposal of problematic species like English Ivy, Scots Broom, and Himalayan Blackberry.	<ul style="list-style-type: none"> ▪ This will be reviewed for inclusion as a policy in Chapter 8 (Natural Environment).
	7) Encourage the planting of trees. Trees provide many benefits to watershed health including water quality, stormwater, and healthy habitat, particularly along shorelines. This might be done by adopting and enforcing tree ordinances or encouraging the voluntary planting of trees with giveaways. The Watershed Council has been particularly impressed by the work of the Tacoma Tree Foundation in offering tree education and giveaway events. The City might also want to set an example by incorporating more trees and native plants into the landscaping of City-owned properties.	<ul style="list-style-type: none"> ▪ This will be reviewed for inclusion as a policy in Chapter 8 (Natural Environment).
	8) Direct additional resources toward existing enforcement programs. Additional illicit discharge detection and elimination of critical areas enforcement staff would discourage and prevent damage.	<ul style="list-style-type: none"> ▪ This would be aligned with the budgeting process and the administration of the policies of the Comprehensive Plan. This will be noted for the implementation strategy.
	9) Consider applying for a grant to develop a comprehensive water quality and habitat improvement plan for Ponce De Leon Creek.	<ul style="list-style-type: none"> ▪ This should be noted in the implementation strategy.
	10) Work with local water purveyors to share and support water conservation efforts.	<ul style="list-style-type: none"> ▪ This is implicitly included as part of CF-1.10, EC-3.4, and UT-7.5. This will be reviewed for inclusion as part of the implementation strategy.
	11) Follow, share, and contribute to CCWC blog posts. The Council prioritizes sharing current, accurate information. Our blog can be found here: https://cloverchamberscreekwatershedcouncil.blog/	<ul style="list-style-type: none"> ▪ This will be noted for future City activities, especially with respect to engagement with community groups.

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<p>Don Russell, Resident, 6/20/2024</p>	<p>Preface This paper reviews provisions of the City of Lakewood's 2019 Shoreline Master Program in italics and provides my commentary in regular print.</p> <p>Requirements of the Shoreline Management Act ...to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines. ...the Act's three broad policies: 1. Encourage water-dependent uses, preferably those "consistent with control of pollution and prevention of damage to the natural environment, or unique to or dependent upon use of the state's shorelines"; 2. Protect shoreline natural resources, including "the land and its vegetation and wildlife, and the waters of the state and their aquatic life"; and 3. Promote public access: "the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible consistent with the overall best interest of the state and the people generally."</p> <p>Shoreline Master Program Development and Public Participation The City obtained a grant from the Washington Department of Ecology (Ecology) in 2009 to conduct a comprehensive SMP update. The first step of the update process was to inventory the City's shorelines as defined by the Act, Chapter 90.58 RCW. American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek comprise the City's SMA shorelines. The inventory describes existing biological and physical conditions. These conditions were then analyzed and characterized to create a baseline from which future development actions in the shoreline will be measured. The City identified environmental designations for the different shorelines, and policies and regulations for each were developed.</p>	
	<p>Comment All the above assumes that the Washington State Department of Ecology and Lakewood's two consultants OTAK and AHBL did a thorough job of creating a scientifically credible City of Lakewood Shoreline Master Program.</p> <p>I would argue that OTAK and AHBL failed to accomplish what is required of the City of Lakewood in the above Shoreline Master Program Development and Public Participation Chapter 90.58 RCW stated requirements.</p> <p>The inventory was incomplete. It did not accurately describe existing biological and physical conditions. Nor did it correctly analyze and characterize existing biological and physical conditions to create a baseline for each shoreline. Accordingly, the policies and regulations developed were deficient to accomplish the above stated ...the Act's three broad policies.</p>	<ul style="list-style-type: none"> ▪ Codification of the Shoreline Master Program is currently under review, and this comment and the adequacy of the supporting materials will be considered as part of this work.

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	<p>The City of Lakewood is consistently in arrears in meeting RCW and WAC Public Participation requirements. This case is no exception.</p>	<ul style="list-style-type: none"> ▪ This process is intended to cover the process for the Comprehensive Plan and related documents. Information about public engagement efforts will be included in the final materials for inspection by the public.
<p>Don Russell, Resident, 6/26/24</p>	<p>As an American Lake shoreline owner I received a post card indicating that the Lakewood Planning Commission wants to hear from citizen private property owners of land within 200 feet of a lake (and associated wetlands) and stream shoreline. Presumably as our private property's use and development will be impacted by provisions of the Federal Shoreline Management Act and the City of Lakewood /Shoreline Master Program update portion of the City of Lakewood's 2024 Comprehensive Plan.</p> <p>The City of Lakewood postcard provided a link on that postcard that outlined the rules and buffer widths for remodeling and new development on our private property.</p> <p>The Shoreline Management Act provisions apply to all streams with a mean annual flow greater than 20 cubic feet per second and lakes greater than 20 acres and all lands within 200 feet of the ordinary high water mark.</p> <p>Yet the City of Lakewood post card's link references a Map of Water Body Types in Lakewood and a Water Type, Buffer Widths and designated Water Bodies listing that of streams do not have flows greater than 20 cubic feet per second and lakes (and associated wetlands) that are less than 20 acres in size.</p> <p>Furthermore, the listing for those lakes that are more than 20 acres in size under provisions of the Shoreline Management Act have buffers less than 200 feet from their ordinary high water mark, which itself is questionable given the extreme range in groundwater level fluctuations that these lakes reflect.</p> <p>It is obvious that the City of Lakewood pays no attention to citizen's expressed concerns about the way the City fails to apply and enforce Shoreline Management Act and Shoreline Master Program prescribed environmental regulations, or for that matter State surface and groundwater quality standards as they apply to the water in its wetlands, streams and lakes and in its sole source aquifer.</p>	<ul style="list-style-type: none"> ▪ Codification of the Shoreline Master Program is currently under review, and this comment and the adequacy of the supporting materials will be considered as part of this work. ▪ A review of associated buffers from surface water bodies is currently underway, with a focus on providing a balance between environmental protection needs and the productive use of land by property owners. These changes will be presented in the near future.
<p>Tina Lee, Pierce Transit, 6/26/24</p>	<p>Please be advised that Pierce Transit has carefully reviewed the Transportation Element under your draft Comprehensive Plan Update and would like to offer the following comments.</p> <ul style="list-style-type: none"> · The plan appears more focused on transportation corridors as related to highways and personal vehicle movement. But it downplays the importance of public transit, now and in the future. It does not come off as 	<ul style="list-style-type: none"> ▪ This will be reviewed and the introductory materials will be edited accordingly.

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	<p>positive towards the idea of supporting public transit. One example, when discussing issues and realities affecting transportation planning and implementation the element states, "There are few realistic alternatives to driving for most people in Lakewood (pg. 12-3)." While this may be true and it is a background section, our impression is this wording sets the tone for a negative feeling regarding multimodal transit options. It would be appreciated if, at a minimum, you referenced the existing Lakewood Towne Center Transit Center, SR 512 Park-and-Ride, and Lakewood Sounder Station as important multimodal transportation hubs.</p>	
	<ul style="list-style-type: none"> • We were surprised there is no Exhibit (map) that highlight transit. We see other jurisdictions include a map and provide more detail on either current or future transit routes. However, there is discussion of transit in the Subareas Element. 	<ul style="list-style-type: none"> ▪ A map for transit will be provided as part of the Transportation Element.
	<ul style="list-style-type: none"> • Transportation Mitigation Fee - Lakewood has or is considering a transportation mitigation fee in the downtown subarea (see attachment H from the June 12th PC staff report) - this could be better supported in the goals and policies of the Transportation Element (TR 114?). 	<ul style="list-style-type: none"> ▪ The transportation mitigation fee is specifically discussed in the subarea plan for the Downtown and is currently under review. This fee is not envisioned for a broader application, and as such has not been incorporated into the Comprehensive Plan overall.
	<ul style="list-style-type: none"> • There is a proposed code update concerning transportation demand management (TDM) for large employers (see the 6/12 PC staff report) - once again could be better supported in the Transportation Element. Could it be covered in another area of the Plan, perhaps? 	<ul style="list-style-type: none"> ▪ This is provided in both TR-8.5 and TR-10.2. The provision in public services under PS-10.7 specifically acknowledges the role of TDM with school districts.
	<p>Goals and Policies: Proposed policy TR-1.3 says-Increase availability and accessibility of alternative transportation modes like walking, biking, carpooling, and public transit, focusing on those without personal vehicles or with mobility needs. This language is important to support equity considerations, but the goal of TR-1 could be further improved with a policy that not only increases availability of alternative transportation for those without personal vehicles or with mobility needs but to also include a statement encouraging or facilitating the use of alternative transportation modes among people who have a choice in how they get around. This would better support a multimodal transportation system for all. We could offer some language about rewriting the culture. Specifically, people who use multimodal options can be anyone, it is not the option for just the poor or disadvantaged.</p>	<ul style="list-style-type: none"> ▪ It is unclear from this comment what substantive changes are being proposed.
	<p>Policy TR-2.5 -suggested change: Ensure the built environment is designed and developed to harmonize with the natural environment and public transportation facilities* (existing and planned). This would change the focus to requiring new development be built with multimodal transportation, especially public transit as a priority.</p>	<ul style="list-style-type: none"> ▪ The suggestion is unclear. This explicitly covers all transportation facilities, but nothing in the policy suggests promoting SOV trips.

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	<p>*However, "Transportation facilities" is a broad term and if the intent is to develop around the existing automobile-centric infrastructure with most trips being SOV, the suggested policy as currently written would not support the goal of TR-2, Ensure Lakewood's transportation system is designed for comprehensive, integrated, and safe access for all users of all ages, abilities, and transportation modes, including pedestrians, bicyclists, motorists, transit riders and operators, and truck operators.</p> <p>Our suggestion is to think of transportation infrastructure versus (public) transit infrastructure.</p>	
	<p>Policy TR-2.3 supports adaptation of project design to meet the needs and special circumstances that can impact accessibility to public transit and other modes of transportation. The proposed edits support such an intent:</p>	<ul style="list-style-type: none"> ▪ This suggestion is unclear, as it is intended to provide broadly to all transportation infrastructure.
	<p>TR-4 Create or strengthen policy related to this goal: "Use standard criteria to monitor LOS for multimodal transportation" (possibly even strengthen the goal itself) so that it more strongly supports creation of and maintaining existing multimodal transportation options. Most policies under this goal appear to maintain and support the status quo of personal vehicle use (and LOS for other forms of transport) rather than improve the situation.</p>	<ul style="list-style-type: none"> ▪ This suggestion has been noted. MMLOS standards are included in the Transportation Element, and the connection will be strengthened.
	<p>TR-6.1 States, "Decrease dependence on automobiles in neighborhoods and Downtown while accommodating their use." This could be stronger to include language not just about decreasing dependence on automobiles, but to support or create infrastructure that would make other forms of transportation (e.g., bicycling, walking, riding the bus) more inviting and even practical. This goal lacks policy that improves the pedestrian or bicyclists' experience and is recommended for more proactive measures.</p>	<ul style="list-style-type: none"> ▪ This consideration has been incorporated across different Elements of the Plan. However, the policy has been retained from the previous version of the Plan to acknowledge that changes in mode shares in the City will occur over time.
	<p>TR 8 goal and associated policies – This is an important one, so we are wondering if it can be an earlier goal? This is the first point where a reader gets the impression that single occupancy vehicle (SOV) use reduction and increased use of transportation alternatives are of importance.</p>	<ul style="list-style-type: none"> ▪ The acknowledgement of multimodal transportation is referenced several times in earlier sections of this Element.
	<p>TR9—This Goal and associated policies support first- and last-mile concepts. Like TR 8, this is an example of goals and policies to highlight and support.</p>	<ul style="list-style-type: none"> ▪ Noted.
	<p>TR-11— Parking management (e.g., prevention of overparking) is one way to support transit and pedestrian-oriented development and land uses. It also references High CapaCity Transit (HCT). May we suggest incorporating our vision for the two new BRT routes that both serve the City of Lakewood, as shown in the Stream BRT System Expansion Study?</p>	<ul style="list-style-type: none"> ▪ The BRT routes will be incorporated as part of the transit map to include in the Element.

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	<p>TR-14—This would be a good place to talk about support for increased funding for public transit and related services.</p> <p>• Suggested additional language: Investigate options and or opportunities to support and promote adequate funding for public transit projects and services (this could set the stage for advocacy on the part of the City).</p> <p>In closing, Pierce Transit appreciates the opportunity to comment on the Transportation Element, along with our continued partnership with the City of Lakewood as your Comprehensive Plan is updated in 2024.</p> <p>Please update all references from “Pierce Transit” to “Pierce County Transit”</p>	<ul style="list-style-type: none"> ▪ This is addressed as part of TR-14.2. ▪ This will be revised.
Kim Underwood, Resident, 6/26/2024	<p>Be sure that the City plans for adequate infrastructure when densifying residential development.</p>	<ul style="list-style-type: none"> ▪ Discussions of necessary infrastructure to support growth are included under Chapters 3 (Capital Facilities and Essential Public Facilities), 9 (Parks, Recreation, and Open Space), 10 (Public Services), 12 (Transportation), and 14 (Utilities).
Jeanne Ehlers, Resident, 6/26/2024	<p>Expressed concern for changes to existing neighborhoods due to housing densification per HB 1110 and HB 1337.</p>	<ul style="list-style-type: none"> ▪ This process is intended to review compliance with these requirements. This comment should be directed towards local legislators.
Christina Manetti, _____, 6/26/2024	<p>No net loss of critical areas is being violated by the way Lakewood regulated Garry Oaks. Use WDFW BAS.</p>	<ul style="list-style-type: none"> ▪ As noted previously, reviews of Title 14 (Environmental Protection) are ongoing. To date, elements have been reviewed with WDFW to ensure compliance.
James Dunlop, Resident, 6/26/2024	<p>Supported comments by Christina Manetti related to Garry Oak preservation. Documentation re state of Garry Oaks lacking, particularly to track over time.</p>	<ul style="list-style-type: none"> ▪ As noted previously, reviews of Title 14 (Environmental Protection) are ongoing. To date, elements have been reviewed with WDFW to ensure compliance.
Garry Oak Coalition, submitted	<p>Public comment for Lakewood's 2024 GMA updates Planning Commission public hearing, June 26, 2024 Garry Oak Coalition, Lakewood</p> <p>Please include the following comments from the Garry Oak Coalition, an environmental non-profit based in Lakewood, in the record for Lakewood's 2024 GMA updates, as well as the attached previous comments. Those contain many of the Coalition's main comments regarding Garry oaks, which were submitted previously to Ms. Tiffany Spier.</p> <p>[examples omitted]</p> <p>Comments on Garry oaks and their habitat:</p>	

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	Garry oaks should be made critical areas and protected – mature are considered to be 15" DBH, hundreds of years old, but we need to insure that there will be more oaks in the future. Young ones less than 6" DBH to even just 1" DBH should also be protected.	<ul style="list-style-type: none"> Garry oaks are provided with protection as per LMC 14.154.080.
	Inventory: There needs to be an inventory of Garry oaks and other trees on private as well as public property – otherwise the City does not know what its critical areas are and therefore is not protecting them, as required to do by GMA.	<ul style="list-style-type: none"> This will be provided as a recommendation as part of the implementation strategy of the Comprehensive Plan.
	Utilities cannot be given a free hand to cut down and mutilate Garry oaks and other trees, such as in this photo from June 2022: [photo]	<ul style="list-style-type: none"> Utilities are subject to SEPA regulations and local requirements by the City, except where specified under statutory requirements.
	The City is not subject to tree preservation regulations. It must not be given a free hand in this manner – it has resulted in the destruction and mutilation of many Garry oaks and other trees. The City's destruction of large Garry oaks in its own public right of way, where the City is subject to no oversight or regulation, has resulted in a net loss of critical areas in the shape of priority Garry oak habitat.	<ul style="list-style-type: none"> The City is subject to regulations requiring environmental reviews of specific actions under SEPA. This would include considering proper management of critical areas, including individual white oak trees and white oak woodlands.
	Penalties for ivy infestations: There must be penalties for people who allow ivy to grow on and cover trees.	<ul style="list-style-type: none"> This suggestion will be reviewed for inclusion into the code.
	Paving or landscaping solely with rocks within the Critical Root Zones of Garry oaks and other trees must not be permitted, and paving must be removed where it is found, allowing for the improvement of conditions for the protected Garry oaks in our drier, hotter conditions.	<ul style="list-style-type: none"> Comment noted.
	Monitoring of Garry oaks and other trees during construction should be required, as well as strict penalties for people who disregard regulations.	<ul style="list-style-type: none"> This is related to the administration of regulations and not the regulations themselves.
	Single Garry oaks: The City does not take into account the fact that both the 1998 and 2024 WDFW oak recommendations say that SINGLE OAKS can qualify for protection. It is important to note that clearly not every single oak is "documented" by PHS or DNS, etc., which would mean that they are excluded from protection. There need to be broader protections for single Garry oaks, regardless of whether they have been "documented" specifically by PHS and DNR – who themselves say that their PHS and DNR maps are not complete. – p. 492, p. 8 of 11, Ch. 14.154 Fish and Wildlife Habitat Conservation Areas	<ul style="list-style-type: none"> Individual trees are protected under the Code.
	<p>"During building or construction operations, suitable protective measures in LMC 18A.70.320(A) shall be erected..."</p> <p>There must be more oversight:</p>	<ul style="list-style-type: none"> This pertains to the administration of the development regulations, and not the regulations themselves.
	"Removal of diseased trees and trees that present an imminent threat to properties..."	<ul style="list-style-type: none"> These recommendations need to be considered in the context of balancing other objectives, including

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	<p>This section goes against the WDFW recommendations, which recommend that dead trees remain standing to decay in place, adding valuable habitat. p. 12 of 1998 recommendations: "Retain large, dominant oaks and standing dead and dying trees." In 2024 recommendations, too, one reads about the value of dead and dying trees for habitat. If endangering a structure, they can simply be made safer through pruning and cabling, for example, in consultation with an arborist specializing in Garry oaks.</p>	<p>public safety and welfare. The provisions included do not mandate removal, but only allow it in specific cases under the review of the Director.</p>
	<p>"Tree replacement is required at a two-to-one ratio per LMC 18A.70.330." Also mentioned in single-family property section. p. 15 of 11 This is not in keeping with the 2024 recommendations, p. 18, which recommend a replacement ratio of from 50 to 250 to one, depending on diameter at breast height. (50 to 1 for trees from 6-12" DBH, 250 to 1 for trees 30" DBH or larger).</p>	<ul style="list-style-type: none"> ▪ This is a stated recommendation and not a requirement. This can be provided as a guideline and
	<p>"Utility pruning" – p. 15 of 11</p> <p>Utility pruning must be done under the supervision of an independent arborist specializing in Garry oak trees to insure that they are not harmed.</p> <p>A certified arborist advising the Garry Oak Coalition has recommended that the code state the following: "must be supervised by a ISA Certified Utility Specialist".</p>	<ul style="list-style-type: none"> ▪ This recommendation will be reviewed for inclusion.
	<p>"Additional impervious area for the driveway will be permitted" – p. 15 of 11</p> <p>The Critical Root Zones of Garry oaks must not be paved over (or driven over).</p>	<ul style="list-style-type: none"> ▪ This provision does not suggest that the critical root zones would be paved over.
	<p>"1,500 square feet for a single-family residence, 1,000 square feet for an accessory dwelling unit, and 1,000 square feet for a detached garage." – p. 15 of 11</p> <p>On properties with Garry oaks, the houses should be built up, keeping the footprint as minimal as possible. Instead of allowing 2,000 extra square feet for an ADU and detached garage, in new constructions, the garage should be made under the house and the ADU should be a second or third floor, to avoid impacts to Garry oaks.</p>	<ul style="list-style-type: none"> ▪ These requirements appear to be too prescriptive to be included in development regulations, especially in cases where there is insufficient information where these requirements would apply. These should be encouraged as guidelines.
	<p>"Impervious Surface Bonus" under "incentives" LMC 18A.70.320(J) – This "incentive" is harmful to the Garry oaks that the code is trying to protect, as well as to the environment in general. In addition to increasing stormwater run-off and decreases infiltration, an increase in allowed impervious surfaces damages the root zones of the Garry oaks, which can stretch for hundreds of feet in radius from the trunk. No impervious surfaces should be allowed on single-family properties, and especially not those with Garry oaks that we are trying to protect. This "incentive" should be struck.</p>	<ul style="list-style-type: none"> ▪ Restricting any impervious surfaces on residential properties would amount to a significant burden on the use of the property. The allowance specifies that impervious surfaces cannot be allowed within the critical root zone of the preserved tree.

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	<p>"The report and mitigation prepared by a qualified biologist or certified arborist..." p. 16 of 11 of Ch. 14.165 Definitions – Here and elsewhere, the qualified biologist or certified arborist must not be one hired by the developer, which we have seen can lead to the consultant simply approving whatever is most expedient to the developer.</p>	<ul style="list-style-type: none"> ▪ This is not consistent with how professionals in such matters are retained for other issues as specified in regulations.
	<p>"Priority Oregon white oak woodland" – p. 11 of 15 of Ch. 14.165 Definitions – p. 542 of file</p> <p>This needs to specify that all Garry oaks are to be considered a priority – the larger ones for current habitat value, and the younger ones so that there is a succession that will preserve the habitat for future without leading to a temporal gap when the large ones die.</p>	<ul style="list-style-type: none"> ▪ This is providing a definition and not stating policy.
	<p>"Prairies" – p. 11 of 15 of Ch. 14.165 Definitions – p. 542 of file</p> <p>Because prairies are associated with Garry oaks, provisions should also be made to protect and restore remnant prairies, as defined by physical features and presence of any indicator species.</p>	<ul style="list-style-type: none"> ▪ This provision is not germane to a definition.
	<p>"Qualified professional" p. 11 of 15 of Ch. 14.165 Definitions – p. 539 of 999 file</p> <p>This definition needs to specify that qualified professionals assessing critical areas and specifically Garry oaks must not be hired by the developers, or utilities companies, or whoever is proposing to cut down Garry oaks, because this is a clear conflict of interest. A system must be developed in which outside Garry oak experts are the ones to determine how best to protect this protected species.</p>	<ul style="list-style-type: none"> ▪ This is not consistent with how professionals in such matters are retained for other issues as specified in regulations.
	<p>"Reasonable use" – p. 11 of 15 of Ch. 14.165 Definitions, p. 539 of 999 file</p> <p>In considering "reasonable use", environmental protection and avoidance of adverse environmental impacts must be given precedence. Although it may seem on a case by case basis that the impact on a single property is not significant, the cumulative impact of all these actions negatively affecting for example the Garry oaks and other critical areas are indeed significant, and must be borne in mind.</p>	<ul style="list-style-type: none"> ▪ Reasonable use in this case is put in place to ensure that there is some productive use of land in response to government action. Without this provision, the City would risk being challenged on a potential taking due to regulations removing all productive use of property.
	<p>"Prior tree removal has met Chapter 18A.70 LMC, Article III in effect at the time." Ch. 14.154, p. 16 of 11</p> <p>No retroactive permits shall be issued for illegal cutting of Garry oaks and other trees.</p>	<ul style="list-style-type: none"> ▪ This is consistent with the management of other requirements that may differ retroactively.
	<p>"No person shall willfully remove, top, damage, destroy, break, injure, mutilate or kill any priority Oregon white oak trees, savannas, and woodlands except as allowed by this chapter." Ch. 14.154, p. 15 of 11</p> <p>Specific mention must be made of the fact that it will be illegal to allow a Garry oak or other tree to have ivy or other invasive vines growing on it. It is not enough to prohibit them from being engulfed in vines – this is already too late. The presence of invasive vines must</p>	<ul style="list-style-type: none"> ▪ This will be reviewed for inclusions into the regulations under Title 14.

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	<p>be banned. This is a major cause of tree death in Lakewood, and is especially grievous when involving the very slow-growing Garry oaks. As part of Lakewood's effort to preserve and increase tree canopy, a regulation must be in place prohibiting the presence of ivy and other invasive vines on trees.</p> <p>In this context, invasive holly also needs to be mentioned, because it is a serious problem, crowding out native species in Lakewood's wooded areas.</p> <p>"Priority Oregon white oak woodland" Ch. 14.165 Definitions, Page 11 of 15</p> <p>Why has this section been struck?</p> <p>"forested areas of pure oak, or of oak/conifer associations one acre or larger, and all oak trees located within, where oak canopy coverage of the area is at least 25 percent. Stands of oaks less than one acre in size may also be considered priority habitat when found to be particularly valuable to fish and wildlife (i.e., they contain many cavities, have a large diameter at breast height (dbh), are used by priority species, or have a large canopy).</p> <p>It contains important information about how stands less than 1 acre or single trees can be identified as priority habitat. "Large diameter" should be defined, or perhaps removed. As I have mentioned elsewhere, all Garry oaks must be protected in order to guarantee a succession without a temporal gap when the current mature oaks die.</p> <p>Garry oaks are very slow-growing and even small diameter trees can be a century old. According to WDFW's 2024 recommendations, for each inch of diameter growth, it takes 15-20 years. Thus, a 6" diameter at breast height Garry oak is already from 90 – 120 years old. A Douglas fir at this age would be already so wide that a person could not embrace it.</p> <p>In addition, many or even most Garry oaks in Lakewood have a large canopy, which is a straightforward way of identifying oaks valuable to wildlife, as are cavities.</p> <p>As habitat biologist Darrin Masters told me when discussing the Hipkins oaks, at least one of which was cut down by the City for a roundabout, those two oaks were clearly valuable to wildlife and should be preserved. I relayed to the City that he invited them to call with questions.</p> <p>If the aim in the amendments to the Critical Areas Ordinance is to strengthen protections for Garry oaks, it seems that striking this section – which originates in the 1998 WDFW recommendations for Garry oaks – is not helpful.</p> <p>CORRECTION: Ponce de Leon Creek is not "mostly" piped:</p>	<p></p> <p>▪ The revisions to the identified definitions have been reviewed by WDFW to ensure compliance with recommendations. These definitions have been edited as necessary to accommodate the regulations included in Title 14.</p> <p>▪ This will be reviewed and updated if necessary.</p>

Name	Comments submitted to Planning Commission through June 26, 2024	July 10, 2024 City Response
	<p>Riparian Management Zone buffers. – p. 496, p. 12 of 11 of Ch. 14.154 Fish and Wildlife Habitat Conservation Areas </p> <p>It seems misguided to allow the lowering of riparian buffers, which constitutes a move in the wrong direction. We want more protection for our salmon-bearing and other creeks, not less.</p>	<ul style="list-style-type: none"> ▪ This is currently under review to determine the need to balance buffers with the use of property by landowners in the City. While the desire to protect salmon-bearing streams is recognized, this needs to be balanced by other interests of residents.
	<p>Affordable housing:</p> <ul style="list-style-type: none"> - should not have special consideration for “religious organizations” – this is inconsistent with principle of separation of church and state 	<ul style="list-style-type: none"> ▪ This provision is specifically required for Lakewood as per RCW 35A.63.300.
	<ul style="list-style-type: none"> - Lakewood cannot provide density if there won't be enough water, or infrastructure (roads, sewers), all of which must be carefully studied. The City's residents must be confident that Lakewood can support this proposed growth, and all of these issues must be carefully studied and the results shared with the public. The City must always err on the side of caution whenever our water is concerned. 	<ul style="list-style-type: none"> ▪ The Comprehensive Plan provides details on the necessary infrastructure to support intended growth over the next 20 years, as well as intended growth targets for housing and employment uses.
	<p>TILlicum:</p> <p>Tillicum is home to magnificent Garry oaks, many of them single-stemmed (trunked) specimens that will be better able to resist drought and climate change. A priority in Tillicum must be to protect the Garry oaks of this neighborhood, including development such as that planned at the new library site, which are key to providing the protective shade needed for this lower-income neighborhood that is so fortunate to already have a gigantic mature Garry oak canopy to protect it from the heat.</p> <p>Tillicum must not become a heat island. The Garry oaks of Tillicum should feature prominently in that neighborhood's area plan.</p>	<ul style="list-style-type: none"> ▪ The policies incorporated in Citywide documents regarding protection of trees are also applied to the Tillicum-Woodbrook subarea. Incorporating these policies would be redundant unless additional protections would be envisioned.
	<p>Affordable housing:</p> <p>“Affordable housing” cannot take precedence over environmental considerations – a safe and healthy environment and ecosystem is required for people of all income levels.</p>	<ul style="list-style-type: none"> ▪ The Comprehensive Plan is intended as a document with multiple goals, including ensuring both environmental quality and affordable housing for all residents. Prioritizing environmental concerns exclusively over housing goals would not be in compliance with the GMA.
	<ul style="list-style-type: none"> - 18A.90 Housing Incentives Program <p>“Updating inclusionary density bonuses up to increase of to 25% above base zone density in all zones for inclusion of low- or extremely low-income housing in project and making this density bonus exclusive of any other bonus density options in chapter”</p> <p>Moreover, preferential treatment should not be given to religious organizations in affordable housing deals,</p>	<ul style="list-style-type: none"> ▪ Please note above regarding the provisions of RCW 35A.63.300.

Name	Comments submitted to Planning Commission through June 26, 2024	July 10, 2024 City Response
	<p>as this would violate the separation of church and state:</p> <p>“New density bonus discussion for affordable housing created in partnership with religious organizations”</p>	
	<p>Aspen stands added – Where do we have aspen stands in Lakewood? p. 492, p. 8 of 11, Ch. 14.154 Fish and Wildlife Habitat Conservation Areas </p>	<ul style="list-style-type: none"> ▪ This provision may be added for consistency.

ATTACHMENT B

PLANNING COMMISSION RESOLUTION 2024-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKEWOOD, WASHINGTON, FORMALIZING ITS RECOMMENDATIONS REGARDING THE 2024 COMPREHENSIVE PLAN/ZONING MAP AMENDMENTS (ZOAs) AND FORWARDING ITS RECOMMENDATIONS TO THE LAKEWOOD CITY COUNCIL FOR CONSIDERATION AND ACTION.

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

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

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

WHEREAS, the City Council adopted the Tillicum Neighborhood Plan on June 20, 2011 via Resolution 2011-09; and

WHEREAS, the City Council adopted the Downtown Subarea Plan, Development Regulations, and Planned Action on October 1, 2018 via Ordinances 695 and 696; and

WHEREAS, the City Council adopted the Lakewood Shoreline Master Program and Shoreline Restoration Program via Ordinance 711 on May 6, 2019; and

WHEREAS, the City Council adopted the Station District Subarea Plan, Development Regulations, and Planned Action on May 3, 2021 via Ordinances 751 and 752; and

WHEREAS, it is appropriate for the City Council to periodically consider and adopt amendments needed to ensure that the Plan and implementing regulations provide appropriate policy and regulatory guidance for growth and development; and

WHEREAS, RCW 36.70A.130 (4) and (5) require that the City of Lakewood take legislative action to review and, if needed, revise its Comprehensive Land Use Plan and Development Regulations to ensure the Plan and regulations comply with the Growth Management Act (GMA) no later than December 31, 2024 (the "2024 Periodic Review"); and

WHEREAS, per RCW 36.70A.130(2) and via Resolution 2023-01, the City of Lakewood adopted a public engagement plan that was implemented in 2023 and 2024, including through: holding five open houses in various locations across the City; holding over 20 study sessions at the Planning Commission; holding over 10 study sessions at the City Council; publishing two websites that provided information about the 2024 Periodic Review and accepted public comments; convening three community advisory committees to provide input and feedback on the drafting of the 2024 Comprehensive Plan, Tillicum-Woodbrook Subarea Plan, and 2024 development regulations; sending three mailers citywide and one mailer to

shoreline property owners in 2024; and publishing information in 2022, 2023, and 2024 through the Lakewood *Connections* Magazine and on its social media platforms; and

WHEREAS, environmental review as required under the Washington State Environmental Policy Act (SEPA) has resulted in the issuance of a determination of significance and Draft Supplemental Environmental Impact Statement (DSEIS) that was published on June 3, 2024 under SEPA #202402388 with a public comment period through July 3, 2024; and

WHEREAS, notice of the proposed 2024 Comprehensive Plan was provided to state agencies on May 21, 2024 per City of Lakewood NOIA-2024-S-7088 and updated on June 2, 2024 per NOIA-2024-S-7111, prior to the adoption of this Resolution, and state agencies have been afforded the opportunity to comment per RCW 36.70A.106 (1); and

WHEREAS, notice of the proposed 2024 Development Regulations was provided to state agencies on May 21, 2024 per City of Lakewood NOIA: 2024-S-7089 and updated on 06/02/24 per NOIA: 2024-S-7112, prior to the adoption of this Resolution, and state agencies have been afforded the opportunity to comment per RCW 36.70A.106(1); and

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

WHEREAS, the Lakewood Planning Commission held an open record public hearing that began on June 5, 2024 and continued through June 26, 2024; and

WHEREAS, the Lakewood Planning Commission has determined that the 2024 Periodic Review Comprehensive Plan amendments are consistent with: the Growth Management Act; VISION 2050 and the Regional Growth Strategy; and the Pierce County Countywide Planning Policies; and that the proposed amendments meet the criteria for approval found in LMC 18A.30.050 and LMC 18A.30.090(A)(4); and

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

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

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

2024-01 Adopt the 2024 City of Lakewood Comprehensive Plan;

- 2024-02** Replace the 2011 Tillicum Neighborhood Plan with the 2024 Tillicum-Woodbrook Subarea Plan as an optional element of the Comprehensive Plan;
- 2024-03** Amend the 2018 Downtown Subarea Plan to incorporate parcels rezoned in 2023 to Central Business District;
- 2024-04** Amend the 2021 Station District Subarea Plan to remove reference to the Lakewood Landing development;
- 2024-05** Rezone parcel 0320311063 from Commercial 2 (C2) to Open Space Recreation 1 (OSR1) for inclusion in Wards Lake Park;

Section 2: In addition to the amendments listed in Section 1, the Planning Commission recommends that:

- the City Council implement Comprehensive Plan Policy SA-1.2, “Develop and implement redevelopment and subarea plans for other areas such as the Springbrook [area]”;
- the City Council implement Comprehensive Plan Urban Design Strategy UD-B, “Develop an individual identity for the International District [primarily along the South Tacoma Way corridor] through branding, visitor engagement, and city-sponsored events” via the development of a subarea plan;
- the City Council amend the Downtown Transportation Mitigation Fee (TMF) program and direct the Planning & Public Works Department to amend its related administrative policy in order to ensure that the program is collecting the funds it was designed to collect for subarea transportation improvements; and
- the City Council consider updating street design standards, as well as capital funding policies and practices, in order to successfully identify grants and other funds to mitigate impacts over time of the state-required housing densification in Lakewood’s historically single-family areas.

Section 3: The Lakewood Planning Commission hereby directs staff to transmit its recommendations as contained herein to the Lakewood City Council in a timely manner.

PASSED AND ADOPTED at a regular meeting of the City of Lakewood Planning Commission this 10th day of July, 2024, by the following vote:

AYES: BOARDMEMBERS:

NOES: BOARDMEMBERS:

ABSENT: BOARDMEMBERS:

ATTEST:

ROBERT ESTRADA, CHAIR,
PLANNING COMMISSION

KAREN DEVEREAUX, SECRETARY

EXHIBIT A

2024-01 Adopt the 2024 City of Lakewood Comprehensive Plan

See **Attachment A**.

2024-01 Review and Evaluation Analysis

1. Is the proposed amendment consistent with the county-wide planning policies, the Growth Management Act (GMA), other state or federal law, or the Washington Administrative Code? **Yes. This amendment is to implement the required periodic update of the Lakewood Comprehensive Plan.**
2. Would the proposed amendment have little or no adverse environmental impacts and is the time required to analyze impacts available within the time frame of the standard annual review process? **Yes. This is a non-project action. *Any environmental impacts coming from a future application for development would be reviewed under the City's development and environmental protection regulations.***
3. Is sufficient analysis completed to determine any need for additional capital improvements and revenues to maintain level-of-service, and is the time required for this analysis available within the time frame for this annual review process? **Yes. This is a non-project action. *Any impacts on capital improvement or revenues coming from a future application for development would be reviewed under the City's development and environmental protection regulations.***
4. Can the proposed amendment be considered now without conflicting with some other Comprehensive Plan established timeline? **Yes. This non-project action is part of the 2024 Comprehensive Plan Periodic Review.**
5. Can the proposed amendment be acted on without significant other amendments or revisions not anticipated by the proponents and is the time required for processing those amendments or revisions available within the time frame of this annual review process? **Yes.**
6. If the proposed amendment was previously reviewed, ruled upon or rejected, has the applicant identified reasons to review the proposed amendment again? **N/A.**

Note: The City also published a draft Supplemental Environmental Impact Statement (DSEIS) on June 3, 2024 under SEPA [202402388](#).

2024-02 Replace the 2011 Tillicum Neighborhood Plan with the 2024 Tillicum-Woodbrook Subarea Plan as an optional element of the Comprehensive Plan

See **Attachment B**.

2024-02 Review and Evaluation Analysis

1. Is the proposed amendment consistent with the county-wide planning policies, the Growth Management Act (GMA), other state or federal law, or the Washington Administrative Code? **Yes. This amendment is part of the required periodic update of the Lakewood Comprehensive Plan.**
2. Would the proposed amendment have little or no adverse environmental impacts and is the time required to analyze impacts available within the time frame of the standard annual review process? **Yes. This is a non-project action. Any environmental impacts coming from a future application for development would be reviewed under the City's development and environmental protection regulations.**
3. Is sufficient analysis completed to determine any need for additional capital improvements and revenues to maintain level-of-service, and is the time required for this analysis available within the time frame for this annual review process? **Yes. This is a non-project action. Any impacts on capital improvement or revenues coming from a future application for development would be reviewed under the City's development and environmental protection regulations.**
4. Can the proposed amendment be considered now without conflicting with some other Comprehensive Plan established timeline? **Yes. This non-project action is part of the 2024 Comprehensive Plan Periodic Review.**
5. Can the proposed amendment be acted on without significant other amendments or revisions not anticipated by the proponents and is the time required for processing those amendments or revisions available within the time frame of this annual review process? **Yes.**
6. If the proposed amendment was previously reviewed, ruled upon or rejected, has the applicant identified reasons to review the proposed amendment again? **N/A.**

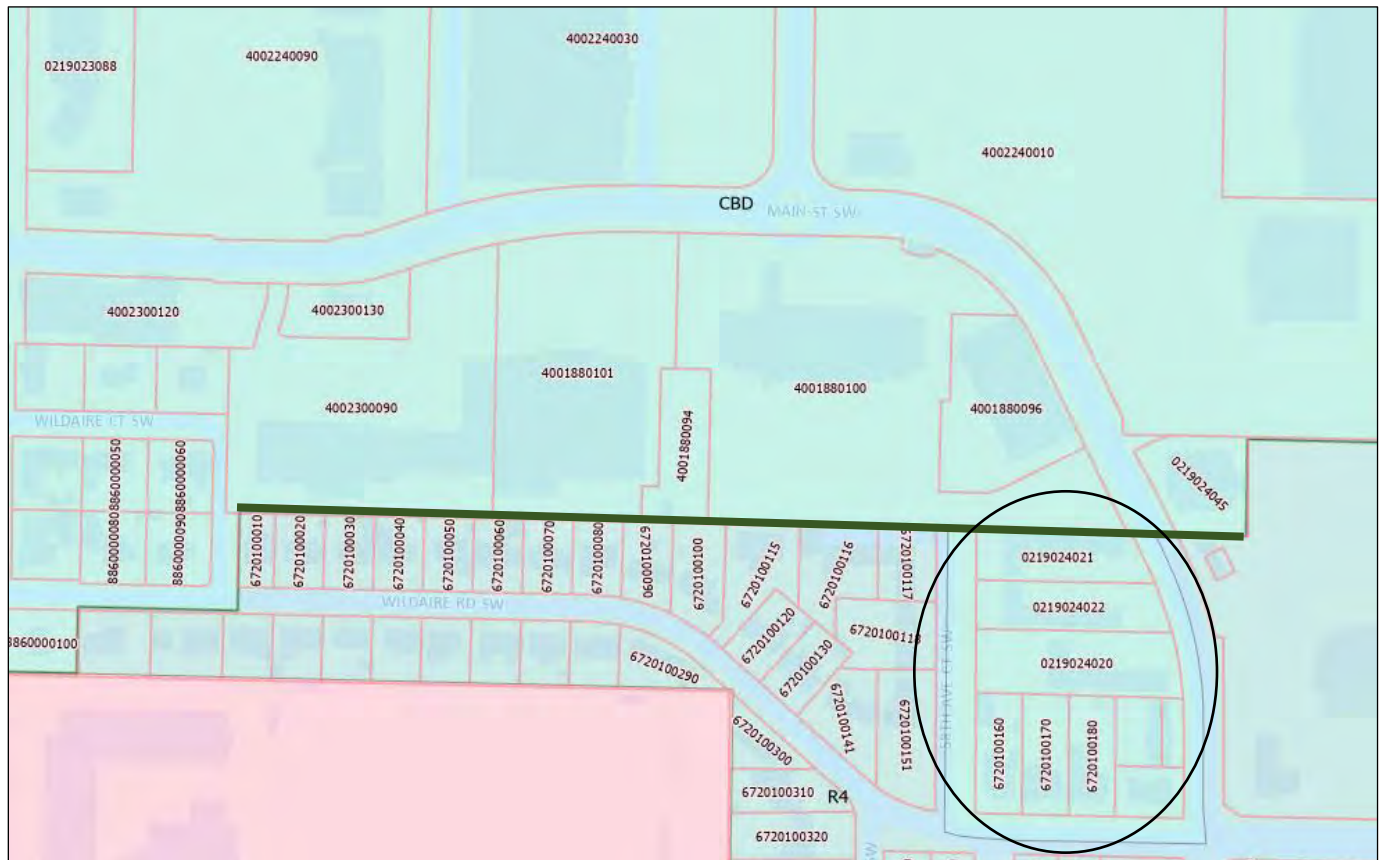
Note: The City also published a draft Supplemental Environmental Impact Statement (DSEIS) on June 3, 2024 under SEPA [202402388](#).

2024-03 Amend the Downtown Subarea Plan boundary to incorporate nine (9) parcels rezoned in 2023 to Central Business District (CBD)

Expand the southern boundary of the Downtown Subarea to include:

- Parcels 0219024020, -4021 and -4022, and -4024; and
- Parcels 6720100160, -170, -180, -191, -200

Depicted graphically in the map below, the dark green boundary would be adjusted to incorporate the parcels listed above and circled below.



2024-03 Review and Evaluation Analysis

1. Is the proposed amendment consistent with the county-wide planning policies, the Growth Management Act (GMA), other state or federal law, or the Washington Administrative Code? **Yes. This amendment is part of the required periodic update of the Lakewood Comprehensive Plan and updates the Downtown Subarea Plan, an optional Comprehensive Plan element.**
2. Would the proposed amendment have little or no adverse environmental impacts and is the time required to analyze impacts available within the time frame of the standard annual review process? **Yes. This is a non-project action. Any environmental impacts coming from a future application for**

development within the Downtown Subarea would be reviewed under the City's development and environmental protection regulations.

3. Is sufficient analysis completed to determine any need for additional capital improvements and revenues to maintain level-of-service, and is the time required for this analysis available within the time frame for this annual review process?

Yes. This is a non-project action. Any impacts on capital improvement or revenues coming from a future application for development in the Downtown Subarea would be reviewed under the City's development and environmental protection regulations.

4. Can the proposed amendment be considered now without conflicting with some other Comprehensive Plan established timeline? **Yes. This non-project action is part of the 2024 Comprehensive Plan Periodic Review.**

5. Can the proposed amendment be acted on without significant other amendments or revisions not anticipated by the proponents and is the time required for processing those amendments or revisions available within the time frame of this annual review process? **Yes.**

6. If the proposed amendment was previously reviewed, ruled upon or rejected, has the applicant identified reasons to review the proposed amendment again? **N/A.**

Note: The City also published a draft Supplemental Environmental Impact Statement (DSEIS) on June 3, 2024 under SEPA [202402388](#).

2024-04 Amend the Station District Subarea Plan to remove reference to the Lakewood Landing development.

See **Attachment C**.

2024-04 Review and Evaluation Analysis

1. Is the proposed amendment consistent with the county-wide planning policies, the Growth Management Act (GMA), other state or federal law, or the Washington Administrative Code? **Yes. This amendment is part of the required periodic update of the Lakewood Comprehensive Plan and updates the Station District Subarea Plan, an optional Comprehensive Plan element.**

2. Would the proposed amendment have little or no adverse environmental impacts and is the time required to analyze impacts available within the time frame of the standard annual review process? **Yes. This is a non-project action. Any environmental impacts coming from a future application for development within the Station District Subarea would be reviewed under the City's development and environmental protection regulations.**

3. Is sufficient analysis completed to determine any need for additional capital improvements and revenues to maintain level-of-service, and is the time required for this analysis available within the time frame for this annual review process? **Yes. This is a non-project action. Any impacts on capital improvement or revenues coming from a future application for development in the Station District Subarea would be reviewed under the City's development and environmental protection regulations.**

4. Can the proposed amendment be considered now without conflicting with some other Comprehensive Plan established timeline? **Yes. This non-project action is part of the 2024 Comprehensive Plan Periodic Review.**

5. Can the proposed amendment be acted on without significant other amendments or revisions not anticipated by the proponents and is the time required for processing those amendments or revisions available within the time frame of this annual review process? **Yes.**

6. If the proposed amendment was previously reviewed, ruled upon or rejected, has the applicant identified reasons to review the proposed amendment again? **N/A.**

Note: The City also published a draft Supplemental Environmental Impact Statement (DSEIS) on June 3, 2024 under SEPA [202402388](#).

2024-05 Rezone parcel 0320311063 from Commercial 2 (C2) to Open Space Recreation 1 (OSR1) for inclusion in Wards Lake Park.



2024-05 Review and Evaluation Analysis

1. Is the proposed amendment consistent with the county-wide planning policies, the Growth Management Act (GMA), other state or federal law, or the Washington Administrative Code? **Yes. This amendment would allow for further expansion of Ward's Lake Park, which benefits residents in the northeast section of Lakewood. The City of Lakewood currently owns the**

property. The amendment would result in the loss of 1 single-family residentially zoned parcel.

See MPP-En-15, and DP-11. See CPPs ENV-12 and ENV-14. See also Lakewood Comprehensive Plan Goals LU-41 and LU-42.

2. Would the proposed amendment have little or no adverse environmental impacts and is the time required to analyze impacts available within the time frame of the standard annual review process? **Yes. This is a non-project action. *Any environmental impacts coming from a future application for development on the included parcels would be reviewed under the City's development and environmental protection regulations.***

3. Is sufficient analysis completed to determine any need for additional capital improvements and revenues to maintain level-of-service, and is the time required for this analysis available within the time frame for this annual review process? **Yes. This is a non-project action. *Any impacts on capital improvement or revenues coming from a future application for development on the included parcels would be reviewed under the City's development and environmental protection regulations.***

4. Can the proposed amendment be considered now without conflicting with some other Comprehensive Plan established timeline? **Yes. This non-project action is part of the 2024 Comprehensive Plan Periodic Review.**

5. Can the proposed amendment be acted on without significant other amendments or revisions not anticipated by the proponents and is the time required for processing those amendments or revisions available within the time frame of this annual review process? **Yes.**

6. If the proposed amendment was previously reviewed, ruled upon or rejected, has the applicant identified reasons to review the proposed amendment again? **N/A. This is a City-initiated amendment to allow for the further improvement of Ward's Lake Park.**

ATTACHMENT A

Lakewood Comprehensive Plan

WORKING VERSION | May 2024 DRAFT

The 2024 Lakewood, WA Comprehensive Plan is significantly updated and streamlined to reflect progress the city has made since its incorporation to achieve the Vision of its founders. It is designed as an accessible and efficient tool to implement the Vision of its current and future residents and leaders.

The Plan promotes equitable, sustainable, and financially responsible growth planning for Lakewood's land uses and capital facilities. It is a solid foundation for the incentives, regulations, and partnerships that will implement the Plan's policies. It is consistent with the Growth Management Act as well as regional and countywide policies.

The 2024 Comprehensive Plan includes policies and priorities that will improve the quality of life for Lakewood's residents no matter their racial or economic status. It celebrates the city's' diversity. It identifies and promotes economic and cultural subareas. It acknowledges Lakewood's unique status as a city hosting a state forensic hospital and two colleges and located adjacent to the largest military installation west of the Mississippi River as well as the Nisqually Indian Tribe Reservation.

I am proud to present the 2024 City of Lakewood Comprehensive Plan.

Sincerely,

[signature]

Jason Whalen

Mayor, City of Lakewood

Acknowledgements

Lakewood's elected and appointed officials and city staff wish to acknowledge the numerous individuals who participated and contributed their valuable expertise in the preparation and production of this document.

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Patti Belle
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Michael Brandstetter
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Trestin Lauricella

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OTHER ACKNOWLEDGMENTS

2024 PERIODIC REVIEW

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2021 STATION DISTRICT SUBAREA PLAN

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Josh Steiner, Fehr & Peers

2018 DOWNTOWN SUBAREA PLAN

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2015 TRANSPORTATION BACKGROUND REPORT

Lisa Grueter, BERK Consulting

Jon Pascal, Transpo Group

2004 COMPLIANCE REPORT CONCEPT

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Summary

Incorporated in 1996, the City of Lakewood is now the second largest city in Pierce County, Washington. The City of Lakewood has prepared and updated this Comprehensive Plan as required by the Washington State Growth Management Act (GMA); per the GMA, it is based on a 20-year time horizon. The Plan will shape Lakewood's growth for the next two decades by:

- Defining the level, intensity, and geographic distribution of employment and residential growth.
- Identifying the needed improvements to public facilities, transportation, and utility infrastructure to service the projected levels of population and employment, along with proposed methods of finance.
- Identifying the housing needs and requirements for the community.
- Defining the desired physical development patterns and urban design treatments.

The 2024 Plan contains fifteen substantive Elements. There are also a number of Appendices providing additional technical, historical, and demographic data that inform and support the Elements. The Plan is a foundational document for the city, but it is also intended to be a living document that is updated over time to ensure it continues to guide improvements to the quality of life for all in Lakewood.

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1 Introduction

1.1 Overview

The City of Lakewood has prepared and adopted this 2024 Comprehensive Plan as required by the Washington State Growth Management Act (GMA) with a horizon year of 2044. The Lakewood 2024 Comprehensive Plan is consistent with state law, multicounty planning policies, and countywide planning policies and growth targets. It is also internally consistent among its fifteen elements and is the basis for the city's development regulations.

This Comprehensive Plan is also a reflection of the community's values and an expression of its vision for the future. Although there has been western development in the area for over one hundred years, Lakewood is a young city which incorporated in 1996. Extensive public outreach was conducted before and immediately after incorporation, during the development of the initial Comprehensive Plan, at the 2015 periodic update, and for the 2024 periodic update.

VISION STATEMENT

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

The City Council's vision for Lakewood at its 30-Year Anniversary is a community:

- *Inspired by its own sense of history and progress;*
- *Known for its safe and attractive neighborhoods, vibrant downtown, active arts and cultural communities;*
- *Sustained by robust economic growth and job creation;*
- *Recognized for the excellence of its public and private schools, and its community and technical colleges;*
- *Characterized by the beauty of its lakes, parks, and natural environment;*
- *Acknowledged for excellence in the delivery of municipal services;*
- *That actively cultivates, embraces, and continually strives to create a more inclusive community with the equitable delivery of City services; and*
- *Supportive of Joint Base Lewis McChord (JBLM), Camp Murray, service members and their families.*

Lakewood City Council, Adopted June 21, 2021

Lakewood Community Values (2015)

- *Friendly and Welcoming Community*
- *High Quality Public Services, Educational Systems, Parks and Facilities*
- *Vibrant Connected Community Places Unique to Lakewood*
- *Strong Local Economy*
- *Sustainable and Responsible Practices*

Above all, this plan seeks to make Lakewood the kind of community where people are proud to live and work. This defining objective will be achieved through a variety of approaches, characterized into three broad themes:

- Controlling sprawl;
- Creating place; and
- Protecting the environment.

Following adoption in 2000, this Comprehensive Plan has been supplemented and implemented in large part through adoption of several programs, plans, and codes over time, including but not limited to:

- City biennial budgets;
- A zoning scheme and development regulations that are consistent with the Comprehensive Plan land use designations, reviewed annually;
- Subarea plans, development regulations, and State Environmental Policy Act (SEPA) planned actions for the Downtown, Station District, and Tillicum-Woodbrook subareas, reviewed periodically;
- A Critical Areas Ordinance (CAO), as defined by the GMA and updated per the state law schedule;
- A Shoreline Master Program (SMP) and Restoration Plan, updated per the state law schedule;
- A six-year transportation improvement program (TIP), updated annually;
- A non-motorized transportation plan (NMTP), updated periodically; and
- The Parks Legacy Plan, updated periodically.

Development regulations that apply to specific development proposals are based on the goals and policies contained in this Plan. When reviewing and commenting on a proposed development project, the planning staff and the decision-making body evaluate the proposal's conformance with specific planning goals and applicable policies. Since many planning issues, such as land use and transportation, are inextricably interrelated, the goals and policies of one element are likely to pertain to other elements as well.

1.2 Guide to the Document

As listed in the Table of Contents, the following Elements are included as part of the Plan:

- **Land Use** (LU);
- **Capital Facilities and Essential Public Facilities** (CF);
- **Economic Development** (ED);
- **Energy and Climate Change** (EC);
- **Housing** (HO);
- **Military Compatibility** (MC);
- **Natural Environment** (NE);
- **Parks, Recreation, and Open Space** (PR);
- **Public Services** (PS);
- **Subareas** (SA);
- **Transportation** (TR);
- **Urban Design** (UD);
- **Utilities** (UT); and
- **Implementation** (IM).

Each Element includes:

- An **Introduction** to the Element, which defines the scope and intent of the Element and its role in the Comprehensive Plan and city policy;
- A summary of **Background** information to support the policies included in the Element; and
- The **Goals and Policies** of the Element.

Note that in addition to these sections, a **Glossary** of terms used within the Comprehensive Plan is provided. There is also a supplemental Appendix with sections for many Elements that may include:

- Background and additional explanation regarding the Plan's goals and policies;
- Issues unique to Lakewood that affect how Plans goals and policies are developed and will be implemented; and
- Additional implementation action items.

The key components of the Comprehensive Plan are a series of Goals and Policies divided between the individual Elements:

- A **Goal** is usually a broad statement of long-term aspiration that the city intends to achieve. They typically articulate the desired end state or the general policy direction for the city over time. They do not usually dictate how to achieve the outcomes but instead offer a guiding vision.
- A **Policy** is a specific guideline that directs decision-making to achieve the goals outlined in the Plan. Policies provide the framework for actions and decisions that the city needs to implement and are typically actionable and more precise. They can also include specific measures or standards to be met.

In addition to goals and policies, the Comprehensive Plan includes an **Implementation Strategy**. This includes specific actions that the city will likely pursue to implement the goals and policies, divided between different Elements. Although these are not as binding like Goals and Policies, they often define the ways that the city will take active steps to follow the Comprehensive Plan.

1.3 Amendments

The Comprehensive Plan can be considered an evolving document, and as such will need to be reviewed and revised over time to address updated information, changes in public interests, and adjustments to statutory requirements. Amendments to the Comprehensive Plan are typically managed under three different mechanisms:

- Minor amendments to the Comprehensive Plan are typically incorporated into the Plan on an annual basis. Typically, these amendments are reviewed and approved as a single docket.
- Major periodic reviews are incorporated every ten years under RCW [36.70A.130](#).
- Emergency amendments may be conducted under RCW [36.70A.130](#)(2)(b) and WAC [365-196-640](#)(4), typically in response to an immediate risk to public health or safety.

Proposed changes to the Comprehensive Plan are reviewed by the Planning Commission and then decided upon by the City Council.

In addition to this process, the city is required under RCW [36.70A.130](#) to submit an implementation progress report on key outcomes five years after a major periodic review. In Lakewood, this progress report will be due in 2029. This may result in an expanded set of changes to be made to the Comprehensive Plan to maintain compliance with state requirements.

Note that whenever the Comprehensive Plan is amended, it is essential to confirm consistency to prevent conflicts:

- The Comprehensive Plan should be consistent with all applicable statutes, as well as the Multicounty and Countywide Planning Policies;
- The Plan should be internally consistent with itself, with no contradictions or unintended effects between existing and changed policies; and
- Development regulations should be consistent with the Comprehensive Plan and revised to implement the policies of the Plan as written.

2 Land Use and Maps

2.1 Introduction

The Land Use Element sets the stage in Lakewood for a balanced allocation of land for housing, commerce, industry, recreation, transportation, open space, cultural resources, and other uses. It accommodates residential and commercial growth; in some areas, housing and commercial development may be interwoven where they can mutually benefit one another. Elsewhere, different land uses may remain discrete to meet other goals.

The land-use chapter is organized topically. Included Goals and policies will be realized through the city's implementation strategies, including future sub-area planning, technical area planning, design and development regulations, the process of development review, and other such methods. This element includes a copy of the official Lakewood Future Land Use Map designating the city's future land uses. It also contains:

- Lakewood's Land Use Zoning Map;
- The Puget Sound Regional Council (PSRC) Designated Lakewood Regional Urban Growth Center Map;
- Lakewood's Centers of Municipal Importance (CoMIs) Map; and
- Lakewood's Urban Growth Areas Map.

Together, these maps graphically represent the land-use element's policies and tie together the Comprehensive Plan's various elements.

2.2 Background

2.2.1 Land Use Considerations

Lakewood incorporated in 1996; however, it incorporated as an extensively developed, mature community. The majority of privately held properties within the city boundaries are developed and improved. The overall infrastructure network, including transportation, utilities, and open space is largely in place with several notable exceptions. Most future population and employment growth will occur as the result of urban infill and redevelopment of existing properties.

The city recognizes the need to refine its land use patterns over time to:

- Promote economic development;
- Provide for the housing needs of a diverse existing and future population at all economic levels;
- Maximize and guide the use of existing and future infrastructure investments;

- Protect critical and environmentally sensitive areas; and
- Plan for climate change and resiliency.

From this need, the city provides an overarching land use strategy that:

- Focuses future development where it is required per state law, but also where it is best served by motorized and active transportation;
- Reinforces the health of commercial sectors; and
- Provides a broad spectrum of quality housing with sufficient stock affordable to all economic segments to meet growth targets.

Recreation and open space will become increasingly prized assets needed to support a larger population's quality of life as well as larger commercial and industrial bases. Public open space will become critical in preserving Lakewood's visual character and as recreational amenities for Lakewood's families as well as for wildlife. Better connections are needed between these "landed" resources and improved access is needed to public lands and waters for Lakewood's population.

Each of the land-use designations depicted on the official 2024 Future Land Use Map are described in the Goals and Policies of this element. These reflect significant changes to Lakewood's residential designations that were in place prior to the 2023 GMA updates requiring the city to allow multiple middle housing and/or accessory dwelling units (ADUs) per lot in areas of historically single-family land use.

2.2.2 Land Use Designations

The official Lakewood Future Land Use Map (FLUM) is foundational to the city's Comprehensive Plan. Considerations in the development of the Future Land Use Map included:

- General distribution and location of existing land uses;
- Population, housing unit, and employment growth targets;
- Appropriate intensity and density of land uses given current development trend;
- Protection of critical and environmentally sensitive areas;
- Protection of the quality and quantity of public water supplies;
- The provision of public services, including available utilities and urban services provided by third party entities;
- Control of stormwater runoff; and
- Costs and benefits of growth.

The FLUM establishes broad categories of land use ("designations") that are further defined at parcel-level distinctions in the Zoning Map and regulated by the Municipal Code development regulations. It serves as the principal guide for elected officials in making decisions about the need for, and the locations of, public services, utility systems, transportation routes, and other capital facilities. The FLUM is also referenced by city staff, consultants, private citizens, developers, and others interested in the city's future as they make decisions about where to live, work, invest, and conduct business.

Land Use Designations are used in conjunction with the Comprehensive Plan's written goals and policies, which reflect how the community wishes to implement its vision for the city, its goals and objectives for land use, and other related elements of the Plan.

The table in Exhibit 2-1 below summarizes which land use zones in the Lakewood Municipal Code implement the city's various land use designations. Exhibit 2-2 provides the FLUM for the Comprehensive Plan, while Exhibit 2-3 includes the zoning map provided as part of city zoning under LMC [18A.10.150](#).

Descriptions of the city's land use zones and the allowed uses within each zone are included in LMC [18A.10.120](#) (for the city overall), as well as Title [18B](#) LMC (for the Downtown Subarea) and Title [18C](#) (for the Station District Subarea).

2.2.3 Air Installation Compatibility

Lakewood's Air Corridor 1 and 2 land use zones, which represent about 5% of the city's total acreage, currently encompass 1,832 housing units that do not conform to the safety guidelines outlined in the Accident Potential Zones (APZ) I & II of North McChord Airfield at Joint Base Lewis McChord. According to the Department of Defense's [2015 JBLM Air Installation Compatibility Use Zone \(AICUZ\) Report](#), the residential densities in the AC1, AC2, and CZ zones greatly exceed those advised for compatibility with JBLM operations. The report highlights that generally, residential uses in these areas conflict with the defined accident potential. Detached single-family homes with densities of one to two units per acre may be acceptable under specific conditions in APZ II, however.

In response, Lakewood plans to transition these areas from non-conforming residential uses to low-density, non-residential uses to align with Department of Defense and FAA air safety regulations, state law, and PSRC policies. The impacted areas are identified in Exhibit 2-4.

This action will involve consideration of:

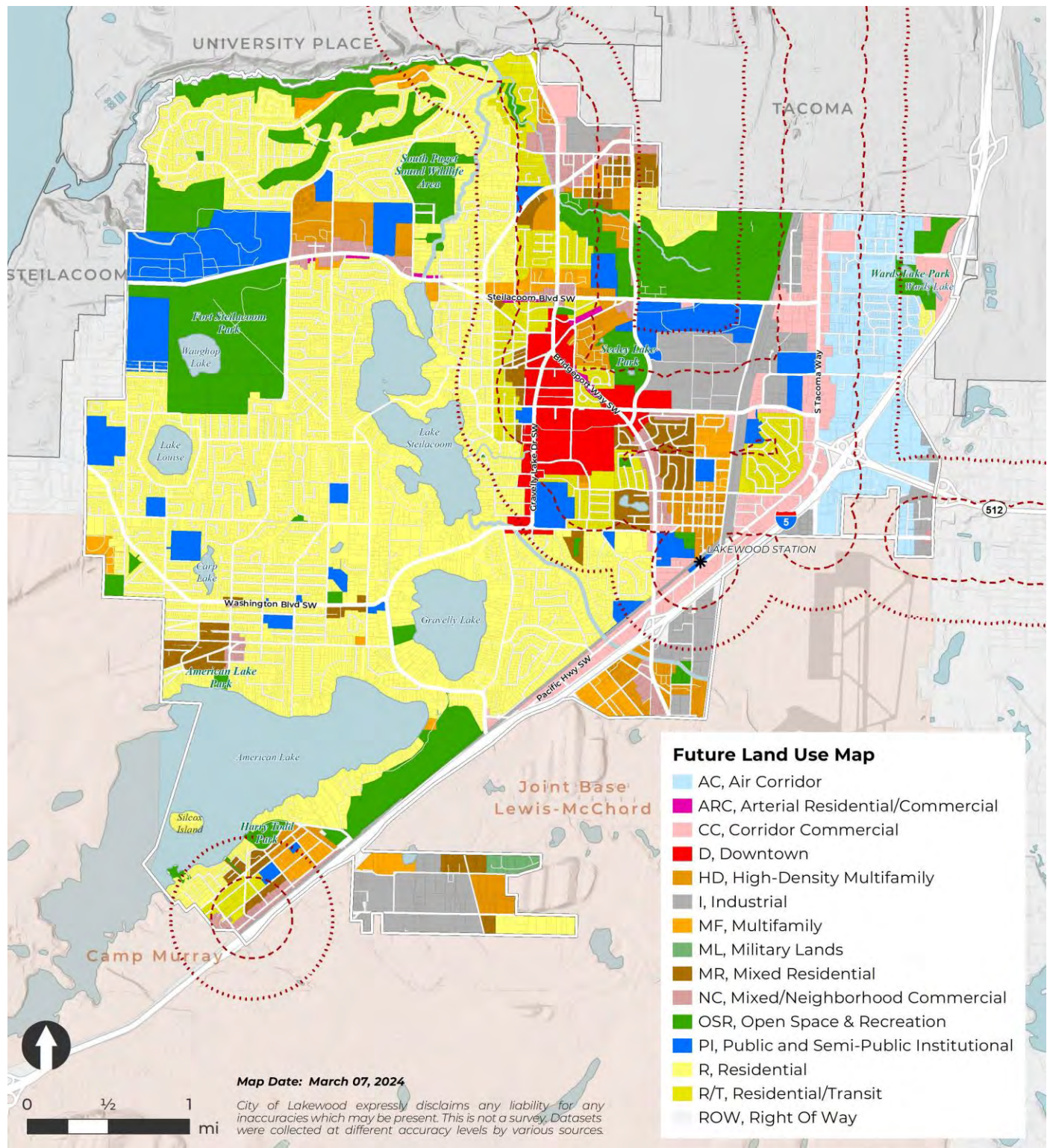
- RCW [36.70A.530](#)(3), which guides against developments near military installations that could hinder their operational capabilities;
- RCW [43.330.515](#) and [520](#), which address incompatible developments around military bases; and
- [VISION 2050 Policy](#) MPP-DP-49, which aims to protect military lands from encroaching incompatible developments.

Overall, this will involve gradually relocating the 1,832 nonconforming units from the AC1, AC2, and CZ zones to other parts of Lakewood, in addition to accommodating future residential growth.

Exhibit 2-1. Lakewood Land Use Designations and Zoning.

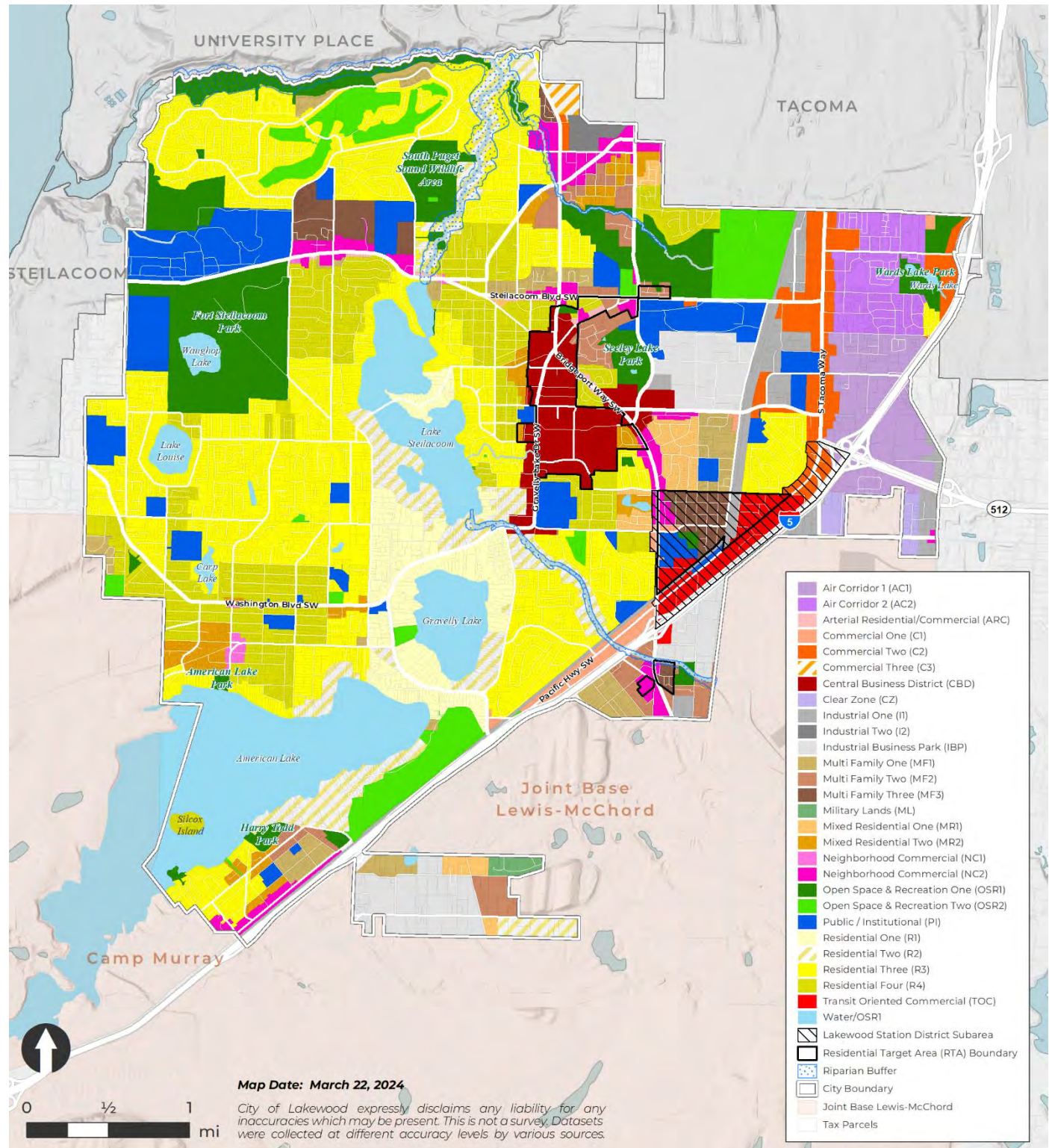
Land Use Designation	Land Use Zoning District
Air Corridor 1 (AC1) Air Corridor 2 (AC2)	<ul style="list-style-type: none"> ▪ Clear Zone (CZ) ▪ Air Corridor 1 (AC1) ▪ Air Corridor 2 (AC2)
Arterial Corridor (ARC)	<ul style="list-style-type: none"> ▪ Arterial Residential/Commercial (ARC)
Corridor Commercial (CC)	<ul style="list-style-type: none"> ▪ Transit-Oriented Commercial (TOC) <i>(within Lakewood Station District)</i> ▪ Commercial 1 (C1) ▪ Commercial 2 (C2) ▪ Commercial 3 (C3)
Downtown	<ul style="list-style-type: none"> ▪ Central Business District (CBD)
High-Density Multifamily (HD)	<ul style="list-style-type: none"> ▪ Multifamily 2 (MF2) ▪ Multifamily 3 (MF3)
Industrial (I)	<ul style="list-style-type: none"> ▪ Industrial Business Park (IBP) ▪ Industrial 1 (I1) ▪ Industrial 2 (I2) ▪ Industrial 2 (I2)
Public and Semi-Public Institutional (PI)	<ul style="list-style-type: none"> ▪ Public Institutional (PI)
Multifamily (MF)	<ul style="list-style-type: none"> ▪ Multifamily 1 (MF1)
Military Lands (ML)	<ul style="list-style-type: none"> ▪ Military Lands (ML)
Mixed Residential (MR)	<ul style="list-style-type: none"> ▪ Mixed Residential 1 (MR1) ▪ Mixed Residential 2 (MR2)
Neighborhood Business District (NBD)	<ul style="list-style-type: none"> ▪ Neighborhood Commercial 1 (NC1) ▪ Neighborhood Commercial 2 (NC2)
Open Space and Recreation (OSR)	<ul style="list-style-type: none"> ▪ Open Space and Recreation 1 (OSR1) ▪ Open Space and Recreation 2 (OSR2)
Residential (R)	<ul style="list-style-type: none"> ▪ Residential 1 (R1) ▪ Residential 2 (R2) ▪ Residential 3 (R3) ▪ Residential 4 (R4)
Residential/Transit (R/T)	<ul style="list-style-type: none"> ▪ Residential 2/Transit (R2/T) ▪ Residential 3/Transit (R3/T) ▪ Residential 4/Transit (R4/T)

Exhibit 2-2. Lakewood Future Land Use Map.



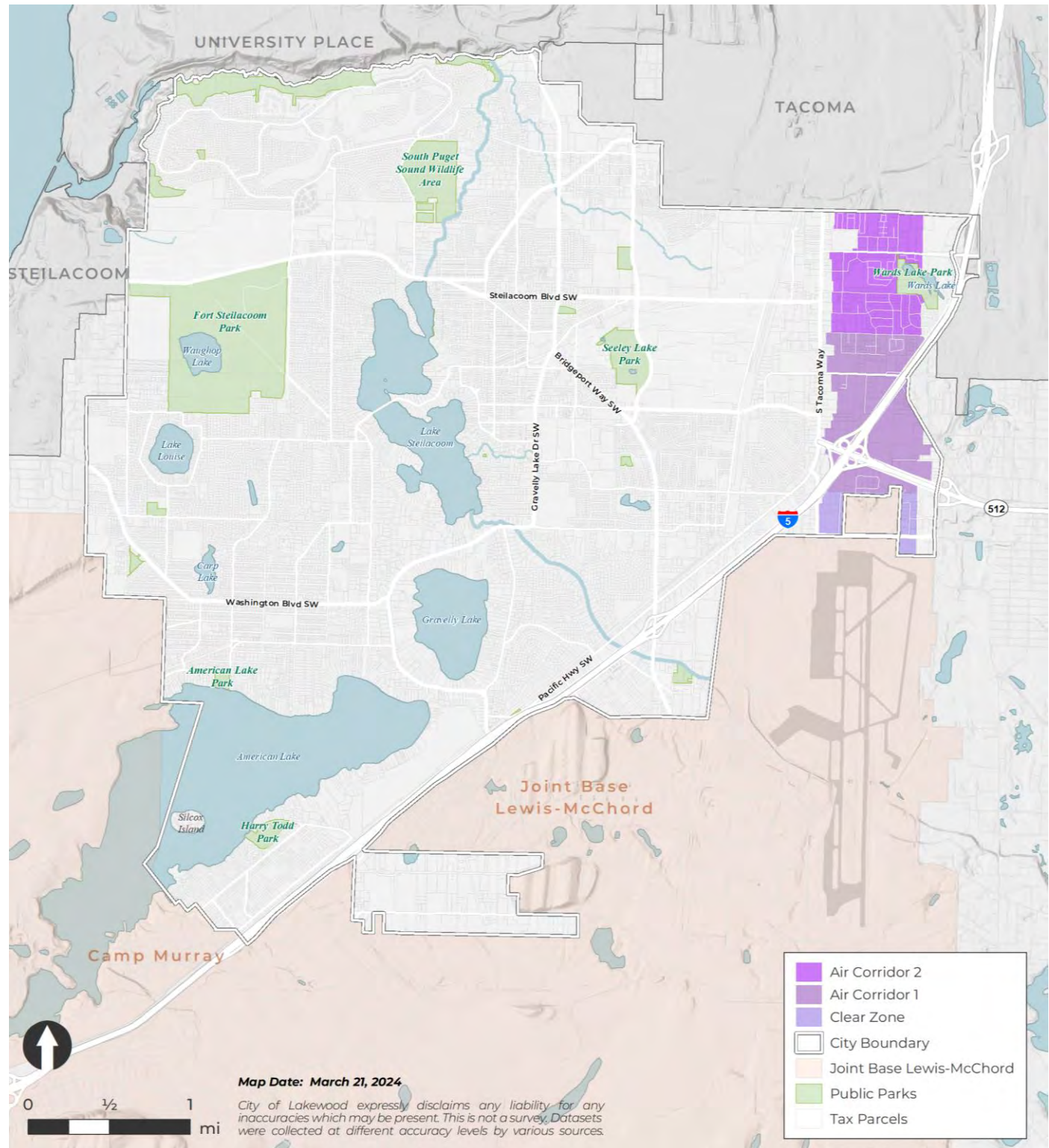
Source: City of Lakewood, 2024; Pierce County GIS, 2024.

Exhibit 2-3. Lakewood Zoning Map.



Source: City of Lakewood, 2024; Pierce County GIS, 2024.

Exhibit 2-4. Lakewood Air Corridors.



Source: City of Lakewood, 2024; Pierce County GIS, 2024.

2.2.4 Growth Capacity

Land use planning is crucial for managing the future growth of Lakewood to consider community health and sustainability. The FLUM indicates the expected use of urban spaces and underlies the Comprehensive Plan overall, strategically directing growth and investment for the next 20 years.

What is essential, however, is to ensure that the Plan provides sufficient capacity to accommodate future growth. Pierce County has provided targets based on the VISION 2050 Regional Growth Strategy from the PSRC as part of Countywide Planning Policies (CPPs)¹. These targets include accommodating the following growth by 2044:

- An additional 9,378 housing units;
- An additional 9,863 jobs; and
- An additional 574 emergency housing units.

Note that the Housing Element in Chapter 6 provides more details about the housing required by type and target household income.

An evaluation of data from the 2020 Buildable Lands Report has been used to evaluate the ability for Lakewood to accommodate this future growth. This has been updated to account for recent growth, changes in allowable residential densities, and other changes to permitted development. Additional details for this analysis are provided in the Appendix.

Exhibit 2-5 provides a comparison between the growth necessary to achieve targets under the current CPPs and the assessed capacity to meet these growth demands. Based on the assumptions of the assessment, the current growth capacity under the FLUM will be sufficient to accommodate both residential and employment growth in the city over the next 20 years. There is also sufficient capacity to provide flexibility in accommodating the shape of future growth, such as preferences for development in certain areas of the city or for certain types of housing.

Exhibit 2-5. Lakewood Growth Targets and Capacity, 2020–2044.

	2020 Conditions	2044 Targets	Expected Growth 2020-2044	Growth Capacity
Population	63,612	86,792	+23,180	40,922*
Jobs	29,872	39,735	+9,863	15,238
Housing	26,999	36,377	+9,378	17,488
Emergency Housing	8	582	+574	**

* Housing capacity calculations assume 2.34 persons per household.

** Assessments indicate sufficient sites are available for emergency housing.

Sources: Pierce County, 2023; US Census Quick Facts, 2023.

¹ See [Appendix A](#) of the Pierce County CPPs, and Ordinances 2022-46s and 2023-22s.

2.2.5 Management Areas

Within the city, there are several areas that are subject to different policies based on their function, importance, and needs. These include the following:

Lakewood Regional Urban Growth Center

As shown in Exhibit 2-6, Downtown Lakewood includes a PSRC Regional Growth Center as defined by the Multicounty Planning Policies (MPPs) in the [VISION 2050](#) Regional Growth Strategy. These areas are provided additional funding priority from the PSRC for transportation and economic development funding, but as such are subject to certain requirements, including²:

- Planned densities of at least 45 activity units (AUs; jobs plus residents) per acre;
- A minimum mix of at least 15% planned residential and employment activity;
- Residential and employment growth targets that accommodate a significant share of the city's growth;
- Existing or planned fixed route bus, regional bus, Bus Rapid Transit (BRT), or other frequent and all-day bus service.
- Evidence of a regional role and future market demand to support growth.

Subarea Plans

The boundaries for the three current subarea plans that are in place in the city are included in Exhibit 2-7. Subarea plans are both regulatory plans and visionary documents to guide development within an individual neighborhood. This can allow for the development of more detailed policy and planning guidance to address specific considerations that may not be relevant or applicable to the remainder of the city.

As of 2024, the city has three active subarea plans, two of which are accompanied by development regulations and SEPA Planned Action Ordinances:

- 2018 Downtown Subarea Plan;
- 2021 Station District Subarea Plan; and
- 2024 Tillicum-Woodbrook Subarea Plan.

More details about these areas are provided in Chapter 11 (Subareas).

Centers of Municipal Importance

Centers of Municipal Importance (CoMIs) in the city are shown in Exhibit 2-8. These areas have been established to identify local centers in line with the VISION 2050 MPPs, promoting compact, pedestrian-friendly environments, diverse services, and various housing options, or as part of established industrial zones.

² See the PSRC [2018 Regional Centers Framework](#) for more information.

The areas currently designated as CoMIs include the following:

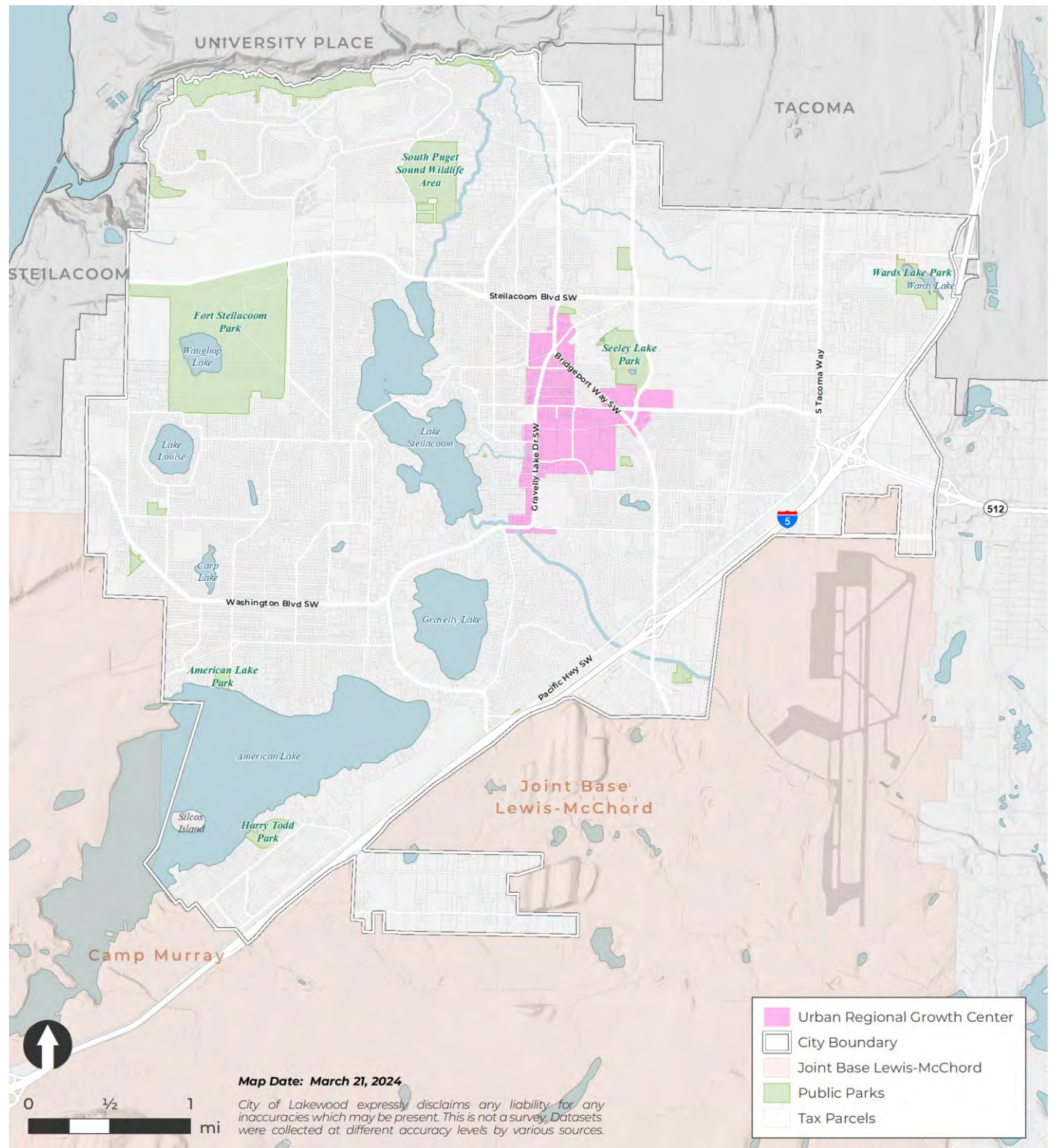
- **Tillicum.** The Tillicum neighborhood is a compact, walkable community with a distinct identity, which has evolved as a more isolated community outside the main gates of Joint Base Lewis-McChord and Camp Murray. The area is primarily accessed via I-5 and includes civic, commercial, and recreational amenities including the Tillicum Community Center, Tillicum Elementary School, Thornewood Castle, and Harry Todd Park. It has a strong sense of place and serves as a gathering point for both neighborhood residents and the larger region with regard to the resources it provides for military facilities and as well as access to American Lake.
- **Fort Steilacoom/Oakbrook.** Fort Steilacoom/Oakbrook is a region steeped in history and state-wide relevance, with significant facilities like Western State Hospital and Pierce College built on the lands of the historic Fort Steilacoom. This area includes diverse civic services, major shopping centers, and extensive recreational and cultural resources such as Fort Steilacoom Park and the Fort Steilacoom History Museum.
- **Custer Road/Walmart.** The Custer Road/Walmart area has emerged as a significant urban node, with prominent commercial businesses such as Wal-Mart and H and L Produce, supported by industrial and residential zones that accommodate growth. This center benefits from its proximity to natural features as well as Custer Road, is a principal arterial street that serves as a major corridor in the area.
- **Lakewood Industrial Park/CPTC.** Marked by intense industrial and educational activity, the Lakewood Industrial Park and Clover Park Technical College area hosts multiple civic services and industrial businesses, contributing robustly to Lakewood's economy. The area is well-equipped with facilities designed to support its 3,400 students and over 1,250 employees across sixty-four businesses, fostering a dynamic environment for industrial and educational growth.
- **South Tacoma Way.** South Tacoma Way, once part of State Route 99, has evolved into Lakewood's most dynamic commercial district and a budding "International District." Home to diverse businesses and cultural centers like the Star-Lite Swap Meet and Paldo World, it reflects the area's growth and adaptation to urban demands while retaining its historical significance.
- **Springbrook.** Springbrook is a key community because of its proximity to Joint Base Lewis-McCord, denser residential development, important community facilities like Springbrook Park, and various commercial uses. The area has seen infrastructure enhancements like new water lines to support its growth, with a focus on maintaining its vibrancy and residential appeal amidst industrial zoning shifts.
- **Woodbrook.** Woodbrook is recognized for its recent expansions in industrial and warehousing activities, infrastructure upgrades, and future planned developments, which has bolstered its status as a major industrial node. This has been tempered by the proximity to existing housing, including lower-income housing options, which will be an ongoing planning consideration.
- **Lake City West.** Lake City West is adjacent to Joint Base Lewis-McCord's North Gate and has become a critical traffic corridor with new residential developments, schools, and military facilities reshaping its landscape. This expansion has not only increased the residential and military presence but also significantly impacted local traffic flow as well as the need for planning in the area.

Urban Growth Area

The Urban Growth Area (UGA) boundaries included in Exhibit 2-9 show the potential areas that could be incorporated within the City over the next 20 years. Jurisdictions may not annex additional area unless it falls within these Areas, and the UGA can be provided with urban levels of service for public services and facilities such as police, water, and sewer.

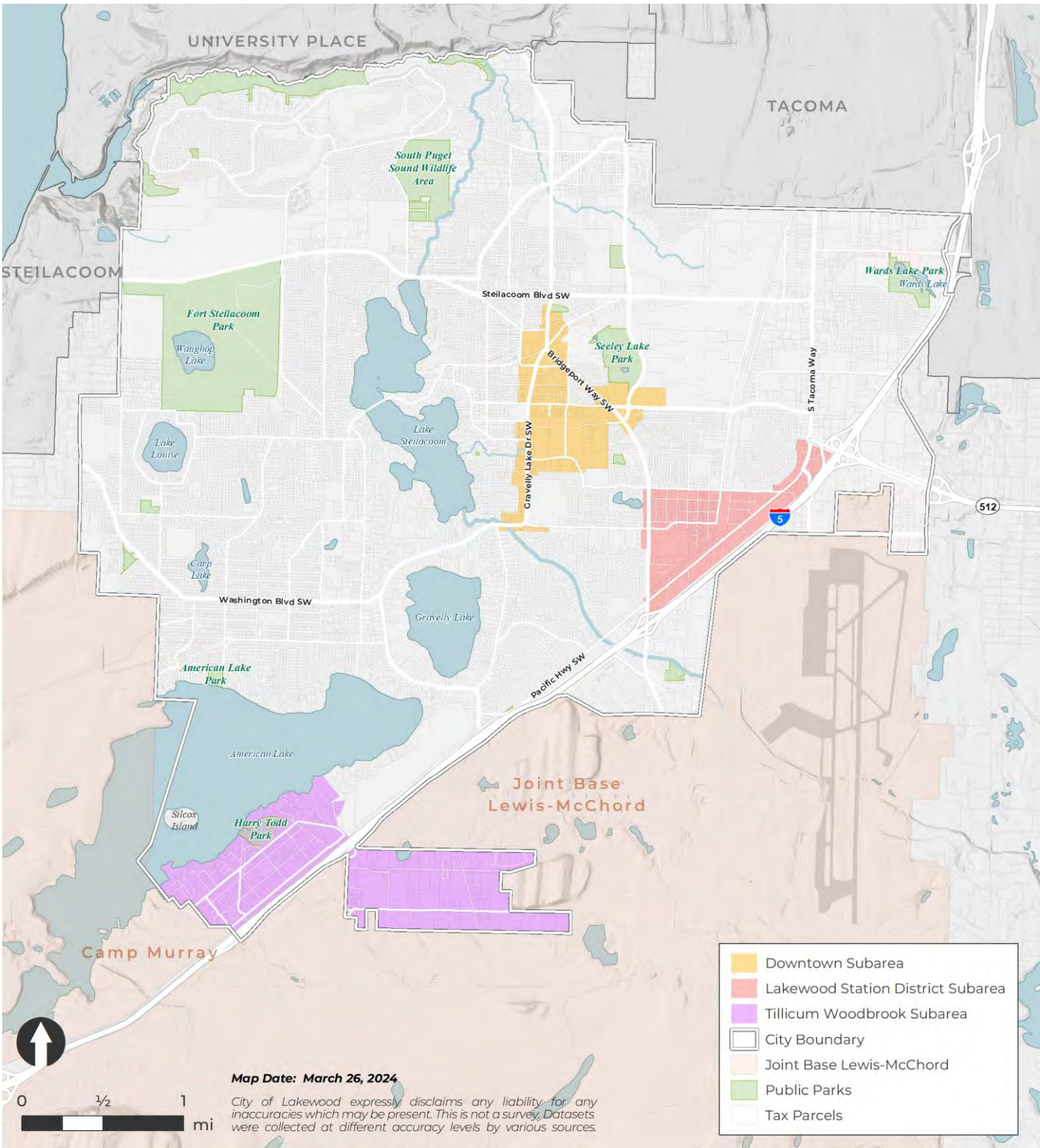
The UGA currently includes Camp Murray, which is part of the Washington Military Department, and the urban areas of Joint Base Lewis McChord, and an unincorporated neighborhood known as Arrowhead-Partridge Glen, which is located between the City of Lakewood and the Town of Steilacoom and is considered a joint UGA between the city and town. At present, there are no plans for annexation, and these areas largely denote unincorporated areas with urban services delivered by the city and other service providers.

Exhibit 2-6. Lakewood Regional Urban Growth Center Map.



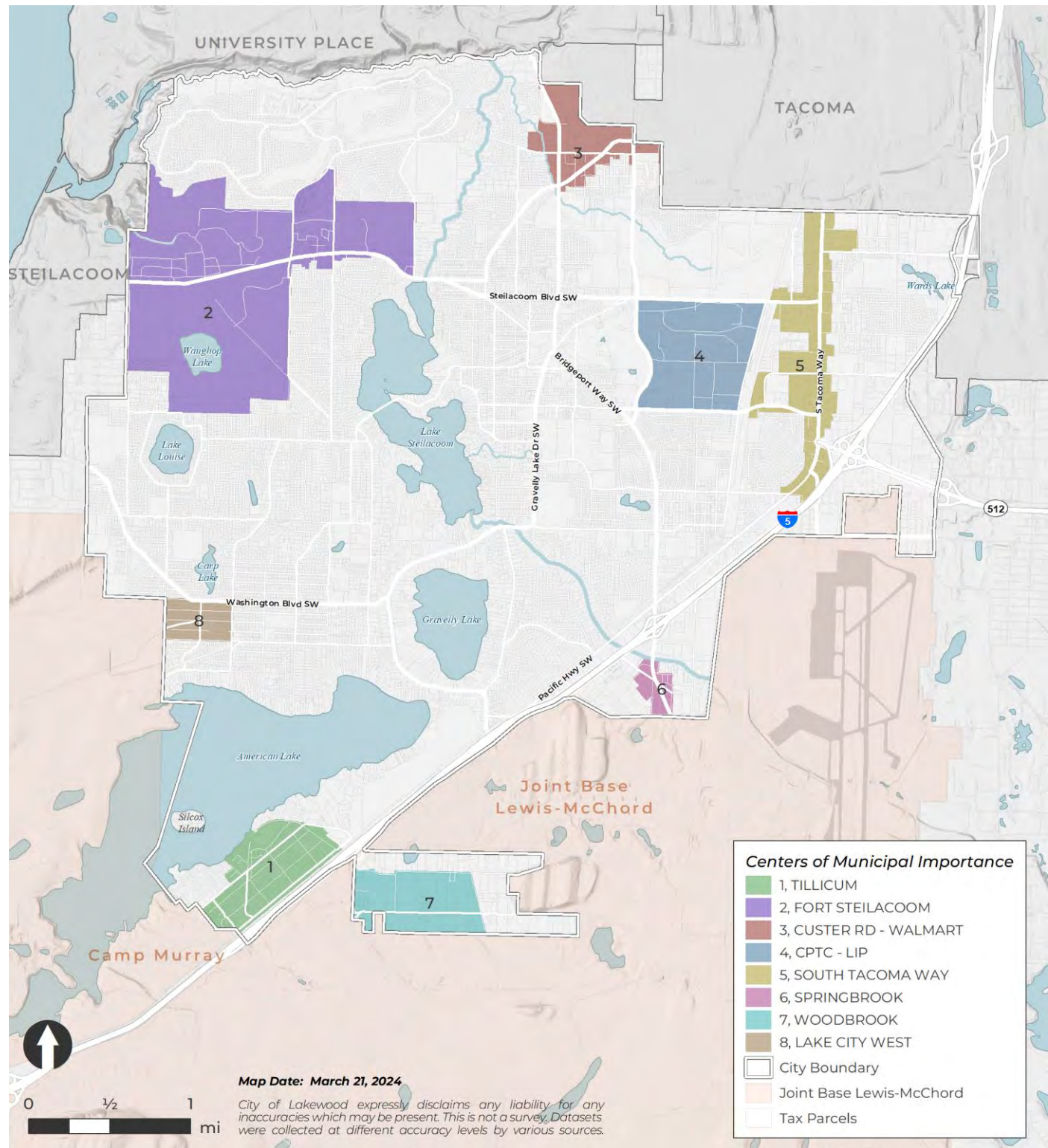
Source: City of Lakewood, 2024; Pierce County GIS, 2024.

Exhibit 2-7. Lakewood Subareas Map.



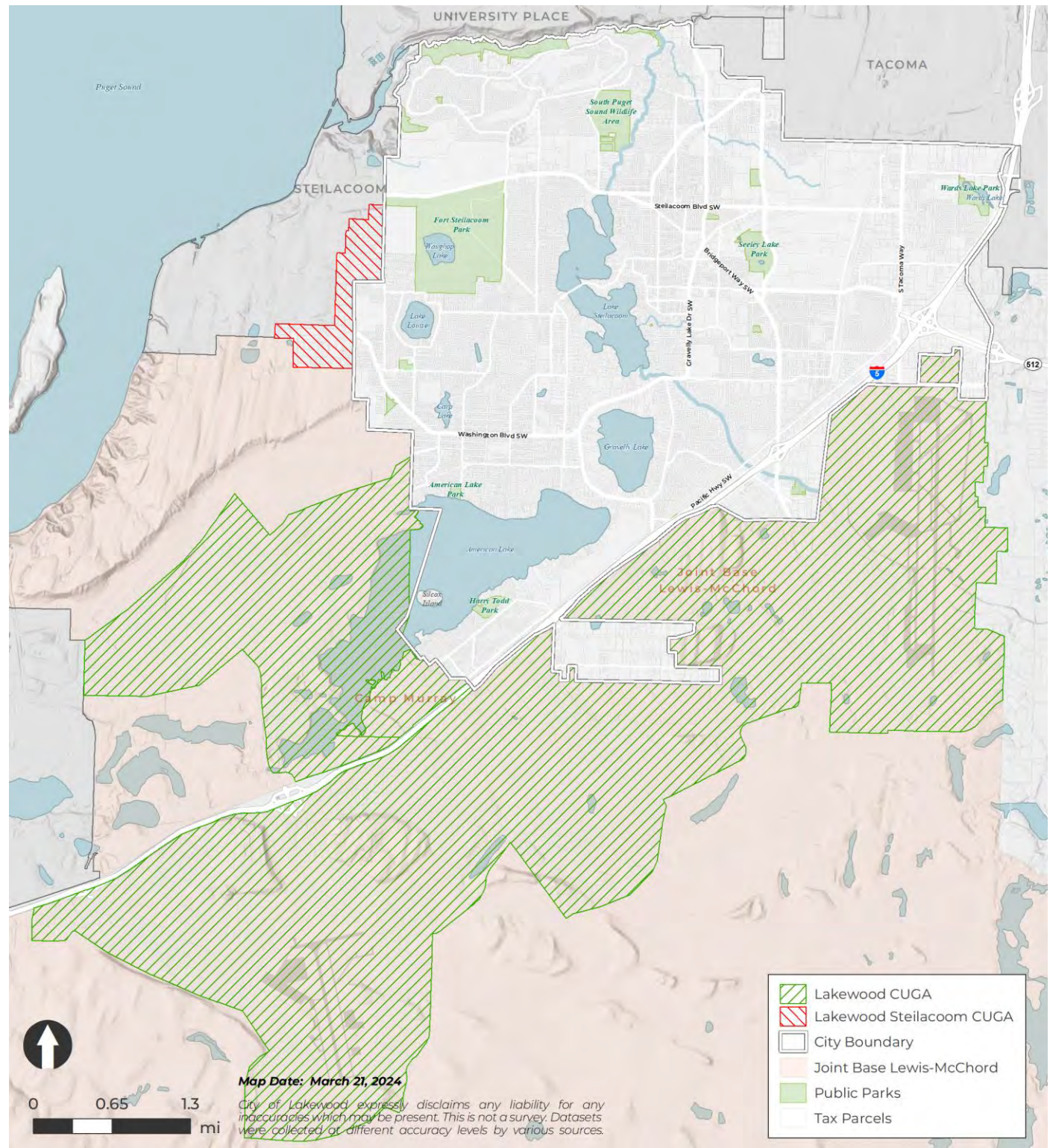
Source: City of Lakewood, 2024; Pierce County GIS, 2024.

Exhibit 2-8. Lakewood Centers of Municipal Importance (CoMIs).



Source: City of Lakewood, 2024; Pierce County GIS, 2024.

Exhibit 2-9. Lakewood Urban Growth Area.



Source: City of Lakewood, 2024; Pierce County GIS, 2024.

2.3 Goals and Policies

/ LU-1 **Maintain consistency with the land use policies and targets of the PSRC Multicounty Planning Policies and Regional Growth Strategy and the Pierce County Countywide Planning Policies.**

- LU-1.1 Plan to a 2044 population target of 86,792 residents and a housing target of 36,713 units for the city.
- LU-1.2 Plan to a 2044 employment target of 39,735 jobs in the city.
- LU-1.3 Ensure that land use planning is coordinated and consistent with the methodologies utilized by Pierce County and the PSRC, particularly in the achievement of the specified targets.

/ LU-2 **Maintain sufficient supplies of available land and systems that can support future growth.**

- LU-2.1 Ensure the availability of sufficient land capacity to meet both regional and county-level municipal growth projections and targets.
- LU-2.2 Maintain efficient permitting processes and development standards to help accommodate future growth.
- LU-2.3 Partner with WA Department of Ecology, Tacoma-Pierce County Health Department, and other agencies to track contaminated properties and brownfields in the City.
- LU-2.4 Regulate contaminated properties as required for public health and safety while encouraging their redevelopment for appropriate activities based on zoning.

/ LU-3 **Support efficient development patterns that minimize land use conflicts and promote healthy neighborhoods through consistent land use designations.**

- LU-3.1 Adopt and administer land use development regulations consistent with the Future Land Use Map (FLUM) and its designations.

Residential

- LU-3.2 **Residential (R).** The Residential designation refers to areas that support high-quality urban residential neighborhoods in the city. These areas typically allow a variety of housing types, with scales and densities based on the ability of these areas to support development:
 - **Residential Low** areas primarily consist 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 corresponds to the R-1 zoning designation.
 - **Residential Medium** areas 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 corresponds to areas in the R-2 and R-3 zones and includes housing across most of the city.

- **Residential High** areas accommodating 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 corresponds to R-4 zones in the city.

- LU-3.3 **Residential/Transit (R/T).** The Residential/Transit designation identifies areas designated as Residential but are expected to be found within ¼ mile of a major transit stop, including stops for bus rapid transit (BRT) and commuter rail, over the next 20 years. These areas allow for increased residential densities beyond what is allowed under Residential designations for locations once service is available.
- LU-3.4 **Mixed Residential (MR).** 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 represent a transition to areas that include a greater amount of multifamily housing on larger lots
- LU-3.5 **Multifamily (MF).** The Multifamily designation supports moderate-density housing that provides a variety of options for diverse families and lifestyles. These areas include urban design elements like open spaces and pedestrian-friendly layouts and are integrated with surrounding neighborhoods.
- LU-3.6 **High-Density Multi-Family (HD).** The High-Density Multi-Family designation supports denser medium- to high-density housing with urban design features that enhance living environments and support pedestrian and non-motorized transportation access. These areas are intended to connect with business districts, transit hubs, and other neighborhood centers that provide amenities and services.

Commercial and Mixed-Use

- LU-3.7 **Mixed/Neighborhood Commercial (NC).** The Neighborhood Commercial designation provides a concentrated mix of activities, including retail and other local services, residential, and some office uses, that provide a focus for a neighborhood.
- LU-3.8 **Residential-Commercial/Arterial (ARC).** The Arterial Residential-Commercial Corridor designation provides areas for residential neighborhoods and lower-intensity, non-nuisance business uses adjoining principal and minor arterial streets.
- LU-3.9 **Commercial/Corridor (CC).** The Corridor Commercial designation features employment, services, retail, and business/light industrial uses linked to access to major transportation networks.

- LU-3.10 **Downtown (D).** The Downtown Subarea designation is the primary retail, office, social, urban residential, and government center of the city that provides a complementary, interactive mixture of uses and urban design and reflects its status as a Regional Urban Growth Center.

Industrial

- LU-3.11 **Industrial (I).** The Industrial designation provides for regional research, manufacturing, warehousing, concentrated business/ employment parks, and other major regional employment uses. These lands are planned for the necessary transportation and utility infrastructure needs, and to minimize encroachment by incompatible land uses.

Public, Institutional, and Government

- LU-3.12 **Open Space and Recreation (OSR).** The Open Space and Recreation designation provides public open spaces and recreational uses such as state and municipal parks, preserves, and trails, as well as privately owned facilities such as golf courses, Lakewood Gardens, and cemeteries.
- LU-3.13 **Public and Semi-Public Institutional (PI).** The Public and Semi-Public Institutional designation provides dedicated areas in the city for large- and moderate-scale government and institutional uses.
- LU-3.14 **Military Lands (ML).** The Military Lands designation applies to federal and state-owned military lands within the city's boundaries. The federal and state control of military installations and unique character of military operations require special consideration by the city as a host community.

Special

- LU-3.15 **Air Corridor (AC).** The Air Corridor designation is based on and affected by Joint Base Lewis-McChord North McChord Field aircraft operations; allowable development and uses are intended to minimize associated hazards to the public.

/ LU-4 Promote infill, redevelopment, and intensification.

- LU-4.1 Promote planning that supports future site intensification, such as the future development of parking spaces.
- LU-4.2 Encourage parcel assembly and exchanges of lands for redevelopment.
- LU-4.3 Encourage larger planned redevelopment projects, especially those that contribute to complete mixed-use communities.
- LU-4.4 Actively pursue the revitalization of economically underperforming areas in Lakewood by establishing Community Renewal Areas and supporting strategies.
- LU-4.5 Encourage more intensive development in areas served by transit.

/ LU-5 Promote neighborhood business districts as local centers that provide supporting services to the surrounding community.

- LU-5.1 Provide for a mix of activities in neighborhood business districts, including residential, retail, office, social, recreational, and local services.
- LU-5.2 Promote the integration of residential and commercial uses within neighborhood business districts.
- LU-5.3 Provide a distinct character or focus for each neighborhood business district.
- LU-5.4 Encourage a balance of community services and discourage the dominance of any single use within neighborhood business districts.
- LU-5.5 Promote people-focused architectural designs and intensities of new development in neighborhood business districts that are in harmony with the scale and character of the neighborhoods they serve.
- LU-5.6 Emphasize public safety enhancements as a critical component in making neighborhood business districts attractive for living, working, socializing, and shopping.
- LU-5.7 Encourage the incorporation of urban amenities within neighborhood business districts.
- LU-5.8 Promote the development of neighborhood business districts as transit hubs.
- LU-5.9 Accommodate automobile use while ensuring that vehicles do not overpower the character and function of neighborhood business districts.

/ LU-6 Enhance the local business environment by identifying and implementing revitalization strategies in areas that require new investment.

- LU-6.1 Develop an outreach program for the diverse business community located along the I-5 Corridor to foster engagement and support.
- LU-6.2 Collaborate with property owners and local businesses to create a comprehensive Corridor Plan for South Tacoma Way and Pacific Highway SW, aimed at revitalization and sustainable development.

/ LU-7 Promote industrial development and revitalization that supports current industrial activities and helps to attract new, compatible businesses.

- LU-7.1 Allocate industrial land for activities such as regional research, manufacturing, warehousing, business and employment parks, and other significant regional employment opportunities.
- LU-7.2 Support the development and renewal of industrial lands that positively impact Lakewood's economy and environment, while discouraging uses that are primarily situated in industrial areas due to the potential for negative effects on surrounding properties.

- LU-7.3 Protect key industrial sites, particularly those near railway lines, from being affected by incompatible uses such as residential developments or unrelated small-scale retail.
- LU-7.4 Increase the diversity and density of industrial operations in the city by optimizing the use of existing industrial lands.
- LU-7.5 Promote strategies for parcel assembly to promote uses that generate significant employment.
- LU-7.6 Facilitate the integration and/or buffering of industrial development with adjacent nonindustrial areas.
- LU-7.7 Ensure the compatibility of industrial activities with citywide and regional freight mobility and multimodal transportation infrastructure.
- LU-7.8 Encourage design techniques that support crime prevention to reduce opportunities for crime in the community.

/ LU-8 Ensure the integration of public and institutional uses with the rest of the city.

- LU-8.1 Apply the Public and Semi-Public Institutional land use designation to the uses for a range of government agencies and major institutions, including municipal, county, regional, state, and non-military federal entities, special districts, schools, and significant hospitals, that will require special consideration of uses.
- LU-8.2 Manage the expansion and evolution of major institutions in line with growth in the city and the specific operational and locational requirements of large public and institutional entities, while ensuring compatibility with surrounding neighborhoods.
- LU-8.3 Coordinate with the phasing and ongoing development of institutional uses to mitigate the cumulative impacts of these uses.

/ LU-9 Recognize the unique nature of federal patent lands at Western State Hospital and Historic Fort Steilacoom.

- LU-9.1 Coordinate with Washington State Department of Social and Health Services (DSHS) with respect to updates and implementation of the Western State Hospital Campus Master Plan.
- LU-9.2 Implement the city's public facilities master plan process to confirm that these facilities meet standards for appropriate levels of service and the health and safety of the public.
- LU-9.3 Minimize incompatible uses on the Western State Hospital campus to prevent adverse impacts on existing functions, neighboring properties, and vulnerable groups.

/ LU-10 Encourage the transition of nonconforming uses and structures towards compliance with current standards.

- LU-10.1 Allow for the continued operation, maintenance, and minor repair of nonconforming uses that were legally established but are no longer in compliance with development regulations.
- LU-10.2 Prohibit any expansion in the scale or intensity of existing nonconforming uses or structures.
- LU-10.3 Require nonconforming uses and structures to be brought into compliance if they cease to operate or site improvements are significantly damaged.
- LU-10.4 Allow for flexibility with the management of nonconforming uses if compliance would prohibit the productive use of the property, especially if these activities support important community functions.

3 Capital Facilities and Essential Public Facilities

3.1 Introduction

Upon its incorporation, Lakewood's urban services (water, sewer, and power, and emergency services) remained independent of the city, being provided by special districts, other jurisdictions, or private companies. Lakewood did form its own police department in 2004.

This element contains goals and policies for both capital facilities and essential public facilities and describes the city's relationship to external urban service and utility providers. It also directs Lakewood's management and financing of capital improvements for the facilities and utilities it owns and operates.

In addition to this element, planning and programming for transportation and parks (the two largest components of city spending on capital facilities) are also guided by the Transportation Element; the Parks, Recreation & Open Space Element; and the Parks Legacy Plan.

3.2 Background

3.2.1 Capital Facilities

Utilities and services in Lakewood are provided by the city, other jurisdictions, special districts, and private companies. The responsibilities of these providers are described below in terms of four (4) types of service.

The **Type 1** services and utilities shown below are provided directly to the resident by the City of Lakewood or a city-contracted provider.

Exhibit 3-1. Type 1 Service/Utility Providers.

Service / Utility	City Regulatory Authority	Planning Responsibility	Funding Responsibility	Who Sets LOS?	Project Review
City Facilities	total	city	city	city	city
Parks & Recreation	total	city	city	city	city
Transportation	total	city	city	city	city
Stormwater Management	total	city	city	city	city
Solid Waste	total	provider	provider	city	provider
Police	total	city	city	city	city

Type 2 services shown below are provided directly to the resident by a special district with independent taxing and regulatory authority. The city has land-use regulatory authority; thus, the provider must coordinate with the city for the provision of the services to support development and administration of the Comprehensive Plan.

Exhibit 3-2. Type 2 Service/Utility Providers.

Service / Utility	Agency	City Regulatory Authority	Planning Responsibility	Funding Responsibility	Who Sets LOS?	Project Review
Public Schools	Clover Park School District	land use	provider	provider	provider	provider
Fire & Medical	West Pierce Fire & Rescue (WPFR)	land use	provider	provider	provider	provider
Libraries	Pierce County Library District	land use	provider	provider	provider	provider
Transit	Pierce County Transit and Sound Transit	land use	provider	provider	provider	provider

Type 3 services shown below are utilities provided directly to the resident by a special district, county, or company. The city has land-use, right-of-way (ROW), and franchise regulatory authority; thus, the districts, county, and private companies must provide the service or utility to support development and administration of this Plan. The city may also require additional considerations from the provider for use of the city right-of-way. Further discussion of utilities is contained in the Utilities Element.

Exhibit 3-3. Type 3 Service/Utility Providers.

Service / Utility	Agency	City Regulatory Authority	Planning Responsibility	Funding Responsibility	Who Sets LOS?	Project Review
Sanitary Sewer	Pierce County Public Works	land use, ROW/ franchise	joint	provider	joint	provider
Water	Lakewood Water District, Parkland Water District	land use, ROW/ franchise	joint	provider	joint	provider
Electric	Tacoma Power, Puget Sound Energy, Lakeview Power	land use, ROW/ franchise	joint	provider	joint	provider / city
Communications	Private communication s companies	land use, ROW/ franchise	joint	provider	joint	provider / city
Natural Gas	Puget Sound Energy	land use, ROW/ franchise	joint	provider	joint	provider

Type 4 utilities and services are provided to federal military lands and utilities and services provided by the federal government to non-federal lands as listed below.

Exhibit 3-4. Type 4 Service/Utility Providers.

	City Regulatory Authority	Planning Responsibility	Funding Responsibility	Who Sets LOS?	Project Review
Federal Military Lands	none	federal	federal	federal	federal NEPA
Federal Utilities & Services to Non-Federal Lands	none	federal	provider	city	city

Note: The city retains the right of comment on federal projects through the National Environmental Policy Act (NEPA.)

The following documents contain information supplemental to the Comprehensive Plan:

- **SEPA Environmental Impact Statements (EISs).** Through the EIS process, existing capacities are documented and a forecast of future capital improvements in services and utilities is projected. Based on the EIS analysis, capacity and locational policies for each Type 1, Type 2, Type 3, and Type 4 service and utility are incorporated in the respective service, utility, transportation, and land-use chapters of this Comprehensive Plan.
- **Capital Improvement Plan (CIP).** Lakewood's 6-year Capital Facilities Capital Improvement Plan (6-year CIP) is included within several city documents focused on either parks and open space or transportation that contain:
 - Inventories of existing and proposed capital facilities;
 - Regular and special maintenance requirements;
 - Identified deficiencies in capital facilities and the actions necessary to address such deficiencies;
 - Six-year forecasts of facility needs; and
 - A six-year financing plan and budget.

The CIP lists the planned capital investments for each Type 1 (i.e., city-provided) service and utility and identifies dedicated funding sources for the projects anticipated within six years. Lakewood's CIP is procedurally modified and updated in conjunction with its budget rather than as part of the annual Comprehensive Plan amendment cycle.

- **Downtown Subarea Plan and Planned Action Ordinance.** The Downtown Subarea Plan, SEPA Environmental Impact Statement and Planned Action Ordinance (PAO) identify needed services and capital improvements, costs, and mitigation or in-lieu fees for transportation and parks. The subarea plan and associated ordinances are a source for the 6-year CIP and Transportation Improvement Program (TIP). It is anticipated that the Downtown Plan will be implemented through the CIP, TIP, and city budget processes, as well as project permit evaluation.
- **Station District Subarea Plan and Planned Action Ordinance.** The Station District Subarea Plan and Planned Action Ordinance (PAO) identify needed services and capital improvements, costs, and mitigation or in-lieu fees for transportation and parks. The subarea plan and associated ordinances are a source for the 6-year CIP and Transportation Improvement Program (TIP). It is anticipated that the Station District Plan will be implemented through the CIP, TIP, and city budget processes, as well as project permit evaluation.

Type 2, 3, and 4 service and utility capital inventories and investments are included in separate documents provided by the respective external providers and incorporated hereto by reference. Planning and programming for utilities and facilities/services owned by third parties is typically the responsibility of these providers.

As required by the GMA, additional available information is included in the Appendix, including:

- Inventories of existing capital facilities owned by public entities;
- A forecast of needed capital facilities;
- Proposed locations and capacities of expanded or new capital facilities; and

- Long-term (six or more years) financing plans for capital facilities within projected funding capacities and identified sources of public money to finance planned capital facilities.

3.2.2 Essential Public Facilities

Essential public facilities include those facilities considered difficult to site because of potential adverse impacts related to size, bulk, hazardous characteristics, noise, or public health and safety, or are part of a region or county-wide service system. These facilities can be thought of as a subset of public purpose lands, but do not necessarily include all public, semi-public, and institutional land uses.

Lakewood must identify appropriate land for essential public facilities that meets the needs of the community as defined under RCW [36.70A.200](#) and WAC [365-196-550](#), including:

- Local solid waste handling and treatment facilities;
- Landfills;
- Drop-box sites and sewage treatment facilities;
- Airports;
- State educational facilities;
- Essential state public facilities;
- Regional transportation and utility facilities;
- State and local correctional facilities; and
- In-patient facilities (including substance abuse facilities, mental health facilities, and group homes);

as well as any other state facility included on the 10-year capital plan maintained by the Washington State Office of Financial Management.

Lakewood may identify other additional public facilities that are essential to providing services to residents and without which development cannot occur that would be included under this classification. Currently, the city regulates the following uses as essential public facilities:

- Community and technical colleges, colleges, and universities;
- Correctional facilities;
- Electrical transmission lines;
- Group homes;
- In-patient facilities, including but not limited to substance abuse facilities;
- Intercity high-speed ground transportation;
- Intercity passenger rail service;
- Interstate Highway 5 (I-5);
- Mental health facilities;
- Military installations;
- Minimum security institutions;
- Secure community transition facilities;
- Solid waste transfer stations;

- Sound Transit facilities;
- Sound Transit railroad rights-of-way;
- Transit bus, train, or other high-capacity vehicle bases;
- Washington State Highway 512; and
- Work/training release facilities.

Additional essential public facilities may be identified by the city based on the following criteria:

- The facility requires a specific type of site that is scarce;
- The facility must be situated adjacent to another public facility;
- The facility is known or widely considered by the public to have substantial negative impacts, complicating its siting;
- Siting this type of facility has typically proven challenging or will likely be challenging; and/or
- There is a demand for the facility and the city is within the expected service area.

Any one or more of these conditions is sufficient for the city to deem a use as an essential public facility. Development regulations, including conditional permits, can be used to mitigate the effects of essential public facilities on neighboring land uses and the broader public.

3.2.3 Concurrency

Concurrency is a key principle under the GMA. Requirements for concurrency ensure that public facilities and services are available to serve new developments. Under this policy framework, necessary improvements, particularly in transportation, are in place at the time of development or have funding secured for completion within six years of a development.

Local jurisdictions set level of service (LOS) standards to evaluate if existing infrastructure can accommodate new development impacts or if additional facilities are needed. While transportation is the only sector where development can be denied for causing a drop below the established thresholds, other public facilities like water, parks, and schools might also have concurrency requirements based on local regulations. The GMA does not typically allow for the denial of permits because of inadequacies in these other areas, unless specified as necessary under local ordinances (RCW [58.17.110](#)). This comprehensive planning approach allows cities to manage growth effectively by aligning development with infrastructure capacity, thereby sustaining community standards and quality of life as they expand.

3.3 Goals and Policies

/ CF-1: **Coordinate cost-effective and efficient utilities and service delivery for city residents and businesses.**

- CF-1.1 All services and utilities shall be provided in accordance with this plan.
- CF-1.2 Manage utilities and services in Lakewood according to the following categories for effective management and delivery:
- **Type 1** services and utilities are provided directly to the resident by the City of Lakewood or city-contracted provider.
 - **Type 2** services are provided directly to the resident by a special district with independent taxing and regulatory authority.
 - **Type 3** services are utilities provided directly to the resident by a special district, county, or private company under the city's franchise regulatory authority.
 - **Type 4** services are those provided to federal military lands and utilities as well as services provided by the federal government to non-federal lands.
- CF-1.3 Contract or franchise services that are more effective or cost-efficient to be provided by a special district, other jurisdiction, or the private sector.
- CF-1.4 Engage in periodic assessments of services and utilities within the city to ensure compliance with this Comprehensive Plan.
- CF-1.5 Reassess the land use element if probable funding falls short of meeting existing needs as outlined within the Capital Facilities Plan.
- CF-1.6 Require a utility or other service provider to correct deficiencies when identified.
- CF-1.7 Leverage city authority to guarantee adequate service provision, especially if a provider fails to meet public service needs.
- CF-1.8 Prioritize demand management and conservation strategies before the development of new capital facilities and infrastructure.
- CF-1.9 Develop conservation measures to reduce solid waste and increase recycling.
- CF-1.10 Advocate for enhanced water conservation and efficient usage to reduce wastewater generation and ensure water availability.
- CF-1.11 Encourage the use of renewable energy resources to meet local and regional energy demands.

/ CF-2 Ensure adequate Type 1 capital facilities to meet the needs of existing and new development.

- CF-2.1 Require adequate capacity and level of service (LOS) standards at occupancy as conditions for land use and development permits.
- CF-2.2 Require new development to support a fair share of infrastructure needs resulting from the development and future use of the site to ensure that capacity and LOS requirements can be met.
- CF-2.3 Use concurrency measures for the assessment of transportation capacity and LOS determinations.
- CF-2.4 Provide for the development of city facilities, parks, and recreation capital improvements in accordance with this Plan and the Parks Legacy Plan.
- CF-2.5 Coordinate with the school district on jointly funded parks and recreation capital improvements.

/ CF-3 Require Type 2 providers to provide adequate service delivery to meet the needs of existing and new development.

- CF-3.1 Require Type 2 providers to conduct prompt and concurrent reviews of land use and development permits in coordination with the city.
- CF-3.2 Coordinate with fire and emergency medical services providers to integrate health and safety standards into development regulations and building codes, and enforce these adopted standards.
- CF-3.3 Coordinate with the school district on capital improvements for school facilities and include the school district CIPs as an appendix to the city CIP following review for consistency with this plan.
- CF-3.4 Coordinate the assessment and collection of school impact fees as part of the development project review process as applicable.

/ CF-4 Require Type 3 utilities to provide adequate service delivery to meet the needs of existing and new development.

- CF-4.1 Mandate that Type 3 utilities provide sufficient service and infrastructure to fulfill the needs of both existing and future development.
- CF-4.2 Require Type 3 providers to conduct prompt and concurrent reviews of land use and development permits in coordination with the city.
- CF-4.3 Coordinate with providers to include necessary standards into development regulations and building codes, and to enforce these adopted standards.

- CF-4.4 Refuse land use and development permits for projects not serviced by adequate water, sewer, stormwater, or electrical capacity or LOS at the time of occupancy.
- CF-4.5 Direct developers to provide necessary capital improvements to ensure that water, sewer, and electrical capacity will be available at the time of occupancy.
- CF-4.6 Require new development to support a fair share of the costs for water and sewer infrastructure necessary for that development.
- CF-4.7 Work to incorporate CIPs from sewer and water provider as appendices to the city CIP if consistent with this Plan.

/ CF-5 Coordinate with Type 4 utilities and services for the provision of services to non-federal lands.

- CF-5.1 Engage in case-by-case coordination with Type 4 providers for the provision of services on non-federal land as required.
- CF-5.2 Partner with Type 4 providers to monitor and maintain facilities located in the city on non-federal land.

/ CF-6 Establish a city Capital Improvement Plan consisting of individual CIPs for each service and utility that lists planned capital improvements.

- CF-6.1 Update the city's six-year Capital Improvement Plan as an appendix to this Plan at least every two years to establish priorities and funding sources for capital improvements.
- CF-6.2 Evaluate each service or utility CIP priority and funding sources at least once every two years, but not more than twice a year.
- CF-6.3 Analyze the impacts of amendments to the CIP on permits issued by the city based on concurrency.
- CF-6.4 Limit the provision of Type 1 capital improvements based on city's fiscal capacity and other external funding obligations.
- CF-6.5 Evaluate concurrency for transportation based on capital improvements identified in the CIP as fully funded within the six-year period.
- CF-6.6 Refrain from undertaking a capital improvement or accepting an improvement provided by another if the city or the service provider lack the resources to support ongoing operation and maintenance.

/ CF-7 Provide city facilities that are efficient, functional, and safe, and enhance the physical landscape, local quality of life, and environmental health.

- CF-7.1 Develop and maintain City Hall and other municipal facilities to support effective local governance, service delivery, and public engagement, and provide a model of desired development for the city.
- CF-7.2 Provide adequate permanent facilities for police functions.
- CF-7.3 Direct public investment toward the designated Regional Growth Center and areas targeted for high-density residential development to help promote growth in these areas.
- CF-7.4 Prioritize acquiring and developing parks, open spaces, and recreation facilities to eliminate identified service gaps, particularly in densely populated neighborhoods, underserved areas and parts of the city designated for growth.
- CF-7.5 Acquire properties and conservation easements to support critical areas protection, salmon recovery, and effective floodplain management.

/ CF-8 Establish efficient and transparent processes for the siting of essential public facilities.

- CF-8.1 Maintain an inventory of essential public facilities that may be sited in Lakewood.
- CF-8.2 Align the identification of statewide essential public facilities with the standards set by the Washington State Office of Financial Management.
- CF-8.3 Identify countywide essential public facilities in collaboration with relevant jurisdictions through an interjurisdictional agreement that is consistent with the guidance of the Pierce County Countywide Planning Policies (CPPs).
- CF-8.4 Identify city essential public facilities pursuant to the requirements of the Growth Management Act (GMA).
- CF-8.5 Maintain a consistent process to site essential public facilities that adequately considers the impacts of specific uses and environmental health disparities..

/ CF-9 Coordinate with other jurisdictions and providers to provide urban services and utilities to users in the UGA and recently annexed areas.

- CF-9.1 Work collaboratively with other jurisdictions and service providers to provide cost-effective and efficient Type 1 services and utilities within the UGA that align with relevant goals and policies.
- CF-9.2 Evaluate the need for contract or franchise services and utilities for newly annexed areas, particularly when these services are more effectively delivered by a special district, another jurisdiction, or the private sector.

4 Economic Development

4.1 Introduction

The Economic Development Element of the Comprehensive Plan is a crucial component to the city's strategy to build and expand Lakewood's economic landscape. This element outlines goals and policies aimed at fostering a dynamic and sustainable economy that benefits all segments of Lakewood's community. Central to this Element is the goal of creating a diverse and robust economy that not only supports the current population but also lays a solid foundation for future generations.

Lakewood is transitioning from a primarily residential community serving Tacoma and Joint Base Lewis-McChord into a diversified, full-service city. The adoption of the Lakewood Downtown Plan in October 2018 emphasizes this transition, with a focus on high-quality, intensive mixed-use development and cultural activity. Recognizing its part in the larger Puget Sound economy, Lakewood's long-term includes expanding infrastructure, protecting JBLM from urban encroachment, retaining and attracting a diverse range of businesses, creating new jobs, fostering redevelopment, and developing a community that attracts new residents.

The Element emphasizes the city's strategic initiatives to leverage its unique geographical advantages and resources. It recognizes Lakewood's strategic position near key transport routes, the major influence of Joint Base Lewis-McChord as a primary economic driver, and the proximity to major regional facilities like the Port of Tacoma. Additionally, the plan highlights the importance of Lakewood's diverse small business sector and the value of local educational institutions in supporting workforce development.

4.2 Background

This background section summarizes the economic review of Lakewood found in the Appendix and highlights major findings considered in this policy section. Please refer to that document for further information to support the Economic Development element.

4.2.1 Competitive Economic Position

As part of maintaining and expanding the local economy, Lakewood is in a strong situation to take advantage of different opportunities. These benefits can help boost current opportunities as well as attracting new economic activity into the community. Significant local resources include the following:

- **Joint Base Lewis-McChord and other facilities.** Lakewood is located next to Joint Base Lewis-McChord, a 90,283-acre joint US Army and Air Force facility that accommodates over 40,000 service members, their families, and civilian contractors and support staff. It is the largest employer in Pierce County and one of the largest employers in the state, and because of this, the base serves as the

region's primary economic driver. JBLM includes Camp Murray, the home to the Washington Army National Guard, Washington State Guard, Washington Air National Guard, and the State Emergency Operations Center. These facilities have a significant economic impact on Lakewood, given the need for off-base housing and shopping options, as well as businesses that support base operations and other related economic activities.

- **I-5 and SR-512.** Lakewood is ideally situated to benefit from its location along I-5 between Tacoma and Olympia. This position provides strong regional access given its location between Tacoma and Olympia, as well as linkages to trucking destinations along the Pacific coast and the I-90 east-west freeway. State Route 512, which has its western end in Lakewood, also provides regional access to Puyallup and the SR-167 corridor. This location allows the city to be a key site for logistics and warehousing, as well as other commercial, manufacturing, and industrial uses.
- **The Port of Tacoma.** Approximately five miles from Lakewood, the Port of Tacoma is a major hub for international trade and is ranked among the top ten container ports in the United States. Increases in trade volume have led to a significant regional expansion of logistics and warehousing facilities in Lakewood and throughout Pierce County, which has been supported by upgrades to the Port's linkages with nearby roadways.
- **Local and regional transit.** The Pierce County Transit bus system and Sound Transit commuter rail are accessible at Lakewood Station, which is near the Pacific Highway/SR512/I-5 interchange. Planned investment in these systems will also improve connectivity to Sea-Tac International Airport and employment centers in Tacoma and Seattle over the long term.
- **A strong community of small businesses.** There are many smaller local businesses in Lakewood which provide an important economic base for the city. In particular, the vibrant International District in Lakewood attracts diners and shoppers from Lakewood and surrounding areas with a diverse mix of local businesses.
- **Local education and training resources.** Pierce College Fort Steilacoom and Clover Park Technical College provide a wide range of professional and technical programs and contribute to a robust pipeline of workforce training for nearby employers. This supplements a strong local public education system.

To boost the effectiveness of economic development efforts, there are also some challenges to address as well. These difficulties include the following:

- **Land availability.** Lakewood has a restricted amount of property available for development, redevelopment, and infill projects. This might become a problem as the community expands, particularly if future economic growth is contingent on a greater proportion of community members making purchases from local establishments.
- **Shifts in retail activity.** The ways that people shop have changed significantly over the past few years. The movement towards online commerce is challenging Lakewood's standing as a regional retail hub. Traditional brick-and-mortar store closures and a greater regional emphasis on local mixed-use developments may also have an impact on consumer purchasing patterns.
- **Market conditions and residential redevelopment.** Costs of construction, insufficient housing across the affordability spectrum, and senior housing is also a component in local economic development. Historically lower rents for multifamily buildings have made it more challenging for

redevelopment projects in Downtown and Lakewood Station to have been feasible and efficient for previous development. Future efforts to revitalize these areas and bring more consumers and more demand in for the local market will require a strong environment for these projects.

- **Infrastructure demands.** As Lakewood grows, so does the strain on our roads and other supporting infrastructure. Facilities controlled by the city such as streets and roads will be impacted by new growth, and future congestion could impact quality of life in the city. Similarly, other infrastructure managed by third-party providers and other government agencies, such as transit, telecommunications, water, and sewer services, will also be impacted by new local and regional growth. Providing the planning necessary to ensure that the city's infrastructure will not be a limiting factor on new growth and development is an essential part of this Comprehensive Plan.

Coordinating responses to many of these potential challenges to economic development in the city will need to be done through policies across the entire Comprehensive Plan, including the sections on housing, capital facilities, land use, parks and recreation, and public services.

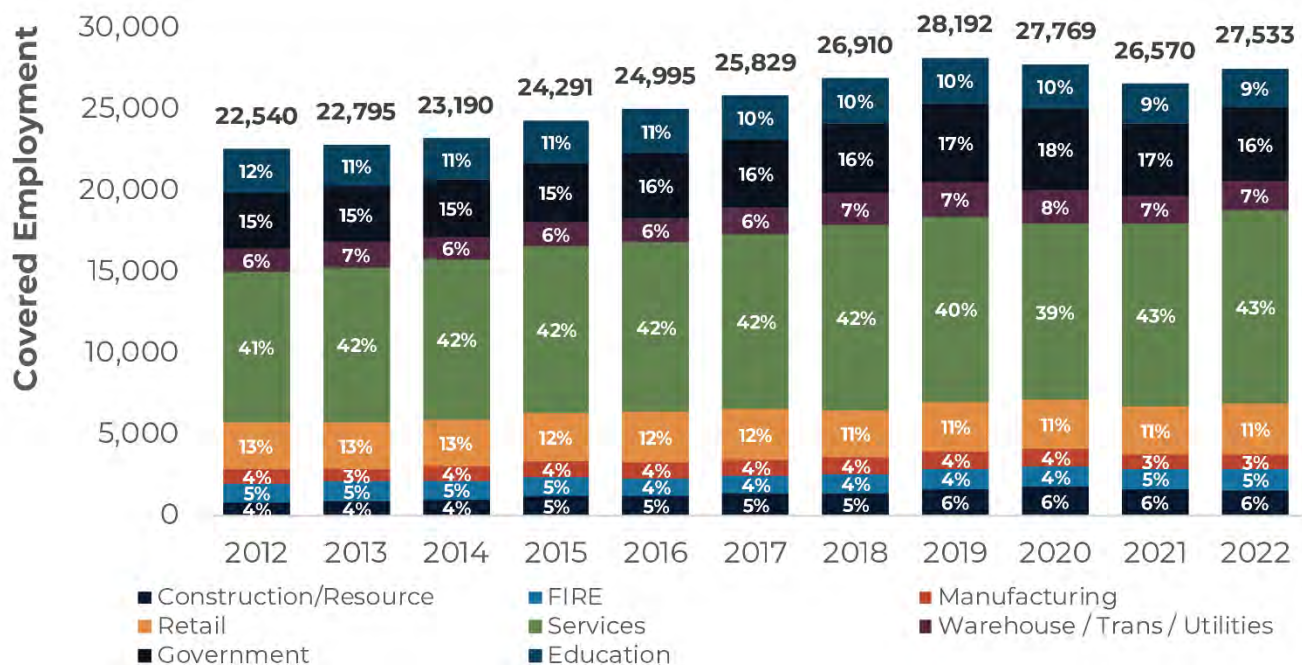
4.2.2 Economic Analysis

Based on an evaluation of available economic information, there are several major considerations for future economic development planning for Lakewood:

- **Employment recovery and growth.** Exhibit 4-1 highlights city employment since 2012, with a breakdown by major sector. Overall, the city has recovered from the 2007–2009 recession and the 2020 lockdowns, with covered employment³ reaching 27,533 jobs in 2022. Government and government-related employment within Lakewood continues to be a major part of the local economy, amounting to about 16% of all covered employment in the city in 2022.
- **Future employment projections.** Exhibit 4-2 highlights the 2044 employment targets for the city, based on estimates using the PSRC's Land Use Vision – Implemented Targets (LUV-it) land use model and growth targets set by Pierce County. Overall, the targets identify that Lakewood will add **9,858 jobs between 2020 and 2044**, with overall employment at 39,735 jobs by 2044. This represents an average increase of about 1.1% per year, which suggests slower expected employment growth compared to current rates post-2012. Looking forward to 2050, a further 2,471 jobs are expected to be added to the city to amount to a total of 42,206 jobs, or **an overall 30-year increase of 12,329 jobs** between 2020 and 2050.

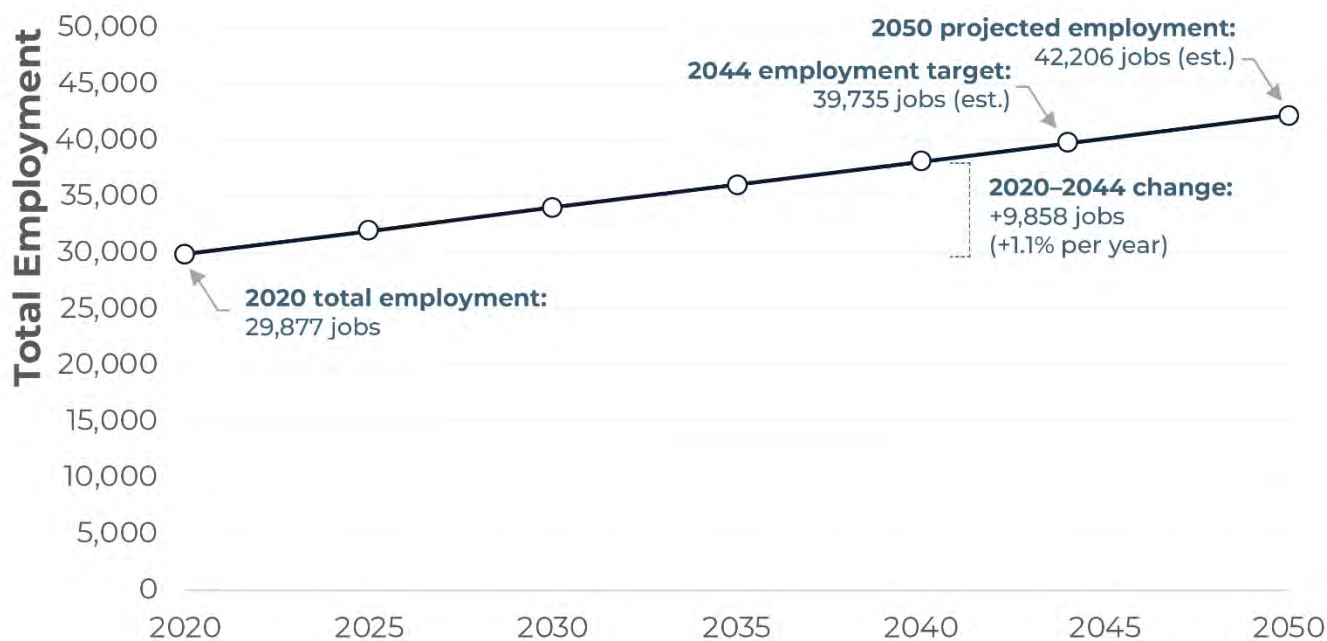
³ "Covered employment" includes all jobs covered by the *Washington Unemployment Insurance Act*. Note that this measure does not specifically include self-employed individuals, military workers, or other workers not covered by state unemployment insurance.

Exhibit 4-1. Covered Employment in Lakewood by Major Sector, 2012–2022.



Source: PSRC, 2024.

Exhibit 4-2. Projected Total Employment in Lakewood, 2020–2050.

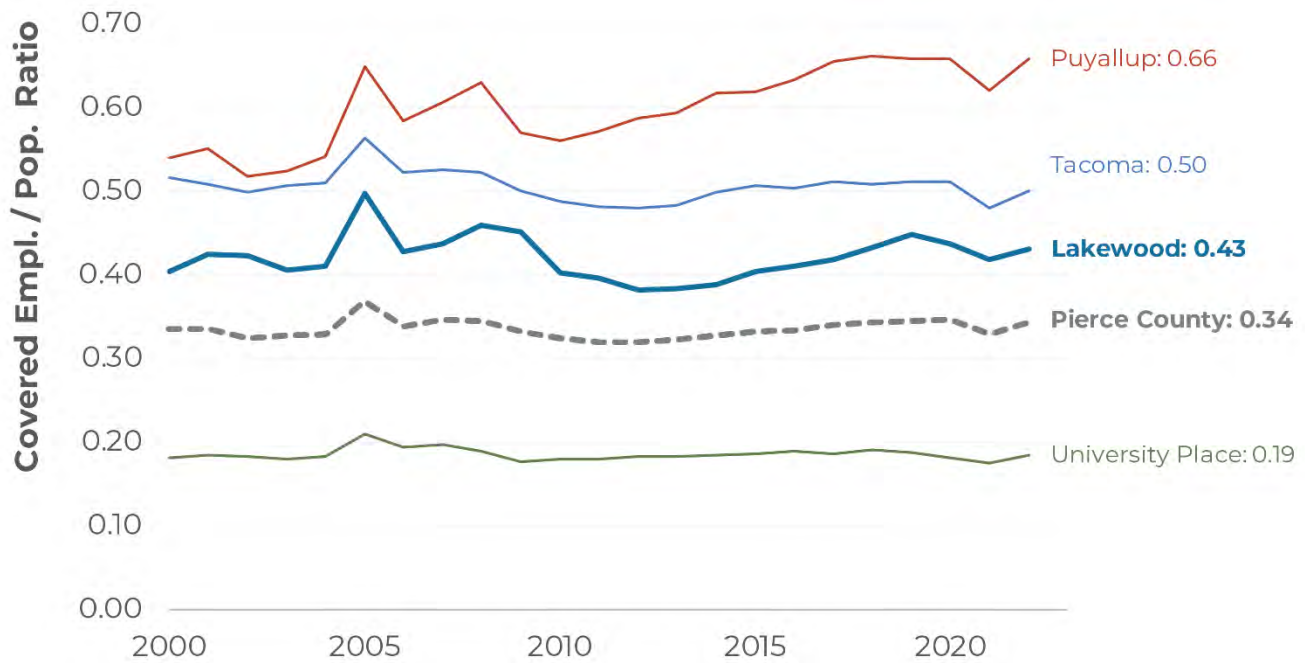


Source: PSRC, 2024.

- **Commuting and worker locations.** As shown in Exhibit 4-3 (jobs-to-population ratio) and Exhibit 4-4 (proportions of workers living in Lakewood), Lakewood has a higher jobs-to-population ratio compared to the county average, indicating it is an employment destination in the area, but that it does compete with other centers. About 16% of workers that live in Lakewood also reside in the city, but this number has been declining in recent years, suggesting that local employment opportunities for residents have not been increasing as fast as the number of people commuting elsewhere to work.
- **Market capture for retail sales.** Statistics on taxable retail sales in Lakewood are provided below, with Exhibit 4-5 highlighting major retail sales statistics and pull factors⁴ for 2021 with comparisons to 2017, and Exhibit 4-6 showing overall statistics for the ten subsectors reporting the most taxable retail sales in Lakewood. Overall, these statistics highlight that the retail economy is important to Lakewood, and while pull factors are not as high as communities that may have a greater regional pull in certain subsectors, local activity suggests that local businesses have a draw from outside of the community. Among these retail subsectors, “Food Services and Drinking Places” (NAICS 722) is the largest, resulting in \$184 million in receipts in 2021 and growing at an average of 4.6% per year since 2017.
- **Sales tax sustainability.** In addition to a focus specifically on retail, taxable retail sales also apply to a broader range of economic activity and sales tax receipts to the city. As shown in Exhibit 4-6, construction activities provide a significant contribution to local sales taxes beyond what may be provided through real estate excise taxes (REETs), and in 2021, over \$163 million in sales in “Construction of Buildings” (NAICS 236) was considered taxable. This may be subject to some variability, and in 2022, receipts in building construction dropped by 15% due to reductions in building activity. Other subsectors providing significant taxable retail sales in 2021 include \$191 million for “Motor Vehicle and Parts Dealers” (NAICS 441), \$150 million for “General Merchandise Stores” (NAICS 452), and \$112 million for “Miscellaneous Store Retailers” (NAICS 453).

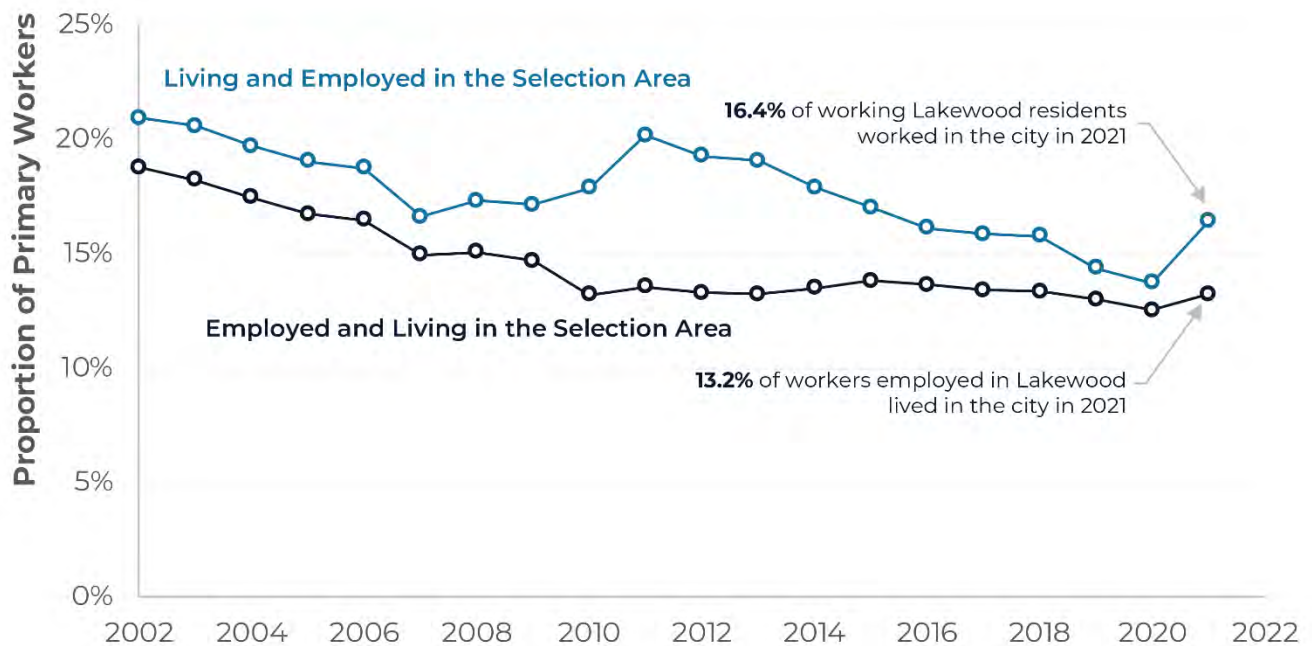
⁴ A “pull factor” is calculated as the ratio between actual retail spending in a category and an estimate of the potential retail spending resulting from per capita spending based on statewide averages. If the pull factor is greater than one, there is greater local spending than what can likely be supported by residents, meaning that local businesses capture more consumers from outside of the city as customers. Conversely, a value less than one means that city residents likely need to go elsewhere for these shopping options.

Exhibit 4-3. Jobs-to-Population Ratio, Lakewood and Surrounding Communities, .



Sources: PSRC, 2024; WA Office of Financial Management, 2024.

Exhibit 4-4. Proportion of Primary Workers Living and Residing in Lakewood.



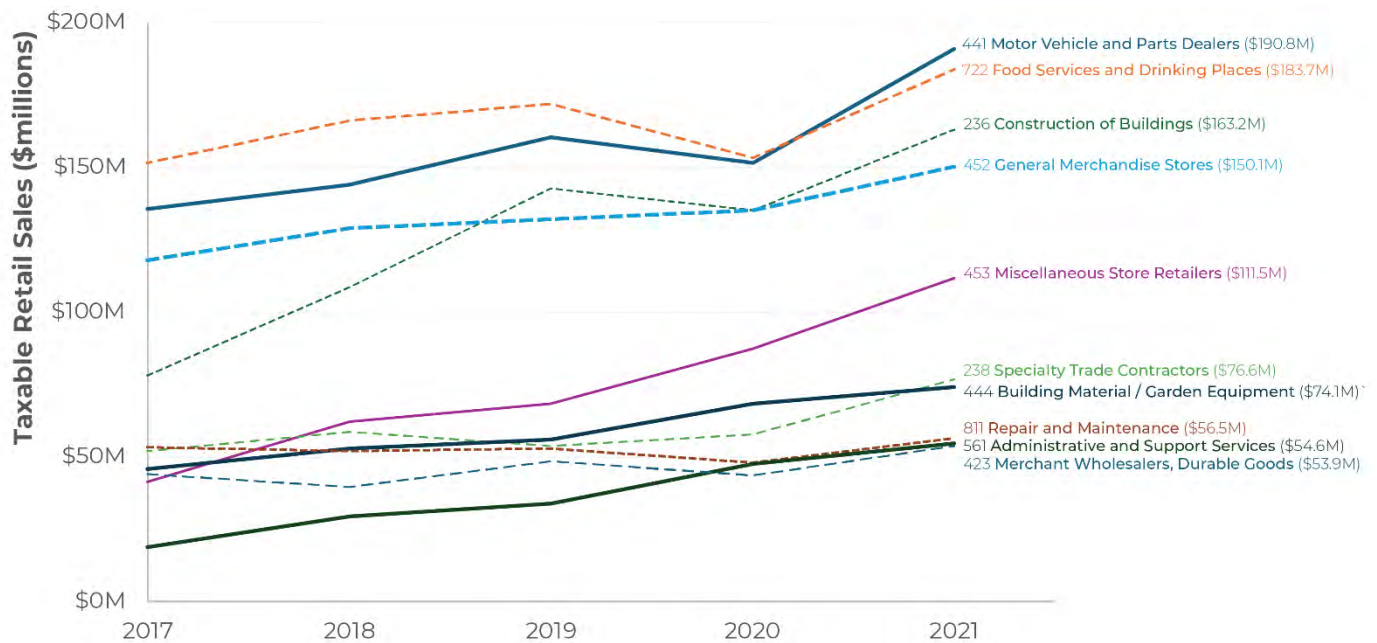
Source: US Census Longitudinal Employer-Household Dynamics, 2024.

Exhibit 4-5. Taxable Retail Sales Statistics, Lakewood, 2021.

2021 Taxable Retail Sales				Pull Factor		
NAICS Designation	Local Sales	Local Potential	Surplus / Leakage	2017	2021	Change
44-45 Retail Trade	\$787,229,996	\$584,126,392	\$203,103,604	1.23	1.35	+0.12
441 Motor Vehicle and Parts Dealers	\$190,770,088	\$133,587,095	\$57,182,993	1.21	1.43	+0.22
442 Furniture and Home Furnishings Stores	\$29,866,992	\$21,206,462	\$8,660,530	1.50	1.41	-0.09
443 Electronics and Appliance Stores	\$29,140,126	\$37,490,327	(\$8,350,201)	0.75	0.78	+0.03
444 Building Material and Garden Equipment and Supplies Dealers	\$74,086,871	\$63,929,812	\$10,157,059	1.01	1.16	+0.14
445 Food and Beverage Retailers	\$52,581,666	\$30,828,713	\$21,752,953	1.40	1.71	+0.30
446 Health and Personal Care Stores	\$34,338,086	\$23,930,607	\$10,407,479	1.07	1.43	+0.36
447 Gasoline Stations	\$17,955,521	\$13,622,965	\$4,332,556	1.35	1.32	-0.03
448 Clothing and Clothing Accessories Stores	\$42,358,613	\$33,149,195	\$9,209,418	1.08	1.28	+0.20
451 Sporting Goods, Hobby, Musical Instrument, and Book Stores	\$33,124,330	\$23,563,284	\$9,561,046	1.40	1.41	+0.00
452 General Merchandise Stores	\$150,072,522	\$84,138,725	\$65,933,797	1.58	1.78	+0.20
453 Miscellaneous Store Retailers	\$111,516,977	\$95,934,555	\$15,582,422	1.30	1.16	-0.14
454 Nonstore Retailers	\$21,418,204	\$22,744,653	(\$1,326,449)	0.84	0.94	+0.10
722 Food Services and Drinking Places	\$183,721,738	\$91,189,315	\$92,532,423	1.64	2.01	+0.38

Source: WA Department of Revenue, 2024.

Exhibit 4-6. Taxable Retail Sales by Subsector in Lakewood, 2017–2021 (Top Ten Subsectors).



Source: WA Department of Revenue, 2024.

Overall, these statistics reinforce that the Economic Development Element should consider several key trends and opportunities. Lakewood has recovered from recent shocks and is likely to continue as a retail hub and a focus of government-related employment into the future. However, there will be ongoing pressure to encourage local economic opportunities that support complete neighborhoods in the city, build local employment opportunities for workers and entrepreneurs, and reinforce fiscal sustainability.

4.3 Goals and Policies

/ ED-1 **Maintain a strong local economy that supports healthy businesses.**

- ED-1.1 Maintain a sustainable retail sales tax base.
- ED-1.2 Pursue public-private partnerships that leverage economic development opportunities.
- ED-1.3 Maintain partnerships with the State, Pierce County, Joint Base Lewis McChord, other cities and organizations to build and maintain regional economic competitiveness.
- ED-1.4 Provide local business recruitment, retention, and expansion programs.
- ED-1.5 Compile and report relevant local economic data to guide economic development programs.
- ED-1.6 Participate in local and regional economic forums that advance economic development goals.
- ED-1.7 Maintain public safety programs that protect people and encourage local investment.
- ED-1.8 Maintain partnerships with Pierce College and Clover Park Technical College as integral components of the local and regional economy.
- ED-1.9 Partner with local human service organizations to providing training and development programs for the unemployed or under-employed.

/ ED-2 **Ensure responsiveness in business support.**

- ED-2.1 Maintain timely and responsive permitting and licensing processes.
- ED-2.2 Support consistency with regulatory codes in other jurisdictions.
- ED-2.3 Promote a customer service approach in permitting and licensing and provide regular reviews of performance.
- ED-2.4 Provide targeted permitting and licensing assistance to small businesses.

/ ED-3 **Promote increased homeownership opportunities in the city.**

- ED-3.1 Expand homeownership opportunities for existing residents in neighborhoods with low homeownership rates.
- ED-3.2 Develop new relationships and mechanisms that increase private investment in, and production of high- quality housing for all income groups.
- ED-3.3 Consider the cumulative effects of regulations and incentives on the ability of housing developers to meet current and future housing demand.

ED-3.4 Support public and private investment to improve areas that have experienced a historical lack of investment in housing and infrastructure, and have a concentration of low-income and disadvantaged households.

ED-3.5 Encourage family-sized housing options for rental and homeownership.

/ ED-4 Coordinate the planning of public infrastructure and private investment.

ED-4.1 Encourage sustainable investments in local infrastructure that can promote private investment and community economic development.

ED-4.2 Use public financing techniques such as local improvement districts, public-private partnerships, and grants to achieve neighborhood and citywide economic development goals.

ED-4.3 Coordinate signage and frontage improvements that enhance the community and promote economic investment.

ED-4.4 Support strategic infrastructure investments for economic development with state and federal funding programs.

/ ED-5: Coordinate neighborhood-level economic development that reflects different local conditions and needs.

ED-5.1: Coordinate opportunities for public and private investment in neighborhoods that support revitalization.

ED-5.2 Promote commercial uses and cultural activities to support the vitality of neighborhoods.

ED-5.3 Ensure that infrastructure planning is coordinated with economic development needs in neighborhoods.

ED-5.4 Foster small business development and expansion.

ED-5.5 Encourage neighborhood centers to be complete communities to live, shop, and do business.

ED-5.6 Encourage housing and mixed-use development as an opportunity to build support for local businesses.

ED-5.7 Explore the use of a local development government corporation for land assembly in neighborhoods.

ED-5.8 Explore ways to allow craft/artisanal industrial uses that permit on-site manufacturing with supporting retail in compatible commercial areas.

/ ED-6 Coordinate economic development opportunities related to the support of Joint Base Lewis-McChord.

- ED-6.1 Coordinate with the South Sound Military Communities Partnership to explore economic opportunities related to JBLM.
- ED-6.2 Coordinate economic development planning with JBLM operations and policies associated with economic development and housing.
- ED-6.3 Support workforce development programs for military personnel transitioning out of military service.
- ED-6.4 Pursue economic diversification to increase local economic resilience in response to any planned drawdowns at JBLM.

/ ED-7 Expand city residents' economic opportunities.

- ED-7.1 Support economic development activities that provide or retain livable wage jobs for low and moderate income persons.
 - Develop a low-interest loan program, tax credits and other mechanisms to serve as incentives for businesses to create or retain jobs for low- and moderate-income persons.
 - Develop a technical assistance program for supporting businesses for the purpose of creating or retaining jobs for low- and moderate-income individuals.
 - Provide businesses with access to low-interest loans to expand economic opportunities through on-site infrastructure improvements, rehabilitation, acquisition, and other commercial improvements for the purpose of creating or retaining jobs for low- and moderate-income persons.
- ED-7.2 Focus investment on housing development and infrastructure improvements in support of economic development in targeted neighborhoods.

5 Energy and Climate Change

5.1 Introduction

Reducing greenhouse gas emissions, sustaining healthy ecological systems, and adapting to climate disruption are fundamental challenges facing communities around the world. An adequate and timely response to climate change will require collective action and sustained effort from public and private sectors. Local and regional initiatives should be coordinated to protect environmental and human health.

In 2021, the city adopted a new Comprehensive Plan Energy & Climate Change Element (ECCE.) It included 89 Action Items. In 2022, these Action Items were reviewed and prioritized into a 3-Year, 15 Action-Item Work Plan. Between 2022 and 2024, the city successfully completed eight of the 15 Action Items, continued work on 4 of the Action Items, and identified needed partners to pursue the final 3 Action items. The city enrolled with Google Environmental Insights Explorer (Google EIE) and Local Governments for Sustainability (ICLIE) to track and analyze climate change impacts and GHG emissions on the city as well as the effects over time of actions the city takes to anticipate and address those effects and reduce those emissions.

As part of the 2024 Comprehensive Plan Periodic Review, all of the 89 ECCE Action Items, as well as the foundational climate change information used to draft the 2021 Element, have been relocated from the Comprehensive Plan to a separate Climate Change & Resiliency Appendix (see the Appendix). The city also began review of the 2023 state legislation E2SHB 1181 to determine how to best update the ECCE, the Appendix, and other Comprehensive Plan Elements to be consistent with new GMA requirements by 2029 and 2034 per E2SHB 1181.

If residents, businesses, and city officials are committed to environmental responsibility in planning for Lakewood's future, the city can assume a leadership role in responding and adjusting to the potential impacts of climate change. Greenhouse gas emissions in the city are primarily generated by motor vehicles and large scale commercial and industrial operations. The city is also traversed by Interstate 5 and State Highway 512; both freeways experience substantial congestion during peak commute hours. Therefore, reduction measures must involve residents, local businesses, and neighboring jurisdictions.

Lakewood has some favorable characteristics that provide substantial advantages in addressing energy and climate change. These advantages include vacant and underutilized lands, the Downtown and the Lakewood Station District Subarea Plans, and recent revised development codes that help moderate future emissions by facilitating convenient access to employment, transportation modes and essential human services.

5.2 Background

Finding 1: Lakewood can provide leadership and engagement.

The city will seek opportunities to develop cross jurisdictional solutions based upon state and federal emission reduction targets. Lakewood can play an active role in these efforts by:

- Collaborating and partnering with relevant agencies and organizations to advocate for substantive action on climate change; and
- Raising awareness among Lakewood residents and businesses about key climate change challenges and solutions.
- Leading by example by incorporating new energy efficiency practices and policies.
- Partnering with other local agencies to create a regional approach to addressing climate change.
- Incorporating environmental justice, and equity policies and programs into climate change decision-making.

Finding 2: Lakewood can actively regulate land uses to reduce greenhouse gas emissions.

There is a close link between levels of energy consumption and land development patterns. Land use policies that encourage goods and services to be located within convenient walking distance of residential neighborhoods can decrease reliance on private automobiles. This in turn has the positive benefit of decreased daily energy use. Sustainable development patterns require:

- Promoting mixed-use and infill development in the Downtown and other major activity centers, along key commercial corridors and on vacant and underutilized parcels;
- Promoting walkability in neighborhoods by improving streetscape design and locating housing close to local serving uses and public spaces;
- Prioritizing the use of green and sustainable development standards and practices in planning, design, construction and renovation of buildings and infrastructure;
- Promoting the integration of neighborhood commercial uses in residential areas; and
- Supporting urban agriculture and making locally grown food accessible to all residents.

Finding 3: Lakewood can improve upon its active modes of travel.

Private automobiles remain the primary mode of travel in the city. Public transit, pedestrian and bicycle facilities can be improved to ensure that transit and active modes of travel become more viable options. Climate-friendly vehicles can also make a significant contribution to emissions reduction. The city can promote climate friendly and efficient transportation options by:

- Coordinating with and supporting Pierce County Transit's efforts toward expanding public transit service to improve mobility and reduce reliance on the private automobile;
- Promoting walking and bicycling as a safe and convenient mode of transportation;
- Supporting safe routes to schools and improving bicycle, pedestrian, and transit access;
- Advocating for a local long distance passenger rail system to serve the community;

- Reducing reliance on private automobiles as a primary mode of transportation to decrease emissions from vehicle trips; and
- Committing to acquiring fuel efficient vehicles and equipment.

Finding 4: Restoring and protecting the natural environment will help to mitigate impacts of climate change.

Climate change will have impacts on human and environmental health. A healthy natural environment will help enable the community to respond to future climate change-related events. Lakewood can address these challenges by:

- Restoring and expanding ecological systems to support the natural functions of soil, water, tree canopies, creeks, open space, and other natural resources; and
- Conserving and protecting wetlands, uplands, and natural resources.

Finding 5: Preparing for potential climate change impacts is as critical as reducing greenhouse gas impacts and planning for long-term sustainability.

Communities must reduce greenhouse gas emissions to reduce or even reverse the impacts of climate change. Communities must also prepare for potential impacts to human and environmental health in the short and medium term. Action at the local level to adapt to future impacts will require adequate planning for changing weather patterns.

5.3 Goals and Policies

/ EC-1 Provide Leadership in Managing Climate Change.

Take steps to address climate change and to manage its effects. Partner with other jurisdictions, organizations, residents, and businesses to address climate change and support climate resiliency solutions.

- EC-1.1 **Provide Leadership and Advocacy:** Lakewood will take a leadership role in advocating for local and regional climate change solutions, forge new partnerships, develop innovative solutions, and continue to support and promote regional climate change and sustainability efforts.
- EC-1.2 **Increase Public Awareness and Support:** Encourage residents and businesses to reduce their carbon footprint by raising their awareness about the impacts of climate change and by building support for climate change initiatives in Lakewood through education, data, and partnerships with community-based organizations and utility companies.
- EC 1.3 **Provide Resources about Climate Change Impacts:** Develop educational resources and publicly available data to build awareness of the impacts of climate change in Lakewood.

/ EC-2 Improve Clean and Efficient Transportation Options.

Expand the city's transportation network by encouraging the use of climate-friendly technology, planning growth around multiple modes of travel, and reducing automobile reliance.

- EC-2.1 **Expand Affordable Public Transit:** Lakewood will coordinate with transportation agencies and support enhanced and expanded public transit to improve mobility options for residents and visitors.
- EC 2.2 **Develop Safe and Convenient Walking and Bicycling Routes:** Prioritize and incentivize walking and bicycling as safe and convenient modes of transportation.
- EC 2.3 **Expand Regional Passenger Rail:** Work with Amtrak and Sound Transit to expand commuter rail service and existing parking facilities.
- EC-2.4 **Reduce Private Automobile Use:** Work toward creation of an urban landscape that will reduce reliance on private automobiles through land use planning and by providing amenities and infrastructure that encourage safe and convenient use of public transit, walking and bicycling. Commute Trip Reduction programs cannot happen without partnership with local business organizations and local transit advocates.
- EC-2.5 **Improve Multimodal Transportation Options:** Promote improved public transit and partner with private developers to undertake citywide improvements that make active modes of travel, such as walking and bicycling, more comfortable and preferable options.

/ EC-3 Increase Sustainable and Energy-Efficient Systems.

Reduce the city's consumption of energy by encouraging energy conservation and supporting the consumption of energy produced by climate-friendly technologies.

- EC-3.1 **Expand Renewable Energy:** Promote the generation, transmission and use of a range of renewable energy sources such as solar, wind power and waste energy to meet current and future demand.
- EC-3.2 **Promote Energy Efficiency and Conservation:** Promote efficient use of energy and conservation of available resources in the design, construction, maintenance and operation of public and private facilities, infrastructure and equipment.
- EC-3.3 **Promote Solid Waste Reduction and Recycling:** Promote waste reduction and recycling to minimize materials that are processed in landfills.
- EC-3.4 **Promote Water Conservation and Reuse:** Promote water conservation and recycled water use to reduce energy use associated with wastewater treatment and management.

/ EC-4 Encourage Sustainable Development.

Reduce energy consumption by promoting sustainable land uses and development patterns.

- EC-4.1 **Promote Mixed-Use and Infill Development** Promote mixed-use, high-density, infill development on vacant and underutilized parcels along commercial corridors, in the Downtown area, and in the Lakewood Station District.
- EC-4.2 **Develop Compact Walkable Neighborhoods and Livable Streets** Promote safe and walkable neighborhoods and inter-connected streets through the design of complete streetscapes, public gathering places and all types of physical development that encourages less vehicle use.
- EC-4.3 **Encourage Green Buildings and Landscaping:** Encourage the use of green and sustainable development standards and practices in planning, design, construction and renovation of facilities.
- EC-4.4 **Promote Green Infrastructure:** Develop green infrastructure standards that relies on natural processes for stormwater drainage, groundwater recharge and flood management.
- EC-4.5 **Encourage Efficient Development Patterns:** Pursue infill development opportunities and encourage the construction of higher-density, mixed-use projects around existing public transit infrastructure, schools, parks, neighborhood-serving retail and other critical services.
- EC-4.6 **Promote Sustainable Practices:** Incorporate ecologically sustainable practices and materials into new development, building retrofits and streetscape improvements.

/ EC-5 **Develop a Hazards Management Plan and a climate resilient community.**

- EC-5.1 **Identify Risks:** Improve the ability to identify areas prone to greater risk from climate change hazards and restrict development and redevelopment in those areas. Increase support for mapping and data collection of high-risk areas.
- EC-5.2 **Prepare a Hazard Management Plan:** Develop a comprehensive approach to hazards management planning to include possible climate change scenarios and includes both pre-incident and post-incident responses.
- Develop post-disaster redevelopment plans.
 - Expand federal and state support for climate-related hazards management.
 - Continue to coordinate and cooperate with the hazards-management community.
- EC-5.3 **Adopt and Enforce Building and Energy Codes:** As required by Washington State, update building and life safety codes to better address the variety of hazards that are likely to result from climate change
- EC-5.4 **Promote Climate Resiliency:** Develop a resilience strategy for the purposes of maintaining strong city finances and livable places, thereby allowing the city to more easily adapt to emergent climate-related disasters.

6 Housing

6.1 Introduction

The Housing Element sets the stage for a vibrant, sustainable, family-oriented community through the balanced allocation of land for a variety of housing types affordable to all household incomes. It accommodates growth and promotes the use of transit amenities in the city. Housing and retail or commercial development may be interwoven in some areas where they would mutually benefit one another; elsewhere, different land uses remain discrete to meet other goals.

The goals and policies of the Housing Element will be realized through the city's implementation strategies, including strategic infrastructure improvements; future subarea planning; technical area planning; design and development regulations; the process of development review; and other such methods.

6.2 Background

Lakewood possesses a diverse housing stock with a wide range of unit types and prices, most of which were constructed prior to incorporation in 1996. The inventory includes large residential estate properties, single-family homes of all sizes, some townhouses, semi-attached houses, low- and mid-rise apartments, and high-density apartments.

The Housing Element is based on an assessment of Lakewood's current demographics and existing housing stock. It also is consistent with:

- the GMA;
- the MPPs and Regional Growth Strategy included within VISION 2050;
- the Pierce County CPPs; and
- other elements of the Lakewood Comprehensive Plan.

The Housing Element considers how Lakewood will accommodate its share of projected regional growth and how it will provide housing for all economic segments of its population. It provides a framework for addressing the housing needs of current and future residents. Finally, it serves as a guide for protecting and enhancing the quality of life in residential areas.

The Appendix to this report includes additional information about Lakewood's housing stock and planning requirements.

6.2.1 Population and Housing Targets

The city is required under the GMA to plan towards specific housing targets to address expected growth over the next 20 years. These targets include:

- Overall estimates of the housing necessary to meet population growth.
- Targets for housing affordable across different economic segments of the population, reflecting a variety of residential densities and housing types, as well as preservation of existing affordable housing.
- Needs for housing to meet specific needs for housing insecure groups, including permanent supportive housing (PSH) and emergency shelter beds.

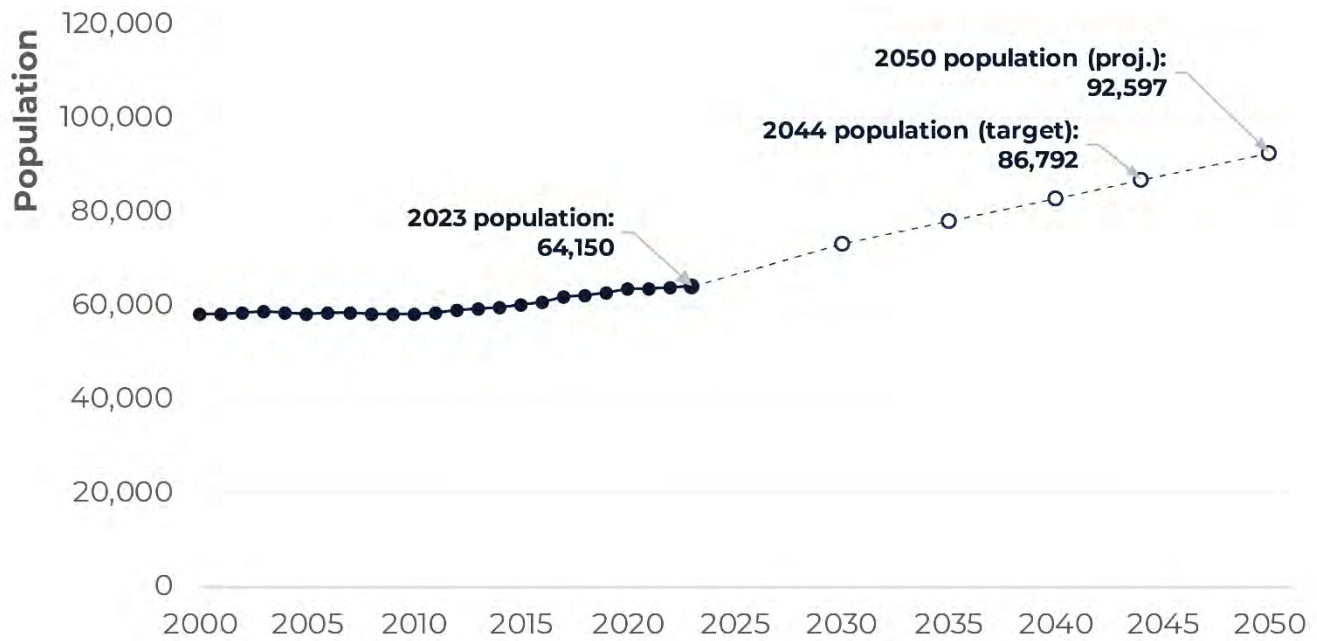
These targets have been adopted as part of the Pierce County CPPs for Pierce County, with the breakdown of housing by income category and specific needs provided under Pierce County Ordinance 2023-22s.

The following exhibits highlight the targets to be addressed in the Comprehensive Plan:

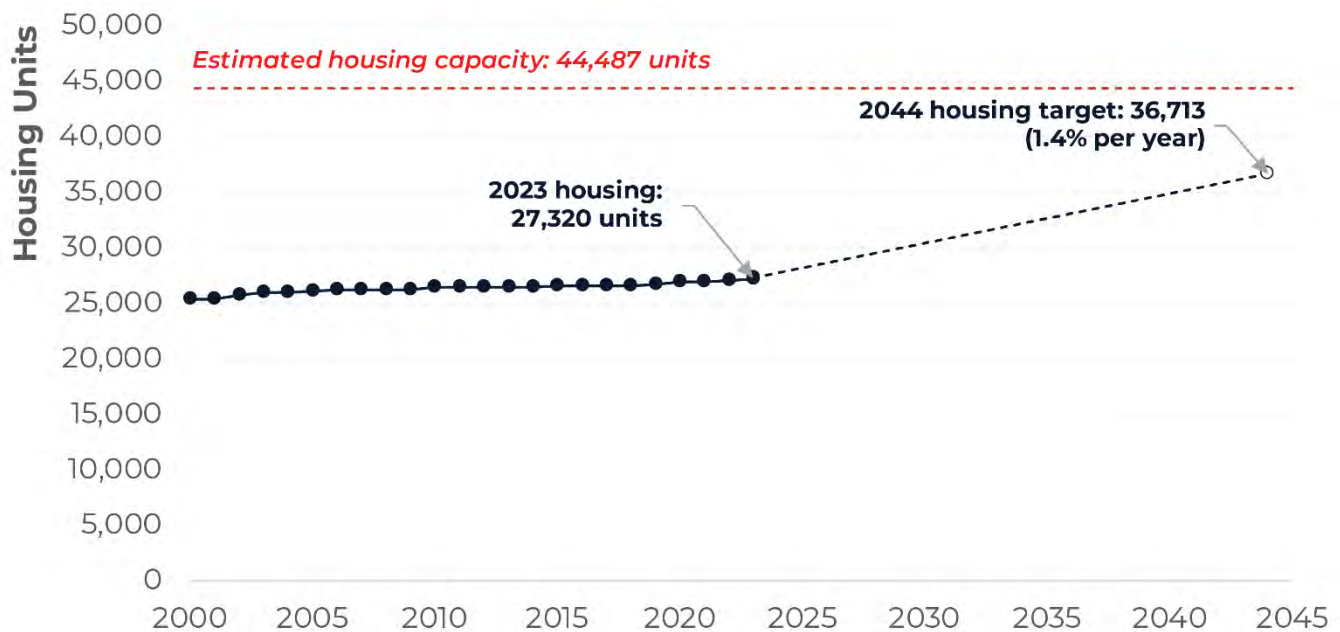
- Exhibit 6-1 provides the current population of Lakewood and expected population in 2044 under the current CPPs, as well as a projected population to 2050.
- Exhibit 6-2 presents the current number of housing units in Lakewood in 2023, as well as the housing unit targets to 2044 under the CPPs and the calculated capacity under a current evaluation of development and zoning in the city.
- Exhibit 6-3 gives the housing targets by household income, based on Area Median Income (AMI) for Pierce County and the type of housing.

As shown in these figures, **a net increase of 9,378 housing units** will be required between 2020 and 2044. As noted in Exhibit 6-4, there are specific targets which will impact the types of housing that will need to be built to meet local needs. Generally, these targets translate to housing types as follows:

- **Permanent supportive housing: 1,637 units**, which includes not only housing, but also wraparound services for residents, will require multifamily apartment development types and will be account for 17% of the net increase in housing by 2044..
- **Multifamily apartment units: 4,326 units**, in denser formats are allocated to meet the needs of households at 80% of AMI or below. This amounts 46% of the net housing increase. Given the comparatively low rents, these unit types may need to be built with additional financial support and subsidies from government agencies and other organizations.
- **Middle housing units: 1,128 units**, such as townhouses and plex development are assumed to meet needs at 80–120% of AMI. These housing units may need some subsidies or incentives to be built but can largely consist of market-rate units. About 12% of the total housing built will be needed to accommodate the AMI range's housing needs by 2044.
- **Other housing types: 2,287 units**, including single-family detached housing, for the needs of households at 120% of AMI or higher. Note that these units will account for about 24% of the total target. These will likely be fully market-rate housing with no need for additional incentives but note that these targets could be built within mixed-income housing projects that include both affordable and market-rate units.

Exhibit 6-1. Current and Projected Lakewood Population, 2000–2044.

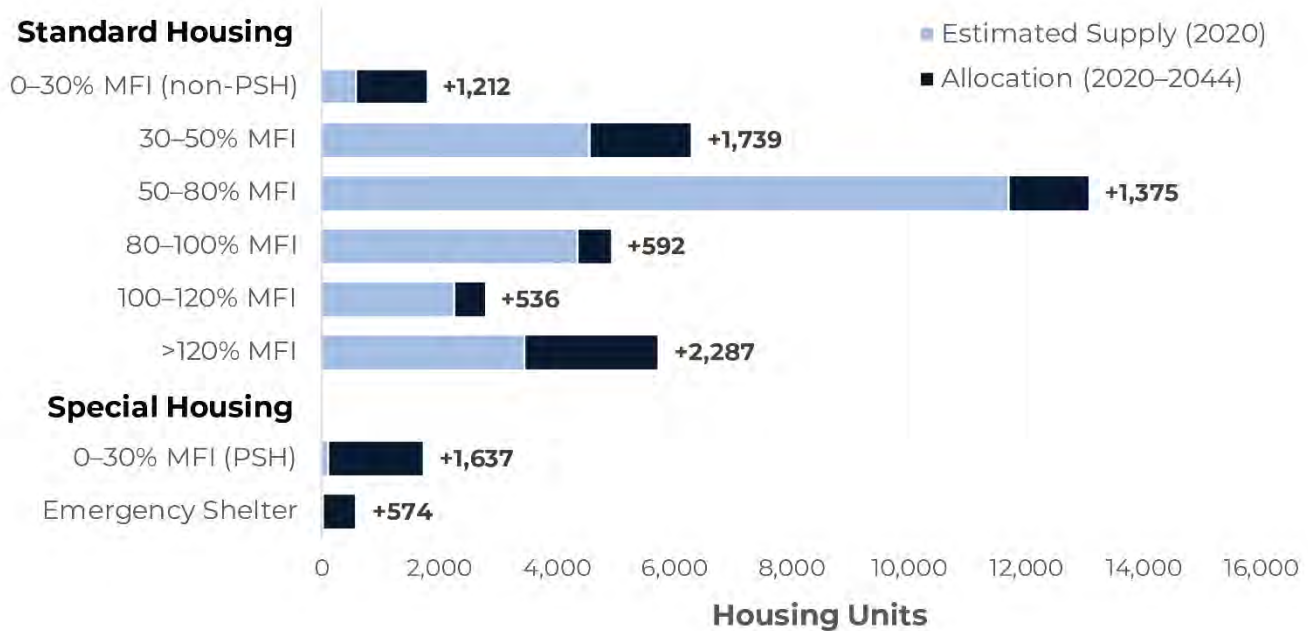
Source: WA Office of Financial Management, 2024

Exhibit 6-2. Current and Projected Lakewood Housing Units and Capacity, 2000–2044.

Source: WA Office of Financial Management, 2024.

Exhibit 6-3. Lakewood Housing Needs by Income Level (% of Area Median Income).

	2020 Est. Supply	2044 Target	Allocation, 2020–2044
Total Housing Units	26,999	36,377	9,378
0–30% AMI			
<i>Permanent Supportive Housing</i>	101	1,800	1,637
<i>Additional Housing</i>	588	1,468	1,212
30–50% AMI	4,565	6,304	1,739
50–80% AMI	11,699	13,074	1,375
80–100% AMI	4,347	4,939	592
100–120% AMI	2,250	2,786	536
120% AMI or higher	3,449	5,736	2,287
Emergency Units	8	582	574

Standard Housing

Source: Pierce County, 2023.

In addition to the overall needs for housing, including subsidized housing types and permanent supportive housing for people facing chronic housing instability, these housing targets also specify the need for an **additional 574 emergency shelter beds** to be built by 2044.

6.2.2 Housing Stock, Production, and Capacity

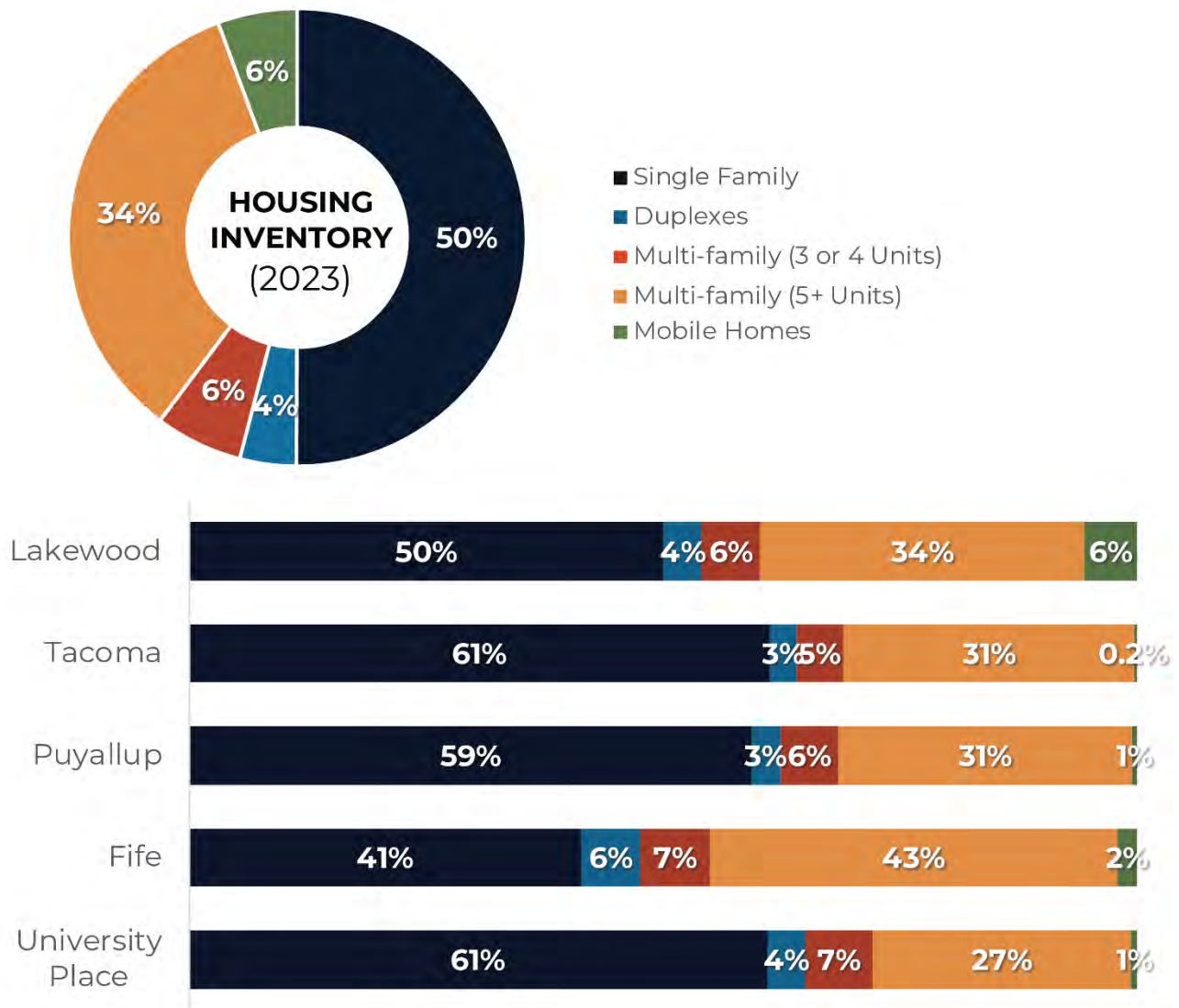
To understand local trends in housing production and the possible need for adjustments to address future housing targets, statistics on housing stock are highlighted in the following figures:

- Exhibit 6-4 provides a breakdown of the current housing stock in Lakewood by housing type, including an assessment of the mobile homes in the city. This figure also compares this breakdown in Lakewood to those in other nearby communities.
- Exhibit 6-5 includes data on housing production in Lakewood between 2010 and 2023. This includes both housing production by year and overall totals for this period.
- Exhibit 6-6 provides an estimate of current housing capacity and expected growth to 2044 in Lakewood given changes in recent state statutes regarding allowable housing densities.

This highlights several major points:

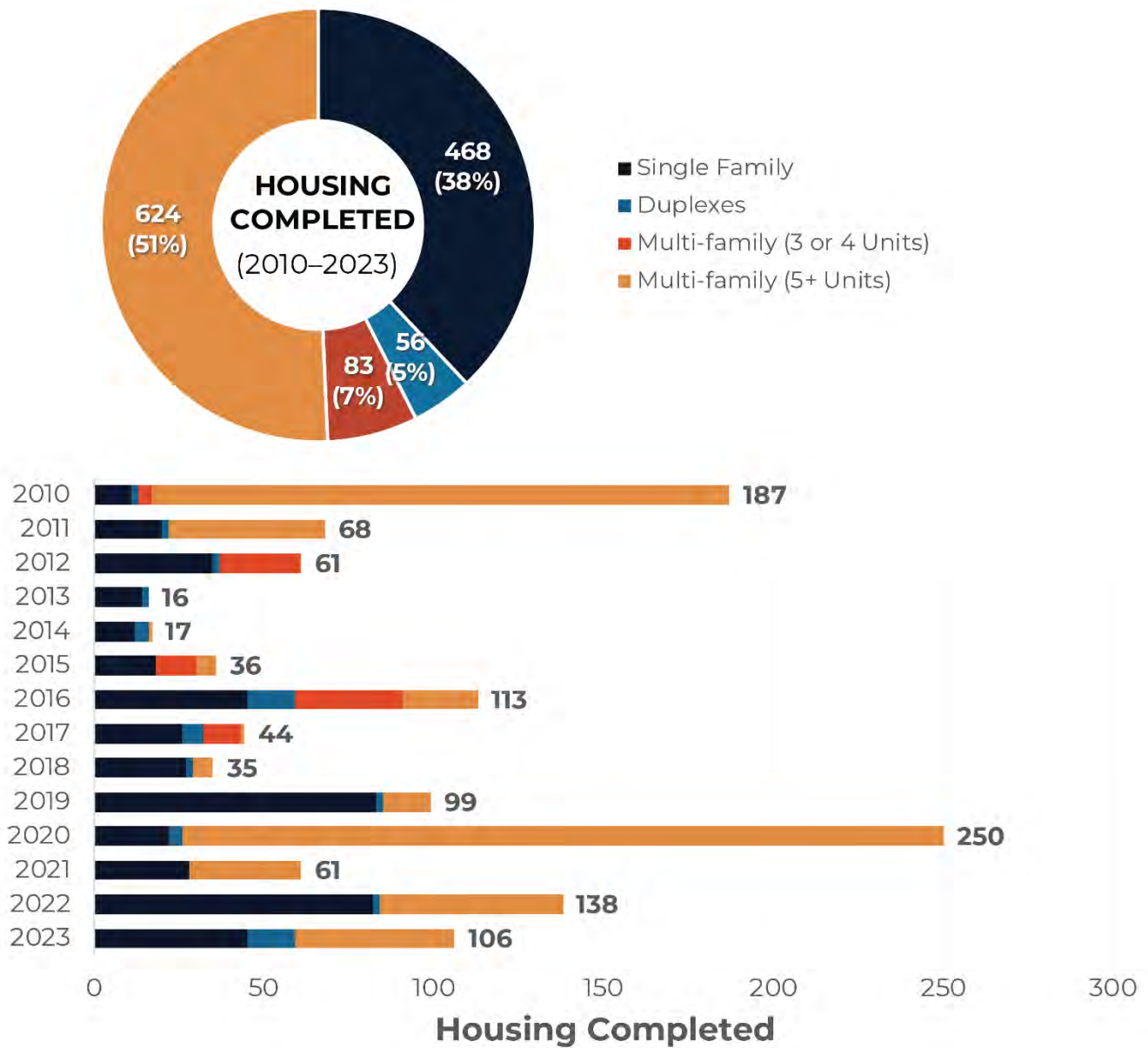
- **Lakewood has had a long history of single-family housing development.** While Lakewood has a smaller proportion of housing as single-family detached units than other communities in the area, half of the housing available as of 2023 consists of these units. This housing type is dominant in the city, and future planning for growth needs to consider the prevalence of this development pattern.
- **Recent growth has been more dominated by multifamily housing, however.** While half of housing in Lakewood consists of single-family units, ongoing growth is more towards attached housing and multifamily housing types. Over half of housing completed since 2010 has been larger multifamily projects, and plex development has accounted for an additional 12% of growth.
- **Manufactured housing plays a greater role in the local housing market.** As opposed to other comparable communities in Pierce County, mobile and manufactured homes form about 6% of the local housing stock. While this is a small part of the total market, this housing type often provides options for lower-income households, and local housing policy should consider the management of manufactured home parks as part of an effort to retain affordable housing.
- **Available capacity for new housing development is enough to meet local needs.** Based on an assessment of the buildable lands in Lakewood, there is sufficient development capacity available to meet the long-term needs of the city over the next 20 years. This includes both the overall growth in housing that is assumed under the Pierce County CPPs, as well as housing needs by income category.

Exhibit 6-4. Proportion of Current Housing Types, Lakewood and Surrounding Communities, 2023.



Source: WA Office of Financial Management, 2024.

Exhibit 6-5. Housing Units Completed in Lakewood by Type, 2010–2023.



Source: WA Office of Financial Management, 2024.

Exhibit 6-6. Estimates of Total Capacity and Expected Growth, 2020–2044.

Income	Projected Housing Need	Zoning Categories Serving Needs	Aggregated Housing Needs	Total Capacity	Capacity Surplus/Deficit
0-30% Non-PSH	1,212	Low-Rise Multifamily + ADUs	5,963	9,064	3,101
0-30% PSH	1,637				
>30-50%	1,739				
>50-80%	1,375				
>80-100%	592	Moderate Density	1,128	2,969	1,841
>100-120%	536				
>120%	2,287	Low Density	2,287	5,455	3,168
Total	9,378		9,378	17,488	8,110

6.2.3 Racial Equity and Displacement

The region is experiencing critical challenges with its housing supply not keeping pace with growth, resulting in significant impacts. These impacts are particularly felt by communities of color that do not have the resources available to respond to these trends. These communities often face higher costs, poorer housing quality, and reduced opportunities for homeownership due to longstanding discriminatory practices.

The 2024 updates to the Comprehensive Plan must address these disparities through various strategies, including identifying and amending policies that contribute to racial disparities and displacement, and implementing anti-displacement measures, particularly in areas prone to market-driven displacement.

Displacement in housing is increasingly problematic as rising costs and inadequate housing supply prevent many from securing suitable, affordable homes. Displacement types include:

- **Economic displacement**, when increases in rents and other costs result in people and businesses moving where these costs are lower;
- **Physical displacement**, when housing units and other buildings are demolished or renovated and no longer available; and
- **Cultural displacement**, when a local community changes due to economic and/or physical displacement, and other residents are driven away because of declining community cohesion and social bonds.

Displacement has broader implications for community dynamics and regional stability. It leads to longer commutes, fragmented community ties, and increased strain on social services, potentially escalating homelessness. Addressing these issues through local policies can help retain community integrity and support economic and social sustainability in the face of inevitable urban changes.

Comprehensive Plan updates for cities like Lakewood are encouraged to integrate racial equity in housing policies to mitigate displacement risks. These updates should include thorough assessments of

existing housing policies that might perpetuate racial disparities and propose new strategies to prevent displacement. The focus will be on preserving community and cultural continuity while providing practical housing solutions to meet the diverse needs of the population.

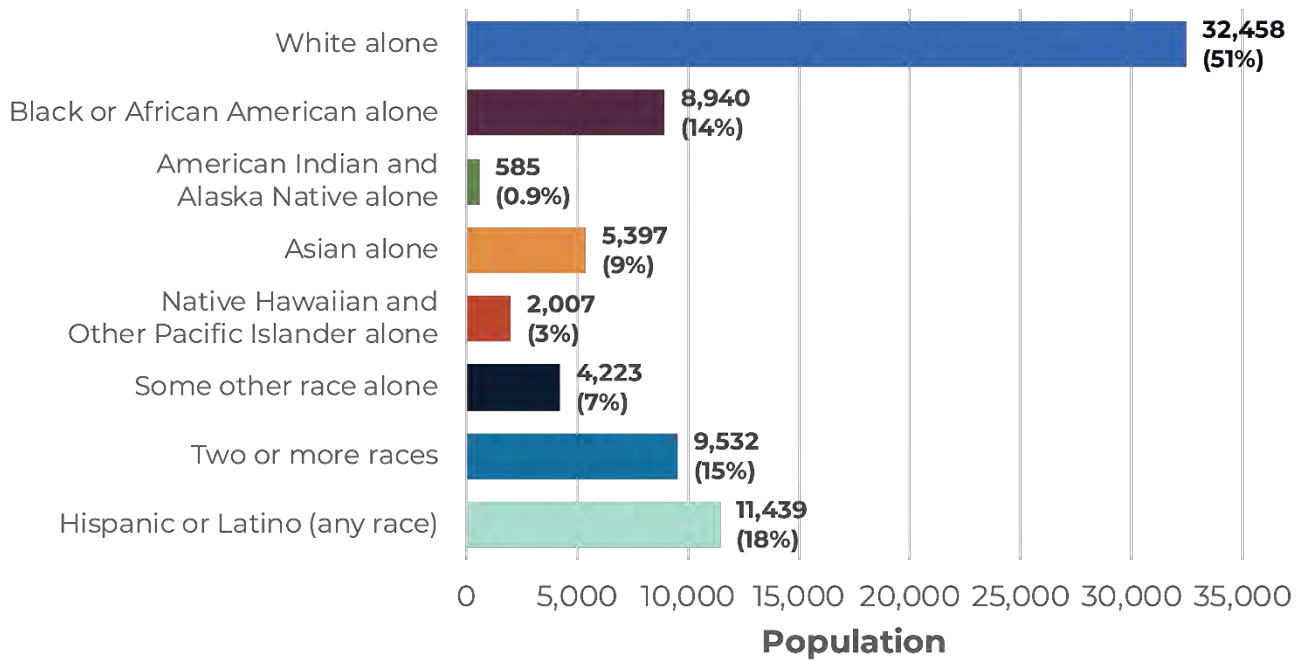
The following exhibits highlight relevant statistics for the city regarding racial equity in housing:

- Exhibit 6-7 provides a breakdown of the Lakewood population by race and ethnicity, based on 5-year American Community Survey data from 2022. (Note that these statistics do not separate Hispanic/Latino residents by race.)
- Exhibit 6-8 highlights the difference of tenure by race and ethnicity, indicating how many renters versus owners are found in each category.
- Exhibit 6-9 breaks down proportions of households by income categories, determined by percent of area median income (AMI).
- Exhibit 6-10 indicates housing cost burdens by race and ethnicity in Lakewood, highlighting cases where households are cost burdened (paying over 30% of their income on housing costs) or severely cost burdened (paying over half of their income on housing).
- Exhibit 6-11 provides a displacement risk index provided by the PSRC by US Census Bureau census tract. This is divided based on the regional distribution and indicates where the risks of displacement may be “higher”, “moderate”, or “lower” in the regional distribution.
- Exhibit 6-12 provides a distribution of residents by race at the Census block level, based on information from the 2020 US Decennial Census.

There are several high-level conclusions that can be reached from this information:

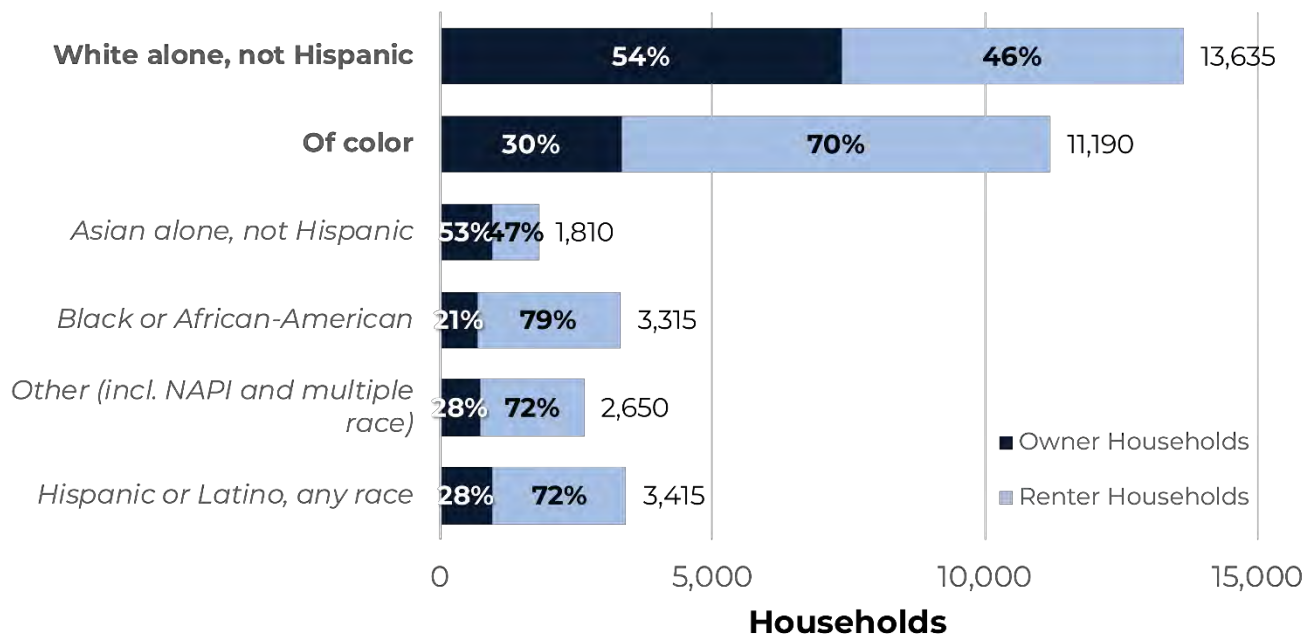
- **There are some income disparities by race/ethnicity in Lakewood that could lead to housing challenges.** The distribution of white households in the city generally includes greater representation at higher income levels, with only 16% households at extremely low-income and 38% above median income. In contrast, about 21% of households of color are extremely low-income, and only 24% surpass the median income threshold.
- **The distribution of households between renters and owners by race suggests some vulnerabilities to housing stability by race/ethnicity.** Households of color face significant challenges in homeownership and housing stability: about 54% of White households own homes compared to only 30% of BIPOC households. Particularly, about 79% of Black or African American and 72% of Hispanic/Latino households are renters, which indicates possible vulnerabilities to local rent increases.
- **On average, higher housing cost burdens are more common for Black households.** A substantial number of Black or African American households in Lakewood (58%) experience some type of housing cost burden, with 34% facing severe difficulties. These economic pressures suggest a critical need for targeted housing policies and community support.
- **There is a likely risk of displacement in key areas of the city.** The Lakewood Station District and the Lakeview/Kendrick area are identified as high-risk zones for displacement, especially among communities of color. These neighborhoods, along with the International District, face challenges that may also extend to local businesses, potentially necessitating protective measures and anti-displacement strategies.

Exhibit 6-7. Lakewood Population by Race and Ethnicity, 2022.

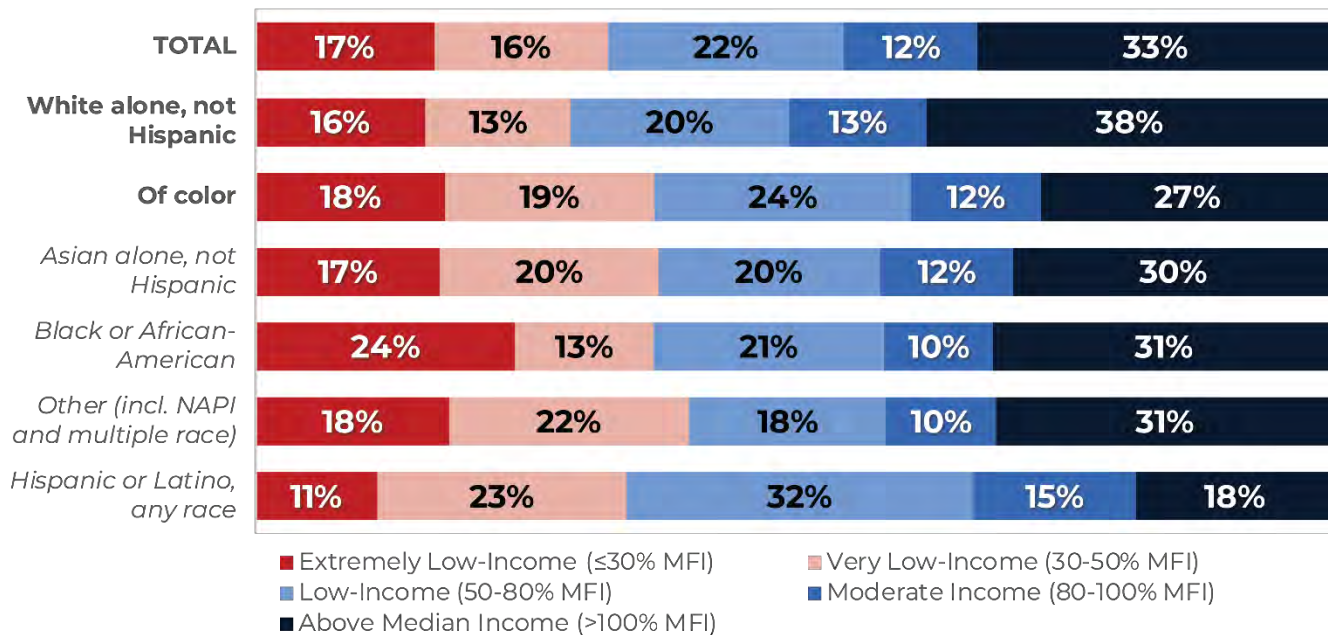


Source: US Census Bureau, 2018-2022 American Community Survey 5-Year Estimates, 2023.

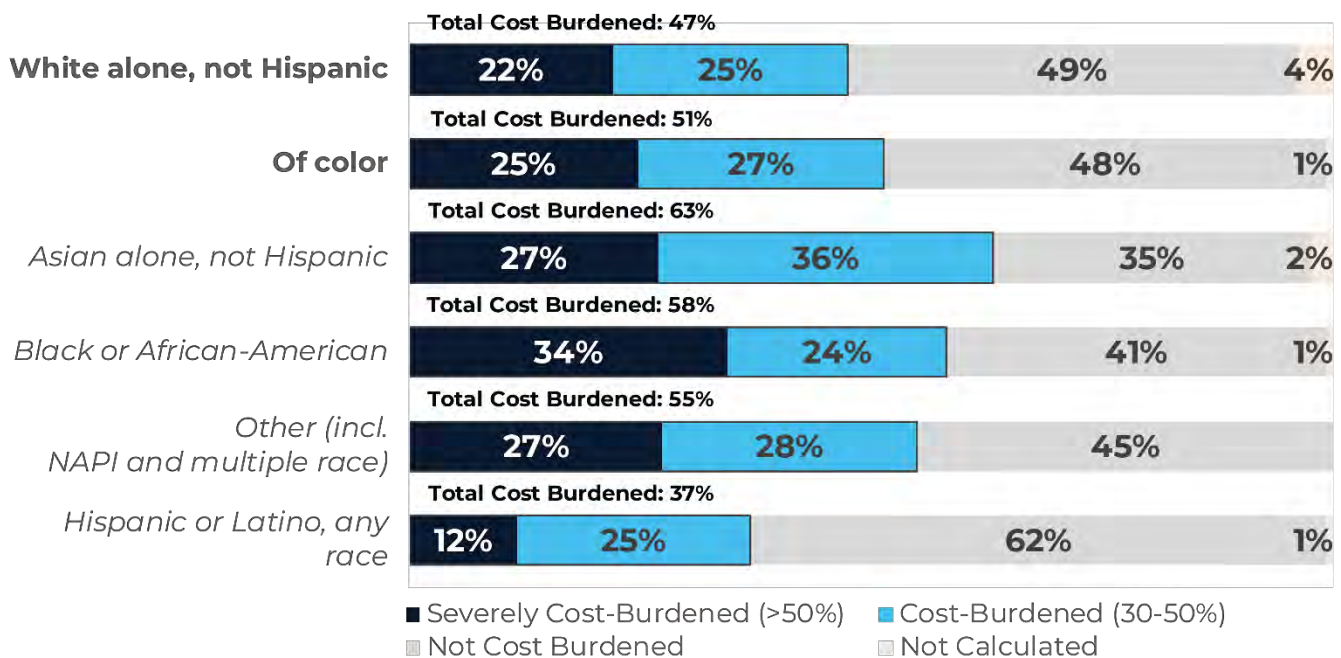
Exhibit 6-8. Lakewood Households by Race/Ethnicity and Tenure, 2020.



Source: US HUD Comprehensive Housing Affordability Strategy (CHAS) data, 2016–2020.

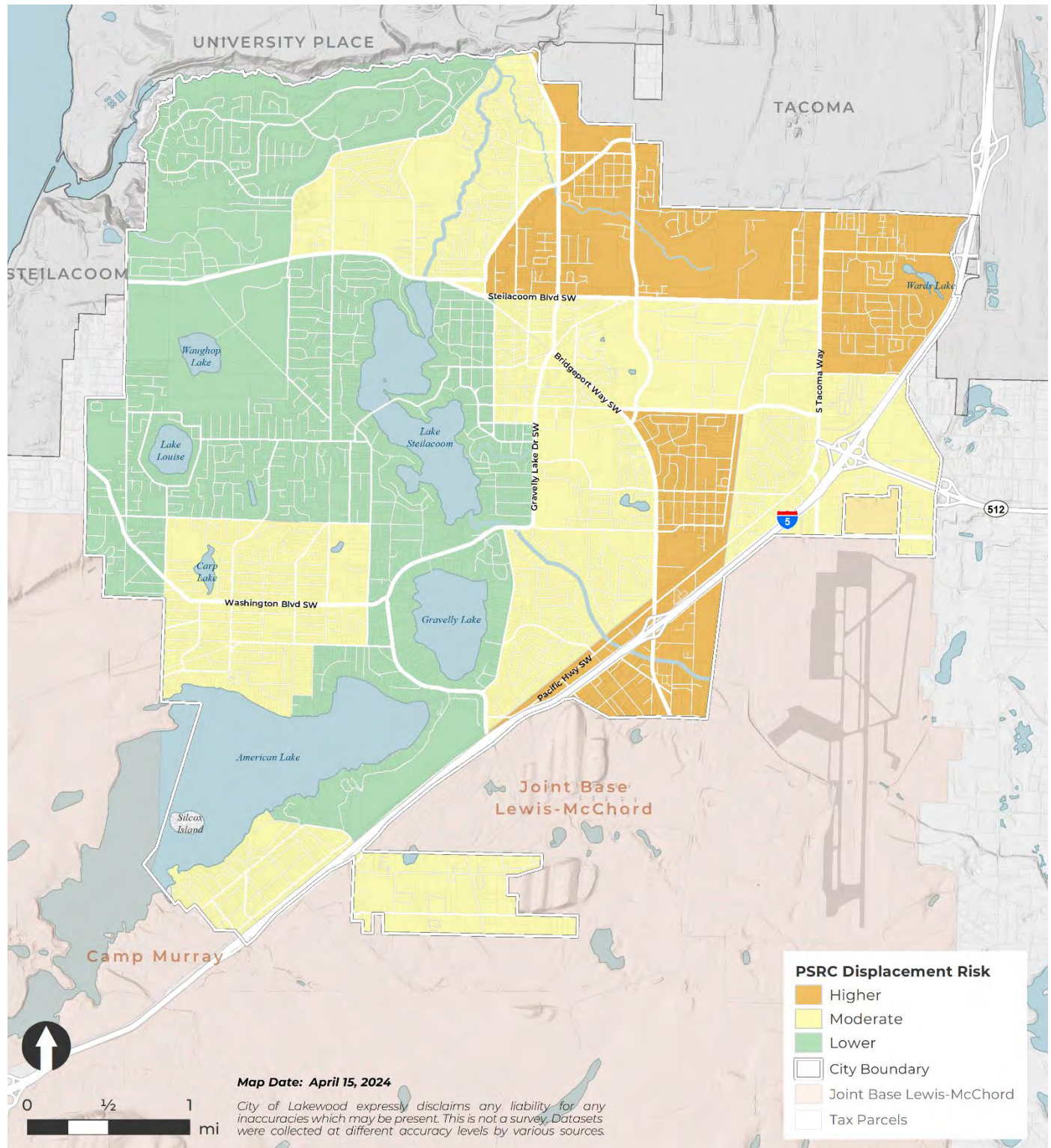
Exhibit 6-9. Lakewood Households by Race/Ethnicity and Income Category, 2022.

Source: US HUD Comprehensive Housing Affordability Strategy (CHAS) data, 2016–2020.

Exhibit 6-10. Lakewood Households by Race/Ethnicity and Cost Burden, 2020.

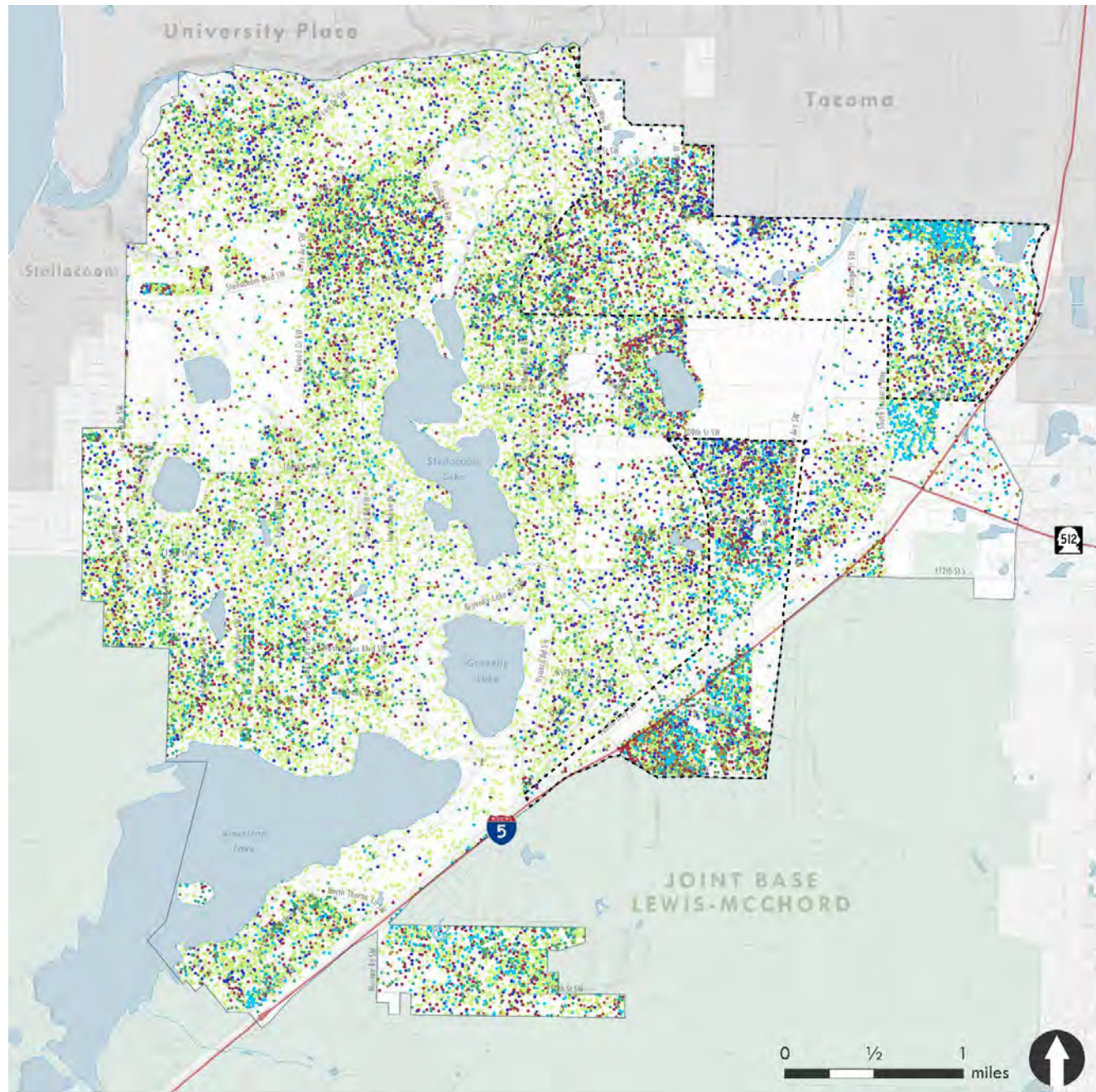
Source: US HUD Comprehensive Housing Affordability Strategy (CHAS) data, 2016–2020.

Exhibit 6-11. PSRC Displacement Risk Index for Lakewood.



Source: PSRC, 2024; City of Lakewood, 2024; Pierce County GIS, 2024.

Exhibit 6-12. Distribution of Population by Race in Lakewood, 2020.



Legend

- City of Lakewood
- Other cities
- Joint Base Lewis-McChord
- Water

Distribution of Population by Race

- White alone
- Black or African American alone
- American Indian and Alaska Native alone
- Asian alone
- Native Hawaiian and Other Pacific Islander alone
- Some Other Race alone
- Two or more races

- PSRC Displacement Index: Higher Risk

- Highways
- Arterials
- Roads



Map Date: January 2023

Sources: Pierce County GIS, 2022; ESRI, 2022; City of Lakewood, 2022; BERK, 2022.

6.3 Goals and Policies

/ HO-1 **Promote an overall supply of housing that supports all economic segments of the population.**

- HO-1.1 Plan to the 2020–2044 housing target allocations by household income for Lakewood based on area median income (AMI) for Pierce County as established by the US Department of Housing and Urban Development (HUD), adjusted for household size:
- 30% AMI or less: 1,367 units,
 - 30–50% AMI: 1,739 units,
 - 50–80% AMI: 1,375 units,
 - 80–100% AMI: 592 units, and
 - 100–120% AMI: 536 units.
- HO-1.2 Plan to the 2020–2044 County target allocations for an additional 1,212 units of permanent supportive housing affordable to households at 0–30% AMI.
- HO-1.3 Plan to the 2020–2044 County target allocations for 574 spaces in emergency shelter.
- HO-1.4 Encourage housing that meets the needs of different sizes and types of households in the community.
- HO-1.5 Develop and preserve housing to minimize displacement, and coordinate services to assist displaced residents in finding alternative housing options.

/ HO-2 **Promote market-rate housing to meet the needs of households across the city.**

- HO-2.1 Encourage affordable home ownership opportunities for low- and moderate-income households, especially first-time homebuyers.
- HO-2.2 Encourage middle-housing options affordable to low- and moderate-income households at 100% of area median income or below.
- HO-2.3 Provide technical assistance for redevelopment in key areas, including Lake City, Lakeview, Springbrook, Tillicum, the city's residential target areas (RTAs), and senior overlay districts.
- HO-2.4 Establish and maintain relationships and pursue partnerships with local and regional market rate and affordable housing developers
- HO-2.5 Ensure a sufficient inventory of land available for housing development.
- HO-2.6 Provide flexibility in development regulations to promote innovative housing types that help meet city housing goals.

/ HO-3 Encourage the preservation and expansion of housing options for lower-income residents.

- HO-3.1 Maintain and develop partnerships to create and manage affordable housing with nonprofit agencies and other organizations.
- HO-3.2 Maintain a surplus lands policy that supports development of affordable housing by private, nonprofit, and government organizations.
- HO-3.3 Use federal and state grants and other funds to support affordable housing goals.
- HO-3.4 Work with Pierce County, other cities in the region, and regional organizations to address affordable housing issues.
- HO-3.5 Where possible, support the preservation and improvement of existing subsidized housing and affordable market-rate housing.
- HO-3.6 Maintain a need-based program for housing rehabilitation grants to lower-income homeowners at 80% of AMI or below.
- HO-3.7 Maintain need-based housing rehabilitation and repair programs for rental housing meeting the needs of lower-income households at 80% of AMI or below.
- HO-3.8 Encourage revitalization and rehabilitation of existing apartment complexes in the city to maintain affordable and family-sized housing options.
- HO-3.9 Preserve and maintain existing manufactured housing parks as a supply of affordable housing, and encourage long-term housing solutions that will maintain affordable options for residents.

/ HO-4 Support different housing types, designs, and ownership models for options that can meet different housing needs.

- HO-4.1 Support flexible site designs and innovative housing types to help meet housing needs in the community.
- HO-4.2 Support high-quality building design as part of projects where innovative site or subdivision designs are permitted.
- HO-4.3 Encourage the construction of cottages and cottage housing developments with site design incentives.
- HO-4.4 Support ADUs to provide affordable housing options and alternatives for aging-in-place.
- HO-4.5 Allow Planned Development District development with higher residential densities and site design flexibility in exchange for public benefits from innovative site design, conservation of natural land features, protection of critical area buffers, the use of low-impact development techniques, conservation of energy, and efficient use of open space.

/ HO-5 Promote housing options for people with special needs.

- HO-5.1 Allow special needs housing throughout the city and encourage a distribution of this housing to prevent overconcentration.
- HO-5.2 Support the development and management of housing for special needs populations operated by social service organizations.
- HO-5.3 Support accessibility of housing by people with mobility challenges through universal design in residential construction and retrofitting of homes.
- HO-5.4 Support special needs housing by considering and including their needs in neighborhood and transportation planning.
- HO-5.5 Help to preserve special needs housing options in places where they are being lost, especially in locations that are well served by shopping, services, and other facilities needed by the residents
- HO-5.6 Encourage the availability of special needs housing options throughout the city.
- HO-5.7 Encourage positive relationships between special needs housing operators and neighbors.
- HO-5.8 Allow special needs housing in all residential areas and in certain non-residential areas as appropriate.
- HO-5.9 Prevent additional requirements on special needs housing from being imposed through development regulations.
- HO-5.10 Encourage ADUs as an option for supportive living and aging-in-place.
- HO-5.11 Provide density bonuses and modified height restrictions to encourage the development of special needs housing.
- HO-5.12 Encourage the concentration of senior housing proximate to shopping and services.

/ HO-6 Ensure that sufficient options for emergency housing needs are provided.

- HO-6.1 Maintain sufficient land capacity for the development of permanent supportive housing, transitional housing, and emergency housing.
- HO-6.2 Allow permanent supportive housing and transitional housing in all residential areas and certain non-residential areas as appropriate.
- HO-6.3 Coordinate supporting services related to homelessness and domestic violence with emergency shelters.
- HO-6.4 Partner with appropriate local and regional agencies to implement effective policies and programs to support people facing homelessness and domestic violence.

/ HO-7 Support a high quality of life for Lakewood residents.

- HO-7.1 Encourage improvements in property maintenance and building standards in residential neighborhoods to improve neighborhood quality of life.
- HO-7.2 Maintain targeted outreach efforts such as the crime-free rental housing program to improve neighborhood safety.
- HO-7.3 Conduct periodic surveys of housing and neighborhood conditions in the community.
- HO-7.4 Ensure multi-family housing supports residents with access to public transportation, employment, services, open space, and other supporting amenities.
- HO-7.5 Encourage a high-quality pedestrian environment in neighborhoods, and require on-site amenities such as walkways, trails, and bike paths to be connected to adjacent public facilities.
- HO-7.6 Promote community identity, pride, and involvement in neighborhoods through the city's subarea planning, neighborhood programs, and other activities.
- HO-7.7 Use design standards to protect privacy, address structures of different scales, and promote investments in high-quality urban environments.
- HO-7.8 Require new development to provide motorized and non-motorized transportation connections to surrounding neighborhoods unless the physical features of the site prevent feasible connections
- HO-7.9 Allow flexibility with development, design, and landscaping standards for residential properties located on major arterials to mitigate impacts from adjacent traffic.
- HO-7.10 Allow home-based businesses in residential neighborhoods that do not conflict with residential uses.

/ HO-8 Mitigate housing displacement and the loss of affordable housing units from development in the city.

- HO-8.1 Provide a regular report to the City Council on the loss of affordable housing due to demolition or conversion.
- HO-8.2 Identify and address affordable market-rate and subsidized housing resources that may be at risk due to redevelopment pressures or deteriorating housing conditions.
- HO-8.3 Require financial and relocation assistance for people displaced as a result of construction and development projects using federal funds.
- HO-8.4 Require replacement of low- and moderate-income housing units that are demolished or converted to another use in connection with projects supported by CDBG funds.
- HO-8.5 Apply CDBG funds as applicable for relocation payments and other relocation assistance.

7 Military Compatibility

7.1 Introduction

Lakewood is fiercely proud of its connections to the military. The Lakewood City Council's 30-year City Anniversary Vision Statement includes that Lakewood should be “supportive of Joint Base Lewis McChord, Camp Murray, service members and their families.” Since incorporation, Lakewood has partnered with other proponents of military-civilian compatibility and successfully advocated for funding and policy changes at the federal, state, and regional legislative and agency levels that have instigated significant improvements to the operational stability and feasibility of JBLM in Pierce County.

The City of Lakewood is immediately adjacent to JBLM, formed in 2010 when historic Fort Lewis Army Base and McChord Air Force Base were combined. JBLM is the largest military installation on the west coast, encompassing over 90,000 acres including the main cantonment area (approximately 10,000 acres) and close-in training ranges (approximately 80,000 acres). Lakewood is also immediately adjacent to Camp Murray. Commissioned as a National Guard Base in 1889, Camp Murray is the headquarters of the Washington Military Department (WMD), which includes the Washington Army and Air National Guards.

About 70% of the service members and their family members assigned to JBLM live off-base in the surrounding communities. Lakewood's proximity to these military installations offers over 55,000 soldiers and their families access to the city's housing, jobs, schools, shopping, and services. Current and potential military contracting opportunities attract additional civilian businesses to the area. Military-affiliated people lodge in Lakewood's hotels, live in its homes, and buy goods and services from local companies.

Consistent with and supportive of RCW [36.70A.530](#), between 2017 and 2020, the City of Lakewood worked with Pierce County and the PSRC to develop appropriate regional planning policies and development approaches to benefit the long-term feasibility of JBLM and other military installations within the Puget Sound region, given their significant impact and influence on cities, the region, and the State. As a result, “major military installations” (those with at least 5,000 enlisted or service personnel) were recognized in PSRC's 2018 Regional Centers Framework for the first time, and military-civilian compatibility policies and actions were adopted as part of VISION 2050. Lakewood has also partnered with the State Department of Commerce as it has developed numerous studies and guidance regarding the importance of the military in Washington and regarding military–civilian compatibility.

7.2 Background

Lakewood is a founding member of, and current fiscal agent for, the South Sound Military & Communities Partnership (SSMCP). SSMCP's membership consists of more than fifty cities, counties, tribes, nonprofits, corporations, organizations, and JBLM. It was formed in 2011 to foster communication and mutual benefit related to complex issues affecting the military and civilian communities. Since its formation, SSMCP has had a significant role in improving military-civilian compatibility, including securing hundreds of millions of dollars in transportation capital improvements in the I-5 corridor and leading the nation in influencing state laws governing military spouse employment opportunities and expanding where more affordable childcare services can be located "outside the fence."

In 2013, a South Sound Military & Communities Partnership (SSMCP) survey found that approximately 60% of active-duty service members and their families residing off-installation lived in Pierce County; nearly 33% lived in Thurston County. As of 2022, an estimated 380,000 people in Pierce and Thurston Counties were affiliated in some way with the installation (i.e., were active duty, family members, dependents, reserves, retirees, and civilian employees.) Roughly 120,000 people were active-duty personnel and family members assigned to JBLM.

Each year, an estimated 9,000 service members transfer away from JBLM and another 9,000 personnel transfer into JBLM. This annual flux in the JBLM service members and their families results in constant impacts to Lakewood's residential markets, school districts, social service agencies, and workforces.

At the same time, it is estimated that JBLM has an \$8 billion annual regional impact and a \$15.1 billion annual impact on Washington's economy. In 2022, JBLM was second only to Boeing in employment statewide. In Pierce County, more than 57,640 total jobs were attributable to JBLM's presence, and the overall effects of the installation's economic activity generated \$289 million in state and local taxes.

In its comprehensive and land use planning, Lakewood has created four land use zones and associated development regulations specifically related to JBLM's presence, three of which are to protect civilian life and property (the Clear Zone and Air Corridor Zones 1 and 2) and one of which includes a small portion of land considered part of JBLM within the city's boundaries (the Military Lands Zone.)

7.3 Goals and Policies

/ MC-1 Protect the mission and long-term viability of Joint Base Lewis-McChord and assure flight safety in the vicinity of North McChord Field while protecting the public's health and safety.

- MC-1.1 Establish city land use zones based on FAA and DoD Safety Guidance and as reflected in JBLM Air Installation Compatible Use Zone Study and JBLM Joint Land Use Study recommendations.
- MC-1.2 Regulate land uses and activities that could adversely impact present and/or future installation operations and protect JBLM and North McChord Field from further incompatible encroachment.
- MC-1.3 Regulate city land use to protect public health and safety and ensure a compatible mix of land uses consistent with the GMA, MPPs, CPPs, JBLM Joint Land Use Study recommendations, and JBLM Growth Coordination Plan recommendations.
- MC-1.4 Coordinate land use planning activities with Joint Base Lewis-McChord and provide for consultation and notification on actions that may impact JBLM facilities.

/ MC-2 Continue to support and fund the South Sound Military & Communities Partnership.

- MC-2.1 Serve as fiscal agent for the South Sound Military & Communities Partnership.
- MC-2.2 Host staff and provide administrative support for the South Sound Military & Communities Partnership.
- MC-2.3 Participate at the Executive Leadership Team level of the South Sound Military & Communities Partnership.

/ MC-3 Coordinate the protection of JBLM from incompatible local, state and federal level issues and actions in partnership with the South Sound Military & Communities Partnership (SSMCP).

- MC-3.1 Assess local transportation impacts related to JBLM's proximity to Lakewood.
- MC-3.2 Facilitate the sharing of information related to JBLM activities with both internal and external stakeholders.
- MC-3.3 Enhance communication between JBLM and neighboring jurisdictions through improved notification and planning processes.
- MC-3.4 Integrate specific land use compatibility requirements related to JBLM into local zoning codes and ordinances.

- MC-3.5 Incorporate considerations of aircraft safety and military operational noise into local planning and permitting procedures.
- MC-3.6 Promote sound attenuation building standards in new construction, especially in areas that may be impacted by military operational noise.
- MC-3.7 Develop a collaborative process with JBLM and neighboring communities to address rental housing needs for servicemembers.
- MC-3.8 Leverage the city's resources for state and federal advocacy to support South Sound Military & Communities Partnership priorities aligned with Lakewood's objectives.

8 Natural Environment

8.1 Introduction

This element of the Comprehensive Plan incorporates a systems approach to planning and decision-making that addresses protection of the natural environment. It commits to maintaining and restoring ecosystems, conserving key habitats, increasing tree canopy, cleaning up polluted waterways, and reducing greenhouse gas emissions. The element includes provisions that ensure that a healthy environment remains available for future generations in Lakewood.

The Natural Environment Element has goals and policies that will be implemented over time through development regulations, an urban forestry program, an Energy & Climate Change Implementation Plan, and continued partnership with community environmental groups.

8.2 Background

Over the past century, Lakewood's transformation into an urban area has often come at the expense of its natural landscape, leading to significant degradation and, in some cases, the complete loss of natural environments. Looking ahead, prioritizing the enhancement and protection of these remaining natural spaces will be crucial for improving local quality of life and preventing the perception of Lakewood as merely another "paved over" urban area.

In recent years, the city has actively engaged in initiatives to improve environmental quality in the community. In 2004, Lakewood implemented new critical areas policies along with updates to its environmental protection regulations, which have been continually refined. Additionally, in 2019, the city approved a new Shoreline Management Plan and Restoration Plan. Community organizations collaborate closely with the city and Pierce County, reporting annually to the Planning Commission on efforts to preserve and rejuvenate Lakewood's shorelines. These projects are supported financially through Lakewood's biennial budget allocations for shoreline restoration.

8.3 Goals and Policies

/ NE-1 Protect environmentally critical areas and other environmental resources.

- NE-1.1 Ensure all planning efforts incorporate environmental considerations and adhere to state and federal environmental laws.
- NE-1.2 Provide a regulatory framework for the protection of critical areas in the city based on best available science (BAS).
- NE-1.3 Develop programs to provide education and resources to comply with requirements for critical areas protection.

/ NE-2 Provide for the protection, conservation, and enhancement of habitat areas for fish and wildlife.

- NE-2.1 Identify and protect habitats for endangered and threatened species found within the city.
- NE-2.2 Protect wildlife habitats, with a focus on the connectivity of wildlife corridors and remaining habitat areas.
- NE-2.3 Promote the restoration of riparian areas to preserve their natural function in supporting diverse habitats and maintaining water quality.
- NE-2.4 Protect native vegetation in riparian areas and encourage its integration into urban landscapes.
- NE-2.5 Coordinate stream restoration programs for impacted local creeks, including Chambers, Clover, Flett, and Ponce de Leon Creeks.
- NE-2.6 Support a variety of habitats that are sufficient to support sustainable populations of local fish and wildlife.

/ NE-3 Maintain the natural qualities of shorelines while ensuring public access and recreational use.

- NE-3.1 Maintain the ecological integrity of wildlife habitats along the shorelines.
- NE-3.2 Enhance safe public access for the use of shoreline areas and lakes.
- NE-3.3 Collaborate in regional watershed management initiatives to adhere to state guidelines for non-point source pollution prevention, especially within Watershed Resource Inventory Area 12.

/ NE-4 Maintain and enhance the natural flood storage function of floodplains.

- NE-4.1 Promote the use of non-structural strategies in flood prevention and damage mitigation planning.
- NE-4.2 Restrict development within the 100-year floodplain to maintain public safety and minimize property damage.
- NE-4.3 Ensure the retention of floodwater storage capacity and minimize fill of 100-year floodplains.
- NE-4.4 Acquire vacant and underdeveloped land within the Flett Creek Basin..

/ NE-5 Preserve and protect wetlands in the city.

- NE-5.1 Regulate development to protect the ecological functions and values of wetlands.
- NE-5.2 Avoid or, if necessary, mitigate impacts on wetlands in compliance with federal and state laws.
- NE-5.3 Ensure long-term protection and achieve “no net loss” of wetland function and value.
- NE-5.4 Coordinate a wetlands banking program to mitigate the potential loss of wetland functions.

/ NE-6 Maintain an urban forestry program to preserve significant trees, promote tree health, and increase tree coverage citywide.

- NE-6.1 Maintain a comprehensive urban forestry program.
- NE-6.2 Encourage the planting and regular maintenance of street trees to enhance urban greenery.
- NE-6.3 Provide for the retention of significant trees and tree stands and the restoration of tree stands within the city.
- NE-6.4 Provide additional requirements for Oregon white oak preservation.
- NE-6.5 Consider priority white oak woodlands and trees located within a critical area or buffer to be subject to the critical areas ordinance.
- NE-6.6 Maintain a city tree fund to preserve wooded areas, restore and enhance native trees, and provide for education and research.
- NE-6.7 Work towards a citywide goal of 40% tree canopy cover by the year 2050. Consider opportunities to increase canopy and environmental equity when evaluating tree canopy distribution.

/ NE-7 Enhance and protect water quality.

- NE-7.1 Preserve the aesthetic and ecological functions of water features through planning and innovative land development.

- NE-7.2 Manage water resources to support diverse uses including habitat, recreation, flood control, water supply, and open spaces.
- NE-7.3 Maintain and improve surface water quality to restore degraded waters and meet federal and state water quality standards.
- NE-7.4 Maintain surface water and groundwater monitoring programs to inform local management..
- NE-7.5 Evaluate potential pollutant sources for major water bodies such as Lake Louise, Gravelly Lake, Waughop Lake, and Lake Steilacoom to support pollution reduction strategies.
- NE-7.6 Prioritize the extension of sewers to reduce surface water quality impacts, especially for areas that may impact American Lake.
- NE-7.7 Promote citywide water quality initiatives to reduce impervious surfaces, prevent surface erosion, minimize fertilizer and pesticide use, and otherwise prevent stormwater contamination.
- NE-7.8 Coordinate with local water districts and Pierce County to ensure projects in wellhead protection areas undergo necessary hydrologic assessments or SEPA responses.
- NE-7.9 Collaborate with local water districts, adjoining jurisdictions, and military installations to enhance the protection of wellheads and aquifers through education, resources, and planning.
- NE-7.10 Maintain a well decommissioning program for all unused wells.
- NE-7.11 Coordinate planning and review of drainage, detention, and treatment programs within wellhead protection areas.
- NE-7.12 Restrict impervious surfaces in aquifer recharge areas.
- NE-7.13 Cooperate with other jurisdictions to maintain an integrated regional system for wellhead protection data collection, mapping, and analysis.

/ NE-8 Protect natural topographic, geologic, and hydrological features within the city while addressing geological hazards.

- NE-8.1 Protect against seismic hazards to reduce risks to public safety and property.
- NE-8.2 Limit modifications to topography and hydrological features and functions from cut and fill practices..
- NE-8.3 Restrict land modifications such as clearing, grading, or other alterations to approved development projects only.
- NE-8.4 Employ best management practices to minimize land erosion.
- NE-8.5 Prohibit development of steep or unstable slopes to prevent potential hazards.

/ NE-9 Meet applicable air quality standards with coordinated, long-term strategies that address different types of air pollution.

- NE-9.1 Reduce air pollutant emissions through strategies in land use and transportation management.
- NE-9.2 Maintain and increase urban greenery, including trees and other vegetation, to improve air quality.
- NE-9.3 Reduce air pollution from wood burning by restricting wood-burning fireplaces in new construction.

/ NE-10 Control noise pollution to protect neighborhoods from disruptive noise levels.

- NE-10.1 Provide development regulations and noise control measures to protect residential areas from disruptive noise levels.
- NE-10.2 Collaborate with JBLM to reduce noise near McChord Field and develop noise attenuation strategies along air corridors.
- NE-10.3 Mandate noise-reducing design and materials in new developments along major roads and within air corridors to lessen noise.
- NE-10.4 Work with the Washington State Department of Transportation to mitigate the noise and aesthetic impacts of highways.
- NE-10.5 Work with the Washington State Department of Transportation Rail Division, Sound Transit, Tacoma Rail, and private rail companies to mitigate railroad noise and aesthetic impacts.
- NE-10.6 Use natural vegetation and thoughtful design in noise mitigation efforts to provide visually appealing projects.

/ NE-11 Reduce the risks associated with hazardous and toxic materials in the city.

- NE-11.1 Provide for the protection of life, property, and the environment by minimizing exposure to hazardous and toxic materials.
- NE-11.2 Ensure the safe transportation, use, and storage of hazardous and toxic materials through declaration of these materials and identification of specific routes for transport in the city.
- NE-11.3 Enforce international building and fire codes related to hazardous and toxic materials management.
- NE-11.4 Ensure that proper inventories of hazardous materials are provided by businesses.

9 Parks, Recreation, and Open Space

9.1 Introduction

While a Comprehensive Plan Parks Recreation and Open Space Element is not required by the GMA, Lakewood has chosen to include one due to the high priority the community has placed on parks and open space since incorporation. Park, recreation, and open space planning are GMA goals, and it is important to plan for and fund these facilities in keeping with community needs and the benefits all enjoy from parks and open space.

In 1996, the citizens wanting to create Lakewood voted to incorporate in part to establish greater local control over parks and recreation. In its adopted 2021 Vision for Lakewood at its 30th Anniversary of incorporation, the City Council included that the city should be “characterized by the beauty of its lakes, parks and natural environment.”

Parks are also a focus of the City Council's 2021-2024 Strategic Plan, which includes the following goal:

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

- 2.1 *Implement capital infrastructure projects to improve transportation, park, and utility systems.*
- 2.2 *Invest in preventative maintenance of facilities, parks, and streets to protect City assets.*
- 2.3 *Advance infrastructure projects that enhance the City's identity and diversity.*
- 2.4 *Increase connectivity and accessibility.*

The City Council's Strategic Plan also directs that the city advocate for increased parks infrastructure funding.

The Parks Legacy Plan and Parks Capital Improvement Plan both help to implement the City Council's Strategic Plan. They are included as Appendices to this element.

9.2 Background

9.2.1 Overview

The Lakewood area parks developed as part of unincorporated Pierce County's regionally focused parks and recreation system. In the 1970's and 1980's, extensive residential growth occurred in Lakewood without concurrent attention to green spaces and recreational needs. Many neighborhoods had no parks or other such amenities. Further, park areas were in stages of disrepair due to years of deferred maintenance and limited capital improvements. Upon the city's incorporation in 1996, less than 40 acres of parkland and facilities were transferred to the city by other public agencies.

Lakewood adopted its first Parks and Recreation Master Plan in 1998, which included the following priorities:

- Acquisition of future park and open space sites;
- Upgrading existing parks sites; and
- Preservation of natural open space.

The city immediately began investing in parks and recreation to meet community needs, including new park facilities, sports fields, playground structures, irrigation systems and turf areas, new restrooms and shelters, and various recreation programs and community events.

In September 2005, Lakewood adopted a new Parks and Recreation Master Plan. To implement it, the Parks, Recreation and Community Services Department (PRCS) expanded the recreation division, developed new community partnerships, created new citizen advisory boards, added three new parks, a new senior activity center and made system-wide park improvements to better serve Lakewood residents.

Beginning in 2011, a 20-year sustainable park and recreation master plan document was created over a three-year period with extensive public engagement. This work culminated in the 2014 Parks Legacy Plan, which was designed to meet the State of Washington's requirement for a six-year parks, recreation, and open space plan.

In 2019, the city began a two-year update to the Parks Legacy Plan that included a multi-pronged outreach and engagement plan, as well as a detailed demand and need analysis. The demand and need analysis included a review of existing environments, demographic trends, park and recreation trends, and input received from the community at public engagement efforts. For the needs analysis, the city performed gap analyses using the plan's LOS measurements: a walkshed measurement and a quality and diversity assessment, known as the Park Amenity Condition Assessment. The Parks Legacy Plan update was adopted in 2020.

As of 2023, the City of Lakewood manages and maintains 14 parks and open space sites in a variety of sizes and uses that total over 600 acres. Significant investments in parks over the years include:

- Americans with Disabilities Act (ADA) compliant access and waterfront upgrades to American Lake Park;
- Springbrook Park playground upgrades; and

- Harry Todd Park playground and waterfront upgrades.

In 2024, the city is working toward the creation of one or more Downtown parks as well as partnering with Camp Murray to collaborate on a strategy to improve the America Lake park boat launch and public access. ARPA funds have also been allocated to improvements at Edgewater Park.

The Parks Legacy Plan's goals and priorities are incorporated into the Lakewood Comprehensive Plan PROS Element. The Legacy Plan's inventory, implementation strategies, and capital facilities planning are also incorporated in this reference.

9.2.2 Analysis of Park Land and Facilities Needs

PROS capital expenditures are included in the Comprehensive Plan Capital Facilities Plan Element materials in the Appendix.

9.2.3 Intergovernmental Coordination Opportunities

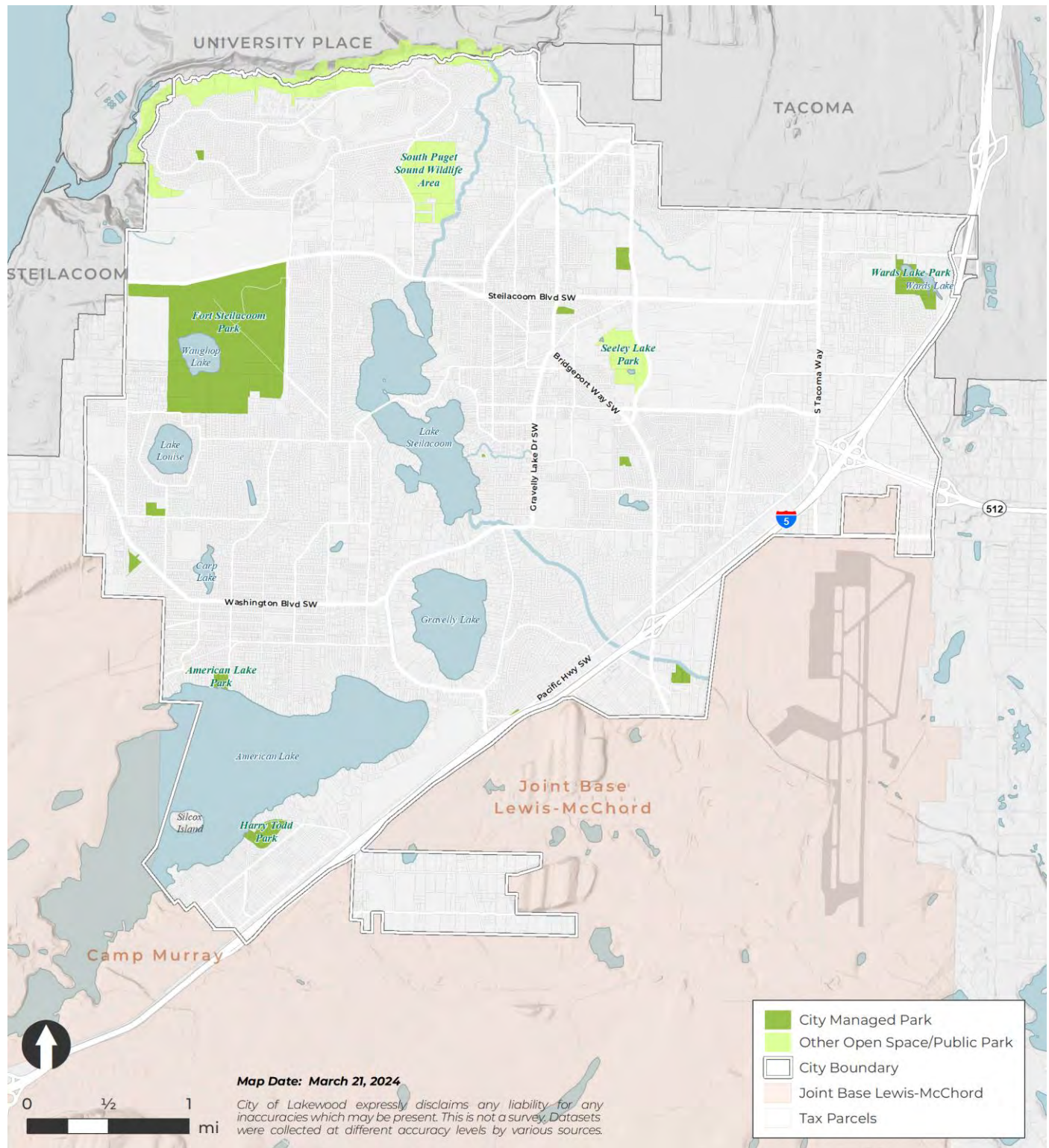
Currently, PRCS collaborates with close to 100 partners, including public, private and non-profit agencies. These collaborations help manage or develop park resources, plan programs and events, deliver activities, market programs, or share the use of facilities or program space.

For park development and management, the department has successfully partnered with public agencies, including the County and the State to operate Fort Steilacoom Park. The city has an interlocal agreement with Clover Park School District to develop and operate a neighborhood-school park at Lake Louise Elementary School.

On the programming side, PRCS works with many agencies, including the CPSD, Pierce College, Pierce County, and roughly 40 non-profit and local interest groups. Over 30 private organizations provide sponsorship and assist in joint marketing programs. Pierce County, Lakewood, and the city of University Place have also entered into an interlocal agreement for the development of Chambers Creek Trail.

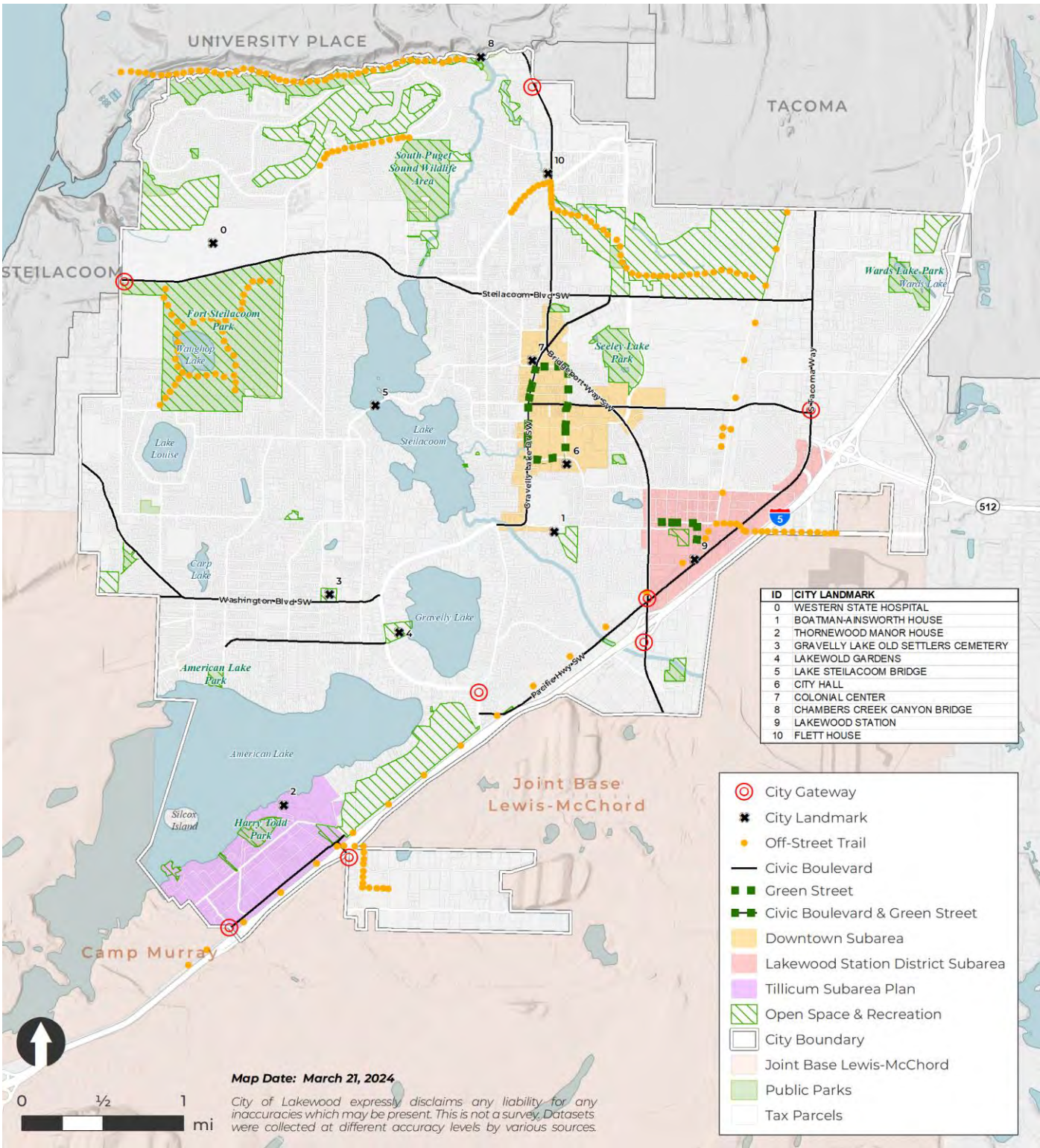
Volunteers are also important. Their contribution to overall PROS operations is significant. Volunteers assist with dog park monitoring, are used as senior ambassadors, and perform invasive plant removal and general park maintenance.

Exhibit 9-1. Lakewood Public Parks and Open Spaces.



Sources: City of Lakewood, 2024; Pierce County GIS, 2024.

Exhibit 9-2. Lakewood Community Facilities and Recreation.



Sources: City of Lakewood, 2024; Pierce County GIS, 2024.

9.3 Goals and Policies

/ PR-1 Protect and enhance parks and open space facilities.

- PR-1.1 Protect our natural, cultural, and historical resources in parks and open space.
- PR-1.2 Preserve existing parks and facilities by using innovative and sustainable management techniques.
- PR-1.3 Enhance parks with diverse amenities that serve our evolving community needs.
- PR-1.4 Expand park systems by acquiring new land and planning improvements that consider future demand.

/ PR-2 Ensure parks and services are accessible and meet the needs of the community as a whole.

- PR-2.1 Offer diverse park amenities and programs for all community segments.
- PR-2.2 Eliminate the physical, financial, and social barriers to park and recreation access.
- PR-2.3 Celebrate and support the cultural diversity of the community through parks and recreation planning.
- PR-2.4 Engage residents, partners, and stakeholder groups in park and recreation planning, design, decision-making, and program implementation.
- PR-2.5 Develop plans and policies for active, healthy community lifestyles.

/ PR-3 Make welcoming spaces that foster social interactions and highlight local art and history.

- PR-3.1 Enhance parks and public spaces with art and cultural and historical elements to create unique spaces.
- PR-3.2 Maintain wayfinding in parks and public facilities that include interpretive signage and historical information.
- PR-3.3 Showcase diverse artwork and performances in public spaces that reflect neighborhood identities and highlight local talent.
- PR-3.4 Develop a trail network for safe, non-motorized access to parks.
- PR-3.5 Provide outreach and promotional materials about parks and recreation services.
- PR-3.6 Support the development of performing arts facilities in the Downtown.
- PR-3.7 Create visually appealing gateways at entrances to the city that incorporate art, wayfinding, and landscaping.

/ PR-4 Enhance economic opportunities and quality of life through park and recreation investments.

- PR-4.1 Boost tourism and local recreation by upgrading park features and organizing community events.
- PR-4.2 Improve amenities in parks located in downtown and commercial zones.
- PR-4.3 Maintain parks that are safe, clean, and environmentally friendly to attract visitors and boost local quality of life.

/ PR-5 Manage parks, recreation, and open spaces with transparency, accountability, and financial responsibility.

- PR-5.1 Make informed and transparent management decisions about parks, recreation, and open spaces that consider environmental, economic, and social impacts.
- PR-5.2 Plan new park and open space investments with a focus on life-cycle costs and their impact on maintenance and operational budgets.
- PR-5.3 Regularly update the Legacy Plan, including its objectives and practices.
- PR-5.4 Seek external funding to complement city investments in parks.
- PR-5.5 Collaborate with community groups to enhance park and recreation services.
- PR-5.6 Continuously review and refine management and investment practices in parks and recreation.

10 Public Services

10.1 Introduction

The Public Services Element is optional under the GMA but is a key tool for Lakewood given its relationships with many partner agencies, utilities, and private entities that provide urban and human services to the city. It contains goals and policies intended to set the stage for cooperative land use and human services planning for everyone member of the community.

10.2 Background

10.2.1 Overview

Since incorporation, the provision of some public services has been by Lakewood, with other services contracted to other districts and institutions. The table below provides information on the services that either the city, other public or private utilities, public agencies, or private companies provide.

Exhibit 10-1. Public Service Providers in Lakewood.

Public Service	Provider
General Administrative Services	City of Lakewood
Police	City of Lakewood
Public Works	City of Lakewood
Stormwater	City of Lakewood
Refuse/Solid Waste	Waste Connections
Fire Protection	WPFR
Emergency Medical Services (EMS)	WPFR
Emergency Management	City of Lakewood
Health & Human Services	City of Lakewood
Housing and Community Development Programs	Tacoma/Lakewood HOME/CDBG Consortium
Schools	Clover Park School District, Pierce College, Clover Park Technical College, and private schools
Library Services	Pierce County Library District

This element concentrates on the following services:

- Fire protection;
- Emergency medical services;
- Police;
- Emergency management;
- Schools and higher education;
- Library services;
- Health and human services; and
- Housing and community development programs.

The Utilities Element and the Capital Facilities and Essential Public Facilities Element (as well as others) also address services identified in the table above.

The city recognizes the importance of coordinated planning for these services with its GMA planning. This will ensure that the city's plans and growth targets inform, and are informed by, public service providers' planning and growth assumptions.

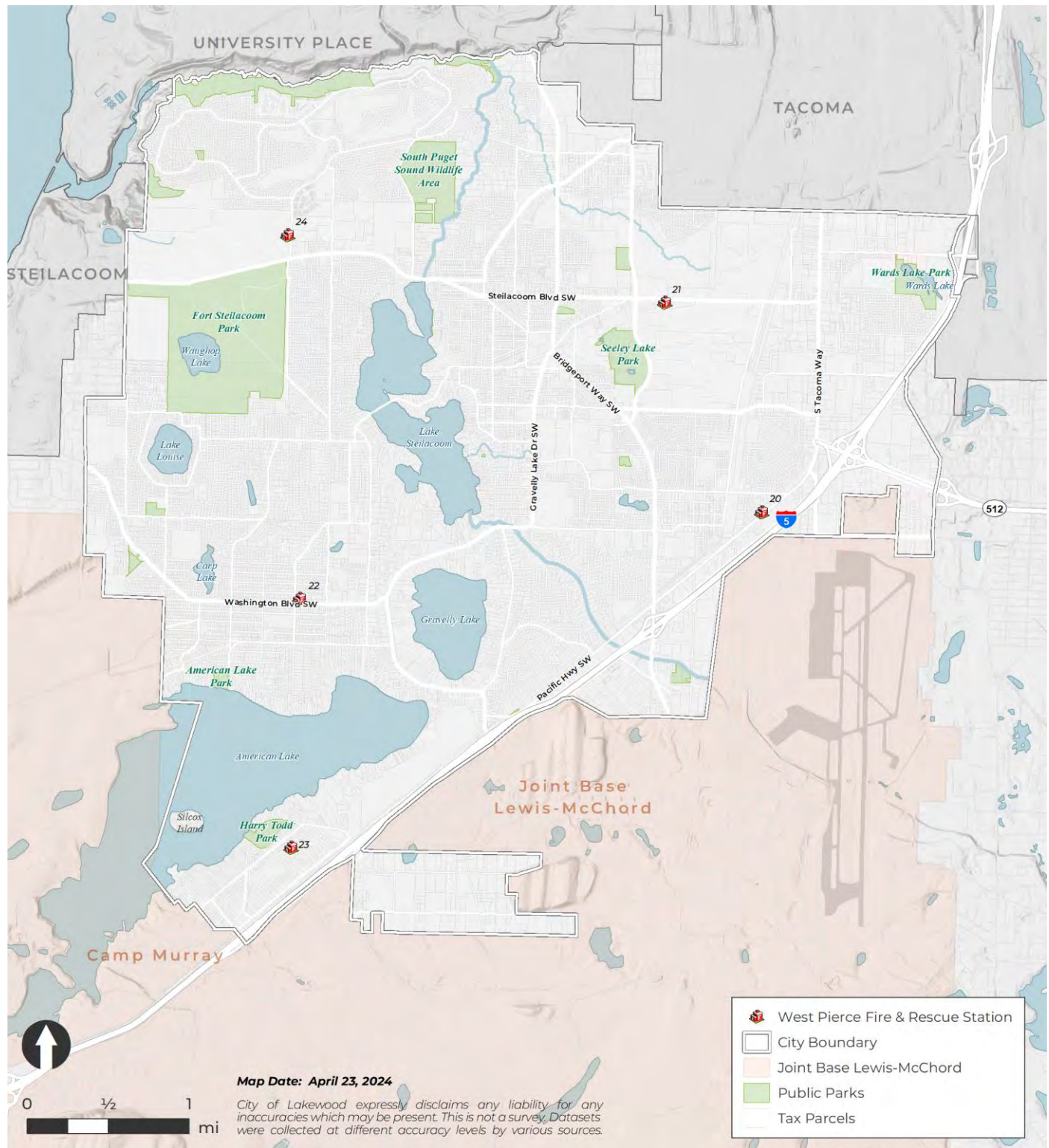
This planning coordination is particularly important for both K-12 and post-secondary education entities, whose enrollment numbers, student populations, and sometimes even course emphases are strongly tied to local growth, but where “disconnects” can easily occur without intentional coordination. This element interrelates Lakewood's Comprehensive Plan to the functions of Clover Park School District, Pierce College, Clover Park Technical College, and the Pierce County Library System.

In setting goals and policies related to human services, this element also sets forth the city's commitment to its citizens' well-being through active participation with countywide and regional partners. Lakewood joins, values, and supports community-based strategic planning efforts for health and human services.

The following maps highlight major facilities for different service providers:

- Exhibit 10-2 highlights the WPFR stations in Lakewood, which are the primary provider of fire and emergency medical services.
- Exhibit 10-3 shows the locations of schools in Lakewood, including both public and private institutions.

Exhibit 10-2. Lakewood West Pierce Fire and Rescue Stations.



Source: City of Lakewood, 2024; West Pierce Fire & Rescue, 2024; Pierce County GIS, 2024.



10.3 Goals and Policies

/ PS-1 **Protect the community through a comprehensive fire and life safety program.**

- PS-1.1 Maintain a Washington Surveying and Rating Bureau (or successor agency) rating of ISO Class 3 or better.
- PS-1.2 Install and maintain traffic signal control devices responsive to emergency vehicles.
- PS-1.3 Where possible, and mutually beneficial, coordinate land acquisition for emergency services facilities with other departments (e.g., Parks, Public Works, Police) to maximize benefits to the city.
- PS-1.4 Continue the utilization of the West Pierce Fire & Rescue Fire Marshal and staff to provide fire and life safety inspections of occupancies as a means of identifying and remedying potential fire hazards before fires occur.
- PS-1.5 Educate and inform the public on fire safety and hazardous materials to further protect the community and the environment from unnecessary damage.

/ PS-2 **Ensure that fire facilities and protective services are provided in conjunction with growth and development.**

- PS-2.1 Periodically evaluate population growth, community risks, emergency response times, apparatus deployment, and staffing levels to identify future service and facility needs.
- PS-2.2 Incorporate WPFR in evaluating proposed annexations to determine the impact on response standards.
- PS-2.3 Provide fire station locations, apparatus deployment, and staffing levels that support the core fire service provisions and response time objectives as approved in Resolution by the Board of Fire Commissioners.

/ PS-3 **Ensure built-in fire protection for new development and changes or additions to existing construction.**

- PS-3.1 Require all new development to provide minimum fire flow requirements as prescribed in the International Fire Code.
- PS-3.2 Continue to require that all structures and facilities under city jurisdiction adhere to city, state, and national regulatory standards such as the International Building and Fire Codes and any other applicable fire safety guidelines.
- PS-3.3 Require developers to install emergency access control devices to gated communities as approved by the public works director.
- PS-3.4 Consider requiring assessment of a hazardous material impact fee for industrial uses.

/ PS-4 Protect citizens through a comprehensive emergency services (EMS) program that maximizes available resources.

- PS-4.1 WPFR will serve as the primary and lead Basic Life Support (BLS) and Advanced Life Support (ALS) provider within the city.
- PS-4.2 Provide a four-minute initial time standard for EMS calls.
- PS-4.3 Provide fire station locations, apparatus deployment, and staffing levels that support the core EMS service provisions and response time objectives as approved in Resolution by the Board of Fire Commissioners.
- PS-4.4 Maintain criteria-based dispatch system for determining appropriate levels of response.
- PS-4.5 Implement citizen CPR training programs with existing personnel and resources.
- PS-4.6 Implement and maintain a local physician advisor program in conjunction with the Pierce County EMS Medical Program Director to ensure the medical quality of emergency medical services.

/ PS-5 Protect community members from criminal activity and reduce the incidence of crime in Lakewood.

- PS-5.1 Provide police protection with a three-minute response time for life-threatening emergencies (Priority 1), a six-minute response time for crimes in progress or just completed (Priority 2), and a routine/non-emergency response time of 20 minutes (Priority 3).
- PS-5.2 Maintain a level of police staffing, services, and command that is adequate to serve Lakewood's current needs and future growth.
- PS-5.3 Where appropriate, participate in innovative programs and funding strategies to reduce community crime.

/ PS-6 Enhance the ability of citizens and the Lakewood Police Department to minimize crime and provide security for all developed properties and open spaces.

- PS-6.1 Support and encourage community-based crime-prevention efforts through interaction and coordination with existing neighborhood watch groups, assistance in the formation of new neighborhood watch groups, and regular communication with neighborhood and civic organizations.
- PS-6.2 Implement a crime prevention through environmental design program that results in the creation of well-defined and defensible spaces by reviewing such things as proposed developments' demographic settings; intended uses; and landscaping, lighting, and building layout as a means of access control.
- PS-6.3 Seek ways to involve police with youth education, such as bike safety training, anti-drug courses, "cop in school" program, etc.

/ PS-7 Protect the community through a comprehensive emergency management program.

- PS-7.1 Adopt and maintain a comprehensive emergency management plan consistent with federal and state requirements.
- PS-7.2 Continue to fund and support the emergency management program, ensuring that emergency management plans, equipment, and services are sufficient for potential disaster response.
- PS-7.3 Maintain personnel, resources, and training necessary within all appropriate city departments to provide the disaster response called for in the emergency management disaster response plans.
- PS-7.4 Coordinate with appropriate state agencies when preparing disaster response plans and when considering floodplain or seismic ordinance standards.
- PS-7.5 Develop an interagency communications network incorporating all public service agencies within the city for use during disasters.
- PS-7.6 Maintain and enhance rescue capabilities that include extrication, trench rescue, water rescue, high-angle rescue, and urban rescue.
- PS-7.7 Develop and implement additional public education activities that promote water safety.

/ PS-8 Support the maintenance and enhancement of the public education system, placing a strong emphasis on providing quality school facilities that function as focal points for family and community activity.

- PS-8.1 Support efforts of the school district to ensure that adequate school sites are provided and that the functional capacity of schools is not exceeded.
- PS-8.2 Work with the school district to prepare/update a master plan for all its facilities and a capital improvement plan.
- PS-8.3 Consider the impact on school enrollment and capacities when reviewing new development proposals, higher density infill projects, zoning changes, and Comprehensive Plan amendments.
- PS-8.4 Require that developers assist in donating or purchasing school sites identified on the facilities map in correlation to the demand that their developments will create.
- PS-8.5 Ensure that new school sites include room for future expansion if needed.
- PS-8.6 Request student generation factors from the school district for the city's use in analyzing the impact of project proposals on schools.

/ PS-9 Accommodate the maintenance and enhancement of private school opportunities for area students and residents.

- PS-9.1 Subject to specific regulatory standards, allow existing private schools to expand and new private schools to develop.
- PS-9.2 Ensure that the Comprehensive Plan and development standards provide sufficient accommodation for the operation and expansion of private school opportunities.

/ PS-10 Ensure that both public and private schools are safe and accessible to students, generate a minimal need for busing, and are compatible with and complementary to surrounding neighborhoods.

- PS-10.1 Prohibit development of public and private schools on sites that present hazards, such as within Joint Base Lewis-McChord Accident Potential Zones I & II (APZs I & II) and industrial zoning districts, nuisances, or other limitations on the normal functions of schools that are unable to be mitigated.
- PS-10.2 Work with schools and neighborhoods to explore options for access to elementary and secondary schools via local streets and/or paths.
- PS-10.3 Develop specific regulatory standards to ensure that new residential development located near public schools provides adequate pedestrian and bicycle connections, signage, and traffic control measures where needed to ensure the safety of students traveling between the development and the school.
- PS-10.4 Apply improvement responsibilities to school district or private school operator developing new school sites equivalent to that applied to other types of development.
- PS-10.5 Retrofit existing neighborhoods with sidewalks, crosswalks, special signage, and other traffic control measures near schools as funding becomes available or as land uses are redeveloped.
- PS-10.6 Co-locate public school grounds and public parks whenever possible.
- PS-10.7 Encourage as appropriate the school district or private school operator to reduce high school student generated traffic impacts by implementing transportation demand management (TDM) mechanisms such as limited student parking, public bus routes, and other appropriate tools.
- PS-10.8 Encourage the school district to continue to make schools available for civic functions when classes are not in session.
- PS-10.9 Establish limited parking zones around schools where parking capacity problems exist.
- PS-10.10 Work with the CPSD to reuse/redevelop surplus school properties with appropriate uses consistent with the Comprehensive Plan.

/ PS-11 Maintain and enhance top-quality institutions of higher education that will meet the changing needs of Lakewood's residents and business community.

- PS-11.1 Work with colleges to prepare a master plan and policy guide addressing the location of existing and proposed on- and off-site campus structures and uses.
- PS-11.2 Require new construction to be subject to requirements of the city's development standards, including adequate fire protection and emergency access, and generally consistent with the master plan.
- PS-11.3 Work with colleges to enhance area infrastructure to better serve college facilities, such as improved pedestrian, bike and bus connections, and more student housing and support services in the surrounding area.

/ PS-12 Maximize the ability of higher educational institutions to provide quality services while minimizing impacts on area residents and businesses.

- PS-12.1 Participate with institutions of higher education in master planning efforts, transit programs, neighborhood plans, and other programs intended to facilitate the provision of quality education in a manner compatible with surrounding uses.

/ PS-13 Ensure that high quality library services are available to Lakewood residents.

- PS-13.1 Work with the Pierce County Library System to address current service deficits, continued population growth, changing library services, increased and changing customer needs and expectations within the Lakewood service area.
- PS-13.2 Promote the construction a new main library facility within the city's downtown core.
- PS-13.3 Assist the Pierce County Library System in the reuse/sale of the existing library building/property located at 6300 Wildaire Rd SW.
- PS-13.4 Work with the Library System to ensure that its facilities are located and designed to effectively serve the community.
- PS-13.5 Support the Pierce County Library System's service levels (seating, materials and shelving, technology guidelines, meeting rooms, square feet per capita, and parking) as outlined in the Pierce County Library 2030 report and as may be updated from time-to- time.
- PS-13.6 Work with the Library System to identify non-capital alternatives such as specialized programs, new technologies, and other alternatives to provide up-to-date library services.
- PS-13.7 Establish a three- to five-mile service radius for library coverage.
- PS-13.8 Continue and expand bookmobile services to underserved and/or isolated areas such as Springbrook, Tillicum, and Woodbrook.

/ PS-14 Create a community in which all members have the ability to meet their basic physical, economic, and social needs, and the opportunity to enhance their quality of life.

- PS-14.1 Assess and anticipate human services needs and develop appropriate policy and program responses.
- PS-14.2 Convene and engage others, including the Youth Council, the Lakewood Community Collaboration, and Lakewood's Promise, in community problem-solving to develop and improve social services.
- PS-14.3 Disburse Community Development Block Grant and General Fund dollars to support a network of services which respond to community needs.
- PS-14.4 Promote awareness of needs and resources through strengthened dialogue, effective marketing strategies, and public relations activities.
- PS-14.5 Encourage services that respect the diversity and dignity of individuals and families, and foster self-determination and self-sufficiency.
- PS-14.6 Foster a community free of violence, discrimination and prejudice.
- PS-14.7 Encourage the location of medical clinics and services near transit facilities.

/ PS-15 Ensure the city's Human Services Funds are effectively and efficiently managed.

- PS-15.1 The city's role is to fund, advocate, facilitate, plan, and inform by continually engaging service providers and community organizations in dialogue regarding the functioning of the present service systems, the emerging needs of the community and the building of a comprehensive system of services.
- PS-15.2 Develop and maintain a strategic plan to direct collaborative services efforts.
- PS-15.3 Assess community needs and administer a funding allocations process to address identified community needs.
- PS-15.4 Develop contract performance measures and monitor contracting agencies performance.

/ PS-16 Give a broad range of Lakewood citizens a voice in decision making about how we can create a safer, healthier community.

- PS-16.1 Ensure the representation of culturally and economically diverse groups, including youth, people of color, seniors, and the disabled, in publicly appointed committees working on human services needs.
- PS-16.2 Develop decision-making processes that include regular feedback from the community and health/human services consumers.

/ PS-17 Participate in regional and local efforts that address human services needs in the region and in the city.

- PS-17.1 Support and actively coordinate with local, regional, and national efforts that address local human services needs and ensure that local services are compatible with other programs provided at the state and federal levels.
- PS-17.2 Continue the city's active participation in the Tacoma-Lakewood-Pierce County Continuum of Care, the Pierce County Human Services Coalition, and the 2060 and 2163 Funding Programs.

/ PS-18 Maintain/improve community facilities and public infrastructure, particularly in underserved areas or neighborhoods.

- PS-18.1 Support public infrastructure such as streets, sidewalks, street-lighting, street-related improvements, and park facilities and improvements, and the removal of architectural barriers that impede American Disabilities Act accessibility.
- PS-18.2 Support community facilities providing emergency services and basic needs.
- PS-18.3 Support the delivery of human services to, and sustain a community safety net for, identified vulnerable populations.
- PS-18.4 Develop and improve parks and open space in low income residential neighborhoods.

11 Subareas

11.1 Introduction

Under the GMA, state law considers subarea plans to be elements under the Comprehensive Plan, as per RCW [36.70A.080](#)(2). Lakewood currently has three subarea plans (shown in Exhibit 11-1), two of which are accompanied by development regulations and SEPA Planned Action Ordinances:

- 2018 Downtown Subarea Plan;
- 2021 Station District Subarea Plan; and
- 2024 Tillicum-Woodbrook Subarea Plan.

This element contains goals and policies related to subarea plans. While many of these policies refer to the three adopted subarea plans listed, there are also references to creating future subarea plans in Springbrook and the Pacific Hwy SW Corridor (the city's "International District").

The Downtown, Station District, and Tillicum-Woodbrook Subarea Plans and their respective development regulations and/or related SEPA Planned Actions and EIS documents are all hereby incorporated into the Comprehensive Plan by reference and are included as appendices to this element.

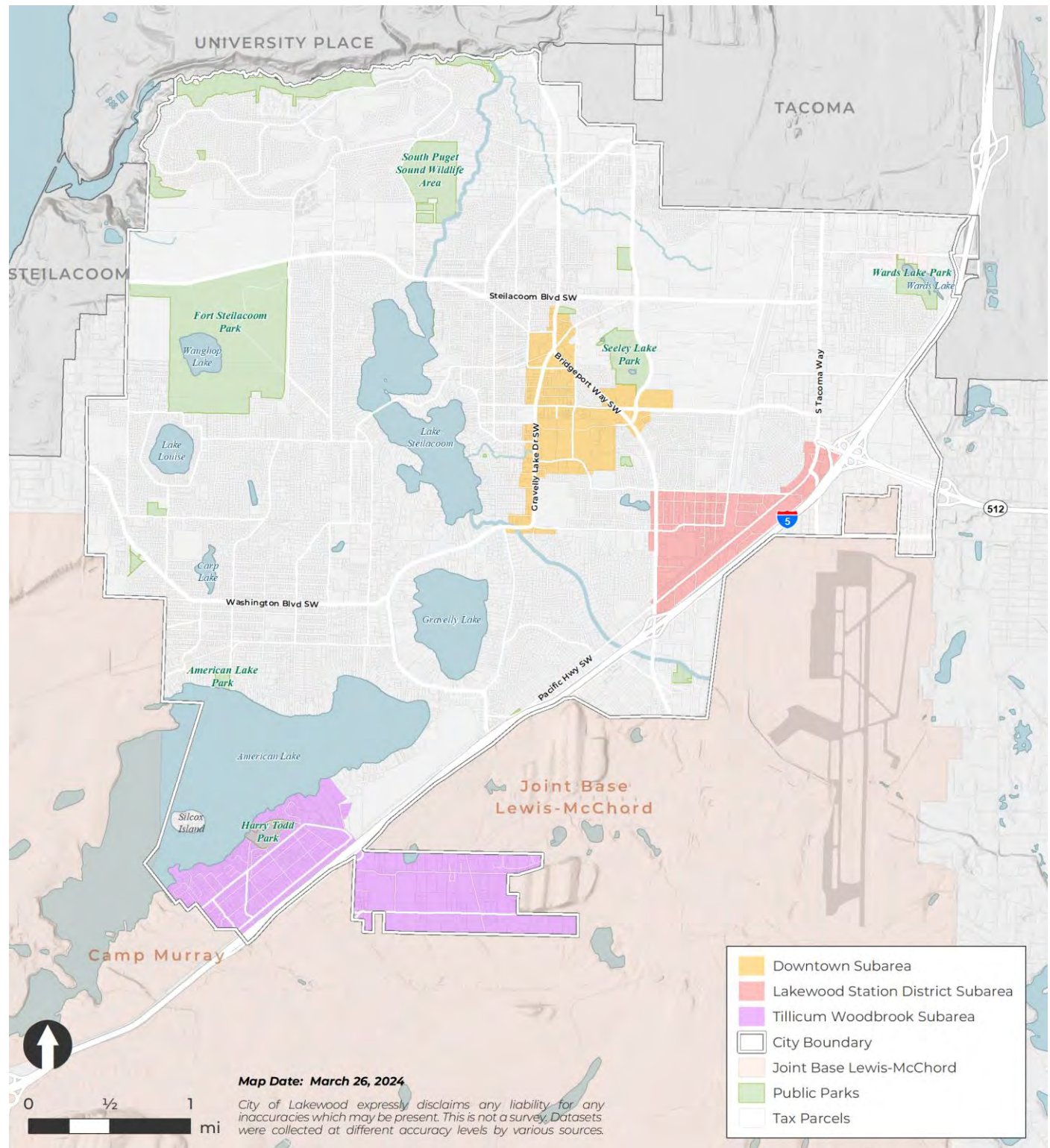
11.2 Background

11.2.1 2018 Downtown Subarea Plan

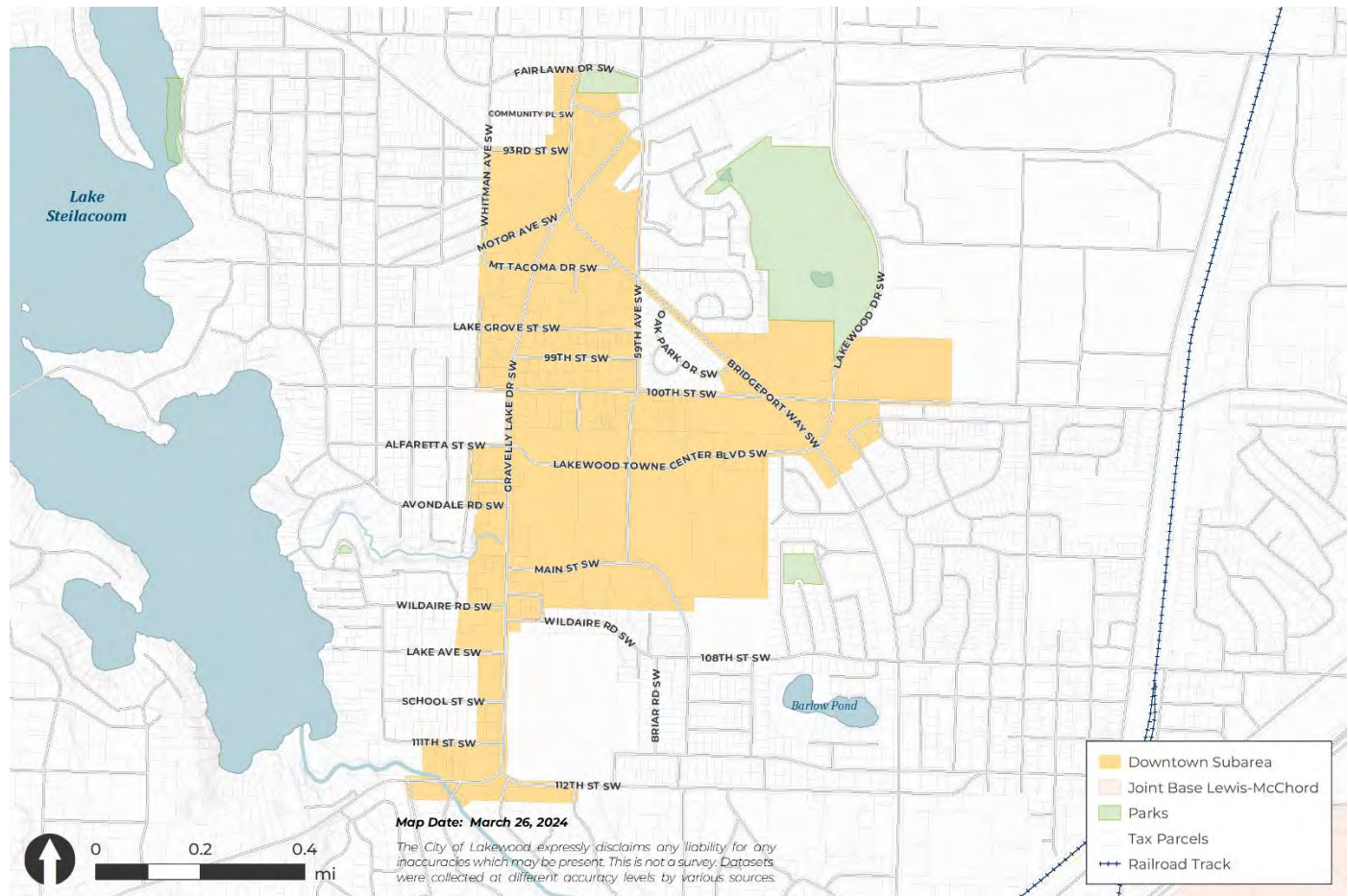
"There's no there, there" is a common criticism of many American localities, and Lakewood has been no exception. The traditional icon of place is a recognizable downtown. Due in part to the century of unorganized development prior to incorporation, the basic ingredients for a Downtown do not work together to create an active, multifaceted core. This Comprehensive Plan is focused in part on creating a viable, functioning, and attractive city center.

The Downtown Subarea, shown in Exhibit 11-2, is intended to be the hub of commercial and cultural activity for the city. It encompasses both the Lakewood Towne Center Mall and Colonial Center. In 2018, the city adopted the Downtown Subarea Plan, Code and Planned Action to spur "placemaking" and significant redevelopment in the subarea, including planning for 2,257 housing units and 7,369 jobs.

Exhibit 11-1. Lakewood Subareas Map.



Source: City of Lakewood, 2024; Pierce County GIS, 2024.

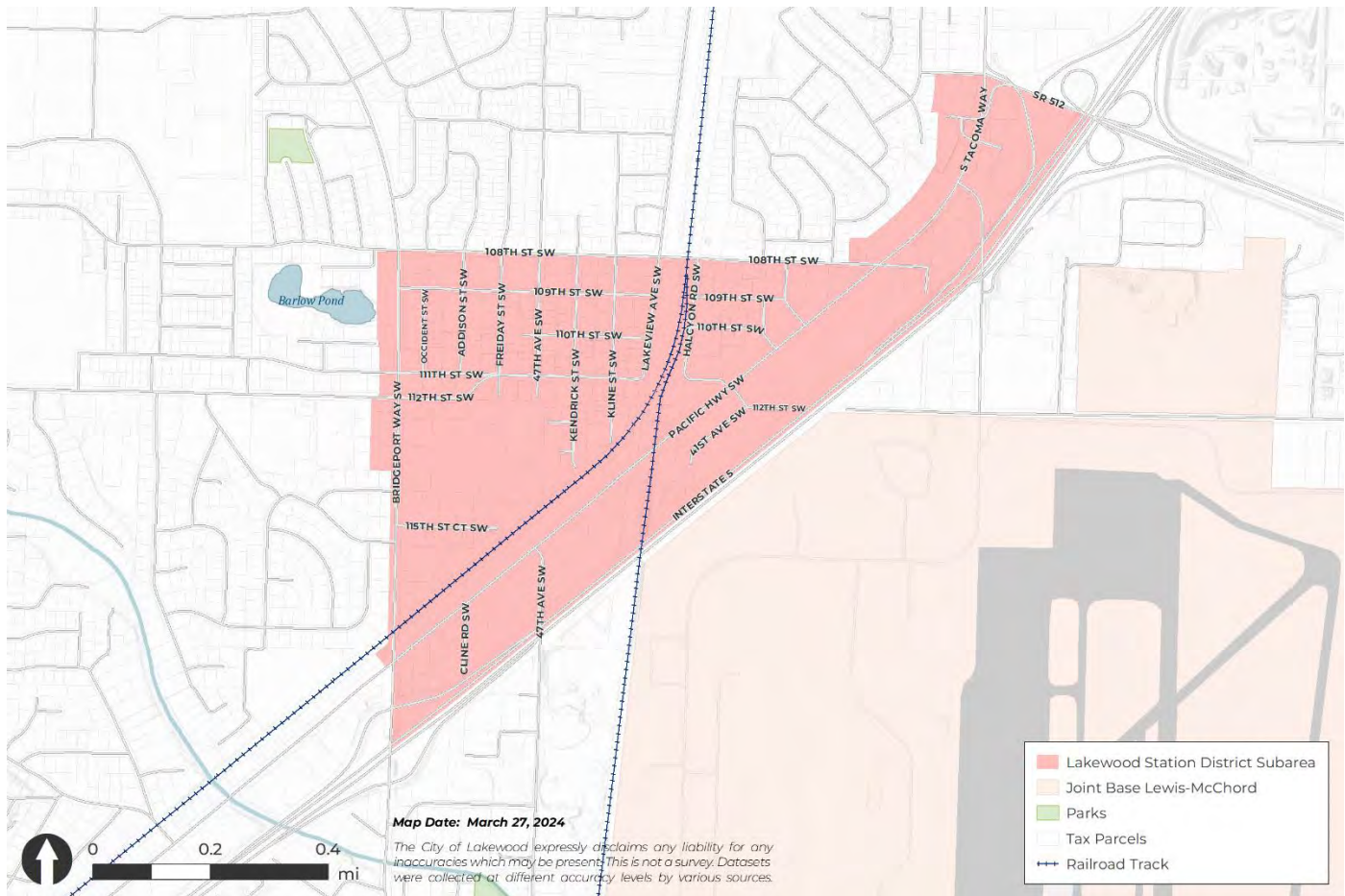
Exhibit 11-2. Downtown Subarea Boundaries.

Source: City of Lakewood, 2024; Pierce County GIS, 2024.

The area in and around the Towne Center Mall is envisioned as a magnet for intensive mixed use urban development including higher density office and residential uses. At the north end of the Downtown subarea, the Colonial Center will serve as the hub of Lakewood's cultural activity. Higher quality, denser urban redevelopment is expected within the district, noticeably increasing social, cultural, and commercial activity. Streetscape and other urban design improvements will make this area more accessible and inviting to pedestrians.

11.2.2 2021 Lakewood Station Subarea Plan

The Lakewood Station Subarea, shown in Exhibit 11-3, is intended to become a new high-density employment and residential district catalyzed by station-area development opportunities. A new pedestrian bridge connecting the Lakewood Sounder Station to the neighborhood to the north was completed in 2013. Numerous additional motorized and non-motorized access improvements to the Sounder Station will be completed in collaboration with Sound Transit by 2030.

Exhibit 11-3. Lakewood Station Subarea Boundaries.

Source: City of Lakewood, 2024; Pierce County GIS, 2024.

In 2021, the city adopted the Lakewood Station District Subarea Plan, Code and Planned Action. Under the Plan, a dense concentration of urban development with a major concentration of multi-unit housing, health care services, and shopping will be developed within walking distance of the Lakewood commuter rail station. A significant high density, multi-unit residential presence providing residents with both rental and ownership opportunities in the center of this area is encouraged. A total of 1,722 housing units and 1,276 jobs are planned for this area.

The Lakewood Station District Subarea Plan includes goals, policies, and strategies to implement its vision. Special emphasis is placed on design per the hybrid form-based development code to enhance the pedestrian environment and create a diverse new urban neighborhood. New open space opportunities consistent with the desired urban character will be realized in private and public developments to attract development.

11.2.3 2024 Tillicum-Woodbrook Subarea Plan

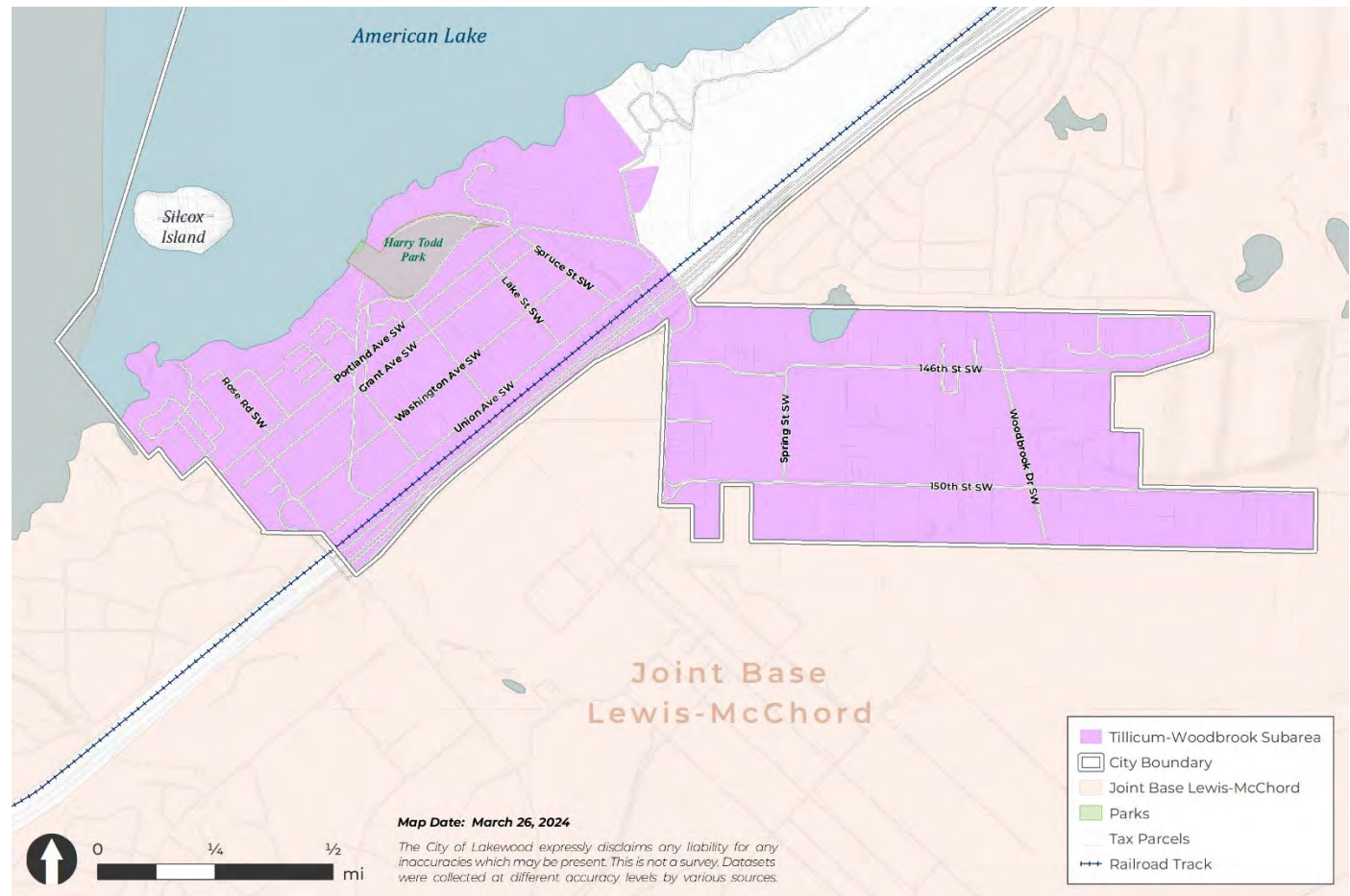
The Tillicum-Woodbrook Subarea Plan, shown in Exhibit 11-4, builds upon the previous 2011 Tillicum Neighborhood Plan, updating the initial focus to include the Woodbrook area to better integrate these connected communities. This revised plan is designed to guide Lakewood's development over the next two decades, covering land use, housing, economic development, and transportation.

The plan builds on the previous Plan with comprehensive goals, policies, and actions aimed at fostering a vibrant community. It proposes changes to support a mix of housing types and densities and enhance public spaces and community services. These efforts are directed towards creating an inclusive environment where public access is prioritized, and community landmarks are developed as focal points.

Economic revitalization is another key goal, with the plan highlighting the role of commercial expansion in Tillicum to stabilize and grow the local economy. It targets economic disparities with policies that support local employment opportunities and workforce development, aiming to boost people in the community.

Sustainability and resilience are also central to the TWSP, including initiatives like the Gravelly Thorne Connector and diverse housing strategies to mitigate displacement. The plan also promotes multimodal transportation and sustainable infrastructure to ensure the long-term viability of the neighborhood and equitable growth for Tillicum and Woodbrook residents.

Exhibit 11-4. Tillicum-Woodbrook Subarea Boundaries.



Source: City of Lakewood, 2024; Pierce County GIS, 2024.

11.3 Goals and Policies

11.3.1 General

/ SA-1: Provide subarea and redevelopment plans for targeted neighborhoods in the city to guide intended growth and development.

SA-1.1 Manage the Downtown Subarea as the city's PSRC-designated Regional Urban Growth Center according to the VISION 2050 Urban Center criteria.

SA-1.2 Develop and implement redevelopment and subarea plans for other areas such as the Springbrook, the Downtown, the Pacific Highway SW corridor, and selected residential arterials.

11.3.2 Downtown Subarea

/ DS-1 Implement the Downtown Subarea Plan.

DS-1.1 Consider the differences between the three distinct districts in the Downtown Subarea as part of planning:

- **Colonial**, which includes colonial-style commercial buildings and the historic Lakewood Theater.
- **Town Center**, which contains the upgraded Lakewood Towne Center, an auto-oriented shopping area with stores and restaurants, a transit center, the Lakewood Playhouse, and City Hall. Note that when referring to the district as a whole, "town" is used in these policies, and when referring to the private mall, "towne" is used.
- **East District**, which is at the intersection of Bridgeport Way SW and 100th Street SW has a mix of large auto-oriented commercial centers and smaller strip-commercial properties along arterials.

DS-1.2 Implement a hybrid form-based code for the Downtown to regulate streetscapes and frontages according to different street types.

DS-1.3 Include overlay areas within the Downtown Subarea to provide more specific design standards based on location and context:

- The **Colonial Overlay (C-O)** is a special design district that preserves the unique colonial style aesthetic within that area.
- The **Town Center Incentive Overlay (TCI-O)** district allows for the holistic development of the Lakewood Towne Center in alignment with the vision and policies of the Downtown Plan.
- The **Low-Impact Mixed-Use Roads (LIMU-O)** district supports the transformation of the Downtown District according to the Downtown Plan and the fulfillment of the

purpose of the CBD zone but allows for existing single-family residential development to remain in place.

- The **Transition Overlay (TO)** is any property or portion of a property in the Downtown District that is within 100 ft. of an abutting single-family residential zone or mixed residential zone. Properties within the Downtown District that are separated from a single-family residential or mixed residential zone by a city-owned right of way of at least 60 ft. in width do not have to provide a transition area. The TO provides a buffer between higher intensity uses in the Downtown Subarea and lower intensity uses in the residential zones that surround downtown.

/ DS-2 Urban Design + Land Use: Define Downtown Lakewood as a dynamic mixed-use urban center with diverse and intensive development, high-quality public spaces, and vibrant cultural and commercial activities.

- DS-2.1 Promote redevelopment of the Central Business District as a mixed-use urban center that anchors the Downtown and bolsters Lakewood's sense of identity as a city.
- DS-2.2 Develop Downtown as not only the "heart" of the city, but a regional urban center where commerce, culture, and government flourish.
- DS-2.3 Promote the Central Business District as the primary center for retail, office, public services, cultural activities, urban residential, and civic facilities of Lakewood.
- DS-2.4 Promote office development, open space, high density residential development and/or mixed-use development in the Towne Center.
- DS-2.5 Promote the Central Business District as a daytime and nighttime center for social, entertainment, cultural, business and government activity.
- DS-2.6 Adopt new urban design approaches to raise the aesthetic standards of the Downtown.
- DS-2.7 Continue to foster transformation of the former mall to provide better public visibility; create additional public rights-of-way; and potentially develop entertainment, housing, visitor serving, and open space uses.

/ DS-3 Economic Development: Highlight Downtown Lakewood as a destination for commerce, culture, and community living by enhancing opportunities for business and residential development.

- DS-3.1 Develop Downtown as a destination for retail, office, public services, cultural activities (art, culture, and entertainment), urban residential, and civic facilities of Lakewood.
- DS-3.2 Ensure Downtown is home to a wide spectrum of businesses that reflect the area's most competitive and desired industries.
- DS-3.3 Prioritize and market catalytic sites identified through this Plan for mixed-use development.

DS-3.4 Improve the comfort and safety of residents, business owners and employees, customers, and visitors to the Downtown through design, maintenance, and policing strategies.

/ DS-4 Housing: Support a diverse and inclusive residential environment in Downtown Lakewood by promoting varied housing options and supportive amenities for individuals and families of all backgrounds.

DS-4.1 Encourage a diversity of housing types to ensure housing choices for current and future residents, workers, military families, and to strengthen commercial areas.

DS-4.2 Provide increased densities and regulatory flexibility in Downtown development regulations to attract diverse housing for all ages, abilities, and incomes.

DS-4.3 Create mechanisms that attract and increase multifamily development Downtown.

DS-4.4 Support hosting quality cultural, educational, and recreational activities to attract families to live Downtown.

DS-4.5 Promote well-designed and maintained diverse mixed use and multifamily housing opportunities available to all incomes.

/ DS-5 Street Grids, Streetscapes & Public Spaces: Transform Lakewood Downtown into a dynamic, pedestrian-friendly hub that supports diverse social, cultural, and economic activities through strategic urban design and innovative parking solutions.

DS-5.1 Promote the Central Business District as a daytime and nighttime center for social, entertainment, cultural, business and government activity.

DS-5.2 Promote cultural institutions, performing arts uses, and recreational activities within the Central Business District.

DS-5.3 Consider the use of the city's eminent domain powers to establish public streets and public open spaces in the Lakewood Towne Center.

DS-5.4 Maintain a pedestrian-orientation in building, site, and street design and development in the Central Business District.

DS-5.5 Maintain an appropriate supply of parking in the Central Business District as development intensifies.

DS-5.6 Foster the evolution of a Central Business District that is compact and walkable and not defined by large expanses of parking lots.

DS-5.7 Consider parking requirements for higher density areas that offer sufficient parking and access as well as encourage alternative transportation modes.

DS-5.8 Confine the location of parking areas to the rear of properties to increase pedestrian safety and minimize visual impact.

- DS-5.9 Identify places where on-street parking can be added adjacent to street-facing retail to encourage shopping and buffer sidewalks with landscaping to create a pleasant walking environment.
- DS-5.10 Encourage the use of structured, underbuilding, or underground parking, where feasible with site conditions, to use land more efficiently.
- DS-5.11 Encourage shared parking agreements within the Lakewood Towne Center.
- DS-5.12 Focus investments in Downtown by promoting joint and mixed-use development and integrating shared-use parking practices.

/ DS-6 Transportation: Emphasize pedestrian and bicycle connectivity and transit use within the Downtown while accommodating automobiles.

- DS-6.1 Balance the need for traffic flow with providing multi-modal travel options and supporting urban development in the Downtown.
- DS-6.2 Emphasize pedestrian and bicycle connectivity and transit use within the Central Business District (Central Business District).
- DS-6.3 Accommodate automobiles in balance with pedestrian, bicycle, and transit uses within the Central Business District and on individual sites.

/ DS-7 Park, Open Spaces & Trails: Support Downtown by developing public spaces and recreational amenities that promote accessibility and community engagement.

- DS-7.1 Create public spaces and amenities in the Central Business District (Central Business District) to support Downtown businesses and residents.
- DS-7.2 Acquire lands and construct community-gathering destinations such as plazas, open space or community facilities within the Towne Center.
- DS-7.3 Invest in a quality park and recreation system to enhance economic benefit.
- DS-7.4 Encourage the development of open space and recreation amenities in business parks or other commercial areas to support workers and nearby residents.
- DS-7.5 Increase emphasis on making Lakewood accessible and convenient for pedestrians and bicycle riders.

/ DS-8 Stormwater and the Natural Environment: Protect environmental quality in the Downtown, especially with respect to stormwater-related impacts.

- DS-8.1 Protect the quality and quantity of groundwater.
- DS-8.2 Require that development follow adopted stormwater standards that incorporate low impact development (LID) principles and standards:

- Where onsite filtration is feasible, it should be provided.
- Permeable surfaces should be considered for sidewalks.

/ DS-9 Utility Infrastructure (Water, Sewer, Power): Ensure the Downtown is provided with sufficient utility capacity to meet current and future needs.

- DS-9.1 Ensure Downtown features a connected public street grid and updated utility infrastructure to support densification.
- DS-9.2 Encourage energy efficient development in the Downtown Study Area.

/ DS-10 Community Partnerships and Organization: Strengthen Downtown Lakewood's revitalization by supporting organizations dedicated to economic, social, and safety enhancements.

- DS-10.1 Focus on the revitalization of the Downtown through partnerships among the city, business and property owners, and the community; develop an organization whose primary function is to support implementation of this Plan.
- DS-10.2 Support formation of business improvement organizations.
- DS-10.3 Support the formation of a Lakewood Towne Center association or similar organization to establish economic improvement strategies and to sponsor social and safety events.

11.3.3 Lakewood Station District Subarea

/ LS-1 Implement the Lakewood Station District Subarea (LSDS) Plan.

- LS-1.1 Develop the LSDS into a distinctive urban node with diverse uses such as regional offices, high-density residences, local businesses, and open spaces.
- LS-1.2 Coordinate with transit agencies to plan and develop the Lakewood Station Subarea as a multi-modal commuter hub.

/ LS-2 Land Use and Urban Design: Develop the LSDS as a vibrant transit-oriented, mixed-use community with supporting amenities.

- LS-2.1 Support transit-oriented development in the LSDS to capitalize on access to regional transit and proximity to Lakewood Station.
- LS-2.2 Support and incentivize mixed-use development near Lakewood Station and in the commercial areas along Pacific Highway and Bridgeport Way where there is capacity for increased intensity of development.
- LS-2.3 Integrate public open spaces into new development to create opportunities for public gathering and green spaces in the LSDS.

- LS-2.4 Maintain land use and zoning designations that support high density residential development as part of mixed-use developments and residential redevelopment.
- LS-2.5 Apply a hybrid-form based code to create an identifiable look and feel for the LSDS and to support safe pedestrian spaces.
- LS-2.6 Adopt standards, uses and incentives that allow the subarea to transition from its present condition to its desired vision.
- LS-2.7 Consider the designation of new Green Streets as opportunities arise, in coordination with public input.

/ LS-3 Housing: Promote diverse and affordable housing options in the LSDS that can accommodate a broad range of economic backgrounds, support local community investment, and prevent displacement.

- LS-3.1 Encourage a variety of housing types to ensure choice for current and future residents, workers, military families, and to strengthen commercial areas.
- LS-3.2 Support housing affordable to current LSDS residents through preservation where possible, as well as redevelopment activities.
- LS-3.3 Incentivize the development of market rate and affordable housing options for households with incomes at 60-120% of the area median income to preserve affordability in the LSDS and avoid displacement of existing residents.
- LS-3.4 Encourage homeownership options that allow local residents to invest in the community to gain equity and wealth.
- LS-3.5 Attract a mix of large and small builders that can provide new housing options at a variety of scales and levels of affordability.

/ LS-4 Economic Development, Business, & Employment: Advance economic growth in the LSDS to diversify local employment and services.

- LS-4.1 Support medical office and commercial office opportunities.
- LS-4.2 Encourage mixed-use development to expand opportunities for business and employment in the LSDS.
- LS-4.3 Support small business development to build on the diverse offering of goods and services to residents and workers in the LSDS.

/ LS-5 Transportation: Enhance accessibility and connectivity by developing comprehensive multi-modal transportation infrastructure and connections to key destinations.

- LS-5.1 Provide multi-modal transportation options to improve the flow of people and goods in the LSDS and to reduce auto-dependence.
- LS-5.2 Support pedestrians in the LSDS with sidewalk and infrastructure improvements that enhance safety and provide a more comfortable travel experience.
- LS-5.3 Enhance non-motorized connections to Lakewood Station and Pierce County Transit facilities to encourage the use of regional and local transit.
- LS-5.4 Connect the LSDS to Downtown with enhanced pedestrian and bicycle facilities.
- LS-5.5 Publicly invest in the development and construction of streetscapes to support redevelopment in the LSDS.
- LS-5.6 Consider options for crossing Pacific Highway to provide a safe and efficient linkage between Lakewood Station and the Lakewood Landing development site.

/ LS-6 Utilities & Public Services: Expand infrastructure to support sustainable redevelopment and growth.

- LS-6.1 Ensure there is adequate utilities infrastructure to support redevelopment of the LSDS according to the vision.
- LS-6.2 Consider future agreements to support infrastructure development in the LSDS such as development agreements, latecomers agreements, fee assessments, improvement districts, and other tools.

11.3.4 **Tillicum-Woodbrook Subarea**

/ TW-1 Celebrate the Tillicum-Woodbrook Community Center, Tillicum Elementary School, Harry Todd Park, and Pierce County Library branch as the heart of the Tillicum-Woodbrook Subarea.

- TW-1.1 Encourage public and private investment in human services, Tillicum-Woodbrook Community Center, Tillicum Elementary School, and the arts.
- TW-1.2 Expand public access to American Lake to increase recreation opportunities for all residents.
- TW-1.3 Support youth activities and programs.
- TW-1.4 Invest in new community spaces and civic institutions in Woodbrook

/ TW-2 Increase visibility of Tillicum's and Woodbrook's diverse community by investing in leadership development and the neighborhood's ability to advocate for community needs.

- TW-2.1 Invite all Lakewood residents to visit Tillicum-Woodbrook and celebrate its identity as a family-friendly neighborhood and as a regional destination.
- TW-2.2 Support and encourage community-based leadership development and capacity building through regular communication with neighborhood and civic organizations.
- TW-2.3 Celebrate Tillicum and Woodbrook's history.
- TW-2.4 Ensure residents continue to live in Tillicum and Woodbrook.

/ TW-3 Diversify Tillicum's and Woodbrook's housing options to support current residents in Lakewood.

- TW-3.1 Encourage and support efforts to increase homeownership.
- TW-3.2 Provide for a range of housing options to meet community needs.
- TW-3.3 Encourage and support access to affordable, safe, and connected housing options.

/ TW-4 Connect Tillicum and Woodbrook to Lakewood and Pierce County through a multi-modal transportation network to increase access to employment and social activities.

- TW-4.1 Evaluate on-street parking needs in Tillicum and Woodbrook and implement curb management strategies as needed to ensure public access to businesses and homes in Tillicum and Woodbrook.
- TW-4.2 Invest in infrastructure to support mobility needs and address mobility barriers of neighborhood residents.
- TW-4.3 Prioritize investments in vehicle infrastructure to support connecting Tillicum and Woodbrook to other parts of Lakewood.
- TW-4.4 Provide opportunities for safe pedestrian and bicycle connections from Tillicum and Woodbrook to other portions of Lakewood.
- TW-4.5 Partner with local and regional transit agencies to provide reliable transit service to neighborhood residents to increase access to social and economic opportunities.

/ TW-5 Increase economic development opportunities within Tillicum and Woodbrook.

- TW-5.1 Support or foster relationships with educational institutions and employment organizations that encourage the development of higher education, apprenticeship and internship opportunities, and adult learning offerings to contribute to building community capacity and innovation.

TW-5.2 Continue to partner with Workforce Central, the Tacoma-Pierce County Economic Development Board, and the Lakewood Chamber of Commerce to provide support and resources to small businesses in Tillicum and Woodbrook.

TW-5.3 Support additional food resources, commercial development, job growth, and technical assistance in the Tillicum Woodbrook Subarea.

/ TW-6 Protect Tillicum and Woodbrook's natural environment and increase adaptability and resiliency for Tillicum and Woodbrook as communities significantly impacted by air quality and climate change.

TW-6.1 Enhance quality of life in Tillicum and Woodbrook through the thoughtful placement and improvement of parks and recreational activities.

TW-6.2 Protect water quality in American Lake.

TW-6.3 Encourage the use of sustainable materials and building practices.

12 Transportation

12.1 Introduction

The content in this Transportation Element is consistent with state law, regional and countywide policies, and other elements of the Lakewood Comprehensive Plan, and will positively contribute to the region's transportation system over time. The goals and policies included here are based on local priorities but are also coordinated with the Comprehensive Plans of University Place, Tacoma, Steilacoom, and Pierce County.

Transportation planning in Lakewood must consider several major trends that will impact traffic patterns into the future:

- **Expected future growth.** Lakewood is planning for 9,378 more housing units, 574 emergency housing units, and 9,863 new jobs by 2044. This municipal growth, coupled with projected countywide and regional growth, will require Lakewood to plan creatively and efficiently for sufficient motorized and non-motorized ("active") community transportation systems. The 2024 Transportation Element updates are also due to recent changes in the GMA requiring cities to plan to accommodate specific numbers of housing units affordable to different income levels.
- **Proximity to major transportation corridors.** Lakewood is transected by Interstate 5 (I-5) and is immediately adjacent to State Highway 512 (Hwy 512), both major transportation corridors that will be more congested over the next 20 years. This will increase pressures on the city's main transportation corridors over time as travelers seek alternative routes when construction projects and/or natural disasters shut down highways for any length of time.
- **Parking supplies.** Public parking primarily exists in surface parking lots to support commercial, office, light industrial, and multi-family residential areas. There is an abundant supply of parking in most of these areas. While adequate parking is critical to any type of development, an oversupply of parking wastes resources and encourages a continuation of auto-oriented travel. Therefore, the city's parking goals and policies balance these two conflicting outcomes.
- **Expanded development capacity in residential areas.** The 2023 GMA requirements to allow for up to four middle housing units and at least two accessory dwelling units per lot in historically single-family areas will also require the city to proactively prepare for the resulting increased traffic and parking pressures in residential areas, particularly since much of these areas are not located close to transit options.
- **Climate change and resiliency.** 2023 changes to the GMA also require the city to also plan for climate change and resiliency, which will affect the Transportation Element through 2034 and beyond. In 2024, the Transportation Element is reflecting work done to date in preparation of more in-depth climate-related updates by 2029.

12.2 Background

12.2.1 Overview

In its 2023–2024 Strategic Plan, the City Council identified transportation projects as high priorities and adopted a goal to “provide safe, clean, well-maintained, and dependable infrastructure” with the following specific objectives:

- Implement capital infrastructure projects to improve transportation, park, and utility systems;
- Invest in preventative maintenance of facilities, parks, and streets to protect city assets;
- Advance infrastructure projects that enhance the city’s identity and diversity;
- Increase connectivity and accessibility.

The Council also adopted an Objective to “advocate for increased transportation and parks infrastructure funding.”

The goals and policies contained in the Transportation Element are informed by the City Council’s 2021–2024 Strategic Plan. They also reflect technical information from the 2015 Transportation Background Report and 2024 supplements to that report (see Appendix). The 2009 Transportation Background Report and the 2018 Downtown Subarea Plan Transportation Report provided information on existing transportation facilities, travel forecast data, transportation systems plans, LOS, and options for implementation.

This Element addresses the connection between transportation and land use; establishes means to increase travel options; describes desirable characteristics of transportation facilities’ design and operation; and addresses connectivity, access, traffic management, maintenance, and amenities for transportation improvements. The general principles underlying this Element include:

- Promote safe, efficient, and convenient access to transportation systems for all people.
- Recognize transit, bicycling, and walking as fundamental modes of transportation of equal importance compared to driving when making transportation decisions.
- Create a transportation system that contributes to quality of life and civic identity in Lakewood.
- Reduce mobile source emissions to improve air quality.
- Integrate transportation-oriented uses and facilities with land uses in a way that supports the city’s land use as well as transportation goals.
- Increase mobility options by actions that diminish dependency on SOVs.
- Focus on the movement of both people and goods.

There are several issues and realities affecting transportation planning and implementation in Lakewood:

- **Physical Features.** Natural obstacles, especially American Lake, Gravelly Lake, and Lake Steilacoom, constrict traffic flow options between the east and west halves of the city to a few arterial connections.

- **Existing Patterns.** Pre-incorporation, Lakewood's street network evolved in a pattern where few principal roadways connect a network largely composed of otherwise unconnected cul-de-sacs. Because of the city's geographic location, presence of natural features, and adjacent military installations, I-5, and SR 512 form primary connections with the rest of the region.
- **Alternative Transportation Modes.** There are few realistic alternatives to driving for most people in Lakewood. The city's current bicycle and pedestrian network does not provide safe links to all commercial areas, schools, community facilities, and residential neighborhoods. Alternative motorized modes include local and regional transit connections provided by Pierce County Transit, Intercity Transit, and Sound Transit systems will improve connectivity as commuter rail and BRT service is established.

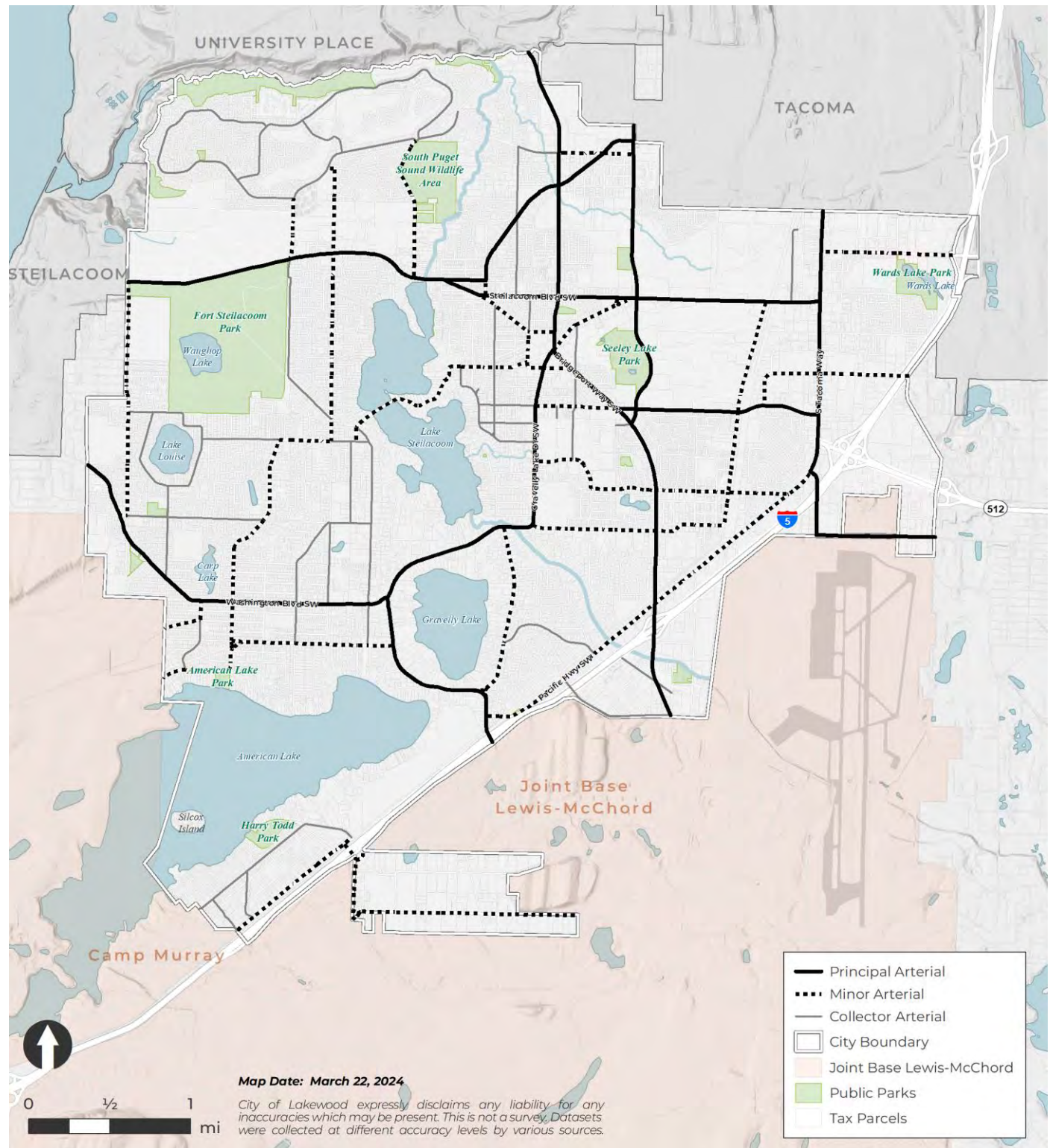
12.2.2 Street Classifications

For the purposes of managing the city's street network, the streets in the city can be classified as follows:

- **Principal arterials** (major arterials) are roadways that provide access to principal centers of activity. These roadways serve as corridors between principal suburban centers, larger communities, and between major trip generators inside and outside the plan area. Service to abutting land is subordinate to travel service to major traffic movements. The principal transportation corridors within the City of Lakewood are principal arterials. These roadways typically have daily volumes of 15,000 vehicles or more.
- **Minor arterials** (minor arterials) are intra-community roadways connecting community centers with principal arterials. They provide service to medium-size trip generators, such as commercial developments, high schools and some junior high/grade schools, warehousing areas, active parks and ballfields, and other land uses with similar trip generation potential. These roadways place more emphasis on land access than do principal arterials and offer lower traffic mobility. In general, minor arterials serve trips of moderate length, and have volumes of 5,000 to 20,000 vehicles per day.
- **Collector arterials** (minor arterials) connect residential neighborhoods with smaller community centers and facilities as well as provide access to the minor and principal arterial system. These roadways provide both land access and traffic circulation within these neighborhoods and facilities. Collector arterials typically have volumes of 2,000 to 8,000 vehicles per day.
- **Local access roads** (access streets) include all non-arterial public city roads used for providing direct access to individual residential or commercial properties. Service to through traffic movement usually is deliberately discouraged. This also includes private access roads.

The definition of the streets in Lakewood as part of these categories is provided in Exhibit 12-1.

Exhibit 12-1. Lakewood Street Classifications.



Sources: City of Lakewood, 2024; Pierce County GIS, 2024.

12.2.3 Levels of Service

With respect to the transportation system in Lakewood, the target LOS thresholds for the system are established as shown in Exhibit 12-2:

Exhibit 12-2. LOS Standards for Lakewood Streets.

Area/Facility	LOS Threshold	Volume/Capacity (VC Ratio)
All arterial streets and intersections in the city, including state highways of statewide significance except as otherwise identified	LOS D	0.90
▪ Steilacoom Boulevard corridor between 88th Street SW and 83rd Avenue SW	LOS F	1.10
▪ Gravelly Lake Drive, between 1-5 and Washington Boulevard SW	LOS F	1.30
▪ Washington Boulevard SW, west of Gravelly Lake Drive		

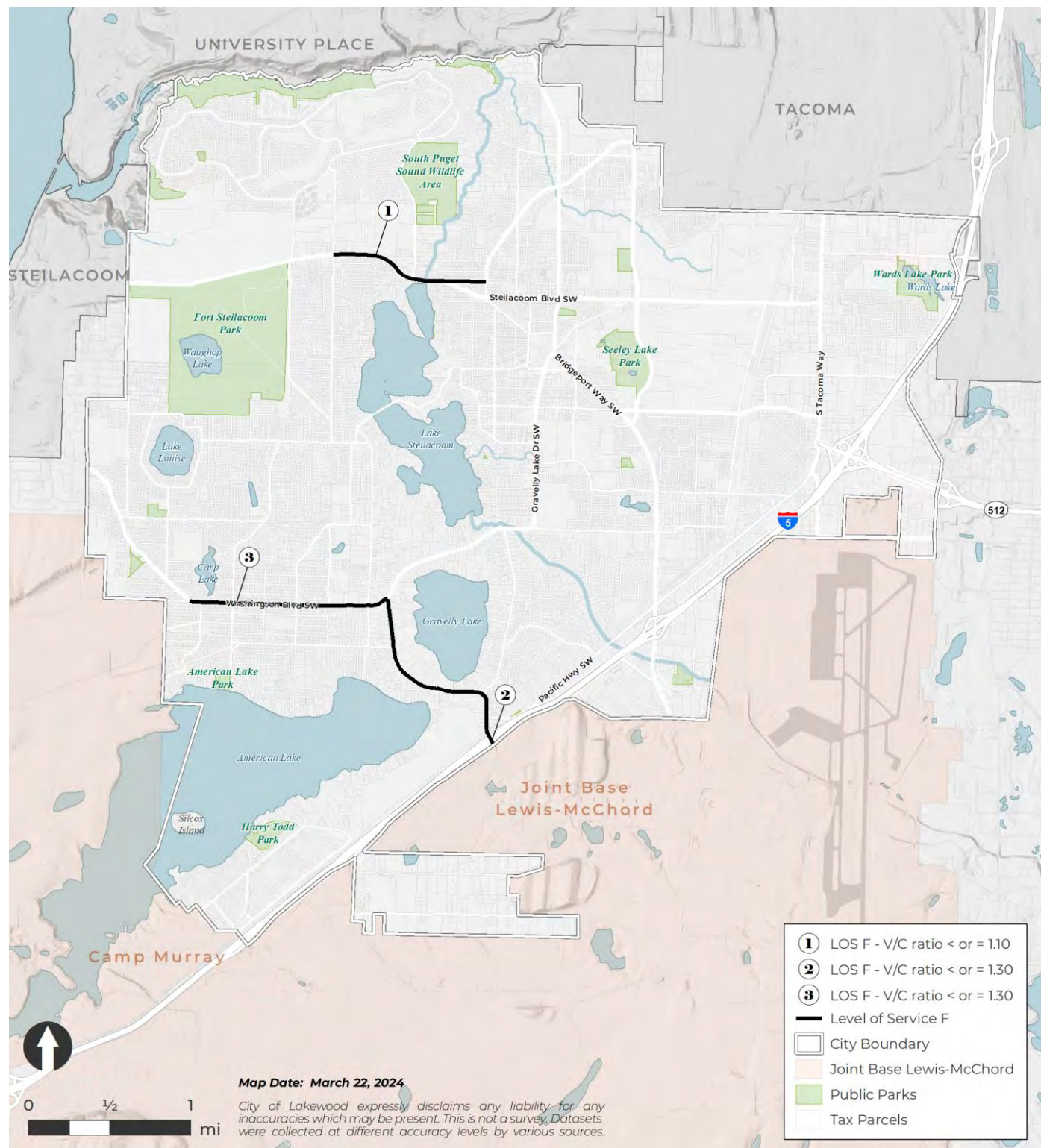
The specific corridors with thresholds of LOS F are also denoted in Exhibit 12-3. Note that the City may allow additional two-way and one-way stop-controlled intersections to operate worse than the LOS standards, but these instances should be thoroughly analyzed from an operational and safety perspective.

12.2.4 Recent Trends

An audit of the city's transportation system offers a detailed assessment of likely traffic patterns projected forward to 2044, evaluating how shifts in demographics and land use will impact transportation patterns and infrastructure needs.

Overall, the future focus of growth is expected to be in the Downtown/Central Business District and the Lakewood Station Subarea, which are anticipated to experience the most significant growth in terms of both housing and employment. Overall, growth projections from the audit also suggest that household and employment growth will occur in the rest of the city, but the concentration of this growth in specific urban centers will align with Lakewood's strategic objectives to boost density in these areas and support a more sustainable urban development model that could reduce reliance on vehicular traffic and promote public and non-motorized transport.

Exhibit 12-3. Lakewood Arterials Allowing LOS F Thresholds.



Sources: City of Lakewood, 2024; Pierce County GIS, 2024.

It is expected under transportation modeling conducted that there will be significant changes in vehicle miles traveled (VMT) and travel patterns as a response to anticipated development. Under current growth assumptions without changes to the transportation system, there are several segments of that are expected to exceed LOS D:

- Pacific Highway SW (north of 108th St SW NB/EB)
- South Tacoma Way (north of 84th St SW SB/WB, north of 100th St SW NB/EB, south of SR-512 NB/EB)
- Steilacoom Blvd SW (west of Phillips Rd SW SB/WB, east of Phillips Rd SB/WB)
- Washington Blvd SW (west of Gravelly Lake Dr SW SB/WB)

These areas are expected to achieve LOS E without additional transportation improvements, with the segment of Steilacoom Blvd SW west of Phillips Rd SW SB/WB reaching LOS F.

Overall, historical traffic data analyzed from 2013 to 2022 also indicates a decline in traffic volumes on local streets, suggesting a shift in transportation preferences among Lakewood residents. This trend towards reduced vehicle usage, possibly accelerated by the adoption of remote work and digital services, suggests a potential for lower-than-anticipated future traffic growth rates. These findings reinforce the need for flexible, adaptive strategies in transportation planning to accommodate future shifts in travel behavior in Lakewood.

Employment within the city is suggested to be a continuing driver for traffic in the city. City employment has grown by an average of 2.2% per year since 2012, and meeting the CPP target of 39,735 jobs in the city by 2044 will necessitate an average growth in employment of about 1.8% per year over the next two decades. This employment growth will likely promote further urban development and densification, driving the need for robust transportation solutions that can support increased commuter flows without exacerbating congestion.

With respect to future transportation planning, the expected demographic and economic growth in key urban centers will need thoughtful, strategic planning to ensure that transportation infrastructure keeps pace with development. The focus on enhancing sustainable and efficient transportation options will be crucial in managing the environmental impact and improving the quality of life for Lakewood's residents.

12.3 Goals and Policies

/ TR-1 Provide a balanced, multimodal transportation system for the safe and efficient movement of people and goods.

- TR-1.1 Plan, develop, and maintain transportation infrastructure to meet the needs of all users, including drivers, transit riders, bicyclists, and pedestrians of varying ages and abilities.
- TR-1.2 Minimize the negative impacts of transportation improvements on low-income, disadvantaged, and special needs groups, as well as youth and older adults.
- TR-1.3 Increase availability and accessibility of alternative transportation modes like walking, biking, carpooling, and public transit, focusing on those without personal vehicles or with mobility needs.

/ TR-2 Ensure Lakewood's transportation system is designed for comprehensive, integrated, and safe access for all users of all ages, abilities, and transportation modes, including pedestrians, bicyclists, motorists, transit riders and operators, and truck operators.

- TR-2.1 Classify all streets according to the following classification for policy and planning:
 - Principal arterials;
 - Minor arterials;
 - Collector arterials; and
 - Local access roads.
- TR-2.2 Maintain the Lakewood Engineering Design Standards to provide standards for each roadway classification to guide implementation and attain the Complete Streets Objective.
- TR-2.3 Permit flexibility in adhering to the Lakewood Engineering Design Standards by considering context and user needs, ensuring alignment with relevant goals and policies.
- TR-2.4 Apply the functional classification system and transportation design standards to direct the development of new and upgraded transportation infrastructure.
- TR-2.5 Ensure transportation facilities are designed to harmonize with adjacent built and natural environments.
- TR-2.6 Implement and uphold a street light placement policy for new and redeveloped areas, focusing on pedestrian-friendly lighting in specified zones.
- TR-2.7 Develop an Americans with Disabilities Act (ADA) Transition Plan to identify and remove barriers to access for individuals with disabilities.

/ TR-3 Enhance transportation connectivity while minimizing impacts to residential and mixed-use areas.

- TR-3.1 Plan for street connections through undeveloped parcels to ensure integration with future development.
- TR-3.2 Connect public streets to improve multimodal connections and reduce impacts elsewhere in the transportation network.
- TR-3.3 Require that new developments include access to adjacent undeveloped land to facilitate future connectivity where feasible.
- TR-3.4 Provide for pedestrian and bicycle pathways in areas where terrain, right-of-way limitations, or other constraints prevent street connections.

/ TR-4 Use standard criteria to monitor LOS for multimodal transportation.

- TR-4.1 Use the latest Highway Capacity Manual's LOS criteria to assess road performance.
- TR-4.2 Set LOS and volume-to-capacity (V/C) ratio thresholds for arterials and intersections to maintain transportation concurrency.
- TR-4.3 Maintain multimodal LOS and concurrency standards for transit, pedestrian, and bicycle facilities.
- TR-4.4 Work with neighboring jurisdictions to provide consistent LOS standards for shared roadways.
- TR-4.5 Coordinate arterial operations and enhancements to meet transit LOS standards set by local and regional transit authorities.
- TR-4.6 Incorporate multimodal mitigation strategies in development reviews to address LOS impacts.
- TR-4.7 Allow deviations from LOS standards at two-way and one-way stop-controlled intersections after thorough operational and safety evaluations.
- TR-4.8 Align land use policies with street and network LOS standards, incorporating traffic management approaches and promoting development in areas meeting LOS criteria.

/ TR-5 Ensure safe and accessible connections to properties.

- TR-5.1 Restrict street access as needed to ensure the safe and efficient operation of the existing system while allowing reasonable regular access.
- TR-5.2 Limit direct arterial access when alternative routes are available.
- TR-5.3 Provide full access to properties along local residential streets unless sufficient alley access is present.

TR-5.4 Discourage the abandonment of full-length alleys.

TR-5.5 Collaborate with neighboring jurisdictions to standardize access restrictions to arterials and highways of regional importance.

TR-5.6 Facilitate efficient access for emergency responders to public and private properties.

/ TR-6 Manage traffic to minimize its effects on neighborhoods, residents, visitors, and businesses.

TR-6.1 Decrease dependence on automobiles in neighborhoods and Downtown while accommodating their use.

TR-6.2 Maintain smooth traffic flow and pedestrian safety on arterials and major transport routes through operational changes such as optimal timing and synchronization of traffic signals.

TR-6.3 Conduct an analysis of existing conditions prior to any street reclassifications to substantiate the rationale for the change.

TR-6.4 Limit the change of residential streets to collector or arterial classifications, except in cases of significant community-wide need.

TR-6.5 Reduce the effects of freight traffic on residential areas and other sensitive land uses.

TR-6.6 Reduce the visual and noise impacts of roadways on neighboring properties and users.

/ TR-7 Protect the city's investment in current and future through sustainable maintenance and preservation.

TR-7.1 Coordinate street preservation and maintenance tasks to reduce life-cycle costs.

TR-7.2 Construct and maintain sidewalks to provide continuous and safe connections.

TR-7.3 Align significant utility projects with roadway maintenance and preservation scheduling to lessen neighborhood disruption and costs.

TR-7.4 Secure sustainable funding sources for the preservation and maintenance of the transportation system.

/ TR-8 Reduce traffic to meet state, regional, and city environmental and sustainability goals.

TR-8.1 Decrease reliance on single-occupant vehicles for regular travel.

TR-8.2 Reduce the work-related SOV trip mode share for the Lakewood Regional Growth Center (Downtown) to 65% by 2044.

TR-8.3 Require Transportation Demand Management improvements serving pedestrians, bicyclists, and transit riders as impact mitigation for new development.

- TR-8.4 Implement comprehensive commute trip reduction strategies in collaboration with local businesses, transit agencies, and other entities to decrease traffic.
- TR-8.5 Promote local commute trip reduction and TDM programs through targeted public awareness and education, especially for specific groups like teenagers and college students.
- TR-8.6 Provide High-Occupancy Vehicle (HOV) focused improvements on arterials to link high-density employment areas with transit hubs, BRT, and commuter rail stations.
- TR-8.7 Expand park-and-ride facilities for commuter rail and other transit in partnership with Pierce County Transit, Sound Transit, and other potential parking providers.
- TR-8.8 Minimize the impacts of transportation infrastructure on the environment and climate
- TR-8.9 Enhance the energy efficiency and overall performance of the transportation system.

/ TR-9 Enhance safe, convenient, and inviting routes for active transportation such as walking and cycling to promote accessibility and healthy living.

- TR-9.1 Implement projects from the city's Non-Motorized Transportation Plan to link high-density areas with key destinations such as workplaces, schools, parks, and shopping centers.
- TR-9.2 Improve bicycle and pedestrian connections for greater connectivity.
- TR-9.3 Provide safe midblock crossings for pedestrians where possible.
- TR-9.4 Require non-motorized transportation improvements such as bicycle parking/lockers and streetscape upgrades as part of new development.
- TR-9.5 Coordinate with transit providers to encourage multimodal “first mile/last mile” connections with supporting improvements like bike racks and lockers.
- TR-9.6 Collaborate with neighboring jurisdictions to maintain consistent bike and pedestrian corridor planning and standards.
- TR-9.7 Prioritize traffic safety improvements at locations with high accident rates.

/ TR-10 Ensure parking supplies meet local demand while promoting alternative modes of transportation.

- TR-10.1 Establish flexible parking regulations to balance the need for adequate parking with objectives to decrease traffic.
- TR-10.2 Integrate TDM considerations in parking regulations and planning.
- TR-10.3 Permit the use of shared parking for different activities that have varying peak parking needs.
- TR-10.4 Consider transit service availability when setting parking standards.

TR-10.5 Implement parking lot design guidelines that minimize aesthetic, environmental, and public safety impacts.

/ TR-11 Promote a walkable, pedestrian-friendly Downtown.

TR-11.1 Implement transportation-related components of the Downtown Subarea Plan.

TR-11.2 Consider maximum parking requirements in high-density areas well-served by high-capacity transit (HCT) to encourage alternative transportation modes.

TR-11.3 Create a pleasant and safe walking and biking environment by regulating the placement of on- and off-site parking and managing streetscape design.

TR-11.4 Encourage structure or underground parking to reduce surface parking footprints.

TR-11.5 Encourage joint and shared parking solutions, particularly for mixed-use developments in Downtown.

TR-11.6 Integrate regional transportation standards into the planning of centers and areas around HCT stations.

/ TR-12 Align freight transportation planning by road and rail with industrial, commercial, and other land uses.

TR-12.1 Ensure clear signage for truck routes, especially in key areas of the city.

TR-12.2 Assess potential freight movement requirements in the SEPA review process for new developments.

TR-12.3 Consider freight access needs in commercial and industrial development standards where relevant.

TR-12.4 Identify and address potential conflicts between freight route users with solutions such as separating at-grade rail lines from arterials.

TR-12.5 Advocate for the continued use of existing rail lines to serve the transportation needs of Lakewood businesses and Joint Base Lewis-McChord.

TR-12.6 Discourage increased freight rail traffic beyond current levels of activity without sufficient mitigation of impacts.

/ TR-13 Maintain consistency with state, regional, and local transportation plans and projects.

TR-13.1 Coordinate with state and county authorities, neighboring jurisdictions, and transit providers to align transportation improvements, land use plans, and decision-making processes.

TR-13.2 Ensure transportation planning in Lakewood is consistent with the PSRC Regional Growth Strategy and Regional Transportation Plan.

- TR-13.3 Prioritize funding for transportation infrastructure and capital facilities investments in:
- The city's designated Regional Growth Center,
 - Adopted subarea boundaries,
 - Areas where historically disadvantaged populations have been disproportionately impacted, and
 - Designated Centers of Municipal Importance.
- TR-13.4 Engage in regional transportation planning efforts to develop and refine long-range strategies.
- TR-13.5 Regularly review the street classification system with adjacent jurisdictions to ensure consistency.
- TR-13.6 Support improvements to I-5 that promote safe connections between the highway and local communities.

/ TR-14 Improve the transportation system through collaborative efforts with other agencies and organizations.

- TR-14.1 Engage transportation agencies early in development proposal reviews to identify transit-oriented design and amenity opportunities.
- TR-14.2 Advocate for and assist in the integration of regional and HCT systems with local transit services.
- TR-14.3 Partner with transit agencies to support ride matching, vanpooling, micro-transit, paratransit, and other HOV transportation.
- TR-14.4 Work with transit agencies to address requirements from new transit routes and frequencies, especially in residential areas and high-traffic corridors.
- TR-14.5 Work with WSDOT to accommodate HOV lanes on I-5 and SR 512 to meet the needs of the city and regional transit.
- TR-14.6 Pursue joint state and federal transportation grant applications with other jurisdictions on projects with mutual benefits.
- TR-14.7 Investigate the potential for local shuttle, micro-transit, and paratransit services in high-density areas with significant ridership prospects.

13 Urban Design

13.1 Introduction

This element describes the community's vision for the development of Lakewood's physical environment. It presents a framework of priority roads, gateways, open space connections, and focus areas. Urban design is especially important in multi-family residential areas to create satisfying and aesthetic places for residents. Urban design is particularly important in commercial areas to create vibrant and interesting places for people to shop, dine, and meet. Industrial areas require less extensive urban amenities, but urban design is still important to create economically viable and attractive industrial sites.

With incorporation, Lakewood inherited an established system of transportation and open space networks. With improvement, these networks can help fulfill the citizens' desire for a better regional image, more attractive gateways into the city, better pedestrian and bicycle accommodations, and better access to natural and recreation areas.

13.2 Background

Since incorporation, Lakewood's citizens have strongly expressed the need for the community to take control of its image, to grow into a recognizable city with a strong civic center, and to eliminate the negative aspects of its past.

This element begins the process of fulfilling a community vision of Lakewood as a fully evolved city that combines a defined sense of place and a collective unity of spirit as evidenced by an appealing, functional environment. Five major urban design building blocks are defined in this element to work toward this goal:

- Urban design needs related to specific land-use categories;
- The relationship of urban design to transportation planning and street classifications;
- A physical framework plan that identifies key elements that define the city's physical structure in terms of its open space network, civic boulevards, and major gateways;
- Urban design strategies for specific focus areas and specific actions for implementation; and
- Overall urban planning goals and policies to guide development of Lakewood's physical environment.

There are limitations as to how urban design can be addressed at the comprehensive planning level. For this reason, this element recommends the preparation and implementation of subarea plans to address priority areas at a scale allowing for the necessary attention to detail. Three subarea plans have been

adopted as of 2024: Downtown, Station District, and Tillicum-Woodbrook. The Comprehensive Plan identifies Springbrook and the International District as areas for future corridor or subarea plans.

Pending the adoption of future subarea plans in other parts of Lakewood, adherence to the citywide goals and policies will assist in carrying out some of the city's most pressing development priorities, including recognizing and supporting the city's International District and preserving and creating affordable housing for current and future residents.

13.3 Goals and Policies

/ UD-1 Support a strong sense of community in neighborhood business districts with distinct urban identities, higher intensities of uses, and local amenities.

- UD-1.1 Establish development standards and design guidelines for districts that support high-quality urban design.
- UD-1.2 Support a diverse mix of local activities in neighborhood business districts.
- UD-1.3 Facilitate placemaking and public art initiatives with community-based organizations.
- UD-1.4 Incorporate pedestrian-oriented site design measures and amenities to promote non-motorized linkages between mixed use districts and the existing open space network.
- UD-1.5 Encourage human-scale development of office and housing uses above retail in mixed-use areas and neighborhood business districts.
- UD-1.6 Develop pedestrian linkages between neighborhood business districts, parks, open spaces, and adjoining neighborhoods.
- UD-1.7 Improve public safety through design guidelines.

/ UD-2 Establish a system of gateways and urban corridors to provide identity to the city, foster appropriate commercial uses, and enhance the aesthetic character of the city.

- UD-2.1 Provide appropriate design improvements to treat the following streets as urban corridors:
 - The full length of Bridgeport Way;
 - Gravelly Lake Drive from Nyanza Road to Steilacoom Boulevard;
 - 100th Street from Gravelly Lake Drive to S. Tacoma Way;
 - S. Tacoma Way and Pacific Highway Southwest from the Tacoma City limits to Ponders Corner;
 - 112th Street from Nyanza Road to Bridgeport Way;
 - N. Thorne Lane from I-5 to Portland Street;
 - W. Thorne Lane between Portland Street and Union Avenue;
 - Portland Street between N. Thorne Lane and W. Thorne Lane;
 - Union Avenue from Berkeley Avenue to Spruce Street; and
 - Spruce Street from Union Avenue to Portland Avenue.
- UD-2.2 Provide appropriate design improvements to treat the following intersections as major gateways:
 - South Tacoma Way at Tacoma City limits;
 - 84th Street at I-5;
 - SR 512/I-5 at South Tacoma Way;
 - Bridgeport Way at South Tacoma Way/I-5;

- Nyanza Boulevard at I-5;
- N. Thorne Lane at I-5;
- Steilacoom Boulevard at city limits;
- Berkeley Avenue SW at I-5;
- Bridgeport Way at University Place city limits;
- Bridgeport Way at Gravelly Lake Drive;
- 100th Street at Gravelly Lake Drive; and
- 100th Street at Bridgeport Way.

UD-2.3 Implement additional gateway enhancement for Tillicum, Springbrook, and Woodbrook.

/ UD-3 Design streetscapes, nonmotorized pathways, and other rights-of-way as amenities and important public places.

UD-3.1 Provide attractive streetscapes and associated amenities, such as sidewalks, landscaping, benches, and lighting

UD-3.2 Adopt NACTO Urban Street and Urban Bikeway design guides as guidelines.

UD-3.3 Establish thresholds for public right-of-way improvements to be conducted as part of development projects.

UD-3.4 Require sidewalks on both sides of all new streets.

UD-3.5 Design intersections to safely accommodate both pedestrian and vehicular traffic.

UD-3.6 Develop and apply traffic-calming strategies to improve safety.

UD-3.7 Work with transit providers to incorporate transit stops and facilities into streetscape planning.

UD-3.8 Include curb ramps for sidewalks at all intersections to assist wheelchairs, strollers, and cyclists to meet ADA requirements.

/ UD-4 Recognize and support historically significant sites and buildings.

UD-4.1 Keep an updated inventory of historic resources and maintain a process to guide the preservation of important properties and buildings.

UD-4.2 Provide monuments, plaques, and design motifs to recognize or commemorate historic structures and uses in the city.

/ UD-5 Manage noise pollution to minimize nuisance and encourage a quality urban environment.

UD-5.1 Coordinate development regulations and noise attenuation programs to protect neighborhoods from excessive noise.

- UD-5.2 Partner with JBLM to reduce noise impact from McChord Field and develop noise attenuation strategies for air corridors in the city.
- UD-5.3 Require noise attenuation in the design and materials of new developments along arterial streets, I-5, SR 512, and within air corridors to lessen impacts from roadway and aircraft noise.
- UD-5.4 Collaborate with WSDOT to address freeway and highway noise concerns, balancing noise reduction with aesthetic considerations.
- UD-5.5 Work with WSDOT Rail Division, Sound Transit, Tacoma Rail, and Burlington Northern and Santa Fe to mitigate railroad noise, considering both noise reduction and aesthetics.
- UD-5.6 Integrate natural vegetation and design elements in noise mitigation and attenuation projects to enhance effectiveness and visual appeal.

/ UD-6 Ensure smooth transitions of land uses in scale and intensity between abutting neighborhoods and other uses.

- UD-6.1 Use buffers, landscaping, and building design and placement to ease the transition of scale and intensity between abutting residential uses of different densities and other uses.
- UD-6.2 Work with WSDOT to identify solutions to buffering the visual and acoustic impacts of I-5 and the railroad on sensitive neighborhoods.

/ UD-7 Preserve scenic views as contributors to Lakewood's quality of life.

- UD-7.1 Identify and protect sensitive views, view corridors, and/or visual resources.
- UD-7.2 Protect views of Mt. Rainier, the lakes, wetlands and creeks, Ft. Steilacoom, Flett Wetlands, and historic landmarks.

14 Utilities

14.1 Introduction

Consistent with relevant CPPs and RCW [36.70A.070](#)(4), utilities include, but are not limited to: sanitary sewer systems, water lines, fire suppression, electrical lines, telecommunication lines, and natural gas lines.

Utilities addressed in this element include stormwater, sanitary sewer, water, electricity, communications, solid waste, and natural gas. The purpose of this element is to ensure that:

- Adequate utilities are available,
- Equitable LOS for services are provided across the city;
- Public health and safety are guaranteed;
- Efficiencies and economies of scale are utilized, and
- Coordination is successfully achieved with regional and independent utility providers.

14.2 Background

As discussed in the Capital Facilities and Essential Public Facilities Element, Lakewood does not own or operate the city’s sewer, water, power, refuse/solid waste, hazardous waste, or telecommunication utilities. Rather, the city has intergovernmental or interagency agreements with the following entities to provide urban services:

Exhibit 14-1. Major Utility Providers in Lakewood.

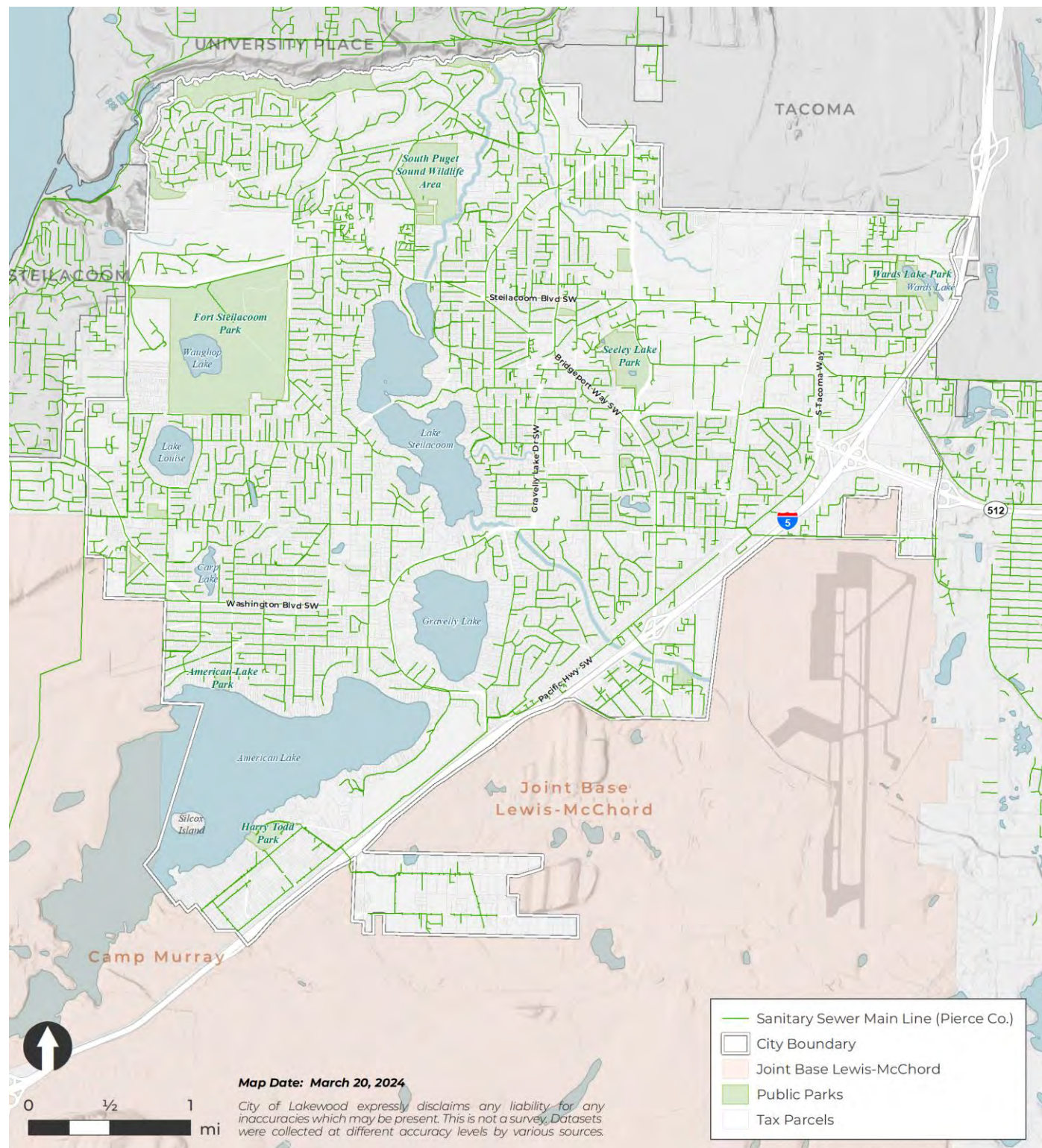
Service / Utility	Agency
Sewer	Pierce County Public Works
Water	Lakewood Water District, Parkland Water District
Electricity	Tacoma Power, Puget Sound Energy, Lakeview Power
Natural Gas	Puget Sound Energy
Telecommunications	Private communications companies
Refuse/Solid Waste	Waste Connections

Background data used in the development of this element’s goals and policies and specific capital programs to implement them are included in the 2000/2004/2015/2024 Background Report. Analysis demonstrating the ability of each utility system to meet the demands of growth projected by this plan are discussed in Section 3.11 of the 2024 Comprehensive Plan Supplemental EIS.

Major services provided include the following:

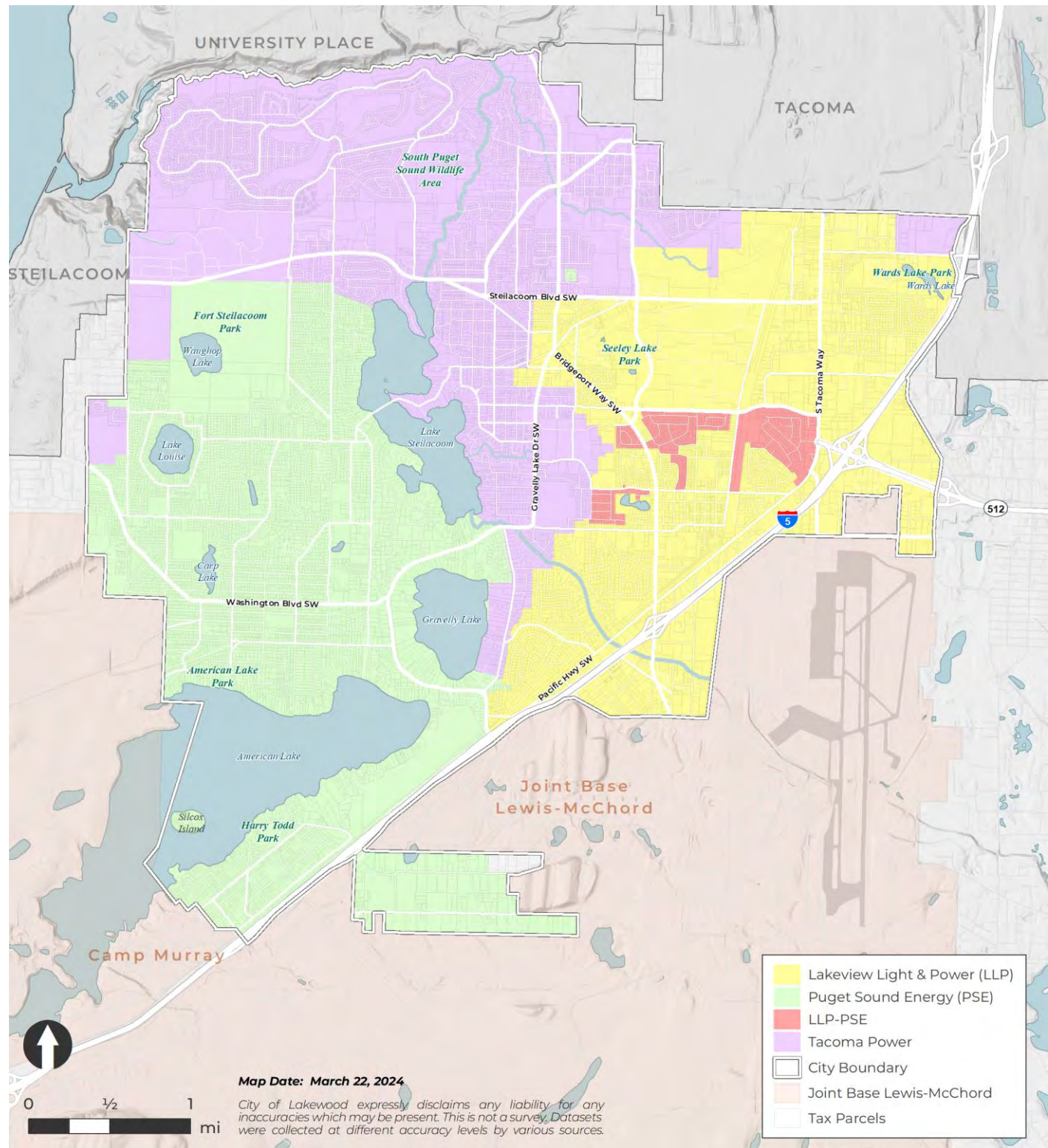
- **Sanitary Sewer.** Sewer service in the City of Lakewood is almost entirely provided by Pierce County Public Works and Utilities. Major sewer lines for the system are shown in Exhibit 14-2. This service was most recently expanded to serve the Tillicum and Woodbrook communities. Other providers include the Town of Steilacoom, which provides sewer service to Western State Hospital, and the City of Tacoma, who provides sewer service to the Flett subdivision, and to commercial and residential users located in northeast Lakewood.
- **Water.** The Lakewood Water District primarily provides water service to the City of Lakewood. Their system has expanded since it was established in 1943, to managing substantial infrastructure, including 31 active groundwater wells, 13 active tanks and reservoirs with 27 million gallons of capacity, and associated water treatment facilities as of 2023. Water sourced from these wells is exclusively groundwater, chlorinated before distribution, with no use of surface, desalinated, or recycled water. As of 2023, their retail service area encompassed 8.75 square miles and included 16,748 connections within the City of Lakewood, 866 connections in a small area of unincorporated Pierce County, 64 connections within the Town of Steilacoom, and 2 connections within the City of Tacoma for a total of 17,680 connections. They also provide wholesale water to the Town of Steilacoom and the Summit Water and Supply Company, as well as to other local water providers, for a total of 46,387 total connections.
- **Electricity.** Electricity providers in Lakewood include Lakeview Light & Power (LLP), Puget Sound Energy (PSE), and Tacoma Power. A map of the provider service areas is shown in Exhibit 14-3. Generally, Tacoma Power serves the northern sections of the city, Lakeview Light and Power serves the eastern sections, and Puget Sound Energy (PSE) serves the western portions of the city.
- **Natural Gas.** PSE is the exclusive natural gas provider for Lakewood. Natural gas is sourced from the Rocky Mountains and Canada, transported to PSE via interstate pipelines managed by Williams Northwest Pipeline, and then distributed through supply mains. Gas pressure is reduced at district regulators, providing this to distribution mains and service lines for residential, commercial, and industrial customers. The Operations Planning Department of PSE monitors development permits and land-use applications to plan for future natural gas facility needs.
- **Telecommunications.** Telecommunications, including phone and internet services, are delivered by a range of private providers in the city. Note that the Click! Network provided through Tacoma Public Utilities was transitioned to private ownership in 2020, leaving no publicly provided internet companies serving Lakewood.
- **Solid Waste.** In Pierce County, solid waste management is coordinated under the 2021 Tacoma-Pierce County Solid Waste Plan, which covers waste management and recycling activities. In Lakewood, solid waste and recycling are managed by Waste Connections, a private entity under city contract, which operates a significant transfer station on Steilacoom Boulevard.

Exhibit 14-2. Lakewood Major Sanitary Sewer Lines.



Source: City of Lakewood, 2024; Pierce County GIS, 2024.

Exhibit 14-3. Lakewood Electricity Providers.



Source: City of Lakewood, 2024; Pierce County GIS, 2024.

14.3 Goals and Policies

/ UT-1 Maintain an inventory of the approximate location and capacity of both current and planned utility facilities.

- UT-1.1 Integrate utility corridor and facility data into the city's Geographic Information System (GIS), and ensure this information is regularly updated through consultations with private utility providers.
- UT-1.2 Collaborate with utility providers to align the location of existing and future utility facilities with the broader objectives outlined in the Comprehensive Plan.

/ UT-2 Ensure public utilities are provided at levels of service that are adequate and in alignment with land use planning, environmental protection, and redevelopment needs.

- UT-2.1 Promote planning for utility services and facilities that are consistent with the growth and development strategies prescribed in the Comprehensive Plan.
- UT-2.2 Collaborate with utility providers on conservation efforts.
- UT-2.3 Encourage the siting, construction, operation, and decommissioning of utility systems to minimize adverse impacts on neighboring land uses.
- UT-2.4 Condition development approval on the capacity of existing utility systems to support the development without decreasing LOS, unless a financial commitment is made to provide service within a specified time frame.
- UT-2.5 Align the extension of utility services with anticipated growth and development patterns.
- UT-2.6 Collaborate with service providers and other utilities using rights-of-way to schedule improvements strategically, in order to minimize community disruption and reduce improvement costs.
- UT-2.7 Protect city rights-of-way and adjacent land uses from unnecessary impacts due to utility construction and maintenance.

/ UT-3 Provide efficient, cost-effective, and environmentally sound surface water and flood control solutions to maintain public safety, protect land uses, and maintain surface and groundwater quality.

- UT-3.1 Ensure the proper provision and maintenance of adequate storm and flood control facilities to manage surface flooding and comply with the National Pollutant Discharge Elimination System (NPDES) standards.
- UT-3.2 Maintain a state-approved Comprehensive Storm Water Management Program that meets or exceeds the standards of the National Pollutant Discharge Elimination System (NPDES).

- UT-3.3 Maintain the integrity of habitats as part of flood-control improvements.
- UT-3.4 Minimize increased impervious surface through design standards and public works policies.
- UT-3.5 Plan land acquisitions to address future needs for stormwater storage based on expected growth.
- UT-3.6 Participate in ongoing land management studies and water quality monitoring programs to manage pollutants.
- UT-3.7 Provide water quality education to the community in cooperation with the Pierce County Conservation District Stream Team Program.

/ UT-4 Ensure the costs for storm drain and flood-control systems are equitably shared by those who benefit from and contribute to them.

- UT-4.1 Require that new developments include on-site stormwater treatment facilities that comply with the city's stormwater management and site development standards, constructed concurrently with the development.
- UT-4.2 Require developers to bear the costs of necessary improvements to existing storm drain and flood control facilities, either through construction or fee payments.
- UT-4.3 Use benefit assessment and community facilities districts to distribute costs of specific local storm drain and flood-control improvements fairly between all beneficiaries.
- UT-4.4 Pursue funding opportunities to address roadway flooding in areas with insufficient storm drainage.
- UT-4.5 Support regular maintenance to storm drain and flood control facilities to ensure the capacity and function of the system is sustained.

/ UT-5 Coordinate efficient, economical, and ecologically sustainable sewage management to safeguard public health, preserve groundwater quality, and protect habitat.

- UT-5.1 Coordinate with Pierce County to ensure that sewer connection fees and monthly charges are sufficient to support the maintenance of existing facilities, and contribute to the operation, maintenance, repair, and replacement of these facilities.
- UT-5.2 Support Pierce County in assessing and meeting increased demand through the enhancement of existing facilities and/or the development of new collection and treatment infrastructure.

/ UT-6 Support a complete citywide sewer system and facilitate new growth by addressing service deficits and new demand.

- UT-6.1 Prioritize sewer extension projects areas expecting density increases or land use changes under the Comprehensive Plan.
- UT-6.2 Enforce mandatory sewer connections citywide.
- UT-6.3 Work with Pierce County, the City of Tacoma, and other jurisdictions to identify properties close to and within the UGA where sewer services are not provided, and coordinate with the appropriate agency to connect these properties to sewers.
- UT-6.4 Pursue external funding sources to extend major sewer lines, including grant funding and private development funding.
- UT-6.5 Require the construction of dryline sewers in roadways for developments beyond current sewer service areas, with mandatory covenants requiring future connection as a condition of approval for development.
- UT-6.6 Allow continued use of individual or community septic systems under suitable soil conditions until sewer connections become available.
- UT-6.7 Ensure that public sewage treatment and collection systems are installed and available for use concurrent with new development. Ensure the availability of public sewage treatment and collection systems concurrent with new developments.

/ UT-7 Ensure Lakewood has a safe and sufficient water supply with adequate storage and distribution facilities to meet future demand.

- UT-7.1 Maintain water supply and infrastructure levels to meet new growth demands, ensuring acceptable water pressure for fire flows and daily use.
- UT-7.2 Work with private water providers and governmental agencies to align new development approvals with existing water service capabilities.
- UT-7.3 Enhance water supply and fire flow capacity by coordinating interties with neighboring water purveyors.
- UT-7.4 Collaborate with other jurisdictions on long-term aquifer management.
- UT-7.5 Minimize water consumption through techniques such as site design, requirements for water-saving features in new construction, and promotion of water conservation practices.
- UT-7.6 Work with private water purveyors and the City of Tacoma to ensure new developments are responsible for the funding of capital investments to meet their service needs.

/ UT-8 Ensure that the city has a reliable, reasonably priced electrical supply that meets the demands of both existing and future land uses, maintains safety, and effectively integrates supporting infrastructure into the city.

- UT-8.1 Require that new developments demonstrate access to adequate electrical servicing.
- UT-8.2 Align the Puget Sound Energy Electrical Facilities Plan with city policy and use this plan as a guide for managing utility corridors and electrical facilities.
- UT-8.3 Preserve appropriate locations for power lines and electrical utility corridors and prohibit incompatible land uses that would be impacted by these facilities.
- UT-8.4 Coordinate the siting of electrical facilities and regulate development to protect from potential public health and welfare impacts.
- UT-8.5 Work with local energy providers to plan for future electrical infrastructure and ensure that existing facilities meet future developmental needs, manage aesthetic and health impacts, and are integrated into the community.

/ UT-9 Coordinate the installation of underground utilities with urban development initiatives, including new constructions, redevelopments, and significant street upgrades, to optimize aesthetic and functional cityscape improvements.

- UT-9.1 Coordinate the undergrounding of utilities with major street renovation projects to streamline construction efforts and minimize disruption.
- UT-9.2 Pursue funding to support undergrounding utilities in tandem with financing for road improvements to increase efficiency and project feasibility.
- UT-9.3 Require underground utility lines for all new developments, subdivisions, and major renovations where feasible.
- UT-9.4 Work with utility companies to develop strategic plans for the undergrounding of utilities, especially in visually significant areas such as Downtown and the I-5 Corridor.

/ UT-10 Use screening and landscaping around major utility structures to balance aesthetic concerns with operational integrity and environmental considerations.

- UT-10.1 Collaborate with utility providers to develop comprehensive right-of-way vegetation plans.
- UT-10.2 Require utility facilities to be reasonably and appropriately sited and screened to mitigate aesthetic impacts.
- UT-10.3 Support innovative approaches to fund improvements to address environmental and aesthetic impacts of utility infrastructure.

/ UT-11 Promote state-of-the-art local telecommunications systems to enhance connectivity, support economic growth, and improve public information access.

- UT-11.1 Align development regulations with public service obligations mandated for private utilities by federal and state laws.
- UT-11.2 Streamline the permit process for private utility facilities considering franchise agreements, development regulations, the Lakewood Comprehensive Plan, and existing codes.
- UT-11.3 Encourage and support telecommunications and cable companies expanding fiber optic networks and increasing network interconnectivity.
- UT-11.4 Collaborate with utility companies and public institutions, such as schools and colleges, to advance comprehensive community information services and promote local advancements to improve educational and business opportunities for residents.
- UT-11.5 Advocate for smaller, less intrusive telecommunications facilities that can integrate seamlessly into the existing environment.
- UT-11.6 Ensure the resilience of communications infrastructure during emergencies and disasters.
- UT-11.7 Regulate the siting, screening, and design of wireless, cellular, and antenna installations, ensuring these structures are reviewed fairly and predictably and consider federal and state requirements while minimizing visual and land use impacts.

/ UT-12 Support an integrated, efficient, and environmentally sustainable solid waste management system that includes reduction, recycling, and disposal.

- UT-12.1 Maintain comprehensive recycling and composting programs for both residential and commercial sectors, designed to maximize convenience and efficiency while diverting a wide array of materials from landfills.
- UT-12.2 Promote public and private recycling initiatives and supporting organizations.
- UT-12.3 Cooperate with government agencies, businesses, and institutions to plan and implement solid waste management strategies.
- UT-12.4 Maintain a residential hazardous waste program that ensures safe collection, recycling, and disposal of hazardous materials, emphasizing convenience and environmental safety.

/ UT-13 Ensure a reliable and safe supply of natural gas that is coordinated with city planning and meets expected needs for the future.

- UT-13.1 Work with providers to ensure that current and planned natural gas facilities can meet the expanded demands of existing and new development.
- UT-13.2 Ensure that natural gas facilities are designed and situated to integrate with surrounding land uses.

- UT-13.3 Protect gas line utility corridors from encroachment by incompatible uses and activities.
- UT-13.4 Consider the effects of climate change policy and changes in the consumption of different types of energy on the management of natural gas facilities in the city.

15 Implementation

15.1 Introduction

The adoption of a Comprehensive Plan does not complete the land-use planning process. Planning is an ongoing process, and the Comprehensive Plan is a living document that must respond to changing laws, changing local circumstances, and evolving community values. The success of Lakewood's comprehensive planning effort will be measured in the end by the degree to which the Plan is implemented; to ensure successful implementation, mechanisms must be in place to provide for ongoing administration, monitoring, and amendments.

This element differs in format from other Comprehensive Plan elements because it establishes specific mechanisms for responding to implementation needs. The purpose of the implementation approaches contained in this chapter is three-fold:

- Ensuring effective, fair, and impartial administration and enforcement of the Comprehensive Plan and its implementing ordinances and programs;
- Ensuring the Comprehensive Plan continues to reflect the needs and desires of the Lakewood community; and
- Ensuring the Comprehensive Plan is regularly reviewed and amended consistent with state law.

15.2 Purpose and Use of the Comprehensive Plan

The Comprehensive Plan provides a guide and general framework for development in Lakewood that reflects community desires. The goals and policies contained in the Plan will encourage and inform public and private investments in development but, by themselves, will not ensure that Lakewood becomes the community it wants to be. The City of Lakewood will use the Plan to help focus, design, and interpret needed ordinances, incentives, regulations, policies, and programs adopted to implement it.

The Comprehensive Plan will not be relied upon in reviewing applications for specific development projects, except when reference to the Comprehensive Plan is expressly required by an applicable development regulation.

15.3 Goals and Policies

15.3.1 Consistency

/ IM-1 Ensure that the Lakewood Comprehensive Plan complies with state, regional, and county requirements.

- IM-1.1 Ensure the Comprehensive Plan is consistent with the provisions of the GMA.
- IM-1.2 Ensure consistency of the Comprehensive Plan with the PSRC MPPs and Pierce County CPPs.
- IM-1.3 Maintain clear documentation and references with regards to how the Comprehensive Plan integrates and fulfills these requirements.

/ IM-2 Ensure consistency and coordination between the Lakewood Comprehensive Plan and the Comprehensive Plans of Pierce County, Steilacoom, Tacoma, and University Place.

- IM-2.1 Consider aligning policies that apply to common areas or issues with neighboring communities.
- IM-2.2 Rely on consistent population projections, planning horizons, and other relevant data that are consistent with practices in Pierce County, Steilacoom, Tacoma, and University Place.
- IM-2.3 Circulate Plan updates and amendments to Pierce County, Steilacoom, Tacoma, University Place, and other jurisdictions as needed.

/ IM-3 Ensure that the Lakewood Comprehensive Plan is an internally consistent document with clear steps for implementation.

- IM-3.1 Develop an implementation strategy for the Comprehensive Plan that includes regulatory and non-regulatory measures needed.
- IM-3.2 Ensure the implementation strategy for the Comprehensive Plan considers necessary changes to the Lakewood Municipal Code.
- IM-3.3 Include a schedule for the adoption or amendment of the development regulations identified in the implementation strategy.
- IM-3.4 Ensure that the implementation strategy is a public document available for review.

15.3.2 Public Engagement

/ IM-5 Promote active engagement by residents and stakeholders in an open and transparent planning process, especially vulnerable populations and members of overburdened communities.

- IM-5.1 Implement procedures for accessible public participation with the Comprehensive Plan and associated documents, including:
- Widespread distribution of proposals,
 - Opportunities for submitting written comments,
 - Public meetings with effective notice,
 - Ensuring environments for open discussion,
 - Maintaining communication programs,
 - Coordinating information services, and
 - Responding thoughtfully to public feedback.
- IM-5.2 Use diverse and accessible methods to communicate effectively with all members of the public throughout the planning process.
- IM-5.3 Strive for inclusive community engagement, drawing in groups previously underrepresented in planning discussions.
- IM-5.5 Demonstrate how public comments have been incorporated into the Comprehensive Plan and development regulation legislative actions.
- IM-5.5 Record all public meetings held for outreach for planning.
- IM-5.6 Clearly reference the sources of data used in the Comprehensive Plan and development regulations.

/ IM-6 Coordinate updates and amendments to the Comprehensive Plan based on a regular schedule.

- IM-6.1 Revise the Lakewood Comprehensive Plans and development regulations for compliance with GMA requirements by December 31, 2024, with subsequent reviews conducted on or before June 30, 2034 and every 10 years thereafter.
- IM-6.2 Coordinate a five-year periodic review of the Comprehensive Plan by December 31, 2029, and provide the Department of Commerce a progress report detailing implementation conducted for the Comprehensive Plan to that date.
- IM-6.3 Update the Transportation Element of the Lakewood Comprehensive Plan and create a Climate Change and Resiliency Element as part of the initial implementation progress report due by December 31, 2029, pending availability of funding.
- IM-6.4 Limit amendments and revisions to the Comprehensive Plan to no more than once annually.

- IM-6.5 Permit emergency amendments to the Comprehensive Plan more frequently than once per year when necessary to address immediate concerns vital to the community's health, safety, and welfare.

15.3.3 Tribal Coordination

- / IM-7 Foster collaborative and respectful coordination with federally recognized Indian Tribes whose reservations or ceded lands are within Pierce County.**
- IM-7.1 Engage in good faith negotiations to develop a memorandum of agreement with any federally recognized Indian Tribe about collaboration and participation in the planning process upon receiving a Tribal resolution indicating their interests within Pierce County and intent for collaboration.
- IM-7.2 Coordinate and collaborate on planning efforts with Tribes in areas of mutual interest, based on the guidelines and commitments established in the memorandum of agreement.
- IM-7.3 Provide options for communication and engagement for Tribes which are not subject to a memorandum of agreement but have reservations or ceded lands in the city.

15.4 Implementation Strategies

While this Comprehensive Plan provides a complete set of policies for the City of Lakewood, the implementation of the Plan is implemented and executed through a range of different actions. This section outlines specific strategies that the city can employ to fulfill the goals and policies set out in each Element of the Plan.

For each action provided here as part of the strategies, the following information is provided:

- The other related Elements that could also be implemented through these actions;
- The expected lead departments/agencies and other potential partners involved with this work; and
- The expected timeline for this work, which in addition to periodic and regular actions, can include “short-term” actions intended over the 1–2 years after approval of the Plan, “moderate-term” actions intended to be completed before the five-year Plan review, and “long-term” actions intended to be completed five years or more from approval.

The following actions highlight how the Comprehensive Plan elements can be implemented but are not intended to be exhaustive. Ongoing policymaking, programming, and guidance are expected to be developed through the regular biennial budgets, individual plans and strategies by topic area, and ongoing planning by the City Council.

For the abbreviations below:

- CED = Department of Community and Economic Development
- PRCS = Department of Parks, Recreation, and Community Services
- PWE = Public Works Engineering

15.4.1 General

Actions	Related Elements	Lead/Partners	Timeline
GE-A Schedule and conduct regular updates and reviews of the Comprehensive Plan to comply with ongoing legal requirements and to address emerging community needs and priorities.	(all)	CED (Long Range Planning); Planning Commission	Regular/yearly
GE-B Maintain comprehensive and accessible public engagement procedures that encourage active participation from all community sectors, particularly vulnerable and traditionally underrepresented groups.	(all)	CED (Long Range Planning); City Manager; Lakewood's Promise Advisory Board; Youth Council	Short-term
GE-C Explore improved coordination with Tribal governments through memoranda of agreement.	(all)	CED (Long Range Planning); City Manager	Moderate-term
GE-D Develop a regular public reporting framework to identify and report progress on the implementation of Comprehensive Plan policies.	(all)	CED (Long Range Planning); Planning Commission	Short-term
GE-E Develop a methodology for a 5-year implementation status report as part of the Comprehensive Plan monitoring.	(all)	CED (Long Range Planning); Planning Commission	Moderate-term
GE-F Develop an annual legislative agenda and proactively engage with the county council, state legislature, and federal delegation to receive assistance in achieving city goals.	(all)	City Council; City Manager; all departments	Regular/yearly

15.4.2 Land Use

Actions		Related Elements	Lead/Partners	Timeline
LU-A	Review zoning designations to confirm alignment with the revised Comprehensive Plan land use designations and the Future Land Use Map (FLUM).	Housing; Capital Facilities and Essential Public Facilities	CED (Long Range Planning); Planning Commission	Regular/yearly
LU-B	Regularly monitor development trends and buildable land capacity and update the City Council on necessary Comprehensive Plan amendments to help meet growth targets.	Implementation (Public Engagement)	CED (Long Range Planning), CED (Development Services); Planning Commission	Regular/yearly
LU-C	Examine minimum density standards in selected areas such as the Downtown to maximize land use for housing and employment.	Housing	CED (Long Range Planning)	Moderate-term
LU-D	Simplify the city code to improve usability for developers and streamline use.	Housing	CED (Long Range Planning), CED (Development Services); Planning Commission	Moderate-term

15.4.3 Capital Facilities and Essential Public Facilities

Actions	Related Elements	Lead/Partners	Timeline
CF-A Conduct periodic assessments to ensure all city services and utilities comply with the Comprehensive Plan and effectively meet community needs.	Public Services; Utilities	PWE	Regular/yearly
CF-B Regularly review the need for demand management strategies and conservation measures to address increases in service demand.	Public Services; Utilities	PWE; CED (Long Range Planning)	Moderate-term
CF-C Periodically review the provision of urban services and utilities to the city's Urban Growth Area (UGA) to determine if service delivery is optimal.	Public Services; Utilities	PWE (Capital Projects); CED (Long Range Planning)	Short-term
CF-D Maintain a transparent and efficient process for siting essential public facilities that considers environmental and community impacts.	Public Services; Utilities	CED (Long Range Planning); PWE (Capital Projects); Planning Commission	Moderate-term/ongoing
CF-E Maintain and regularly revise the city's Capital Improvement Program.	Public Services; Utilities	PWE (Capital Projects); CED (Long Range Planning)	Regular/yearly

15.4.4 Economic Development

Actions		Related Elements	Lead/Partners	Timeline
ED-A	Maintain an Economic Development Strategy to guide local actions that can enhance business growth and promote local economic development.	Land Use; Transportation; Public Services; Utilities; Housing	CED (Economic Development); City Manager	Moderate-term
ED-B	Provide regular reporting and analysis of local economic data (e.g., land use trends, employment forecasts, retail analyses) to support local actions.		CED (Economic Development)	Regular/yearly
ED-C	Regularly conduct comprehensive surveys and outreach among local businesses to pinpoint prevailing challenges and fine-tune business retention strategies		CED (Economic Development)	Regular/periodic
ED-D	Create marketing materials and supporting information about available tax incentives, grants, and other financial mechanisms that can assist in business development and economic expansion.		CED (Economic Development)	Short-term
ED-E	Engage in marketing and business retention and expansion activities to enhance the city's image as a prime location for business and investment, highlighting the city's strategic advantages and quality of life.		CED (Economic Development)	Ongoing
ED-F	Monitor city permitting and licensing processing times to identify any potential issues and determine necessary action.	Housing; Utilities	CED (Economic Development); CED (Development Services); PWE (Engineering Services)	Regular/yearly
ED-G	Enhance information sharing between the city, real estate brokers, developers, and financial institutions to keep the city informed about emerging development trends, available properties, current market vacancies, and pertinent economic issues.		CED (Economic Development); real estate representatives	Short-term/ongoing
ED-H	Maintain site selection resources to help match available commercial and industrial spaces with the specific needs of both new and established businesses in the community.		CED (Economic Development); Administrative Services (Information Technology)	Administrative Services (Information Technology)

15.4.5 Energy and Climate Change

Actions	Related Elements	Lead/Partners	Timeline
EC-A Increase community awareness about climate change through educational campaigns and local sustainability efforts through workshops and partnerships with local organizations.	Implementation (Public Engagement)	CED (Long Range Planning); PWE (Engineering Services)	Short-term/ongoing
EC-B Develop a hazards management plan that includes strategies for both pre-incident and post-incident management to enhance community resilience.	Public Services	City Manager; West Pierce Fire & Rescue; Lakewood Police Department; neighboring communities	Moderate-term
EC-C Work with transportation agencies on ongoing programs to improve and enhance public transit services and reduce the community's reliance on private vehicles.	Transportation	PWE (Transportation); WSDOT; Sound Transit; Pierce County Transit; neighboring communities	Ongoing
EC-D Increase the use of renewable energy sources like solar and wind power by the city.	Capital Facilities and Essential Public Facilities	CED (Long Range Planning); PWE (Engineering Services); PRCS (Property Management)	Short-term
EC-E Promote energy and water conservation practices in the design, construction, and maintenance of city-owned buildings.	Capital Facilities and Essential Public Facilities	PWE (Engineering Services); PRCS (Property Management)	Short-term/ongoing
EC-F Provide public information about conservation practices.	Implementation (Public Engagement)	CED (Long Range Planning); PWE (Engineering Services)	Short-term
EC-G Review the feasibility of installing EV charging stations and implement installations where possible.	Transportation	CED (Long Range Planning); PWE (Transportation)	Short-term
EC-H Develop an Energy & Climate Change Implementation Plan to guide the actions to carry out energy, climate change, and resilience policies from this Element.	Natural Environment, Transportation, Capital Facilities and Essential Public Facilities; Land Use	City Manager; CED (Long Range Planning); all departments	Short-term

15.4.6 Housing

Actions	Related Elements	Lead/Partners	Timeline
HO-A Regularly update and maintain a Housing Action Plan to provide strategic guidance on how best to achieve housing goals.		CED (Long Range Planning); CED (Housing & Community Services)	Moderate-term
HO-B Regularly compile statistics on housing construction and demolition by type to provide regular reports on changes to housing in the community and progress towards identified goals.	Land Use	CED (Development Services); CED (Long Range Planning)	Regular/yearly
HO-C Periodically review the use of housing incentives such as the Multifamily Tax Exemption (MFTE) program to ensure these programs promote desired residential development in targeted areas and support the sustainability of diverse housing options within the community.	Land Use; Economic Development	CED (Economic Development)	Moderate-term
HO-D Review the Building Code and Fire Code to determine options for reducing building costs and improving the efficiency of development without compromising the health and safety of building occupants.	Land Use; Public Services	CED (Long Range Planning); CED (Development Services); West Pierce Fire & Rescue (Fire Marshal)	Short-term
HO-E Explore additional incentives for infill development to encourage the use of available capacity.	Land Use	CED (Long Range Planning)	Short-term
HO-F Partner with developers and other organization to demonstrate diverse and innovative housing types that could address a variety of residential needs.		CED (Development Services)	Ongoing
HO-G Provide support such as pre-approved plans to encourage the development of Accessory Dwelling Units (ADUs).		CED (Long Range Planning); CED (Development Services)	Short-term
HO-H Coordinate with nonprofit organizations, regional housing authorities, and other agencies to plan for supportive housing to meet identified city targets.		CED (Long Range Planning); CED (Housing & Community Services); Community Services Advisory Board	Ongoing
HO-I Coordinate outreach to manufactured home park owners and residents to facilitate preservation as affordable housing.		CED (Long Range Planning); CED (Housing & Community Services)	Moderate-term

15.4.7 Military Compatibility

Actions	Related Elements	Lead/Partners	Timeline
MC-A Provide regular monitoring of city land use to identify activities that could negatively affect JBLM operations, ensuring all planning aligns with relevant growth and safety guidelines.	Land Use	CED (SSMCP); CED (Long Range Planning); JBLM	Ongoing
MC-B Maintain coordination efforts with JBLM through structured consultation and notification processes for any city actions potentially impacting military facilities	Land Use	CED (SSMCP); CED (Development Services); CED (Long Range Planning); JBLM	Ongoing
MC-C Act as the fiscal agent and provide administrative support for the South Sound Military & Communities Partnership, ensuring active participation at executive levels.		CED (SSMCP)	Ongoing
MC-D Amend local zoning codes and ordinances to include land use compatibility requirements, including those that promote sound attenuation and account aircraft safety and military operational noise.	Land Use	CED (SSMCP); CED (Long Range Planning)	Short-term
MC-E Engage with JBLM and surrounding communities through the SSMCP to provide comprehensive planning for the needs for off-base housing for base staff.	Land Use	CED (SSMCP); CED (Long Range Planning); JBLM; neighboring communities	Ongoing

15.4.8 Natural Environment

Actions		Related Elements	Lead/Partners	Timeline
NE-A	Maintain and periodically update the city's Critical Areas and Resource Lands Ordinance and related plans to incorporate the latest scientific research and adaptive management insights as required by the Growth Management Act (GMA).	Land Use	CED (Long Range Planning); PWE	Moderate-term
NE-B	Maintain the city's Shoreline Master Program (SMP) and Restoration Plan, consistent with Growth Management Act and the state Shoreline Management Act, including salmon recovery provisions.	Shoreline Master Program; Land Use	CED (Long Range Planning); CED (Development Services); PWE; American Lake Management District No. 1 Advisory Committee	Moderate-term
NE-C	Provide comprehensive environmental stewardship resources both online and in print, offering materials in multiple languages to increase engagement and distribution.	Implementation (Public Engagement)	CED (Long Range Planning); CED (Development Services); PWE	Short-term
NE-D	Provide public information about compliance with the city tree protections, especially with respect to the Oregon white oak.	Implementation (Public Engagement)	CED (Long Range Planning); CED (Development Services); PWE	Short-term
NE-E	Provide information to landowners and developers to encourage the use of non-structural methods for flood prevention and mitigation to maintain natural flood storage functions and reduce the impact of flood events.	Land Use; Implementation (Public Engagement)	CED (Development Services); PWE	Short-term
NE-F	Maintain surface and groundwater monitoring programs to support efforts to reduce pollution sources impacting major water bodies within the city.		PWE (Surface Water Management Program)	Ongoing
NE-G	Initiate projects to restore and enhance riparian zones to maintain their ecological functions, improve water quality and support biodiversity.		PWE (Surface Water Management Program); American Lake Management District No. 1 Advisory Committee	Short-term/ongoing
NE-H	Maintain and expand the urban forestry program to increase tree coverage, promote tree health, and ensure the preservation of significant tree stands throughout the city.		CED (Long Range Planning); CED (Development Services); PWE (Engineering Services); Tree Advisory Committee	Short-term/ongoing
NE-I	Ensure that the development process includes oversight to preserve the ecological functions of wetlands and achieve "no net loss" in wetland value and function.	Land Use	CED (Development Services); PWE (Surface Water Management Program)	Short-term/ongoing

Actions		Related Elements	Lead/Partners	Timeline
NE-J	Coordinate planning to develop and enhance safe public access to shorelines and lakes, ensuring the protection of natural habitats while promoting recreational use that does not compromise ecological health.	Land Use	CED (Long Range Planning); CED (Development Services)	Moderate-term

15.4.9 Parks, Recreation, and Open Space

Actions	Related Elements	Lead/Partners	Timeline
PR-A Regularly update the Parks, Recreation, and Open Space Plan to reflect evolving community needs and ensure alignment with related city elements and strategies.		PRCS (all); Parks & Recreation Advisory Board	Moderate-term
PR-B Review barriers to access for individual parks and provide planning for the elimination of these barriers, including upgrades to meet Americans with Disabilities Act (ADA) standards.	Transportation; Capital Facilities and Essential Public Facilities	PRCS (all); Parks & Recreation Advisory Board	Short-term
PR-C Implement and maintain engagement programs to involve residents, community groups, and stakeholders in the planning and development of park facilities and programs.	Implementation (Public Engagement)	PRCS; Parks & Recreation Advisory Board	Short-term/ongoing
PR-D Develop programming for parks and public spaces that showcase local art and cultural elements that highlight the community's heritage and diversity.		PRCS (Operations & Maintenance); Parks & Recreation Advisory Board; Lakewood Arts Commission	Ongoing
PR-E Provide regular reporting on park and open space improvements in the city and progress towards identified goals.		PRCS (Capital Projects); Parks & Recreation Advisory Board	Regular/yearly
PR-F Pursue various external funding mechanisms, including federal, state, and private/non-profit grants, to finance park and recreation projects.		PRCS (Capital Projects); Parks & Recreation Advisory Board	Ongoing
PR-G Ensure the city's website maintains user-friendly information about parks to improve visitor communication and engagement. This can include facility maps, trail maps, details about available amenities, and integration with on-site signage.		PRCS; Administrative Services (Information Technology); Parks & Recreation Advisory Board	Short-term/ongoing

15.4.10 Public Services

Actions		Related Elements	Lead/Partners	Timeline
PS-A	Conduct regular community outreach activities to educate the public about fire safety and hazardous materials management.	Implementation (Public Engagement)	West Pierce Fire & Rescue; Public Safety Advisory Board	Short-term/ongoing
PS-B	Regularly assess the impact of growth on emergency services to guide changes in management and resource planning.	Capital Facilities and Essential Public Facilities	West Pierce Fire & Rescue; Public Safety Advisory Board	Regular/yearly
PS-C	Coordinate plans to reduce EMS response times to four minutes.		West Pierce Fire & Rescue; Public Safety Advisory Board	Moderate-term
PS-D	Provide regular support from the city for community-based crime prevention programs.		Lakewood Police Department (Specialty Units); Public Safety Advisory Board	Moderate-term
PS-E	Maintain a comprehensive emergency management plan that includes pre-incident and post-incident strategies to address potential disasters.	Energy and Climate Change	City Manager; Public Safety Advisory Board; West Pierce Fire & Rescue; Lakewood Police Department; neighboring communities	Moderate-term
PS-F	Provide for regular engagement with public services providers to assess and address community needs through strategic planning and collaboration.	Implementation (Public Engagement)	West Pierce Fire & Rescue; Lakewood Police Department; City Manager; Public Safety Advisory Board	Short-term/ongoing
PS-G	Provide a framework for regular engagement with the local school district to ensure that school facilities planning can accommodate future students and potentially meet the needs for community facilities.	Implementation (Public Engagement)	Clover Park School District; PRCS (Operations & Maintenance); PRCS (Recreation)	Ongoing
PS-H	Explore the development of new library facilities, services, and outreach programs to meet growing demand, especially in underserved communities.		Pierce County Library System; City Manager	Ongoing

15.4.11 Subareas

Actions		Related Elements	Lead/Partners	Timeline
SA-A	Develop and implement redevelopment and subarea plans for Springbrook, the Pacific Highway SW corridor, and selected residential arterials.	(all)	CED (Long Range Planning)	Moderate-term
SA-B	Regularly monitor development trends and buildable land capacity within subareas and update the City Council on necessary Subarea Plan amendments to help meet subarea growth targets.	Land Use; Housing	CED (Long Range Planning); CED (Development Services)	Regular/yearly

15.4.12 Transportation

Actions	Related Elements	Lead/Partners	Timeline
TR-A Amend and regularly update the Lakewood Engineering Design Standards to ensure alignment with desired improvements to streetscapes and local transportation improvements.	Capital Facilities and Essential Public Facilities	PWE (Transportation)	Moderate-term
TR-B Regularly update and amend the city's six-year Transportation Improvement Program according to the priorities included in the Comprehensive Plan.	Capital Facilities and Essential Public Facilities	PWE (Transportation)	Regular/yearly
TR-C Implement a traffic safety program aimed at achieving zero fatalities and serious injuries using a Safe System Approach, with regular reviews and updates based on data analysis.	Public Services	PWE (Transportation); Lakewood Police Department	Moderate-term/ongoing
TR-D Revise and enforce design standards for pedestrian and bicycle facilities to align with national guidelines and local needs	Parks, Recreation, and Open Space; Capital Facilities and Essential Public Facilities	PWE (Transportation); PRCS (Capital Projects)	Short-term
TR-E Continue collaborations with county and regional entities to fund and implement significant multimodal transportation improvements	Capital Facilities and Essential Public Facilities	PWE (Transportation); City Manager	Ongoing
TR-F Develop and implement an ADA Transition Plan for city facilities and transportation infrastructure.	(all)	City Manager; all departments	Short-term
TR-G Provide guidance for Transportation Demand Management (TDM) strategies used by development projects as impact mitigation.	Land Use	PWE (Transportation); CED (Long Range Planning)	Moderate-term
TR-H Coordinate a commute trip reduction plan with local businesses, transit agencies, and other entities to decrease traffic.	Land Use; Economic Development	PWE (Transportation)	Moderate-term
TR-I Implement and regularly update the Non-Motorized Transportation Plan to highlight pedestrian and bicycle infrastructure as integral components of the local multimodal transportation system.	Capital Facilities and Essential Public Facilities	PWE (Transportation); PRCS (Capital Projects)	Moderate-term
TR-J Implement a street light placement policy focused on enhancing pedestrian safety through better lighting, especially in newly developed or redeveloped areas.	Capital Facilities and Essential Public Facilities	PWE (Transportation)	Short-term

Actions		Related Elements	Lead/Partners	Timeline
TR-K	Coordinate a review of the potential for local micro-transit and “first mile last mile” services with Pierce County Transit.		PWE (Transportation); Sound Transit; Pierce County Transit; neighboring communities	Moderate-term
TR-L	Work closely with WSDOT, neighboring jurisdictions, and regional transit authorities to ensure coherent transportation planning.	Capital Facilities and Essential Public Facilities	PWE (Transportation); WSDOT; Sound Transit; Pierce County Transit; neighboring communities	Ongoing

15.4.13 Urban Design

Strategy		Related Elements	Lead/Partners	Timeline
UD-A	Develop and implement community design guidelines for commercial, industrial, and multifamily residential development. These should consider the design elements and features that give specific areas a distinctive character.	Land Use; Housing	CED (Long Range Planning); CED (Development Services)	Moderate-term
UD-B	Develop an individual identity for the International District through branding, visitor engagement, and city-sponsored events.	Land Use; Economic Development	CED (Economic Development); CED (Long Range Planning); CED (Development Services)	Moderate-term
UD-C	Capitalize on historical sites in the area such as Fort Steilacoom, Lakewold Gardens, and the Lakewood Colonial Theater, as well as other local amenities like the lakes and parks.	Land Use; Parks, Recreation, and Open Space	PRCS (Recreation); Landmarks and Heritage Advisory Board	Moderate-term
UD-D	Provide guidelines and resources to encourage the inclusion of public art from local artists in development projects to enrich the urban environment and celebrate local culture.	Land Use; Housing; Parks, Recreation, and Open Space	PRCS (Operations and Maintenance); Lakewood Arts Commission	Moderate-term
UD-E	Create guidelines for unified design themes and consistent wayfinding for public street facilities to strengthen community identity.	Land Use; Transportation; Parks, Recreation, and Open Space	CED (Long Range Planning); CED (Development Services); PWE (Transportation); PRCS (Operations & Maintenance)	Moderate-term
UD-F	Collaborate with state or regional organizations to develop materials that encourage implementation of Universal Design standards for housing accessibility.	Land Use; Housing	CED (Housing & Community Services); CED (Development Services)	Moderate-term

15.4.14 Utilities

Strategy		Related Elements	Partners	Timeline
UT-A	Maintain a comprehensive schedule to manage and update data on utility corridors and facilities with private utility providers.	Public Services; Capital Facilities and Essential Public Facilities	CED (Long Range Planning); Administrative Services (Information Technology); PWE (Engineering Services)	Short-term/ongoing
UT-B	Develop materials and engage with utility providers to ensure that the placement and planning of all utility facilities align with the goals and objectives of the Comprehensive Plan	Public Services; Capital Facilities and Essential Public Facilities	PWE (Engineering Services)	Short-term/ongoing
UT-C	Plan and implement necessary upgrades to flood control systems to meet NPDES standards.	Natural Environment	PWE	Short-term/ongoing
UT-D	Maintain a clear cost-sharing framework to fairly distribute the costs of storm drain and flood-control improvements among beneficiaries.	Natural Environment; Capital Facilities and Essential Public Facilities	PWE (Capital Projects)	Short-term
UT-E	Create plans for the undergrounding of utilities and coordinate these efforts with other infrastructure projects.	Capital Facilities and Essential Public Facilities	PWE (Capital Projects)	Moderate-term

16 Glossary

Accessory Dwelling Unit (ADU). A dwelling unit located on the same lot as a single-family housing unit, or duplex, triplex, fourplex, townhome, or other permitted housing unit. These can be “attached” which is located within or attached to the primary unit, or “detached” which consists partly or entirely of a building that is separate from the primary unit and is on the same lot.

Accident Potential Zones (APZ). Areas in the vicinity of military airfield runways where an aircraft mishap is most likely to occur if one were to occur. These areas are required to have limited development to prevent significant impacts from air accidents.

Activity Units (AUs). A measure of total activity used by PSRC that is calculated as the total of jobs and population.

Affordable Housing. Residential housing for households where monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the monthly income of the household. Affordable housing is typically defined with respect to different income levels based on area median income, with 80% of median income (considered “low income”) typically used as the threshold for affordable rental housing.

Air Installation Compatibility Use Zone (AICUZ). A program developed by the Department of Defense to promote public health and safety and protect the operational capability of the air installation through the local adoption of compatible land use controls. These land use controls are intended to promote community growth that is compatible with the airfield operations.

Americans with Disabilities Act (ADA). The Act is a 1990 federal law designed to prohibit discrimination against people with disabilities in everyday activities and guarantee equal access to jobs, transportation, public facilities, and services.

Area Median Income (AMI). The household income that is assumed to be the median for a household within an area. For the purposes of housing, this is projected by the US Department of Housing and Urban Development and is assumed to represent the median income for a family household of four people. With respect to these calculations, Lakewood is assumed to be part of the Tacoma, WA HUD Metro Fair Market Rent Area.

Best Available Science (BAS). The most up-to-date information available for planning and development decision-making, which is defined and required by the Growth Management Act as per RCW [36.70A.172](#).

Buffer. An area contiguous with a critical area that is required for the integrity, maintenance, function, and stability of that critical area.

Bus Rapid Transit (BRT). A bus-based transportation system that includes additional features to deliver fast and efficient service, such as dedicated lanes, busways, traffic signal priority, off-board fare collection, elevated platforms, and enhanced stations.

Capital Facilities. Capital facilities are tangible assets that generally have a long useful life and include city and non-city operated infrastructure, buildings, and equipment. Under WAC [365-196-415](#), at a minimum, those capital facilities to be included in an inventory and analysis are transportation, water systems, sewer systems, stormwater systems, reclaimed water facilities, schools, parks and recreation facilities, and police and fire protection facilities.

Center of Municipal Importance (CoMI). A Center of Municipal Importance is designated to identify a local center or activity node that is consistent with regional and local planning. Such an area is intended to promote compact, pedestrian-oriented development with a mix of uses, proximity to diverse services, and a variety of appropriate housing options, or are otherwise located in an established industrial area.

Climate Adaptation. Actions taken to adapt to unavoidable impacts as a result of climate change.

Climate Change. The change in global and regional climate patterns apparent from the mid- to late-twentieth century onward and attributed largely to increased levels of atmospheric carbon dioxide from the use of fossil fuels.

Climate Resilience. The ongoing process of anticipating, preparing for, and adapting to changes in climate and minimizing negative impacts to our natural systems, infrastructure, and communities.

Comprehensive Land Use Plan, Comprehensive Plan, or Plan. A generalized coordinated land use policy statement of the governing body of a county or city that is adopted pursuant to Chapter [36.70A](#) RCW.

Concurrency. A state planning requirement to ensure that needed services and facilities are in place by the time development is completed and to be occupied, or that funding has been committed to provide such services within 6 years, as per RCW [36.70A.070](#)(6)(b) and WAC [365-196-840](#).

Consistency. A measure of whether any feature of the Comprehensive Plan or a regulation is incompatible with any other feature or a plan or a regulation. The Growth Management Act addresses consistency in three ways: (1) internal consistency of comprehensive plans, (2) consistency of zoning and regulations with the comprehensive plan, and (3) consistency with other jurisdictions.

Cost Burden. A measure of the percent of household income spent on housing and housing-related expenditures. Households that spend more than 30% of their gross income on housing, including utilities, are considered “cost-burdened”, while households spending more than 50% of their gross income are considered “severely cost-burdened”.

Cottage Housing. Detached residential units on a lot with a common open space that either: (a) is owned in common; or (b) has units owned as condominium units with property owned in common and a minimum of 20% of the lot size as open space.

Cottage. A detached, primary dwelling unit with a footprint of 1,000 square feet or less.

Countywide Planning Policies (CPPs). Under the Growth Management Act, counties and cities are required to collaboratively develop countywide planning policies to set the general framework for coordinated land use and population planning under RCW [36.70A.210](#).

Courtyard Housing. Up to eight attached dwelling units arranged on two or three sides of a yard or a court.

Covered Employment. Employment covered under state unemployment insurance which is identified as part of labor statistics in the state. Covered employment does not typically include self-employed workers, proprietors, and other non-insured workers.

Critical Aquifer Recharge Areas. Areas that are determined to have a critical recharging effect on aquifers used for potable water.

Critical Areas Ordinance (CAO). An ordinance provided under city code to protect the functions and values of ecologically sensitive areas while allowing for reasonable use of private property, through the application of best available science; implement the GMA and the natural environment goals of the Comprehensive Plan; and protect the public from injury and loss due to slope failures, erosion, seismic events, volcanic eruptions, or flooding.

Critical Areas. Areas and ecosystems that require protection of resources important to the natural environment, wildlife habitats, and sources of fresh drinking water. Under RCW [36.70A.030](#)(6), there are five types of critical areas: (a) wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas.

Density. A measure of the intensity of residential development, usually expressed as the number of people, jobs, or housing units per acre.

Development Regulation. Controls placed on the development or land use activities including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, subdivision ordinances, and binding site plan ordinances.

Displacement. The relocation of current residents or businesses from their current location due to external factors. Displacement can be physical (e.g., the demolition or removal of a housing unit), economic (e.g., relocation due to rising rents), and/or cultural (e.g., ongoing displacement in a local cultural community hastened due to fewer social connections).

Duplex. Two primary attached dwelling units on a lot in any configuration intended for two separate households. Note that a single-family dwelling unit with an attached or detached accessory dwelling unit is not a duplex.

Dwelling Unit. One or more rooms located within a structure, designed, arranged, occupied, or intended to be occupied by one or more persons as living accommodations.

Easement. A grant by the property owner to the public, a corporation, or persons, of the use of land for a specific purpose and on or over which the owner will not erect any permanent improvements which serve to interfere with the free exercise of that right.

Environmental Impact Statement (EIS). A document that identifies potential environmental impacts of a proposed project or action, as required under the State Environmental Protection Act. This can include potential impacts on earth, water resources, plants and animals, land use patterns and environmental justice, plans and policies, population and employment, housing, aesthetics, cultural and historic resources, transportation, public services, and utilities.

Essential Public Facility. Capital facilities of a countywide or statewide nature which have characteristics that make them extremely difficult to site. Essential public facilities include, but are not limited to, sewage treatment plants, reservoirs, electrical substations and transmission lines, local airport and port facilities, landfills and solid waste transfer stations, senior high schools, community colleges, four-year colleges and universities, correctional institutions, special population diagnostic or treatment facilities, opioid treatment programs (including both mobile and fixed-site medication units), recovery residences, harm reduction programs (excluding safe injection sites), and inpatient facilities (including substance use disorder treatment facilities, mental health facilities, group homes, community facilities, and secure community transition facilities), stormwater retention or detention facilities serving large drainage basins, and major transit facilities.

Fish and Wildlife Habitat Conservation Areas. Areas necessary for maintaining species in suitable habitats within their natural geographic distribution so that isolated subpopulations are not created.

Floor Area Ratio (FAR). A measure of development intensity calculated as the gross building area of qualifying improvements on a site divided by the net area of a parcel of property. This is typically expressed as a decimal (not as a percentage).

Fourplex. A building consisting of four primary attached dwelling units intended for four separate households on a lot in any configuration.

Frequently Flooded Areas. Lands in the floodplain subject to a 1% or greater chance of flooding in any given year. These areas could include, but are not limited to, streams, lakes, wetlands and their associated floodplains, flood fringes or the Federal Emergency Management Agency (FEMA) floodway. A flood hazard area consists of the floodplain, flood fringe, and FEMA floodway.

Future Land Use. Policy designations in the Comprehensive Plan that describe use types, densities, and intensities allowed in different areas of the city.

Future Land Use Map (FLUM). A required component of the Comprehensive Plan that shows the proposed physical distribution and location of the various land uses during the planning period.

Geologically Hazardous Areas. Areas that may not be suited to development consistent with public health, safety, or environmental standards, because of their susceptibility to erosion, sliding, earthquake, or other geological events. Types of geologically hazardous areas include erosion, landslides, and seismic hazards.

Goal. A broad, general statement of the community's desired long-term future state. Goals indicate what ought to exist in the community or what is desired to be achieved in the future.

Growth Management Act (GMA). The 1990 State Growth Management Act (Chapter [36.70A](#) RCW), as amended. This statute provides the basis for much of the urban planning in the state of Washington and includes requirements for comprehensive planning for communities.

Habitat. The place or type of site where a plant or animal naturally or normally lives and grows.

High-Occupancy Vehicle (HOV). A motor vehicle with two or more people traveling in it. This may include carpools, vanpools, and transit.

High-Capacity Transit (HCT). Public transportation services within an urbanized region operating principally on exclusive rights-of-way, and the supporting services and facilities necessary to implement such a system, including interim express services and high occupancy vehicle lanes, which taken as a whole, provides a substantially higher level of passenger capacity, speed, and service frequency than traditional public transportation systems operating principally in general purpose roadways (RCW [81.104.015](#)).

Household. A group of people, related or unrelated, living within the same housing unit. This can include a person living alone, a family, or roommates.

Impervious Surface. A surface that cannot be easily penetrated by water, such as buildings or concrete paving.

Income-Restricted Housing or **Rent-Restricted Housing.** Housing units subject to a regulatory agreement, covenant, or other legal document on the property title requiring them to be available to households that can document their incomes as being at or below a set income limit and are offered for rent or sale at below-market rates.

Infill Development. Projects that build new structures on vacant or underutilized land in areas that were previously developed, typically without demolishing existing structures.

Infrastructure. Public and private physical assets that provide services necessary to support existing and future development, such as roads, public buildings, schools, parks, transportation, water, sewer, surface water and communication systems.

Level of Service (LOS). A measure of the performance of a public facility in providing necessary functions to meet public needs and expectations.

Location Quotient. The ratio of the proportion of local employment in a sector to the proportion of regional employment in the sector.

Major Transit Stop. A stop on a high-capacity transportation system such as commuter rail stops, stops on rail or fixed guideway systems, and stops on bus rapid transit routes.

Manufactured Home. A structure designed and constructed to be transportable in one or more sections and built on a permanent chassis, and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities that include plumbing, heating, and electrical systems contained therein.

Manufactured Housing Community. A site divided into two or more manufactured home lots for sale or lease and intended for permanent residential use.

Market-Rate Housing. Housing which is bought, sold, and/or rented in the open market with no restrictions on the purchase price or rent charged.

Middle Housing. Buildings that are compatible in scale and, form, and character with single-family detached houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, townhouses, courtyard apartments, and cottage housing.

Mixed Use Development. A project that combines more than one general category use on a site, such as residential, office, or retail. This can include “vertical” mixed-use where these uses are found in the same structure, or “horizontal” mixed-use where different uses are found in adjacent buildings on the same site.

Mode Split. The proportion of trips that use different modes of transportation.

Mode. A particular category of travel, such as walking, bicycling, driving alone, carpool/vanpool, bus/transit, ferry, or airplane.

Municipal Code or the **Lakewood Municipal Code (LMC).** The local law of the municipal corporation of Lakewood, duly enacted by the proper authorities, prescribing general, uniform, and permanent rules of conduct relating to the corporate affairs of the municipality.

Multicounty Planning Policy (MPP). An official statement adopted in VISION 2050 to provide guidance for regional decision-making, as well as a common framework for countywide planning policies and local comprehensive plans.

Multifamily Housing or **Apartment.** A structure containing five or more attached dwelling units located on a lot.

Multimodal. Issues or activities which involve or affect more than one mode of transportation, such as transportation connections, choices, cooperation, and coordination of various modes.

National Pollutant Discharge Elimination System (NPDES). A federal permit program created in 1972 by the Clean Water Act which addresses water pollution by regulating point sources that discharge pollutants to waters of the US.

Nonconforming Use. The use of a land or structure which was lawful when established but no longer conforms to current regulations. Typically, nonconforming uses are permitted to continue, subject to certain restrictions.

Nonmotorized Transportation. Any mode of transportation that utilizes a power source other than a motor, such as bicycling or walking.

Nonpoint Source Pollution. Pollution that enters water from dispersed and uncontrolled sources (such as surface runoff) rather than through pipes.

On-Street Parking. Parking provided within the public right-of-way of a street.

Open Space. A parcel or area of land that is essentially unimproved and devoted to the preservation of natural resources, the managed production of resources, and/or passive or low-impact recreation.

Permanent Supportive Housing (PSH). Subsidized, leased housing with no limit on length of stay intended for people who need comprehensive support services to retain tenancy and admissions practices that can lower barriers to entry related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with off-site voluntary services for behavioral health and physical health conditions intended to help residents retain their housing and be a successful tenant in a housing arrangement, improve their health status, and connect them with community-based health care, treatment, or employment services.

Planned Action. A planned action is a development project whose impacts have been addressed by an Environmental Impact Statement associated with a plan for a specific geographic area before individual projects are proposed. Such up-front analysis of impacts and mitigation measures then facilitates environmental review of subsequent individual development projects.

Planning Period. The 20-year period following the adoption of a comprehensive plan, or such longer period as may have been selected as the initial planning horizon by the planning jurisdiction.

Plex. A building that consists of two to six primary attached dwelling units intended for separate households on a lot in any configuration.

Point Source Pollution. A source of pollutants from a single, identifiable point of conveyance such as a pipe. For example, the discharge pipe from a sewage treatment plant is a point source.

Policy. A principle, protocol, or proposal for action that supports a related goal. Policies are decision-oriented statements that guide the legislative or administrative body while evaluating a new project or proposed change in ordinance.

Public Facilities and Services. Facilities, infrastructure, and services that provide a specific public benefit, including sanitary and storm sewer systems, water supply, energy, public safety, and emergency services, schools, libraries, and other facilities. These facilities and services are provided by governments, contracted for or by governments, or provided by private entities subject to public service obligation.

Puget Sound Regional Council (PSRC). The PSRC is a regional planning and decision-making body for growth and transportation issues in King, Kitsap, Pierce, and Snohomish counties. Under federal transportation law, the Council is the Metropolitan Planning Organization (MPO) responsible for regional transportation planning and programming of federal transportation funds in the four counties. It is also the designated Regional Transportation Planning Organization for the four counties. PSRC manages the adopted regional growth strategy, VISION 2050 (see below).

Redevelopable Land. Non-vacant parcels currently in use with structures and improvements on the site, but not considered to be at their “highest and best use”. These sites are potential locations for new projects where existing improvements on the site are demolished and new buildings and improvements can be constructed.

Regional Growth Center. A mixed-use center formally designated by PSRC that includes housing, employment, retail, and entertainment uses. Regional growth centers are pedestrian-oriented, which

allows people to walk to different destinations or attractions and are well-served by transit. Regional growth centers are planned for significant additional growth. Downtown Lakewood is the only PSRC designated regional growth center in the city.

Regional Growth Strategy. The approach for distributing population and employment growth within the four-county central Puget Sound region included as part of VISION 2050.

Regulation. A rule or directive found in city ordinances or the municipal code that meets the public interest and need and supports the community's framework vision, guiding principles, and goals and policies.

Right-of-Way. The right-of-way is the right to pass over the property of another. It refers to a strip of land legally established for the use of pedestrians, vehicles, or utilities.

Secure Community Transition Facility (SCTF). A residential facility for persons civilly committed and conditionally released to a less restrictive environment. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services.

Shoreline Master Program (SMP). Local land use policies and regulations that guide the public and private use of Washington shorelines under the State Shoreline Management Act (Chapter [90.58](#) RCW).

Single-Occupancy Vehicle (SOV). A motor vehicle occupied only by a driver.

Single-Family Attached Housing. A primary dwelling unit designed for occupancy by one household located on a lot and sharing at least one wall with another attached dwelling unit.

Single-Family Detached Housing. A primary dwelling unit designed for occupancy by one household located on a lot and not sharing any walls with other primary dwelling units.

South Sound Military & Communities Partnership (SSMCP). An organization with a membership consists of more than fifty cities, counties, tribes, nonprofits, corporations, organizations, and JBLM, formed in 2011 to foster communication and mutual benefits related to complex issues affecting the military and civilian communities.

Special Needs Housing. Housing that is provided for persons, and their dependents who, by virtue of disability or other personal factors, face serious impediments to independent living and who require special assistance and services in their residence. Special needs housing may be permanent, long term or transitional basis.

Species of Local Importance. Those species of local concern due to their population status or their sensitivity to habitat manipulation, or that are game species.

State Environmental Policy Act (SEPA). The State Environmental Policy Act, or Chapter [43.21C](#) RCW, is the state law passed in 1971 requiring State and local agencies to consider environmental impacts in the decision-making process.

STEP Housing. Emergency shelters, transitional housing, emergency housing, and permanent supportive housing.

Stormwater. Water that falls as rain and flows across the ground, which is typically directed to drains in an urban area to collect the water and eventually direct it to streams, lakes, or other large water bodies.

Streetscape. The physical and aesthetic characteristics of a street, including elements such as structures, access, greenery, open space, view, lighting, etc.

Townhouse. One of multiple attached primary dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides.

Transit. Motorized public transportation, including public bus, bus rapid transit, and commuter rail.

Tree Canopy. The layer of leaves, branches, and stems that provide tree coverage of the ground when viewed from above. See also urban forest.

Transitional Housing (TH). A facility that provides housing and supportive services for up to two years to individuals or families experiencing homelessness to enable them to move into independent living and permanent housing.

Transition Plan. A plan under the ADA that is required under [28 CFR 35.150](#) to outline the steps necessary to make city facilities more accessible and provide a schedule for compliance under the ADA.

Transportation Analysis Zone (TAZ). A unit of geography that is typically used for transportation and utility modeling.

Transportation Demand Management (TDM). A program used to maximize travel choices for people and encourage a more efficient use of transportation systems. These strategies are meant to reduce congestion, ease traffic, and improve the range of transportation options available by encouraging carpooling, biking, public transit, or telecommuting.

Trip Generation. The number of trips made to and from each type of land use by day. Trip generation provides the linkage between land use and travel.

Trip. A one-direction movement which begins at an origin and ends at a destination, which is the typical unit of transportation planning.

Triplex. A building consisting of three primary attached dwelling units on a lot in any configuration intended for three separate households.

U.S. Department of Housing and Urban Development (HUD). The federal agency responsible for housing programs. HUD sets income limits for metropolitan areas and counties across the country that determine eligibility for income-restricted housing units.

Undergrounding. The construction or relocation of electrical wires, telephone wires, and similar facilities underground.

Undevelopable Land. Land unsuitable for development due to site conditions and not considered as part of the inventory of development capacity in the city.

Urban Growth Area (UGA). An unincorporated area designated under the Growth Management Act to accommodate projected growth over the next 20 years. A UGA may include areas that are provided urban services, such as sanitary sewer and water.

Urban Growth. Growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW [36.70A.170](#). When allowed to spread over wide areas, urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

Urban Forest. The trees and associated understory plants existing in the city, extending across public property, private property, and the right of way including parks and natural areas, as well as the trees along streets and in yards.

Vehicle Miles Traveled (VMT). A measurement of the total miles traveled by all vehicles for a specified time period. For transit, the number of vehicle miles operated on a given route, line, or network during a specified time period.

VISION 2050. The long-range growth management, environmental, economic, and transportation strategy for King, Pierce, Snohomish, and Kitsap counties. It was adopted by the Puget Sound Regional Council in October 2020 and is endorsed by more than one hundred member cities, counties, ports, state and local transportation agencies, and Tribal governments within the region.

Watershed. All the land and water that drains toward a particular river, stream, or other body of water. A watershed includes hills, lowlands, and the body of water into which the land drains.

Wetlands. Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands if permitted by the city.

Zoning Overlay. Areas that are subject both to underlying regulations from a zoning district and additional requirements imposed by an overlay district. The overlay district provisions apply if they conflict with the provisions of the underlying zone.

Zoning. A category of land use regulations that manage the use and development of land for distinct, identified areas.

ATTACHMENT B

Tillicum-Woodbrook Subarea Plan (TWSP)

JULY 2024

Executive Summary

The Tillicum-Woodbrook Subarea Plan (TWSP) represents a significant update and expansion to the original 2011 Tillicum Neighborhood Plan, which now includes the Woodbrook area to reflect their shared community interests and geographical proximity. This strategic planning document is aligned with the City of Lakewood's Comprehensive Plan, detailing specific goals, policies, and actions designed to guide development and enhance community cohesion over the next two decades. The update aims to address uncompleted actions from the previous plan and integrates new objectives based on extensive community feedback and current socioeconomic data.

The TWSP highlights key areas of focus such as housing diversity, economic development, transportation, and environmental resilience, aimed at fostering a sustainable community that accommodates growth while preserving quality of life. Significant changes include initiatives to increase residential density, create new community and civic spaces, and enhance multimodal transportation options to improve connectivity within the subarea and the broader Lakewood region. These efforts are underpinned by the desire to support a thriving community that reflects its rich diversity and historical heritage.

Additional investments in infrastructure and public services are prioritized to support the community's social and economic needs. This includes expanding public access to American Lake, improving local educational facilities, and fostering economic opportunities through strategic partnerships with local businesses and regional agencies. The plan also places a strong emphasis on environmental stewardship, advocating for sustainable development practices and the protection of local natural resources, particularly American Lake and surrounding ecosystems.

The goals outlined in the TWSP include the following:

- Goal #1:** Celebrate the Tillicum-Woodbrook Community Center, Tillicum Elementary School, Harry Todd Park, and Pierce County Library branch as the heart of the Tillicum-Woodbrook Subarea.
- Goal #2:** Increase visibility of Tillicum's and Woodbrook's diverse community by investing in leadership development and the neighborhood's ability to advocate for community needs.
- Goal #3:** Diversify Tillicum's and Woodbrook's housing options to support current residents in Lakewood.

- Goal #4:** Connect Tillicum and Woodbrook to Lakewood and Pierce County through a multi-modal transportation network to increase access to employment and social activities.
- Goal #5:** Increase economic development opportunities within Tillicum and Woodbrook.
- Goal #6:** Protect Tillicum and Woodbrook's natural environment and increase adaptability and resiliency for Tillicum and Woodbrook as communities significantly impacted by air quality and climate change.

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Introduction

The Tillicum Neighborhood Plan (TNP) was originally adopted in 2011. In 2022, the City of Lakewood produced a status report of the Tillicum Neighborhood Plan's implementation and adopted an Addendum to the TNP explaining progress to date to make the Plan's vision a reality. While much has been accomplished to realize the visions and priorities discussed in the original Tillicum Neighborhood Plan, many of the plan's Action Items are not yet complete.

In September 2022, the city announced that the Tillicum Neighborhood Plan would be replaced with a Tillicum-Woodbrook Subarea Plan (TWSP) as part of the 2024 Comprehensive Plan Periodic Review (24CPPR) process. While the 2011 Plan boundaries were reserved to the Tillicum neighborhood north of I-5, the 2024 update incorporated the Woodbrook area south of I-5 due to the historical community connection between the two areas.

Background

Relationship to the Comprehensive Plan

The City of Lakewood Comprehensive Plan guides the City's overall strategy for growth and development over a twenty-year horizon. It sets the goals and policies for a variety of topics, such as land use, housing, economic development, climate and resiliency, transportation, and the environment. The city has several subarea plans that are recognized in and complement the Comprehensive Plan, including the Tillicum-Woodbrook Subarea Plan, Lakewood Station District Subarea Plan, and Downtown Subarea Plan.

Subarea plans are long-range plans for a specific geography within a jurisdiction. Subarea plans are to be in alignment with the Comprehensive Plan and the City's overall land use strategy but offer the opportunity for more tailored planning to help articulate and implement a subarea's vision, values, and priorities.

Planning Area

The boundaries of the Tillicum neighborhood and Woodbrook area are provided in **Exhibit 1**. Located in southeast Lakewood, the area is bounded by I-5 and the former Burlington Northern Santa Fe (BNSF) (now owned by Sound Transit) railroad to the southeast, Camp Murray to the southwest, the American Lake shoreline to the northwest, and private gated communities to the northeast.

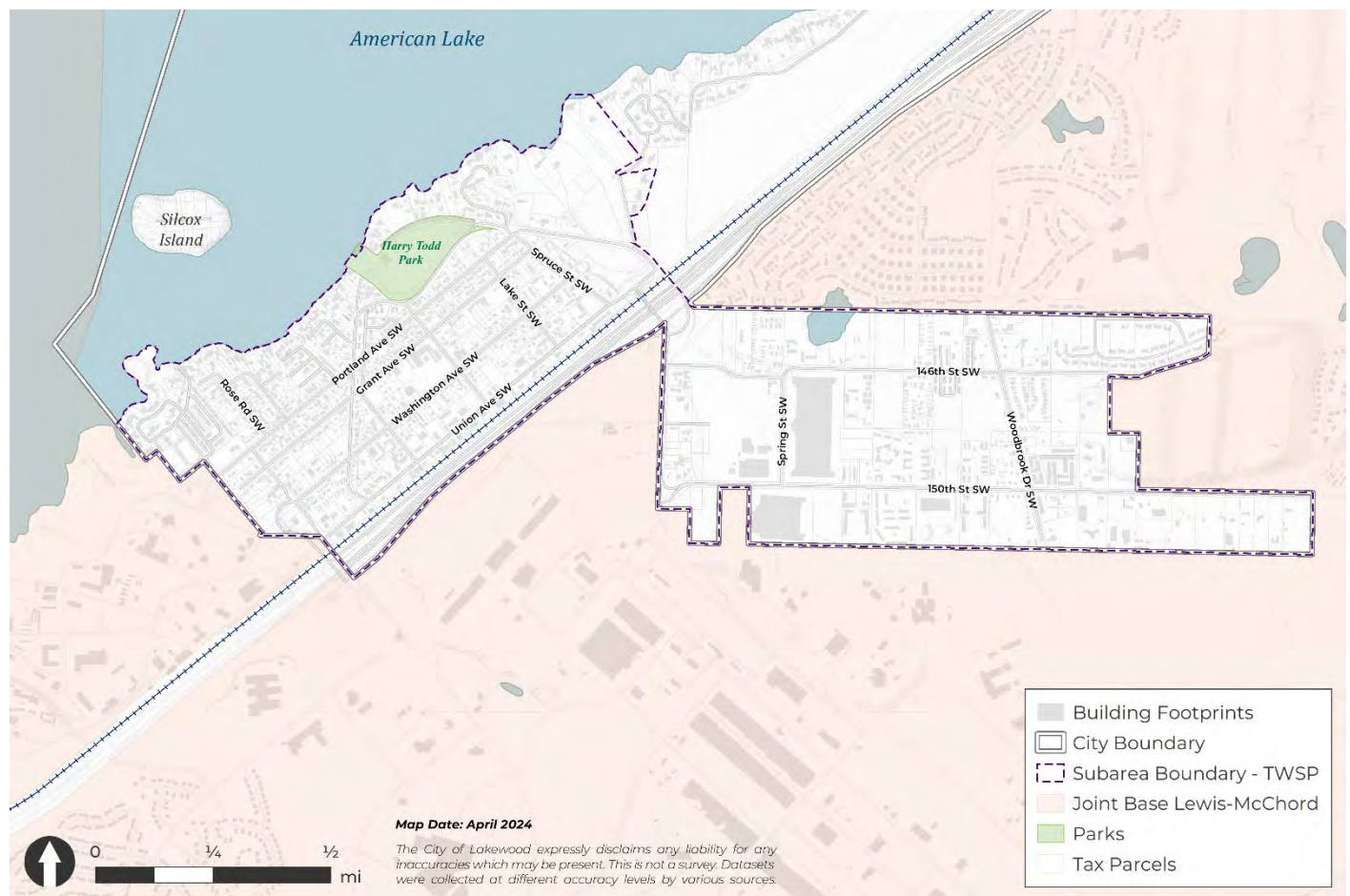
Exhibit 2 shows current land use in Tillicum and Woodbrook. The western portion of Tillicum includes single-family residential development with a few multi-unit residential buildings. Commercial development is concentrated between Washington Avenue SW and Union Avenue SW, though there are small pockets of commercial uses in the residential areas. There is one park, Harry Todd Park, in the northwest corner of Tillicum. Woodbrook, across I-5 from Tillicum, contains industrial uses, as well as some commercial and multi-unit residential development. The city rezoned many parcels in Woodbrook in the 2010's to reflect the vision of the city that it would be an area for industrial and warehouse uses.

Exhibit 3 shows key landmarks within the Tillicum-Woodbrook Planning Area. Landmarks are important components of a community and are individual structures or points. They are external points of reference to guide movement and provide orientation. Notable landmarks in the Tillicum-Woodbrook Planning Area include:

- Harry Todd Park
- Thornewood Castle
- Commencement Bay Rowing Club

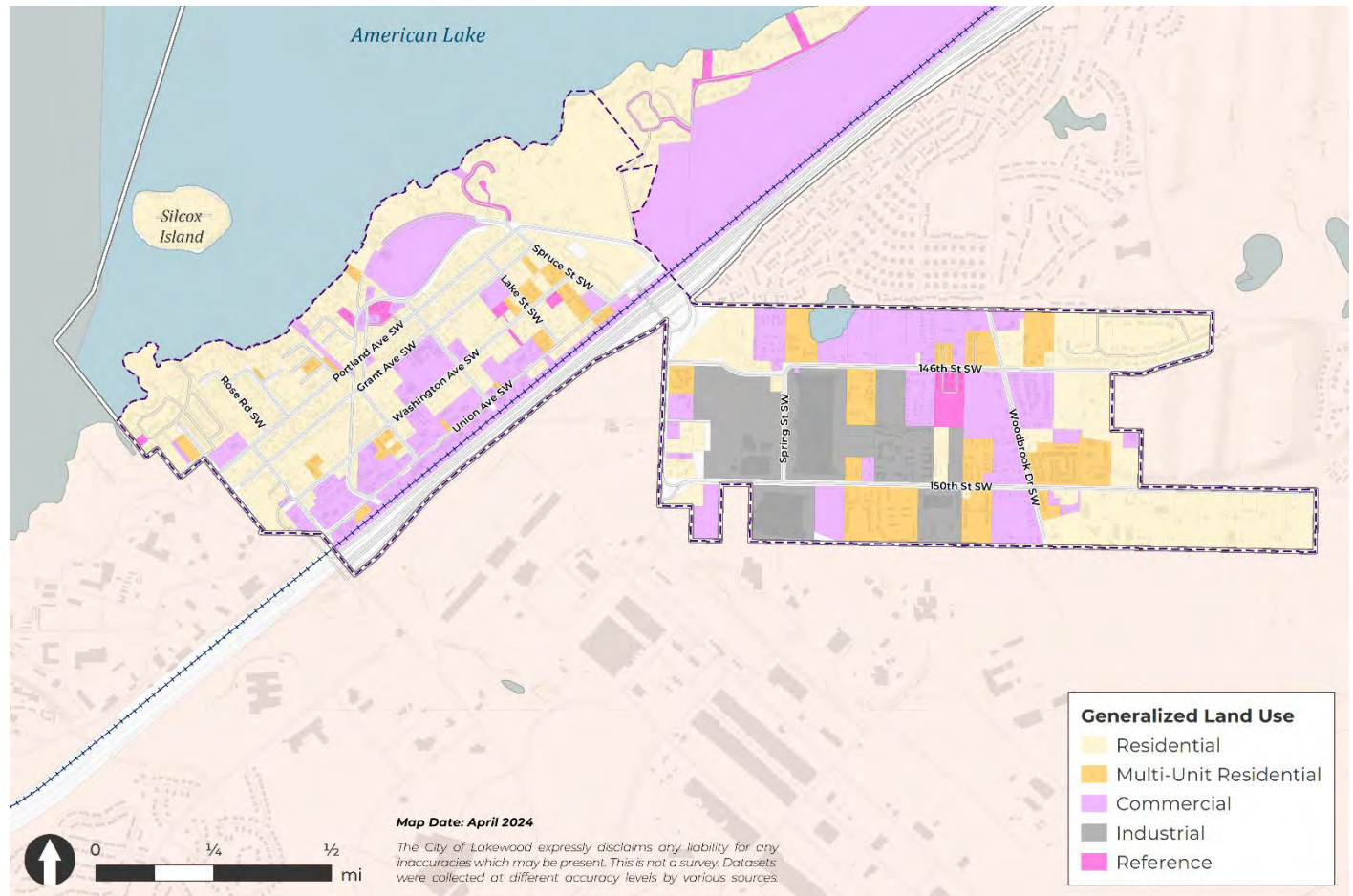
- Tillicum Elementary School
- Tillicum Pierce County Library
- West Pierce Fire and Rescue Station 23
- YFC Tillicum Youth and Family Center
- Veteran's Foreign Wars (VFW)
- New Testament Christian Church of Woodbrook
- Woodbrook Community Church Media Ministry
- Woodbrook Stables and Events Center

Exhibit 1. Tillicum-Woodbrook Planning Area.



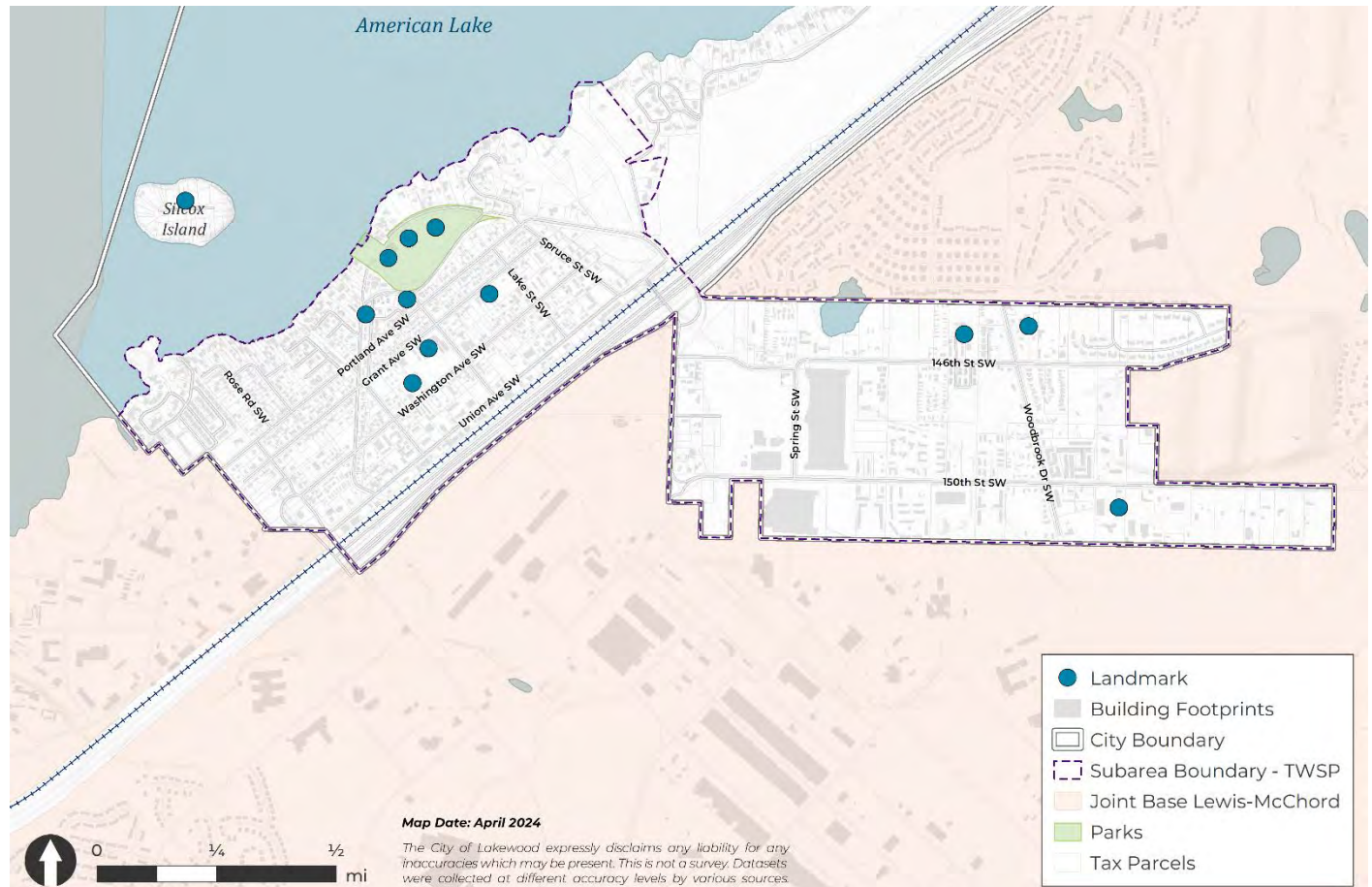
Sources: City of Lakewood, 2024; Pierce County GIS, 2024.

Exhibit 2. General Land Use – Tillicum-Woodbrook Planning Area.



Sources: City of Lakewood, 2024; Pierce County GIS, 2024.

Exhibit 3. Landmarks – Tillicum-Woodbrook Planning Area.



Sources: City of Lakewood, 2024; Pierce County GIS, 2024.

Planning History

Development in the Tillicum and Woodbrook areas pre-dated the City's 1996 incorporation. Since the Tillicum Neighborhood Plan was developed by the City of Lakewood in 2009, in addition to the extensive sewer extensions that have been brought into Tillicum by the City, several other regional and citywide planning efforts have occurred or are currently underway. Planning efforts focused on the Tillicum-Woodbrook Planning Area are described briefly below. More information on regional and citywide planning efforts can be found in **Appendix A: Tillicum-Woodbrook Existing Conditions Report**.

- **Transportation Improvements (2021-2025):** Washington State Department of Transportation (WSDOT) is developing the Gravelly Thorne Connector, a non-motorized, shared use path that will provide much needed pedestrian and bicycle connection to and from Tillicum without having users on Sound Transit railroad right-of-way or the shoulder of I-5. Despite a two-year delay in schedule due to inflationary impacts and recent WSDOT retirements, construction of the path is expected to be complete in July 2026. Despite the delays, some improvements have been completed, including the creation of a dedicated I-5 northbound auxiliary lane from the Thorne Lane interchange to the Gravelly Lake Drive interchange and a dedicated I-5 southbound auxiliary lane from the Gravelly Lake Drive interchange to the Thorne Lane interchange. These were created specifically to connect the Tillicum and Woodbrook neighborhoods to the rest of the City of Lakewood.
- **Mixed Residential 2 (MR2) Rezone (2022):** In 2022, the City of Lakewood rezoned several properties in Tillicum from Single Family Residential (3) to Mixed Residential 2 (MR2). The MR2 zone, along with the Mixed-Residential 1 (MR1) promotes residential renewal to small-lot detached single-family residential dwellings, attached single-family dwellings, two-family residential development, and small-scale multifamily development. These zones 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. Development standards for the Mixed Residential zones are intended to encourage increased residential densities.
- **Tillicum Center of Municipal Importance (COMI) Boundaries Expansion (2022):** In 2022, the City updated the boundaries of the Tillicum COMI to better reflect current land use zoning.
- **Opportunity Zones (2017):** The federal Opportunity Zone program was created through the 2017 Tax Cuts and Jobs Act. This program provides tax incentives through the form of a deferral on capital gains tax to encourage investors to create an Opportunity Zone Fund to invest in businesses and development projects in low-income census tracts. Each state can label up to 25% of low-income census tracts as an Opportunity Zone for investment. Within Lakewood, there are three census tracts that have been identified, including in the TWSP subarea. The goal of the program is to see investment in geographic areas that have historically had a lack of investment to spur economic growth. The hope of the program is to create a pathway for public/private partnerships for new business opportunities. However, there are no real provisions or recommendations on what kind of investment can

be made. Additional outreach and strengthened partnerships between neighborhood leaders and City staff will be critical in establishing a joint vision for what Tillicum and Woodbrook can be in the next 20 years.

- **Woodbrook Business Park:** In 2000-1, the City of Lakewood created a 117.5-acre industrial zoned area in Woodbrook to stimulate sewer extension and to bring jobs to the area. Since then, the city has extended the Industrial Zoning to more than 188 acres in Woodbrook and has completed sewer connection improvements in the area. The area is referred to as the Woodbrook Business Park. See **Exhibit 4**.

Exhibit 4. Woodbrook Business Park – January 2022



Source: City of Lakewood, 2024.

Goals and Policies

This section consists of goals, policies, and actions. Goals are broad statements that express the vision for what a community should be and/or offer its residents, workers, and visitors. Policies offer direction for how the City can work towards those goals, and actions are specific things that the City can do to achieve the goals and implement the vision for the community.

This section includes the incomplete “tasks” (now labeled as policies) and actions identified in the 2022 Addendum to the 2011 Tillicum Neighborhood Plan. Edits to these policies and actions are shown to include Woodbrook, reflect updated community feedback, and to reflect lessons learned from the Existing Conditions Report (ECR). These policies and actions have been sorted under six newly developed goals, which were also informed by community feedback and the ECR. For a list of all of the 2011 TNP actions done or ongoing, please see the [2022 Addendum to the 2011 Tillicum Neighborhood Plan](#).

New policies and actions have also been developed to further support each of the six goals and are labeled as such.

Goal #1: Celebrate the Tillicum-Woodbrook Community Center, Tillicum Elementary School, Harry Todd Park, and Pierce County Library branch as the heart of the Tillicum-Woodbrook Subarea.

The Tillicum-Woodbrook Community Center, Tillicum Elementary School, Harry Todd Park, and Pierce County Library offer a variety of services to the community and are gathering spaces for community members to come together. Transportation and land use decisions should support adequate mobility, and social and economic opportunities to support these centers as the lifeline of the neighborhood.

Policy 1.1 Encourage public and private investment in human services, Tillicum-Woodbrook Community Center, Tillicum Elementary School, and the arts.

Actions related to Policy:

- Build administrative and programming capacity of the Tillicum-Woodbrook Community Center through continued partnerships in programming and supporting local planning efforts.
- Identify and encourage financial support to Tillicum-Woodbrook Community Center, including for needed physical improvements.
- Continue to support Tillicum Elementary School in Tillicum as a critical part of the community that should be retained in its current location.

Policy 1.2 Expand public access to American Lake to increase recreation opportunities for all residents.

Actions related to Policy:

- Expand public access to shorelines.
- Identify additional opportunities to provide public access to American Lake within Tillicum, including access for residents with disabilities.
- Invest in non-motorized connections to American Lake from Woodbrook.

Policy 1.3 Support youth activities and programs.

Actions related to Policy:

- Identify and appropriate funding to provide recreational activities and life skills programs for youth.
- Improve facilities in community centers, schools, and parks to provide youth facilities for after-school and weekend activities for youth.

Goal #2: Increase visibility of Tillicum's and Woodbrook's diverse community by investing in leadership development and the neighborhood's ability to advocate for community needs.

Compared to Lakewood, Tillicum and Woodbrook are becoming more diverse at a faster pace. The city should continue to bolster its relationship with stakeholders and continue to respond to neighborhood concerns to build the neighborhoods' identities as a home for families.

Policy 2.1 Invite all Lakewood residents to visit Tillicum-Woodbrook and celebrate its identity as a family-friendly neighborhood and as a regional destination.

Actions related to Policy:

- Host City events at Harry Todd Park and other community spaces in Tillicum-Woodbrook.
- In partnership with community members and organizations, establish a gateway enhancement program at the entrances to Tillicum and Woodbrook.

Policy 2.2 Support and encourage community-based leadership development and capacity building through regular communication with neighborhood and civic organizations.

Actions related to Policy:

- Work with the Tillicum-Woodbrook community toward identifying and resolving community issues.
- Engage Tillicum-Woodbrook community members on future planning processes and capital projects.
- Develop clear communication procedures to ensure City staff are accessible to community members and support relationship-building between the city leadership and the community.
- Identify and encourage opportunities for administrative and financial support for community-led planning processes, projects, and initiatives in Tillicum and Woodbrook.

Policy 2.3 Celebrate Tillicum and Woodbrook's history.

Actions related to Policy:

- Develop marketing materials, wayfinding, public art, and landmarks that share Tillicum and Woodbrook's histories.

Policy 2.4 Ensure residents continue to live in Tillicum and Woodbrook.

Actions related to Policy:

- Engage with community members to better understand displacement risk in Tillicum-Woodbrook.
- Develop anti-displacement strategies informed by the lived experience of community members.
- Promote and distribute information about area housing assistance and programs and health initiatives.
- Support placemaking as a strategy to prevent cultural displacement.

Policy 2.5 Invest in new community spaces and civic institutions in Woodbrook

Actions related to Policy:

- Seek funding and opportunities for community spaces, civic spaces, and capital facilities in Woodbrook.
- Continue to engage Woodbrook residents on local concerns, and neighborhood priorities.

Goal #3: Diversify Tillicum's and Woodbrook's housing options to support current residents in Lakewood.

Tillicum and Woodbrook have higher eviction rates and more cost-burdened households than Lakewood overall. More Tillicum and Woodbrook families also rent, which puts them at a higher risk of displacement than homeowners. Providing additional housing options, supported with partnerships with local and state organizations, can help increase housing opportunities.

Policy 3.1 Encourage and support efforts to increase homeownership.

Actions related to Policy:

- Provide residents with information on State, County, and local programs that support homeownership for first-time home buyers, veterans, and residents with disabilities, such as down payment assistance.
- Support affordable housing developers in building multi- and single-family housing for households with low incomes.

Policy 3.2 Provide a range of housing options to meet community needs.

Actions related to Policy:

- Support the development and preservation of housing for households with very low-, low-, and moderate incomes to support the City in providing capacity for housing at all income levels.
- Plan to encourage a variety of housing options in the city to allow military personnel and their families to live within 30 minutes of the base.
- Invest in housing opportunities for individuals with special needs and for seniors.
- Establish an overlay district to maintain and preserve existing mobile and manufactured homes as affordable housing options, particularly in Woodbrook.
- Encourage infill development¹ that is consistent in scale to surrounding development.
- Develop pre-approved plans for ADUs.
- Update the City's adopted housing incentives program (LMC 18A.90.050) as appropriate to include a variety of options (e.g., density bonuses, fee waivers, reduced zoning requirements, expedited permitting, etc.). Develop marketing efforts to stimulate use of the City's program.

¹ Infill development refers to the process of developing vacant and underutilized land within exiting developed areas.

- Work with the Clover Park School District to address the need for school facilities as redevelopment takes place.

Policy 3.3 Encourage and support access to affordable, safe, and connected housing options.

Actions related to Policy:

- Support agencies and organizations that provide housing and related services to households with very low-, low-, and moderate-incomes, and encourage their acquisition of affordable rental housing.
- Seek funding opportunities to support local housing and social service providers.
- Encourage and plan for mixed-use development so residents can live near commercial establishments and services.
- Require that on-site amenities such as walkways, trails, or bike paths be connected to adjacent public facilities.
- Establish public programs and/or public-private partnerships to encourage and assist redevelopment of outdated or substandard multi-family dwellings aimed at providing opportunities for affordable housing.
- Partner with community-based organizations on financial subsidies for property and home improvement.
- Discourage new gated communities as an impediment to social integration within neighborhoods.
- Hold joint landlord training sessions with the Tillicum, Woodbrook, and American Lake Gardens neighborhoods.

Goal #4: Connect Tillicum and Woodbrook to Lakewood and Pierce County through a multi-modal transportation network to increase access to employment and social activities.

I-5 is the main transportation corridor in Lakewood and runs through the Tillicum and Woodbrook Subarea. About 79% of residents have a commute time of 20 minutes or greater. Compared to Lakewood overall, Tillicum has a higher rate of residents with a commute time between 20-39 minutes. Multimodal transportation improvements (such as improved transit service, bike lanes) could help improve traffic flow and reduce car dependency as a primary form of transportation.

Policy 4.1 Evaluate on-street parking needs in Tillicum and Woodbrook and implement curb management strategies as needed to ensure public access to businesses and homes in Tillicum and Woodbrook.

Actions related to Policy:

- Study on-street parking needs and opportunities along Union Avenue SW, Berkeley Street SW, and other key arterials in Tillicum and Woodbrook.

Policy 4.2 Invest in infrastructure to support mobility needs and address mobility barriers of neighborhood residents.

Actions related to Policy:

- Partner with Pierce Transit and Sound Transit on quality capital facilities, adequate lighting, and amenities at bus stops and the planned Sounder train station.
- Improve accessibility and access to bus stops through sidewalks, curb ramps, and other pedestrian amenities in accordance with design guidance from ADA.
- Work with Pierce Transit on innovative transit solutions to improve access to social and employment activities.

Policy 4.3 Prioritize investments in vehicle infrastructure to support connecting Tillicum and Woodbrook to other parts of Lakewood.

Actions related to Policy:

- Seek a method of providing an “internal” connection between Tillicum and the northern part of the city besides I-5.
- Seek out grants or other means of financing to design and construct improvements to intersections nearest to and serving I-5 interchanges, and work with WSDOT to seek funding for improvements to the interchanges themselves.
- Work with Camp Murray, JBLM, WSDOT, and Sound Transit to ensure development around the new Berkeley Avenue SW/Union Avenue SW intersection.

- Invest in expanded local road networks in Tillicum and Woodbrook to the rest of the city.

Policy 4.4 Provide opportunities for safe pedestrian and bicycle connections from Tillicum and Woodbrook to other portions of Lakewood.

Actions related to Policy:

- Consider a pedestrian and bicycle trail within Tillicum to safely connect the residential area with the business district.
- Install pedestrian signals on streets with high traffic volumes.

Policy 4.5 Partner with local and regional transit agencies to provide reliable transit services to neighborhood residents that can increase access to social and economic opportunities.

Actions related to Policy:

- Periodically review and update routes and frequency of transit bus lines with community input.
- Prioritize equitable community engagement to better understand community transportation needs.

Goal #5: Increase economic development opportunities within Tillicum and Woodbrook.

There are not enough jobs in Tillicum and Woodbrook. The neighborhood has a jobs-to-housing ratio that is well below both the ideal ratio and Lakewood's ratio². There is a strong commercial spine along Union Ave SW and industrial jobs in Woodbrook. Small business technical assistance and land use regulations to support more commercial growth should be explored.

Policy 5.1 Support or foster relationships with educational institutions and employment organizations that encourage the development of higher education, apprenticeship and internship opportunities, and adult learning offerings to contribute to building community capacity and innovation.*Actions related to Policy:*

- Continue to support and participate in Community Resource Fairs to highlight education, apprenticeship, internship, and job opportunities.
- Improve the workforce pipeline by supporting training for residents of Tillicum and Woodbrook.
- Encourage employers in Woodbrook to hire locally from Tillicum and Woodbrook.
- Require new development utilizing the benefits from Opportunity Zones to create community benefit agreements to ensure public benefit is incorporated.

Policy 5.2 Continue to partner with Workforce Central, the Tacoma-Pierce County Economic Development Board, and the Lakewood Chamber of Commerce to provide support and resources to small businesses in Tillicum and Woodbrook.*Actions related to Policy:*

- When possible, provide materials in languages spoken by households in the neighborhood.
- Provide small business technical assistance to small businesses in Tillicum and Woodbrook.

Policy 5.3 Support additional food resources, commercial development, job growth, and technical assistance in the Tillicum Woodbrook Subarea.*Actions related to Policy:*

- Promote and encourage the development of a grocery store and bank in Tillicum.

² Generally, a jobs-to-housing ratio between 0.75 and 1.5 is considered an ideal balance. As of 2020, Lakewood's ratio was 0.92, whereas the census tract that includes Tillicum and Woodbrook had a ratio of 0.25.

- Work with USPS to locate a contract post office on Union Avenue SW.
- Plan for commercial and mixed-use development to support local businesses, provide basic services in proximity to residents, and build community.
- Identify underutilized and unused properties and support commercial development on these lots.
- Continue utility and infrastructure improvements to support commercial development.
- Work with the Lakewood Water District to perform water delivery system upgrades.
- Prepare a utility plan for Union Avenue SW.
 - Determine the desirability and cost of placing utilities underground.
 - Work with utility purveyors to underground existing utilities.
 - Survey property owners to determine willingness to participate in a local improvement district (LID).
 - Form a LID if property owners are in favor of doing so.
 - Work with present and future developers to ensure conformance with this action.

Goal #6: Protect Tillicum and Woodbrook’s natural environment and increase adaptability and resiliency for Tillicum and Woodbrook as communities significantly impacted by air quality and climate change.

Potential climate impacts to the City of Lakewood and the greater Puget Sound region include extreme heat and precipitation, flooding, and smoke from wildfires. Residents with existing health conditions, older adults, young children, and those with fewer resources may face an increased risk of greater impact. Policies in this plan aim to reduce drivers of climate change and increase community resiliency.

Policy 6.1 Enhance quality of life in Tillicum and Woodbrook through the thoughtful placement and improvement of parks and recreational activities.

Actions related to Policy:

- Complete the projects identified in City of Lakewood’s Parks, Recreation and Open Space Master Plan.
- Identify opportunities for additional public/semi-public green space in Tillicum and Woodbrook.
- Support formation of community volunteer groups to steward parks facilities.

Policy 6.2 Protect water quality in American Lake.

Actions related to Policy:

- Work cooperatively with development interests to protect aquifers and surface water by the gradual extension of sanitary sewers and replacement of stormwater systems with priority for those areas bordering or hydrologically related to American Lake.
- Utilize stormwater management and low-impact development (LID) techniques such as green roofs, rain gardens, and vegetated bioswales to purify water before it enters the ecosystem.

Policy 6.3 Encourage the use of sustainable materials and building practices.

Actions related to Policy:

- Collaborate with community-based organizations to provide technical assistance/education to developers to encourage greater use of green standards.
- Incorporate smooth land use transitions to prioritize high density residential development along transit and transportation corridors.

Actions Audit

The 2022 addendum to the 2011 Tillicum Neighborhood Plan identified 30 action items that had not been completed at the time of writing. **Exhibit 5** lists these actions and identifies the priority level assigned by the city and whether the action item will be addressed in the 2024 Comprehensive Plan update. The actions that are not part of the Comprehensive Plan update are addressed and updated in the Tillicum-Woodbrook Subarea Plan, organized under the six stated goals. The city rezoned many parcels in Woodbrook in the 2010’s to reflect the vision of the city that it would be an area for industrial and warehouse uses.

Exhibit 3 shows key landmarks within the Tillicum-Woodbrook Planning Area. Landmarks are important components of a community and are individual structures or points. They are external points of reference to guide movement and provide orientation. Notable landmarks in the Tillicum-Woodbrook Planning Area include:

- Harry Todd Park
- Thornewood Castle
- Commencement Bay Rowing Club
- Tillicum Elementary School
- Tillicum Pierce County Library
- West Pierce Fire and Rescue Station 23
- YFC Tillicum Youth and Family Center
- Veteran’s Foreign Wars (VFW)
- New Testament Christian Church of Woodbrook
- Woodbrook Community Church Media Ministry
- Woodbrook Stables and Events Center

Exhibit 5. Tillicum Neighborhood Plan Action Update – Actions Not Completed

Number	Action	Priority (Identified)	Relation to 2024 Update
A-2	Identify and appropriate funding to support the development of community outreach and life skills program for youth utilizing existing community resources such as the Tillicum/American Lake Gardens Community Service Center, PCLS Library, and/or new Youth for Christ center.	High	No- Not addressed in general comprehensive plan update. Addressed in Goal 1.
B-12	Improve facilities in community centers, school, and parks to provide facilities for after-school and weekend activities for youth.	Low (lack of funding)	No. Addressed in Goal 1.

Number	Action	Priority (Identified)	Relation to 2024 Update
A-1	Establish a community leadership team (CLT) comprised of City Council and school board members, residents, property owners, Tillicum businesses, and selected public agencies that serve Tillicum. Explore whether the existing merchants and neighborhood associations could be rechanneled into the community leadership team, or if those associations wish to continue to exist independently.	High	No. Addressed in Goal 2.
B-5	Fund one FTE to prepare and maintain a capital facilities plan to prioritize and direct city capital investment.	High (lack of funding)	There will be a CFP Element or Discussion in the 2024 Comp Plan
C-1	Maintain funding for the neighborhood patrol program in Tillicum to support neighborhood watch groups and provide regular communication with neighborhood and civic organizations.	High	No. Addressed in Goal 2.
C-4	Provide development preapplication packets to the Police Department and include their feedback on design from a CPTED perspective.	High	No. Addressed in Goal 2.
E-1	Develop a marketing program to improve perceptions of the Tillicum neighborhood and promote the neighborhood as a desirable and affordable place to live.	High	No. Addressed in Goal 2
I-1	Produce a brochure on Tillicum's history.	High	No. Addressed in Goal 2.
D-10	Address the need for on-street parking by small businesses.	Medium	Yes
E-3	Amend the City's development regulations to enable innovative layouts, designs, and configurations such as Z-lots, great house design, and cottage housing.	High	Yes
E-7	Allow a reduction in the amount of off-street parking based on a parking study prepared by a registered professional engineer.	High	Yes
F-14	Promote community awareness of financial subsidies available from public agencies for property and home improvement.	Medium	No. Addressed in Goal 3.

Number	Action	Priority (Identified)	Relation to 2024 Update
E-10	Prepare a utility plan for Union Avenue SW. <ul style="list-style-type: none"> ▪ Determine the desirability and cost of placing utilities underground. ▪ Work with utility purveyors to underground existing utilities. ▪ Survey property owners to determine willingness to participate in a local improvement district (LID). ▪ Form a LID if property owners are in favor of doing so. ▪ Work with present and future developers to ensure conformance with this action. 	Medium	No. Addressed in Goal 5.
E-11	Monitor development activity to identify regulatory and/or cost barriers that discourage investment in Tillicum.	Medium	Yes
F-2	Initiate discussions with other agencies to consider a program of reducing/waiving development and/or capacity fees as a means of promoting housing affordability.	High	Yes
F-5	Provide the news media with information about potential apartment closures.	High	No. Addressed in Goal 3.
F-13	Establish an incentive awards program for well-maintained and trouble-free rentals.	Medium	No. Addressed in Goal 3.
F-15	Once sewers have been installed, consider use of the multifamily tax incentive program to target multi-family growth into selected parts of Tillicum.	Medium	Yes
F-16	Hold joint landlord training sessions with the Tillicum and American Lake Gardens neighborhoods.	Low (lack of funding)	No. Addressed in Goal 3.
D-2	Establish bicycle and pedestrian connections between residential areas, Union Avenue SW, and Harry Todd Park.	High	Yes
D-6	Identify bus stops with inadequate lighting and improve lighting at these stops. Examine the need for more shelters and posted schedules. Provide the telephone number of Pierce Transit's community liaison at bus stops.	Medium	No. Addressed in Goal 4.
D-8	Periodically review and update routes and frequency of transit bus lines with community input. Provide timely notification of route and service changes.	Medium	No. Addressed in Goal 4.
D-11	Establish street design guidelines for other streets including North Thorne Lane SW, Woodlawn Avenue SW, Maple Street SW, West Thorne Lane SW, and portions of Portland Avenue SW and Berkeley Street SW.	Medium	Yes

Number	Action	Priority (Identified)	Relation to 2024 Update
D-13	Monitor and support funding for the Cross-Base Highway project.	Low	Removed; Cross-Base Highway project is no longer active.
D-14	Establish “green street” designations and associated improvements, including sidewalks, landscaping, bike lanes, crosswalks, and lighting, for Union Avenue SW, North Thorne Lane SW, Woodlawn Avenue SW, and West Thorne Lane SW. Seek compatibility between the provision of bicycle lanes and vehicular parking.	Low (lack of funding)	Yes
D-15	Install pedestrian signals on streets with high traffic volumes.	Low	No. Addressed in Goal 4.
D-16	Require commercial, institutional, and multi-family developments to provide protected and secure bicycle parking.	Low	Yes
E-2	Develop and adopt new zoning classifications to implement freeway-oriented commercial on the I-5 side of Union Avenue SW and tailored neighborhood commercial on the opposite side.	High	Yes
E-4	Amend the City’s development regulations to require a greater level of design for small lot residential development and for commercial development located along Union Avenue SW.	High	Yes
E-6	Establish a contract post office on Union Avenue SW.	High	No. Addressed in Goal 5.

ATTACHMENT C

STATION DISTRICT SUBAREA PLAN



City of Lakewood – May 3, 2021

July 2024 Updated Version

Prepared for the City of Lakewood

Prepared by: BERK, Fehr & Peers, Framework, and Skipstone



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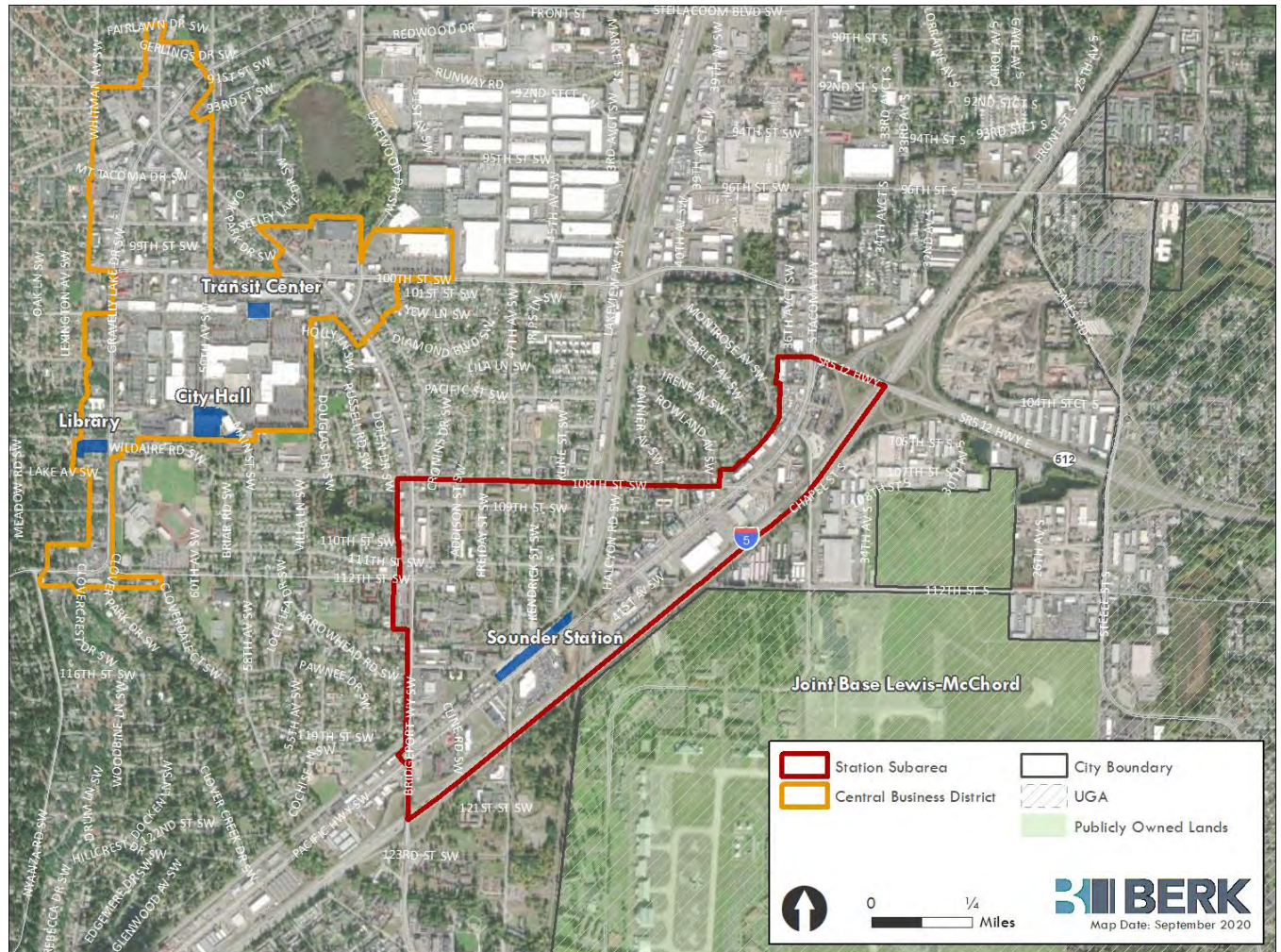
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The Lakewood Station District

The Lakewood Station District Subarea (LSDS) is an area of opportunity for future growth and development within Lakewood's Urban Center. It is located adjacent to I-5 and home to the terminus of the Sounder, which provides passenger rail service to Tacoma, Seattle, and Everett and. It already has a strong employment base that provides jobs in medical services, hospitality, retail, and restaurants. Proximity to high capacity transit and employment also make this a feasible area for compact residential development that can take advantage of such amenities. These factors make this a desirable area for a portion of Lakewood's future development.

Generally, the LSDS boundary incorporates the area within a half mile of the Sounder station but does not include areas southeast of I-5, since the freeway provides a significant barrier. [Exhibit 1](#) shows the boundaries of the planning area for the LSDS. To capture the full transportation corridor to the north and south of the station, the subarea spans the area from the interchange with Bridgeport Way to the interchange with SR-512. Just outside the LSDS is Joint Base Lewis-McChord (JBLM), which relies on retail and services within the study area boundary. Lakewood's Town Center District is also about one mile away.

Exhibit 1. Lakewood Station District Subarea and Vicinity

Source: BERK, 2020; Pierce County Assessor, 2020.

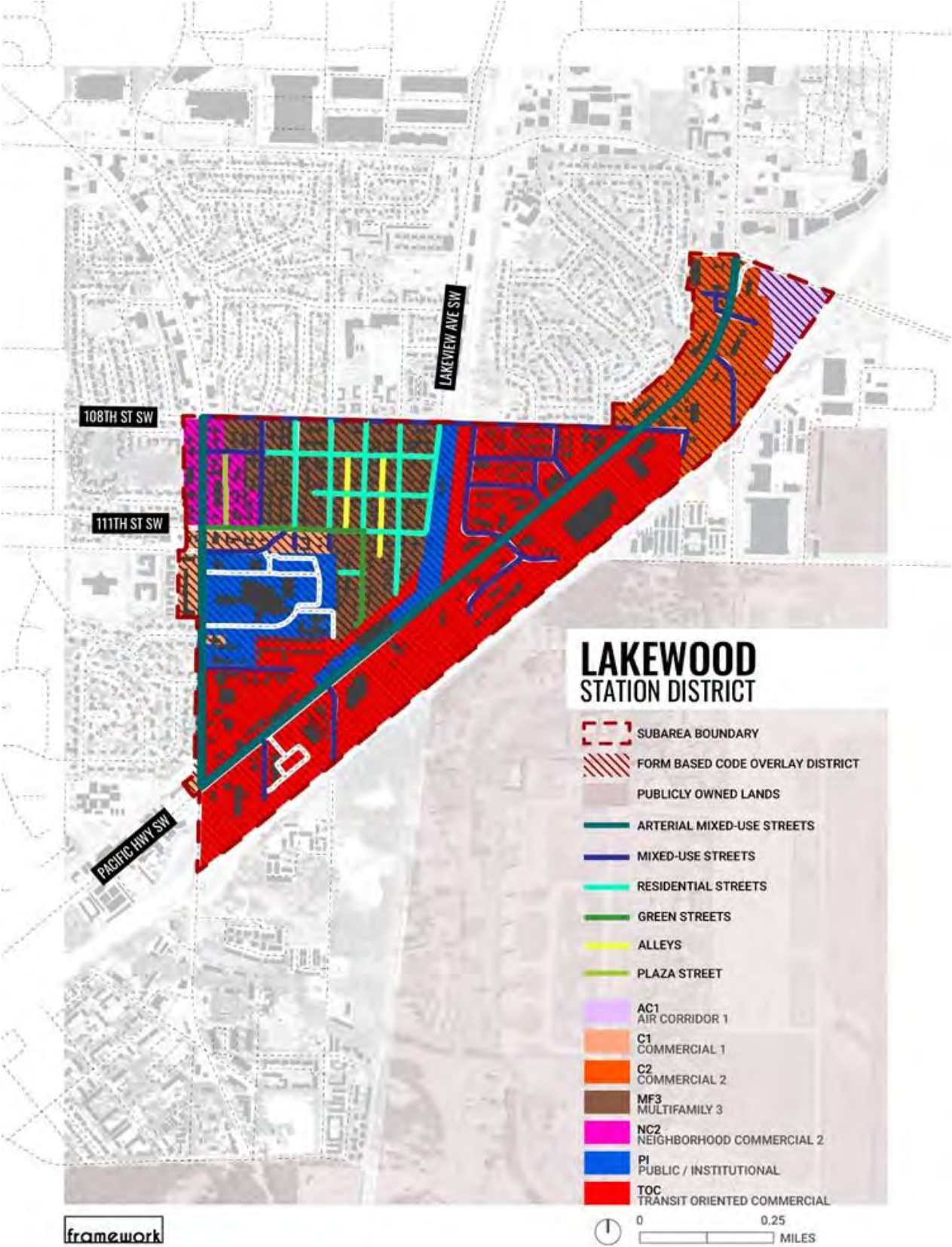
Vision and Concept

The Lakewood Station District is a multi-modal commuter hub of Lakewood and the southern terminus of Sound Transit's commuter rail service. The Lakewood Station District provides an amenity-rich, transit-oriented development node surrounding the Lakewood Station. This District offers a mixture of intensive land uses and activities supportive of direct regional transportation access via the Lakewood commuter rail station and I-5. The District implements development standards to foster a high quality, pedestrian-oriented urban environment including incentives to encourage a dense mix of commercial and medical office, regional and local retail, services and hospitality, and high-density residential uses offering ownership and rental housing opportunities, all supported by direct regional transportation access.

Exhibit 2 shows the land use concept for the LSDS. Key features of the concept for the LSDS include:

- **Transit-Oriented Development.** Residential and employment growth can be supported here because of the proximity to local and regional transit. Residential densities would be up to 40 units per acre in the residential zone (MF3) and up to 54 units per acre in the mixed-use zone (TOC). Commercial development will add employment opportunities, retail, and restaurants to serve residents and workers. As amenities and more compact urban forms are added to the LSDS, those who live and work in this area are less likely to be auto-dependent.
- **Hybrid Form-Based Code.** Land use regulations will include a hybrid form-based code. Under such a system, zoning directs the appropriate areas for residential, commercial, and mixed-use. Building and site design is based on a series of identified streetscape typologies. This allows for the continuation of a variety of uses but with a uniformed development standard that creates an identifiable look and feel for the district.
- **Affordable Housing and Homeownership.** Current residents rely on this area for low and moderate income housing, and displacement is a concern. Residential development and preservation will target housing serving households at 65%-110% of the area median income. Rowhouse residential development allows for compact residential development at an affordable price point. Ground-related units provide private and semi-private outdoor space and the opportunity for zero-lot line platted development. This provides homeownership opportunities and the chance to build wealth and equity for moderate income households in the subarea.
- **Walkable District.** New streetscapes and sidewalk improvements will make getting around the LSDS safer and more comfortable for people on foot. As housing and other amenities are added to this area, increased walkability makes it much more feasible to live and work in the subarea and reduces automobile dependency.

Exhibit 2. Lakewood Station District Subarea



Source: BERK, 2020; Pierce County Assessor, 2020.

Lakewood Landing is a 30-acre site for master planned development. The site is likely to include a mix of residential, retail, entertainment, and employment uses. Conceptually, an initial mixed-use plan with 760 units and 87,000 square feet of retail are part of Phase 1 in the “Central Core” on 11.5 acres of the 30-acre site (see Exhibit 3). Water features, carefully placed structures and sound absorbing walls will help to mitigate noise. Future phases are under consideration. Development of the site is supported by the subarea plan but more detailed master planning will proceed on a separate track.

Exhibit 3. Lakewood Landing Location and Concept



Exhibit 3a. Lakewood Station District Location and Access



Source: Sound Transit, 2021.

Subarea Growth

Net residential growth within the LSDS is estimated to be 1,772 dwelling units, ~~which assumes 760 units in Lakewood Landing and 962 new units from residential growth in the rest of the of the subarea~~ over a 20-year period. Employment capacity would include ~~1,276~~ 1,105 new jobs, ~~plus 171 jobs for Lakewood Landing.~~¹ This complements the growth anticipated for the city center in the Lakewood Downtown Subarea Plan, which plans for about 2,257 dwelling units and 7,369 jobs over roughly the same time period.

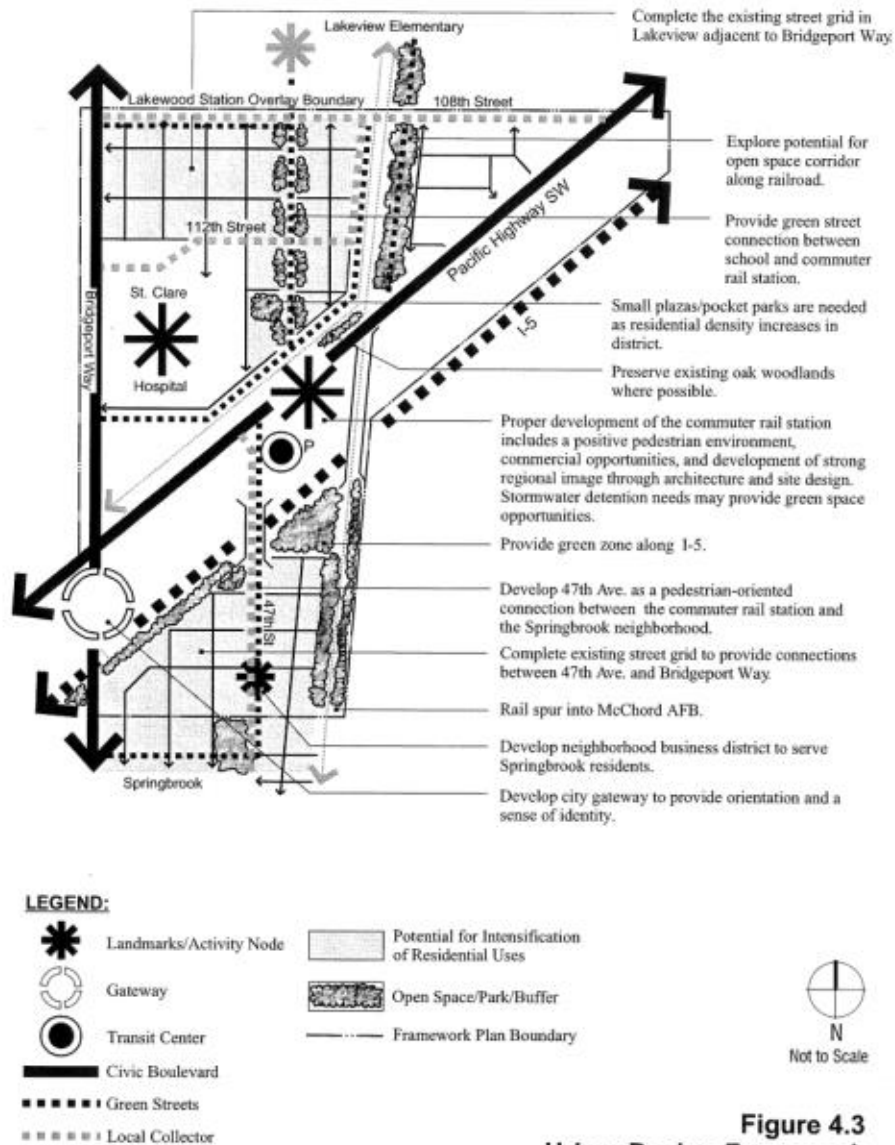
Lakewood Comprehensive Plan

Section 3.3.5 of Lakewood's Comprehensive Plan focuses on the LSDS. Goal LU-25 identifies LSDS as Lakewood's multi-modal commuter hub with supporting policies that call for a transit-oriented development district, development of a subarea plan, coordination with other agencies, and the use of bonus densities and incentives to achieve this goal. A rich mix of land uses around the station is the goal of LU-26 including regional offices, major institutions, high density residential, neighborhood businesses, and open space. The Comprehensive Plan also supports the citywide economic goal to promote a dynamic local economy with diverse housing stock and transportation options.² Transportation linkages between the LSDS and Downtown Subarea will connect people to the amenities of both places and to the region.³ An urban design framework to guide livable and attractive development is the focus of Goal LU-27, which include design guidelines, open spaces, and pedestrian connections. Both the station itself and the I-5 interchanges are major gateways into the city that should have a distinctive look and feel that continue along Pacific Highway, Bridgeport Way, and throughout the rest of the subarea.

¹ ~~Growth numbers include anticipated development of Phase I of Lakewood Landing. Planning for future phases will occur when such phases are fully defined.~~

² Lakewood Comprehensive Plan Economic Development objectives 1.3 and 1.5.

³ Lakewood Comprehensive Plan section 2.4.

Exhibit 35. LSDS Planning Concept

SOURCE: EDAW, Inc. 1999

Figure 4.3
Urban Design Framework
for Lakewood Station District

Source: Lakewood Comprehensive Plan, 2014.

Development of a special district around the Lakewood Station has been a consideration since the community's first Comprehensive Plan. It remains a part of the policy framework of Lakewood's Comprehensive Plan and is identified as a future community landmark.⁴ The 1999 high-level concept for the LSDS was included in the 2014 Comprehensive Plan as shown in [Exhibit 3](#)~~Exhibit 5~~.

⁴ Lakewood Comprehensive Plan section 4.4

Community Input

Since the vision and concept for the Lakewood Station District had been a longstanding part of Lakewood's Comprehensive Plan, as a starting point for developing the LSDS the City tested this direction with the community to see if updates were needed. An in-person meeting conducted in late February, before public health orders were issued, with over 24 attendees invited from 17 agency and organizational stakeholders. This meeting collected information about existing conditions and planning efforts occurring in the study area. In addition, the launch of this project coincided with the early stages of the global COVID-19 pandemic. Knowing that the residents and workers in the subarea were vulnerable to the economic effects of the pandemic⁵ the City hoped to better understand local impacts to identify potential short term and long term responses.

In compliance with public health orders to the limit the spread of COVID-19, the City used remote outreach engagement options to solicit and collect community input. The City conducted an online survey during the summer of 2020. Outreach for the survey included a variety of techniques over an engagement period of about six weeks. Subarea residents received postcards and posters were hung in essential businesses and community locations to advertise the survey. Partner organizations, such as Sound Transit, shared the survey with their local mailing lists. Social media messages encouraged survey participation as well as a self-guided walkshop exercise that asked participants to walk the subarea and record their

Kid's Walkshop Response

Lakewood Station District Subarea Plan
WHAT DO YOU THINK?
 First Name: Jo Age: 12
 After your adventure, write or draw answers to these questions:

What did you LIKE BEST?
 how there's places with room for more people

What did you LIKE LEAST?
 1. how some places look nice but they don't take care of that landscape and public park

What do you WISH FOR?
 A park for kids to play at. A public were it's not a danger to get to. so probably in a neighborhood.

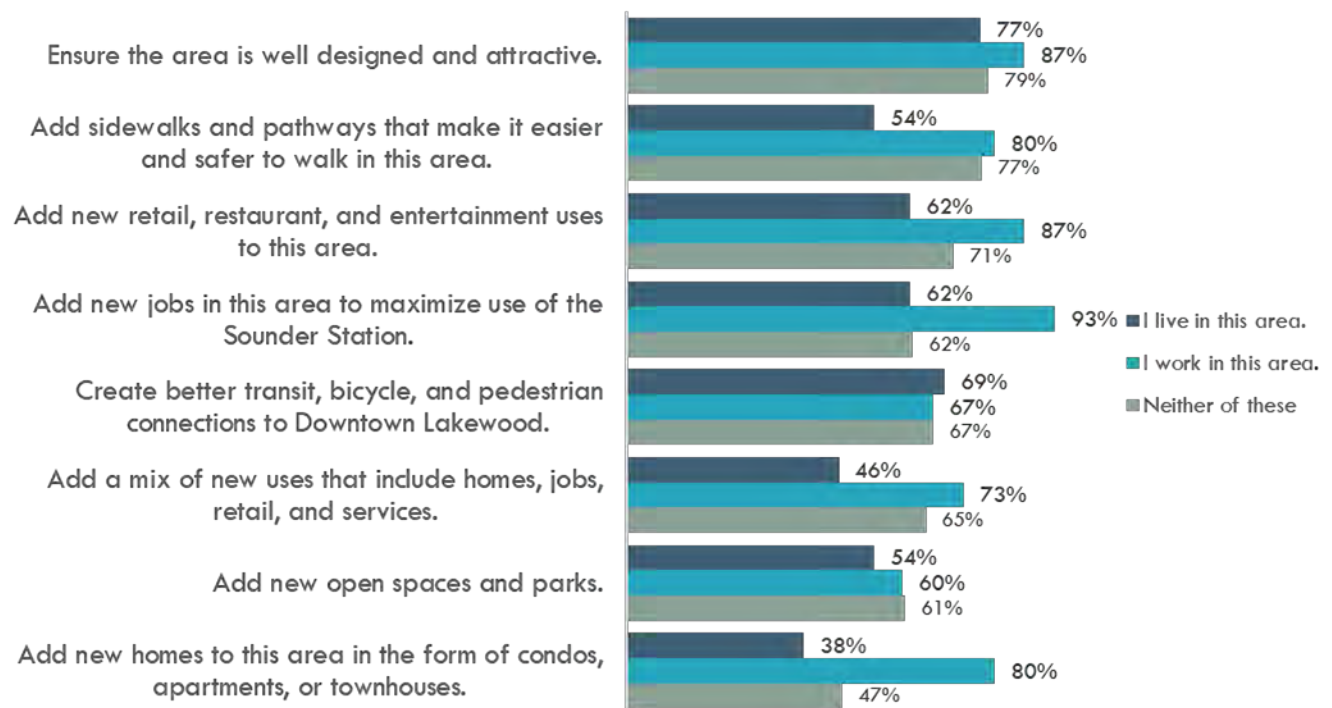
⁵ Based on socio-economic data collected in the *Situation Assessment*

impressions. The walkshop materials included an opportunity for kids to submit their ideas as well, as shown in the Kid's Walkshop Response sidebar.

The survey was offered in both English and Spanish, but the City received no responses in Spanish. Responses were analyzed as a whole and also disaggregated to look for differences in opinion based on whether the respondent lived in the subarea, worked in the subarea, or identified as neither. About 31% of the 91 respondents live or work in the subarea. Of those who identified as working in the area, 20% are business owners. More than half (58%) of the respondents live in Lakewood but outside of the study area.

Exhibit 46. Survey Responses - Future LSDS Priorities

Percentage of Group Rating Priority as Important or Very Important



Source: BERK, 2020.

Survey responses summarized in ~~Exhibit 4~~ **Exhibit 6** confirmed the vision and concept for the LSDS from the Comprehensive Plan. The following bullets highlight key results:

- Those who work in the subarea more strongly favored adding new homes to the area (80%) than those who live in the subarea (38%).
- Respondents identified the presence of the Sounder Station as the most important asset of the area, contributing to an

easy commute for residents and employees. The station's location was an asset for those working in the subarea because employees or customers live close by or it is easy to get there. An important asset to residents was the ability to have a home with some outdoor space.

- Changes that respondents would most like to see in the subarea included: more green space or parks, better walkability, more and new businesses, and additional housing options. More affordable housing was a desire of those who worked in the area and more community or neighborhood events were important to current residents.

Public Engagement

The LSDS plan has gone through a public engagement process to share and invite feedback on the draft vision, goals, policies, and environmental review information. This included workshops with the Lakewood Planning Commission, an online open house, and a stakeholders meeting. The City of Lakewood held a community meeting with the Planning Commission and two SEPA comment periods regarding the Planned Action. Following a public hearing on the Subarea Plan and Form-Based Code, the Planning Commission made a recommendation to the City Council. The City Council also held a public hearing on the Subarea Plan, Form-Based Code, and Planned Action prior to deciding on adoption. Comments received were used to revise the Plan and regulations.

Summary of Existing Conditions

Lakewood completed a *Situation Assessment* to identify existing conditions in the LSDS at the initiation of plan development. Information from the assessment is integrated into the analysis supporting the Planned Action and Environmental Checklist for this project. [Exhibit 5](#)~~Exhibit 7~~ summarizes the results from the *Situation Assessment*.

Exhibit ~~5~~7. Existing Conditions Summary Table

Topic	Summary
Demographics and Housing	<p>The subarea is a racially and ethnically concentrated area of poverty. There are low rates of homeownership and housing in the area is characterized by low values. These conditions place existing residents at risk of economic displacement.</p> <p>The majority of subarea residents work in service and retail industries and the majority of current employment is in these sectors. However, only about 10% of those who work in the subarea live in</p>

Topic	Summary
	<p>Lakewood. Additional moderate income housing in the subarea could provide the opportunity for some workers to live closer to work.</p> <p>In theory, the median household income in the LSDS should be able to pay the typical housing cost in the area. However, households in the subarea have high levels of housing cost burden, meaning they are paying more than 30% of their income for housing. Affordable housing and subsidized housing units could help alleviate the cost burden of existing residents.</p> <p>New multifamily housing is needed in Lakewood due to low vacancy rates. There is also demand for housing to serve military personnel and their families stationed at Joint Base Lewis McChord.</p>
Land Use	<p>Land use policies are in place to support the development of the subarea plan. Current land use patterns are auto-oriented, so transitional patterns of development will be necessary to achieve the desired land use.</p> <p>Residential and commercial land uses are in close proximity to each other. Although they are not currently integrated, this presents opportunities for mixed-use development. There are also a number of vacant and underutilized properties zoned for commercial and residential uses that provide opportunities for redevelopment.</p> <p>The subarea has few natural features and sensitive areas and does not include natural hazards that may limit future development. However, there are some environmental health hazards that will need to be addressed with future redevelopment.</p>
Zoning, Regulation, and Incentives	<p>Zoning is consistent with future land use but zoning and regulatory changes will be needed to support the transition of land use from its current condition to the desired future condition. Temporary activation of spaces in the subarea may be helpful during the transition period.</p> <p>Housing incentives may help the LSDS remain an area for households with low and moderate incomes while increasing the quality of housing through redevelopment.</p> <p>Attached residential development that can be subdivided for ownership can increase density and offer homeownership options, but parking and other development standards should be addressed.</p> <p>Proximity to Joint Base Lewis-McChord brings additional regulations to maintain safe airspace, but the City's current integrated review process minimizes complexity for applicants.</p>
Transportation	<p>Intersections currently operate at an acceptable Level of Service.</p> <p>The area is well served by two transit hubs: the Lakewood Station and the SR 512 Park and Ride.</p> <p>The City of Lakewood, Sound Transit, and Pierce Transit have plans to enhance transit connectivity and multimodal mobility in the subarea in the next decade. <i>Lost revenues due to COVID may affect these plans, but details are currently not available.</i></p>
Utilities and Public Services	<p>Infrastructure upgrades will be needed for some redevelopment plans. This includes the upgrade of water mains for capacity and fire flow, and capacity upgrades for sewer. Coordination with the Lakewood Water District and Pierce County Wastewater Utility during the update of their system plans is needed.</p> <p>Sponsoring the upfront costs of infrastructure investment may be a strategy to support new development in the LSDS.</p>



Land Use and Urban Design

The Lakewood Comprehensive Plan established land use designations based on the vision and concept for the Lakewood Station District. Implementing zoning was adopted consistent with the land use designations. These basic land use policy and regulatory structures are carried on through the LSDS Plan. In addition, the Plan applies an LSDS regulatory overlay. This overlay includes the adoption of a hybrid form-based code to direct new development according to street and building typologies. The use of these typologies will guide urban design to give the LSDS a unique feel and identity and create a thriving environment for those who live and work in the district.

Context

Existing Land Use and Design

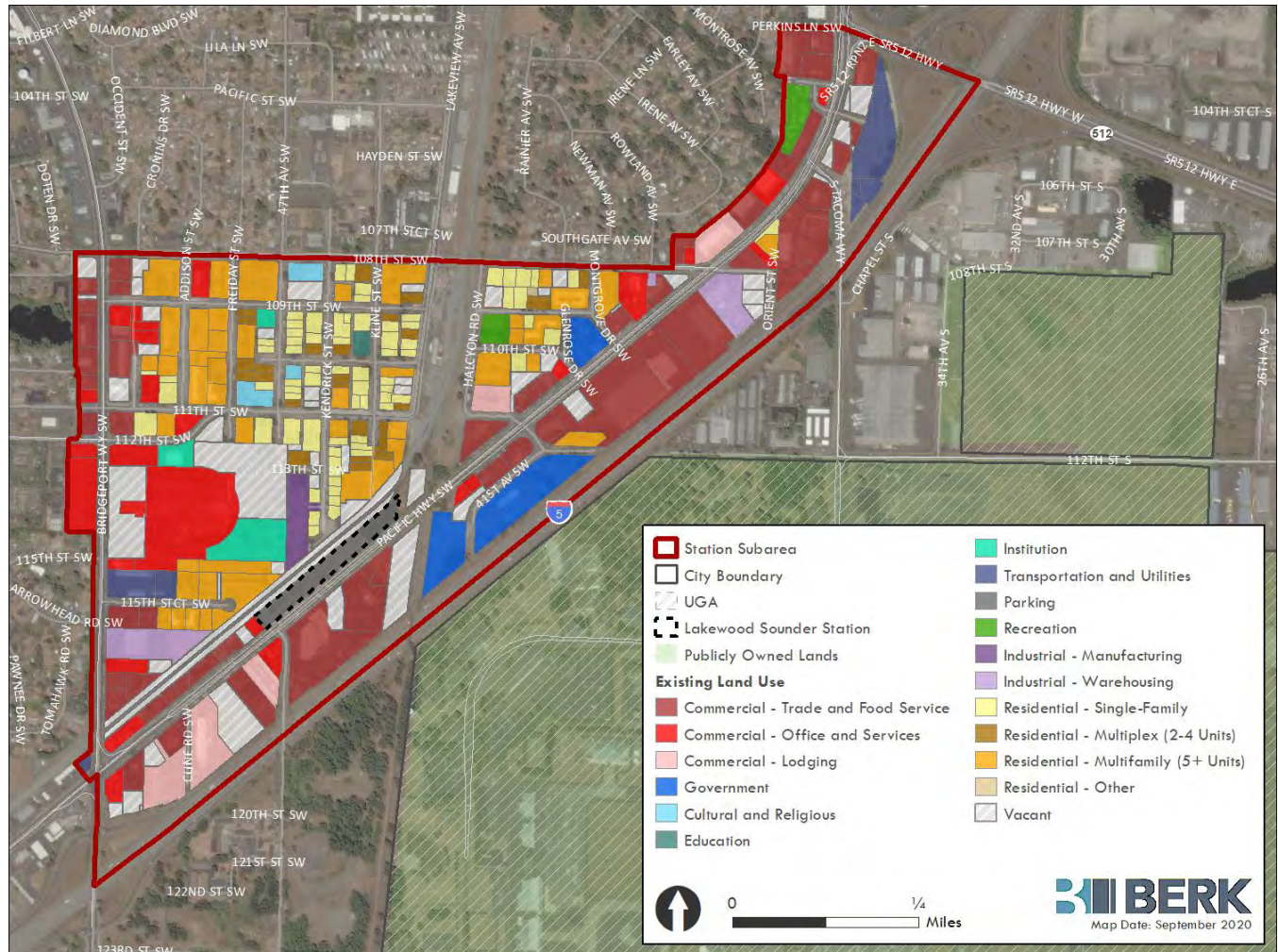
The LSDS vision and development concepts are not reflected in the existing land use or urban design. Development intensity is lower than what is planned for the subarea, as shown in [Exhibit 8](#). Wide streets prioritize the movement of automobiles. This can make major arterials like Bridgeport Way or Pacific Highway act as barriers for pedestrian and bicyclists. Residential streets also sport rights of way over 50 ft wide with few traffic calming measures to buffer automobile traffic.



Current Urban Form in the LSDS

Sources: City of Lakewood, 2020; Google Earth, 2020.

The variety of commercial developments in the LSDS is one of its assets. Companies include a range of small unique businesses, local chains, and national companies in a range of building types that include low rise office buildings, strip commercial developments, corporate architecture, and commercial pads. Most of these building sites and adjacent streetscapes are built for auto-access with entries set far back from the sidewalk and limited pedestrian connectivity except through the parking lot. This type of streetscape and site planning is not designed at a human-scale that feels safe for walking. During public engagement walkability improvements were a top desire of residents and employees currently in the subarea.

Exhibit 68. Existing Land Use

Note: Recreation includes RV park and recreation activities.

Sources: BERK, 2020; Pierce County Assessor, 2020.

Most of the subarea is in commercial use, but there is a significant amount of residential use and some vacant lands as well. Residential uses include single-family homes (60%), small duplex or multiplex buildings (26%), and low-rise multifamily units (14%). Parcel size in the subarea is varied, as shown in [Exhibit 7](#) ~~Exhibit 9~~. Half the parcels are a half-acre or less in size, but these only account for about 40 acres in the 339-acre subarea. The 13 largest parcels account for 38% of the land in the subarea. This variety of parcels provides different types of opportunities for small and large scale redevelopment.

Exhibit 79. Parcel Size in the LSDS

Parcel Size	Parcel Count	Sum of Acreage
0.5 acre or less	169	40.25
0.5 - 1 acre	71	51.37
>1 - 5 acres	61	119.55
Greater than 5 acres	13	128.09
Total	314	339.26

Sources: Pierce County Assessor, 2020; BERK Consulting, 2020.

Although residential development is allowed at up to 54 units per acre in the LSDS currently, the average density of existing development is 11.6 units per acre. Policies and strategies in this plan aim to better utilize land for housing in the area around Lakewood Station.

Environmental Conditions

The Lakewood Station District Subarea is a highly developed urban environment that contains few natural features. It is characterized by parcelized land, pavement, and existing vegetation mostly planted for ornamental purposes. A summary of environmental conditions is shown in [Exhibit 8](#)~~Exhibit 10~~. Additional detail can be found in the *Situation Assessment* or *SEPA Environmental Checklist*.

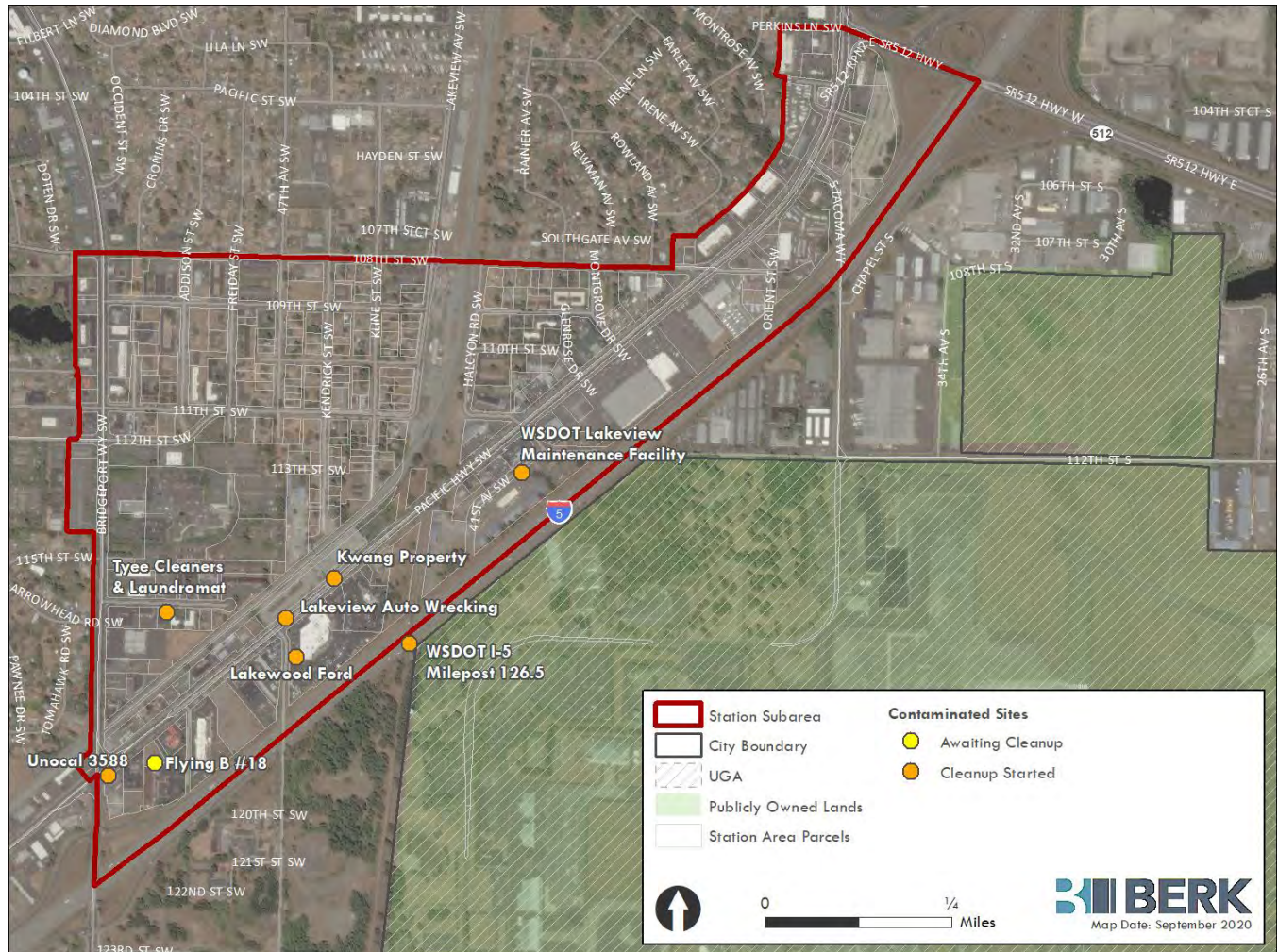
Exhibit 810. Summary of Environmental Conditions in the LSDS

Environmental Feature	LSDS Conditions	Effects on the LSDS
Waterbodies and Shorelines	There are no significant features within the LSDS.	Not applicable.
Wetlands	There are three small, isolated areas of mapped wetlands adjacent to I-5. There is a delineated wetland outside the LSDS west of Bridgeport Way.	The isolated, mapped wetlands will need to be investigated at the time of development and follow critical areas regulations. A limited number of LSDS parcels may be subject to buffer requirements identified for the wetland outside the LSDS west of Bridgeport Way.
Floodplains	A portion of the study area is a moderate (or 500-year) flood area. This is mapped along Bridgeport Way and between Pacific Highway and I-5 west of Lakeview Avenue SW.	Areas of moderate flooding are not regulated by the City's flood hazard regulations.
Aquifer Recharge Area	All of Lakewood is within the Central Pierce County Aquifer Area. This is a sole source aquifer.	New land uses that could result in groundwater contamination are limited, including things such as storage tanks, dry cleaning, and auto repair.
Geological Hazards	There are no significant features within the LSDS.	Not applicable.
Environmental Clean-up Sites	There are eight sites identified for environmental clean-up in the LSDS, as shown in Exhibit 9 Exhibit 11 .	Contamination from petroleum products, metals, solvents, and lead is the result of current or past activities on these sites. ⁶ Clean-up is started on all the sites except the Flying B #18 site. Sites are in various stages of the clean-up process and subject to Washington State's Model Toxics Control Act. ⁷

Sources: Pierce County Assessor, 2020; BERK Consulting, 2020.

⁶ Specific information on each site and the clean-up efforts that are underway can be found at: <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-sites/Locate-contaminated-sites>.

⁷ RCW 70.105D.

Exhibit 911. Environmental Clean-up Sites in the LSDS

Sources: BERK, 2020; Pierce County Assessor, 2020.

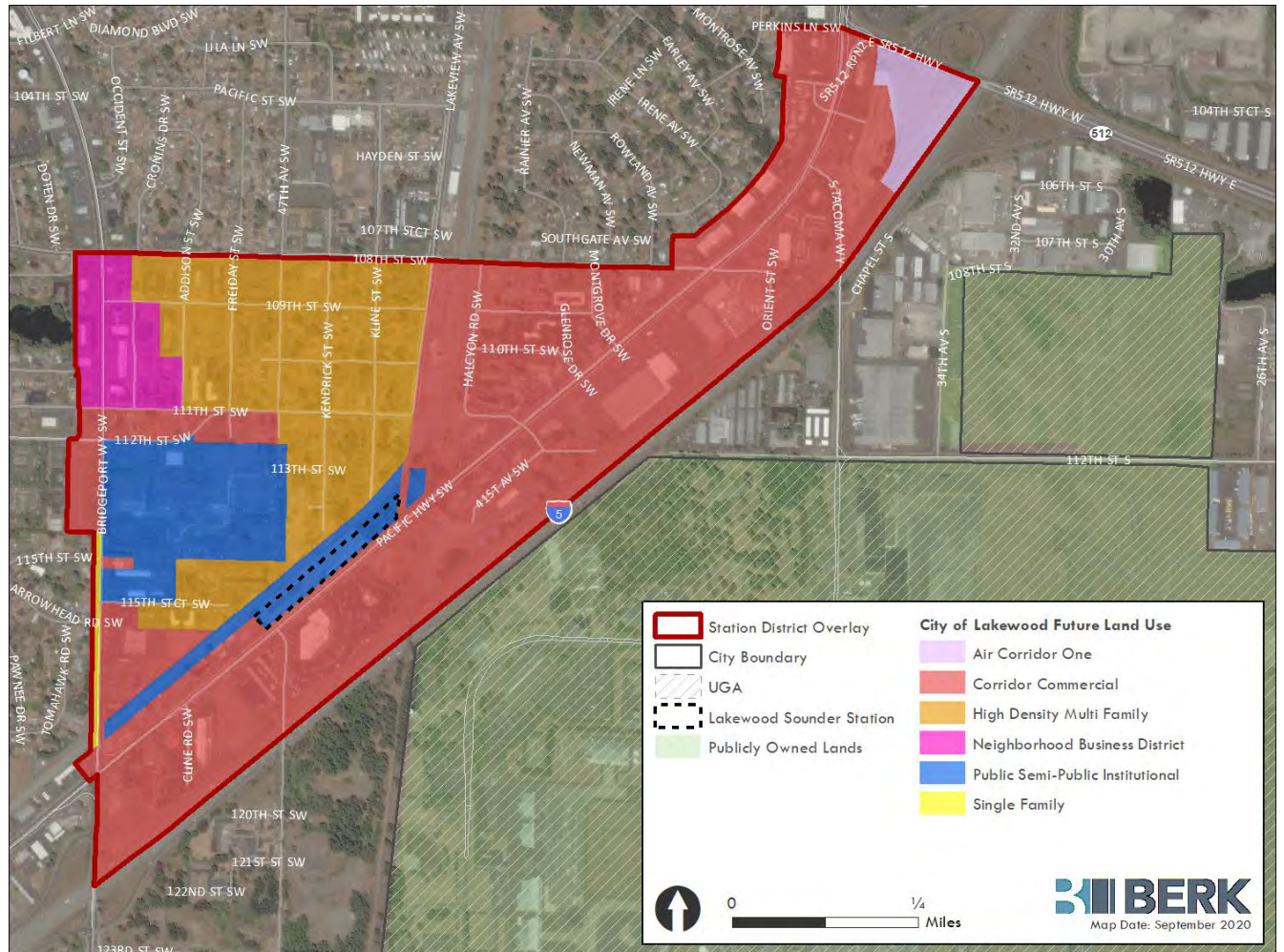
Future Land Use

The Comprehensive Plan identifies the following land use designations in the subarea, as shown in [Exhibit 10](#) [Exhibit 12](#):

- Corridor Commercial.** This land use is designated along Pacific Highway SW (Pacific Highway) and just north of the Hospital. It recognizes Lakewood's pattern of existing strip commercial development and is implemented by the Transit-Oriented Commercial, Commercial 1, and Commercial 2 zones. Within the LSDS, this district will remain and include opportunities for mixed-use development.

- **Neighborhood Business District.** This designation is implemented through the Neighborhood Commercial 1 zoning along Bridgeport Way SW (Bridgeport Way) that allows for smaller or strip commercial business areas to transform into compact urban development over time. It allows commercial development that serves surrounding neighborhoods and beyond, and allows for mixed-use residential development.
- **Public & Semi-Public Institutions.** St. Clare Hospital and the Lakewood Station are in this land use designation that recognizes essential moderate and large scale facilities that serve all of Lakewood.
- **High Density Multi Family.** The existing residential areas zoned Multi Family 3 are in the High Density Multi Family future land use designation. The purpose of this designation is to integrate a variety of high density housing types into adopted subareas and business districts. The LSDS Plan envisions rowhouse and other residential developments that are integrated with surrounding commercial and mixed-use development through pedestrian connections and urban design.

This Subarea Plan adds the Station District Overlay to the Comprehensive Plan Future Land Use Map. The purpose of the overlay is to recognize the area in which the LSDS vision will be applied.

Exhibit 1012. Future Land Use in the LSDS

Sources: BERK, 2020; Pierce County Assessor, 2020.

Land Use Regulation

Land use regulation in the LSDS is driven by a hybrid form-based code. Assigned zoning identifies the types of uses allowed in each zoning and is consistent citywide. The form-based code creates a development regulation overlay that is unique to the LSDS. It regulates building forms and land use in a way that is unique to the subarea. Regulations to maintain land use compatibility with airfield operations at Joint Base Lewis-McChord remain in effect.⁸

⁸ Within the LSDS these regulations primarily implement lighting standards to prevent interference with aircraft operations. Additional detail is available in the *Situation Assessment* and the Lakewood Municipal Code 18.10.135.

Zoning

Zoning in the LSDS is shown in ~~Exhibit 11~~~~Exhibit 13~~. These zones are consistent with the Future Land Use map and include:

- **TOC – Transit-Oriented Commercial.** TOC zoning is shown along most of Pacific Highway in the subarea around Lakewood Station ~~and the proposed Lakewood Landing site~~. This zone is unique to the LSDS. The purpose of TOC 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.”⁹ The mix of uses allowed in the TOC is very similar to those allowed in the Central Business District. They focus on retail and services, prohibiting space-intensive uses like auto sales, furniture and appliance stores, or industrial uses that may cause compatibility issues in a compact urban environment such as manufacturing or recycling stations. Mixed-use and multifamily residential uses are allowed at densities up to 54 units per acre.
- **C1 - Commercial One and C2 - Commercial Two.** C1 and C2 are commercial corridor districts that incorporate employment, shopping, services, offices, and light industrial uses near major arterials. A small strip of C1 is located north of the hospital, just off Bridgeport Way. Along Pacific Highway near the intersection of SR 512 is an area of C2. Both districts allow a range of businesses as permitted uses. Hotels and motels are allowed in both districts, permitted in C2, but a conditional use in C1. Commercial recreation, heavy manufacturing, shopping centers, and recycling and transfer stations characterize the type of uses that are prohibited. Residential uses are not



Lakewood Station is at the heart of the TOC zone

Source: HewittSeattle.com

⁹ Lakewood Municipal Code 18A.10.120D.5

allowed, except for allowing a caretaker's unit.

- **NC2 - Neighborhood Commercial Two.** The commercial area on Bridgeport is zoned NC2 with the intent to create a sense of urban community that serves surrounding neighborhoods that may also attract people from other areas. This zone allows a mix of residential, retail, office, and services. Residential may be multifamily or mixed-use development up to 35 units per acre. Permitted commercial uses tend to be small or mid-sized. Most light industrial and larger commercial uses are prohibited. The few that may be considered, such as auto sales or breweries, are conditional uses to help mitigate impacts and ensure district and neighborhood compatibility.
- **MF3 - Multi Family Three.** The existing residential area of attached and detached single-family homes and low rise multifamily is zoned MF3. MF3 zoning is in areas where there is both an arterial and a nearby commercial or mixed-use district. This is intended to be a high density multifamily environment with multi-story housing with densities up to 54 units per acre. The LSDS overlay will provide form-based regulations that promote densities to 30-40 units per acres and incentivize rowhouse development. Where multifamily development occurs within the LSDS, ground floor commercial use is allowed.¹⁰ Many of the existing uses in the LSDS are non-conforming in this zone. Non-conforming structures may be maintained but not altered or enlarged.¹¹
- **PI - Public/ Institutional.** This zone recognizes the sites of St. Clare hospital and Lakewood Station, which are major facilities serving all of Lakewood and beyond.



St. Clare provides regional medical service

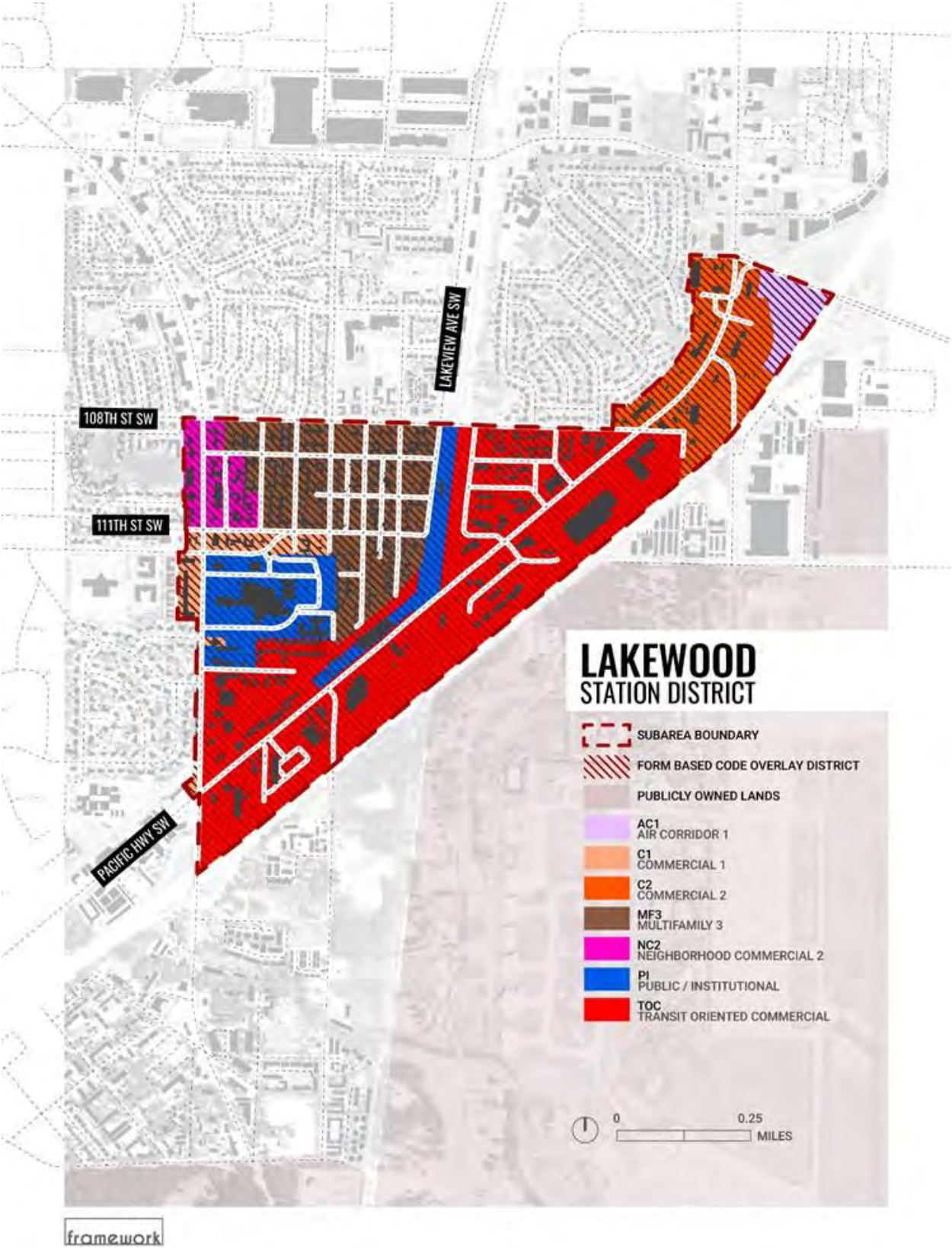
Source: CHIFrancisican.org

The zoning map adds an overlay for the Lakewood Station District (see [Exhibit 11](#) ~~Exhibit 13~~). This area links the vision to specific regulating provisions in the Lakewood Municipal Code. It allows for the implementation of a hybrid form-based code, incentive programs, and other measures within this area.

¹⁰ Lakewood Municipal Code 18A.40.040B.1

¹¹ Lakewood Municipal Code 18A.20.200

Exhibit 1113. Zoning in the LSDS



Sources: BERK, 2020; Pierce County Assessor, 2021.

Hybrid Form-Based Code

Form-based codes address the relationship between buildings and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks. This code type works best when applied to targeted areas that have a defined vision, such as the LSDS. Lakewood adopted a hybrid form-based code for its Downtown. The form-based code for the LSDS draws on the work done for Downtown, but is customized for the vision, goals, and conditions of the Station District.

While uses are still regulated by zone, the hybrid form-based code shapes building design to reinforce a human, neighborhood scale that feels safe and welcoming. The use of a hybrid form-based code will standardize streetscapes to provide a consistent look and feel as well as facilitate the walkability desired by the community. Off-street parking, which is necessary to support retail as the area transitions to a more compact form, will be moved behind or under buildings that are located closer to the street. New development will include 8-14' wide sidewalks and pedestrian connections between the sidewalk and the building to enhance walkability.

Transitioning from the current land use and urban form to a more compact and pedestrian-friendly environment will occur over time. The hybrid form-based code focuses retail along designated streetscapes with high traffic. This helps preserve existing retail until the area is ready for higher intensity mixed-use redevelopment with ground floor commercial.

Exhibit 1214. LSDS Hybrid Form-Based Code Overlay



Sources: Lakewood Municipal Code, 2020; Framework, 2021.

The hybrid form-based code is administered through an overlay that covers the entire LSDS as shown in ~~Exhibit 12~~Exhibit 14. It overrides zoning and development regulations in the Lakewood Municipal Code if there are areas of conflict. Uses are defined by the underlying zoning designation, with some additional prohibitions intended to limit uses at a scale or impact that is incompatible with the LSDS vision. Maximum densities and height limits are also set by the underlying zoning code.

This code uses street typologies to guide the development of building types and development regulations within the subarea as shown below. The hybrid form-based code can be found in Lakewood Municipal Code Title 18C.

Street improvements in this area will work within the existing right-of-way (ROW) to ensure the safe and efficient movement of vehicles, bicycles, and pedestrians, as well as to facilitate travel by transit. As a result, street sections may vary and are subject to the approval of the Public Works Department.

Arterial Mixed-use Streets

Arterial mixed-use streets maintain the existing vehicle capacity and allow a range of land use and building frontage types and include surface parking lots. This streetscape applies to Bridgeport Way and Pacific Highway SW.

Mixed-Use Streets

Mixed-use streets support a variety of activities and functions both in the public right-of-way and development along the street edges. Street level retail is permitted, but not required, and a wider range of building frontage types are permitted, including street-level residential and office uses. Mixed-use streets also require pedestrian-oriented design and requirements may vary based on the location within Station District.

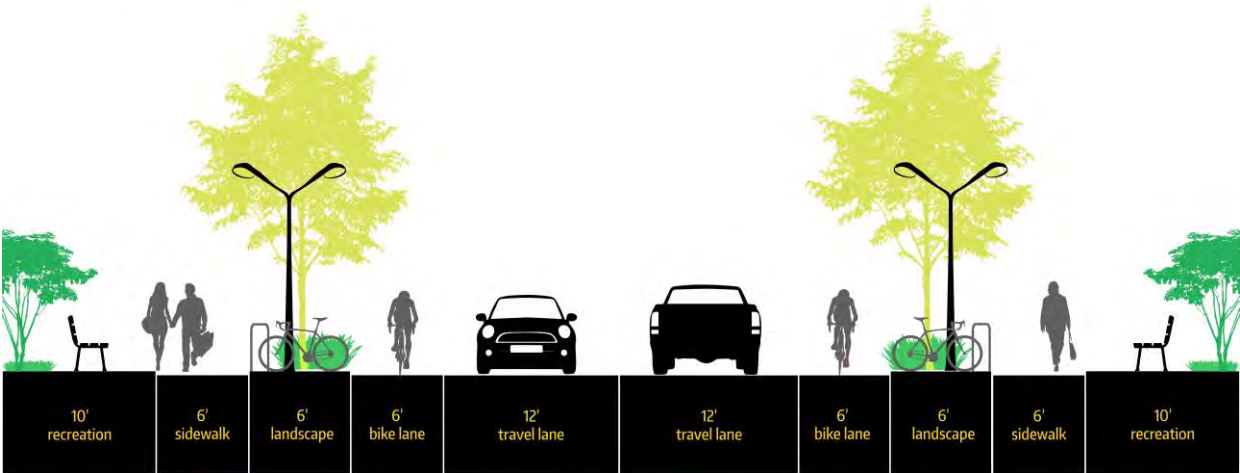
Green Streets

Green streets include vehicle travel lanes, sidewalks, bike lanes, and open space for stormwater management, landscaping, and gathering space. Green streets contribute both functional and amenity features to the streetscape to make an attractive and welcoming district as shown in ~~Exhibit 13~~Exhibit 15 and ~~Exhibit 14~~Exhibit 16. The Boulevard street in ~~Exhibit 15~~Exhibit 17 is a

variety of green street that may be carried beyond the district, highlighting connections to Downtown or other nearby areas.

Exhibit 1315. Green Street Concept #1 – 80’ Right-of-Way

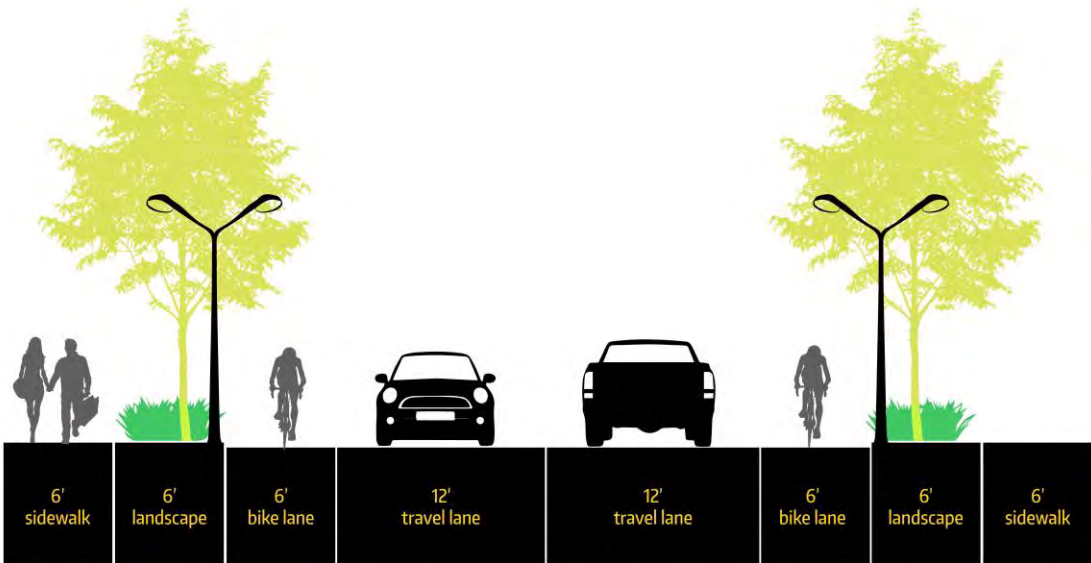
GREEN STREET CONCEPT
80’ Right-of-Way



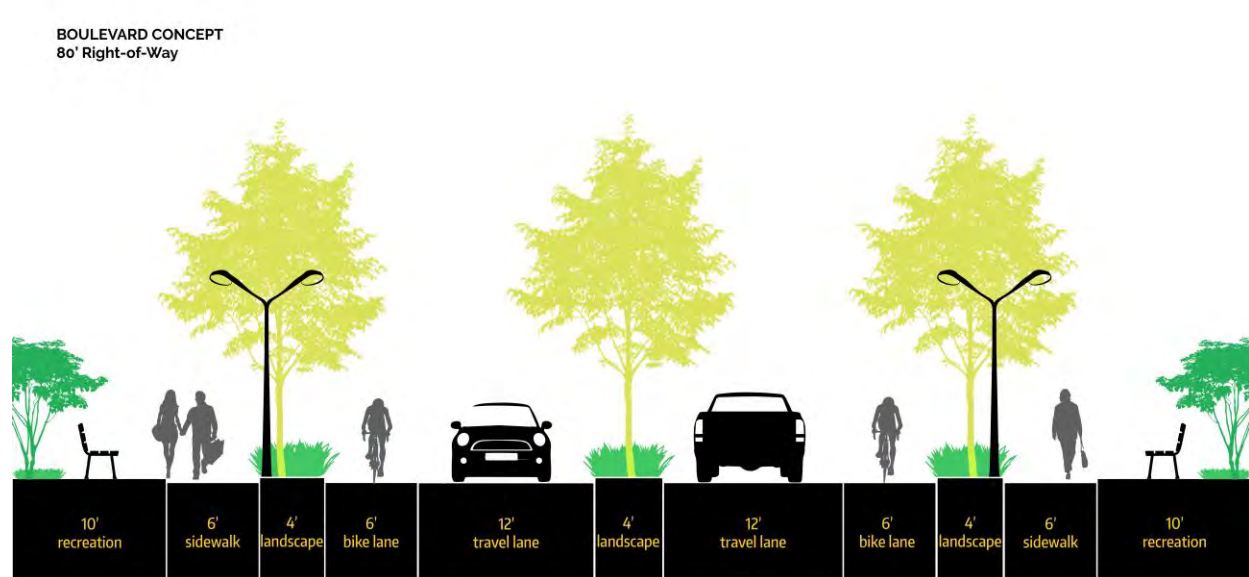
Source: Framework, 2020.

Exhibit 1416. Green Street Concept #2 – 60’ Right-of-Way

GREEN STREET CONCEPT
60’ Right-of-Way



Source: Framework, 2020.

Exhibit ~~15~~17. Boulevard Street Concept – 80' Right-of-Way

Source: Framework, 2020.

Residential Streets

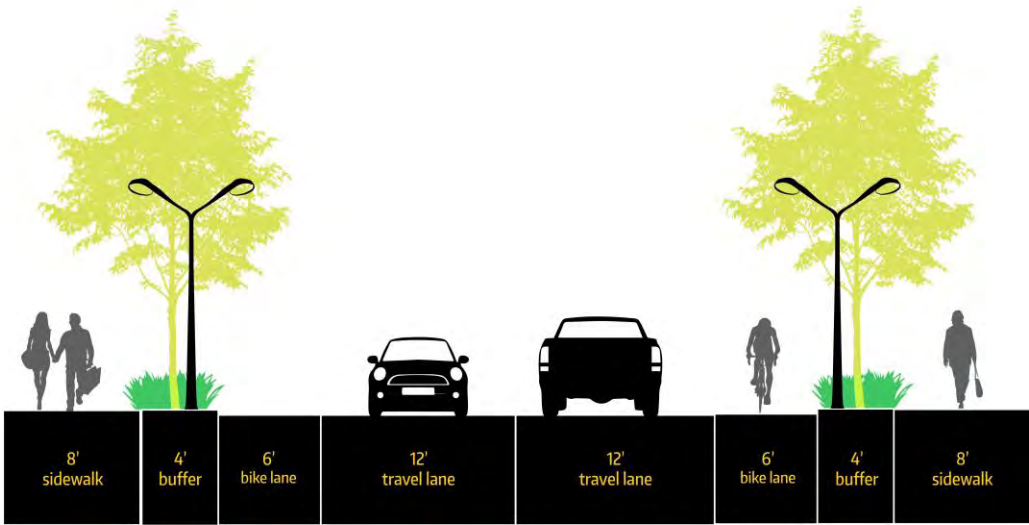
Residential Streets serve residential neighborhoods and include vehicle travel with sidewalks and bike lanes. Many of the current streets identified as Residential Streets do not have curbs, gutter, or sidewalks, and there is no definition between the public right-of-way and private property. Parking occurs along the street edge, often in gravel shoulders and without a consistent pattern.

The residential street ROW in the LSDS area varies between 60' and 80' based on historical platting and construction.

~~Exhibit 16~~~~Exhibit 18~~ and ~~Exhibit 17~~~~Exhibit 19~~ show a standard residential street sections with either a 60' right-of-way or 80' right-of-way that include travel lanes, sidewalks, and bike lanes, and landscaping. In the future, bike lanes could be converted to on-street parking.

Exhibit ~~16~~18. Residential Street Typology – 60' Right-of-Way

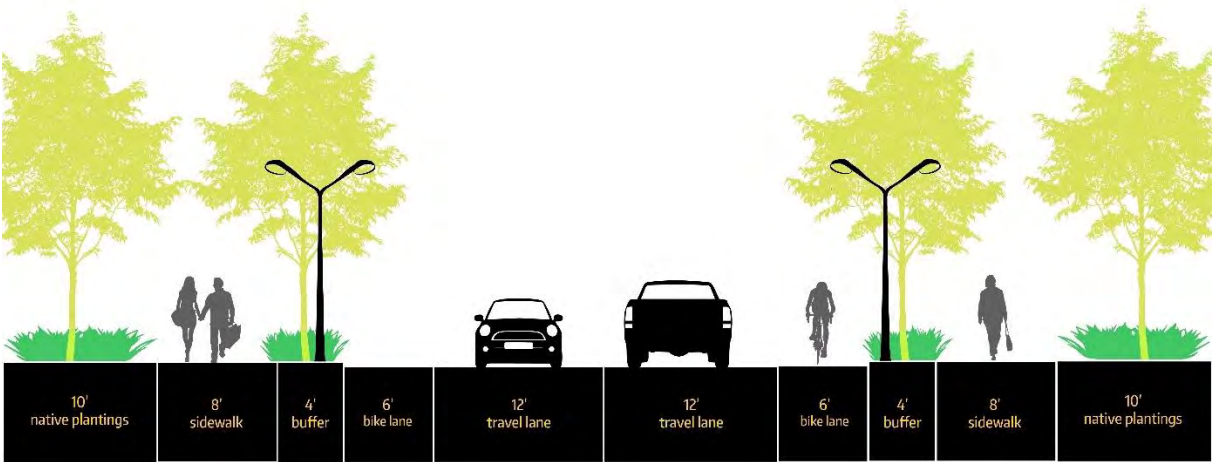
RESIDENTIAL STREET CONCEPT
60' Right-of-Way



Source: Framework, 2020.

Exhibit ~~17~~19. Residential Street Typology - 80' Right-of-Way

RESIDENTIAL STREET CONCEPT
80' Right-of-Way



Source: Framework, 2020.

Alleys and Plazas

Alleys are encouraged to provide secondary access to properties, de-emphasize parking lots, and to promote continuous building frontages. Alleys would meet Public Works engineering standards. Along Occidental, a special Plaza designation identifies acceptable development frontages similar to Mixed Use Streets. The Plaza street concept is shared below.

Exhibit 1820. Plaza Street Concept – 80' Right-of-Way



Framework, 2020

Exhibit 1921. Plaza Street Concept – 60' Right-of-Way



Framework, 2020

Public Spaces

Green spaces and public open spaces should be located throughout the LSDS. This will result in an attractive district, provides gathering or recreation space, and is a desire of the community. The *Legacy Plan 2020*, Lakewood's plan for parks, recreation, and open space, aims to provide a public park or open space facility within a 10-minute walk of each resident.¹² Most of the LSDS is outside of a 10-minute walkshed from a City facility.¹³

Land consolidation would be needed to create a public park or open space in this area. While that opportunity is being explored, there are options to create linear open spaces and green corridors using available ROW. Such opportunities include:

- A linear park along Kendrick Street south of 111th Avenue SW that would bring green space to the heart of the district's residential area. This would better define the pedestrian connection between Lakewood Station and the Lakeview Hope Academy and facilitate the use of the playground there as a neighborhood park as envisioned in the *Legacy Plan 2020*.
- Green corridors with enhanced landscaping in areas with planned pedestrian and bicycle improvements such as 111th /112th Avenue SW.
- A pocket of open space in the alley near Occidental Street would be a plaza street as shown in [Exhibit 20](#)~~Exhibit 22~~.
- A linear park connecting Lakewood Station to the Springbrook Area through improvements along 47th Avenue as envisioned in the *Legacy Plan 2020*.

¹² *Legacy Plan 2020*, Goal 2, Action Strategy 2.

¹³ *Legacy Plan 2020*, Figure 3-14.

Development standards will require street frontage improvements and landscaping that will increase greenery in the public realm. Mixed-use development standards will include provisions for public spaces and open spaces.

~~Lakewood Landing will include a landscaped public plaza in its first phase to support community gathering and provide urban open space.~~



~~Conceptual Landscaped Public Plaza for Lakewood Landing~~

~~Source: Lee & Associates, 2019.~~

Exhibit **2022**. Green Space Opportunities in the LSDS



Source: Framework, 2021.

Policies and Strategies

Policies

- Support transit-oriented development in the LSDS to capitalize on access to regional transit and proximity to Lakewood Station.
- Support and incentivize mixed-use development near Lakewood Station and in the commercial areas along Pacific Highway and Bridgeport Way where there is capacity for increased intensity of development.
- Integrate public open spaces into new development to create opportunities for public gathering and green spaces in the LSDS.
- Maintain land use and zoning designations that support high density residential development as part of mixed-use developments and residential redevelopment.
- Apply a hybrid-form based code to create an identifiable look and feel for the LSDS and to support safe pedestrian spaces.
- Adopt standards, uses and incentives that allow the subarea to transition from its present condition to its desired vision.
- Consider the designation of new Green Streets as opportunities arise, in coordination with public input.

Strategies

- Support the master planning ~~of the Lakewood Landing site~~ for mixed-use development so it will provide opportunities for high density housing, employment, business, and public space.
- Pursue opportunities to enhance landscaping or add linear parks within the public right-of-way to integrate green spaces and open spaces into the LSDS.
- Work through the *Legacy Plan 2020* to identify opportunities for public parks facilities within a 10-minute walk of subarea residents.
- Identify standards and guidelines that support transitional

parking arrangements so space used for parking can be transitioned to other uses as the area becomes less auto-dependent.

- Monitor the impact of the Lakewood Station District Overlay and amend the Plan as needed to improve outcomes.



Housing

Context

There are approximately 900 housing units in the LSDS. The majority (69%) of the units are renter-occupied.¹⁴ Vacancy rates are 13%. However, a 2018 study of the citywide Lakewood rental market showed lower vacancies for multifamily units of 3% or less.¹⁵ Market rate multifamily units had a 97% occupancy rate, while affordable units had a 99% occupancy rate citywide. Low multifamily vacancy had the effect of increasing the average costs of rent.

Market rate rental prices ranged from about \$900 to \$1,650 a month in fall 2018, depending on the unit size. Rates for affordable housing in Lakewood ranged from \$600 to \$1,800 a month. Although approximately 10% of renters within about a half mile of Lakewood Station receive housing subsidies, more than 50% experience cost burden, meaning they pay more than 30% of their household income on housing costs and earn less than 80% of the area median income.¹⁶

Median home values are about \$165,000, which is significantly lower than Lakewood's median value of \$292,000 or Pierce County's \$333,000. It is estimated that more than 30% of local homeowners experience cost-burden.

¹⁴ Estimated by ESRI Business Analyst (2019). This source makes estimates based on proportions of census blocks.

¹⁵ McCament & Rogers, 2018 *Lakewood Rental Market Survey*, October 2018.

¹⁶ City of Lakewood *Draft Consolidated Plan*, March 2020, p.13.

About 94% of subarea residents were employed with about half working in service industries, 18% in retail, and 10% in construction.¹⁷ Median income in the LSDS is \$34,673, which is lower than the \$52,002 median for Lakewood or the \$70,635 median for Pierce County.¹⁸ A household making the LSDS median income could afford to pay about \$900 in housing costs based on the housing burden definition.

Joint Base Lewis-McChord has a 99% housing occupancy rate for more than 5,000 housing units. The 70% of military households that live off-base receive a subsidy to offset rental or purchase costs. Typically, these households spend about \$1,500 to \$2,000 a month on housing.¹⁹ Despite its proximity, less than 10% of the base's workforce lived in Lakewood. This is attributed to a lack of suitable housing in good condition that is affordable to the base workforce.

Low rates of vacancy, rising rental costs, and a steady demand for off-base housing all indicate a need for low and moderate income housing in Lakewood. The LSDS is well suited to provide such housing because there is ample space for redevelopment.²⁰ Proximity to local and regional transit resources and areas of employment in the LSDS and Downtown would also allow households to manage transportation costs.

Existing housing stock in the LSDS already includes a variety of housing types, as shown in [Exhibit 21](#) ~~Exhibit 23~~.

Rental Housing Safety Program

Lakewood has a rental housing safety program (RHSP) to ensure that existing rental stock is safe and maintained and to prevent deterioration and blight. It is codified in Chapter 5.60 of the Lakewood Municipal Code (LMC). This program requires rental units more than ten years old to pass a compliance inspection every five years as a condition of receiving a business license. If deficiencies are found, the property owner must reimburse the City for tenant costs related to relocation or transitional housing. This provision prevents displacement and reduces the financial burden tenants may experience.

¹⁷ This information came from the ESRI Community Profile in February 2020, which uses 2019 data. Unless deemed essential, these top three employment sectors for subarea residents would be sensitive to the significant slowdown in economic activity due to the COVID-19 pandemic.

¹⁸ ESRI Community Profile, 2020.

¹⁹ 42% spend \$1,501 to \$2,000 on housing.

²⁰ In 2019 the density of existing development in the LSDS is only about 11.6 units per acre, far below the maximum density of 54 units per acre allowed under the zone.

Exhibit 2123. Existing Residential Structures in the LSDS

Type of Residential Structures	Sum of Units
1 1/2 Story (finished space in attic or basement is the 1/2 story)	14
1 Story	68
2 Story	4
Apartment <= 3 Stories	20
Duplex 1 1/2 Story	2
Duplex One Story	20
Duplex Two Story	10
Home for the Elderly	5
Mixed Retail w/ Res Units	15
Multiple - Residential	662
Triplex One Story	3
Triplex Two Story	3
RV Park: 1 Apartment, 11 Mobile Homes & 26 RV Spaces	38
Grand Total	864

Sources: Pierce County Assessor, BERK 2020.

Footnote: Data is based Pierce County Assessor Built-As information that the County relates to Marshall and Swift cost and depreciation tables. Thus, the unit type distinctions are more detailed and some categories may overlap traditional planning level unit type definitions (e.g. Apartment < 3 Stories and Multiple-Residential.)

Housing Concepts

Lifecycle Housing

A variety of housing types is needed to meet the needs of people throughout their lifecycle. Housing needs also can vary based on factors such as household size, income, cultural traditions, interests, and preferences. All people need to have access to housing choices that are affordable to them. A family with children may have different housing needs and desires than an elderly couple or a military service person. Even within these categories, there are differences. Some families may desire a larger home to accommodate grandparents or other extended family members; other families may desire an efficient space close to civic amenities. An older couple may prefer a home with minimal maintenance to spend time on other

pursuits;. another couple may enjoy access to and outdoor space for gardening.

A variety of housing types allows people to find homes that meet their needs and desires at a level that they can afford. It contributes to quality of life and the flexibility to change their housing as needed. Lifecycle housing not only includes the single-family housing, apartment buildings present in the LSDS area, but also “missing middle” housing such as duplexes, triplexes, rowhouses, and smaller apartment buildings.

~~Exhibit 21~~ **Exhibit 23** shows that the LSDS already includes a mix of housing types. During engagement, residents acknowledged the importance of having access to ground-related outdoor space, such as a private yard or semi-private shared courtyard. Many housing types can include ground-related outdoor space associated with individual units or incorporated as common space. They also can be built efficiently and affordably. By providing missing middle housing types, the LSDS will continue to provide important options for lifecycle housing, including small units, housing diversity, outdoor space, and affordability to those with moderate incomes.

Rowhouses

The LSDS encourages the development of rowhouses for residential areas. This type of development can successfully blend into the existing neighborhood as infill and redevelopment occurs because it is ground-related, has modest building heights, and is made of wood. It is also a compact development type that achieves densities of 30-40 units per acre. Units can be platted to offer homeownership opportunities that help local residents build wealth and equity as the neighborhood transforms and offers additional amenities.



Example Rowhouse Style Development

Sources: CGAArchitects.com, 2020 (left); Dwell.com, 2020 (middle); TheTownhouseGuy.ca, 2020 (right).

Rowhouses have minimal off-street parking requirements, which makes them functional and affordable for families. Rather than losing the ground floor to parking, they get additional ground floor living space. They are particularly well-suited for families who want the convenience of a yard, but the advantages of a more compact, walkable neighborhood, and access to transit. Where lots can be consolidated, rowhouses can scale into perimeter block housing with access to an interior common space. Parking for rowhouses is provided in collective lots on the development site and can be reconfigured or redeveloped as the area becomes less auto-dependent.

Apartments and Mixed-Use Residential Development

Apartments, whether stand-alone stacked-flats or part of a mixed-use development, are allowed in the LSDS commercial zones located along Pacific Highway and Bridgeport Way. Placing high intensity residential development in commercial areas gives residents easy access to goods, services, and entertainment. The highest density residential development is identified for the Transit-Oriented Commercial zone due to its proximity to Lakewood Station.

Larger lot sizes near the station also support larger scale development options that improve the financial feasibility of mixed-use or apartment development. ~~Lakewood Landing is a good example of a~~ Master planned developments ~~utilizing a large available lots~~ to build a residential development with a mix of retail and entertainment uses. ~~Mixed-use developments like this~~ provide housing, make an efficient use of land, and bring in amenities that reduce auto-dependence.

Mobile Home Park

The study area also contains the Oaknoll Trailer Park, located near the SR 512 interchange, but west of Pacific Highway/South Tacoma Way. Oaknoll rents about two dozen spaces that accommodate mobile homes and RVs. Some of these units are offered for rent and others are individually owned and lease a space only. Currently a non-conforming use in the C2 zone, state law protects the park from removal based on its non-conforming status.²¹



Oaknoll Trailer Park

Source: Google Earth, 2020.

The City could consider adding incentives to improve the trailer park while retaining it as a source of affordable housing. This may include incentives for landscaping and private streetscape or allowing for tiny homes on wheels to replace standard RV or obsolete manufactured homes (e.g. units built before 1976). State law allows tiny house villages in mobile home parks.²²

Affordability

There is sufficient land capacity to replace existing housing units as well as absorb additional units as redevelopment occurs in the LSDS. Supplementary policies and programs to support existing residents as the area transitions could reduce involuntary displacement. Other communities have used notice of intent to sell ordinances, right of first refusal incentives²³, and housing navigator programs²⁴ to support neighborhoods in transition. A citywide just cause eviction protection ordinance

²¹ State law indicates that cities and counties may not order the removal or phased elimination of an existing manufactured housing community because of it being a nonconforming use. Cities also cannot prohibit the entry or require the removal of a manufactured/mobile home, park model, or recreational vehicle authorized in a manufactured housing community because the community is a nonconforming use. (See RCW 35.63.160-161, RCW 35A.63.145-146, and RCW 36.70.493.)

²² State Law (SB 5383) also expanded the subdivision statute (RCW 58.17.040(5)) to allow the creation of tiny house villages and stops cities from prohibiting tiny houses in manufactured/mobile home parks.

²³ Notice of intent to sell or right of first refusal programs provide opportunities for existing tenants to reserve units when the property they live in is redeveloped.

²⁴ Housing navigator programs provide customized assistance to households in redevelopment areas.

would target reductions in arbitrary evictions.²⁵ A policy review of these types of measures, in consideration of existing policies and programs, is a recommended strategy for the LSDS.

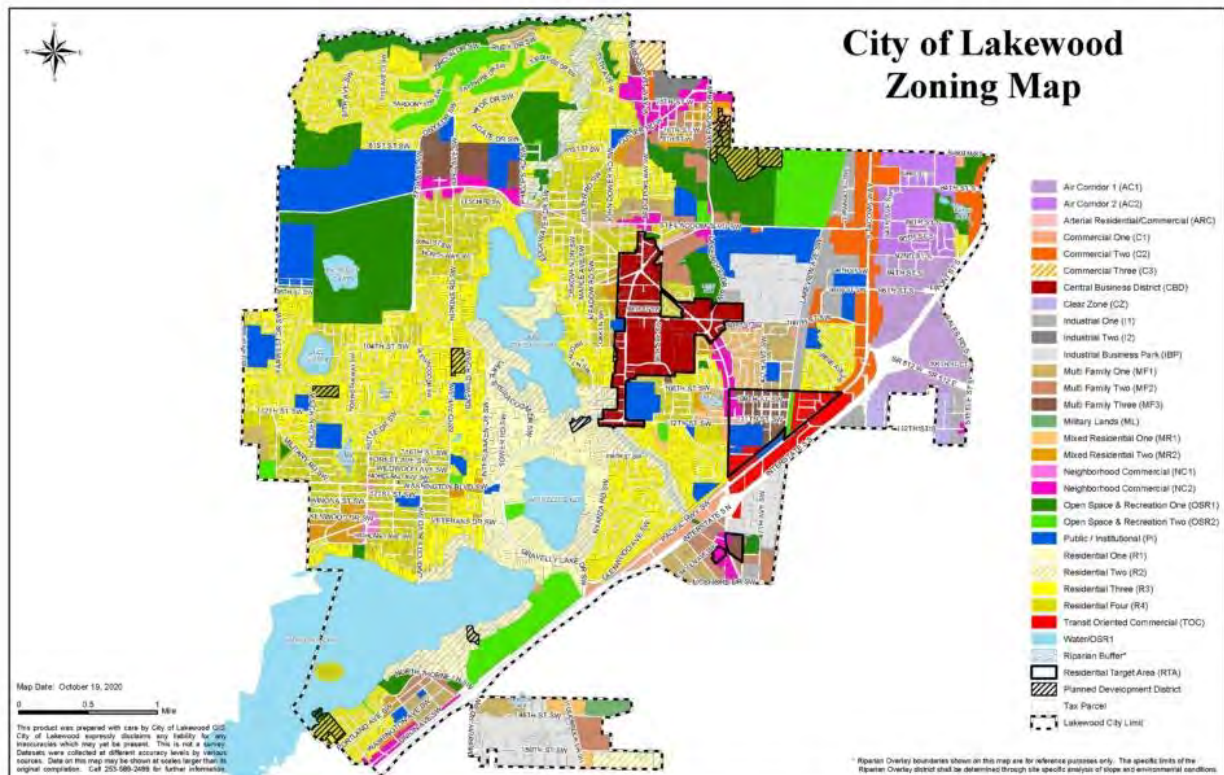
The City's Housing Incentives Program encourages the development of housing for people regardless of economic means.²⁶ Inclusionary density bonuses, development standard flexibility and fee reductions for affordable housing are described in LMC Chapter 18A.90. Incentives are available to support the development of rental housing in all zones that allow it.²⁷ Those who create units affordable to households with very low incomes receive a bonus market rate unit or one and a half bonus market rates units for each unit affordable to households with extremely low incomes. Density bonuses are capped as a percentage of the base zoning district. This includes a 20% base density increase in MF3, a 15% increase in NC2, and a 25% increase in the TOC zone. Modifications in zone development standards such as coverage, parking, and height are allowed for projects participating in the housing incentives program. There is also a reduction in permitting fees.

Lakewood also has a multifamily property tax exemption, which exempts some types of new housing from paying ad valorem property taxes. Currently, most of the LSDS is within one of the residential target areas where the exemption may be applied. The current boundary is outlined in black as a Residential Target Area in ~~Exhibit 22~~[Exhibit 24](#). This offers an incentive to support the types of housing envisioned for the subarea.

²⁵ Adoption would require consideration of citywide applicability and impacts.

²⁶ Lakewood Municipal Code 18A.090

²⁷ With the exception of the construction of one single-family dwelling on one lot. 18A.090.030.

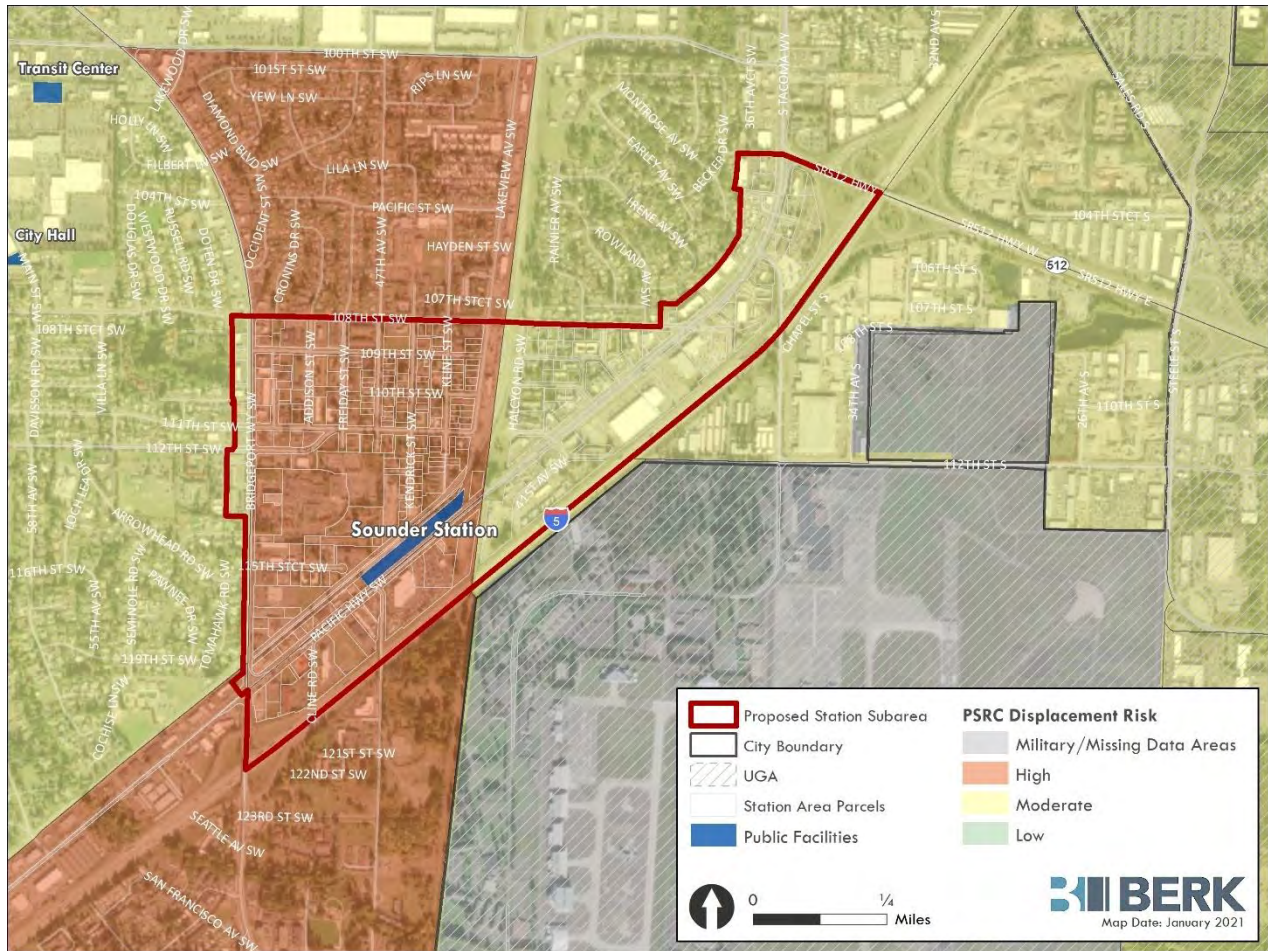
Exhibit 2224. Residential Target Areas

Source: City of Lakewood, 2020.

Preventing Displacement

Current residents in the LSDS may be vulnerable to displacement with redevelopment in this area due to high rates of cost burden, low household incomes, and other factors.

Exhibit 23~~Exhibit 25~~ shows high and moderate risks of displacement in the subarea based on an analysis done by the Puget Sound Regional Council in 2017. Existing low density housing is anticipated to be replaced through small or moderate-scale redevelopment projects over the next 20 years that will increase the number of available units in the area. The focus of this plan is support additional options for low and moderate income housing, as well as a variety of housing types, is one way to prevent economic displacement.

Exhibit 2325. Estimated Displacement Risk

Source: Puget Sound Regional Council, 2017; BERK, 2021.

The City of Lakewood leads or participates in plans and programs to support, create, and maintain affordable housing options for its residents. In addition, the policies and strategies in the Housing section of this plan aim to incentivize new affordable housing creation, support increased rates of homeownership, and assist residents at risk of displacement.

The following **programs support the creation of new affordable housing** in the City and study area:

- Housing Incentive Program (LMC 18.90) provides inclusionary density bonuses, development standard flexibility, and fee reductions for affordable housing development.
- Multi-family Property Tax Exemption (MFTE) gives a tax break for affordable housing development in most of the Lakewood Station District.

- Community Development Block Group (CDBG)/HOME funds from the federal government are used to support affordable housing development.
- Affordable Housing Initiative (2060) and Homeless Housing Act (2163) Programs that are joint with Pierce County and distribute funds to support affordable housing and homelessness.
- SHB 1406 Program applies a portion of the sales and use tax to use for supportive and affordable housing.

The following **programs support residents** in obtaining and maintaining high quality housing they can afford:

- Down payment assistance program by City of Lakewood and Pierce County.
- Pierce County property tax exemption for seniors and disabled.
- On-going partnership with Habitat for Humanity.
- Rental Housing Safety Program: ensures all housing units meet a consistent, minimum level of safety for tenants.

Policies and Strategies

Policies

- Encourage a variety of housing types to ensure choice for current and future residents, workers, military families, and to strengthen commercial areas.
- Support housing affordable to current LSDS residents though preservation where possible, as well as redevelopment activities.
- Incentivize the development of market rate and affordable housing options for households with incomes at 60-120% of the area median income to preserve affordability in the LSDS and avoid displacement of existing residents.
- Encourage homeownership options that allow local residents to invest in the community to gain equity and wealth.
- Attract a mix of large and small builders that can provide new housing options at a variety of scales and levels of

affordability.

Strategies

- Allow the highest density housing in mixed-use areas and in the Transit-Oriented Commercial zone where the availability of amenities within walking distance will encourage non-motorized transportation alternatives.
- Encourage and support missing middle housing types such as duplexes, triplexes, and small-scale multifamily as infill development in the residential area to improve housing choice and preserve affordability.
- Support the development of ground-related rowhouses as an affordable home ownership option for LSDS residents.
- Support the development of housing that meets the needs of military households.
- Partner with affordable housing organizations to support the expansion of subsidized housing in the LSDS by building new projects or by purchasing and rehabilitating existing housing.
- Work with the Washington Homeownership Center to find opportunities for investment in the LSDS.
- Periodically review the existing and new affordable housing incentive programs in the LSDS, including the potential modification of the applicability area for the multi-family property tax exemption (MFTE) program.
- Consider programs to support residents in the LSDS as the area redevelops and reduce involuntary displacement such as a housing navigator program.
- Develop community benefit agreements with large investors in the LSDS.
- Provide information and support to help investors navigate affordable housing financing programs.
- Identify partners to support funding and a program that will rehabilitate existing homes such as a home repair program.



Economic Development, Business, & Employment

The LSDS is an area ripe for new investment due to its location near I-5 and the availability of local and regional transit options. Proximity to Joint Base Lewis-McChord (JBLM) provides a unique and regional market opportunity. A 2018 JBLM Regional Economic Impact Analysis shows that the base has a \$9.2 billion impact on the regional economy.²⁸ The LSDS also has the opportunity to become a health care hub with proximity to Madigan Hospital on JBLM as well as to St. Clare Hospital and Western State Hospital. Business development in the subarea could attract a greater portion of regional investment to Lakewood.

Context

The LSDS supports over 170 businesses and nearly 2,300 employees.²⁹ These numbers grow to over 640 businesses and 6,550 employees within the half mile extended study area.

²⁸ South Sound Military Partnership and University of Washington Tacoma, 2018.

²⁹ Data in this paragraph comes from ESRI Business Summary, 2019.

Retail and services are the primary businesses sectors. Services, including lodging, health care, automotive, legal, and other service industries comprise nearly half of the businesses in the subarea (46%) and employ 65% of the workers. Retail businesses, including restaurants and the sales of merchandise, gas stations, food, and other goods, comprise 29% of the businesses in the subarea and employ 22% of the workers.

Local businesses and small businesses serve the LSDS by providing opportunities for shopping, employment, and entrepreneurship. Stakeholders and public participants acknowledged the importance of small and local businesses in the LSDS visioning survey. Some provide service in Korean or Spanish to support the local community and create spaces of belonging. As the area transitions and grows, measures that prevent residential displacement and support small business will help avoid business displacement by maintaining local customer base and providing resources for continued business development.

Jobs in this area provide moderate incomes: about 44% provide an annual income above \$40,000 a year, approximately half of the median household income for Pierce County. Almost one-fifth (18%) of the workers in the subarea earned under \$15,000 a year.

The LSDS is part of the federally designated Lakeview/Kendrick Street Opportunity Zone. The opportunity zone includes two census tracts. These tracks overlap with portions of the LSDS including the Bridgeport Way interchange with I-5, St. Clare Hospital, the Sounder Station, ~~the-proposed Lakewood Landing site,~~ and a portion of the residential area. Opportunity zones were created by the 2017 Tax Cuts and Jobs Act with the intention of supporting economic development and employment in distressed communities.³⁰ The program allows investors to defer capital gains tax for up to nine years by investing their gains in a Qualified Opportunity Zone. The federal program is funded through 2026 and supports redevelopment in the LSDS.



Local businesses serve residents and provide entrepreneurship opportunities

Source: El Mercado Latino

³⁰ Department of Commerce, 2020.

<https://www.commerce.wa.gov/growing-the-economy/opportunity-zones/>

Policies and Strategies

Policies

- Support medical office and commercial office opportunities.
- Encourage mixed-use development to expand opportunities for business and employment in the LSDS.
- Support small business development to build on the diverse offering of goods and services to residents and workers in the LSDS.

Strategies

- Promote St. Clare Hospital and satellite medical office and supportive commercial uses. Connect the residential neighborhood to the hospital with improved pedestrian and linear park opportunities.
- Support ~~the master planning of the Lakewood Landing site~~ for mixed-use development to expand opportunities for employment and retail development. See related Land Use policy.
- Partner with developers to identify projects eligible for participation in the Lakeview/Kendrick Street Opportunity Zone.
- Provide resources for entrepreneurs and small businesses, such as grant/loan programs, to support and recruit small, local businesses in the LSDS.
- Encourage micro-retail, or businesses that cater to specific demographic segments of the community, with business development resources and support available in other languages and flexibility in the design of cultural spaces.
- Invest in infrastructure and civic amenities consistent with this plan to attract business owners and investors.



Transportation

Context

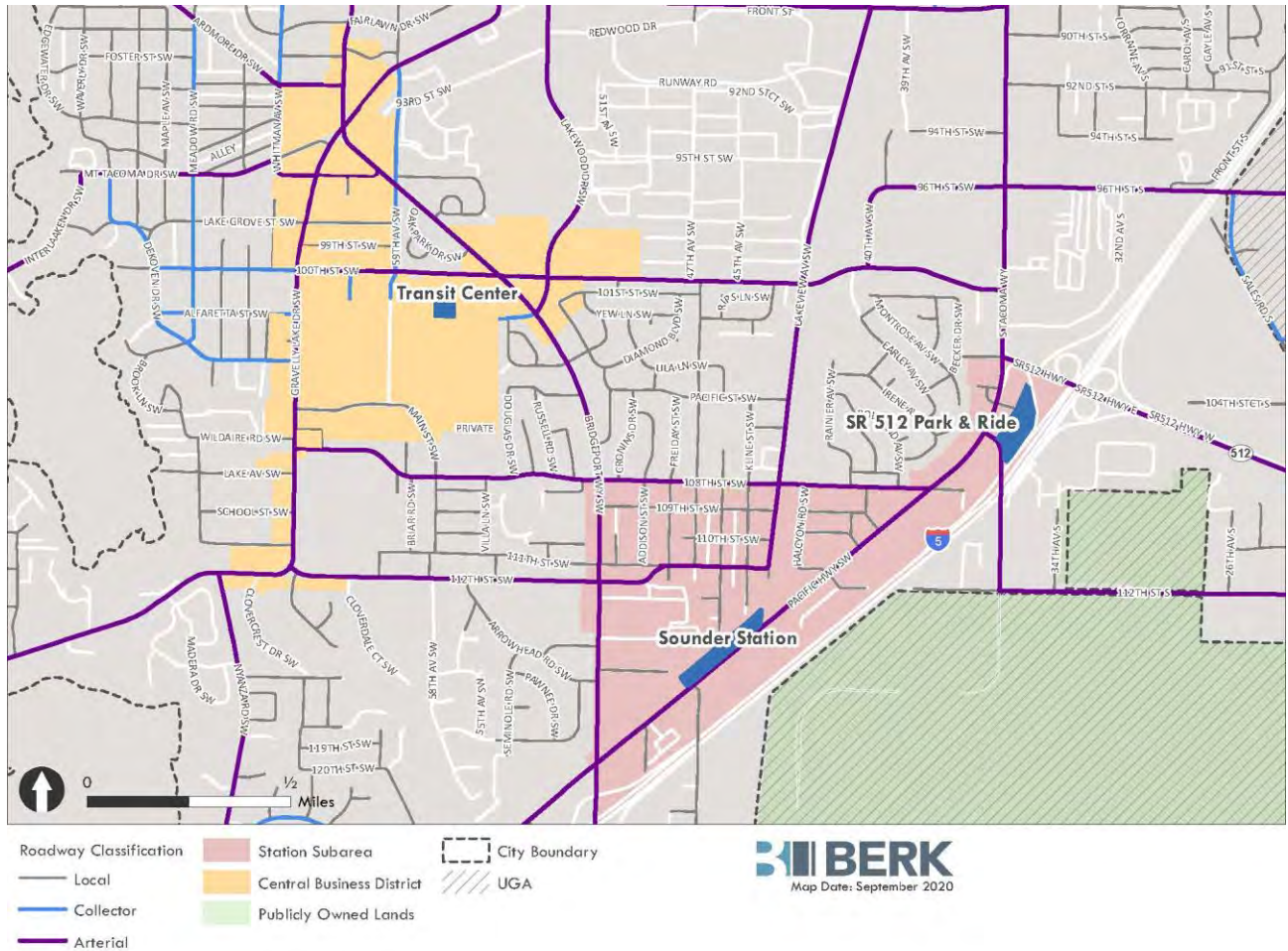
The LSDS is a predominantly auto-oriented environment framed by access to I-5 to the north at the SR 512 interchange and at the Bridgeport Way interchange to the south. It is also served by major arterials such as Pacific Highway SW, Bridgeport Way, and 108th Avenue SW and a network of local access streets (see [Exhibit 24](#)~~Exhibit 26~~).

There are two key regional transit facilities: Lakewood Station and SR 512 Park & Ride. Both Lakewood Station and SR 512 Park & Ride provide vehicle parking for transit users. The Downtown Transit Center is only about a mile away from the study area along Bridgeport Way. Enhanced streetscapes could provide better bike and pedestrian accessibility to transit resources within and nearby the LSDS.

The subarea is bisected by an existing rail line on which the Sounder and freight trains operate. While the rail line is an important regional transit and freight corridor, it has also created an environment with few roadway crossing opportunities which can affect vehicle operations and bicycle and pedestrian mobility.

Marked bicycle lanes are located in the LSDS on Pacific Highway and 108th Street SW. While sidewalks are generally located on all major streets in the project area, the residential area lacks sidewalks on most roadways. In addition to adding sidewalks and bike lanes, there is an opportunity to enhance existing street facilities. Adding landscaping that buffers non-motorized travelers from automobile traffic flows could improve safety and comfort.

Exhibit 2426. Transportation Features in the LSDS and Vicinity



Sources: Fehr & Peers, 2020; Pierce County, 2020.

Level of Service

The transportation element of the Comprehensive Plan provides policy direction to address local and regional mobility. The transportation element acknowledges the increase of traffic congestion within Lakewood and seeks to mitigate it by developing a balanced multimodal system that effectively moves people, goods, and services without compromising community character. The Plan specifically calls for the incorporation of non-motorized facilities, enhanced illumination, and other pedestrian amenities into new development designs.

The City uses PM peak hour average delay to evaluate traffic operations level of service (LOS) at its intersections. The

transportation element designates LOS guidelines for the city's arterial streets and intersections. Within the study area, the City sets a LOS standard of LOS D³¹ during the weekday PM peak hour at all arterial street intersections. However, according to Policy T-20.5, the City may allow minor street stop-controlled intersections to operate below that LOS standard if those instances are thoroughly analyzed from an operational and safety perspective.

Redevelopment in the LSDS is expected to increase roadway volumes that will impact the movement of automobiles, freight, and transit. The areas where LOS may be affected, without mitigation interventions (mitigations are discussed on the following pages), include the following intersections:

- Pacific Highway / Sharondale Street SW – Increase in delay, LOS F to LOS F
- Pacific Highway / Bridgeport Way – from LOS D to LOS E
- Bridgeport Way / SB I-5 Ramp – from LOS D to LOS E

Improvements

Planned Improvements

The Six-Year Comprehensive Transportation Improvement Program (TIP) for 2021-2026 was approved by the Lakewood City Council in June 2020. This document outlines short and long term road projects, including the addition of new sidewalks, curb, gutter, stormwater improvements and road overlays, throughout the city. The following projects within the LSDS are identified in the TIP as long term improvements:

- Lakewood Station Non-Motorized Access Improvements – sidewalks and street lighting per the Non-Motorized Plan and Sound Transit Access Improvement Study.



111th and 112th Street Corridors

Source: City of Lakewood.

³¹ LOS D is defined in the Lakewood Comprehensive Plan as a level of traffic that is approaching unstable flow. Travel speed and freedom to maneuver are somewhat restricted, with average delays of 25 to 40 seconds per vehicle at signalized intersections. Small increases in traffic flow can cause operational difficulties at this level.

- Kendrick Street SW from 111th Street SW to 108th Street SW – sidewalks, street lighting, bicycle facilities.
- 112th/111th – Bridgeport to Kendrick – sidewalks, bicycle facilities, street lighting.
- 108th – Bridgeport Way to Pacific Highway – roadway patching and overlay.

Sound Transit and Pierce Transit have also identified improvements for the LSDS in their plans. The Sound Transit System Access Fund awarded funds in 2019 to support non-motorized access to Lakewood Station. These include a variety of improvements to support pedestrian and bicycle access on 11th Street SW and 112th Street SW. ~~At this time there is no specific plan for a pedestrian crossing of Pacific Highway to connect Lakewood Station to the future Lakewood Landing site, but options should be considered.~~ Pierce Transit's *Destination 2040* plan identifies two new Bus Rapid Transit (BRT) routes that will bring additional transit service to the subarea. A new line in 2026 would connect to Downtown Tacoma. In 2030 a BRT line would replace an existing transit line connecting Lakewood to Puyallup's South Hill.

General Mitigation Measures

Managing demand for auto travel is an important part of mitigating the traffic congestion impacts. Transportation demand management (TDM) strategies could include subsidies or discounts for non-auto travel, education and assistance to help travelers identify non-auto commute options, rideshare and ridematch promotion, and local incentive and reward programs.



Transit near employment helps reduce auto demand

Source: City of Lakewood.

Washington state Commute Trip Reduction (CTR) law focuses on employers with 100 or more employees whose shifts begin during the typical AM commute. This law requires employers to develop commute trip reduction plans and work toward meeting their mode share targets through internal programs and monitoring.

The City of Lakewood included policies aimed at managing auto travel demand in its Comprehensive Plan. The policies call

for the City to encourage and assist employers who are not affected by the CTR law to offer TDM programs on a voluntary basis, encourage large employers to offer flexible or compressed work schedules to reduce localized congestion, and implement a public awareness and educational program to promote transportation demand management (TDM) strategies. With a robust TDM program in place, it is expected that actual trip generation in the Study Area could be lowered beyond the levels analyzed as part of the Subarea Plan.

Specific Mitigation Measures

The City could make signal timing improvements to increase the efficiency of impacted intersections and roadways in the subarea. ~~Exhibit 25~~**Exhibit 27** describes potential improvements to the impacted study intersections. Improvements generally involve changes that will not require right-of-way acquisition or widening, rather only changes to signal timing. The exception is intersection of Pacific Highway and Sharondale Street, which is currently all-way stop controlled, where a signal could improve operations if the volumes meet a signal warrant. With the proposed mitigation measures all intersections are expected to operate at LOS D or better.

Exhibit ~~25~~27. Proposed Mitigation Measures

INTERSECTION	IMPROVEMENT
Pacific Highway / Sharondale Street	Install signal using existing channelization and signal length consistent with adjacent intersections
Pacific Highway / Bridgeport Way	Signal timing revisions, including optimizing cycle lengths and coordination offsets on Bridgeport Way from 108th to the NB I-5 Ramp. Change signal phasing for the northbound right turn to include an overlap with the eastbound left turn phase.
Bridgeport Way / SB I-5 Ramp	Signal timing revisions, including optimizing cycle lengths and coordination offsets on Bridgeport Way from 108th to the NB I-5 Ramp.

Source: Fehr & Peers, 2020.

With implementation of the potential signal timing mitigation measures outlined in the previous section and future improvements at the Bridgeport Way/I-5 ramps, the magnitude

of the impacts could be mitigated such that auto, freight, and transit are not significantly impacted.

Street Standards

As noted in Land Use & Urban Design, new street standards are an important tool in the transformation of the LSDS according to its vision. New development brings the opportunity to modify frontages to improve safety and comfort for pedestrians and bicyclists. It also provides opportunities to increase green space and open space. By adopting new street standards, the LSDS will improve travel conditions across all modes.

The City of Lakewood hopes to offset the costs of complying with street standards. It will identify programs and funding sources aimed at sharing or minimizing the cost of street improvements in the LSDS.

Policies and Strategies

Policies

- Provide multi-modal transportation options to improve the flow of people and goods in the LSDS and to reduce auto-dependence.
- Support pedestrians in the LSDS with sidewalk and infrastructure improvements that enhance safety and provide a more comfortable travel experience.
- Enhance non-motorized connections to Lakewood Station and Pierce Transit facilities to encourage the use of regional and local transit.
- Connect the LSDS to Downtown with enhanced pedestrian and bicycle facilities.
- Publicly invest in the development and construction of streetscapes to support redevelopment in the LSDS.
- Consider options for crossing Pacific Highway to provide a safe and efficient linkage between Lakewood Station, ~~and the Lakewood Landing development site~~ housing, and jobs.

Strategies

- Apply a hybrid form-based code to support improved streetscapes that accommodate pedestrian travel.
- Add signalization improvements at Pacific Highway and Sharondale Street to prevent traffic delays and at Bridgeport Way and the I-5 northbound/southbound off ramps to prevent queuing that extends onto the freeway.
- Work with Sound Transit and Pierce Transit on the timing and location of non-motorized improvements to avoid gaps and overlaps in the system.
- Require street frontage improvements that enhance walkability and support economically viable and quality residential development.
- Identify funds, funding mechanisms, grants, and programs that allow the City of Lakewood to develop and build streetscapes in the LSDS.



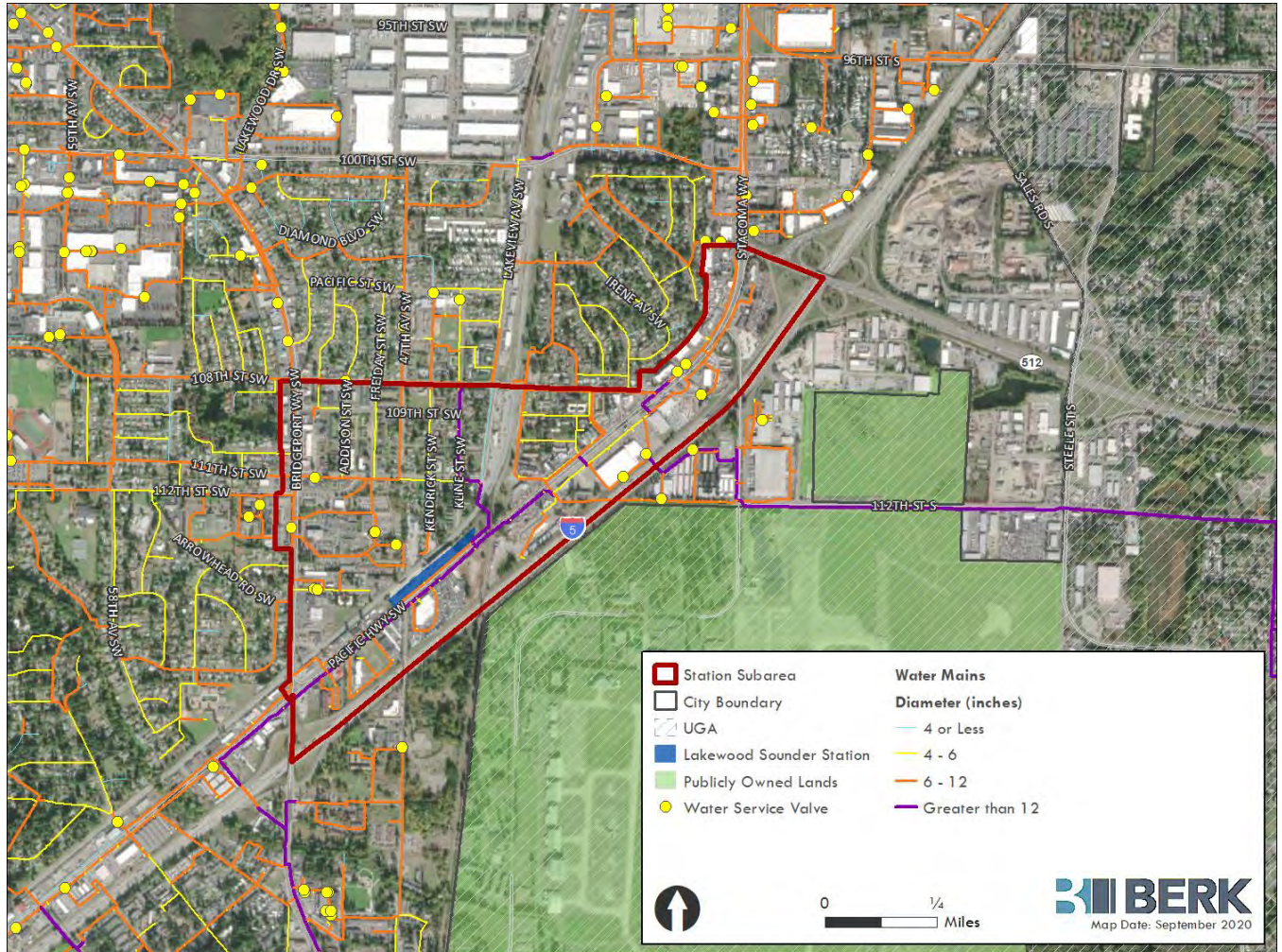
Utilities & Public Services

A variety of providers serve the LSDS with utility infrastructure and public services. Infrastructure updates and capacity changes related to the subarea plan will need to be coordinated with these providers. This should be done through participation in the updates of long-range system plans as well as shorter term capital facility improvement plans and project specific planning and permitting.

Context

Water

Water is provided by the Lakewood Water District and the subarea is fully served. As shown in [Exhibit 26](#)~~Exhibit 28~~, the largest water mains primarily run along Pacific Highway, but a main larger than 12 inches runs roughly under Kline Street SW into the residential area. There is also a main larger than 12 inches that runs into the subarea from the southeast side of I-5. Mains 6 to 12 inches in size are well distributed throughout the subarea, running under several streets, including Bridgeport Way. These mid-sized mains serve St. Clare Hospital and the existing commercial development in the subarea.

Exhibit 2628. Water Utility Infrastructure in LDS and Surrounding Area

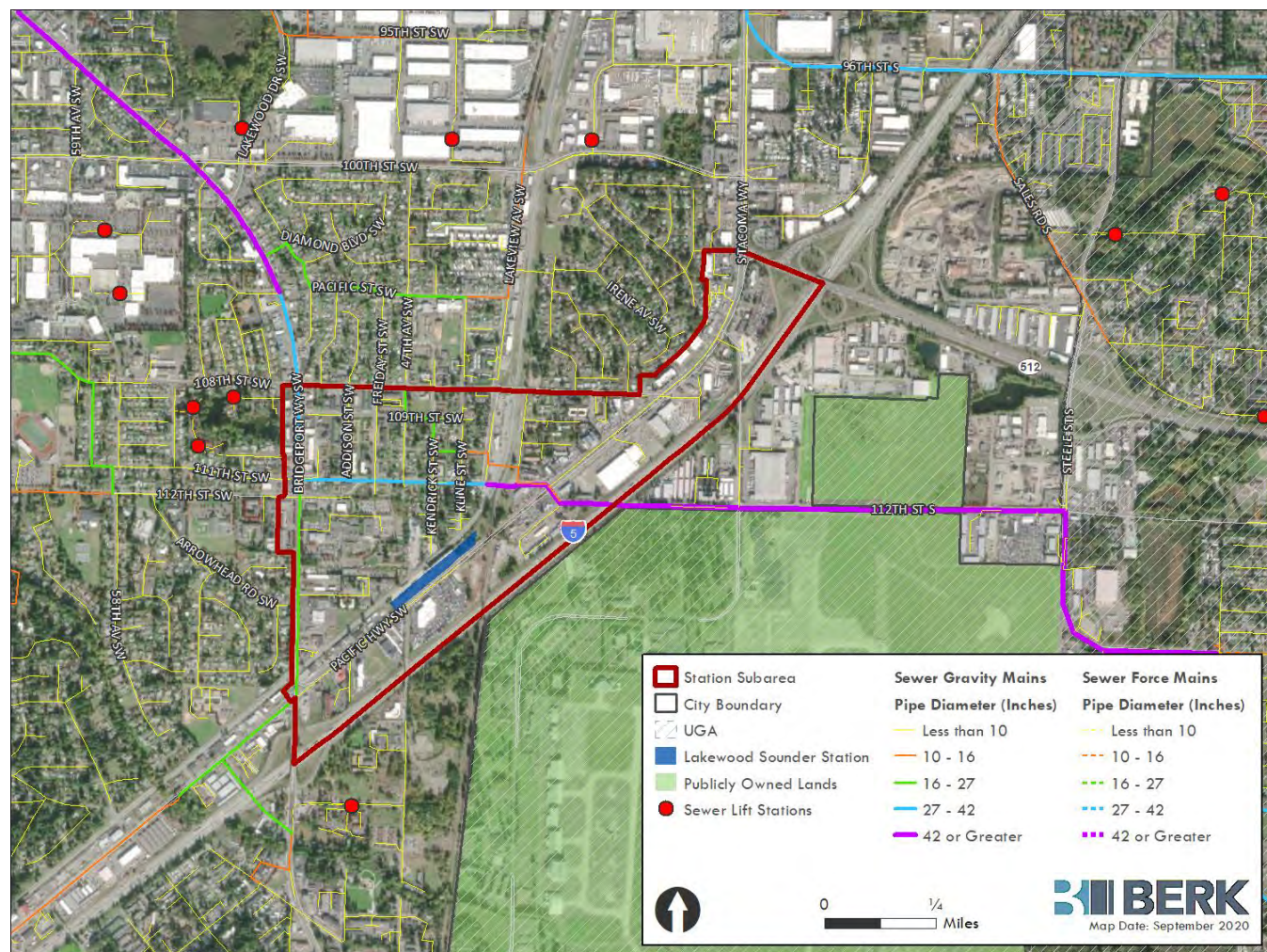
Sources: BERK, 2020; Pierce County Assessor, 2020.

The Lakewood Water District initiated a 50-year repair and replacement plan in 2014 to replace 181 miles of aging water mains. Some replacements have already occurred in the subarea, including replacements along Bridgeport Way. The repair and replacement plan focuses on the replacement of facilities that are nearing the end of their useful life and does not account for upgrades or extensions to support new development. District policy requires the developer to pay for system improvements related to new development. Depending on the location and intensity of new development in the subarea, this may include water main upgrades or line extensions to provide additional capacity or fire flow. Coordination of upgrades with the 50-year repair and replacement program is recommended and could provide cost and timing efficiency for redevelopment projects in the subarea.

Wastewater

Wastewater service in Lakewood is provided by Pierce County Planning and Public Works. Most of the sewer pipes shown in ~~Exhibit 27~~~~Exhibit 29~~ were installed in the 1980s (some later) and are primarily 8-inch diameter PVC pipes, which have a 100-year lifetime. Larger interceptors are typically made of concrete, which has a service life of 50 to 100 years. Generally, the sewer infrastructure is considered in good condition with plenty of remaining service life and no current need for large scale line replacements or upgrades.

Exhibit 2729. Wastewater Infrastructure in the LSDS and Surrounding Area



Sources: BERK, 2020; Pierce County Public Works, 2020; Pierce County Assessor, 2020.

The most recent system plan is the 2010 Unified Sewer Plan, adopted in 2012. Pierce County was scheduled to begin an update in late 2020. The Plan accounted for zoning densities up to 54 units per acre, which should be adequate for most development within the LSDS. Master planned development at

~~Lakewood Landing Subarea~~ may occur at a higher intensity and require wastewater system capacity upgrades. The update of the Unified Sewer Plan provides an opportunity to plan for such densification. ~~future development at Lakewood Landing.~~

Pierce County coordinates quarterly with the City of Lakewood to discuss upcoming and future projects. A Sewer Improvement Plan (SIP) was adopted in September 2019, addressing capital facility planning from 2020-2040 and identifying funding for the next six years of capital facility improvements. Reviewing the SIP in light of the LSDS ~~and Lakewood Landing development~~ is recommended.

Energy

Lakeview Light and Power provides electrical service to the subarea and Puget Sound Energy provides natural gas service. Maps showing the locations of the lines providing natural gas service are not available and most facilities are located underground. Puget Sound Energy is working on an updated Integrated Resource Plan to ensure continued delivery of service to its existing service areas in the region and to address opportunities for enhanced conservation and reduced environmental impacts.

Lakeview Light and Power is working on increased system capacity and flexibility. There is a five-year capital budget for repowering the substation at Pacific Highway and Bridgeport Way. Improvements to the substation will allow Lakeview Light and Power to rebalance loads as needed to accommodate fluctuations in usage. Increased demand for electrical service should be possible to accommodate, but specific plans may be needed to address any heavy commercial users and electric vehicle charging capacity. Line infrastructure is located mostly above ground within the subarea. As redevelopment occurs, taller buildings will likely require utility undergrounding for safety, but Lakewood does not have a policy or regulation requiring undergrounding with new development.

Emergency Response

Emergency response services in Lakewood are provided by West Pierce Fire and Rescue and the Lakewood Police Department.

The Lakewood Police Department is one of the largest departments in the state. It operates six patrol districts as well as specialized units in criminal investigation, K9, traffic, and marine response. The subarea is part of the Pacific Patrol District, which is authorized for up to 28 sworn personnel.³² All patrol districts, including the Pacific District, are operated out of the police station in the civic campus in Downtown, less than a mile from the subarea.

Emergency management functions for Lakewood are part of the Police Department. The mission of emergency management is to assist with mitigation, preparation, response, and recovery from natural disasters and other community emergencies. This includes a variety of trainings and informational materials to help residents and businesses prepare for major emergency events.

West Pierce Fire and Rescue provides fire and emergency medical response to Lakewood, University Place, and Steilacoom. Station 20 is located within the subarea along Pacific Highway. Services offered by West Pierce Fire and Rescue include emergency medical response, fire suppression, fire prevention, and community education. They also sponsor Community Emergency Response Team (CERT) trainings that prepare residents to be the first line of response in their neighborhoods following a disaster prior to the arrival of emergency responders.



Emergency response is readily available

Source: West Pierce Fire and Rescue.

³² Lakewood Police Department 2018 Annual Report, updated in 2019.

Policies and Strategies

Policies

- Ensure there is adequate utilities infrastructure to support redevelopment of the LSDS according to the vision.
- Consider future agreements to support infrastructure development in the LSDS such as development agreements, latecomers agreements, fee assessments, improvement districts, and other tools.

Strategies

- Coordinate with public service and utility providers during the update and development of long-range plans and system improvement plans to ensure there is adequate support for anticipated growth and development of the LSDS subarea.
- Work with public service and utility providers to ensure that capital improvement plans include the projects necessary to support development in the LSDS subarea.



Implementation Plan

The following table identifies responsibilities for implementing the vision for the LSDS. It outlines the direction, responsible entity, and timeline for plan actions. The timelines include ongoing, short term (up to three years), midterm (three to five years), or long term (more than five years).

	Direction	Timeline	Department
Land Use & Design	Support the master planning of the Lakewood Landing site for mixed-use development so it will provide opportunities for high density housing, employment, business, and public space.	Ongoing	Community Development and Economic Development
	Pursue opportunities for enhancing landscaping or adding linear parks within the public right-of-way to integrate green spaces and open spaces into the LSDS.	Long term	Community Development and Parks and Recreation
	Work through the <i>Legacy Plan 2020</i> to identify opportunities for public parks facilities within a 10-minute walk of subarea residents.	Midterm	Parks and Recreation
	Identify standards and guidelines that support transitional parking arrangements so space used for parking can be transitioned to other uses as the area becomes less auto-dependent.	Short term	Community Development
	Monitor the impact of the Lakewood Station District Overlay and amend the Plan as needed to improve outcomes.	Ongoing	Community Development

	Direction	Timeline	Department
Housing	Allow the highest density housing in mixed-use areas and in the Transit-Oriented Commercial zone where the availability of amenities within walking distance will encourage non-motorized transportation alternatives.	Ongoing	Community Development
	Encourage and support missing middle housing types such as duplexes, triplexes, and small-scale multifamily as infill development in the residential area to improve housing choice and preserve affordability.	Ongoing	Community Development
	Support the development of ground-related rowhouses as an affordable home ownership option for LSDS residents.	Ongoing	Community Development
	Support the development of housing that meets the needs of military households.	Ongoing	Community Development
	Partner with affordable housing organizations to support the expansion of subsidized housing in the LSDS by building new projects or by purchasing and rehabilitating existing housing.	Ongoing	Community Development
	Work with the Washington Homeownership Center to find opportunities for investment in the LSDS.	Ongoing	Community Development
	Periodically review the existing and new affordable housing incentive programs in the LSDS, including the potential modification of the applicability area for the multi-family property tax exemption (MFTE) program.	Ongoing	Community Development
	Consider programs to support residents in the LSDS as the area redevelops and reduce involuntary displacement such as a housing navigator program.	Short term	Community Development
	Develop community benefit agreements with large investors in the LSDS.	Ongoing	Community Development
Housing, continued	Provide information and support to help investors navigate affordable housing financing programs.	Short term	Community Development and Economic Development
	Identify partners to support funding and a program that will rehabilitate existing homes such as a home repair program.	Short term	Community Development

	Direction	Timeline	Department
Economic Development, Business, & Employment	Promote St. Clare Hospital and satellite medical office and supportive commercial uses. Connect the residential neighborhood to the hospital with improved pedestrian and linear park opportunities.	Short term	Community Development and Economic Development
	Support the master planning of the Lakewood Landing site for mixed-use development to expand opportunities for employment and retail development. See related Land Use policy.	Ongoing	Community Development and Economic Development
	Partner with developers to identify projects eligible for participation in the Lakeview/Kendrick Street Opportunity Zone.	Midterm	Community Development and Economic Development
	Provide resources for entrepreneurs and small businesses, such as grant/loan programs, to support and recruit small, local businesses in the LSDS.	Ongoing	Economic Development
	Encourage micro-retail, or businesses that cater to specific demographic segments of the community, with business development resources and support available in other languages and flexibility in the design of cultural spaces	Ongoing	Economic Development
Transportation	Invest in infrastructure and civic amenities consistent with this Plan to attract business owners and investors.	Long term	Public Works
	Apply a hybrid form-based code to support improved streetscapes that accommodate pedestrian travel.	Ongoing	Community Development
	Add signalization improvements at Pacific Highway and Sharondale Street to prevent traffic delays, and at Bridgeport Way and the I-5 northbound/southbound off ramps to prevent queuing that extends onto the freeway.	Long term	Public Works
	Work with Sound Transit and Pierce Transit on the timing and location of non-motorized improvements to avoid gaps and overlaps in the system.	Ongoing	Public Works
	Require street frontage improvements that enhance walkability and support economically viable and quality residential development.	Ongoing	Community Development and Public Works

	Direction	Timeline	Department
	Publicly invest in the development and construction of streetscapes to support redevelopment in the LSDS.	Ongoing	Community Development and Public Works
Utilities	Coordinate with public service and utility providers during the update and development of long-range plans and system improvement plans to ensure there is adequate support for anticipated growth and development of the LSDS subarea.	Midterm	Public Works
	Work with public service and utility providers to ensure that capital improvement plans include the projects necessary to support development in the LSDS subarea.	Midterm	Public Works

ATTACHMENT C

PLANNING COMMISSION RESOLUTION 2024-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKEWOOD, WASHINGTON, FORMALIZING ITS RECOMMENDATIONS REGARDING THE 2024 DEVELOPMENT REGULATION AMENDMENTS AND FORWARDING ITS RECOMMENDATIONS TO THE LAKEWOOD CITY COUNCIL FOR CONSIDERATION AND ACTION.

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

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

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

WHEREAS, the City Council adopted the Tillicum Neighborhood Plan on June 20, 2011 via Resolution 2011-09; and

WHEREAS, the City Council adopted the Downtown Subarea Plan, Development Regulations, and Planned Action on October 1, 2018 via Ordinances 695 and 696; and

WHEREAS, the City Council adopted the Lakewood Shoreline Master Program and Shoreline Restoration Program via Ordinance 711 on May 6, 2019; and

WHEREAS, the City Council adopted the Station District Subarea Plan, Development Regulations, and Planned Action on May 3, 2021 via Ordinances 751 and 752; and

WHEREAS, it is appropriate for the City Council to periodically consider and adopt amendments needed to ensure that the Plan and implementing regulations provide appropriate policy and regulatory guidance for growth and development; and

WHEREAS, RCW 36.70A.130 (4) and (5) require that the City of Lakewood take legislative action to review and, if needed, revise its Comprehensive Land Use Plan and Development Regulations to ensure the Plan and regulations comply with the Growth Management Act (GMA) no later than December 31, 2024 (the "2024 Periodic Review"); and

WHEREAS, per RCW 36.70A.130(2) and via Resolution 2023-01, the City of Lakewood adopted a public engagement plan that was implemented in 2023 and 2024, including through: holding five open houses in various locations across the City; holding over 20 study sessions at the Planning Commission; holding over 10 study sessions at the City Council; publishing two websites that provided information about the 2024 Periodic Review and accepted public comments; convening three community advisory committees to provide input and feedback on the drafting of the 2024 Comprehensive Plan, Tillicum-Woodbrook Subarea Plan, and 2024 development regulations; sending three mailers citywide and one mailer to

shoreline property owners in 2024; and publishing information in 2022, 2023, and 2024 through the Lakewood *Connections* Magazine and on its social media platforms; and

WHEREAS, environmental review as required under the Washington State Environmental Policy Act (SEPA) has resulted in the issuance of a determination of significance and Draft Supplemental Environmental Impact Statement (DSEIS) that was published on June 3, 2024 under SEPA #202402388 with a public comment period through July 3, 2024; and

WHEREAS, notice of the proposed 2024 Comprehensive Plan was provided to state agencies on May 21, 2024 per City of Lakewood NOIA-2024-S-7088 and updated on June 2, 2024 per NOIA-2024-S-7111, prior to the adoption of this Resolution, and state agencies have been afforded the opportunity to comment per RCW 36.70A.106 (1); and

WHEREAS, notice of the proposed 2024 Development Regulations was provided to state agencies on May 21, 2024 per City of Lakewood NOIA: 2024-S-7089 and updated on 06/02/24 per NOIA: 2024-S-7112, prior to the adoption of this Resolution, and state agencies have been afforded the opportunity to comment per RCW 36.70A.106(1); and

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

WHEREAS, the Lakewood Planning Commission held an open record public hearing that began on June 5, 2024 and continued through June 26, 2024; and

WHEREAS, the Lakewood Planning Commission has determined that the 2024 Periodic Review Development Regulation amendments are consistent with: the Growth Management Act; VISION 2050 and the Regional Growth Strategy; and the Pierce County Countywide Planning Policies; and that the proposed amendments meet the criteria for approval found in LMC 18A.30.050 and LMC 18A.30.090(A)(4); and

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

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

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

2024-06 Adopt amendments to Lakewood Municipal Code (LMC) Title 14, Environmental Protection, the City's critical areas ordinance (CAO);

2024-07 Adopt a new LMC Title 16, incorporating the Lakewood Shoreline Master Program (LMA Chapter 16.10) and Shoreline Restoration Plan (LMC Chapter 16.20);

2024-08 Adopt new definitions in LMC Section 17.02, adopt a new Chapter 17.24 including regulations governing unit lot subdivisions per RCW 58.17.060 (3), and amend LMC Section 17.38.035; and

2024-09 Adopt amendments to LMC Title 18A, 18B, and 18C to reflect current state law, multicounty and countywide planning policies, and other requirements related to the 2024 Periodic Review.

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

PASSED AND ADOPTED at a regular meeting of the City of Lakewood Planning Commission this 10th day of July, 2024, by the following vote:

AYES: BOARDMEMBERS:

NOES: BOARDMEMBERS:

ABSENT: BOARDMEMBERS:

ATTEST:

ROBERT ESTRADA, CHAIR,
PLANNING COMMISSION

KAREN DEVEREAUX, SECRETARY

EXHIBIT A

2024-06 Adopt amendments to Lakewood Municipal Code (LMC) Title 14, Environmental Protection, the City's critical areas ordinance (CAO)

See **Attachment A**.

2024-06 Review and Evaluation Analysis

1. Is the proposed amendment consistent with the county-wide planning policies, the Growth Management Act (GMA), other state or federal law, or the Washington Administrative Code? **Yes. This amendment is to implement the required periodic update of the Lakewood Comprehensive Plan.**
2. Would the proposed amendment have little or no adverse environmental impacts and is the time required to analyze impacts available within the time frame of the standard annual review process? **Yes. This is a non-project action. *Any environmental impacts coming from a future application for development would be reviewed under the City's development and environmental protection regulations.***
3. Is sufficient analysis completed to determine any need for additional capital improvements and revenues to maintain level-of-service, and is the time required for this analysis available within the time frame for this annual review process? **Yes. This is a non-project action. *Any impacts on capital improvement or revenues coming from a future application for development would be reviewed under the City's development and environmental protection regulations.***
4. Can the proposed amendment be considered now without conflicting with some other Comprehensive Plan established timeline? **Yes. This non-project action is part of the 2024 Comprehensive Plan Periodic Review.**
5. Can the proposed amendment be acted on without significant other amendments or revisions not anticipated by the proponents and is the time required for processing those amendments or revisions available within the time frame of this annual review process? **Yes.**
6. If the proposed amendment was previously reviewed, ruled upon or rejected, has the applicant identified reasons to review the proposed amendment again? **N/A.**

Note: The City also published a draft Supplemental Environmental Impact Statement (DSEIS) on June 3, 2024 under SEPA [202402388](#).

2024-07 Adopt a new LMC Title 16, incorporating the Lakewood Shoreline Master Program (LMA Chapter 16.10) and Shoreline Restoration Plan (LMC Chapter 16.20)

See **Attachment B**.

2024-07 Review and Evaluation Analysis

1. Is the proposed amendment consistent with the county-wide planning policies, the Growth Management Act (GMA), other state or federal law, or the Washington Administrative Code? **Yes. This amendment is to implement the required periodic update of the Lakewood Comprehensive Plan.**
2. Would the proposed amendment have little or no adverse environmental impacts and is the time required to analyze impacts available within the time frame of the standard annual review process? **Yes. This is a non-project action. Any environmental impacts coming from a future application for development would be reviewed under the City's development and environmental protection regulations.**
3. Is sufficient analysis completed to determine any need for additional capital improvements and revenues to maintain level-of-service, and is the time required for this analysis available within the time frame for this annual review process? **Yes. This is a non-project action. Any impacts on capital improvement or revenues coming from a future application for development would be reviewed under the City's development and environmental protection regulations.**
4. Can the proposed amendment be considered now without conflicting with some other Comprehensive Plan established timeline? **Yes. This non-project action is part of the 2024 Comprehensive Plan Periodic Review.**
5. Can the proposed amendment be acted on without significant other amendments or revisions not anticipated by the proponents and is the time required for processing those amendments or revisions available within the time frame of this annual review process? **Yes.**
6. If the proposed amendment was previously reviewed, ruled upon or rejected, has the applicant identified reasons to review the proposed amendment again? **N/A.**

Note: The City also published a draft Supplemental Environmental Impact Statement (DSEIS) on June 3, 2024 under SEPA [202402388](#).

2024-08 Adopt new definitions in LMC Section 17.02, adopt a new Chapter 17.24 including regulations governing unit lot subdivisions per RCW 58.17.060 (3), and amend LMC Section 17.38.035.

Section 17.02.035 Definitions

* * *

“Parent lot” means a lot which is subdivided into unit lots through the unit lot subdivision process.

* * *

“Unit lot” means a subdivided lot within a development, created from a parent lot and approved through the unit lot subdivision process.

“Unit lot subdivision” means a subdivision or short subdivision utilizing this section and approved through the unit lot subdivision process.

Chapter 17.24 Unit Lot Subdivisions

17.24.010 Purpose

The purpose of this chapter is to provide an alternate process for the subdivision of land into unit lots for the creation of townhouse, cottage housing, attached housing, and similar developments. This process allows for fee-simple ownership while applying development standards primarily to a parent site, rather than to the individual lots resulting from a subdivision.

17.24.020 Applicability

- A. The provisions of this chapter apply exclusively to the subdivision of land for townhouses, cottage housing, attached housing, and similar residential developments. These regulations ensure that development on individual unit lots need not conform to minimum lot area or dimensional standards, provided the overall development of the parent lot meets applicable standards.
- B. A unit lot subdivision is permitted in all zones that permit residential land uses.
- C. A unit lot subdivision creates a relationship between the parent lot and two (2) or more unit lots created.
- D. A unit lot subdivision may be used for any development with two (2) or more dwelling units on parent sites of two (2) acres or less that meet the standards of this section.
- E. Subdivisions with a commercial or other non-residential use seeking similar flexibility must be approved through a binding site plan under Chapter 17.30 LMC.

- F. A unit lot subdivision may be combined with a subdivision or short subdivision so long as the portion of the development utilizing this section meets the requirements of this section.
- G. Existing developments which meet or can be brought into conformance with the requirements of this chapter may submit an application for a unit lot subdivision.

17.24.030 General Requirements

- A. Parent and unit lots are subject to all applicable requirements of Titles 12 (Public Works), 14 (Environmental Protection), 15 (Buildings and Construction), 16 (Shoreline Master Program), 17 (Subdivisions), 18A (Land use and Development Code), 18B (Downtown Development Code), and 18C (Station District Development Code), except as modified by this section.
- B. Development on individual unit lots do not need to conform to minimum lot area, density, frontage, or dimensional requirements, provided that development on the parent lot conforms to these requirements.
- C. All buildings shall meet all applicable provisions of the building and fire codes.
- D. Required parking for a dwelling unit may be provided on a different unit lot than the dwelling unit if the right to use the parking is formalized by an easement recorded with the county.
- E. Adequate provisions for ingress, egress, emergency services, and utilities must be ensured through recorded easements. Access easements, joint use agreements, and maintenance agreements must be executed for use and maintenance of common areas and recorded with the county.
- F. Portions of the parent site not subdivided for unit lots shall be identified as tracts and owned in common by the owners of the unit lots.
- G. Common areas and facilities, which may include parking and open spaces, shall be maintained by a homeowners' association or the owners of the unit lots.

17.24.040 Application Procedure

- A. Unit lot subdivisions shall be otherwise processed as subdivisions under this Title.
- B. Unit lot subdivisions creating nine or fewer lots shall be processed as short subdivisions under Chapter 17.22.
- C. Applications for a unit lot subdivision must fulfill the applicable requirements for a subdivision or short subdivision, and also identify:

1. Areas and facilities owned in common by the owners of the unit lots, including garages, parking, vehicle access, and open space;
2. Access easements, joint use and maintenance agreements, and covenants, conditions, and restrictions identifying the rights and responsibilities of property owners and/or the homeowners association for use and maintenance of common areas; and
3. Conformance of the parent lot with all applicable development requirements.

17.24.050 Approval Criteria

Unit lot subdivisions are subject to approvals based on the requirements for a subdivision or short subdivision, in addition to the following additional criteria:

- A. The requirements provided in this chapter are satisfied.
- B. All common areas should be located/recorded in tracts and owned by undivided interests.
- C. The parent lot is designed to function as one site with respect to, but not limited to, lot access, interior circulation, open space, landscaping, drainage facilities, facility maintenance and parking;
- D. Appropriate provisions are made for the public health, safety and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, and parks and recreation; and
- E. The conditions of use, maintenance and restrictions on redevelopment of shared open space, parking, access and other improvements are identified and enforced by the covenants, easements or other similar mechanisms.

17.24.060 Recording

The plat recorded with the county a for a unit lot subdivision is required include the following in addition to the requirements for a plat in LMC 17.10.025 or short plat in LMC 17.22.020:

- A. A title that includes "Unit Lot Subdivision."
- B. Access easements, joint use and maintenance agreements, and covenants, conditions, and restrictions identifying the rights and responsibilities of property owners and/or the homeowners association for use and maintenance of common areas, including garages, parking, vehicle access, and open space.
- C. Notes to acknowledge the following:

1. Approval of the subdivision was based on the review of the development as a whole on the parent lot;
2. Subsequent platting actions or additions or modifications to structures may not create or increase any nonconformity of the parent site as a whole, and shall conform to the approved site plan;
3. If a structure or portion of a structure has been damaged or destroyed, any repair, reconstruction or replacement of the structure(s) shall conform to the approved site development plan;
4. Additional development of the individual lots may be limited as a result of the application of development standards to the parent site;
5. Individual unit lots are not separate buildable sites and additional development may be limited;
6. Subsequent platting actions or modifications may not create or increase nonconformity of the parent site.

17.38.035 Record of survey.

* * *

E. The plat map submitted for recording in the Auditor's Office shall contain all survey information required for a record of survey under the "Survey Recording Act," Chapter 58.09 RCW and Chapter 332-130 WAC, together with the following additional signature blocks, which shall be fully executed before approval:

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of Survey Recording Act at the request of on , 20__ .

Certificate Number

Surveyor

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Community Development Director Date

~~CITY ASSESSOR-TREASURER~~

I hereby certify that all state and city taxes heretofore levied against the property described hereon, according to the books and records of my offices, have been fully paid.

Deputy Assessor/Treasurer Date

Reviewed for Segregation

Deputy Assessor/Treasurer Date

2024-08 Review and Evaluation Analysis

1. Is the proposed amendment consistent with the county-wide planning policies, the Growth Management Act (GMA), other state or federal law, or the Washington Administrative Code? **Yes. This amendment is to implement the required periodic update of the Lakewood Comprehensive Plan and clean up technical errors in the Lakewood Municipal Code.**
2. Would the proposed amendment have little or no adverse environmental impacts and is the time required to analyze impacts available within the time frame of the standard annual review process? **Yes. This is a non-project action. *Any environmental impacts coming from a future application for development would be reviewed under the City's development and environmental protection regulations.***
3. Is sufficient analysis completed to determine any need for additional capital improvements and revenues to maintain level-of-service, and is the time required for this analysis available within the time frame for this annual review process? **Yes. This is a non-project action. *Any impacts on capital improvement or revenues coming from a future application for development would be reviewed under the City's development and environmental protection regulations.***
4. Can the proposed amendment be considered now without conflicting with some other Comprehensive Plan established timeline? **Yes. This non-project action is part of the 2024 Comprehensive Plan Periodic Review.**
5. Can the proposed amendment be acted on without significant other amendments or revisions not anticipated by the proponents and is the time required for processing those amendments or revisions available within the time frame of this annual review process? **Yes.**
6. If the proposed amendment was previously reviewed, ruled upon or rejected, has the applicant identified reasons to review the proposed amendment again? **N/A.**

Note: The City also published a draft Supplemental Environmental Impact Statement (DSEIS) on June 3, 2024 under SEPA [202402388](#).

2024-09 Adopt amendments to LMC Title 18A, 18B, and 18C to reflect current state law, multicounty and countywide planning policies, and other requirements related to the 2024 Periodic Review.

18A.10.180 Definitions.

* * *

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

* * *

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

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

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

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

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

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

* * *

18A.40.090 Lodging.

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

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

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

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

B. *Development and Operating Conditions.*

1.

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

2.

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

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

18A.40.110 Residential uses.

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

[illegible]

	Zoning Classifications																				
Residential Land Uses	R 1	R 2	R 3	R 4	MR 1	MR 2	MF 1	MF 2	MF 3	AR C	NC 1	NC 2	TO C	CB D	C 1	C 2	C3	I B P	I 1	I 2	P I
Mobile and/or manufactured homes, in mobile/manufactured home parks (B)(8)	–	–	C	C	C	–	P	P	P	–	–	P	–	–	–	–	–	–	–	–	–
Residential accessory building (B)(9)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	–	–	–	–	–	–	–
Rooms for the use of domestic employees of the owner, lessee, or occupant of the primary dwelling	P	P	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Small craft distillery (B)(6) , (B)(12)	–	P	P	P	P	–	–	–	–	–	–	P	P	P	P	P	P	–	P	–	–
Specialized senior housing (B)(10)	–	–	–	–	C	C	C	C	C	–	–	P	C	C	–	–	–	–	–	–	–
Accessory residential uses (B)(11)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	–	–	–	–	–	–	–

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

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

B. Operating and Development Conditions.

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

- One (1) ADU shall be allowed as an accessory use in conjunction with any detached single-family structure, duplex, triplex, townhome, or other housing unit. ADUs shall not be included in the density calculations. A lot shall contain no more than one (1) ADU.
- 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.
- The ADU, as well as the main dwelling unit, must meet all applicable setbacks, lot coverage, and building height requirements.

- d. The size of an ADU contained within or attached to an existing single-family structure shall be limited by the existing structure's applicable zoning requirements. An attached ADU incorporated into a single-family house shall be limited to one thousand (1,000) square feet, excluding garage area. The size of a living space of a detached ADU shall be a maximum of one thousand (1,000) square feet excluding garage.
- e. An ADU shall be designed to maintain the appearance of the principal dwelling as a single-family residence.
- f. Wherever practicable, a principal dwelling shall have one (1) entrance on the front, with additional entrances permitted on the side and rear. On corner lots, it is permissible to locate the entry door to the accessory dwelling unit on a street side of the structure other than the street side with the entry door for the principal dwelling unit. The entrance to an attached accessory dwelling unit may be on the front of the house only if (i) it is located in such a manner as to be clearly secondary to the main entrance to the principal dwelling unit; or (ii) it is screened from the street.
- g. The design of an attached ADU, including the facade, roof pitch and siding, shall be complementary to the principal dwelling unit, so as not to be obvious from the outside appearance that it is a separate unit from the principal dwelling unit.
- h. A minimum of one (1) off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal dwelling, pursuant to LMC [18A.80.030\(F\)](#). Such parking shall consist of a driveway, carport, garage, or a combination thereof, located on the lot they are intended to serve.
- i. For lots located within one-quarter (1/4) mile of a Pierce Transit bus route, the Sound Transit Lakewood Station, or other major transit stop, and also zoned R1, R2, R3, R4, MR1, MR2, MF1, MF2, or TOC, off-street parking may not be required provided there is adequate street capacity, and there is curb, gutter, and sidewalk, constructed to City standards, adjoining the lot where an ADU is proposed. Parking may be required if the ADU is in an area with a lack of access to street parking capacity, physical space impediments, or other reasons to support that on-street parking is infeasible for the ADU.
- j. Any legally constructed accessory building existing prior to the effective date of the ordinance codified in this title may be converted to an accessory dwelling unit, provided the living area created within the structure does not exceed one thousand (1,000) square feet, excluding garage area.

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

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

m. Accessory dwelling units of any type shall not be used as a short term rental.

18A.20.330 Notice of application – Permits.

A. A notice of application shall be issued within fourteen (14) calendar days after the City has made a determination of completeness pursuant to LMC 18A.20.050 for: all Process Type I and II permits that require SEPA review; all short plats and shoreline substantial development permits; and all Process Type III and IV applications. The notice of application shall be provided at least fifteen (15) calendar days prior to any required open record hearing. One (1) notice of application shall be completed for all permit applications related to the same project at the time of the earliest complete permit application.

B. SEPA Exempt Projects. A notice of application shall not be required for project permits that are categorically exempt under SEPA, unless a public comment period or an open record hearing is required prior to the decision on the project.

C. Contents. The notice of application shall include:

1. The case file number(s), the date of application, the date of the determination of completeness for the application and the date of the notice of application.
2. A description of the proposed project action and a list of the project permits included in the application and, if applicable, a list of any studies requested by the review authority pursuant to RCW 36.70B.070.
3. The identification of other required permits that are not included in the application, to the extent known by the City.
4. The identification of existing environmental documents that evaluate the proposed project, and, if not otherwise stated on the document providing notice of application, the location where the application and any studies can be reviewed.
5. A statement of the limits of the public comment period, which shall be not less than fourteen (14) nor more than thirty (30) calendar days following the

date of notice of application, and statements of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights. The notice of application shall also specify the first and last date and time by which written public comment may be submitted pursuant to chapter 42.30 RCW.

6. The tentative date, time, place and type of hearing, if any. The tentative hearing date is to be set at the time of the date of notice of the application.

7. The identification of the development regulations that will govern mitigation of any project impacts.

8. The name of the applicant or applicant's representative and the name, address and telephone number of a contact person for the applicant.

9. A description of the site, including current zoning and nearest road intersections, reasonably sufficient to inform the reader of its location.

10. Any other information determined appropriate by the City, such as a determination of significance, if complete at the time of issuance of the notice of application, or the City's statement of intent to issue a determination of nonsignificance (DNS) pursuant to the optional determination of nonsignificance (DNS) process set forth in WAC 197-11-355.

D. Mailing of Notice. The City shall mail a copy of the notice of application to the following:

1. The applicant.
2. Agencies with jurisdiction.
3. Any person who requests such notice in writing.

E. Public Comment on the Notice. All public comments on the notice of application must be received by the Community and Economic Development Department or postmarked by 5:00 p.m. on the last day of the comment period. Comments may be mailed, personally delivered or sent by facsimile or email. Comments should be as specific as possible.

F. Posted Notice. In addition to the mailed notice of application, the City will provide notice of application on the City's website. The applicant shall be responsible for posting a notice board on the property on which City notices can be placed. Public notice shall be accomplished through the use of City poster boards mounted on a four (4) foot by four (4) foot plywood face generic notice board to be supplied by the applicant, to the following specifications:

1. Posting. Posting of the property for site-specific proposals shall consist of one (1) or more notice boards as follows:

- a. A single notice board shall be placed by the applicant in a conspicuous location on a street frontage bordering the subject property.
- b. When the notice board is posted the applicant shall complete and return a written statement of posting to the Department by regular or electronic mail.
- c. Each notice board shall be visible and accessible for inspection by members of the public.
- d. Additional notice boards may be required when:
 - i. The site does not abut a public road; or
 - ii. Additional public notice boards are required under other provisions of the Lakewood Municipal Code; or
 - iii. The Director determines that additional notice boards are necessary to provide adequate public notice.
- e. Notice boards should be:
 - i. Constructed and installed in accordance with specifications determined by the Department, including mounted and bolted onto at least two (2) four (4) inch by four (4) inch wood posts, and placed securely in the ground;
 - ii. Maintained in good condition by the applicant during the notice period;
 - iii. In place at least fifteen (15) calendar days prior to the end of any required comment period; and
 - iv. Removed by the applicant within ten (10) calendar days after the end of the notice period or final hearing date.
- f. Notice boards that are removed, stolen, or destroyed prior to the end of the notice period may be cause for discontinuance of the departmental review until the notice board is replaced and remains in place for the specified time period. The City shall notify the applicant when it comes to the City's attention that notice boards have been removed prematurely, stolen, or destroyed.
- g. An affidavit of posting shall be submitted to the Director at least seven (7) calendar days prior to the hearing. If the affidavits are not filed as required, any scheduled hearing or date by which the public may

comment on the application may be postponed in order to allow compliance with this notice requirement.

h. SEPA information shall be added by the City to the posted sign within applicable deadlines.

G. Website. The Department shall publish notices on the City's website.

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18A.20.340 Notice of public hearing.

A. Notice of public hearing is required for all types of applications for which a public hearing is held. Notices of public hearing shall be reasonably calculated to give actual notice and, other than for a legislative action under Chapter [18A.30](#) LMC, Articles I and VII, shall contain the following information:

1. The name of the applicant or the applicant's representative.
2. Description of the affected property, which may be in the form of either a vicinity location sketch or written description, other than a legal description.
3. The date, time, and place of the hearing.
4. The nature of the proposed use or development.
5. A statement that all interested persons may appear and provide testimony.
6. When and where information may be examined, and when and how written comments addressing findings required for a decision by the hearing body may be admitted.
7. The name of a City representative to contact and the telephone number where additional information may be obtained.
8. That a copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at the cost of reproduction.
9. That a copy of the staff report will be available for inspection at no cost at least five (5) calendar days prior to the hearing and copies will be provided at the cost of reproduction.
10. The notice of hearing shall also specify the first and last date and time by which written public comment may be submitted pursuant to chapter 42.30 RCW.

B. Posted Notice.

1. Mail. The Department shall mail notice at least fifteen (15) days prior to the hearing through the United States Postal Service to all property owners of

record within a radius of three hundred (300) feet of the exterior boundaries of the subject property, any person who submitted written comments on an application, the applicant, and parties of record, if any. The notice of hearing shall also specify the first and last date and time by which written public comment may be submitted pursuant to chapter 42.30 RCW.

2. Website. The Department shall publish the notice on the City's website.

18A.40.110

B. Operating and Development Conditions.

1. Accessory dwelling units (ADUs) are permitted when added to, created within, or detached from a principal dwelling unit subject to the following restrictions:
 - a. One (1) ADU shall be allowed as an accessory use in conjunction with any detached single-family structure, duplex, triplex, townhome, or other housing unit. ADUs shall not be included in the density calculations. A lot shall contain no more than one (1) ADU.
 - b. An ADU may be established by creating the unit within or in addition to the new or existing principal dwelling, or as a detached unit from the principal dwelling.
 - c. The ADU, as well as the main dwelling unit, must meet all applicable setbacks, lot coverage, and building height requirements.
 - d. The size of an ADU contained within or attached to an existing single-family structure shall be limited by the existing structure's applicable zoning requirements. The gross floor area requirement for both attached and detached ADUs shall be at least 1,000 square feet and no more than 1,200 square feet, excluding the garage. An attached ADU incorporated into a single family house shall be limited to one thousand (1,000) square feet, excluding garage area. The size of a living space of a detached ADU shall be a maximum of one thousand (1,000) square feet excluding garage.
 - e. An ADU shall be designed to maintain the appearance of the principal dwelling as a single-family residence.
 - f. Wherever practicable, a principal dwelling shall have one (1) entrance on the front, with additional entrances permitted on the side and rear. On corner lots, it is permissible to locate the entry door to the accessory dwelling unit on a street side of the structure other than the street side with the entry door for the principal dwelling unit. The entrance to an attached accessory dwelling unit may be on the front of the house only if (i) it is located in such a manner as to be clearly secondary to the main entrance to the principal dwelling unit; or (ii) it is screened from the street.

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

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

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

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

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

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

The ADU application fee will cover the building inspection of the ADU.

18A.60.090 (G)(1) Prohibited Uses and Development

~~"1. No more than one (1) dwelling shall be permitted per lot in all single family residential zoning districts, except as provided in LMC 18A.40.110(B)(1), or as may be allowed by the specific use regulations of a particular district."~~

See also **Attachment C**.

2024-09 Review and Evaluation Analysis

1. Is the proposed amendment consistent with the county-wide planning policies, the Growth Management Act (GMA), other state or federal law, or the Washington Administrative Code? **Yes. This amendment is to implement the required periodic update of the Lakewood Comprehensive Plan.**
2. Would the proposed amendment have little or no adverse environmental impacts and is the time required to analyze impacts available within the time frame of the standard annual review process? **Yes. This is a non-project action. *Any environmental impacts coming from a future application for development would be reviewed under the City's development and environmental protection regulations.***
3. Is sufficient analysis completed to determine any need for additional capital improvements and revenues to maintain level-of-service, and is the time required for this analysis available within the time frame for this annual review process? **Yes. This is a non-project action. *Any impacts on capital improvement or revenues coming from a future application for development would be reviewed under the City's development and environmental protection regulations.***
4. Can the proposed amendment be considered now without conflicting with some other Comprehensive Plan established timeline? **Yes. This non-project action is part of the 2024 Comprehensive Plan Periodic Review.**
5. Can the proposed amendment be acted on without significant other amendments or revisions not anticipated by the proponents and is the time required for processing those amendments or revisions available within the time frame of this annual review process? **Yes.**
6. If the proposed amendment was previously reviewed, ruled upon or rejected, has the applicant identified reasons to review the proposed amendment again? **N/A.**

Note: The City also published a draft Supplemental Environmental Impact Statement (DSEIS) on June 3, 2024 under SEPA [202402388](#).

**DRAFT “CRITICAL AREAS ORDINANCE”
Lakewood Municipal Code (LMC) Title 14**

**Chapter 14.142
CRITICAL AREAS AND NATURAL RESOURCE LANDS AUTHORITY,
INTENT, AND GENERAL PROVISIONS***

Sections:

14.142.010	Authority and title.
14.142.020	Intent.
14.142.030	Interpretation.
14.142.040	Applicability and mapping.
<u>14.142.045</u>	<u>Best Available Science.</u>
14.142.050	Permitted uses.
14.142.060	Regulated uses/activities.
14.142.070	Exemptions <u>and allowed activities.</u>
14.142.080	Reasonable use exception.
14.142.090	Reasonable use exception and modification of critical area requirements for individual single-family residences.
14.142.100	<u>Review Process.</u>
14.142.110	Variances.
14.142.120	Current use assessment.
14.142.130	Compliance provisions.
<u>14.142.135</u>	<u>General mitigation requirements.</u>
<u>14.142.138</u>	<u>General critical areas report requirements.</u>
14.142.140	Appeal procedures.
14.142.160	Fees.
14.142.170	Title and plat notification.
14.142.180	Nonconforming uses, <u>structures, and lots.</u>
14.142.190	Administrative procedures and technical criteria.
14.142.200	Severability.

* **Prior legislation note:** Ord. [362](#) repealed provisions concerning critical areas and natural resource lands that were formerly in Chapters 14.138 and 14.142, based on the provisions of Ord. [56](#).

14.142.010 Authority and title.

This title is established pursuant to the requirements of the Growth Management Act (RCW [36.70A.060](#)) and the State Environmental Protection Act (Chapter [43.21C](#) RCW). This title shall be known as the “Critical Areas and Natural Resource Lands Regulations.” [Ord. 362 § 3, 2004.]

14.142.020 Intent.

It is the intent of the critical areas and resource lands regulations to:

- A. Designate and protect critical areas and natural resource lands, including wetlands, critical aquifer recharge areas, fish and wildlife habitat [conservation](#) areas, geologically hazardous areas, ~~flood hazard~~[frequently flooded](#) areas, and mineral resource lands.
- B. Protect the natural environment, including air and water, to preserve the community's high quality of life.
- C. Protect unique, fragile and valuable elements of the environment, including fish and wildlife habitat; including suitable habitats to maintain native fish and wildlife species within their natural geographic distribution so that isolated sub-populations are not created.
- D. Protect the public against losses from:
 - 1. Costs of public emergency rescue and relief operations where the causes are avoidable.
 - 2. Degradation of the natural environment and the expense associated with repair or replacement.
- E. Protect members of the public and public resources and facilities from injury, loss of life, or property damage due to landslides, steep slope failures, erosion, seismic events, or flooding.
- F. Avoid, minimize and mitigate for impacts arising from land development and other activities affecting critical areas to maintain their ecological functions and values including water quality, flood attenuation, habitat, recreation, education, and cultural preservation.
- G. Provide the public with sufficient information and notice of potential risks associated with developing in and adjacent to critical areas.
- H. Implement the goals and requirements of the Growth Management Act and the Lakewood comprehensive plan. [Ord. 362 § 3, 2004.]

14.142.030 Interpretation.

In the interpretation and application of this title, all provisions shall be:

- A. Considered the minimum necessary;
- B. Liberally construed to serve the purposes of this title; and,
- C. Deemed neither to limit nor repeal any other powers under state statute. [Ord. 362 § 3, 2004.]

14.142.040 Applicability and mapping.

A. *Applicability.* This title shall apply to all lands, land uses and development activity in the City which are designated as critical areas or natural resource lands by the City, including wetlands. Properties containing critical areas or natural resource lands are subject to this title. When the requirements of this title are more stringent than those of other City codes and regulations, the requirements of this title shall apply.

Where a site contains two or more critical areas, the site shall meet the minimum standards and requirements for each identified critical area as set forth in this title.

Critical areas on land subject to the Washington State Shoreline Management Act (SMA) and regulated by the City's shoreline management regulations shall be regulated under the shoreline provisions and are not subject to the procedural and substantive requirements of this title. Nothing in this section, however, is intended to limit or change the quality of information to be applied in protecting critical areas within shorelines of the state.

Shorelines of the state shall not be considered critical areas under this title except to the extent that specific areas located within such shorelines qualify for critical area designation based on the definition of critical areas provided by RCW [36.70A.030\(5\)](#) and have been designated as such by the City's critical areas regulations.

If the City's shoreline regulations do not include land necessary for buffers for critical areas that occur within shoreline areas, then the City shall continue to regulate those critical areas and their required buffers pursuant to this title.

B. Mapping. Maps may be developed and maintained by the City which show the general location of critical areas for informational purposes. The actual presence of critical areas and the applicability of these regulations shall be determined by the classification criteria established for each critical area. [Ord. 590 § 2, 2014; Ord. 362 § 3, 2004.]

14.142.045 Best available science.

A. Criteria for best available science. The best available science is that scientific information applicable to the critical area prepared by local, state or federal natural resource agencies, a qualified scientific professional or team of qualified scientific professionals consistent with criteria established in WAC 365-195-905 through 365-195-925, as amended.

B. Protection for functions and value and anadromous fish. Critical area studies and decisions to alter critical areas shall rely on the best available science to protect the functions and value of critical areas and must give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fish and their habitat, such as salmon and bull trout.

A.C. Absence of valid scientific information. Where there is an absence of valid scientific information or incomplete scientific information relating to a critical area leading to uncertainty about the risk to critical area function of permitting an alteration of or impact to the critical area, the Director shall take a "precautionary approach" that strictly limits development and land use activities until the uncertainty is sufficiently resolved. To address such uncertainty, the Director may consult with State agencies regarding best available science and agency recommendations. The burden of proof that the action will cause no net loss or harm to persons or property falls on the applicant or the property owner.

14.142.050 Permitted uses.

Uses permitted on properties designated as critical areas or natural resource lands shall be the same as those permitted in the zone classification shown in the City's Land Use and Development Code unless specifically prohibited by this title. [Ord. 362 § 3, 2004.]

14.142.060 Regulated uses/activities.

A. Unless the requirements of this title are met, the City shall not grant any approval or permission to alter the condition of any land, water or vegetation, or to construct or alter any structure or improvement including but not limited to the following: building permit, commercial or residential; binding site plan; conditional use permit; franchise right-of-way construction permit;

site development permit; master plan development; right-of-way permit; shoreline conditional use permit; shoreline environmental redesignation; shoreline substantial development permit; shoreline variance; large lot subdivision, short subdivision; special use permit; subdivision;

unclassified use permit; utility and other use permit; variance; zone reclassification; or any subsequently adopted permit or required approval not expressly exempted by this chapter.

B. Compliance with these regulations does not remove an applicant's obligation to comply with applicable provisions of any other federal, state, or local law or regulation. Requirements include but are not limited to those of the U.S. Army Corps of Engineers, Washington Department of Fish and Wildlife, and the Washington Department of Ecology, which must be met prior to commencing activities affecting wetlands, except as addressed in LMC ~~14.162.130~~ [14.162.120](#) regarding Corps of Engineers Section 404 individual permits.

C. The following activities within a critical area and/or buffer, unless exempted by LMC [14.142.070](#), shall be regulated:

1. Removing, excavating, disturbing or dredging soil, sand, gravel, minerals, organic matter or materials of any kind;
2. Dumping, discharging or filling;
3. Draining, flooding or disturbing the water level or water table. In addition, an activity which involves intentional draining, flooding or disturbing the water level or water table in a wetland, in which the activity itself occurs outside the wetland and buffer, shall be considered a regulated activity;
4. Driving pilings or placing obstructions, including placement of utility lines;
5. Constructing, reconstructing, demolishing or altering the size of any structure or infrastructure;
6. Altering the character of a wetland by destroying or altering vegetation through clearing, harvesting, cutting, intentional burning, shading or planting;
7. Activities which result in significant changes in water temperature or physical or chemical characteristics of wetland water sources, including changes in quantity of water and pollutant level;
8. Application of pesticides, fertilizers and/or other chemicals, unless demonstrated not to be harmful to wetland habitat or wildlife;
9. The division or redivision of land.

D. The Department may require protection measures or erosion control measures such as temporary or permanent fencing to provide for protection of a wetland and buffer when any of the above activities are proposed on a site, but are not proposed within a wetland and/or buffer. [Ord. 362 § 3, 2004.]

14.142.070 Exemptions [and allowed activities](#).

A. All exempted or allowed activities shall use reasonable methods to avoid potential impacts to critical areas. To be exempt from this Title does not give permission to degrade a critical area or ignore risk from natural hazards. Any incidental damage to, or alteration of, a critical area that is not a necessary outcome of the exempted or allowed activity shall be restored, rehabilitated, or replaced at the responsible party's expense. Exemption from the critical areas code does not exempt an applicant from obtaining all other required permits from the city and/or state agencies.

B. All activities and uses consistent with Title 18A of this code that are not covered under

[parts C and D of this section shall be required to comply fully with this Title.](#)

[C. The following activities are exempt from the provisions of this title:](#)

[The following activities are exempt from the provisions of this title:](#)

1. *Existing Agricultural Activities.* The activities cease to be existing when the area on which they were conducted has been converted to a nonagricultural use or has lain idle both more than five years and so long that modifications to the hydrological regime are necessary to resume agricultural activities, unless the idle land is registered in a federal or state soils conservation program.
- ~~2. Maintenance or reconstruction of existing roads, paths, bicycle ways, trails, bridges, and associated storm drainage facilities; provided, that reconstruction does not involve significant expansion of facilities. Construction of curbs, gutters, sidewalks or other incidental improvements to existing roadways shall generally be considered to fall within this exemption when undertaken pursuant to best management practices to avoid impacts to critical areas.~~
- ~~3.2.~~ Activities on improved portions of roads, rights-of-way or easements, provided there is no expansion of ground coverage.
- ~~4.3.~~ Maintenance or reconstruction of existing regional storm drainage facilities; provided, that reconstruction does not involve expansion of facilities.
- ~~5.4.~~ For the following utility line activities, when undertaken pursuant to best management practices to avoid impacts to critical areas:
 - a. Normal and routine maintenance or repair of existing utility structures or right-of-way.
 - b. Relocation within improved rights-of-way of electric facilities, lines, equipment, or appurtenances, not including substations, with an associated voltage of 55,000 volts or less only when required by a local government agency.
 - c. Relocation within improved right-of-way of utility lines, equipment, or appurtenances only when required by a local governmental agency which approves the new location of the facilities.
 - d. Installation or construction in improved City road rights-of-way, and replacement, operation, or alteration of all electric facilities, lines, equipment, or appurtenances, not including substations, with an associated voltage of 55,000 volts or less.
 - e. Installation or construction in improved City road rights-of-way and replacement, operation, repair, or alteration of all utility lines, equipment, or appurtenances.
- ~~6. A utility line (any pipe or pipeline that transports any gaseous, liquid, liquefiable or slurry substance, and any cable, line or wire for the transmission of electrical energy, telephone, and telegraph messages, and radio and television communication, not including activities which drain a wetland, but including pipes that convey drainage from one area to another) may be placed in an underground trench within a Category II, III or IV wetland or its buffer. There must be no resulting changes in preconstruction contours, and trench excavation materials that are temporarily sidecast must be stabilized to prevent erosion and sedimentation. All sidecast materials shall be replaced within the trench or removed after 90 days, unless an extension is granted by the Community and Economic Development Department. The trench shall be the minimum size required to construct the utility line. The top 12 inches of the trench shall be backfilled with topsoil from the trench excavation. Trenches in wetlands shall be backfilled with wetland topsoil from the excavation, and appropriate vegetation planted to restore the site to a nearly as practical the pretrenching condition. Trench excavation should be restricted to the dry season. All permits from other~~

~~regulatory agencies must be obtained.~~

- ~~7.—Reconstruction, remodeling, or maintenance of existing single-family residential structures and accessory structures; provided, that cumulative expansion of the building footprint does not increase by more than 25 percent from its size as of October 8, 1991 (the effective date of Pierce County Critical Areas Regulations), and that the new construction or related activity does not further intrude into the critical area or related buffer. The exemption shall not apply to reconstruction which is proposed as a result of structural damage associated with a critical area, such as slope failure in a landslide hazard area.~~
- ~~8.—Reconstruction, remodeling, or maintenance of structures, other than single-family structures and accessory structures; provided, that such reconstruction, remodeling, or maintenance does not increase the floor area nor extend beyond the existing ground coverage. The exemption shall not apply to reconstruction which is proposed as a result of site or structural damage associated with a critical area, such as slope failure in a landslide hazard area.~~
5. Activities in artificial wetlands, except those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands. In order for an artificial wetland not created to mitigate conversion of wetlands to be exempt from the requirements of this title, it must meet all of the following characteristics:
 - a. It must have been an intentionally created water feature, meaning that it was not the result of an accident or an unexpected by-product of some other intentional act;
 - b. It must be located in a formerly non-wetland (upland) site. The applicant shall provide compelling evidence of the former condition of the site, such as a critical areas report prepared in accordance with this chapter, and as determined by the planning director. In instances of questionable or unclear historic condition, the City shall take the approach that is more protective of the resource; and
 - a.c. For any work within or adjacent to the feature, the applicant must provide applicable permit approvals or waivers of jurisdiction from state and federal jurisdictional agencies.
- ~~9.—Activities affecting Category IV wetlands which are less than 1,000 square feet where the wetland is found to provide no special habitat functions for wildlife or special status plants or plant communities, and the hydrological functions of the exempted wetland are replaced to the satisfaction of the City Engineer.~~
- ~~10.6.~~ Activities in wetlands in areas managed according to a special area management plan or other plan adopted by the City and specifically designed to protect wetland resources.
- ~~11.7.~~ Maintenance activities of landscaping and gardens in a wetland buffer, including, but not limited to, mowing lawns, weeding, harvesting and replanting of garden crops, pruning and planting of vegetation to maintain the condition and appearance of the site existing on February 1, 1992.
- ~~12.8.~~ Activities designed for previously approved maintenance and enhancement of wetlands.
- ~~13.—Placement of access roads, utility lines and utility poles across a Category IV wetland and/or a buffer for a Category IV wetland if there is no reasonable alternative.~~
- ~~14.9.~~ Site investigative work necessary for land use application submittals such as surveys, soil logs, percolation tests and other related activities.
- ~~15.—Emergency action necessary to prevent imminent threat or danger to public health or safety, or to public or private property, or serious environmental degradation. The Department shall review all proposed emergency actions to determine the existence of the emergency and reasonableness of the proposed action taken.~~

~~46.10.~~ Activities undertaken to comply with the United States Environmental Protection Ecology Administrative Enforcement Order pursuant to the Model Toxins Control Act, including the following activities:

- a. Remediation or removal of hazardous or toxic substances;
- b. Source control; and
- c. Natural resource damage restoration.

~~47.11.~~ Control of noxious weeds that are included on the state noxious weed list or listed on the Noxious Weeds Designated for Control or Eradication in Pierce County by the Pierce County Noxious Weed Control Board annual list. Control methods shall be subject to review and approval of an abatement plan by the Department that minimizes the impacts to the critical area and any associated buffers.

~~48.12.~~ Activities undertaken on the site of an existing holding pond where the water flow and/or water table is controlled by a previously approved pump system.

~~A. Public storm water retention/detention facilities may be constructed within Category II, III and IV wetlands or their buffers; provided, that the following conditions are met: (1) no untreated storm water is released directly into the wetlands; (2) water levels are monitored annually to ensure that preexisting functions and values of the wetland are not significantly lost through fluctuations in wetland hydrology; (3) maintenance activity within the wetland is limited to removal of invasive vegetation and/or removal of sediment accumulation at inflow structures in a manner acceptable to the Community and Economic Development Department; (4) there is no loss of wetland area; (5) all construction activity is conducted in accordance with accepted BMPs; and (6) the storm water management activity shall not adversely affect the hydro-period of the wetland or adversely affect water quality.~~

~~Storm water conveyance facilities such as bio-swales, culverts, and open trenches, that are not designed to drain wetlands, may be placed within required buffers for Category I, II, III and IV wetlands, subject to meeting the conditions listed above. This conditional exemption would not apply in situations where there are threatened or endangered species, or sensitive plants, unless approved by the State Department of Fish and Wildlife or Department of Natural Resources, respectively. All permits from other regulatory agencies must be obtained.~~

~~B. A residential building permit for a lot which was subject to previous reports and assessments as required under this title; provided, that the previous reports and assessments adequately identified the impacts associated with the current development proposal.~~

~~13. The installation of an on-site sewage disposal system for a single- or two-family dwelling may be permitted within an aquifer recharge area, subject to the issuance of a permit by the Tacoma-Pierce County Health Department (TPCHD) according to all Washington State Department of Health and Tacoma-Pierce County Board of Health requirements for on-site sewage disposal. The TPCHD shall verify and notify the applicant or applicant's agent that the approval of the on-site sewage disposal system design complies with all Washington State Department of Health and Tacoma-Pierce County Board of Health requirements. The development shall otherwise be subject to all of the other requirements and restrictions of this title (including exclusion from other identified critical areas), the Lakewood Municipal Code, and other applicable state and federal law. [Ord. 362 § 3, 2004.]~~

D. The following activities, while exempt from the critical areas code, require a written critical areas exemption from the Department before work is commenced and may impose conditions as noted below:

1. Emergency action necessary to prevent imminent threat or danger to public health or safety, or to public or private property, or serious environmental degradation. The Department shall review all proposed emergency actions to determine the existence of the emergency and reasonableness of the proposed actions taken.
2. Activities affecting Category IV wetlands which are less than 1,000 square feet where the wetland is found to provide no special habitat functions for wildlife or special status plants or plant communities, and the hydrological functions of the exempted wetland are replaced to the satisfaction of the City Engineer.
3. Maintenance or reconstruction of existing roads, paths, bicycle ways, trails, bridges, and associated storm drainage facilities; provided, that reconstruction does not involve significant expansion of facilities. Construction of curbs, gutters, sidewalks or other incidental improvements to existing roadways shall generally be considered to fall within this allowance when undertaken pursuant to best management practices to avoid impacts to critical areas.
4. A utility line (any pipe or pipeline that transports any gaseous, liquid, liquefiable or slurry substance, and any cable, line or wire for the transmission of electrical energy, telephone, and telegraph messages, and radio and television communication, not including activities which drain a wetland, but including pipes that convey drainage from one area to another) may be placed in an underground trench within a Category II, III or IV wetland or its buffer. There must be no resulting changes in preconstruction contours, and trench excavation materials that are temporarily sidecast must be stabilized to prevent erosion and sedimentation. All sidecast materials shall be replaced within the trench or removed after 90 days, unless an extension is granted by the Community and Economic Development Department. The trench shall be the minimum size required to construct the utility line. The top 12 inches of the trench shall be backfilled with topsoil from the trench excavation. Trenches in wetlands shall be backfilled with wetland topsoil from the excavation, and appropriate vegetation planted to restore the site to a nearly as practical the pretrenching condition. Trench excavation should be restricted to the dry season. All permits from other regulatory agencies must be obtained.
5. Reconstruction, remodeling, or maintenance of existing single-family residential structures and accessory structures; provided, that cumulative expansion of the building footprint does not increase by more than 25 percent from its size as of October 8, 1991 (the effective date of Pierce County Critical Areas Regulations), and that the new construction or related activity does not further intrude into the critical area or related buffer. The exemption shall not apply to reconstruction which is proposed as a result of structural damage associated with a critical area, such as slope failure in a landslide hazard area.
6. Reconstruction, remodeling, or maintenance of structures, other than single-family structures and accessory structures; provided, that such reconstruction, remodeling, or maintenance does not increase the floor area nor extend beyond the existing ground coverage. The exemption shall not apply to reconstruction which is proposed as a result of site or structural damage associated with a critical area, such as slope failure in a landslide hazard area.
7. Placement of access roads, utility lines and utility poles across a Category IV wetland and/or a buffer for a Category IV wetland if there is no reasonable alternative.
8. Public storm water retention/detention facilities may be constructed within Category II, III and IV wetlands or their buffers; provided, that the following

conditions are met: (1) no untreated storm water is released directly into the wetlands; (2) water levels are monitored annually to ensure that preexisting functions and values of the wetland are not significantly lost through fluctuations in wetland hydrology; (3) maintenance activity within the wetland is limited to removal of invasive vegetation and/or removal of sediment accumulation at inflow structures in a manner acceptable to the Community and Economic Development Department; (4) there is no loss of wetland area; (5) all construction activity is conducted in accordance with accepted BMPs; and (6) the storm water management activity shall not adversely affect the hydro-period of the wetland or adversely affect water quality.

9. Storm water conveyance facilities such as bio-swales, culverts, and open trenches, that are not designed to drain wetlands, may be placed within required buffers for Category I, II, III and IV wetlands, subject to meeting the conditions listed above. This conditional exemption would not apply in situations where there are threatened or endangered species, or sensitive plants, unless approved by the State Department of Fish and Wildlife or Department of Natural Resources, respectively. All permits from other regulatory agencies must be obtained.
10. A residential building permit for a lot which was subject to previous reports and assessments as required under this title; provided, that the previous reports and assessments adequately identified the impacts associated with the current development proposal.
11. The installation of an on-site sewage disposal system for a single- or two-family dwelling may be permitted within an aquifer recharge area, subject to the issuance of a permit by the Tacoma-Pierce County Health Department (TPCHD) according to all Washington State Department of Health and Tacoma-Pierce County Board of Health requirements for on-site sewage disposal. The TPCHD shall verify and notify the applicant or applicant's agent that the approval of the on-site sewage disposal system design complies with all Washington State Department of Health and Tacoma-Pierce County Board of Health requirements. The development shall otherwise be subject to all of the other requirements and restrictions of this title (including exclusion from other identified critical areas), the Lakewood Municipal Code, and other applicable state and federal law.

14.142.080 Reasonable use exception.

- A. If the application of this title would deny all reasonable use of a site, development may be allowed which is consistent with the general purposes of this title and the public interest.
- B. Nothing in this title is intended to preclude all reasonable use of property. An applicant for a development proposal may file a request for a reasonable use exception which shall be considered as a Process III permit action by the City Hearing Examiner at a public hearing, following notice, as required by the City Zoning Code. The request shall include the following information:
 1. A description of the areas of the site which are critical areas and/or natural resource lands or within buffers required under this title;
 2. A description of the amount of the site which is within setbacks required by other standards of the Zoning Code;
 3. A description of the proposed development, including a site plan;
 4. An analysis of the impact that the amount of development described in subsection (B)(3) of this section would have on the natural resource land(s) or critical area(s);

5. An analysis of what other reasonable uses with less impact on the natural resource land(s) or critical area(s) and associated buffer(s) are possible;
6. A design of the proposal so that the amount of development proposed as reasonable use will have the least impact practicable on the natural resource land(s) and/or critical area(s);

7. An analysis of the modifications needed to the standards of this title to accommodate the proposed development;

7.8. [Demonstration of legal lot status;](#)

8.9. A description of any modifications needed to the required front, side and rear setbacks; building height; and buffer widths to provide for a reasonable use while providing greater protection to the critical area(s) and/or natural resource land(s); and

9.10. Such other information as the Department determines is reasonably necessary to evaluate the issue of reasonable use as it relates to the proposed development.

10.11. The Department will forward a copy of a request for reasonable use exception to the Washington State Departments of Fish and Wildlife and Ecology for review, comment, and recommendation.

C. The Hearing Examiner may approve the reasonable use exception, if the Examiner determines the following criteria are met:

1. There is no other reasonable use to the proposed development with less impact on the natural resource land(s) and/or critical area(s); and
2. The proposed development does not pose a threat to the public health, safety or welfare on or off the site; and
3. Any alteration of the natural resource land(s) and/or critical area(s) shall be the minimum necessary to allow for reasonable use of the property; and
4. The [subject property is an existing legal lot as demonstrated in this section, and the](#) inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant in subdividing the property or adjusting a boundary line thereby creating the undevelopable condition after October 8, 1991 (the effective date of Pierce County Critical Areas Regulations); and
5. The proposal mitigates the impacts on the natural resource land(s) and/or critical area(s) to the maximum extent possible, while still allowing reasonable use of the site.
6. For reasonable use exceptions involving wetlands, the additional requirements of LMC [14.162.090\(D\)](#) shall apply.

D. Where appropriate in the context of LMC [14.142.110](#), the City shall give preference to the modification of the development standards set forth in the Land Use and Development Code (LMC Title [18A](#)) as the first method to accommodate reasonable development on lots constrained by critical areas and/or their buffers. [Ord. 362 § 3, 2004.]

14.142.090 Reasonable use exception and modification of critical area requirements for individual single-family residences.

The purpose of this section is to provide an alternative to the full reasonable use exception process for an individual single-family residence on an existing, legal lot, while minimizing impacts to critical areas. The Director shall have the authority to grant minor variances and/or reasonable use

exceptions to modify or waive some or all of the requirements of this chapter in accordance with the provisions of this section, subject to the following procedure:

- A. The applicant for the modification or waiver of critical area requirements shall submit any critical area special studies following a preapplication review meeting as well as such other documents or studies, as requested by the Director.
- B. The Director may adjust critical area requirements or grant minor variances for single-family residence applications provided:
 - 1. The proposal is the minimum necessary to accommodate the building footprint and access. In no case, however, shall the building footprint and outdoor activity areas encroaching into the critical area or required buffer exceed 7,000 square feet;
 - 2. Access shall be located so as to have the least impact on the critical area and its buffer;

3. The proposal shall be designed to preserve the functions and values of the critical area(s) to the maximum extent possible;

4. Adverse impacts resulting from alterations of steep slopes shall be minimized;

4.5. The property is an existing legal lot;

5.6. The proposal includes on-site mitigation to the maximum extent possible;

6.7. The proposal will not significantly affect drainage capabilities, flood potential, and steep slopes and landslide hazards on neighboring properties; and

7.8. The proposal first develops noncritical area land, then the critical area buffer before the critical area itself is developed.

C. The Director may require reasonable, noncompensatory mitigation measures to mitigate and minimize the loss of the functions and values of the critical areas and may impose mitigating conditions to the modification, waiver or variance in order to meet the standards of this subsection.

D. Modifications pursuant to this chapter that relate only to the buffer requirements for single-family residential permits shall be reviewed and decided as a Process I determination in conjunction with the building permit application. Modifications that would impinge upon the critical area itself or require an administrative building setback variance shall be reviewed and decided using Process 2 procedures.

E. This section shall not apply to the following critical areas:

1. Steep slope hazard areas that are unmitigatable landslide hazard areas;
2. Steep slope hazard areas of slope greater than 70 percent where either the lot or slope are abutting and above a Class I or II wetland stream, and associated buffer, or an open storm water conveyance system.

14.142.100 Review Process.

A. The Department shall perform a critical areas and natural resource lands review of any City permit or approval requested for any regulated activity including, but not limited to, those set forth in LMC 14.142.060, on a site which includes or is adjacent to or abutting one or more natural resource lands or critical areas and their buffers, unless otherwise provided in this title.

B. As part of all development applications:

1. The Department shall review the information submitted by the applicant to:
 - a. Confirm the nature and type of the natural resource land and/or critical area and evaluate any required studies;
 - b. Determine whether the development proposal is consistent with this title;
 - c. Determine whether any proposed alterations to the site containing natural resource lands or critical areas are necessary;
 - d. Determine if the mitigation and monitoring plans proposed by the applicant are sufficient to protect the public health, safety and welfare consistent with the goals, purposes, objectives and requirements of this title; and
 - e. Confirm that the proposed activity or development will result in no net

loss of ecological function, pursuant to WAC 365-196-830(4). Mitigation sequencing, if required, shall comply with the mitigation sequencing requirements established in LMC 14.142.135.

C. A threshold determination may not be made prior to Departmental review of any special studies or technical reports required by this title, except where the applicant requests a declaration determination of significance so that environmental review is required.

D. The City may approve, approve with conditions, or deny any development proposal in order to comply with the requirements and carry out the goals, purposes, objectives and requirements of this title.

E. Approval of a development proposal does not discharge the obligation of the applicant or any successors in interest to comply with the provisions of this title. [Ord. 362 § 3, 2004.]

14.142.110 Variances.

Variance applications for exceptions to the development standards of the City's Land Use and Development Code may be used as a method for reducing impacts to critical areas. The City's Hearing Examiner or Community Development Director may consider impacts to critical areas as an undue hardship, and as a basis for finding that unique circumstances apply to a specific property in support of the granting of variances. Variance applications shall be considered by the City according to variance procedures in the City Land Use and Development Code. [Ord. 362 § 3, 2004.]

14.142.120 Current use assessment.

A. The Department shall notify the Assessor-Treasurer's Office when restrictions on development occur on a particular site.

B. The City shall provide the Assessor-Treasurer's Office with relevant information regarding critical areas and buffering requirements of this chapter in determining the fair market value of the land. Any owner of an undeveloped buffer which has been placed in a separate tract or tracts, protective easement, public or private land trust dedication, or other similarly preserved area may petition the County Assessor-Treasurer's Office to have that portion of land assessed consistent with those restrictions. [Ord. 362 § 3, 2004.]

14.142.130 Compliance provisions.

A. General Provisions.

1. The Department shall have authority to enforce this title, any rule or regulation adopted, and any permit, order or approval issued pursuant to this title, against any violation or threatened violation thereof. The Department is authorized to issue civil infraction citations and administrative orders, levy fines, and/or institute legal actions in court including prosecution of misdemeanor violations. Recourse to any single remedy shall not preclude recourse to any of the other remedies. Each violation of this title, or any rule or regulation adopted, or any permit, permit condition, approval or order issued pursuant to this title, shall be a separate offense, and, in the case of a continuing violation, each day's continuance shall be deemed to be a separate and distinct offense. An application for a required permit, when pursued in good faith, shall stay the accumulation of violations. All costs, fees, and expenses in connection with enforcement actions may be recovered as damages against the violator.

2. The Department is authorized to make site inspections and take such actions as necessary to enforce this title. A Department representative may enter private property with the consent of the owner or occupant or pursuant to a warrant.

3. The Department shall have the authority to order restoration, rehabilitation or replacement

measures to compensate for the destruction or degradation of critical areas or natural resource lands at the owner's expense.

4. The Department may bring appropriate actions at law or equity, including actions for injunctive relief, to ensure that no uses are made of critical areas or buffers which are inconsistent with this title. Enforcement actions shall include civil infractions, administrative orders, prosecution of misdemeanors, and actions for damages and restoration.

5. *Aiding or Abetting.* Any person who, through an act of commission or omission procures, aids or abets in the violation shall be considered to have committed a violation of this title.

6. Any person found to have violated any provision of this title or who knowingly makes a false statement, representation or certification in any application, record or other document filed or required to be maintained under this title or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device, record or methodology required to be maintained pursuant to this title shall be guilty of a misdemeanor, punishable by up to 90 days in jail and/or a fine of up to \$1,000.

7. Orders and penalties issued pursuant to this section may be appealed as provided for by this title.

B. Administrative Orders.

1. The Department may serve an administrative order when any person makes or partakes in any use of land, development or any activity on regulated critical areas and/or buffers in violation of this title. The order shall include the following:

- a. A description of the specific nature, location, extent and time of violation. The order may include the damage or potential damage resulting from the violation.
- b. A notice that the violation or the potential violation cease and desist or, in appropriate cases, the specific corrective action to be taken within a given time. A civil penalty may be issued with the order.
- c. *Effective Date.* The cease and desist order issued under this section shall become effective immediately upon receipt by the person to whom the order is directed.
- d. *Compliance.* Failure to comply with the terms of an administrative order can result in enforcement actions including, but not limited to, the issuance of a civil penalty.
- e. The order may include specific corrective measures to be taken to mitigate environmental damage.
- f. The order shall state that a hearing may be requested by an affected party by sending a written request for a hearing to the Hearing Examiner within 10 days of the receipt of said order and upon payment of the applicable appeal fee.
- g. Failure to comply with the terms and provisions of an administrative order issued under this title shall constitute public nuisance and may be abated and prosecuted according to applicable law including Chapter [8.16](#) LMC and Chapters [7.48](#) and [9.66](#) RCW.
- h. Administrative orders pursuant to this title shall be served upon the property owner or person or party occupying the property by personal service or by mailing a copy of the order by certified mail, postage prepaid, return receipt requested, to the property owner at the property address or to the mailing address listed upon public records regarding the property. In the event that personal service or certified mail service cannot be completed, or the property owner cannot be identified or located, service of the order may be achieved by posting the administrative order in a conspicuous location upon the property.

2. Any person who undertakes any activity within a regulated critical area or buffer without first obtaining an approval required by this title, or who violates one or more conditions of any approval required by this title, shall be subject to a Class 2 civil infraction citation with a mandatory \$250.00 fine. Any person who violates one or more conditions of administrative order issued under this title may be subject to prosecution for a misdemeanor, and a maximum penalty of 90 days in jail and/or a \$1,000 fine may be imposed. Each violation and, in the case of a continuing violation, each violation and each day of activity without a required approval shall be a separate and distinct violation. An application for a required permit, when pursued in good faith, shall stay the accumulation of violations. The penalty provided shall be appealable as provided by law.

C. *Penalties and Enforcement.* Any person, party, firm, corporation or other legal entity convicted of violating any of the provisions of this title, shall be guilty of a civil infraction or misdemeanor. Each day or portion of a day during which a violation of this title is continued, committed, or permitted shall constitute a separate offense. Any development carried out contrary to the provisions of this title shall constitute a public nuisance and may be enjoined as provided by the statutes of the state of Washington.

D. *Suspension and Revocation.* In addition to other penalties provided for elsewhere, the Department may suspend or revoke any project permit approval if it finds that the applicant has not complied with any or all of the conditions or limitations set forth in the approval, has exceeded the scope of work set forth in the approval, or has failed to undertake the project in the manner set forth in the approved application. [Ord. 362 § 3, 2004.]

14.142.135 General mitigation requirements

Mitigation must be sufficient to restore impacted functions and values, or compensate for the impacted functions and values, of the critical area and to prevent risk from a hazard posed to a critical area by the proposed activity. Mitigation must not be implemented until after the Department has provided approval of a critical areas report that includes a mitigation plan.

A. Mitigation Sequencing. This section applies to mitigation required with all critical areas reviews, approvals, and enforcement pursuant to this chapter. This section is supplemented with specific measures under sections for particular critical area types. Mitigation for specific development proposals may include a combination of the measures below and must be designed and constructed in accordance with the provisions of this section. Before impacting any critical areas, an applicant must demonstrate that the following actions have been taken in the following sequential order:

1. Avoiding the impact altogether by not taking a certain action or parts of actions;
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology, or by taking affirmative steps, such as project redesign, relocation, or timing, to avoid or reduce impacts;
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment or by restoring or stabilizing the critical area through natural, engineering, or other methods;
4. Reducing or eliminating the impacts or hazard over time by preservation and maintenance operations during the life of the action;
5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and/or
6. Monitoring, measuring and reporting the impact to the decision-maker and taking appropriate corrective measures.

B. Applicants must first demonstrate an inability to avoid or reduce impacts before the use of actions to mitigate potential impacts will be allowed. No activity or use may be allowed that results in a net loss of the functions or values of a critical area.

C. Type, Location and Timing of Mitigation. Unless it is demonstrated that higher levels of ecological functioning or greater reduction of hazard risk would result from an alternative approach or as

otherwise allowed in this chapter, mitigation for adverse impacts must be based on best available science and must be in-kind, on site, and prior to the activities that will disturb the critical area. Mitigation measures that cannot be implemented prior to the critical area impacts must be completed immediately following disturbance and prior to use or occupancy of the action or development. Construction of mitigation projects must be timed to reduce impacts to existing fisheries, wildlife, and flora.

1. The Department may authorize a one-time temporary delay in completing construction or installation of the mitigation when the applicant provides a written explanation from a qualified professional as to the rationale for the delay and satisfactory financial guarantee that the installation will occur. An appropriate rationale would include identification of the environmental conditions that could produce a high probability of failure or significant construction difficulties (e.g., project delay lapses past a fisheries window, or installing plants should be delayed until the dormant season to ensure greater survival of installed materials). The delay must not create or perpetuate hazardous conditions or environmental damage or degradation, and the delay must not be injurious to the health, safety, or general welfare of the public.

14.142.138 General critical areas report requirements.

Critical area reports shall be prepared for nonexempt proposed developments containing critical areas or their buffers. In addition to information required in specific critical area chapters, the critical area reports shall:

- A. Be prepared by qualified experts as defined in WAC 365-195-905(4). The following list shows the type of critical area report and the related professional discipline:
 1. Wetlands: wetland biologist.
 2. Critical aquifer recharge areas: hydrogeologist or geologist.
 3. Floodplains: hydrologist or engineer.
 4. Geologically hazardous areas: engineer or geologist.
 5. Fish and wildlife habitats: biologist.
- B. Incorporate best available science.
- C. Cover a study area large enough to understand relationships with important off-site factors and identify any nearby critical area whose buffer extends onto the project site.
- D. Contain the following:
 1. Name and contact information of the applicant, description of the proposed development, and identification of required permits;
 2. Site plan drawn to scale of no less than one inch equals 100 feet showing critical areas, buffers, existing structures, and proposed structures, clearing, grading, and stormwater management;
 3. Characterization of critical areas and buffers;
 4. Assessment of the probable impact of the development proposal on critical areas;
 5. Analysis of site development alternatives;
 6. Detailed explanation of how the project is consistent with each of the mitigation sequencing standards identified in LMC 14.142.135;
 7. An analysis of the anticipated impacts on functions and values;
 8. Evaluation of compliance with this title's substantive requirements applicable to the proposed development;
 9. If impacts to the buffer or critical area are proposed the report shall include:
 - a. A strategy for mitigating the impacts, including site selection factors;
 - b. An analysis of the existing and anticipated functions and values at the mitigation site, including an assessment of risks; and

- c. A review of the best available science relative to the proposed mitigation;
- 10. Additional information as required in the chapter corresponding to the type of critical area;
- 11. Documentation of who prepared the report and when, with fieldwork and data sheets;
- 12. Statement specifying the accuracy of the report and assumptions relied upon;
- 13. Additional information as required by the director.

E. When the contents of a critical area report determine that a proposed development requires compensatory mitigation and the mitigation approach proposed is acceptable to the city, a separate stand-alone mitigation plan shall be prepared in accordance with the specific requirements of other chapters in this title. The mitigation plan will be submitted once the director accepts the findings of the critical areas report.

14.142.140 Appeal procedures.

Requests for reconsideration and appeals of a decision issued under this title shall be considered by the City according to procedures provided in the City's Land Use and Development Code for the underlying permit or entitlement, or as an appeal of an administrative decision. [Ord. 362 § 3, 2004.]

14.142.160 Fees.

The City shall establish an appropriate fee structure for permit processing and technical review by separate resolution. [Ord. 362 § 1, 2004.]

14.142.170 Title and plat notification.

If more than one critical areas/resource lands exist on the site subject to the provisions of this title, then one notice which addresses all of the critical areas/resource lands shall be sufficient. [Ord. 362 § 3, 2004.]

14.142.180 Nonconforming uses, structures, and lots.

An established use or existing structure that was lawfully permitted prior to adoption of this chapter, but which is not in compliance with this chapter, or a legal lot that does not meet minimum lot area and other dimensional requirements of Title 18A, or that was created or altered prior to February 28, 1996, may continue or be developed subject to the ~~following:~~ requirements of Title 18A.

~~Nonconforming uses:~~

- ~~— Nonconforming uses shall not be expanded, or changed in any way that increases the nonconformity without a permit issued pursuant to the provisions of this chapter;~~
- ~~— Activities or uses which are discontinued for 12 consecutive months shall be allowed to resume only if they are in compliance with this chapter;~~
- ~~— If a structure housing a nonconforming use is destroyed to any extent by fire or other casualty not intentionally caused by the owner, the structure may be rebuilt or restored and the nonconforming use reestablished subject to the following requirements:~~
 - ~~— The nonconformity is certified by the Department;~~
 - ~~— A complete building permit application is filed within one year of such fire or other casualty; and~~

- ~~Construction is commenced within one year of such fire or other casualty and is substantially completed within 18 months of the date such damage occurred in conformance with the provisions of the building and fire code then in effect.~~

~~*Nonconforming structures.*~~

- 1. ~~Existing structures shall not be expanded or altered in any manner which will increase the nonconformity without a permit issued pursuant to the provisions of this chapter, except one-family dwellings and accessory structures may be expanded or altered as provided in LMC 14.142.070(G);~~

B. ~~Activities or uses which are discontinued for 12 consecutive months shall be allowed to resume only if they are in compliance with this chapter; and~~

- ~~Nonconforming structures destroyed by fire, explosion, or other casualty may be replaced or restored if reconstruction is commenced within one year of such damage and is substantially completed within 18 months of the date such damage occurred. The reconstruction or restoration shall not serve to expand, enlarge or increase the nonconformity.~~

- ~~*Nonconforming lots.* A nonconforming lot may be developed if permitted by other land use regulations in this or other titles subject to conformity with the Shoreline Master Program as adopted and amended and with all other applicable code requirements.~~

- ~~In the Residential 1 through Residential 4 zones, a single-family dwelling may be erected on any single legal lot as defined in the Lakewood Municipal Code. A lot shall meet the following criteria, as applicable:~~

- ~~A lot created by the subdivision process established in Title 17 in accordance with Chapter 58.17 RCW;~~

- ~~A lot that was created prior to February 28, 1996;~~

- ~~Any lot that met minimum lot area requirements under the regulations of Pierce County prior to incorporation or annexation into the City of Lakewood; and~~

- ~~A lot reduced below minimum lot size requirements as a result of public acquisitions of property.~~

- ~~In the mixed residential, multifamily, commercial, or industrial districts, any substandard lot may be used for any of the uses permitted in the respective zone, subject to the requirements of this Title, provided:~~

- ~~All such lots meet the definition of “nonconforming lot” as defined in this title and not having been merged or otherwise created illegally;~~

- ~~Commercial or industrial lots created through the binding site plan process established in Chapters 17.30 or 17.34 of this code are exempt from this section; and~~

- a. ~~The use complies with all other requirements of this title. [Ord. 362 § 3, 2004.]~~

14.142.190 Administrative procedures and technical criteria.

The Department shall develop administrative procedures, including technical requirements, to guide

decision making in implementing provisions of this chapter. In particular, the Department shall adopt procedures for determining the category of specific wetlands. In so doing, the Department shall solicit the views of wetland specialists, ecologists, developers and interested citizens. Administrative procedures can be modified from time to time, and can include material by reference to state or federal criteria subject to notice to the public and consideration of public views and input. Administrative procedures shall be made available to the public upon request, and shall be consistent with the provisions of this chapter. Upon request, the Department shall provide the City Council with copies of all administrative procedures, including modifications, to ensure consistency with the provisions of this chapter. [Ord. 362 § 3, 2004.]

14.142.200 Severability.

If any provision of this title or any of its subsections, or its application to any person or circumstance is held invalid, the remainder of this regulation or the application of the provision to other persons or circumstances shall not be affected. [Ord. 362 § 3, 2004.]

**Chapter 14.146 GEOLOGICALLY
HAZARDOUS AREAS***

Sections:

- 14.146.010 Purpose.**
- 14.146.020 Designation of erosion and landslide hazard areas.**
- 14.146.030 Protection standards for erosion and landslide hazard areas.**
- 14.146.040 Designation of seismic hazard areas.**
- 14.146.050 Protection standards in seismic hazard areas.**
- 14.146.060 Protection standards in seismic hazard areas.**
- 14.146.070 Protection standards in seismic hazard areas.**

*** Prior legislation note:** Ord. [362](#) repealed provisions concerning geologically hazardous areas that were formerly in this chapter, based on the provisions of Ord. [56](#).

14.146.010 Purpose.

The ~~intent behind purpose for~~ the classification and designation of geologically hazardous areas is to classify and designate areas on which development should be prohibited, restricted, or otherwise controlled because of danger from geological hazards. For purposes of this title, geologically hazardous areas include the following: [areas susceptible to erosion, ~~and landslide hazard areas sliding, earthquake or other geological events that pose a threat to the health and safety of citizens when incompatible development is sited in areas of significant hazard, and seismic hazard areas~~ and other hazard areas subject to geological events such as coal mine hazards and volcanic hazards including mass wasting, debris flow, rock falls, and differential settlement.](#) [Ord. 362 § 3, 2004.]

14.146.020 Designation of erosion and landslide hazard areas.

A. *General.* Erosion hazard areas are those areas that because of natural characteristics, including vegetative cover, soil texture, slope, gradient, and rainfall patterns, or human-induced changes to such characteristics, are vulnerable to erosion [and likely to become unstable](#). Landslide hazard areas are areas potentially subject to risk of mass movement due to a combination of geologic, topographic, and hydrologic factors. [Mine hazard areas include those areas underlain by, adjacent to, or affected by mine working such as adits, gangways, tunnels, drifts, or air shafts.](#)

B. Classification.

1. Criteria.

a. Erosion hazard areas are identified by the presence of vegetative cover, soil texture, slope, and rainfall patterns, or human-induced changes to such characteristics, which create site conditions which are vulnerable to erosion. Erosion hazard areas are those areas that are classified as having moderate to severe, severe or very severe erosion potential by the Soil Conservation Service, United States Department of Agriculture (USDA). The geologic units considered as potential erosion hazards within areas of slopes greater than 15 percent may consist of the following: m (modified land), Qal (alluvium), Qw (wetland deposits), Qb (beach deposits), Qtf (tide flat deposits), Qls (landslide deposits), Qf (fan deposits), the Qvr and Qvs series (Vashon recessional outwash, and Steilacoom Gravel), and Qvi (ice contact deposits). These units are identified because of density and composition. [Erosion hazard areas may also include:](#)

i. [Areas susceptible to rapid stream incision and stream bank erosion;](#)

ii. [Areas located within on-quarter mile of an active fault as indicated on Scientific Investigations Maps \(SIM\) or described in studies by the United States Geological Survey, Geology and Earth Resources Division of the Washington Department of Natural Resources, or other documents authorized by government agencies, or identified during site inspection.](#)

b. Landslide hazard areas are those areas [subject to landslide because of any combination of bedrock, soil, slope \(gradient\), slope aspect, structure, hydrology, or other factors](#) meeting any of the following criteria:

i. [Areas of historic failures, such as:](#)

(A) [Those areas delineated by the United States Department of Agriculture Natural Resources](#)

Conservation Service as having significant limitation for building site development;

(B) Those areas mapped by the Department of Ecology Coastal Zone Atlas of the Department of Natural Resources slope stability mapping as unstable (“U” or class 3), unstable old slides (“UOS” or class 4), or unstable recent slides (“URS” or class 5); or

~~(A)(C)~~ Areas designated as quaternary slumps, earthflows, mudflows, lahars, or landslides on maps published by the United States Geological Survey or Washington Department of Natural Resources.

ii. Areas with all three of the following characteristics:

(A) Slopes steeper than 15 percent; and

(B) Hillsides intersecting geologic contacts with a relatively permeable sediment overlying a relatively impermeable sediment or bedrock; and

(C) Springs or ground water seepage;

iii. Areas that have shown movement during the Holocene epoch (from 10,000 years ago to the present) or which are underlain by mass wastage debris of this epoch;

~~iii.iv.~~ Slopes that are parallel or sub-parallel to planes of weakness; (such as bedding planes, joint systems, and fault planes); in subsurface materials;

~~iv.v.~~ Slopes having gradients steeper than 80 percent subject to rockfall during seismic shaking;

vi. Areas potentially unstable as a result of rapid stream incision, streambank erosion, and undercutting by wave action, including stream channel migration zones;

~~v.vii.~~ Areas that show evidence of, or are at risk from snow avalanches;

~~vi.viii.~~ Areas located in a canyon or on an active alluvial fan, presently or potentially subject to inundation by debris flows or catastrophic flooding;

~~vii.ix.~~ Any area with a slope of ~~30~~ 40 percent or steeper and with a vertical relief of 10 or more feet except areas composed of bedrock. A slope is delineated by establishing the toe and top and measured by averaging the inclination over at least 10 feet of vertical relief;

~~viii. Areas which have a “severe” limitation for building site development because of slope conditions, according to the Soil Conservation Service.~~

2. **Mapping.** Areas meeting the criteria established above may be delineated in, but not limited to, the following documents:

a. Soil Survey of Pierce County Area, Washington, 1979, Soil Conservation Service, United States Department of Agriculture (USDA) For erosion hazard areas, Cities and Counties may consult the United States Department of Agriculture Natural Resources Conservation Service;

b. Coastal Zone Atlas for Washington, Washington Department of Ecology;

c. Areas designated as slumps, earthflows, mudflows, lahars, or landslides on mMaps published by the United States Geological Survey or Washington Department of Natural Resources Division of Geology and Earth Resources;

- d. Geologic Map of the Steilacoom 7.5-Minute Quadrangle, Washington 2003. [Ord. 362 § 3, 2004.]

14.146.030 Protection standards for erosion and landslide hazard areas.

A. *Prohibited Development Areas.* In areas meeting all three of the following characteristics, no structure or disturbance of vegetation is permitted:

1. An area with a slope of 100 percent or steeper (45 degrees); and
2. Hillside intersecting geological contacts with a relatively permeable sediment overlying a relatively impermeable sediment or bedrock; and
3. Springs or ground water seepage.

B. *Regulation – Geotechnical Report Required.* For all regulated activities proposed within landslide and erosion hazard areas, a geotechnical report prepared by a professional geotechnical engineer or geologist licensed by the state of Washington shall be submitted (see subsection (B)(2) of this section). Where the applicant can clearly demonstrate to the Department through submittal of a geological assessment (see subsection (B)(1) of this section) that the regulated activity or any related site alterations will not occur within the landslide or erosion hazard area or any associated buffers, the requirements for a geotechnical report may be waived. A geological assessment may be prepared by a professional engineer licensed by the state of Washington with expertise in geotechnical engineering or by a professional geologist/hydrologist or soils scientist who has earned a bachelor's degree in geology, hydrology, soils science, or closely related field from an accredited college or university, or equivalent educational training, and has at least five years experience assessing erosion and landslide hazards.

1. *Geological Assessments.*

- a. Should the applicant question the presence of landslide or erosion hazard areas on the site, the applicant may submit a geological assessment.
- b. The geological assessment shall include at a minimum the following:
 - i. A description of the topography, surface and subsurface hydrology, soils, geology, and vegetation of the site; and
 - ii. An evaluation of the analysis area's inherent landslide and erosion hazards; and
 - iii. A site plan of the area delineating all areas of the site subject to landslide and erosion hazards, based on mapping and criteria referenced in LMC [14.146.020](#).

The submittal must include a contour map of the proposed site, at a scale of one inch equals 20 feet or as deemed appropriate by the Department. Slopes shall be clearly delineated for the ranges between 15 and 29 percent, and 30 percent or greater, including figures for aerial coverage of each slope category on the site.

When site specific conditions indicate the necessity, the Department may require the topographic data to be field surveyed.

2. *Geotechnical Reports.* The geotechnical report shall be prepared by a professional geotechnical engineer or geologist licensed by the state of Washington, and shall address the existing geologic, topographic, and hydrologic conditions on a site, including an evaluation of the ability of the site to accommodate the proposed activity. The geotechnical report shall include at a minimum the following:

- a. *Site Geology Information Required.*

- i. *Topographic Data.* Submittal must include a contour map of the proposed site, at a scale of one inch equals 20 feet or as deemed appropriate by the Department. Slopes shall be clearly delineated for the ranges between 15 and 29 percent, and 30 percent or greater, including figures for aerial coverage of each slope category on the site. When site specific conditions indicate the necessity, the Department may require the topographic data to be field surveyed.
 - ii. *Subsurface Data.* Submittal must include boring logs and exploration methods; soil and rock stratification, ground water levels and seasonal changes of ground water levels. Subsurface data shall include any evidence of the presence of any organic fill or other conditions that would have the potential to affect buildings or development on the site.
 - iii. *Site History.* Submittal must include a description of any prior grading, soil instability, or slope failure.
 - iv. *Seismic Hazard.* Submittal of data concerning the vulnerability of the site to seismic events, including potential for liquefaction of soils.
- b. *Geotechnical Engineering Information Required.*
- i. Slope stability studies and opinion(s) of slope stability for the predeveloped and post-developed condition. Site specific setbacks and buffers from landslide hazard areas should be based on the results of the stability analysis;
 - ii. Proposed angles of cut and fill slopes and site grading requirements;
 - iii. Structural foundation requirements and estimated foundation settlements;
 - iv. Soil compaction criteria;
 - v. Proposed surface and subsurface drainage;
 - vi. Lateral earth pressures;
 - vii. Vulnerability of the site to erosion;
 - viii. Suitability of on-site soil for use as fill;
 - ix. Laboratory data and soil index properties for soil samples; and
 - x. Building limitations.

Where a valid geotechnical report has been prepared within the last five years for a specific site, and where the proposed land use activity and surrounding site conditions are unchanged, said report may be utilized and a new report may not be required. If any changed environmental conditions are associated with the site, or surrounding the site, the applicant shall submit an amendment to the geotechnical report.

The development proposal may be approved, approved with conditions, or denied based on the Department's evaluation of the ability of the proposed mitigation measures to reduce risks associated with the erosion and landslide hazard area.

3. *Protection – Performance Standards.* The Department shall evaluate all geotechnical reports for landslide and erosion hazard areas to ensure that the following standards are met:

- a. *Location and Extent of Development.*
 - i. Development shall be located to minimize disturbance and removal of vegetation;

- ii. Structures shall be clustered where possible to reduce disturbance and maintain natural topographic character; and
- iii. Structures shall conform to the natural contours of the slope and foundations should be tiered where possible to conform to existing topography of the site.

b. Design of Development.

- i. All development proposals shall be designed to minimize the building footprint and other disturbed areas within the identified geologically hazardous area;
- ii. All development shall be designed to minimize impervious lot coverage;
- iii. Roads, walkways and parking areas shall be designed to parallel the natural contours;
- iv. Access ways shall be designed to avoid geological hazards to the extent feasible. If hazardous areas cannot be avoided, then hazards shall be mitigated as directed by a professional engineer licensed by the state of Washington.

The Department may approve, approve with conditions, or deny development proposals based on these performance standards.

4. *Protection – Buffer Requirement.* A buffer, consisting of undisturbed natural vegetation, and measured in a perpendicular direction from all landslide and erosion hazard areas, shall be required from the top of slope and toe of slope of all landslide or erosion hazard areas that measure 10 feet or more in vertical elevation change from top to toe of slope, as identified in the geotechnical report, maps, and field-checking. The minimum buffer distance requirements from the top of slope and toe of slope of landslide or erosion hazard areas shall be at least 50 percent the value of the slope's height, not exceeding 15 feet, for structures at the base of a slope and at least 33.3 percent the value of the slope's height, not exceeding 40 feet or as otherwise specified in the International Building Code Section 1808.7 or as otherwise amended; the same as for setbacks from slopes as identified in the International Building Code Section 1805.3, as may be amended by the State Building Code Council, or as indicated by a site-specific geotechnical report. In addition, a setback from the buffer area shall be provided as described in subsection (B)(6) of this section. In no case shall the building setback from the top, sides and toe of a landslide hazard area be less than 10 feet.

To increase the functional attributes of the buffer, the Department may require that the buffer be enhanced through planting of appropriate native species that will provide effective protection against erosion and landslides. The edge of the buffer area shall be clearly staked, flagged, and fenced prior to any site clearing or construction. The buffer boundary markers shall be clearly visible, durable, and permanently affixed to the ground. Site-clearing shall not commence until the engineer has submitted written notice to the Department that buffer requirements of this chapter are met. Field-marking shall remain until all construction and clearing phases are completed, and final approval has been granted by the Department. The identified critical area and buffer shall be placed in a separate critical area tract or tracts, protective easement, public or private land trust dedication, or similarly preserved through an appropriate permanent protective mechanism as determined by the Department.

5. *Modifications to Buffer Width.* When the geotechnical report demonstrates that a lesser buffer distance, and design and engineering solutions, will meet the intent of this chapter, such reduced buffer and design and engineering solutions may be permitted. Should the geotechnical report indicate that a greater buffer than that required by subsection (B)(4) of this section is needed to meet the intent of this chapter, the greater buffer shall be required.

6. *Building Setback and Construction Near Buffer.* Eight-foot minimum setback lines shall be required from the buffer area required in subsection (B)(4) of this section, for construction of any impervious surface(s) greater than 120 square feet of base coverage. Clearing, grading, and filling within eight feet of the buffer shall only be allowed when the applicant can

demonstrate that vegetation within the buffer will not be damaged.

7. *On-Site Sewage Disposal Systems.* On-site sewage disposal systems, including drainfields within landslide or erosion hazard areas and related buffers as identified in subsection (B)(4) of this section, shall meet all requirements of the Tacoma-Pierce County Board of Health and the Washington State Department of Health for on-site sewage disposal (Chapter [246-272 WAC](#)).

8. *Erosion Control Plan.* Erosion control plans shall be required for all regulated activities in erosion hazard areas. The erosion control plans shall be consistent with the City Site Development Regulations, Section 3.04.

9. *Notification.*

a. *Title Notification.* The owner of any site within an erosion hazard or landslide hazard area, as identified in LMC [14.146.020](#), on which a development proposal is submitted, shall record a notice with the Pierce County Auditor in the form set forth below:

b. Form of notice:

EROSION OR LANDSLIDE HAZARD AREA NOTICE

Parcel Number: _____

Address: _____

Legal Description: _____

Present Owner: _____

Notice: This site lies within an erosion or landslide area as defined by Chapter 14.____ of the Lakewood Municipal Code. The site was the subject of a development proposal for application number _____ filed on (date) _____

Restrictions on use or alteration of the site may exist due to natural conditions of the site and resulting regulation. Review of such application has provided information on the location of the erosion or landslide hazard area and any restriction on use.

Signature of Owner(s) _____

(NOTARY ACKNOWLEDGMENT)

- c. **Plat Notification.** For all proposed short subdivision and subdivision proposals within erosion hazard or landslide hazard areas, the applicant shall include a note on the face of the plat. The note shall be as set forth below:

Notice: This site lies within or includes an erosion hazard or landslide hazard area as defined in Chapter [14.146](#) of the City Code. Restrictions on use or alteration of the site may exist due to natural conditions of the site and resulting regulation.

[Ord. 362 § 3, 2004.]

14.146.040 Designation of seismic hazard areas.

- A. **General.** ~~Seismic hazard areas are areas subject to severe risk of earthquake damage from seismically induced settlement or lateral spreading as a result of soil liquefaction in an area underlain~~

~~by cohesionless soils of low density and usually in association with a shallow ground water table. Seismic hazard areas must include areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement or subsidence, soil liquefaction, surface faulting, or tsunamis.~~

B. Classification.

1. *Criteria.* Seismic hazard areas are generally those areas susceptible to ground failure during seismic events. Failure can consist of soil liquefaction, slope failure, settlement, ground rupture, or lateral displacement. Settlement and soil liquefaction conditions occur in areas underlain by cohesionless soils, usually fine sand, of low density, typically in association with a shallow ground water table.
2. *Mapping.* Seismic hazard areas may be identified using the [maps published by the United States Geological Survey or Washington Department of Natural Resources Division of Geology and Earth Resources](#) and the Geologic Map of the Steilacoom 7.5-Minute Quadrangle, Washington 2003; and the “Preliminary Liquefaction Susceptibility Map of Pierce County, Washington, September 2003” published by the Washington Department of Natural Resources. [Ord. 362 § 3, 2004.]

14.146.050 Protection standards in seismic hazard areas.

A. Regulation—Geotechnical Report Required. For all regulated activities, except the construction of wood frame structures under 5,000 square feet, mobile homes, fences, and/or subdivision of property, proposed within seismic hazard areas, a geotechnical report prepared by a professional engineer licensed by the state of Washington with expertise in geotechnical engineering shall be submitted (see subsection [\(A\)\(2\)](#) of this section). Retaining walls may also be excluded from the requirement of a geotechnical report when the height of soil fills on the upper side are not in excess of four feet above the toe of the wall, backfills do not exceed a top surface slope of 4:1 (H:V), and there is no permanent structure existing or proposed within a distance of three times the height of the wall. Where an applicant can demonstrate through submittal of a geological assessment (see subsection [\(A\)\(1\)](#) of this section), that there are no seismic hazards on site, the requirement for the geotechnical report may be waived. A geological assessment may be prepared by a professional geotechnical engineer or by a professional geologist licensed by the state of Washington.

1. Geological Assessments.

- a. Should the applicant question the presence of seismic hazard areas on the site, the applicant may submit a geological assessment.
- b. The geological assessment shall include at a minimum the following:
 - i. A description of the topography, surface and subsurface hydrology, soils, geology, and vegetation of the site; and
 - ii. An evaluation of the analysis area’s inherent seismic hazards; and
 - iii. A site plan of the area delineating all areas of the site subject to seismic hazards, based on mapping and criteria referenced in LMC [14.146.040](#).

If the geological assessment demonstrates, to the satisfaction of the Department, that the proposed site is not located in any seismic hazard areas, based upon the criteria set forth in subsection [\(A\)\(1\)\(b\)](#) of this section, then the requirements of this section shall not apply.

2. *Geotechnical Report.* The geotechnical report shall be prepared by a professional engineer licensed by the state of Washington with experience in geotechnical engineering and shall address the existing geologic, topographic, and hydrologic conditions on a site, including an evaluation of the ability of the site to accommodate the proposed activity. The geotechnical report shall include at a minimum the following:

- a. A discussion of the surface and subsurface geologic conditions of the site;
- b. A site plan of the area delineating all areas of the property subject to seismic hazards, based on mapping and criteria referenced in LMC [14.146.040](#);
- c. A discussion of mitigation measures which can be taken to reduce seismic risks associated from liquefaction, ground shaking, settlement or slope failure with the underlying surficial geology; and
- d. Anevaluationoftheeffectivenessoftheproposedmitigationmeasures. Where a valid geotechnical report has been prepared within the last five years for a specific site, and where the proposed land use activity and surrounding site conditions are unchanged, said report may be utilized and a new report may not be required. If any changed environmental conditions are associated with the site, or surrounding the site, the applicant shall submit an amendment to the geotechnical report.

The development proposal may be approved, approved with conditions, or denied based on the Department's evaluation of the ability of the proposed mitigation measures to reduce seismic risks associated with the underlying surficial geology.

3. *Notification.*

- a. ***Title Notification.*** The owner of any site within a seismic hazard area as identified in LMC [14.146.040](#), on which a development proposal is submitted, shall record a notice with the Pierce County Auditor in the form set forth below:

Form of Notice:

SEISMIC HAZARD AREA NOTICE

Parcel Number: _____

Address: _____

Legal Description: _____

Present Owner: _____

Notice: This site lies within a seismic hazard area as defined by Chapter [14.146](#) of the Lakewood Municipal Code. The site was the subject of a development proposal for application number __

filed on (date) _____

Restrictions on use or alteration of the site may exist due to natural conditions of the site and resulting regulation. Review of such application has provided information on the location of a seismic hazard area and any restrictions on use.

Signature of owner(s)

NOTARYACKNOWLEDGMENT

- b. *Plat Notification.* For all proposed short subdivision and subdivision proposals within seismic hazard areas, the applicant shall include a note on the face of the plat. The note shall be as set forth below:

Notice: This site lies within a seismic hazard area as defined in Chapter [14.146](#), of the City Code. Restrictions on use or alteration of the site may exist due to natural conditions of the site and resulting regulation.

[Ord. 362 § 3, 2004.]

14.146.060 Designation of other mine hazards areas.

A. *General.* Mine hazard areas must include areas underlain by, adjacent to, or affected by mine working such as adits, gangways, tunnels, drifts, or air shafts.

B. *Classification.*

1. *Criteria.* Proximity to development, depth from ground surface to the mine working, and geologic material are factors that should be considered in mine hazard areas.
2. *Mapping.* Mine hazard areas may be identified using the Geologic Hazards Map published by the Department of Natural Resources Washington Geologic Survey . [Ord. TBD § TBD.]

14.146.070 Protection standards in mine hazard areas.

B. *Regulation – Geotechnical Report Required.* For all regulated activities, except the construction of wood frame structures under 5,000 square feet, mobile homes, fences, and/or subdivision of property, proposed within mine hazard areas, a geotechnical report prepared by a professional engineer licensed by the state of Washington with expertise in geotechnical engineering shall be submitted (see subsection (A)(2) of this section). Retaining walls may also be excluded from the requirement of a geotechnical report when the height of soil fills on the upper side are not in excess of four feet above the toe of the wall, backfills do not exceed a top surface slope of 4:1 (H:V), and there is no permanent structure existing or proposed within a distance of three times the height of the wall. Where an applicant can demonstrate through submittal of a geological assessment (see subsection (A)(1) of this section), that there are no mine hazards on site, the requirement for the geotechnical report may be waived. A geological assessment may be prepared by a professional geotechnical engineer or by a professional geologist licensed by the state of

Washington.1. Geological Assessments.

- a. Should the applicant question the presence of mine hazard areas on the site, the applicant may submit a geological assessment.
- b. The geological assessment shall include at a minimum the following:
 - i. A description of the topography, surface and subsurface hydrology, soils, geology, and vegetation of the site; and
 - ii. An evaluation of the analysis area's inherent mine hazards; and
 - iii. A site plan of the area delineating all areas of the site subject to mine hazards, based on mapping and criteria referenced in LMC 14.146.060.

If the geological assessment demonstrates, to the satisfaction of the Department, that the proposed site is not located in any mine hazard areas, based upon the criteria set forth in subsection (A)(1)(b) of this section, then the requirements of this section shall not apply.

2. Geotechnical Report. The geotechnical report shall be prepared by a professional engineer licensed by the state of Washington with experience in geotechnical engineering and shall address the existing geologic, topographic, and hydrologic conditions on a site, including an evaluation of the ability of the site to accommodate the proposed activity. The geotechnical report shall include at a minimum the following:

- a. A discussion of the surface and subsurface geologic conditions of the site;
- b. A site plan of the area delineating all areas of the property subject to mine hazards, based on mapping and criteria referenced in LMC 14.146.060;
- c. A discussion of mitigation measures which can be taken to reduce risks associated from mine hazards; and
- d. An evaluation of the effectiveness of the proposed mitigation measures. Where a valid geotechnical report has been prepared within the last five years for a specific site, and where the proposed land use activity and surrounding site conditions are unchanged, said report may be utilized and a new report may not be required. If any changed environmental conditions are associated with the site, or surrounding the site, the applicant shall submit an amendment to the geotechnical report.

The development proposal may be approved, approved with conditions, or denied based on the Department's evaluation of the ability of the proposed mitigation measures to reduce risks associated with the underlying surficial geology.

3. Notification.

- a. Title Notification. The owner of any site within a mine hazard area as identified in LMC 14.146.060, on which a development proposal is submitted, shall record a notice with the Pierce County Auditor in the form set forth below:

Form of Notice:

MINE HAZARD AREA NOTICE

Parcel Number: _____

Address: _____

Legal Description: _____

Present Owner: _____

Notice: This site lies within a mine hazard area as defined by Chapter [14.146](#) of the Lakewood Municipal Code. The site was the subject of a development proposal for application number _____
filed on (date) _____

Restrictions on use or alteration of the site may exist due to natural conditions of the site and resulting regulation. Review of such application has provided information on the location of a seismic hazard area and any restrictions on use.

Signature of owner(s)

NOTARY ACKNOWLEDGMENT

[b. *Plat Notification.* For all proposed short subdivision and subdivision proposals within mine hazard areas, the applicant shall include a note on the face of the plat. The note shall be as set forth below:](#)

Notice: This site lies within a mine hazard area as defined in Chapter [14.146](#), of the City Code. Restrictions on use or alteration of the site may exist due to natural conditions of the site and resulting regulation.

[\[Ord. TBD § TBD.\]](#)

Chapter 14.150
CRITICAL AQUIFER RECHARGE AREAS*

Sections:

- 14.150.010 Purpose.**
- 14.150.020 Designation of aquifer recharge areas.**
- 14.150.030 Protection standards in aquifer recharge areas.**
- 14.150.040 Hydrogeological assessments.**

*** Prior legislation note:** Ord. [362](#) repealed provisions concerning aquifer recharge areas that were formerly in this chapter, based on the provisions of Ord. [56](#).

14.150.010 Purpose.

The Growth Management Act requires the City of Lakewood to designate areas and adopt development regulations for the purpose of protecting areas within the City critical to maintaining ground water recharge and quality. The Growth Management Act, Water Pollution Control Act, Water Resources Act of 1971, and the Ground Water Quality Standards require that these actions be taken to protect ground water quality and quantity such that its use as potable water can be preserved for current and future uses. This chapter shall define a scientifically valid methodology by which the City of Lakewood will designate areas determined to be critical in maintaining both ground water quantity and quality. This chapter shall specify regulatory requirements to be enacted when development within these areas is proposed to occur. [Ord. 362 § 3, 2004.]

14.150.020 Designation of [critical](#) aquifer recharge areas.

A. *General.* ~~Critical~~ [critical](#) aquifer recharge areas are areas where the prevailing geologic conditions allow infiltration rates which create a high potential for contamination of ground water resources or contribute to the replenishment of ground water.

B. *Classification.* For the purposes of this chapter, the boundaries of the City's aquifer recharge areas are:

1. The boundaries of the two highest DRASTIC zones which are rated 180 and above on the DRASTIC index range, as identified in Map of Ground Water Pollution Potential, Pierce County, Washington, National Water Well Association, U.S. Environmental Protection Agency; and
2. The Clover/Chambers Creek Aquifer Basin boundary, as identified in Draft Clover/Chambers Creek Basin Ground Water Management Program and Environmental Impact Statement, Brown and Caldwell for Washington State Department of Ecology.

[3.](#) Any site located within the Clover/Chambers Creek Basin boundary or the two highest DRASTIC zone boundaries is included in the [critical](#) aquifer recharge area. [Ord. 362 § 3, 2004.]

C. *Mapping.* [Critical aquifer recharge areas and areas of vulnerability may be identified using the following maps from the Pierce County Open Geospatial Data Portal:](#)

- [1. "Aquifer Recharge Areas" published December 2015 and updated in January 2018.](#)
- [3. "Aquifer Vulnerable Deep Areas" published May 1996 and updated in October 2017.](#)
- [2. "Aquifer Clover Chambers Creek" published April 2000 and updated in October 2017.](#)

14.150.030 Protection standards in [critical](#) aquifer recharge areas.

~~A. Protection Standards.~~

~~1. Regulated activities/facilities may be permitted in a critical aquifer recharge area only if the applicant can demonstrate that the proposed activity will not cause contaminants to enter the aquifer and that the proposed activity will not adversely affect the recharging of the aquifer.~~

~~2. The proposed regulated activity must comply with the water source protection~~

~~requirements and recommendations of the Federal Environmental Protection Agency and State Department of Health.~~

~~3.—Best management practices shall be required for activities within the designated low and moderate susceptibility zones.~~

~~4.—Based upon available information including that provided by the applicant pursuant to the requirements of this section, the Director shall have discretion to impose conditions designed to prevent degradation of groundwater quality or quantity. Such conditions may include a hydrologic site evaluation, determination of background water quality, quantity, and groundwater levels prior to approval and development of groundwater quality and/or quantity management plans. All conditions shall be based on all known, available, and reasonable methods of prevention, control, and treatment.~~

~~5.—A mitigation plan shall be required to address groundwater impacts identified in the hydrogeologic site evaluation, if such an evaluation is required. The Director may require that the mitigation plan include monitoring, process controls, remediation, and discussion of alternatives.~~

~~6.—Project approval shall be based on the conditions and/or mitigation plan required by the Director.~~

~~A.B.~~ *Exemptions.* In addition to the exemptions listed in LMC [14.142.070](#), the following uses shall be exempt from the requirements of this chapter:

1. Sewer lines and appurtenances.
2. Individual on-site domestic sewage disposal (septic) systems releasing less than 14,500 gallons of effluent per day, subject to permitting by the Tacoma-Pierce County Health Department.

~~B.C.~~ *Plat Notification.* For all proposed short subdivision and subdivision proposals within the City, the applicant shall include a note on the face of the plat. The note shall be as set forth below:

Notice: This subdivision lies within an [critical](#) aquifer recharge area as defined in Chapter [14.150](#) of the Lakewood Municipal Code. Restrictions on use or alteration of the site may exist due to natural conditions of the site and resulting regulation.

~~C.D.~~ *Prohibited Activities.* Because of high potential for contamination, and low potential for remediation of ground waters used as potable water sources, the following uses of land shall be prohibited within the City of Lakewood:

1. Landfills, including hazardous or dangerous waste, municipal solid waste, special waste, and wood waste. Inert and demolition waste landfills may be permitted subject to the requirements of subsection [DE](#) of this section.
2. Underground injection wells, except as may be proposed by a public agency for remediation of ground water contamination or aquifer enhancement.
3. Metals mining.
4. New sand and gravel mining.

5. Wood treatment facilities.
6. Storage of more than 70,000 gallons of liquid petroleum or other hazardous [substances](#).

~~D-E.~~ *Regulated Activities.* The following land uses may only be permitted after review and approval of a hydrogeological assessment by the Tacoma-Pierce County Health Department. Uses requiring a hydrogeological assessment may be conditioned or denied based upon the TPCHD's evaluation of the hydrogeologic assessment. Other state and federal regulations pertaining to the specific activities listed should be referenced in the hydrogeologic assessment and agency review:

1. Aboveground storage tanks (WAC [173-303-640](#));
2. Automobile washing facilities (Chapter [173-216](#) WAC, DOE Publication WQ-R-95-56);
3. Below-ground storage tanks (Chapter [173-360A](#) WAC);
4. Residential structures housing three or more units and utilizing on-site septic systems (Chapter [246-272](#) WAC, TPCHD Regulations);
5. Sludge land application sites categorized as S-3, S-4 and S-5, as defined above;
6. Animal containment area (Chapters [173-216](#) and [173-220](#) WAC);
7. Inert and demolition waste landfills (Chapter [173-304](#) WAC);
8. Facilities with the potential to generate hazardous waste, including, but not limited to, boat repair facilities, biological research facilities, dry cleaners, furniture stripping, motor vehicle service garages, photographic processing, and printing shops (Chapter [173-303](#) WAC).

F. *Protection Standards.*

1. Regulated activities/facilities may be permitted in a critical aquifer recharge area only if the applicant can demonstrate that the proposed activity will not cause contaminants to enter the aquifer and that the proposed activity will not adversely affect the recharging of the aquifer.
2. The proposed regulated activity must comply with the water source protection requirements and recommendations of the Federal Environmental Protection Agency and State Department of Health.
3. Best management practices shall be required for activities within the designated low and moderate susceptibility zones.
4. Based upon available information including that provided by the applicant pursuant to the requirements of this section, the Director shall have discretion to impose conditions designed to prevent degradation of groundwater quality or quantity. Such conditions may include a hydrologic site evaluation, determination of background water quality, quantity, and groundwater levels prior to approval and development of groundwater quality and/or quantity management plans. All conditions shall be based on all known, available, and reasonable methods of prevention, control, and treatment.
5. A mitigation plan shall be required to address groundwater impacts identified in the hydrogeologic site evaluation, if such an evaluation is required. The Director may require that the mitigation plan include monitoring, process controls, remediation, and discussion of alternatives.
6. Project approval shall be based on the conditions and/or mitigation plan required by

[the Director.](#)

~~E.G.~~ *Storage Tank Permits.* The Fire Marshal specifically regulates and authorizes permits for underground storage tanks, pursuant to the Uniform Fire Code (Article 79) and this chapter. The Washington Department of Ecology also regulates and authorizes permits for underground storage tanks (Chapter [173-360A](#) WAC). The TPCHD regulates and authorizes permits for the removal of underground storage tanks (Pierce County Code, Chapter [8.34](#)).

1. *Facilities with Underground Tanks – New Underground Tanks.* All new underground storage facilities used or to be used for the underground storage of hazardous substances or hazardous wastes shall be designed and constructed so as to:
 - a. Prevent releases due to corrosion or structural failure for the operational life of the tank;
 - b. Be protected against corrosion, constructed of noncorrosive material, steel clad with a noncorrosive material, or designed to include a secondary containment system to prevent the release or threatened release of any stored substance; and
 - c. Use material in the construction or lining of the tank which is compatible with the substance to be stored.
 - d. The installation of underground storage tanks shall also be subject to state and local permit requirements.
2. *Aboveground Tanks.*
 - a. No new aboveground storage facility or part thereof shall be fabricated, constructed, installed, used, or maintained in any manner which may allow the release of a hazardous substance to the ground, ground waters, or surface waters of Lakewood within a [critical](#) aquifer recharge area.
 - b. No new aboveground tank or part thereof, with the exception of tanks for potable water, shall be fabricated, constructed, installed, used, or maintained without having constructed around and under it an impervious containment area enclosing or underlying the tank or part thereof.
 - c. A new aboveground tank that will contain hazardous substances shall be of double wall construction and shall include a secondary containment system separate from the tank that will hold 110 percent of the tank's capacity. The secondary containment system must be designed and constructed to contain the material stored in the tank. [Ord. 362 § 3, 2004.]

14.150.040 ~~Hydrogeological assessments~~ [Critical area reports –hydrogeological assessment requirements.](#)

[A.](#) ~~A hydrogeological assessment shall be included in a critical areas report prepared in accordance with LMC 14.142.138 if a regulated activity is proposed within a critical aquifer recharge area in accordance with the provisions of this chapter.~~

~~A.B.~~ The hydrogeologic assessment may be submitted by a state of Washington licensed hydrogeologist, or professional engineer with a strong background in geology as demonstrated by course work from an accredited college or university. Persons who believe they are qualified to conduct a hydrogeologic assessment may petition the TPCHD for consent.

~~B.C.~~ The hydrogeologic assessment shall include, but is not limited to:

1. Information sources;

2. Geologic setting: include well logs or borings used to identify information;
3. Background water quality;
4. Ground water elevations;
5. Location/depth to perched watertables;
6. Recharge potential of facility site (permeability/transmissivity);
7. Ground water flow direction and gradient;
8. Currently available data on wells located within 1,000 feet of site;
9. Currently available data on any spring within 1,000 feet of site;
10. Surface water location and recharge potential;
11. Water source supply to facility (e.g., high capacity well);
12. Any sampling schedules necessary;
13. Discussion of the effects of the proposed project on the ground water resource;
14. Other information as required by the TPCHD.

[E.D.](#) Uses requiring a hydrogeologic assessment may be conditioned or denied based upon the TPCHD's evaluation of the hydrogeologic assessment. Any project denied a permit based upon the Tacoma-Pierce County Health Department's evaluation of the hydrogeologic assessment shall receive a written explanation of the reason(s) for denial and an explanation of measures required, if any, to comply with these regulations. [Ord. 362 § 3, 2004.]

Chapter 14.154
FISH AND WILDLIFE HABITAT [CONSERVATION](#) AREAS*

Sections:

- 14.154.010 Purpose and intent.**
- 14.154.020 Designation of ~~critical~~ fish and wildlife habitat [conservation](#) areas.**
- 14.154.030 Habitat protection standards.**
- 14.154.040 Title and plat notification.**
- 14.154.050 Habitat protection for rivers and streams.**
- ~~14.154.060 Habitat protection for lakes.~~**
- 14.154.070 Habitat protection for ponds.**
- 14.154.080 Provisions for priority Oregon white oak trees, [savannas](#), and woodlands.**
- 14.154.090 Provisions for fish and wildlife, habitat buffers, where required.**

*** Prior legislation note:** Ord. [362](#) repealed provisions concerning fish and wildlife habitat areas that were formerly in this chapter, based on the provisions of Ord. [56](#).

14.154.010 Purpose and intent.

Many land use activities can impact the habitats of fish and wildlife. Where areas of [critical](#) fish and wildlife habitat are subject to development, land use shall be managed to protect critical habitats. Managing land use to protect critical habitats is intended to allow proposed development to occur in a manner that is sensitive to the habitat needs of [critical](#) fish and wildlife species. The purpose of this chapter is to identify [critical](#) fish and wildlife species and habitats and establish habitat protection procedures and mitigation practices that are designed to achieve no “net loss” of species and habitat due to new development or other regulated activities.

As a necessary first step in achieving the necessary protection of [critical](#) fish and wildlife species, it is the intent of this chapter to:

- A. Define and identify [critical](#) fish and wildlife species and habitats;
- B. Emphasize and encourage education, information and voluntary action to enhance, protect, rehabilitate, and restore [critical](#) fish and wildlife species and habitats;
- C. Rely primarily upon existing procedures and laws, such as the State Environmental Policy Act, Chapter [43.21C](#) RCW; the City’s Shoreline Use Regulations; and the Shoreline Management Act, Chapter [90.58](#) RCW, that, directly or indirectly, protect fish and wildlife species and habitats; and
- D. Establish buffers adjacent to rivers, streams, and other identified critical habitat [conservation](#) areas and locations to protect [critical](#) fish and wildlife habitats.

It is not intended that this chapter repeal, abrogate, or impair any existing law or regulations. If the buffering provisions of this chapter conflict with any existing City law or regulation, the more stringent shall apply. [Ord. 362

§ 3, 2004.]

14.154.020 Designation of [critical](#) fish and wildlife habitat [conservation](#) areas.

A. *General.* This chapter applies to proposed regulated activities within [critical](#) fish and wildlife habitat [conservation](#) areas [on all public and private lands](#). [Critical](#) fish and wildlife habitat [conservation](#) areas are those areas identified either by known point locations of specific species (such as a nest or den) or by habitat areas or both.

B. *Identification of [Critical](#) Fish and Wildlife Species and Habitats.*

1. [Critical](#) Fish and Wildlife Habitat [Conservation](#) Areas.

a. *Federal and State Listed Species and Their Associated Habitats.* Areas which have a primary association with federally or state listed endangered, threatened, or sensitive species of fish or wildlife (specified in [50 CFR 17.11](#), [50 CFR 17.12](#), [WAC 220-610-010](#) and [220-610-110](#)) and which, if altered, may reduce the likelihood that the species will ~~persist~~ [maintain and reproduce](#) over the long term. [These areas include seasonal ranges and habitat elements.](#)

b. Habitats and species of local importance, including the following:

~~i. Areas with which state listed monitor or candidate species or federally listed candidate species have a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term.~~

~~ii.i~~ Documented habitat areas or outstanding potential habitat areas for fish and wildlife species. These areas include specific habitat types which are infrequent in occurrence in Pierce County and Lakewood, and may provide specific habitats with which endangered, threatened, sensitive, candidate, or monitor species have a primary association, such as breeding habitat, winter range, and movement corridors. These areas include the following:

(A) [Aspen stands.](#)

(B) [Biodiversity areas and corridors.](#)

(C) [Herbaceous balds.](#)

~~(A)~~(D) _____ Priority Oregon white oak woodlands.

~~(B)~~(E) _____ Prairies.

~~(C)~~(F) _____ Old growth/[mature](#) forests.

~~(D)~~(G) _____ Caves.

~~(E)~~(H) _____ Cliffs.

~~(F)~~(I) [Snag-rich areas and logs.](#)

(J) [Riparian habitats.](#)

(K) [Freshwater wetlands.](#)

~~(G)~~(L) _____ Rivers and streams with critical fisheries.

- c. Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat.
 - d. Waters of the state, including all water bodies classified by the Washington Department of Natural Resources (DNR) water typing classification system as detailed in WAC [222-16-030](#), together with associated riparian areas.
 - e. Lakes, ponds, streams, and rivers planted with game fish by a governmental entity or tribal entity.
 - f. [State natural area preserves and natural resource conservation areas as defined, established, and managed by the DNR and WDFW.](#)
2. **Mapping.** The resources listed below provide information on fish and wildlife habitat [conservation](#) areas:
- a. Puget Sound Environmental Atlas, Puget Sound Water Quality Authority.
 - b. The following Washington Department of Natural Resources documents and data sources:
 - i. Stream typing maps.
 - ii. Natural Heritage Database [and Washington Natural Heritage Program Data Explorer tool.](#)
 - c. The following Washington Department of [Fish and Wildlife](#) documents and data sources:
 - i. Priority Habitats and Species Program, [including the PHS on the Web maps.](#)

ii. Nongame Database.

iii. [Washington Rivers Information System](#).

iv. ~~[Water Resource Index](#)~~ [Inventory Areas \(WRIA\)](#).

d. [The following U.S. Fish and Wildlife Services \(USFWS\) data sources:](#)

i. [Information for Planning and Consultation \(IPaC\)](#).

iii-ii. [National Wetlands Inventory \(NWI\)](#), available through <https://www.fws.gov/program/national-wetlands-inventory>.

d. ~~[The following Washington Department of Fisheries documents:](#)~~

i-iii. ~~[Water Resource Index Areas \(WRIA\)](#)~~ [Ord. 630 § 1, 2015; Ord. 362 § 3, 2004.]

14.154.030 Habitat protection standards.

A. *Education and Information.* A voluntary education program to explain the need for and methods of habitat management will help provide for long-term protection and enhancement of [critical](#) fish and wildlife habitat [conservation](#) areas. By informing citizens of the declining populations of several fish and wildlife species in Pierce County, the diminishing animal habitat available, and the management techniques that individuals can use to preserve and restore fish and wildlife habitat areas, the City can foster good stewardship of the land by property owners.

1. The Department will provide educational materials and lists of additional sources of information to applicants proposing regulated activities in the vicinity of [critical](#) fish and wildlife habitat [conservation](#) areas. Materials will be selected from a variety of state and local resources. [At a minimum, the City will link applicants to the Washington Department of Fish and Wildlife's Priority Habitat and Species website.](#)

14.2.—The Department will accumulate information on the number of proposed activities associated with fish and wildlife habitat [conservation](#) areas as identified by this chapter and indicated by county maps to be in the vicinity of identified [critical](#) fish and wildlife habitats pursuant to LMC [14.154.020](#). Information shall include the number of single-family residences and other development occurring in the vicinity of [critical](#) fish and wildlife areas. Based on this information, additional regulations may be developed.

B. *Use of Existing Procedures and Laws, Biological Assessments.* The primary procedures used to implement this chapter shall include this chapter itself, the City's Land Use and Development Code, the State Environmental Policy Act (Chapter [43.21C](#) RCW), the City's environmental regulations, ~~[the State Shoreline Management Act \(Chapter 90.58 RCW\)](#)~~, [and Best Available Science \(BAS\) on Priority Habitats and Species from the Department of Fish and Wildlife \(WDFW\) as required in RCW 36.70A.172 and the City's shoreline management regulations.](#)

Regulated activities subject to environmental review shall be reviewed with consideration for impacts on [critical](#) fish and wildlife habitat as identified in this title. The Community Development Director may require a biological assessment prepared by a qualified wildlife biologist whenever the Director finds that a project site may contain, affect, or be affected by, species or habitats designated in this chapter. Biological assessments shall be prepared in accordance with LMC [14.154.050\(B\)](#), and are subject to the review and approval of the Director.

Projects undergoing review for fish and wildlife considerations shall be routed to the Washington Department of Fish and Wildlife, the Washington Department of Ecology, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers and any other appropriate state and federal agencies. These agencies will have an opportunity to provide specific habitat information on proposed development sites, advise the City of their jurisdiction and applicable permit requirements, and suggest

appropriate project modifications and/or other mitigation.

The City shall give substantial weight to the management recommendations contained [in](#) the Washington Department of Fish and Wildlife Priority Habitats and Species Program. [Ord. 775 § 1 (Exh. A), 2022; Ord. 630 § 2, 2015; Ord. 362 § 3, 2004.]

14.154.040 Title and plat notification.

For regulated activities where a habitat assessment or habitat management plan has been prepared as part of the proposal's environmental review, the owner of the site shall record a notice of the reports with the Pierce County Auditor so that information is known if the property ownership changes.

A. *Title Notification.* The owner of any site where a habitat assessment or habitat management plan has been prepared for a development proposal shall record a notice with the Pierce County Auditor in the form set forth below:

Form of Notice:

FISH AND WILDLIFE HABITAT
[CONSERVATION](#) AREA NOTICE

Parcel Number: _____

Address: _____

Legal Description: _____

Present Owner: _____

Notice: This site lies within/contains a ~~critical~~ fish and wildlife habitat [conservation](#) area as defined by Chapter [14.154](#) of the Lakewood Municipal Code. The site was the subject of a development proposal for _____ application number _____ filed on _____ (date).

Restrictions on use or alteration of the site may exist due to natural conditions of the site and resulting regulation. Review of such application has provided information on the location of the fish and wildlife habitat [conservation](#) area and any restriction on use.

Signature of Owner(s)

Date

(NOTARY ACKNOWLEDGMENT)

B. *Plat Notification.* For all proposed short subdivision and subdivision proposals within ~~critical~~ fish and wildlife habitat [conservation](#) areas, the applicant shall include a note on the face of the plat. [Ord. 630 § 3, 2015; Ord. 362 § 3, 2004.]

14.154.050 Habitat protection for rivers and streams.

Regulated activities proposed along rivers and streams shall provide for habitat protection.

A. ***Intent of Riparian Buffers.*** The intent of riparian buffers is to protect the following 5 basic riparian functions that influence in-stream and near-stream habitat quality:

1. Recruitment of Large Woody Debris (LWD) to the stream. LWD creates habitat structures necessary to maintain salmon/trout and other aquatic organisms' productive capacity and species diversity.
2. Shade. Shading by the riparian forest canopy maintains cooler water temperatures and influences the availability of oxygen for salmon/trout and other aquatic organisms.
3. Bank integrity (root reinforcement). Bank integrity helps maintain habitat quality and water quality by reducing bank erosion and creating habitat structure and in-stream hiding cover for salmon/trout and other aquatic organisms.
4. Runoff filtration. Filtration of nutrients and sediments in runoff (surface and shallow subsurface

flows) helps maintain water quality.

5. Wildlife habitat. Functional wildlife habitat for riparian-dependent species is based on sufficient amounts of riparian vegetation to provide protection for nesting and feeding.
6. Contribution of detrital nutrients. Nutrients derived from terrestrial litter, typically from leaves, bark, seeds, cones, flowers, fruits, twigs, and other small plant parts.

B. Riparian Buffers. Habitat protection for fish and wildlife conservation areas shall be provided through buffers.

1. Standard buffers from ordinary high water mark of the water body are as follows:

<u>Water Type</u>	<u>Standard buffer</u>
<u>Type F Waters</u>	<u>150 ft</u>
<u>Type Np Waters</u>	<u>100 ft</u>
<u>Type Ns Waters</u>	<u>100 ft</u>

2. Buffers for Type S shoreline water bodies are provided in the Lakewood Shoreline Master Program (SMP).

C. Interrupted buffer. When a riparian buffer contains an existing legally established public or private road, the Director may allow development on the landward side of the road provided that the development will not have a detrimental impact to the stream. The applicant may be required to provide a critical areas report to describe the potential impacts. In determining whether a critical areas report is necessary, the City shall consider the hydrologic, geologic, and/or biological habitat connection potential and the extent and permanence of the buffer interruption.

D. Riparian Management Zone buffers. An applicant may choose to conduct a site evaluation of soil conditions prepared by a qualified professional and consistent with current Best Available Science on 200-year site potential tree height as provided by the Washington Department of Fish and Wildlife. If such site evaluation of soil conditions yields a 200-year site potential tree height of a lesser value than the buffers assigned in this section, the applicant may use the lower value in place of the standard buffer.

~~A. Habitat Protection for Rivers and Streams Shall Be Provided through Buffers:~~

~~1.—The buffer, consisting of undisturbed natural vegetation, shall be required along all streams, as classified by the DNR water typing classification system (WAC 222-16-030). The buffer shall extend landward from the ordinary high water mark of the water body:~~

~~a.—Outside of the buffer removal of native vegetation shall not exceed 35 percent of the surface area of the portion of the site in the regulatory floodplain. Native vegetation within the buffer portion of the property can be counted toward this requirement:~~

~~2.—The buffer of a river or stream shall not extend landward beyond an existing substantial improvement such as an improved road, dike, levee, or a permanent structure which reduces the impact proposed activities would have on the river or stream:~~

~~3.—Buffer widths shall be as established by the City of Lakewood Shoreline Master Program (SMP) as contained in Chapter 4, Section C of the SMP:~~

~~4.—If a proposed project does not meet the criteria established in Chapter 18A.50 LMC, Article I, a~~

~~habitat impact assessments shall be conducted in accordance with subsection (B) of this section, and if necessary, a habitat mitigation plan shall be prepared and implemented in accordance with the provisions of this chapter.~~

~~B.E.~~ *Habitat Impact Assessment.* Unless allowed under Chapter [18A.50](#) LMC, Article I, a permit application to develop in the special flood hazard area (SFHA), for that portion of any parcel located within the ~~area between the boundary of a buffer as established in the SMP, Chapter 4, Table 2, and the boundary of any buffer as required by the National Marine Fisheries Service's Puget Sound Biological Opinion of September 22, 2008, shall include~~ [in a critical area report in compliance with LMC 14.142.138](#) an assessment of the impact of the project on water quality and aquatic and riparian habitat. ~~In addition to the requirements of LMC 14.142.138, the~~ assessment shall be:

1. A biological evaluation or biological assessment that has received concurrence from the U.S. Fish and Wildlife Service or the National Marine Fisheries Service, pursuant to Section 7 of the Endangered Species Act; or
2. Documentation that the activity fits within a habitat conservation plan approved pursuant to Section 10 of the Endangered Species Act; or
3. Documentation that the activity fits within Section 4(d) of the Endangered Species Act; or
4. An assessment prepared in accordance with the most current Regional Guidance for Floodplain Habitat Assessment and Mitigation, FEMA (Federal Emergency Management Agency) Region X. The assessment shall determine if the project would adversely affect:
 - a. The primary constituent elements identified when a species is listed as threatened or endangered;
 - b. Essential fish habitat designated by the National Marine Fisheries Service;
 - c. Fish and wildlife habitat conservation areas;
 - d. Vegetation communities and habitat structures;
 - e. Water quality;
 - f. Water quantity, including flood and low flow depths, volumes and velocities;
 - g. The channel's natural planform pattern and migration processes;
 - h. Spawning substrate, if applicable; and/or
 - i. Floodplain refugia, if applicable.

~~C.F.~~ *Habitat Mitigation Plan.*

1. If the assessment conducted under subsection [B-D](#) of this section concludes the proposed project is expected to have an adverse effect on water quality and/or aquatic or riparian habitat or habitat functions, the applicant shall provide a plan to mitigate those impacts, in accordance with the current Regional Guidance for Floodplain Habitat Assessment and Mitigation, FEMA (Federal Emergency Management Agency) Region X.
 - a. If the proposed project is located outside of the protected area, the mitigation plan shall include such avoidance, minimization, restoration, or compensation measures as are appropriate for the situation.
 - b. If the proposed project is located within the protected area, the mitigation plan shall include such appropriate measures as are needed to ensure that there is no adverse effect due to the project. Minimization measures are not allowed in the protected area, unless they, in combination with other measures, result in no

adverse effect. No compensatory mitigation is allowed in the protected area.

[2.](#) The plan's habitat mitigation activities shall be incorporated into the proposed project. The floodplain development permit shall be based on the redesigned project and its mitigation components.

~~2.—~~

3. A certificate of occupancy or final inspection approval for a project shall not be issued until all work identified in the biological evaluation, biological assessment, or mitigation plan has been completed or the applicant has provided the necessary assurances that unfinished portions of the project will be completed.

~~D.G. Compensatory Storage. There shall be no-net-loss of ecological function through New development shall not reduce the effective flood storage volume of the regulatory floodplain.~~ A development proposal shall provide compensatory storage if grading or other activity displaces any effective flood storage volume. Compensatory storage shall:

1. Provide equivalent volume at equivalent elevations to that being displaced. For this purpose, "equivalent elevation" means having similar relationship to ordinary high water and to the best available 10-year, 50-year and 100-year water surface profiles;
2. Be hydraulically connected to the source of the flooding; and
3. Provide compensatory storage in the same construction season as when the displacement of flood storage volume occurs and before flood season begins.
4. The newly created storage area shall be graded and vegetated to allow fish access during flood events without creating fish stranding sites. [Ord. 726 § 2(Exh. A), 2019; Ord. 659 § 2, 2017; Ord. 630 § 4, 2015; Ord. 362 § 3, 2004.]

~~14.154.060 — Habitat protection for lakes.~~

~~A.—Regulated activities proposed on lakes that are urban in character will not be subject to the buffering requirements of this chapter. The following lakes are urban in character:~~

~~1.—American.~~

~~2.—Gravelly.~~

~~3.—Louise.~~

~~4.—Steilacoom.~~

~~For proposed regulated activities on lakes that are subject to the State Shoreline Management Act, habitat protection shall be provided through education, voluntary agreements, and existing laws as referenced in LMC 14.154.030(B), and regulation via the City's Shoreline Master Program and shoreline management regulations.~~

~~B.—Regulated activities proposed on lakes that are not subject to the State Shoreline Management Act shall be subject to a 35-foot buffer requirement. The buffer, consisting of undisturbed natural vegetation, shall extend landward from the ordinary high water mark of the water body. Existing laws as referenced in LMC 14.154.030(B) may also affect such proposals. [Ord. 362 § 3, 2004.]~~

14.154.070 Habitat protection for ponds.

- A. Regulated activities proposed on ponds [deliberately designed and created from dry sites, such as canals, detention facilities, wastewater treatment facilities, farmponds, temporary construction](#)

~~ponds (of less than three years' duration), and landscape amenities will not be subject to the buffering requirements of this section shall be subject to a 35-foot buffer requirement. The buffer, consisting of undisturbed natural vegetation, shall extend landward from the ordinary high water mark of the pond. Habitat protection for these ponds shall be provided through education, voluntary agreements and existing laws as referenced in LMC 14.154.030(B). Ponds shall be regulated as wetlands where appropriate.~~ [Ord. 362 § 3, 2004.]

14.154.080 Provisions for priority Oregon white oak trees, [savannas](#), and woodlands.

- A. No person shall willfully remove, top, damage, destroy, break, injure, mutilate or kill any priority Oregon white oak trees, [savannas](#), and woodlands except as allowed by this chapter.
- B. During building or construction operations, suitable protective measures in LMC [18A.70.320\(A\)](#) shall be erected around Oregon white oak trees, ~~stands~~[savannas](#), or woodlands which may be subject to injury.
- C. The following activities may be allowed regarding priority Oregon white oak trees, [savannas](#), and woodlands:
1. Removal of diseased trees and trees that present an imminent threat to properties with an approved tree removal permit. The Director may require a written report by a certified arborist assessing the condition of any tree that is purported to be diseased or hazardous. Tree replacement is required at a two-to-one ratio per LMC [18A.70.330](#).
 2. *Trimming*. Trimming shall be granted when it is determined:
 - a. That trimming is needed for safety or public welfare or to remove diseased or dead branches; or
 - b. That branches hang over an existing building or interfere with utility lines or right-of-way access.
 - c. Utility pruning shall be conducted in accordance with the latest edition of the United States Department of Agriculture's Publication NA-FR-01-95 How to Prune Trees, available at https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsbdev7_016046.pdf, except that tree pruning for utilities shall be conducted in accordance with the latest edition of the International Society of Arboriculture's Best Management Practices – Utility Pruning of Trees, available at <https://www.seattle.gov/light/vegetation-management/docs/Acrobat%20Document.pdf>.
 3. *Single-Family Property*. If the presence of the priority Oregon white [oak tree, savanna, or](#) woodland renders the development of a house or permitted accessory structure infeasible, and the application of incentives in LMC [18A.70.320\(J\)](#) is insufficient to result in a feasible development, the City may allow removal or trimming of priority Oregon white oak trees and woodlands in order to allow a maximum building footprint of 1,500 square feet for a single-family residence, 1,000 square feet for an accessory dwelling unit, and 1,000 square feet for a detached garage. Additional impervious area for the driveway will be permitted which provides the shortest and most direct access to the house with minimal encroachment or impact into the critical area. The proposal shall demonstrate prior tree removal has met Chapter [18A.70](#) LMC, Article [III](#) in effect at the time, the proposal results in the least possible impact to the critical area to achieve a feasible development, and includes mitigation to offset any impacts to critical areas consistent with the provisions of this chapter and in accordance with a report prepared by a qualified biologist or certified arborist. The City may require a third-party review of the report at the applicant's expense. A minimum two-to-one replacement ratio shall be applied. See required findings in subsection [\(C\)\(5\)](#) of this section. If a proposal does not meet the parameters of this paragraph see subsection [D](#) of this section.
 4. *Commercial, Industrial, Multifamily, Institutional or Other Development*. On nonsingle-family

properties where priority Oregon white oak trees, [savannas](#), and woodlands does not exceed one acre in size contiguous and the application of incentives in LMC [18A.70.320\(J\)](#) is insufficient to result in a feasible development, the City may allow for removal or trimming of priority Oregon white oak trees and woodlands to accommodate a legal use of the property with the least possible impact to the critical area, provided no clearing of trees occurred prior to the application for a land use permit in violation of Chapter [18A.70](#) LMC, Article [III](#) in effect at the time, and provided mitigation is instituted consistent with a report prepared by a qualified biologist or certified arborist. The City may require a third-party review of the report at the applicant's expense. A minimum two-to-one replacement ratio shall be applied. See required findings in subsection [\(C\)\(5\)](#) of this section. If a proposal does not meet the parameters of this paragraph see subsection [D](#) of this section.

5. *Required Findings.* To approve a proposal for a single-family home in subsection [\(C\)\(3\)](#) of this section or other non-single-family development in subsection [\(C\)\(4\)](#) of this section, the Director shall find:

- a. The application of incentives in LMC [18A.70.320\(J\)](#) is insufficient to result in a feasible development.
- b. The development results in the least possible impact to the critical area to achieve a feasible development that accommodates a legal use of the property.
- c. The report and mitigation prepared by a qualified biologist or certified arborist demonstrate to the satisfaction of the Director that mitigation addresses impacts to priority Oregon white oak trees, [savannas](#), and woodlands consistent with the provisions of this chapter. The report and mitigation consider the Washington Department of Fish and Wildlife Priority Habitats and Species Program management recommendations for Oregon white oak woodlands. The report has been reviewed by either the Washington Department of Fish and Wildlife through SEPA review and/or a qualified biologist or certified arborist at the applicant's expense as required by the Director. [The City may consult WDFW for additional review as needed.](#)
- d. Prior tree removal has met Chapter [18A.70](#) LMC, Article [III](#) in effect at the time.

D. If the application of this section would deny all reasonable use of property, the applicant may apply for a reasonable use exception pursuant to LMC [14.142.080](#). [Ord. 775 § 1 (Exh. A), 2022.]

14.154.090 Provisions for fish and wildlife, habitat buffers, where required.

A. *Building Setback and Construction Near Buffer.* A minimum setback of eight feet from the buffer shall be required for construction of any impervious surface(s) greater than 120 square feet of base coverage. Clearing, grading, and filling within eight feet of the buffer shall only be allowed when the applicant can demonstrate that vegetation within the buffer will not be damaged.

B. *Marking of the Buffer Area.* The edge of the buffer area shall be clearly staked, flagged, and fenced prior to and through completion of construction. The buffer boundary markers shall be clearly visible, durable, and permanently affixed to the ground.

C. *Fencing from Farm Animals.* The Director shall determine if fencing is necessary to protect the functions and values of the critical area. If found to be necessary, the Director shall condition any permit or authorization issued pursuant to this chapter to require the applicant to install a permanent fence around the habitat conservation area or buffer, when fencing will prevent future impacts to the habitat conservation area. The applicant shall be required to install a permanent fence around the habitat conservation area or buffer when domestic grazing animals are present or may be introduced on site. Fencing installed as part of a proposed activity or as required in this subsection shall be designed so as not to interfere with species migration, including fish runs, and shall be constructed in a manner that minimizes habitat impacts.

D. Enhancements to natural buffers consistent with the education program (such as revegetation or nest boxes) are allowed.

E. *Allowable Activities within Buffers.* The following activities may occur within the buffer after notification to the Department; provided, that any other required permits are obtained.

1. Removal of diseased trees and trees that present an imminent threat to properties. The Director may require a written report by a registered landscape architect, certified nursery professional, or certified arborist assessing the condition of any tree that is purported to be diseased or hazardous.
2. Repair of existing fences.
3. Construction, reconstruction, remodeling, or maintenance of docks and bulkheads as authorized and pursuant to the [shoreline management applicable](#) regulations.
4. Construction of a pervious path for purposes of private access [to the shoreline](#).
5. Trimming of vegetation for purposes of providing view corridors; provided, that trimming shall be limited to view corridors of 20 feet or less; and provided, that benefits of the buffer to fish and wildlife habitat are not reduced. Trimming shall be limited to pruning of branches and vegetation. Trimming shall not include felling or removal of trees.
6. Construction of public trails.
7. Roadways, bridges, rights-of-way, and utility lines where no feasible alternative exists, and where the development minimizes impacts on the [stream and buffer area watercourse and RMZ](#). Clear documentation explaining the lack of alternatives and measures taken to minimize impacts on the critical area and buffer shall be provided to the Community and Economic Development Department prior to approval. [Ord. 362 § 3, 2004.]

F. *Special provisions—Streams.* [The following provisions supplement those identified in this chapter and this Ordinance.](#)

1. [Activities, uses, and alterations proposed to be located in water bodies used by anadromous fish or in areas that affect such water bodies shall give special consideration to the preservation and enhancement of anadromous fish habitat, including, but not limited to, the following:](#)
 - a. [Activities shall be timed to occur only during the allowable work window as designated by the Washington Department of Fish and Wildlife;](#)
 - b. [An alternative alignment or location for the activity is not feasible;](#)
 - c. [The activity is designed so that it will minimize the degradation of the downstream functions or values of the fish habitat or other critical areas; and](#)
 - d. [Any impact to the functions and values of the habitat conservation area are mitigated in accordance with an approved critical areas report and habitat management plan, if applicable.](#)
2. [Structures that prevent the migration of salmonids shall not be allowed in the portion of water bodies currently or historically used by anadromous fish. Fish bypass facilities shall be provided that allow the upstream migration of adult fish and shall prevent juveniles migrating downstream from being trapped or harmed.](#)
3. [Fills within streams, when authorized, shall minimize the adverse impacts to anadromous fish and their downstream habitat, shall mitigate any unavoidable impacts, and shall only be allowed for water-](#)

[dependent uses.](#)

4. [Activities and uses shall be prohibited in Type F streams and riparian buffers except for the allowable activities and uses listed below.](#)

a. [Stream Crossings. Stream crossing shall be minimized, but when necessary they shall conform to the following standards as well as other applicable laws \(see the Department of Fish and Wildlife, or Ecology\):](#)

- i. [The stream crossing is the only reasonable alternative that has the least impact;](#)
- ii. [It has been shown in a critical areas report that the proposed crossing will not decrease the stream and associated buffer functions and values;](#)
- iii. [The stream crossing shall use bridges instead of culverts unless it can be demonstrated that a culvert would result in equal or less ecological impacts;](#)
- iv. [All stream crossings using culverts shall use super span or oversized culverts with appropriate fish enhancement measures. Culverts shall not obstruct fish passage;](#)
- v. [Stream crossings shall be designed according to the Washington Department of Fish and Wildlife Water Crossing Design Guidelines \(2013\), and the National Marine Fisheries Service Guidelines for Salmonid Passage at Stream Crossings, 2000, or as amended;](#)
- vi. [All stream crossings shall be constructed during the summer low flow period ~~between July 1st and August 15th~~ or as specified by the Washington Department of Fish and Wildlife in the hydraulic project approval;](#)
- vii. [Stream crossings shall not occur through salmonid spawning areas unless no other feasible crossing site exists;](#)
- viii. [Bridge piers or abutments shall not be placed in either the floodway or between the ordinary high water marks unless no other feasible alternative placement exists;](#)
- ix. [Stream crossings shall not diminish the flood carrying capacity of the stream;](#)
- x. [Stream crossings shall minimize interruption of downstream movement of wood and gravel;](#)
- xi. [Stream crossings shall provide for maintenance of culverts and bridges; and](#)
- xii. [Stream crossings shall be minimized by serving multiple properties whenever possible.](#)

b. [Utilities. Utility corridors shall not be aligned parallel with any stream channel unless the corridor is outside the buffer, and crossings shall be minimized. Installation shall be accomplished by boring beneath the scour depth and hyporheic zone of the water body where feasible. Crossings shall be contained within the existing footprint of an existing road or utility crossing where possible. Otherwise, crossings shall be at an angle greater than sixty degrees to the centerline of the channel. The criteria for stream crossing shall also apply.](#)

c. [Stormwater facilities. Stormwater facilities provided that they are located in the outer twenty-five](#)

[percent of the buffer and are located in the buffer only when no practicable alternative exists outside buffer. Stormwater facilities should be planted with native plantings where feasible to provide habitat, and/or less intrusive facilities should be used. Detention/retention ponds should not be located in the buffer.](#)

- [d. Floodway dependent structures. Floodway dependent structures or installations may be permitted within streams if allowed or approved by other codes or other agencies with jurisdiction.](#)
 - [e. Stream bank stabilization. Stream bank stabilization shall only be allowed when it is shown, through a stream bank stability assessment conducted by a qualified fluvial geomorphologist or hydraulic engineer, that such stabilization is required for public safety reasons, that no other less intrusive actions are possible, and that the stabilization will not degrade instream or downstream channel stability. Stream bank stabilization shall utilize bioengineering or soft armoring techniques unless otherwise demonstrated. Stream bank stabilization shall conform to the Integrated Streambank Protection Guidelines developed by the Washington State Department of Fish and Wildlife, 2002 or as revised. Stabilization measures must demonstrate the following:](#)
 - [i. Natural shoreline processes will be maintained. The project will not result in increased erosion or alterations to, or loss of, shoreline substrate within one-fourth mile of the project area;](#)
 - [ii. The stabilization measures will not degrade fish or wildlife habitat conservation areas or associated wetlands; and](#)
 - [iii. Adequate mitigation measures ensure that there is no net loss of the functions or values of riparian habitat.](#)
 - [f. Maintenance of lawfully established existing bank stabilization is allowed provided it does not increase the height or linear amount of bank and does not expand waterward or into aquatic habitat landward.](#)
 - [g. Clearing or development in riparian habitat areas which is at least one hundred feet from the waterline and separated by a continuous public or private roadway serving three or more lots.](#)
- [5. Type N Streams. Activities and uses that result in unavoidable and necessary impacts may be permitted in Type Np and Ns streams and buffers in accordance with an approved critical areas report and habitat management plan, and only if the proposed activity is the only reasonable alternative that will accomplish the applicant's objectives.](#)

Chapter 14.158

~~FLOOD HAZARD~~FREQUENTLY FLOODED AREAS*

Sections:

14.158.010 Purpose.

14.158.020 Designation.

14.158.030 Protection.

14.158.010 Purpose.

The purpose of this section is to:

- A. Promote the general health, welfare and safety of the City's residents, and protect human life and property from the dangers of flooding.
 - B. Prevent the establishment of certain structures and land uses unsuitable for human habitation because of the danger of flooding, unsanitary conditions or other hazards.
 - C. Minimize the need for rescue and relief efforts associated with flooding.
 - D. Help maintain a stable tax base by providing for sound use and development in flood-prone areas and to minimize prolonged business interruptions, and future blight areas.
 - E. Minimize damage to public facilities and utilities located in flood hazard areas.
 - F. Ensure that potential home and business buyers are notified that property is in a flood area.
 - G. Minimize expenditure of public money for costly flood relief, damage repair and flood control projects.
 - H. Ensure that those who occupy frequently flooded areas assume responsibility for their actions.
 - I. Qualify the City of Lakewood for participation in the National Flood Insurance Program, thereby giving resident and businesses the opportunity to purchase flood insurance.
 - J. Maintain the quality of water in rivers, streams, and lakes and their floodplains so as to protect public water supplies, areas of the Public Trust, and wildlife habitat protected by the Federal Endangered Species Act.
 - K. Retain the natural channel, shoreline, and floodplain creation processes and other natural floodplain functions that protect, create, and maintain habitat for threatened and endangered species.
 - L. Prevent or minimize loss of hydraulic, geomorphic, and ecological functions of floodplains and stream channels.
- ~~A.—Promote the general health, welfare and safety of the City's residents:~~
- ~~B.—Prevent the establishment of certain structures and land uses unsuitable for human habitation because of the danger of flooding, unsanitary conditions or other hazards:~~
- ~~C.—Minimize the need for rescue and relief efforts associated with flooding:~~
- ~~D.—Help maintain a stable tax base by providing for sound use and development in flood-prone areas and to minimize prolonged business interruptions:~~
- ~~E.—Minimize damage to public facilities and utilities located in flood hazard areas:~~
- ~~F.—Ensure that potential home and business buyers are notified that property is in a flood area:~~

~~G. Minimize expenditure of public money for costly flood relief and control projects.~~

~~H. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions. [Ord. 362 § 3, 2004.]~~

14.158.020 Designation.

- A. The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering 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 considered frequently flooded areas and are hereby adopted by reference and declared to be a part of this chapter.

B. The FEMA online flood map contains up-to-date flood hazard information available to the public.

- ~~B-C.~~ _____ The flood insurance study and the FIRM are on file at the City of Lakewood, 6000 Main Street SW, Lakewood, WA. The flood insurance study shall be kept on file by the City Engineer. [Ord. 659 § 3, 2017; Ord. 630 § 5, 2015; Ord. 362 § 3, 2004.]

14.158.030 Protection.

A. All development in ~~areas of special flood hazard~~ frequently flooded areas shall be regulated according to the City's Site Development Regulations, and Chapter 18A.50 LMC, Article I, Flood Hazard Overlay.

B. Regulated activity within frequently flooded areas shall require preparation of a critical area report that complies with LMC 14.142.138 to ensure no-net-loss of floodplain function.

Chapter 14.162 WETLANDS**AREAS***

Sections:

- 14.162.010 Purpose.**
- 14.162.020 Designation of wetland areas.**
- 14.162.030 Wetland categories.**
- 14.162.040 Regulated activities.**
- 14.162.050 Exemptions.**
- 14.162.060 Special permitted uses.**
- 14.162.070 Delineation, and wetland analysis requirements.**
- 14.162.080 Protection standards – Establishing buffers.**
- 14.162.090 Protection standards for allowing regulated activities in wetlands and buffers.**
- 14.162.100 Mitigation.**
- ~~**14.162.110 New agricultural activities.**~~
- 14.162.120 Alternative review process, Corps of Engineers Section 404 individual permits.**
- 14.162.130 Wetland review procedure, fees, and title notification.**

*** Prior legislation note:** Ord. [362](#) repealed provisions concerning wetland areas that were formerly in this chapter, based on the provisions of Ord. [56](#).

14.162.010 Purpose.

The purpose of these regulations is to avoid, or in appropriate circumstances, to minimize, rectify, reduce or compensate for impacts arising from land development and other activities affecting wetlands, and to maintain and enhance the biological and physical functions and values of wetlands with respect to water quality maintenance, storm water and floodwater storage and conveyance, fish and wildlife habitat, primary productivity, recreation, education, and historic and cultural preservation. When avoiding impacts is not reasonable, mitigation shall be implemented to achieve no net loss of wetlands in terms of acreage, function and value. [Ord. 362 § 3, 2004.]

14.162.020 Designation of wetland areas.

Identification of wetlands and delineation of their boundaries pursuant to this chapter shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements. All areas within the City meeting the wetland designation criteria in that procedure are hereby designated critical areas and are subject to the provisions of this chapter. [Ord. 630 § 6, 2015; Ord. 362 § 3, 2004.]

14.162.030 Wetland categories.

In order to provide information on the functions and values of wetlands in a time- and cost-effective way, wetland analysis reports shall categorize wetlands by their attributes and characteristics. Wetlands shall be rated using the latest adopted version of the Washington State Wetland Rating System for Western Washington published by the Washington State Department of Ecology ("State Wetland Rating System").

The State Wetland Rating System provides the detailed criteria for establishing wetland categories. Wetlands are generally designated as follows:

- A. Category I wetlands are those that (1) represent a unique or rare wetland type; or (2) are more sensitive to disturbance than most wetlands; (3) are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; or (4) provide a high level of functions. Generally, these wetlands are not common and make up a small percentage of the wetlands in the region. The following are considered Category I wetlands:
 - 1. Bogs.
 - 2. Mature and old-growth forested wetlands.
 - 3. Wetlands that perform many functions very well: wetlands scoring 23 to 27 points using the Washington State Wetland Rating System for Western Washington, Ecology Publication No. 14-06-029.
- B. Category II wetlands are difficult, though not impossible, to replace, and provide high levels of some functions. These wetlands occur more commonly than Category I wetlands, but still need a relatively high level of protection. Category II wetlands in western Washington include wetlands that perform functions well: wetlands scoring between 20 and 22 points using the Washington State Wetland Rating System for Western Washington. Wetlands scoring 20 to 22 points were judged to perform most functions relatively well, or performed one group of functions very well and the other two moderately well.
- C. Category III wetlands are wetlands with a moderate level of functions (scores between 16 and 19

points) using the Washington State Wetland Rating System for Western Washington. Category III wetlands usually have been disturbed in some ways, and are often less diverse or more isolated from other natural resources in the landscape than Category II wetlands.

D. Category IV wetlands have the lowest levels of functions (scores between nine and 15 points) and are often heavily disturbed. These are wetlands that we should be able to replace, and in some cases be able to improve. These wetlands may provide some important functions. [Ord. 630 § 7, 2015; Ord. 362 § 3, 2004.]

14.162.040 Regulated activities.

A list of regulated activities is included in LMC [14.142.060](#). [Ord. 362 § 3, 2004.]

14.162.050 Exemptions.

A list of exempt activities is included in LMC [14.142.070](#). [Ord. 362 § 3, 2004.]

14.162.060 Special permitted uses.

A. The following uses are normally regulated but may be allowed, subject to a Process I administrative determination by the Director, provided the listed criteria are met.

B. *Educational and Recreational Facilities.* Minor structural fill may be allowed for the construction and enhancement of public trails, such as bridging, and trail-related facilities such as benches, interpretive signs, and viewing platforms. Construction of such features on all previously filled areas is allowed. The following conditions must be met:

1. An alternative location outside the wetland is not feasible. Trails and related facilities within wetlands shall, to the extent possible, be placed on other previously disturbed areas;
2. Associated facilities, such as interpretive centers, restrooms, or parking areas are not allowed within wetlands or buffers by this conditional exemption;
3. The fill on which the trails or trail-related facilities is placed is limited to the minimum dimensions necessary for the actual crossing and shall not cover more than 5,000 square feet of wetland area;
4. Project design shall minimize adverse impacts to wetlands/buffers and wildlife habitat. Previous surfaces shall be used;
5. All construction work in the wetland shall be done during the summer dry season (July 15th to October 15th). A time extension may be granted by the Department;
6. Native vegetation disturbed by trail construction activities shall be salvaged and replanted in the disturbed areas to the extent feasible.

C. *Minor Road or Trail Crossings.* Fills for the construction of a road or trail crossings shall be allowed in wetlands or buffers; provided, that crossings of wetlands shall be avoided to the extent possible. Fills for the construction of a road crossing through a Category I wetland shall not be allowed by this conditional exemption. Crossings shall follow the following criteria:

1. An alternative location outside the wetland is not reasonably feasible;
2. The fill on which the road or trail is placed is limited to the minimum dimensions necessary for the actual crossing;

3. The fill placed in wetlands shall not cover more than 5,000 square feet of wetland area;

4. Crossings shall utilize design which minimizes the adverse impacts to the wetland and hydrology of the existing system;
5. Wetland disturbance shall be limited to no greater than five feet beyond the designated toe-of-fill;
6. All construction work in the wetland shall be done during the summer dry season (July 15th to October 15th). A time extension may be granted in writing by the Department; and
7. Crossings shall serve multiple purposes and properties, whenever possible.

D. *Erosion Control.* Bank stabilization activities necessary for erosion prevention shall be allowed in buffers and Category II, III, and IV wetlands as part of a single and complete project. Bank stabilization projects shall meet all other applicable local, state and federal laws and the following criteria:

1. The minimum amount of material needed for erosion prevention is used;
2. The bank stabilization activity is no more than 500 feet in length, 15 feet high, and will not exceed an average of one-half cubic yard of fill per running foot of bank;
3. No material is placed in any location or manner that may impair surface water movement into or out of any wetland area or other water body;
4. No material is placed in any location or manner that may be eroded by normal or anticipated high flows; and
5. The disturbed area shall be revegetated within 60 days after completion of the project with native species indigenous to the site. Hydro-seeding with approved mix may be used for temporary erosion control.

E. The construction of utility lines and poles in Category II, III or IV wetlands and buffers provided there are no feasible alternatives and impacts are mitigated. [Ord. 362 § 3, 2004.]

14.162.070 Delineation, and wetland analysis requirements.

A. *Wetland Review Procedures – General Requirements.*

1. The ~~Critical Areas Atlas – City Wetland Inventory Maps~~[National Wetlands Inventory \(NWI\) from the United States Fish and Wildlife Service](#) provides an indication of where potential wetlands are located within the ~~county~~[city](#). The actual presence or location of a potential wetland or a potential wetland that has not been mapped, but may be present on or adjacent to a site shall be determined using the procedures and criteria established in this chapter.
2. The Department will complete a review of the ~~Critical Areas Atlas – Wetland Inventory Maps~~[most recent version of the National Wetland Inventory data available at https://www.fws.gov/program/national-wetlands-inventory](https://www.fws.gov/program/national-wetlands-inventory) and other source documents for any proposed regulated activity to determine whether the project area for a proposed single-family dwelling unit or other proposed development is located in the vicinity of a known wetland. Identification of a potential wetland may also occur as a result of field investigations conducted by Department staff.

3. When the Department's maps, sources, or field investigation indicate that a potential wetland is located within ~~200-225~~ feet of the project area for a proposed one-family dwelling unit or other proposed regulated activities, the Department shall require a wetland verification report to determine whether or not a regulated wetland is present and if so, its relative location in relation to the proposed project area or site. The findings of the wetland verification report shall be documented as outlined in subsections (B)(1) of this section.

4. If Department staff completes a field investigation and determines that no regulated wetlands are present, then wetland review will be considered complete.

5. If it is determined that a wetland exists within ~~165-225~~ feet of a project site, then a wetland analysis report prepared by a qualified professional shall be required. All wetland analysis reports shall include a proposed categorization of the wetland in accordance with the guidelines set forth in LMC 14.162.030, and a calculation of the standard wetland buffer as set forth in LMC 14.162.080.

B. *General Wetland Review.* General wetland review shall include the submittal of a wetland verification report or a wetland analysis report, together with a wetland review fee as established in the City's fee schedule.

1. *Wetland Verification Report.*

a. A wetland verification report shall be submitted when a field investigation or review of the City's Critical Areas Atlas determines that a regulated wetland may be present within ~~200-225~~ feet of the site.

b. A wetland verification report may determine that:

i. No regulated wetland is, in fact, present within ~~200-225~~ feet of the project site; or

ii. Wetlands are identified but are evaluated and found to be nonregulated; or

iii. A regulated wetland is present within ~~200-225~~ feet of the project site, in which case a wetland analysis report may be required to determine the limits of the wetland, its classification and appropriate buffer width and other appropriate mitigations necessary to protect the wetland functions and values; or

iv. A regulated wetland is present; however, categorization can be summarily determined and it is apparent that the standard buffer does not extend within the site.

c. The wetland verification report shall include data sheets, site maps, and other field data and information necessary to confirm wetland presence or absence and category. If nonregulated wetlands are identified, a site plan must be provided that identifies their location.

d. The wetland verification report shall identify and discuss wetland boundaries within the site as well as those that extend off site. Off-site wetlands and associated standard buffers do not have to be marked in the field.

e. Department staff shall review the wetland verification report and either:

i. Accept the report and approve the wetland application; or

ii. Reject the report and require the submittal of a wetland analysis report.

2. ~~Wetland Analysis~~ Critical Areas Report – additional requirements for wetlands. In addition to the general requirements of a critical areas report as outlined in LMC 14.142.138, the following are critical areas report requirements specific to wetlands:

- a. If a regulated wetland or its standard buffer extends onto the site, the Department shall require a ~~wetland analysis~~[critical areas](#) report ~~prepared by a qualified professional as required by this title~~. Information required in a ~~wetland analysis~~[critical areas](#) report is identified in ~~Appendix C of the Critical Areas Regulations – Administrator’s Manual~~[LMC 14.142.138](#).
- b. If the Department determines that a Category I wetland is on site which is associated with documented habitat for endangered, threatened, or sensitive species or for potentially extirpated plant species recognized by state or federal agencies, the Department shall also require the submittal of a habitat assessment report as set forth in LMC [14.154.030\(B\)](#).
- c. If the Department determines that additional mitigation is necessary to offset the identified impacts, the applicant shall comply with the additional mitigation requirements set forth in the wetland analysis report, biological assessment, or SEPA determination.
- d. The Department shall review and approve the ~~wetland analysis~~[critical areas](#) report to determine the appropriate wetland category and buffer, and shall include the wetland in the City’s Wetland Atlas. The Department shall approve the report’s findings and proposals unless specific, written reasons are provided which justify not doing so.
- e. ~~e.~~ Approval of the wetland review shall be concluded upon a determination that the ~~wetland analysis~~[critical areas](#) report and mitigation plan, if applicable, are thorough and accurate, and meet all requirements of this title. [Ord. 726 § 2(Exh. A), 2019; Ord. 362 § 3, 2004.]

14.162.080 Protection standards – Establishing buffers.

A. *Requirements.* The buffer widths in Table 14.1 have been established in accordance with the best available science. They are based on the category of wetland and the habitat score as determined by a qualified wetland professional using the Washington State Wetland Rating System for Western Washington: [2014 Update, and as amended](#).

1. The use of the buffer widths in Table 14.1 requires the implementation of the measures in Table 14.2, where applicable, to minimize the impacts of the adjacent land uses.

1. If an applicant chooses not to apply the mitigation measures in Table 14.2, then a 33 percent increase in the width of all buffers is required. For example, a 75-foot buffer with the mitigation measures would be a 100-foot buffer without them [to ensure no-net-loss of wetland functions](#).

;

2. The buffer widths in Table 14.1 assume that the buffer is vegetated with a native plant community appropriate for the ecoregion. If the existing buffer is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer should either be planted to create the appropriate plant community, or the buffer should be widened to ensure that adequate functions of the buffer are provided.

3. The buffer at its narrowest point is never less than either three-quarters of the required width or 75 feet for Category I and II, 50 feet for Category III and 25 feet for Category IV, whichever is greater.

Table 14.1 Wetland Buffer Requirements

Wetland Category	Buffer width (in feet) based on habitat score			
	3-5 points ⁴	5	6-7 points	8-9 points
Category I: Based on total score	75 <u>ft</u>	105	165 110 <u>ft</u>	225 <u>ft</u>
Category I: Bogs and wetlands of high conservation value	190 <u>ft</u>			225 <u>ft</u>
Category I: Coastal lagoons	150 <u>ft</u> (merge with right)		150 <u>ft</u> 65	225 <u>ft</u>
Category I: Interdunal	225 <u>ft</u> (merge with right)		225 <u>ft</u>	225 <u>ft</u>
Category I: Forested	75 <u>ft</u>	105	225 <u>ft</u> 165	225 <u>ft</u>
Category I: Estuarine	150 <u>ft</u> (buffer width not based on habitat scores)			
Category II: Based on score	75 <u>ft</u>	105	165 <u>ft</u>	225 <u>ft</u>
Category II: Interdunal wetlands	110 <u>ft</u> (merge with right)		110 <u>ft</u> 165	225 <u>ft</u>
Category II: Estuarine	110 <u>ft</u> (buffer width not based on habitat scores)			
Category III (all)	60 <u>ft</u>	105	225 <u>ft</u> 165	225 <u>ft</u>
Category IV (all)	40 <u>ft</u>			

Table 14.2 Required Measures to Minimize Impacts to Wetlands

(Measures are required if applicable to a specific proposal)

Disturbance	Activities and Uses that Cause Disturbances	Required Measures to Minimize Impacts
Light	<ul style="list-style-type: none"> • Parking lots • Commercial/industrial uses • Residential uses • Recreation (e.g., athletic fields) • Agricultural buildings 	<ul style="list-style-type: none"> • Direct lights away from wetland • Only use lighting when necessary for public safety, and keep lights off when not needed • Use motion-activated lights where feasible • Use full cut-off filters to cover light bulbs and direct light only where needed • Limit use of blue-white colored lights in favor of red-amber hues • Use lower-intensity LED lighting • Dim light to the lowest acceptable intensity
Noise	<ul style="list-style-type: none"> • Commercial • Industrial • Recreation (e.g., athletic fields, bleachers, etc.) • Residential • Agriculture 	<ul style="list-style-type: none"> • Locate activity that generates noise away from wetland • If warranted, enhance existing buffer with native vegetation plantings adjacent to noise source • For activities that generate relatively continuous, potentially disruptive noise, such as certain heavy industry or mining, establish an additional 10-foot heavily vegetated buffer strip immediately adjacent to the outer wetland buffer
Toxic runoff	<ul style="list-style-type: none"> • Parking lots • Roads • Commercial/industrial • Residential areas • Application of pesticides • Landscaping • Agriculture 	<ul style="list-style-type: none"> • Route all new, untreated runoff away from wetland while ensuring wetland is not dewatered • Establish covenants limiting use of pesticides within 150 feet of wetland • Apply integrated pest management

Table 14.2 Required Measures to Minimize Impacts to Wetlands

(Measures are required if applicable to a specific proposal)

Disturbance	<u>Activities and Uses that Cause Disturbances</u>	Required Measures to Minimize Impacts
Storm water runoff	<ul style="list-style-type: none"> • Parking lots • Roads • Residential areas • Commercial/industrial • Recreation • Landscaping/lawns • Other impermeable surfaces, compacted soil, etc. 	<ul style="list-style-type: none"> • Retrofit storm water detention and treatment for roads and existing adjacent development • Prevent channelized or sheet flow from lawns that directly enters the buffer • Infiltrate or treat, detain, and disperse new runoff from impervious surfaces and lawns • Use low intensity impact development (LID) techniques (for more information refer to the drainage ordinance and manual)
Pets and human disturbance	<ul style="list-style-type: none"> • Residential areas • Recreation 	<ul style="list-style-type: none"> • Use privacy fencing OR plant dense vegetation to delineate buffer edge and to discourage disturbance using vegetation appropriate for the ecoregion • Place wetland and its buffer in a separate tract or protect with a conservation easement • Place signs around the wetland buffer every 50-200 feet and at the back of each residential lot in a subdivision
Dust	<ul style="list-style-type: none"> • Tilled fields • Roads 	<ul style="list-style-type: none"> • Use best management practices to control dust
Disruption of corridors or connections	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Maintain connections to off-site areas that are undisturbed • Restore corridors or connections to off-site habitats by replanting

B. Buffer widths may be modified by averaging, ~~reducing~~, or increasing.

1. Buffer width averaging may be allowed only where the applicant demonstrates the following:
 - a. Buffer encroachment is unavoidable.
 - b. A habitat assessment has been submitted which demonstrates that the site does not provide habitat for any endangered, threatened, or sensitive fish or animal species; or
 - c. For wetlands and/or required buffers associated with documented habitat for endangered, threatened, or sensitive fish or wildlife species, a habitat assessment report has been submitted that demonstrates that the buffer modification will not result in an adverse impact to the species of study.
 - d. The wetland contains variations in sensitivity due to existing physical characteristics; and

- e. Width averaging will not adversely impact the wetland or critical fish and wildlife habitat; and
- f. The total buffer area after averaging is no less than the buffer area prior to averaging; and
- g. The minimum buffer width will not be less than 75 percent of the widths established in subsection [A](#) of this section.
- h. The averaging is accomplished within the project boundaries.
- i. Buffer width averaging shall only be permitted where it is shown that there are no feasible alternatives to the site design that could be accomplished without buffer averaging.

~~2.—Buffer width reduction may be allowed only where the applicant demonstrates the following circumstances. Such reduction shall not result in greater than a 25 percent reduction in the buffer width established in subsection [A](#) of this section and shall result in a buffer no less than 30 feet in any case:~~

- ~~a.—The proposed buffer area is extensively vegetated and has less than 15 percent slopes, and the reduction will not result in adverse impacts to the wetland; or~~
- ~~b.—The project includes a buffer enhancement plan, as part of the mitigation required by LMC 14.162.100. The buffer enhancement plan shall use plant species which are indigenous to the project area, and shall substantiate that an enhanced buffer will improve the functional attributes of the buffer to provide additional protection for wetland functional values; or~~
- ~~c.—The acreage included in the buffer would substantially exceed the size of the wetland and the reduction will not result in adverse impacts to the wetland or the project includes a buffer enhancement plan which ensures that the reduction will not result in adverse impacts to the wetland.~~

~~3.2.~~ The Department may require increased buffer width when a larger buffer is necessary to protect wetland functions and values based on local conditions. This determination shall be reasonably related to protection of the functions and values of the regulated wetland. Such determination shall demonstrate that:

- a. A larger buffer is necessary to maintain viable populations of existing species; or
- b. The wetland is used by species listed by the federal government or the state as endangered, threatened, sensitive or as documented priority species or habitats, or essential or outstanding potential sites such as heron rookeries or raptor nesting areas; or
- c. The adjacent land is susceptible to severe erosion and erosion control measures will not effectively prevent adverse wetland impacts; or
- d. The adjacent land has minimal vegetative cover or slopes greater than 15 percent.

- C. Buffers shall be measured perpendicular from the wetland edge.
- D. When buffer boundaries have been determined, they shall be marked in the field by a licensed surveyor. The markers shall be clearly visible, durable, and permanently affixed to the ground.
- E. A building setback line of eight feet shall be required from the edge of a buffer.
- F. Except as otherwise specified, buffers shall be retained in a natural condition.
- G. A wetland buffer shall not be required to extend beyond an existing substantial

improvement such as an improved road, dike, levee, or ~~a permanent structure~~ other permanent infrastructure of a linear nature, where the existing improvement obviates the beneficial impact that the buffer would provide for the wetland. In these cases, the edge of said linear infrastructure shall be considered the extent of the buffer if the following are true:

1. the portion of the wetland buffer on the other side of the existing substantial improvement can be shown to provide insignificant function compared to the buffer on the wetland side;
2. the existing substantial improvement cannot be feasibly removed, relocated, or restored to provide buffer functions; and
3. The functional analysis in this sub-section is included in the critical areas report prepared by a qualified professional under the requirements of this chapter. [Ord. 630 § 8, 2015; Ord. 362 § 3, 2004.]

14.162.090 Protection standards for allowing regulated activities in wetlands and buffers.

A. Regulated activities in Category III and IV wetlands and/or buffers for Category III and IV wetlands may be allowed when the applicant demonstrates to the Department that all adverse impacts to wetlands will be mitigated according to LMC [14.162.100](#).

B. The placement of access roads, utility lines, and utility poles may be allowed in buffers for Category II wetlands if the following conditions are met:

1. There is no feasible alternative location for an access road and/or utilities to the site; and
2. The applicant demonstrates that all adverse impacts to wetlands will be mitigated according to a mitigation plan which complies with LMC [14.162.100](#).

C. The following activities may be allowed in a buffer without a complete mitigation plan if the applicant demonstrates to the Department that all adverse impacts to wetlands will be mitigated according to LMC [14.162.100](#). In cases that require environmental review, a threshold environmental determination may not be made until the Department is satisfied that adequate mitigation will occur. The allowed activities are as follows:

1. One well and necessary appurtenances, including a pump and appropriately sized pump house, but not including a water storage tank (unless the water storage tank can be contained within the pump house), may be allowed on each site in a buffer if all the following conditions are met:
 - a. The pump house is a one-story building with a ground area of less than 220 square feet; and
 - b. The well is more than 75 feet deep; and
 - c. For Category I and II wetlands, the minimum distance from the well and appurtenances to the wetland edge is no less than 50 percent of the buffer widths established in the table in LMC [14.162.080\(A\)](#); and
 - d. Access to the well and pump house shall be by a pervious trail for pedestrian traffic only, or, if necessary, by an unimproved access for a maintenance vehicle.
2. Pervious walkways and trails and associated viewing platforms; provided, that those pathways are limited to minor crossings having no adverse impact on water quality. They should

be generally parallel to the perimeter of the wetland, located only in the outer 25 percent of the wetland buffer area and located to avoid removal of significant trees. They should be limited to pervious surfaces no more than five feet in width for pedestrian use only. Raised boardwalks utilizing nontreated pilings may be acceptable. In the case of Category I wetlands the minimum distance from the wetland edge is no less than 50 percent of the buffer width established in the table in LMC [14.162.080\(A\)](#).

3. The placement of utility lines which do not require excavation, or utility poles, in any part of a buffer for a Category II, III, or IV wetland. They may be placed in a buffer for a Category I wetland; provided, that the minimum distance from the wetland edge is no less than 50 percent of the Category I buffer width established in the table in LMC [14.162.080\(A\)](#).

4. Activities within that area of a buffer in which a direct line to the wetland is obstructed by an existing substantial improvement such as an improved road or a permanent structure, the presence of which significantly reduces the likely impact of the proposed activity on the wetland.

A zoning certification, building permit, and/or site development permit shall not be issued for these regulated activities until the applicant demonstrates to the satisfaction of the Department that all adverse impacts to wetlands will be mitigated according to LMC [14.162.100](#).

D. *Reasonable Use Exception – Category I and II Wetlands.* Regulated activities in Category I and II wetlands and/or buffers for Category I and II wetlands may be allowed only if, following a public hearing, the Hearing Examiner determines that a reasonable use exception is warranted pursuant to LMC [14.142.080](#), and the following criteria are met:

1. No reasonable use with less impact on the wetland is possible; and
2. There is no feasible on-site alternative to the proposed activities, including phasing of project implementation, change in timing of activities, revision of road and lot layout, and/or related site planning and density considerations, that would allow a reasonable economic use with less adverse impacts to wetlands; and
3. The proposed activities will result in minimum feasible alteration or impairment to the wetland's functional characteristics and existing contours, vegetation, fish and wildlife resources, and hydrological conditions; and
4. The disturbance of wetlands has been minimized by locating any necessary activities outside the wetland to the extent possible; and
5. The proposed activities will not jeopardize the continued existence of species listed by the federal government or the state as endangered, threatened, sensitive, or documented priority species or priority habitats; and
6. The proposed activities will not cause significant degradation of ground water or surface water quality; and
7. The proposed activities comply with all state, local and federal laws, including, but not limited to, those related to sediment control, pollution control, floodplain restrictions, and on-site wastewater disposal; and
8. Any and all regulated activities in wetlands and buffers will be mitigated according to LMC [14.162.100](#). The Examiner may require the preparation of a formal mitigation plan; and
9. There will be no damage to nearby public or private property and no threat to the health or safety of people on or off the property; and
10. The inability to derive reasonable economic use of the property is not the result of actions by the applicant in segregating or dividing the property and creating the undevelopable condition after the effective date of this chapter.

E. *Reasonable Use Provision, Categories III and IV Wetlands.* If an applicant for a regulated activity on a Category III or IV wetland and/or associated buffer cannot obtain permission through the procedures described in subsections [A](#) and [C](#) of this section, the activity may be allowed if, following a public hearing, the Hearing Examiner determines the criteria of subsection [D](#) of this section are met. [Ord. 630 § 9, 2015; Ord. 362 § 3, 2004.]

14.162.100 Mitigation.

~~A.—All activities in wetlands and/or buffers shall be mitigated according to this section. Mitigation sequencing is used to determine the type and extent of mitigation and is considered in order of preference, however there may be circumstances when an alternative mitigation strategy is preferable such as a mitigation bank, in-lieu fee program, or advance mitigation project that is implemented according to federal and state rules, state policy and state water quality regulations.~~

~~The order of preference for mitigation is:~~

- ~~A. The mitigation proposed should comply with LMC 14.142.135, as well as the following provisions.~~

~~Avoiding the impact altogether by not taking a certain action or parts of actions, and providing specified buffers and setbacks. Provision of specified buffers and setbacks is the expected method of mitigation unless an activity is listed as exempt, a reasonable use exception has been granted according to the provisions of this chapter, or an appropriate alternative mitigation program has been approved through a formal mitigation plan.~~

~~Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to reduce impacts.~~

~~The following types of mitigation (no order of preference):~~

~~Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;~~

~~Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;~~

~~Compensating for the impact by replacing or providing substitute resources or environments;~~

~~Monitoring the impact and compensation and taking appropriate corrective measures;~~

~~Mitigation for individual actions may include a combination of the above measures.~~

- ~~B. Methods of Compensatory Mitigation. Mitigation for wetland and buffer impacts shall rely on a method listed below in order of preference. A lower-preference form of mitigation shall be used only if the applicant's qualified wetland professional demonstrates to the Director's satisfaction that all higher-ranked types of mitigation are not viable, consistent with the criteria in this Section.~~

- ~~1. Restoration: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions and environmental processes to a former or degraded wetland. Restoration is divided into two categories:~~

- ~~a. Re-establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions and environmental processes to a former wetland. Re-establishment results in rebuilding a former wetland and results in a gain in wetland area and functions. Example activities could include removing fill, plugging ditches, or breaking drain~~

- tiles to restore a wetland hydroperiod, which in turn will lead to restoring wetland biotic communities and environmental processes.
- b. Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions and environmental processes to a degraded wetland. Rehabilitation results in a gain in wetland function but does not result in a gain in wetland area. The area already meets wetland criteria, but hydrological processes have been altered. Rehabilitation involves restoring historic hydrologic processes. Example activities could involve breaching a dike to reconnect wetlands to a floodplain or return tidal influence to a wetland.
2. Establishment (Creation): The manipulation of the physical, chemical, or biological characteristics of a site to develop a wetland on an upland where a wetland did not previously exist at an upland site. Establishment results in a gain in wetland area and functions. An example activity could involve excavation of upland soils to elevations that will produce a wetland hydroperiod and hydric soils by intercepting groundwater, and in turn supports the growth of hydrophytic plant species.
- a. If a site is not available for wetland restoration to compensate for expected wetland and/or buffer impacts, the Director may authorize establishment of a wetland and buffer upon demonstration by the applicant's qualified wetland professional that:
- i. The hydrology and soil conditions at the proposed mitigation site are conducive for sustaining the proposed wetland and that establishment of a wetland at the site will not likely cause hydrologic problems elsewhere;
- ii. Adjacent land uses and site conditions do not jeopardize the viability of the proposed wetland and buffer (e.g., due to the presence of invasive plants or noxious weeds, stormwater runoff, noise, light, or other impacts); and
- iii. The proposed wetland and buffer will eventually be self-sustaining with little or no long-term maintenance.
- iv. The proposed wetland would not be established at the cost of another high-functioning habitat (i.e., ecologically important uplands).
3. Preservation (Protection/Maintenance). The removal of a threat to, or preventing the decline of, wetlands by an action in or near those wetlands. This term includes activities commonly associated with the protection and maintenance of wetlands through the implementation of appropriate legal and physical mechanisms such as recording conservation easements and providing structural protection like fences and signs. Preservation does not result in a gain of aquatic resource area or functions but may result in a gain in functions over the long term. Preservation of a wetland and associated buffer can be used only if:
- a. The Director determines that the proposed preservation is the best mitigation option;
- b. The proposed preservation site is under threat of undesirable ecological change due to permitted, planned, or likely actions that will not be adequately mitigated under existing regulations;
- c. The area proposed for preservation is of high quality or critical for the health and ecological sustainability of the watershed or sub-basin. Some of the following features may be indicative of high-quality sites:
- i. Category I or II wetland rating.

- ii. Rare or irreplaceable wetland type [e.g. peatlands, mature forested wetland, estuaries, vernal pools, alkali wetlands] or aquatic habitat that is rare or a limited resource in the area.
 - iii. The presence of habitat for threatened or endangered species (state, federal, or both).
 - iv. Provides biological and/or hydrological connectivity to other habitats.
 - v. Priority sites identified in an adopted watershed plan.
 - c. Permanent preservation of the wetland and buffer shall be provided through a legal mechanism such as a conservation easement or tract held by an appropriate natural land resource manager/land trust.
 - d. The Director may approve another legal and administrative mechanism in lieu of a conservation easement if it is determined to be adequate to protect the site.
4. Enhancement. The manipulation of the physical, chemical, or biological characteristics of a wetland to heighten, intensify, or improve specific wetland function(s). Enhancement is undertaken for specified purposes such as water quality improvement, flood water retention, or wildlife habitat. Enhancement results in the gain of selected wetland function(s) but may also lead to a decline in other wetland function(s). Enhancement does not result in a gain in wetland area. Enhancement activities could include planting vegetation, controlling non-native or invasive species, and modifying site elevations to alter hydroperiods in existing wetlands.

Applicants proposing to enhance wetlands and/or associated buffers shall demonstrate how the proposed enhancement will increase the wetland and/or buffer functions, how this increase in function will adequately compensate for the impacts, and how existing wetland functions at the mitigation site will be protected.

5. Alternative Types of Mitigation/Resource Tradeoffs. The Director may approve alternative mitigation proposals that are based on best available science, such as priority restoration plans that achieve restoration goals identified in the SMP. Alternative mitigation proposals shall provide an equivalent or better level of ecological functions and values than would be provided by standard mitigation approaches. Alternative mitigation approaches shall comply with all reporting, monitoring, and performance measures of this Section including adherence to mitigation sequencing. The City may consult with agencies with expertise and jurisdiction over the critical areas during the review to assist with analysis and identification of appropriate performance measures that adequately safeguard critical areas. The Director will consider the following for approval of an alternative mitigation proposal:
- a. Clear identification of how an alternative approach will achieve equal or better ecological benefit.
 - b. The proposal uses a watershed approach consistent with Selecting Wetland Mitigation Sites Using a Watershed Approach [Western Washington or Eastern Washington (Ecology Publication #09-06-32 or Publication #10-06-007), or as revised].
 - c. All impacts are identified, evaluated, and mitigated.
 - d. Methods to demonstrate ecological success are clear and measurable.

- C. Location of Compensatory Mitigation. Permittee-responsible compensatory mitigation actions shall be conducted using a watershed approach and shall generally occur within the same sub-drainage basin. However, when the applicant can demonstrate that a mitigation

site in a different sub-drainage basin is ecologically preferable, it should be used.

The following criteria will be evaluated when determining whether on-site or offsite compensatory mitigation is ecologically preferable. When considering the location of mitigation, preference should be given to using programmatic approaches, such as a mitigation bank or an ILF program.

1. No reasonable opportunities exist on site or within the sub-drainage basin or opportunities on site or within the sub-drainage basin do not have a high likelihood of success based on a determination of the capability of the site to compensate for the impacts. Considerations should include anticipated replacement ratios for wetland mitigation, buffer conditions and required widths, available water to maintain anticipated hydrogeomorphic class(es) of wetlands when restored, proposed flood storage capacity, and potential to mitigate riparian fish and wildlife impacts (such as connectivity);
2. On-site mitigation would require elimination of high-quality upland habitat;
3. Off-site mitigation has a greater likelihood of providing equal or improved wetland functions compared to the altered wetland.
4. Off-site locations shall be in the same sub-drainage basin unless:
 - a. Watershed goals for water quality, flood storage or conveyance, habitat, or other wetland functions have been established by the [City/County] and strongly justify locating mitigation at another site;
 - b. Credits from a state-certified wetland mitigation bank are used as compensation, and the use of credits is consistent with the terms of the certified bank instrument;
 - c. Fees are paid to an approved ILF program to compensate for the impacts.
5. The design for the compensatory mitigation project needs to be appropriate for its position in the landscape. Therefore, compensatory mitigation should not result in the creation, restoration, or enhancement of an atypical wetland.

D. Timing of Compensatory Mitigation. It is preferred that compensatory mitigation projects be completed prior to activities that will impact wetlands. At the least, compensatory mitigation shall be completed immediately following wetland impacts and prior to use or occupancy of the action or development. Construction of mitigation projects shall be timed to reduce impacts to existing fisheries, wildlife, and flora.

1. The Director may authorize a one-time temporary delay in completing construction or installation of the compensatory mitigation when the applicant provides a written explanation from a qualified wetland professional as to the rationale for the delay. An appropriate rationale would include identification of the environmental conditions that could produce a high probability of failure or significant construction difficulties. For example, a project delay that creates conflicts with other regulatory requirements (fisheries, wildlife, stormwater, etc.) or installing plants should be delayed until the dormant season to ensure greater survival of installed materials. The delay shall not create or perpetuate hazardous conditions or environmental damage or degradation, and the delay shall not be injurious to the health, safety, or general welfare of the public. The request for the delay shall include a written justification that documents the environmental constraints that preclude timely implementation of the compensatory mitigation plan. The justification will be verified by the City, who will issue a formal decision.

E. Monitoring. Mitigation monitoring shall be required for a period necessary to establish that performance standards have been met, but not for a period less than five years. If a scrub-

shrub or forested vegetation community is proposed, monitoring may be required for ten years or more. The mitigation plan shall include monitoring elements that ensure success for the wetland and buffer functions. If the mitigation goals are not attained within the initially established monitoring period, the applicant remains responsible for managing the mitigation project until the goals of the mitigation plan are achieved.

~~1.—Avoiding the impact altogether by not taking a certain action or parts of actions, and providing specified buffers and setbacks. Provision of specified buffers and setbacks is the expected method of mitigation unless an activity is listed as exempt, a reasonable use exception has been granted according to the provisions of this chapter, or an appropriate alternative~~

Category and Type of We	Creation or Reestab	Rehabilitation	Preservation	Enhancement
Category I: Mature foreste	6:1	12:1	24:1	16:1
Category I: Based on funct	4:1	8:1	16:1	16:1
Category II	3:1	6:1	12:1	12:1
Category III	2:1	4:1	8:1	8:1
Category IV	1.5:1	3:1	6:1	6:1

~~mitigation program has been approved through a formal mitigation plan.~~

~~2.—Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to reduce impacts.~~

~~3.—The following types of mitigation (no order of preference):~~

- ~~a.—Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;~~
- ~~b.—Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;~~
- ~~c.—Compensating for the impact by replacing or providing substitute resources or environments.~~

~~4.—Monitoring the impact and compensation and taking appropriate corrective measures.~~

~~5.—Mitigation for individual actions may include a combination of the above measures.~~

~~A.F.~~ Compensatory mitigation for alterations to wetlands shall be used only for impacts that cannot be avoided or minimized and shall achieve equivalent or greater biologic functions. Compensatory mitigation plans shall be consistent with Wetland Mitigation in Washington State – Part 2: Developing Mitigation Plans – Version 1 (Ecology Publication No. 06-06-011b, Olympia, WA, March 2006, or as revised), and Selecting Wetland Mitigation Sites Using a Watershed Approach (Western Washington) (Publication No. 09-06-32, Olympia, WA, December 2009).

~~6.1.~~ Mitigation ratios shall be consistent with subsection ~~(B)(3)~~ of this section.

~~7.—Mitigation requirements may also be determined using the credit/debit tool described in Calculating Credits and Debits for Compensatory Mitigation in Wetlands of Western Washington: Final Report (Ecology Publication No. 10-06-011, Olympia, WA, March 2012, or as revised).~~

~~8.2.~~ Wetland Mitigation Ratios[1].

~~a~~
~~n~~
~~d~~Creation or

~~Category~~

Rehabilitation ment	Type of Wetland Enhance	Reestablishment		
	Category I:			
	Bog, natural heritage site	Not considered possible	Case by case	Case by case
	Category I:			
	Mature forested	6:1	12:1	24:1
	Category I:			
	Based on functions	4:1	8:1	16:1
	Category II	3:1	6:1	12:1
	Category III	2:1	4:1	8:1

3. Ratios for rehabilitation and enhancement may be reduced when combined with 1:1 replacement through creation or reestablishment. See Table 1a, Wetland Mitigation in Washington State – Part 1: Agency Policies and Guidance – Version 1 (Ecology Publication No. 06-06-011a, Olympia, WA, March 2006, or as revised).
4. The detailed mitigation plan shall be signed by the wetland specialist to indicate that the plan is according to specifications determined by the wetland specialist. A signed original mitigation plan shall be submitted to the Department.
5. Approval of the detailed mitigation plan shall be signified by a notarized memorandum of agreement signed by the applicant and Department Director or designate, and recorded with the County Auditor. The agreement shall refer to all requirements for the mitigation project.
6. The mitigation project shall be completed according to a schedule agreed upon between the Department and the applicant.
7. Wetland mitigation shall occur according to the approved wetland mitigation plan, and shall be consistent with provisions of this chapter.
8. On completion of construction for the wetland mitigation project, the wetland specialist shall notify the Department. The Department will inspect and review the construction project prior to acceptance. [Ord. 630 § 10, 2015; Ord. 362 § 3, 2004.]

~~14.162.110 — New agricultural activities.~~

~~An applicant may use the following procedure to initiate agricultural activities:~~

~~A. — Where the Department determines that a regulated wetland may be present within 150 feet of the proposed activity, the applicant shall select one of the following options:~~

~~1. — The applicant shall provide the Department with a report prepared by a wetland specialist which recommends the appropriate wetland category and includes rationale for the recommendation. The Department will review and approve the wetland category and buffer as follows:~~

Wetland	Buffer
I	150 feet
II	100 feet
III	50 feet
IV	25 feet

~~2. — Alternatively, the Department, upon request, shall determine the appropriate wetland category. The buffer width shall be according to the table in subsection (A)(1) of this section.~~

~~B. — The Department will determine whether the activity would intrude into the buffer, the wetland,~~

~~or both:~~

~~1.—If the Department determines that the proposed activity may intrude into the wetland and/or buffer, the applicant shall prepare a delineation report subject to approval by the Department; or~~

~~2.—If the Department determines that the proposed activity may intrude only into the buffer, the Department, upon request, shall delineate the wetland.~~

~~C.—Following approval of the delineation report or the Department's completion of the delineation, the applicant shall place permanent, clearly visible markers on site at the edge of the buffer. Placement of markers by a licensed surveyor is not required. No regulated activities shall occur within the wetland and/or buffer except as allowed in subsection D of this section. Temporary intrusion into the buffer necessary for construction activities may be allowed if the buffer can be adequately restored. Livestock shall be fenced from the wetland and buffer, unless the requirements of subsection D of this section are met.~~

~~D.—Agricultural activities may be initiated:~~~~1.—In a buffer, if the applicant demonstrates to the Department that all adverse impacts to wetlands will be mitigated.~~~~2.—In the wetland after Department approval of the following reports, which shall be prepared by a wetland specialist obtained by the applicant:~~~~a.—A report which recommends the appropriate wetland category and includes rationale for the recommendation, unless the category has already been determined by the Department; and~~~~b.—A wetland delineation report, unless a delineation has already been approved by the Department; and~~~~c.—A best management plan developed by the Pierce County Conservation District or USDA Soil Conservation Service. A wetland specialist shall review the plan and specify mitigation for all impacts to wetlands, other than water quality impacts reviewed by the Conservation District or Soil Conservation Service; and~~~~d.—A report prepared by a wetland specialist which demonstrates that the proposed activity:~~~~i.—Will not jeopardize the continued existence of species listed by the federal government or the state as endangered, threatened, sensitive, or documented priority species or priority habitats;~~~~ii.—Will not cause significant degradation of ground water or surface water quality; and~~~~iii.—Will not damage public or private property and will not threaten public health or safety. [Ord. 362 § 3, 2004.]~~**14.162.120 Alternative review process, Corps of Engineers Section 404 individual permits.**

A. The alternative review process outlined below ~~will~~may be used in cases where a Section 404 individual permit is required from the U.S. Army Corps of Engineers. (Refer to [33](#) CFR Sections [320.1](#), [323.2\(g\)](#), and [325.5\(b\)\(1\)](#).)

1. The applicant shall notify the Department when the applicant applies for the Section 404 permit or contacts the Corps concerning a specific project.

2. The applicant shall apprise the Department of the Corps' permitting process, including notifying the Department of all hearings or meetings scheduled to discuss the applicant's project, potential mitigation or approval.

3. The review process of the Corps will substitute for the review process outlined in LMC [14.162.130](#) when the protection of the wetland or wetlands in question is equal to or better than the provisions of this chapter or the City's SMP. When protection through the Corps permitting process is lesser than in this chapter or the SMP, the provisions of the latter shall be used.

~~1.4.~~ The City participation in the Corps' review process does not constitute approval of the applicant's project by the City. The substantive provisions of this chapter are still applicable and authorization of regulated activities will be approved or denied by the Department based upon those provisions. However, the Department shall consider the mitigation requirements as set forth by

the commenting agencies during the Corps' review process and shall concur with that mitigation, if it is functionally equivalent [with to or more protective than](#) the requirements of this chapter.

5. The applicant shall submit the information specified in LMC [14.162.070](#) and [14.162.100](#) to the Department when filing for the Corps permit. The Department may also require the submittal of any additional information deemed necessary.

~~2.6.~~ *Notice of Application.* A notice of application will be required for any permit applications subject to Chapter [18A.20](#) LMC, Article III. [Ord. 726 § 2(Exh. A), 2019; Ord. 362 § 3, 2004.]

14.162.130 Wetland review procedure, fees, and title notification.

A. *Procedure.* The provisions of this section regarding wetlands regulation shall be incorporated and integrated into other City permitting requirements including, but not limited to, the review and issuance of zoning certifications, site development permits, clearing and grading permits, building permits, environmental reviews under SEPA, administrative and conditional use permits, shoreline permits and subdivisions.

B. *Fees.* Each applicable fee shall be payable at the time the applicant submits an application or document to which a fee applies according to the City's fee schedule.

C. *Notice on Title.* When the City determines that activities not exempt from this chapter are proposed, the property owner shall file for record with the Pierce County Auditor a notice approved by the Department in a form substantially as set forth below. The notice shall provide notice in the public record of the presence of a wetland or buffer, the application of this chapter to the property, and that limitations on actions in or affecting such wetlands and buffers may exist. The notice shall be notarized and shall be recorded prior to approval of any land use proposal for the site.

Notice on title is not required for utility line easements on lands not owned by the jurisdiction conducting the regulated activity.

Form of notice:

WETLAND AND/OR WETLAND BUFFER NOTICE

Tax Parcel

Number:

Name:

Address:

Legal Description:

NOTICE: This property contains wetlands or wetland buffers as defined by the City Code 14.162. Restrictions on use or alteration of the wetlands or wetland buffers may exist due to natural conditions of the property and resulting regulations.

Signature of owner _____

Date: _____

(NOTARY ACKNOWLEDGMENT)

D. Wetland Tract.

1. Prior to final approval of any development application on a property containing a wetland or wetland buffer, the part of the wetland and/or buffer which is on the site shall be placed in a separate wetland tract or tracts, protective easement, public or private land trust dedication, or similarly preserved through an appropriate permanent protective mechanism as determined by the City. All wetland tracts, protective easements, land trust dedications and other similarly preserved areas shall remain undeveloped in perpetuity, except as they may be allowed to be altered pursuant to this chapter.

2. Prior to final approval of any development application on a property containing a wetland or wetland buffer, the common boundary between a wetland tract, protective easement, land trust dedication, or other similarly preserved area and the adjacent land shall be permanently identified with permanent signs. Sign locations, wording, and size and design specifications shall be as required by the Department.

3. At anytime after a wetland tract, protective easement, land trust dedication, or other similarly preserved area has been established, the owner may submit a delineation report to the Department. If the Department determines that a boundary change has occurred, or that a wetland no longer exists, the wetland tract, protective easement, land trust dedication, or other similarly preserved area may be altered or eliminated, as appropriate. If the Department determines that wetland boundaries have changed or that a wetland has been eliminated due wholly or in part to illegal activity, a change or elimination of wetland tract, protective easement, land trust dedication, or other similarly preserved area shall not be permitted.

4. A wetland tract, protective easement, land trust dedication, or other similarly preserved area is not required for utility lines in easements on lands not owned by the jurisdiction conducting the regulated activity.

E. Review and Approval. Provisions for the protection of wetlands in conjunction with regulated activities shall be reviewed and approved by the Department. Approval shall be granted upon a determination that the wetland analysis report and mitigation plan meet all applicable requirements of this chapter, and that the monitoring program and contingency plan are tied to an acceptable financial guarantee to assure that the requirements will be complied with.

F. Expiration. Approvals shall be valid for a period of three years from the date of issue unless a longer or shorter period is specified by the Department. An extension of an original approval may be granted upon submittal of a written request to the Department prior to expiration. Prior to the granting of an extension, the Department may require updated studies if, in its judgment, the original intent of the approval is altered or enlarged by the renewal, if the circumstances relevant to the review and issuance of the original permit have changed substantially, or if the applicant failed to abide by the terms of the original approval. [Ord. 362 § 3, 2004.]

Chapter 14.165
DEFINITIONS

Sections:

14.165.010 Definitions.

14.165.10 Definitions.

For the purpose of this title, in addition to the definitions in LMC [18A.10.180](#), the following definitions shall apply:

“Abutting” means bordering upon, to touch upon, in physical contact with. Sites are considered abutting even though the area of contact may be only a point.

“Activity” means any use conducted on a site.

“Agricultural activities” means the production of crops and/or raising or keeping livestock, including operation and maintenance of farm and stock ponds, drainage ditches, irrigation systems, and normal operation, maintenance and repair of existing serviceable agricultural structures, facilities or improved areas, and the practice of aquaculture. Forest practices regulated under Chapter [76.09](#) RCW, Title [222](#) WAC are not included in this definition.

“Alluvial geologic unit” means geologically recent stream, lake, swamp and beach deposits of gravel, sand, silt and peat.

“Animal containment area” means a site where two or more animal units of large animals per acre or three- quarters of an animal unit of small animals per acre are kept, and where a high volume of waste material is deposited in quantities capable of impacting ground water resources.

“Animal unit” means the equivalent of 1,000 pounds of animal.

“Applicant” means a person, party, firm, corporation, or other legal entity that proposes a development on a site.

“Aquifer” means a saturated geologic formation which will yield a sufficient quantity of water to serve as a private or public water supply.

“Aquifer recharge area” means areas where the prevailing geologic conditions allow infiltration rates which create a high potential for contamination of ground water resources or contribute significantly to the replenishment of ground water with potential to be used for potable water. For the purposes of this title, all of the area located within the Clover/Chambers Creek Basin boundary or the two highest DRASTIC zone boundaries is included in the aquifer recharge area.

“Aquifer susceptibility” means the ease with which contaminants can move from the land surface to the aquifer based solely on the types of surface and subsurface materials in the area. Susceptibility usually defines the rate at which a contaminant will reach an aquifer unimpeded by chemical interactions with the vadose zone media.

“Base flood” means the flood having a one percent chance of being equaled or exceeded in any given year, also referred to as the “100-year flood.” The area subject to the base flood is the special flood hazard area designated on flood insurance rate maps as Zones “A” or “V.”

“Base flood elevation” means the elevation of the base flood above the datum of the effective firm. “Basement” means any area of structure having its floor sub-grade (below ground level) on all sides.

“Best management plan” means a plan developed for a property which specifies best management practices for the control of animal wastes, storm water runoff, and erosion.

[“Biologist” means a qualified professional for critical area reports who has earned at least a bachelor of science degree in biological sciences from an accredited college or university, and has at least four](#)

[years of professional experience as a biologist.](#)

“Buffer” means an area contiguous with a critical area that is required for the integrity, maintenance, function, and structural stability of the critical area.

“Building footprint” means the horizontal area measured within the outside of the exterior walls of the ground floor of all principal and accessory buildings on a lot.

“Channel migration area” means that area within the lateral extent of likely stream channel movement due to stream bank destabilization and erosion, rapid stream incision, aggradation, avulsions, and shifts in location of stream channels plus 50 feet.

“Class” means one of the wetland classes used to categorize wetlands by their attributes and characteristics. Wetlands shall be rated using the latest adopted version of the Washington State Wetland Rating System for Western Washington published by the Washington State Department of Ecology.

“Class I injection well” means a well used to inject industrial, commercial, or municipal waste fluids beneath the lowermost formation containing, within one-quarter mile of the well bore, an underground source of drinking water.

“Class II injection well” means a well used to inject fluids: brought to the surface in connection with conventional oil or natural gas exploration or production and may be commingled with wastewaters from gas plants that are an integral part of production operations, unless those waters are classified as dangerous wastes at the time of injection; for enhanced recovery of oil or natural gas; or for storage of hydrocarbons that are liquid at standard temperature and pressure.

“Class III injection well” means a well used for extraction of minerals, including but not limited to the injection of fluids for: in-situ production of uranium or other metals that have not been conventionally mined; mining of sulfur by Frasch process; or solution mining of salts or potash.

“Class IV injection well” means a well used to inject dangerous or radioactive waste fluids.

“Class V injection wells” means all injection wells not included in Class I, II, III, or IV.

“Classification” means defining value and hazard categories to which critical areas and natural resource lands will be assigned.

“Clearing” means the cutting, moving on site, or removal of standing or fallen timber; the removal or moving on site of stumps; or the cutting or removal of brush, grass, ground cover, or other vegetative matter from a site in a way which exposes the earth’s surface of the site. In addition to the above, clearing is an activity which does not require reforestation per an approved forest practices application/notification issued by the Department of Natural Resources.

“Cliff” means a steep vertical or overhanging face of rock or earth greater than 25 feet in height.

“Compensatory mitigation” means mitigation to compensate for loss of wetland habitat due to filling of wetlands or other regulated activities in wetlands.

“Confined aquifer” means an aquifer bounded above and below by beds of distinctly lower permeability than that of the aquifer itself and that contains ground water under sufficient pressure for the water to rise above the top of the aquifer.

“Confining formation” means the relatively impermeable formation immediately overlying an artesian aquifer.

“Contaminant” means any chemical, physical, biological, or radiological substance that does not

occur naturally or occurs at concentrations and duration as to be injurious to human health or welfare or shown to be ecologically damaging.

“Critical aquifer recharge area” means areas that are determined to have a critical recharging effect on aquifers used as a source for potable water, and are vulnerable to contamination from recharge.

“Critical areas” means wetlands, ~~flood hazard~~ frequently flooded areas, fish and wildlife habitat conservation areas, aquifer recharge areas, and geologically hazardous areas as defined in this chapter.

“Critical facilities” means those facilities occupied by populations or which handle dangerous substances including but not limited to hospitals, medical facilities; structures housing, supporting or containing toxic or explosive substances; covered public assembly structures; school buildings through secondary including day-care centers; buildings for colleges or adult education; jails and detention facilities; and all structures with occupancy of greater than 5,000 people.

“Degraded” means to have suffered a decrease in naturally occurring functions and values due to activities undertaken or managed by persons, on or off a site.

“Delineation” means identification of wetlands and their boundaries done in accordance with the approved federal wetland delineation manual and applicable regional supplements.

“Delineation report” means a written document prepared by a wetland specialist which includes data sheets, findings of the delineation and a site plan which identifies the wetland boundaries.

“Department” means the City of Lakewood Department of Community Development.

“Designation” means taking formal legislative and/or administrative action to adopt classifications, inventories, and regulations.

“Developed lot” means any lot developed with a primary use and structure(s), not generally subject to further development with additional units or other primary uses.

“Development” means any human-induced change to improved or unimproved real property including, but not limited to, the construction of buildings or other structures, placement of manufactured home/mobile, mining, dredging, clearing, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, subdivision of property, removal of substantial amounts of vegetation, or alteration of natural site characteristics.

“Director” means the Director of the Department of Community Development or his/her designee.

“DRASTIC” means a model developed by the National Water Well Association and Environmental Protection Agency used to measure aquifer susceptibility.

“Dry certificate” means any combination of structural and nonstructural measures that prevent flood waters from entering a structure.

“Earth/earth material” means naturally occurring rock, soil, stone, sediment, or combination thereof. “Ecotone” means a transition area between two adjacent vegetation communities.

“Elevation certificate” means the official form (FEMA form 81-31) used to provide elevation information necessary to ensure compliance with provisions of this title and determine the proper flood insurance premium rate.

“Enhancement” means actions performed to improve the condition of existing degraded wetlands and/or buffers so that the quality of wetland functions increases (e.g., increasing plant diversity, increasing wildlife habitat, installing environmentally compatible erosion controls, removing nonindigenous plant or animal species, removing fill material or solid waste).

“Erosion” means the wearing away of the earth’s surface as a result of the movement of wind, water, or ice.

“Erosion hazard areas” means those areas that because of natural characteristics, including vegetative cover, soil texture, slope, gradient, and rainfall patterns, or human-induced changes to such characteristics, are vulnerable to erosion.

“Excavation” means the mechanical removal of earth material.

“Existing” means those uses legally established prior to incorporation whether conforming or nonconforming. “Extirpation” means the elimination of a species from a portion of its original geographic range.

“Feasible” means, for the purpose of this chapter, that an action, such as a development project, mitigation, or preservation requirement, meets all of the following conditions: (1) the action can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results; (2) the action provides a reasonable likelihood of achieving its intended purpose; and (3) the action does not physically preclude achieving the project’s primary intended legal use. In cases where this chapter requires certain actions, unless they are infeasible, the burden of proving infeasibility is on the applicant. In determining an action’s infeasibility, the Director may weigh the action’s relative public costs and public benefits, considered in the short- and long-term time frames.

“Fill/fill material” means a deposit of earth material, placed by human or mechanical means.

“Filling” means the act of placing fill material on any surface, including temporary stockpiling of fill material. “Fish and wildlife habitat areas” means those areas identified as being of critical importance to maintenance of fish, wildlife, and plant species, including: areas with which endangered, threatened, and sensitive species have a primary association; habitats and species of local importance; naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat; waters of the state; lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity, or private organization; state natural area preserves and natural resource conservation areas.

“Fisheries biologist” means a professional with a degree in fisheries, or certification by the American Fisheries Society, or with five years’ professional experience as a fisheries biologist.

~~“Flood hazard areas” means areas of land located in floodplains which are subject to a one percent or greater chance of flooding in any given year. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and the like.~~

“Flood insurance rate map (FIRM)” means the official map on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

“Flood or flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters; and/or
2. The unusual and rapid accumulation of runoff of surface waters from any source.

“Flood protection elevation” (FPE) means the elevation above the datum of the effective FIRM to which the new and substantially improved structures must be protected from flood damage.

“Floodfringe” means the area subject to inundation by the base flood, but outside the limits of the floodway, and which may provide needed temporary storage capacity for flood waters.

“Floodplain” means the total area subject to inundation by the base flood, including the floodfringe and the floodway areas.

“Floodway” means the channel of a river, or other watercourse, and the land areas that must be reserved in order to convey and discharge the base flood without cumulatively increasing the water surface elevation by more than one foot, and those areas designated as deep and/or fast-flowing water.

~~“Frequently flooded areas” are lands in the floodplain subject to at least a one percent or greater chance of flooding in any given year, or within areas subject to flooding due to high groundwater. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and areas where high groundwater forms ponds on the ground surface.~~

“Geological assessment” means an assessment prepared by a professional engineer licensed by the state of Washington with expertise in geotechnical engineering or prepared by a professional geologist, hydrologist, or soils scientist, who has earned the related bachelor’s degree from an accredited college or university, or equivalent educational training, and has a minimum of five years’ experience assessing the relevant geologic hazard. A geological assessment must detail the surface and subsurface conditions of a site and delineate the areas of a property that might be subject to specified geologic hazards.

“Geologically hazardous areas” means areas that, because of their susceptibility to erosion, sliding, earthquake, or other geological events, ~~may pose a risk are not suited~~ to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

“Geotechnical report” means a report prepared by a professional engineer licensed by the state of

Washington with expertise in geotechnical engineering, evaluating the site conditions and mitigating measures necessary to reduce the risks associated with development in geologically hazardous areas.

“Grading” means any excavating, filling, clearing, creating (or combination thereof) of impervious surfaces.

“Ground amplification” means an increase in the intensity of earthquake induced ground shaking which occurs at a site whereby thick deposits of unconsolidated soil or surficial geologic materials are present.

“Ground water” means all water found beneath the ground surface, including slowly-moving subsurface water present in aquifers and recharge areas.

“Ground water management area” means a specific geographic area or subarea designated pursuant to Chapter [173-100](#) WAC for which a ground water management program is required.

“Ground water management program” means a comprehensive program designed to protect ground water quality, to assure ground water quantity, and to provide for efficient management of water resources while recognizing existing ground water rights and meeting future needs consistent with local and state objectives, policies and authorities within a designated ground water management area or subarea and developed pursuant to Chapter [173-100](#) WAC.

“Habitat assessment” means a report prepared by a professional wildlife biologist or fisheries biologist, which identifies the presence of fish and wildlife habitat conservation areas in the vicinity of the proposed development site.

“Habitat management plan” means a report prepared by a professional wildlife biologist or fisheries biologist, which discusses and evaluates the measures necessary to maintain fish and wildlife habitat conservation areas on a proposed development site.

“Habitat of local importance” means an area, range or habitat within which a species has a primary association and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term. Examples include areas of high relative density or species richness, breeding habitat, winter range, and movement corridors. These areas may also include habitats that are of limited availability or high vulnerability to alteration.

The Lakewood City Council may designate specific habitats of local importance by ordinance or resolution.

“Hazardous substance(s)” means any liquid, solid, gas, or sludge, including any materials, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical or biological properties described in WAC [173-303-090](#) or [173-303-100](#).

“Hazardous substance processing or handling” means the use, storage, manufacture, or other land use activity involving hazardous substances, but does not include individually packaged household consumer products or quantities of hazardous substances of less than five gallons in volume per container. Hazardous substances shall not be disposed on site unless in compliance with Dangerous Waste Regulations, Chapter [173-303](#) WAC, and any pertinent local ordinances, such as sewer discharge standards.

“Hazardous waste” means and includes all dangerous waste and extremely hazardous waste as designated pursuant to Chapter [70.300](#) RCW and Chapter [173-303](#) WAC.

1. “Dangerous waste” means any discarded, useless, unwanted, or abandoned substances including, but not limited to, certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:

- a. Have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or
 - b. Are corrosive, explosive, flammable, or may generate pressure through decomposition or other means.
2. “Extremely hazardous waste” means any waste which:
- a. Will persist in a hazardous form for several years or more at a disposal site and which in its persistent form presents a significant environmental hazard and may be concentrated by living organisms through a food chain or may affect the genetic make-up of humans or wildlife; and
 - b. Is disposed of at a disposal site in such quantities as would present an extreme hazard to humans or the environment.

“Hazardous waste treatment and storage facility” means a facility that treats and stores hazardous waste and is authorized pursuant to Chapter [70.300](#) RCW and Chapter [173-303](#) WAC. It includes all contiguous land and structures used for recycling, reusing, reclaiming, transferring, storing, treating, or disposing of hazardous waste. Treatment includes using physical, chemical, or biological processing of hazardous wastes to make such waste nondangerous or less dangerous and safer for transport, amenable for energy or material resource recovery.

Storage includes the holding of waste for a temporary period but not the accumulation of waste on the site of generation as long as the storage complies with applicable requirements of Chapter [173-303](#) WAC.

“Historic structure” means a structure that:

- 1. Is listed on the National Register of Historic Places, the Washington Heritage Register, or the Washington Heritage Barn Register; or
- 2. Has been certified to contribute to the historical significance of a registered historic district.

“Hydrogeologic assessment” means a report detailing the subsurface conditions of a site and which indicates the susceptibility and potential for contamination of ground water supplies.

“Hydrologic soil groups” means soils grouped according to their runoff-producing characteristics under similar storm and cover conditions. Properties that influence runoff potential are depth to seasonally high water table, intake rate and permeability after prolonged wetting, and depth to a low permeable layer. Hydrologic soil groups are normally used in equations that estimate runoff from rainfall, but can be used to estimate a rate of water transmission in soil. There are four hydrologic soil groups: A, with low runoff potential and a high rate of water transmission; B with moderate infiltration potential and rate of water transmission; C, with a slow infiltration potential and rate of water transmission; and D, with a high runoff potential and very slow infiltration and water transmission rates.

“Hydrologically isolated wetland” means a wetland which:

- 1. Is not contiguous to any 100-year floodplain of a lake, river or stream; and
- 2. Has no contiguous surface hydrology, hydric soil or hydrophytic vegetation between the wetland and any other wetland or stream system.

“Hyporheic zone” means a saturated layer of rock or sediment beneath and/or adjacent to a stream channel that contains some proportion of channel water or that has been altered by channel water infiltration.

“Impervious surface” means natural or human-produced material on the ground that does not allow surface water to penetrate into the soil. Impervious surfaces may consist of buildings, parking areas, driveways, roads, sidewalks, and any other areas of concrete, asphalt, plastic, etc.

“Infiltration” means the downward entry of water into the immediate surface of soil.

“In-kind mitigation” means to replace wetlands with substitute wetlands whose characteristics and functions and values are intended to replicate those destroyed or degraded by a regulated activity.

“Lakes” means impoundments of open water 20 acres or larger in size.

“Landfill” means a disposal facility or part of a facility at which solid waste is permanently placed in or on land and which is not a landspreading disposal facility.

“Landslide” means the abrupt downslope movement of soil, rocks, or other surface matter on a site. Landslides may include, but are not limited to, slumps, mudflows, earthflows, rockfalls, and snow avalanches.

“Landslide hazard areas” means areas which are potentially subject to risk of mass movement due to a combination of geologic, topographic, and hydrologic factors.

“Large animal” means an animal with an average weight of 100 pounds or more.

“Liquefaction” means a process by which a water-saturated granular (sandy) soil layer loses strength because of ground shaking commonly caused by an earthquake.

“Long-term commercial significance” means the growing capacity, productivity, and soil composition of land which makes it suitable for long-term commercial production, in consideration with the land’s proximity to population areas, and the possibility of more intense uses of land.

“Mineral resource lands” means lands primarily devoted to the extraction of minerals or which have known or potential long-term commercial significance for the extraction of minerals.

“Minerals” means gravel, sand, and valuable metallic substances.

“Mitigation” means to avoid, minimize or compensate for adverse environmental impacts.

“Mitigation” includes:

1. Avoiding the impact altogether by not taking a certain action or parts of an action;
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and/or
6. Monitoring the impact and taking appropriate corrective measures.

“Natural floodplain functions” means the contribution that a floodplain makes to support habitat, including but not limited to providing flood storage and conveyance, reducing flood velocities, reducing sedimentation, filtering nutrients and impurities from runoff, processing organic wastes, moderating temperature fluctuations and providing breeding and feeding grounds for aquatic and riparian species.

“Natural resource lands” means mineral resource lands which have long-term commercial significance.

“New construction” for flood hazard purposes refers to structures for which the “start of construction” commenced on or after the effective date of the ordinance codified in this title.

“Nonconforming lot” means a legally established lot, the area, dimensions, or location of which met the applicable requirements in effect at the time the lot was created, but which fails by reason of such adoption, amendment, or revision of the Lakewood Municipal Code to conform to the present requirements of the zone in which it is located.

“Nonconforming structure” means a legally established structure or building, the size, dimensions, or setbacks of which met the applicable requirements in effect at the time the building was constructed, but which fails by reason of adoption, amendment, or revision of the Lakewood Municipal Code to conform to the present requirements of the zone in which it is located.

“Nonconforming use” means a legally established use that met the applicable requirements at the time it was established but that fails by reason of adoption, amendment, or revision of the Lakewood Municipal Code to conform to the present requirements of the zone in which it is located.

“Old growth forests” means stands of at least two tree species, forming a multi-layered canopy with occasional small openings; with at least 20 trees/hectare (eight trees/acre) more than 81 centimeters (32 inches) dbh or more than 200 years of age; and more than 10 snags/hectare (four snags/acre) over 51 centimeters (20 inches) diameter and 4.6 meters (15 feet) tall; with numerous downed logs, including 10 logs/hectare (four logs/acre) more than 61 centimeters (24 inches) diameter and more than 15 meters (50 feet) long. High elevation stands (more than 762 meters (2,500 feet)) may have lesser dbh (more than 76 centimeters (30 inches)), fewer snags (more than 0.6/ hectare (1.5/acre)), and fewer large downed logs (0.8 logs/hectare (two logs/acre)) that are more than 61 centimeters (24 inches) diameter and more than 15 meters (50 feet) long.

“Ordinary high water” means that mark on all lakes, streams, ponds, and tidal water that will be found by examining the bed and banks and ascertaining where the presence and action of water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on the effective date of this chapter or as it may naturally change thereafter; provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining fresh water shall be the mean high water.

“Oregon white oak” means the species *Quercus garryana*, also known as a Garry oak. All references to oak trees in this chapter refer to Oregon white oak. See also “priority Oregon white oak woodland.”

“Oregon white oak savanna” means areas where total canopy coverage of the stand is less than 25% but oak accounts for at least 50% of the canopy coverage present.

“Out-of-kind mitigation” means to replace wetlands with substitute wetlands whose characteristics do not approximate those destroyed or degraded by a regulated activity.

“Perched ground water” means ground water in a saturated zone is separated from the main body of ground water by unsaturated rock.

“Permanenterosion control” means continuous on-site and off-site control measures that are needed to control conveyance and/or deposition of earth, turbidity or pollutants after development, construction, or restoration.

“Permeability” means the capacity of an aquifer or confining bed to transmit water. It is a property of the aquifer and is independent of the force causing movement.

“Permeable surfaces” means sand, gravel, and other penetrable deposits on the ground which permit movement of ground water through the pore spaces, and which permit the movement of fluid to the ground water.

“Person” means an individual, firm, company, partnership, association, corporation, or other legal entity.

“Ponds” means naturally occurring impoundments of open water less than 20 acres in size and larger than 2,500 square feet which maintain standing water throughout the year.

“Potable water” means water that is safe and palatable for human use.

“Prairies” means open areas predominated by native, drought-resistant, grasses, forbs (flowering nonwoody plants) and herbs. In Pierce County, prairies are an unusual vegetation regime found in areas of extremely well- drained soils.

“Priority Oregon white oak woodland” means stands of oak or oak/conifer associations where canopy coverage of the oak component of the stand is 25%; or where total canopy coverage of the stand is greater than or equal to 25%, but oak accounts for at least 50% of the canopy coverage. The latter is often referred to as oak savanna. In urban or urbanizing areas, single oaks or stands less than 0.4 ha (1 ac) may also be considered a priority when found to be particularly valuable to fish and wildlife. ~~forested areas of pure oak, or of oak/conifer associations one acre or larger, and all oak trees located within, where oak canopy coverage of the area is at least 25 percent. Stands of oaks less than one acre in size may also be considered priority habitat when found to be particularly valuable to fish and wildlife (i.e., they contain many cavities, have a large diameter at breast height (dbh), are used by priority species, or have a large canopy).~~

“Private organization” means a nonprofit corporation organized pursuant to Chapter [24.03](#) RCW, which includes the planting of game fish among its purposes for organizing as a nonprofit corporation.

“Protected area” means the lands that lie within the boundaries of the floodway, the riparian habitat zone and the channel migration area. Because of the impact that development can have on flood heights and velocities and habitat, special rules apply in the protected area.

“Public services” include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

“Qualified ground water scientist” means a hydrogeologist, geologist, engineer, or other scientist who meets all the following criteria:

1. Has received a baccalaureate or post-graduate degree in the natural sciences or engineering; and
2. Has sufficient training and experience in ground water hydrology and related fields as may be demonstrated by state registration, professional certifications, or completion of accredited university programs that enable that individual to make sound professional judgments regarding ground water vulnerability.

“Qualified professional” means a person who is a qualified scientific expert with expertise appropriate to the relevant critical areas as determined by the person’s credentials and/or certification, any advanced degrees earned in the pertinent scientific discipline from a recognized university, the number of years of experience in the pertinent scientific discipline, recognized leadership in the discipline of interest, formal training in the specific area of expertise, and field and/or laboratory experience with evidence of the ability to produce peer-reviewed publications or other professional literature. No one factor is determinative in deciding whether a particular person is a qualified professional.

“Reasonable use” means a legal concept articulated by federal and state courts in regulatory taking

cases. In a takings case, the decision-maker must balance the public's interests against the owner's interests by considering the nature of the harm the regulation is intended to prevent, the availability and effectiveness of alternative measures, and the economic loss borne by the owner. Public interest factors include the seriousness of the public problem, the extent to which the land involved contributes to the problem, the degree to which the regulation solves the problem, and the feasibility of less oppressive solutions.

"Reasonable use exception" means a process by which the City will consider an applicant's request for relief from critical area regulations if the applicant demonstrates that strict application of critical area regulations would deny all reasonable use of a property.

"Recessional outwash geologic unit" means sand and gravel materials deposited by melt-water streams from receding glaciers.

"Recharge" means the process involved in the absorption and addition of water to ground water.

"Regolith" means any body of loose, noncemented particles overlying and usually covering the bedrock.

"Regulated activities" include, but are not limited to, any activities which are directly undertaken or originate in a regulated critical area or resource land or their buffer that require any of the following entitlements from the City: building permit, commercial or residential; binding site plan; boundary line adjustment; conditional use permit; franchise right-of-way construction permit; site development permit; master plan development; right-of-way permit; shoreline conditional use permit; shoreline environmental redesignation; shoreline substantial development permit; shoreline variance; large lot subdivision, short subdivision; special use permit; subdivision; unclassified use permit; utility and other use permit; variance; zone reclassification; or any subsequently adopted permit or required approval not expressly exempted by this chapter. Regulated activities also include those specific activities listed in LMC [14.142.060](#).

"Regulatory floodplain" means the area of the special flood hazard area and all protected areas within the jurisdiction of the City of Lakewood.

"Restoration" means the reestablishment of ecological and/or habitat resources and features from a previously disturbed or degraded critical area site.

"Riparian" means of, adjacent to, or living on, the bank of a river, lake, pond, ocean, sound, or other water body.

"Seismic hazard areas" means areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement, or soil liquefaction.

"Short subdivision" or "short plat" means the division or redivision of land into four or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership.

"Site" means a lot, parcel, tract, or combination of lots, parcels, or tracts where a development is proposed.

"Slope" means an inclined earth surface, the inclination of which is expressed as the ratio of horizontal distance to vertical distance.

"Slump" means the downward and outward movement of a mass of bedrock or regolith along a distinct surface of failure.

"Snag-rich areas" means forested areas which contain concentrations of standing dead trees, averaging 10 snags or greater per acre, and averaging greater than 15 inches in diameter at breast height.

“Soil survey” means the most recent National Cooperative Soil Survey for the local area or county by the Soil Conservation Service, United States Department of Agriculture.

“Sole source aquifer” means an area designated by the U.S. Environmental Protection Agency under the Safe Drinking Water Act of 1974, Section 1424(e). The aquifer(s) must supply 50 percent or more of the drinking water for an area without a sufficient replacement available.

“Special flood hazard area (SFHA)” means the land subject to inundation by the base flood. Special flood hazard areas are designated on flood insurance rate maps with the letters “A” or “V,” including AE, AO, AH, A1-99, and VE. The special flood hazard area is also referred to as the area of special flood hazard or SFHA.

“Species of local importance” means species that are of local concern due to their population status or their sensitivity to habitat manipulation.

“Start of construction” for flood hazard purposes includes substantial improvements, and means the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement that occurred before the permit’s expiration date. The “actual start” is either the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the excavation for a basement, footing, piers, or foundations or the erection of temporary forms; nor does it include the installation on property of accessory structures not occupied as dwelling units or not part of the main structure. For a substantial improvement, the “actual start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

“Stockpiling” means the placement of material with the intent to remove it at a later time.

“Subdivision” or “formal subdivision” means the division or redivision of land into five or more lots, tracts, parcels, sites, or division for the purpose of sale, lease, or transfer of ownership.

“Substantial damage” for flood hazard purposes means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial damage also means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

“Substrate” means the soil, sediment, decomposing organic matter or combination of those located on the bottom surface of a wetland.

“Temporary erosion control” means on-site and off-site control measures that are needed to control conveyance or deposition of earth, turbidity or pollutants during development, construction, or restoration.

“Toe of slope” means a distinct topographic break in slope at the lowermost limit of the landslide or erosion hazard area.

“TPCHD” means the Tacoma-Pierce County Health Department.

“Unconfined aquifer” means an aquifer not bounded above by a bed of distinctly lower permeability than that of the aquifer itself and containing ground water under pressure approximately equal to that of the atmosphere. This term is synonymous with the term “water table aquifer.”

“Underground tank” means any one or a combination of tanks (including underground pipes

connected thereto) which are used to contain or dispense an accumulation of hazardous substances or hazardous wastes, and the volume of which (including the volume of underground pipes connected thereto) is 10 percent or more beneath the surface of the ground.

“Urban governmental services” include those governmental services historically and typically delivered by cities, and includes storm and sanitary sewer systems, domestic water systems, street cleaning services, and other public utilities associated with urban areas and normally not associated with nonurban areas.

“Urban growth” refers to growth that makes intensive use of the land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of such land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources. When allowed to spread over wide areas, urban growth typically requires urban governmental services. “Characterized by urban growth” refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

“Utility line” means pipe, conduit, cable or other similar facility by which services are conveyed to the public or individual recipients. Such services shall include, but are not limited to, water supply, electric power, gas, communications and sanitary sewers.

“Vadose zone” is the distance between the land surface and the uppermost aquifer. This distance is also defined as the “depth to water” zone or unsaturated zone.

“View corridor” means an area which affords views of lakes, mountains, or other scenic amenities normally enjoyed by residential property owners.

“Water table” means that surface in an unconfined aquifer at which the pressure is atmospheric. It is defined by the levels at which water stands in wells that penetrate the aquifer just far enough to hold standing water.

“Water typing” means a system for classifying water bodies according to their size and fish habitat characteristics. The Washington Department of Natural Resources Forest Practices Water Typing classification system defines four water types:

1. Type “S” = Shoreline: streams that are designated “shorelines of the state,” including marine shorelines.
2. Type “F” = Fish: streams that are known to be used by fish or meet the physical criteria to be potentially used by fish.
3. Type “Np” = Nonfish Perennial streams.
4. Type “Ns” = Nonfish Seasonal streams.

[“Waters of the State” means lakes, rivers, ponds, streams, inland waters, underground waters, salt waters and all other surface waters and watercourses within the jurisdiction of the state of Washington.](#)

“Well” means a bored, drilled or driven shaft, or a dug hole whose depth is greater than the largest surface dimension.

“Wellhead protection area” means the surface and subsurface area surrounding a well or well field that supplies a public water system through which contaminants are likely to pass and eventually reach the water well(s) as designated under the Federal Clean Water Act.

“Wetland” or “wetlands” means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands generally do not include

those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities. However, wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands, if permitted by the City.

“Wetland specialist” means a person with experience and training in wetlands issues, and with experience in performing delineations, analyzing wetland functions and values, analyzing wetland impacts, and recommending wetland mitigation and restoration. Qualifications include:

1. Bachelor of Science or Bachelor of Arts or equivalent degree in biology, botany, environmental studies, fisheries, soil science, wildlife, agriculture or related field, and two years of related work experience, including a minimum of one year of experience delineating wetlands using the Unified Federal Manual and preparing wetland reports and mitigation plans. Additional education may substitute for one year of related work experience; or
2. Four years of related work experience and training, with a minimum of two years’ experience delineating wetlands using the Unified Federal Manual and preparing wetland reports and mitigation plans.

The person should be familiar with the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, the City Site Development Regulations, the City wetland management policies, and the requirements of this title.

“Wildlife biologist” means a professional with a degree in wildlife, or certification by the Wildlife Society, or with five years’ professional experience as a wildlife biologist. [Ord. 775 § 1 (Exh. A), 2022; Ord. 758 § 2 (Exh. A), 2021; Ord. 726 § 2 (Exh. A), 2019; Ord. 630 § 11, 2015; Ord. 362 § 3, 2004.]

ATTACHMENT B

New Lakewood Municipal Code Title 16 Chapter 16.10 Shoreline Master Program

Shoreline Master Program *Environment Designations, Policies, and Regulations*



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City of Lakewood Citizens

City of Lakewood Planning Commission

City of Lakewood City Council

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Chapter 1 Introduction

A. History and Requirements of the Shoreline Management Act

Washington's Shoreline Management Act (SMA or the Act) was adopted in 1971 by referendum to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines. RCW 90.58.020 outlines the Act's three broad policies:

1. **Encourage water-dependent uses**, preferably those "consistent with control of pollution and prevention of damage to the natural environment, or unique to or dependent upon use of the state's shorelines";
2. **Protect shoreline natural resources**, including "the land and its vegetation and wildlife, and the waters of the state and their aquatic life"; and
3. **Promote public access**: "the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible consistent with the overall best interest of the state and the people generally."

This Act recognizes that shorelines are among the most valuable and fragile of the state's resources. The Act and the City of Lakewood recognize and protect private property rights along the shoreline, while aiming to preserve the quality of this unique resource for all state residents.

The primary purpose of the Act is to provide for the management and protection of the state's shoreline resources by planning for reasonable and appropriate uses. In order to protect the public interest in preserving these shorelines, the Act establishes a coordinated planning program between the state and local jurisdictions to address the types and effects of development occurring along the state's shorelines. By law, the City is responsible for the following:

1. Developing an inventory of the natural characteristics and land use patterns along shorelines covered by the act.
2. Preparing a Shoreline Master Program (SMP) to determine the future of the shorelines.
3. Preparing a cumulative impact analysis to demonstrate that reasonably foreseeable development under the SMP will not result in a net loss of ecological function.
4. Developing a permit system to further the goals and policies of both the Act and the SMP.
5. Developing a Restoration Plan that includes goals, policies, and actions to restore impaired shoreline ecological functions.

B. Shoreline Master Program Development and Public Participation

The City obtained a grant from the Washington Department of Ecology (Ecology) in 2009 to conduct a comprehensive SMP update. The first step of the update process was to inventory the City's shorelines as defined by the Act, Chapter 90.58 RCW. American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek comprise the City's SMA shorelines. The inventory describes existing biological and physical conditions. These conditions were then analyzed and characterized to create a baseline from which future development actions in the shoreline will be measured.

The City identified environmental designations for the different shorelines, and policies and regulations for each were developed.

Ecology's SMP Guidelines (See Chapter 173-26-186(8) WAC) require the City to demonstrate that its updated SMP yields "no net loss" in shoreline ecological functions relative to the baseline due to its implementation. Ideally, the SMP, in combination with other City and regional efforts, will ultimately produce a net improvement in shoreline ecological functions.

C. Purposes of the Shoreline Master Program

The purposes of this SMP are:

1. To carry out the responsibilities imposed on the City by the SMA.
2. To comply with the SMP Guidelines (See WAC 173-26-186), focusing on regulations and mitigation standards to ensure that development under the SMP will not result in a net loss of ecological functions.
3. To further both the policies of Chapter 90.58 RCW and the policies of this SMP.
4. To promote public health, safety, and general welfare by providing a guide and regulation for the future development of the shoreline resources of the City.

D. Shoreline Master Program Basics

The City's SMP is both a planning and regulatory document that outlines policies and development regulations for the City's shorelines.

In order to preserve and enhance the City's shorelines, it is important to consult the City Shoreline Administrator and evaluate all shoreline development proposals in terms of the City's SMP. Some developments may be exempt from obtaining a permit; however, all proposals must comply with the policies and regulations established by the SMA as expressed through this local SMP.

While the SMA defines the content and goals that local jurisdictions should include in the SMP, each community must develop specific regulations to address their individual needs. Under the SMP Guidelines, all shorelines governed by the SMA receive a shoreline environment designation. The purpose of the shoreline environment designation system is to ensure that all land use, development, or other activity occurring within the designated shoreline jurisdiction is appropriate for that area and provides consideration for the special requirements of that environment.

The City has designated its shorelines on American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek under six shoreline environment designations: Aquatic, Natural, Conservancy, Urban Park, Urban - Stream Protection and Shoreline Residential. These shoreline environment designations are described in Chapter 2, Shoreline Environments.

American Lake has shorelines of statewide significance per RCW 90.58. Local government, in developing master programs for shorelines of statewide significance, shall give preference to uses in the following order of preference which:

- (1) Recognize and protect the statewide interest over local interest;
- (2) Preserve the natural character of the shoreline;
- (3) Result in long term over short term benefit;
- (4) Protect the resources and ecology of the shoreline;
- (5) Increase public access to publicly owned areas of the shorelines;
- (6) Increase recreational opportunities for the public in the shoreline;
- (7) Provide for any other element as defined in RCW [90.58.100](#) deemed appropriate or necessary.

Persons proposing any shoreline development, land use, or other projects in the shoreline area must consult with the City's Shoreline Administrator (the City's Community Development Director or designee) to determine how the proposal is addressed in the SMP. Except when specifically exempted by statute, all proposed uses and development occurring within shoreline jurisdiction must conform to Chapter 90.58 RCW, the Shoreline Management Act, and this Master Program.

The Shoreline Administrator will determine if a proposal is exempt from having to obtain a substantial development permit (i.e. qualifies for a Shoreline Exemption), as well as provide information on the permit application process.

Requests for variances, conditional use permits (CUPs), and/or substantial development permits require review and approval by the Shoreline Administrator and/or recommendation by the Shoreline Administrator to the Hearing Examiner, in accordance with Chapter 6 of this SMP. Requests for CUPs and variances also require final approval by Ecology. A description of exempt projects, shoreline application procedures, and criteria are discussed in Chapter 6, Administration.

A description of the area within the jurisdiction of this SMP is presented in Chapter 2: Shoreline Environments. Figure 1 depicts the general extent of shoreline jurisdiction in the City.

E. Organization of this Shoreline Master Program

This SMP is divided into seven chapters:

Chapter 1: Introduction provides general background information on the SMA; the development of the SMP in the City; and a general discussion of when and how a SMP is used.

Chapter 2: Shoreline Environments defines and maps the approximate extent of City's shoreline jurisdiction and defines and maps the environment designations of the City's shorelines. Policies and regulations specific to the six (6) shoreline environment designations are detailed in this chapter.

Chapter 3: General Policies and Regulations establishes the general policies and regulations that apply to uses, developments, and activities in *all* shoreline areas of the City, regardless of environment designation.

Chapter 4: Specific Shoreline Use Policies and Regulations sets forth policies and regulations governing specific categories of uses and activities typically found in shoreline areas. Specific setback regulations, reduction incentives, and dimensional and density standards are detailed in this chapter. The policies and regulations cover the following uses and activities: Aquaculture; Boating Facilities; Commercial Development; Parking (as a primary use); Recreational Facilities; Residential Development; Signs; Trails; Transportation Facilities; Utilities (Primary and Accessory); and other uses and activities.

Chapter 5: Shoreline Modification Activity Regulations provides policies and regulations for those activities that modify the physical configuration or qualities of the shoreline area.

Chapter 6: Administration provides the system by which the City's SMP will be administered, and provides specific information on the application process and criteria used in evaluating requests for shoreline substantial development permits, CUPs, and variances.

Chapter 7: Definitions defines terms found in this document.

F. Relationship between this Shoreline Master Program and Other Plans

The permitting process for a shoreline development or use does not exempt an applicant from complying with any other applicable local, state, regional, or federal laws or regulations. In the City, this includes, but is not limited to, the Land Use and Development Code (Lakewood Municipal Code (LMC) Title 18A), the Performance Code for Building and Facilities (LMC Title 15A), the City of Lakewood Comprehensive Plan, and the adopted surface water design manuals.

G. Title

This document shall be known and may be cited as the City of Lakewood Shoreline Master Program. This document may refer to itself as 'The Master Program' or "SMP."

Chapter 2 Shoreline Environments

A. Introduction to Shoreline Environment Designations

The SMA and the SMP Guidelines provide for shoreline environment designations to serve as a tool for applying and tailoring the general policies of the SMA to local shorelines. Shoreline environment designations are intended to preserve and enhance shoreline ecological functions and to encourage development that will enhance the present or desired future character of the shoreline. To accomplish this, shoreline segments are given an environment designation based on existing development patterns, biological capabilities, and limitations, the aspirations of the local citizenry and the criteria in the SMP Guidelines.

Environment designations are categories that reflect the type of development that has or that should take place in a given area. The SMP Guidelines recommend classifying shoreline environments using the categories described in WAC 173-26-211(5). Additionally, local governments may establish an alternative shoreline environment designation, provided there is consistency with the purposes and policies of the SMA and the SMP Guidelines, including WAC 173-26-211(5).

Once a shoreline segment has been given an environment designation, management policies are developed. These management policies are used as the basis for determining uses and activities that can be permitted in each environment designation. Specific development standards are also established, which specify how and where permitted development can take place within each shoreline environment designation.

B. Need for Consistency

Local governments are tasked with evaluating consistency between the SMP, the Comprehensive Plan, and land use regulations under WAC 173-26-211(3). The SMA requires that policies for lands adjacent to the shorelines be consistent with the Act, implementing rules and the local SMP. Conversely, local comprehensive plans provide the underlying framework within which SMP provisions should fit. The Growth Management Act (GMA) requires that SMP policies be incorporated as an element of the comprehensive plan, and that all elements be internally consistent. In addition, under the GMA, all development regulations must be consistent with the comprehensive plan.

The SMP Guidelines identify three criteria to assist local governments in evaluating the consistency between SMP environment designation provisions and the corresponding comprehensive plan elements and development regulations, including:

1. **Provisions not precluding one another.** Comprehensive plan provisions and shoreline environment designation provisions should not preclude one another. To meet this criterion, the provisions of both the comprehensive plan and the SMP must be able to be met. Further, when considered together and applied to any one piece of property, the SMP use policies and regulations and the local zoning or other use regulations should not conflict in a manner that all viable uses of the property are precluded.

2. **Use compatibility.** Land use policies and regulations should protect preferred shoreline uses from being impacted by incompatible uses. The intent is to prevent existing or potential future water oriented uses, especially water dependent uses, from being restricted on shoreline areas because of impacts to nearby non-water-oriented uses. To be consistent, SMPs, comprehensive plans, and development regulations should prevent new uses that are not compatible with preferred uses from locating where they may restrict preferred uses or development.
3. **Sufficient infrastructure.** Infrastructure and services provided in the comprehensive plan should be sufficient to support allowed shoreline uses. Shoreline uses should not be allowed where the comprehensive plan does not provide sufficient roads, utilities, and other services to support them. Infrastructure plans must also be mutually consistent with shoreline environment designations. Where they do exist, utility services routed through shoreline areas shall not be a sole justification for more intense development.

C. City of Lakewood Shoreline Jurisdiction

As defined by the SMA, lands subject to shoreline jurisdiction include “waters of the state” plus their associated “shorelands.” At a minimum, waters of the state are streams whose mean annual flow is 20 cubic feet per second (c.f.s.) or greater, and lakes whose area is greater than 20 acres. In RCW 90.58.030, Shorelands are defined as:

“Those lands extending landward for 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark (OHWM); floodways and contiguous floodplain areas landward 200 feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of this chapter.”

Within the City, shoreline jurisdiction includes American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, and Waughop Lake and their shorelands, as well as Chambers Creek and Clover Creek and their shorelands. Figure 1 depicts the general location of shoreline jurisdiction in the City and is illustrative in nature. The actual definition of shoreline jurisdiction as detailed in the SMA will determine the actual extent of shoreline jurisdiction on a project-by-project or parcel-by-parcel level. In the event of a mapping error, the City will rely upon common boundary descriptions and the criteria in RCW 90.58.030(2) and Chapter 173-22 WAC to determine shorelands and the extent of each environment designation.

D. City of Lakewood Shoreline Environment Designations

This SMP establishes six shoreline environment designations for the City of Lakewood’s shoreline jurisdiction. These environments are derived from the City’s Shoreline Analysis Report, the City of Lakewood Comprehensive Plan, and the environments recommended by the SMA and the SMP Guidelines. The City’s Shoreline Analysis Report provides an inventory of natural and built conditions within the City’s shoreline jurisdiction. The conditions identified in the inventory have been compared with the recommended shoreline environments and the most appropriate environments selected. The six (6) City shoreline environment designations in order of most intensive to least intensive are:

1. Shoreline Residential,
2. Urban - Stream Protection,
3. Urban Park,
4. Conservancy,
5. Natural, and
6. Aquatic.

These shoreline environment designations for the City are illustrated in Figure 1 (Shoreline Management Environment Designations), located at the end of this chapter, and described in the text below. Each shoreline description includes a definition and statement of purpose, followed by designation criteria, management policies, and references to development standards that are specific to that shoreline environment. Shoreline development standards in each shoreline environment are summarized in Table II in Chapter 4. Development standards pertaining to all shoreline areas are covered in Chapter 3 and development standards for particular uses are detailed in Chapter 4.

When interpreting the exact location of an environment designation boundary line, the location shown on the Official Shorelines Map shall prevail, consistent with the following rules:

1. Boundaries indicated as approximately following parcel, trac or section lines shall be so construed.
2. In cases of boundary line adjustments or subdivisions, the designation of the parent parcel shall not change as a result, except if pursuant to an amendment of this Shoreline Master Program (SMP).
3. Boundaries indicated as approximately following roads shall be construed to follow the nearest right-of-way edge.
4. Boundaries indicated as approximately parallel to or extensions of features indicated in this SMP shall be so construed.

Please see Figure 1 below at page 18 for the Shoreline Environment Designations Map.

E. Shoreline Areas Not Mapped or Designated

Any undesignated or unmapped shorelines in the City and its Urban Growth Area are assigned automatically a Conservancy shoreline environment designation until the shoreline is re-designated through an amendment to the SMP. This includes any areas that are annexed into the City and fall within the City's shoreline jurisdiction, such as Camp Murray.

F. Management Policies and Regulations

1. Shoreline Residential Environment

a) Purpose

The Shoreline Residential environment designation is designed to provide for residential uses and structures where the necessary facilities for development can be provided. An additional purpose is to provide appropriate public access and recreational uses.

b) Designation Criteria

The Shoreline Residential environment designation is assigned to shoreline areas that are associated with lakes and are predominantly single-family or multi-family residential development or are platted, zoned, and planned for residential development.

c) Designated Areas

1) Description

Shoreline Residential environment areas include those shorelands adjacent to American Lake, Gravelly Lake, Lake Louise, and Lake Steilacoom that are primarily developed and/or platted and zoned for residential uses, and where that use is anticipated to continue in the future.

2) Rationale

The segments of shoreline designated as Shoreline Residential are predominately-residential land uses and all areas are platted and planned for low to moderate residential density. Urban services and infrastructure are provided to these properties.

d) Management Policies

- 1) Residential activities and developments that protect and enhance the shoreline are preferred.
- 2) Limited non-residential uses, such as water-oriented recreation facilities, parks, day care facilities, and home occupation businesses should be allowed, provided they are consistent with the residential character and the requirements of the underlying zone.
- 3) Development should be located, sited, designed, and maintained to protect, enhance, and be compatible with the shoreline environment designation.
- 4) Development regulations should require the preservation of ecological functions, taking into account the environmental limitations and sensitivity of the shoreline area, the level of infrastructure and services available, and other comprehensive planning considerations.
- 5) Multi-family development, subdivisions of more than four lots and recreational developments should provide public access to the shoreline and joint use facilities for community recreational needs.
- 6) Low impact development (LID) best management practices (BMPs), such as minimizing effective impervious surfaces, infiltrating run-off, using green roofs and pervious pavers and other BMPs, should be implemented where feasible.

- 7) Private property owners should be encouraged to preserve and enhance native shoreline vegetation and use environmentally friendly landscaping practices, through incentives, information, and other assistance.

e) Regulations

- 1) Shoreline Use: Permitted, conditional, and prohibited uses for the Shoreline Residential environment are listed in Chapter 4, Specific Shoreline Use Policies and Regulations, and summarized in Table I of that Chapter.
- 2) Development Standards: Shoreline related development standards for the Shoreline Residential environment are summarized in Table II of Chapter 4.

2. Urban - Stream Protection Environment

a) Purpose

The purpose of the Urban - Stream Protection environment designation is to ensure appropriate protections for the ecological functions of Clover Creek, while recognizing the limited demand for water dependent uses in this environment. This designation reflects the current developed urban nature of most upland areas and provides for a range of uses consistent with underlying zoning, while closely regulating the intensity of development allowed within stream and wetland buffers.

b) Designation Criteria

The Urban - Stream Protection environment designation is assigned to shorelands along Clover Creek with the following characteristics:

- 1) Riparian functions impacted by historic development as documented in the Shoreline Analysis and Characterization Report;
- 2) Key management objectives include stream function enhancement, flood hazard mitigation, and fostering economically productive uses; and
- 3) A mix of urban land uses exist in upland areas, including single-family, higher density multi-family and commercial uses, depending on the underlying zoning.

c) Designated Areas

- 1) Description

The Urban - Stream Protection environment designation is assigned to areas that include Clover Creek between Lake Steilacoom and the City of Lakewood city limits, except for the shorelands in Springbrook Park adjacent to Clover Creek.

- 2) Rationale

The Urban - Stream Protection environment designation will protect and enhance stream functions by encouraging vegetative buffer enhancement and limiting development near the stream, while accommodating and allowing flexibility for existing and future uses, including single-family residential and higher intensity commercial and multi-family uses, where allowed by underlying zoning.

d) Management Policies

- 1) Stream functions should be protected, preserved and, where possible, enhanced per the Critical Areas provisions, while also encouraging redevelopment and allowing sufficient flexibility for accommodating existing and future upland shoreline uses.
- 2) Development or significant vegetation removal that would reduce the capability of vegetation to perform normal ecological functions should not be allowed.
- 3) Modification of the stream channel should not be allowed, except where there will be a clear improvement or restoration of stream functions.
- 4) Reflecting current land uses, a wide range of shoreline uses should be allowed outside of required setbacks and, critical areas, and buffers, including single- and multi-family residential, parks and open space, and commercial uses on existing commercial sites or where a public benefit consistent with the SMA's objectives can be provided, such as public access, mixed-use or ecological enhancement.
- 5) All uses should be consistent with the requirements of the underlying zoning. No new industrial uses should be allowed.
- 6) LID should be implemented where feasible for any development occurring within the Urban – Stream Protection environment.

e) Regulations

- 1) Shoreline Use: Permitted, conditional, and prohibited uses for the Urban - Stream Protection environment are listed in Chapter 4, Specific Shoreline Use Policies and Regulations, and are summarized in Table I of that Chapter.
- 2) Development Standards: Shoreline related development standards for the Urban - Stream Protection environment are summarized in Table II of Chapter 4.

3. Urban Park Environment

a) Purpose

The purpose of the Urban Park environment designation is to protect and restore ecological functions of open space in urban and developed settings, while allowing a variety of compatible uses, with an emphasis on water oriented recreation.

b) Designation Criteria

The Urban Park environment is assigned to areas with one or more of the following characteristics:

- 1) They are generally suitable for water-oriented recreational uses,
- 2) They have potential for ecological restoration,
- 3) They retain important ecological functions, even though partially developed, or
- 4) They have the potential for development that is compatible with ecological restoration.

c) Designated Areas

1) Description

Urban Park environment areas include:

- a. Shorelands in all public parks and public street ends located on lakes within the shoreline jurisdiction;
- b. Eagle Point (a private subdivision open space tract on American Lake, Parcel # 4001800540); and
- c. Lakewold Gardens (a private facility with public access on Gravelly Lake).
- d. Shorelands adjacent to Waughop Lake; and
- e. Shorelands in Springbrook Park adjacent to Clover Creek.

2) Rationale

This designation will preserve and enhance the ecological functions of the publicly owned properties and private recreational areas of the shoreline while retaining future options for active and passive water oriented shoreline recreation and public access. The publicly owned parks offer potential for ecological restoration.

d) Management Policies

- 1) Uses that preserve the natural character of the area or promote preservation of open space, either directly or over the long term, should be the primary allowed uses. Uses that result in restoration of ecological functions should be allowed if the use is otherwise compatible with the purpose of the environment and the current uses and conditions at the specific location.
- 2) Water dependent recreational uses, such as public access piers, recreational floats and boat launches, should be given priority over non-water dependent recreational uses, provided they can be located, designed, constructed, operated, and mitigated in a manner that ensures no net loss of ecological

function.

- 3) Public access and public recreation objectives should be implemented whenever feasible and whenever significant ecological impacts can be mitigated.
- 4) Water oriented recreation uses, such as viewing trails, benches and shelters, should be emphasized and non-water oriented uses should be minimized and allowed only as an accessory use; for example picnic areas, forest trails and small playground areas would be acceptable, but tennis courts and developed sports fields would not.
- 5) Standards should be established for shoreline stabilization, vegetation conservation, water quality and shoreline modifications to ensure that new development does not result in a net loss of shoreline ecological functions or further degrade other shoreline values.
- 6) LID should be implemented where feasible for any development occurring within the Urban Park environment.

e) Regulations

- 1) Shoreline Use: Permitted, conditional, and prohibited uses for the Urban Park environment are listed in Chapter 4, Specific Shoreline Use Policies and Regulations, and summarized in Table I of that Chapter.
- 2) Development Standards: Shoreline related development standards for the Urban Park environment are summarized in Table II of Chapter 4.

4. Conservancy Environment

a) Purpose

The purpose of the Conservancy environment designation is to protect and restore ecological functions of open space, floodplain, and other sensitive lands, while allowing a variety of compatible uses, with an emphasis on passive recreation, such as trails and wildlife viewing.

b) Designation Criteria

The Conservancy environment is assigned to shorelines with one or more of the following characteristics:

- 1) They are generally unsuitable for intensive water-dependent recreational uses;
- 2) They are open space, flood plain or other sensitive areas that should not be more intensively developed;
- 3) They have potential for ecological restoration;
- 4) They retain important ecological functions, even though partially developed; or

- 5) They have limited potential for development that is compatible with ecological restoration.

c) Designated Areas

- 1) Description

Conservancy environment areas include:

- a. Shorelands of Chambers Creek between Lake Steilacoom and the confluence of Leach Creek;
and
- b. Those portions of the Oakbrook 4th Addition subdivision that fall within the shoreline jurisdiction.

- 2) Rationale

This designation will preserve and enhance the ecological functions of undeveloped and minimally developed portions of the shoreline and sensitive lands while retaining future options for passive shoreline recreation and public access. These areas also offer potential for ecological restoration.

d) Management Policies

- 1) Uses that preserve the natural character of the area or promote preservation of open space or sensitive lands either directly or over the long term should be the primary allowed uses. Uses that result in restoration of ecological functions should be allowed.
- 2) Water oriented recreation uses, such as viewing trails, benches and shelters, should be emphasized and non-water oriented uses should be minimized and allowed only as an accessory use; for example picnic areas, forest trails and small playground areas would be acceptable, but tennis courts and developed sports fields would not.
- 3) Intensive water dependent facilities, such as motorized boat ramps, are generally not appropriate for these areas; limited facilities for swimming, viewing, and launch of non-motorized craft should be allowed in suitable areas.
- 4) Public access and public recreation objectives should be implemented whenever feasible and whenever significant ecological impacts can be mitigated.
- 5) Standards should be established for shoreline stabilization, vegetation conservation, water quality and shoreline modifications to ensure that new development does not result in a net loss of shoreline ecological functions or further degrade other shoreline values.
- 6) LID should be implemented where feasible for any development occurring within the Conservancy environment.

e) Regulations

- 1) Shoreline Use: Permitted, conditional, and prohibited uses for the Conservancy environment are listed in Chapter 4, Specific Shoreline Use Policies and Regulations, and summarized in Table I of that Chapter.
- 2) Development Standards: Shoreline related development standards for the Conservancy environment are summarized in Table II of Chapter 4.

5. Natural Environment

a) Purpose

The purpose of the Natural environment designation is to protect those shoreline areas that are relatively free of human influence or that include intact or minimally degraded shoreline functions intolerant of human use. These systems require that only very low intensity uses be allowed in order to maintain the ecological functions and ecosystem-wide processes. Local agencies should include planning for restoration of degraded shorelines within this environment.

b) Designation Criteria

A Natural environment designation is assigned to shoreline areas if any of the following characteristics apply:

- 1) The shoreline is ecologically intact and therefore currently performing an important, irreplaceable function or ecosystem-wide process that would be changed by human activity;
- 2) The shoreline is considered to represent ecosystems and geologic types that are of particular scientific and educational interest; or
- 3) The shoreline is unable to support new development or uses without significant adverse impacts to ecological functions or risk to human safety.

c) Designated Areas

- 1) Description

The Natural environment areas include the portion of Chambers Creek that includes the south bank between the confluence of Leach Creek and where Chambers Creek crosses the western City boundary. Parcels within the Oakbrook 4th Addition subdivision are specifically excluded from the Natural environment designation.

- 2) Rationale

This portion of Chambers Creek has generally high ecological function, a largely natural shoreline and is unable to support significant new development without significant adverse impacts to ecological function.

d) Management Policies

- 1) Any use that would substantially degrade the ecological functions or natural character of the shoreline area should not be allowed.
- 2) The following new uses should be prohibited in the Natural environment:
 - a. Commercial uses.
 - b. Industrial uses.
 - c. Non-water-oriented recreation, except the maintenance, repair, and limited expansion of existing facilities and uses.
 - d. Roads, utility corridors, and parking areas that can be located outside of Natural environment designated shorelines.
 - e. Multi-Family Residential.
 - f. Commercial forestry.
 - g. Agricultural uses.
- 3) Scientific, historical, cultural, educational research uses, and low-intensity water-oriented recreational access uses may be allowed if no significant ecological impact in the area will result.
- 4) Certain over-water structures, such as docks and piers, should not be allowed because of their impacts to the Natural environment and because there is not sufficient demand for these structures to support the water dependent uses on Chambers Creek.
- 5) New development or significant vegetation removal that would reduce the capability of vegetation to perform normal ecological functions should not be allowed.
- 6) The subdivision of property should not be allowed.
- 7) LID should be implemented where feasible for any development occurring within the Natural environment.

e) Regulations

- 1) Shoreline Use: Permitted, conditional, and prohibited uses for the Natural environment are listed in Chapter 4, Specific Shoreline Use Policies and Regulations, and summarized in Table I of that Chapter.
- 2) Development Standards: Shoreline related development standards for the Natural environment are summarized in Table II of Chapter 4.

6. Aquatic Environment

a) Purpose

The purpose of the Aquatic environment designation is to protect, restore, and manage the unique characteristics and resources of the areas waterward of the OHWM.

b) Designation Criteria

The Aquatic environment designation is assigned to areas waterward of the OHWM.

c) Designated Areas

1) Description

Aquatic environment areas include all areas waterward of the OHWM as generally shown in Figure 1, including areas waterward of the OHWM within Chambers Creek and Clover Creek, as determined on a site-by-site basis.

2) Rationale

Areas waterward of the OHWM within the City fall within the Aquatic environment designation criteria as set forth in WAC 173-26-211(5)(c). This designation intends to preserve, protect, and manage the ecological functions of all water bodies that are considered waters of the state, as defined by the SMA.

d) Management Policies

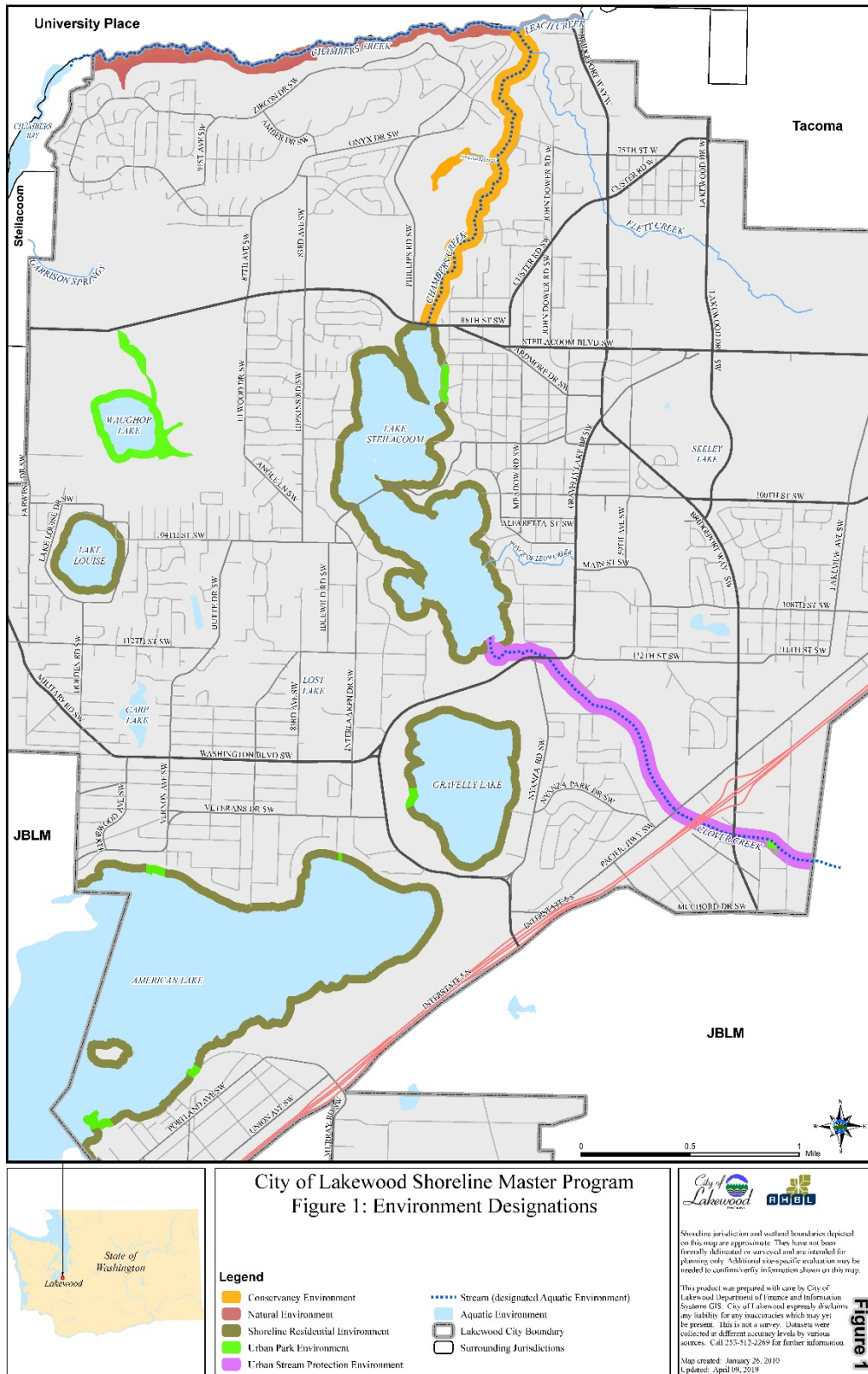
- 1) New over-water structures should be allowed only for water-dependent uses, public access, or ecological restoration.
- 2) The size of new over-water structures should be limited to the minimum necessary to support the structure's intended use.
- 3) In order to reduce the impacts of shoreline development and increase effective use of water resources, multiple uses of over-water facilities should be encouraged.
- 4) All developments and uses on waters or their beds should be located and designed to minimize interference with surface navigation, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.
- 5) Uses that adversely impact the ecological functions of identified critical freshwater habitats, should not be allowed except where necessary to achieve the objectives of RCW 90.58.020, and then only when their impacts are mitigated according to the sequence described in Chapter 3, Section B(4)(c)(3) of this SMP as necessary to assure no net loss of ecological functions.
- 6) Shoreline uses and modifications should be designed and managed to prevent degradation of water

quality and alteration of natural hydrological conditions.

e) Regulations

- 1) Shoreline Use: Permitted, conditional, and prohibited uses for the Aquatic environment are listed in Chapter 4, Specific Shoreline Use Policies and Regulations, and summarized in Table I of that Chapter.
- 2) Development Standards: Shoreline related development standards for the Aquatic environment are summarized in Table II of Chapter 4.

Figure 1. Note – Figure 1 is also available in 11x17 format at www.cityoflakewood.us



Chapter 3 General Shoreline Provisions

A. Introduction

The following policies and regulations apply to all uses, developments, and activities in the shoreline area of the City of Lakewood. General policies and regulations are broken into different topic headings. Each topic includes a description of its applicability, general policy statements, and specific regulations. The intent of these provisions is to be inclusive, making them applicable to all environments, while detailing specific requirements for particular shoreline uses and activities. Topics include the following:

1. Universally Applicable Policies and Regulations
2. Archaeological and Historic Resources
3. Critical Areas
4. Environmental Impacts and Mitigation Sequencing
5. Public Access
6. Restoration
7. Shorelines of Statewide Significance
8. Shoreline Vegetation Conservation (Clearing and Grading)
9. Water Quality, Stormwater, and Non-Point Pollution

These policies and regulations are in addition to other adopted ordinances and rules. Where conflicts exist between regulations, the requirement that most supports the provisions of RCW 90.58.020 shall apply. These interlocking development regulations are intended to make shoreline development responsive to specific design needs and opportunities along the City's shorelines, protect the public's interest in the shorelines' recreational and aesthetic values, and assure, at a minimum, no net loss of ecological functions necessary to sustain shoreline natural resources.

These provisions address the elements of a SMP as required by RCW 90.58.100(2) and implement the SMP Guidelines as established in WAC 173-26-186.

B. Policies and Regulations

1. Universally Applicable Policies and Regulations

a) Applicability

The following provisions describe how this SMP is to be applied and the requirements for all shoreline uses and modifications in all shoreline environment designations.

b) Policies

- 1) The City should keep records of all project review actions within shoreline jurisdiction, including shoreline permits and letters of exemption.
- 2) The City should involve affected federal, state and tribal governments in the shoreline application review process.
- 3) The City should periodically review shoreline conditions to determine whether other actions are necessary to ensure no net loss of ecological functions, protect and enhance visual quality, and enhance residential and recreational uses on the City's shorelines. Such review should include, but is not limited to:
 - a. Water quality;
 - b. Conservation of aquatic vegetation (noxious weed control and vegetation enhancement that supports more desirable ecological and recreational conditions);
 - c. Changing visual character as result of new residential development, including additions, and individual vegetation conservation practices (both along shoreline and in upland areas); and
 - d. Shoreline stabilization and modifications.

c) Regulations

- 1) All proposed shoreline uses and development, including those that do not require a shoreline permit, must conform to the SMA and to the policies and regulations of this SMP.
- 2) The policies listed in this SMP are intended to provide broad guidance and direction for the "regulations" applied by the City. These policies constitute the Shoreline Element of the City's Comprehensive Plan.
- 3) If provisions within this SMP conflict, or where there is a conflict with other City policies and regulations, the provisions most directly implementing the objectives of the SMA, as determined by the Shoreline Administrator, shall apply unless specifically stated otherwise.
- 4) Shoreline uses, modifications and conditions listed as "prohibited" shall not be eligible for consideration as a variance or CUP. See Chapter 4 for Shoreline Use regulations and Chapter 6 (Administration) for exemptions, variances, conditional uses, and nonconforming use provisions.

2. Archaeological and Historic Resources

a) Applicability

The following provisions apply to archaeological and historic resources that either are recorded at the state historic preservation office and/or by local jurisdictions or have been inadvertently uncovered. Archaeological sites located both in and outside shoreline jurisdiction are subject to Chapter 27.44 RCW (Indian Graves and Records) and Chapter 27.53 RCW (Archaeological Sites and Records). Development or uses that may affect such sites shall comply with Chapter 25-48 WAC, as well as the provisions of this chapter.

b) Policies

- 1) Due to the limited and irreplaceable nature of archaeological and historic resources, destruction of or damage to any site having historic, cultural, scientific, or educational value as identified by the appropriate authorities, including affected Native American tribes, and Washington State Department of Archaeology and Historic Preservation should be prevented.
- 2) New development should be compatible with existing historic structures and cultural areas.

c) Regulations

- 1) Developers and property owners shall immediately stop work and notify the City, the Department of Archaeology and Historic Preservation and affected Native American tribes if archaeological resources are uncovered during excavation.
- 2) A site inspection or evaluation by a professional archaeologist in coordination with affected Native American tribes shall be required for all permits issued in areas documented to contain archaeological resources. Failure to comply with this requirement shall be considered a violation of the shoreline permit.
- 3) Significant archaeological and historic resources shall be permanently preserved for scientific study, education, and public observation. When the Shoreline Administrator determines that a site has significant archeological, natural scientific or historical value, a substantial development permit and/or any other permit authorizing development or land modification shall not be issued which would pose a threat to the site. The Shoreline Administrator may require that a site be redesigned or that development be postponed in such areas to allow investigation of public acquisition potential and/or retrieval and preservation of significant artifacts.
- 4) In the event that unforeseen factors constituting an emergency as defined in WAC 173-27-040(2)(d) necessitate rapid action to retrieve, preserve, or protect property containing artifacts or data identified above from damage by the elements, the project may be exempted from the permit requirement. The City shall notify Ecology, the State Attorney General's Office, and the State Historic Preservation Office of such a waiver in a timely manner.
- 5) Archaeological sites located both in and outside the shoreline jurisdiction are subject to Chapter 27-44 RCW (Indian Graves and Records) and Chapter 27-53 RCW (Archaeological Sites and Records) and shall comply with Chapter 25-48 WAC or its successor as well as the provisions of this SMP.

- 6) Identified historical or archaeological resources shall be considered in park, open space, public access, and site planning with access to such areas designed and managed to give maximum protection to the resource and surrounding environment.
- 7) Interpretive signs, plaques or other means to provide information about historical and archaeological features shall be provided, except when the location of resources are protected by state or federal law or disclosure of such information would potentially endanger the resources in question.

3. Critical Areas

Critical areas in shoreline jurisdiction are regulated by this SMP. As such, the Critical Areas and Natural Resource Lands Regulations, Ordinance No. 630 § 10, December 7, 2015, and Ordinance No. 362 3(part), November 15, 2004, codified under Chapter 14 of the LMC, is herein incorporated by reference into this SMP (see Appendix A) with the exceptions and modifications noted below.

a) Applicability

Exceptions to the applicability of the Critical Areas and Natural Resource Lands Regulations in shoreline jurisdiction are provided below.

- 1) If provisions of the Critical Areas and Natural Resource Lands Regulations and other parts of the SMP conflict, the requirement that most supports the provisions of the SMA as stated in RCW 90.58.020 shall apply, as determined by the Shoreline Administrator.
- 2) The setbacks and buffer provisions for SMA water bodies contained in Chapter 4, Section C shall apply.
- 3) Provisions of the Critical Areas and Natural Resource Lands Regulations that are inconsistent with the SMA and SMP Guidelines shall not apply or are specifically modified in shoreline jurisdiction, as follows:
 - a. The provisions do not extend shoreline jurisdiction beyond the limits specified in Chapter 2, Section C of this SMP.
 - b. Provisions relating to exemptions in LMC Section 14.142.070 and allowable activities such as those outlined in LMC Sections 14.154.090 and 14.162.090 do not relieve the applicant from obtaining a substantial development permit or other permit or approval required under this SMP, or meeting the specific requirements identified in other sections of the SMP, including, but not limited to, mitigation sequencing and the no net loss requirement.
 - c. Provisions that include a “reasonable use determination” shall not apply within shoreline jurisdiction. Specifically, LMC Sections 14.142.080 and 14.142.090 do not apply. Such uses and developments require a variance in accordance with Chapter 6 of this SMP.
 - d. Provisions relating to variance procedures and criteria do not apply in the shoreline jurisdiction. Specifically, LMC Section 14.142.110, which references variance procedures in the LMC, does not

apply. Variance procedures and criteria within shoreline jurisdiction have been established in this SMP, Chapter 6 Section D and in WAC 173-27-170.

- e. Provisions relating to nonconforming uses in LMC Section 14.142.180 shall not apply. Please see Chapter 6, Section F for nonconforming development standards within shoreline jurisdiction.
- f. Geologically Hazardous Areas. Provisions contained in LMC Section 14.146.000 are hereby clarified and amended.
 - i. New development and the creation of new lots through subdivision shall not be allowed when it would cause foreseeable risk from geological conditions to people or improvements during the life of the development.
 - ii. New development that would require structural shoreline stabilization over the anticipated life of the development shall not be allowed, unless stabilization is necessary to protect allowed uses where no alternative locations are available and no net loss of ecological functions will result.
 - iii. All shoreline stabilization shall comply with Chapter 5, Section C(1 and 2).
- g. Waughop Lake shall be subject to the setback requirements outlined in the SMP and not to the 35' buffer requirement in the LMC Section 14.154.060(B).
- h. Identification of wetlands and delineation of their boundaries shall be done in accordance with the most recent version of the approved federal wetland delineation manual and applicable regional supplements, pursuant to WAC 173-22-035. All areas within the shoreline management area meeting the wetland designation criteria in that procedure are hereby-designated critical areas and are subject to the provisions of this SMP. See LMC Chapter 14.162.
- i. Special permitted uses identified in LMC Section 14.162.060 may be authorized pursuant to the requirements herein, however, these provisions do not relieve an applicant from complying with all other procedural and substantive requirements of this SMP, including, but not limited to, mitigation sequencing, and no net loss.
- j. Wetland Buffers. The following modifications to LMC Section 14.162.080 shall apply.
 - i. Buffer width averaging in LMC Section 14.162.080(B)(1) shall be limited such that the buffer at its narrowest point is no less than 75% of the standard width.
 - ii. Administrative buffer reductions allowed under LMC Section 14.162.080(B)(2) shall be limited to 25% of the standard buffer width.
 - iii. Within shoreline jurisdiction, wetland buffers as outlined in LMC Section 14.162.080 (A) for Category I wetlands shall not apply. Wetland buffers within shoreline jurisdiction for Category I wetlands shall be 300 feet.

- k. Mitigation. LMC Section 14.162.100(A) shall not apply. Mitigation sequencing shall follow the requirements of Chapter 3, Section B(4)(c)(3).
- l. Agricultural Activities. LMC Section 14.162.110 shall not apply.
- m. Alternative Review Process, Corps of Engineers, Section 404 Permit. LMC Section 14.162.120 shall not be construed to modify the requirements contained in this SMP. In all cases, the buffer requirements identified herein shall apply and mitigation sequencing as required in Chapter 4, Section B(4)(c)(3) must be employed in the design, location and operation of the project.
- n. In-Stream Structures. Please see Chapter 5, Section C(5)(h) for regulations pertaining to in- stream structures such as dams and weirs.
- o. Channel Migration Zones (CMZ). Within the shoreline jurisdiction surrounding Chambers Creek, the Shoreline Administrator shall require a channel migration study when the City determines that a shoreline use, development or modification proposal has the potential to interfere with the process of channel migration. Potential CMZ reaches are shown on map 12 of the Shoreline Analysis Report dated October 1, 2010. The study shall include recommended measures (consistent with mitigation sequencing) that demonstrate how no net loss of ecological functions associated with channel migration will be achieved. The proposal must demonstrate how it will avoid affecting the CMZ through utilization of nonstructural flood hazard measures and avoid the need for future shoreline modifications and structural flood hazard measures.
- p. Flood Hazard Overlay. LMC Section 14.158.030 incorporates the Flood Hazard Overlay provisions of LMC Section 18A.40.100 by reference. In addition to the standards contained therein, the following shall apply:
 - i. Where feasible, nonstructural flood hazard reduction measures should be implemented.
 - ii. Development shall not increase flood hazards significantly or cumulatively and must be consistent with adopted and approved comprehensive flood hazard management plans, other comprehensive planning efforts, the requirements of the SMA and Chapter 173-26 WAC.
 - iii. New development and uses, including the subdivision of land, shall not be established when it is reasonably foreseeable that the development or use would require structural flood hazard reduction measures within the CMZ or floodway.
 - iv. The following uses may be authorized within the CMZ or floodway:
 - a. Ecological restoration or projects that protect ecosystem processes or ecological functions.
 - b. Bridges, utility lines and other public utility and transportation structures where no other feasible alternative exists or the alternative would result in unreasonable and disproportionate cost. Where such structures are allowed, mitigation shall address impacted functions and processes in the affected area.

- c. Repair and maintenance of an existing legal use, provided such actions do not cause significant ecological impacts or increase flood hazards to other users.
 - d. Modifications or additions to an existing legal use, provided that further channel migration is not limited and the new development includes appropriate protection of ecological functions.
 - e. Development where existing structures prevent active channel movement and flooding.
 - f. Measures to reduce shoreline erosion, if it is demonstrated that the erosion rate exceeds that which would normally occur in a natural condition; the measure does not interfere with fluvial hydrological and geomorphological processes normally acting in natural conditions; and that the measure includes appropriate mitigation of impacts to ecological functions associated with the stream.
- v. New structural flood hazard reduction measures shall be allowed in shoreline jurisdiction only when it can be demonstrated by a scientific and engineering analysis that they are necessary to protect existing development, that nonstructural measures are not feasible, that impacts on ecological functions and priority species and habitats can be successfully mitigated so as to assure no net loss, and that appropriate vegetation conservation actions are undertaken consistent with the requirements of Chapter 3, Section C(8).
 - vi. New structural flood hazard reduction measures shall be placed landward of the associated wetlands, and designated vegetation conservation areas, except for actions that increase ecological functions, such as wetland restoration, or as noted below. Such flood hazard reduction projects may be authorized if it is determined that no other alternative to reduce flood hazard to existing development is feasible. The need for, and analysis of feasible alternatives to, structural improvements shall be documented through a geotechnical analysis.
 - vii. New structural public flood hazard reduction measures, such as dikes and levees, shall dedicate and improve public access pathways unless public access improvements would cause unavoidable health or safety hazards to the public, inherent and unavoidable security problems, unacceptable and immitigable significant ecological impacts, unavoidable conflict with the proposed use, or a cost that is disproportionate and unreasonable to the total long-term cost of the development.
 - viii. The removal of gravel for flood management purposes shall be consistent with an adopted flood hazard reduction plan and with this SMP and allowed only after a biological and geomorphological study shows that extraction has a long-term benefit to flood hazard reduction, does not result in a net loss of ecological functions, and is part of a comprehensive flood management solution.
 - ix. Structural flood hazard reduction measures shall be consistent with an adopted comprehensive flood hazard management plan approved by the State that evaluates cumulative impacts to the watershed system.

- x. Flood hazard overlay variance criteria and requirements in LMC Section 18A.40.160 are in addition to the standard shoreline variance criteria and requirements identified in Chapter 6, Section D(1).

4. Environmental Impacts and Mitigation Sequencing

a) Applicability

A primary concern of the SMA is the environmental impact that uses and development may have on the fragile shorelines of the state. The following policies and regulations specify how environmental impacts shall be addressed in project design, construction, and regulatory approval and apply to all uses, activities, and development, regardless of whether a permit is required.

b) Policies

- 1) Shoreline processes and ecological functions should be protected through regulatory and non-regulatory means, including acquisition of key properties and conservation easements, development regulation, and providing incentives to encourage ecologically sound design.
- 2) The scenic aesthetic quality of shoreline areas and vistas should be preserved to the greatest extent feasible.
- 3) Adverse impacts on the natural environment should be minimized during all development phases (e.g. design, construction, operation, and management) and mitigation sequencing as described in the regulations should be applied to achieve no net loss of shoreline ecological functions.
- 4) Shoreline developments that propose to enhance environmentally sensitive areas, natural characteristics, shoreline resources, and provide water oriented public access and recreational opportunities should be encouraged and are consistent with the fundamental policies of this SMP.

c) Regulations

- 1) All shoreline uses and developments shall be located, designed, constructed, and mitigated to result in no net loss of ecological functions necessary to sustain shoreline natural processes.
- 2) All shoreline uses and activities shall be located and designed to prevent or minimize the need for shoreline protection structures (bulkheading, riprap, etc.), stabilization, landfills, dredging, groins, jetties, or substantial site regrading.
- 3) Where required, mitigation measures shall be applied in the following sequence listed in order of priority; lower priority measures shall be applied only when higher priority measures are determined to be infeasible or inapplicable:
 - a. Avoiding the impact altogether by not taking a certain action or parts of an action;
 - b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation by

- using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
- c. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
 - d. Reducing or eliminating the impact over time by preservation and maintenance operations;
 - e. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and
 - f. Monitoring the impact and the compensation projects and taking appropriate corrective measures.
- 4) All shoreline developments shall be located, constructed, and operated so as not to be a hazard to public health and safety.
 - 5) Identified significant short term, long term, or cumulative adverse environmental impacts lacking appropriate mitigation to ensure no net loss of ecological functions necessary to sustain shoreline processes shall be sufficient reason for permit denial.
 - 6) Substantive authority under the State Environmental Policy Act may be used to mitigate any environmental impacts not specifically or adequately addressed by the regulations contained in this SMP.

5. Public Access

a) Applicability

Public access includes the ability of the general public to reach, touch and enjoy the water's edge, to travel on the waters of the state, and to view the water and the shoreline from adjacent locations. There is a variety of types of public access, including, but not limited to, picnic areas, pathways and trails, promenades, bridges, street ends, ingress and egress, and parking.

Existing formal public access to shorelines within the City includes American Lake North Park, Harry Todd Park (American Lake), Edgewater Park (Lake Steilacoom), Fort Steilacoom Park (Waughop Lake), and Chambers Creek Canyon Park. In addition, there are a number of public street ends where there may be potential for developing public access.

b) Policies

- 1) Public shoreline access should be provided and enhanced through purchase or retention of access easements, signage of public access points, and designation and design of specific shoreline access areas for wildlife viewing.
- 2) Shoreline areas that hold unique value for public enjoyment should be identified and retained purchased, or easements should be acquired for public use. Prioritize sites in terms of short and long-

term acquisition and development.

- 3) Street crossings of Clover Creek and public street ends terminating at the creek should be considered for public access facilities.
- 4) Access should be provided for a range of users including pedestrians, bicyclists, boaters, and people with disabilities to the greatest extent feasible.
- 5) Provisions for shoreline access should be required when the proposed development can be shown to have an impact on public access to waters of the state. Shoreline projects shall not be permitted that result in any net loss of shoreline access.
- 6) Required public access exactions should be reasonably related to the nature and scope of the project's impact to public access resources. Proximity to the water, by itself, shall not constitute an impact or basis for an exaction.
- 7) The design, construction, and operation of permitted uses in the shoreline jurisdiction should be regulated to minimize interference with the public's use of the water.
- 8) Access to all shoreline areas should be improved through expanded non-motorized connections and transit service.
- 9) Shoreline public access trails should be integrated with other existing and planned regional trails where feasible to provide non-motorized access and community connections.
- 10) Existing and proposed public access and recreational uses should be ensured to not adversely affect the integrity and character of the shoreline, threaten fragile shoreline ecosystem, or impair or detract from the public's visual or physical access to the water.
- 11) Preservation and enhancement of the public's visual access to all shoreline areas should be encouraged through the establishment of setbacks and height limits that ensure view corridors, but not be construed to mean excess removal of vegetation that partially impairs views.
- 12) Physical access for swimming and non-motorized boating, passive recreation (such as interpretive trails), and habitat enhancement should be encouraged for the management of shoreline public access sites.
- 13) Public access facilities should provide auxiliary facilities, such as parking and sanitation facilities, when appropriate, and they should be designed for accessibility by handicapped and physically impaired persons. Auxiliary facilities should be located outside of the shoreline management area or near the outer edge of the shoreline management area if feasible.
- 14) Public access should be designed to provide for public safety and to minimize potential impacts to private property and individual privacy.
- 15) Regulations should ensure that the development of active recreational facilities results in no net loss of

ecological function. Regulations should address upland concerns, such as the location and design of parking and auxiliary facilities and active play areas, as well as the development of in-water and nearshore structures, such as non-motorized boat launches, piers, and swimming areas.

- 16) Public access facilities should be constructed of environmentally friendly materials, use LID BMPs where feasible, and sustain natural processes.
- 17) Regulations should provide guidance for the construction of trails in particularly environmentally sensitive shoreline segments along Chambers Creek and Waughop Lake.

c) Regulations

- 1) Where the City has shown that a project would have an adverse impact on existing public access to the waters of the state or create a new demand for public access, provisions shall be made to mitigate the impact/meet the projected demand and ensure that there is no net loss to public access resources or opportunities. Examples of impacts to shoreline access resources or new demand include, but are not limited to:
 - a. The development would result in increased demand for shoreline access by the location of new dwelling units within the 200' SMA jurisdiction without physical shoreline access for each unit.
 - b. The development would foreclose an opportunity to access an area without existing public access, or where the opportunity for access is unique.
 - c. The proposed development would interfere with existing public access.
 - d. The proposed development would interfere with planned public access facilities shown in an adopted plan, ordinance, or resolution of the Lakewood City Council.
 - e. The proposed development would create additional potential demand for emergency response services without adequate potential access to the shoreline for emergency responders.
 - f. Instances where there is an existing public access or access easement applicable to the property.
- 2) The Community Development Director may authorize reasonable adjustments to development standards such as lot coverage, minimum lot width, setbacks, etc. in order to accommodate public access. Such adjustments may require a variance in accordance with Chapter 6(D)(1).
- 3) Development exactions for public access shall be reasonably related to the scope and nature of the project and its impact to public access. Access may be limited to the final users or residents of the development where full public access is not required to mitigate the identified impact.
- 4) Developments, uses, and activities shall be designed and operated to avoid blocking, reducing or adversely interfering with the public's visual or physical access to the water and the shorelines. In providing visual access to the shoreline, natural vegetation shall not be excessively removed either by clearing or by topping.

- 5) Public access sites shall be connected directly to the nearest public street through a parcel boundary, tract, or easement.
- 6) Public access sites shall be made barrier free for the physically disabled where feasible.
- 7) Required public access sites shall be fully developed and available for public use at the time of occupancy or use of the development or activity.
- 8) Public access easements and permit conditions shall be recorded on the deed where applicable or on the face of a plat, if applicable, or short plat as a condition running in perpetuity with the land. Recording with the Pierce County Recorder's Office shall occur at the time of permit approval (See RCW 58.17.110; relating to subdivision approval).
- 9) The standard state approved logo and other approved signs that indicate the public's right of access and hour of access shall be constructed, installed, and maintained by the applicant in conspicuous locations at public access sites. Alternatively, where public access is prohibited, property owners may install signs indicating this, subject to size and location restrictions in a required permit.
- 10) Future actions by the applicant or other parties shall not diminish the usefulness or value of the public access site.
- 11) Physical public access shall be designed to prevent significant impacts to sensitive natural systems, follow the mitigation sequence identified in Chapter 3, Section B(4)(C)(4) and achieve no net loss of shoreline ecological function .
- 12) Where public access is to be provided by a trail the requirements contained in Chapter 4, Section (D)(8) shall apply.
- 13) Whenever financially feasible and practical, the City shall require the use of building materials and technologies whose production and use result in reduced environmental impacts when developing public access to the shoreline.
- 14) The Administrator may waive the requirement for public access where it is demonstrated to be infeasible due to reasons for incompatible uses, safety, security, or impact to the shoreline environment or due to constitutional or other applicable legal limitations. In determining infeasibility, the Administrator shall consider alternate methods of providing public access such as offsite improvements, viewing platforms, separation of uses and restricting hours for public access.

6. Restoration

a) Applicability

Restoration refers to the reestablishment or upgrading of impaired ecological shoreline processes or functions. The following policies are intended to guide actions to improve shoreline ecological functions over time where such functions have been degraded. Restoration is distinct from mitigation measures necessary to achieve no net loss of shoreline functions and the City's commitment to plan for restoration will be implemented primarily

through non-regulatory means (e.g. incentives, public projects and voluntary private actions).

b) System-Wide Restoration Policies

- 1) Areas that are biologically and aesthetically degraded should be reclaimed and restored to the greatest extent feasible while maintaining appropriate use of the shoreline. Water quality of all water bodies within the shoreline management area should be improved by managing the quality and quantity of stormwater in contributing systems, consistent with the latest Ecology Stormwater Management Manual for Western Washington.
- 2) The quality, width, and diversity of native vegetation in protected corridors adjacent to lake and stream habitats should be increased to provide safe migration pathways for fish and wildlife, food, nest sites, shade, perches, and organic debris. Strive to control non-indigenous plants or weeds that are proven harmful to native vegetation or habitats.
- 3) Work should continue with other jurisdictions and stakeholders on implementation of the Water Resource Inventory Area (WRIA) 12 Plan.
- 4) Funding for various restoration actions and programs should be sought from local sources and by working with other WRIA 12 jurisdictions and stakeholders to seek federal, state, grant and other funding opportunities.
- 5) A public education plan should be developed to inform private property owners in the shoreline zone and in the remainder of the City about the effects of land management practices and other unregulated activities (such as pesticide/herbicide use, car washing) on fish and wildlife habitats. The City should strive to coordinate efforts with local groups such as the Tahoma Audubon Society, Chambers/Clover Creek Watershed Council, the Clover Creek Council and other appropriate partners and stakeholders.
- 6) Lake area and wetland should be protected, enhanced, and restored throughout the contributing basin where functions have been lost or compromised.

c) SMA Restoration Policies

- 1) Waughop Lake (Fort Steilacoom Park), American Lake North Park, Harry Todd Park, and Edgewater Park should be targeted for restoration of shoreline natural resources and functions while ensuring continued public access to the shoreline.
- 2) Restoration of aquatic and riparian habitat along Clover Creek should be encouraged and accomplished over time through incentives for private property owners, stormwater management improvements, and City capital improvement projects.
- 3) The City should collaborate with Pierce County and the City of University Place for any restoration activities that would improve habitat and other ecological functions within Chambers Creek Canyon Park.
- 4) The City, Washington State Parks, and Pierce County should protect natural areas and continue to

identify and implement shoreline restoration projects at Fort Steilacoom Park, while ensuring continued public access.

- 5) Ecological functions of lake shorelines should be improved by removing bulkheads and replacing these features to the extent feasible with bioengineered stabilization solutions to improve aquatic habitat conditions.
- 6) Ecological functions of streams and related habitat with stream bank stabilization should be improved using native vegetation.
- 7) American Lake North Park and Harry Todd Park should be targeted for limited habitat enhancements that are designed and sited to be compatible with the heavy active recreation use at these parks. Opportunities include planting of native vegetation where appropriate.
- 8) Habitat conditions should be improved by increasing large woody debris recruitment potential through plantings of trees along the lakeshore, particularly conifers. Where a safety hazard will not be created, installation of large woody debris should be encouraged to meet short-term needs.
- 9) Single-family residential properties should be targeted with incentives, outreach, and information for homeowners who are willing to voluntarily remove bulkheads, plant native vegetation and recruit large woody debris.
- 10) The amount and impact of overwater and in-water structures should be decreased within SMP lakes through minimization of structure size and use of more environmentally friendly materials, including grated decking.
- 11) American Lake North Park, Edgewater Park, Harry Todd Park, Springbrook Park and Open Space, and Chambers Creek Canyon Park should be targeted for the use of environmentally friendly materials and design during the future planned development of recreational facilities.
- 12) Native vegetation should be preserved and restored along shorelines to the greatest extent feasible.
- 13) Aquatic invasive species in American Lake, Gravelly Lake, Lake Louise, and Waughop Lake should be monitored and controlled, and participation in lake-wide efforts at Lake Steilacoom should continue to reduce populations of non-native aquatic vegetation.
- 14) Restoration projects may include shoreline modification actions such as vegetation modification, shoreline stabilization, dredging or filling in accordance with all applicable provisions in this SMP and provided the primary purpose of such actions is clearly restoration of natural character and ecological functions of the shoreline.
- 15) In accordance with RCW 90.58.580 and WAC 173-27-215, a Substantial Development Permit is not required for development on land that is brought under shoreline jurisdiction due to a shoreline restoration project. However, projects are still required to comply with the regulations of this Master Program.

- 16) Projects taking place on lands that are brought into shoreline jurisdiction due to a shoreline restoration project that caused a landward shift of the OHWM may apply to the Administrator for relief from the SMP development standards and use regulations under the provisions of RCW 90.58.580. Any relief granted shall be strictly in accordance with the limited provisions of RCW 90.58.580, including the specific approval of the Department of Ecology.

7. Shorelines of Statewide Significance

a) Applicability

The SMA designated certain shoreline areas as shorelines of statewide significance. American Lake is a shoreline of statewide significance. Such shorelines are considered major resources from which all people of the state derive benefits, thus preference is given to uses, which favor long-range goals and support the overall public interest.

b) Policies

In implementing the objectives for shorelines of statewide significance, the City should consider the following policies in order of priority, 1 being the highest and 6 being the lowest.

- 1) Recognize and protect the statewide interest over local interest.
 - a. Make all information associated with this SMP and proposed amendments publicly available, and consider comments and opinions from groups and individuals representing statewide interests when developing and amending the SMP.
- 2) Preserve the natural character of the shoreline.
 - a. Designate and administer shoreline environment designations and use regulations to protect and restore the shoreline ecology and character.
 - b. Protect and restore diversity of vegetation and habitat associated with shoreline areas.
- 3) Support actions that result in long-term benefits over short-term benefits.
 - a. Restrict or prohibit development that would irreversibly damage shoreline resources.
- 4) Protect the resources and ecology of the shoreline.
 - a. All shoreline development should be located, designed, constructed, and managed to avoid disturbance of and minimize adverse impacts to wildlife resources, including spawning, nesting, rearing and habitat areas and migratory routes.
 - b. Actively promote aesthetic considerations when contemplating new development, redevelopment of existing facilities or general enhancement of shoreline areas.
- 5) Increase public access to publicly owned areas of the shorelines.
 - a. Implement a comprehensive wayfinding signage program that directs the public to publicly owned shoreline areas.
- 6) Increase recreational opportunities for the public in the shoreline.
 - a. Plan for and encourage development of facilities for recreational use of the shoreline.

8. Shoreline Vegetation Conservation (Clearing and Grading)

a) Applicability

The following provisions apply to any activity, development, or use which results in the removal of or affect to shoreline vegetation, whether or not that activity requires a shoreline permit. Such activities include clearing, grading, grubbing, and trimming of vegetation. These provisions also apply to vegetation protection and enhancement activities.

b) Policies

- 1) Native shoreline vegetation should be conserved to maintain shoreline ecological functions and/or processes and should mitigate the direct, indirect, and/or cumulative impacts of shoreline development, wherever feasible. Important functions of shoreline vegetation include, but are not limited to:
 - a. Providing shade necessary to maintain water temperatures required by salmonids and other organisms for all or a portion of their lifecycles.
 - b. Regulating microclimate in riparian and nearshore areas.
 - c. Providing organic inputs necessary for aquatic life, including providing food in the form of various insects and other benthic macroinvertebrates.
 - d. Stabilizing banks, minimizing erosion and sedimentation, and reducing the occurrence and severity of landslides.
 - e. Reducing introduction of fine sediment into the aquatic environment by minimizing erosion, aiding infiltration, and retaining runoff.
 - f. Improving water quality through filtration and vegetative uptake of nutrients and pollutants.
 - g. Providing a source of large woody debris to moderate stream flows, create hydraulic roughness, form pools and increase structural diversity for salmonids and other species.
 - h. Providing habitat elements for riparian-associated species, including downed wood, snags, migratory corridors, food, and cover.
- 2) Management and control of noxious and invasive weeds should be encouraged, preferably by using non-toxic or natural controls. Control of such species should be done in a manner that retains on-site native vegetation, provides for erosion control, and protects water quality.
- 3) Adverse environmental and shoreline impacts of clearing and grading should be avoided wherever feasible through proper site planning, construction timing and practices, bank stabilization, soil bioengineering and use of erosion and drainage control methods. Maintenance of drainage controls

should be a high priority to ensure continuing, effective protection of habitat and water quality.

- 4) All clearing and grading activities should be designed with the objective of maintaining natural diversity in vegetation species, age, and cover density.
- 5) Incentives for the retention and planting of native vegetation should be provided, and extensive lawns should be discouraged due to their limited erosion control value, limited water retention capacity, and associated chemical and fertilizer applications particularly in areas recommended for designation as Shoreline Residential. Incentives could include additional flexibility with building setbacks from American Lake, Gravelly Lake, Lake Louise, and Lake Steilacoom, a simplified permit process with recommended planting plans, reduced or waived permit fees, and/or City participation in a pilot-project that promotes shoreline restoration.
- 6) The City should explore opportunities for the planting and enhancement of native vegetation at American Lake North Park, Harry Todd Park, Edgewater Park, and Fort Steilacoom Park.
- 7) In order to increase habitat and address other ecological functions within the shoreline environment such as wave attenuation, temperature regulation, and bank stabilization, homeowners and property managers should be encouraged to leave diseased and fallen trees in place along the shoreline edge provided the trees are not a danger to public safety or private property.
- 8) The removal of mature trees and native vegetation along American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek should be regulated in a manner that provides greater protection than the current Tree Preservation regulations (LMC Section 18A.50.300). In particular, removal of non-hazardous mature trees and native vegetation within the required setback of American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek should be severely restricted regardless of lot size or use.
- 9) The City should provide information to the public about environmentally appropriate vegetation management, landscaping for shoreline properties and alternatives to the use of pesticides and herbicides, which affect water quality and aquatic habitat.
- 10) Property owners should use the following BMPs when maintaining residential landscapes:
 - a. Avoid use of herbicides, fertilizers, insecticides, and fungicides along drainage channels, and shores of American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek, as well as in the water.
 - b. Limit the amount of lawn and garden watering to avoid surface runoff.
 - c. Dispose of grass clippings, leaves, or twigs properly; do not sweep these materials into the street, into a body of water, or near a storm drain.
 - d. Use native plant materials wherever possible in soil bioengineering applications and habitat restoration activities for aquatic weed management. Remove, destroy, and modify aquatic vegetation only to the extent necessary to allow water-dependent activities to continue and in a

manner that minimizes adverse impacts to native plant communities. Handle and dispose of weed materials and attached sediments appropriately.

c) Regulations

- 1) Clearing and grading activities and related alteration of the natural landscape within shoreline jurisdiction shall only be allowed in association with a permitted shoreline use, activity or development, with limited exceptions as set forth below:
 - a. Removal of noxious weeds as listed by the state in Chapter 16-750 WAC, provided such activity shall be conducted in a manner consistent with BMPs and the City's engineering and stormwater design standards, and native vegetation shall be promptly reestablished in the disturbed area. Noxious weeds removed under this provision shall be removed by hand or using small equipment to minimize negative impacts to the shoreline environment.
 - b. Pruning consistent with accepted arboricultural practices, maintenance of existing ornamental landscapes, and other activities allowed pursuant to these regulations, if said modification is conducted in a manner consistent with this SMP and results in no net loss to ecological functions or critical fish and wildlife habitats.
 - c. Maintenance or view restoration provided that said activity is conducted in a manner consistent with this SMP and results in no net loss to ecological functions or critical fish and wildlife habitat areas.
 - d. Removal of non-native vegetation, including trees up to six inches in diameter at breast height (dbh), provided all areas of exposed soil are replanted or stabilized.
- 2) All clearing and grading activities must also adhere to the requirements of this SMP and the City's code pertaining to land clearing and grading (Chapter 12A LMC - Public Works; LMC Sections 18A.50.400 - 18A.50.445 - Landscaping; LMC Section 18A.50.231 - Landscape design objectives for specific uses). Additional clearing and grading performance standards may be required as a condition of permit issuance to ensure the proposal will result in no net loss of shoreline ecological functions.
- 3) Shoreline developments shall address vegetation conservation and maintenance through compliance with this Section, the critical area standards incorporated in Appendix A, mitigation sequencing required in Section B(4)(c)(3) of this Chapter, and any other regulations specific to vegetation management that may be contained in other chapters of this SMP.
- 4) In all shoreline areas, land clearing, grading, filling and alteration of natural drainage features and landforms shall be limited to the minimum necessary for development.
- 5) Properties within the setbacks and buffers of Chambers Creek, Clover Creek, and Waughop Lake shall maintain native vegetation in an undisturbed state.
- 6) Native understory vegetation and trees within the shoreline setbacks in all environments shall be retained, unless removal is necessary to provide water access, to provide limited view corridors, to

mitigate a hazard to life or property, or removal is in association with a permitted development. Any removed vegetation shall be replaced to assure no net loss in ecological functions.

- 7) Native understory vegetation and trees within the Natural environment shall be retained, unless removal is necessary to mitigate a hazard to life or property or allow for limited development associated with an educational, historic, water-oriented recreation, or cultural interpretation facility. Any removed vegetation must be replaced and/or enhanced to assure no net loss in ecological functions.
- 8) Within all other shoreline areas, outside of setbacks and buffers, tree removal shall be limited to the minimum necessary to accommodate proposed structures and uses or to mitigate a hazard to life or property. Significant trees, as defined in LMC Section 18A.50.320 shall be replaced according to a tree replacement plan prepared by a qualified professional that demonstrates how no net loss will be achieved.
- 9) The City shall require a shoreline vegetation management plan (SVMP) prepared by a qualified professional as part of any Substantial Development Permit that includes tree removal and land clearing. The City may require a SVMP for exempt activities or other permits involving tree removal and land clearing where necessary if project plans or other information does not clearly demonstrate compliance with this section. The SVMP shall document compliance with the mitigation sequence and identify appropriate compensatory mitigation, performance assurances, and maintenance and monitoring requirements necessary to assure no net loss of ecological functions. See Chapter 4, Section C(3)(a)(4 and 5) for additional SVMP requirements when the proposal involves an administrative setback reduction. The Citywide tree standards contained in LMC Section 18A.50.300 (Ordinance #264, August 20, 2001) shall be the minimum compensatory mitigation standards and the Shoreline Administrator may require additional compensatory mitigation to meet the no net loss standard. All development, including, but not limited to, development on lots that are less than seventeen thousand (17,000) square feet that would otherwise be exempt under the Citywide tree regulations, shall be required to comply with the standards contained in this SMP as well as those in Title 18A LMC.
- 10) Restoration of any shoreline that has been disturbed or degraded shall use native plant materials, unless such restoration occurs within a developed and maintained ornamental landscape, in which case noninvasive plant materials similar to what most recently occurred on-site may be used.
- 11) Snags and downed trees that are not in the path of proposed improvements and do not pose a hazard to life or property shall be retained for wildlife habitat.
- 12) Placement of fifty (50) cubic yards or more of material from off-site (other than surcharge or preload), or the creation or raising of dry upland shall be considered fill and shall comply with the fill provisions in Chapter 5.
- 13) Surfaces cleared of vegetation and not developed must be replanted with native species or other species as approved by the City within one (1) year. Replanted areas shall be planned and maintained such that, within three (3) years, the vegetation is at least ninety (90) percent reestablished.

- 14) Stabilization of exposed erosion-prone surfaces within the shoreline environment shall utilize soil bioengineering techniques wherever feasible instead of hardscape or structural techniques.
- 15) Aquatic vegetation control shall only occur when native plant communities and associated habitats are threatened or where weeds restrict an existing water dependent use. Aquatic vegetation control shall occur in compliance with all other applicable laws and standards, including Ecology and Washington Department of Fish and Wildlife (DFW) requirements. Aquatic vegetation control by mechanical methods is exempt from the requirement to obtain a substantial development permit only if the bottom sediment or benthos is not disturbed in the process. It is assumed that mechanical removal of accumulated vegetation at a level closer than two (2) feet to the root level will disturb the bottom sediment and benthos layer.
- 16) The control of aquatic vegetation by de-rooting, rotovating or other methods, which disturb the bottom sediment or benthos, shall be considered development for which a substantial development permit is required.
- 17) The application of herbicides or pesticides in American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek, wetlands, or surface water conveyances requires a permit from the Ecology and may require preparation of a SEPA checklist for review by other agencies. The individual(s) involved must obtain a pesticide applicator license from the Washington State Department of Agriculture.
- 18) Prior to issuance of any construction, grading, or building permits, the City may require that the permittee post a cash guarantee to assure compliance with vegetation conservation standards. This amount should be equal one hundred fifty percent (150%) of the City Engineer's estimated cost of the project, or no less than two thousand dollars (\$2,000) unless specific proposal details support an alternative amount.
- 19) Prior to final issuance of a building permit, land use permit, or occupancy, a cash guarantee equal to thirty percent (30%) of the landscaping replacement cost may be required to assure compliance with vegetation conservation standards. The cash guarantee may be maintained for a three (3) year period, at which point the Shoreline Administrator will determine if the surety will be released or extended to maintain landscaped areas.
- 20) The Shoreline Administrator shall require the cash guarantees identified above when the proposal involves a variance, a setback reduction consistent with the flexible setback provisions of Chapter 4, Subsection C(3), or work within a critical area or buffer as defined in Appendix A.

9. Water Quality, Stormwater, and Non-Point Pollution

a) Applicability

The following section applies to all development and uses in shoreline jurisdiction that affect water quality and storm water quantity. Human occupation and shoreline area development affect water quality in numerous ways. For example, higher peak stormwater discharges at greater velocities caused by an increase in development

and impermeable surfaces leads to scouring and stream bank erosion. Erosion increases suspended solids concentrations and turbidity in receiving waters, and carries heavy metals, household wastes, excess nutrients, and other pollutants into these waters. Increased nitrogen and phosphorus enrichment results in algal growth that depresses levels of dissolved oxygen in receiving waters. Water quality degradation adversely affects wildlife habitat and public health.

Maintaining high water quality standards and restoring degraded systems has been mandated in Chapter 90.58 RCW. In January of 2007, the City received its Western Washington Phase II Municipal Stormwater Permit from the Ecology. Under this permit, the City developed a Stormwater Management Program.

b) Policies

- 1) All shoreline uses and activities should be located, designed, constructed, and maintained to mitigate the adverse impacts to water quality.
- 2) Water quality education efforts should be used to reduce the potential sources of pollutants to American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek and other natural waterways. Phosphorous reduction sources in the Lake Steilacoom and American Lake sub-basins and fecal coliform sources in the Chambers Creek and Clover Creek sub-basins should be emphasized until the City can provide sufficient data to Ecology to have 303d listing removed from these water bodies. The 303d listing is comprised of those waters that are in the polluted water category under the Clean Water Act, for which beneficial uses- such as drinking, recreation, aquatic habitat, and industrial use - are impaired by pollution. Phosphorous sources include, but are not limited to, failing septic systems and residential fertilizer application. Fecal coliform pollutant sources include, but are not limited to, failing septic systems, and duck, geese and dog feces.
- 3) Stormwater impacts should be addressed through the application of the adopted Surface Water Design Manuals and all applicable City stormwater regulations.
- 4) New impervious surfaces should be limited within the shoreline management area by setting maximum impervious surface standards for new development and redevelopment and by encouraging pervious pavement use and other LID BMPs where feasible.
- 5) The City should work with the Tacoma-Pierce County Health Department to ensure existing septic systems are working properly to prevent groundwater and surface water degradation through excessive inputs of nutrients (nitrogen and phosphorus) and hazardous microbes, with an emphasis on the Chambers Creek and Clover Creek subbasins due to their 303(d) listing for fecal coliform.
- 6) The City should work with Pierce County Public Works and Utilities and the Tacoma-Pierce County Health Department to require sanitary sewer system connection when existing properties on septic systems are developed, redeveloped, or substantially modified.
- 7) The City should continue to provide general information to the public about the land use and human activities which impact water quality by encouraging educational curricula that provide students with first hand exposure to the issues and solutions, and through community activities, such as Adopt-A-

Stream programs.

- 8) The City should encourage homeowners and property managers to maintain and enhance vegetation that supports water quality functions and to use non-chemical weed and pest control solutions and natural fertilizers.

c) Regulations

- 1) All shoreline uses and activities shall utilize BMPs to minimize any increase in surface runoff and to control, treat, and release surface water runoff so that receiving water quality and shore properties and features are not adversely affected during both construction and operation. Physical control measures include, but are not limited to, catch basins, settling ponds, oil/water separators, filtration systems, grassy swales, interceptor drains, and landscaped buffers. All types of BMPs require regular maintenance. BMPs are identified in the City's adopted stormwater manuals.
- 2) Structural stormwater facilities, such as vaults, pipes and catch basins, shall be located outside of the shoreline setback, unless the Shoreline Administrator determines that such location is not feasible.
- 3) Solid waste, liquid waste, and untreated effluent shall not be allowed to enter any bodies of water or to be discharged onto the land.
- 4) The direct release of oil and hazardous materials or chemicals onto the land or into water is prohibited. Equipment for the transportation, storage, handling or application of such materials shall be maintained in a safe and leak proof condition. If there is evidence of leakage, the further use of such equipment shall be suspended until the deficiency has been satisfactorily corrected as determined by the Shoreline Administrator.
- 5) All shoreline development shall comply with the applicable requirements of the City's adopted surface water design Manuals and all applicable City stormwater regulations.
- 6) All shoreline development shall implement applicable LID BMPs where feasible, pursuant to the standards contained in the adopted surface water design manuals and the most recent edition of the Low Impact Development Technical Guidance Manual for Puget Sound.

Chapter 4 Shoreline Use Provisions

A. Applicability

As required by the SMA, this SMP sets forth policies and regulations governing specific categories of uses and activities typically found in shoreline areas. The policies and regulations cover the following uses and activities: Agriculture, Aquaculture, Boating Facilities, Commercial Development (Primary and Accessory), Forest Practices, Industrial Development, Mining, Parking (as a primary use), Recreational Facilities, Residential Development, Scientific, Historical, Cultural, or Educational Uses, Signage, Transportation, and Utilities (Primary and Accessory). The policies and regulations provide the basic criteria for evaluating shoreline permit applications and exemptions and are used to implement the broader goals, policies and intent of the SMA and this Program.

This SMP contains limited provisions related to commercial or industrial development along the shorelines of American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek. These water bodies, with the exception of Waughop Lake and portions of Chambers Creek, are substantially developed with residential uses, with little undeveloped shoreline remaining. As such, access to the water is primarily related to recreation and residential uses and is not considered particularly important to commercial or industrial interests.

B. General Policies

- 1) When determining allowable uses and resolving use conflicts within the City's shoreline jurisdiction, the following should be applied in the order of preference listed below:
 - a. Reserve appropriate areas for protecting and restoring ecological functions to control pollution and prevent damage to the natural environment and public health.
 - b. Reserve shoreline areas for water-dependent and associated water related uses.
 - c. Reserve shoreline areas for other water-related and water-enjoyment uses that are compatible with ecological protection and restoration objectives.
 - d. Treat single-family residential uses as a preferred use and encourage the continuation and development of this use where it can occur without significant impact to ecological functions or displacement of water-dependent uses.
 - e. Limit non-water-oriented uses to those locations where the above-described uses are inappropriate or where non-water-oriented uses demonstrably contribute to the objectives of the SMA, including opportunities for ecological enhancements and public access improvements.

- 2) Proposed shoreline use should be consistent with the City's Comprehensive Plan. Conversely, upland uses on adjacent lands outside of immediate SMA jurisdiction (in accordance with RCW 90.58.340) should be consistent with the purpose and intent of this SMP.
- 3) All development and redevelopment activities within the City's shoreline jurisdiction should be designed to ensure public safety, enhance public access, protect existing shoreline and water views, and achieve no net loss of shoreline ecological functions.
- 4) The use of "Green Building" practices should be encouraged, and in some cases required where feasible, such as LID and those promulgated under the Leadership in Energy and Environmental Design (LEED) and Green Built programs, for new development within the shoreline jurisdiction.
- 5) Proposed shoreline uses should not infringe upon the rights of others or upon the rights of private ownership.
- 6) Shoreline uses, which enhance their specific areas or employ innovative features for purposes consistent with this program, should be encouraged.
- 7) Restoration in shoreline areas that have been degraded or diminished in ecological value and function because of past activities or catastrophic events should be encouraged.

C. Shoreline Use and Development Standards

Table I and Table II indicate the allowable uses by shoreline environment designation and the key standards that apply to development. The standards in this section are supplemental to standards in other portions of this SMP.

1. Shoreline Use Table

Table I. Shoreline Uses

KEY P3 = Permitted Use C = Conditional Use X = Prohibited Shoreline uses are allowed only if permitted in both the shoreline environment designation and the underlying zone. A use that occurs on both landward and waterward of the OHWM must meet the requirements of both the specific upland shoreline environment designation as well as the aquatic environment designation. Please also refer to specific use policies and regulations in Section 4 below. SHORELINE USE	SHORELINE RESIDENTIAL	URBAN-STREAM PROTECTION	URBAN PARK	CONSERVANCY	NATURAL	AQUATIC
	X	X	X	X	X	X
	C	C	C	C	X	C
Agriculture	X	X	X	X	X	X
Aquaculture	C	C	C	C	X	C
Boating Facilities ¹						

Marinas (Public or Private)	C	X	C	X	X	C
Floating Homes and Live Aboards	X	X	X	X	X	X
Community Piers and Docks (Private Shared Use)	P	X	P	X	X	P
Public Pier	C	X	P	X	X	P
Boat Launch ⁴	C	X	C	X	X	C
Water-Oriented Commercial ²	C	P	C	C	X	C
Non-Water Oriented Commercial ²	C	P	C	C	X	X
Forest Practices	X	X	X	X	X	X
Industrial	X	X	X	X	X	X
Mining	X	X	X	X	X	X
Parking						
Parking (As a Primary Use)	X	X	X	X	X	X
Parking (As an Accessory Use)	P	P	P	X	X	X
Recreation ³						
Water-Dependent	P	P	P	P	P	P
Water-Enjoyment	P	P	P	P	P	P
Non-Water Oriented (As an Accessory Use)	P	P	P	P	C	X
Non-Water Oriented (As a Primary Use)	X	C	X	X	X	X
KEY P3 = Permitted Use C = Conditional Use X = Prohibited Shoreline uses are allowed only if permitted in both the shoreline environment designation and the underlying zone. A use that occurs on both landward and waterward of the OHWM must meet the requirements of both the specific upland shoreline environment designation as well as the aquatic environment designation. Please also refer to specific use policies and regulations in Section 4 below. SHORELINE USE	SHORELINE RESIDENTIAL	URBAN-STREAM PROTECTION	URBAN PARK	CONSERVANCY	NATURAL	AQUATIC
Residential Structures						
Single-Family	P	P	C	C	C	X
Multi-Family	P	P	X	X	X	X
Scientific, Historical, Cultural, or Educational Uses	P	P	P	P	P	P
Transportation Facilities						
New Public Roads	P	C	C	C	C	C
Expansion of Existing Roads and New Driveways	P	P	P	P	C	C
Major Trails	C	C	C	C	X	C
Minor Trails	P	P	P	P	P	C
Utilities (Primary)						
Solid Waste Disposal or Transfer Sites	X	X	X	X	X	X
Other	C	C	C	C	C	C
Utilities (Secondary)						
All	P	P	P	P	C	C
Other Uses and Activities						
Restoration Activities	P	P	P	P	P	P

¹ See Chapter 5 (Shoreline Modifications) for specific types of in-water or over water structures/facilities allowed in each environment (e.g. piers, docks and floats). Please note, boat ramps and overwater structures are not allowed in the Urban - Stream Protection, Conservancy, and Natural environments.

² In the Shoreline Residential, Conservancy and Urban Park environments, only water-oriented commercial activities or limited accessory commercial uses are allowed, e.g. day care in Shoreline Residential and concessions in the Urban Park, per the use standards in Commercial Uses in this SMP and in the underlying zoning.

³See permit requirements and exemptions in Chapter 5 and Chapter 6.

⁴Launching rails are not considered boating facilities for purposes of this Section. Launching rails are not intended to serve more than four (4) residences. For launching rail provisions, see Chapter 5.

2. Shoreline Development Standards Table

Table II. Shoreline Development Standards

DEVELOPMENT STANDARD	SHORELINE RESIDENTIAL	URBAN - STREAM PROTECTION	URBAN PARK	CONSERVANCY	NATURAL	AQUATIC
Maximum Height ¹	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	N/A ³
Shoreline Setback or Buffer By Waterbody ^{2,4} Note: Setback requirements apply to all lakes and buffer requirements apply to streams. See definitions for more information. Along streams, an additional 8 ft. building setback shall apply to edge of the buffer per Critical Area standards.	65 ft. Setback (Note: May be reduced to 50 ft. with enhancement)	Clover Creek 65 ft. Buffer (Note: May be reduced to 50 ft. with enhancement)	100 ft. Setback for Urban Park properties on all lakes (Note: May be reduced to 75 ft. with enhancement) Clover Creek 65 ft. Buffer (Note: May be reduced to 50 ft. with enhancement.)	150 ft. Buffer (Note: No reduction allowed unless a variance is obtained)	150 ft. Buffer (Note: No reduction allowed unless a variance is obtained)	N/A ³

DEVELOPMENT STANDARD	SHORELINE RESIDENTIAL	URBAN - STREAM PROTECTION	URBAN PARK	CONSERVANCY	NATURAL	AQUATIC
Maximum Impervious Surface Coverage within shoreline jurisdiction ⁵	35% (R1 and R2) 50% (R3) 60% (R4) 50% (ARC) 60% (MR2) 70% (NC1) 80% (NC2) Provided an additional 10% of site coverage using pervious pavements shall be allowed	See adjacent column for Shoreline Residential	30%	20%	5%	N/A ³
Maximum Impervious Surface or Hard Surface Coverage within Shoreline Setback or Buffer. Note: Pervious pavements required where feasible	10% within 25 ft. of the OHWM, 20% within remaining portion of setback	See critical area buffer requirements	10% within 25 ft. of OHWM, 20% within remaining portion of setback for Lakes See critical area buffer requirements for stream	See critical area buffer requirements	See critical area buffer requirements	N/A ³
Minimum Lot Frontage	50 ft. (Lake Louise) 60 ft. (American Lake and Gravelly Lake) 70 ft. (Lake Steilacoom)	100 ft.	No further subdivision allowed	No further subdivision allowed	No further subdivision allowed	N/A ³

DEVELOPMENT STANDARD	SHORELINE RESIDENTIAL	URBAN - STREAM PROTECTION	URBAN PARK	CONSERVANCY	NATURAL	AQUATIC
Minimum Lot Size and Lot Density	Underlying zoning: R1 - 25,000 gsf R2 - 17,000 gsf R3 - 7,500 gsf R4 - 5,700 gsf	Underlying zoning: R1 - 25,000 gsf R2 - 17,000 gsf R3 - 7,500 gsf R4 - 5,700 gsf MF2 - 35 dua MF3 - 54 dua	No further subdivision is allowed	No further subdivision allowed	No further subdivision is allowed	N/A ³

¹ Height limits apply to all permanent and temporary structures. Development shall also be subject to the height limits established by the underlying zoning. The height limit shall not apply to television antennas, chimneys, flagpoles, public utilities, and similar appurtenances.

² Setbacks are measured landward, on a horizontal plane perpendicular to the shoreline. The standard setback applies unless the applicant implements voluntary enhancements as described in the following regulations and in Table III below. Where allowed, the setback may be reduced by the Shoreline Administrator to the minimum setback indicated in Table II. See zoning regulations for interior lot setbacks and other requirements that apply to specific zones. In the event of a conflict between a provision in this SMP and a provision in another part of the LMC, the requirement that provides the most protection to the shoreline management area shall be applied.

³ Not Applicable. Land-based standards do not apply in the Aquatic environment because only water dependent structures and development, such as docks, are allowed. Height of all structures shall be the minimum necessary for the proposed water dependent use.

⁴ Activities and improvements associated with ecological restoration or interpretation, water-oriented uses, and public access are not required to meet the minimum setback. However, where such development can be approved within the minimum setback, the placement of structures and hard surfaces shall be limited to the minimum necessary for the successful operation of the use. In no case shall parking be allowed within the minimum setback. Allowed structures include (but are not limited to) upland boathouses, gazebos, viewing platforms and decks.

⁵ Partial credit may be given for using pervious pavements for driveways, parking areas, walkways, and patios, based on City review of the specifications for the particular product used. In no case shall the credit be used to develop more than an additional 10% of the lot with the pervious pavement. Please note that impervious surface coverage may be further limited within the setback or buffer pursuant to the development standards in this Chapter.

3. Shoreline Setback and Buffer Regulations Administration

- a) The following standards shall apply for all proposals that request a reduction in the standard shoreline setback or buffer identified in Table II:
 - 1) The standard setback or buffer may be reduced down to the minimum setback or buffer identified in Table II for each eligible shoreline environment designation and water body when setback reduction impacts are mitigated using the options provided in Table III to achieve an equal or greater protection of lake or stream ecological functions. Any setback or buffer reduction requests beyond that allowed in Table II shall require a variance. Within the Conservancy and Natural environments, buffer

reductions shall only be approved as part of the variance process. Variance approval criteria are described in Section 6.D.

- 2) At least one (1) water-related action must be undertaken in order to achieve the full reduction allowed.
- 3) A maximum of ten (10) feet in cumulative reduction may be achieved under Upland Related Actions.
- 4) All property owners who obtain approval for a setback or buffer reduction must have prepared and agree to adhere to a Shoreline Vegetation Management Plan (SVMP) approved by the Shoreline Administrator and record the final approved setback or buffer and corresponding conditions in a Notice on Title. The Notice on Title shall include a statement regarding the existence of the SVMP and it shall be provided to the Shoreline Administrator.
- 5) The SVMP shall detail the required restoration of native vegetation. The SVMP shall consist of a mixture of trees, shrubs, and groundcover and be designed to improve shoreline ecological functions. The SVMP shall include appropriate limitations on the use of fertilizer, herbicides and pesticides as needed to protect lake water quality. The SVMP shall be completed by a qualified professional and include a monitoring and maintenance program that shall, at a minimum, include the following:
 - a. The goals and objectives for the mitigation plan;
 - b. A description of how required mitigation sequencing was implemented;
 - c. Mitigation performance standards, including standards for vegetation coverage and survival;
 - d. A monitoring plan that includes annual progress reports submitted to the Shoreline Administrator for a period of no less than two (2) growing seasons nor more than five (5) years sufficient to establish that performance standards have been met as determined by the Shoreline Administrator; and
 - e. A contingency plan.
- 6) Whenever the Shoreline Administrator determines through progress report review that mitigation performance standards have not been achieved, the property owner shall be required to institute corrective action, which shall also be subject to further monitoring as provided in this section.
- 7) The Shoreline Administrator may require a cash guarantee or other security in an amount sufficient to guarantee that all required mitigation measures will be completed in a manner that complies with conditions of approval and to guarantee satisfactory workmanship and materials for a period not to exceed five (5) years. The Shoreline Administrator shall establish the conditions of the security according to the nature of the proposed mitigation, maintenance or monitoring and the likelihood and expense of correcting mitigation or maintenance failures.
- 8) All costs associated with the mitigation/monitoring and planning including City expenses, shall be the responsibility of the applicant.
- 9) Impervious surface coverage within the approved lake setback shall be limited to ten percent (10%) within twenty-five (25) feet of the OHWM and twenty percent (20%) within the remaining portion of the applied setback. All development within buffers, including impervious surface, is subject to the requirements for Critical Areas contained in this SMP.

Table III. Shoreline Setback and Buffer Reduction Mechanisms

REDUCTION MECHANISM		REDUCTION ALLOWANCE
Water Related Actions		
1	Removal of an existing bulkhead which is located at, below, or within 5 ft. landward of the shoreline's OHWM and subsequent shoreline restoration to a natural or semi-natural state, including restoration of topography, beach/substrate (lake bottom) composition and stabilization of areas that have been disturbed by the bulkhead removal with native vegetation.	Bulkhead removal on at least 75% of frontage: 15 ft. 50% of frontage: 10 ft. 25% of frontage: 5 ft.
2	Restoration of natural shoreline conditions (e.g. no bulkhead or other unnatural shoreline feature such as upland impervious surfaces or other structural alterations allowed) within 10 ft. of the OHWM, including restoration of native vegetation. This reduction will only be granted if ecological functions would be improved relative to the existing condition.	10 ft.
3	Existing hard structural stabilization at or near the OHWM is removed and new hard structural shoreline stabilization measures are setback from the OHWM between two (2) ft. to four (4) ft. based on feasibility and existing conditions and are sloped a maximum angle of 3 vertical: 1 horizontal to provide dissipation of wave energy and increase the quality or quantity of nearshore shallow-water habitat. See Chapter 6 for stabilization measure types and additional standards. For purposes of this reduction mechanism only, need for the replacement structure is not required to be demonstrated as outlined in Chapter 5, Section (C)(2)(c), Shoreline Stabilization – Replacement and Repair.	5 ft.
4	Soft structural shoreline stabilization measures are installed waterward of the OHWM on a site currently containing only hard stabilization. Measures may include the use of gravels, cobbles, limited use of boulders in conjunction with other measures, and logs, as well as vegetation. The material shall be of a size and placed to remain stable and accommodate alteration from wind and boat-driven waves and shall be graded to a maximum slope of 1 vertical: 4 horizontal	5 ft.
Upland Related Actions		
5	Restoration of native vegetation (and preservation of existing trees and native vegetation) in at least 75% of the reduced (i.e. that portion remaining after reductions are applied) setback area. The remaining 25%	10 ft.

REDUCTION MECHANISM		REDUCTION ALLOWANCE
	of the setback area can be comprised of existing non-invasive, non-native vegetation. Up to 20 ft. of frontage may be used for improved shoreline access. Access areas shall be counted as part of the 25% non-native area and located to avoid areas of greater sensitivity and habitat value.	
6	Restoration of native vegetation (and preservation of existing trees and native vegetation) in at least 25% of the reduced setback area. Up to 20 ft. of frontage may be used for improved shoreline access. Access areas shall be counted as part of the 75% non-native area and located to avoid areas of greater sensitivity and habitat value.	5 ft.
7	Installation of biofiltration/infiltration mechanisms such as rain gardens, bioswales, created and/or enhanced wetlands, infiltration facilities, ponds, or other approved LID BMPs that treat the majority of surface water run-off from a site and meet or exceed adopted stormwater requirements. (Note: stormwater ponds serving more than one property should be located outside of shoreline jurisdiction if feasible and in accordance with mitigation sequencing).	5 ft.
8	Installation of at least 500 sq. ft. of “green” roof in accordance with the standards of the LEED Green Building Rating System.	5 ft.
9	Installation of a minimum of 1,000 sq. ft. of pervious material for driveway, parking, patio and/or road construction.	5 ft.
10	Preserving or restoring at least 20% of the total lot area outside of the setback or buffer area as native vegetation. No more than 20% of the total lot area can be lawn.	5 ft.

D. Specific Shoreline Use Policies and Regulations

1. Aquaculture

Aquaculture is the culture or farming of fish, shellfish, or other aquatic plants and animals. This activity is of statewide interest. Aquaculture is dependent on the use of the water area. When consistent with control of pollution and prevention of damage to the environment, it is a preferred use of the water area. The technology associated with some forms of aquaculture is still in its formative stages and experimental. Thus, this SMP recognizes the necessity of some latitude in the development of this use.

a) Policies

- 1) Aquaculture should not be permitted in areas where it would result in a net loss of ecological functions or significantly conflict with navigation and other water-dependent uses.

- 2) Aquaculture facilities should be designed and located to prevent the spread of disease to native aquatic life, significant ecological impacts caused by new nonnative species, or significant impacts on the shorelines' aesthetic qualities.

b) Regulations

- 1) Aquaculture development shall conform to applicable state and federal policies and regulations, provided they are consistent with the SMA and this SMP to ensure no net loss of ecological function.
- 2) The applicant shall demonstrate that the proposed facility meets the requirements of Policy 2 above.
- 3) Impacts to ecological functions shall be mitigated in accordance with the sequence described in Chapter 3, Section 4(C)3.

2. Boating Facilities

a) Applicability

Boating facilities, including community piers, public or community boat launches and marinas, shall be subject to the policies and regulations of this Section and those for specific types of facilities in Chapter 5, Section C(5). Boating facilities as defined in this SMP do not apply to residential moorage facilities serving four (4) or fewer single-family residences. Policies and regulations for all overwater structures and moorage facilities, including those serving four (4) or fewer single-family residences, are addressed in Chapter 5, Section C(5).

Accessory uses found in boating facilities may include fuel docks and storage, boating equipment sales and rental, wash-down facilities, fish cleaning stations, repair services, public launching, bait and tackle shops, potable water, waste disposal, administration, parking, groceries, restrooms and dry goods.

b) Policies

- 1) Boating facilities should be located and designed to ensure no net loss of ecological functions or other significant adverse impacts, and, where feasible, enhance degraded and/or scarce shoreline features.
- 2) Boating facilities should not unduly obstruct navigable waters and should consider adverse effects to recreational opportunities such as fishing, pleasure boating, swimming, beach walking, picnicking, and shoreline viewing.
- 3) Boating facilities should be located in areas of low biological productivity as documented in a report prepared by a qualified professional at time of application.
- 4) Boating facilities should be located and designed so their structures and operations will be aesthetically compatible with the neighboring area and will not unreasonably impair shoreline views. However, the need to protect and restore functions and to provide for water-dependent uses carries higher priority than the protection of views.
- 5) Limits should be put on the size of community docks to address the potential for impacts on

neighboring properties.

- 6) Accessory uses at boating facilities should be limited to water-oriented uses, or uses that provide physical and/or visual shoreline access for substantial numbers of the general public. Non-water-dependent accessory uses should be located outside of shoreline jurisdiction or outside of the shoreline setback.

c) Regulations

1) Location Standards.

- a. New boating facilities shall not be permitted in areas where dredging will be required or where impacts to shoreline ecological functions and processes cannot be mitigated.
- b. New boating facilities shall not significantly affect the rights of navigation on the water of the state.
- c. Boating facilities shall not be located where their development would reduce the quantity or quality of critical fish and wildlife habitat areas as defined in LMC Section 14.154.020 (Critical Areas and Natural Resource Lands Regulations, Ordinance No.362 3(part), 2004) or where significant ecological impacts would occur.
- d. Boating facilities shall be located and designed with the minimum necessary shoreline stabilization to protect facilities, users, and watercraft from floods or destructive storms.
- e. Boating facilities shall not be located where it would be incompatible with the need to protect the public health, safety, and welfare.
- f. Boating facilities shall be located only where adequate utility services are available, or where they can be provided concurrent with the development.

2) Facility Design.

- a. All boating facilities shall be designed to avoid and minimize impacts. All unavoidable impacts must be mitigated.
- b. All boating facilities shall be the minimum size necessary to accommodate the anticipated demand. Specifically, the amount of overwater cover, the size, and number of in-water structures, the waterward length of the facility, and the extent of any necessary associated shoreline stabilization or modification shall be minimized. Boating facilities shall meet all applicable Shoreline Modification regulations in Chapter 5. Community and public moorage facilities shall meet the size and usage requirements established in Chapter 5, Section C(5).

3) Site Design and Operation.

- a. Boating facilities shall be designed so that lawfully existing or planned public shoreline access is not blocked, obstructed, nor made dangerous.

- b. Boating facilities shall provide physical and/or visual public or community access for as many water-oriented recreational uses as possible, commensurate with the scale of the proposal, including, but not limited to, physical and visual access to waterbodies, public piers or fishing platforms.
 - c. Upland boat storage may be allowed within shoreline jurisdiction in the Urban Park and Shoreline Residential environments, provided impervious surface limitations and other standards are met, mitigation sequencing is followed and impacts can be mitigated to achieve no net loss.
 - d. Accessory uses at boating facilities shall be located outside of shoreline jurisdiction where feasible and shall be limited to water-oriented uses or uses that support physical or visual shoreline access for substantial numbers of the general public. Accessory development may include, but is not limited to, parking, non-hazardous waste storage and treatment, stormwater management facilities, and utilities where necessary to support the water-oriented use.
 - e. The applicant shall comply with all state agency policies and regulations, including all applicable health, safety, and welfare requirements associated with the primary or accessory use.
 - f. The streets serving the proposed facility must handle the traffic generated by such a facility safely and conveniently.
 - g. The facility must be limited to day moorage only. No live-aboards or floating homes are allowed.
 - h. Covered moorage is allowed only in the Shoreline Residential environment by a CUP. Boat lift canopies are a permitted use in the Shoreline Residential environment. See Chapter 5, Section (C)(5)(d)(8) and (9) for applicable standards.
 - i. The perimeter of parking, upland boat storage, and other storage areas shall be landscaped to provide a visual and noise buffer between adjoining dissimilar uses or scenic areas.
 - j. All facilities must have provisions available for cleanup of accidental contaminants and spills
 - k. Public access shall be required, pursuant to the requirements and exemptions in the Public Access regulations contained in Chapter 3.
- 4) Boat Launch.
- a. Location Standards - Boat launches shall be sited so that they do not significantly damage fish and wildlife habitats and shall not occur in areas with native emergent vegetation. Native upland vegetation removal shall be minimized to the greatest extent feasible. All facilities shall be sited and designed per required mitigation sequencing.
 - b. Public launch ramps shall be located only on stable shorelines where feasible and where water depths are adequate to eliminate or minimize the need for dredging, filling, beach enhancement, or other maintenance activities.

- c. The design shall comply with all regulations as stipulated by state and federal agencies, affected tribes, or other agencies with jurisdiction.
- d. The applicant shall demonstrate that the proposed length of a boat launch is the minimum necessary to launch the intended craft safely. In no case shall the ramp extend beyond the point where the water depth is eight (8) feet below the OHWM, unless the Shoreline Administrator determines that a greater depth is needed for a public boat launch facility.
- e. Design Standards.
 - i. Boat launches for non-motorized boats shall be constructed of gravel or other similar natural material.
 - ii. Preferred launch ramp designs for motorized boats, in order of priority, are:
 - a. Open grid designs with minimum coverage of lake substrate.
 - b. Seasonal ramps that can be removed and stored upland.
 - c. Structures with segmented pads and flexible connections that leave space for natural beach substrate and can adapt to changes in shoreline profile.
 - d. Standard concrete pads.

3. Commercial Development

a) Applicability

Commercial development means those uses that are involved in wholesale, retail, service, and business trade. Uses and activities associated with commercial development that are identified as separate uses in this program include Agriculture, Aquaculture, Mining, Industry, Boating Facilities, Transportation Facilities, and Utilities. Piers and docks, bulkheads, shoreline stabilization, flood protection, and other shoreline modifications are sometimes associated with commercial development and are subject to those shoreline modification regulations in Chapter 5 in addition to the standards for commercial development established herein.

b) Policies

- 1) Commercial development should be limited in the shoreline area based on the residential and recreational nature of the existing shoreline.
- 2) Water-oriented commercial developments should be preferred over non-water-oriented commercial uses.
- 3) Commercial developments should be encouraged to incorporate LID BMPs where feasible into new and existing projects.

c) Regulations

- 1) New commercial uses shall be prohibited within all shoreline areas except where the underlying zoning permits such uses, and one or more of the criteria identified below are met:
 - a. The use is water-oriented;
 - b. The use is an accessory use to a permitted recreational use or facility within the Urban Park or Conservancy environment. Examples include, but are not limited to:
 - i. Concession stands in City Parks,
 - ii. Booths associated with festivals sponsored by the City, and private parties or receptions and banquets, and
 - iii. Boat rentals.
 - c. The use is a home occupation within the Shoreline Residential environment provided they meet the requirements of LMC Sections 18A.70.200 and 18A.70.250 pertaining to Home Occupations.
 - d. The site is physically separated from the shoreline by another property or public right of way.
 - e. The use is part of a mixed-use project that includes water-dependent uses and provides a significant public benefit with respect to the SMA's objectives, such as providing public access and ecological restoration.
 - f. Navigability is severely limited at the proposed site, and the proposed commercial use provides significant public benefit with respect to the SMA's objectives, such as providing public access and ecological restoration; or
 - g. The use is non-water oriented and replaces an existing non-water oriented use in an existing commercial building. For purposes of this regulation, replace means the footprint and general intensity of the commercial uses are the same.
- 2) Water oriented uses shall incorporate design and operational elements that clearly demonstrate that they meet the definition of water dependent, water related or water oriented uses.
- 3) Commercial uses shall provide public access as required in Chapter 3, Section B(5) and ecological restoration where feasible and shall not negatively impact existing navigation, recreation or public access.
- 4) All commercial loading and service areas shall be located or screened to minimize adverse impacts, including visual impacts, to the shoreline environment.
- 5) LID BMPs shall be incorporated into new development where feasible, pursuant to the City's adopted Surface Water Design Manual and the most recent edition of the Low Impact Development Technical Guidance Manual for Puget Sound.

- 6) Commercial development and accessory uses must conform to the setback and height standards established in Table II.

4. Parking

a) Applicability

Parking is the temporary storage of automobiles or other motorized and non-motorized vehicles. The following provisions apply only to parking that is accessory to a permitted shoreline use. Parking as a primary use and parking which serves a use not permitted in shoreline jurisdiction is prohibited.

b) Policies

- 1) Parking in shoreline areas should be minimized
- 2) Parking facilities in shoreline areas should be located and designed to minimize adverse impacts including impacts related to stormwater runoff, water quality, visual qualities, public access, and vegetation and habitat maintenance, and to result in no loss of ecological functions.
- 3) Parking in shoreline areas should not restrict access to the site by necessary public safety vehicles, utility vehicles, or other vehicles requiring access to shoreline properties.

c) Regulations

- 1) Parking as a primary use is prohibited in shoreline jurisdiction.
- 2) Parking in shoreline areas must directly serve a permitted shoreline use.
- 3) Parking facilities shall provide adequate provisions to control surface water runoff to prevent it from contaminating water bodies.
- 4) Parking facilities serving individual buildings on the shoreline shall be located landward from the principal building being served, except when the parking facility is within or beneath the structure and adequately screened or in cases when an alternate orientation would have less adverse impact on the shoreline.
- 5) Exterior parking facilities shall be designed and landscaped to minimize adverse impacts upon adjacent shoreline and abutting properties. Exterior parking facilities for nonresidential uses shall be landscaped to provide an effective “full-screen” within three (3) years of project completion when viewed from adjacent areas within shoreline jurisdiction.
- 6) New and reconstructed parking areas within the Urban Park shoreline environment designation shall utilize LID BMPs where feasible in accordance with the City’s adopted Surface Water Design Manual and the most recent edition of the Low Impact Development Technical Guidance Manual for Puget Sound.

5. Recreational Development

a) Applicability

Recreational uses include passive activities, such as walking, viewing, and fishing. Recreational development also includes facilities for active uses, such as swimming, boating, and other outdoor recreation uses. This section applies to both public and private shoreline recreational facilities (excluding private residences). Commercial shoreline recreational facilities must also meet the requirements for Commercial Development.

b) Policies

- 1) Primary recreational uses in the shoreline jurisdiction should be limited to water-oriented uses. Non-water-oriented recreational facilities may be allowed as an accessory use and in limited circumstances where they do not displace water oriented uses, for example, where visual access is incorporated if feasible and physical access is not possible.
- 2) The coordination of local, state, and federal recreation planning should be encouraged. Shoreline recreational developments should be consistent with the City's Comprehensive Park and Recreation Plan.
- 3) Recreational developments should be designed to preserve, enhance, or create scenic views and vistas.
- 4) The use of publicly owned lands for public access and development of recreational opportunities should be encouraged.
- 5) Priority for land acquisition should be given to open space that provides wildlife habitat and offers opportunities for education and interpretation.
- 6) Shoreline areas with a potential for providing recreation or public access opportunities should be identified and acquired by lease or purchase, or through partnerships with nonprofit and service organizations, and incorporated into the park and open space system.
- 7) Links between existing and future shoreline parks, recreation areas, and public access points should be created with a non-motorized trail system using existing rights-of-way or through acquisition of easements and/or land.
- 8) Recreational activities should be designed to avoid conflict with private property rights, and to minimize and mitigate negative impacts on adjoining property.
- 9) Public access should not contribute to a net loss of shoreline ecological functions.

c) Regulations

- 1) All structures associated with a recreational use, except water dependent structures, such as docks and boardwalks and limited water enjoyment structures such as open viewing platforms and benches, shall maintain a standard setback from the OHWM per Table II. However, existing structures may be replaced in their current location and configuration to the extent allowed by the Nonconforming

Development provisions of Chapter 6, Section F, and state and federal agencies with jurisdiction. Any further setback reduction shall require approval of a setback reduction pursuant to Table II in this Chapter or a shoreline variance.

- 2) Private and public recreation areas shall protect existing native vegetation in the shoreline area and restore vegetation impacted by development activities. Recreational use and development shall result in no net loss of shoreline ecological functions. Mitigation shall be provided as necessary to meet this requirement. Failure to meet this standard will result in permit denial. The City may request necessary studies by qualified professionals to determine compliance with this standard.
- 3) Water-dependent or water-related activities such as swimming, boating, and fishing, and activities that benefit from waterfront scenery, such as picnicking, hiking and bicycling, shall be emphasized in planning public and private (excluding residential) noncommercial recreation sites in shoreline areas.
- 4) All recreational developments shall make adequate provisions for:
 - a. Non-motorized and pedestrian access;
 - b. The prevention of trespass onto adjacent properties, including, but not limited to, landscaping and fencing;
 - c. Protection and restoration of environmentally sensitive areas and shoreline processes and functions;
 - d. Signs indicating the public's right of access to shoreline areas, installed and maintained in conspicuous locations at the point of access and the entrance; and
 - e. Buffering of such development from adjacent private property or natural areas.
- 5) In approving shoreline recreational developments, the City shall ensure that the development will maintain, enhance, or restore desirable shoreline features.
- 6) Swimming areas shall be separated from boat launch areas.
- 7) The construction of swimming facilities, piers, moorages, floats, and launching facilities waterward of the OHWM shall be governed by the regulations relating to overwater structure construction in the Shoreline Modifications Section of this SMP.
- 8) Fragile and unique shoreline areas with valuable ecological functions, such as wildlife habitats, shall be used only for non-intensive recreation activities that do not involve the construction of structures.
- 9) Recreation developments such as golf courses and playfields that require periodic use of fertilizers, pesticides or other chemicals, or that support high-intensity activities as a primary use, such as sporting events, shall be located outside of shoreline jurisdiction.
- 10) Proposals for new or expanded recreational development shall include provisions for public access to the shoreline, subject to the requirements and exemptions contained in Chapter 3, Subsection B(5)(c).

6. Residential Development

a) Applicability

Residential development means construction of one or more buildings or structures, or subdivision of land to provide a place of abode for human beings. Such development includes multi-family and single-family dwellings together with accessory uses and structures normally applicable to residential uses located landward of the OHWM, including, but not limited to, swimming pools, garages, sheds, decks, patios and fences.

Residential development is preferred use under this SMP and is allowed where it can be accommodated without significant shoreline impacts. Residential development is prohibited in the Aquatic environment, and single-family residential development is a conditional use in the Natural, Urban Park, and Conservancy environments. Single-family and multi-family development is further limited by the underlying zoning.

b) Policies

- 1) Residential development should be permitted only where there are adequate provisions for utilities, circulation, and access.
- 2) New development should provide adequate setbacks and natural buffers from the water and ample open space among structures to protect natural features, preserve views and minimize use conflicts.
- 3) The City should provide development incentives, including reduced shoreline setbacks, to encourage the protection, enhancement, and restoration of high functioning buffers and natural or semi-natural shorelines.
- 4) Residential development should be designed to preserve shoreline aesthetic characteristics, views, and minimize physical impacts to shoreline ecological functions.
- 5) Residential development should be designed to preserve existing shoreline vegetation, control erosion, protect water quality, and utilize LID BMPs where feasible.
- 6) The City should encourage the use of joint-use piers and docks in lieu of individual piers and docks for each waterfront lot to protect the ecological functions of the lake.
- 7) The City should encourage the use of alternative paving products for walkways, driveways, and patios, such as pervious pavers, as a mechanism for reducing impervious surfaces and surface water runoff.
- 8) At a minimum, development should achieve no net loss of ecological functions necessary to sustain shoreline natural resources, even for exempt development.

c) Regulations

- 1) Residential development is a preferred use where it can be accommodated without significant impacts to the shoreline and shall be permitted in shoreline jurisdiction subject to the policies and regulations

for the specific shoreline environment designation (see Chapter 4, Table II), underlying zoning regulations, and the general regulations in Chapter 3 of this SMP.

- 2) Structures or other development accessory to residential uses are permitted in shoreline jurisdiction, if allowed under all other applicable standards in this SMP and subject to the provisions of the City's zoning code.
- 3) All additions to residential structures must comply with all standards in this SMP, including required shoreline setbacks established in Chapter 4, Table II.
- 4) Nonconforming residential structures that are repaired, modified, replaced or enlarged are subject to the requirements in Chapter 6, Section F(2) (Administration - Nonconforming Use and Development Standards).
- 5) Accessory uses and appurtenant structures not specifically addressed in the SMP shall be subject to the same regulations as primary residences, including setbacks, with the exception of water-oriented accessory structures that comply with the impervious surface limits identified in Table II of this Chapter. Water-oriented structures allowed in the setback include, but are not limited to, boathouses, gazebos, viewing platforms and decks.
- 6) In order to maintain visual access to the waterfront, all fences except those located next to creeks shall be set back a minimum of fifteen (15) feet from the OHWM. Fences located next to creeks must be placed above the creek's flood limit level.
- 7) To protect views and vistas maximum height limits have been established for each shoreline environment designation as indicated in Chapter 4, Table II.
- 8) The stormwater runoff for all new or expanded pavements or other impervious surfaces shall be directed to infiltration systems and other LID BMPs shall be incorporated into new development where feasible, in accordance with the City's adopted Surface Water Design Manual and the most recent edition of the Low Impact Development Technical Guidance Manual for Puget Sound.
- 9) LID stormwater facilities, such as swales and infiltration areas, may be located within the required shoreline setback area at the discretion of the Shoreline Administrator if no mature trees are removed.
- 10) Residential development, including land subdivision, shall result in no net loss of shoreline ecological functions. This includes meeting the no net loss standard at full build out of a subdivision or other development. Mitigation shall be provided as necessary to meet this requirement. Failure to meet this standard will result in permit denial. The City may request necessary studies by qualified professionals to determine compliance with this standard.
- 11) For the purposes of this section and WAC 173-27-040(2)(g), the following shall be considered a "normal appurtenance" to a single-family residence. Not all normal appurtenances are considered water oriented:
 - a. Garages

- b. Decks
- c. Driveways and parking areas
- d. Utilities
- e. Fences
- f. Landscaping
- g. Pathways, walkways and stairways
- h. Swimming pool and spa
- i. Flagpole
- j. Shed up to two hundred (200) square feet
- k. Children's play equipment
- l. Fire Pit
- m. Sports court
- n. Installation of a septic tank, drain field and grading which does not exceed two hundred fifty (250) cubic yards and which does not involve the placement of fill in any wetland or waterward of the OHWM (when permitted by Tacoma Pierce County Health Department, Pierce County Sewer Utility, and City policies and regulations).

7. Signs

a) Policies

- 1) Signs should be designed and placed so that they are compatible with the aesthetic quality of the existing shoreline and adjacent water and land uses.
- 2) Signs should not block or otherwise interfere with visual access to the water or shorelines.

b) Regulations:

- 1) Signs shall comply with the City's sign regulations.
- 2) All signs shall be located and designed to minimize interference with vistas, viewpoints, and visual access to the shoreline.
- 3) The following types of signs may be allowed in all shoreline environment designations:
 - a. Water navigational signs and highway signs necessary for operation, safety, and direction.
 - b. Public information signs directly relating to a shoreline use or activity.
 - c. Off-premise, freestanding signs for community identification, information, or directional purposes.
 - d. Site and institutional flags or temporary decorations customary for special holidays and similar events of a public nature.

8. Trails

a) Applicability

Trails serve as both recreational facilities and transportation facilities. Trails are classified into two types: minor trails and major trails. Major trails are paved and they allow for simultaneous use by both pedestrians and bicycles. Major trails also frequently provide connections between local points of interest and a larger regional access network. Due to their use of pavement and the necessity of complying with ADA design requirements,

major trails are generally not appropriate for locations with steep terrain or environmentally sensitive areas. Minor trails, on the other hand, are designed for local access and usually have less improved right-of-way than major trails. Minor trails are typically unpaved and surfaced with either gravel or bare dirt, although they may have sections where pervious pavement is used. Due to their narrow right-of-way, minor trails usually do not support simultaneous use by pedestrians and bicycles.

b) Policies

- 1) Normal operation and normal maintenance and repair of all trails in shoreline jurisdiction should be exempt from the Substantial Development Permit requirements, subject to the specific provisions identified in Chapter 6 Section C(1).
- 2) Trail location, design, and construction should adhere to mitigation sequencing and no net loss requirements.

c) Regulations

- 1) Unless approved as a major trail, trails shall be no greater than ten (10) feet in total improved width, which includes eight (8) feet of surface and one (1) foot shoulders. Not including landscaping, no more than eight (8) feet of improved surface is preferable in most cases.
- 2) Major trails shall be the minimum width necessary to accommodate the proposed use safely and in no case shall they be more than eighteen (18) feet in total improved width, which includes fourteen (14) feet of surfaced trail and two (2) foot shoulders.
- 3) Gravel, woodchips, or pervious pavement shall be used for public access within the shoreline management area unless the Shoreline Administrator determines that such use is not in the public interest because of safety, durability, aesthetic, or functionality concerns.
- 4) Trails shall be placed at least twenty-five (25) feet from the OHWM, except for bridges, limited spurs to physical access points and overlooks comprising no more than ten percent (10%) of the overall lineal length of the proposed trail. The Shoreline Administrator shall use the variance process and criteria for evaluating a proposed reduction in the twenty-five (25) foot setback for trails parallel to the water, which exceed ten percent (10%) of the total linear length of the proposed trail.
- 5) Landscaping shall be native and drought tolerant or site appropriate.
- 6) Enhancement of shoreline functions, including native plantings, shall be incorporated into trail designs as mitigation for development impacts where necessary and where a clear benefit can be demonstrated.
- 7) Trails shall be subject to other specific conditions as described in the applicable trail or parks plan.

9. Transportation Facilities

a) Applicability

Transportation facilities are those structures and developments that aid in land, air, and water surface movement of people, goods, and services. They include roads and highways, bridges, heliports, and other related facilities.

In the City, transportation facilities account for a limited percentage of the shoreline land inventory. However, the impact of these facilities on shorelines can be substantial.

b) Policies

- 1) Normal operation, and normal maintenance and repair of all transportation facilities in the shoreline jurisdiction should be exempt from Substantial Development Permit requirements, subject to the specific provisions identified in Chapter 6 Section C(1).
- 2) New road construction in the shoreline jurisdiction should be minimized, and such construction outside of the Shoreline Residential environment should be allowed by conditional use only when related to and necessary for the support of permitted shoreline activities.
- 3) Expansion of existing roadways in the shoreline jurisdiction should be allowed if such facilities are found to be in the public interest, as determined jointly by the City Engineer and Shoreline Administrator.
- 4) Joint use of transportation corridors within the shoreline jurisdiction for roads, utilities, and motorized and non-motorized forms of transportation should be encouraged.

c) Regulations

- 1) New road construction in shoreline jurisdiction shall be minimized and allowed only when related to, and necessary for, the support of permitted shoreline activities or found to be within the public interest.
- 2) New stream crossings associated with transportation uses shall be avoided if possible and minimized in number and total area impacts (e.g. perpendicular crossings). Culverts and bridges shall be designed to allow passage of adult and juvenile salmon pursuant to DFW Fish Passage Guidelines and accommodate the flow of water, sediment, and woody debris during the 100-year return storm event. Bridge abutments shall be located outside of floodplains and CMZs if feasible.
- 3) Transportation facility development shall result in no net loss of shoreline ecological functions and shall not affect existing or planned water dependent uses. Mitigation shall be provided as necessary to meet this requirement. Failure to meet this standard will result in permit denial.
- 4) New roads and expansion of existing roadways within the shoreline jurisdiction shall be allowed only when the proponent demonstrates that:
 - a. No alternative route is feasible; and
 - b. The roadway is constructed and maintained to cause the least possible adverse impact on the land and water environment.

- 5) Transportation and primary utility facilities shall be required to make joint use of rights-of-way, and to consolidate crossings of water bodies to minimize adverse impacts to the shoreline.
- 6) Developers of roads must be able to demonstrate that efforts have been made to coordinate with existing land use plans including the SMP and the City's Comprehensive Plan.
- 7) All debris and other waste materials from roadway construction shall be disposed of in such a way as to prevent their entry into any water body.
- 8) Road designs must provide safe pedestrian and non-motorized vehicular crossings where public access to shorelines is intended.
- 9) Streets within shoreline jurisdiction shall be designed with the minimum pavement area required. Gravel and more innovative materials shall be used where feasible for pathways and road shoulders to minimize the amount of impermeable surfaces and help to maintain a more natural appearance.
- 10) The City shall give preference to mechanical means for roadside brush control on roads in shoreline jurisdiction rather than the use of herbicides.

10. Utilities (Primary)

a) Applicability

Utilities are services and facilities that produce, transmit, store, process, or dispose of electric power, gas, water, sewage, communications and the like. Utilities in this SMP are divided into primary and secondary based on type and scale. The provisions of this section apply to primary utility uses and activities such as solid waste handling and disposal, regional water transmission lines and storage facilities, sewage treatment facilities and interceptors, water or sewer pump stations, power generating or high voltage transmission facilities, gas pipelines and storage facilities and regional stormwater treatment facilities.

b) Policies

- 1) New primary utilities should be located outside of shoreline jurisdiction unless they are water oriented, no other feasible option exists, and should utilize existing transportation and utility sites, rights-of-way and corridors where allowed, rather than creating new corridors. Joint use of rights-of-way and corridors should be encouraged.
- 2) Solid waste disposal activities and facilities should be prohibited in shoreline areas.
- 3) Primary utilities should avoid locating in environmentally sensitive areas unless no feasible alternatives exist.
- 4) Primary utility facilities and corridors should be located to protect scenic views if they must be placed in a shoreline area, preferably underground or designed to minimize impacts on the aesthetic qualities of the shoreline area if possible.

c) Regulations

- 1) Primary utilities shall be located outside of SMA jurisdiction unless no other feasible option exists.
- 2) Primary utilities shall be located landward of OHWM unless such location is not feasible or would result in potentially greater environmental impacts.
- 3) Primary utility facilities shall avoid disturbance of unique and fragile areas, as well as wildlife spawning, nesting and rearing areas. Utility facility design, location, development, and maintenance shall result in no net loss of shoreline ecological functions. Mitigation shall be provided as necessary to meet this requirement. Failure to meet this standard will result in permit denial.
- 4) Through coordination with local government agencies, utility development shall provide for compatible, multiple uses of sites and rights-of-way. Such uses include shoreline access points, trail systems and other forms of recreation and transportation, providing such uses will not unduly interfere with utility operations, endanger public health and safety, or create a significant and disproportionate liability for the owner.
- 5) Utility lines shall utilize existing rights-of-way, corridors, and/or bridge crossings whenever possible and shall avoid duplication and construction of new corridors in all shoreline areas. Proposals for new corridors or water crossings must fully substantiate the infeasibility of existing routes.
- 6) Solid waste disposal sites and facilities are prohibited in all shoreline environment designations.
- 7) Where major facilities must be placed in a shoreline area, the location and design shall be chosen so as not to destroy or obstruct scenic views.
- 8) To the greatest extent feasible, primary utility development shall provide screening of facilities from water bodies and adjacent properties. Screening, including landscaping and fencing, shall be designed to constitute a dense “full screen,” where feasible.
- 9) Clearing of vegetation for the installation or maintenance of utilities shall be kept to a minimum and, upon project completion; any disturbed areas shall be restored to their pre-project condition.
- 10) The City shall hold public meetings prior to the issuance of a substantial development permit for a major primary utility project in accordance with the administrative procedures outlined in this SMP to allow for the greatest amount of public input to help guide utility-related decisions.

11. Utilities (Secondary)

a) Applicability

Secondary utilities are typically distribution services connected directly to the uses along the shoreline. For example, power distribution, telephone, cable, water mains and distribution lines, sewer collectors and side sewer stubs, stormwater collection and conveyance, are all considered as utilities accessory to shoreline uses. They are covered in this section because they concern all types of development and have the potential of

affecting the ecological condition and visual quality of the shoreline and its waters. On-site accessory utilities that only serve the permitted shoreline use (e.g. sewer connection) are considered part of the primary use. The Shoreline Administrator shall have the authority to determine when a facility is a Primary or Secondary Utility based on the guidance provided in the SMP.

b) Policies

- 1) Utilities necessary to serve shoreline uses should be properly sited and installed to protect the shoreline and water from contamination and degradation.
- 2) Secondary utility facilities and right-of-ways should be located outside of the shoreline area to the extent possible. Utility lines should be placed underground if possible when a shoreline location is required.
- 3) Utility facilities should be designed and located in a manner, which preserves the natural landscape and shoreline ecology, and minimizes conflicts with present and planned land uses.

c) Regulations

- 1) Through coordination with local government agencies, utility developments shall provide for compatible multiple uses of sites and rights-of-way. Such uses include shoreline access points, trail systems, and other forms of recreation and transportation, providing such uses will not unduly interfere with utility operations, or endanger public health and safety.
- 2) In shoreline areas, secondary utilities shall be placed underground unless demonstrated to be infeasible. Further, such lines shall utilize existing rights-of-way and existing corridors whenever possible.
- 3) Utility facilities shall be located and designed to avoid destruction of, or damage to, important wildlife areas, and other unique and fragile areas. Utility facility development shall result in no net loss of shoreline ecological functions. Mitigation shall be provided as necessary to meet this requirement. Failure to meet this standard will result in permit denial.
- 4) Clearing for the installation or maintenance of utilities shall be kept to a minimum, and upon project completion, any disturbed area shall be restored, to the greatest extent feasible, to pre-project conditions, including replanting with native species, or other species as approved by the Shoreline Administrator, and maintenance care. If the previous condition is identified as being undesirable for shoreline function, then landscaping and other improvements shall be undertaken.
- 5) The location and construction of outfalls shall comply with all appropriate federal, state, county and city regulations.
- 6) The City shall maintain, enhance, and restore public natural drainage systems in accordance with all applicable policies and regulations to protect water quality, reduce flooding, reduce public costs, and prevent associated environmental degradation for a no net loss of shoreline ecological functions.

- 7) New utility lines including electricity, communications, and fuel lines shall be located underground, where feasible. Existing above ground lines shall be moved underground when properties are redeveloped or in conjunction with major system upgrades or replacements where feasible.
- 8) Utility development shall include public access to the shoreline, trail systems, and other forms of recreation, providing such uses will not unduly interfere with utility operations, endanger the public health, safety, and welfare, or create a significant and disproportionate liability for the owner.
- 9) Proposals for new utility corridors shall demonstrate the infeasibility of existing routes.

Chapter 5 Shoreline Modification Provisions

A. Introduction and Applicability

Shoreline modifications are those structures and actions that modify the physical configuration or qualities of the shoreline area, particularly at the point where land and water meet. Shoreline modifications include, but are not limited to, structures such as bulkheads, docks, piers, and floats, and actions such as clearing, grading and dredging. Shoreline modifications are, by definition, undertaken in support of or in preparation for a permitted shoreline use. A single use may require several different shoreline modifications.

Shoreline modification policies and regulations are intended to assure, at a minimum, no net loss of ecological functions necessary to sustain shoreline natural resources and to prevent, reduce and mitigate the negative environmental impacts of proposed shoreline modifications consistent with the goals of the SMA. A proposed development must meet all of the regulations for both applicable uses and activities as well as the general and environment designation regulations.

This chapter has been divided into four sections: Shoreline Stabilization, Dredging and Disposal, Fill, and Overwater Structures and Launching Facilities.

B. Table of Permitted Shoreline Modifications

The shoreline modification table below determines whether a specific shoreline modification is allowed within each of the shoreline environment designations. See the standards following the table for a full explanation of structures and actions and required conditions.

Table IV. Permitted Shoreline Modifications

P = Permitted Use

C = May be Permitted as a Conditional Use

X = Prohibited, Not Eligible for a Variance or CUP

N/A = Not Applicable

SHORELINE MODIFICATIONS	Shoreline Residential	Urban - Stream Protection	Urban Park	Conservancy	Natural	Aquatic
SHORELINE STABILIZATION						See adjacent upland shoreline environment designation
Beach Restoration and Enhancement	P	X	P	X	C	
Soil Bio-engineering	P	P	P	P	P	
Structural Stabilization	P	X	C	X	X	
Breakwaters, Jetties, and Groins	X	X	X	X	X	
Clearing and Grading	P	P ¹	P ¹	P ¹	C ¹	
Dredging and Disposal	X	X	X	X	X	
Dredging ²	C	C	C	C	C	
FILL						
Fill Upland of OHWM	P	P ¹	P ¹	C ¹	X	
Fill Waterward of OHWM ²	C	C	C	X	C	

OVERWATER AND IN-WATER STRUCTURES⁴					
Recreational Float	P	X	P	X	X
Overwater Boathouse ³	X	X	X	X	X
Single / Joint Pier and Dock	P	X	P	X	X
Moorage Piles and Mooring Buoys	P	X	P	X	X
Private Community Dock	P	X	P	X	X
Public Pier/Dock	C	X	P	X	X
Boat Launch	C	X	C	X	X
Launching Rails	C	X	X	X	X
Boat Lifts	P	X	X	X	X
Boat Lift Canopies	P	X	X	X	X
Moorage Covers (Open Sides, Structural Roof)	C	X	X	X	X
In-Stream Structures (e.g. Dams and Weirs)	C	C	C	C	C

¹The critical area provisions of LMC Title 14 as incorporated into this SMP shall apply within designated critical areas and buffers (such as streams and wetlands). Critical area requirements may further restrict this activity and other development activities in portions of the shoreline management area. Please see LMC Title 14 and Chapter 3, Section (B)(3) for more information.

²Dredging and fill waterward of the OHWM occur in the Aquatic shoreline environment designation by definition, but are regulated based on the adjacent upland shoreline environment designation. In the shoreline environment designations where they are allowed, fill waterward of the OHWM and dredging are only permitted in limited situations. See Chapter 5, Section C(3) and (4) for additional restrictions and requirements. Small scale beach restoration utilizing up to or less than twenty-five (25) cubic yards of material is permitted waterward of the OHWM without a CUP. See Chapter 5, Section C(4)(c)(2).

³Boathouses landward of the OHWM no greater than twelve (12) feet in height are allowed in shoreline setbacks subject to impervious surface limits and other restrictions in this SMP.

⁴See permit requirements and exemptions per Section C.5 (b) of Chapter 5 and Chapter 6.

C. Policies and Regulations

1. General Policies and Regulations

a) Applicability

The following provisions apply to all shoreline modifications whether such proposal addresses a single property or multiple properties. Additional requirements as contained in other Chapters of this SMP apply. Where a general standard, environmental standard or use standard conflicts with the provisions contained in this chapter, the more restrictive shall apply.

b) Policies

- 1) The adverse effects of shoreline modifications should be reduced, as much as possible, and shoreline modifications should be limited in number and extent.
- 2) The Shoreline Administrator should take steps to assure that shoreline modifications individually and cumulatively do not result in a net loss of ecological function by preventing unnecessary shoreline modifications by giving preference to those types of shoreline modifications that have a lesser impact on ecological functions, and by requiring mitigation of identified impacts resulting from shoreline

modifications.

c) Regulations

- 1) All shoreline modifications must be in support of an authorized shoreline use or provide for human health and safety.
- 2) All shoreline development shall be located and designed to prevent or minimize the need for shoreline modifications.
- 3) In reviewing shoreline modification permits, the Shoreline Administrator shall require steps to avoid then reduce significant ecological impacts according to the mitigation sequence in Chapter 3, Section B.4.C.3.
- 4) The Shoreline Administrator shall base all shoreline modification decisions on available scientific and technical information and a comprehensive analysis of site-specific conditions provided by the applicant, as stated in WAC 173-26-231.

2. Shoreline Stabilization (Including Bulkheads)

a) Applicability

Shoreline stabilization includes structures and actions taken to address erosion impacts caused by natural processes, such as currents, floods, and waves. Examples of stabilization methods include beach restoration and enhancement, soil bioengineering, and bulkheads.

"Hard" structural stabilization measures refer to those with solid, hard surfaces, such as concrete or boulder bulkheads, while "soft" structural measures rely on less rigid materials, such as anchored logs, limited rock placement in conjunction with other components, bioengineered vegetation measures, and beach enhancement. Nonstructural methods include building setbacks, relocation of the structure to be protected, ground water management, and planning and regulatory measures.

Generally, the harder the construction measure, the greater the impact on shoreline processes, such as sediment transport, geomorphology, and biological functions. The means taken to reduce damage caused by erosion, accretion, and flooding must recognize and promote the benefits of these natural occurrences. Erosion does not occur without accretion (deposition and accumulation) of material eroded, such as formation of a beach or a sandbar. Likewise, accretion cannot occur unless material has been eroded.

A key regulatory distinction in this SMP is made between new stabilization measures and the replacement of existing stabilization measures. New stabilization measures include the enlargement of existing structures. Some of these techniques are currently being used in City as described below, or they are techniques that could be used to address local shoreline issues.

General policies and regulations addressing shoreline stabilization methods are presented below, followed by discussion, polices and regulations of the individual stabilization methods.

Beach Restoration or Enhancement

Beach enhancement is the alteration of exposed and submerged shorelines for the purpose of stabilization, recreational enhancement, and/or aquatic habitat creation or restoration using native or similar material. The materials used are dependent on the intended use. For recreational purposes, various grades of clean sand or pea gravel are often used to create a beach above the OHWM. Restoration or re-creation of a shore feature may require a rock and gravel matrix and/or other materials appropriate for the intended use.

Soil Bioengineering

Soil bioengineering is the practice of using natural vegetative materials to stabilize shorelines and prevent erosion. This may include use of root systems, or other living plant material; fabric; and limited rock toe protection, where appropriate. Soil bioengineering projects often include fisheries habitat enhancement measures, such as anchored logs or root wads, in project design. Soil bioengineering techniques may be applied to shoreline areas and the upland areas away from the immediate shoreline.

The use of soil bioengineering as a shoreline stabilization technique is a viable and proven alternative to riprap, concrete and other structural solutions. It provides habitat while maintaining and preserving the shoreline's natural character. Soil bioengineering is the preferred "best practices" choice when considering shoreline stabilization.

Bulkheads

Bulkheads are shoreline structures, either sloped or vertical, usually constructed parallel to the shore close to or at the OHWM. The primary purpose is to contain and prevent the loss of soil caused by erosion or wave action.

Bulkheads have historically been constructed of poured-in-place or precast concrete, concrete blocks, steel or aluminum sheet piling, wood or wood and structural steel combinations, and boulders. Bulkheads may be either thin structures penetrating deep into the ground or more massive structures resting on the surface.

Uses and activities related to bulkheads, which are identified as separate use activities in this program, such as Fill and Residential Development, are subject to the regulations for those uses in addition to the standards for bulkheads established in this section.

Groins

Groins are barrier-type structures of rock, wooden piling, or other materials constructed across the beach itself and extending into the water with the intent to obstruct sand and sediment carried by the littoral drift action along shorelines. Groins have limited applicability in the City's shoreline jurisdiction because of the relatively small size of the jurisdictional lakes.

b) Policies

- 1) Shoreline stabilization should be located, designed, and maintained to protect and maintain shoreline ecological functions, ongoing shoreline processes, and the integrity of shoreline features. Ongoing stream or lake processes and the probable effects of proposed shoreline stabilization on other

properties and shoreline features should be considered. Shoreline stabilization should not be developed for the purpose of filling shorelines.

- 2) Hard structural shoreline stabilization measures should only be used when softer, more natural, flexible, or non-structural methods such as placing the development farther from the OHWM, planting vegetation, or installing on-site drainage improvements, beach nourishment and bioengineering have been determined infeasible. Alternatives for shoreline stabilization should be based on the following hierarchy of preference:
 - a. No action (allow the shoreline to retreat naturally), increase buffers, and relocate structures.
 - b. Flexible defense works constructed of natural materials including soft shore protection, bioengineering, including beach nourishment, protective berms, or vegetative stabilization.
 - c. Rigid works constructed of artificial materials such as riprap or concrete.
- 3) Structures should be located and designed to avoid the need for future shoreline stabilization where feasible. Land subdivisions should be designed to assure that future development would not require shore stabilization.
- 4) New or expanded structural shoreline stabilization should only be permitted where necessary to protect an existing primary structure or a legally existing shoreline use that is in danger of loss or substantial damage, and where it would not cause a net loss of shoreline ecological functions and processes.
- 5) New or expanded structural shoreline stabilization for enhancement, restoration, or hazardous substance remediation projects should only be allowed when non-structural measures, vegetation planting, or on-site drainage improvements would be insufficient to achieve enhancement, restoration, or remediation objectives.
- 6) Shoreline stabilization should not be permitted when it interferes with public access, or other appropriate shoreline uses including, but not limited to, navigation or private recreation.
- 7) Non-regulatory methods to protect, enhance, and restore shoreline ecological functions and other shoreline resources should be encouraged for shore stabilization. Non-regulatory methods may include public facility and resource planning, technical assistance, education, voluntary enhancement and restoration projects, or other incentive programs.
- 8) Provisions for multiple use, restoration, and/or public shore access should be incorporated into the location, design, and maintenance of shore stabilization for public or quasi-public developments whenever safely compatible with the primary purpose. Shore stabilization on publicly owned shorelines should not be allowed to decrease long-term public use of the shoreline.
- 9) Materials used for construction of shoreline stabilization should be selected for long-term durability, ease of maintenance, compatibility with local shoreline features including aesthetic values, and flexibility for future uses.

- 10) New development that would require shoreline stabilization, which causes significant impacts to adjacent properties, should not be allowed.
- 11) Explore a range of solutions to reduce the amount of bulkheads and hard shoreline armoring over time around American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, and Waughop Lake and restore natural bank conditions. Alternative methods to typical shoreline armoring using native vegetation and other natural shoreline features should be the preferred method where feasible.

c) Regulations

Shoreline Stabilization - General Requirements

- 1) The standards in this section apply to all developments and uses in shoreline jurisdiction.
- 2) Except as otherwise provided in these regulations, structural shoreline stabilization to protect primary structures from damage from erosion shall be allowed only after it is demonstrated through a geotechnical report that non-structural solutions would not provide sufficient protection to existing structures. If structural stabilization is necessary to protect structures, then the feasibility of soft structural measures shall be evaluated prior to consideration of hard structural measures. Soft structural stabilization measures shall be used unless the Shoreline Administrator determines that it is not feasible based on the geotechnical report required in this section and provided by the applicant.
- 3) The geotechnical report shall evaluate the necessity of structural stabilization measures by estimating timeframes and rates of erosion, urgency, alternative solutions, and other pertinent factors. Hard armoring shall not be authorized except where the geotechnical report confirms that there is a significant possibility that a primary structure will be damaged within three years as a result of shoreline erosion in the absence of such measures or where waiting until the need is that immediate would foreclose the opportunity to use measures that would avoid impacts on ecological functions. Where a geotechnical report confirms a need to prevent potential damage to a primary structure, but the need is not as immediate as three (3) years, soft structural stabilization measures may be authorized.
- 4) Soft shoreline stabilization may include the use of gravels, cobbles, limited use of boulders in conjunction with other measures, and logs, as well as vegetation.
- 5) During construction or repair work on a shoreline stabilization measure, areas of temporary disturbance within the shoreline setback shall be restored as quickly as feasible to their pre-disturbance condition or better to avoid impacts to the ecological function of the shoreline.

Shoreline Stabilization - New Development

- 1) New development, including land subdivision, shall, to the extent feasible, be located and designed to eliminate the need for concurrent or future shoreline stabilization and ensure no net loss of ecological function at full build-out. A geotechnical analysis of the site and shoreline characteristics shall be required to assure that lots created through subdivision will not require shoreline stabilization in order for reasonable development to occur. New non-water dependent development that would require

shoreline stabilization and cause significant adverse impacts to adjacent or down-current properties is prohibited.

- 2) New development, including single-family residences, that requires new structural shoreline stabilization shall be prohibited unless all of the conditions below are met:
 - a. The need to protect the development from damage due to erosion caused by natural processes, such as currents and waves is demonstrated through a geotechnical report;
 - b. The erosion is not being caused by upland conditions, such as loss of vegetation and drainage;
 - c. Non-structural measures, such as placing the development farther from the shoreline, planting vegetation, LID BMPs, or installing on-site drainage improvements, are not feasible or not sufficient; and
 - d. The stabilization structure will not result in a net loss of shoreline ecological functions.
- 3) New development on steep or unstable slopes shall be set back sufficiently to ensure that shoreline stabilization will not be needed during the life of the structure, as demonstrated by a geotechnical analysis prepared by a geotechnical engineer or related professional licensed and in good standing in the State of Washington.

Shoreline Stabilization - New or Expanded Measures

New structural stabilization measures and enlargement of existing structural stabilization measures shall be limited to the minimum size necessary and shall be permitted only when it has been conclusively demonstrated through scientific analysis that shoreline stabilization is necessary to protect existing primary structures, public improvements, ecological function restoration projects or hazardous substance remediation projects from erosion, and that nonstructural measures, planting vegetation, or installing on-site drainage improvements are not feasible or not sufficient.

Shoreline Stabilization - Replacement and Repair

- 1) An existing shoreline stabilization structure shall not be replaced with a similar structure unless there is a demonstrated need to protect legally established principal uses or existing structures from erosion caused by currents or waves and a nonstructural measure is not feasible.
- 2) Shoreline stabilization solutions developed to replace existing shoreline stabilization shall be placed along the same alignment as, or landward of, the shoreline stabilization being replaced, except as noted below.
- 3) Where existing hard structural stabilization is replaced by soft structural or non-structural shoreline stabilization using bioengineering techniques and results in a documented improvement of shoreline functions, such stabilization may be allowed waterward of the OHWM subject to state and federal approvals. Such stabilization does not constitute fill for the purpose of this SMP.
- 4) A major repair or replacement of a hard shoreline stabilization structure shall be allowed without a

demonstration of need when the existing primary structure is ten (10) feet or less from the OHWM. All other major repair proposals must include a written narrative prepared by a qualified geotechnical engineer that provides a demonstration of need. A major repair shall be defined as:

- a. A repair needed to a portion of an existing stabilization structure that has collapsed, eroded away, or otherwise demonstrated loss of structural integrity, or in which the repair work involves modification of the toe rock or footing, and the repair is fifty percent (50%) or greater than the linear length of the shoreline stabilization measure; or
 - b. A repair to more than seventy-five percent (75%) of the linear length of the existing hard structural stabilization measure in which the repair work involves replacement of top or middle course rocks or other similar repair activities.
- 5) Minor repairs are repairs that do not meet the threshold established in regulation 4 above. Such repairs shall be allowed without a demonstration of need.

General Shoreline Stabilization - Design Requirements

- 1) Shoreline stabilization and modification projects shall avoid adverse impacts to the environment to the greatest extent feasible, and where such impacts cannot be avoided, mitigation shall be provided to achieve no net loss of shoreline ecological functions.
- 2) Shoreline stabilization shall not be used to create new or newly usable land.
- 3) Shoreline stabilization shall not significantly interfere with normal surface and/or subsurface drainage into the water body.
- 4) Shoreline stabilization shall be designed so as not to constitute a hazard to navigation and not interfere with visual access to the water substantially.
- 5) Shoreline stabilization shall be designed so as not to not cause a significant impact to adjacent properties, including the need for shoreline stabilization elsewhere.
- 6) Professional design (as approved by the Shoreline Administrator) of all shoreline stabilization is required. All shoreline modifications shall be in support of a permitted shoreline use that is in conformance with the provisions of this SMP unless it can be demonstrated that such activities are necessary and in the public interest.
- 7) All shoreline modification activities must comply with all other regulations as stipulated by state and federal agencies, local tribes, or others that have jurisdiction.
- 8) Alternative methods to typical shoreline armoring using native vegetation and other natural shoreline features shall be considered when replacing existing and constructing new shoreline stabilization solutions.
- 9) Public access shall be required as part of publicly financed shoreline stabilization measures unless public

access improvements would cause unavoidable health or safety hazards to the public, inherent and unavoidable security problems, unacceptable and immitigable significant ecological impacts, unavoidable conflict with proposed use, or a cost that is disproportionate and unreasonable to the total long-term cost of the development.

Beach Restoration or Enhancement

- 1) Beach enhancement along American Lake, Gravelly Lake, Lake Louise and Lake Steilacoom may be permitted when the applicant has demonstrated that the project will not detrimentally interrupt littoral processes, redirect waves, current, or sediment to other shorelines, or adversely affect adjacent properties or habitat and all other standards of the SMP are followed.
- 2) Beach enhancement for the purpose of shoreline stabilization is limited to the minimum necessary. Proposals exceeding the threshold outlined in Section 4(c)(2) shall be subject to the requirements for shoreline fill in that section.
- 3) Natural beach restoration/enhancement activities shall not:
 - a. Extend waterward more than the minimum amount necessary to achieve the desired stabilization;
 - b. Disturb significant amounts of valuable shallow water fish/wildlife habitat without appropriate mitigation of the impacts.
- 4) The size and/or mix of new materials to be added to a beach shall be as similar as possible to that of the natural beach sediment, but large enough to resist normal current, wake, or wave action at the site.
- 5) The restored beach shall approximate, and may slightly exceed, the natural beach width, height, bulk or profile (but not as much as to create additional dry land).
- 6) Beach enhancement is prohibited within fish and/or wildlife spawning, nesting, or breeding habitat that would be adversely affected by it, as well as where littoral drift of the enhancement materials would adversely affect adjacent spawning grounds or other areas of biological significance.

Soil Bioengineering

- 1) All soil bioengineering projects shall use native plant materials appropriate to the specific area including trees, shrubs, and groundcovers, unless demonstrated infeasible for the particular site.
- 2) Except where more restrictive or specific Critical Area and Resource Lands Regulations apply, all cleared areas shall be replanted immediately following construction and irrigated (if necessary) to ensure that within three (3) years all vegetation is one hundred percent (100%) reestablished to achieve no net loss of ecological functions of the shoreline area. Areas that fail to reestablish vegetation adequately shall be replanted by the applicant with approved plant materials until the plantings are viable. The Shoreline Administrator may establish additional performance standards in permit conditions based on the project site and nature of the proposal.

- 3) Any bioengineered bank stabilization and replanted areas as required by Regulation 2 above shall be maintained in the form of a buffer zone for a minimum of three (3) years. The buffer zone shall exclude activities that could disturb the site. Where determined necessary by the Shoreline Administrator, fencing may be required to ensure protection of plantings.
- 4) All construction and planting activities shall be scheduled to minimize impacts to water quality and fish and wildlife aquatic and upland habitat, and to optimize survival of new vegetation.

Breakwaters

- 1) Breakwaters, jetties, and groins shall not be permitted.

Bulkheads

- 1) Bulkhead design and development shall conform to all other applicable local, state, and federal agency regulations.
- 2) On shorelines where no other adjacent bulkheads, the bulkhead construction shall tie in with the contours of the adjoining shorelines, as feasible, to avoid causing erosion of the adjoining properties.
- 3) Bulkheads may tie in flush with existing bulkheads on adjoining properties, provided that the new bulkhead does not extend waterward of OHWM, except that which is necessary to make the connection to the adjoining bulkhead. In such circumstances, the remaining portion of the bulkhead shall be placed landward of the existing OHWM such that no net loss of lake occurs and the design complies with all other regulations as stipulated by state and federal agencies, local tribes, or others that have jurisdiction.
- 4) Replacement bulkheads shall not encroach waterward of the OHWM or existing structure unless the residence was occupied prior to January 1, 1992, and there is overriding safety or environmental concerns. In such cases, the replacement structure shall abut the existing stabilization structure.
- 5) When a bulkhead is required at a public access site, provisions for safe access to the water shall be incorporated into bulkhead design.
- 6) Stairs or other permitted structures may be built into a bulkhead, but shall not extend waterward of a bulkhead.
- 7) Fill behind bulkheads shall be limited to an average of one (1) cubic yard per linear foot of bulkhead. Any filling in excess of this amount shall be subject to the policies and regulations in this SMP pertaining to fill activities.

3. Dredging and Disposal

a) Applicability

Dredging is the removal or displacement of earth or sediments such as gravel, sand, mud or silt and/or other materials or debris from any stream, or lake and associated shorelines, side channels, and wetlands. In a lake setting, dredging is normally done for specific purposes or uses such as deepening a navigational channel or obtaining bottom material.

Dredge material is disposed of on land or into water bodies and may be intended for the purpose of creating new or additional lands for other uses. Dredge spoil varies from clean river sand to organic sludge. While some of this material is deposited on land, a significant portion is dumped, intentionally or unintentionally, back into the water or immediately adjacent to the water.

Of all activities on shorelines, dredging poses one of the greatest threats to water quality and aquatic life. In most cases, dredging occurs in shallow areas and may disturb the aquatic environment by temporarily reducing water clarity from suspended sediments, causing aquatic plant and animal loss by direct removal or from the sedimentation of suspended materials, altering the nutrient and oxygen levels of the water column, and suspending toxic materials from the sediments into the water column.

b) Policies

- 1) In all cases, dredging operations should be planned and conducted to protect and maintain existing aquatic habitat and other shoreline uses, properties, and values. Proposals that include dredging should provide mitigation to achieve no net loss of shoreline ecological functions.
- 2) When allowed, dredging and dredge material disposal should be limited to the minimum amount necessary.
- 3) Dredging waterward of the OHWM for the primary purpose of obtaining fill should not be allowed, except as part of a restoration or environmental cleanup project.
- 4) The City may impose limitations on dredging activities, such as limited operating hours, time periods, and requirements for buffer strips at the site.
- 5) Dredging or excavation of gravel for the purposes of flood management should be consistent with adopted flood hazard reduction plans and should result in no net loss of ecological function.

c) Regulations

- 1) Dredging and disposal of dredge material shall avoid and minimize significant ecological impact; impacts that cannot be avoided shall be mitigated to achieve no net loss of ecological processes and functions.
- 2) New development siting and design shall avoid the need for new and maintenance dredging.

- 3) Dredging may be permitted as a conditional use activity only:
 - a. When necessary to support a water-dependent use; or
 - b. For expansion or alteration of public utility facilities; or
 - c. As part of mitigation actions, environmental restoration, a comprehensive flood control program or habitat enhancement projects.
- 4) In all cases where dredging is allowed, dredging may be permitted as a conditional use:
 - a. When technical information demonstrates water circulation, littoral drift, aquatic life and water quality will not be substantially impaired; and
 - b. When other solutions would result in greater environmental impact; and
 - c. When applicable permits of other local, state, federal have been obtained.
- 5) Maintenance dredging associated with a water dependent use shall be restricted to maintaining the previously dredged and/or existing authorized location, depth, and width.
- 6) Dredging for the primary purpose of obtaining fill or construction material is prohibited, except for projects associated with MTCA or CERCLA habitat restoration, or any other significant restoration effort approved by a shoreline CUP. When dredging is allowed for fill materials, placement of fill must be waterward of the OHWM.
- 7) Proposals for dredging and dredge disposal shall include details on all feasible mitigation measures to protect aquatic habitats. Dredging and dredge disposal shall not create a net loss of shoreline ecological functions.
- 8) Dredging material, which will not subsequently cause violation of state Water Quality Standards, may be used in permitted landfill projects.
- 9) Excavation on beaches below the OHWM in lands covered by water constitutes dredging and shall include precautions to prevent the migration of fine grain sediments, disturbed by the excavation, onto adjacent beach areas. Excavations on beaches shall be backfilled promptly using material of similar composition and similar or coarser grain size.
- 10) Dredging shall be timed so that it does not interfere with aquatic life.
- 11) Depositing dredge materials in all water areas shall be prohibited, except where authorized in Regulation 6 above.
- 12) Disposal of dredged material on shorelands or wetlands within a CMZ shall be prohibited.
- 13) Dredging shall utilize techniques (such as hydraulic dredging instead of agitation dredging) that cause minimal dispersal and broadcast of bottom material.
- 14) Limitations may be imposed on dredging activities, such as limited operating hours, time periods, and requirements for buffer strips at the site.
- 15) Dredging or excavation of gravel for the flood management shall be consistent with an adopted flood

hazard reduction plan per the requirements of WAC 173-26-221(3)(c). Such dredging or excavation shall only be approved after a biological study demonstrates that the project would have a long-term benefit to flood hazard reduction, is part of a comprehensive flood management solution, and would not result in a net loss of ecological function.

4. Fill

a) Applicability

Fill is the placement of soil, sand, rock, gravel, sediment, earth-retaining structure, or other material to an area waterward of the OHWM, in wetlands or on shorelands in a manner that raises the elevation or creates dry land. Fill is usually considered in locations where the water is shallow and rooted vegetation often occurs. In their natural condition, these areas provide valuable habitat for fish and wildlife feeding, breeding, and shelter. Biologically, these areas tend to be highly productive portions of the lake. For these reasons, governmental agencies and scientific experts have generally sought to prohibit or restrict fill.

b) Policies

- 1) Shoreline fill waterward of the OHWM should be permitted as a conditional use in all shoreline environment designations, and only when tied to a specific development proposal that is permitted by the SMP.
- 2) Where permitted, fill coverage should be the minimum necessary to provide for the proposed use.
- 3) In evaluating fill projects, factors such as current and potential public use of the shoreline and water surface area, water flow and drainage, water quality and habitat should be considered and protected to the maximum extent feasible. Further, the City should assess the overall value of the fill site in its present state versus the proposed shoreline use to be created to ensure consistency with the SMA and this SMP.
- 4) Fills waterward of the OHWM should be restricted to the minimum necessary to support water-dependent uses, public access, cleanup and disposal of contaminated sediments as part of an interagency clean-up plan, disposal of dredged sediments in accordance with the Washington State Department of Natural Resources (DNR) rules, expansion or alteration of transportation facilities of statewide significance when no other alternatives are feasible, and for mitigation actions, environmental restoration and enhancement projects, and only when other solutions would result in greater environmental impact.
- 5) Shoreline fills should be designed and located so that there will be no net loss of existing ecological systems or natural resources, and no alteration of local currents, surface and subsurface drainage, or flood waters which would result in hazard to adjacent life, property, or natural resource systems.
- 6) The fill perimeter should be designed to avoid or eliminate erosion and sedimentation impacts, both during initial fill activities and over time. Natural appearing and self-sustaining control methods are preferred over structural methods.

c) Regulations

- 1) Fill proposals must demonstrate, at a minimum, that they will result in no net loss of shoreline ecological functions.
- 2) Fills waterward of the OHWM (not including small scale beach restoration that does not exceed twenty-five (25) cubic yards) shall require a CUP and shall be restricted to the minimum necessary to:
 - a. Support water-dependent uses;
 - b. Provide public access;
 - c. Allow for the remediation and disposal of contaminated sediments as part of an interagency clean-up plan;
 - d. Allow the disposal of dredged sediments in accordance with DNR rules;
 - e. Provide for the expansion or alteration of transportation facilities of statewide significance when no other alternatives are feasible; and
 - f. Accomplish mitigation actions, environmental restoration and enhancement projects, and only when other solutions would result in greater environmental impact.
- 3) Fills shall be designed, constructed, and maintained to prevent, minimize, and control all material movement, erosion, and sedimentation from the affected area.
- 4) All perimeters of fills shall be provided with vegetation, retaining walls, or other satisfactory mechanisms for erosion prevention and sediment capture.
- 5) Fill shall be permitted only where it is demonstrated that the proposed action will not:
 - a. Result in significant damage to water quality, fish, aquatic habitat, and/or wildlife habitat; or
 - b. Adversely alter natural drainage and circulation patterns, or significantly reduce floodwater-holding capabilities.
- 6) No refuse disposal sites, solid waste disposal sites, or sanitary fills shall be permitted within the American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom or Waughop Lake shoreline areas.
- 7) Any placement or removal of materials landward of the OHWM shall comply with the Vegetation Conservation and Critical Areas provisions of this SMP.
- 8) Fill for the purpose of raising the average grade level is prohibited.

5. Overwater Structures and Launching Facilities

a) Applicability

Piers and docks are structures that abut the shoreline and often used as a landing or moorage place for watercraft. Piers are built on fixed platforms supported by piles above the water, while docks float upon the water. Some piers may terminate in a float section that is connected by a ramp.

Recreational floats are independent anchored offshore platforms, used for water-dependent recreational activities such as swimming and diving.

Boat launches include graded slopes, slabs, pads, planks, or rails used for launching boats by means of a trailer, hand, or mechanical device.

All of these types of facilities have positive and negative environmental aspects. Floating docks generally have less of a visual impact than piers on pilings. However, in the nearshore, docks can interrupt littoral drift of sediments and other suspended materials, and significantly shade the aquatic environment throughout their length. Pile piers can provide diverse habitat for both desirable and undesirable aquatic life. Excavated moorage involves dredging and disturbs bottom sediments and aquatic life. Docks and piers alike create impediments to boat traffic and fish travel. Boat launches impact soils and vegetation, both upland and aquatic. Construction of these facilities requires regulation to protect navigation, to protect shoreline aesthetics, and to maintain the useable water surface and aquatic lands for life forms characteristic and important to those areas.

b) Exemptions

Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee, or contract purchaser of single-family and multiple-family residences. A dock is a landing and moorage facility for watercraft and does not include recreational decks, storage facilities or other appurtenances.

- 1) The City will review all development proposals for overwater structures to determine if the proposal is or is not exempt from the requirement for a Substantial Development Permit per WAC 173-27-040. This exemption applies in freshwater when the fair market value of the dock does not exceed:
 - A) Twenty-two thousand five hundred dollars (\$22,500) for docks that are constructed to replace existing docks, and are of equal or lesser square footage than the existing dock being replaced; or
 - B) Eleven thousand two hundred dollars (\$11,200) for all other docks constructed in fresh waters.

However, if subsequent construction occurs within five years of completion of the prior construction, and the combined fair market value of the subsequent and prior construction exceeds the amount specified above, the subsequent construction shall be considered a substantial development for the purpose of this chapter.

- 2) The proposal is suitably located and designed and that all potential impacts have been recognized and mitigated such that there is no net loss of shoreline ecological functions; and
- 3) The proposal is consistent with the intent, policies, and regulations of the SMA, the SMP Guidelines, and this SMP.

c) General Policies

- 1) New piers and docks should be allowed only for public access and water-dependent uses.
- 2) New piers and docks should be restricted to the minimum size necessary and permitted only when the applicant has demonstrated that a specific need exists to support the intended water-dependent use.
- 3) Piers and docks should be discouraged where conflicts with recreational boaters and other recreational water activities would be created by pier and dock construction.

- 4) The further proliferation of single-purpose, single-owner piers, and docks should be discouraged. Preference should be given to the shared use piers in shoreline areas.
- 5) Preference should be given to fixed-pile piers elevated above the OHWM. Floating docks should be allowed if the applicant can demonstrate why a fixed pile pier is not feasible or will result in greater impacts.
- 6) Recreational floats should be allowed where they are intended to support public or private recreational uses, or in lieu of fixed piers adjacent to residential land uses.
- 7) New overwater boathouses are prohibited and new moorage covers should not be allowed, except through a CUP in the Shoreline Residential environment.
- 8) Overwater structures, including piers, should only be authorized after consideration of:
 - a. The effect such structures have on wildlife and aquatic life, water quality, scenic and aesthetic values, environmentally sensitive resources, submerged lands, and submerged vegetation.
 - b. The effect such structures have on water circulation, recreational boating, sediment movement and littoral drift and shoreline access.
- 9) Overwater structures and mooring buoys should be designed to cause minimum interference with navigable waters and the public's safe use of the lake and shoreline.
- 10) The proposed size of the structure and intensity of use or uses of any overwater structure should be compatible with the surrounding environment and land and water uses.
- 11) Lighting facilities should be limited to the minimum extent necessary to locate the pier or dock at night.

d) Regulations - Docks, Piers and Moorage Structures

- 1) All new overwater structures, including modifications and/or additions, must comply with all regulations contained in this SMP and all other regulations as stipulated by state and federal agencies, local tribes, or others that have jurisdiction.
- 2) Mitigation shall be provided for all reconstructed, repaired, or modified overwater structures to ensure no net loss of ecological function.
- 3) Fixed pile piers elevated at least two (2) feet above the water surface shall be preferred over floating docks. Floating docks shall be allowed if floating elements are not located within the first twenty (20) feet of the shoreline, measured waterward of the OHWM, unless the applicant can demonstrate why adherence to this restriction is not feasible and an alternative design would result in less ecological impact.
- 4) New piers and docks shall be allowed only for public access and water-dependent use, which includes

a structure associated with a single-family residence that is designed and intended as a facility for access to watercraft and otherwise complies with the regulations contained in this section. Piers and docks of the minimum size necessary to accommodate the proposed water dependent use may be permitted accessory to a development provided:

- a. No more than one (1) pier/dock for each single-family residence is permitted. Up to one (1) buoy is allowed per dwelling unit in lieu of a dock.
 - b. No more than one (1) pier, dock or other moorage structure is allowed for a water dependent commercial use or a multi-family development on a single lot or contiguous ownership with the required minimum lot width.
- 5) On lots that have less than the minimum lot width for an overwater structure, as required in Table V, joint-use piers/docks shall be required, except when lots on either side of the subject lot have legal pre-existing piers or docks and the applicant demonstrates to the satisfaction of the Shoreline Administrator that a shared use agreement is not feasible. Only in this case may the lot with less than the required minimum lot width be permitted an individual pier.
 - 6) New piers and docks that are not accessory to single-family residences shall be permitted only when intended for public use or when the applicant demonstrates that a specific need exists to support the intended water-dependent use.
 - 7) New residential development of more than two (2) dwellings shall provide a joint use or community moorage structure, rather than individual piers or docks.
 - 8) New moorage covers in the Shoreline Residential environment are permitted by a CUP, if the proposal meets all of the following criteria:
 - a. The applicant demonstrates that a joint use or community moorage structure is not feasible;
 - b. The applicant demonstrates that the moorage cover is the minimum size necessary to provide for the water dependent use;
 - c. The overwater structure does not create any potential adverse impacts to public safety;
 - d. Navigation rights are not significantly impacted;
 - e. The overwater structure does not cause environmental impacts that cannot be sufficiently mitigated;
 - f. The covered moorage is placed as far waterward of the OHWM as feasible and safe, within the limits of the dimensional standards for docks and piers established in this Section;
 - g. There is only one (1) covered moorage per moorage facility, including joint use piers; and
 - h. The overwater structure complies with all other conditional use criteria in WAC 173-27-160 as outlined in Chapter 6 of this SMP.
 - 9) New boat lifts and boat lift canopies are permitted as long as the following requirements are met:
 - a. Boatlifts shall be placed as far waterward of the OHWM as feasible and safe, within the limits of the dimension standards for piers and docks.
 - b. Bottom of a boat lift canopy shall be elevated above the boat lift to the maximum extent feasible, the lowest edge of the canopy must be at least four (4) feet above the water surface, and the top

- of the canopy must not extend more than seven (7) feet above an associated pier.
- c. One boat lift and boat lift canopy and up to two (2) jetski lifts per dwelling unit.
 - d. The lift does not require the placement of pilings or permanent structures.
 - e. A maximum of two (2) cubic yards of clean rock fill or pre-cast concrete blocks are permitted to anchor the boat lift if the substrate prevents the use of anchoring devices.
 - f. No hydraulic fluid other than water shall be used in the boat lift system; backflow protection may be required.
- 10) Proposed overwater structures that do not comply with the dimensional standards in Table V may only be approved if they obtain a variance. Provided that, pursuant to WAC 173-27-040 (2)(b), any legally existing nonconforming pier or dock may be repaired or restored (replacement may be authorized as repair) to its original pre-existing size, dimension, configuration and location without the need for a variance, provided such activity meets the definition of normal maintenance and repair. Projects undertaken pursuant to this section must be permitted within two years of removal of the pre-existing, nonconforming structure.
- 11) All float tubs shall be fully encapsulated.
- 12) Floating docks are required to be designed to not ground during low water conditions.
- 13) All overwater structures shall be constructed and maintained in a safe and sound condition. Abandoned or unsafe overwater structures shall be removed or repaired promptly by the owner.
- 14) Wooden components that will be in contact with water or over water shall not be treated or coated with herbicides, fungicides, paint, pentachlorophenol, arsenate, creosote, or similar toxic substances. Structures shall be made out of materials that have been approved by applicable state and federal agencies.
- 15) Non-water dependent elements and uses, such as decks and gazebos built on piers or docks, are not allowed.

Table V. Dimensional Standards for Overwater Structures

Standard	Dock or Float	Pier	Moorage Pile or Buoy
Height above OHWM ¹	N/A	2 ft.	N/A
Maximum Waterward Distance for all Single Use and Joint Use Moorage Structures or Floats ²	Point at which 11 ft. water depth from OHWM is reached, not to exceed the following: Lake Louise: 40 ft. All other lakes: 80 ft.	Point at which 11 ft. water depth from OHWM is reached, not to exceed the following: Lake Louise: 40 ft. All Other lakes: 80 ft.	Point at which 11 ft. water depth from OHWM is reached, not to exceed the following: Lake Louise: 40 ft. All Other lakes: 80 ft.
Maximum Waterward Distance for Community Docks	150 ft.	150 ft.	N/A

Setback from Extension of Side Yard Lot Lines	10 ft.	10 ft.	10 ft.
Maximum Surface Area ⁴	<p>550 sq. ft. (single owner) 640 sq. ft. (2 owners)</p> <p>100 sq. ft. for each additional owner over 2 up to a maximum size of 2,000 sq. ft.</p> <p>Please note that all docks and piers must also meet water frontage standards</p>	<p>550 sq. ft. (single owner) 700 sq. ft. (2 owners)</p> <p>120 sq. ft. for each additional owner over 2 up to a maximum size of 2,000 sq. ft.</p> <p>Please note that all docks and piers and docks must also meet water frontage standards</p>	N/A
Location of Ells, Fingers and Deck Platforms, or Freestanding Buoy or Moorage Pile ³	<p>No closer than 20 ft. waterward of the OHWM.</p> <p>Within 20 ft. of the OHWM, only the access ramp portion of dock is allowed.</p>	<p>No closer than 20 ft. waterward of the OHWM.</p> <p>Within 20 ft. of the OHWM, only the access ramp portion of dock is allowed.</p>	No closer than 20 ft. waterward of the OHWM and moorage piles may not be located farther away than the end of the pier or dock
Minimum Water Frontage Required - Single-Family	50 ft.	50 ft.	None
Private Joint Use or Community Docks - Intensity of Use (Number of Slips)	One moorage for each 30 ft. of shoreline frontage up to 210 ft., plus one moorage for each additional 20 ft.	One moorage for each 30 ft. of shoreline frontage up to 210 ft., plus one moorage for each additional 20 ft.	N/A
On Lake Steilacoom only, pier and dock primary walkways or decks must be fully grated or contain other materials that allow light transmittance through between thirty and fifty percent (30%-50%) of the material, depending on the pier or float width.			

¹ During the course of the normal fluctuations of the elevation of the water body, No portion of a deck of a pier shall protrude more than six (6) feet above the water surface.

² The proposed length must be the minimum necessary to support the intended use. The total dock length includes approach ramp and floating element(s). If eleven (11) foot average water depth is reached within twenty (20) feet of the approach ramp for a dock, a floating element will be permitted, not to exceed the maximum length standard. A dock or pier may exceed the maximum length with a shoreline variance, provided a report prepared by a qualified professional that includes verifiable survey information demonstrates the average water depth of eleven (11) feet is not attainable within the maximum length allowed from the OHWM. Existing public piers may be repaired or replaced

to their previous length.

³ Includes all walkways and additional fingers. The maximum width of a ramp connecting a pier to a float should be minimized to the maximum extent practical and should not exceed 4 feet in width.

⁴ Includes all walkways, ramps, and additional fingers. The maximum surface area also includes the areas of related or separate recreational floats. Two or more residential property owners must utilize joint-use docks and piers. Existing public piers may be repaired or replaced to their previous square footage.

e) Regulations - Recreational Floats

- 1) Recreational floats may be permitted, provided:
 - a. The area of a recreational float shall be minimized to the maximum extent feasible and comply with regulations as stipulated by state and federal agencies, local tribes, or others that have jurisdiction. No recreational float shall have more than one hundred and fifty (150) square feet when associated with a private recreation land use, and four hundred (400) when associated with a public recreational land use.
 - b. Distance waterward from the OHWM. Recreational floats must be in water with depths of eleven (11) feet or more at the landward end of the float and may be located up to a maximum waterward distance as shown in Table V.
 - c. The area of the recreational float shall be in addition to the maximum surface area for overwater structures in Table V.
- 2) Recreational floats shall be designed and intended for swim use or other non-motorized use.
- 3) On Lake Steilacoom, recreational floats shall be fully grated.
- 4) Retrieval lines shall not float at or near the surface of the water.
- 5) Height. Recreational floats must be built so that the deck surface is one (1) foot above the water's surface and they must have reflectors for nighttime visibility.
- 6) All float tubs shall be fully encapsulated.

f) Regulations - Moorage Piles and Buoys

- 1) Up to two (2) moorage piles are allowed per dwelling unit, up to a maximum of six (6) moorage piles for joint use or community docks.
- 2) Up to one (1) buoy is allowed per dwelling unit in lieu of a dock.
- 3) Buoys shall be anchored to the lake substrate in accordance with all state and federal requirements.

g) Regulations - Boat Launches (Rails and Ramps)

- 1) Launching rails may be permitted as a conditional use in the Shoreline Residential environment in lieu of a moorage pier. The applicant shall demonstrate that the proposed length of the rail is the minimum necessary to safely launch the intended craft and comply with all regulations as stipulated by state and

federal agencies, local tribes, or others that have jurisdiction. In no case shall the rail extend beyond the point where the water depth is eight (8) feet below the OHWM.

- 2) Launching rails shall be anchored to the ground with the use of tie-type construction.
- 3) No more than one (1) launching rail per single-family residence or duplex is permitted.
- 4) Launching ramps may be permitted as a conditional use for recreational uses or when serving more than four (4) residential units in the Shoreline Residential or Urban Park environment. The applicant shall demonstrate that the proposed length of the ramp is the minimum necessary to safely launch the intended craft and comply with all regulations as stipulated by state and federal agencies, local tribes, or others that have jurisdiction. In no case shall the ramp extend beyond the point where the water depth is eight (8) feet below the OHWM.
- 5) Launching ramps serving more than four (4) residential units are regulated as Boating Facilities and they must comply with all policies and regulations in Chapter 4 of this SMP. Launching rails serving more than four (4) residential units are prohibited.
- 6) Location Standards - Launch ramps and launching rails shall be sited so that they do not significantly damage fish and wildlife habitats and shall not occur in areas with native emergent vegetation. Removal of native upland vegetation shall be minimized to the greatest extent feasible. All facilities shall be sited and designed per required mitigation sequencing.
- 7) Where feasible, launch ramps and launching rails shall be located only on stable shorelines where water depths are adequate to eliminate or minimize the need for dredging, filling, beach enhancement or other maintenance activities.
- 8) The design shall comply with all regulations as stipulated by state and federal agencies, affected tribes, or other agencies with jurisdiction.
- 9) Design Standards
 - a. Boat launches for non-motorized boats shall be constructed of gravel or other similar natural material.
 - b. Preferred launch ramp designs for motorized boats, in order of priority, are:
 - A) Open grid designs with minimum coverage of lake substrate.
 - B) Seasonal ramps that can be removed and stored upland.
 - C) Structures with segmented pads and flexible connections that leave space for natural beach substrate and can adapt to changes in shoreline profile.
 - D) Standard concrete pads.

h) Regulations - In-stream Structures

- 1) In-stream structures shall be minimized and shall only be allowed consistent with the provisions of the SMP, including mitigation sequencing and no net loss.

- 2) When allowed, in-stream structures shall be located, designed and operated to protect and preserve ecosystem-wide processes, ecological functions and cultural resources, including (but not limited to) fish passage, wildlife and water resources, critical areas, hydrogeological processes and natural scenic vistas.
- 3) The location and planning of in-stream structures shall give due consideration to the full range of public interests, watershed functions and processes, and environmental concerns, with special emphasis on protecting and restoring priority habitats and species. In particular, this includes anadromous fish.

Chapter 6 Administration

A. Purpose and Applicability

There is hereby established an administrative system designed to assign responsibilities for implementation of the SMP and shoreline permit review, to prescribe an orderly process by which to review proposals and permit applications, and to ensure that all persons affected by this SMP are treated in a fair and equitable manner. All proposed shoreline uses and development, including those that do not require a shoreline permit, must conform to the SMA and to the policies and regulations of this SMP.

The SMP shall apply to every person, individual, firm, partnership, association, organization, corporation, local or state governmental agency, public or municipal corporation, or other non-federal entity which develops, owns, leases or administers lands, wetlands, or waters that fall under the jurisdiction of the Act. The permit requirements established under the SMP apply to all nonfederal activities, and to development and uses undertaken on lands not federally owned but under lease, easement, license or other similar property right of the federal government. Nothing in the SMP shall affect and rights established by treaty to which the United States is a party.

1. Exceptions to Local Review and Permitting

Developments not required to obtain shoreline permits or local reviews. Consistent with WAC 173-27-044 and -045, requirements to obtain a substantial development permit, conditional use permit, variance, letter of exemption, or other review to implement the Shoreline Management Act do not apply to the following:

- a) Remedial actions. Pursuant to RCW 90.58.355, any person conducting a remedial action at a facility pursuant to a consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or to the department of ecology when it conducts a remedial action under chapter 70.105D RCW.
- b) Boatyard improvements to meet NPDES permit requirements. Pursuant to RCW 90.58.355, any person installing site improvements for storm water treatment in an existing boatyard facility to meet requirements of a national pollutant discharge elimination system storm water general permit.
- c) WSDOT facility maintenance and safety improvements. Pursuant to RCW 90.58.356, Washington State Department of Transportation projects and activities meeting the conditions of RCW 90.58.356 are not required to obtain a substantial development permit, conditional use permit, variance, letter of exemption, or other local review.
- d) Projects consistent with an environmental excellence program agreement pursuant to RCW 90.58.045.
- e) Projects authorized through the Energy Facility Site Evaluation Council process, pursuant to chapter 80.50 RCW.

B. Shoreline Administrator

1. Authority

- a) The City's Shoreline Administrator is hereby vested with:
 - 1) Overall authority for administering the SMA and this SMP;
 - 2) Authority to approve, approve with conditions, or deny shoreline permit revisions in accordance with the policies and provisions of this SMP; and
 - 3) Authority to grant statements of exemption from substantial development permits in accordance with the policies and provisions of this SMP.

2. Duties

- a) The duties and responsibilities of the Shoreline Administrator shall include:
 - 1) Preparing and using application forms essential to administer this SMP.
 - 2) Advising interested citizens and applicants of the policies, regulations, and procedures of this SMP.
 - 3) Making administrative decisions and interpretations of the policies and regulations of this SMP and the SMA. In development of any procedures for and/or administrative interpretations of the Master Program, the Administrator shall consult with the Department of Ecology to insure any formal written interpretation is consistent with the purpose and intent of the Shoreline Management Act and the Shoreline Master Program Guidelines.
 - 4) Collecting applicable fees, as established in the City's fee schedule.
 - 5) Determining application submission completeness.
 - 6) Conducting field inspections as necessary.
 - 7) Reviewing applications and submitted and related information.
 - 8) Determining if a substantial development permit, CUP, or variance is required.
 - 9) Providing copies of permit applications to relevant staff and agencies for review and comment.
 - 10) Conducting a thorough review and analysis of shoreline exemption applications; reviewing other staff and agency comments; making written findings and conclusions; and approving, approving with conditions, or denying such exemptions.
 - 11) Submitting substantial development permit, CUP and variance applications and written recommendations and findings on such permits to the City's Hearing Examiner for their consideration and action.
 - 12) Assuring that proper notice is given to appropriate persons and the public for all hearings.
 - 13) Providing technical and administrative assistance to the City's Hearing Examiner, Planning Advisory

Board, and City Council as required for effective and equitable implementation of this program and the Act.

- 14) Investigating, developing, and proposing amendments to this SMP as deemed necessary to more effectively and equitably achieve its policies.
- 15) Enforcing and seeking remedies for alleged violations of this SMP, the SMA or conditions of any approved shoreline permit issued by the City.
- 16) Acting as the primary liaison between local and state agencies in the administration of the SMA and this SMP.
- 17) Forwarding shoreline permits to the Ecology for filing or action.

C. Substantial Development

Any person wishing to undertake substantial development within the shoreline shall submit materials as required under Chapter 18A.02 LMC and shall apply to the Shoreline Administrator for a shoreline permit, as required in this Chapter and Chapter 90.58 RCW. Specific submittal requirements may be established by administrative rule.

1. Exemptions

- a) Developments, which are exempt from the requirement for a substantial development permit, are identified in WAC 173-27-040 or as subsequently amended.
- b) Applicants must apply for an exemption approval on forms provided by the City, pursuant to Chapter 18A.02 LMC. Applicants shall be required to submit information necessary to determine the exemption and compliance with the requirements of this SMP. Submittal requirements shall be established by administrative rule.
- c) Before determining that a proposal is exempt, the Shoreline Administrator may conduct a site inspection to ensure that the proposal meets the exemption criteria.
- d) All development, use, or activity that occurs within the shoreline jurisdiction is subject to the requirements of this SMP, regardless of whether a substantial development permit required.
- e) Exempt development may still require a variance or CUP. For example, exempt development that cannot meet the dimensional standards in this SMP will require a variance and certain uses are allowed in certain shoreline environment designations only upon approval of a CUP.
- f) The Administrator shall prepare a letter of exemption whenever a development is determined to be exempt from the Substantial Development permit requirements and the development is subject to one or more of the federal permit requirements outlined in WAC 173-27-050. The letter shall indicate the specific exemption that is being applied to the development and provide a summary of the City's analysis of the

consistency of the project with the SMP.

2. Permit Process

- a) Applicants shall apply for substantial development permits, CUPs, and variances on forms provided by the City.
- b) Substantial development permits, CUPs, and variances are Process II applications and shall be processed and subject to the applicable regulations of Chapter 18A.02 LMC, as amended.
- c) Public Notice. A notice of application shall be issued for all shoreline permit applications as provided for in Chapter 18A.02 LMC, as amended, excepting that the public comment period for the notice of application for a shoreline permit shall be not less than thirty (30) days, per WAC 173-27-110(2)(e).
- d) Public Hearing. The Shoreline Administrator, at his or her discretion, may refer any shoreline application to the Hearing Examiner as a Process III application when the proposal could significantly impact another party or the proposal is of broad public concern. If a hearing is to be held on an application, notices of such a hearing shall include a statement that any person may submit oral or written comments on an application at the hearing.
- e) Application review. The Shoreline Administrator shall make decisions on applications for substantial development permits, CUPs, and variances based upon:
 - 1) The policies and procedures of the SMA and related sections of the WAC;
 - 2) Any public comment received on the application as it relates to compliance with the requirements of the SMA or this SMP; and
 - 3) Special procedures for WSDOT projects. Permit review time for projects on a state highway. Pursuant to RCW 47.01.485, the Legislature established a target of 90 days review time for local governments; and
 - 4) This SMP.
- f) Local Appeal. All decisions of the Shoreline Administrator may be appealed to the Hearing Examiner pursuant to Chapter 18A.02 LMC and related provisions. Any party may also appeal a substantial development permit, CUP, or variance to the Shoreline Hearings Board as provided by RCW 90.58.180 without first exhausting any local appeal opportunity. The decision of the Hearing Examiner may also be appealed to the Shoreline Hearings Board.
- g) Filing with Ecology. All applications for a permit or permit revision shall be submitted to Ecology, as required by WAC 173-27-130 or as subsequently amended. After City approval of a CUP or Variance, the City shall submit the permit to the Ecology for approval, approval with conditions, or denial, as provided in WAC 173-27-200. Ecology shall transmit its final decision to the City and the applicant within thirty (30) calendar days of the date of submittal by the City. Permit revisions shall comply with the revision approval criteria and process provided in WAC 173-27-100.
- h) Hold on Construction. Each permit issued by the City shall contain a provision that construction pursuant to the permit shall not begin and is not authorized until twenty-one (21) days from the date of filing with Ecology, per WAC 173-27-190 or as subsequently amended. "Date of filing" of the City's final decision on

Substantial Development Permits differs from date of filing for a CUP or variance. In the case of a substantial development permit, the date of filing is the date Ecology actually receives the City decision on the permit. In the case of a variance or CUP, the “date of filing” means the date that Ecology’s final decision on the permit is transmitted to the City.

- i) Duration of permits. Construction, or the use or activity, shall commence within two (2) years after the effective date of the permits. Authorization to conduct development activities shall terminate within five (5) years after the effective date of a shoreline permit. The Shoreline Administrator may authorize a single extension before the end of either of these time periods, with prior notice to parties of record and Ecology, for up to one (1) year based on reasonable factors.
- j) Compliance with permit conditions. When permit approval includes conditions, such conditions shall be satisfied prior to occupancy or use of a structure or prior to commencement of a nonstructural activity. All uses and developments occurring within shoreline jurisdiction shall be compliant with Chapter 90.58 RCW.

D. Variances and Conditional Use Permits

The SMA states that SMPs shall contain provisions covering variances and CUPs that are consistent with Chapter 173-27 WAC. These provisions should be applied in a manner, which assures that a person will be able to use his/her property in a fair and equitable manner while still protecting the environment.

1. Shoreline Variance

a) Purpose

The purpose of a variance is strictly limited to granting relief to specific bulk dimensions, or performance standards set forth in this SMP, and where there are extraordinary or unique circumstances relating to the property such that the strict implementation of the SMP would impose unnecessary hardships on the applicant or thwart the SMA policies as stated in RCW 90.58.020. Construction pursuant to this permit shall not begin nor can construction be authorized except as provided in RCW 90.58.020. In all instances, extraordinary circumstances shall be shown and the public interest shall suffer no substantial detrimental effect.

b) Application

- 1) An application for a Variance shall comply with the provisions of Chapter 18A.02 LMC. An applicant for Substantial Development Permit who wishes to request a Variance shall submit the applications for a Variance and Substantial Development Permit simultaneously.

c) Criteria for Granting Variances

- 1) Variances for development that will be located landward of the OHWM and landward of any wetland may be authorized provided the applicant can demonstrate consistency with the following variance criteria as listed in WAC 173-27-170:
 - a. That the strict application of the bulk, dimensional, or performance standards set forth in the

SMP precludes, or significantly interferes with, reasonable use of the property.

- b. That the hardship described above is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the SMP and not, for example, from deed restrictions or the applicant's own actions.
 - c. That the design of the project is compatible with other permitted activities within the area and with the uses planned for the area under the Comprehensive Plan and SMP and the design will not cause adverse impacts to the shoreline environment.
 - d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area.
 - e. That the variance requested is the minimum necessary to afford relief.
 - f. That the public interest will suffer no substantial detrimental effect.
- 2) Variances for a development that will be located waterward of the OHWM mark or within any wetland may be authorized provided the applicant can demonstrate all of the following:
- a. That the strict application of the bulk, dimensional, or performance standards set forth in the SMP precludes all reasonable use of the property.
 - b. That the proposal is consistent with the criteria established under subsection (1)(a) through (f) of this section.
 - c. That the public rights of navigation and use of the shorelines will not be adversely affected.
- 3) In the granting of all variances, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if variances were granted to other developments and/or uses in the area where similar circumstances exist, the total of the variances shall also remain consistent with the policies of RCW 90.58.020 and shall not cause substantial adverse effects to the shoreline environment.
- 4) Variances from the use regulations of the SMP are prohibited.

2. Shoreline Conditional Use Permits

a) Purpose

The purpose of a CUP is to allow flexibility in the application of use regulations of the SMP in a manner consistent with the policies of RCW 90.58.020. In authorizing a conditional use, special conditions may be attached to the permit by the City or Ecology to prevent undesirable effects of the proposed use and/or to assure consistency of the project with the SMA and this SMP.

b) Application

An application for a CUP shall comply with the provisions of Chapter 18A.02 LMC. An applicant for a Substantial Development Permit who wishes to request a CUP shall submit the applications for a CUP and Substantial Development Permit simultaneously.

c) Criteria for Granting Shoreline Conditional Use Permits

- 1) Uses classified as conditional uses in the SMP may be authorized, provided the applicant demonstrates all of the following conditional use criteria as listed in WAC 173-27-160:
 - a. That the proposed use is consistent with the policies of RCW 90.58.020 and the SMP;
 - b. That the proposed use will not interfere with the normal public use of public shorelines;
 - c. That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the Comprehensive Plan and this SMP;
 - d. That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and
 - e. That the public interest suffers no substantial detrimental effect.
- 2) In the granting of all CUPs, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if CUPs were granted for other developments in the area where similar circumstances exist, the total of the conditional uses shall also remain consistent with the policies of RCW 90.58.020 and shall not produce substantial adverse effects to the shoreline environment.
- 3) Other uses, which are not classified or set forth in this SMP, may be authorized as conditional uses provided the applicant can demonstrate consistency with the requirements of this section and the requirements for conditional uses contained in the SMP.
- 4) Uses, which are specifically prohibited by this SMP, shall not be authorized.

E. Appeals to the Shoreline Hearings Board

Any person aggrieved by the granting or denying of a substantial development permit, CUP, or variance, the upholding of an exemption appeal, or by the rescinding of a permit pursuant to the provisions of this SMP, may seek review from the State of Washington Shorelines Hearing Board by filing a petition for review within twenty-one (21) days of the date of filing of the permit decision. Within seven (7) days of filing the petition, the petitioner shall serve copies of the petition to Ecology, the Attorney General's Office, and the City of Lakewood. State Hearings Board regulations are provided in RCW 90.58.180 and Chapter 461-08 WAC.

F. Nonconforming Use and Development Standards

1. Applicability

"Nonconforming use or development" means a shoreline use or development which was lawfully constructed

or legally established prior to the effective date of the SMA or this SMP, or amendments thereto, but which does not conform to present regulations or standards of this SMP. Nonconforming uses are also subject to LMC Section 18A.02.830. Where the standards in this Section are more specific or conflict with the standards in LMC Section 18A.02.830, the standard in this Section shall apply. Where the standards contained in this Section do not address an issue related to nonconforming development, the standards contained in LMC Section 18A.02.830 shall apply.

2. Standards for Nonconforming Structures, Uses, and Lots

a. Nonconforming structures

- 1) Structures that were legally established and are used for a conforming use but are nonconforming with regard to setbacks, buffers or yards; area; bulk; height or density may continue as legal nonconforming structures and may be maintained and repaired.
- 2) Nonconforming structures may be enlarged or expanded provided that said enlargement meets the applicable provisions of the master program. In the absence of other more specific regulations, proposed expansion shall not increase the extent of nonconformity by further encroaching upon or extending into areas where construction would not be allowed for new structures, unless a shoreline variance permit is obtained.
- 3) Nonconforming single-family residences that are located landward of the ordinary high water mark may be enlarged or expanded in conformance with applicable bulk and dimensional standards by the addition of space to the main structure or by the addition of normal appurtenances as defined in WAC 173-27-040 (2)(g) upon approval of a conditional use permit.
- 4) A structure for which a variance has been issued shall be considered a legal nonconforming structure and the requirements of this section shall apply as they apply to preexisting nonconformities.
- 5) In the absence of other more specific regulations, a structure which is being or has been used for a nonconforming use may be used for a different nonconforming use only upon the approval of a conditional use permit. A conditional use permit may be approved only upon a finding that:
 - a. No reasonable alternative conforming use is practical; and
 - b. The proposed use will be at least as consistent with the policies and provisions of the act and the master program and as compatible with the uses in the area as the preexisting use. In addition, such conditions may be attached to the permit as are deemed necessary to assure compliance with the above findings, the requirements of the master program and the Shoreline Management Act and to assure that the use will not become a nuisance or a hazard.
- 6) A nonconforming structure which is moved any distance must be brought as closely as practicable into conformance with the applicable master program and the act.
- 7) If a nonconforming development is damaged to an extent not exceeding seventy-five percent of the replacement cost of the original development, it may be reconstructed to those configurations existing immediately prior to the time the development was damaged, provided that application is made for the

permits necessary to restore the development within two years of the date the damage occurred.

b. Nonconforming uses

- 1) Uses that were legally established and are nonconforming with regard to the use regulations of the master program may continue as legal nonconforming uses.
- 2) In the absence of other more specific regulations in the master program, such uses shall not be enlarged or expanded, except upon approval of a conditional use permit.
- 4) If a nonconforming use is discontinued for twelve consecutive months or for twelve months during any two-year period, the nonconforming rights shall expire and any subsequent use shall be conforming unless re-establishment of the use is authorized through a conditional use permit which must be applied for within the two year period. Water-dependent uses should not be considered discontinued when they are inactive due to dormancy, or where the use includes phased or rotational operations as part of typical operations. A use authorized pursuant to subsection (2)(e) of this section shall be considered a conforming use for purposes of this section.

c. Nonconforming lots

A nonconforming lot may be developed if permitted by other land use regulations of the local government and so long as such development conforms to all other requirements of the applicable master program and the act.

G. Enforcement and Penalties

1. General Provisions

- a) The Shoreline Administrator shall enforce all provisions of this SMP. The enforcement procedures and penalties contained in Chapter 173-27 WAC and Chapter 90.58 RCW are hereby incorporated by reference. See also Chapter 1.44 LMC for additional information regarding the City's enforcement regulations and related penalties.
- b) The Shoreline Administrator shall have authority to enforce this Title, any rule or regulation adopted, and any permit, order or approval issued pursuant to this Title, against any violation or threatened violation thereof. The Shoreline Administrator is authorized to issue civil infraction citations and administrative orders, levy fines, and/or institute legal actions in court including prosecution of misdemeanor violations. Recourse to any single remedy shall not preclude recourse to any of the other remedies. Each violation of this Title, or any rule or regulation adopted, or any permit, permit condition, approval or order issued pursuant to this Title, shall be a separate offense, and, in the case of a continuing violation, each day's continuance shall be deemed a separate and distinct offense. An application for a required permit, when pursued in good faith, shall stay the accumulation of violations. All costs, fees, and expenses in connection with enforcement actions may be recovered as damages against the violator.
- c) The Shoreline Administrator is authorized to make site inspections and take such actions as necessary to enforce the SMP. The Shoreline Administrator or representative may enter private property with the

consent of the owner or occupant or pursuant to a warrant.

- d) The Shoreline Administrator shall have the authority to order restoration, rehabilitation or replacement measures to compensate for the destruction or degradation of areas at the owner's expense.
- e) The Shoreline Administrator may bring appropriate actions at law or equity, including actions for injunctive relief, to ensure that no uses are made of shorelines, which are inconsistent with this Title. Enforcement actions shall include civil infractions, administrative orders, prosecution of misdemeanors, and actions for damages and restoration.
- f) Aiding or abetting. Any person who, through an act of commission or omission, procures, aids, or abets in the violation shall be considered to have committed a violation of this Title.
- g) Any person found to have violated any provision of this Title or who knowingly makes a false statement, representation or certification in any application, record or other document filed or required to be maintained under this Title or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device, record or methodology required to be maintained pursuant to this Title shall be guilty of a misdemeanor, punishable by up to 90 days in jail and/or a fine of up to \$1,000.00.
- h) Orders and penalties issued pursuant to this Section may be appealed as provided for by this Title.

2. Administrative Orders

- a) The Shoreline Administrator may serve an administrative order when any person makes or partakes in any use of land, development or any activity within the shoreline jurisdiction or on associated critical areas and/or buffers in violation of this Title. The order shall include the following:
 - 1) A description of the specific nature, location, extent, and time of violation. The order may include the damage or potential damage resulting from the violation.
 - 2) A notice that the violation or the potential violation cease and desist or, in appropriate cases, the specific corrective action to be taken within a given time. A civil penalty may be issued with the order.
 - 3) Effective date. The cease and desist order issued under this Section shall become effective immediately upon receipt by the person to whom the order is directed.
 - 4) Compliance. Failure to comply with the terms of an administrative order can result in enforcement actions including, but not limited to, the issuance of a civil penalty.
 - 5) The order may include specific corrective measures to be taken to mitigate environmental damage.
 - 6) The order shall state that an affected party may request a hearing by sending a written request for a hearing to the Shoreline Administrator within ten (10) days of the receipt of said order and upon payment of the applicable appeal fee.
 - 7) Failure to comply with the terms and provisions of an administrative order issued under this Title shall

constitute public nuisance and may be abated and prosecuted according to applicable law including LMC Section 8.16, Chapter 7.48 RCW and Chapter 9.66 RCW.

- 8) Administrative orders pursuant to this Title shall be served upon the property owner, person, or party occupying the property by personal service or by mailing a copy of the order by certified mail, postage prepaid, return receipt requested, to the property owner at the property address or to the mailing address listed upon public records regarding the property. In the event that personal service or certified mail service cannot be completed, or the property owner cannot be identified or located, service of the order may be achieved by posting the administrative order in a conspicuous location upon the property.
 - a. Any person who undertakes any activity within an area regulated by the SMA or affiliated critical area or buffer without first obtaining an approval required by this Title, or who violates one or more conditions of any approval required by this Title, shall be subject to a Class 2 civil infraction citation with a mandatory \$250.00 fine. Any person who violates one or more conditions of administrative order issued under this Title may be subject to prosecution for a misdemeanor, and a maximum penalty of 90 days in jail and/or a \$1,000.00 fine may be imposed. Each violation and, in the case of a continuing violation, each violation and each day of activity without a required approval shall be a separate and distinct violation. An application for a required permit, when pursued in good faith, shall stay the accumulation of violations. The penalty provided shall be appealable as provided by law.
 - b. Any person, party, firm, corporation, or other legal entity convicted of violating any of the provisions of this Title, shall be guilty of a civil infraction or misdemeanor. Each day or portion of a day during which a violation of this Title is continued, committed, or permitted shall constitute a separate offense. Any development carried out contrary to the provisions of this Title shall constitute a public nuisance and it may be enjoined as provided by the Statutes of the State of Washington.

3. Suspension and Revocation

In addition to other penalties provided for elsewhere, the Shoreline Administrator may suspend or revoke any project permit approval if it finds that the applicant has not complied with any or all of the conditions or limitations set forth in the approval, has exceeded the scope of work set forth in the approval, or has failed to undertake the project in the manner set forth in the approved application.

H. Shoreline Master Program Review by City of Lakewood

1. This SMP shall be periodically reviewed and amendments shall be made as are necessary to reflect changing local circumstances, new information or improved data, and changes in state statutes and administrative rules, and changes to the City's Comprehensive Plan and implementing regulations.
2. The City's established permit tracking system, aerial photos, reviewing of other available data, and field observations as feasible shall be used to periodically evaluate the effectiveness of this SMP in achieving no net loss of shoreline ecological functions with respect to both permitting and exemptions. This process

shall also be used to periodically evaluate the cumulative effects of authorized development on shoreline conditions.

3. As part of any major update, an evaluation report assessing the effectiveness of the SMP in achieving no net loss shall be prepared and considered in determining whether policies and regulations are adequate in achieving this requirement.
4. The SMP periodic review process shall be consistent with requirements of RCW 90.58.080 and WAC 173-26-090 or its successor and shall include a local citizen involvement effort and public hearing to obtain the views and comments of the public.

I. Amendments to the Shoreline Master Program

1. Any of the provisions of this SMP may be amended as provided for in RCW 90.58.120 and .200 and Chapter 173-26 WAC. Any amendments shall also be subject to the procedures in LMC Section 18A.02.
2. Amendments or revisions to the SMP, as provided by law, do not become effective until approved by Ecology.

J. Severability

If any provisions of this SMP, or its application to any person or legal entity or parcel of land or circumstances is held invalid, the remainder of this SMP, or the application of the provisions to other persons or legal entities or parcels of land or circumstances, shall not be affected.

K. Conflict of Provisions

Should a conflict occur between the provisions of this SMP or between this SMP and the laws, regulations, codes or rules promulgated by any other authority having jurisdiction within the City, the requirement that most supports the purposes and provisions of the SMA as detailed in RCW 90.58.020 shall apply, as determined by the Shoreline Administrator, except when constrained by federal or state law.

Chapter 7 Definitions and Abbreviations

THE FOLLOWING WORDS AND PHRASES ARE GIVEN THE DEFINITIONS AND/OR ABBREVIATIONS PROVIDED IN THIS CHAPTER FOR PURPOSES OF INTERPRETING THIS SMP.

Accessory use or accessory structure - Any subordinate use, structure, or building or portion of a building located on the same lot as the main use or building to which it is subordinate.

Accretion - The growth of a beach by the addition of material transported by wind and/or water, including, but not limited to, shore forms such as barrier beaches, points, spits, and hooks.

Act - The Shoreline Management Act (See Chapter 90.58 RCW).

Adjacent lands or properties - Lands adjacent to the shorelines of the state (outside of shoreline jurisdiction). The SMA directs local governments to develop land use controls (i.e. zoning, comprehensive planning) for such lands consistent with the policies of the SMA, related rules and the local SMP (see RCW 90.58.340).

Agriculture - Agricultural uses, practices and activities. In all cases, the use of agriculture related terms shall be consistent with the specific meanings provided in WAC 173-26-020. Accessory agricultural uses may consist of garden plots, livestock pens, barns, or other structures supporting incidental agriculture on the property.

Anadromous fish - Fish species, such as salmon, which are born in fresh water, spend a large part of their lives in the sea, and return to freshwater rivers and streams to procreate.

Appurtenance - A structure or development which is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the OHWM and also of the perimeter of any wetland. For purposes of this SMP, normal appurtenances are outlined in Chapter 4, Section D(6)(c)(11).

Aquaculture - The commercial cultivation of fish, shellfish, and/or other aquatic animals or plants including the incidental preparation of these products for human use.

Archaeological - Having to do with the scientific study of material remains of past human life and activities.

Associated wetlands - Those wetlands that are in proximity to and either influence, or are influenced by tidal waters or a lake or stream subject to the SMA. (See WAC 173-22-030(1)).

Average grade level - The average of the natural or existing topography of the portion of the lot, parcel, or tract of real property which will be directly under the proposed building or structure; provided that in case of structures to be built over water, average grade level shall be the elevation of OHWM. Calculation of the average grade level shall be made by averaging the elevations at the center of all exterior walls of the proposed building or structure (See WAC 173-27-030(3)).

Baseline - The existing shoreline condition, in terms of both ecological function and shoreline use, established at the time this SMP is approved.

Beach - The zone of unconsolidated material that is moved by waves, wind and tidal currents, extending landward to the coastline.

Beach enhancement/restoration - Process of restoring a beach to a state that more closely resembles a natural beach, using beach feeding, vegetation, drift sills and other nonintrusive means as applicable.

Beach feeding - Landfill deposited on land or in the water to be distributed by natural water processes for the purpose of supplementing beach material.

Benthic organism or Benthos - Living organisms that live in or on the bottom layer of aquatic systems, at the interface of the sediment (or substrate) and overlying water column. Benthos commonly refers to an assemblage of insects, worms, algae, plants and bacteria.

Berm - A linear mound or series of mounds of sand and/or gravel generally paralleling the water at or landward of the OHWM. A linear mound may be used to screen an adjacent activity, such as a parking lot, from transmitting excess noise and glare.

Best Management Practices (BMPs) - Methods of improving water quality that can have a great effect when applied by numerous individuals. BMPs encompass a variety of behavioral, procedural, and structural measures that reduce the amount of contaminants in stormwater runoff and in receiving waters.

Bioengineering - see Soil bioengineering.

Biofiltration system - A stormwater or other drainage treatment system that utilizes the ability of plant life to screen out and metabolize sediment and pollutants. Typically, biofiltration systems are designed to include grassy swales, retention ponds and other vegetative features.

Biota - The animals and plants that live in a particular location or region.

BMPs - see Best Management Practices.

Boat launch or ramp - Graded slopes, slabs, pads, planks, or rails used for launching boats by means of a trailer, hand, or mechanical device.

Boat lift - A mechanical device that can hoist vessels out of the water for storage, usually located along a pier.

Boat lift canopy - A translucent canopy or awning that is attached to the boat lift to shield the boat from sun and precipitation.

Boathouse - A structure designed for storage of vessels located over water or on shorelands. Boathouses do not include "houseboats" or "floating homes." Boathouses have 4 walls and a solid roof, whereas covered moorage does not include walls, only a roof.

Boating facility - A public or private moorage structure or boat launch serving more than four (4) residences.

Breakwater - An offshore structure generally built parallel to the shore that may or may not be connected to land, built to protect a harbor, moorage, or navigational activity from wave and wind action by creating a still-water area along the shore and to protect the shoreline from wave-caused erosion.

Buffer or “buffer zone, strip, or area” means the area adjacent to a shoreline or critical area that separates and protects the area from adverse impacts associated with adjacent land uses.

Bulkhead - A vertical or nearly vertical erosion protection structure placed parallel to the shoreline at or near the OHWM, consisting of concrete, timber, steel, rock, or other permanent material not readily subject to erosion.

CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act ("Superfund"); 1986 amendments are known as Superfund Amendments and Reauthorization Act or “SARA.”

Channel Migration Zone (CMZ) - The area within which a river channel is likely to move over a period of time, also referred to as the meander belt. Unless otherwise demonstrated through scientific and technical information, areas separated from the active river channel by legally existing artificial channel constraints that limit channel movement within incorporated municipalities and urban growth areas and all areas separated from the active channel by a legally existing artificial structure(s) that is likely to restrain channel migration, including transportation facilities, built above or constructed to remain intact through the one hundred-year flood should not be considered within the CMZ.

Chapter 90.58 RCW - The Shoreline Management Act of 1971.

City - The City of Lakewood.

Clearing - The destruction or removal of vegetation ground cover, shrubs and trees including, but not limited to, root material removal and/or topsoil removal.

CMZ - see Channel Migration Zone.

Commercial - Uses and facilities that are involved in wholesale or retail trade or business activities.

Community Pier / Dock - Joint use moorage serving more than four (4) residences that is tied to specific parcels by covenant or deed. Community piers are distinguished from marinas in that they do not offer moorage space for lease or sale.

Comprehensive Plan - Comprehensive plan means the document adopted by the city council, including all attachments, that outlines the City’s goals and policies relating to growth management, and prepared in accordance with Chapter 36.70A RCW.

Conditional Use - A use, development, or substantial development that is classified as a conditional use or is not classified within the SMP. (See WAC 173-27-030(4)).

Conservation Easement - A legal agreement that the property owner enters into to restrict uses of the land. Such restrictions can include, but are not limited to, passive recreation uses such as trails or scientific uses and fences or other barriers to protect habitat. The easement is recorded on a property deed, runs with the land,

and is legally binding on all present and future owners of the property, therefore, providing permanent or long-term protection.

Covered moorage - Boat moorage, without solid walls, that has a solid roof to protect the vessel and is attached to the dock itself or the substrate of the lake.

Cumulative impact - The impact on the environment resulting from the incremental impact of past, present, and reasonably foreseeable future actions taken together regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

Degrade - To scale down in desirability or salability, to impair in respect to some physical property or to reduce in structure or function.

Development - The construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any permanent or temporary project which interferes with the normal public use of the waters overlying lands subject to the SMA at any state of water level. "Development" does not include dismantling or removing structures if there is no other associated development or re-development. (See RCW 90.58.030(3a)).

DFW - the Washington State Department of Fish and Wildlife.

DNR - the Washington State Department of Natural Resources.

Dock - A floating moorage structure.

Dredge spoil or Dredge material - The material removed by dredging.

Dredging - Excavation or displacement of the bottom or shoreline of a water body by mechanical or hydraulic machines to maintain channel depths or berths for navigational purposes or to cleanup polluted sediments.

Dwelling unit - A single unit providing complete, independent living facilities for one or more persons, not to exceed one family, and includes permanent provisions for living, sleeping, eating, cooking and sanitation.

EIS - Environmental Impact Statement.

Ecological functions - The work performed or the role played by the physical, chemical, and biological processes that contribute to the maintenance of the aquatic and terrestrial environments that constitute the shoreline's natural ecosystem.

Ecology - The Washington State Department of Ecology.

Ecosystem-wide processes - The suite of naturally occurring physical and geologic processes of erosion, transport, and deposition; and specific chemical processes that shape landforms within a specific shoreline ecosystem and determine both the types of habitat and the associated ecological functions.

Ell - Terminal section of a pier which typically extends perpendicular to the pier walkway. These sections can be either on fixed-piles or floating docks and are typically wider than the pier walkway.

Emergency - An unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with the SMP. Emergency construction is construed narrowly as that which is necessary to protect property from damage by the elements. For a complete definition of emergency, including required follow up actions and exclusions from this definition, see RCW 90.58.030(3eiii) and WAC 173-27-040(2d)).

Endangered Species Act (ESA) - A federal law intended to protect any fish or wildlife species that are threatened with extinction throughout all or a significant portion of its range. (See 16 U.S.C. § 1531 et seq.).

Enhancement - Alteration of an existing resource to improve or increase its characteristics and processes without degrading other existing functions. Enhancements are to be distinguished from resource creation or restoration projects.

Environmental impacts - The effects or consequences of actions on the natural and built environments, including effects upon the elements of the environment listed in the State Environmental Policy Act. (See WAC 197-11-600 and WAC 197-11-444).

Environmentally Sensitive Areas Ordinance 362, City of Lakewood - This ordinance provides the goals, policies, and implementing regulations for protecting the designated critical areas of the City. The ordinance addresses environmentally sensitive area development controls; measures important for protecting and preserving these resources; preventing or mitigating cumulative adverse environmental impacts to critical areas; and serves to alert the public to the development limitations of critical areas.

Environments or Shoreline Environment - Designations given to specific shoreline areas based on the existing development pattern, the biophysical capabilities and limitations, and the goals and aspirations of local citizenry, as part of an SMP.

Erosion - The wearing away of land by of natural forces.

Exaction – A concept in real property law where a condition for development is imposed on a parcel of land that requires the developer to mitigate anticipated negative impacts of the development.

Excavated moorage slip - A boat mooring location that is man-made in that it requires dredging or excavation of excess sediment to afford access. Such slips may often involve dredging of the lake bottom waterward of the OHWM, or may include excavating a segment of the existing shoreline to enable moorage of a boat.

Excavation - The artificial movement of earth materials.

Exemption - Specific developments exempt from the definition of substantial developments and the Substantial Development Permit process of the SMA. An activity that is exempt from the substantial development provisions of the SMA must still be carried out in compliance with policies and standards of the Act and the local SMP. CUPs and/or Variances may also still be required even though the activity does not need a Substantial Development Permit. For a complete list of exemptions, see WAC 173-27-040.

Fair market value - The open market bid price for conducting the work, using the equipment and facilities, and purchasing the goods, services and materials necessary to accomplish a development, normally the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation and contractor overhead and profit. The fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials (See WAC 173-27-030(8)).

Feasible - An action, such as a development project, mitigation, or preservation requirement, that meets all of the following conditions:

- (a) The action can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results;
- (b) The action provides a reasonable likelihood of achieving its intended purpose; and
- (c) The action does not physically preclude achieving the project's primary intended legal use.

In cases where certain actions are required unless they are infeasible, the burden of proving infeasibility is on the applicant. In determining an action's infeasibility, the reviewing agency may weigh the action's relative public costs and public benefits, considered in the short- and long-term time frames.

Fill - The addition of soil, sand, rock, gravel, sediment, earth retaining structure, or other material to an area waterward of the OHWM, in wetland, or on shorelands in a manner that raises the elevation or creates dry land.

Finger pier or fingers - A narrow extension to a fixed-pile pier, usually extending perpendicular to the pier walkway along with an ell to form an enclosed area for boat moorage.

Float - A floating structure that is moored, anchored, or otherwise secured in the water offshore and that may be associated with a fixed-pile pier, or may be a standalone structure, such as platforms used for swimming and diving.

Floating dock - A fixed structure floating upon a water body for the majority of its length and connected to shore.

Floating home - A structure designed and operated substantially as a permanently based over water residence, typically served by permanent utilities and semi-permanent anchorage/moorage facilities. Floating homes are not vessels and lack adequate self-propulsion and steering equipment to operate as a vessel.

Floodplain - The land area susceptible to inundation with a one percent (1%) chance of being equaled or exceeded in any given year (synonymous with 100-year floodplain). The limits of this area are based on flood regulation ordinance maps or a reasonable method that meets the objectives of the SMA (See WAC 173-22-030(2)).

Floodway - The area, as identified in an SMP, that has been established in Federal Emergency Management

Agency flood insurance rate maps (FIRM) or floodway maps. The floodway does not include lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state.

Geotechnical report or Geotechnical analysis - A scientific study or evaluation conducted by a qualified expert that includes a description of the ground and surface hydrology and geology; the affected land form and its susceptibility to mass wasting, erosion, and other geologic hazards or processes; conclusions and recommendations regarding the effect of the proposed development on geologic conditions; the adequacy of the site to be developed; the impacts of the proposed development; alternative approaches to the proposed development; and measures to mitigate potential site-specific and cumulative geological and hydrological impacts of the proposed development, including the potential adverse impacts to adjacent and down-current properties. Geotechnical reports shall conform to accepted technical standards and must be prepared by qualified professional engineers or geologists who have professional expertise about the regional and local shoreline geology and processes.

Grading - The physical manipulation of the earth's surface and/or drainage pattern in preparation for an intended use or activity.

Grassy swale - A vegetated drainage channel that is designed to remove various pollutants from storm water runoff through biofiltration.

Groin - A barrier-type structure extending from, and usually perpendicular to, the backshore into a water body, to protect a shoreline and adjacent upland by influencing water movement and/or material deposits. This is accomplished by building or preserving an accretion beach on its up drift side by trapping littoral drift. A groin is relatively narrow in width but varies greatly in length. A groin is sometimes built in a series as a system and may be permeable or impermeable, high or low, and fixed or adjustable.

Habitat - The place or type of site where a plant or animal naturally or normally lives and grows.

Hearing Examiner - The Hearing Examiner of the City of Lakewood.

Height - The distance measured from the average grade level to the highest point of a structure; provided, that television antennas, chimneys and similar appurtenances shall not be used in calculating height, except where it obstructs the view of a substantial number of residences on areas adjoining such shorelines. Temporary construction equipment is excluded in this calculation (See WAC 173-27-030(9)).

Heliport - Any landing area or other facility used or intended to be used by private aircraft for landing or taking off of aircraft, including all associated or necessary buildings and open spaces.

Hoist - A device used for lifting or lowering a load by means of a drum or lift-wheel around which rope, fiber or chain wraps. It may be manually operated, electrically or pneumatically driven.

Houseboat - A vessel, principally used as an over water residence, licensed and designed for use as a mobile structure with detachable utilities or facilities, anchoring, and the adequate self-propulsion and steering equipment to operate as a vessel. Principal use as an overwater residence means occupancy in a single location,

for a period exceeding two (2) months in any one calendar year. This definition includes live aboard vessels.

Impervious surface - Any horizontal surface artificially covered or hardened so as to prevent or impede the water percolation into the soil mantle including, but not limited to, roof tops, swimming pools, or paved or graveled roads, walkways or parking areas, but excluding landscaping and surface water retention/detention facilities.

In-stream structure - A structure placed by humans within a stream or river waterward of the OHWM that either causes or has the potential to cause water impoundment or water flow diversion, obstruction, or modification. In-stream structures may include structures used for hydroelectric generation, irrigation, water supply, flood control, transportation, utility service, fish habitat enhancement, or other purpose.

Joint Use Pier or Dock - A pier, dock, or secured float or floats for vessel moorage, fishing, or other water use that is shared by two (2) or more residences, up to four (4) residences. Joint use moorage serving more than four residences is considered a community pier or dock.

Lake - A body of standing water in a depression of land or expanded part of a river, including, but not limited to, reservoirs of twenty (20) acres or greater in total area. A lake is bounded by the OHWM or, where a stream enters a lake, the extension of the elevation of the lake's OHWM within the stream (WAC 173-20-030; WAC 173-22-030(4)).

Landfill - The creation of, or addition to, a dry upland area (landward of the OHWM) by the addition of rock, soil, gravels and earth or other material, but not solid or hazardous waste.

Landscaping - Vegetation ground cover including shrubs, trees, flower beds, grass, ivy and other similar plants and including tree bark and other materials which aid vegetative growth and maintenance.

Launching rail - See Boat launch or ramp.

Launching ramp - See Boat launch or ramp.

LID - Low Impact Development.

Littoral - Living or occurring on the shore.

Littoral drift - The mud, sand, or gravel material moved parallel to the shoreline in the nearshore zone by waves and currents. **Marina** - A private or public facility providing the purchase or lease of a slip for storing, berthing and securing boats or watercraft, including both long-term and transient moorage, including, but not limited to, accessory facilities that provide incidental services to marina users, such as waste collection, boat sales or rental activities, and retail establishments providing fuel service, repair or service of boat. Community docks and piers, which serve specific upland parcels and which do not offer moorage for purchase by the general public, shall not be considered to be marinas.

Lot Width – The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot lines, except that portion of a flag lot that usually forms an extended access way to a street right-of-way.

Low Impact Development (LID) - A stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation, and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

May - Signifies an action is permitted but not required, provided it conforms to the provisions of this SMP.

Mitigation or Mitigation sequencing - The process of avoiding, reducing, or compensating for the environmental impact(s) of a proposal through the following sequence of steps, listed in order of priority: (See WAC 197-11-768 and WAC 173-26-201(2)(e)(1)).

- (a) Avoiding the impact all together by not taking a certain action or parts of an action;
- (b) Minimizing impacts by limiting the degree or magnitude of the action by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations;
- (e) Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and
- (f) Monitoring the impact and the compensation projects and taking appropriate corrective measures.

Moorage - Any device or structure used to secure a vessel for temporary anchorage, but which is not attached to the vessel (such as a pier or buoy).

Moorage Piles - Structural members driven into the lake bed to serve as a stationary moorage point. They are typically used for moorage of small boats in the absence of, or instead of, a dock or pier. In some cases, moorage piles may be associated with a dock or pier.

Multi-family dwelling or Multi-family residence - A building containing two (2) or more dwelling units, including, but not limited to, duplexes, triplexes, four-plexes, apartment buildings and condominium buildings.

Must - Signifies an action is required.

Native plants - Plants that occur naturally, and that distribute and reproduce without aid. Native plants in western Washington are those that existed prior to intensive settlement that began in the 1850s.

Nonconforming use, development, structure, or lot - (a) "Nonconforming use" means an existing shoreline use that was lawfully established prior to the effective date of the act or the applicable master program, but which does not conform to present use regulations due to subsequent changes to the master program. (b) "Nonconforming development" or "nonconforming structure" means an existing structure that was lawfully constructed at the time it was built but is no longer fully consistent with present regulations such as setbacks, buffers or yards; area; bulk; height or density standards due to subsequent changes to the master program. (c) "Nonconforming lot" means a lot that met dimensional requirements of the applicable master program at the time of its establishment but now contains less than the required width, depth or area due to subsequent changes to the master program (See WAC 173-27-080).

Normal maintenance – Those usual acts to prevent a decline, lapse, or cessation from a lawfully established

condition.

Normal repair – To restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment.

Ordinary High Water Mark (OHWM) - The mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or Ecology provided, that in any area where the OHWM cannot be found, OHWM adjoining fresh water shall be the line of mean high water. (See RCW 90.58.030(2)(c) and WAC 173-22-030(5)).

Overwater structure - Any device or structure projecting over the OHWM, including, but not limited to, piers, docks, floats, and moorage.

Permit or Shoreline Permit - Any substantial development permit, CUPs or variance, or revision, or any combination thereof, authorized by the Act (See WAC 173-27-030(13)).

Pier - A fixed, pile-supported moorage structure.

Primary structure – The structure associated with the principal use of the property. This also includes single family residential appurtenant structures (such as a garages, attached decks, driveways, utilities, and septic tanks and drainfields) that cannot feasibly be relocated. It does not include structures such as tool sheds, gazebos, greenhouses or other ancillary residential improvements that can feasibly be moved landward to prevent the erosion threat.

Priority habitat - A habitat type with unique or significant value to one or more species. An area classified and mapped as priority habitat must have one or more of the following attributes:

- 1) Comparatively high fish or wildlife density;
- 2) Comparatively high fish or wildlife species diversity;
- 3) Fish spawning habitat;
- 4) Important wildlife habitat;
- 5) Important fish or wildlife seasonal range;
- 6) Important fish or wildlife movement corridor;
- 7) Rearing and foraging habitat;
- 8) Important marine mammal haul-out;
- 9) Refuge habitat;
- 10) Limited availability;
- 11) High vulnerability to habitat alteration;
- 12) Unique or dependent species; or
- 13) Shellfish bed.

A priority habitat may be described by a unique vegetation type or by a dominant plant species that is of primary

importance to fish and wildlife (such as oak woodlands or eelgrass meadows); by a successional stage (such as, old growth and mature forests); or by a specific habitat element (such as a consolidated marine/estuarine shoreline, talus slopes, caves, snags) of key value to fish and wildlife. A priority habitat may contain priority and/or non-priority fish and wildlife.

Priority species - Species requiring protective measures and/or management guidelines to ensure their persistence at genetically viable population levels, and that meet any of the criteria listed below:

- (a) State-listed or state proposed species. State-listed species are those native fish and wildlife species legally designated as endangered (WAC 232-12-014), threatened (WAC 232-12-011), or sensitive (WAC 232-12-011). State proposed species are those fish and wildlife species that will be reviewed by DFW (POL-M-6001) for possible listing as endangered, threatened, or sensitive according to the process and criteria defined in WAC 232-12-297.
- (b) Vulnerable aggregations. Vulnerable aggregations include those species or groups of animals susceptible to significant population declines, within a specific area or statewide, by virtue of their inclination to congregate. Examples include heron colonies, seabird concentrations, and marine mammal congregations.
- (c) Species of recreational, commercial, and/or tribal importance. Native and nonnative fish, shellfish, and wildlife species of recreational or commercial importance and recognized species used for tribal ceremonial and subsistence purposes that are vulnerable to habitat loss or degradation.
- (d) Species listed under the federal Endangered Species Act as proposed, threatened, or endangered.

Professional engineer - A person who, by reason of his or her special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design, acquired by professional education and practical experience, is qualified to practice engineering and is licensed by the State of Washington or another state.

Proposed, Threatened, and Endangered Species - Those native species that are proposed to be listed or are listed by DFW as threatened or endangered, or that are proposed to be listed or are listed as threatened or endangered under the federal Endangered Species Act.

Public access - The ability of the general public to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and to view the water and the shoreline from adjacent locations. (See WAC 173-26- 221(4)).

Public interest - The interest shared by the citizens of the state or community at large in the affairs of government, or some interest by which their rights or liabilities are affected such as an effect on public property or on health, safety, or general welfare resulting from a use or development (See WAC 173-27- 030(14)).

Public use - Public use means to be made available daily to the general public on a first-come, first-served basis, and may not be leased to private parties on any more than a day use basis. (See WAC 332-30-106)).

RCW - Revised Code of Washington.

Residential development - Development which is primarily devoted to or designed for use as a dwelling(s), including, but not limited to, single-family development, multi-family development, and the creation of new residential lots through land division.

Recreational float - A floating structure that is moored, anchored, or otherwise secured in the water offshore and that is generally used for recreational purposes such as swimming and diving.

Recreational Use or Development - Facilities such as parks, trails, and pathways, whether public, private or commercial, that provide a means for relaxation, play, or amusement. For the purposes of this SMP, recreational facilities are divided into two categories:

- 1) Water-oriented (i.e. - moorage facilities, fishing piers, recreational floats, trails, swimming beaches, overlooks, etc.); and
- 2) Non-water-oriented (i.e. - sports fields, golf courses, sport courts, etc.).

Restoration or Ecological restoration - The reestablishment or upgrading of impaired ecological shoreline processes or functions accomplished through measures including, but not limited to, revegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions.

Riparian - Of, on, or pertaining to the banks of a river, stream or lake.

Riprap - A layer, facing, or protective mound of stones placed to prevent erosion, scour, or sloughing of a structure or embankment; also, the stone so used.

Rotovating - An aquatic vegetation harvesting technique that uses rototilling technology to uproot and remove plants.

Runoff - Water that is not absorbed into the soil but rather flows along the ground surface following the topography.

Sediment - The fine grained material deposited by water or wind.

SEPA - see State Environmental Policy Act

SEPA Checklist - The checklist required of some projects under SEPA to identify the probable significant adverse impacts on the quality of the environment, to help to reduce or avoid impacts from a proposal, and to help the responsible governmental agency decide whether a full environmental impact statement (EIS) is required (See WAC 197-11-960).

Setback - A required open space, specified in SMPs, measured horizontally upland from and perpendicular to the OHWM. "Setback" means the distance a building structure is placed behind a specified limit such as a lot line or shoreline buffer.

Shall - Signifies an action is required.

Shorelands or Shoreland Areas - Those lands extending landward for two hundred (200) feet in all directions as measured on a horizontal plane from the OHWM; floodways and contiguous flood plain areas landward two hundred (200) feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of the SMA. Shorelands in the City are limited to those areas within two hundred (200) feet of the OHWM of American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek and any associated wetlands.

Shoreline Administrator - The City of Lakewood Planning and Community Development Director or his/her designee, charged with the responsibility of administering this SMP.

Shoreline jurisdiction - All of the geographic areas covered by the SMA, related rules and the applicable SMP. In the City, shoreline jurisdiction includes American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek, those areas within two hundred (200) feet of the OHWM of these water bodies, and any associated wetlands. See definitions of Shorelines, Shorelines of the state, Shorelines of statewide significance, Shorelands, and Wetlands.

Shoreline Management Act (SMA) - Chapter 90.58 RCW, as amended. Washington law adopted to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines.

Shoreline Master Program (SMP) - The comprehensive use plan and related use regulations used by local governments to administer and enforce the permit system for shoreline management. SMPs must be developed in accordance with the policies of the SMA, be approved and adopted by the state, and be consistent with the rules (WACs) adopted by Ecology.

Shoreline Master Program Guidelines - The Shoreline Master Program (SMP) Guidelines are state standards which local governments must follow in drafting their shoreline master programs. The Guidelines translate the broad policies of the Shoreline Management Act (RCW 90.58.020) into standards for regulation of shoreline uses. The guidelines are found in WAC 173-26, Part III.

Shoreline modification - Those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can also include other actions, such as clearing, grading, or application of chemicals or significant vegetation removal.

Shoreline stabilization - Actions taken to address erosion impacts to property and dwellings, businesses, or structures caused by natural processes, such as current, flood, tides, wind or wave action. These actions include structural measures such as bulkheads and nonstructural methods such as building setbacks or relocation of structures.

Shoreline vegetation management plan (SVMP) - A plan prepared by a qualified professional that identifies appropriate mitigation, performance assurances, and maintenance and monitoring requirements necessary to assure no net loss of ecological functions.

Shorelines - All of the water areas of the state, including reservoirs and their associated shorelands, together with the lands underlying them, except those areas excluded under RCW 90.58.030(2)(e).

Shorelines Hearings Board - A state-level quasi-judicial body, created by the SMA, which hears appeals by any aggrieved party on the issuance of a shoreline permit, enforcement penalty and appeals by local government. (See RCW 90.58.170; 90.58.180).

Shorelines of statewide significance - A select category of shorelines of the state, defined in RCW 90.58.030(2)(f), where special use preferences apply and greater planning authority is granted by the SMA. SMP policies, use regulations and permit review must acknowledge the use priorities for these areas established by the SMA. (See RCW 90.58.020). In Lakewood, American Lake is the only lake considered to have shorelines of statewide significance and subject to RCW 90.58.

Shorelines of the state - Shorelines and shorelines of statewide significance.

Should - Signifies an action is required unless there is a demonstrated, compelling reason, based on policy of the SMA and this SMP, against taking the action.

Sign - A board or other display containing words and/or symbols used to identify or advertise a place of business or to convey information. Excluded from this definition are signs required by law and the flags of national and state governments.

Significant vegetation removal – The removal or alteration of trees, shrubs, and/or ground cover by clearing, grading, cutting, burning, chemical means, or other activity that causes significant ecological impacts to functions provided by such vegetation. The removal of invasive or noxious weeds does not constitute significant vegetation removal. Tree pruning, not including tree topping, where it does not affect ecological functions, does not constitute significant vegetation removal.

Single-family residence - A detached dwelling designed for and occupied by one (1) family including those structures and developments within a contiguous ownership which are a normal appurtenance (See Chapter 4, Section D(6)(c)(11)).

SMA - see Shoreline Management Act.

SMP - see Shoreline Master Program.

Soil bioengineering - An applied science that combines structural, biological and ecological concepts to construct living structures that stabilize soils to control erosion, sedimentation and flooding using live plant materials as a main structural component.

Solid waste - All garbage, rubbish trash, refuse, debris, scrap, waste materials and discarded materials of all types, whether the sources be residential or commercial, exclusive of hazardous wastes, and including any and all source-separated recyclable materials and yard waste.

State Environmental Policy Act (SEPA) - State law that requires state agencies, local governments and other

lead agencies to consider environmental factors when making most permit decisions, especially for development proposals of a significant scale. As part of the SEPA process, EISs and public comment may be required.

Stream - A naturally occurring body of periodic or continuously flowing water where the mean annual flow is greater than twenty (20) cubic feet per second and the water is contained within a channel (See WAC 173-22-030(8)).

Structure - A permanent or temporary edifice or building, or any piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above or below the surface of the ground or water, except for vessels (See WAC 173-27-030(15)).

Substantial Development - Any development of which the total cost or fair market value exceeds seven thousand and forty seven dollars (\$7,047), or any development which materially interferes with the normal public use of the water or shorelines of the state. The dollar threshold established in this definition must be adjusted for inflation by the Washington State Office of Financial Management every five (5) years based upon changes in the consumer price index during that time period. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, Seattle, Washington area, for urban wage earners and clerical workers, all items, compiled by the Bureau of Labor and Statistics, United States Department of Labor. The total cost or fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials. A list of activities and developments that shall not be considered substantial development is provided in Chapter 7 (See WAC 173- 27-040(2)(a)).

SVMP - see Shoreline Vegetation Management Plan.

Terrestrial - Of or relating to land as distinct from air or water.

Upland - The dry land area above and landward of the OHWM.

Utilities - Services and facilities that produce, transmit, store, process or dispose of electric power, gas, water, stormwater, sewage and communications.

Utilities, Primary - Utilities comprised of trunk lines or mains that serve neighborhoods, areas and cities. Examples include solid waste handling and disposal sites, water transmission lines, sewage treatment facilities and mains, power generating or transmission facilities, gas storage and transmission facilities and stormwater mains and regional facilities.

Utilities, Secondary - Utilities comprised of small-scale distribution and collection facilities connected directly to development within the shoreline area. Examples include local power, telephone, cable, gas, water, sewer and stormwater service lines.

Variance - A means to grant relief from the specific bulk, dimensional or performance standards specified in the applicable SMP, but not a means to vary a shoreline use. A variance must be specifically approved, approved with conditions, or denied by Ecology (See WAC 173-27-170).

WAC - Washington Administrative Code.

Water-dependent use - A use or a portion of a use which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations, including, but not limited to, moorage structures (including those associated with residential properties), ship cargo terminal loading areas, ferry and passenger terminals, barge loading facilities, ship building and dry docking, marinas, aquaculture, float plane facilities and sewer outfalls.

Water-enjoyment use - A recreational use or other use that facilitates public access to the shoreline as a primary characteristic of the use; or a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as a general characteristic of the use and which through location, design, and operation ensures the public's ability to enjoy the physical and aesthetic qualities of the shoreline. In order to qualify as a water-enjoyment use, the use must be open to the general public and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that fosters shoreline enjoyment.

Water-oriented use - Refers to any combination of water-dependent, water-related, and/or water enjoyment uses.

Water quality - The physical characteristics of water within shoreline jurisdiction, including water quantity, hydrological, physical, chemical, aesthetic, recreation-related, and biological characteristics. "Water quantity" refers only to development and uses regulated and affecting water quantity, such as impermeable surfaces and storm water handling practices. Water quantity does not mean the withdrawal of ground water or diversion of surface water pursuant to RCW 90.03.250 through RCW 90.03.340.

Water-related use- A use or a portion of a use which is not intrinsically dependent on a waterfront location but whose economic viability is dependent upon a waterfront location because:

- 1) Of a functional requirement for a waterfront location such as the arrival or shipment of materials by water or the need for large quantities of water or,
- 2) The use provides a necessary service supportive of the water-dependent commercial activities and the proximity of the use to its customers makes its services less expensive and/or more convenient. Examples include manufacturers of ship parts large enough that transportation becomes a significant factor in the products cost, professional services serving primarily water-dependent activities and storage of water-transported foods. Examples of water-related uses may include warehousing of goods transported by water, seafood processing plants, hydroelectric generating plants, gravel storage when transported by barge, oil refineries where transport is by tanker and log storage.

Wetlands or Wetland areas - Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, generally including swamps, marshes, bogs and similar areas, but not those artificial wetlands intentionally created from non-wetland sites, such as irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally

created from non-wetland areas to mitigate the conversion of wetlands.

Zoning - To designate by ordinance, including maps, areas of land reserved and regulated for specific land uses.

Chapter 16.20 Shoreline Restoration Plan

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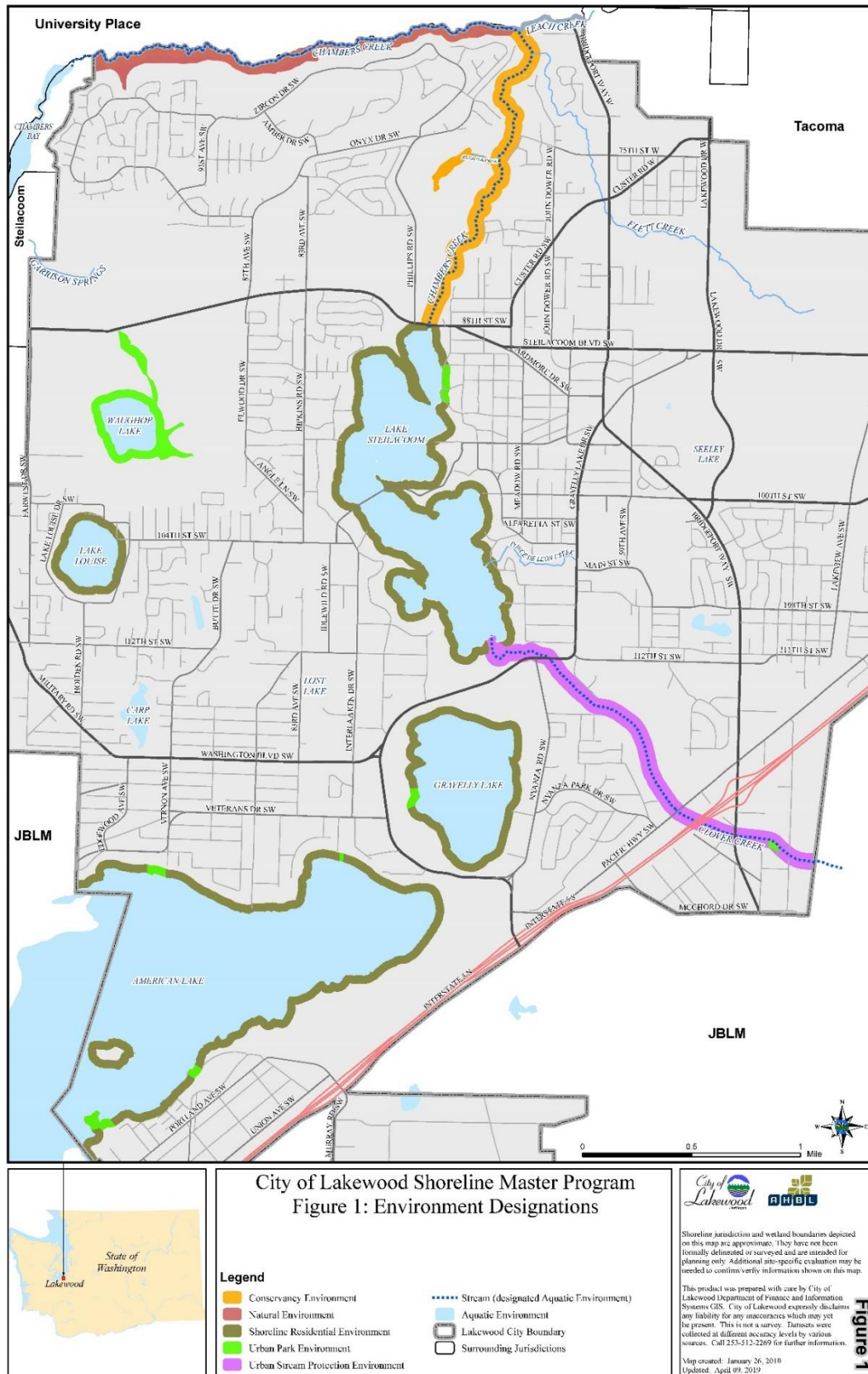
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Figure 1: Shoreline Master Program Environmental Designations



SHORELINE MASTER PROGRAM UPDATE

SHORELINE RESTORATION PLAN

1. INTRODUCTION

A jurisdiction's Shoreline Master Program applies to activities in the jurisdiction's shoreline zone. Activities that have adverse effects on the ecological functions and values of the shoreline must provide mitigation for those impacts. By law, the proponent of that activity is not required to return the subject shoreline to a condition that is better than the baseline level at the time the activity takes place. How then can the shoreline be improved over time in areas where the baseline condition is severely, or even marginally, degraded?

Section 173-26-201(2)(f) WAC of the Shoreline Master Program Guidelines¹ says:

“master programs shall include goals and policies that provide for restoration of such impaired ecological functions. These master program provisions shall identify existing policies and programs that contribute to planned restoration goals and identify any additional policies and programs that local government will implement to achieve its goals. These master program elements regarding restoration should make real and meaningful use of established or funded nonregulatory policies and programs that contribute to restoration of ecological functions, and should appropriately consider the direct or indirect effects of other regulatory or nonregulatory programs under other local, state, and federal laws, as well as any restoration effects that may flow indirectly from shoreline development regulations and mitigation standards.”

However, degraded shorelines are not just a result of pre-Shoreline Master Program activities, but also of unregulated activities and exempt development. The new Guidelines also require that “[l]ocal master programs shall include regulations ensuring that exempt development in the aggregate will not cause a net loss of ecological functions of the shoreline.” While some actions within shoreline jurisdiction are exempt from a permit, the Shoreline Master Program should clearly state that those actions are not exempt from compliance with the Shoreline Management Act or the local Shoreline Master Program. Because the shoreline environment is also affected by activities taking place outside of a specific local master program's jurisdiction (e.g., outside of city limits, outside of the shoreline zone within the city), assembly of actions, programs and policies within the larger watershed that have the potential to impact shoreline ecological functions can be essential for understanding how the City fits into the larger context. The latter is critical when establishing realistic goals and objectives for dynamic and highly inter-connected environments.

As directed by the Guidelines, the following discussions provides a very brief summary of baseline shoreline conditions, lists restoration goals and objectives, and discusses existing or potential programs and projects that positively impact the shoreline environment. Finally, anticipated scheduling, funding, and monitoring of these various comprehensive restoration elements are provided. In total, implementation of the Shoreline Master Program (with mitigation of project-related impacts) in combination with this Restoration Plan (for restoration of lost ecological functions that occurred prior to a specific project) should result in a net improvement in the City of Lakewood's shoreline environment in the long term.

In addition to meeting the requirements of the Guidelines, this Restoration Plan is also intended to

¹ The Shoreline Master Program Guidelines were prepared by the Washington Department of Ecology and codified as WAC 173-26. The Guidelines translate the broad policies of the Shoreline Management Act (RCW 90.58.020) into standards for regulation of shoreline uses. See <http://www.ecy.wa.gov/programs/sea/sma/guidelines/index.html> for more background.

support the City's or other non-governmental organizations' applications for future grant funding to implement elements of this Restoration Plan.



Lakewood volunteers working in 2017 on shoreline restoration

2. SHORELINE ANALYSIS AND CHARACTERIZATION SUMMARY

2.1 Watershed Context and Shoreline Boundary

The City of Lakewood retained AHBL and Otak to conduct an inventory and characterization of the City's shorelines in 2009 and 2010. The purpose of the shoreline inventory was to facilitate the City's compliance with the State of Washington's Shoreline Management Act (SMA) and updated Shoreline Master Program Guidelines. The inventory describes existing physical and biological conditions in the shoreline zone within City limits, including recommendations for restoration of ecological functions where they are degraded. The full Shoreline Analysis Report characterizes shoreline function for each waterbody and describes the areas that fall within the shoreline jurisdiction of the City.

2.2 Biological Resources and Critical Areas

As described in the Shoreline Analysis Report, the shoreline jurisdiction contains a variety of biological resources and environmentally critical areas, including wetlands, geologic hazards, aquifer recharge areas, wellhead protection zones, and critical fish habitat. Wetlands within the shoreline jurisdiction are primarily confined to the northern reaches of Chambers Creek and adjacent to Waughop Lake, with limited wetlands along Clover Creek. Frequently flooded areas are found along Chambers and Clover Creeks.

Steep slopes and geologically hazardous areas are scattered throughout the city, and each water body's associated jurisdiction contains a small amount of steep slope areas, with the exception of Clover Creek, which contains no documented geologic hazards.

The entire City of Lakewood lies within an aquifer recharge area. Portions of Clover Creek and the shoreline jurisdictions associated with American Lake, Lake Steilacoom, Gravelly Lake, Lake Louise, and Waughop Lake fall within a 1-year wellhead protection zone.

Steelhead of the Puget Sound Distinct Population Segment (DPS) (U.S. Federal Register, 11 May 2007) is the only federally listed salmonid species that occurs in the City of Lakewood. Steelhead presence is documented in Chambers Creek and their presence is assumed in Lake Steilacoom and Clover Creek

(StreamNet 2010). Additionally, Puget Sound-Strait of Georgia coho salmon (a PHS Species) also occur in the basin and are listed as a Species of Concern (U.S. Federal Register, 15 April 2004), indicating that they are under less active consideration for formal listing. Coho spawn in Chambers and Clover Creeks and their presence is documented in Lake Steilacoom (StreamNet 2010). Critical habitat for Puget Sound steelhead within the City of Lakewood was finalized in 2016 (Federal Register 2016). The Chambers Bay estuary fish ladder traps are used at certain times to capture upstream adult migrants, mainly Chinook, as part of a segregated hatchery and estuary fishery program. The fish ladders are left open during the remainder of the year to allow passage of other diadromous species (e.g., chum, coho, steelhead and cutthroat trout). Chinook salmon are usually not released upstream, but spawn are taken to Garrison Springs Hatchery for rearing. The Garrison Springs Hatchery is located in the City of Lakewood near Chambers Creek.

Washington Department of Fish and Wildlife (WDFW) mapping of Priority Habitat and Species (PHS) indicates the presence of a number of habitat areas in the shoreline jurisdiction, including the following:

- WDFW riparian zones and fish species along Chambers Creek, Clover Creek, and Lake Steilacoom.
- WDFW waterfowl concentration areas along Chambers Creek and within Lake Steilacoom, American Lake, Gravelly Lake, Lake Louise, and Waughop Lake.
- WDFW urban natural open space areas along Chambers Creek and surrounding American Lake and Waughop Lake.

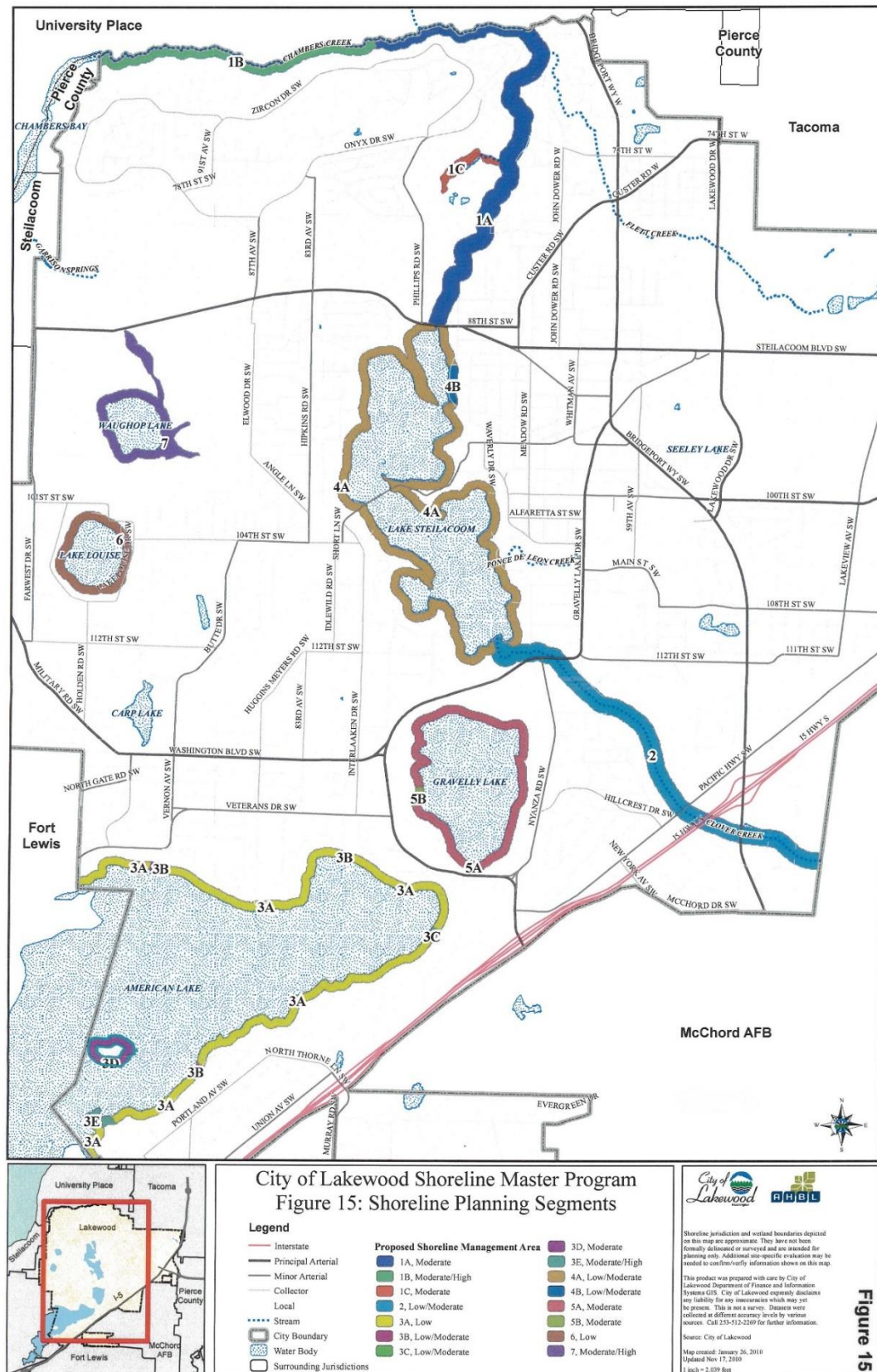
2.3 Summary of Ecological Functions

The following briefly summarizes the overall health of ecological functions within specific segments of the Shoreline Management Area.

Shoreline Planning Segments		
Segment	Approximate (feet)	Approximate Area (acres)
1—Chambers Creek	14,334	17.3
Segment 1A	8,055	11.8
Segment 1B—includes Chambers Creek Park	4,994	4.7
Segment 1C—Wetland at Game Reserve)	1,283	0.8
2—Clover Creek	7,089	9.4
3—American Lake	27,768	11.2
3A—Residential	21,802	9.2
3B—City Parks (American Lake North, Lakeland, and Harry Todd Parks)	985	0.4
3C—Tacoma Golf & Country Club	270	0.2
3D—Silcox Island	3,284	1.0
3E—Open space (south of Silcox island)	1,427	0.4
4—Lake Steilacoom	32,669	13.2
4A—Residential	31,745	12.8

Shoreline Planning Segments		
Segment	Approximate (feet)	Approximate Area (acres)
4B—Edgewater Park	924	0.4
5—Gravelly Lake	10,932	4.8
5A—Residential	10,462	4.6
5B—Lakewold Gardens	470	0.2
6—Lake Louise	4,975	2.4
7—Waughop Lake	4,670	3.5
TOTAL	81,014 feet	61.6 acres

Figure 2: Shoreline Planning Segments



Chambers Creek - Segment 1A - Overall segment rating = Moderate

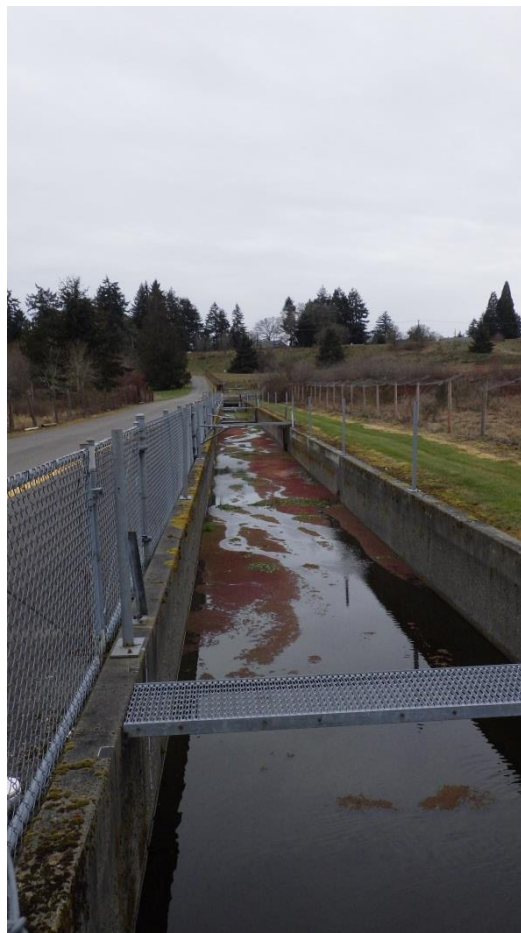
Segment 1A consists of low-density residential housing. Aerial photos indicate that a majority of the riparian buffer has been left intact, providing a largely forested area with some houses/buildings interspersed.

Chambers Creek - Segment 1B - Overall segment rating = Moderate/High

Segment 1B is the most natural condition segment in Lakewood's shoreline jurisdiction and has an intact riparian buffer that protects the stream banks from erosion as well as providing shade, habitat (in stream and on the banks), and water quality improvement.

Chambers Creek - Segment 1C – Overall segment rating = Low/Moderate

Segment 1C is associated with the wetland on the left (south) bank of Chambers Creek, adjacent to Segment 1A. Some of the functions that wetland are able to provide are ranked low simply because the wetland does not have the opportunity to provide the function. This includes organic matter recruitment because the wetland has little vegetation, most of which consists of emergent plants, this in turn effects the wetlands capability to maintain cool water temperatures. This wetland presents excellent opportunity for restoration, contingent on agreement with WDFW, who operates a hatchery in the area and currently maintains the area as wildlife habitat.



Spring-fed creek in concrete channel, Lakewood hatchery grounds (27 Feb. 2019)

Clover Creek - Overall segment rating = Low/Moderate

Clover Creek and its shorelines have been greatly compromised by past residential development. Approximately half of this segment in the City of Lakewood is bordered predominantly by single family homes and multi-family apartments and condominiums. There is also commercial development,

including the section that runs through a long culvert under I-5. The lower half of the segment located in the City has been built out with high-density residential housing.

American Lake – Segment 3A - Overall segment rating = Low

The residential segment of American Lake ranks low for overall functions. The high level of shoreline modification has the largest, overarching impact on the functions of the lake and shoreline. The shoreline modifications impede wave attenuation, organic matter recruitment, the ability of the shoreline to remove toxins, and have compromised the functions provided by shallow groundwater.

American Lake – Segment 3B/C - Overall segment rating = Low/Moderate

While the parks are in a more natural condition than the residential segment, they have still been altered and have moderate amount of impervious surface, some shoreline modification, and compacted soils, all of which compromised the ability to provide necessary shoreline functions.

American Lake – Segment 3D - Overall segment rating = Moderate

Although Silcox Island has been moderately built out with residential structures and has some shoreline modification, the island has mostly retained its forested canopy and has not had as much modification to the soil structure on the island.

American Lake – Segment 3E - Overall segment rating = Moderate/High

The forested peninsula south of Silcox Island has been left in a natural condition for many decades. It has a forested canopy that provides special habitat niches both in the canopy and on the lake edge. Because the lake has such a high amount of development, this parcel provides a high quality area among an otherwise developed area.

Lake Steilacoom – Segment 4A - Overall segment rating = Low/Moderate

The residential area of Lake Steilacoom is similar to that of the other lakes in Lakewood with high-density residential housing surrounding the lakeshore. Like American Lake, the shoreline has been extensively armored, reducing the ability of the shoreline to perform many shoreline functions.



Pierce County public GIS image of lower Clover Creek and Steilacoom Lake

Lake Steilacoom – Segment 4B - Overall segment rating = Low/Moderate

Edgewater Park is a small portion of the overall size of Lake Steilacoom and represents the same overall functions and scores. It does have the opportunity to provide organic matter and it could be enhanced by the City to remove invasive Himalayan blackberry, English ivy, and yellow flag iris. Replacement of non-native invasive species with native trees and shrubs would be beneficial..

Gravelly Lake – Segment 5A/B - Overall segment rating = Moderate

The residential segment of Gravelly Lake is fully developed with residential housing and armored shorelines, reducing the functions the shoreline is able to provide similar to the other constructed shorelines. Segment 5B was included in the functions with 5A because it is also built out, but is managed as a 10-acre garden open to the public. Therefore, the functions are the same or similar, but its land use is different from the rest of the lake.

Lake Louise – Segment 6 - Overall segment rating = Low

Lake Louise is surrounded by single-family housing, boat docks, and armored shoreline. The functions performed by an intact shoreline have almost completely been modified or heavily compromised on Lake Louise. Lake Louise also suffers from water quality issues associated with excessive nutrients causing toxic algae blooms.

Waughop Lake – Segment 7 - Overall segment rating = Moderate/High

Waughop Lake has an intact shoreline and is able to provide nearly all of the functions of a normally functioning shoreline. The lake quality has suffered due to historic use of the lake as a dumping ground for animal waste, as well as urban development. Due to the risk to human health, water quality improvement for Waughop Lake should be a primary focus for the City of Lakewood.

2.4 Summary of Degraded Shoreline Areas

Based on the evaluation of shoreline ecological functions summarized in Section 2.3, the following areas have been identified as being degraded, and restoration efforts in these locations should be prioritized.

Chambers Creek – The undeveloped canyon area is under threat from invasive plants, particularly English ivy. Steps should be taken to curb and remove these invasive species before the problem becomes more extensive and difficult to eradicate. Similar issues occur in upstream reaches.



Ivy-covered trees, Chambers Creek canyon area (14 June 2018)

Clover Creek – Degraded areas along this stream start at the boundary with JBLM and include the commercially developed areas adjacent to I-5 and areas of residential development along the lower half of the reach. Re-establishment of native riparian buffers along with installation of LWD where feasible should be the highest priority for restoration in this stream. Reconnecting the stream with remnant wetlands, including removal of concrete flow control structures, is highly recommended.

American Lake – Most of the shoreline of American Lake is considered degraded, due to the high level of residential development and associated shoreline modification. As described in Section 2.3, widespread armoring has impeded wave attenuation and organic matter recruitment functions, and encouraging property owners to transition from bulkheads to softer forms of shoreline stabilization should be the primary focus in this area, as well as restoration of shoreline buffer areas.

Lake Steilacoom – The residential portions of the Lake Steilacoom shoreline have been extensively armored. Similar to American Lake, the presence of this armoring has degraded ecological function, reduced shade and overhanging vegetation, and impeded wave attenuation and organic matter recruitment, including LWD. Encouraging transition to softer, non-structural forms of shoreline stabilization (i.e., natives trees and shrubs) should be the primary focus of restoration efforts in this reach. Enhancement of riparian buffer areas should also be a high priority.

Lake Louise – Residential development and shoreline armoring has degraded natural shoreline function along essentially all of the Lake Louise shoreline. Similar to Lake Steilacoom and American Lake, removal of hard armoring and transition to non-structural methods of shoreline stabilization should be of primary concern, as well as reduction of upland impervious surface and re-establishment of natural riparian buffers.

3. RESTORATION GOALS AND OBJECTIVES

3.1 Comprehensive Plan

The following goals and policies relating to shoreline and other natural features are presented in the City of Lakewood's Comprehensive Plan and they serve as the foundation of the City's restoration strategy.

1. Provide for the protection, conservation, and enhancement of habitat areas for fish and wildlife. (Goal LU-56)
2. Integrate environmental considerations into all planning efforts and comply with all state and federally mandated environmental legislation. (Policy LU-56.1)
3. Identify endangered or threatened species occurring within the City and preserve their habitat. (Policy LU-56.2)
4. Provide for identification and protection of wildlife habitats with an emphasis on protection of wildlife corridors and linking remaining habitat pockets within the City. (Policy LU-56.3)
5. Promote the restoration of riparian (streamside) areas to preserve and enhance their natural function of providing fish and wildlife habitat and protecting water quality. (Policy LU-56.4)
6. Preserve and protect native vegetation in riparian habitats and integrate suitable native vegetation in residential and commercial landscapes. (Policy LU-56.5)
7. Identify specific programs of stream restoration for Chambers, Clover, and Flett creeks. (Policy LU-56.6)
8. Identify the potential for restoring additional stretches of Ponce de Leon Creek. (Policy LU-56.7)
9. Provide fish and wildlife habitat of sufficient diversity and abundance to sustain existing indigenous fish and wildlife populations. (Policy LU-56.8)

3.2 Restoration Policy Development

Based on this policy guidance and the policy guidance provided by the Chambers-Clover Creek Watershed Council (CCWC) through the efforts described in Section 4 of this Restoration Plan, the City has developed the following restoration policies, in no particular order.

System-Wide Restoration Policies

1. Improve the water quality of all water bodies within the shoreline management area by managing the quality and quantity of stormwater in contributing systems and implementing Low Impact Development (LID) techniques to the maximum feasible extent, consistent at a minimum with the City's NPDES Phase II Stormwater Permit and the latest Washington Department of Ecology Stormwater Management Manual for Western Washington.
2. Reclaim and restore to the greatest extent feasible areas which are biologically and aesthetically degraded while maintaining appropriate use of the shoreline.

3. Increase quality, width and diversity of native vegetation in protected corridors adjacent to lake and stream habitats to provide safe migration pathways for fish and wildlife, food, nest sites, shade, perches, and organic debris. Strive to control non-indigenous plants or weeds that are proven harmful to native vegetation or habitats.
4. Continue to work collaboratively with other jurisdictions and stakeholders to implement the Chambers-Clover Creek Watershed Action Agenda and the WRIA 12 Plan.
5. Seek funding where possible for various restoration actions and programs from local sources and by working with other WRIA 12 jurisdictions, the CCWC, and other stakeholders to seek federal, state, grant and other funding opportunities.
6. Develop a public education plan to inform private property owners about the effects of land management practices and other unregulated activities (such as vegetation removal, pesticide/herbicide use, car washing) on fish and wildlife habitats.
7. Where feasible, protect, enhance, and encourage the restoration of lake areas and wetlands throughout the contributing basin where functions have been lost or compromised.
8. Seek opportunities to enhance and restore connections between lake, stream and wetland habitats.

SMA Restoration Policies

1. Target Waughop Lake (Fort Steilacoom Park) and Edgewater Park for restoration of shoreline natural resources (e.g., native plants) and functions while ensuring continued public access to the shoreline.
2. Protect natural areas and continue to identify and implement shoreline restoration projects and measures to address persistent water quality issues at Fort Steilacoom Park that negatively impact beneficial uses of the lake, while ensuring continued public access.
3. Target American Lake North Park and Harry Todd Park for limited habitat enhancements that are designed and sited to be compatible with the heavy active recreation use at these parks. Opportunities include planting of native vegetation where appropriate.
4. Target Springbrook Park and adjacent open spaces, and Chambers Creek Canyon Park for the use of environmentally friendly materials and design and vegetation enhancement (i.e., removal of invasive species and planting new native plants) during the future planned development of trails and recreational facilities.
5. Encourage restoration of aquatic and riparian habitat along Clover Creek through incentives for private property owners and continued stormwater management improvements and City capital improvement projects.
6. Collaborate with Pierce County, the City of University Place and community partners for restoration activities that would remove invasive plant species, improve habitat and other ecological functions within Chambers Creek Canyon Park.
7. Improve the ecological functions of lake shorelines by removing bulkheads and replacing these features to the extent feasible with erosion-resistant native trees and shrubs (e.g., Indian plum, red osier dogwood) to improve aquatic habitat conditions, while preserving property.

8. Improve the ecological functions of streams and related habitat with stream bank stabilization using native vegetation. Preserve and restore native vegetation along lake shorelines to the greatest extent feasible.
9. Improve habitat conditions by increasing large woody debris recruitment potential through plantings of trees along the lake shore, particularly conifers. Where a safety hazard will not be created, encourage the installation of large woody debris to meet short-term needs.
10. Target single family residential properties with incentives, outreach and information for homeowners who are willing to voluntarily remove bulkheads, plant native vegetation and encourage large woody debris recruitment.
11. Decrease the amount and impact of overwater and in-water structures within SMP lakes through minimization of structure size and use of more environmentally friendly materials, including grated decking.
12. Monitor and control aquatic invasive species in American Lake, Gravelly Lake, Lake Louise, and Waughop Lake, and continue to participate in lake-wide efforts at Lake Steilacoom to reduce populations of non-native aquatic vegetation.

4. LIST OF EXISTING AND ONGOING PROJECTS AND PROGRAMS

The following series of existing projects and programs are generally organized from the larger watershed scale to the City-scale, including City projects and programs with support of non-profit organizations that are active in the City of Lakewood area.

4.1 Chambers-Clover Creek Watershed Planning Participation and Ongoing Efforts

The Chambers-Clover Creek Watershed has been the focus of coordinated watershed planning efforts for roughly 20 years. The Chambers-Clover Creek Watershed Action Plan was completed in 1997 and it contained 56 actions. The Watershed Action Plan identified which jurisdictions, state agencies and other organizations would be responsible for implementation and the estimated costs of the proposed actions. Lakewood incorporated at the end of the planning process in 1996 and was not significantly involved in the creation of the Watershed Action Plan. The Watershed Action Plan was also the genesis of the CCWC. While the primary function of the group is to help facilitate the implementation of the watershed action plans, the members of the CCWC are also dedicated to improving fish habitat and fostering a sense of stewardship among watershed residents. CCWC members include representatives from local governments, tribes, businesses, elected officials, environmental agencies, non-profit groups, and private citizens.

The CCWC action plan is updated periodically and their website can be checked for the most recent version. Restoration of coho salmon stocks are a priority in WRIA 12 because the watershed was historically highly suited to coho salmon, along with chum, steelhead and cutthroat trout, and because Chinook do not presently use the freshwater habitat of WRIA 12. Coho are still present in the watershed, though at relatively low numbers. Recent analysis (Moberg 2001) indicates coho salmon would make an excellent indicator species for formulating priority actions to address salmonid conservation and recovery needs in WRIA 12.

Another key target for restoration is the late chum salmon run in Chambers Creek, with some use also being documented in smaller tributaries, such as Flett Creek. This chum run is unusual in the south Sound and represents an important pool of genes for the recovery of Puget Sound chum salmon.

The importance of the sequence of stream and pond habitat for coho salmon should not be underestimated. Productivity of this habitat can be inferred from observations elsewhere in Western Washington (Peterson 1982, Bustard and Narver 1975). In the context of Clover Creek-Steilacoom Lake, coho that spawn in Clover Creek can move down into the lake during late summer low water and may have better over-winter survival before smolting in the spring. Enhancement of habitat (e.g., LWD addition along the shoreline) in Steilacoom Lake, however, is the key issue that would need to be addressed.

The City of Lakewood is one of six cities and towns that are members of the CCWC. The lead agency is Pierce County's Public Works department that has responsibility for surface water planning in the Chambers-Clover Creek Watershed (WRIA 12). The CCWC provides local agencies and citizens with an opportunity to coordinate their planning efforts for the benefit of the watershed. In 2018, the CCWC published its *Watershed Action Agenda – 2018-2023* (<https://www.co.pierce.wa.us/DocumentCenter/View/76631/2018-23-Action-Agenda>). The Action Agenda establishes the following three strategies that are designed to meet the goals and objectives of the watershed council. Within each strategy are recent or ongoing actions in Lakewood that implement the strategies.

1. Enhance watershed-based communication, coordination and education.
2. Promote watershed stewardship
3. Support watershed protective policies and regulations that protect the aquifer and salmonids.

4.2 Watershed-Wide Action Items to Support Implementation of Chambers-Clover Creek Watershed Action Plan

1. The City of Lakewood evaluates effects on ground and surface water during compliance inspections. If businesses are found to be out of compliance with development regulations with regard to ground and surface water practices, City inspectors provide an explanation of why current practices need to be corrected.
2. The City has adopted a Stormwater Education and Outreach Plan per the conditions of its Phase II NPDES permit. The objective of the plan is to educate public employees, businesses, and the general public about illegal discharges and their potential negative effects on water quality. The plan establishes groups of target audiences and identifies the specific topics and distribution formats most applicable to each, as well as measurable goals to determine if outreach efforts are having a positive effect on reduction of illicit discharge. The plan also contains a timeline for outreach efforts to each of the audience groups.
3. The Tahoma Audubon Society initiated a project in 2018 which contacted about 500 landowners near Clover Creek. The landowners were provided information about best creek side management practices and invited them to attend a seminar on various topics. The project is scheduled to be conducted again in 2019.
4. Phase II NPDES Permit approved in 2012, See above, and Section 4.4 for additional details.

5. While most new developments are infiltrating their stormwater on site, there are numerous existing stormwater outfalls that discharge into Chambers Creek and Clover Creek, some of which are in the City. The City's Stormwater Management Plan includes a map showing all outfall areas. It is inferred from Pierce County water quality documents that Lake Louise likely has existing stormwater discharges directed into it although there are no natural surface drainages into the lake. American Lake has some existing direct discharges of stormwater into the south end of lake.
6. In addition, the City has taken the following actions to maintain and retrofit existing stormwater facilities:
 - Since incorporation, the City has retrofitted 13 outfalls that discharge to lakes and creeks within Lakewood;
 - The City has replaced approximately 500 obsolete stormwater dry wells with improved infiltration systems. The City plans to continue this effort until all remaining dry-wells have been replaced;
 - As part of the ongoing improvements to Pacific Highway, specifically the segment from Gravelly Lake Drive to Bridgeport Way, the City implemented various LID techniques to reduce the amount of runoff entering Clover Creek;
 - Nearly all of the City's planned public work capital projects include a stormwater management component. As roads are improved and public facilities are constructed, existing stormwater systems are upgraded, and new systems are designed to meet current standards.
7. Sanitary sewer serves the vast majority of the City. An area of approximately 40 acres located just north of Lake Louise and southwest of Lake Waughop, but outside the proposed SMA of either lake, contains 93 single-family residences that rely on on-site sewage disposal systems. Residences in the Tillicum and Woodbrook portions of the City, south of American Lake, also currently rely on on-site sewage disposal systems, but will soon have public sanitary sewer service provided by Pierce County. The City of Lakewood is working to transition properties that use on-site sewage disposal systems to sanitary sewer service, and all development within the City must connect to sanitary sewer if such is available. LMC 12A.15.040 requires existing development to connect to sanitary sewer within 90 days after the City has provided notice that service is available. New development shall connect to sanitary sewer in order to qualify for a certificate of occupancy (LMC 12A.15.060).
8. The City has ongoing public works improvement programs that offer potential benefits to lakes, including outfall retrofits, drywell retrofits, and sanitary sewer installation in Tillicum and American Lake Gardens.
9. In past years, the City has implemented several projects to remove barriers to fish passage on Clover Creek, Flett Creek, and Leach Creek, making additional upstream habitat available for fish and wildlife, including salmon. In addition, local stormwater management projects indirectly contribute to salmon recovery by reducing pollution in ground and surface water that may eventually flow to Puget Sound and increase habitat diversity.
10. A team comprised of Forterra, Pierce County, the Puyallup Tribe, and SPSSEG are currently working on a feasibility study to remove the Chambers Creek dam and other armoring to restore Chambers Bay.
11. The Puyallup Tribe is looking at options for habitat restoration along the lower 4 miles from Kobayashi Park to the Dam.

12. The Stewardship Committee worked with Lakewood's Parks department in 2018 (Parks Appreciation Day) on restoring 200 feet of creek bank along Clover Creek beside Springbrook Park. Volunteers removed blackberries, ivy and scotch broom. Surplus native plants were salvaged from a rain garden in Puyallup and re-planted on the creek side. The goal is to create a demonstration site showing various native trees, shrubs, and plants where people can visit to see which plants would be good for their yards.
13. Volunteers from the South Puget Sound Flyfishers kept three fish ladders free of debris in the fall of 2018 to allow Coho salmon to pass upstream. Other volunteers check on fish passages on McChord Field, Steilacoom Lake, and at the dam at Chambers Bay.
14. City of Lakewood adopted 2012 DOE Stormwater Manual, with 2014 amendments, and has also adopted the 2015 Pierce County Stormwater Management and Site Development Manual, which covers LID. City Public Works staff review development applications to ensure compliance with all adopted stormwater regulation. Specifically, the City requires TESC BMPs, and the municipal code requires developers to retain stormwater on-site to the maximum extent feasible (LMC 12A.11.044). Lakewood is fortunate to have soils suitable for infiltration throughout most of the city. Since the NPDES Permit was issued, all new developments are infiltrating their stormwater on site or in a few cases discharging to City infiltration systems. Also unique to Lakewood, much of the City's infrastructure infiltrates and does not discharge to surface waters. The City has not defined goals or metrics to identify, promote or measure LID use. The City has not determined schedules for requiring of implementing additional LID techniques on a broader scale.
15. The City employs one full-time stormwater compliance inspector whose duties include inspections of businesses and properties for compliance with Lakewood's stormwater management regulations. The inspector works closely with inspectors from other City departments (building, code enforcement, community service officers) on enforcement efforts that require multiple disciplines.
16. City staff also remains informed of changes in regulations at the state and federal level that may impact local regulatory requirements.
17. The City has participated in the Benthic Index of Biotic Integrity (BIBI) sampling program with Pierce County. The BIBI program consists of surveys of water bodies to evaluate water body health based on the prevalence of various indicator species.
18. The City also financially supports the Pierce Conservation District Stream Team in its efforts to sample and analyze water from several lakes in Lakewood. This is a long-term, ongoing project, and several more years of data will be necessary before it can be determined if there are any measurable trends in water quality.

In addition to the watershed action planning process, the Chambers-Clover Creek Watershed has also been the focus of a number of other major planning efforts. A Salmon Habitat Protection and Restoration Strategy for the watershed (WRIA 12) was completed in 2018, a requirement of the federal listing of Puget Sound Chinook as threatened under the Endangered Species Act. The Washington State Department of Ecology continues to develop water cleanup plans for impaired water bodies, as well as administer Clean Water Act implementation programs, such as NPDES permitting. Pierce County completed the Clover Creek Basin Plan in 2003, which focuses on water quality, flooding, and habitat issues in unincorporated areas. Additionally, a comprehensive watershed management plan for WRIA 12 was completed in 2004. However, this plan was not approved by all stakeholders.

4.3 Comprehensive Plan Policies

The City's comprehensive plan defines goals and policies addressing protection of the environment and shorelines in its Land Use Element. Topics addressed include environmentally critical areas, fish and wildlife habitat, water quality, air quality, wetland protection, and flood management. Many of the goals and policies applicable to the shoreline environment were used as the basis for the restoration objectives discussed in Section 3. Comprehensive Plan Policies are implemented through the City's Municipal Code, Capital Improvement Program and other mechanisms.

4.4 Environmentally Sensitive Areas Regulations

The City of Lakewood's critical areas and natural resource lands regulations are found in Lakewood Municipal Code Title 14 – Environmental Protection. The City completed its last critical areas regulations update in 2015, consistent with the requirements of the GMA. The regulations are based on “best available science,” and they provide protection to critical areas in the City. The regulations categorize streams based on the Department of Natural Resources classification system and dictate buffers ranging from 35 feet to 150 feet. Wetland buffers range between 40 and 225 feet and are classified according to Lakewood Municipal Code 14.162.080. Management of the City's environmentally sensitive areas using these regulations should help insure that ecological functions and values are not degraded, and impacts to critical areas are mitigated. The City's critical areas regulations are adopted by reference into the Shoreline Master Program, with certain modifications and deletions based on the SMP Guidelines, to regulate critical areas found within the shoreline zone.

4.5 Stormwater Management and Planning

The Lakewood Department of Public Works Surface Water Management Division is responsible for maintaining the City's stormwater infrastructure. In 2012, Ecology approved the City's National Pollution Discharge Elimination System (NPDES) Phase II permit. The NPDES Phase II permit is required to cover the City's stormwater discharges into regulated lakes and streams. Under the conditions of the permit, the City must protect and improve water quality through public education and outreach, detection and elimination of illicit non-stormwater discharges (e.g., spills, illegal dumping, and wastewater), management and regulation of construction site runoff, management and regulation of runoff from new development and redevelopment, and pollution prevention and maintenance for municipal operations. The policies and regulations of the proposed SMP and this Restoration Plan are intended to support the City's ongoing NPDES Phase II Permit compliance efforts.

4.6 Public Education

The City of Lakewood's Comprehensive Plan identifies policy statements based on goals associated with the Land Use and Utilities elements (excerpted below). These items help guide City staff and local citizen groups in developing mechanisms to educate the public and broaden the interest in protecting and enhancing local environmental resources.

Policy LU-61.9: Work cooperatively with local water districts to maximize protection of wellheads and aquifers. Support ongoing efforts to:

- Educate citizens and employers about Lakewood's dependence on groundwater;
- Establish and maintain public awareness signs delineating the boundaries and key access points to the Lakewood Water District's wellhead protection areas;

- Maintain groundwater monitoring programs;
- Implement a well decommissioning program for all unused wells;
- Coordinate planning and review of drainage, detention, and treatment programs within wellhead protection areas.

Additionally, Strategy 1 in the *Watershed Action Agenda: Priorities for Focus within the Chambers-Clover Creek Watershed 2018-2023*, developed by the CCWC is “Enhance watershed-based communication, coordination, and education.” This agenda includes various goals and objectives related to this strategy.

- Develop and relay education and outreach messages that connect people to this watershed.
- Promote understanding of ground and surface waters as one integrated resource.
- Serve as a reliable source of current information about the watershed.
- Increase CCWC contact list to cover all the riparian owners along the regulated lakes and tributaries in the watershed.
- Establish and maintain current, comprehensive online access to information about the watershed through the CCWC website.
- Build relationships with existing outreach event partners, schools and watershed communication outlets and provide supplies and materials at five local events annually.

The City has been a member of the CCWC since its inception and actively implements all six of the public outreach components. Additional details about CCWC public education, outreach, and stewardship programs may be found at <https://www.co.pierce.wa.us/DocumentCenter/View/76631/2018-23-Action-Agenda>

Public education and involvement will be a priority in the City. Opportunities for restoration exist on public property in the City, but are limited along the majority of the City’s shorelines because it is under private ownership. Therefore, in order to achieve the goals and objectives set forth in this Restoration Plan, the City should focus on fostering restoration on private land.

Providing education opportunities and involving the public is important to success. This could possibly entail the development of a long-term Public Education and Outreach Plan to gain public support. Voluntary restoration efforts on private property would also benefit from public outreach and education. This could include local workshops and mailers to educate shoreline property owners and other shoreline users on maintaining healthy shoreline environments, promoting enhancement and restoration opportunities, and use of low impact development techniques.

4.7 Other Lakewood Programs and Projects

Illegal Discharge Detection and Elimination Program

The City’s Phase II NPDES Permit requires the implementation of an Illegal Discharge Detection and Elimination (IDDE) program to help meet the requirements of the Clean Water Act. The City’s latest IDDE plan, completed in July 2011, contains policies for finding and eliminating discharges of pollutants not allowed under the terms of the NPDES permit. The IDDE Plan contains an inventory of all known outfall locations and establishes a schedule for inspecting outfalls greater than 24 inches in diameter to

detect illicit discharges.

The IDDE Plan also contains protocols for spill prevention and response that are designed to ensure that spills of hazardous substances within the city are properly identified, reported, contained, and cleaned up.

Carwash Public Education

The City has established Best Management Practices (BMPs) for charity car washes, which can be a source of pollutants in the stormwater stream. The City requires that charity car washes obtain a free permit and that such car washes be located on a pervious surface (grass, gravel) or on an impervious surface that drains to a stormwater infiltration system, rather than the general stormwater network. Other guidelines and BMPs are published on fact sheets publicly available from the City.

Automotive Industry BMPs

In addition to public education for car washes, the City also publishes fact sheets containing good practices for auto-oriented businesses, such as car dealerships and automotive repair shops. Such practices include fixing oil leaks, preventing wash water from vehicles or car parts from entering the storm drain, proper disposal of hazardous waste, and covering outdoor storage areas to prevent potentially toxic runoff from flowing into the storm drain.

Safe Pet Waste Disposal BMPs

The City publishes fact sheets on pet waste disposal to educate the public on the importance of managing this contributor to poor water quality. The fact sheets explain that pet waste often contains pathogens that can cause disease in humans and other animals, and stormwater flows can transmit these pathogens to streams and lakes. Residents are encouraged to scoop up after their pets often and place the waste in the garbage. Placing pet waste in the municipal yard waste collection bins is highly discouraged because the pet waste then contaminates any compost that is made from the collected yard waste. Flushing pet waste down the toilet in areas using septic systems is also discouraged, as septic systems are often not designed to handle pet waste, which differs in composition from human waste, and septic systems may become overloaded and cause groundwater pollution.

5. LIST OF ADDITIONAL PROJECTS AND PROGRAMS TO ACHIEVE LOCAL RESTORATION GOALS

The following series of additional projects and programs are generally organized from the larger watershed scale to the City-scale, including City projects and programs and finally non-profit organizations that are active in the Lakewood area.

5.1 Recommended Projects

The following is partially developed from an initial list of opportunities identified within the *Shoreline Analysis Report*. The list of potential projects is intended to contribute to improvement of impaired functions.

General: Many shoreline properties have the potential for improvement of ecological functions through: 1) reduction or modification of shoreline armoring, 2) reduction of overwater cover and in-water structures (grated pier decking, pier size reduction, pile size and quantity reduction, moorage cover

removal), 3) reductions in upland impervious surface coverage, 4) improvements to vegetation within the shoreline setback or buffer, 5) improvement to existing flooding conditions, especially along Chambers Creek and Clover Creek, 6) improvements to habitat diversity, and/or 7) improvements to upland vegetation and soils to provide additional habitat and mitigate stormwater impacts. These opportunities generally apply to private residential properties, public parks, share recreational lots, private recreation uses, public street-ends, and utility corridors.

Segment 1: Chambers Creek

While a significant portion of the creek shoreline runs through properties containing private residences, Chambers Creek Park (i.e. Chambers Creek Properties owned and administered by Pierce County) occupies a large portion of the creek's northern reach, providing a direct opportunity to preserve and enhance the existing riparian zone on public lands. Enhancement of degraded areas could be achieved using the Washington Conservation Corps. In addition, along much of the southern reach, homes are located considerable distance from the creek, which is largely confined to a ravine. Forested and largely intact riparian areas provide valuable ecological functions as documented in the Shoreline Inventory and Analysis Report.

Protecting existing high quality habitat along Chambers Creek is the highest priority. Implementation and enforcement of critical area regulations and the City's NPDES stormwater program are cornerstones of the City's efforts to protect habitat along Chambers Creek and improve water quality. Interagency coordination with Pierce County and University Place, particularly for Chambers Creek Park, as well as WDFW (which has a fish hatchery and significant management role for fish in the basin) should be emphasized in refining the management strategy for the northern reach. Limited opportunities may also exist for property acquisition. Additional outreach to homeowners and habitat enhancement efforts in the park and on private properties with willing homeowners can help ensure that the highest quality fish and wildlife habitat in the City is protected and enhanced.

Segment 2: Clover Creek

Because the majority of Clover Creek shoreline is in private ownership, the primary opportunities for restoration and enhancement occur on private property. Enhancement of the area could be achieved by 1) educating private property owners on what an ecologically appropriate riparian zone should look like, 2) encouraging private property owners to remove existing bank modifications, such as rip-rap and concrete walls, replacing them with vegetation planting of native trees and shrubs. Homeowner education programs could also be established to discourage the use of chemicals on lawn areas and landscaping that may adversely affect water quality. As in the case of Chambers Creek, the City could use the Washington Conservation Corps to restore its own properties, such as planting native plants and removing invasive species in Springbrook Park. The City expects that implementation of the NPDES Phase II Stormwater Program and the incentive-based setback regulations included in the SMP, which encourages enhancement of the creek shoreline and vegetation, will help improve conditions along Clover Creek.

Two volunteers surveyed a section of Clover Creek between JBLM and I-5 in August 2017. A detailed report was prepared discussing the conditions of the stream and recommended restoration projects. The data was intended to be used to update Lakewood's Restoration Component of its Shoreline Master Program.

In addition, the City previously identified a fish blockage approximately 600 feet upstream of Lake Steilacoom. Removal of this blockage occurred in 2015.



Dense blackberry and ivy growth on City of Lakewood property near Springbrook Park (28 April 2018)

Segment 3: American Lake

As noted in the Chambers-Clover Creek Watershed Action Plan and other sources, phosphorus and other pollutants from improperly functioning on-site sewage systems (OSS) is a concern in the watershed overall as well as in the immediate vicinity of American Lake. The City should set a time frame for the required conversion of existing OSS in the Tillicum and American Lake Garden Tract neighborhoods to sanitary sewer and explore additional means to accomplish this goal. In the meantime, the City should work with the Tacoma-Pierce County Health Department (TPCHD) to identify problem OSS, work with property owners to educate them about the need to maintain their systems and support TPCHD to ensure the enforcement of existing regulations.

Most of the habitat enhancement potential for American Lake is concentrated on privately owned parcels because of the high degree of private ownership surrounding the lake. Restoration on private property could be achieved by encouraging private property owners to remove existing bank modifications and implement shoreline enhancement projects, such as native vegetation planting. The replacement of bulkheads and other forms of hard armoring with bioengineered solutions should be especially encouraged. Replacement of deteriorating piers should also be a high priority. Homeowner education programs could also be established to discourage the use of chemicals on lawn areas and landscaping that may adversely affect water quality.

Restoration activities could also occur at City parks, focusing on the removal of bulkheads and the reestablishment of native vegetation where feasible. New facilities constructed at City shoreline parks should employ LID practices and green building techniques. Areas where native vegetation cover is still extensive should be protected.

The City expects that implementation of the NPDES Phase II Stormwater Program and the incentive-based setback regulations included in the SMP, which encourages enhancement of the lake shoreline and vegetation, will help improve conditions along American Lake, as well as on other lakes in the City. A long-range goal for the City's Surface Water Management Division is the preparation of management

plans for the City's lakes, including American Lake. While American Lake currently has an aquatic vegetation management plan in place, the plan is narrowly focused. A new lake management plan would address a broad range of topics with bearing on the health of the lake, including water quality and upland vegetation enhancement.

Segment 4: Lake Steilacoom

Most of the restoration potential for Lake Steilacoom is concentrated on privately owned parcels because of the high degree of private ownership surrounding the lake. Restoration on private property could be achieved by encouraging private property owners to remove existing bank modifications and implement shoreline enhancement projects, such as native vegetation planting or installing engineered LWD. The replacement of bulkheads and other forms of hard armoring with bioengineered solutions should be especially encouraged. Replacement of deteriorating piers should also be a high priority. Because steelhead, an ESA listed fish species, are known to occur in Lake Steilacoom, dock and pier standards require light transmission through deck materials to limit impacts on salmonids. Homeowner education programs could also be established to discourage the use of chemicals on lawn areas and landscaping that may adversely affect water quality.

Restoration activities could also occur at Edgewater Park, and the city should consider acquiring additional property on Lake Steilacoom for public access (i.e., parking). The City can use these projects as an example to private landowners in how to setback and restore shoreline areas. New facilities constructed at City shoreline parks should employ LID practices and green building techniques. Areas where native vegetation cover is still extensive should be protected.

A long-range goal for the City's Surface Water Management Division is the preparation of management plans for the City's lakes, including Lake Steilacoom. The lake management plan would address a broad range of topics with bearing on the health of the lake, including water quality, aquatic vegetation management, and upland vegetation enhancement.

Segment 5: Gravelly Lake

Gravelly Lake is surrounded by private parcels, and restoration opportunities are therefore restricted to private property. Restoration on private property could be achieved by encouraging private property owners to remove existing bank modifications and implement shoreline enhancement projects, such as native vegetation planting. The replacement of bulkheads and other forms of hard armoring with bioengineered solutions should be especially encouraged.

Replacement of deteriorating piers should also be a high priority. Homeowner education programs could also be established to discourage the use of chemicals on lawn areas and landscaping that may adversely affect water quality.

While privately owned, Lakewold Gardens is open to the public and provides an opportunity for further shoreline restoration. The City should work with Lakewold Gardens to explore possibilities for expanded public access at this location, as well as implementation of restoration measures, such as bulkhead removal and reduce use of chemicals and fertilizers that may adversely affect water quality in Gravelly Lake.

Segment 6: Lake Louise

Lake Louise is surrounded by private parcels, and with the exception of the public boat launch at the restoration opportunities are therefore restricted to private property. Restoration on private property

could be achieved by encouraging private property owners to remove existing bank modifications and implement shoreline enhancement projects, such as native vegetation planting. The replacement of bulkheads and other forms of hard armoring with bioengineered solutions should be especially encouraged. Replacement of deteriorating piers should also be a high priority. Homeowner education programs could also be established to discourage the use of chemicals on lawn areas and landscaping that may adversely affect water quality.



Invasive Himalayan blackberry and ivy at Edgewater Park

Segment 7: Waughop Lake

Waughop Lake is located entirely within Fort Steilacoom Park, so restoration efforts could be undertaken by the City of Lakewood. Due to poor water quality and potential risks to human health, water quality improvement should be the highest priority for restoration projects at Waughop Lake. The practice of stocking the lake with game fish has been discontinued. Taking steps to reduce the amount of pet waste that washes into the lake, such as increased provision of waste bags and trash containers along the park trails, is recommended.

As noted in the Chambers-Clover Creek Watershed Action Plan and other sources, phosphorus and other pollutants from improperly functioning on-site sewage systems (OSS) is a concern in the watershed overall as well as in the vicinity of Waughop Lake. In 2019, the City is continuing the conversion of existing OSS in the area to sanitary sewer. In the meantime, the City should work with the Tacoma-Pierce County Health Department to identify problem OSS, work with property owners to educate them about the need to maintain their systems and support TPCHD to ensure the enforcement of existing regulations.

A long-range goal for the City's Surface Water Management Division is the preparation of management plans for the City's lakes, including Waughop Lake. The lake management plan would address a broad range of topics with bearing on the health of the lake, including water quality, aquatic vegetation management, and upland vegetation enhancement. Improving water quality would be a primary focus for Waughop Lake.

Educational signage regarding the lake and surrounding wetlands would help fulfill the public outreach and education goals of this restoration plan, and enhancements to the wetlands and associated buffers would provide improvements to water quality and fish and wildlife habitat.

6. PROPOSED IMPLEMENTATION TARGETS AND MONITORING METHODS

As previously noted, the vast majority of the City's shoreline zone is occupied by single-family residences, with small areas of vacant property and two parks. Therefore, other than watershed level programs, such as NPDES Phase II Stormwater Permit compliance, the largest potential for directly improving shoreline ecological function generally lies in promoting restoration and healthy practices on private property and the lot scale. The City of Lakewood can continue improvement of shoreline ecological functions along the shoreline through a more comprehensive watershed approach, which combines the both public education programs and lakefront and streamside improvements.

The following table (Table 1) outlines a possible schedule and funding sources for implementation of a variety of efforts that could improve shoreline ecological function, and are described in previous sections of this report.

Table 1. Implementation Schedule and Funding for Restoration Projects, Programs, and Plans.

Restoration Project/Program	Schedule	Funding Source or Commitment
4.1 Chambers-Clover Watershed Council Participation	Ongoing	The City plays an active role on the Chambers-Clover Watershed Council. The City sends a staff representative to a monthly CCWC meeting, and the City's Surface Water Division Manager serves as the CCWC chair. City of Lakewood staff commit approximately 4-5 hours per month to CCWC activities.
4.2 Comprehensive Plan Policies	Last updated 2014	The City commits substantial staff time to the review of projects and programs to ensure consistency and compliances with the goals and policies of the Comprehensive Plan. The City last updated its Comprehensive Plan in 2014, and the next update is mandated by the Growth Management Act to occur before the end of 2023.
4.3 Critical Areas Regulations	Updated 2009	The City commits substantial staff time to the review of projects and programs to ensure consistency and compliances with the goals and policies of the Critical Areas Regulations.

Restoration Project/Program	Schedule	Funding Source or Commitment
4.4 Stormwater Management and Planning	Ongoing	The City adopted a Stormwater Management Program in 2018. The City prepares annual updates to its Stormwater Management Program, pursuant to the conditions of its NPDES permit. The Stormwater Management Program is funded by a stormwater utility fee paid for by Lakewood property owners.
4.5 Public Education/Outreach	Ongoing	<p>The City has an active Stormwater Public Education and Outreach Plan. The plan is updated annually in accordance with NPDES permit requirements.</p> <p>As part of this effort, the City could develop a long- term Public Education and Outreach Plan to gain public support for voluntary restoration efforts on private property.</p>
5.1 Recommended Improvements	As funds and opportunity allow	Projects identified in this section will be implemented when funding is obtained, either through grants or through partnerships with other agencies or non-profit groups, or as required by critical areas regulations or the Shoreline Master Program during project-level review by the City. Projects that directly benefit salmon habitat may be eligible to receive funding from the Washington State Salmon Recovery Funding Board. \$28 million dollars of project funding was announced by the SRFB for Fiscal Year 2011.

The City is required to monitor development under the Shoreline Master Program to ensure no net loss. We recommend that City planning staff track all land use and development activity, including exemptions, within shoreline jurisdiction, and incorporate actions and programs of the Parks and Recreation and Public Works departments as well. We recommend that a report be assembled that provides basic project information, including location, permit type issued, project description, impacts, mitigation (if any), and monitoring outcomes as appropriate. Examples of data categories might include square feet of non-native vegetation removed, square feet of native vegetation planted or maintained, reductions in chemical usage to maintain turf, linear feet of eroding shoreline stabilized through plantings, linear feet of shoreline armoring removed, number of fish passage barriers eliminated or stream miles opened to anadromous fish. The report could also update Tables 1 and 2 above, and outline implementation of various programs and restoration actions (by the City or other groups) that relate to watershed health.

The staff report could be assembled to coincide with Comprehensive Plan updates and could be used, in light of the goals and objectives of the Shoreline Master Program, to determine whether implementation of the Shoreline Master Program is meeting the basic goal of no net loss of ecological functions relative to the baseline condition established in the Shoreline Analysis Report (Otak/AHBL 2010). In the long term, the City should be able to demonstrate a net improvement in the City of

Lakewood's shoreline environment.

Based on the results of this future assessment program, the City may make recommendations for future changes to the Shoreline Master Program.

7. RESTORATION CONSTRAINTS AND PRIORITIES

The process of prioritizing actions that are geared toward restoration of Lakewood's shoreline area involves balancing ecological goals with a variety of constraints. General constraints related to potential restoration of shoreline functions include:

1. Persistent water quality problems that are a result of nonpoint pollution within the entire watershed, including areas outside of the City of Lakewood.
2. Persistent problems with base flows in Clover Creek.
3. An extensively developed shoreline area throughout the SMA with predominantly private land ownership (a portion of Chambers Creek being the exception).
4. Heavy use of public parks and demand for parking, public access, active recreation and water dependent facilities that have the potential to conflict with shoreline habitat restoration.

The goals in Section 3 and constraints were used to develop a hierarchy of restoration actions to rank different types of projects or programs associated with shoreline restoration. Programmatic actions, like providing public education and outreach programs to local residents, tend to receive relatively high priority opposed to restoration actions involving private landowners. Other factors that influenced the hierarchy are based on scientific recommendations specific to WRIA 12, potential funding sources, and the projected level of public benefit.

Although restoration project/program scheduling is summarized in the previous section (Table 2), the actual order of implementation may not always correspond with the priority level assigned to that project/program. This discrepancy is caused by a variety of obstacles that interfere with efforts to implement projects in the exact order of their perceived priority. Some projects, such as those associated with riparian planting, are relatively inexpensive and easy to permit, and should be implemented over the short and intermediate term despite the perception of lower priority than projects involving extensive shoreline restoration or large-scale capital improvement projects. Straightforward projects with available funding should be initiated immediately for the worthwhile benefits they provide and to preserve a sense of momentum while permitting, design, site access authorization, and funding for the larger, more complicated, and projects that are more expensive are under way.

7.1 Priority 1 – Continue Water Resource Inventory Area (WRIA) 12 Participation

Of basic importance is the continuation of ongoing, programmatic, basin-wide programs and initiatives such as Watershed Action Agenda and the WRIA 12 watershed restoration efforts. The City should continue to work collaboratively with other jurisdictions and stakeholders in WRIA 12 through the CCWC to implement the actions called for in the related plan. This process provides an opportunity for the City to keep in touch with its role on a basin-wide scale and to influence habitat conditions beyond its borders, which in turn come back to influence water quality and quantity and habitat issues within the City.

7.2 Priority 2 – Improve Water Quality and Reduce Sediment and Pollutant Delivery

Maintaining and improving water quality throughout the Chambers-Clover Creek Watershed is considered a high priority for the City of Lakewood. The water quality in the City's streams and lakes directly influences recreational uses such as swimming and boating, as well as fish and wildlife habitat. Water from the surrounding basin flows into Clover Creek, flows into Lake Steilacoom and then flows north through Chambers Creek to the Puget Sound. The remaining lakes in the City are isolated from these surface flows, but receive stormwater inputs and are connected via groundwater.

The City received its final National Pollutant Discharge Elimination System (NPDES) Phase II permit in January 2012 from Ecology. The NPDES Phase II permit is required to cover the City's stormwater discharges into regulated lakes and streams. Under the conditions of the permit, the City must protect and improve water quality through public education and outreach, detection and elimination of illicit non-stormwater discharges (e.g., spills, illegal dumping, and wastewater), management and regulation of construction site runoff, management and regulation of runoff from new development and redevelopment, and pollution prevention and maintenance for municipal operations.

The City has adopted Ecology's 2012 Stormwater Manual for Western Washington, and the city existing standards as well as the proposed standards in the SMP require the use of LID techniques to the maximum extent feasible.

Development activities within the watershed have led to higher peak flows, excessive sediment loading, and gravel scouring. Implementation of the City's stormwater program is expected to help address these issues to some extent, but again, these impacts occur as a result of development within the entire basin. Loss of flow in the central section of the mainstem Clover Creek within the City creates a passage barrier as well as loss of habitat area. Poor water quality has led to fish kills in the past, which are typically the result of "first flush" events on holding coho. Chambers Creek, Lake Steilacoom, and Clover creek are the highest priority SMA fish habitat areas in the City. Although they are not SMA waters, Ponce de Leon, Flett, and Leach Creeks are critical steelhead habitat and are a priority as well, now that critical steelhead has been established.

As noted in the Chambers-Clover Creek Watershed Action Plan and other sources, phosphorus and other pollutants from improperly functioning on-site sewage systems (OSS) is a concern in the watershed overall as well as in the immediate vicinity of American Lake and Waughop Lake. [Current study rejects previous sentence.] The City should set a time frame for the required conversion of remaining neighborhoods to sanitary sewer and explore additional means to accomplish this goal. In the mean time, the City should work with the TPCHD to identify problem OSS, work with property owners to educate them about the need to maintain their systems and support TPCHD to ensure the enforcement of existing regulations.

7.3 Priority 3 – Develop, Expand and Implement Public Education and Involvement Programs

Public education and involvement should be a high priority in the City of Lakewood due to the extent of residential development in the shoreline jurisdiction. Opportunities for restoration outside of residential property are limited to City parks and right-of-way. Therefore, in order to achieve the goals and objectives set forth in this Restoration Plan, most of the restoration projects would need to occur on private property. Thus, providing education opportunities and involving the public are keys to success.

These could entail coordinating the development of a long-term Public Education and Outreach Plan to gain public support. This could include local workshops to educate shoreline property owners and other shoreline users on maintaining healthy shoreline environments. A more direct and practical way, however, of promoting enhancement and restoration opportunities is to prepare materials specifically targeted to landowners explaining how best to manage their shoreline properties.

7.4 Priority 4 –Create or Enhance Natural Shoreline Conditions along Clover Creek

As noted in the Chambers-Clover Watershed Action Plan, the Watershed Action Agenda and the WRIA 12 Plan, the principal impacts to habitat along Clover Creek have been caused by dredging and rerouting of stream channels, ditching or burying the stream, elimination of wetlands and estuarine habitat, riparian forest removal, as well as non-point water quality pollution, industrial discharges, fish passage barriers and removal of large wood from channels. Recommended projects are listed in Section 5.1. Master restoration plans should be developed to reduce negative impacts and unintended consequences.

Areas of WRIA 12 that would provide the benefit to coho salmon are located upstream of Steilacoom Lake and include Clover Creek in the City up to Spanaway Creek, the upper reaches of the Clover main stem, any perennial reaches of North Fork Clover Creek and Spanaway and Morey creeks. Some of these areas are located outside of the City. The principal factors that provide the greatest benefit to coho salmon are generally sediment load, substrate quality, perennial flow, habitat types (e.g. pool frequency and backwater pools), water quality, and removal of fish passage obstructions. Restoration of flow to the lower sections of Clover Creek, from Lake Steilacoom upstream to above the north fork confluence is necessary to achieve the benefits of habitat restoration.

7.5 Priority 5 – Implement Soft Shoreline Stabilization and Reduce In-water and Over-water Structures

The majority of lake shoreline is armored at or below the ordinary high water mark. (Otak/AHBL 2010) Therefore restoration opportunities are limited. However, the City does have an opportunity to enhance the Edgewater Park shoreline on Steilacoom Lake through the use of native vegetation and LWD. Emphasis should also be given to future project proposals that involve or have the potential to restore shoreline areas to more natural conditions, and the City should continue to develop incentives for property owners to remove existing armoring or replace with softer stabilization systems.

Reduction of in- and over-water cover by piers, docks, and other boat-related structures is one mechanism to improve shoreline ecological functions. Pier and docks are extensive along lakes in the City, with approximately 80 percent of all residential parcels having a pier or dock. The WDFW already regulates the size and materials for in- and over-water structures throughout the State and generally recommends finding ways to reduce both the size and density of these structures. Although no specific private project sites to reduce in-water and over-water structures within residential areas are identified here, future project proposals involving reductions in the size and/or quantity of such structures should be emphasized. Such future private projects may involve joint-use pier proposals or pier reconstruction and may be allowed an expedited permit process or promoted through project incentives.

7.6 Priority 6 – Improve Riparian Vegetation, Reduce Impervious Coverage

Similar to the priority listed above to improve water quality and reduce sediment and pollutant delivery, improved riparian vegetation and reduction in impervious surfaces are emphasized

throughout the WRIA 12 Salmon Habitat Plan. Watershed-wide programmatic actions described in the Salmon Habitat Plan include many references to improving vegetative conditions and reducing impervious surface coverage. The use of LID will support the City's restoration efforts by supporting the retention and planting of native vegetation, reducing impervious surfaces, and localizing stormwater management. The SMP's policies regarding Vegetation Conservation provide greater protection to mature trees and native vegetation than the current Tree Preservation regulations.

7.7 Priority 7 – Enhance Habitat as Part of Future Street End Park Improvements

The street end parks provide opportunities for habitat restoration and public education, particularly at Westlake Avenue, Edgewater Park, Lake City Boulevard, Wadsworth Street, and Melody Lane. Development and restoration of these areas, including enhancement of native riparian vegetation could provide recreational space and give park visitors the opportunity to see habitat restoration in progress.

7.8 Priority 8 – City Zoning, Regulatory, and Planning Policies

City Zoning, Regulatory, and Planning Policies are listed as being of lower priority in this case simply because they were recently reviewed and updated in 2009. The City's Critical Areas regulations were also reviewed at this time and updated to be consistent with the Best Available Science for critical areas, including those within the shoreline zone. The City will update the Comprehensive Plan to include the revised policy direction in the updated SMP and should consider additional efforts to forward restoration priorities as part of future major Comprehensive Plan updates.

8. DEFINITIONS, ABBREVIATIONS, AND GLOSSARY OF TERMS

THE FOLLOWING WORDS AND PHRASES ARE INCLUDED WITHIN THE LAKEWOOD SMP AND ARE PROVIDED FOR PURPOSES OF INTERPRETING THIS RESTORATION PLAN.

Accessory use or accessory structure - Any subordinate use, structure, or building or portion of a building located on the same lot as the main use or building to which it is subordinate.

Accretion - The growth of a beach by the addition of material transported by wind and/or water, including, but not limited to, shore forms such as barrier beaches, points, spits, and hooks.

Act - The Shoreline Management Act (See Chapter 90.58 RCW).

Adjacent lands or properties - Lands adjacent to the shorelines of the state (outside of shoreline jurisdiction). The SMA directs local governments to develop land use controls (i.e. zoning, comprehensive planning) for such lands consistent with the policies of the SMA, related rules and the local SMP (see RCW 90.58.340).

Agriculture - Agricultural uses, practices and activities. In all cases, the use of agriculture related terms shall be consistent with the specific meanings provided in WAC 173-26-020. Accessory agricultural uses may consist of garden plots, livestock pens, barns, or other structures supporting incidental agriculture on the property.

Anadromous fish - Fish species, such as salmon, which are born in fresh water, spend a large part of their lives in the sea, and return to freshwater rivers and streams to procreate.

Appurtenance - A structure or development which is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the OHWM and also of the perimeter of any wetland. Typically includes a garage, deck, driveway, utilities, fences, installation of a septic tank, and drainfield and grading which does not exceed two hundred fifty cubic yards (250) (except to construct a conventional drainfield) and which does not involve placement of fill in any wetland or waterward of the OHWM (see WAC 173-27-040(2)(g)).

Aquaculture - The commercial cultivation of fish, shellfish, and/or other aquatic animals or plants including the incidental preparation of these products for human use.

Archaeological - Having to do with the scientific study of material remains of past human life and activities.

Associated wetlands - Those wetlands that are in proximity to and either influence, or are influenced by tidal waters or a lake or stream subject to the SMA. (See WAC 173-27-030(1)).

Average grade level - The average of the natural or existing topography of the portion of the lot, parcel, or tract of real property which will be directly under the proposed building or structure; provided that in case of structures to be built over water, average grade level shall be the elevation of OHWM. Calculation of the average grade level shall be made by averaging the elevations at the center of all exterior walls of the proposed building or structure (See WAC 173-27-030(3)).

Baseline - The existing shoreline condition, in terms of both ecological function and shoreline use, established at the time this SMP is approved.

Beach - The zone of unconsolidated material that is moved by waves, wind and tidal currents, extending landward to the coastline.

Beach enhancement/restoration - Process of restoring a beach to a state that more closely resembles a natural beach, using beach feeding, vegetation, drift sills and other nonintrusive means as applicable.

Beach feeding - Landfill deposited on land or in the water to be distributed by natural water processes for the purpose of supplementing beach material.

Benthic organism or Benthos - Living organisms that live in or on the bottom layer of aquatic systems, at the interface of the sediment (or substrate) and overlying water column. Benthos commonly refers to an assemblage of insects, worms, algae, plants and bacteria.

Berm - A linear mound or series of mounds of sand and/or gravel generally paralleling the water at or landward of the OHWM. A linear mound may be used to screen an adjacent activity, such as a parking lot, from transmitting excess noise and glare.

Best Management Practices (BMPs) - Methods of improving water quality that can have a great effect when applied by numerous individuals. BMPs encompass a variety of behavioral, procedural, and structural measures that reduce the amount of contaminants in stormwater runoff and in receiving waters.

Bioengineering - see Soil bioengineering.

Biofiltration system - A stormwater or other drainage treatment system that utilizes the ability of plant life to screen out and metabolize sediment and pollutants. Typically, biofiltration systems are designed to include grassy swales, retention ponds and other vegetative features.

Biota - The animals and plants that live in a particular location or region.

BMPs - see Best Management Practices.

Boat launch or ramp - Graded slopes, slabs, pads, planks, or rails used for launching boats by means of a trailer, hand, or mechanical device.

Boat lift - A mechanical device that can hoist vessels out of the water for storage, usually located along a pier.

Boat lift canopy - A translucent canopy or awning that is attached to the boat lift to shield the boat from sun and precipitation.

Boathouse - A structure designed for storage of vessels located over water or on shorelands. Boathouses do not include "houseboats" or "floating homes."

Boating facility - A public or private moorage structure serving more than four (4) residences.

Breakwater - An offshore structure generally built parallel to the shore that may or may not be connected to land, built to protect a harbor, moorage, or navigational activity from wave and wind action by creating a still-water area along the shore and to protect the shoreline from wave-caused erosion.

Bulkhead - A vertical or nearly vertical erosion protection structure placed parallel to the shoreline at or near the OHWM, consisting of concrete, timber, steel, rock, or other permanent material not readily subject to erosion.

CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act ("Superfund"); 1986 amendments are known as Superfund Amendments and Reauthorization Act or "SARA."

Channel Migration Zone (CMZ) - The area within which a river channel is likely to move over a period of time, also referred to as the meander belt. Unless otherwise demonstrated through scientific and technical information, areas separated from the active river channel by legally existing artificial channel constraints that limit channel movement within incorporated municipalities and urban growth areas and all areas separated from the active channel by a legally existing artificial structure(s) that is likely to restrain channel migration, including transportation facilities, built above or constructed to remain intact through the one hundred-year flood should not be considered within the CMZ.

Chapter 90.58 RCW - The Shoreline Management Act of 1971.

City - The City of Lakewood.

Clearing - The destruction or removal of vegetation ground cover, shrubs and trees including, but not limited to, root material removal and/or topsoil removal.

CMZ - see Channel Migration Zone.

Commercial - Uses and facilities that are involved in wholesale or retail trade or business activities.

Community Pier / Dock - Joint use moorage serving more than four (4) residences that is tied to specific parcels by covenant or deed. Community piers are distinguished from marinas in that they do not offer moorage space for lease or sale.

Comprehensive Plan - Comprehensive plan means the document adopted by the city council, including all attachments, that outlines the City's goals and policies relating to growth management, and prepared in accordance with Chapter 36.70A RCW.

Conditional Use - A use, development, or substantial development that is classified as a conditional use or is not classified within the SMP. (See WAC 173-27-030(4)).

Conservation Easement - A legal agreement that the property owner enters into to restrict uses of the land. Such restrictions can include, but are not limited to, passive recreation uses such as trails or scientific uses and fences or other barriers to protect habitat. The easement is recorded on a property deed, runs with the land, and is legally binding on all present and future owners of the property, therefore, providing permanent or long-term protection.

Covered moorage - Boat moorage, without solid walls, that has a solid roof to protect the vessel and is attached to the dock itself or the substrate of the lake. See moorage cover.

Cumulative impact - The impact on the environment resulting from the incremental impact of past, present, and reasonably foreseeable future actions taken together regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

CUP - see Conditional Use Permit.

Degrade - To scale down in desirability or salability, to impair in respect to some physical property or to reduce in structure or function.

Development - The construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any permanent or temporary project which interferes with the normal public use of the waters overlying lands subject to the SMA at any state of water level (See RCW 90.58.030(3a)).

DFW - the Washington State Department of Fish and Wildlife.

DNR - the Washington State Department of Natural Resources.

Dock - A floating moorage structure.

Dredge spoil or Dredge material - The material removed by dredging.

Dredging - Excavation or displacement of the bottom or shoreline of a water body by mechanical or hydraulic machines to maintain channel depths or berths for navigational purposes or to cleanup polluted sediments.

Dwelling unit - A single unit providing complete, independent living facilities for one or more persons, not to exceed one family, and includes permanent provisions for living, sleeping, eating, cooking and sanitation.

EIS - Environmental Impact Statement.

Ecological functions - The work performed or the role played by the physical, chemical, and biological processes that contribute to the maintenance of the aquatic and terrestrial environments that constitute the shoreline's natural ecosystem.

Ecology - The Washington State Department of Ecology.

Ecosystem-wide processes - The suite of naturally occurring physical and geologic processes of erosion, transport, and deposition; and specific chemical processes that shape landforms within a specific shoreline ecosystem and determine both the types of habitat and the associated ecological functions.

EII - Terminal section of a pier which typically extends perpendicular to the pier walkway. These sections can be either on fixed-piles or floating docks and are typically wider than the pier walkway.

Emergency - An unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with the SMP. Emergency construction is construed narrowly as that which is necessary to protect property from the elements (See RCW 90.58.030(3eiii) and WAC 173-27-040(2d)).

Endangered Species Act (ESA) - A federal law intended to protect any fish or wildlife species that are threatened with extinction throughout all or a significant portion of its range. (See 16 U.S.C. § 1531 et seq.).

Enhancement - Alteration of an existing resource to improve or increase its characteristics and processes without degrading other existing functions. Enhancements are to be distinguished from resource creation or restoration projects.

Environmental impacts - The effects or consequences of actions on the natural and built environments, including effects upon the elements of the environment listed in the State Environmental Policy Act. (See WAC 197-11-600 and WAC 197-11-444).

Environmentally Sensitive Areas Ordinance 03-1037, City of Lakewood - This ordinance provides the goals, policies, and implementing regulations for protecting the designated critical areas of the City. The ordinance addresses environmentally sensitive area development controls; measures important for protecting and preserving these resources; preventing or mitigating cumulative adverse environmental impacts to critical areas; and serves to alert the public to the development limitations of critical areas.

Environments or Shoreline Environment - Designations given to specific shoreline areas based on the existing development pattern, the biophysical capabilities and limitations, and the goals and aspirations of local citizenry, as part of an SMP.

Erosion - The wearing away of land by of natural forces.

Excavated moorage slip - A boat mooring location that is man-made in that it requires dredging or excavation of excess sediment to afford access. Such slips may often involve dredging of the lake bottom waterward of the OHWM, or may include excavating a segment of the existing shoreline to enable moorage of a boat.

Excavation - The artificial movement of earth materials.

Exemption - Specific developments exempt from the definition of substantial developments and the Substantial Development Permit process of the SMA. An activity that is exempt from the substantial development provisions of the SMA must still be carried out in compliance with policies and standards of the Act and the local SMP. CUPs and/or Variances may also still be required even though the activity does not need a Substantial Development Permit (See WAC 172-27-040). For a complete list of exemptions, see Chapter 7.

Fair market value - The open market bid price for conducting the work, using the equipment and facilities, and purchasing the goods, services and materials necessary to accomplish a development, normally the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation and contractor overhead and profit. The fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials (See WAC 173-27-030(8)).

Feasible - An action, such as a development project, mitigation, or preservation requirement, that meets all of the following conditions:

- (a) The action can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results;
- (b) The action provides a reasonable likelihood of achieving its intended purpose; and
- (c) The action does not physically preclude achieving the project's primary intended legal use.

In cases where certain actions are required unless they are infeasible, the burden of proving infeasibility is on the applicant. In determining an action's infeasibility, the reviewing agency may weigh the action's relative public costs and public benefits, considered in the short- and long-term time frames.

Fill - The addition of soil, sand, rock, gravel, sediment, earth retaining structure, or other material to an area waterward of the OHWM, in wetland, or on shorelands in a manner that raises the elevation or creates dry land.

Finger pier or fingers - A narrow extension to a fixed-pile pier, usually extending perpendicular to the pier walkway along with an ell to form an enclosed area for boat moorage.

Float - A floating structure that is moored, anchored, or otherwise secured in the water offshore and that may be associated with a fixed-pile pier, or may be a standalone structure, such as platforms used for swimming and diving.

Floating dock - A fixed structure floating upon a water body for the majority of its length and connected to shore.

Floating home - A structure designed and operated substantially as a permanently based over water residence, typically served by permanent utilities and semi-permanent anchorage/moorage facilities. Floating homes are not vessels and lack adequate self-propulsion and steering equipment to operate as a vessel.

Floodplain - The land area susceptible to inundation with a one percent (1%) chance of being equaled or exceeded in any given year (synonymous with 100-year floodplain). The limits of this area are based on flood regulation ordinance maps or a reasonable method that meets the objectives of the SMA (See WAC 173-22-030(2)).

Floodway - The area, as identified in an SMP, that either: (i) has been established in Federal Emergency Management Agency flood insurance rate maps or floodway maps; or (ii) consists of those river valley areas lying streamward from the outer limits of a watercourse upon which flood waters are carried during periods of flooding that occur with reasonable regularity, identified, under normal conditions, by changes in surface soil conditions or in types or quality of vegetative ground cover condition, topography, or other flooding indicators occurring with reasonable regularity. The floodway shall not include those lands that are reasonably expected to be protected by flood control devices maintained by or under a license from the federal government, the state, or a political subdivision of the state.

Geotechnical report or Geotechnical analysis - A scientific study or evaluation conducted by a qualified expert that includes a description of the ground and surface hydrology and geology; the affected land form and its susceptibility to mass wasting, erosion, and other geologic hazards or processes; conclusions and recommendations regarding the effect of the proposed development on geologic conditions; the adequacy of the site to be developed; the impacts of the proposed development; alternative approaches to the proposed development; and measures to mitigate potential site-specific and cumulative geological and hydrological impacts of the proposed development, including the potential adverse impacts to adjacent and down-current properties. Geotechnical reports shall conform to accepted technical standards and must be prepared by qualified professional engineers or geologists who have professional expertise about the regional and local shoreline geology and processes.

Grading - The physical manipulation of the earth's surface and/or drainage pattern in preparation for an intended use or activity.

Grassy swale - A vegetated drainage channel that is designed to remove various pollutants from storm water runoff through biofiltration.

Groin - A barrier-type structure extending from, and usually perpendicular to, the backshore into a water body, to protect a shoreline and adjacent upland by influencing water movement and/or material deposits. This is accomplished by building or preserving an accretion beach on its up drift side by trapping littoral drift. A groin is relatively narrow in width but varies greatly in length. A groin is sometimes built in a series as a system and may be permeable or impermeable, high or low, and fixed or adjustable.

Habitat - The place or type of site where a plant or animal naturally or normally lives and grows.

Hearing Examiner - The Hearing Examiner of the City of Lakewood.

Height - The distance measured from the average grade level to the highest point of a structure; provided, that television antennas, chimneys and similar appurtenances shall not be used in calculating height, except where it obstructs the view of a substantial number of residences on areas adjoining such shorelines. Temporary construction equipment is excluded in this calculation (See WAC 173-27-030(9)).

Heliport - Any landing area or other facility used or intended to be used by private aircraft for landing or taking off of aircraft, including all associated or necessary buildings and open spaces.

Hoist - A device used for lifting or lowering a load by means of a drum or lift-wheel around which rope, fiber or chain wraps. It may be manually operated, electrically or pneumatically driven.

Houseboat - A vessel, principally used as an over water residence, licensed and designed for use as a mobile structure with detachable utilities or facilities, anchoring, and the adequate self-propulsion and steering equipment to operate as a vessel. Principal use as an overwater residence means occupancy in a single location, for a period exceeding two (2) months in any one calendar year. This definition includes live aboard vessels.

Impervious surface - Any horizontal surface artificially covered or hardened so as to prevent or impede the water percolation into the soil mantle including, but not limited to, roof tops, swimming pools, or paved or graveled roads, walkways or parking areas, but excluding landscaping and surface water retention/detention facilities.

In-stream structure - A structure placed by humans within a stream or river waterward of the OHWM that either causes or has the potential to cause water impoundment or water flow diversion, obstruction, or modification. In-stream structures may include structures used for hydroelectric generation, irrigation, water supply, flood control, transportation, utility service, fish habitat enhancement, or other purpose.

Joint Use Community Pier or Dock - A pier, dock, or secured float or floats for vessel moorage, fishing, or other water use that is shared by two (2) or more users.

Lake - A body of standing water in a depression of land or expanded part of a river, including, but not limited to, reservoirs of twenty (20) acres or greater in total area. A lake is bounded by the OHWM or, where a stream enters a lake, the extension of the elevation of the lake's OHWM within the stream (See RCW 90.58.030(1d); WAC 173-20-030; WAC 173-22-030(4)).

Landfill - The creation of, or addition to, a dry upland area (landward of the OHWM) by the addition of rock, soil, gravels and earth or other material, but not solid or hazardous waste.

Landscaping - Vegetation ground cover including shrubs, trees, flower beds, grass, ivy and other similar plants and including tree bark and other materials which aid vegetative growth and maintenance.

Launching rail - See Boat launch or ramp.

Launching ramp - See Boat launch or ramp.

LID - Low Impact Development.

Littoral - Living or occurring on the shore.

Littoral drift - The mud, sand, or gravel material moved parallel to the shoreline in the nearshore zone by waves and currents. **Marina** - A private or public facility providing the purchase or lease of a slip for storing, berthing and securing boats or watercraft, including both long-term and transient moorage, including, but not limited to, accessory facilities that provide incidental services to marina users, such as waste collection, boat sales or rental activities, and retail establishments providing fuel service, repair or service of boat. Community docks and piers, which serve specific upland parcels and which do not offer moorage for purchase by the general public, shall not be considered to be marinas.

Low Impact Development (LID) - A stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation, and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

May - Signifies an action is permitted but not required, provided it conforms to the provisions of this SMP.

Mitigation or Mitigation sequencing - The process of avoiding, reducing, or compensating for the environmental impact(s) of a proposal through the following sequence of steps, listed in order of priority: (See WAC 197-11-768 and WAC 173-26-020(30))

- (a) Avoiding the impact all together by not taking a certain action or parts of an action;
- (b) Minimizing impacts by limiting the degree or magnitude of the action by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations;
- (e) Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and
- (f) Monitoring the impact and the compensation projects and taking appropriate corrective measures.

Moorage - Any device or structure used to secure a vessel for temporary anchorage, but which is not attached to the vessel (such as a pier or buoy).

Moorage Piles - Structural members driven into the lake bed to serve as a stationary moorage point. They are typically used for moorage of small boats in the absence of, or instead of, a dock or pier. In some cases, moorage piles may be associated with a dock or pier.

Multi-family dwelling or Multi-family residence - A building containing two (2) or more dwelling units, including, but not limited to, duplexes, triplexes, four-plexes, apartment buildings and condominium buildings.

Must - Signifies an action is required.

Native plants - Plants that occur naturally, and that distribute and reproduce without aid. Native plants in western Washington are those that existed prior to intensive settlement that began in the 1850s.

Nonconforming use or development - A shoreline use or structure which was lawfully constructed or established prior to the effective date of the SMA or the SMP or amendments thereto, but which no longer conforms to present regulations or standards of the program (See WAC 173-27-080).

Ordinary High Water Mark (OHWM) - The mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or Ecology provided, that in any area where the OHWM cannot be found, OHWM adjoining fresh water shall be the line of mean high water. (See RCW 90.58.030(2)(b) and WAC 173-22-030(11)).

Overwater structure - Any device or structure projecting over the OHWM, including, but not limited to, piers, docks, floats, and moorage.

Permit or Shoreline Permit - Any substantial development permit, CUPs or variance, or revision, or any combination thereof, authorized by the Act (See WAC 173-27-030(13)).

Pier - A fixed, pile-supported moorage structure.

Priority habitat - A habitat type with unique or significant value to one or more species. An area classified and mapped as priority habitat must have one or more of the following attributes:

- (a) Comparatively high fish or wildlife density;
- (b) Comparatively high fish or wildlife species diversity;
- (c) Fish spawning habitat;
- (d) Important wildlife habitat;
- (e) Important fish or wildlife seasonal range;
- (f) Important fish or wildlife movement corridor;
- (g) Rearing and foraging habitat;
- (h) Important marine mammal haul-out;
- (i) Refuge habitat;
- (j) Limited availability;
- (k) High vulnerability to habitat alteration;
- (l) Unique or dependent species; or
- (m) Shellfish bed.

A priority habitat may be described by a unique vegetation type or by a dominant plant species that is of primary importance to fish and wildlife (such as oak woodlands or eelgrass meadows); by a successional stage (such as, old growth and mature forests); or by a specific habitat element (such as a consolidated marine/estuarine shoreline, talus slopes, caves, snags) of key value to fish and wildlife. A priority habitat may contain priority and/or non-priority fish and wildlife.

Priority species - Species requiring protective measures and/or management guidelines to ensure their persistence at genetically viable population levels, and that meet any of the criteria listed below:

- (a) State-listed or state proposed species. State-listed species are those native fish and wildlife species legally designated as endangered (WAC 232-12-014), threatened (WAC 232-12-011), or sensitive (WAC 232-12-011). State proposed species are those fish and wildlife species that will be reviewed by DFW (POL-M-6001) for possible listing as endangered, threatened, or sensitive according to the process and criteria defined in WAC 232-12-297.
- (b) Vulnerable aggregations. Vulnerable aggregations include those species or groups of animals susceptible to significant population declines, within a specific area or statewide, by virtue of their inclination to congregate. Examples include heron colonies, seabird concentrations, and marine mammal congregations.

- (c) Species of recreational, commercial, and/or tribal importance. Native and nonnative fish, shellfish, and wildlife species of recreational or commercial importance and recognized species used for tribal ceremonial and subsistence purposes that are vulnerable to habitat loss or degradation.
- (d) Species listed under the federal Endangered Species Act as proposed, threatened, or endangered.

Professional engineer - A person who, by reason of his or her special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design, acquired by professional education and practical experience, is qualified to practice engineering and is licensed by the State of Washington or another state.

Proposed, Threatened, and Endangered Species - Those native species that are proposed to be listed or are listed by DFW as threatened or endangered, or that are proposed to be listed or are listed as threatened or endangered under the federal Endangered Species Act.

Public access - The ability of the general public to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and to view the water and the shoreline from adjacent locations. (See WAC 173-26-221(4)).

Public interest - The interest shared by the citizens of the state or community at large in the affairs of government, or some interest by which their rights or liabilities are affected such as an effect on public property or on health, safety, or general welfare resulting from a use or development (See WAC 173-27-030(14)).

Public use - Public use means to be made available daily to the general public on a first-come, first-served basis, and may not be leased to private parties on any more than a day use basis. (See WAC 332-30-106)).

RCW - Revised Code of Washington.

Residential development - Development which is primarily devoted to or designed for use as a dwelling(s), including, but not limited to, single-family development, multi-family development, and the creation of new residential lots through land division.

Recreational float - A floating structure that is moored, anchored, or otherwise secured in the water offshore and that is generally used for recreational purposes such as swimming and diving.

Recreational Use or Development - Facilities such as parks, trails, and pathways, whether public, private or commercial, that provide a means for relaxation, play, or amusement. For the purposes of this SMP, recreational facilities are divided into two categories:

- (a) Water-oriented (i.e. - moorage facilities, fishing piers, recreational floats, trails, swimming beaches, overlooks, etc.); and
- (b) Non-water-oriented (i.e. - sports fields, golf courses, sport courts, etc.).

Restoration or Ecological restoration - The reestablishment or upgrading of impaired ecological shoreline processes or functions accomplished through measures including, but not limited to, revegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions.

Riparian - Of, on, or pertaining to the banks of a river, stream or lake.

Riprap - A layer, facing, or protective mound of stones placed to prevent erosion, scour, or sloughing of a structure or embankment; also, the stone so used.

Rotovating - An aquatic vegetation harvesting technique that uses rototilling technology to uproot and remove plants.

Runoff - Water that is not absorbed into the soil but rather flows along the ground surface following the topography.

Sediment - The fine grained material deposited by water or wind.

SEPA - see State Environmental Policy Act

SEPA Checklist - The checklist required of some projects under SEPA to identify the probable significant adverse impacts on the quality of the environment, to help to reduce or avoid impacts from a proposal, and to help the responsible governmental agency decide whether a full environmental impact statement (EIS) is required (See WAC 197-11-960).

Setback - A required open space, specified in SMPs, measured horizontally upland from and perpendicular to the OHWM.

Shall - Signifies an action is required.

Shorelands or Shoreland Areas - Those lands extending landward for two hundred (200) feet in all directions as measured on a horizontal plane from the OHWM; floodways and contiguous flood plain areas landward two hundred (200) feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of the SMA. Shorelands in the City are limited to those areas within two hundred (200) feet of the OHWM of American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek and any associated wetlands.

Shoreline Administrator - The City of Lakewood Planning and Community Development Director or his/her designee, charged with the responsibility of administering this SMP.

Shoreline jurisdiction - All of the geographic areas covered by the SMA, related rules and the applicable SMP. In the City, shoreline jurisdiction includes American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek, those areas within two hundred (200) feet of the OHWM of these water bodies, and any associated wetlands. See definitions of Shorelines, Shorelines of the state, Shorelines of statewide significance, Shorelands, and Wetlands,

Shoreline Management Act (SMA) - Chapter 90.58 RCW, as amended. Washington law adopted to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines.

Shoreline Master Program (SMP) - The comprehensive use plan and related use regulations used by local governments to administer and enforce the permit system for shoreline management. SMPs must be developed in accordance with the policies of the SMA, be approved and adopted by the state, and be consistent with the rules WACs) adopted by Ecology.

Shoreline Master Program Guidelines - The Shoreline Master Program (SMP) Guidelines are state standards which local governments must follow in drafting their shoreline master programs. The Guidelines translate the broad policies of the Shoreline Management Act (RCW 90.58.020) into standards for regulation of shoreline uses.

Shoreline modification - Those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can also include other actions, such as clearing, grading, or application of chemicals.

Shoreline permit - A substantial development permit, CUP, revision, or variance or any combination thereof (See WAC 173-27-030(13)).

Shoreline stabilization - Actions taken to address erosion impacts to property and dwellings, businesses, or structures caused by natural processes, such as current, flood, tides, wind or wave action. These actions include structural measures such as bulkheads and nonstructural methods such as soil bioengineering.

Shoreline vegetation management plan (SVMP) - A plan prepared by an applicant that identifies appropriate mitigation, performance assurances, and maintenance and monitoring requirements necessary to assure no net loss of ecological functions.

Shorelines - All of the water areas of the state, including reservoirs and their associated shorelands, together with the lands underlying them, except those areas excluded under RCW 90.58.030(2)(d).

Shorelines Hearings Board - A state-level quasi-judicial body, created by the SMA, which hears appeals by any aggrieved party on the issuance of a shoreline permit, enforcement penalty and appeals by local government. (See RCW 90.58.170; 90.58.180).

Shorelines of statewide significance - A select category of shorelines of the state, defined in RCW 90.58.030(2)(e), where special use preferences apply and greater planning authority is granted by the SMA. SMP policies, use regulations and permit review must acknowledge the use priorities for these areas established by the SMA. (See RCW 90.58.020).

Shorelines of the state - Shorelines and shorelines of statewide significance.

Should - Signifies an action is required unless there is a demonstrated, compelling reason, based on policy of the SMA and this SMP, against taking the action.

Sign - A board or other display containing words and/or symbols used to identify or advertise a place of business or to convey information. Excluded from this definition are signs required by law and the flags of national and state governments.

Single-family residence - A detached dwelling designed for and occupied by one (1) family including those structures and developments within a contiguous ownership which are a normal appurtenance (See WAC 173-27-040(2g)).

SMA - see Shoreline Management Act.

SMP - see Shoreline Master Program.

Soil bioengineering - An applied science that combines structure, biological and ecological concepts to construct living structures that stabilize the soil to control erosion, sedimentation and flooding using live plant materials as a main structural component.

Solid waste - All garbage, rubbish, trash, refuse, debris, scrap, waste materials and discarded materials of all types, whether the sources be residential or commercial, exclusive of hazardous wastes, and including any and all source-separated recyclable materials and yard waste.

State Environmental Policy Act (SEPA) - State law that requires state agencies, local governments and other lead agencies to consider environmental factors when making most permit decisions, especially for development proposals of a significant scale. As part of the SEPA process, EISs and public comment may be required.

Stream - A naturally occurring body of periodic or continuously flowing water where the mean annual flow is greater than twenty (20) cubic feet per second and the water is contained within a channel (See WAC 173-22-030(8)).

Structure - A permanent or temporary edifice or building, or any piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above or below the surface of the ground or water, except for vessels (See WAC 173-27-030(15)).

Substantial Development - Any development of which the total cost or fair market value exceeds six thousand, four hundred, and sixteen dollars (\$6,416), or any development which materially interferes with the normal public use of the water or shorelines of the state. The dollar threshold established in this definition must be adjusted for inflation by the Washington State Office of Financial Management every five (5) years based upon changes in the consumer price index during that time period. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, Seattle, Washington area, for urban wage earners and clerical workers, all items, compiled by the Bureau of Labor and Statistics, United States Department of Labor. The total cost or fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials. A list of activities and developments that shall not be considered substantial development is provided in Chapter 7 (See WAC 173-27-040(2)(a)).

SVMP - see Shoreline Vegetation Management Plan.

Terrestrial - Of or relating to land as distinct from air or water.

Upland - The dry land area above and landward of the OHWM.

Utilities - Services and facilities that produce, transmit, store, process or dispose of electric power, gas, water, stormwater, sewage and communications.

Utilities, Accessory - Utilities comprised of small-scale distribution and collection facilities connected directly to development within the shoreline area. Examples include local power, telephone, cable, gas, water, sewer and stormwater service lines.

Utilities, Primary - Utilities comprised of trunk lines or mains that serve neighborhoods, areas and cities. Examples include solid waste handling and disposal sites, water transmission lines, sewage treatment facilities and mains, power generating or transmission facilities, gas storage and transmission facilities and stormwater mains and regional facilities.

Variance - A means to grant relief from the specific bulk, dimensional or performance standards specified in the applicable SMP, but not a means to vary a shoreline use. A variance must be specifically approved, approved with conditions, or denied by Ecology (See WAC 173-27-170).

WAC - Washington Administrative Code.

Water-dependent use - A use or a portion of a use which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations, including, but not limited to, moorage structures (including those associated with residential properties), ship cargo terminal loading areas, ferry and passenger terminals, barge loading facilities, ship building and dry docking, marinas, aquaculture, float plane facilities and sewer outfalls.

Water-enjoyment use - A recreational use or other use that facilitates public access to the shoreline as a primary characteristic of the use; or a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as a general characteristic of the use and which through location, design, and operation ensures the public's ability to enjoy the physical and aesthetic qualities of the shoreline. In order to qualify as a water-enjoyment use, the use must be open to the general public and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that fosters shoreline enjoyment.

Water-oriented use - Refers to any combination of water-dependent, water-related, and/or water enjoyment uses.

Water quality - The physical characteristics of water within shoreline jurisdiction, including water quantity, hydrological, physical, chemical, aesthetic, recreation-related, and biological characteristics. "Water quantity" refers only to development and uses regulated and affecting water quantity, such as impermeable surfaces and storm water handling practices. Water quantity does not mean the withdrawal of ground water or diversion of surface water pursuant to RCW 90.03.250 through RCW 90.03.340.

Water-related use- A use or a portion of a use which is not intrinsically dependent on a waterfront location but whose economic viability is dependent upon a waterfront location because:

- (a) Of a functional requirement for a waterfront location such as the arrival or shipment of materials by water or the need for large quantities of water or,

The use provides a necessary service supportive of the water-dependent commercial activities and the proximity of the use to its customers makes its services less expensive and/or more convenient. Examples include manufacturers of ship parts large enough that transportation becomes a significant factor in the products cost, professional services serving primarily water-dependent activities and storage of water-transported foods. Examples of water-related uses may include warehousing of goods transported by water, seafood processing plants, hydroelectric generating plants, gravel storage when transported by barge, oil refineries where transport is by tanker and log storage.

Wetlands or Wetland areas - Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, generally including swamps, marshes, bogs and similar areas, but not those artificial wetlands intentionally created from non-wetland sites, such as irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands.

Zoning - To designate by ordinance, including maps, areas of land reserved and regulated for specific land uses.

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ATTACHMENT C

Lakewood Comprehensive Plan: Development Regulations Revisions

DRAFT | July 2024

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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.]	▪ 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>	▪ 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
<p>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.</p>	<ul style="list-style-type: none"> 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.
<p>b. Applicability. The R1, and R2, R3, and R4 zoning districts are applicable to lands designated Residential Estate in the comprehensive plan.</p>	<ul style="list-style-type: none"> "Residential Estate" is removed under this new land use framework.
<p>The R3 and R4 zoning districts are applicable to lands designated Single Family in the comprehensive plan.</p>	<ul style="list-style-type: none"> See above. All single-use residential zones are now included under one category.
...	
3. Multifamily Zoning Districts.	
<p>a. Purpose. <u>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.</u></p>	<ul style="list-style-type: none"> An introduction is provided to be consistent with other sections.
<p>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.</p>	<ul style="list-style-type: none"> The urban design elements are removed as these are not a defining characteristic specifically of the MF zones.
<p>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.</p>	<ul style="list-style-type: none"> The urban design elements are removed as these are not a defining characteristic specifically of the MF zones.
<p>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.</p>	
...	
18A.10.130 Establishment of overlay districts.	
...	

Revisions	Rationale for Change
<p>B. Each overlay district and the abbreviated designation suffix are listed below.</p> <p>[TABLE]</p> <p>The boundaries of overlay districts are shown on the City's official Overlay Districts Map <u>included in Article XX Chapter 18A.50, which is included below as Figure 1 and hereby adopted as part of this title</u>, and are further described as follows:</p> <p>...</p>	<ul style="list-style-type: none"> 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.
<p>X. <u>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.</u></p> <p>...</p>	<ul style="list-style-type: none"> 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.
<p>18A.10.180 Definitions.</p> <p>...</p>	
<p>"Accessory dwelling unit (ADU)" means a habitable dwelling unit added to, created within, or detached from and on the same lot with a <u>single family dwelling, a single-family housing unit, duplex, triplex, townhome, or other housing unit</u> that provides basic requirements for living, sleeping, eating, cooking, and sanitation.</p> <p>...</p>	<ul style="list-style-type: none"> 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.
<p>"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. <u>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:</u></p> <ol style="list-style-type: none"> <u>1. Households in rental units earning sixty (60) percent of area median income or less; or</u> <u>2. Households in ownership units earning eighty (80) percent of area median income or less.</u> <p>...</p>	<ul style="list-style-type: none"> This definition is provided to clarify the term affordable housing to be consistent with statute and Department of Commerce recommendations.
<p><u>"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.</u></p>	<ul style="list-style-type: none"> Added to provide a clear definition for the revised section on emergency amendments.

Revisions	Rationale for Change
<p>“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.</p>	<ul style="list-style-type: none"> Remove RCW reference as it is currently incorrect.
<p>“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.</p>	<ul style="list-style-type: none"> Remove RCW reference as it is currently incorrect.
<p>...</p>	
<p>“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.</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. Remove RCW reference as it is currently incorrect.
<p>...</p>	
<p><u>“Qualified household” means a household which has been assessed to meet the eligibility requirements to rent or purchase a qualified unit.</u></p>	<ul style="list-style-type: none"> This provides a definition to support Chapter 18A.70 LMC.
<p><u>“Qualified project” is a residential or mixed-use development which includes qualified units and receives a bonus under Chapter 18A.90 LMC.</u></p>	<ul style="list-style-type: none"> 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) <u>household income. If not otherwise specified, these units shall be affordable to households with incomes of:</u></p> <p><u>1. Sixty (60) percent of area median income adjusted for household size for rental housing; or</u></p> <p><u>2. Eighty (80) percent of area median income at the time of sale adjusted for household size for owner-occupied housing.</u></p> <p>...</p>	<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>“Religious organization” means <u>the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.</u></p> <p>...</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>“STEP housing” means <u>emergency shelter, transitional housing, emergency housing and permanent supportive housing.</u></p> <p>...</p>	<ul style="list-style-type: none"> New definition provided to be consistent with Department of Commerce guidelines.
<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- <u>This definition does not apply if fewer than fifty (50) percent of the units in a multifamily project are providing transitional housing.</u></p> <p>...</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> <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>	<ul style="list-style-type: none"> This section was difficult to read as a single paragraph, and has been split into subsections for readability.

Original Goal/Policy	Rationale for Change
<p><u>X.</u> 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.</p>	
<p><u>X.</u> 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).</p>	
<p><u>X.</u> The comprehensive plan amendment calendar shall be approved by the City Council. No fee shall be charged at this proposal stage.</p>	
<p><u>X.</u> 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.]</p>	
<p>...</p>	
<p>18A.30.090 Timing and exemptions.</p>	
<p>A. The City will consider proposed amendments to the comprehensive plan only once each year, except when amendments are adopted as part of:</p>	
<p>...</p>	
<p>3. The response to an existing emergency, <u>as specified in LMC 18A.30.XXX;</u></p>	<ul style="list-style-type: none"> ▪ This is included to reference new code language regarding emergency amendments.
<p>...</p>	
<p>5. The resolution of an appeal filed with the Growth Management Hearings Board or with a court; or</p>	
<p>6. The amendment of a capital facilities element that occurs concurrently with the adoption or amendment of the City budget; <u>or</u></p>	
<p><u>7. An update to the Transit Overlay under Article XX Chapter 18A.50.XXX consistent with changes in transit service.</u></p>	<ul style="list-style-type: none"> ▪ This is added to ensure that changes in transit can be reflected immediately and do not require waiting for the yearly update.
<p>...</p>	
<p><u>18A.30.XXX Emergency amendments.</u></p>	<ul style="list-style-type: none"> ▪ This section has been added to be consistent with RCW 36.70A.130(2)(b).
<p><u>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.</u></p>	<ul style="list-style-type: none"> ▪ 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.
<p><u>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.</u></p>	<ul style="list-style-type: none"> ▪ This is consistent with the process provided in WAC 365-196-640.

Original Goal/Policy	Rationale for Change
<p><u>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.</u></p>	<ul style="list-style-type: none"> ▪ This is consistent with the process provided in WAC 365-196-640.
<p><u>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.</u></p>	<ul style="list-style-type: none"> ▪ 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.	
<p>1. In the R1 and R2 zoning districts, cottage housing development shall be allowed a density not to exceed three (3) <u>1.5</u> times the base density allowed in the underlying zone.</p>	<ul style="list-style-type: none"> ▪ This has been adjusted given the increases in density required under RCW 36.70A.635(1)(a).
<p>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.</p>	<ul style="list-style-type: none"> ▪ This has been removed given the increases in density required under RCW 36.70A.635(1)(a).
...	
18A.30.280 Parking.	
<p>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. <u>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.</u></p>	<ul style="list-style-type: none"> ▪ 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.	
...	
<p>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:</p>	
...	

Original Goal/Policy	Rationale for Change
3. <u>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.</u>	<ul style="list-style-type: none"> 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.	
<p>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) <u>one hundred twenty (120)</u> 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.]</p>	<ul style="list-style-type: none"> 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.	
...	
<p>F. If a <u>parenthetical designation</u> 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.</p>	<ul style="list-style-type: none"> 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
<p>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.</p> <p>The determination of the Director shall be appealable to the Hearing Examiner as set forth in Chapter 18A.20 LMC, Part IV.</p> <p>The Director shall report interpretation decisions to the Planning Commission when it appears desirable and necessary to amend this title.</p>	<ul style="list-style-type: none"> This has been split between different subsections to aid in readability.
<p><u>X. The determination of the Director shall be appealable to the Hearing Examiner as set forth in Chapter 18A.20 LMC, Part IV.</u></p>	<ul style="list-style-type: none"> This has been added as noted above.
<p><u>X. The Director shall report interpretation decisions to the Planning Commission when it appears desirable and necessary to amend this title.</u></p>	<ul style="list-style-type: none"> This has been added as noted above.
<p>...</p>	
<p><u>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.</u></p> <p><u>[NEW TABLE + FOOTNOTES]</u></p>	<ul style="list-style-type: none"> 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: <p>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.)</p> <p>Second, the land uses included specifically for parks and open space do not map well to other categories and should be treated differently.</p> <p>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.</p>
<p>18A.40.060 Essential public facilities.</p>	
<p>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.</p> <p>[TABLE]</p>	<ul style="list-style-type: none"> 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.
<p>B. Development and Operating Conditions.</p>	
<p>...</p>	

Original Goal/Policy	Rationale for Change
<p>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:</p>	
...	
<p>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, <u>especially overburdened communities as defined under RCW 70A.02.010(11).</u></p>	<ul style="list-style-type: none"> ▪ 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.
...	
<p>k. Proposed Impact Mitigation. The proposal must include adequate and appropriate mitigation measures for the impacted area(s) and community(ies), <u>including consideration of overburdened communities</u>. 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.</p>	<ul style="list-style-type: none"> ▪ 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.
<p>18A.40.110 Residential uses.</p>	
<p>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.</p>	
<p>[TABLE]</p>	<ul style="list-style-type: none"> ▪ 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).
<p>B. Operating and Development Conditions.</p>	
<p>1. Accessory dwelling units (ADUs) are permitted when added to, created within, or detached from a principal dwelling unit subject to the following restrictions:</p>	
<p>a. One (1) <u>Up to two (2)</u> 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 <u>two (2)</u> ADUs.</p>	<ul style="list-style-type: none"> ▪ 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(l)(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(l)(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 <u>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,</u> off-street parking <u>for an ADU may</u> shall not be required provided there is adequate street capacity <u>as determined by the Director,</u> and there is curb, gutter, and sidewalk, constructed to City standards, adjoining the lot where an ADU is proposed. Parking may be required. <u>Adequate street capacity is present</u> 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(l)(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(l)(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(l)(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
<p>a. Parking Requirements. At a minimum, there must be one (1) off-street parking stall per occupant, <u>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.</u> An owner may reduce the off-street parking requirement if an affidavit is signed that an occupant does not own a vehicle.</p>	<ul style="list-style-type: none"> ▪ This relaxation of parking requirements is intended to generally align with RCW 36.70A.620.
<p>18A.40.120 Special needs housing.</p>	
<p>....</p>	
<p>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.</p> <p>[TABLE]</p>	<ul style="list-style-type: none"> ▪ 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.
<p>C. Development and Operating Conditions.</p>	
<p>5. General Development and Operating Conditions – Emergency Housing, Emergency Shelter, Permanent Supportive Housing, and Transitional Housing Development and Operation Conditions.</p>	
<p>a. Purpose and Applicability.</p>	
<p>...</p>	
<p>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.</p>	<ul style="list-style-type: none"> ▪ This has been edited for clarity.
<p>b. Performance Standards.</p>	
<p>i. General Requirements for Emergency Housing, Emergency Shelter, Permanent Supportive Housing, and Transitional Housing Operations and Development Conditions.</p>	
<p>(a) General.</p>	
<p>(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 <u>and permitted under state law.</u> 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.</p>	<ul style="list-style-type: none"> ▪ 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
<p>(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.</p>	<ul style="list-style-type: none"> Separated for readability.
...	
<p>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:</p>	
<p>(a) Facility Standards.</p>	
<p>(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.</p>	<ul style="list-style-type: none"> 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).
<p>(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.</p>	<ul style="list-style-type: none"> This is included to highlight the potential role for using the fire code to enforce occupancy requirements.
<p>(iii) 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.</p>	<ul style="list-style-type: none"> 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.
<p>(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.</p>	<ul style="list-style-type: none"> 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.
...	
<p>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:</p>	
<p>(a) Facility Standards.</p>	
<p>(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.</p>	<ul style="list-style-type: none"> 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)	<ul style="list-style-type: none"> This section implements the increased density identified under RCW 36.70A.635.
18A.50.XXX Purpose.	
<u>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.</u>	<ul style="list-style-type: none"> This links to the requirements under RCW 36.70A.635 and the definition under the Comprehensive Plan
18A.50.XXX Applicability.	
<u>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.</u>	<ul style="list-style-type: none"> 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.	
<u>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.</u>	<ul style="list-style-type: none"> 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.
<u>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).</u>	<ul style="list-style-type: none"> 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]	<ul style="list-style-type: none"> 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
<p>a. <u>Maximum density requirements for Residential (R) zoning districts are listed as three figures, which are interpreted as follows:</u></p>	<ul style="list-style-type: none"> 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.
<p>i. <u>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.</u></p>	<ul style="list-style-type: none"> 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.
<p>ii. <u>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.</u></p>	<ul style="list-style-type: none"> 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.
<p>iii. <u>The third number refers to the maximum housing density (excluding accessory dwelling units) permitted on lots that include critical areas or their buffers.</u></p>	<ul style="list-style-type: none"> 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.
<p>b. <u>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.</u></p>	<ul style="list-style-type: none"> 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.	
...	
<p>F. Parking Standards. <u>Note the parenthetical numbers in the matrix identify specific requirements or other information which is set forth following the matrix in subsection (G).</u></p>	<ul style="list-style-type: none"> 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]	<ul style="list-style-type: none"> ▪ 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.
<u>X. Additional Provisions.</u>	
1. <u>For day care, preschools, and nursery schools, one drop-off loading area must be provided per seven (7) students.</u>	<ul style="list-style-type: none"> ▪ These provisions were included in the table and have been pulled out separately.
2. <u>Restaurants in hotels and motels are managed as a separate use under parking requirements.</u>	<ul style="list-style-type: none"> ▪ These provisions were included in the table and have been pulled out separately.
3. <u>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.</u>	<ul style="list-style-type: none"> ▪ This represents considerations for reduced parking requirements for accessory dwelling units under RCW 36.70A.681(2).
4. <u>The requirements for reduced parking for affordable housing include the following:</u>	<ul style="list-style-type: none"> ▪ This represents considerations for reduced parking requirements for affordable multifamily housing from RCW 36.70A.620.
a. <u>Housing units must be affordable at fifty (50) percent of area median income or lower.</u>	
b. <u>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.</u>	
c. <u>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.</u>	
5. <u>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.</u>	<ul style="list-style-type: none"> ▪ This represents considerations for middle housing under RCW 36.70A.635(6)(d).
6. <u>For multifamily housing types:</u>	
a. <u>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.</u>	<ul style="list-style-type: none"> ▪ This represents considerations for reduced parking requirements for market-rate multifamily housing from RCW 36.70A.620.
b. <u>At least 10% of the total parking spaces must be set aside for unreserved guest parking.</u>	<ul style="list-style-type: none"> ▪ These provisions were included in the table and have been pulled out separately.

Original Goal/Policy	Rationale for Change
<p>7. <u>In mobile home parks, parking spaces in excess of one (1) per mobile home may be grouped in shared parking areas.</u></p>	<ul style="list-style-type: none"> These provisions were included in the table and have been pulled out separately.
<p>8. <u>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.</u></p>	<ul style="list-style-type: none"> This represents considerations for reduced parking requirements for senior/special needs multifamily housing from RCW 36.70A.620.
<p>18A.80.060 Parking incentives.</p>	
<p>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 <u>may be</u> reduced by thirty-five (35) percent.</p>	<ul style="list-style-type: none"> Edited to ensure this is voluntary (if required).
<p>...</p>	
<p>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, <u>and should be evaluated accordingly.</u> This technique should be periodically revisited to consider its viability but should not be implemented until its feasibility for Lakewood is established.</p>	<ul style="list-style-type: none"> Edited to reinforce that TDM can currently be used if desired.
<p>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.</p>	<ul style="list-style-type: none"> 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.
<p>...</p>	
<p>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) <u>will be a requirement to meet parking needs.</u></p>	<ul style="list-style-type: none"> 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
<p>X. The reduction in parking permitted <u>under TDM</u> shall be commensurate with the permanence, effectiveness and demonstrated reduction in off-street parking demand effectuated by such alternative programs.</p> <p>Alternative programs that may be considered by the Director under this provision include, but are not limited to, the following:</p> <p>[LIST]</p>	<ul style="list-style-type: none"> Edited for clarity.

Chapter 18A.90 HOUSING INCENTIVES PROGRAM

Original Goal/Policy	Rationale for Change
...	<ul style="list-style-type: none">
18A.90.050 Inclusionary density bonuses.	<ul style="list-style-type: none">
<p>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 <u>qualified affordable units</u>, one (1) additional, on-site market-rate unit is permitted as a bonus for each qualified very low income unit provided <u>that is affordable at fifty (50) percent of area median income or less</u>, and 1.5 additional, on-site market rate units are permitted as a bonus for each qualified extremely low income unit provided <u>that is affordable at thirty (30) of area median income or less</u>, up to a maximum percentage 25% above the maximum density permitted in the underlying zoning district as shown below.</p> <p>{ TABLE }</p>	<ul style="list-style-type: none"> 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.
<p>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.</p>	<ul style="list-style-type: none"> 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.	<ul style="list-style-type: none"> Edited for consistency of term.
D. Size of Units. The size of the qualified units constructed under the provisions of this chapter <u>section</u> 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.	<ul style="list-style-type: none"> Minor change to consider that this chapter includes other incentives.
...	
<u>G. Exclusivity of Bonus. This incentive cannot be used in conjunction with other density bonuses defined in this chapter.</u>	<ul style="list-style-type: none"> This provision ensures that bonuses from the different sections of the chapter cannot be stacked.
<u>18A.90.XXX Density bonuses – religious organizations.</u>	<ul style="list-style-type: none"> This section implements the provisions of RCW 36.70A.545. While this is not mandatory, this should be considered as it must be allowed.
<u>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.</u>	<ul style="list-style-type: none"> This bonus is consistent with the bonuses provided above.
<u>B. Qualified Households. A household may qualify for housing units under this section if:</u>	
<u>1. For rental units, the household has an income of sixty (60) percent of area median income, adjusted for household size; or</u>	<ul style="list-style-type: none"> This provision has a lower income threshold for rental housing.
<u>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.</u>	
<u>C. Qualified Projects. An affordable housing development is allowed to receive the bonus described in subsection (A) provided that:</u>	
<u>1. All housing units in the project are qualified units set aside for or occupied exclusively by qualified households as defined in subsection (B);</u>	
<u>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</u>	<ul style="list-style-type: none"> Note that the 50-year duration is the minimum required under RCW 36.70A.545(1)(b).

Original Goal/Policy	Rationale for Change
<p><u>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.).</u></p>	<ul style="list-style-type: none"> ▪ This is required under RCW 36.70A.545(1)(c).
<p><u>D. Rehabilitated Property. The bonus may be applied to the rehabilitation of an existing property.</u></p>	<ul style="list-style-type: none"> ▪ This is required under RCW 36.70A.545(6).
<p><u>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).</u></p>	<ul style="list-style-type: none"> ▪ 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.
<p><u>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.</u></p>	<ul style="list-style-type: none"> ▪ This is included to ensure long-term affordability of rental units, even if the project is transferred to another property owner.
<p><u>G. Exclusivity of Bonus. This incentive cannot be used in conjunction with other density bonuses defined in this section.</u></p>	<ul style="list-style-type: none"> ▪ This provision ensures that bonuses from the different sections of the chapter cannot be stacked.
<p><u>18A.90.XXX Density bonuses – residential districts.</u></p>	<ul style="list-style-type: none"> ▪ This provision implements the bonus density provided under RCW 36.70A.635(1)(a)(iii).
<p><u>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).</u></p>	<ul style="list-style-type: none"> ▪ This connects this measure to the relevant code.
<p><u>B. Qualified Households. A household may qualify for housing units under this section if:</u></p>	
<p><u>1. For rental units, the household has an income of sixty (60) percent of area median income, adjusted for household size; or</u></p>	<ul style="list-style-type: none"> ▪ 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.
<p><u>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.</u></p>	<ul style="list-style-type: none"> ▪ This maintains the income limit for owner-occupied units.
<p><u>C. Qualified Projects. An affordable housing development is allowed to receive the bonus described in subsection (A) provided that:</u></p>	
<p><u>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);</u></p>	<ul style="list-style-type: none"> ▪ 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.
<p><u>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;</u></p>	<ul style="list-style-type: none"> ▪ 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. <u>Qualified units have the same style and architectural character and utilize the same building materials as market-rate units;</u>	<ul style="list-style-type: none"> ▪ This ensures that the affordable units are not substantively different from market-rate units.
4. <u>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</u>	<ul style="list-style-type: none"> ▪ This ensures that the affordable units are not substantively different from market-rate units.
5. <u>The lot does not include a critical area or buffer as defined under Title 14 LMC.</u>	<ul style="list-style-type: none"> ▪ This excludes lots with critical areas from consideration as per RCW 36.70A.545(8)(a).
D. <u>Rounding. For the calculation of required units reserved as qualified units under subsection (C)(1), all fractions are rounded up.</u>	<ul style="list-style-type: none"> ▪ 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. <u>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).</u>	<ul style="list-style-type: none"> ▪ 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. <u>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.</u>	<ul style="list-style-type: none"> ▪ 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. <u>Exclusivity of Bonus. This incentive cannot be used in conjunction with other density bonuses defined in this section.</u>	<ul style="list-style-type: none"> ▪ This provision ensures that bonuses from the different sections of the chapter cannot be stacked.
18A.90.060 Development standard modifications.	
<p>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:</p>	<ul style="list-style-type: none"> ▪ 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 <u>qualified projects</u> , 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.	<ul style="list-style-type: none"> ▪ 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 <u>households</u> 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.	<ul style="list-style-type: none"> ▪ Edited for consistency of terms.

Original Goal/Policy	Rationale for Change
...	
<p>18A.90.070 Fee reduction.</p> <p>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.</p>	<ul style="list-style-type: none"> ▪ This text has been edited to maintain consistency with the other sections of this chapter.
[TABLE]	<ul style="list-style-type: none"> ▪ 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.	
[TABLE]	<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:	
...	
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>	▪ This expands these provisions to be consistent with the requirements included under RCW 36.70A.620 .
<u>This exemption can apply to the following residential uses:</u>	
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>	▪ This includes the provisions for affordable housing included in RCW 36.70A.620(1) that allow for lower thresholds of transit service.
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>	▪ 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.
c. Market rate multifamily housing.	
...	

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
	Clear Zone (CZ)
Air Corridor 1 (AC1)	Air Corridor 1 (AC1)
	Air Corridor 2 (AC2)
	Clear Zone (CZ)
Air Corridor 2 (AC2)	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.

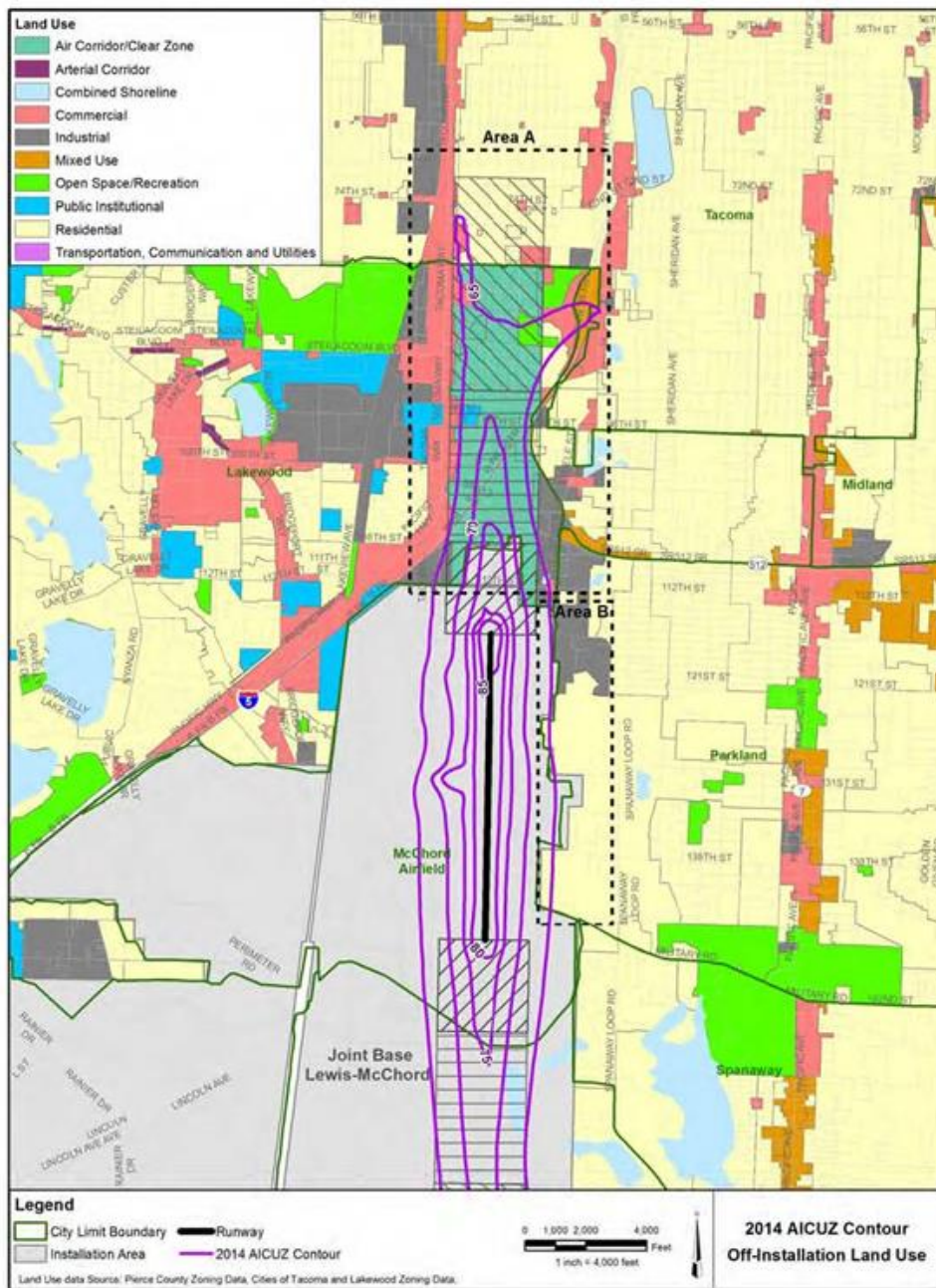
Unless otherwise shown on the official zoning map, all open bodies of water, including, but not limited to, American Lake, Lake Steilacoom, Gravelly Lake, Lake Louise, Waughop Lake, Wards Lake, Seeley Lake, Boyles Lake, Carp Lake, Lost Lake, Mud Lake and Barlow Pond, shall be considered to be within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

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18A.10.180 Definitions.

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“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.

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"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.

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...

Article I. Comprehensive Plan Amendment

...

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.]

...

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.
- ...

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.

...

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 (I)	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 (I)	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		
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
Mobile food vending facility (12)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P		
Night club	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	C	C	-	-	-	-		
Restaurant, café, coffee shop, counter ordering	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	C	P	P	-	-	-	-		
Restaurant, café, coffee shop, drive- through services (13)	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	-	-	-	-		
Restaurant, café, coffee shop, table service	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-		
Restaurant, café, coffee shop, outdoor dining (14)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-		
Restaurant, café, coffee shop, serving alcohol	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-		
Tasting room	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-		
Vendor stand (15)	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	P	P	-	-	-	-		
Essential Public Facilities (16)																								
Airport (Seaplane) (17)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
Community and technical colleges, colleges and universities (17)	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	-	-	-	C	-	-	C	-	-
Correctional facilities (17)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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	P
Electrical transmission lines of higher voltage than 115 kV, in new corridors	C	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 (17)	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	-	-	C	-	-	-	C	-	-
Intercity high-speed ground transportation (17)	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	P	-	-	-	C
Intercity passenger rail service (17)	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	P	-	-	-	C
Interstate Highway 5 (I-5) (17)	-	-	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
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	-	-
Organic materials (OM) management facilities (17)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	C	C	C	-	-	-
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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Three-family residential, attached or detached dwelling units	P	P	P	P	P	P	P	-	-	-	P	P	P	P	P	-	-	-	-	-	-	-	-	-
Four-family residential, attached or detached dwelling units	P	P	P	P	P	P	P	P	P	P	-	P	P	-	-	-	-	-	-	-	-	-	-	-
Five- and six-family residential, attached or detached dwelling units	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	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
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	-	-
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
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	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
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	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 18A.40.080(B)(1).
- (23) Includes adult and child day care, subject to all state licensing requirements. See LMC 18A.40.080(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 18A.40.080(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.

	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
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	–	–
Organic materials (OM) management facilities	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
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.

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

Description(s)	Zoning Classifications									
	R1, R2, R3, R4	MR1, MR2	MF1, MF2, MF3	ARC, NC1, NC2	TOC, CBD	C1, C2, C3	IBP, I1, I2	OSR1, OSR2	PI	ML, CZ, AC1, AC2
Assisted Living Facility	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, NC1, 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	22	35	22-DUA	35-DUA	54-DUA
	1.45-DUA	2.2-DUA	4.8-DUA	6.4-DUA	8.7-DUA	14.6-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 <u>(units per acre)</u>	15 DUA	22 DUA	35 DUA	<u>80</u> 54 DUA	<u>80</u> 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

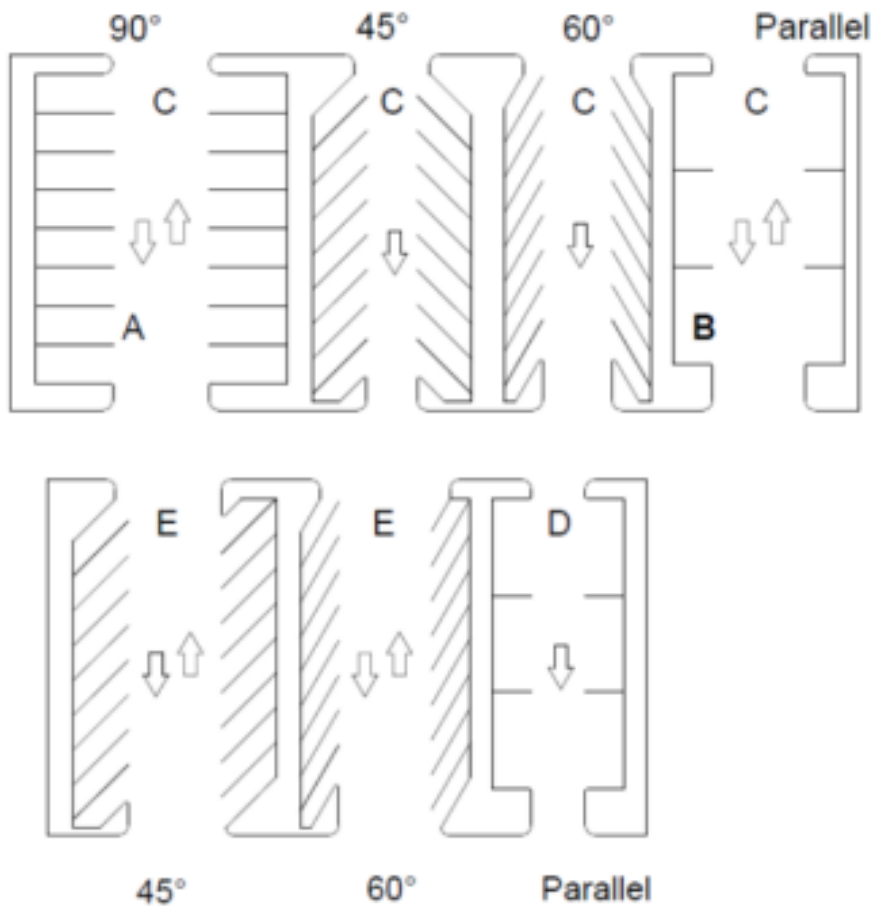
Use	Unit measure	Optional Minimum (TDM program only; see 18A.80.060(H)).	Maximum	Required bicycle parking spaces
General business park	Per 1,000 square feet	2	4	See offices
COMMERCIAL				
Banks	Per 1,000 gross square feet	2	3	See offices
Billiard halls	Per table	1	2	1 per 20 auto stalls. Minimum of 4
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
	Per 1,000 square feet of GFA			
Office building	· 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
		2+ bedroom – 1.5		
	Per dwelling unit within 1/2 mile of a major transit stop	0	N/A	0.5 per unit
		Studio – 1		
		1 bedroom – 1.25		
	Per dwelling unit	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
Multifamily structures with seven or more units (6)		Studio – 0.75		
	Per dwelling unit within 1/2 mile of a major transit stop	1 bedroom – 1 2+ bedroom – 1.5	N/A	1 per 7.5 auto stalls. 3 minimum per building
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	See multifamily
	Per room within 1/2 mile of a major transit stop	0.75	3	See multifamily
Senior citizen apartments and housing for people with disabilities	Per 3 dwelling units	1	2	See multifamily
	Per dwelling unit within ¼ mile of frequent transit service (8)	0	N/A	0.25 per unit



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%
MF1, 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 Very Low Income <u>Qualified Units Affordable at 50% AMI or Below</u>	Discount for Extremely Low-income <u>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	
	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: *	Meet rates and standards of: Chapter 18A.80 LMC
	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.**

...

ATTACHMENT D

PLANNING COMMISSION RESOLUTION 2024-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKEWOOD, WASHINGTON, FORMALIZING ITS RECOMMENDATIONS REGARDING UPDATES TO THE DOWNTOWN SUBAREA REGULATIONS IN LMC 18B.700.720 AND REGARDING UPDATING THE NAME OF THE LAKEWOOD PLANNING AND PUBLIC WORKS DEPARTMENT IN VARIOUS CHAPTERS OF THE LAKEWOOD MUNICIPAL CODE AND FORWARDING ITS RECOMMENDATIONS TO THE LAKEWOOD CITY COUNCIL FOR CONSIDERATION AND ACTION.

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

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

WHEREAS, the City Council adopted Title 18A, Land Use and Development Code, of the Lakewood Municipal Code (LMC) on August 20, 1002 via Ordinance No. 264; and

WHEREAS, the City Council adopted the Tillicum Neighborhood Plan on June 20, 2011 via Resolution 2011-09; and

WHEREAS, the City Council adopted the Downtown Subarea Plan, Development Regulations, and Planned Action on October 1, 2018 via Ordinances 695 and 696; and

WHEREAS, the City Council adopted the Lakewood Shoreline Master Program and Shoreline Restoration Program on May 6, 2019 via Ordinance 711; and

WHEREAS, the City Council adopted the Station District Subarea Plan, Development Regulations, and Planned Action on May 3, 2021 via Ordinances 751 and 752; and

WHEREAS, it is appropriate for the City Council to periodically consider and adopt amendments needed to ensure that the Plan and implementing regulations provide appropriate policy and regulatory guidance for growth and development; and

WHEREAS, RCW 36.70A.130 (4) and (5) require that the City of Lakewood take legislative action to review and, if needed, revise its Comprehensive Land Use Plan and Development Regulations to ensure the Plan and regulations comply with the Growth Management Act (GMA) no later than December 31, 2024 (the "2024 Periodic Review"); and

WHEREAS, per RCW 36.70A.130(2) and via Resolution 2023-01, the City of Lakewood adopted a public engagement plan that was implemented in 2023 and 2024, including through: holding five open houses in various locations across the City; holding over 20 study sessions at the Planning Commission; holding over 10 study sessions at the City Council; publishing two websites that provided information about the 2024 Periodic Review and accepted public comments; convening three community advisory committees to provide input and feedback on the drafting of

the 2024 Comprehensive Plan, Tillicum-Woodbrook Subarea Plan, and 2024 development regulations; sending three mailers citywide and one mailer to shoreline property owners in 2024; and publishing information in 2022, 2023, and 2024 through the Lakewood *Connections* Magazine and on its social media platforms; and

WHEREAS, environmental review as required under the Washington State Environmental Policy Act (SEPA) has resulted in the issuance of a determination of significance and Draft Supplemental Environmental Impact Statement (DSEIS) that was published on June 3, 2024 under SEPA #202402388 with a public comment period through July 3, 2024; and

WHEREAS, notice of the proposed 2024 Comprehensive Plan was provided to state agencies on May 21, 2024 per City of Lakewood NOIA-2024-S-7088 and updated on June 2, 2024 per NOIA-2024-S-7111, prior to the adoption of this Resolution, and state agencies have been afforded the opportunity to comment per RCW 36.70A.106 (1); and

WHEREAS, notice of the proposed 2024 Development Regulations was provided to state agencies on May 21, 2024 per City of Lakewood NOIA: 2024-S-7089 and updated on 06/02/24 per NOIA: 2024-S-7112, prior to the adoption of this Resolution, and state agencies have been afforded the opportunity to comment per RCW 36.70A.106(1); and

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

WHEREAS, the Lakewood Planning Commission held an open record public hearing that began on June 5, 2024 and continued through June 26, 2024; and

WHEREAS, the Lakewood Planning Commission has determined that the 2024 Periodic Review Development Regulation amendments are consistent with: the Growth Management Act; VISION 2050 and the Regional Growth Strategy; and the Pierce County Countywide Planning Policies; and that the proposed amendments meet the criteria for approval found in LMC 18A.30.050 and LMC 18A.30.090(A)(4); and

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

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

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

2024-10 Amend the Downtown Subarea development code at LMC 18B.700.720 related to the applicable areas and required minimum acreage for master planned developments.

2024-11 Update all references to the Public Works Engineering Department (PWE) or its Director and the Community & Economic Development Department (CED) or its Director in LMC Titles 14, 16, 17, 18A, 18B, and 18C with references to the Planning & Public Works Department (PPW) or its Director.

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

PASSED AND ADOPTED at a regular meeting of the City of Lakewood Planning Commission this 10th day of July, 2024, by the following vote:

AYES: BOARDMEMBERS:

NOES: BOARDMEMBERS:

ABSENT: BOARDMEMBERS:

ATTEST:

ROBERT ESTRADA, CHAIR,
PLANNING COMMISSION

KAREN DEVEREAUX, SECRETARY

EXHIBIT A

2024-10 Amend the Downtown Subarea development code at LMC 18B.700.720 related to the applicable areas and required minimum acreage for master planned developments.

18B.700.720 Master Planned Development –~~Town Center Incentive Overlay.~~

A. *Purpose.* The purpose of a master planned development in the Downtown ~~District~~ Subarea is to provide the developer and the City the opportunity to implement the ~~d~~Downtown p~~Plan~~ in way that could not be achieved through strict application of the standards in this chapter. It also allows for the development of larger, more complex, and multi-phased projects to develop with certainty.

B. *Applicability.* Development within the ~~Town Center Incentive Overlay~~ Downtown Subarea may apply for a master plan for the development of ~~to~~ five (5) or more acres.

2024-010 Review and Evaluation Analysis

1. Is the proposed amendment consistent with the county-wide planning policies, the Growth Management Act (GMA), other state or federal law, or the Washington Administrative Code? **Yes. This amendment is to implement the required periodic update of the Lakewood Comprehensive Plan.**
2. Would the proposed amendment have little or no adverse environmental impacts and is the time required to analyze impacts available within the time frame of the standard annual review process? **Yes. This is a non-project action. *Any environmental impacts coming from a future application for development would be reviewed under the City's development and environmental protection regulations.***
3. Is sufficient analysis completed to determine any need for additional capital improvements and revenues to maintain level-of-service, and is the time required for this analysis available within the time frame for this annual review process? **Yes. This is a non-project action. *Any impacts on capital improvement or revenues coming from a future application for development would be reviewed under the City's development and environmental protection regulations.***
4. Can the proposed amendment be considered now without conflicting with some other Comprehensive Plan established timeline? **Yes. This non-project action is part of the 2024 Comprehensive Plan Periodic Review.**

5. Can the proposed amendment be acted on without significant other amendments or revisions not anticipated by the proponents and is the time required for processing those amendments or revisions available within the time frame of this annual review process? **Yes.**

6. If the proposed amendment was previously reviewed, ruled upon or rejected, has the applicant identified reasons to review the proposed amendment again?
N/A.

Note: The City also published a draft Supplemental Environmental Impact Statement (DSEIS) on June 3, 2024 under SEPA [202402388](#).

2024-11 Update all references to the Public Works Engineering Department (PWE) or its Director and the Community & Economic Development Department (CED) or its Director in LMC Titles 14, 16, 17, 18A, 18B, and 18C with references to the Planning & Public Works Department (PPW) or its Director.

2024-06 Review and Evaluation Analysis

1. Is the proposed amendment consistent with the county-wide planning policies, the Growth Management Act (GMA), other state or federal law, or the Washington Administrative Code? **Yes.**
2. Would the proposed amendment have little or no adverse environmental impacts and is the time required to analyze impacts available within the time frame of the standard annual review process? **Yes. This is a non-project action.**
3. Is sufficient analysis completed to determine any need for additional capital improvements and revenues to maintain level-of-service, and is the time required for this analysis available within the time frame for this annual review process? **Yes. This is a non-project action.**
4. Can the proposed amendment be considered now without conflicting with some other Comprehensive Plan established timeline? **Yes.**
5. Can the proposed amendment be acted on without significant other amendments or revisions not anticipated by the proponents and is the time required for processing those amendments or revisions available within the time frame of this annual review process? **Yes.**
6. If the proposed amendment was previously reviewed, ruled upon or rejected, has the applicant identified reasons to review the proposed amendment again? **N/A.**

Note: The City also published a draft Supplemental Environmental Impact Statement (DSEIS) on June 3, 2024 under SEPA [202402388](#).