



LAKWOOD CITY COUNCIL STUDY SESSION AGENDA

Monday, October 28, 2024

7:00 P.M.

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

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

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

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

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CALL TO ORDER

ITEMS FOR DISCUSSION:

- (4) 1. Review of 2025 Property Tax Levy. – (Memorandum)
- (15) 2. Review of 2024 Year-End Budget Adjustment. – (Memorandum)
- (32) 3. Introduction of 2025 Comprehensive Plan Docket. – (Memorandum)
- (94) 4. Introduction of 2024 Development Regulation Updates. – (Memorandum)

ITEMS TENTATIVELY SCHEDULED FOR NOVEMBER 4, 2024 REGULAR CITY COUNCIL MEETING:

- 1. Proclamation declaring November as Native American Heritage month. – *Nisqually Tribal Council*
- 2. Proclamation recognizing Veterans Day and Veterans Appreciation month. – *Colonel Gallo, Commander, 2/2 Stryker Brigade Combat Team*

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

3. Youth Council Report.
4. Clover Park School District Report.
5. Authorizing the execution of an agreement with Gordon Thomas Honeywell Governmental Affairs for state government relation services. – (Motion – Consent Agenda)
6. Authorizing the execution of an agreement with Johnston Group for federal government relation services. – (Motion – Consent Agenda)
7. Authorizing the execution of an interlocal agreement between Pierce County and the City of Lakewood for the provision of specialized law enforcement services. – (Motion – Consent Agenda)
8. Confirming the appointment of Tim Lewis as Municipal Court Judge and authorizing the execution of an agreement with Tim Lewis to fill the Municipal Court Judge term ending December 31, 2025. – (Motion – Consent Agenda)
9. This is the date set for a public hearing on the Utility Tax Rate Increase. – (Public Hearings and Appeals – Regular Agenda)
10. This is the date set for a public hearing on the 2025 Property Tax Levy. – (Public Hearings and Appeals – Regular Agenda)
11. This is the date set for a public hearing on the Year-End (2024) Budget Adjustment. – (Public Hearings and Appeals – Regular Agenda)
12. This is the date set for a public hearing on the 2025-2026 Proposed Biennial Budget. – (Public Hearings and Appeals – Regular Agenda)
13. This is the date set for a public hearing on the 2025 Comprehensive Plan Docket. – (Public Hearings and Appeals – Regular Agenda)
14. This is the date set for a public hearing on the 2024 Development Regulation Updates. – (Public Hearings and Appeals – Regular Agenda)

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15. Considering the vacation of that section of Cline Road lying between Interstate 5 and Pacific Highway SW. – (Ordinance –Regular Agenda)

REPORTS BY THE CITY MANAGER

CITY COUNCIL COMMENTS

ADJOURNMENT

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



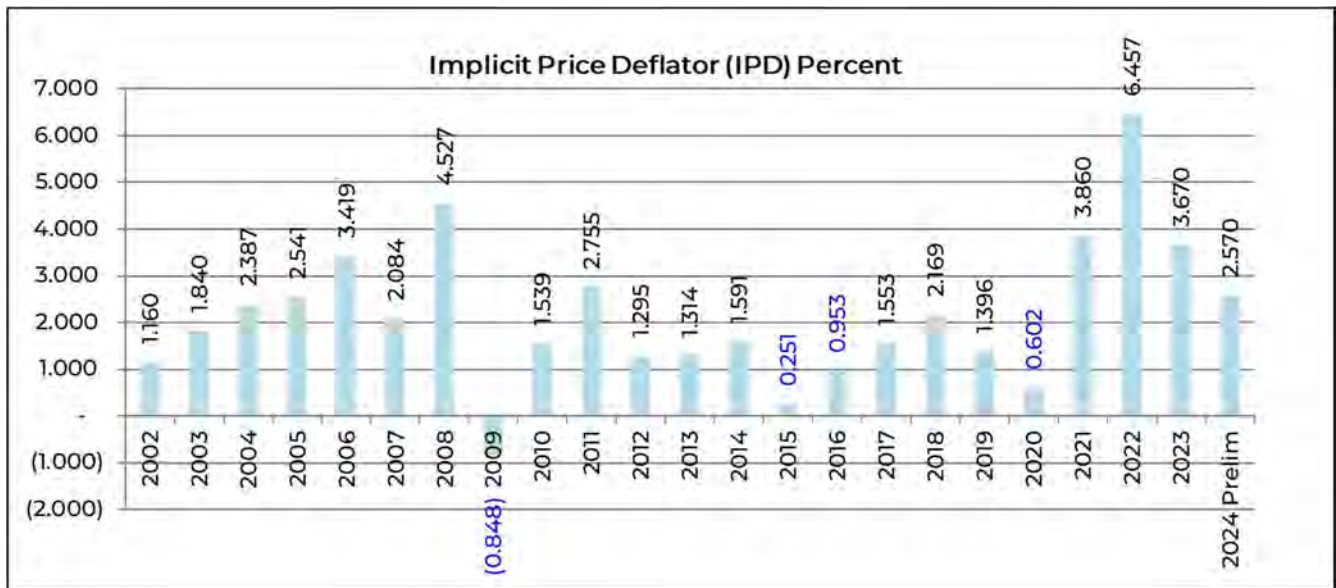
To: Mayor and City Councilmembers
From: Tho Kraus, Deputy City Manager
Through: John J. Caulfield, City Manager *John J. Caulfield*
Date: October 28, 2024
Subject: 2025 Property Tax Levy

BACKGROUND

Washington state law requires cities to hold a public hearing on possible increases in the property tax revenues to be held prior to the time the city levies the taxes. The hearing must be held in November in order to provide the County with the preliminary certification by November 30. The City will have the opportunity to modify its levy certification in December once final information is provided by Pierce County. A public hearing has been scheduled for November 4 for this purpose. Adoption of the property tax levy ordinance is also scheduled for November 18.

Per state law, the City is authorized to increase its property tax annually up to the lesser of Implicit Price Deflator (IPD) or one percent (1%). The rate of inflation is the percent change in the implicit price deflator for personal consumption as published by the Bureau of Economic Analysis on or before the September 25 statutory deadline in RCW 84.55.005.

The most recent publication available on September 25 is the August publication. To calculate the preliminary percent change in implicit price deflator for personal consumption for taxes due in 2025, Quarter 2, 2024 value of 123.13 as compared to Quarter 2, 2023 value of 120.04 equates to an increase of 2.57%. This means the City can take the full 1% levy increase in 2025 without the City Council adopting a declaration of substantial need.



ANALYSIS

According to the Pierce County Assessor-Treasurer’s office, the City’s total assessed value for 2025 property tax collection is estimated to be \$11.86, which represents a \$709.9M or 6.4% increase from the City’s total assessed value for 2024 property tax collection of \$11.2B.

	2024	2025 Estimate 1% Increase	Change	
			\$	%
Assessed Value	\$11,150,721,653	\$11,860,646,779	\$709,925,126	6.4%
City Levy Rate	\$0.7113	\$0.6819	-\$0.0294	-4.1%
City Property Tax Levy *	\$7,931,957	\$8,088,180	\$156,223	2.0%

* The City Property Tax Levy increase of 2.0% includes the 1% increase plus new construction, administrative refunds, increase in state-assessed property, and Lakewood Downtown tax increment financing area (new beginning with 2025 levy).

The 2024 average home value of \$507K increased by \$37K or 7.4% to \$545K. The estimated 2025 city portion of property tax impact to the average homeowner compared to 2024 under the two scenarios are:

- Scenario 1 – No Increase: Annual property tax is \$368.05, an increase of \$6.93 or 1.9%.
- Scenario 2 – 1% Increase: Annual property tax is \$371.68, an increase of \$10.56 or 2.9%.

The additional annual property tax paid by the average homeowner with the 1% increase compared to no increase is \$3.63.

	2024	2025 Est	Change from 2024		2025 Est	Change from 2024	
	1% Increase	No Increase	\$	%	1% Increase	\$	%
AV Average Home	\$507,659	\$545,037	\$37,378	7.4%	\$545,037	\$37,378	7.4%
City Levy Rate	\$0.7113	\$0.6753	-\$0.0361	-5.1%	\$0.6819	-\$0.0294	-4.1%
City Property Tax Paid	\$361.12	\$368.05	\$6.93	1.9%	\$371.68	\$10.56	2.9%
Additional property tax paid by average homeowner with 1% increase compared to No increase =						\$3.63	

			RECOMMENDED
Factors	2024 Max Per Statute 1%	2025 - Option 1 No Increase 0%	2025 - Option 2 Max Per Statute 1%
Base Levy Amount (Highest Lawful Regular Tax)	\$7,769,624	\$7,904,326	\$7,904,326
Increase	\$77,696	\$0	\$79,043
New Construction Estimate	\$56,922	\$60,572	\$60,572
Administrative Refunds Estimate	\$27,716	\$19,864	\$19,864
Additional Revenue from Increase in State-Assessed Property Estimate	\$0	\$0	\$0
Tax Increment Financing Area Estimate	\$0	\$24,374	\$24,374
Total Property Tax Levy	\$7,931,957	\$8,009,137	\$8,088,180
Total Property Tax Levy % Increase from Base Levy Amount	1.73%	0.77%	1.77%
Assessed Value	\$11,150,721,653	\$11,860,646,779	\$11,860,646,779
Levy Rate Per \$1,000 AV	\$0.7113	\$0.6753	\$0.6819
City Tax Paid by Average Home Owner Average Home Value for 2024 Property Tax = \$507,659 Average Home Value for 2025 Property Tax = \$545,037	\$361.12	\$368.05	\$371.68
City Tax Paid by Average Home Owner, Change from 2024 - \$	n/a	\$6.93	\$10.56
City Tax Paid by Average Home Owner, Change from 2024 - %	n/a	1.9%	2.9%

OPTIONS & CONSIDERATIONS

The options the City Council may take regarding the 2025 property tax levy are:

- Option 1: Levy the property taxes without any increase.
- Option 2: Increase the property tax levy by 1%. - **RECOMMENDED**

Since 2006, the City has enacted the 1% increase. The cumulative impact of not taking the 1% increase in 2024 over the 6-year period (2024-2029) is approximately \$486K.

NEXT STEPS

- Public Hearing on November 4, 2024
- Adoption on November 18, 2024

ATTACHMENTS

- Additional Information – Administrative Refunds
- Additional Information – State Assessed Property
- Taxable Values – Commercial & Residential Taxable Values and Levy Rates
- New Construction & Added Improvements
- Pierce County Assessor-Treasurer Preliminary 2024 Assessed Values
- Pierce County Assessor-Treasurer Preliminary Highest Lawful Levy Limit 2024 for 2025

ADDITIONAL INFORMATION – ADMINISTRATIVE REFUNDS

Administrative refunds are taxes that had been levied in previous years on properties that have had their taxes abated or cancelled. The following is an outline defining administrative refunds and what they consist of – there are 16 of them:

1. Paid more than once.
2. Paid as a result of manifest error in description.
3. Paid as a result of a clerical error in extending the tax rolls.
4. Paid as a result of other clerical errors in listing property.
5. Paid with respect to improvements which did not exist on assessment date.
6. Paid under levies or statutes adjudicated to be illegal or unconstitutional.
7. Paid as a result of mistake, inadvertence, or lack of knowledge by any person exempted or partially exempted from paying real property taxes.
8. Paid or overpaid as a result of mistake, inadvertence, or lack of knowledge by either a public official or employee or by any person paying the same with respect to real property in which the person paying the same has no legal interest.
9. Paid on the basis of an assessed valuation which was appealed to the county board of equalization and ordered reduced by the board.
10. Paid on the basis of an assessed valuation which was appealed to the state board of tax appeals and ordered reduced by the board. PROVIDED, That the amount refunded under subsections (9) and (10) shall only be for the difference between the tax paid on the basis of the appealed valuation and the tax payable on the valuation adjusted in accordance with the board's order.
11. Paid as a state property tax levied upon property, the assessed value of which has been established by the state board of tax appeals for the year of such levy: PROVIDED, HOWEVER, That the amount refunded shall only be for the difference between the state property tax paid and the amount of state property tax that would, when added to all other property taxes within the 1 percent limitation of the state constitution equal 1 percent of the assessed value established by the board.
12. Paid on the basis of an assessed valuation which was adjudicated to be unlawful or excessive: PROVIDED, that the amount refunded shall be for the difference between the amount of tax payable on the basis of the assessed valuation determined as a result of the preceding.
13. Paid on property acquired under a tax lien. (RCW 84.69.020)
14. Paid on the basis of an assessed valuation that was reduced under RCW 84.48.065.
15. Paid on the basis of an assessed valuation that was reduced under RCW 84.40.039.
16. Abated under RCW 84.70.010

ADDITIONAL INFORMATION – STATE ASSESSED PROPERTY

Utility and transportation companies that are defined in RCW 84.12 whose operations are in more than one county or state are assessed by the Department of Revenues' (DOR) Property Tax Division. These companies include airlines, railroads, electric companies who produce or distribute electricity on the retail or wholesale market, gas pipeline companies who distribute or sell gas on the retail or wholesale market, and telecommunications companies including landline, local and long distance phone and wireless companies. Telecommunications also includes cable companies who have assets in Washington that are used for providing telephone service in more than one county or state. In addition to these companies, DOR also assessed private railcars. These private railcars are most often owned by companies who are not a railroad that pay the railroad companies to transport their cars from place to place, including chemical companies, grain import and export companies, and several companies who are in the business to lease railcars to railroads and others.

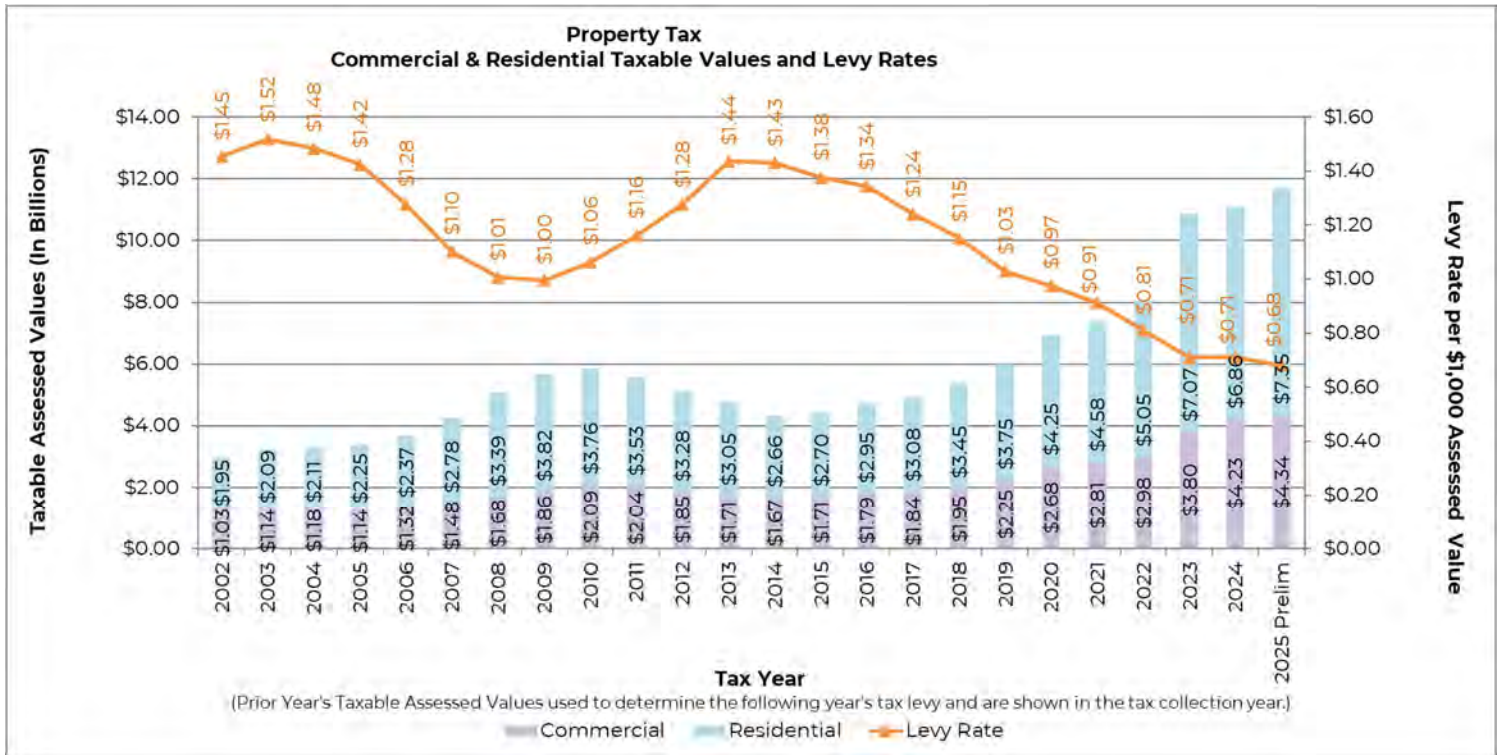
The appraised value of state assessed property is, by law, valued at 100% of market value. State, and in part, federal law require state assessed utilities be valued at the same level of assessment as other property in the same taxing jurisdiction. As a result, it is an equalized value of state assessed utilities that is allocated (apportioned) to all the taxing districts in the state; this includes real and personal property. The real and personal property ratio of each county is applied to the respective real and personal property appraised value of each company that is state assessed, and those values are apportioned to each county by tax code area (TCA).

Utility property appraisal is based on the unit method, property is valued as one thing. As a result, there is no specific value determined for any specific asset that makes up the operating unit. Hence, apportioned value does not directly relate to the value of assets in the TCA to which the assets value has been set. Apportionment is a process of assigning value based on certain metrics which generally consist of historical or original cost, length and size of pipes, miles of rail, etc., tied to the actual location of company assets. If one percent of a company's historical cost, length of pipe, or miles of main railroad track, then 1% is apportioned to all the TCAs in which the company has assets.

TAXABLE VALUES – COMMERCIAL & RESIDENTIAL TAXABLE VALUES & LEVY RATES

Year	Taxable Values (In Billions)										
						Change From Prior Year					
	Commercial		Residential		Total	Commercial		Residential		Total	
	\$	%	\$	%		\$	%	\$	%	\$	%
2002	\$1.03	35%	\$1.95	65%	\$2.98	\$0.06	5.6%	\$0.14	7.5%	\$0.19	6.8%
2003	\$1.14	35%	\$2.09	65%	\$3.23	\$0.10	10.1%	\$0.14	7.1%	\$0.24	8.2%
2004	\$1.18	36%	\$2.11	64%	\$3.28	\$0.04	3.3%	\$0.02	0.9%	\$0.06	1.7%
2005	\$1.14	34%	\$2.25	66%	\$3.38	(\$0.04)	-3.1%	\$0.14	6.5%	\$0.10	3.1%
2006	\$1.32	36%	\$2.37	64%	\$3.69	\$0.18	15.6%	\$0.13	5.6%	\$0.30	9.0%
2007	\$1.48	35%	\$2.78	65%	\$4.27	\$0.17	12.8%	\$0.41	17.3%	\$0.58	15.7%
2008	\$1.68	33%	\$3.39	67%	\$5.07	\$0.19	12.9%	\$0.61	21.9%	\$0.80	18.8%
2009	\$1.86	33%	\$3.82	67%	\$5.67	\$0.18	10.7%	\$0.42	12.5%	\$0.60	11.9%
2010	\$2.09	36%	\$3.76	64%	\$5.85	\$0.23	12.5%	(\$0.06)	-1.5%	\$0.18	3.1%
2011	\$2.04	37%	\$3.53	63%	\$5.57	(\$0.05)	-2.2%	(\$0.23)	-6.2%	(\$0.28)	-4.8%
2012	\$1.85	36%	\$3.28	64%	\$5.13	(\$0.19)	-9.3%	(\$0.25)	-7.1%	(\$0.44)	-7.9%
2013	\$1.71	36%	\$3.05	64%	\$4.77	(\$0.14)	-7.5%	(\$0.22)	-6.8%	(\$0.36)	-7.1%
2014	\$1.67	39%	\$2.66	61%	\$4.33	(\$0.05)	-2.7%	(\$0.39)	-12.8%	(\$0.44)	-9.2%
2015	\$1.71	39%	\$2.70	61%	\$4.41	\$0.04	2.7%	\$0.03	1.2%	\$0.08	1.8%
2016	\$1.79	38%	\$2.95	62%	\$4.74	\$0.08	4.8%	\$0.25	9.4%	\$0.33	7.6%
2017	\$1.84	37%	\$3.08	63%	\$4.93	\$0.05	2.7%	\$0.14	4.6%	\$0.18	3.9%
2018	\$1.95	36%	\$3.45	64%	\$5.40	\$0.11	5.8%	\$0.36	11.8%	\$0.47	9.5%
2019	\$2.25	37%	\$3.75	63%	\$6.00	\$0.30	15.4%	\$0.31	8.9%	\$0.61	11.2%
2020	\$2.68	39%	\$4.25	61%	\$6.93	\$0.43	19.1%	\$0.50	13.3%	\$0.93	15.4%
2021	\$2.81	38%	\$4.58	62%	\$7.39	\$0.13	4.9%	\$0.33	7.7%	\$0.46	6.6%
2022	\$2.98	37%	\$5.05	63%	\$8.03	\$0.17	6.1%	\$0.47	10.3%	\$0.64	8.7%
2023	\$3.80	35%	\$7.07	65%	\$10.87	\$0.81	27.3%	\$2.02	40.1%	\$2.84	35.3%
2024 Prelim	\$4.21	38%	\$6.88	62%	\$11.10	\$0.41	10.9%	(\$0.19)	-2.7%	\$0.23	2.1%

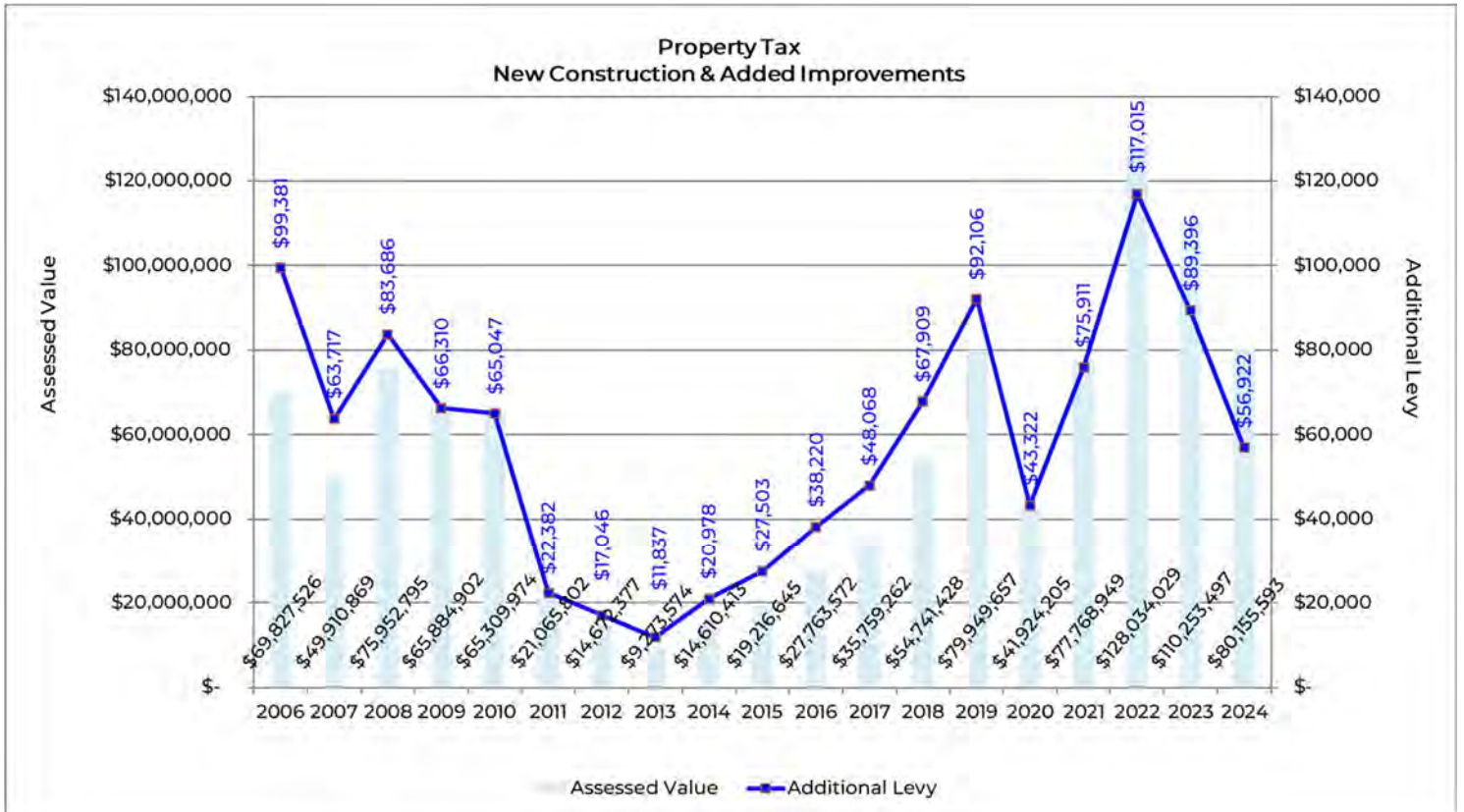
Taxable values are from the prior year which are used to determine the following year's levy rate and are shown in the applicable tax collection year. Values listed above continue to be adjusted after the certification of value due to exemptions, board of equalization actions, destroyed property, etc.



NEW CONSTRUCTION & ADDED IMPROVEMENTS

New Construction & Added Improvement						
Tax Year	Taxable Value*	Additional Levy	Change From Prior Year			
			Assessed Value		Additional Levy	
			\$	%	\$	%
2006	\$ 69,827,526	\$ 99,381	n/a	n/a	n/a	n/a
2007	\$ 49,910,869	\$ 63,717	\$ (19,916,657)	-28.5%	\$ (35,664)	-35.9%
2008	\$ 75,952,795	\$ 83,686	\$ 26,041,926	52.2%	\$ 19,969	31.3%
2009	\$ 65,884,902	\$ 66,310	\$ (10,067,893)	-13.3%	\$ (17,377)	-20.8%
2010	\$ 65,309,974	\$ 65,047	\$ (574,928)	-0.9%	\$ (1,263)	-1.9%
2011	\$ 21,065,802	\$ 22,382	\$ (44,244,172)	-67.7%	\$ (42,665)	-65.6%
2012	\$ 14,672,377	\$ 17,046	\$ (6,393,425)	-30.3%	\$ (5,335)	-23.8%
2013	\$ 9,273,574	\$ 11,837	\$ (5,398,803)	-36.8%	\$ (5,209)	-30.6%
2014	\$ 14,610,413	\$ 20,978	\$ 5,336,839	57.5%	\$ 9,141	77.2%
2015	\$ 19,216,645	\$ 27,503	\$ 4,606,232	31.5%	\$ 6,526	31.1%
2016	\$ 27,763,572	\$ 38,220	\$ 8,546,927	44.5%	\$ 10,717	39.0%
2017	\$ 35,759,262	\$ 48,068	\$ 7,995,690	28.8%	\$ 9,848	25.8%
2018	\$ 54,741,428	\$ 67,909	\$ 18,982,166	53.1%	\$ 19,841	41.3%
2019	\$ 79,949,657	\$ 92,106	\$ 25,208,229	46.0%	\$ 24,197	35.6%
2020	\$ 41,924,205	\$ 43,322	\$ (38,025,452)	-47.6%	\$ (48,784)	-53.0%
2021	\$ 77,768,949	\$ 75,911	\$ 35,844,744	85.5%	\$ 32,589	75.2%
2022	\$ 128,034,029	\$ 117,015	\$ 50,265,080	64.6%	\$ 41,104	54.1%
2023	\$ 110,253,497	\$ 89,396	\$ (17,780,532)	-13.9%	\$ (27,618)	-23.6%
2024	\$ 80,155,593	\$ 56,922	\$ (30,097,904)	-27.3%	\$ (32,475)	-36.3%

* County assessors are authorized to place any property that increased in value due to new construction on the assessment rolls up to August 31st of each year at the true and fair value as of July 31st of that year.





Pierce County
Mike Lonergan, Assessor-Treasurer
 2401 South 35th Street
 Tacoma, WA 98409-7498
 (253) 798-6111 FAX (253) 798-3142
 ATLAS (253) 798-3333
 www.piercecountywa.org/atr

September 13, 2024

OFFICIAL NOTIFICATION TO: LAKESWOOD

RE: 2024 PRELIMINARY ASSESSED VALUES

FOR REGULAR LEVY

Total Taxable Regular Value	11,860,646,779
Highest lawful regular levy amount since 1985	7,983,369.59
Additional revenue from current year's NC&I	60,572.22
Additional revenue from annexations (RCW 84.55)	0.00
Additional revenue from administrative refunds (RCW 84.69)	19,864.27
<i>Additional revenue from administrative refunds not allowed if limited by statutory rate limit</i>	
Court Order Refunds	0.00
Prior Year's Additional revenue from increase in state-assessed property	0.00
Total Allowable Levy (as controlled by the limit calculation)	8,063,806.08
This year's certified levy amount (including refunds)	0.00

FOR EXCESS LEVY

Taxable Value	11,765,842,951
Timber Assessed Value	-
Total Taxable Excess Value	11,765,842,951
New Construction and Improvement Value	85,152,241

*If you need assistance or have any questions regarding this information, please contact Kim Alflen
 253.798.7114 kim.alflen@piercecountywa.gov*



Pierce County

Mike Lonergan, Assessor-Treasurer

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PRELIM LAWFUL LEVY LIMIT 2024 FOR 2025

**LAKESWOOD
> 10,000**

REGULAR TAX LEVY LIMIT:

2023

A. <u>Highest regular tax which could have been lawfully levied beginning with the 1985 levy</u> [refund levy not included] times limit factor (as defined in RCW 84.55.005).	7,904,326.33 1.01 7,983,369.59
B. Current year's assessed value of new construction, improvements and wind turbines in original districts before annexation occurred times last year's levy rate (if an error occurred or an error correction was made in the previous year, use the rate that would have been levied had no error occurred).	85,152,241 0.711340238492 60,572.22
C. Tax increment finance area increment AV increase (RCW 84.55.010(1)(e)) Current Year's A.V. less base year's A.V., the result to be multiplied by last year's regular levy rate (or the rate that should have been levied)	214,926,166.00 180,661,540.00 34,264,626.00 0.711340238492 24,373.81
D. State assessed property value in original district if annexed less last year's state assessed property value. The remainder to be multiplied by last year's regular levy rate (or the rate that should have been levied). PRIOR YEAR'S REVENUE AS PLACE HOLDER	71,563,958 71,563,958 0.00 0.711340238492 0.00
E. REGULAR PROPERTY TAX LIMIT (A + B + C)	8,068,315.62

ADDITIONAL LEVY LIMIT DUE TO ANNEXATIONS:

F. To find rate to be used in F, take the levy limit as shown in Line D above and divide it by the current assessed value of the district, excluding the annexed area.	8,068,315.62 11,860,646,779 0.680259328710
G. Annexed area's current assessed value including new construction and improvements times rate found in F above.	0.00 0.680259328710 0.00
H. NEW LEVY LIMIT FOR ANNEXATION (E + G)	8,068,315.62

LEVY FOR REFUNDS:

I. RCW 84.55.070 provides that the levy limit will not apply to the levy for taxes refunded or to be refunded pursuant to Chapters 84.68 or 84.69 RCW. (D or G + refund if any)	8,068,315.62 19,864.27 8,088,179.89
J. TOTAL ALLOWABLE LEVY AS CONTROLLED BY THE LEVY LIMIT	8,088,179.89
K. Amount of levy under statutory rate limitation.	11,860,646,779 1.600000000000 18,977,034.85
L. HIGHEST LAWFUL LEVY FOR THIS YEAR	8,088,179.89
M. New Highest Lawful Levy since 1985 (Lesser of H & K minus C, unless A (before limit factor increase) is greater than H or K minus C, then A before the limit factor increase)	8,043,941.81

ORDINANCE NO.

AN ORDINANCE of the City Council of the City of Lakewood, Washington, relating to ad valorem property taxes; establishing the amount to be raised in 2025 by taxation on the assessed valuation of the property of the City; and setting the property tax levy rate for 2025.

WHEREAS, the City Council of the City of Lakewood has met and considered its budget for the budget years 2025/2026; and

WHEREAS, the City Council conducted the public hearing on the 2025 property tax levy on November 4, 2024; and

WHEREAS, the City Council, after hearing and duly considering all relevant evidence and testimony, determined that it is necessary to meet the expenses and obligations of the City, to increase the regular property tax levy by the 1.0% limit factor as prescribed in RCW 84.55.0101; and

WHEREAS, the district's actual levy amount from the previous year was \$7,931,957; and

WHEREAS, the population of this district is more than 10,000.

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

SECTION 1. Be it resolved by the Lakewood City Council that an increase in the regular property tax is hereby authorized for the levy to be collected in the 2025 tax year. The dollar amount of the increase over the actual levy amount from the previous year shall be \$51,412.59 which is a percentage increase of 0.65% from the previous year. The increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

SECTION 2. Effective Date. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance as required by law.

ADOPTED by the City Council this 18th day of November, 2024.

CITY OF LAKEWOOD

Jason Whalen, Mayor

Attest:

Briana Schumacher, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney

DRAFT



To: Mayor and City Councilmembers
 From: Tho Kraus, Deputy City Manager
 Through: John J. Caulfield, City Manager *John J. Caulfield*
 Date: October 28, 2024
 Subject: 2024 Year-End Budget Adjustment

BACKGROUND

The proposed budget adjustment makes the following types of modification to the current biennium:

- Adjustments to incorporate items previously approved by the City Council;
- Appropriate projects funded by grants and contributions;
- Continuation of capital projects; and
- New allocations as necessary.

NEXT STEPS

- November 4, 2024 - Public Hearing
- November 18, 2024 - Adoption

PROPOSED BUDGET ADJUSTMENT SUMMARY

Year 2024:

- No change in beginning fund balance.
- Increases revenues by \$11.52M, resulting in a revised estimate of \$138.97M.
- Increases expenditures by \$12.64M, resulting in a revised estimate of \$170.37M.
- Decreases ending fund balance by \$1.12M, resulting in a revised estimate of \$25.76M.

The following table below provides a breakdown of the proposed budget adjustment (\$ in millions):

Fund Group	Beginning Fund Balance			Revenue			Expenditure			Ending Fund Balance		
	Current Budget	Prop Adj	Proposed Revised Budget	Current Budget	Prop Adj	Proposed Revised Budget	Current Budget	Prop Adj	Proposed Revised Budget	Current Budget	Prop Adj	Proposed Revised Budget
Total	\$ 57.16	\$ -	\$ 57.16	\$ 127.45	\$ 11.52	\$ 138.97	\$ 157.73	\$ 12.64	\$ 170.37	\$ 26.88	\$ (1.12)	\$ 25.76
General	\$ 13.50	\$ -	\$ 13.50	\$ 49.03	\$ 3.89	\$ 52.92	\$ 54.68	\$ 3.16	\$ 57.84	\$ 7.85	\$ 0.73	\$ 8.58
Special Revenue	\$ 7.09	\$ -	\$ 7.09	\$ 18.27	\$ 3.25	\$ 21.53	\$ 21.74	\$ 3.29	\$ 25.03	\$ 3.63	\$ (0.03)	\$ 3.59
Debt Service	\$ 2.04	\$ -	\$ 2.04	\$ 3.61	\$ (0.83)	\$ 2.78	\$ 3.68	\$ 0.49	\$ 4.16	\$ 1.97	\$ (1.32)	\$ 0.65
Capital Projects	\$ 16.81	\$ -	\$ 16.81	\$ 40.11	\$ 3.82	\$ 43.93	\$ 56.61	\$ 3.82	\$ 60.43	\$ 0.31	\$ -	\$ 0.31
Enterprise	\$ 11.22	\$ -	\$ 11.22	\$ 5.13	\$ -	\$ 5.13	\$ 8.29	\$ 0.06	\$ 8.35	\$ 8.06	\$ (0.06)	\$ 8.00
Internal Service	\$ 6.50	\$ -	\$ 6.50	\$ 11.30	\$ 1.39	\$ 12.68	\$ 12.73	\$ 1.83	\$ 14.56	\$ 5.07	\$ (0.44)	\$ 4.62

GENERAL FUND ENDING FUND BALANCE

In support of the City's financial integrity, the City Council originally adopted on September 15, 2014, a set of financial policies including fund balance reserves totaling 12% of General/Street O&M Funds operating revenues as follows:

- 2% General Fund Contingency Reserves: The purpose of this reserve is to accommodate unexpected operational changes, legislative impacts, or other economic events affecting the City's operations which could not have been reasonably anticipated at the time the original budget was prepared.
- 5% General Fund Ending Fund Balance Reserves: The purpose of this reserve is to provide financial stability, cash flow for operations and the assurance that the City will be able to respond to revenue shortfalls with fiscal strength.
- 5% Strategic Reserves: The purpose of this reserve is to provide some fiscal means for the City to respond to potential adversities such as public emergencies, natural disasters or similarly major, unanticipated events.

Additionally, on November 15, 2021, the City Council via Ordinance 764 established an Economic Development Opportunity Fund within the General Fund ending fund balance for the purpose of accumulating excess funds from the General Fund and other funds that are eligible to provide funding for economic development opportunity related expenditures. The set aside amount as approved in the 2021/2022 mid-biennium budget adjustment is \$1,000,000 in each year of 2021 and 2022 for a total of \$2,000,000. The City shall appropriately use the funds as approved by the City Council.

The proposed budget adjustment maintains General Fund ending fund balance reserves, Economic Development Opportunity Fund, and a balanced budget as follows:

General Fund Ending Fund Balance	2024 Budget	
	Current	Proposed
2% Contingency Reserves	\$ 974,582	\$ 1,007,117
5% Ending Fund Balance Reserves	2,436,455	2,517,791
5% Strategic Reserves	2,436,455	2,517,791
Total 12% Ending Fund Balance Reserves	5,847,492	6,042,699
+ Economic Development Opportunity Fund	2,000,000	2,000,000
+ Unreserves/Designated for 2025/2026 Budget	3,203	537,989
Total Ending Fund Balance	\$ 7,850,694	\$ 8,580,691

General Fund Financial Summary	2024 Budget	
	Current	Proposed
Operating Revenue	\$ 47,749,160	\$ 49,375,899
Operating Expenditures	46,090,558	47,749,798
Operating Income / (Loss)	1,658,602	1,626,101
As a % of Operating Expenditures	3.6%	3.4%
Other Financing Sources	1,281,588	3,548,429
Other Financing Uses	8,587,360	10,091,701
Beginning Fund Balance	\$ 13,497,864	\$ 13,497,864
Ending Fund Balance	\$ 7,850,694	\$ 8,580,691

PROPOSED BUDGET ADJUSTMENT DETAILS

The narrative below provides detailed information on the proposed budget adjustments. A summarized list is included as an attachment to this memo.

Fund 001 General

Revenue Adjustments, New/Ongoing

- Increase development services permits and fees revenue estimates by \$2,100,422 resulting in a revised budget estimate of \$4,547,357.
- Increase property tax revenue estimate by \$85,857 for a total revised budget estimate of \$7,931,957.
- Increase sales tax revenue estimate by \$372,00 for a total revised budget estimate of \$14,645,000.
- Increase utility tax revenue estimate by \$427,900 for a total revised budget estimate of \$5,970,000.
- Decrease gambling tax revenue estimate by \$1,276,500 for a total revised budget estimate of \$2,633,700.
- Decrease municipal court fines & forfeitures revenue estimate by \$82,940 for a total revised budget estimate of \$263,560.

CC – Independent Salary Commission Decision, New/Ongoing

Add \$17,540 in salary and benefits for 2024 to update the Independent Salary Commission (ISC) decision. The Lakewood City Council established by Ordinance #605 the ISC to provide an independent authority to set compensation for elected officials and separate officials from the compensation the decision. The ordinance requires the ISC to convene and determine salaries paid to the Mayor and City Council within 45 days of confirmation by the City Council (with extensions available, if necessary).

CM – Personnel Costs, New/Ongoing

Add \$17,540 in personnel costs to align position budget with actual placement of positions on the pay scale and related payroll benefits.

LG - Opioid Abatement Funds, New/Revenue Neutral

Add \$388,320 for the Opioid distribution of which \$289,326 is from the Janssen of WA and \$53,983 is from Distributor #4, and early distributions for Teva \$14,666, Allergan \$16,116, and CVS \$14,229. According to the most recent estimates provided in Opioid portal, the City is scheduled to receive a total of \$1,638,293 over the course of 18 years (2021-2038). The specific use of the fund is currently under review. The first three years of distributions have been received (\$84,168, \$43,130, & \$634,589 respectively). Note from portal: The calculations are the amounts that the indicated State(s) and/or Subdivision(s) would receive pursuant to the Settlement Agreements if all the relevant facts and circumstances were to remain unchanged. Be advised, however, that the relevant facts and circumstances, including but not limited to current levels of Stat and Subdivision participation, are subject to change and thus, there are no guarantees regarding the amounts or timing of any future payment(s). The amounts and timing of any future payments will be governed by the terms of the Settlers Agreements. Payment timing and amounts are subject to change and may be affected by, among other things, increased participation in a State, or State's eligibility for Incentive Payment D, and suspensions or offsets related to Later Litigating Subdivisions. Payment timing and amounts may also be affected by the Pre-Payment Option and/or Significant Financial Constraint provisions of the Distributor Settlement Agreement. Also, note, these calculations do not take into account any Settlement Fund Administrator costs and fees that exceed the available interest accrued in the Settlement Fund.

MC – Office of Public Defense SPAR Grant, Grant/1-Time

Add \$42,000 for OPD (Office of Public Defense) SPAR (Simple Possession Advocacy and Representation) Funding for use in FY25 (FY25 (July 1, 2024 – June 30, 2025). This award shall be used to reimburse Lakewood's eligible expenses related to public defense services for indigent adults facing charges under RCW 69.50.4011(1)(b) or (c), 69.50.4013, 69.50.4014, or 69.41.030(1), or under local ordinances involving allegations of possession or public use of a controlled substance, counterfeit substance, or legend drug. These funds shall be disbursed by OPD on a reimbursement basis only.

PD – Tahoma Narcotics Enforcement Team Puyallup (TNET), Grant/1-Time

Add \$4,274 in revenue available for drawdown. The current contract runs from 7/1/2024 – 6/30/2025. This is indirect federal funding from the Department of Justice through the Department of Commerce and the City of Puyallup. These funds pay a portion of the regular time and benefits of a dedicated Lakewood Officer to TNET.

PD – Websedge Film Production for 2024 IACP, New/1-Time

Add \$28,900 to produce a film, 5 to 6 minutes in length which will include interviews with client spokespeople and case study material; Produce a series of news programs for the Event and include the client's film in one or more of these programs; Screen the client's film at the event via a dedicated television channel in selected HQ delegate's hotels in the area; Broadcast this film to attendees of the event on television screens; Stream and host the client's film online for 12 months after the event; Include the film in any social media activities carried out by IACP TV for the conference; Provide the client with a link to their full 5 minute film and 1 minute version for their own social media and marketing; And guarantees: Pre-production consultation on the client's topic and schedule; One (1) day of filming; Final approval of film before broadcast; Use of any rushes / B-Roll (including unused footage) for client's own purposes via a royalty-free, indefinite license; Delivery of all assets including footage from the shoot, a high quality master digital file, plus a file in a format suitable to your marketing needs. (Note: Quote does not include tax.)

PD – North Carolina Hurricane 2024, Revenue Neutral/1-Time

Add \$69,172 in revenue reimbursements and expenditures for costs of a 10-member team to assist with North Carolina's hurricane relief efforts during the period 10/4/2014 – 10/19/20204. Washington also has the right to request resources back should conditions dictate need in our state.

PD – Personnel Cost, New/Ongoing

Add \$1,620,000 in personnel costs to align position budget with actual placement of positions on the pay scale and related payroll benefits due to implementation of collective bargaining agreement, filling all authorized and overhire positions. The department is currently fully staffed.

PK – CHOICE Grant, Grant/1-Time

Add \$130,000 for expenditures covering July 2024 through July 2025, funded by grant revenue from the Washington State Health Care Authority (HCA) CHOICE. The City has been the fiscal agent for the Lakewood's CHOICE program since July 1, 2019. It is a behavioral health initiative that serves parents and youth directly with various programs and curricula in partnership with the school district and local nonprofit organizations. This initiative does high impact work and is a great partner in Lakewood. The contract ends 06/30/2025. Most of this funding pays for the two CHOICE contractors who perform the work, with 10% set aside to cover a portion of the administrative costs as it relates to the Human Services Coordinator position but does not cover other administrative costs such as finance and accounting.

PPW – New Permit System, Grant/1-Time

Add \$240,000 for new permitting system, funded by grant

Internal Service Charges

See internal services funds for additional information.

Fund 101 Streets O&M

Internal Service Charges

See internal services funds for additional information.

Fund 103 Transportation Benefit District

On December 20, 2021 the City Council approved to use the Transportation Benefit District \$20 Vehicle License Fee to leverage the issuance of bonds in support of seven transportation projects totaling \$11,600,000. The estimated bond repayment period is 20 years with annual debt service of \$835,000. Ordinance 767 added these seven projects to the list of eligible projects and extended the original sunset date from 12:01 AM on July 16, 2032 unless dissolved sooner to 12:01 AM on December 2, 2044 to coincide with the debt service schedule. With the delay in issuing the bonds, Bond Ordinance 766, along with Ordinance 767 will need to be extended with City Council review and approval tentatively scheduled to be issued in 2025. The delay in bond issuance frees up \$835,000 for the Interlaaken Bridge repair by reallocating Transportation Benefit District \$20 Vehicle Licensing Fees to eligible projects.

Fund 104 Hotel/Motel Lodging Tax

GASB 87 Lease Accounting, Revenue Neutral/Ongoing

Add \$220,000 in revenues and expenditures to account for GASB 87 Leases.

Transfer to General Fund, New/1-Time

Fund 105 Property Abatement/Rental Housing Safety Program /1406 Affordable Housing

Transfer to General Fund, New/1-Time

Return General Fund contributions of \$640,000 received for abatement expenditures in advance of abatement lien revenues. The General Fund provided a total of \$640,000 during 2021-2024, including \$500,000 for Karwan Village abatement. The City has since received payment from Karwan Village totaling \$1,076,982.

Fund 180 Narcotics Seizure Fund

The purpose of this fund is to track assets seized as a result of involvement with the illegal sale, possession, or distribution of drugs or controlled substances, and for the purchase of controlled substances or drugs by law enforcement officers or agents, as well as other expenses to enhance and improve law enforcement activities having a close and demonstrable relationship to enforce enforcement of controlled substances. Funds may not be used to supplant existing funding sources.

Organized Crime Drug Enforcement Task Forces (OCDETF), Grant/1-Time

Reduce \$1,944 in revenues and expenditures funded by the US. Department of Justice organized Crime Drug Enforcement Task Force for the Pacific Region with a period of performance of 10/01/2023-09/30/24. The funding amount of the High Mileage Initiative has been reduced by \$1,944. This initiative focuses on dismantling drug trafficking organizations that distribute large quantities of drugs across the United States. The program targets drug traffickers who use vehicles to transport drugs across the country, hence the name "High Mileage".

Replace Freezer & Refrigerator Units, Revenue Neutral/1-Time

Add \$20,000 in seizure revenues and expenditures to replace freezer and refrigerator units. The police are required to store evidence, and sometimes that means freezing or chilling evidence for later use. The units in the evidence storage warehouse are 15 years old and are considered at the end of useful life. This equipment is something the police consider to be a "No Fail" situation, meaning that they cannot lose evidence due to failed equipment and thus request replacement prior to any failures.

Fund 182 Federal Seizure

The Federal Equity Sharing Guidelines lists the following (funds shall be used to increase or supplement and not be used to replace or supplant):

Permissible Uses: law enforcement investigations; law enforcement training, law enforcement and detention facilities; law enforcement equipment; law enforcement travel and transportation; law enforcement awards and memorials; drug and gang education awareness programs; matching fund for grants; pro rata funding of the law enforcement agency's percentage of costs associated with supporting multi-agency items or facilities; asset accounting and tracking of expenditures of federally shared funds; language assistance services in connection with law enforcement activity; transfers of cash to other law enforcement agencies; support of community-based programs (cash transfers to community-based programs are not permitted); and windfall situations to provide additional support to community-based programs.

Impermissible Uses: Salaries and benefits of permanent law enforcement personnel, except in limited circumstances (i.e. express statutory authorization, overtime of officers and investigators, new positions and temporary or not-to-exceed one year appointments and salary of an officer hired to replace an officer assigned to a task force, specialized programs that generally do not involve traditional law enforcement functions); use of forfeited property by non-law enforcement personnel; payment of education-related costs; uses contrary to the laws of the state or local jurisdiction; non-official government use of shared assets; purchase of food and beverage (except for conference and meals during local operations); extravagant expenditures or wasteful expenditures and entertainment; cash on hand, secondary accounts, and stored value cards (such as prepaid credit cards); transfers to other law enforcement agencies; purchase of items for other law enforcement agencies; costs related to lawsuits; loans; and money laundering operations.

Federal Seizure, Revenue Neutral/1-Time

Add \$9,000 in revenues and expenditures funded by seizure revenues received for eligible expenditures.

Fund 190 Community Development Block Grant (CDBG) Fund

Fund 190 CDBG is predominantly comprised of U.S. Department of Housing and Urban Development funds for Community Development Block Grant Entitlements (CDBG), HOME program funding through the Lakewood and Tacoma HOME Consortium and Section 108 Loan Guarantees. There is also a grant from the Nisqually Tribe for minor home repairs and West Pierce Fire & Rescue for emergency assistance for displaced residents.

Through the planning and citizen participation process CDBG and HOME spending priorities are set on an annual basis, to be broken out into funding projects for physical improvements, public service (not to exceed 15%), housing, economic development, and administration (not to exceed 20%).

HOME Investment Partnerships American Rescue Plan Program (HOME ARP), Grant/1-Time

Add \$1,175,489 to assist individuals or households who are homeless, at risk of homelessness, and other vulnerable populations, by providing housing, rental assistance, supportive services, and non-congregate shelter, to reduce homelessness and increase housing stability across the country. The grant period is 3/1/2024-12/31/2026

HUD - Community Development Block Grant, Grant/1-Time

Add \$1,131,118 to provide annual grants on a formula basis to states, cities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons.

Fund 192 South Sound Military Communities Partnership

Tactical Tailor Insurance Recovery - New/1-Time

Add \$32,436 to be transferred to Risk Management Internal Service Fund to reimburse insurance costs incurred by Tactical Tailor from the start of their lease in 2022 through 2024. Tactical Tailor has been responsible for covering insurance premiums associated with the leased building during this period. This transfer will ensure that the Risk Management Internal Service Fund is appropriately reimbursed for providing insurance coverage to Tactical Tailor.

Fund 195 Public Safety Grants

Office of Justice Programs Veterans Court, Grant/1-Time

Carry forward \$201,854 remaining grant balance from prior years. This is an enhancement grant for the Veterans Treatment Court and serves Type A non-violent offenders. The total grant amount is \$500,000 and runs through December 31, 2024. In addition to personnel costs, the grant includes travel and training, supplies, and subaward for prosecution, consultant evaluator/information manager, and public defense.

Washington Auto Theft Prevention Authority, Grant/1-Time

Add \$157,355 to provide Lakewood police officers to the task force in support of the Washington Auto Theft Prevention Grant Program. The funding covers public outreach, training, and innovative programs. The grant period is 6/1/2024 – 6/30/2025.

Washington State Parks Recreational Boating Safety, Grant/1-Time

Add \$12,884 for grant period 10/1/2023 – 9/30/2024. This grant provides funding for officer overtime for emphasis patrol, vessel safety inspections, and educational boater safety-related activities. This grant has in-kind (such as personnel, maintenance of boats, fuel, trailers, and boat house) matching requirements of \$3,208. The match is the annual vessel registration fee.

Washington Association of Sheriffs & Police Chiefs - Traffic Safety Equipment, Grant/1-Time

Add \$6,000 for the grant period 1/1/2024 – 9/30/2024. The grant provides funding for 2 lidar equipment purchases.

Washington Traffic Safety Commission - School Zones, Grant/1-Time

Add \$10,000 for the grant period 1/1/2024 – 6/30/2024. The grant provides funding for heavy weather gear for motorcycle enforcement..

Emergency Management Planning, Grant/1-Time

The grant pays the partial salary and benefits of an emergency management coordinator in cooperation with West Pierce Fire and Rescue and the City of University Place. This grant requires a match that is already budgeted in the General Fund Emergency Management budget in addition to in-kind Assistant Police Chief personnel cost and balance of the coordinator's salary.

- Add \$50,022 to assist with enhancing, sustaining, and improving state, local, and tribal emergency management programs. The grant period is 07/1/2024-06/30/2025
- Add \$16,066 to provide Community Emergency Response Team (CERT) training and basic supplies. The grant period is 1/1/2024-9/30/2024.

Washington Traffic Safety Commission – Impaired Driving Emphasis, Grant/1-Time

Add \$7,600 in revenues and expenditures for the WTSC Impaired Driving Emphasis grant (10/1/2023-09/30/2024). The grant provides funding for overtime wages and related benefits for law enforcement personnel to participate in scheduled local and multi-jurisdictional DUI, distracted, speeding, and safety patrols.

WTSC – Pierce County Regional Phlebotomy, Grant/1-Time Revenue Neutral

Add \$1,228 in grant revenue and expenditures. This grant provides funding for the Pierce County Regional Law Enforcement Phlebotomy Program. This project would provide fully equipped and supplied phlebotomy sites at the established sites strategically located in Pierce County. These sites are in the City of Fife, the City of Edgewood, two cities in unincorporated Pierce County, in the City of Tacoma, in the City of Lakewood, and in the City of Puyallup. The grant period is from February 23, 2024, through June 30, 2024.

Washington Auto Theft Prevention Authority – Public Safety Equipment, Grant/1-Time

Add \$131,250 in revenues and expenditures. This grant supports the cost of equipment specifically designed to deter, reduce, or investigate auto theft cases. The Police Department will use this funding to purchase 17 flock cameras to increase the city's flock cameras network. The grant period is 7/1/2024-06/30/2025.

Fund 201 Debt Service Funds

Eliminate TBD \$20 VLF Funded Debt Service (Issue Debt in 2025). See Fund 103 Transportation Benefit District for additional details.

Fund 204 Sewer Debt Service Fund

Transfer \$943,480 to Sewer Capital Projects. See Fund 311 Sewer Capital Projects.

Fund 301 Parks Capital

301.0020 Wards Lake Improvements, Revenue Neutral/1-Time

Add \$355,000 in project expenditures funded by grants \$250,000 and Park CIP Fund interest earnings \$105,000.

This budget adjustments results in a life-to-date through 2024 cost estimate of \$6,297,518 funded by:

- \$7,315 Grant - Pierce County Conservation Futures
- \$500,000 Grant - WWRP (WA Wildlife & Recreation Program) Phase 1
- \$500,000 Grant – WWRP (WA Wildlife & Recreation Program) Phase 2
- \$960,430 Grant- LWCF (Land & Water Conservation Fund) Phase 1
- \$1,250,000 Grant – LWCF (Land & Water Conservation Fund) Phase 2
- \$350,000 Grant - YAF (Youth Athletic Fields) Phase 1
- \$350,000 Grant - YAF (Youth Athletic Fields) Phase 2
- \$252,840 Grant – DOC (Department of Commerce)
- \$637,500 General Fund
- \$1,260,837 REET
- \$105,000 Parks CIP Interest Earnings
- \$100,000 SWM
- \$23,596 MVET for Paths & Trails
- \$6,297,518 Total Sources**

301.0054 Harry Todd Deferred Maintenance Program, Grant/1-Time

Add \$100,000 for deferred maintenance items at Harry Todd Park, funded by RCO for \$100,000. This work will include applying a protective seal coat and striping to asphalt-based pavements, painting and striping the basketball courts, filling potholes and adding material to grade and level gravel surfaces, and adding wood chips to the playground. Lakewood will also hire additional seasonal staff to complete the maintenance activities.

This budget adjustments results in a life-to-date through 2024 cost estimate of \$100,000 funded by:

- \$100,000 Grant – RCO (Recreation Conservation Office)

\$100,00 Total Sources

Fund 302 Transportation Capital

302.0083 Hipkins Road SW from Steilacoom Blvd to 104th St SW, Revenue Neutral/1-Time

Add \$1,595,000 for expenditures directly related to work for Lakewood Water District, funded by Lakewood Water.

This budget adjustment results in a life-to-date through 2024 cost estimate of \$5,543,488 funded by:

- \$1,595,000 Lakewood Water District
- \$1,422,000 GO Bonds Funded by TBD \$20 VLF
- \$1,153,000 REET
- \$364,000 TBD \$20 VLF
- \$517,000 SWM
- \$337,500 Unallocated CIP (from various project savings, interest earnings, other revenue)

\$5,543,488 Total Sources

302.0135 JBLM North Access, Grant/1-Time

Add \$8,825 for expenditures, funded by addition to TIB Grant of \$8,825.

The budget adjustment results in a life-to-date through 2024 budget of \$22,759,571 as follows:

- \$5,484,970 GO Bonds
- \$6,706,827 Grants - TIB
- \$252,860 General Fund
- \$2,389,108 REET
- \$195,000 TBD \$20 VLF
- \$123,530 Developer Fees
- \$4,311,914 SWM
- \$3,295,362 Lakewood Water District

\$22,759,571 Total Sources

302.0178 Interlaaken Bridge Repair, New/1-Time

Add \$835,000 for bridge repair funded by reallocation of Transportation Benefit District \$20 Vehicle Licensing Fees to eligible projects by delaying issuance of bonds for TBD eligible projects.

The budget adjustment results in a life-to-date through 2024 budget of \$835,000 as follows:

- \$329,446 MVET (Motor Vehicle Excise Tax)
- \$184,602 General Fund
- \$320,952 REET

\$835,000 Total Sources

Fund 311 Sewer Capital Projects

311.0004 North Thorne Lane Sewer Extension, Continuation/1-Time

Eliminate project budget of \$7,615 due to project completion.

311.0005 Maple Street Sewer Extension, Continuation/1-Time

Eliminate project budget of \$327,905 due to project completion.

311.0006 Rose Road & Forest Road Sewer Extension, Continuation/1-Time

Additional \$711,000 in project expenditures funded by sewer surcharge \$711,000 due bid results coming in higher than the City's estimates.

The budget adjustment results in a life-to-date through 2024 cost estimate of \$1,920,000 funded by:

- \$711,000 Sewer Surcharge
- \$611,005 Sewer Availability
- \$597,995 Pierce County ARPA Grant

\$1,920,000 Total Sources

311.0007 Wadsworth, Silcox & Boat Street Sewer Extension, Continuation/1-Time

Additional \$200,000 in project expenditures funded by sewer availability \$200,000. The increase is due to bid results coming in higher than the City's estimates.

The budget adjustment results in a life-to-date through 2024 cost estimate of \$2,487,000 funded by:

\$887,000 Sewer Availability
\$1,182,822 Pierce County ARPA Grant
\$417,178 Sewer Surcharge
\$2,487,000 Total Sources

311.0008 Grant Avenue & Orchard Street Sewer Extension, Continuation/1-Time

Additional \$500,000 in project expenditures funded by sewer surcharge \$212,480 and sewer availability \$287,520. The increase is due to bid results coming in higher than the City's estimates.

The budget adjustment results in a life-to-date through 2024 cost estimate of \$735,600 funded by:

\$212,480 Sewer Surcharge
\$287,520 Sewer Availability
\$735,600 Pierce County ARPA Grant
\$1,235,600 Total Sources

311.0013 Fort Steilacoom Park Sewer Extension, Continuation/1-Time

Eliminate project budget of \$152,000 due to project completion.

Fund 401 Surface Water Management

Internal Service Charges

See internal services funds for additional information.

Fund 501 Fleet & Equipment

Replace Totaled Police Vehicle 40641, Revenue Neutral/1-Time

Add \$85,000 for the replacement of totaled police vehicle involved in a two-car collision (no injuries). WCIA declared the vehicle a total loss. The new patrol car is fully funded by WCIA insurance proceeds.

Fund 502 Property Management

City Hall Beam Repair, New/1-Time

Additional \$700,000 in expenses to replace, seal and protect the exposed exterior beams on City Hall building.

City Hall Beam Painting, New/1-Time

Add \$60,000 to paint the exterior beams on the City Hall building once replaced.

City Hall Server Room Air Conditioner, New/1-Time

Add \$25,000 to add air conditioning system to the City Hall server room.

Fund 503 Information Technology

Transfer to General Fund, New/1-Time

Close out unspent fund balance of \$355,786 to General Fund.

GASB 96 SBITA Accounting, Revenue Neutral/Ongoing

Add \$520,000 in revenues and expenditures to account for GASB 96 SBITA (Subscription Based Information Technology Arrangements). This new standard enhances financial reporting by defining SBITAs and providing consistent guidance for accounting and financial reporting related to these arrangements

504 Risk Management

Insurance Reimbursement Tactical Tailor, New/1-Time

Add \$32,436 insurance reimbursement for Tactical Tailor as part of their lease agreement. The reimbursement offsets internal service charges allocated to operating funds.

Insurance Reimbursement for Police Totaled Vehicle 40641, Revenue Neutral/1-Time

Add \$85,000 insurance reimbursement for police vehicle involved in a two-car collision (no injuries). WCIA declared the vehicle a total loss. The patrol car is covered at replacement cost estimated at \$85,000. The insurance proceeds will be transferred to the fleet & equipment fund to cover the cost of replacement.

**2024 Year-End Budget Adjustment
Summary of Proposed Requests**

	Adjustment Type	Ongoing/ 1-Time	Year 2024	
			Revenue	Expenditure
Grand Total - All Funds			\$ 11,523,528	\$ 12,644,478
Total - Fund 001 General			\$ 3,893,577	\$ 3,163,581
RV Development Services Permits & Fees	Revenue	Ongoing	2,100,422	-
RV Property Tax	Revenue	Ongoing	85,857	-
RV Sales Tax	Revenue	Ongoing	372,000	-
RV Utility Tax	Revenue	Ongoing	427,900	-
RV Gambling Tax	Revenue	Ongoing	(1,276,500)	-
RV Fines & Forfeitures	Revenue	Ongoing	(82,940)	-
CC Implement Independent Salary Commission Decision	New	Ongoing	-	17,540
CM Personnel Cost Adj (Actual Position Placement vs. Budget)	New	Ongoing	-	21,700
ND Office of Public Defense SPAR Grant FY 2025	Revenue Neutral	1-Time	42,000	42,000
LG Opioid Abatement Funds Distributions	Revenue Neutral	1-Time	388,320	388,320
PD DOC Grant - Tahoma Narcotics Enforcement Team (TNET)	Revenue Neutral	1-Time	4,274	-
PD IAP Film Production	New	1-Time	-	28,900
PD Assist with North Carolina Hurricane 2024	New	1-Time	69,172	69,172
PD Personnel Cost Adj (Collective Bargaining, Unfunded FTEs, Overhires, Placement)	New	Ongoing	-	1,620,000
PK Washington State HCA (Health Care Authority) CHOICE Grant	New	1-Time	130,000	130,000
PPW New Permit System, Grant Funded	New	1-Time	240,000	240,000
GF Transfer from Property Abatement	New	1-Time	640,000	-
GF Transfer from LID Guaranty	New	1-Time	53,000	-
GF Transfer from LID Debt Svcs	New	1-Time	344,286	-
GF Transfer from Information Technology Fund	New	1-Time	355,786	-
CW City Hall Server Room Air Conditioner - Internal Service Charge	New	1-Time	-	18,890
CW City Hall Beam Painting (Separate from Beam Repair) - Internal Service Charge	New	1-Time	-	45,336
CW City Hall Beam Repair - Internal Service Charge	New	1 - time	-	463,662
CW WCIA Assessment Reduction from Tactical Tailor Reimb - Internal Service Charge	New	1-Time	-	(28,345)
TR General/Street Fund Subsidy	New	1-Time	-	106,406
Total - Special Revenue Funds			\$ 3,254,328	\$ 3,286,764
Total - Fund 101 Street O&M			106,406	106,406
CW City Hall Server Room Air Conditioner - Internal Service Charge	New	1-Time	3,910	3,910
CW City Hall Beam Painting (Separate from Beam Repair) - Internal Service Charge	New	1-Time	9,384	9,384
CW City Hall Beam Repair - Internal Service Charge	New	1 - time	95,998	95,998
CW WCIA Assessment Reduction from Tactical Tailor Reimb - Internal Service Charge	New	1-Time	(2,886)	(2,886)
Total - Fund 103 Transportation Benefit District			\$ -	\$ -
Delay Issuance of TBD Bonds	Revenue Neutral	1-Time	-	(835,000)
Redirect Funds to Eligible Projects for Interlaaken Bridge Repair	Revenue Neutral	1-Time	-	835,000
Total - Fund 104 Lodging Tax			\$ 220,000	\$ 220,000
GASB 87 Leases	Revenue	Ongoing	220,000	220,000
Total - Fund 105 Property Abatement			\$ -	\$ -
CD Abatement - Return General Fund Contributions \$640K offset by Exp Reduction	New	1-Time	-	-
Total - Fund 180 Narcotics Seizure			\$ 18,056	\$ 18,056
PD OCDETF - High Mileage 2024 Funding Change	Revenue Neutral	1-Time	(1,944)	(1,944)
PD Replace Freezer & Refridgerator Units	Revenue Neutral	1-Time	20,000	20,000
Total - Fund 182 Federal Seizure			\$ 9,000	\$ 9,000
PD Federal Seizure Revenue & Eligible Expenditures	Revenue Neutral	1-Time	9,000	9,000
Total - Fund 190 CDBG			\$ 2,306,607	\$ 2,306,607
CD HOME Investment Partnerships American Rescue Plan Program (HOME ARP)	Revenue Neutral	1-Time	1,175,489	1,175,489
CD HUD - Community Development Block Grant	Revenue Neutral	1-Time	1,131,118	1,131,118
Total - Fund 192 South Sound Military Communities Partnership (SSMCP)			\$ -	\$ 32,436
CD Tactical Tailor - Reimburse Insurance Costs 2022-2024	New	1-Time	-	32,436
Total - Fund 195 Public Safety Grants			\$ 594,259	\$ 594,259
MC Office of Justice Programs Veterans Court Grant	Revenue Neutral	1-Time	201,854	201,854
PD Washington Auto Theft Prevention Authority Mini Grant	Revenue Neutral	1-Time	157,355	157,355
PD WA State Parks & Recreation Boaters Safety	Revenue Neutral	1-Time	12,884	12,884
PD Washington Association of Sheriffs & Police Chiefs - Traffic Safety Equipment	Revenue Neutral	1-Time	6,000	6,000
PD Washington Traffic Safety Commission - School Zones	Revenue Neutral	1-Time	10,000	10,000
PD Emergency Management Planning EMPG- Main Program Activities	Revenue Neutral	1-Time	50,022	50,022
PD Emergency Management Planning EMPG. CERT Trainings	Revenue Neutral	1-Time	16,066	16,066
PD WTSC - Impaired and Distracted Driving	Revenue Neutral	1-Time	7,600	7,600
PD Pierce County Regional Law Enforcement Phlebotomy Program	Revenue Neutral	1-Time	1,228	1,228
PD WATPA -Public Safety Equipment	Revenue Neutral	1-Time	131,250	131,250

**2024 Year-End Budget Adjustment
Summary of Proposed Requests**

	Adjustment Type	Ongoing/1-Time	Year 2024	
			Revenue	Expenditure
Grand Total - Debt Service Funds			\$ (830,341)	\$ 485,769
Total - Fund 201 General Obligation Debt Service			\$ (835,000)	\$ (835,000)
Eliminate TBD \$20 VLF Funded Debt Service (Issue Debt in 2025)	Continuation	1-Time	(835,000)	(835,000)
Total - Fund 202 LID Debt Service			\$ -	\$ 344,289
Earmark for Early Redemption	Continuation	1-Time	-	-
Transfer to General Fund	New	1-Time	-	344,289
Total -Fund 204 Sewer Project Debt			\$ -	\$ 923,480
Transfer to Sewer CIP	New	1-Time	-	923,480
Total - Fund 251 LID Guarantee			\$ 4,659	\$ 53,000
Transfer to General Fund	New	1-Time	4,659	53,000
Total - Capital Improvement Project Funds			\$ 3,817,305	\$ 3,817,305
Total - Fund 301 Parks CIP			\$ 455,000	\$ 455,000
301.0020 Wards Lake, Funded by Grants \$2,150,000 & Interest Earnings \$105,000	New	1-Time	355,000	355,000
301.0054 Harry Todd Deferred Maintenance Program, Funded by RCO Grant	New	1-Time	100,000	100,000
Total - Fund 302 Transportation CIP			\$ 2,438,825	\$ 2,438,825
302.0178 Interlaaken Bridge Repair	New	1-Time	835,000	835,000
302.0135 Streets: WA Blvd & Edgewood Dr (North Fort to Gravelly Lk. Dr.) - TIB	New	1-Time	8,825	8,825
302.0083 Hipkins Road SW from Steilacoom Blvd to 104th St SW Reimbursed by Lakewood Water District	New	1-Time	1,595,000	1,595,000
Total - Fund 311 Sewer Project CIP			\$ 923,480	\$ 923,480
311.0006 Rose Road - Source is Sewer Surcharge	New	1-Time	711,000	711,000
311.0004 Thorne Lane - Project Complete	Revenue Neutral	1-Time	-	(7,615)
311.0005 Maple Street - Project Complete	Revenue Neutral	1-Time	-	(327,905)
311.0013 Fort Steilacoom Park - Project Complete	Revenue Neutral	1-Time	-	(152,000)
311.0007 Wadsorth/Silcox - Source is Sewer Availability Charge	Revenue Neutral	1-Time	-	200,000
311.0008 Grant Ave - Source is Sewer Surcharge	New	1-Time	212,480	212,480
311.0008 Grant Ave - Source is Sewer Availability Charge	Revenue Neutral	1-Time	-	287,520
Total - Enterprise Funds			\$ -	\$ 60,274
Total - Fund 401 Surface Water Management			\$ -	\$ 60,274
CW City Hall Server Room Air Conditioner - Internal Service Charge	New	1-Time	-	2,200
CW City Hall Beam Painting (Separate from Beam Repair) - Internal Service Charge	New	1-Time	-	5,280
CW City Hall Beam Repair - Internal Service Charge	New	1-time	-	53,999
CW WCIA Assessment Reduction from Tactical Tailor Reimb - Internal Service Charge	New	1-Time	-	(1,205)
Total - Internal Service Funds			\$ 1,388,659	\$ 1,830,786
Total - Fund 501 Fleet & Equipment			\$ 85,000	\$ 85,000
PD Replace Totaled Police Vehicle 40641, Funded by Insurance Proceeds	Revenue Neutral	1-Time	85,000	85,000
Total - Fund 502 Property Management			\$ 698,659	\$ 785,000
CW City Hall Beam Repair	New	1-time	613,659	700,000
CW City Hall Beam Painting (Separate from Beam Repair)	New	1-time	60,000	60,000
CW City Hall Server Room Air Conditioner	New	1-Time	25,000	25,000
Total - Fund 503 Information Technology			520,000	875,786
GF Transfer to General Fund	New	1-Time	-	355,786
GF GASB 96 SBITA (Subscription Based Information Technology Arrangements)	Revenue Neutral	Ongoing	520,000	520,000
Total - Fund 504 Risk Management			\$ 85,000	\$ 85,000
PD Transfer Insurance Proceeds to Fleet Fund to Replace Totaled Police Vehicle	Revenue Neutral	1-Time	85,000	85,000
CW Tactical Tailor Insurance Reimbursement \$32,436 / Reduce Assessments, Net \$0	New	1-Time	-	-

ORDINANCE NO.

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending the 2023/2024 Biennial Budget.

WHEREAS, the tax estimates and budget for the City of Lakewood, Washington, for the 2023/2024 fiscal biennium have been prepared and filed on October 3, 2022 as provided by Titles 35A.34 and 84.55 of the Revised Code of Washington; and

WHEREAS, the budget was printed for distribution and notice published in the official paper of the City of Lakewood setting the time and place for hearing on the budget and said notice stating copies of the budget can be obtained on-line and at the Office of the City Clerk; and

WHEREAS, the City Council of the City of Lakewood having held a public hearing on November 7, 2022, and having considered the public testimony presented; and

WHEREAS, the City Council of the City of Lakewood adopted Ordinance 779 on November 21, 2022 implementing the 2023/2024 Biennial Budget; and

WHEREAS, the City Council of the City of Lakewood adopted Ordinance 785 on May 15, 2023 implementing the 2023 Carry Forward Budget Adjustment; and

WHEREAS, the City Council of the City of Lakewood adopted Ordinance 795 on December 4, 2023 implementing the 2023 Year-End Budget Adjustment; and

WHEREAS, the City Council of the City of Lakewood adopted Ordinance 804 on May 20, 2024 implementing the 2024 Carry Forward Budget Adjustment; and

WHEREAS, the City Council of the City of Lakewood finds it necessary to revise the 2024 Budget to: incorporate items previously approved by the City Council, appropriate projects funded by grants and contributions; continue capital projects; and include new allocations as necessary; and

WHEREAS, the City Council of the City of Lakewood held a public hearing on the 2024 Year-End Budget Adjustment on November 4, 2024.

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

Section 1. Budget Amendment. The budget for year 2024 as set forth in Ordinance 804, and as shown in Exhibit A (Current Revised Budget by Fund – Year 2024) is amended to adopt the revised budget for year 2024 in the amounts and for the purposes as shown in Exhibit B (Proposed Revised Budget by Fund – Year 2024).

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

Section 3. Copies of the Budget to Be Filed. A complete copy of the final budget as adopted herein shall be transmitted to the Office of the State Auditor, the Association of Washington Cities and to the Municipal Research and Services Center of Washington. Copies of the final budget as adopted herein shall be filed with the City Clerk and shall be made available for use by the public.

Section 4. Effective Date. That this Ordinance shall be in full force and effect for year 2024 five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 18th day of November, 2024.

CITY OF LAKEWOOD

Attest:

Jason Whalen, Mayor

Briana Schumacher, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney

EXHIBIT A
CURRENT REVISED BUDGET BY FUND - YEAR 2024

Fund	Beginning Fund Balance			Revenue			Expenditure			Ending Fund Balance
	Prior Amount	Adjustment	Revised	Prior Amount	Adjustment	Revised	Prior Amount	Adjustment	Revised	
General Government Funds:	\$ 16,311,163	\$ 6,315,952	\$ 22,627,115	\$ 56,691,050	\$ 14,221,554	\$ 70,912,604	\$ 60,657,732	\$ 19,438,956	\$ 80,096,688	\$ 13,443,032
001 General	11,462,172	2,035,692	13,497,864	46,328,920	2,701,828	49,030,748	50,147,904	4,530,014	54,677,918	7,850,694
101 Street	-	-	-	3,018,862	910,661	3,929,523	3,018,862	910,661	3,929,523	-
103 Transportation Benefit District	226,608	(14,320)	212,288	835,000	-	835,000	999,924	-	999,924	47,364
104 Hotel/Motel Lodging Tax Fund	3,230,825	362,186	3,593,011	1,338,567	-	1,338,567	1,340,367	-	1,340,367	3,591,211
105 Property Abatement/RHSP/1406	-	102,893	102,893	488,000	1,079,291	1,567,291	488,000	1,182,184	1,670,184	-
106 Public Art	-	26,902	26,902	37,000	-	37,000	37,000	26,902	63,902	-
180 Narcotics Seizure	-	76,230	76,230	-	28,595	28,595	-	104,825	104,825	-
181 Felony Seizure	-	22,370	22,370	-	-	-	-	22,370	22,370	-
182 Federal Seizure	-	4,671	4,671	-	-	-	-	4,671	4,671	-
190 CDBG	-	1,852,040	1,852,040	550,000	699,404	1,249,404	550,000	2,551,444	3,101,444	-
191 Neighborhood Stabilization Prog	-	14,148	14,148	45,500	303,000	348,500	45,500	317,148	362,648	-
192 SSMCP	(190,066)	76,359	(113,707)	441,925	1,166,885	1,608,810	352,796	1,155,770	1,508,566	(13,462)
195 Public Safety Grants	-	-	-	-	675,714	675,714	-	675,714	675,714	-
196 ARPA (American Rescue Plan Act)	-	1,301,077	1,301,077	-	6,656,176	6,656,176	-	7,957,253	7,957,253	-
201 GO Bond Debt Service	-	-	-	2,517,754	-	2,517,754	2,517,754	-	2,517,754	-
202 LID Debt Service	-	344,289	344,289	219,765	-	219,765	219,765	-	219,765	344,289
204 Sewer Project Debt	1,446,436	105,262	1,551,698	869,757	-	869,757	939,860	-	939,860	1,481,595
251 LID Guaranty	135,188	6,153	141,341	-	-	-	-	-	-	141,341
Capital Project Funds:	\$ 786,193	\$ 16,024,363	\$ 16,810,556	\$ 16,662,261	\$ 23,445,555	\$ 40,107,816	\$ 17,082,343	\$ 39,529,437	\$ 56,611,780	\$ 306,592
301 Parks CIP	22,488	5,638,436	5,660,924	3,785,788	4,743,938	8,529,726	3,785,788	10,404,863	14,190,651	-
302 Transportation CIP	166,449	8,527,457	8,693,906	9,261,855	16,940,054	26,201,909	9,387,720	25,508,094	34,895,814	-
303 Real Estate Excise Tax	44,232	235,196	279,428	2,917,500	(543,976)	2,373,524	2,916,657	(263,705)	2,652,952	-
311 Sewer Project CIP	553,024	1,623,274	2,176,298	697,118	2,305,539	3,002,657	992,178	3,880,185	4,872,363	306,592
Enterprise Fund:	\$ 6,183,940	\$ 5,035,680	\$ 11,219,620	\$ 4,847,382	\$ 287,342	\$ 5,134,724	\$ 5,002,200	\$ 3,287,572	\$ 8,289,772	\$ 8,064,572
401 Surface Water Management	6,183,940	5,035,680	11,219,620	4,847,382	287,342	5,134,724	5,002,200	3,287,572	8,289,772	8,064,572
Internal Service Funds:	\$ 5,635,740	\$ 863,594	\$ 6,499,334	\$ 10,010,582	\$ 1,285,349	\$ 11,295,931	\$ 10,573,938	\$ 2,155,892	\$ 12,729,830	\$ 5,065,435
501 Fleet & Equipment	5,215,297	205,424	5,420,721	1,627,120	97,100	1,724,220	2,172,320	349,312	2,521,632	4,623,309
502 Property Management	85,000	654,671	739,671	916,396	682,473	1,598,869	1,001,396	1,250,804	2,252,200	86,340
503 Information Technology	335,443	3,499	338,942	4,187,674	392,031	4,579,705	4,120,830	442,031	4,562,861	355,786
504 Risk Management	-	-	-	3,279,392	113,745	3,393,137	3,279,392	113,745	3,393,137	-
Total All Funds	28,917,036	\$ 28,239,589	\$57,156,625	\$ 88,211,275	\$ 39,239,800	\$127,451,075	\$ 93,316,213	\$ 64,411,856	\$157,728,069	\$ 26,879,632

EXHIBIT B
PROPOSED REVISED BUDGET BY FUND - YEAR 2024

Fund	Beginning Fund Balance			Revenue			Expenditure			Ending Fund Balance
	Prior Amount	Adjustment	Revised	Prior Amount	Adjustment	Revised	Prior Amount	Adjustment	Revised	
General Government Funds:	\$ 22,627,115	\$ -	\$ 22,627,115	\$ 70,912,604	\$ 6,317,567	\$ 77,230,171	\$ 80,096,688	\$ 6,936,113	\$ 87,032,801	\$ 12,824,485
001 General	13,497,864	-	13,497,864	49,030,748	3,893,580	52,924,328	54,677,918	3,163,580	57,841,498	8,580,694
101 Street	-	-	-	3,929,523	106,406	4,035,929	3,929,523	106,406	4,035,929	-
103 Transportation Benefit District	212,288	-	212,288	835,000	-	835,000	999,924	-	999,924	47,364
104 Hotel/Motel Lodging Tax Fund	3,593,011	-	3,593,011	1,338,567	220,000	1,558,567	1,340,367	220,000	1,560,367	3,591,211
105 Property Abatement/RHSP/1406	102,893	-	102,893	1,567,291	-	1,567,291	1,670,184	-	1,670,184	-
106 Public Art	26,902	-	26,902	37,000	-	37,000	63,902	-	63,902	-
180 Narcotics Seizure	76,230	-	76,230	28,595	18,056	46,651	104,825	18,056	122,881	-
181 Felony Seizure	22,370	-	22,370	-	-	-	22,370	-	22,370	-
182 Federal Seizure	4,671	-	4,671	-	9,000	9,000	4,671	9,000	13,671	-
190 CDBG	1,852,040	-	1,852,040	1,249,404	2,306,607	3,556,011	3,101,444	2,306,607	5,408,051	-
191 Neighborhood Stabilization Prog	14,148	-	14,148	348,500	-	348,500	362,648	-	362,648	-
192 SSMCP	(113,707)	-	(113,707)	1,608,810	-	1,608,810	1,508,566	32,436	1,541,002	(45,899)
195 Public Safety Grants	-	-	-	675,714	594,259	1,269,973	675,714	594,259	1,269,973	-
196 ARPA (American Rescue Plan Act)	1,301,077	-	1,301,077	6,656,176	-	6,656,176	7,957,253	-	7,957,253	-
201 GO Bond Debt Service	-	-	-	2,517,754	(835,000)	1,682,754	2,517,754	(835,000)	1,682,754	-
202 LID Debt Service	344,289	-	344,289	219,765	-	219,765	219,765	344,289	564,054	-
204 Sewer Project Debt	1,551,698	-	1,551,698	869,757	-	869,757	939,860	923,480	1,863,340	558,115
251 LID Guaranty	141,341	-	141,341	-	4,659	4,659	-	53,000	53,000	93,000
Capital Project Funds:	\$ 16,810,556	\$ -	\$ 16,810,556	\$ 40,107,816	\$ 3,817,305	\$ 43,925,121	\$ 56,611,780	\$ 3,817,305	\$ 60,429,085	\$ 306,592
301 Parks CIP	5,660,924	-	5,660,924	8,529,726	455,000	8,984,726	14,190,651	455,000	14,645,651	-
302 Transportation CIP	8,693,906	-	8,693,906	26,201,909	2,438,825	28,640,734	34,895,814	2,438,825	37,334,639	-
303 Real Estate Excise Tax	279,428	-	279,428	2,373,524	-	2,373,524	2,652,952	-	2,652,952	-
311 Sewer Project CIP	2,176,298	-	2,176,298	3,002,657	923,480	3,926,137	4,872,363	923,480	5,795,843	306,592
Enterprise Fund:	\$ 11,219,620	\$ -	\$ 11,219,620	\$ 5,134,724	\$ -	\$ 5,134,724	\$ 8,289,772	\$ 60,274	\$ 8,350,046	\$ 8,004,298
401 Surface Water Management	11,219,620	-	11,219,620	5,134,724	-	5,134,724	8,289,772	60,274	8,350,046	8,004,298
Internal Service Funds:	\$ 6,499,334	\$ -	\$ 6,499,334	\$ 11,295,931	\$ 1,388,660	\$ 12,684,591	\$ 12,729,830	\$ 1,830,786	\$ 14,560,616	\$ 4,623,309
501 Fleet & Equipment	5,420,721	-	5,420,721	1,724,220	85,000	1,809,220	2,521,632	85,000	2,606,632	4,623,309
502 Property Management	739,671	-	739,671	1,598,869	698,660	2,297,529	2,252,200	785,000	3,037,200	-
503 Information Technology	338,942	-	338,942	4,579,705	520,000	5,099,705	4,562,861	875,786	5,438,647	-
504 Risk Management	-	-	-	3,393,137	85,000	3,478,137	3,393,137	85,000	3,478,137	-
Total All Funds	57,156,625	\$ -	\$57,156,625	\$ 127,451,075	\$ 11,523,532	\$138,974,607	\$ 157,728,069	\$ 12,644,478	\$170,372,547	\$ 25,758,685



TO: Mayor and City Council
FROM: Tiffany Speir, Planning Division Manager
THROUGH: John J. Caulfield, City Manager *John J. Caulfield*
DATE: October 28, 2024
SUBJECT: Introduction of 2025 Lakewood Comprehensive Plan and Zoning Map Amendment Docket List
ATTACHMENT: Planning Commission Resolution 2024-07 (**Attachment A**); PSRC Regional Centers Monitoring Scope of Work (**Attachment B**)

BACKGROUND

Lakewood has begun its 2025 Comprehensive Plan, Zoning Map, and development regulation amendment (25CPA) cycle process. The City uses the GMA option to consider an annual package of changes to both the Comprehensive Plan and development regulations, in between the mandatory 10-year periodic update deadlines, "concurrently so the cumulative effect of the various proposals can be ascertained." ([RCW 36.70A.130\(2\)](#))¹.

There are several legally-required steps in order to complete this process once a docket of potential amendments has been approved by the City Council:

- City level SEPA review;
- WA Department of Commerce review;
- Planning Commission public hearing, review, and recommendation; and
- City Council public hearing, review and action.

The period for the public to submit applications for the 25CPA cycle was during July 2024. No private applications for a Comprehensive Plan amendment were received during the open period; however, one private application was submitted via the public hearing process at the Planning Commission in September.

The Planning Commission held two public hearings for the draft 25CPA docket list on September 18 and October 2, 2024. Also on October 2, the Commission approved Resolution 2024-07 (**see Attachment A.**)

Per LMC 18A.30.040, the PPW Department has hereby:

compiled a list giving the status of all proposed amendments, including rezones, and is forwarding the list to the City Council. The City Council shall review all such proposals, determine which are appropriate and worthy of further review and consideration, and move those to the Planning Commission for review and public hearing.

¹ Lakewood also conducts a separate annual development regulation amendment process when needed; while updates, proposed amendments, or revisions of the Comprehensive Plan can be considered no more frequently than once every year, development regulations may be amended more frequently than once a year.

25CPA Legislative Process Schedule

The schedule for the 25CPA legislative process (subject to change) is slightly accelerated to meet state-required deadlines for certain amendments and follows:

- October 28: City Council study session on Commission-recommended 25CPA docket;
- November 4: City Council public hearing on 25CPA docket
- November 18: City Council takes action on 25CPA docket resolution;
- Winter 2024/Spring 2025: City substantive review of the proposed 25CPAs and preparation of recommendations for each amendment;
- Spring 2025: Planning Commission substantive review and public hearing on proposed 25CPA amendments;
- June 30, 2025: Deadline for City Council action on the 25CPAs.

DISCUSSION

Included below is the list of 11 docket items (**2025-01 through 2025-11**) recommended by the Planning Commission for the 25CPA cycle docket list via its Resolution 2024-07. The substantive content of each amendment will be drafted and analyzed under SEPA once the City Council takes action to finalize the 25CPA docket list. There is also an additional City-recommended amendment (**2025-12**) being recommended by the City that was not reviewed by the Planning Commission.

Note: The City does not recommend including proposed amendments 2025-09 and 2025-10 on the 25CPA docket list. Please see each amendment below for further explanation.

2025-01 Co-Living Housing Amendments for consistency with ESHB 1998²

This amendment would edit to the Comprehensive Plan and development regulations per [2024 ESHB 1998](#), "Concerning co-living housing", which requires Lakewood to allow co-living housing on any lot located within an urban growth area that allows at least six (6) multifamily residential units. The bill prohibits imposing certain regulations on co-living housing. In summary:

By December 31, 2025, Lakewood must adopt development regulations allowing co-living housing on any lot that allows at least six (6) multifamily residential units, including on a lot zoned for mixed use development. In addition, a city may not require co-living housing to:

- contain room dimensional standards larger than that required by the State Building Code, including dwelling unit size, sleeping unit size, room area, and habitable space;
- provide a mix of unit sizes or number of bedrooms; or
- include other uses.

² ESHB 1198 adds a new section to RCW 36.70A

Lakewood may not require co-living housing to provide off-street parking within 0.5 miles walking distance of a major transit stop or provide more than 0.25 off-street parking spaces per sleeping unit, unless:

- the city submits to the Department of Commerce (Commerce) an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and Commerce finds and certifies, that the application of the off-street parking limitations for co-living housing will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than if the jurisdiction's parking requirements were applied to the same location.

Lakewood may not:

- require any standards for co-living housing that are more restrictive than those required for other types of multifamily residential uses in the same zone;
- exclude co-living housing from participating in affordable housing incentive programs;
- treat a sleeping unit in co-living housing as more than 0.25 of a dwelling unit for purposes of calculating dwelling unit density; and
- treat a sleeping unit in co-living housing as more than 0.5 of a dwelling unit for purposes of calculating fees for sewer connections, unless the city or county makes a finding, based on facts, that the sewer connection fees should exceed the one-half threshold.

Lakewood may only require a review, notice, or public meeting for co-living housing that is required for other types of residential uses in the same location, unless otherwise required by state law.

Any action taken by Lakewood to implement co-living housing requirements is not subject to a legal challenge under the GMA or the State Environmental Policy Act (SEPA).

Preliminary Review of Potential Amendment 2025-01 per LMC 18A.30.030

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 cause 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**
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.**
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.

2025-02 Updates to Comprehensive Plan Capital Facilities Element, Parks Element, and Utilities Element for consistency with 2024 E2SHB 1181³ (Climate Change & Resiliency)

This amendment would include edits to the Comprehensive Plan as required under [2024 E2SHB 1181](#), “Improving the state's response to climate change by updating the state's planning framework.” E2SHB 1181 lays out significant updates required to local Comprehensive Plans and development regulations between 2025 and 2029; this amendment includes those edits to the Comprehensive Plan that must be adopted by June 30, 2025, including:

- Update the Capital Facilities Element inventory of existing capital facilities owned by public entities to include green infrastructure;
- Update the Parks & Recreation Element to include a tree canopy evaluation; and
- Update the Utilities Element to include the general location, proposed location, and capacity of all existing and proposed utilities, including electrical, telecommunications, and natural gas systems.

Preliminary Review of Potential Amendment 2025-02 per LMC 18A.30.030

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 cause 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**
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.**
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.**

³ E2SHB 1181 amends RCW 36.70a.020, .030, .070, .130, .190, .280, .320, and .480; RCW 43.20; RCW 43.21C; RCW 47.80; RCW 70A.45; RCW 70A.125.180; RCW 86.12.200; and RCW 90.58

2025-03 Updates to Lakewood Development Regulations for Middle Housing for consistency with 2023 E2SHB 1110⁴

As part of the 2024 Periodic Review, Lakewood adopted significant changes to its zoning and development regulations to allow for middle housing and accessory dwelling units in its historically single-family areas.

Amendment 2025-03 would include any additional edits to development regulations to ensure full compliance with [2023 E2SHB 1110](#), “Increasing middle housing in areas traditionally dedicated to single-family detached housing.” Relevant E2SHB 1110 excerpts follow:

Lakewood must include specific provisions related to middle housing in their development regulations. The City:

- may only apply administrative design review for middle housing;
 - may not require standards for middle housing that are more restrictive than those required for detached single-family residences;
 - must apply to middle housing the same development permit and environmental review processes that apply to detached single-family residences, unless otherwise required by state law;
- is not required to achieve the per-unit density on lots after subdivision below 1,000 square feet unless Lakewood chooses to enact smaller allowable lot sizes;
- must also allow zero lot line short subdivisions where the number of lots created is equal to the unit density required;
 - may not require off-street parking as a condition of permitting development of middle housing within 0.5 miles walking distance of a major transit stop;
 - may not require more than one off-street parking space per unit as a condition of permitting development of middle housing on lots smaller than 6,000 square feet before any zero lot line subdivisions or lot splits; and
 - may not require more than two off-street parking spaces per unit as a condition of permitting development of middle housing on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.

A SEPA categorical exemption is established for development regulations that remove parking requirements for infill development.

Lakewood may not approve a building permit if other federal, state, and local requirements for a building permit are not met, including adequate water supply requirements. If an area zoned for residential use is currently served only by private wells, group B water systems, or group A water systems with less than 50 connections, or if a city or water providers within the city do not have an adequate water supply or available connections to serve the zoning

⁴ E2SHB 1110 amends RCW 36.70A.030, .280; RCW 43.21C.450, .495; RCW 64.32; RCW 64.34; RCW 64.38; and RCW 64.90

increase, the city may limit the areas subject to the density requirements to match current water availability.

Development may be limited to two units per lot in an area served only by on-site sewage systems until either the landowner or local government provides sewer service or demonstrates a sewer system will serve the development at the time of construction.

Note: Lakewood is not required to update its Capital Facilities Plan Element to accommodate the increased housing until its first Comprehensive Plan update required on or after June 30, 2034, unless Commerce grants a timeline extension.

This amendment would also ensure consistency with [2024 EHSB 2321](#)⁵ that updated requirements in [2023 E2SHB 1110](#). [EHSB 2321](#) is summarized below:

- the minimum density requirements for residential lots within 0.25 miles walking distance of a major transit stop must be applied to any bus rapid transit stop under construction;
- the exemption from minimum density requirements for lots with critical areas or their buffers is limited to that portion of a lot, parcel, or tract with a critical area or buffer except for critical aquifer recharge areas where a single-family detached house is an allowed use, provided that any requirements to maintain aquifer recharge are met. Until June 30, 2026, any additional residential capacity required by lots, parcels, or tracts with critical areas or critical area buffers may not be considered an inconsistency with countywide planning policies, multicounty planning policies, or growth targets;
- lots created through the splitting of a single residential lot and areas designated as sole source aquifers by the United States Environmental Protection Agency on islands in the Puget Sound are exempt from the middle housing and minimum density requirements;
- Lakewood allow at least six of the nine types of middle housing. The four-unit limit in the definition of courtyard apartments is removed;
- Lakewood may not require more than one off-street parking space per unit for middle housing constructed on lots that are exactly 6,000 square feet before any zero lot line subdivisions or lot splits; and
- in applying objective development regulations to middle housing, Lakewood may apply regulations related to set-back, lot coverage, stormwater, clearing, and tree canopy and retention requirements, and language related to compliance with existing ordinances intended to protect critical areas and public health and safety is removed.

Preliminary Review of Potential Amendment 2025-03 per LMC 18A.30.030

⁵ EHSB 2321 amends RCW 36.70A.030 and .635

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 cause 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**
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.**
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.**

2025-04 Regulatory amendments for consistency with 2024 SB 5792⁶

2025-04 would amend development regulations as needed for consistency with [2024 SB 5792](#), “Concerning the definition of multiunit residential buildings”:

- Buildings with 12 or fewer units that are no more than three stories are excluded from the definition of multiunit residential building if one story is utilized for above or below ground parking, or retail space.

Preliminary Review of Potential Amendment 2025-04 per LMC 18A.30.030

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 cause 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**
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.**
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.**

⁶ SB 5792 amends RCW 64.55.010

2025-05 Regulatory amendments regarding residential parking for consistency with SSB 6015⁷

This amendment would ensure consistency with [2024 SSB 6015](#), “Concerning residential parking configurations.” In summary:

- garages and carports may not be required as a way to meet minimum parking requirements for residential development;
- parking spaces that count towards minimum parking requirements may be enclosed or unenclosed;
- parking spaces in tandem count towards meeting minimum parking requirements at a rate of one space for every 20 linear feet, with any necessary provisions for turning radius;
- the existence of non-conforming gravel surfacing in existing designated parking areas may not be a reason for prohibiting the use of existing space in the parking area to meet local parking standards;
- parking spaces may not be required to exceed 8 feet by 20 feet, except for required parking for people with disabilities; and
- parking spaces that consist of grass block pavers may count towards minimum parking regulations.

Existing parking spaces that do not conform to these requirements are not required to be modified or resized, except for compliance with the Americans with Disabilities Act. Existing paved parking lots are not required to change the size of existing parking paces during resurfacing if doing so will be more costly or require significant reconfiguration of the parking space locations.

Lakewood also may not require off-street parking as a condition of permitting a residential project if compliance with tree retention would otherwise make a proposed residential development or redevelopment infeasible.

Preliminary Review of Potential Amendment 2025-05 per LMC 18A.30.030

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 cause 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**
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.**
4. Can the proposed amendment be considered now without conflicting with some other Comprehensive Plan established timeline? **Yes.**

⁷ SSB 6015 adds a section to RCW 36.70A

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.

2025-06 Technical Updates to the Municipal Code regarding Civic Uses

This amendment would correct unintentional text omissions in portions of the municipal code that occurred during the 2019 rewrite of Lakewood Municipal Code (LMC) Title 18A regarding where Civic Uses are allowed.

Precise language consistent with current state law will be developed if the City Council approves the inclusion of this amendment in the 25CPA docket.

Preliminary Review of Potential Amendment 2025-06 per LMC 18A.30.030

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 cause 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**
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.**
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.**

2025-07 Adoption of 2025-2029 Commute Trip Reduction (CTR) Plan

Lakewood must approve its 2025-2029 Commute Trip Reduction (CTR) Plan no later than June 30, 2025. The CTR state law mandates four major actions to accomplish the program's purposes:

- Lakewood must develop and implement a CTR ordinance and a CTR plan and engage major employers to provide CTR programs.
- WSDOT must create and implement a statewide CTR plan.
- Regional planning organizations must create and implement a CTR plan.
- The state must provide support and leadership.

The CTR Program is codified in the Washington Clean Air Act, RCW Chapter 70A.15. Rules for the program are codified in WAC Chapter 468-63.

Preliminary Review of Potential Amendment 2025-07 per LMC 18A.30.030

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 cause 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**
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.**
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.**

2025-08 Affordable Housing in commercial buildings zoning/regulations

[E2SSB 6175⁸](#) allows Lakewood to establish, by resolution, a retail sales and use tax deferral program for the conversion of commercial buildings to provide affordable housing, under certain conditions. To receive a deferral under the new law:

- The project must be set aside primarily for multifamily housing units with at least 10% affordable to low-income households;
- The legislative authority must find that there are significant areas of underutilized commercial property and a lack of affordable housing in areas proximate to the land; and
- The applicant must commit to any additional affordability and income eligibility conditions adopted by the local government.

If a project maintains these qualifications for at least 10 years, the sales and use taxes would not need to be repaid.

Note: This amendment would move forward if and only if the City Council:

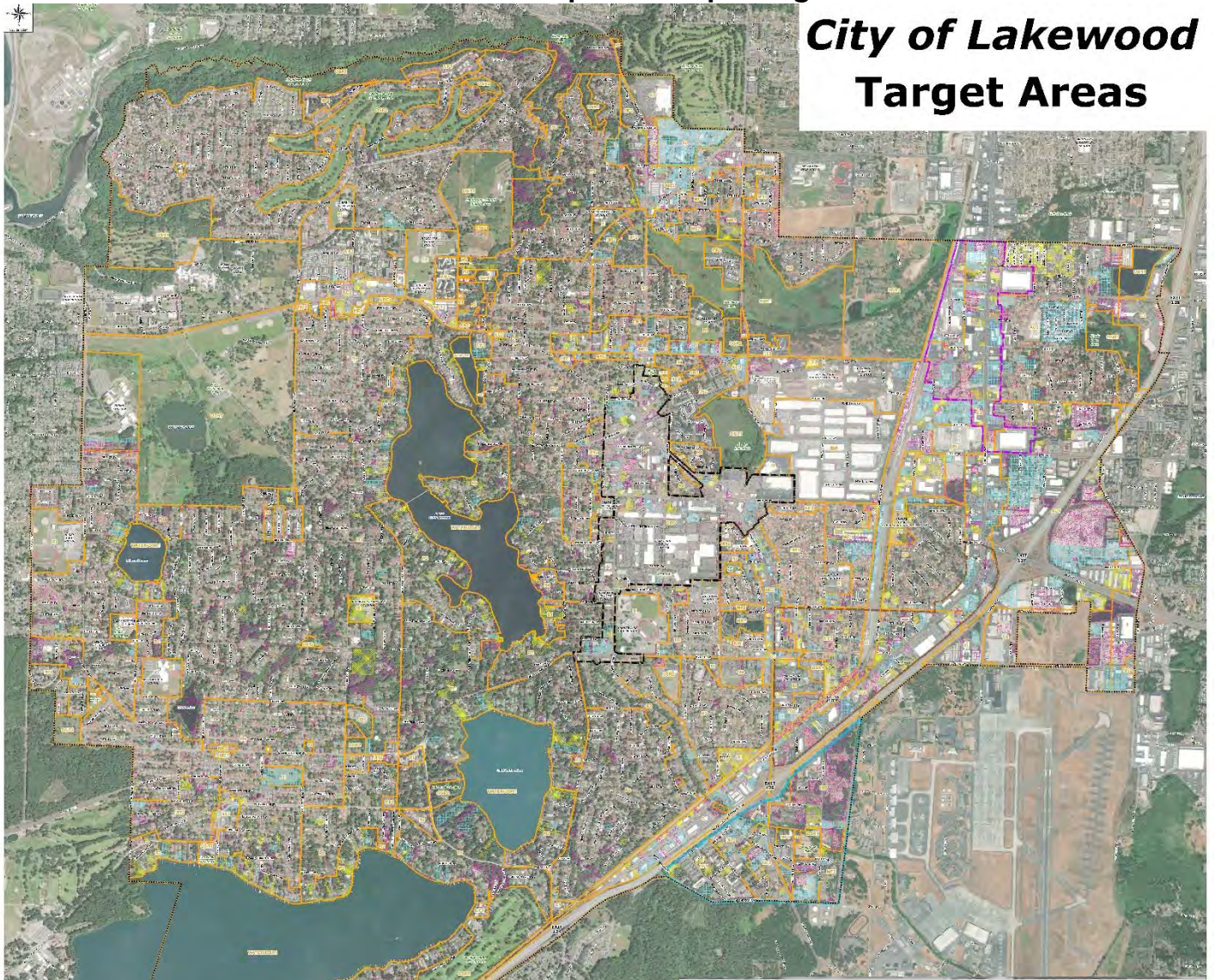
- approved establishing a retail sales and use tax deferral program per E2SSB 6175 via a resolution; and
- adopted a finding that there are significant areas of underutilized commercial property and a lack of affordable housing in areas proximate to the land.

For reference, the following maps depict vacant and underutilized properties in Lakewood focus areas as of May 31, 2024. If 2025-13 is included in the 25CPA docket list, the City would continue review of properties' use to prepare recommendations of where a retail sales and use tax could be applied.

⁸ E2SSB 6175 adds a new chapter to RCW Title 82 and amends RCW 84.14.010

5/31/24 Vacant and Underutilized Properties Maps: Target Areas

City of Lakewood Target Areas



Legend

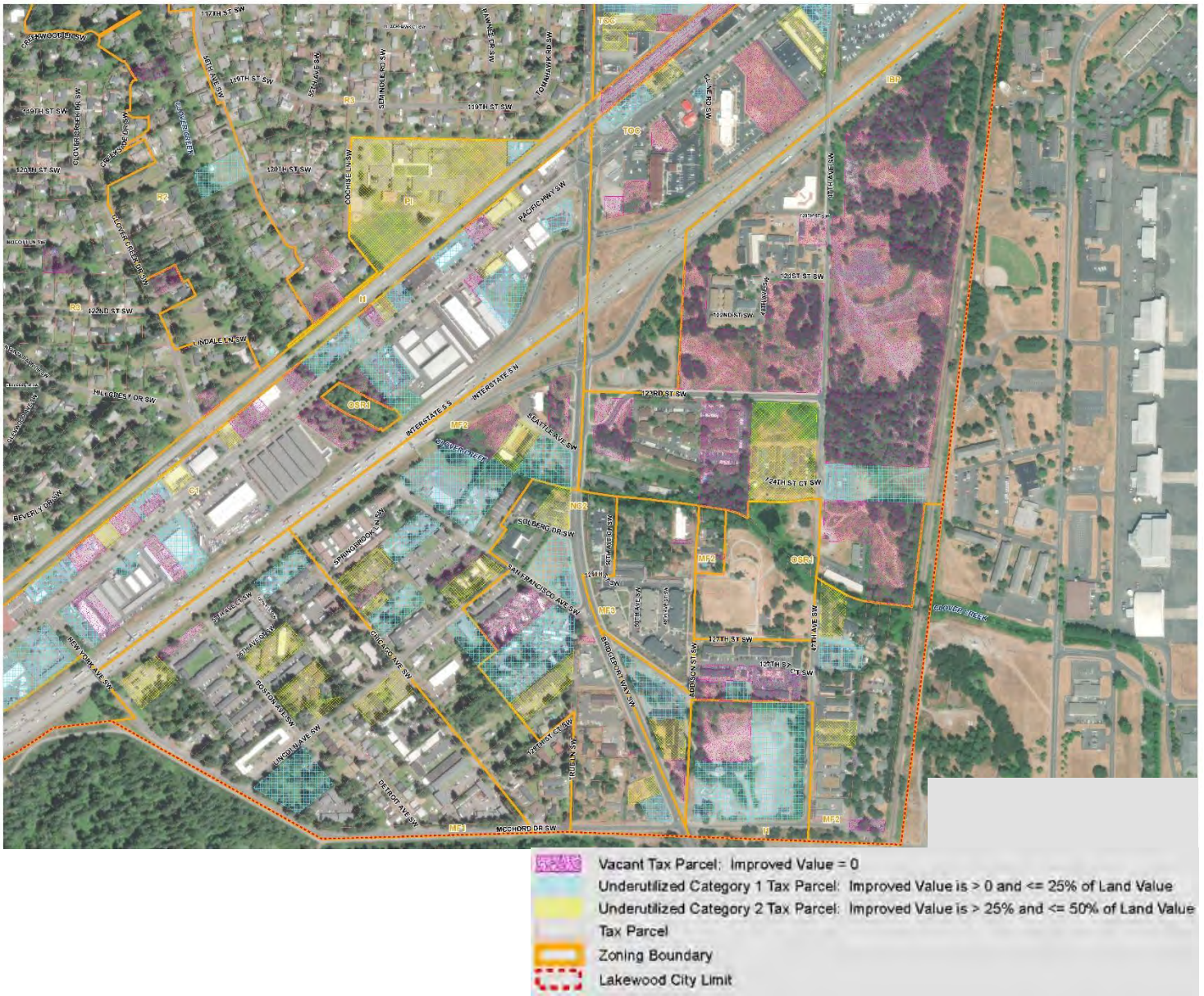
- Lakewood Downtown Boundary
- Pacific Hwy Corridor & Lakewood Station
- South Tacoma Way Corridor
- Springbrook
- Tillicum/Woodbrook
- Vacant Tax Parcel: Improved Value = 0
- Underutilized Category 1: Improved Value is > 0 and <= 25% of Land Value
- Underutilized Category 2: Improved Value is > 25% and <= 50% of Land Value
- Tax Parcel
- Zoning Boundary
- Lakewood City Limit

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5/31/24 Vacant and Underutilized Properties Maps: Station District Subarea



5/31/24 Vacant and Underutilized Properties Maps: Springbrook



5/31/24 Vacant and Underutilized Properties Maps: Census Tract 071805



- Vacant Tax Parcel: Improved Value = 0
- Underutilized Category 1 Tax Parcel: Improved Value is > 0 and <= 25% of Land Value
- Underutilized Category 2 Tax Parcel: Improved Value is > 25% and <= 50% of Land Value
- Tax Parcel
- Zoning Boundary
- Lakewood City Limit

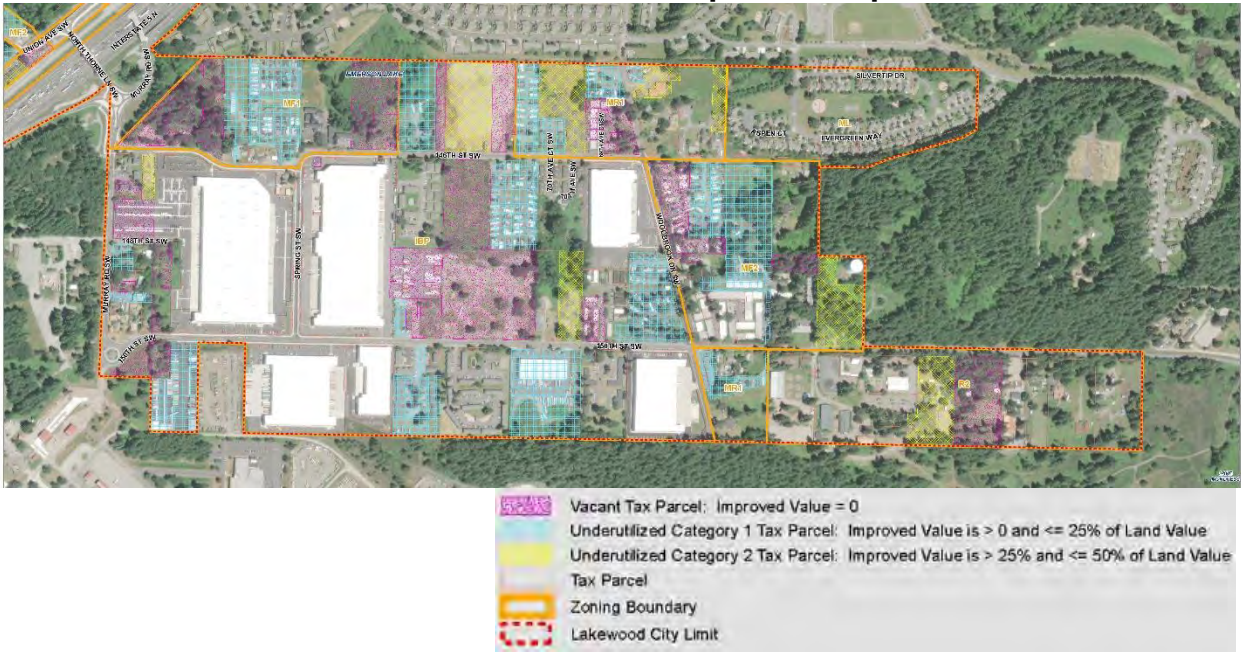
5/31/24 Vacant and Underutilized Properties Maps: Lake City



5/31/24 Vacant and Underutilized Properties Maps: Tillicum









5/31/24 Vacant and Underutilized Properties Maps: Woodbrook



5/31/24 Vacant and Underutilized Properties Maps: Air Corridor 2



-  Vacant Tax Parcel: Improved Value = 0
-  Underutilized Category 1 Tax Parcel: Improved Value is > 0 and <= 25% of Land Value
-  Underutilized Category 2 Tax Parcel: Improved Value is > 25% and <= 50% of Land Value
-  Tax Parcel
-  Zoning Boundary
-  Lakewood City Limit

Preliminary Review of Potential Amendment 2025-08 per LMC 18A.30.030

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 cause 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**
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.**
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.**

2025-09 Consideration of expansion of Station District Subarea Boundaries

The Lakewood Comprehensive Plan includes a policy supporting the creation of new subarea plans:

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

In 2023, the Planning Commission held preliminary discussions regarding expanding the Station District Subarea boundaries to include Springbrook. If included in the 25CPA docket list by the City Council, this amendment would direct the Planning & Public Works (PPW) Department to begin work on updating the Station District Subarea Plan and boundaries.

Note: The City Council would also need to identify funding for the subarea plan update process and include this work in the PPW's work plan. **The City recommends not including this amendment in the 25CPA docket list.**

Preliminary Review of Potential Amendment 2025-09 per LMC 18A.30.030

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; however, the amendment is inconsistent with the recent actions taken by City Council to rezone properties in Springbrook as Industrial Business Park, and the separation of Springbrook from the Station District Subarea does not lend itself to blending the two planning areas into one subarea plan.**
2. Would the proposed amendment cause 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**
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.**
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; however, the amendment's anticipated effect would include required updates to the Station District Plan, Planned Action, and potentially development regulations at LMC 18C. The City does not have funding identified for such updates.**
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.**

2025-10 Consideration of drafting a new subarea plan for the “District/Area North of Steilacoom Blvd and West of South Tacoma Way”

The Lakewood Comprehensive Plan includes a policy supporting a focus on the International District on South Tacoma Way:

Urban Design Strategy UD-B: Develop an individual identity for the International District through branding, visitor engagement, and city-sponsored events.

In 2023, the Planning Commission held preliminary discussions regarding the creation of a new subarea plan for part of the International District as described below:

“Develop a unified land use identity and function for the District/Area North of Steilacoom Blvd and West of South Tacoma Way” as a subarea plan.

Note: The City Council would also need to identify funding for the subarea plan update process and include this work in the PPW’s work plan. **The City recommends not including this amendment in the 25CPA docket list.**

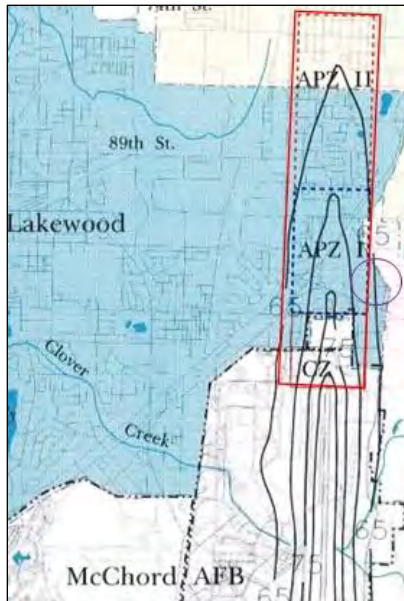
Preliminary Review of Potential Amendment 2025-10 per LMC 18A.30.030

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; however, the City has historically considered developing a subarea plan for the International District, which has a larger geographic boundary than what this amendment includes.**
2. Would the proposed amendment cause 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**
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.**
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.**

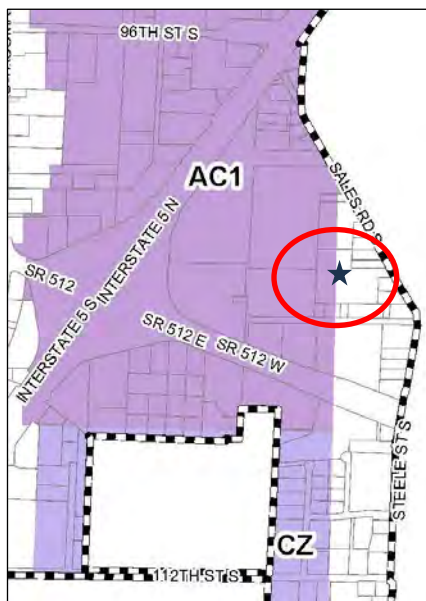
2025-11 Private request for parcel 0319061001 to be redesignated/rezoned from exclusively Air Corridor (AC) / Air Corridor 1 (AC1) to “split zoning” of AC / AC1 and Industrial (I) / Industrial 1 (I1).

This potential amendment is a privately-initiated request submitted during the September 18 and October 2 Planning Commission public hearings by Josh Friedmann, attorney for Waste Connections/LRI. The request is to reinstate the pre-2019 “split zoning” of parcel 0319061001 of Air Corridor 1 (AC1) and Industrial 1 (I1).

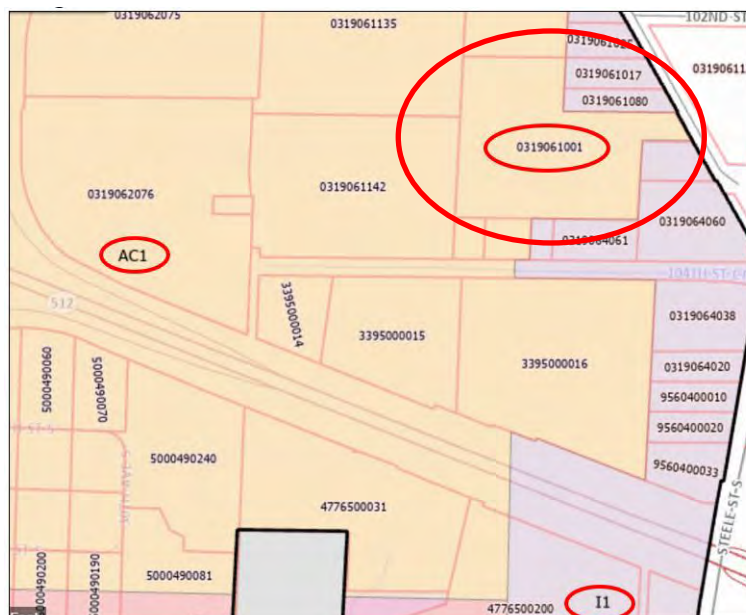
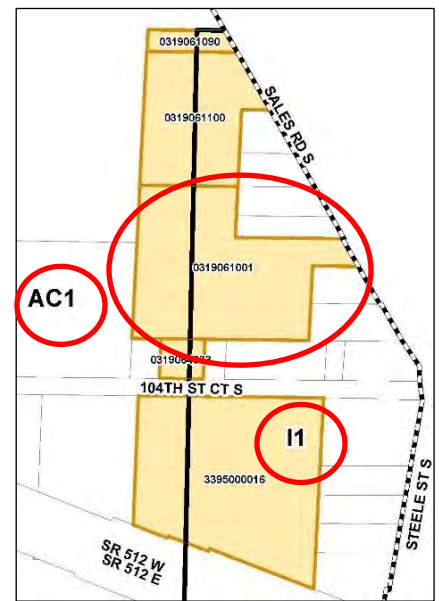
In 2019, to be consistent with the December 2015 Air Installations Compatible Use Zones (AICUZ) Program Air Force Instruction (AFI) 32-7063, Lakewood redesignated/rezoned parcel 0319061001 to Air Corridor (AC)/Air Corridor 1 (AC1) to eliminate its split AC1/I1 zoning. Maps demonstrating the 2019 change follow:



JBALM AICUZ Map



Location & pre-2019 zoning of parcel 319061001



Current Zoning of Parcel 0319061001

Background

The Lakewood Clear Zone and Air Corridor 1 and 2 land use zones' boundaries strive to follow property lines and avoid split zoning consistent with growth management best practices, while the McChord Field Air Installation Compatible Use Zone (AICUZ) Study AICUZ Clear Zone (CZ) and Accident Potential Zones I and II (APZ I and APZ II) are based on imaginary surface areas that do not consider parcel lines:

- the CZ is 3,000 feet by 3,000 feet, measured along the extended runway centerline beginning at the end of the runway;
- the APZ I is 3,000 feet wide by 5,000 feet long; and
- the APZ II is 3,000 feet wide by 7,000 feet long.

As discussed in the 2015 JBLM AICUZ,

Any existing or future development in the CZ is of concern. US Air Force analysis indicates that 28% of all air accidents occur within the CZs. The APZ I designation has somewhat lower accident potential than the CZ, but it is high enough that most types of development in this zone are discouraged, including residential uses.

As requested by the proponent, this amendment would reestablish the split zoning on parcel 0319061001 that had been in place until 2019. Any use of the portion of the parcel within AC1 would be consistent with the AICUZ Study guidance.

Preliminary Review of Potential Amendment 2025-11 per 18A.30.030

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 cause 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**
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.**
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.**

City-Recommended Amendment 2025-12

To prepare for the PSRC 2025 review of the Lakewood Regional Growth Center (RGC) that has the same geographic boundaries, growth targets, and regulatory controls as the Downtown Subarea, the City recommends adding the following amendment to the 25CPA docket list:

2025-12 Review, and if needed, amend, the Lakewood Regional Growth Center (RGC) and Downtown Subarea Plan, Regulations, and Planned Action for consistency with PSRC's Regional Centers Framework Requirements

The following items would be part of recommended 25CPA amendment 2025-12; additional items may be added based on PSRC requirements.

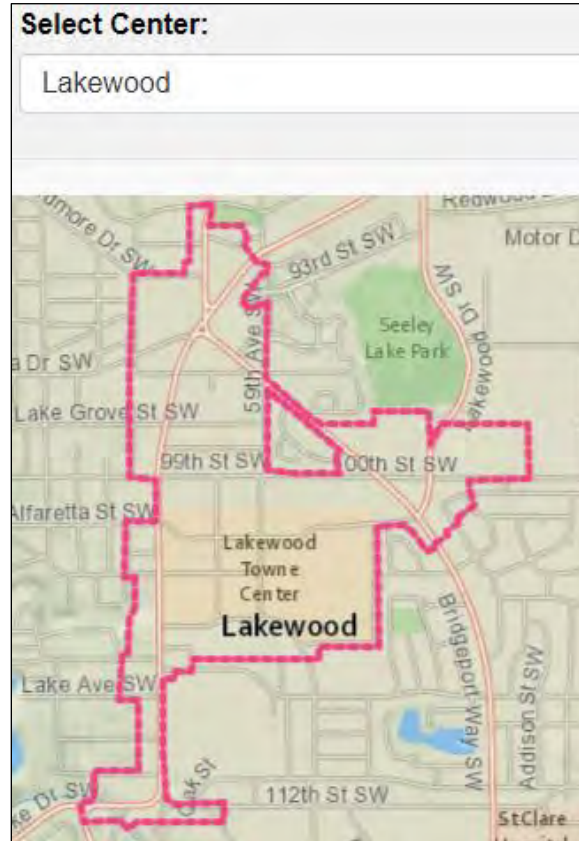
1. Update boundary of Lakewood RGC to match the Downtown Subarea boundary as approved in Ordinance 812;
2. Review growth targets (i.e., housing and job activity units in the RGC) for consistency with the Regional Centers Framework and the July 2024 PSRC communication to Lakewood regarding the 2024 Comprehensive Plan Periodic Review;
3. Review allowed land uses and development regulations for consistency with PSRC Regional Centers Criteria;
4. Conduct market study to evaluate the potential for and opportunities to best support center growth.

Preliminary Review of Potential Amendment 2025-12 per 18A.30.030

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 cause 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**
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.**
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.**

BACKGROUND FOR 2025-12

The Puget Sound Regional Council (PSRC) certified the Lakewood Regional Growth Center (RGC) in 2012. When Lakewood adopted the Downtown Subarea Plan, regulations, and planned action in 2018, the City worked with PSRC to amend the RGC’s boundaries to match the Downtown Subarea.



Source: PSRC Lakewood Regional Growth Center Profile

Beginning in 2025, the Puget Sound Regional Council (PSRC) will review and certify regional centers per the PSRC Regional Centers Framework (RCF) every 5 years to “assess each center’s performance in accommodating growth consistent with the Regional Growth Strategy” (i.e., describe physical characteristics, assess potential for accommodating future growth, review for consistency with Centers Framework criteria., and update center characteristics.)



Local Comprehensive Plan Adoption & Certification

After monitoring occurs, all regional centers that meet each of the criterion outlined in the RCF will be automatically redesignated. Center policies and plans may be re-certified concurrent with redesignation.

Centers monitoring reports will be presented to PSRC boards for consideration. If a center is not fully meeting the Framework criteria at the time of centers monitoring, PSRC boards may consider removing the regional center designation or consider probationary status until planning requirements are met. See **Attachment B**.

At the first Centers monitoring review in 2025, existing regional growth centers will be expected to fully meet the following eligibility and designation criteria:

- Local commitment. Evidence center is a local priority and sponsor city/county has sustained commitment over time to local investments in creating a walkable, livable center;
- Planning. An updated center plan (subarea plan, plan element or functional equivalent that provides detailed planning or analysis) that addresses regional guidance, and plans for a mix of housing and employment, bicycle and pedestrian infrastructure, amenities, and a street pattern that supports walkability;
Assessment of housing need includes displacement risk, as well as review of the documentation of tools, programs, or commitment to provide housing choices affordable to a full range of incomes and strategies to further fair housing;
- Capital investments. Capital investments by the local government in the center in the current or prior 6-year capital planning cycle, and commitment to infrastructure and utilities in the jurisdiction's capital improvement program sufficient to support center growth, pedestrian infrastructure, and public amenities;
- Center criteria. Consistent with designation criteria for size, planning, transit, market potential, and role for new regional growth centers in Section 3 of the RCF. Existing centers will remain designated if they do not meet the new center density criteria, provided that the center is consistent with other criteria identified in this section;
- Market study. Regional growth centers that have existing density levels below the level required for new regional centers at the time of the review must complete a market study to evaluate the potential for and opportunities to best support center growth. The market study:
 - o must consider a planning horizon reasonably beyond 2025;
 - o should show how the center can meet targeted levels of growth within the planning period; and
 - o should demonstrate Lakewood's work to address opportunities identified in the market study and the center is consistent with other criteria identified in the Framework.

ATTACHMENT A

RESOLUTION 2024-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKEWOOD, WASHINGTON, RECOMMENDING TO THE CITY COUNCIL THE 2025 DOCKET OF COMPREHENSIVE PLAN LAND USE/ ZONING MAP AND POLICY AMENDMENTS

WHEREAS, under RCW 36.70A.130(2), Comprehensive Plan policy or map amendments may be initiated by the City or by other entities, organizations, or individuals through petitions filed with the City each year; and

WHEREAS, the City of Lakewood developed the applications to amend the Comprehensive Plan and Land Use & Development Regulations in 2025:

2025-01 Co-Living Housing Amendments for consistency with ESHB 1998

2025-02 Updates to Comprehensive Plan Capital Facilities Element, Parks Element, and Utilities Element for consistency with E2SHB 1181 (Climate Change & Resiliency)

2025-03 Updates to Lakewood Development Regulations for Middle Housing for consistency with E2SHB 1110

2025-04 Regulatory amendments for consistency with SB 5792

2025-05 Regulatory amendments regarding residential parking for consistency with SSB 6015

2025-06 Technical Updates to the Municipal Code regarding Civic Uses

2025-07 Adoption of 2025-2029 Commute Trip Reduction (CTR) Plan

2025-08 Affordable Housing in commercial buildings zoning/regulations

WHEREAS, on July 5, 2024, the Community and Economic Development Department published a Notice of Application Availability on the City's website and in the City Manager's Bulletin; and

WHEREAS, On September 18, and October 2, 2024, the Lakewood Planning Commission held two public hearings on the proposed 2025 Comprehensive Plan Zoning Map and Text Amendment docket; and

WHEREAS, amendment proposals placed on the docket will undergo further public, agency, and environmental review, consideration by the Planning Commission, and final consideration by the Lakewood City Council; in addition, placing a proposal on the docket does not guarantee or imply its ultimate approval.

NOW, THEREFORE BE IT RESOLVED by the Lakewood Planning Commission:

The Planning Commission finds that each of the following applications summarized below and more fully described in **EXHIBIT A** sufficiently meet the docketing criteria per LMC 18A.30.030 and are hereby recommended to the City Council for inclusion in

the 2023 Lakewood Comprehensive Plan and Land Use & Development Code docket.

- 2025-01 Co-Living Housing Amendments for consistency with ESHB 1998**
- 2025-02 Updates to Comprehensive Plan Capital Facilities Element, Parks Element, and Utilities Element for consistency with 2024 E2SHB 1181 (Climate Change & Resiliency)**
- 2025-03 Updates to Lakewood Development Regulations for Middle Housing for consistency with 2023 E2SHB 1110**
- 2025-04 Regulatory amendments for consistency with 2024 SB 5792**
- 2025-05 Regulatory amendments regarding residential parking for consistency with SSB 6015**
- 2025-06 Technical Updates to the Municipal Code regarding Civic Uses**
- 2025-07 Adoption of 2025-2029 Commute Trip Reduction (CTR) Plan**
- 2025-08 Affordable Housing in commercial buildings zoning/regulations**
- 2025-09 Consideration of expansion of Station District Subarea Boundaries**
- 2025-10 Consideration of drafting a new subarea plan for the “District/Area North of Steilacoom Blvd and West of South Tacoma Way”**
- 2025-11 Redesignating/rezoning Parcel 0319061001 from Air Corridor (AC) / Air Corridor 1 (AC1) to Industrial (I) / Industrial 1 (I1)**

PASSED AND ADOPTED at a regular meeting of the City of Lakewood Planning Commission this 2nd day of October, 2024, by the following vote:

AYES: 6

BOARDMEMBERS: Robert Estrada, Phillip Combs, Linn Larsen, Ellen Talbo, and Philip Lindholm

ABSTENTIONS: 0

BOARDMEMBERS:

NOES: 0

BOARDMEMBERS:

ABSENT: 1

BOARDMEMBERS: Sharon Wallace

Robert Estrada

Robert Estrada (Oct 8, 2024 10:37 PDT)

ROBERT ESTRADA, CHAIR

ATTEST:

Karen Devereaux

Karen Devereaux (Oct 8, 2024 10:18 PDT)

KAREN DEVEREAUX, SECRETARY

EXHIBIT A

2025-01 Co-Living Housing Amendments for consistency with ESHB 1998

This amendment would include edits to the Comprehensive Plan and development regulations per [2024 ESHB 1998](#), “Concerning co-living housing”, which requires Lakewood to allow co-living housing on any lot located within an urban growth area that allows at least six multifamily residential units. The bill prohibits imposing certain regulations on co-living housing. In summary:

By December 31, 2025, Lakewood must adopt development regulations allowing co-living housing on any lot that allows at least six (6) multifamily residential units, including on a lot zoned for mixed use development. In addition, a city may not require co-living housing to:

- contain room dimensional standards larger than that required by the State Building Code, including dwelling unit size, sleeping unit size, room area, and habitable space;
- provide a mix of unit sizes or number of bedrooms; or
- include other uses.

Lakewood may not require co-living housing to provide off-street parking within 0.5 miles walking distance of a major transit stop or provide more than 0.25 off-street parking spaces per sleeping unit, unless:

- the city submits to the Department of Commerce (Commerce) an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and Commerce finds and certifies, that the application of the off-street parking limitations for co-living housing will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than if the jurisdiction's parking requirements were applied to the same location.

Lakewood may not:

- require any standards for co-living housing that are more restrictive than those required for other types of multifamily residential uses in the same zone;
- exclude co-living housing from participating in affordable housing incentive programs;
- treat a sleeping unit in co-living housing as more than 0.25 of a dwelling unit for purposes of calculating dwelling unit density; and
- treat a sleeping unit in co-living housing as more than 0.5 of a dwelling unit for purposes of calculating fees for sewer connections, unless the city or county makes a finding, based on facts, that the sewer connection fees should exceed the one-half threshold.

Lakewood may only require a review, notice, or public meeting for co-living housing that is required for other types of residential uses in the same location, unless otherwise required by state law.

Any action taken by Lakewood to implement co-living housing requirements is not subject to a legal challenge under the GMA or the State Environmental Policy Act (SEPA).

2025-02 Updates to Comprehensive Plan Capital Facilities Element, Parks Element, and Utilities Element for consistency with 2024 E2SHB 1181 (Climate Change & Resiliency)

This amendment would include edits to the Comprehensive Plan as required under [2024 E2SHB 1181](#), “Improving the state's response to climate change by updating the state's planning framework.” E2SHB 1181 lays out significant updates required to local Comprehensive Plans and development regulations between 2025 and 2029; this amendment includes those edits that must be adopted by June 30, 2025, including:

- Update the Capital Facilities Element inventory of existing capital facilities owned by public entities to include green infrastructure;
- Update the Parks & Recreation Element to include a tree canopy evaluation; and
- Update the Utilities Element to include the general location, proposed location, and capacity of all existing and proposed utilities, including electrical, telecommunications, and natural gas systems.

2025-03 Updates to Lakewood Development Regulations for Middle Housing for consistency with 2023 E2SHB 1110

As part of the 2024 Periodic Review, Lakewood adopted significant changes to its zoning and development regulations to allow for middle housing and accessory dwelling units in its historically single-family areas.

This amendment would include any edits to development regulations to ensure full compliance with [2023 E2SHB 1110](#), “Increasing middle housing in areas traditionally dedicated to single-family detached housing.” Relevant E2SHB 1110 excerpts follow:

Lakewood must include specific provisions related to middle housing in their development regulations. The City:

- may only apply administrative design review for middle housing;
- may not require standards for middle housing that are more restrictive than those required for detached single-family residences;
- must apply to middle housing the same development permit and environmental review processes that apply to detached single-family residences, unless otherwise required by state law;

is not required to achieve the per-unit density on lots after subdivision below 1,000 square feet unless the city chooses to enact smaller allowable lot sizes;

- must also allow zero lot line short subdivisions where the number of lots created is equal to the unit density required;
- may not require off-street parking as a condition of permitting development of middle housing within 0.5 miles walking distance of a major transit stop;
- may not require more than one off-street parking space per unit as a condition of permitting development of middle housing on lots smaller than 6,000 square feet before any zero lot line subdivisions or lot splits; and
- may not require more than two off-street parking spaces per unit as a condition of permitting development of middle housing on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.

A SEPA categorical exemption is established for development regulations that remove parking requirements for infill development.

Lakewood may not approve a building permit if other federal, state, and local requirements for a building permit are not met, including adequate water supply requirements. If an area zoned for residential use is currently served only by private wells, group B water systems, or group A water systems with less than 50 connections, or if a city or water providers within the city do not have an adequate water supply or available connections to serve the zoning increase, the city may limit the areas subject to the density requirements to match current water availability.

Development may be limited to two units per lot in an area served only by on-site sewage systems until either the landowner or local government provides sewer service or demonstrates a sewer system will serve the development at the time of construction.

Lakewood is not required to update its capital facilities plan element to accommodate the increased housing until its first comprehensive plan update required on or after June 30, 2034, unless Commerce grants a timeline extension.

This amendment would also ensure consistency with [2024 EHSB 2321](#) that updated requirements in [2023 E2SHB 1110](#). [EHSB 2321](#) is summarized below:

The minimum density requirements for residential lots within 0.25 miles walking distance of a major transit stop must be applied to any bus rapid transit stop under construction.

The exemption from minimum density requirements for lots with critical areas or their buffers is limited to that portion of a lot, parcel, or tract with a critical area or buffer except for critical aquifer recharge areas where a single-

family detached house is an allowed use provided that any requirements to maintain aquifer recharge are met. Until June 30, 2026, any additional residential capacity required by lots, parcels, or tracts with critical areas or critical area buffers may not be considered an inconsistency with countywide planning policies, multicounty planning policies, or growth targets.

Lots created through the splitting of a single residential lot and areas designated as sole source aquifers by the United States Environmental Protection Agency on islands in the Puget Sound are exempt from the middle housing and minimum density requirements.

A city with at least 25,000 population that is subject to minimum residential density requirements must allow at least six of the nine types of middle housing. The four-unit limit in the definition of courtyard apartments is removed.

A city may not require more than one off-street parking space per unit for middle housing constructed on lots that are exactly 6,000 square feet before any zero lot line subdivisions or lot splits.

In applying objective development regulations to middle housing, fully planning cities may apply regulations related to set-back, lot coverage, stormwater, clearing, and tree canopy and retention requirements, and language related to compliance with existing ordinances intended to protect critical areas and public health and safety is removed.

2025-04 Regulatory amendments for consistency with 2024 SB 5792

This amendment would result in consistency with [2024 SB 5792](#), “Concerning the definition of multiunit residential buildings.” Buildings with 12 or fewer units that are no more than three stories are excluded from the definition of multiunit residential building if one story is utilized for above or below ground parking, or retail space.

2025-05 Regulatory amendments regarding residential parking for consistency with SSB 6015

This amendment would ensure consistency with [2024 SSB 6015](#), “Concerning residential parking configurations.” In summary:

- Garages and carports may not be required as a way to meet minimum parking requirements for residential development;
- parking spaces that count towards minimum parking requirements may be enclosed or unenclosed;
- parking spaces in tandem count towards meeting minimum parking requirements at a rate of one space for every 20 linear feet, with any necessary provisions for turning radius;

- the existence of non-conforming gravel surfacing in existing designated parking areas may not be a reason for prohibiting the use of existing space in the parking area to meet local parking standards;
- parking spaces may not be required to exceed 8 feet by 20 feet, except for required parking for people with disabilities; and
- parking spaces that consist of grass block pavers may count towards minimum parking regulations.

Existing parking spaces that do not conform to these requirements are not required to be modified or resized, except for compliance with the Americans with Disabilities Act. Existing paved parking lots are not required to change the size of existing parking paces during resurfacing if doing so will be more costly or require significant reconfiguration of the parking space locations.

Lakewood may not require off-street parking as a condition of permitting a residential project if compliance with tree retention would otherwise make a proposed residential development or redevelopment infeasible.

2025-06 Technical Updates to the Municipal Code regarding Civic Uses

This amendment would correct unintentional text omissions in portions of the municipal code that occurred during the 2019 rewrite of Lakewood Municipal Code (LMC) Title 18A regarding where Civic Uses are allowed.

2025-07 Adoption of 2025-2029 Commute Trip Reduction (CTR) Plan

Lakewood must submit its draft Commute Trip Reduction (CTR) plan to the WA State Transportation Demand Management (TDM) Technical Committee for review and approval no later than December 2024 and adopt its plan no later than June 2025. The CTR Law mandates four major actions to accomplish the program’s purposes:

- Jurisdictions in affected areas must develop and implement a CTR ordinance and a CTR plan and engage major employers to provide CTR programs.
- WSDOT must create and implement a statewide CTR plan.
- Regional planning organizations must create and implement a CTR plan.
- The state must provide support and leadership.

The CTR Program is codified in the Washington Clean Air Act, RCW Chapter 70A.15. Rules for the program are codified in WAC 468-63.

2025-08 Affordable Housing in commercial buildings zoning/regulations

[E2SSB 6175](#) allows cities to establish by resolution a retail sales and use tax deferral program for the conversion of commercial buildings to provide affordable housing, under certain conditions. To receive a deferral under the new law:

- The project must be set aside primarily for multifamily housing units with at least 10% affordable to low-income households;

- The legislative authority must find that there are significant areas of underutilized commercial property and a lack of affordable housing in areas proximate to the land; and
- The applicant must commit to any additional affordability and income eligibility conditions adopted by the local government.

If a project maintains those qualifications for at least 10 years, the sales and use taxes don't need to be repaid.

This amendment would update the City's Comprehensive Plan and development regulations if the City Council approved a resolution per E2SSB 6175.

2025-09 Consideration of expansion of Station District Subarea Boundaries

The Lakewood Comprehensive Plan includes a policy supporting the creation of new subarea plans:

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

In 2023, the Planning Commission held preliminary discussions regarding expanding the Station District Subarea boundaries to include Springbrook. If included in the 25CPA docket list by the City Council, this amendment would direct the Planning & Public Works (PPW) Department to begin work on updating the Station District Subarea Plan and boundaries. The City Council would also need to identify funding for the subarea plan update process.

2025-10 Consideration of drafting a new subarea plan for the “District/Area North of Steilacoom Blvd and West of South Tacoma Way”

The Lakewood Comprehensive Plan includes a policy supporting a focus on the International District on South Tacoma Way:

Urban Design Strategy UD-B: Develop an individual identity for the International District through branding, visitor engagement, and city-sponsored events.

In 2023, the Planning Commission held preliminary discussions regarding the creation of a new subarea plan for part of the International District as described below. If included in the 25CPA docket list by the City Council, implementing this amendment would mean the City Council must identify funding and direct the Planning & Public Works (PPW) Department to begin work on a new subarea plan to:

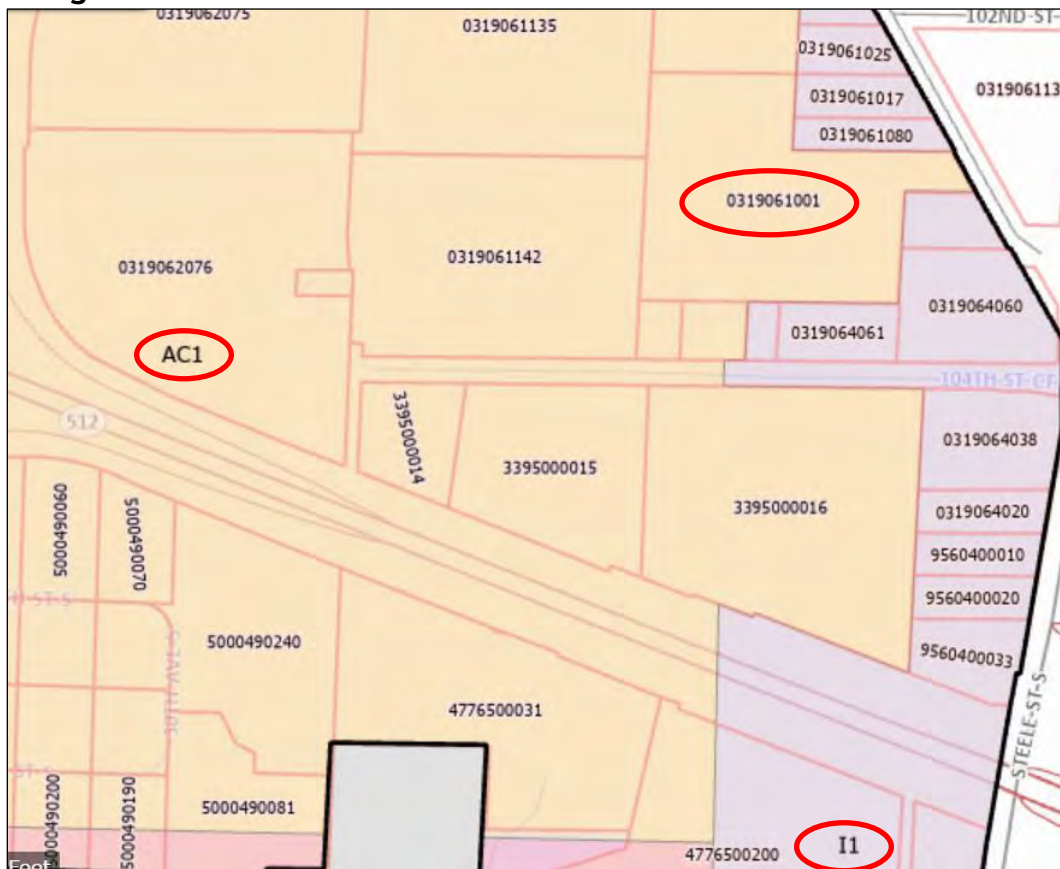
“Develop a unified land use identity and function for the District/Area North of Steilacoom Blvd and West of South Tacoma Way” as a subarea plan.

2025-11 Redesignating/rezoning Parcel 0319061001 from Air Corridor (AC) / Air Corridor 1 (AC1) to Industrial (I) / Industrial 1 (I1)

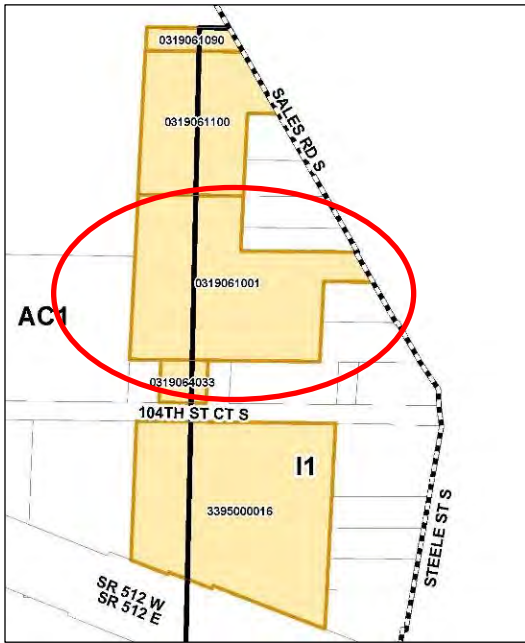
In 2019, to be consistent with the December 2015 Air Installations Compatible Use Zones (AICUZ) Program Air Force Instruction (AFI) 32-7063, Lakewood redesignated/rezoned parcel 0319061001 to Air Corridor (AC)/Air Corridor 1 (AC1) to eliminate its split AC1/I1 zoning. Maps demonstrating the change are included below.

During the September 18, 2024 Planning Commission public hearing, Pierce County Recycling, Composting and Disposal, LLC, d/b/a LRI (“LRI”) requested that the Planning Commission add a proposed Zoning Map amendment that would redesignate/rezone the entirety of parcel 0319061001 to Industrial (I)/Industrial 1 (I1).

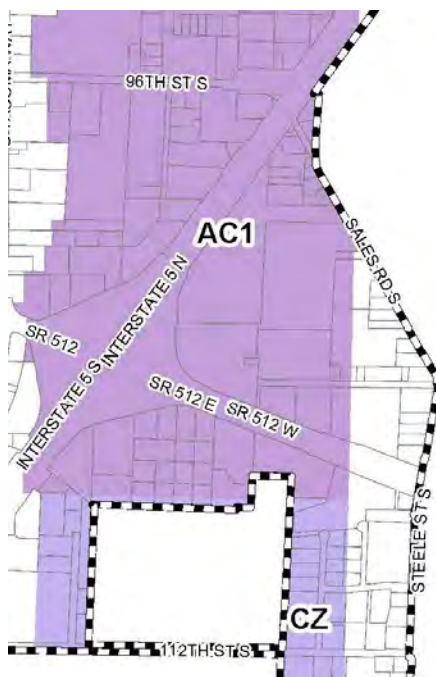
2024 Zoning of Parcel 0319061001:



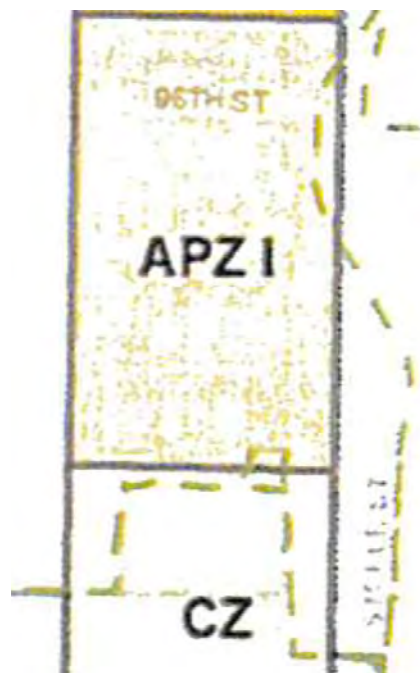
Special Note on Air Corridor 1 and 2 zone boundaries: The Lakewood Air Corridor 1 and 2 boundaries follow property lines, while the AICUZ CZ, APZ I and APZ II are based on imaginary surface areas. The CZ is 3,000 feet by 3,000 feet, measured along the extended runway centerline beginning at the end of the runway; APZ I is 3,000 feet wide by 5,000 feet long; APZ II is 3,000 feet wide by 7,000 feet long.



Lakewood's Air Corridor 1 (AC1) zone comprises the Clear Zone (CZ) and the Accident Potential Zone Designation I (APZ I) as identified through the 2015 McChord Air Field Air Installation Compatible Use Zone (AICUZ) Study. The CZ is a 3,000 by 3,000 foot zone at the end of the runway where there is the highest statistical possibility of aircraft accidents. Any existing or future development in the CZ is of concern. US Air Force analysis indicates that 28% of all air accidents occur within the CZs. The APZ I designation has somewhat lower accident potential than the CZ, but it is high enough that most types of development in this zone are discouraged, including residential uses.



2019 Zoning Map



2015 McChord Field AICUZ Map

ATTACHMENT B



Regional Centers Monitoring and Redesignation | Scope of Work

January 2024

Purpose

The [Regional Centers Framework](#) (2018) established criteria and planning expectations to ensure regional centers are developing as thriving and connected communities with sufficient market potential to accommodate new jobs and residents. At the time, several existing centers did not meet all adopted requirements.

The redesignation process will evaluate individual regional centers to determine how they meet criteria, planning the jurisdiction has completed, and redesignate as appropriate.

The monitoring process will evaluate how the region's system of centers is meeting regional objectives and determine whether updates to the framework may be needed.

Outcomes

Evaluate the success of the system of centers:

- Is the region achieving desired outcomes from the system?
- Does the region have the right number of centers?
- Are any changes needed to the Regional Centers Framework or in future updates to VISION 2050 to better achieve the desired outcomes for centers?

Consider designation applications for new regional centers:

- Should any new regional centers be designated?

Confirm designation of existing centers with a clear redesignation process:

- Are individual centers meeting the criteria?
- How should the board address centers that don't meet criteria or have limited market potential?

Process and Timeline

Scoping

Products & Process:

- GMPB and PSRC committees provide initial direction on project scoping (Q3-Q4 2023)
- GMPB and Executive Board review final scope of work (Q1 2024)

System Monitoring

Products & Process:

- PSRC staff collect and analyze data based on existing data sources and local centers planning (Q1-Q3 2024)
- PSRC staff develops an initial system report evaluating how the regional system of centers is achieving desired outcomes (Q4 2024)
- PSRC staff updates system report to reflect comprehensive plan updates, growth targets, and revised capacity (Q1-Q3 2026)
- GMPB provides recommendations to the Executive Board on future updates to the Regional Centers Framework (e.g. density criteria, types of centers) (Q4 2026)

Key Questions:

- Is the region achieving desired outcomes from the system of centers?
 - Data categories include growth, mobility, housing, environment, social equity and opportunity, economic development, public health, and urban form
- Does the region have the right number of centers?
- Are any changes needed to the Regional Centers Framework or in future updates to VISION 2050 to better achieve the desired outcomes for centers?

New Center Application & Designation

Products & Process:

- PSRC staff issue call for applications and conduct outreach for new candidate centers (Q2-Q3 2025)
- Interested jurisdictions submit completed center applications (Q2-Q3 2025)

- PSRC staff review applications and provide recommendations to GMPB and Executive Board for designation (Q3-Q4 2025)
- GMPB makes recommendations and Executive Board takes action on any center designations (Q4 2025)

Key Questions

- Should any new regional centers be designated?

Criteria Reports for Individual Centers & Center Redesignation

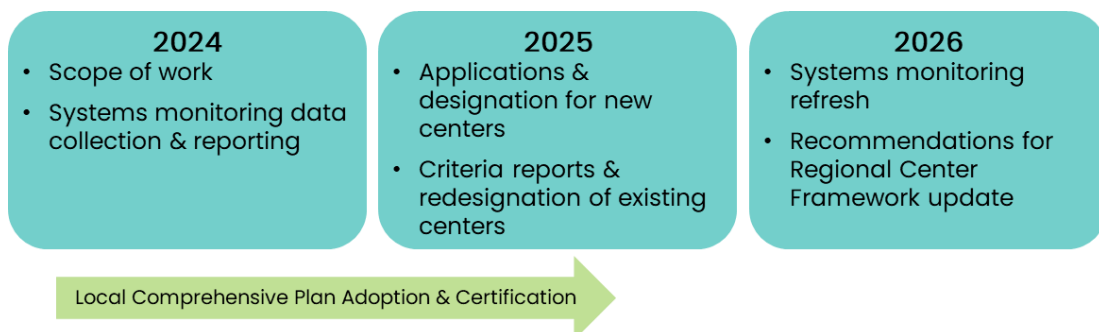
Products & Process:

- PSRC staff develop draft criteria reports for individual centers on alignment with Regional Centers Framework requirements (Q1-Q3 2025)
- Jurisdictional staff review draft criteria reports and provide any additional context to support board review
- GMPB evaluates existing centers for redesignation and makes recommendations to Executive Board (Q4 2025)
- Executive Board takes action on centers redesignation (Q4 2025)
 - General Assembly action to update VISION 2050 may be required if changes impact regional geographies

Key Questions:

- Are individual centers meeting the criteria?
- How should the board address centers that don't meet criteria or have limited market potential?

Timeline



For more information, please contact Maggie Moore, Senior Planner, at MMoore@psrc.org

2025 Comprehensive Plan Amendment Docket List

10/28/24 City Council

Tiffany Speir, Planning Division Manager
Planning & Public Works Department



Overview of 2025 Comprehensive Plan Amendment Docket List

The schedule for City Council action on the 25CPA docket is slightly accelerated to accommodate the required action on several of the amendments by June 30, 2025.

The Planning Commission held public hearings on September 18 and October 2, the adopted Resolution 2024-07.

The City Council is reviewing the 11 proposed amendments recommended by the Planning Commission and a 12th proposed amendment (2025-12) that is recommended the City.

The City recommends 9 of the 11 amendments (2025-01 through 2025-08 and 2025-11) recommended by the Planning Commission. The City does not recommend proposed docket amendments 2025-09 or 2025-10.

Planning Commission-Recommended 25CPAs

- 2025-01** Co-Living Housing Amendments for consistency with ESHB 1998
- 2025-02** Updates to Comprehensive Plan Capital Facilities Element, Parks Element, and Utilities Element for consistency with E2SHB 1181 (Climate Change & Resiliency)
- 2025-03** Updates to Lakewood Development Regulations for Middle Housing for consistency with E2SHB 1110
- 2025-04** Regulatory amendments for consistency with SB 5792, definition of multiunit residential buildings
- 2025-05** Regulatory amendments regarding residential parking for consistency with SSB 6015
- 2025-06** Technical Updates to the Municipal Code regarding Civic Uses
- 2025-07** Adoption of 2025-2029 Commute Trip Reduction (CTR) Plan
- 2025-08** Affordable Housing in commercial buildings zoning/regulations
- 2025-09** Consideration of expansion of Station District Subarea Boundaries
- 2025-10** Consideration of drafting a new subarea plan for the “District/Area North of Steilacoom Blvd and West of South Tacoma Way”
- 2025-11** Request for parcel 0319061001 to be redesignated/ rezoned from Air Corridor (AC) / Air Corridor 1 (AC1) to Industrial (I) / Industrial 1 (I1).

2025-01 Co-Living Housing Amendments for consistency with ESHB 1998

This amendment would edit to the Comprehensive Plan and development regulations per [2024 ESHB 1998](#), “Concerning co-living housing”, which requires Lakewood to allow co-living housing on any lot located within an urban growth area that allows at least six (6) multifamily residential units. The bill prohibits imposing certain regulations on co-living housing

ESHB 1198 adds a new section to RCW 36.70A

2025-02 Updates to Comprehensive Plan Capital Facilities Element, Parks Element, and Utilities Element for consistency with 2024 E2SHB 1181 (Climate Change & Resiliency)

This amendment would include edits to the Comprehensive Plan as required under [2024 E2SHB 1181](#), “Improving the state's response to climate change by updating the state's planning framework.” E2SHB 1181 lays out significant updates required to local Comprehensive Plans and development regulations between 2025 and 2029; this amendment includes those edits to the Comprehensive Plan that must be adopted by June 30, 2025, including:

- Update the Capital Facilities Element inventory of existing capital facilities owned by public entities to include green infrastructure;
- Update the Parks & Recreation Element to include a tree canopy evaluation; and
- Update the Utilities Element to include the general location, proposed location, and capacity of all existing and proposed utilities, including electrical, telecommunications, and natural gas systems.

E2SHB 1181 amends RCW 36.70a.020, .030, .070, .130, .190, .280, .320, and .480; RCW 43.20; RCW 43.21C; RCW 47.80; RCW 70A.45; RCW 70A.125.180; RCW 86.12.200; and RCW 90.58

2025-03 Updates to Lakewood Development Regulations for Middle Housing for consistency with 2023 E2SHB 1110

As part of the 2024 Periodic Review, Lakewood adopted significant changes to its zoning and development regulations to allow for middle housing and accessory dwelling units in its historically single-family areas.

Amendment 2025-03 would include any additional edits to development regulations to ensure full compliance with [2023 E2SHB 1110](#), “Increasing middle housing in areas traditionally dedicated to single-family detached housing.”

This amendment would also ensure consistency with [2024 EHSB 2321](#) that updated requirements in [2023 E2SHB 1110](#). EHSB 2321 amends RCW 36.70A.030 and .635

E2SHB 1110 amends RCW 36.70A.030, .280; RCW 43.21C.450, .495; RCW 64.32; RCW 64.34; RCW 64.38; and RCW 64.90

2025-04 Regulatory amendments for consistency with 2024 SB 5792

2025-04 would amend development regulations as needed for consistency with [2024 SB 5792](#), “Concerning the definition of multiunit residential buildings”:

- Buildings with 12 or fewer units that are no more than three stories are excluded from the definition of multiunit residential building if one story is utilized for above or below ground parking, or retail space.

SB 5792 amends RCW 64.55.010

2025-05 Regulatory amendments regarding residential parking for consistency with SSB 6015

This amendment would ensure consistency with [2024 SSB 6015](#), “Concerning residential parking configurations.”

Existing parking spaces that do not conform to these requirements are not required to be modified or resized, except for compliance with the Americans with Disabilities Act. Existing paved parking lots are not required to change the size of existing parking spaces during resurfacing if doing so will be more costly or require significant reconfiguration of the parking space locations.

Lakewood also may not require off-street parking as a condition of permitting a residential project if compliance with tree retention would otherwise make a proposed residential development or redevelopment infeasible.

SSB 6015 adds a section to RCW 36.70A

2025-06 Technical Updates to the Municipal Code regarding Civic Uses

This amendment would correct unintentional text omissions in portions of the municipal code that occurred during the 2019 rewrite of Lakewood Municipal Code (LMC) Title 18A regarding where Civic Uses are allowed.

Precise language consistent with current state law will be developed if the City Council approves the inclusion of this amendment in the 25CPA docket.

2025-07 Adoption of 2025-2029 Commute Trip Reduction (CTR) Plan

Lakewood must approve its 2025-2029 Commute Trip Reduction (CTR) Plan no later than June 30, 2025. The CTR state law mandates four major actions to accomplish the program's purposes:

- Lakewood must develop and implement a CTR ordinance and a CTR plan and engage major employers to provide CTR programs.
- WSDOT must create and implement a statewide CTR plan.
- Regional planning organizations must create and implement a CTR plan.
- The state must provide support and leadership.

The CTR Program is codified in the Washington Clean Air Act, RCW Chapter 70A.15. Rules for the program are codified in WAC Chapter 468-63.

2025-08 Affordable Housing in commercial buildings zoning/regulations

[E2SSB 6175](#) allows cities to establish by resolution a retail sales and use tax deferral program for the conversion of commercial buildings to provide affordable housing, under certain conditions. To receive a deferral under the new law:

- The project must be set aside primarily for multifamily housing units with at least 10% affordable to low-income households;
- The legislative authority must find that there are significant areas of underutilized commercial property and a lack of affordable housing in areas proximate to the land; and
- The applicant must commit to any additional affordability and income eligibility conditions adopted by the local government.

If a project maintains those qualifications for at least 10 years, the sales and use taxes don't need to be repaid.

This amendment would update the City's Comprehensive Plan and development regulations if the City Council approved a resolution per E2SSB 6175.

2025-09 Consideration of expansion of Station District Subarea Boundaries

The Lakewood Comprehensive Plan includes a policy supporting the creation of new subarea plans:

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

In 2023, the Planning Commission held preliminary discussions regarding expanding the Station District Subarea boundaries to include Springbrook. If included in the 25CPA docket list by the City Council, this amendment would direct the Planning & Public Works (PPW) Department to begin work on updating the Station District Subarea Plan and boundaries. The City Council would also need to identify funding for the subarea plan update process.

2025-10 Consideration of drafting a new subarea plan for the “District/Area North of Steilacoom Blvd and West of South Tacoma Way”

The Lakewood Comprehensive Plan includes a policy supporting a focus on the International District on South Tacoma Way:

Urban Design Strategy UD-B: Develop an individual identity for the International District through branding, visitor engagement, and city-sponsored events.

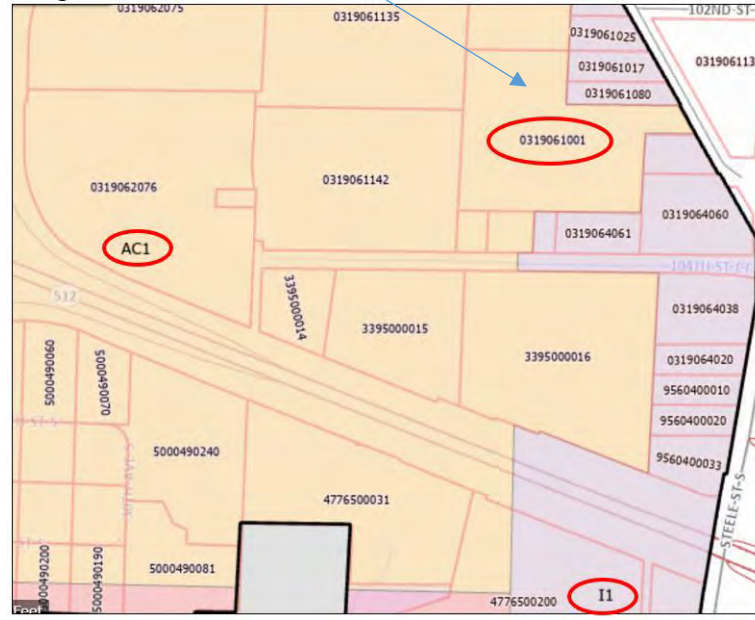
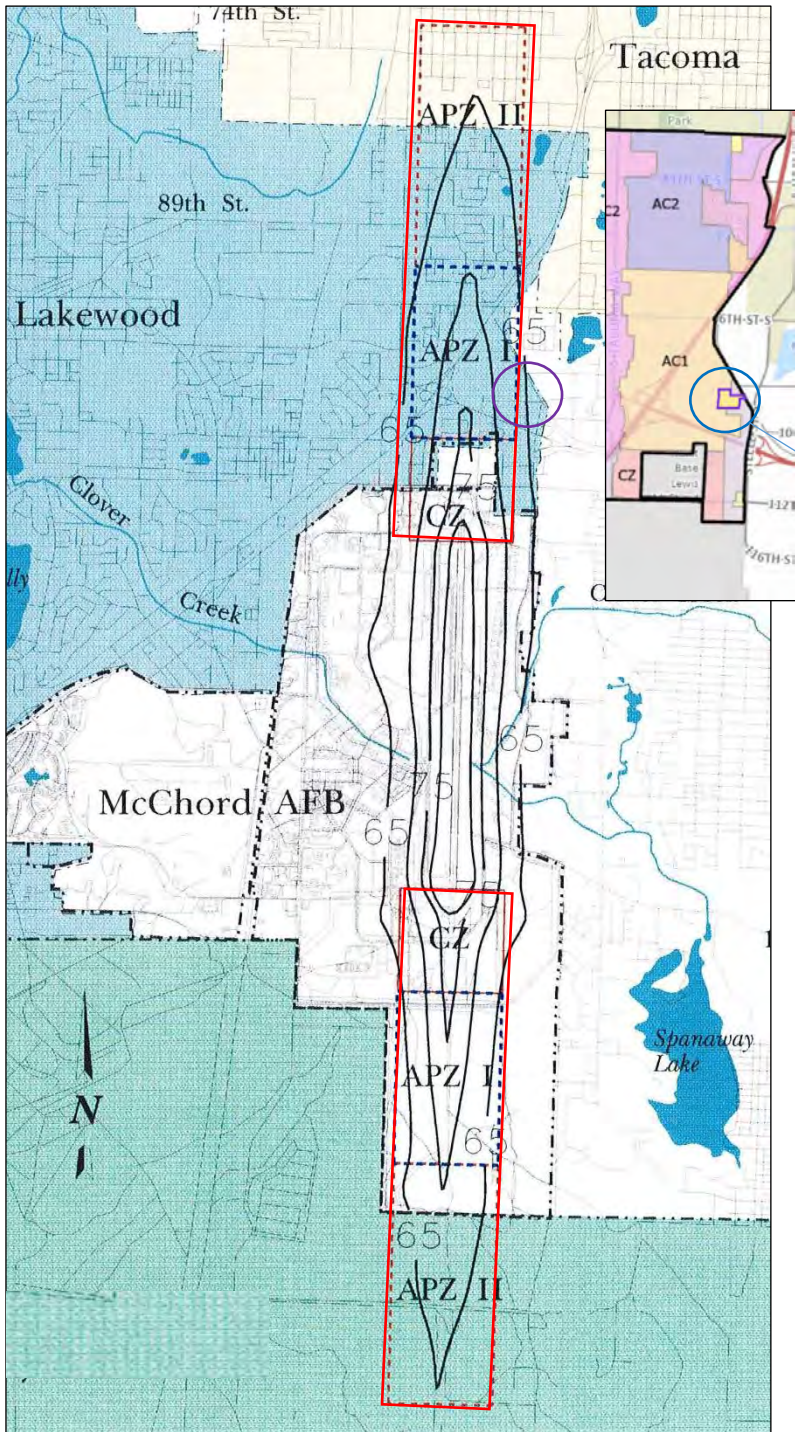
In 2023, the Planning Commission held preliminary discussions regarding the creation of a new subarea plan for part of the International District as described below. If included in the 25CPA docket list by the City Council, implementing this amendment would mean the City Council must identify funding and direct the Planning & Public Works (PPW) Department to begin work on a new subarea plan to:

“Develop a unified land use identity and function for the District/Area North of Steilacoom Blvd and West of South Tacoma Way” as a subarea plan.

2025-11 Request for parcel 0319061001 to be redesignated/rezoned from Air Corridor (AC) / Air Corridor 1 (AC1) to Industrial (I) / Industrial 1 (I1).

This potential amendment is a privately-initiated request submitted during the September 18 Planning Commission public hearing by Josh Friedmann, attorney for Waste Connections/LRI.

In 2019, to be consistent with the December 2015 Air Installations Compatible Use Zones (AICUZ) Program Air Force Instruction (AFI) 32-7063, Lakewood redesignated/rezoned parcel 0319061001 to Air Corridor (AC)/Air Corridor 1 (AC1) to eliminate its split AC1/I1 zoning.



City-Recommended Amendment 2025-12

To prepare for the PSRC 2025 review of the Lakewood Regional Growth Center (RGC) that has the same geographic boundaries, growth targets, and regulatory controls as the Downtown Subarea, the City recommends adding the following amendment to the 25CPA docket list:

2025-12 Review, and if needed, amend, the Lakewood Regional Growth Center (RGC) and Downtown Subarea Plan, Regulations, and Planned Action for consistency with PSRC’s Regional Centers Framework Requirements

The following items would be part of recommended 25CPA amendment 2025-12; additional items may be added based on PSRC requirements.

1. Update boundary of Lakewood RGC to match the Downtown Subarea boundary as approved in Ordinance 812;
2. Review growth targets (i.e., housing and job activity units in the RGC) for consistency with the Regional Centers Framework and the July 2024 PSRC communication to Lakewood regarding the 2024 Comprehensive Plan Periodic Review;
3. Review allowed land uses and development regulations for consistency with PSRC Regional Centers Criteria;
4. Conduct market study to evaluate the potential for and opportunities to best support center growth.

25CPA Legislative Process Schedule

The schedule for the 25CPA legislative process (subject to change) is as follows:

- November 4: City Council public hearing on 25CPA docket
- November 18: City Council takes action on 25CPA docket resolution;
- Winter 2024/Spring 2025: City substantive review of the proposed 25CPAs and preparation of recommendations for each amendment;
- Spring 2025: Planning Commission substantive review and public hearing on proposed 25CPA amendments;
- June 30, 2025: Deadline for City Council action on the 25CPAs.



TO: Mayor and City Council
FROM: Tiffany Speir, Planning Division Manager
THROUGH: John J. Caulfield, City Manager *John J. Caulfield*
Jeff Rimack, PPW Director
DATE: October 28, 2024
SUBJECT: 2024 Annual Development Regulation (24ADR) Amendments
revising 1) Notifications to the Pierce County Assessor-Treasurer; 2)
Camping & Recreation Vehicle Parks; and 3) Manufactured/Mobile
Home Parks
ATTACHMENT: Planning Commission Resolution 2024-08 (**Attachment A**)

DISCUSSION

On October 2, 2024, the Planning Commission approved Resolution 2024-08 (**Attachment A**) that include the 2024 Annual Development Regulation Amendments (24ADRs.) The City has added an additional regulation amendment described below.

There are three issues addressed in the proposed amendments:

- 1) revising Lakewood Municipal Code 18A.30.100 updating the deadline for providing annual information to the County Assessor-Treasurer;
- 2) revising LMC 18A.40.090 to reinsert regulations governing camping and recreational vehicle parks; and
- 3) revising LMC 18A.40.110 to reinsert regulations concerning development standards and operation and maintenance of manufactured home parks (including "Use of Recreational Vehicles as a Primary Residence".)

In the draft language below, colorizing certain text red is only to highlight the text for readability.

REVISING LAKEWOOD MUNICIPAL CODE 18A.30.100 UPDATING THE DEADLINE FOR PROVIDING ANNUAL INFORMATION TO THE COUNTY ASSESSOR-TREASURER

18A.30.100 Notice to County Assessor of changes in comprehensive plan and development regulations.

The Director shall provide to the Assessor of Pierce County by July 31st of each year a copy of the City's comprehensive plan and development regulations in effect on July 1st of that year.

No later than October 31st of each year, the Director shall notify the Pierce County Assessor-Treasurer of the City's Comprehensive Plan and development regulations in effect following adoption of that year's annual review and updates.

REVISING LMC 18A.40.090 TO REINSERT REGULATIONS GOVERNING CAMPING AND RECREATIONAL VEHICLE PARKS

18A.40.090 Lodging.

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

Lodging	Zoning Classifications																							
	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI	OSR1	OSR2	
Bed and breakfast guest houses (B)(1)*	C	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Camping and recreational vehicle parks (B)(3)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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**

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

2. **Short Term Vacation Rentals**

- a. The property owner is required to obtain a City business license.

b. As a condition of the business license, the property owner shall provide a notification letter describing the short term rental operations, in addition to the means by which to contact the property owner.

c. The short term rental shall be inspected by the City and Fire District to ensure the facility meets all applicable building and fire code requirements. Any deficiencies shall be corrected prior to the structure being made available for rental.

3. Camping and Recreational Vehicle Parks

The purpose of this section is to provide the regulations for the development and operation of camping and recreational vehicle (RV) parks, which may also be referred to as RV parks, and to assure that each park provides safe and sanitary accommodations for its users and their RVs while located temporarily in the park. This section also assures that the utility conveniences and facilities provided for tourists are adequate for the period of their stay in the park, and that the park does not permit the use of any of its accommodations for manufactured homes or RVs that are used for permanent occupancy.

a. Duration of Occupancy – Camping and Recreational Parks

No recreational vehicle or tent shall remain in a RV park for more than thirty (30) days in any ninety (90) day period. No habitable vehicle which is not a recreational vehicle shall be allowed in the park for any period with the exception of one (1) manufactured home for the exclusive use of the park manager and/or caretaker.

b. Development Standards - Camping and Recreational Vehicle Parks

The following criteria shall govern the design, development, and operation of a camping and RV park facility.

A. Park Dimensions.

1. Size. Minimum total acreage shall not be less than three (3) acres.

2. Density. The maximum number of RV spaces per gross acre shall not exceed sixteen (16) spaces per gross acre. The maximum number of tent camping spaces shall not exceed four (4) spaces per gross acre. The total number of spaces, including both RV and tent camping spaces, shall not exceed twenty (20) spaces per gross acre.

3. RV Spaces.

a. The minimum area for any RV space shall not be less than two thousand four hundred (2,400) square feet.

b. The minimum dimensions for any RV space shall be forty (40) feet wide and fifty (50) feet in length.

c. The RV parking pads shall be a minimum twenty (20) feet wide and forty (40) feet in length, paved with asphalt, concrete or similar material, and sloped to allow run-off of stormwater. The remainder of the space, which is not occupied by the RV parking pad, shall be

landscaped.

4. Each tent camping space shall be a minimum twenty-five (25) feet in width and forty (40) feet in length. The minimum dimensions within a tent camping spaces shall include:
 - i.. A parking area of twelve (12) feet in width and twenty (20) feet in length, paved with asphalt, concrete or similar material, and sloped to allow run-off of stormwater;
 - ii. A ten (10) by ten (10) foot cooking/eating area with a picnic table and campfire pit;
 - iii. A ten (10) by fifteen (15) foot tent set up area, which shall accommodate no more than two (2) tents per tent camping space.
- c. Internal Setbacks. Within the RV park, the minimum setbacks shall be:
 1. Fifty (50) feet between recreation vehicles and a public street, arterial or highway right-of-way;
 2. Ten (10) feet between recreation vehicles and all property lines;
 3. Twenty (20) feet between recreation vehicles and other like units;
 4. Twenty-five (25) feet between recreation vehicles and public services buildings; and,
 5. Thirty (30) feet between all recreation vehicle sites and/or structures and perennial streams or lakes (high water mark) or other bodies of water.
- d. Recreation Areas. Recreation areas and facilities such as playgrounds, swimming pools and community buildings should be provided to the extent necessary to meet the anticipated needs of the clientele the RV park is designed to serve.
 1. A developed recreation area shall be provided which contains a minimum of two hundred (200) square feet per site space.
 2. A separate recreation area for young children shall be provided.
 3. Playground areas shall be protected from public streets, private streets and parking areas by fencing.
 4. Recreation areas shall be centrally located to the spaces they are to serve. At least one (1) recreation area shall have a minimum size of four thousand (4,000) square feet and be of a shape that will make it usable for its intended purpose.
- e. Landscaping.
 1. No more than sixty (60) percent of a RV space may be impervious surface.

2. No more than thirty (30) percent of a tent camping space may be impervious surface.
 3. No more than fifty (50) percent of the total RV park may be impervious surface.
 4. The remaining forty (40) percent of the RV space and the not less than sixty (60) percent of the camping space shall be landscaped predominately in grass. other landscaping may be included.
 5. Ten (10) percent of the gross area of the RV park shall be reserved for open space. This open space is in addition to areas used for lots, roads, walkways, play areas and service areas. The open space shall be landscaped pursuant to LMC 18A.70 Part II, Landscaping.
 6. A site-obscuring landscaping buffer strip shall be required around all sides of the RV park, pursuant to LMC 18A.70 Part II, Landscaping.
 7. Additional landscaping, in conformance with the standards of LMC 18A.70 Part II, Landscaping, shall be provided around:
 - A. service buildings;
 - B. commercial service buildings, such as a convenience market;
 - C. recreation areas; and
 - D. the perimeter of parking areas for sporting vehicles.
- f. Utilities and facilities.
1. Each RV space shall include complete utility hookups, including sewer connections constructed to the requirements of the City Engineer.
 2. A potable water source shall be provided in a convenient location to serve every four (4) tent camping spaces.
 3. Tent camping spaces shall be located no further than three hundred fifty (350) feet from restroom facilities.
 4. Restroom, shower, and utensil cleaning facilities shall be provided for all parks.
 5. All facilities and service structures including each RV space shall be provided with underground water and utilities.
 6. Approved public drinking fountains shall be located in playground and service building areas.
- g. Lighting.
1. Lighting shall be provided for all common walkways, restrooms, recreation areas, service buildings and service areas, and roadways.
- h. Access and Circulation.
1. Roadways with the RV park shall be paved to a minimum width of twenty (20) feet for one-way circulation and thirty-two (32) feet for two-way circulation, with no parking allowed on either side of the roadway.

2. Access for the RV park shall not be located where it will result in hazardous entrance or exit onto a road or onto a road that has a hazardous intersection with a major arterial.
 3. Ingress and egress shall be provided in such a manner as to allow access through the park tollbooth without causing traffic stoppage or unsafe traffic movement on public roads.
 4. Street grades shall not be in excess of eight (8) percent at any given point.
 5. A pedestrian walkway system shall be provided and maintained which gives safe, convenient access from individual sites to common areas, bathroom facilities, service buildings and natural amenities,
 6. Common walkways shall be located through interior areas and be kept separated from vehicular traffic.
- i. Parking.
1. The total number of parking spaces in the RV park shall be one (1) space per camping space plus two (2) for the use of the manager(s), plus one (1) per employee. All camping spaces shall provided for one (1) paved parking space within each site.
 2. Additional parking areas for boats, boat trailers, and other recreational vehicles shall be conveniently located for supervision, but these specialized parking areas shall be separated from other parking facilities in the park. One (1) additional sporting vehicle parking space shall be provided for every ten (10) camping spaces.

REVISING LMC 18A.40.110 TO REINSERT REGULATIONS CONCERNING DEVELOPMENT STANDARDS AND OPERATION AND MAINTENANCE OF MANUFACTURED HOME PARKS (INCLUDING “USE OF RECREATIONAL VEHICLES AS A PRIMARY RESIDENCE”).

Background concerning Regulation of Manufactured/Mobile Homes and Parks

When Lakewood reorganized, updated, and then readopted its Development Regulations in 2019 at LMC Title 18A, certain regulations governing manufactured home parks as well as camping and recreational vehicle parks were inadvertently removed from the City code. The 24ADR package proposes to reinsert the regulations after being updated per state law.

For reference, Lakewood’s code defines a “manufactured home park” as

an area of land, in single ownership, on which ground space is made available for the location of manufactured homes. Said manufactured homes would generally be owned by the occupants who pay a fee for the use of the ground space. The manufactured home units remain essentially portable and may be moved.

RCW 35A.21.312¹ provides authority for Lakewood to regulate manufactured home parks and some issues for manufactured home units. Lakewood may require that:

- a manufactured home be a new manufactured home;
- the manufactured home be set upon a permanent foundation, as specified by the manufacturer, and that the space from the bottom of the home to the ground be enclosed by concrete or an approved concrete product which can be either load bearing or decorative;
- the manufactured home comply with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located;
- the home is thermally equivalent to the state energy code; and
- the manufactured home otherwise meets all other requirements for a designated manufactured home as defined in RCW 35.63.160; and
- utility hookups in manufactured/mobile home communities meet state and federal building code standards for these communities and that a recreational vehicle, or a tiny house with wheels, contain both an internal toilet and an internal shower (unless the manufactured/mobile home community provides toilets and showers).

Per RCW 35.21.684, RCW 35A.21.312, and RCW 36.01.225, Lakewood may not:

- adopt an ordinance that has the effect, directly or indirectly, of discriminating against consumers' choices in the placement or use of a home in such a manner that is not equally applicable to all homes. Homes built to 42 U.S.C. Sec. 5401-5403 standards (as amended in 2000) must be regulated for the purposes of siting in the same manner as site built homes, factory built homes, or homes built to any other state construction or local design standard;
- adopt an ordinance that has the effect, directly or indirectly, of restricting the location of manufactured/mobile homes in manufactured/mobile home communities that were legally in existence before June 12, 2008, based exclusively on the age or dimensions of the manufactured/mobile home; and
- prohibit the siting of a manufactured/mobile home on an existing lot based solely on lack of compliance with existing separation and setback requirements that regulate the distance between homes.

Note re nonconforming manufactured home parks:

Lakewood's Air Corridor 1 and 2 land use zones include nine (9) non-conforming manufactured/ mobile home parks with approximately 670 spaces that do not meet the safety guidelines outlined in the the Department of Defense's 2015 JBLM Air Installation Compatibility Use Study (AICUZ) for North McChord Airfield at Joint Base Lewis McChord.

¹ "Authority to regulate placement or use of homes - Regulation of manufactured homes - Issuance of permits - Restrictions on location of manufactured/mobile homes and entry or removal of recreational vehicles used as primary residences."

According to the 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, but this is a density lower than generally considered “urban” under GMA land use planning.)

In response, Lakewood plans to transition these areas over time 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.

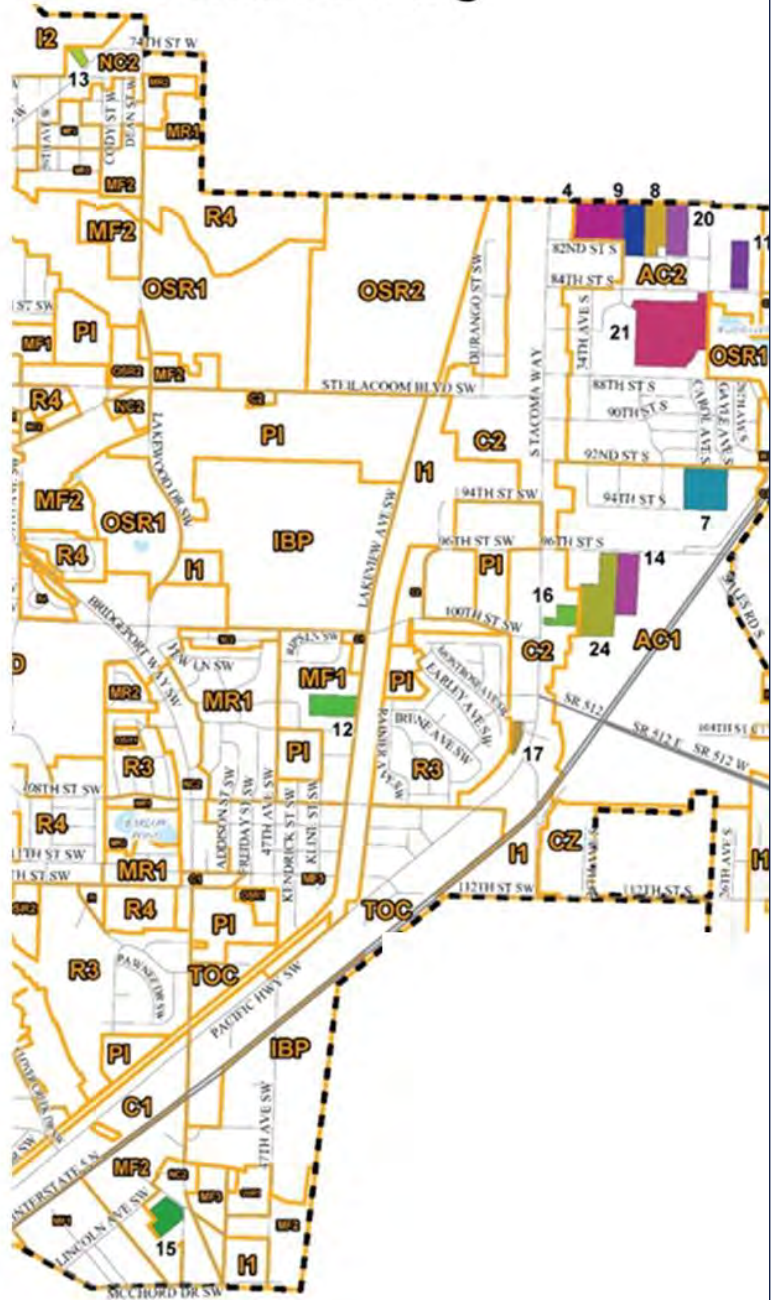
A map of current manufactured/mobile home parks is included below with data regarding the number and location of the parks and units.

City of Lakewood Mobile Home Parks & Zoning

25 Parks
- 1158 Spaces
- 1032 Units

	Spaces	Units
1, ALPINE ESTATES MHP	46	46
2, ALPINE PLACE MHP	11	11
3, BOB'S MHP	21	20
4, CANTERBURY ESTATES MHP	96	94
5, CEDRONA PARK MHP	53	52
6, F & T TRAILER COURT	12	0
7, FAIRFIELD ESTATES MHP	60	60
8, FRANCIS COURT MHP	49	49
9, GLEN MAR MHP	48	46
10, JAMESTOWN ESTATES MHP	44	33
11, KARWAN VILLAGE MHP	44	28
12, LAKEVIEW ESTATES MHP	55	52
13, MEADOW PARK TRAILER COURT	24	2
14, MOUNT TACOMA MHP	65	49
15, NORTHWEST MHP	54	52
16, NORTHWEST TRAILER PARK MHP	23	22
17, OAKNOLL TRAILER PARK	38	10
18, TERRACE TRAILERS MHP	15	15
19, TILlicum MANOR MHP	27	22
20, TWIN OAKS MHP	50	50
21, VILLAGE GREEN MHP	167	167
22, WAGONS WEST MHP	10	9
23, WASHINGTON PARK MHP	13	6
24, WINDSOR COURT MHP	112	110
25, WOODBROOK MHP	41	27
Lakewood City Limit		

Spaces Units



18A.40.110 Residential uses.

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

Residential Land Uses	Zoning Classifications																				
	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI
Accessory caretaker's unit	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	P	P	-
Accessory dwelling unit (ADU) (B)(1)*	P	P	P	P	P	P	P	P	-	-	-	-	P	-	-	-	-	-	-	-	-
Babysitting care	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-
Boarding house (B)(2)	C	C	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Cottage housing (B)(3)	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Foster care facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-
Co-housing (dormitories, fraternities and sororities) (B)(4)	-	-	-	-	P	P	P	P	P	-	P	P	-	-	-	-	-	-	-	-	-
Detached single-family, including manufactured homes (B)(5) , (C)	P	P	P	P	P	P	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
Two-family residential, attached or detached dwelling units	-	-	-	C	P	P	P	-	-	P	P	P	-	-	-	-	-	-	-	-	-
Three-family residential, attached or detached dwelling units	-	-	-	-	C	C	P	-	-	P	P	P	-	-	-	-	-	-	-	-	-
Multifamily, four or more residential units	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-
Mixed use	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	-

Residential Land Uses	Zoning Classifications																				
	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI
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)	<u>C</u>	<u>C</u>	C	C	C	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	-	-	-	-	-	-	-	-	-
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.

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.

* * *

8. Mobile and/or manufactured homes [are allowed to locate in residential zones per LMC 18A.40.110 \(A\) and \(B\)\(5\) and only in](#) mobile/manufactured home parks developed in accordance with subsection (C) of this section.

* * *

C. *Manufactured/Mobile Home Parks.*

1. *Intent.* It is the intent of this section to:

- a. Permit the location of manufactured homes in specially designed [parks as an additional affordable housing option](#) where manufactured homes lots can be leased as a permanent form of dwelling unit [and as indicated in LMC 18A.40.110 A. in all residential districts](#);
- b. Provide standards for the development and use of manufactured home parks appropriate to their location and use as permanent facilities;

- c. Designate appropriate locations for manufactured home parks;
- d. Ensure a high quality of development for such parks and dwelling units to the end that the occupants of manufactured home and the community as a whole are protected from potentially adverse impact of such development or use;
- e. Provide for City review of proposed manufactured home parks;
- f. Make a distinction between manufactured home parks and other subdivisions, and their development and occupancy characteristics; and
- g. Regulate how recreational vehicles can be used as a primary residence in manufactured home parks.

2. *Permitted Home Locations.* Mobile and manufactured homes, and recreational vehicles being used as a primary residence, are permitted as follows:

- a. As allowed per LMC 18A.40.110 (A) and (B)(5);
- b. As a primary use in a mobile or manufactured home park of not less than three (3) acres nor more than twenty (20) acres. Mobile or manufactured home parks may be permitted in all residential districts after receiving a conditional use permit.
- c. As a primary use in existing nonconforming mobile or manufactured home parks.
- d. As an accessory use for security or maintenance personnel in all zone classifications, subject to site plan review:
- e. As temporary or emergency use in:
 - i. Any district as part of a construction project for office use of construction personnel or temporary living quarters for security personnel for a period extending not more than ninety (90) days beyond completion of construction. A thirty (30) day extension may be granted by the City Manager upon written request of the developer and upon the Manager's finding that such request for extension is reasonable and in the public interest;
 - ii. Any district as an emergency facility when operated by or for a public agency;
 - iii. In the public/institutional zone classification where a community need is demonstrated by a public agency such as temporary classrooms or for security personnel on school grounds.

g. Use of Recreational Vehicles as a Primary Residence.
Pursuant to RCW 35A.21.312, recreational vehicles may be used as a primary residence within the context of a manufactured home park, subject to the following:

- 1. The recreational vehicle unit shall be connected to full utility hook-ups, including a lawful method of sewage disposal. A recreational vehicle used as a residence should contain at least one functioning internal

toilet and at least one functioning internal shower; however, if the toilet and/or shower requirements set forth above are not met, then the manufactured housing park must provide permanent toilet and shower facilities.

3. Permitted Park Locations. Mobile or manufactured home parks may be permitted as indicated in LMC 18A.40.110 (A) after receiving a conditional use permit.

~~4.3-~~ *Development Standards – Manufactured Home Park Plot Plan Requirements.* A complete and detailed plot plan shall be submitted to the ~~Community and Economic Development~~ Department of Planning and Public Works (PPW). The plot plan shall include the following information and such other information as the Department may reasonably require to determine the acceptability of the proposed development:

- a. Location and dimensions of all lots;
- b. Roads, internal street system, and driveways;
- c. Common open space, community facilities;
- d. Utility lines, including water, sewer, electrical and any others contemplated;
- e. Landscaping and screening plan for exterior boundaries.

~~5.4-~~ *Manufactured Home Park Design Standards – Area and Density.* The minimum site for a manufactured home park shall be three (3) acres. The maximum site for a manufactured home park shall be twenty (20) acres. The maximum number of manufactured homes per acre shall be consistent with the underlying density or the zone in which it is located.

~~6.5-~~ *Manufactured Home Park Design Standards – Site Requirements.* The size and shape of individual manufactured home sites shall be in accordance with the following:

- a. Minimum space area, four thousand (4,000) square feet;
- b. Minimum width, forty (40) feet;
- c. Minimum depth, eighty (80) feet;
- d. Minimum setback from street or access road, ten (10) feet with a ten (10) foot planter and rear load access; fifteen (15) feet with standard planter and no alleys;
- e. Maximum development coverage of space, fifty (50) percent;
- f. Side yard setback five (5) feet.
- g. Rear yard setback fifteen (15) feet.

~~76.~~ *Manufactured Home Park Design Standards – Off-Street Parking.* Off-street parking shall be provided in accordance with Chapter 18A.80 LMC.

87. *Manufactured Home Park Design Standards – Open Space.* Ten (10) percent of the gross site area shall be set aside for usable open space.

98. *Manufactured Home Park Design Standards – Accessory Buildings and Structures.*

a. Buildings or structures accessory to individual manufactured homes are permitted, including enclosed carports; provided, that the total development coverage of the space shall not exceed the development coverage permitted in LMC [18A.60.030](#).

b. Buildings or structures accessory to the manufactured home park as a whole, and intended for the use of all manufactured home occupants are permitted, provided the building area not exceed one-fourth of the common open space area.

109. *Manufactured Home Park Design Standards – Landscaping and Screening.*

a. Visual screening and/or landscaping may be required in those developments where such screening is deemed necessary and reasonable by the enforcing officer and/or the hearings examiner.

b. When required, such screening may consist of densely planted vegetation not less than four (4) feet in height at the time of planting, or a solid fence, six (6) feet in height, or a combination of fencing and vegetation which achieves the same screening effect.

c. Landscaping is also required in all setback areas and open space. All applicable requirements of Chapters [18A.60](#) and [18A.70](#) LMC shall be satisfied.

d. Visual interruption with appropriate vegetation between manufactured home units may also be required to relieve visual monotony.

e. The perimeters of common parking areas shall be landscaped in such a way as to create a diversion between streets and parking areas, at the same time not obstructing the view of any walkways, driveways, or streets around entrances or exits to the mobile home park.

f. All trees, flowers, lawns and other landscaping features shall be maintained in a healthy growing condition at all times.

110. *Manufactured Home Park Design Standards – Ingress and Egress.*

a. Each manufactured home site shall have access from an interior drive or roadway only.

b. Access to the manufactured home park shall be limited to not more than one (1) driveway from a public street or road for each two hundred (200) feet of frontage.

121. *Manufactured Home Park Design Standards – Surfacing Requirements.* All streets, roads and driveways shall be hard-surfaced, including permeable paving surfaces in conformance with the current City of Lakewood Storm Water Design

Manual, to a standard of construction acceptable to the City Engineer. Interior pedestrian walkways, carports and parking areas shall also be paved.

~~1312.~~ *Manufactured Home Park Design Standards – Storm Water Runoff.* Storm water management is required and shall comply with the current City of Lakewood Storm Water Design Manual and shall be subject to the City's review and approval, and shall, moreover, comply with Chapter [12.11](#) LMC pertaining to community facilities.

14. Operation and Maintenance – Mobile/Manufactured Home Parks

a. Manufactured home parks shall be maintained free of any brush, leaves, and weeds in which might communicate fires between manufactured homes and other improvements. No combustible materials shall be stored in, around, or under any manufactured home. Manufactured home parks shall be maintained in a safe, attractive and well maintained fashion. Landscaping which is required as a part of buffers or otherwise required shall be maintained in a healthy and attractive condition.

b. Streets, sidewalks and public ways within manufactured home parks shall be maintained in a safe manner. The responsibility for maintenance of the streets, sidewalks and public ways rests solely with the park owner and resident manager.

It shall be the responsibility of the manufactured home park resident manager and the CCRs to ensure that the provisions of this section are observed and maintained within the manufactured home park. Violations of this chapter shall subject the owner of the facility to any penalties provided within this title for such violation.

ATTACHMENT A
PLANNING COMMISSION RESOLUTION NO. 2024-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKEWOOD, WASHINGTON, FORMALIZING ITS RECOMMENDATIONS REGARDING DEVELOPMENT REGULATION AMENDMENTS CONCERNING MANUFACTURED HOME PARKS AND CAMPING AND RECREATIONAL VEHICLE PARKS AND FORWARDING ITS RECOMMENDATIONS TO THE LAKEWOOD CITY COUNCIL FOR CONSIDERATION AND ACTION.

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

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

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

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

Whereas, over time the Lakewood Planning Commission has reviewed the Lakewood Development Regulations and made certain modifications to Lakewood Municipal Code Title 18A to provide needed revisions, clarifications and updates; and

Whereas, the Lakewood Planning Commission held an open public hearing on October 2, 2024, regarding the proposed amendments to the Lakewood Development Regulations; and

WHEREAS, environmental review as required under the Washington State Environmental Policy Act (SEPA) has resulted in the issuance of a determination of environmental non-significance that was published on September 23, 2024 under SEPA #202404168; and

WHEREAS, notice was provided to state agencies through the Department of Commerce on September 21, 2024 per City of Lakewood – 2024-S-7485--Request for Expedited Review / Notice of Intent to Adopt Amendment, prior to the adoption of this Resolution, and state agencies have been afforded the opportunity to comment per RCW 36.70A.106(1); and

WHEREAS, the Lakewood Planning Commission determined that the 2024 Annual Development Regulation Amendments are consistent with the Growth Management Act and the provisions of the City's Comprehensive Plan; and

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

Whereas, on October 2, 2024, the Planning Commission completed review;

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

Section 1. Amendments to the City's land use and development regulations in LMC Title 18A as summarized below and included in full in Exhibit A, attached hereto:

Amendment 1. Manufactured Home Parks

Reinserting language erroneously removed in 2019 during the recodification of LMC Title 18A regarding development standards and operation and maintenance of manufactured home parks (including "Use of Recreational Vehicles as a Primary Residence".)

Amendment 2. Camping and Recreational Vehicle Parks

Reinserting language erroneously removed in 2019 during the recodification of LMC Title 18A regulating camping and recreational vehicle parks.

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, including current code section reference numbering.

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

PASSED AND ADOPTED at a regular meeting of the City of Lakewood Planning Commission this 2nd day of October, 2024, by the following vote:

AYES: 6 Robert Estrada, Phillip Combs, Linn Larsen, Mark Herr, Ellen Talbo, and Philip Lindholm

NOES: 0

ABSENT: 1 Sharon Wallace

Robert Estrada
Robert Estrada (Oct 8, 2024 10:36 PDT)

Robert Estrada, CHAIR, PLANNING COMMISSION

ATTEST:

Karen Devereaux
Karen Devereaux (Oct 8, 2024 14:34 PDT)

KAREN DEVEREAUX, SECRETARY

2024 Annual Development Regulation Amendments

10/28/24 City Council

Tiffany Speir, Planning Division Manager
Planning & Public Works Department



Overview of 2024 Annual Development Regulations

On October 2, 2024, the Planning Commission approved Resolution 2024-08 that include the 2024 Annual Development Regulation Amendments (24ADRs.) The City has added an additional regulation amendment described below.

There are three issues addressed in the proposed amendments:

- 1) revising Lakewood Municipal Code 18A.30.100 updating the deadline for providing annual information to the County Assessor-Treasurer;
- 2) revising LMC 18A.40.090 to reinsert regulations governing camping and recreational vehicle parks; and
- 3) revising LMC 18A.40.110 to reinsert regulations concerning development standards and operation and maintenance of manufactured home parks (including “Use of Recreational Vehicles as a Primary Residence”.)

REVISING LAKEWOOD MUNICIPAL CODE 18A.30.100 UPDATING THE DEADLINE FOR PROVIDING ANNUAL INFORMATION TO THE COUNTY ASSESSOR-TREASURER

18A.30.100 Notice to County Assessor of changes in comprehensive plan and development regulations.

~~The [Director](#) shall provide to the Assessor of Pierce County by July 31st of each year a copy of the City's [comprehensive plan](#) and development regulations in effect on July 1st of that year.~~

No later than October 31st of each year, the [Director](#) shall notify the Pierce County Assessor-Treasurer of the City's Comprehensive Plan and development regulations in effect following adoption of that year's annual review and updates.

REVISING LMC 18A.40.090 TO REINSERT REGULATIONS GOVERNING CAMPING AND RECREATIONAL VEHICLE PARKS

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	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI	OSR1	OSR2
Bed and breakfast guest houses (B)(1)*	C	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Camping and recreational vehicle parks (B)(3)	C	C	C	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.

18A.40.090 Lodging.

(B) Development and Operating Conditions.

3. Camping and Recreational Vehicle Parks

The purpose of this section is to provide the regulations for the development and operation of camping and recreational vehicle (RV) parks, which may also be referred to as RV parks, and to assure that each park provides safe and sanitary accommodations for its users and their RVs while located temporarily in the park. This section also assures that the utility conveniences and facilities provided for tourists are adequate for the period of their stay in the park, and that the park does not permit the use of any of its accommodations for manufactured homes or RVs that are used for permanent occupancy.

- a. Duration of Occupancy – Camping and Recreational Parks
- b. Development Standards - Camping and Recreational Vehicle Parks
- c. Internal Setbacks.
- d. Recreation Areas.
- e. Landscaping.
- f. Utilities and facilities.
- g. Lighting.
- h. Access and Circulation.
- i. Parking.

REVISING LMC 18A.40.110 TO REINSERT REGULATIONS CONCERNING DEVELOPMENT STANDARDS AND OPERATION AND MAINTENANCE OF MANUFACTURED HOME PARKS (INCLUDING “USE OF RECREATIONAL VEHICLES AS A PRIMARY RESIDENCE”).

Background concerning Regulation of Manufactured/Mobile Homes and Parks

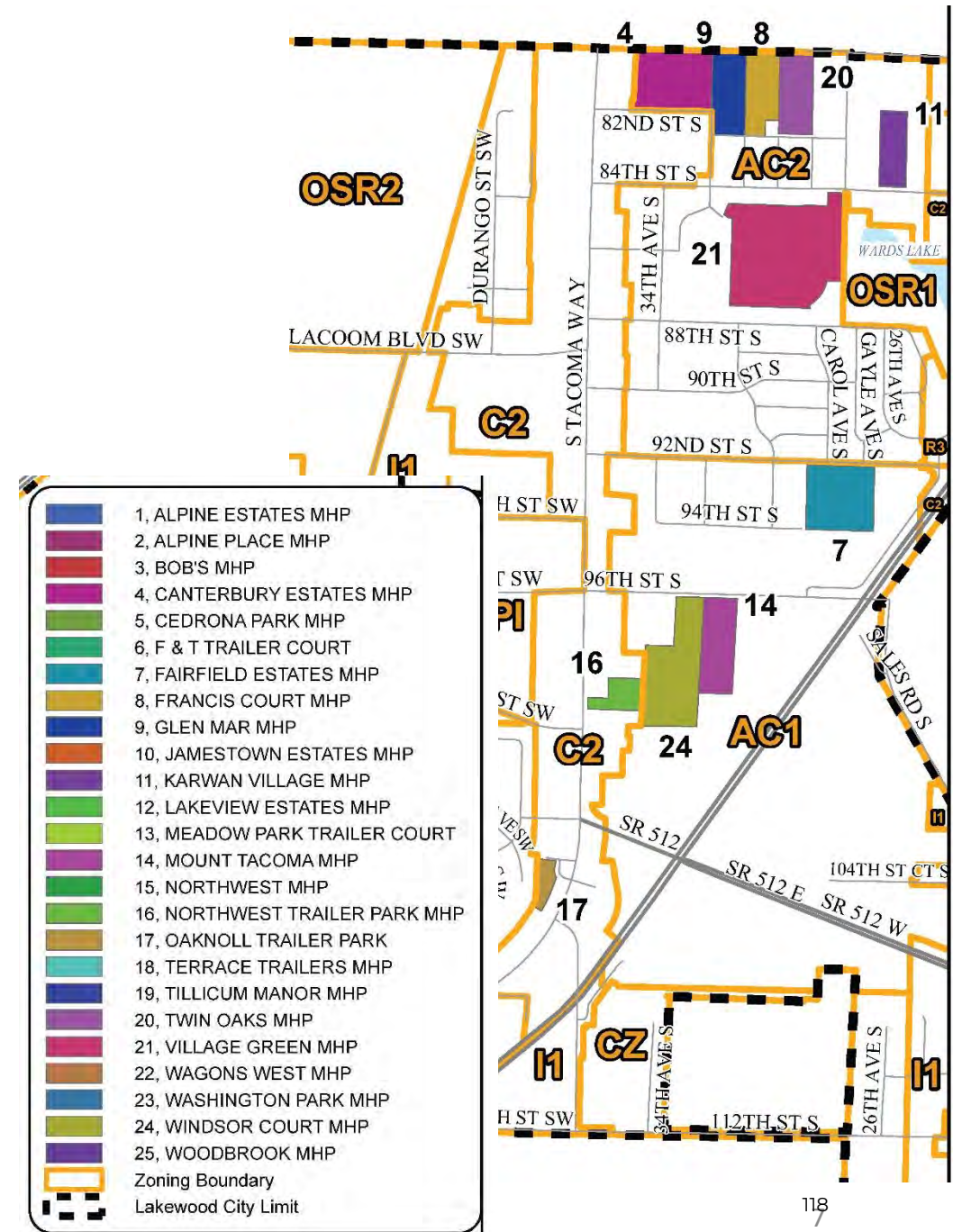
When Lakewood reorganized, updated, and then readopted its Development Regulations in 2019 at LMC Title 18A, certain regulations governing manufactured home parks as well as camping and recreational vehicle parks were inadvertently removed from the City code. The 24ADR package proposes to reinsert the regulations after being updated per state law.

Note re nonconforming manufactured home parks:

Lakewood's Air Corridor 1 and 2 land use zones include nine (9) non-conforming manufactured/ mobile home parks with approximately 670 spaces that do not meet the safety guidelines outlined in the the Department of Defense’s 2015 JBLM Air Installation Compatibility Use Study (AICUZ) for North McChord Airfield at Joint Base Lewis McChord.

According to the 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, but this is a density lower than generally considered “urban” under GMA land use planning.)

In response, Lakewood plans to transition these areas over time 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.



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
Detached single-family, including manufactured homes (B)(5), (C)	P	P	P	P	P	P	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
Mobile home parks (B)(8), (C)	<u>C</u>	<u>C</u>	C	C	C	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	-	-	-	-	-	-	-	-	-

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

8. Mobile and/or manufactured homes are allowed to locate in residential zones per LMC 18A.40.110 (A) and (B)(5) and only in mobile/manufactured home parks developed in accordance with subsection (C) of this section.

* * *

C. *Manufactured/Mobile Home Parks.*

1. *Intent.* It is the intent of this section to:

- a. Permit the location of manufactured homes in specially designed parks as an additional affordable housing option where manufactured homes lots can be leased as a permanent form of dwelling unit and as indicated in LMC 18A.40.110 A. in all residential districts;
- b. Provide standards for the development and use of manufactured home parks appropriate to their location and use as permanent facilities;
- c. Designate appropriate locations for manufactured home parks;
- d. Ensure a high quality of development for such parks and dwelling units to the end that the occupants of manufactured home and the community as a whole are protected from potentially adverse impact of such development or use;
- e. Provide for City review of proposed manufactured home parks;
- f. Make a distinction between manufactured home parks and other subdivisions, and their development and occupancy characteristics; and
- g. Regulate how recreational vehicles can be used as a primary residence in manufactured home parks.

2. Permitted Home Locations. Mobile and manufactured homes, and recreational vehicles being used as a primary residence, are permitted as follows:

a. As allowed per LMC 18A.40.110 (A) and (B)(5);

* * *

g. Use of Recreational Vehicles as a Primary Residence.

Pursuant to RCW 35A.21.312, recreational vehicles may be used as a primary residence within the context of a manufactured home park, subject to the following:

1.The recreational vehicle unit shall be connected to full utility hook-ups, including a lawful method of sewage disposal. A recreational vehicle used as a residence should contain at least one functioning internal toilet and at least one functioning internal shower; however, if the toilet and/or shower requirements set forth above are not met, then the manufactured housing park must provide permanent toilet and shower facilities.

3. Permitted Park Locations. Mobile or manufactured home parks may be permitted as indicated in LMC 18A.40.110 (A) after receiving a conditional use permit.

C. *Manufactured/Mobile Home Parks.*

14. Operation and Maintenance – Mobile/Manufactured Home Parks

- a. Manufactured home parks shall be maintained free of any brush, leaves, and weeds in which might communicate fires between manufactured homes and other improvements. No combustible materials shall be stored in, around, or under any manufactured home. Manufactured home parks shall be maintained in a safe, attractive and well-maintained fashion. Landscaping which is required as a part of buffers or otherwise required shall be maintained in a healthy and attractive condition.
- b. Streets, sidewalks and public ways within manufactured home parks shall be maintained in a safe manner. The responsibility for maintenance of the streets, sidewalks and public ways rests solely with the park owner and resident manager.

It shall be the responsibility of the manufactured home park resident manager and the CCRs to ensure that the provisions of this section are observed and maintained within the manufactured home park. Violations of this chapter shall subject the owner of the facility to any penalties provided within this title for such violation.

24ADRs Legislative Process Schedule

The schedule for the 24ADR legislative process (subject to change) is as follows:

- November 4: City Council public hearing on 24ADRs
- November 18: City Council action on 24ADRs



TO: Mayor and City Council

FROM: Jeff Rimack, Director, Planning and Public Works
Angie Silva, Assistant Director, Planning and Public Works

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

DATE: October 28, 2024

SUBJECT: Introduction to 2SSB 5290 Code Amendments

ATTACHMENTS:

Attachment 1: Resolution 2024-06 Planning Commission
Recommendation (Page 13)
Chapter 18A.10 (Page 15)
Chapter 18A.20 (Page 34)
Chapter 18A.30 (Page 121)

Executive Summary

The City is required to comply with [2SSB 5290](#) which amended Chapter 36.70B RCW. This state law requires certain procedures and requirements for local land use and environmental project permit review. 2SSB 5290 went into effect July 2023 with exception to revised permit timelines and reporting described in this memorandum. Code amendments have been proposed to Lakewood Municipal Code (LMC) Title 18A to address this state law change, along with revisions to promote permit streamlining and internal consistency.

The Lakewood Planning Commission held a study session on September 2, 2024 and a public hearing on September 18, 2024 on the proposed amendments. The Commission's recommendations are reflected in Resolution 2024-06 as shown in Attachment 1.

Below is a tentative legislative schedule to meet 2SSB 5290. All dates are subject to change.



Note: Tentative schedule looking at 11/18/24 would be final action by Council with a 1/1/25 ordinance effective date.

BACKGROUND

In the 1990s, the Washington State enacted Chapter 36.70B RCW. This state law sets forth requirements for local project review regarding land use and environmental permits. The intent is to recognize that several permits may be required for a proposed development project. Further, it is envisioned to remove duplication of local processes, enhance predictability while ensuring consistency with the local Comprehensive Plan. Local governments planning under the Washington State Growth Management Act,¹ such as the City of Lakewood, must be consistent with Chapter 36.70B RCW.

In 2023, the Washington State Legislature amended Chapter 36.70B RCW through [2SSB 5290](#). 2SSB 5290 went into effect **July 23, 2023**, with exception to new permit timelines and annual reporting requirements summarized further below. Major changes to 2SSB 5290 include:

- ❖ **Determination of Completeness:** Requires a written determination of application completeness within 28 calendar days. On the 29th day, if no determination is provided, an application shall be technically or procedurally complete to continue processing. This provision does not exclude the City from requesting payment of fees, additional information or studies prior to issuing a final decision.²
- ❖ **Notice of Application (NOA):** Updates minimum requirements. For certain application types, once an application is deemed complete, the city must provide a NOA within 14 calendar days.³
- ❖ **Permit Processing Timelines:** 2SSB 5290 establishes new decision timelines for certain project permits. A decision means to deny, approve, or approve with conditions a project application. New timelines go into effect **January 1, 2025** and further illustrated below:

¹ Chapter 36.70A RCW

² RCW 36.70B.070(1)

³ RCW 36.70B.110

Permit Type	Description	Decision Timeline	Examples
Type 1	Does not require a public notice or public hearing.	65 calander days	<ul style="list-style-type: none"> • Design Review • Tree Removal • Shoreline Exemption • Temporary Use
Type 2	Requires a public notice but no public hearing	100 calander days	<ul style="list-style-type: none"> • SEPA Threshold Determination • Binding Site Plan • Shoreline Substantial Development • Short Plat
Type 3	Requires both a public notice and public hearing (<i>Hearings Examiner</i>).	170 calander days	<ul style="list-style-type: none"> • Preliminary Plat • Conditional Use Permit • Shoreline Variance

These “shot clocks” start at the time of complete application and when under review by a local government. Timeframes do not include time when the City requests more information consistent with local development regulations or an administrative appeal period.⁴ Timelines also do not include when an applicant:

- Requests suspension of review.
- Proposes a change in use or adds/removes commercial or residential elements from the original complete application.
- Nonresponsive or not making demonstratable progress.⁵

If timelines are not met, 2SSB 5290 requires local governments to provide a pro-rated permit fee refund.⁶ These refunds can be avoided if the city incorporates at least three of the measures outlined in state law. These include but not limited to:

- Impose reasonable fees to cover costs of processing, reviewing and inspections.
- Budget new positions contingent on increased permit revenue.
- Adopt code amendments which make preapplication meetings optional rather than a requirement.
- Adopt regulations allowing housing types to be an outrighted permitted use in allowed zones.

⁴ RCW 36.70B.080(g)(i-iii)

⁵ RCW 36.70B.080(h)(i)

⁶ RCW 36.70B.080(l)(i)

- Adopt regulations only requiring public hearings for applications that are required to have a public hearing by statute.
- Budget for on-call, 3rd party permit review assistance.⁷

Following initial monitoring results discussed further below and if not meeting timeframes, after January 1, 2026, the city must adopt measures in its next comprehensive plan update.⁸

Last, to meet required timelines, local governments are encouraged to adopt additional project review provisions to provide prompt, coordinated and objective review. This is to ensure accountability and predictability to the public and applicants, while promoting consistency with development regulations and affordable housing objectives.⁹

- ❖ **Notice of Decision & Exemptions:** The City must provide notice to the applicant and parties of record of the decision, and if applicable, the environmental threshold determination under the State Environmental Policy Act (SEPA). This notice must also identify the appropriate administrative appeal process.¹⁰

Additionally, state law allows, through a local ordinance or resolution, to exclude certain project permits from required timelines.¹¹

- ❖ **Reporting:** Beginning **March 1, 2025**, jurisdictions who are subject to the Buildable Lands Program¹² and cities with a population of 20,000 people or more must produce annual performance reports. This requirement applies to the City of Lakewood. Annual reports must be publicly available and submitted to the Washington State Department of Commerce.¹³ Annual metric reporting includes but not limited to:

- Number complete applications.
- Number of applications which notice of final decision was issued before and after required timelines.
- Number of applications which a time extension was requested/mutually agreed upon by the applicant and City.
- Average application processing times.

SEPA DETERMINATION

The proposed amendments are procedural actions to the rules and procedures for various development applications contained in the City's municipal code. They do not substantively change land use or environmental protections or development requirements. These procedural actions are categorically exempt.¹⁴As such, no threshold determination is necessary.¹⁵

⁷ RCW 36.70B.160

⁸ RCW 36.70B.160(2)(a)

⁹ RCW 36.70B.160(1)

¹⁰ RCW 36.70B.060(7) and 36.70B.130

¹¹ RCW 36.70B.140

¹² RCW 36.70A.215

¹³ RCW 36.70B.080

¹⁴ WAC 197-11-800(19)

¹⁵ WAC 197-11-310

NOTICE OF INTENT TO ADOPT & JBLM NOTICE

As required by state laws and City code¹⁶, a notice of intent to adopt was submitted on September 12, 2024 to the Washington State Department of Commerce and JBLM-Camp Murray Base Commander. The 60-day comment period concludes on November 11, 2024.

PROPOSED AMENDMENT SUMMARY

Below is a high-level summary of the proposed changes and intent.

Code Citation	Proposed Change	Rationale
Attachment A: Chapter 18A.10 LMC Basic Provisions		
18A.10.040	Revises Community & Economic Development to new, reorganized Planning & Public Works.	Housekeeping. Clarifies who is the appropriate City Department or designee.
18A.10.070	Removes outdated reference to Community Development department.	Housekeeping.
18A.10.100	Removes outdated references to Community Development and Community and Economic Development department.	Housekeeping.
18A.10.135.4	Removes outdated reference to Community and Economic Development department.	Housekeeping.
18A.10.135.9	Removes outdated reference to Community and Economic Development department.	Housekeeping.
18A.10.160	Redirects appropriate permit decision procedures to Chapter 18A.20 LMC.	Streamlining. Intent is to have one location in LMC for all application and permit procedures. This reduces duplication and conflicts where multiple chapters and titles address similar topics.
18A.10.170	Redirects appropriate permit decision procedures to Chapter	Streamlining.

¹⁶ RCW 36.70A.106; RCW 36.70A.530; LMC 18A.10.135.7

Code Citation	Proposed Change	Rationale
	18A.20 LMC.	
18A.10.175	Removes outdated reference to Community and Economic Development department. Redirects appropriate permit decision procedures to Chapter 18A.20 LMC.	Housekeeping and streamlining.
18A.10.180	Removes outdated reference to Community and Economic Development department. Adds definition of interior alteration.	Housekeeping and provides clarification on what are considered an interior alteration of a structure.
Attachment B Chapter 18A.20 LMC Administration		
18A.20.010	Recognizes existing process of online application submittal. Includes language for accommodation consistent with federal and state laws.	Housekeeping, accessibility and transparency.
18A.20.015	Revises language for preapplication conferences to be option rather than required. Allows additional staff consultations regarding procedures or technical requirements as needed.	Consistency with 2SSB. Also provides optional process to assist applicants throughout the application process.
18A.20.020	Clarifies payment of application fees are part of determining a complete application. Notes City's adopted fee schedule will be made publicly available.	Consistency with 2SSB. Also provides clarification and transparency of requirements.
18A.20.030	Revises language on what is considered a	Consistency with 2SSB.

Code Citation	Proposed Change	Rationale
	<p>complete application.</p> <p>Does not require site plans for interior alterations under certain circumstances.</p>	
18A.20.040	Revises language on consolidated review requests.	Clarification.
18A.20.050	<p>Revises language on process and timeframe for determination of completeness.</p> <p>Sets timeframes regarding incomplete application/resubmittals.</p> <p>Defines permit review types and time periods.</p> <p>Sets timeframes when an application is deemed complete for review, when requests for information are required to be resubmitted. Allows flexibility for outside agency comments applicable to the project proposal and pertinent to the City's decision.</p> <p>Identifies exemptions to time periods and required annual reporting consistent with state law.</p>	Consistency with 2SSB. Also provides clarification, transparency and streamlining on timeframes to ensure a complete application and when complete applications are requested to provide more information to ensure compliance with city codes.
18A.20.060	Clarifies language regarding time periods when a complete application substantially is revised by the applicant.	Consistency with 2SSB. Also provides clarification, transparency and streamlining on timeframes.
18A.20.070	Deletes section as covered in 18A.20.080.	Duplicative section.
18A.20.080	Updates and replaces tables on appropriate review and appeal authorities based on	Consistency with 2SSB. Also provides clarification, transparency and streamlining of code requirements.

Code Citation	Proposed Change	Rationale
	permit type.	
18A.20.085	Defines what is considered a major or minor modification to approved permits.	Provides clarification, transparency and streamlining. Existing code provisions were not consistent in approach on all permit types, nor clear on what is the appropriate process for decision.
18A.20.090	Removes outdated reference to Community and Economic Development department.	Housekeeping and streamlining.
18A.20.105	Removes outdated reference to Community and Economic Development department.	Housekeeping and streamlining.
18A.20.300	Revisions on defined permit types.	Housekeeping and consistency.
18A.20.310	Updates and replaces table on appropriate noticing requirements based on permit type.	Consistency with 2SSB. Also provides clarification, transparency and streamlining of code requirements.
18A.20.330	Revises language on Notice of Application timeframes, contents and where a SEPA threshold determination is included as an optional DNS process. Clarifies language on department practices for distribution and publication.	Consistency with 2SSB. Also provides clarification, transparency and streamlining of code requirements.
18A.20.340	Clarifies timeframes for noticing public hearings before Hearings Examiner. Address HB 1105 regarding how to provide public comment.	Consistency with HB 1105. Provides clarification, transparency and streamlining of code requirements.
18A.20.350	Clarification revision and removes outdated	Housekeeping.

Code Citation	Proposed Change	Rationale
	references to Community Development department.	
18A.20.360	Sets requirements of Notice of Decision, its contents, distribution and exemptions. Clarifies permit types within the Shoreline jurisdiction and filing with the Department of Ecology.	Consistency with 2SSB. Also provides clarification, transparency and streamlining of code requirements.
18A.20.370	Clarifies permit type.	Housekeeping.
18A.20.400	Clarifies administrative appeals based on permit type and timeframe for filing.	Housekeeping.
Attachment C Chapter 18A.30 LMC Discretionary Permits		
18A.23.110-140	Amends conditional use permit (CUP) process by allowing future consideration of an administrative conditional use permit (ACUP) process that was allowed previously in codes. Does not change any proposed use permissibility to ACUP, however.	Encouraged by 2SSB 5290. Allows for future consideration of uses that instead of requiring a Hearings Examiner CUP and public hearing process, but an administratively approved decision CUP with public notice. This proposed amendment only sets forth the criteria for approval, similar to CUPs. Future review and code amendments on allowed uses and their associated permissibility will be needed to deploy ACUPs. This effort is expected as part of the separate 2025 Comp Plan amendment cycle process.
18A.30.150	Revises language to redirect minor and major modifications to approved CUPs to another LMC chapter.	Housekeeping and consistency with 18A.20.085
18A.30.160	Clarification of timeframes consistent with 18A.20 revisions.	Housekeeping and consistency.
18A.30.170	Deletes redundant provisions regulated in LMC Title 14 and SEPA	Housekeeping and consistency.

Code Citation	Proposed Change	Rationale
	requirements.	
18A.30.180	References ACUPs	Housekeeping and consistency.
18A.30.190	References ACUPs	Housekeeping and consistency.
18A.30.240	Removes outdated Community Development reference to Planning & Public Works Department.	Housekeeping. Clarifies who is the appropriate City Department or designee.
18A.30.270	Removes outdated Community Development reference to Planning & Public Works Department.	Housekeeping.
18A.30.270	Redirects appropriate permit decision procedures to Chapter 18A.20 LMC.	Streamlining. Intent is to have one location in LMC for all application and permit procedures. This reduces duplication and conflicts where multiple chapters and titles address similar topics.
18A.30.350	Redirects appropriate permit decision procedures to Chapter 18A.20 LMC.	Streamlining.
18A.30.370	Redirects appropriate noticing procedures to Chapter 18A.20 LMC.	Streamlining.
18A.30.380	Clarifies staff reports can be prepared by the Department Director or their designee.	Housekeeping. Consistent with current practice.
18A.30.410	Removes outdated language.	Housekeeping.
18A.30.420	Revisions for consistency with 18A.20 amendments.	Housekeeping and consistency revisions.
18A.30.440	Recognizes new Department organizational structure.	Housekeeping.
18A.30.460-480	Revises application content language to refer to 18A.20.	Streamlining. Intent is to have one location in LMC for all application and permit procedures. This reduces duplication and conflicts where multiple chapters and titles address

Code Citation	Proposed Change	Rationale
		similar topics.
18A.30.470	Deletes redundant provisions regulated in LMC Title 14 and SEPA requirements.	Housekeeping and consistency. Ensure internal consistency with existing provisions.
18A.30.480	Redirects appropriate revisions to approved permits and associated procedures to Chapter 18A.20 LMC.	Streamlining.
18A.30.540	Revisions for consistency with 18A.20 amendments. Reflects current practice of electronic submittals.	Housekeeping and consistency revisions.
18A.30.550	Deletes redundant provisions already covered in 18A.20.	Housekeeping and streamlining revisions.
18A.30.560-570	Reorganization of language/non-substantive.	Housekeeping and clarification.
18A.30.690, 18A.30.730, 18A.30.750-760, 18A.30.840-906	Redirects appropriate revisions to approved permits and associated procedures to Chapter 18A.20 LMC. Removes outdated Department reference.	Housekeeping and streamlining.

CONSISTENCY ANALYSIS

Local Project Review

Summarized in this memo noted key updates and requirements of 2SSB 5290. The intent of the proposed amendments is to ensure consistency with Chapter 36.70B RCW and new requirements in 2SSB 5290.

Department Response: The proposed amendments are intended to comply with Chapter 36.70B RCW. The draft proposal is consistent with the Washington State Local Project Review Act. Further, the draft proposal strives to clarify, organize and streamline permit review procedures through several Title 18A chapters.

Additional implementation and operational changes outside of regulatory amendments will be necessary to achieve the requirements set forth in 2SSB 5290. These include but not limited to creation of standard operating procedures, making improvements to our permitting system by incorporating lean principles to workflows to improve efficiencies, etc.

Growth Management Act

The GMA planning goals adopted in RCW 36.70A.020 guide the development and adoption of comprehensive plans and development regulations. The goals are not a prioritized list. In particular, the GMA goals guiding this proposal include:

(4) Housing. Plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

(7) Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.

Department Response: The proposed amendments are consistent with applicable planning goals. Providing a consistent, predictable process for permitting review and decision could facilitate more housing and job production. This is consistent with the Lakewood Comprehensive Plan and new growth expected by 2044.

Further, the proposed code amendments improve the clarity and organization of the City's permit procedures in accordance to Chapter 36.70B RCW and GMA. It is anticipated these amendments will aid in the collection and analysis of data and metrics for required performance reporting.¹⁷

Vision 2050

The Puget Sound Regional Council's multi-county planning policies, known as Vision 2050, does not contain any specific goals or policies regarding local project review, permit review, etc. While Vision 2050 does encourage consistency with the Regional Growth Strategy¹⁸, as well encourages annexation and joint planning agreements to include topics such as permitting¹⁹, it does not contain specific guidance on permit review.

Department Response: There are no related goals or policies to the proposed amendments. As such, the proposal is not in conflict with Vision 2050.

Countywide Planning Policies

The City must be consistent with the Pierce Countywide Planning Policies (CPPs). Below are related policies to local permit review:

C-17 Jurisdictions should consider incentives for development within Centers, such as:

¹⁷ RCW 36.70B.080 (2)(b)

¹⁸ MPP-DP-36

¹⁹ MPP-DP-28

17.1 Streamlined permitting;

EC-4 Work to strengthen existing businesses and industries and to add to the diversity of economic opportunity and employment by:

EC-4.5 Streamlining permit processing;

EPF-6 Local policies may include standards and criteria related to:

EPF-6.4 Expediting and streamlining necessary government approvals and permits if all other elements of the County or municipal policies have been met;

Department Response: The proposed amendments are consistent with the CPPs.

Lakewood Comprehensive Plan

Upon review of the current Comprehensive Plan, below are related policies to the proposed amendments:

Policy LU-1.3: Ensure predictable and efficient permit processing.

Policy ED-2.5: Provide targeted assistance to businesses that may be unsophisticated in permitting and licensing requirements.

Department Response: The proposed amendments are consistent as they provide clear expectations, processes and procedures. This in return also assists economic development and businesses through the permitting processes.

Downtown Subarea Plan

No related policies were identified in the subarea plan.

Station District Subarea Plan

No related policies were identified in the subarea plan.

Tillicum Neighborhood Plan

Upon review of the current neighborhood plan, the following related policy was identified:

Policy 6.5: Revisit the City's adopted housing incentives program (LMC 18A.50.710) and update it as appropriate to utilize such tools as density bonuses, fee waivers, reduced zoning requirements, and expedited permitting. Consider marketing efforts to stimulate use of the program.

Department Response: The proposed amendments are consistent as they provide clear expectations, processes and procedures to assist in the creation of an expedited permitting process.

PLANNING COMMISSION RESOLUTION 2024-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKEWOOD, WASHINGTON, FORMALIZING ITS RECOMMENDATIONS REGARDING 2SSB 5290 CODE AMENDMENTS TO CHAPTERS 18A.10, 18A.20 AND 18A.30 LMC 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 Washington State Growth Management Act (GMA), 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) originally adopted by Ordinance No. 264 on August 20, 2001; and

WHEREAS, the Washington State Legislature enacted Chapter 36.70B RCW Local Project Review and established standards for jurisdictions planning under GMA for land use and environmental project permits; and

WHEREAS, in 2023 the state legislature amended Chapter 36.70B RCW through 2SSB 5290. This state law change is intended to modernize and streamline local project review and permitting procedures; and

WHEREAS, 2SSB 5290 went into effect July 23, 2023 with exception to new performance reporting commencing on March 1, 2025 and permit review timelines beginning in January 1, 2025; and

WHEREAS, notice of intent to adopt the proposed code amendments to Chapter 18A.10, 18A.20 and 18A.30 were submitted to the Washington State Department of Commerce, state agencies, neighboring jurisdictions and Joint Base Lewis McCord on September 12, 2024 consistent with RCW 36.70A.106 and RCW 36.70A.530; and

WHEREAS, the proposal consists of regulatory amendments to procedures related to state law compliance and updates to application review and permit approval processes. The City's SEPA Official has determined the proposal is categorically exempt under Washington Administrative Code (WAC) 197-11-800(19); and

WHEREAS, the Lakewood Planning Commission held a study session on September 4, 2024; and

WHEREAS, the Lakewood Planning Commission held an open record public hearing on September 18, 2024; and

WHEREAS, the Lakewood Planning Commission has determined the proposed code amendments are consistent with Vision 2050, the Washington State Growth

Management Act, Pierce Countywide Planning Policies and the Washington State Local Project Review Act; and

WHEREAS, the Lakewood Planning Commission finds that the proposed amendments further the goals and policies of the Comprehensive Plan by promoting permit streamlining, transparency and efficiency;

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

Section 1. Amendments to Chapter 18A.10 LMC attached hereto in Attachment A.

Section 2. Amendments to Chapter 18A.20 LMC attached hereto in Attachment B.

Section 3. Amendments to Chapter 18A.30 LMC attached hereto in Attachment C.

Section 4. The Lakewood Planning Commission hereby directs Planning and Public Works 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 2nd day of October 2024, by the following vote:

AYES: 6 BOARDMEMBERS: Robert Estrada, Phillip Combs, Linn Larsen,
Mark Herr, Philip Lindholm, and Ellen Talbo

NOES: 0 BOARDMEMBERS:

ABSENT: 1 BOARDMEMBERS: Sharon Wallace

ATTEST:

Robert Estrada
Robert Estrada (Oct 8, 2024 20:37 PDT)
ROBERT ESTRADA, CHAIR,
PLANNING COMMISSION

Karen Devereaux
Karen Devereaux (Oct 9, 2024 14:15 PDT)
KAREN DEVEREAUX, SECRETARY

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.

No changes proposed.

18A.10.020 Purpose.

No changes proposed.

18A.10.030 Scope.

No changes proposed.

18A.10.040 Rules of code interpretation.

See LMC [18A.10.180](#) for definitions applicable to this title. In addition:

- A. Words used in the present tense include the future tense, and a singular number includes the plural, and a plural number includes the singular, unless the context clearly indicates the contrary.
- B. The word “shall” is always mandatory and is not discretionary; the words “should” and “may” are permissive.
- C. Where terms are not specifically defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster’s Third New International Dictionary of the English Language, Unabridged, Copyright 1986, shall be considered in determining ordinarily accepted meanings.
- D. When any provision of this title refers to or cites a section of federal law, the Revised Code of Washington (RCW), Washington Administrative Code (WAC), or Lakewood Municipal Code (LMC), and that section is later amended or superseded, this title shall be deemed amended to

refer to the amended section or the section that most closely corresponds to the superseded section.

E. When any provision of this title refers to or cites a section heading within this title, that reference or cite refers to all applicable subsections of the entire section text under that heading.

F. Where the responsibility or authority is indicated in this title to lie with the [Department of Planning and Public Works](#) ~~Community and Economic Development~~ Director (hereinafter referred to as Director), City Engineer, Building Official or other authorized agent of the City, responsibility or authority shall lie equally with that individual's duly authorized designee.

G. When any provision of this title refers to "the City", the phrase refers to the government entity of the City of Lakewood or the City Lakewood as a geographic location or place, as appropriate in the context.

H. Illustrations found herein are not intended to supersede or replace written definitions, restrictions or standards. [Ord. 726 § 2 (Exh. B), 2019.]

18A.10.050 Computation of time.

No changes proposed.

18A.10.060 Measurements.

No changes proposed.

18A.10.070 Interpretations.

A. The Director shall review and resolve any questions involving the proper interpretation or application of the provisions of this title and other City plans, codes, regulations and standards

related to project permits that may be requested by any property owner, tenant, government officer, department, board, council or commission affected. The Director's decision shall be in keeping with the spirit and intent of this title and of the comprehensive plan.

B. *Classification of Use.* Recognizing that there may be uses not specifically mentioned in this title, either because of advancing technology or any other reason, the Director may permit or condition such use if it is clearly evident that the use is in conformity with the designated principal uses of the district in which it is to be located.

C. *Interpretation of Land Use Tables.* See LMC [18A.40.020](#), Interpretation of land use tables.

D. *Interpretation of Map Boundary.* Where uncertainty exists as to any of the zone boundaries as shown on the zoning map, the following rules shall apply:

1. A boundary shown on the zoning map as approximately following a lot line or parcel boundary shall be construed as following the lot line or parcel boundary as it actually existed at the time the zoning boundary was established. If, subsequent to the establishment of the zoning boundary, a lot line should be moved as a result of a legally performed boundary line adjustment (including right-of-way dedications and vacations), the zoning boundary shall be construed as moving with the lot line if the Director, in his sole discretion, determines that the boundary line adjustment is minor in nature and that the corresponding change in the zoning is consistent with goals, objectives and intent of the comprehensive plan and is consistent with the general zoning pattern in the area. In this case, the [Community Development](#) Director shall direct that the official zoning map be amended.

If the Director determines that moving the zoning line as a result of a boundary line adjustment is not clearly minor, would have a material impact on the zoning pattern of the area, or would be contrary to the goals, objectives or intent of the comprehensive plan, then the zoning boundary shall only be moved after approval through the formal zoning amendment process pursuant to Chapter [18A.20](#) LMC.

2. A boundary shown on the zoning map as approximately following a creek, lake, or other water course shall be construed as following the actual centerline of the water course. If, subsequent to establishment of the boundary, the centerline of the water course should move as a result of natural processes, the boundary shall be construed as moving with the centerline of the water course, as determined by the ordinary high water line.

3. A boundary shown on the zoning map as approximately following a ridge line or topographic contour line shall be construed as following the actual ridge or contour line. If, subsequent to the establishment of the boundary, the ridge or contour line should move as a result of natural processes, the boundary shall be construed as moving with the ridge or contour line.

4. A boundary shown on the zoning map as approximately following a street or railroad line shall be construed as following the centerline of the street or railroad right-of-way. If, subsequent to the establishment of the boundary, the centerline of the street or railroad right-of-way should be moved as a result of its widening or minor realignment, such as at an intersection, the boundary shall be construed as moving with the centerline.

5. Whenever any street or other public right-of-way is vacated in the manner prescribed by law, the zoning district adjoining each side of said street or other public right-of-way shall be automatically extended to the centerline of the former street or other public right-of-way, unless determined otherwise pursuant to this section, and all of the area included in the vacation shall then and henceforth be subject to all regulations of the extended districts.

6. An Open Space and Recreation (OSR) zoning district boundary shown on the zoning map as approximately following a wetland boundary line shall be construed as following the actual edge of the wetland. If, subsequent to the establishment of the zoning district boundary, a wetland delineation report is conducted by a qualified wetland biologist and said report is reviewed and accepted by the City, the boundary shall be construed as following the delineated wetland line. The appropriate wetland buffer shall not be included within the OSR zone boundary, rather the buffer area shall be included in adjacent upland zoning district, pursuant to LMC [18A.60.110](#).

7. If the specific location of a zoning boundary line cannot be determined from application of the above rules to the zoning map, it shall be determined by the use of the scale designated on the zoning map.

8. Where questions still arise concerning the exact location of a district boundary, the Director shall interpret the zone boundaries.

E. *Interpretation of Unlisted Words and Phrases.* The definition of any word or phrase, not listed in this title, which is in question when administering this title, shall be defined from one of the

following sources which are incorporated herein and adopted by reference. Said sources shall be utilized to find the desired definition in the order listed as follows:

1. City of Lakewood Land Use and Development Code.
2. City of Lakewood Comprehensive Plan.
3. Any other portion of the Lakewood Municipal Code or other City resolution, ordinance, or regulations.
4. Any statute or regulation of the State of Washington, beginning with the most applicable first.
5. Legal determinations and definitions from applicable case law.
6. Legal definitions from the most recent edition of Black's Law Dictionary.
7. Definitions from Webster's Dictionary or other common dictionary.

F. *Minimum Requirements.* When interpreting and applying the regulations of this Development Code, its provisions shall be the minimum requirements, unless otherwise stated.

G. *Easements and Private Agreements.* This title is not intended to override any easement, covenant, or any other private agreement; provided, that where the provisions of this title are more restrictive or impose higher standards or regulations than such easements, covenants, or other private agreements, the requirements of this title shall govern.

H. *Conflicts of Regulations.* Except as otherwise specifically stated, where conflicts occur within this Development Code or between the provisions of this Development Code and the Building and Fire Codes or other regulations of the City, the more restrictive shall apply.

I. *Conflicts with State Law.* The provisions of this title shall not have the effect of authorizing any activities prohibited by state law or other ordinances of the City of Lakewood.

J. *Official Zoning Map – Conflicts with LMC 18A Text.* If any conflict occurs between the City of Lakewood Zoning Map and the text of this title, then the text of this title shall prevail.

K. Requests for interpretations shall be made in writing and include cites to specific code section(s) needing interpretation as well as an explanation of the need for interpretation.

L. *Record.* A record shall be kept of all interpretations and rulings made by the Director; such decisions shall be used for future administration. The Director shall report decisions to the Planning Commission when it appears desirable and necessary to amend this title.

M. *Time Limitation.* An interpretation of the provisions of this title remains in effect until rescinded in writing by the Director, or until the subject text of this title has been amended.

N. Interpretations of the Director shall be appealable to the Hearing Examiner as set forth in Chapter [18A.20](#) LMC, Part IV. [Ord. 758 § 2 (Exh. A), 2021; Ord. 726 § 2 (Exh. B), 2019.]

18A.10.080 Authority and comprehensive plan consistency.

No changes proposed.

18A.10.090 Comprehensive plan amendments.

No changes proposed.

18A.10.100 General requirements.

A. *Application.* All land or structures shall be used and constructed in accordance with the regulations and requirements of this Development Code including obtaining applicable permits prior to initiation of use.

B. *Conflicting Permits and Licenses to Be Voided.* All permits or licenses shall be issued in conformance with the provisions of this Development Code. Any permit or license subsequently issued and in conflict with this Development Code shall be null and void.

The ~~Community Development~~ Director is authorized and empowered to revoke any permit issued by the ~~Community and Economic Development~~ Department issued in error or based on

false or misleading information or upon failure of the permit holder thereof to comply with any provision or condition of this title.

C. *Burden of Proof.* Except as otherwise provided herein or by prevailing law, each and every applicant shall bear the burden of demonstrating compliance with the provisions of this code. [Ord. 726 § 2 (Exh. B), 2019.]

18A.10.110 Severability.

No changes proposed.

18A.10.120 Establishment of zoning districts.

No changes proposed.

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

No changes proposed.

18A.10.130 Establishment of overlay districts.

No changes proposed.

18A.10.135 Establishment of military influence area.

18A.10.135.1 Purpose.

No changes proposed.

18A.10.135.2 Applicability.

No changes proposed.

18A.10.135.3 Definitions.

No changes proposed.

18A.10.135.4 Administration.

The City of Lakewood ~~Community and Economic Development~~ Planning and Public Works Department (~~CEEDD~~) is responsible for implementing the provisions of this chapter. [Ord. 726 § 2 (Exh. B), 2019.]

18A.10.135.5 Coordinating officials.

No changes proposed.

18A.10.135.6 Lakewood Military Coordination and Notice Area (MCNA).

No changes proposed.

18A.10.135.7 Coordination between the City of Lakewood and JBLM.

No changes proposed.

18A.10.135.8 Light emissions.

No changes proposed.

18A.10.135.9 Notice to property owners.

A. *Permit Notices.*

1. The approval documentation associated with the types of applications identified below, within the Lakewood MCNA shown in Figure 2A, shall include a notification statement in accordance with subsection [\(A\)\(2\)](#) of this section.

- a. Building permits,
- b. Zoning permits,

- c. Subdivision plats, and
- d. Site plans.

2. The approval documentation associated with the types of applications identified in subsection [\(A\)](#) of this section shall include a notification statement that:

- a. The property and its subsequent occupants could experience military training impacts, including impacts related to noise, vibration, odors, flight safety hazards, and other impacts related to operations associated with JBLM;
- b. The property may be subject to additional development regulations or limitations due to the property's proximity to the installation; and
- c. Information related to such regulations or limitations is available in the City of Lakewood Community and Economic Development Department.

B. *Real Estate Disclosures.*

1. At or prior to all real estate closings involving a property located in the Military Coordination and Notice Area, the buyer and seller shall sign a Real Estate Disclosure Form, which shall be filed with the deed and/or plat at the Pierce County Auditor's Recording Office.

2. The City of Lakewood ~~Community and Economic Development~~ [Planning and Public Works](#) Department shall develop and maintain a Real Estate Disclosure Form, which advises prospective lessees or tenants that:

- a. The property and its subsequent occupants could experience military training impacts, including impacts related to noise, vibration, odors, flight safety hazards, and other impacts related to operations associated with JBLM;
- b. The property may be subject to additional development regulations or limitations due to the property's proximity to the installation; and
- c. Information related to such regulations or limitations is available in the City of Lakewood ~~Community and Economic Development~~ [Planning and Public Works](#) Department.

3. All prospective lessees or tenants signing a commercial or residential lease or rental agreement for a property located within the Military Coordination and Notice Area, shall be notified by the property owner through a written provision contained in the lease or rental agreement that:

- a. The property and its subsequent occupants could experience military training impacts, including impacts related to noise, vibration, odors, flight safety hazards, and other impacts related to operations associated with JBLM;
- b. The property may be subject to additional development regulations or limitations due to the property's proximity to the installation; and
- c. Information related to such regulations or limitations is available in the City of Lakewood ~~Community and Economic Development~~ [Planning and Public Works](#) Department. [Ord. 726 § 2 (Exh. B), 2019.]

18A.10.135.10 Compatible use standards.

No changes proposed.

18A.10.135.11 Property records and GIS.

No changes proposed.

18A.10.135.12 No delegation of local authority.

No changes proposed.

18A.10.140 Establishment of subareas.

No changes proposed.

18A.10.150 Adoption of City-wide and subarea zoning maps.

No changes proposed.

18A.10.160 Boundaries – Administrative determination.

When uncertainty exists as to boundaries of any land use zoning classification on the zoning map, the Director following the administrative procedures [of a Process Type I](#) application as contained in [LMC Chapter 18A.20 LMC 18A.20.310](#) shall make a determination as to the location of the boundary in question based on the following rules of construction:

- A. Where zone boundaries are indicated as approximately following the centerline of street, alley or highway right-of-way, the actual centerline shall be the boundary.
- B. Where zone boundaries are indicated as running approximately parallel to the centerline of the street right-of-way, the boundary line shall be construed to be parallel to the centerline of the street right-of-way.
- C. Where zone boundaries are indicated as approximately following the lot or tract lines, the actual lot or tract lines shall be construed to be the boundaries of such zone.
- D. Where a zone boundary divides a tract in unsubdivided property, the location of such zone boundary, unless the same is indicated by dimensions thereon, shall be determined by use of the scale appearing on the zoning map.
- E. Zone boundaries indicated as following shorelines shall be interpreted to follow such shorelines, and in the event of change in the shoreline, shall be interpreted as moving with the actual shoreline.
- F. Where a public street or alley right-of-way is officially vacated or abandoned, the regulations applicable to the abutting property to which the vacated portion shall revert shall apply to such vacated or abandoned street or alley right-of-way.
- G. Where the zone boundaries shown on the zoning map are inconsistent with the written legal descriptions of the zoning boundary as described in the implementing ordinance, the written legal description of the zoning boundary shall prevail. [Ord. 726 § 2 (Exh. B), 2019.]

18A.10.170 Boundaries – Planning Commission recommendation – City Council determination.

In case uncertainty exists in zoning designation lines that cannot be resolved by application of the administrative rules contained in LMC [18A.10.160](#), the Planning Commission shall recommend, and the City Council shall determine, the location of such zone boundaries. This action shall be considered a [legislative process and Process Type V application type](#) as outlined under [Chapter 18A.20 LMC 18A.20.310](#). The Planning Commission and City Council shall base the determination of zone classification lines on the land use designation maps and policies of the comprehensive plan. [Ord. 726 § 2 (Exh. B), 2019.]

18A.10.175 Reasonable accommodation.

A. *Purpose and Intent.* The Federal Fair Housing Act (FFHA) requires that reasonable accommodations be made in rules, policies, practices, or services, when such accommodations may be necessary to afford persons with disabilities equal opportunity to use and enjoy a dwelling in conformance with the Federal Fair Housing Act and the Washington Housing Policy Act.

B. *Applicability.*

1. A request for reasonable accommodation may be made by any person with a disability, the person's representative, or any entity, when the application of a zoning law or other land use regulation, policy or practice acts as a barrier to fair housing opportunities.
2. A request for reasonable accommodation may include a modification or exception to the rules, standards and practices for siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of his or her choice.

C. *Application Requirement.*

1. A request for reasonable accommodation shall be submitted on an application form provided by the [Community and Economic Development Planning and Public Works](#) Department and shall contain the following information:

- a. The applicant's name, address, telephone number, and email address;
- b. Address of the property for which the request is being made;
- c. The current use of the property;
- d. The basis for the claim that the individual is considered under the Acts;
- e. The code provision, regulation, or policy from which reasonable accommodation is being requested;
- f. What specific accommodation is requested and why the accommodation is necessary to make the specific property accessible to the individual.

D. *Review Authority.*

1. If no approval is sought other than the request for reasonable accommodation, the request shall be reviewed by the ~~Community Development~~ Director or designee as outlined in Chapter [18A.20](#), ~~Article I, LMC 18A.20.070 and LMC 18A.20.080~~.
2. If a request for reasonable accommodation is submitted for review with a land use application requiring a higher level of review, the review authority making the final land use decision shall concurrently review and make a decision on the request.

E. *Review Findings.*

1. The written decision to grant, grant with modifications or deny a request for reasonable accommodation shall be based on the following findings:
 - a. The housing, which is the subject of the request, will be used by a disabled individual;
 - b. The accommodation requested is necessary to make specific housing available to a disabled individual;
 - c. Potential impact on surrounding uses;
 - d. Physical attributes of the property and structures;
 - e. Alternative accommodations which may provide an equivalent level of benefit;
 - f. The requested accommodation would not require a fundamental alteration in the nature of a City policy or law, including but not limited to the Lakewood Comprehensive Plan and zoning;
 - g. The requested accommodation would not impose an undue financial or administrative burden on the City.
2. In granting a request for reasonable accommodation, the ~~Community Development~~ Director may impose conditions of approval deemed reasonable and necessary to ensure that the accommodation complies with the findings.

F. *Appeal of Determination.* A determination by the reviewing authority to grant, grant with modifications or deny a request for reasonable accommodation may be appealed pursuant to LMC [18A.20.400](#). [Ord. 726 § 2 (Exh. B), 2019.]

18A.10.180 Definitions.

Only proposed changes noted below.

"A."

"Amendment" means a change in the wording, context, or substance of this code or the comprehensive plan; a change in the zoning map or comprehensive plan map; a change to the official controls of City code; or any change to a condition of approval or modification of a permit or plans reviewed or approved by the ~~Community and Economic Development~~ Planning and Public Works Director or Hearing Examiner.

"C."

"City of Lakewood Coordinating Official" means the Planning and Public Works ~~Community and Economic Development~~ Department Director or their designee.

~~"Community and Economic Development~~ Planning and Public Works Director" (see also "Director") means the individual who performs responsible professional, administrative and supervisory work in directing and leading the activities of the Planning and Public Works ~~Community and Economic Development~~ Department.

"D."

"Director" means the ~~Community and Economic Development~~ Planning and Public Works Director or their designee.

"I."

"Interior Alterations" means any construction activities that does not modify the existing site layout, its current use and involves no exterior work expanding the existing building footprint.

"P."

"Project permit" means any land use or environmental application or permit ~~or approval~~ required from the City for a project action, including but not limited to: subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, ~~and site plan review~~, permit of approvals required by the critical

[area ordinance, and site specific rezones not requiring a Comprehensive Plan or Shoreline Master Program amendment.](#)

~~“Public Works Director” means the Director of the Lakewood Public Works Department and/or~~

[Ord. 794 § 2 (Exh. A), 2023; Ord. 789 § 2 (Exh. A), 2023; Ord. 775 § 1 (Exh. A), 2022; Ord. 758 § 2 (Exh. A), 2021; Ord. 756 § 2, 2021; Ord. 751 § 4 (Exh. C), 2021; Ord. 738 § 2 (Exh. A), 2020; Ord. 726 § 2 (Exh. B), 2019.]

Chapter 18A.20 ADMINISTRATION

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18A.20.005 Definitions.

No changes proposed.

Article I. Administration

18A.20.010 Applications.

The Director shall provide ~~describe the official form in which~~ applications ~~forms are made~~ for amendments to the comprehensive plan and the ~~d~~Development ~~c~~Code and ~~the form of~~ all project permit applications to be used for all matters which may come before the Department, Hearing Examiner, ~~the~~ Planning Commission and ~~the~~ City Council. The Department will prepare ~~and provide copies for such purposes~~ and prescribe the type of information to be provided in the application or petition by the applicant ~~or petitioner~~. No application shall be deemed complete unless it complies with such requirements and payment of applicable fees.

Applications shall be submitted through the City's online permitting system. An applicant may request to be exempt from electronic submission by providing the Director with a written request for accommodations pursuant to the provisions of the Americans with Disabilities Act

of 1990 (42 U.S.C. §§ 12101-12231), chapter 49.60 RCW, and other similar local, state, and federal laws.

~~At minimum, each form shall require the authorized signature of the landowner or their agent applicant, designation of a single person or entity to receive determinations and notices, and payment of the appropriate application fee, if any. [Ord. 726 § 2 (Exh. B), 2019.]~~

18A.20.015 Preapplication conferences and application assistance.

The Department may assist the public in interpreting and applying the LMC to proposals. Assistance may be subject to applicable fees in the adopted fee schedule available on the Department's website. Requests for preapplication conferences and/or staff consultation must be submitted on a completed form provided by the Department with all information required and payment of fees. Failure to provide all pertinent information may prevent the Department from identifying applicable requirements or otherwise providing the most effective assistance to applicants.

- A. Preapplication meeting. The purpose of the preapplication conference is to acquaint the applicant with the technical and procedural requirements of the Code, including applicable elements of the comprehensive plan. It is not possible for the Department to provide an exhaustive review of all potential issues with a proposal at a preapplication conference. Nor shall the City be bound by the Department's discussion at the preapplication conference. The Department may suspend or revoke a permit under the provisions of the Code, whenever the permit is issued in error or based on or in reliance on information that is incorrect, inaccurate, or incomplete, or when the permit violates or permits a violation of any law.

Preapplication conferences are optional but encouraged for all permit types described in LMC 18A.20.080. The Department shall provide a written summary of the project proposal and the code requirements applicable to the proposal.

B. Staff Consultations. Applicants may request an informal meeting to discuss project feasibility, technical and procedural requirements and/or applications under review. Fees associated with a staff consultation shall be in accordance with the adopted fee schedule.

~~The purpose of the preapplication conference is to acquaint the applicant with the substantive and procedural requirements of the Lakewood Municipal Code in relation to the proposed project and the applicable elements of the comprehensive plan, to arrange such technical and design assistance as will aid the applicant, and to otherwise identify policies and regulations associated with the proposed development.~~

~~A. A preapplication conference shall be required for all Process III and IV permits as described in LMC 18A.20.080 and for all Process I and II permits as described in LMC 18A.20.080 that require environmental review. A preapplication conference may also be required for any project at the discretion of the Director. A preapplication conference may also be initiated by an applicant for a project where technical review is desired. Only one preapplication conference shall be required for all project permit applications related to the same project; however, an applicant may request multiple preapplication conferences in relationship to a given project.~~

~~A preapplication conference shall precede the submittal of any project permit application, including an environmental checklist. The Director may waive, in writing, the requirement for a preapplication conference for proposals that are determined not to be of a size and complexity to require the detailed analysis of a preapplication conference, or as otherwise determined not appropriate for such review.~~

~~B. Submission of Application. To initiate a preapplication conference, an applicant shall submit a completed form provided by the City and all information pertaining to the proposal as prescribed by administrative procedures of the Community and Economic Development~~

~~Department. Failure to provide all pertinent information may prevent the City from identifying all applicable issues or providing the most effective preapplication conference.~~

~~C. *Limitations.* It is impossible for the conference to be an exhaustive review of all potential issues. The discussion at the conference or the information form given to the applicant shall not bind or prohibit the City's future application or enforcement of the applicable law; rather, it is intended to offer the applicant guidance in preparing a development proposal for submittal. [Ord. 726 § 2 (Exh. B), 2019.]~~

18A.20.020 Application fees.

A. *Payment.* Application fees as established by the City and shall be paid to the Department upon the filing of any application or petition. An application shall not be deemed complete nor go under review without payment of applicable fees.

B. *Official Fee Schedule.* Fees for the review and processing of applications or permits pursuant to this title shall be identified on the official fee schedule for the City, adopted by the City Council. The permit fee schedule shall be made available on the Department's website. [Ord. 726 § 2 (Exh. B), 2019.]

18A.20.030 Complete application ~~form and content.~~

~~*Permit Application Contents.* The City of Lakewood permit applications shall specify on each type of permit application the requirements necessary for complete compliance with required time periods and procedures for approval. One copy of each permit application shall be kept on file in the Lakewood Community and Economic Development Department and shall be available in electronic format where possible. Such applications specify the content necessary for timely and orderly processing of each project permit application and for reaching a determination that such application is complete as provided by LMC 18A.20.050. The Director shall be responsible for updating the permit applications as necessary. [Ord. 726 § 2 (Exh. B), 2019.]~~

A. Application submittals shall specify the content required in LMC 18A.20.010. The Department Director or their designee shall review applications for completeness prior

to acceptance and commencing review. An application shall be considered complete, unless otherwise determined by the Department, when it contains the following:

1. Signatures for legally authorized agent and landowner.
2. Engineer of record and contractor, if required.
3. Parcel identification.
Required documents, plans, site plans and application forms signed by the applicant.
4. Detailed description of the proposed project and existing easements.
5. Related studies and reports associated with the project application.
6. For all land division actions, alterations or adjustments to existing land divisions, a completed land survey of the perimeter of the site per the application requirements of LMC Title 17 Subdivisions.
7. A completed State Environmental Policy Act checklist, if required.
8. Payment of all applicable fees in accordance with LMC 18A.20.020. In the event of insufficient funds, the application submittal shall expire.

B. Applications for interior alterations shall not require a site plan in accordance with RCW 36.70B provided that the interior alterations do not result in the following:

1. Alteration of existing egress points from the facility/structure.
2. Additional dwelling unit, sleeping quarters or bedrooms.
3. Nonconformity with federal emergency management agency substantial improvement thresholds.
4. Increase the total square footage or valuation of the structure thereby requiring upgraded fire access or fire suppression systems.
5. Any change of use that requires changes to the existing site layout or building footprint.
6. Frontage or site development improvements.

Pursuant to LMC Title 15 Buildings and Construction, nothing in this section exempts interior alterations from applicable building, plumbing, mechanical, fire or electrical codes.

18A.20.040 Consolidated review of applications.

Pursuant to RCW [36.70B.060](#) and [36.70B.120](#), an applicant may request in writing to the Department Director ~~elect~~ to consolidate all project related permit applications related to the same proposal as part of an integrated process. ~~submit a consolidated project permit application.~~ Following Director approval, ~~such a request shall be upon and simultaneously~~

~~with submission of all [complete](#) applications [and payment of fees pursuant to LMC 18A.20.050.](#)
~~to be consolidated.~~ Upon [determination of application completeness,](#) ~~payment of the~~
~~appropriate fee(s),~~ all consolidated applications shall be processed as one application with the
final decision ~~on such application~~ [by the appropriate decision authority noted in LMC](#)
[18A.20.080.](#) ~~to be made by the Director if no public hearing is required, or the Hearing Examiner~~
~~if a public hearing is required by law or by exercise of the Director's discretion.~~ [The time period](#)
[for a final decision shall be the longest of the application permit time periods as established in](#)
[LMC 18A.20.050\(D\).](#)~~

[To the extent possible, SEPA review, if applicable, shall be combined and integrated in the](#)
[project application review.](#) ~~Simultaneous applications for permit approval within one category~~
~~of approvals, such as solely land use, building, or engineering approval, shall not be deemed~~
~~consolidated reviews, but nonetheless shall be entitled to consolidated review if so elected by~~
~~the applicant.~~ [Ord. 726 § 2 (Exh. B), 2019.]

18A.20.050 [Determination of completeness, Complete permit](#) [applications,](#) notice and time periods.

A. *Determination of Complete Application.* An application shall be deemed complete by the
[Department](#) ~~City~~ when it meets the [minimum](#) ~~City's technical procedural~~ submission
requirements [in LMC 18A.20.030.](#) ~~and is sufficient for continued processing.~~ [Once deemed](#)
[complete, the Department reserves the right to request even though](#) additional information
[and condition a project as part of the application review process to ensure compliance with](#)
[applicable development regulations.](#) ~~may be required.~~ An application ~~shall not be deemed~~
~~complete unless it is accompanied by the appropriate application fee and includes all~~
~~information specifically required as listed at LMC 18A.20.030, including the signature of the~~
~~property owner(s) or an authorized representative thereof.~~

B. *Notice of Completeness.* The Department shall provide a written notice within twenty-eight
(28) [calendar](#) days of the date of receipt of any application [submittal](#) stating whether the
application is complete [or incomplete in conformance to the LMC.](#) [To the extent known, the](#)
[Department shall,](#) ~~and identifying~~ any other governmental agencies known to have jurisdiction
over the proposal. ~~;~~ ~~or if not complete, setting forth any deficiency of the application, and~~

~~specifying a date upon which the application will be null and void if any deficiencies have not been corrected.~~

~~If an application is incomplete, the Department shall provide written notice to the applicant of any deficiencies pursuant to section C. Upon receipt of any required additional information, the Department shall notify the applicant within fourteen (14) days whether the application is now complete or what additional information is necessary.~~

~~In accordance to RCW 36.70B.070, if the ~~Should the~~ Department fails to provide a timely notice that an application is ~~complete or~~ incomplete, the application shall be deemed technically complete ~~vested as if complete~~ on the 29th day after submittal and upon payment of applicable fees, the Department must review the application~~go under review following payment of fees~~. The Department may reserves the right to request additional information and/or condition a project permit to ensure compliance with applicable development regulations pursuant to RCW 36.70B.070.~~

~~C. *Provision of Additional Information*Incomplete Application. When an application is determined to be incomplete, the Department ~~review authority~~ shall identify, in writing, the specific information necessary to constitute a complete application.~~

- ~~1. Any information necessary to complete or to supplement an application must be submitted within ~~six (6) months~~ninety (90) ~~days~~calendar days of the date of the notice describing such deficiency. If the applicant does not submit the required information within a ninety (90) day period, the project permit application shall automatically expire.~~
- ~~2. Prior to the expiration date, the applicant may request, in writing, to the Department, an extension to provide the required information. The Department may grant one additional ninety (90) calendar day extension if it is determined that the required studies or information warrants more time.~~
- ~~3. The Department shall specify the date upon which the application will be null and void in any requests for supplemental information or studies. Should such information not be timely received, the application shall be null and void on the said date. Within fourteen (14) calendar days after an applicant has submitted to the Department all additional information identified as being necessary for a complete application, the Department shall notify the applicant whether the application is complete or what additional information is necessary. If additional information is necessary, the applicant shall submit the required~~

information within a ninety (90) calendar day period. No additional extensions will be granted.

~~D. *Weekends and Holidays.* Regardless of whether any period is a minimum or maximum, when any permit review, notice or decision time limit of this title terminates upon a weekend or City holiday, such time limit shall automatically be extended to the first following nonholiday weekday.~~

~~DE. *Review Types and Time Period.* The review and processing of project permit applications shall result in a decision being rendered within time limits set forth below.~~

~~FE. *Notice of Delayed Decision.* If the City is unable to issue its final decision within the time limits listed below, the City will provide written notice of this fact to the applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of a final decision.~~

~~FG. *Request for Timeline.* Where no time limit is specified, upon written request the City will provide an estimated time of review.~~

~~GH. *Application Time Limits.*~~

1. ~~_____Type I: Type I permit decisions are projects reviewed administratively which do not require public notice or a public hearing. The time period for issuing a final decision is sixty-five (65) calendar days. The appropriate decision authority may approve, approve with conditions, deny or modify.~~
2. ~~_____Type II: Type II permit decisions are projects reviewed administratively which do require a public notice but does not require a public hearing. The time period for issuing a final decision is one hundred (100) calendar days. The appropriate decision authority may approve, approve with conditions, deny or modify.~~
3. ~~_____Type III: Type III permits are projects which requires both a public notice and hearing. The time period for issuing a final decision is one hundred and seventy (170) calendar days. The appropriate decision authority may approve, approve with conditions, deny or modify.~~

4. ————Type IV: Type IV are not project permits. Type IV decisions are administrative clarifications not subject to a public notice, public hearing nor permit review timelines established in Chapter 36.70B RCW.

5. ————Type V: Type V permits are legislative actions relating to the Lakewood Comprehensive Plan, subarea plans, development regulations and the Shoreline Master Program. Public notice and public hearings before the Lakewood Planning Commission and City Council may be required in state laws and agency rulemaking. The responsibilities for review, processing and associated time periods are established in RCW 36.70A, RCW 90.58, RCW 43.21 and LMC Chapter 18A.30 Article I. Type V decisions are not subject to permit review timelines established in Chapter 36.70B RCW.

E. Notice of Delayed Decision. If the Department is unable to issue its final decision within the time periods listed for Type I, II and III permits, the Department shall provide written notice to the applicant. The notice shall include a statement of reasons why the time has not been met and an estimated date for issuance of a final decision.

Application	Planning Permit	Engineering Permit	Building Permit	Review Time Limits (Days)
Accessory Building	Y	N	N	90
Accessory Dwelling Unit	Y	N	N	90
Administrative Nonconforming Determination	Y	N	N	90
Annexation	Y	N	N	180
Appeal to Hearing Examiner	Y	Y	Y	90
Binding Site Plan	Y	N	N	120
Binding Site Plan Amendment	Y	N	N	120

Application	Planning Permit	Engineering Permit	Building Permit	Review Time Limits (Days)
Business License	Y	N	N	120
Certificate of Occupancy	N	N	Y	60
Commercial Addition/Remodel	N	N	Y	120
Comprehensive Map amendment, Area Wide	Y	N	N	120
Comprehensive Map amendment, site specific	Y	N	N	120
Comprehensive text only amendment	Y	N	N	120
Conditional Use Permit	Y	N	N	120
Conditional Use Permit – Major Modification	Y	N	N	120
Conditional Use Permit – Minor Modification	Y	N	N	120
Cottage Housing Development	Y	N	N	120
Demolition Permit	N	N	Y	120
Design Review Permit	Y	N	N	90
Development Agreement	Y	N	N	120
Emergency Housing Permit*	N	N	Y	120

Application	Planning Permit	Engineering Permit	Building Permit	Review Time Limits (Days)
Emergency Shelter Permit*	N	N	Y	120
Environmental Review (SEPA Checklist and Threshold Determination)	Y	N	N	120
Environmental Impact Statement (Draft)	Y	N	N	365
Final Subdivision Plat (10 or more lots)	Y	N	N	120
Foster Care Facility Permit	N	N	Y	60
Home Occupation Permit	Y	N	N	90
Housing Incentives Permit	Y	N	N	90
Landscape Plan Review	Y	N	N	90
Land Use Approval	Y	N	N	120
Lot Line Adjustment	Y	N	N	90
Major Modification to a Type III Permit	Y	N	N	120
Manufactured/Mobile Home Setup Permit	N	N	Y	90
New Commercial Permit	N	N	Y	120
New Single-Family Permit	N	N	Y	60
New Multifamily Permit	N	N	Y	120

Application	Planning Permit	Engineering Permit	Building Permit	Review Time Limits (Days)
Permanent Supportive Housing Permit*	N	N	Y	120
Pre-Application	Y	Y	Y	60
Preliminary and Final Short Plats (creating 2 – 9 lots)	Y	Y	N	120
Preliminary Plat (10 or more lots)	Y	Y	N	120
Planned Development District	Y	N	N	120
Rapid Rehousing Permit*	N	N	Y	120
Reasonable Accommodation Request	Y	N	N	90
Residential Addition/Remodel	N	N	Y	60
Scrivener Corrections to Comprehensive Plan Map, and/or Comprehensive Plan text, Zoning Map, and/or Zoning Development Regulations	Y	N	N	N/A
Senior Housing Overlay Permit	Y	N	N	90
Shoreline Conditional Use Permit	Y	N	N	120
Shoreline Conditional Use Permit when Referred by the Shoreline Administrator	Y	N	N	120

Application	Planning Permit	Engineering Permit	Building Permit	Review Time Limits (Days)
Shoreline Exemption Permit	Y	N	N	120
Shoreline Master Program amendment	Y	N	N	120
Shoreline Substantial Development Permit	Y	N	N	120
Shoreline Substantial Development Permit when Referred by the Shoreline Administrator	Y	N	N	120
Shoreline Variance Permit	Y	N	N	120
Shoreline Variance Permit when Referred by the Shoreline Administrator	Y	N	N	120
Short Plat Amendment	Y	Y	N	120
Sign Permit	Y	N	N	60
Site Development Permit	N	Y	N	90
Small Cell Wireless Permit	Y	N	N	See Chapter 18A.95 LMC
Subdivision Plat Alteration	Y	Y	N	120

Application	Planning Permit	Engineering Permit	Building Permit	Review Time Limits (Days)
Temporary Use Permit	Y	N	N	90
Transfer of Development Rights	Y	N	N	120
Transitional Housing Permit*	N	N	Y	120
Transitory Accommodation Permit	Y	N	N	120
Tree Removal Permit	Y	N	N	90
Tree Retention Plan	Y	N	N	90
Time Extension or Minor Modification to a Type I Permit	Y	N	N	120
Time Extension or Minor Modification to a Type II Permit	Y	N	N	120
Time Extension or Minor Modification to a Type III Permit	Y	N	N	120
Variance	Y	N	N	120
Unusual Use(s) Permit	Y	N	N	120
Zoning Certification	Y	N	N	60
Zoning Interpretations (map and/or text)	Y	N	N	90
Zoning Map amendment, Area Wide	Y	N	N	120

Application	Planning Permit	Engineering Permit	Building Permit	Review Time Limits (Days)
Zoning Map, site specific	Y	N	N	120
Zoning amendment text only	N	N	N	120

Notes:

"Y" means Yes.

"N" means No.

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

Exemptions: Type I and Type II administrative approvals, categorically exempt from SEPA or for which environmental review has been completed in connection with other project permits are exempt from the provisions of RCW 36.70B.060 and 36.70B.110 through 36.70B.130

4F. Complete Applications Requiring Responses to Corrections or Additional Information. When a complete application requires corrections or additional information, the Department shall identify, in writing, the specific correction or information necessary to continue review.

1. When corrections or additional information is required, the applicant shall have ninety (90) calendar days from the date of the written notification to submit all required corrections or information to the Department. If the applicant does not submit all required corrections or information within the ninety (90)-day period, the project permit application shall automatically expire.
2. Prior to the expiration date, the applicant may request, in writing, an extension to provide the required information. The Director may grant up to two (2) ninety (90)-day extensions if it is determined that the required information warrants additional time.

3. The Director may provide extensions beyond the two ninety-day extensions when such extension is necessary to accommodate review or comment by another local, state or federal agency or private or public utility district/provider (collectively "agency").
4. If the agency is reviewing the project, the extension must be supported by the agency, must be the minimum needed by the agency for review, the agency must indicate that all necessary materials have been provided for their respective review, and the agency must provide a date by which they will complete their review.
5. If the agency is nonresponsive to an applicant's need for additional information or corrections, the Department shall, in consultation with the applicant, temporarily waive the expiration deadline and associated review time period, or in the event of minor information or corrections needed, defer the information or correction to a subsequent and related project permit application.
6. Applications that expire shall be held for sixty (60) calendar days; after that time, they shall be voided. The Department Director shall have the discretion to refund fees paid on expired applications in accordance with the Department's adopted permit fees.
7. If a project for which an application has been submitted becomes the subject of formal mediation or arbitration, an additional extension to the time frame may be requested and granted. The time frame for decision shall consider the date of conclusion of mediation or arbitration.
8. Expired applications will not be further processed and reviewed.

1. Time ~~Period~~ ~~Limit~~ ~~Exemptions~~ ~~ceptions~~. The time ~~periods for issuing a decision on complete applications~~ ~~limits set forth above~~ do not include:

1. ~~Up to the first twenty-eight (28) days after receipt of an application during~~ The time in which the ~~Department~~ ~~City~~ determines whether the application is ~~deemed~~ complete.
2. ~~Type I and Type II approvals, categorically exempt from SEPA or for which environmental review has been completed in connection with another project.~~
3. ~~Time periods to process a permit shall start over if an applicant proposes a change in use that adds or removes commercial or residential elements from the original application~~

that would make the application fail to meet the determination of application completeness in LMC 18A.20.050.—

~~43.~~ Any period during which the applicant has been requested by the DepartmentCity to correct plans, perform studies or provide additional information requested by the DepartmentCity.

~~53.~~ If the DepartmentCity determines that ~~the~~ additional information submitted ~~to the City~~ by the applicant under ~~subsection (1)(2) of this section~~ this Title is insufficient, the DepartmentCity shall notify the applicant of the deficiencies and the procedures ~~of~~ ~~subsection (1)(2)~~ shall apply as if a new request for information has been made.

~~64.~~ ~~Any appeal period.~~ Any period after an administrative appeal is filed until the administrative appeal is resolved and any additional time period provided by the administrative appeal has expired. Decisions regarding appeals shall be issued by the Examiner within ninety (90) days of receipt of an appeal.

~~75.~~ Any extension of time mutually agreed upon by the applicant and the DepartmentCity. Requests to suspend review will be afforded six (6) months to restart review before —an application is deemed abandoned and expired. An application expired due to suspension can be reactivated if still within the same code cycle.

~~86.~~ The time required to prepare and issue a ~~n final~~ Environmental Impact Statement (EIS) in accordance with the State Environmental Policy Act.

9. Public agency capital projects.

10. The application is to rectify a code violation.

11. In the event of an emergency which is declared by federal, state or local authorities.

12. Requires a Comprehensive Plan, Subarea Plan, Shoreline Master Program or development regulation amendment.

13. Building permit applications.

14. Construction/site development and rights-of-way applications.

15. Shoreline permits requiring final decision by the Washington State Department of Ecology or other federal or state agency.

16. A variance, deviation, exception or adjustment to minimum standards as required under the LMC.

17. Certificate of appropriateness as outlined in Chapter 2.48 LMC.

J. The City shall submit an annual application timeline performance report(s) in accordance with RCW 36.70B.080.

[Ord. 794 § 2 (Exh. A), 2023; Ord. 789 § 2 (Exh. A), 2023; Ord. 726 § 2 (Exh. B), 2019.]

18A.20.060 ~~Effects of P~~project permit application revisions.

A. If, ~~in the judgment of~~ the Director ~~determines or their designee~~, the content of a ~~complete~~ application is so substantially revised by an applicant, either voluntarily or to conform with applicable standards and requirements, that such revised proposal constitutes a substantially different proposal than that originally ~~deemed complete~~ ~~submitted~~, the Director shall deem the revised proposal to be a new application and associated time periods set forth in LMC 18A.20.050 shall restart. The revised project application shall be subject to all laws, regulations, and standards in effect on the date of receipt of such complete substantial revision.

B. In reaching a decision whether a revision is substantial, the Director shall consider the relative and absolute magnitude of the revision, the environmental sensitivity of the site, any changes in location of significant elements of the project and their relation to public facilities, surrounding lands and land uses and the stage of review of the proposal. Lesser revisions that would not constitute substantial revisions during early stages of review may be substantial during later stages due to the reduced time and opportunity remaining for interested parties to review and comment upon such changes. Written notice of such determination of substantial revision shall be provided to the applicant and all parties of record.

~~C. A determination that any revision is substantial shall result in the time periods mandated by the Regulatory Reform Act, Chapter 36.70B RCW, set forth in this title starting from the date at which the revised project application is determined to be complete. The revised project~~

~~application shall be subject to all laws, regulations, and standards in effect on the date of receipt of such complete substantial revision. [Ord. 726 § 2 (Exh. B), 2019.]~~

~~18A.20.070 Approval and appeal authorities.~~

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

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

- ~~1. Accessory building;~~
- ~~2. Accessory dwelling unit;~~
- ~~3. Administrative nonconforming determination;~~
- ~~4. Appeal to Hearing Examiner;~~
- ~~5. Binding site plan;~~
- ~~6. Binding site plan amendment;~~
- ~~7. Business license;~~
- ~~8. Certificate of occupancy;~~
- ~~9. Commercial addition/remodel;~~
- ~~10. Conditional use permit;~~
- ~~11. Conditional use permit – minor modification;~~
- ~~12. Cottage housing development;~~
- ~~13. Demolition permit;~~
- ~~14. Design review permit;~~

- ~~15. Emergency housing permit;~~
- ~~16. Emergency shelter permit;~~
- ~~17. Environmental review (SEPA checklist and threshold determination);~~
- ~~18. Final subdivision plat (10 or more lots);~~
- ~~19. Foster care facility permit;~~
- ~~20. Home occupation permit;~~
- ~~21. Housing incentives permit;~~
- ~~22. Landscape plan review;~~
- ~~23. Land use approval;~~
- ~~24. Lot line adjustment;~~
- ~~25. Manufactured/mobile home setup permit;~~
- ~~26. New commercial permit;~~
- ~~27. New multifamily permit;~~
- ~~28. New single-family permit;~~
- ~~29. Permanent supportive housing permit;~~
- ~~30. Pre-application;~~
- ~~31. Preliminary and final short plats (creating 2 to 9 lots);~~
- ~~32. Rapid rehousing permit;~~
- ~~33. Reasonable accommodation request;~~
- ~~34. Residential addition/remodel;~~
- ~~35. Senior housing overlay permit;~~
- ~~36. Shoreline conditional use permit;~~

- ~~37. Shoreline substantial development permit;~~
 - ~~38. Shoreline exemption;~~
 - ~~39. Shoreline variance permit;~~
 - ~~40. Short plat amendment;~~
 - ~~41. Sign permit;~~
 - ~~42. Site development permit;~~
 - ~~43. Senior housing permit;~~
 - ~~44. Small cell wireless permit;~~
 - ~~45. Subdivision plat alteration;~~
 - ~~46. Temporary use permit;~~
 - ~~47. Transfer of development rights;~~
 - ~~48. Transitional housing permit;~~
 - ~~49. Transitory accommodation permit;~~
 - ~~50. Tree retention plan;~~
 - ~~51. Time extension or minor modification to a Type I permit;~~
 - ~~52. Time extension or minor modification to a Type II permit;~~
 - ~~53. Transitory accommodation permit;~~
 - ~~54. Tree removal permit;~~
 - ~~55. Unusual use(s) permit;~~
 - ~~56. Zoning certification;~~
 - ~~57. Zoning interpretations (map and/or text).~~
- ~~B. Director. Pursuant to Chapter 18A.30 LMC, Article V, Land Use Review and Approval, the Director shall have the authority to conduct pre-submission conferences and to grant,~~

~~conditionally grant, deny, or modify, land use approvals regarding projects for which a public hearing is not required, and to extend the period of approval for land use approval granted by the Director or by the Hearing Examiner. These are Type II permits.~~

~~C. Lakewood Hearing Examiner. Lakewood Hearing Examiner shall have the authority vested pursuant to Chapter 1.36 LMC. These include Type III permits.~~

~~D. The City Environmental Review Officer shall administer the State Environmental Policy Act (SEPA), Chapter 14.02 LMC, Environmental Rules and Procedures, and Chapter 14.142 LMC, Critical Areas. This can include Type II and III.~~

~~E. Shoreline Permit Review Process. See City of Lakewood Shoreline Master Program, Ordinance No. 711 or as amended hereafter. This can include Type II and Type III.~~

~~F. Subdivision Review Process. See LMC Title 17. This is a Type III. [Ord. 794 § 2 (Exh. A), 2023; Ord. 789 § 2 (Exh. A), 2023; Ord. 726 § 2 (Exh. B), 2019.]~~

18A.20.080 Review and approval authorities.

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

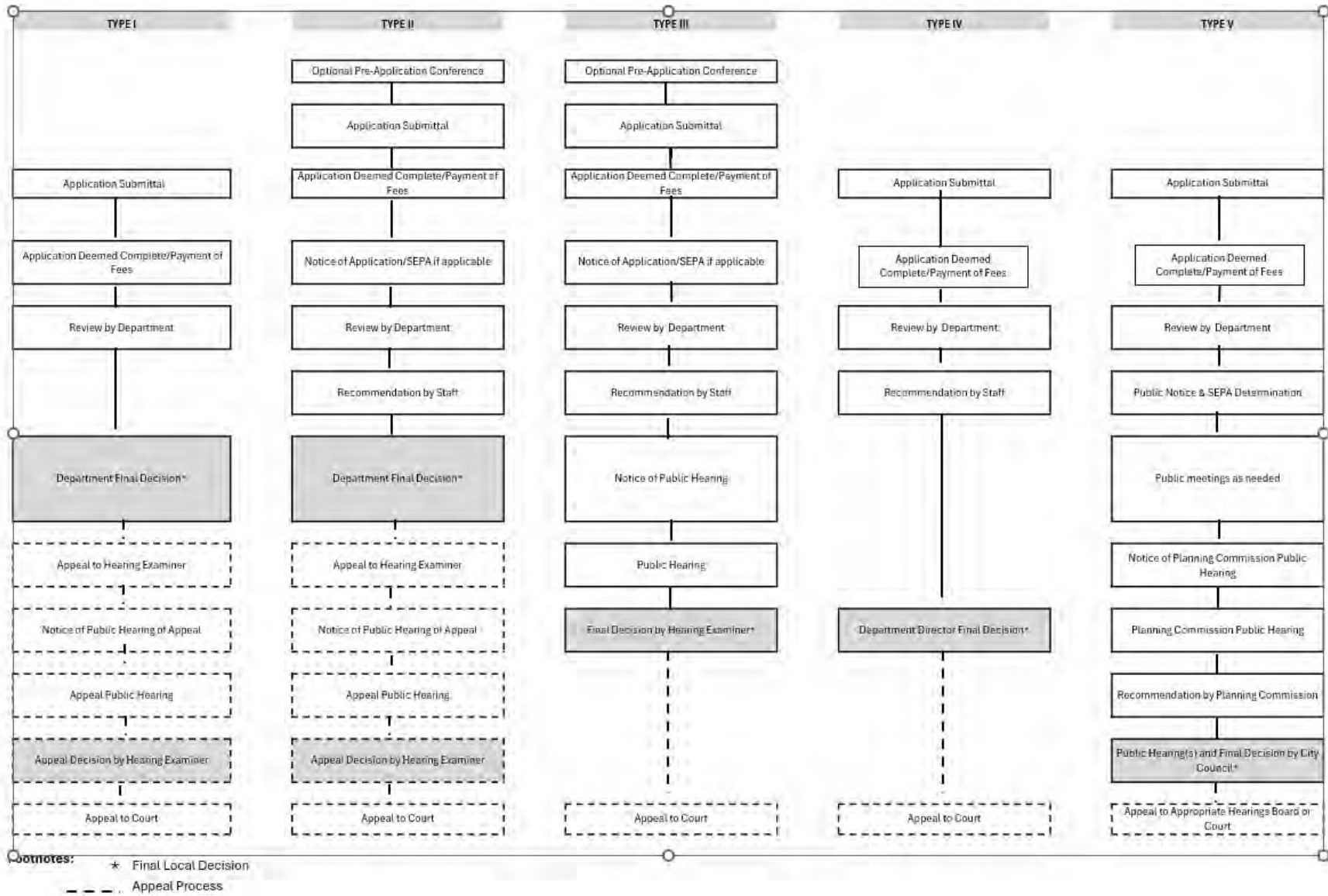
Application Type	Review & Approval Authority	Type I	Type II	Type III	Type IV	Type V
Planning (Titles 17, 18A, 18B and 18C)						
Administrative Conditional Use	PPW		X			
Administrative Nonconforming Determination	D	X				
Binding Site Plan	PPW		X			
Binding Site Plan Major Modification	PPW		X			
Binding Site Plan Minor Modification	PPW	X				
Boundary Line Adjustment	PPW	X				

<u>Application Type</u>	<u>Review & Approval Authority</u>	<u>Type I</u>	<u>Type II</u>	<u>Type III</u>	<u>Type IV</u>	<u>Type V</u>
<u>Comprehensive Map Amendment, area-wide</u>	<u>PC/CC</u>					<u>X</u>
<u>Comprehensive Map Amendment, site specific</u>	<u>PC/CC</u>					<u>X</u>
<u>Conditional Use</u>	<u>HE</u>			<u>X</u>		
<u>Consultation Meeting</u>	<u>PPW</u>	<u>X</u>				
<u>Cottage Housing</u>	<u>PPW</u>		<u>X</u>			
<u>Design Review</u>	<u>PPW</u>	<u>X</u>				
<u>Development Agreement</u>	<u>CC</u>					<u>X</u>
<u>Directors Interpretation</u>	<u>D</u>	<u>X</u>				
<u>Emergency Housing</u>	<u>PPW</u>	<u>X</u>				
<u>Emergency Shelter</u>	<u>PPW</u>	<u>X</u>				
<u>Essential Public Facilities</u>	<u>HE</u>			<u>X</u>		
<u>Home Occupation</u>	<u>PPW</u>	<u>X</u>				
<u>Final Plat Alteration</u>	<u>PPW</u>			<u>X</u>		
<u>Final Plat (10 lots or more)</u>	<u>PPW</u>	<u>X</u>				
<u>Final Short Plat (9 lots or less)</u>	<u>PPW</u>	<u>X</u>				
<u>Foster care facility</u>	<u>PPW</u>	<u>X</u>				
<u>Land Use Variance (less than 15% deviation to standards)</u>	<u>PPW</u>	<u>X</u>				
<u>Land Use Variance (greater than 15%, less than 25% deviation to standards)</u>	<u>PPW</u>		<u>X</u>			
<u>Land Use Variance (greater than 25% deviation to standards)</u>	<u>PPW</u>			<u>X</u>		
<u>Permanent Supportive Housing</u>	<u>PPW</u>	<u>X</u>				
<u>Planned Development District</u>	<u>HE</u>			<u>X</u>		
<u>Plat Alteration</u>	<u>HE</u>			<u>X</u>		
<u>Preapplication conference</u>	<u>PPW</u>	<u>X</u>				
<u>Preliminary plat (10 lots or more)</u>	<u>HE</u>			<u>X</u>		
<u>Preliminary plat major modification</u>	<u>HE</u>			<u>X</u>		
<u>Preliminary plat minor modification</u>	<u>PPW</u>		<u>X</u>			
<u>Preliminary short plat (9 lots or less)</u>	<u>PPW</u>		<u>X</u>			
<u>Preliminary short plat major modification</u>	<u>PPW</u>		<u>X</u>			
<u>Preliminary short plat minor modification</u>	<u>PPW</u>	<u>X</u>				

Application Type	Review & Approval Authority	Type I	Type II	Type III	Type IV	Type V
Public facilities master plan	HE			X		
Similar use determination	D	X				
Rezone, area-wide	PC/CC					X
Rezone, site specific	PC/CC					X
Small Cell Wireless	PPW	X				
Special Needs Housing	PPW			X		
Temporary Use	PPW	X				
Time Extension	PPW	X				
Transfer of Development Rights	PPW	X				
Transitional Housing	PPW	X				
Tree Removal/Emergency Tree Removal	PPW	X				
Zoning Amendment (text only)	CC					X
Zoning Certification	PPW	X				
Zoning Interpretations	D	X				
Environmental (Titles 14 & Lakewood Shoreline Master Program)						
Critical Area Reasonable Use Exception	PPW	X				
Critical Area Variance (less than 15% deviation to standards)	PPW	X				
Critical Area Variance (greater than 15%, less than 25% deviation to standards)	PPW		X			
Critical Area Variance (greater than 25% deviation to standards)	HE			X		
Shoreline Exemption	PPW	X				
Shoreline Conditional Use*	PPW			X		
Shoreline Master Program Amendment*	PC/CC					X
Shoreline Substantial Development Permit	PPW		X			
Shoreline Permit (after approval) Major/Minor Modification*	PPW		X			
Shoreline Variance*	HE			X		
SEPA Threshold Determination	PPW		X			
SEPA Planned Action Conformance	PPW	X				
Building (Title 15)						
Accessory Building	PPW	X				

Application Type	Review & Approval Authority	Type I	Type II	Type III	Type IV	Type V
Accessory Dwelling Unit	PPW	X				
Adult Family Home	PPW	X				
Building Code Interpretation	CBO	X				
Certificate of Occupancy	CBO	X				
Commercial Addition/Remodel	PPW	X				
Demolition	PPW	X				
Manufactured/mobile home	PPW	X				
Mechanical	PPW	X				
Multi-family	PPW	X				
New Commercial Building	PPW	X				
New Residential Building	PPW	X				
Plumbing	PPW	X				
Residential Addition/Remodel	PPW	X				
Minor/Major modification to Approved Building Permit	PPW	X				
Signs	PPW	X				
Single family home	PPW	X				
Development Engineering (Titles 12 & 13)						
Right-of-Way	PPW	X				
Road Vacation	CC					X
Site Development Permit	PPW	X				
Minor/Major modification to approved Site Development Permit	PPW	X				
Transportation Mitigation Fee	PPW	X				
Miscellaneous						
Business license	PPW	X				
Multi-family tax exemption**	PPW	X				
Scrivener's corrections	D				X	
Legend: D=Planning & Public Works Director PPW=Planning & Public Works Department CBO=Chief Building Official CE=City Engineer CC=Lakewood City Council HE=Hearings Examiner PC=Lakewood Planning Commission						

<u>Application Type</u>	<u>Review & Approval Authority</u>	<u>Type I</u>	<u>Type II</u>	<u>Type III</u>	<u>Type IV</u>	<u>Type V</u>
<p><i><u>*Pursuant to RCW 90.58, following local action, final decisions are made by the Washington State Department of Ecology. Ecology’s final approval is required for amendments to the Lakewood Shoreline Master Plan (SMP), Shoreline Conditional Use permit and Shoreline Variance permit.</u></i></p> <p><i><u>**Subject to final approval by Resolution of the City Council per Chapter 3.64 LMC.____</u></i></p>						



KEY:		
Appeal	=	Body to whom appeal may be filed
Director	=	Community and Economic Development Director
PC	=	Planning Commission
HE	=	Hearing Examiner
CC	=	City Council
R	=	Recommendation to Higher Review Authority
D	=	Decision
O	=	Appeal Hearing (Open Record)
C	=	Appeal Hearing (Closed Record)
N	=	No
Y	=	Yes

Applications	Public– Notice of– Application	Director	HE	PC	CC
TYPE I ADMINISTRATIVE					
Accessory building	N	D	O/Appeal	N	N
Accessory dwelling unit	N	D	O/Appeal	N	N
Administrative nonconforming– determination	N	D	O/Appeal	N	N
Boundary line adjustment	N	D	O/Appeal	N	N
Business license	N	D	O/Appeal	N	N
Certificate of occupancy	N	D	O/Appeal	N	N
Commercial addition/remodel	N	D	O/Appeal	N	N
Demolition permit	N	D	O/Appeal	N	N
Design review	N	D	O/Appeal	N	N
Emergency housing permit	N	D	O/Appeal	N	N

Emergency shelter permit	N	D	O/Appeal	N	N
Final subdivision plat (10 or more lots)	Y	D	O/Appeal	N	N
Form-based code review and decision	N	D	O/Appeal	N	N
Foster care facility permit	N	D	O/Appeal	N	N
Home occupation permit			O/Appeal		
Hosting the homeless by religious organizations	See RCW – 35A.21.360	D	O/Appeal	N	N
Land use permit – minor modification	N	D	O/Appeal	N	N
Manufactured/mobile home permit	N	D	O/Appeal	N	N
New commercial building permit	N	D	O/Appeal	N	N
New single-family building permit	N	D	O/Appeal	N	N
Permanent supportive housing permit	N	D	O/Appeal	N	N
Pre-application conference permit	N	N	N	N	N
Reasonable accommodation request	N	D	O/Appeal	N	N

Residential addition/remodel	N	D	O/Appeal	N	N
Shoreline exemption	N	D	O/Appeal	N	N
Sign permit	N	D	O/Appeal	N	N
Site development permit	N	D	O/Appeal	N	N
Small wireless facility permit	See Chapter <u>18A.95</u> LMC				
Temporary use permit	N	D	O/Appeal	N	N
Transfer of development rights	N/A (Program administered by Pierce County)				
Time extension or minor modification to a Type I permit	N	D	O/Appeal	N	N
Transitional housing permit	N	D	O/Appeal	N	N
Tree removal permit	N	D	O/Appeal	N	N
Zoning certification	N	D	O/Appeal	N	N
Zoning (map and/or text) interpretation or determination	N	D	O/Appeal	N	N
TYPE II ADMINISTRATIVE					

Binding site plan	Y	D	O/Appeal	N	N
Binding site plan amendment	Y	D	O/Appeal	N	N
Cottage housing	Y	D	O/Appeal	N	N
Environmental review (SEPA) – (SEPA Checklist and Threshold Determination)	Y	D	O/Appeal	N	N
Preliminary and final short plats (2 – 9 lots)	Y	D	O/Appeal	N	N
Shoreline conditional use permit	Y	D	O/Appeal	N	N
Shoreline substantial development permit	Y	D	O/Appeal	N	N
Shoreline variance permit	Y	D	O/Appeal	N	N
Short plat amendment	Y	D	O/Appeal	N	N
Time extension or minor modification to a Type II permit	Y	D	O/Appeal	N	N
TYPE III DISCRETIONARY					
Conditional use permit	Y	R	D	N	N

Land use permit – major modification	Y	R	D	N	N
Major modification to a Type III permit	Y	R	D	N	N
Planned development district	Y	R	D	N	N
Preliminary plat, long	Y	R	D	N	N
Public facilities master plan	Y	R	D	N	N
Shoreline conditional use permit when referred by the Shoreline Administrator	Y	R	D	N	N
Shoreline substantial development permit when referred by the Shoreline Administrator	Y	R	D	N	N
Shoreline variance when referred by the Shoreline Administrator	Y	R	D	N	N
Subdivision plat alteration	Y	R	D	N	N
Time extension to a Type III permit	Y	R	D	N	N
Unusual use(s) permit	Y	R	D	N	N
Variance	Y	R	D	N	N

Zoning Map amendment, site specific	Y	R	D	N	CC/ Appeal
TYPE IV OTHER					
Scrivener corrections to CPA map and/or CPA text	Y	R	N	N	D
TYPE V LEGISLATIVE					
Annexation	Y	R	N	R	D
Comprehensive Plan Map only amendment, Area Wide	Y	R	N	R	D
Comprehensive Plan Map only amendment, site specific	Y	R	N	R	D
Comprehensive Plan text only amendment	Y	R	N	R	D
Development agreement	Y	R	N	R	D
Shoreline Master Program amendment	Y	R	N	R	D
Zoning amendment – Text only	Y	R	N	R	D

[Ord. 794 § 2 (Exh. A), 2023; Ord. 789 § 2 (Exh. A), 2023; Ord. 758 § 2 (Exh. A), 2021; Ord. 756 § 2, 2021; Ord. 738 § 2 (Exh. A), 2020; Ord. 726 § 2 (Exh. B), 2019.]

18A.20.085 Modifications to approved permits or decisions.

A. This section applies to proposed amendments to approved permits or decisions governed by LMC Chapter 18A.20, unless more specific amendment provisions are provided elsewhere in the Code or state laws.

B. Major Amendments.

1. If an applicant submits an application for a major modification to an approved permit or decision, the application shall be reviewed under the vested rules of the associated development regulations and original project permit application. Any amendment is subject to all procedural review requirements and may require additional fees or supporting information as necessary for consistent and informed review. Any changes required by conditions of approval of an application shall not be considered major modifications.

2. For the purpose of this subsection, modifications shall be considered major if one or more of the following applies:

a. The modification would (i) add more than ten percent (10%) gross square footage to a proposed or existing structure(s) on the site and (ii) result in at least one of the following (subsections (B)(2)(b) through (h) of this section); or

b. The perimeter boundary of the original site would be expanded by more than ten percent (10%) of the original lot area; or

c. The modification would increase the overall impervious surface on the site by more than twenty-five percent (25%); or

d. The modification would substantially relocate points of access or increase traffic, unless supported by a revised traffic impact analysis that demonstrates no significant increase in traffic impact; or

e. The modification would reduce designated open space by more than ten percent (10%); or

f. The modification would change the intended use of the original proposal to a new use that is of higher intensity, and would create more significantly adverse impacts than originally proposed; or

g. The modification would result in significant adverse impacts that have not been previously disclosed by the applicant or considered by the department; or

h. There is significant new information that would change a prior SEPA threshold determination.

C. *Minor Modifications.* Minor modifications are changes that do not qualify as major under the criteria above. If an applicant submits an application for a minor amendment to an approved permit or decision, the application shall be reviewed under the vested rules of the original project permit application. Any modification is subject to all procedural review requirements at the time of application for modifications and may require additional fees or supporting information as necessary for consistent and informed review.

D. *Site Development Permits.* Proposed modifications to approved site development permits shall be subject to requirements set forth in LMC Title 12 and this Title.

[E. Land Divisions. Proposed amendments to approved preliminary land divisions, or proposed alterations to approved final land divisions shall be governed by LMC Title 17, Subdivisions and this Title.](#)

18A.20.090 Expiration of approvals.

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

A. *Variance.* Except for variances related to LMC [18A.60.050](#) and [18A.60.060\(F\)](#), unless exercised, a variance shall expire one (1) year from the date a final decision is issued. If timely exercised, a variance shall be valid indefinitely.

B. *Conditional Use Permit.* Unless exercised or otherwise specified, a conditional use permit shall be void one (1) year from the date a notice of final decision was issued. If exercised, a conditional use permit shall be valid for the amount of time specified by the Hearing Examiner. If the use allowed by the permit is inactive, discontinued or abandoned for twelve (12) consecutive months, the permit is void and a new permit shall be obtained in accordance with the provisions of this title prior to resuming operations.

C. *Home Occupation Permit.* A home occupation permit shall be valid indefinitely unless a time limitation is specified by staff or the Hearing Examiner or it is revoked for lack of compliance to conditions. A home occupation permit shall be void unless exercised within one (1) year from the date such permit was issued. If the use allowed by the permit is inactive, discontinued or abandoned for twelve (12) consecutive months, the permit is void and a new permit shall be applied for and obtained in accordance with the provisions of this title prior to resuming operations. A home occupation permit shall not be transferable to a new site or entity.

D. *Land Use Approval.* Unless exercised by complete application for necessary construction permits, any land use approval shall expire and be null and void two (2) years from the date the final approval was issued. Land use approval shall be extended two (2) additional years if a complete building or other construction permit application for the project is submitted prior to expiration of the land use approval. Even absent such application, upon finding that there has been no substantial change in relevant circumstances and standards, land use approval may be

extended up to two (2) additional years by the Director pursuant to a written request submitted prior to expiration of land use approval. Upon receiving such request, notice shall be provided pursuant to the comparable notice of application procedures of LMC [18A.20.310](#). Following a comment period of at least fourteen (14) days, the Director may grant, limit or deny the extension and may impose such conditions of extension to ensure compliance with any subsequently revised standards. If such written request for extension is not received by the Department prior to expiration, such extension shall be denied.

E. *Land Division Approval*. Approved land divisions regulated under LMC Title 17 shall adhere to the expiration timelines set forth in RCW 58.17.

F. *Site Development & Right of Way Approval*. Approved and issued engineering permits shall expire pursuant to LMC Title 12.

G. *Building Permit Approval*. Approved and issued building permits shall expire pursuant to LMC Title 15.

~~H~~E. Detailed design review approval shall expire simultaneously with expiration of any associated building or other construction permit.

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

1. The City of Lakewood determines that information in the application was materially false;
2. The sign as installed does not conform to the sign permit application;
3. The sign violates this code, building code, or other applicable law, regulations or ordinance; or
4. The ~~Community and Economic Development Department~~[Planning and Public Works](#) Director determines that the sign is not being properly maintained. [Ord. 794 § 2 (Exh. A), 2023; Ord. 726 § 2 (Exh. B), 2019.]

18A.20.100 Licenses and building permits.

No proposed changes.

18A.20.105 Violations and enforcement.

A. *Violations.* It shall be a violation of this title for any person to:

1. Use, construct, locate or demolish any structure, land, sign or property within the City without first obtaining the permits or authorizations required for the use by this title.
2. Use, construct, locate or demolish any structure, land, sign or property within the City in any manner that is not permitted by the terms of any permit or authorization issued pursuant to this title; provided, that the terms or conditions are explicitly stated on the permit or the approved plans.
3. Remove or deface any sign, notice, complaint or order required by or posted in accordance with this title, Chapter [14.02](#) LMC, Environmental Rules and Procedures, or other City ordinances.
4. Misrepresent any material fact in any application, plans or other information submitted to obtain any land use authorization.
5. Fail to comply with the requirements of this title.

B. *Enforcement Measures.* The City Manager is authorized and empowered to ensure compliance with and enforce the provisions of this title to the fullest extent of the law. Except as specified elsewhere, violation of any provision of this title, including failure to comply with any lawful order issued under the authority of this title, constitutes a Class 2 civil infraction, as defined in Chapter [1.48](#) LMC. Any violation of this title which is deemed to be a public nuisance or a danger to the public health and/or safety shall be addressed as specified in Chapter [1.44](#) LMC.

C. *Revocation of Permits.*

1. The ~~Community Development~~ Planning and Public Works Director is authorized and empowered to revoke any permit issued by the ~~Community and Economic Development~~ Department issued in error or based on false or misleading information or upon failure of the permit holder thereof to comply with any provision or condition of this title.
2. Any conditions or requirements placed upon a project permit by the ~~Community Development~~ Director or decision-making body as a result of the provisions of this title shall be strictly followed. In the event that the permit holder, or his assignee, fails to comply with any such conditions the project permit may be revoked or modified as set forth below or under the provisions of the International Building Code.
3. If, after an investigation, the ~~Community Development~~ Director determines that one (1) or more conditions of a permit are not being met, notice shall be mailed to the permit holder or agent by regular mail advising him of the deficiency and requiring that the deficiency be remedied within ten (10) days from the date the notice is mailed or such longer period as the ~~Community Development~~ Director may deem appropriate.
4. If the permit holder or agent fails to remedy the deficiency within this time period set, the ~~Community Development~~ Director shall mail notice to the permit holder or agent advising the intent to revoke the development permit. Such notice shall state that to avoid such action the permittee must request, in writing, a hearing before the Hearing Examiner and then appear and show cause why the permit should not be revoked. Such a hearing request must be filed within ten (10) days of the date of the notice of intent to revoke. The Hearing Examiner may uphold the permit should it be determined that all conditions have been met or no longer need to be met; may modify or add conditions to the permit; or may revoke the permit. If the permittee fails to file a timely request for hearing, then the ~~Community Development~~ Director shall send him a notice advising him the project permit has been revoked and that any further action thereon would be in violation of City of Lakewood Land Use and Development Code.
5. The provisions of this section shall apply to all project permits issued prior to the date of adoption of this code, as well as all project permits issued thereafter. [Ord. 726 § 2 (Exh. B), 2019.]

18A.20.110 Certificate of occupancy.

No proposed changes.

18A.20.120 Annexed land.

No proposed changes.

18A.20.130 Approval of transfer of development rights.

No proposed changes.

Article II. Nonconforming Uses and Structures

No proposed changes.

Article III. Public Notice Requirements

18A.20.300 Public notice procedures.

A. The Director shall determine the proper public notification procedure for all applications. If there is a question as to the appropriate process, the Director shall resolve it in favor of the higher process type number procedure. ~~Process~~ Type I ~~permits are~~ is the lowest number procedure and ~~Process~~-Type V ~~permits is~~ are the highest.

B. An application that involves two (2) or more procedures may be processed, at the City's sole discretion, collectively under the highest numbered procedure required for any part of the application or processed individually under each of the procedures identified by this chapter. If the application is processed under the individual procedure option, the highest numbered process procedure must be processed prior to the subsequent lower numbered procedure. Joint public hearings with other agencies shall be held in accordance with LMC [18A.20.360](#).

~~C. Abbreviated findings shall be restricted to Process Types I and II, where less discretion is required to make a decision, and may serve as a permit if requirements are met.~~ [Ord. 726 § 2 (Exh. B), 2019.]

18A.20.310 Public notice framework.

To inform the public of proposed project actions, the Department and applicants shall provide notice as identified in the table below. A vicinity map and basic site plan shall be included with any mailed notices. If a project is SEPA-exempt and no public hearing is required, notice ~~of application as required by RCW 36.70B.110~~ will be limited to the type of notice described below.

KEY:		
NOA	=	Notice of Application
CED	=	Community and Economic Development Department
NOD	=	Notice of Decision
PO-300	=	Property owners within 300 feet of project site
PR	=	Parties of record on file
SEPA	=	State Environmental Policy Act
WAC	=	Washington Administrative Code

<u>Type of Notice</u>	<u>Type I</u>	<u>Type II</u>	<u>Type III</u>	<u>Type IV</u>	<u>Type V</u>
<u>Notice of Application (NOA)</u>	No	Yes	Yes	No	<u>Yes; only for area-wide and site specific amendments and rezones.</u>
<u>Adjacent property owner mailing</u>	No	Yes	Yes	No	<u>Yes; only for area-wide and site specific amendments, rezones and annexation proposals.</u>
<u>Project Site Posting</u>	No	Yes	Yes	No	<u>Yes; only for area-wide and site specific amendments and rezones.</u>
<u>City Website</u>	No	Yes	Yes	Yes	Yes
<u>Newspaper of Record</u>	No	Yes	Yes	No	Yes
<u>SEPA Determination*</u>	<u>If applicable</u>	<u>If applicable</u>	<u>If applicable</u>	<u>If applicable</u>	<u>If applicable</u>
<u>Notice to parties of record</u>	Yes	Yes	Yes	No	Yes
<u>Notice of Decision (NOD)</u>	Yes	Yes	Yes	No	No
<u>*SEPA threshold determination is required unless categorically exempt by SEPA Washington Administrative Codes and/or LMC Title 14.</u>					

Process: Type I Administrative

Application Type	Notice Types	When	Who gets Notices
1. Accessory building;	NOD.	Within 90 calendar days after the City notifies the applicant that the application is complete.	1. Applicant; and
2. Accessory dwelling unit;			2. PR.
3. Administrative nonconforming determination;			
4. Business license;			
5. Certificate of occupancy;			
6. Commercial addition/remodel;			
7. Conditional use permit – minor modification;			
8. Demolition permit;			

Application Type	Notice Types	When	Who gets Notices
9. Design review;			
10. Final subdivision plat (10 or more lots);			
11. Home occupation permit;			
12. Hosting the homeless by religious organizations;	See RCW 35A.21.360	See RCW 35A.21.360	See RCW 35A.21.360
13. Housing incentives permit;	NOD.		1. Applicant; and 2. PR.
14. Landscape plan approval;			
15. Land use approval;			
16. Lot line adjustment;			

Application Type	Notice Types	When	Who gets Notices
17. Manufactured/mobile home permit;		Within 90 calendar	
18. New commercial permit;		day	s-
19. New multifamily permit;			after
20. New single-family permit;			the
21. Pre-application permit;			the
22. Preliminary and final short-plats (creating 2-9 lots);			City
23. Reasonable accommodation request;			notifies
24. Residential addition remodel;			the
			applicant
			that
			the
			application

Application Type	Notice Types	When	Who gets Notices
25. Senior housing overlay permit;			
26. Shoreline exemption;			
27. Sign permit;			
28. Site development permit;			
29. Small cell wireless permit;			
30. Temporary use permit;			
31. Transfer of development rights;			
32. Tree retention plan;			
33. Time extension or minor modification to a Type I permit;			

Application Type	Notice Types	When	Who gets Notices
34. Tree removal permit;			
35. Zoning certification;			
36. Zoning interpretations— (map and/or text).			

Type II Administrative

Application Type	Notice Types	When	Who gets Notices
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<p>1. Binding site plan;</p> <p>2. Cottage housing;</p> <p>3. Preliminary and final short-plats (2-9 lots);</p> <p>4. Shoreline conditional use permit;</p> <p>5. Shoreline substantial development permit;</p> <p>6. Shoreline variance permit;</p> <p>7. Time extension or minor modification to a Type II permit;</p>	<p>1. NOA;</p> <p>2. PO-100;</p> <p>3. Post site;</p> <p>4. Notify in new spa permit of record; and</p> <p>5. Post on the City's web site; and</p> <p>NOD.</p>	<p>1. 14 calendar days after City has made determination that application is complete; and</p> <p>2. Within 120 calendar days after the City notifies the applicant that the application is complete.</p>	<p>1. Applicant;</p> <p>2. PR;</p> <p>3. PO-100; and</p> <p>4. Agencies with jurisdiction.</p>
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Application Type	Notice Types	When	Who gets Notices
<p>8. Transitory accommodation permit.</p>			
<p>SEPA</p>			

Application Type	Notice Types	When	Who gets Notices
<p>1. Environmental checklist</p>	<p>1. NOA;</p> <p>2. PO-300;</p> <p>3. Post site;</p> <p>4. Notify in new spa per of record; and</p> <p>5. Post on the City's web site; and</p> <p>NOD.</p>	<p>1. 14 calendar days after City has made determination that application is complete; and</p> <p>2. SEPA Threshold Determination.</p>	<p>1. Applicant;</p> <p>2. PR;</p> <p>3. PO-300 depending on Proc ess; and</p> <p>4. Agencies with juris dicti on.</p>

Type III Discretionary (Hearing Examiner)

Application Type	Notice Types	When	Who gets Notices
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<p>1. Conditional use permit;</p> <p>2. Conditional use permit—major modification;</p> <p>3. Major modification to a Type III permit;</p> <p>4. Planned development district;</p> <p>5. Preliminary plat—long;</p> <p>6. Time extension to a Type III permit;</p> <p>7. Unusual use(s) permit;</p> <p>8. Variance; and</p>	<p>1. NOA;</p> <p>2. PO-300;</p> <p>3. Post site;</p> <p>4. Notify in— news paper of record; and</p> <p>5. Post on the City's— website; and</p> <p>6. For public hearing, PO-300;</p> <p>7. Post site;</p> <p>8. Notify in— news paper of</p>	<p>1. For NOA, 14 calendar days— after— City— has— made— determination— that— application is— complete; and</p> <p>2. For public hearing, not less than 15— nor— more— than 30— days— prior to the— public— hearing— requiring the— notice;— and</p> <p>3. Within 120 calendar— days—</p>	<p>1. Applicant;</p> <p>2. PR;</p> <p>3. PO-300; and</p> <p>4. Agencies with— jurisd iction .</p>
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Application Type	Notice Types	When	Who gets Notices
9. Zoning Map amendment, site-specific	9. Post on the City's website; NOD.	after the City notifies the applicant that the application is complete.	

~~1. Shoreline conditional
use
permit
when
referred by
the
Shoreline
Administrator;~~

~~2. Substantial
development
permit
when
referred by
the
Shoreline
Administrator;~~

~~Notification procedures are those that are contained in WAC 173-27-110.~~

~~3. Shoreline variance
when
referred by
the
Shoreline
Administrator;~~

Application Type	Notice Types	When	Who gets Notices
Administrator.			

Type IV Other

Application Type	Notice Types	When	Who gets Notices
1. Scrivener corrections to Comprehensive Plan Map and/or Comprehensive Plan Text.	Post on the City's web site.	Within 120 days after the City initiates action.	1. Applicant; and 2. PR.

Type V

Application Type	Notice Types	When	Who gets Notices
<p>Annexation – 10 – percent to notice of intent</p>	<p>1. Post site; 2. Notify in news paper of recor d; and 3. Post on the City's webs ite; 4. Mail to affected prop erty owne rs; and 5. PO-300.</p>	<p>Not less than 15 nor more than 30 days prior to the public meetin g requirin g the notice.</p>	<p>1. Applicant; 2. PR; 3. Property owners; and 4. PO-300.</p>

Application Type	Notice Types	When	Who gets Notices
<p>Annexation – 50/60 – percent petition A</p>	<p>1. Post site; 2. Notify in news paper of record; and 3. Post on the City's website; 4. Mail to affected property owners; and 5. PO-300.</p>	<p>Not less than 15 nor more than 30 days prior to the public hearing requiring the notice.</p>	<p>1. Applicant; 2. PR; 3. Property owners; and 4. PO-300.</p>

<p>Comprehensive Plan Map only amen dment , area wide</p>	<p>For NOA;</p> <p>1. Post site;</p> <p>2. Notify in news pape r of recor d; and</p> <p>3. Post on the City's webs ite; and</p> <p>4. NOD.</p>	<p>1. For NOA, 14 calendar days after City has made determi nation that applicat ion is comple te; and</p> <p>2. For public hearing, not less than 15 nor more than 30 days prior to the public hearing requirin g the notice; and</p> <p>3. For NOD, 180 calenda r days</p>	<p>1. Applicant;</p> <p>2. PR; and</p> <p>3. Agencies with jurisd iction</p>
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Application Type	Notice Types	When	Who gets Notices
		<p>after City has made determi nation that applicat ion is comple te.</p>	

<p>Comprehensive Plan Map only amen dment , site specifi €</p>	<p>1. NOA; 2. Post site; 3. Notify in news pape r of recor d; 4. Post on the City's webs ite; and 5. PO-300; and 6. NOD.</p>	<p>1. For NOA, 14 calendar days after City has made determi nation that applicat ion is comple te; and 2. For public hearing, not less than 15 nor more than 30 days prior to the public hearing requirin g the notice; and 3. For NOD, 180 calenda r days</p>	<p>1. Applicant; 2. PR; 3. PO-300; and 4. Agencies with jurisd iction r</p>
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Application Type	Notice Types	When	Who gets Notices
		<p>after City has made determi nation that applicat ion is comple te.</p>	

<p>Comprehensive Plan, text only amendment</p>	<p>For NOA;</p> <p>1. Post site;</p> <p>2. Notify in news paper of record; and</p> <p>3. Post on the City's website; and</p> <p>4. NOD.</p>	<p>1. For NOA, 14 calendar days after City has made determination that application is complete; and</p> <p>2. For public hearing, not less than 15 nor more than 30 days prior to the public hearing requiring the notice; and</p> <p>3. For NOD, 180 calendar days</p>	<p>1. Applicant;</p> <p>2. PR; and</p> <p>3. Agencies with jurisdiction</p>
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Application Type	Notice Types	When	Who gets Notices
		after City has made determi nation that applicat ion is comple te.	

<p>Development agreement</p>	<p>1. NOA; 2. Post site; 3. Notify in news paper of recor d; 4. Post on the City's webs ite; and 5. PO-300; and 6. NOD.</p>	<p>1. For NOA, 14 calendar days after City has made determi nation that applicat ion is comple te; and 2. For public hearing, not less than 15 nor more than 30 days prior to the public hearing requirin g the notice; and 3. For NOD, 180 calenda r days</p>	<p>1. Applicant; 2. PR; 3. PO-300; and 4. Agencies with jurisd iction</p>
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Application Type	Notice Types	When	Who gets Notices
		after City has made determi nation that applicat ion is comple te.	

<p>Shoreline Master Program Amendment</p>	<p>For NOA;</p> <p>1. Post site;</p> <p>2. Notify in news paper of recor d; and</p> <p>3. Post on the City's webs ite; and</p> <p>4. NOD.</p>	<p>1. For NOA, 14 calendar days after City has made determi nation that applicat ion is comple te; and</p> <p>2. For public hearing, not less than 15 nor more than 30 days prior to the public hearing requirin g the notice; and</p> <p>3. For NOD, 180 calenda r days</p>	<p>1. Applicant;</p> <p>2. PR;</p> <p>3. Dept. of Ecology; and</p> <p>4. Other agencies with jurisd iction .</p>
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Application Type	Notice Types	When	Who gets Notices
		<p>after— City has made— determi nation— that— applicat ion is— comple te.</p> <p>Amendments or— revision s to the SMP, as provide d by— law, do not— become effectiv e until— approv ed by— the— Dept. of Ecology</p>	

<p>Zoning amendment— area— wide</p>	<p>For NOA;</p> <p>1. Post site;</p> <p>2. Notify in— news pape r of— recor d;— and</p> <p>3. Post on the City's— webs ite;— and</p> <p>4. NOD.</p>	<p>1. For NOA, 14 calendar— days— after— City has made— determi nation— that— applicat ion is— comple te; and</p> <p>2. For public hearing,— not less than 15— nor— more— than 30— days— prior to the— public— hearing— requirin g the— notice;— and</p> <p>3. For NOD, 180— calenda r days—</p>	<p>1. Applicant;</p> <p>2. PR; and</p> <p>3. Agencies with— jurisd iction</p>
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Application Type	Notice Types	When	Who gets Notices
		<p>after City has made determi nation that applicat ion is comple te.</p>	

<p>Zoning amendment text only</p>	<p>For NOA;</p> <p>1. Post site;</p> <p>2. Notify in news paper of record; and</p> <p>3. Post on the City's website; and</p> <p>4. NOD.</p>	<p>1. For NOA, 14 calendar days after City has made determination that application is complete; and</p> <p>2. For public hearing, not less than 15 nor more than 30 days prior to the public hearing requiring the notice; and</p> <p>3. For NOD, 180 calendar days</p>	<p>1. Applicant;</p> <p>2. PR; and</p> <p>3. Agencies with jurisdiction</p>
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Application Type	Notice Types	When	Who gets Notices
		after City has made determi nation that applicat ion is comple te.	

[Ord. 756 § 2, 2021; Ord. 726 § 2 (Exh. B), 2019.]

18A.20.320 Use of Pierce County Assessor’s Office taxpayer data.

Repealed by Ord [738](#).

18A.20.330 Notice of application –Permits.

A. Timing. A notice of application shall be issued within fourteen (14) calendar days after the [Department](#) 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 (145) 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 Threshold Determination Exempt Projects. ~~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.~~

A SEPA threshold determination may be issued with a notice of application; provided, that a final threshold determination of nonsignificance or mitigated determination of nonsignificance may not be issued until after the expiration of the public comment period on the notice of application when the optional DNS process is utilized in accordance to WAC 197-11-355.

C. *Contents.* The notice of application shall include:

1. ~~The Application case file~~ number(s),

~~2. the Date~~ of application submittal,

~~3. the d~~Date of the determination of application completeness ~~for the application,~~

~~and the 4. d~~Date of the notice of application.

~~52.~~ A description of the proposed project action and a list of ~~the related~~ project applications ~~permits included in the application~~ and, if applicable, a list of any studies requested by the review authority pursuant to RCW 36.70B.070.

~~63.~~ To the extent known, ~~The~~ identification of other required permits that are not included in the application, ~~to the extent known by the City.~~

~~74.~~ 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.

~~65.~~ 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.

~~76.~~ ~~The tentative date, time, place and type of hearing, if applicable or available any. The tentative hearing date is to be set at the time of the date of notice of the application.~~

~~87.~~ ~~The i~~dentification of the development regulations that will govern mitigation of any project impacts.

~~98.~~ ~~The n~~Name of the applicant or applicant's representative and the name, address and telephone number of a contact person for the applicant.

~~109.~~ A description of the site, including current zoning and nearest road intersections, reasonably sufficient to inform the reader of its location.

~~110.~~ 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. ~~Distribution and publication~~*Mailing of Notice*. The ~~Department~~City shall mail a copy of the notice of application to the following:

1. ~~The a~~Applicant.
2. ~~Service providers, A~~agencies ~~and federally recognized tribes~~ with jurisdiction.
3. Any person who requests ~~such notice~~ in writing ~~to be a party of record~~.

~~4. Using Assessor-Treasurer tax records, affected property owners within a 300 feet radius of the exterior boundaries of project site.~~

~~5. Posted on the City's website.~~

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. ~~Project Site~~*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 ~~Department~~City notices can be placed. Public notice shall be accomplished through the use of ~~Department~~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 ~~installed~~~~posted~~ the applicant shall complete and return a written ~~affidavit statement~~ of posting to the Department by regular or electronic mail. An affidavit of posting shall be submitted to the ~~Director~~ Department 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.
- 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 public 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 Department~~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 DepartmentCity to the posted sign within applicable deadlines.~~

~~G. Website. The Department shall publish notices on the City's website. [Ord. 726 § 2 (Exh. B), 2019.]~~

18A.20.340 Notice of public hearing.

A. Timing. Notice of public hearing ~~are~~^{is} required for Type III and Type V ~~all types of~~ applications for which a public hearing is held. Notices of public hearing shall be posted on the City's website and published in the newspaper of record at least fourteen (14) calendar days in advance of the hearing.

B. Notice contents. ~~The Notice 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 deadline of when and how to submit written comments for inclusion into the record.~~addressing findings required for a decision by the hearing body may be admitted.~~

7. The name [and contact information](#) 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 [online](#) 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 [seven](#) ~~five (75)~~ calendar days prior to the hearing and copies will be provided at the cost of reproduction.

CB. Mailed~~Posted~~ Notice.—

~~1. Mail.~~ The Department shall mail notice at least ~~fourteen~~[fifteen](#) (145) [calendar](#) days prior to the [public](#) 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. [For Type V permits, mailed notices are only required for certain proposed projects pursuant to LMC 18A.20.310 Public Notice Matrix.](#)

[D. Continuations. If for any reason a commenced hearing on a pending project application cannot be completed on the date set in the public notice, the hearing may be continued to a date certain and no further notice under this section is required.](#)

~~2. Website.~~ The Department shall publish notice on the City's website. [Ord. 726 § 2 (Exh. B), 2019.]

18A.20.350 Optional public notice.

In addition to the required methods set forth in this chapter for providing public notice, the Director may require additional optional notification by the City, if determined necessary to ensure adequate notice to the public. ~~The City's failure to provide This~~ the optional notice as described in this subsection [is not required and](#) shall not be grounds for invalidation of any permit decision. Optional public notice includes, but is not limited to, any one or more of the following:

- A. Notify public or private individuals or groups with known interest in a certain proposal or type of proposal, or in proposals within a certain area or areas of the City;
- B. Notify the [newspaper of record](#)~~news media~~;
- C. Mail to neighboring property owners and occupants;
- D. Post notices in public places;
- E. Record notices on a telephone message line;
- F. Post notices electronically via the internet;
- G. For legislative actions, except annexations, mail via the United States Postal Service to persons who have indicated an interest in such actions and who have paid an annual subscription fee based on the cost of such mailings. The list of such persons shall be maintained by the [Planning and Public Works](#) Department ~~of Community Development~~;
- H. For legislative actions, except annexations, email to persons who have indicated an interest in such actions and a preference to be notified by email. The list of such persons shall be maintained by the [Planning and Public Works](#) Department ~~of Community Development~~. [Ord. 726 § 2 (Exh. B), 2019.]

18A.20.360 Notice of Decision

A. *Timing.* Whenever a final decision has been made that requires a notice of decision as noted in LMC 18A.20.310, the Department shall issue the notice within fourteen (14) calendar days of the final decision.

B. *Content.* The notice of decision shall include, at a minimum, the following information:

1. *The decision on the project permit application.*

2. *Any SEPA threshold determination made pursuant to Chapter 43.21C RCW, if applicable.*

3. *The procedure for administrative appeal, if any.*

4. A statement that the complete file, including findings, conclusions and any conditions of approval, is available for review, and shall list the place, days and times when the file is available and contact information of the Department representative.

5. The notice of decision may be a copy of the report or decision, if such report or decision contains the information required in this subsection (B).

C. *Distribution.* The notice of decision shall be provided by electronic mail to the following:

1. The applicant.

2. To any parties of record.

3. To any agencies with jurisdiction over the project permit application or any agencies that commented on the project permit application.

4. To any person who, prior to rendering the decision, has requested a copy of the notice of decision.

5. To the Pierce County Assessor-Treasurer.

D. *Shoreline Jurisdiction.* Notices of decisions on Type I, II and III project permits governed by the Lakewood's Shoreline Master Program shall also be immediately filed in accordance with applicable procedures governing the Washington State Shoreline Management Act, Chapter 90.58 RCW and Chapter 173-27 WAC.

18A.20.3760 Joint public hearings.

A. The Director may combine any public hearing on a Type III and Type V project ~~permit~~ application with any hearing that may be held by another local, state, regional, federal, or other agency, on the proposed action, as long as:

1. The other agency consents to the joint hearing;
2. The other agency is not expressly prohibited by statute from doing so;

3. Sufficient notice of the hearing is given to meet each of the agencies' adopted notice requirements as set forth in statute, [LMC Ordinance](#), or rule;
4. The agency has received the necessary information about the proposed project from the applicant in enough time to hold its hearing at the same time as the local government hearing; and
5. The hearing is held within the Lakewood City limits.

B. An applicant may request that the public hearing on a permit application be combined as long as the joint hearing can be held within the time periods set forth in LMC [18A.20.090](#). In the alternative, the applicant may agree to a particular schedule if additional time is needed in order to complete the hearings. [Ord. 726 § 2 (Exh. B), 2019.]

Article IV. Appeals/Reconsiderations

18A.20.400 Specific appeal procedures.

A. *Administrative Decisions*. ~~Appeals on final Administrative decisions regarding the approval or denial of the following applications or determinations/interpretations may be appealed shall be heard by to the Hearing Examiner. Appeals shall be filed within fourteen (14) days after notice of decision. In accordance with RCW 43.21C.075, the appeal period shall be extended to or~~ twenty-one (21) days if issued with a SEPA threshold determination including a comment period, of the final ~~Department~~ ~~staff~~ decision using procedures outlined below and in Chapter [1.36](#) LMC.

- ~~1. All administrative interpretations/determinations;~~
- ~~2. Boundary line adjustments;~~
- ~~3. Home occupation permits;~~
- ~~4. Preliminary short plats;~~
- ~~5. Preliminary SEPA threshold determination (EIS required);~~

- ~~6. Shoreline exemptions and staff-level substantial development permits;~~
- ~~7. Sign permits;~~
- ~~8. Site-specific rezones;~~
- ~~9. Variances;~~
- ~~10. Building permits;~~
- ~~11. Engineering permits;~~
- ~~12. Application or interpretations of the International Building Code;~~
- ~~13. Application or interpretations of the International Fire Code;~~
- ~~14. Application or interpretations of the Uniform Code for the Abatement of Dangerous Buildings;~~
- ~~15. Land use (Director) decisions;~~
- ~~16. Appeals of drainage manual administrator decisions.~~

B. *Wireless Service Facilities Permits.* Wireless service facilities permits are administratively approved by the ~~Department~~ [Director](#). Such decisions are appealable directly to the Pierce County Superior Court.

C. *SEPA.*

1. Environmental appeals are subject to the requirements of LMC [14.02.200](#), in addition to the requirements found in this subsection.
2. The City establishes the following administrative appeal procedures under RCW [43.21C.075](#) and WAC [197-11-680](#):
 - a. Any agency or person may appeal the City's conditioning, lack of conditioning or denial of an action pursuant to Chapter [197-11](#) WAC. All such appeals shall be made to the Hearing Examiner and must be filed within fourteen (14) days after the comment period before the threshold decision has expired. This appeal and any other appeal of a land use action shall be considered together.

- b. The following threshold decisions or actions are subject to timely appeal:
 - i. *Determination of Significance.* Appeal of a determination of significance (DS) or a claim of error for failure to issue a DS may only be appealed to the Hearing Examiner within that fourteen (14) day period immediately following issuance of such initial determination.
 - ii. *Determination of Nonsignificance or Mitigated Determination of Nonsignificance.* Conditions of approval and the lack of specific conditions may be appealed to the Hearing Examiner within fourteen (14) calendar days after the SEPA comment period expires.
 - iii. *Environmental Impact Statement (EIS) Adequacy.* A challenge to a determination of adequacy of a Final EIS may be heard by the Hearing Examiner in conjunction with any appeal or hearing regarding the associated project permit. Where no hearing is associated with the proposed action, an appeal of the determination of adequacy must be filed within fourteen (14) days after the thirty (30) day comment period has expired.
 - iv. *Denial of a Proposed Action.* Any denial of a project or nonproject action using SEPA policies and rules may be appealed to the Hearing Examiner within fourteen (14) days following the final administrative decision.
 - c. For any appeal under this subsection the City shall keep a record of the appeal proceedings, which shall consist of the following:
 - i. Findings and conclusions; and
 - ii. Testimony under oath; and
 - iii. A taped or written transcript.
3. The City shall give official notice under WAC [197-11-680](#) whenever it issues a permit or approval for which a statute or ordinance establishes a time limit for commencing judicial appeal.

D. *Land Use Approval.*

1. The Director's decisions may be appealed to the Hearing Examiner by any aggrieved or affected parties. All appeals shall be filed in writing with the Department within fourteen (14) days of the date of the decision being appealed. Where combined with an environmental threshold determination, such appeal period shall be extended to twenty-one (21) days.
2. The Department shall send written notification of receipt of the appeal to the applicant and to all appropriate City departments prior to the date the Hearing Examiner will consider the matter.
3. Any action taken by the Hearing Examiner which upholds, modifies or reverses a decision by the Director shall be final.
4. Site-specific zoning map amendments are appealed to the City Council per Chapter [1.38](#) LMC. [Ord. 794 § 2 (Exh. A), 2023; Ord. 738 § 2 (Exh. A), 2020; Ord. 726 § 2 (Exh. B), 2019.]

18A.20.410 Appeals to hearing examiner.

No proposed changes.

18A.20.420 Reconsideration of hearing examiner decision.

No proposed changes.

18A.20.430 Clarification of hearing examiner decision.

No proposed changes.

18A.20.440 No appeals to City Council.

No proposed changes.

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Sections:

- 18A.30.005** **Definitions.**
- Article I.**
Comprehensive Plan Amendment
- 18A.30.010** **Type of action.**
- 18A.30.020** **Plan amendment procedures – Comprehensive plan.**
- 18A.30.030** **Preliminary review and evaluation criteria – Comprehensive plan.**
- 18A.30.040** **Council approval of final docket – Comprehensive plan.**
- 18A.30.050** **Final review and evaluation – Comprehensive plan.**
- 18A.30.060** **Decision criteria for rezone requests – Comprehensive plan.**
- 18A.30.070** **Consistency between the zoning map and the future land use map –
Comprehensive plan.**
- 18A.30.080** **Planning Commission and City Council review and adoption process.**
- 18A.30.090** **Timing and exemptions.**
- 18A.30.100** **Notice to County Assessor of changes in comprehensive plan and
development regulations.**
- Article II.**
- Administrative Conditional Use Permit and Hearings Examiner Conditional Use Permit**
- 18A.30.110** **Purpose –~~Conditional use permit.~~**
- 18A.30.120** **Type of action.**
- 18A.30.130** **Criteria for approval.**
- ~~**18A.30.140** **Conditions of approval.**~~
- 18A.30.150** **Minor and major modifications ~~to approved conditional use permits.~~**
- 18A.30.160** **Time frame for submission of construction permits.**
- 18A.30.170** **SEPA-exempt conditional uses.**
- 18A.30.180** **Compliance –~~Conditional use permit.~~**
- 18A.30.190** **Transferability –~~Conditional use permit.~~**
- 18A.30.200** **Essential public facilities –~~Conditional use permit.~~**
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- 18A.30.320** **Authority.**
- 18A.30.330** **Process type of action.**
- 18A.30.340** **Content.**
- 18A.30.350** **Application.**
- 18A.30.360** **Timing of public hearings.**
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- 18A.30.410** **Purpose** ~~—Land use review and approval.~~
- 18A.30.420** **Process type of action.**
- 18A.30.430** **Applicability.**
- 18A.30.440** **Delegation of authority.**
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No changes proposed.

Article I. Comprehensive Plan Amendment

18A.30.010 Type of action.

No changes proposed.

18A.30.020 Plan amendment procedures – Comprehensive plan.

No changes proposed.

**18A.30.030 Preliminary review and evaluation criteria –
Comprehensive plan.**

No changes proposed.

18A.30.040 Council approval of final docket – Comprehensive plan.

No changes proposed.

18A.30.050 Final review and evaluation – Comprehensive plan.

No changes proposed.

18A.30.060 Decision criteria for rezone requests – Comprehensive plan.

No changes proposed.

18A.30.070 Consistency between the zoning map and the future land use map – Comprehensive plan.

No changes proposed.

18A.30.080 Planning Commission and City Council review and adoption process.

No changes proposed.

18A.30.090 Timing and exemptions.

No changes proposed.

18A.30.100 Notice to County Assessor of changes in comprehensive plan and development regulations.

No changes proposed.

Article II. Administrative Conditional Use Permit and Hearings Examiner Conditional Use Permit

18A.30.110 Purpose. ~~– Conditional use permit.~~

The purpose of this article is to establish the ~~type of action, contents of a complete application, and~~ criteria for approval for conditional use permits, ~~whether approved administratively or by the Hearings Examiner.~~ As established in LMC Chapter 18A.40 Land Uses and Interpretation Tables, C conditional use permits, whether approved administratively or by the Hearings Examiner are required for land uses which are appropriate in a zone but typically have certain characteristics such as traffic generation or building mass which warrant imposition of special conditions to ensure compatibility with surrounding properties and overall intent of the Comprehensive Plan. ~~permitted uses in the zone.~~ [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.120 Type of action.

~~A conditional use permit is a Type III action and shall be considered in accordance with the procedures for such permits as~~ As set forth in the procedures in Chapter 18A.20 LMC, Administration, the Department or Hearings Examiner, set forth in Chapter 18A.20 LMC, Administration may approve, approve with conditions or deny an administrative conditional use

permit or conditional use permit. The Planning and Public Works Director may delegate review and approval of Administrative Conditional Use Permits. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.130 Criteria for approval.

An administrative conditional use permit or conditional use permit shall be granted by the appropriate review authority ~~by the City~~, only if the applicant demonstrates that the proposed project will not:

~~A. The granting of the conditional use permit will not:~~

1. Adversely affect the established character of the surrounding vicinity. For the purposes of this section, character shall mean the distinctive features or attributes of buildings and site design on adjacent properties and in the vicinity and as articulated in the comprehensive plan, including but not limited to building facade, length, building modulation, building height, roof form, tree cover, types of flora, location of landscaping, size and location of signs, setbacks, amount and location of parking, fencing type, height and location, and the like;
2. Be detrimental to the public health, safety and general welfare; and
3. Be injurious to the property or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.

~~AB.~~ In granting the proposal, the Department or Hearings Examiner shall ensure the proposed project will be:

1. Consistent with the Lakewood Comprehensive Plan and applicable subarea plans.
2. Complies with applicable requirements as set forth in LMC at the time of application completeness.
3. The proposal is compatible with and incorporates specific features, conditions or revisions to ensure compatibility with the intensity and character of the property and the immediate vicinity.

4. The proposed use is not materially determinantal to future land uses, transportation and public facilities in which it can be adequately served.

~~The granting of the proposed conditional use permit is consistent and compatible with the goals and policies of the comprehensive plan, and any code, ordinance, regulation or standard in effect to implement the plan.~~

~~C. The proposed use is properly located in relation to other land uses, transportation and public facilities and services in the vicinity; and further, that the capacity of the transportation system and other public facilities and services will adequately serve the proposed use without placing an undue burden on such systems, facilities and services.~~

~~D. The intensity (i.e., the nature, types and hours of human activity) and character of the proposed use are compatible with the intensity and character of the uses of adjacent property and of property in the vicinity.~~

~~E. That the site is of sufficient size to accommodate the proposed use; and further that, in the opinion of the City, all yards, open spaces, landscaping, walls and fences, parking, loading, and other necessary features are properly provided to assure the proposed use will be compatible with adjacent uses and the character of the vicinity.~~

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

6G. The conditions set forth are necessary to mitigate the adverse impacts of the proposed conditional project use to the environment and adjacent properties. ~~are capable of reasonable monitoring and reasonable enforcement.~~ [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.140 — Conditions of approval.

~~The City may impose any condition of approval on a conditional use permit needed to mitigate adverse impacts to the environment, adjacent properties or the community, consistent with the goals and policies of the comprehensive plan, and any code, ordinance, regulation or standard in effect to implement the plan. [Ord. 726 § 2 (Exh. B), 2019.]~~

18A.30.150 Minor and major modifications to approved conditional use permits.

~~A minor Mmodification_s to an approved administrative conditional use or conditional use permitsCUP is a Type I action and shall be processed in accordance with the procedures and criteria for such actions as set forth in Chapter 18A.20LMC, 18A.30.080 and in accordance with the provisions of this section. Minor modifications to an approved CUP shall be defined as those which do not increase the intensity of the use and the resulting impacts to the surrounding area.~~

~~A. The Community Development Director is authorized to allow minor modifications in accordance with subsection (B) of this section. The Community Development Director shall allow only such minor modifications as are consistent with guidelines established in subsection (B) of this section.~~

~~B. For the purposes of this section, “minor modification” means a departure from the conditions of an approved CUP which is consistent with the following criteria:~~

- ~~1. It does not in any way change the use permitted by the approved CUP;~~
- ~~2. It maintains the design intent and quality of the original approval;~~
- ~~3. The number of dwelling units in residential developments and the square footage of nonresidential structures shall not increase;~~
- ~~4. The minor modification shall not relocate a building, parking area, street or other use or built feature in such a way that visual, light, noise, vibration or other impacts as experienced from surrounding properties and public rights-of-way are intensified, and shall not reduce any required yard, setback, buffer or open space below the area or dimensions established by code or conditions of CUP approval, whichever is more restrictive;~~
- ~~5. The height of buildings and other structures shall not increase;~~
- ~~6. Traffic volumes shall not increase;~~
- ~~7. Modifications to internal circulation layout are acceptable; provided, that ingress and egress points to the subject property are not modified in such a way that external traffic patterns are affected or impacts increased;~~

~~8. Minor changes to plant species, variety, color, etc., may be made; provided, that the type of landscaping required pursuant to LMC Title 12 shall not be modified;~~

~~9. The adjustment does not add significant new environmental impacts or significantly increase environmental impacts disclosed in the original SEPA documents;~~

~~10. The Community Development Director determines that the change will not increase any adverse impacts or undesirable effects of the project, or that the change in no way significantly alters the project. [Ord. 726 § 2 (Exh. B), 2019.]~~

18A.30.160 Time frame for submission of construction permits.

A complete application of all required construction level permits shall have been submitted to the City for approval within ~~three (3) years~~ [the expirations dates established in Chapter 18A.20 LMC of the date of for administrative conditional use and](#) conditional use permits ~~approval~~. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.170 ~~SEPA-exempt conditional uses.~~

~~The Director may authorize any conditional use that is exempt from the State Environmental Policy Act. See Chapter 197-11 WAC. Notice of such proposed use shall be sent to property owners within three hundred (300) feet of the subject site, consistent with the notice requirements specified in Chapter 18A.30 LMC, Article III. If anyone requests a public hearing in writing within the specified comment period, the Director shall refer the request to the Hearing Examiner. Copies of all Director decisions shall be mailed to everyone who commented on the project or requested a copy of the decision. Director decisions may be appealed to the Hearing Examiner consistent with LMC 18A.30.410, Appeals/reconsiderations. [Ord. 726 § 2 (Exh. B), 2019.]~~

18A.30.180 Compliance ~~– Conditional use permit.~~

Noncompliance with the conditions of ~~the~~ [either an administrative conditional use or condition use](#) permits shall be grounds for rehearing before the Hearing Examiner, in addition to fines

and penalties. The Hearing Examiner may suspend or revoke a conditional use permit pursuant to this section and/or impose penalties for violation of any of the provisions of this title or original conditions of approval. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.190 Transferability – ~~Conditional use permit.~~

An [administrative](#) conditional use permit [or conditional use permit](#) shall be transferable; provided, that the transferee complies with the conditions. If at any time the ~~conditional use permit~~ no longer complies with the conditions of [approval](#)~~the permit~~, the owner shall be declared in violation of this title and shall be subject to fines and penalties, and the Hearing Examiner may suspend or revoke the permit. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.200 Essential public facilities – Conditional use permit.

No proposed changes.

18A.30.210 Special needs housing – Conditional use permit.

No proposed changes.

Article III. Cottage Housing

18A.30.220 Purpose – Cottage housing.

No changes proposed.

18A.30.230 Applicability.

No changes proposed.

18A.30.240 General provisions.

A. Cottage housing projects are permitted with the approval of a cottage housing development plan. Discrete ownerships may only be created through the residential binding site plan and/or

condominium declaration process pursuant to Chapter [64.34](#) RCW as applicable. Cottage housing development plans shall be subject to review and approval as an administrative review Process Type II permit procedure. Adherence to all applicable development standards shall be determined by the City's [Planning and Public Works](#)~~Community Development~~ Director as a component of the review process.

B. Individual cottage units shall contain at least eight hundred (800) and no more than one thousand five hundred (1,500) square feet of gross floor area. A covenant restricting any increases in unit size after initial construction shall be recorded against the property. Vaulted space shall not be converted into habitable space.

C. A community building of up to two thousand five hundred (2,500) square feet in size may be provided for the residents of the cottage housing development. Roof pitch, architectural themes, materials and colors shall be consistent with those of the dwelling units within the cottage housing development.

D. Accessory dwelling units shall not be permitted in cottage housing developments. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.250 Development standards.

No changes proposed.

18A.30.260 Open space.

No changes proposed.

18A.30.270 Building design standards.

A cottage housing development is expected to reflect a coherent and high quality design concept and include architectural elements that ensure compatibility with existing neighborhood development and character. The following design elements are intended to provide compatibility with existing residential environments. Alternative designs may be submitted to the Community Development Director for review and approval, but the Community Development Director must find that any such concepts meet or exceed the design quality of the prescriptive standards, and fulfill the stated purpose and intent of this chapter.

A. Building Height.

1. The maximum building height for dwelling units shall be twenty-five (25) feet.
2. The maximum building height for garages, community buildings, and accessory structures shall be eighteen (18) feet.

B. Roofs.

1. Dwelling units shall have a minimum six to twelve (6:12) roof pitch. Up to thirty-five (35) percent of roof area may have a slope not less than four to twelve (4:12). Portions of a roof with a pitch of less than six to twelve (6:12) shall be limited to architectural features such as dormers, porch roofs and shed roofs.

2. Garages and carports shall have a minimum six to twelve (6:12) roof pitch.
3. Cottages shall be a maximum of two (2) stories. Any upper floor shall be located within the roof structure, not below it, in order to reduce building massing as much as possible.

C. *Entries and Porches.*

1. Each dwelling unit abutting a public right-of-way (excluding alleys) shall have a primary entry and covered porch a minimum of eighty (80) square feet in size, oriented toward the public right-of-way. If abutting more than one (1) public right-of-way, the developer and City shall collaborate with the project proponent to determine which right-of-way the entrance and covered porch shall be oriented toward.
2. Each dwelling unit shall have an entry and covered porch oriented toward the common open space. If the dwelling unit abuts a public right-of-way, this may be a secondary entrance, and the minimum porch size shall be fifty (50) square feet. If not abutting a public right-of-way, this shall be the primary entrance, and the minimum porch size shall be eighty (80) square feet.
3. Covered porches shall be a minimum of six (6) feet deep.

D. Dwelling units shall not include attached garages.

E. *Detached Garages.* Each dwelling unit shall have no more than one (1) detached garage. The size of the garage shall not exceed two hundred fifty (250) gross square feet in size. Garages can be combined into one (1) garage structure; however, no garage structure may exceed one thousand (1,000) square feet in size for a total not to exceed four (4) garage spaces.

F. ~~Community Development Director~~ *Planning and Public Works Review.* The ~~Community Development~~ *Planning and Public Works Director* shall consider all aspects of the project, and shall ensure that the project is well designed and compatible with existing and planned development in the vicinity. Possible topics for review by the ~~Department~~ *Community Development Director* include (but are not necessarily limited to): building materials and finishes, articulation and modulation, massing, trim details, colors, exterior lighting, special building heights, paving materials, mechanical equipment screening, fencing, tree retention and landscaping. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.280 Parking.

No changes proposed.

18A.30.290 Common area maintenance.

No changes proposed.

18A.30.300 Low impact development standards.

No changes proposed.

18A.30.310 Modifications.

No changes proposed.

Article IV. Development Agreement

18A.30.320 Authority.

No changes proposed.

18A.30.330 Process type of action.

A development agreement ~~is a Process Type V legislative action and~~ shall be considered in accordance with the procedures for such permits as set forth in Chapter [18A.20](#) LMC, Administration. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.340 Content.

No changes proposed.

18A.30.350 Application.

Consideration of a development agreement may be initiated by City Council, City staff, or applicant. Any person may personally, or through an agent, propose a development agreement regarding property he or she owns. The applicant shall file a complete development agreement application ~~on forms provided by the Department~~ [pursuant to Chapter 18A.20 LMC](#). At minimum, such application shall include a copy of the proposed agreement, applicable fee, names and address of all current owners of real property, and all real property within three hundred (300) feet of each boundary of the subject property as shown in the records of the County Assessor, and a vicinity map showing the subject property with enough information to locate the property within the larger area. In addition, the applicant may be required to submit any additional information or material that the Director determines is reasonably necessary for a decision on the matter. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.360 Timing of public hearings.

No changes proposed.

18A.30.370 Notice.

[Public notice shall be in conformance with the procedures outlined in Chapter 18A.20 LMC.](#) ~~Prior to the public hearing held by the City Council, the Director shall issue a public hearing notice describing the purpose of hearing, the date, time, and place of the public hearing, the name of the applicant and the project name (if applicable), a description of the proposed agreement, and the street address of the subject property or other description of its location, a~~

~~statement of the availability of the record, a statement of the right of any person to submit written comments to the Council and to appear at the public hearing to give comments. The Director shall distribute this notice and require at least one (1) public notification sign in accordance with LMC 18A.30.310. [Ord. 726 § 2 (Exh. B), 2019.]~~

18A.30.380 Staff report.

The [Planning and Public Works](#) Director [or their designee](#) shall prepare a staff report for the public hearing by the City Council containing all pertinent application materials, all comments regarding the matter received by the Department prior to distribution of the staff report, an analysis of the application under the relevant provisions of this chapter and state law, and a recommendation on the matter. At least seven (7) calendar days before the hearing, the [Department](#) ~~Director~~ shall distribute the staff report to the applicant and [parties of record](#). ~~each person who has specifically requested it.~~ [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.390 Public hearing and City Council action.

No changes proposed.

18A.30.400 Term of agreement.

No changes proposed.

Article V. Land Use Review and Approval

18A.30.410 Purpose – Land use review and approval.

The purpose of this section is to allow for the placement of uses permitted by this title of the Lakewood Municipal Code through a comprehensive ~~land use~~[site plan](#) review process which insures compliance with the adopted plans, policies and ordinances of the City of Lakewood. It is further intended to provide for the examination of development proposals with respect to overall site design and to provide a means for guiding development in logical, safe and attractive manners. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.420 Process type of action.

Land use review and approval ~~is either a Process Type I or Type II action and~~ shall be considered in accordance with the procedures for such permits as set forth in Chapter [18A.20](#) LMC, Administration. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.430 Applicability.

No changes proposed.

18A.30.440 Delegation of authority.

The Director may delegate review and approval of a proposed land use and associated improvements to the Fire Marshal, Planning Manager, [Assistant Director](#), Building Official and/or City Engineer, as deemed appropriate by the Director. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.450 Application – Content.

No changes proposed.

18A.30.460 Application – Review process.

[A complete application shall be reviewed consistent procedures in Chapter 18A.20 LMC and applicable development regulations.](#)

~~A. Filing.~~

- ~~1. Applications for land use approval shall be made on forms provided by the Director and made available at the Department.~~
- ~~2. A complete application for land use approval shall be filed with the Department. An application shall not be considered complete if it fails to contain any of the information and material required by LMC [18A.30.040](#) and [18A.30.050](#).~~
- ~~3. Upon determination of a complete application, the Department shall notify all appropriate recognized neighborhood associations.~~

~~4. Application fee(s) as established by the City are due upon presentation of an application for land use approval.~~

~~B. Review by Director.~~

~~1. The Site Plan Review Committee is hereby established and shall consist of the Building Official, Planning Manager, City Engineer, SEPA official, and the Fire Marshal or their designees. The committee shall be chaired by the Director or his/her designee and serves in an advisory capacity to the Director, who shall be responsible for all land use related decisions. The committee shall adopt rules of procedure for the purpose of ensuring fair, lawful and timely recommendations.~~

~~2. Except when a public hearing is required or where the applicant agrees to an extension of time, the Director shall, within one hundred twenty (120) days from the date of complete application, approve, disapprove or approve with conditions any proposed land use. Notice of the Director's decision or recommendation shall be distributed as provided by LMC 18A.20.310.~~

~~3. When a public hearing is required prior to land use approval, the Director shall issue his/her recommendation to the Hearing Examiner in a manner that will provide the Hearing Examiner sufficient time to issue a notice of final decision within one hundred twenty (120) days of the date of complete application.~~

~~4. Any time required to prepare, review and issue a final environmental impact statement as required under the provisions of SEPA shall not be included under the time constraints of this subsection.~~

~~5. The Director shall review proposed projects for consistency with the standards and provisions of the City of Lakewood as expressed in the various adopted plans and ordinances, including this title.~~

~~6. Whenever the Director denies land use approval, he/she shall set forth, in writing, his/her findings which shall specify the reasons for the disapproval. Unless a public hearing is otherwise required, the decision of the Director shall be final unless appealed to the Hearing Examiner pursuant to Chapter 1.36 LMC, General Provisions, and Chapter 18A.30 LMC, Article IV.~~

~~C. *Referral to Hearing Examiner.* If in the Director's opinion a project is extraordinarily complex or presents significant environmental, design or compatibility issues, the Director may refer the project for a public hearing before the Hearing Examiner. A decision of the Director to refer a project to the Examiner may be made at any time.~~

~~D. *Hearing Examiner.* Any review by the Hearing Examiner shall be conducted according to the procedural requirements of Chapter 1.36 LMC, General Provisions, and Chapter 18A.20 LMC, Article IV. [Ord. 726 § 2 (Exh. B), 2019.]~~

18A.30.470 Site plan review log – Summary of action.

~~On the first work day following action of the Director, the Hearing Examiner or City Council on a project, the action shall be entered into the permit tracking system maintained by the Department. [Ord. 726 § 2 (Exh. B), 2019.]~~

18A.30.480 Notification.

~~Notice of the decision of the Director or Hearing Examiner shall be mailed to the applicant within seven (7) calendar days following the action. [Ord. 726 § 2 (Exh. B), 2019.]~~

18A.30.4790 Reconsideration in response to SEPA comments.

~~Procedures for SEPA shall be in conformance with the procedures established in LMC Title 14, Chapter 18A.20 LMC and Chapter 197-11 WAC. Any interested person may submit written comments and request reconsideration by the Director within fifteen (15) days of the date any decision attached to a SEPA threshold determination is issued. Unless further action is taken by the Director in response to such comments, the period in which to file an appeal shall terminate twenty one (21) days after the date the decision is issued. SEPA exempt actions of~~

~~the committee shall not be subject to reconsideration and shall be subject to only a fourteen- (14) day appeal period. [Ord. 726 § 2 (Exh. B), 2019.]~~

18A.30.48500 Amendments.

A project approved by the ~~Department~~ ~~director~~ or Hearing Examiner may be amended at the applicant's request by the ~~same~~ procedures provided under [Chapter 18A.20 LMC](#). ~~this chapter for original application approval. [Ord. 726 § 2 (Exh. B), 2019.]~~

18A.30.5010 Dedication, improvements and performance bond.

No changes proposed.

18A.30.5120 Final approval – Expiration.

No changes proposed.

Article VI. Planned Development

18A.30.530 Purpose.

No changes proposed.

18A.30.540 Application.

A. *Process.* A PDD ~~is a Process Type III action and~~ shall be considered in accordance with the procedures for such permits as set forth in Chapter [18A.20](#) LMC, Administration.

B. *PDD Applications.* An application for approval of a PDD shall be submitted to the ~~Community and Economic Development Department~~ [Planning and Public Works Department in accordance to LMC 18A.20.030.](#) ~~on forms provided by the Department along with established fees.~~

1. *PDD with Subdivision.* For those planned development districts that include the division of land, a PDD application shall only be accepted as complete if it is submitted concurrent with an application for preliminary plat approval that includes all information required pursuant to LMC Title [17](#) and other applicable City regulations. ~~Seven (7) copies of all~~

~~associated application materials must be submitted in hard copy format. Digital application materials (e.g., CD copies) may fulfill a portion of the required hard copy applications as approved by the City.~~

2. *PDD with No Subdivision.* A binding site plan is required for all planned development districts that do not require the subdivision of land and associated preliminary plat.

Requirements for the binding site plan shall include:

- a. *Existing Plat.* All information recorded on the existing plat;
- b. *Structures.* The location of all proposed structures;
- c. *Landscaping.* A detailed landscape plan indicating the location of existing vegetation to be retained, location of vegetation and landscaping structures to be installed, the type of vegetation by common name and taxonomic designation, and the installed and mature height of all vegetation;
- d. *Schematic.* Schematic plans and elevations of proposed buildings with samples of all exterior finish materials and colors, the type and location of all exterior lighting, signs and accessory structures;
- e. *Conditions.* Inscriptions or attachments setting forth the limitations and conditions of development, as well as an outline of the documents of the owners' association, bylaws, deeds, covenants and agreements governing ownership, maintenance and operation of the planned development district, shall be submitted with the binding site plan. Planned development district covenants shall include a provision whereby unpaid taxes on all property owned in common shall constitute a proportioned lien on all property of each owner in common. The [City Department](#) may require that it be a third-party beneficiary of certain covenants with the right but not obligation to enforce association-related documents; and
- f. *Conformity with Site Plan and Final Plat.* Provisions ensuring the development will be in conformance with the site plan and shall include all the required certificates of a final plat.

3. *PDD with a Site-Specific Rezone.* For those planned development districts that include a site-specific rezone, a PDD application shall only be accepted as complete if it is submitted concurrently with an application for a site-specific rezone that includes all information

required per Chapters [1.36](#) and [1.38](#) LMC, LMC [18A.30.680](#), and other applicable City regulations.

C. *All PDD Applications.* An applicant for a PDD shall submit the following items to the [City Department](#), unless the Director finds in writing that one (1) or more submittals are not required due to unique circumstances related to a specific development proposal:

1. *Narrative.* A detailed narrative that includes:
 - a. *Improvement.* A description detailing how the proposed development will provide a net benefit to the City under the City's land use regulations and how the approval criteria set forth in LMC [18A.30.560](#) have been satisfied;
 - b. *Public Benefit.* A description of how the proposed PDD will benefit the public in a manner greater than that achieved if the project was to be developed using conventional land use regulations;
 - c. *Density Table.* A table illustrating the density and lot coverage of the overall development, with the proportion of the site devoted to open space clearly indicated;
 - d. *Uses.* A description of the types and numbers of dwelling units proposed and the overall land use density and intensity;
 - e. *Open Space and Recreation.* A description of the proposed open space and recreation areas including any proposed improvements, including specific details regarding the ownership and maintenance of such areas;
 - f. *Landscaping.* Detailed information regarding all proposed landscaping that is not included on an associated landscaping plan;
 - g. *Modifications.* A description of the specific City standards as set forth in the underlying zoning district that the applicant is proposing for modification in accordance with Chapter [18A.20](#) LMC; and
 - h. *Impacts.* A description of potential impacts to neighboring properties and how impacts have been mitigated through site design, screening, buffering and other methods;

2. *Site Plan*. A site plan with the heading “Planned Development District Site Plan” that includes any additional information that is not included on the standard preliminary plat map, including building footprints, proposed landscaping, open space and parks and/or recreational areas including trails and proposed setbacks;
3. *Landscape Plan/Map*. A conceptual landscape plan/map showing the proposed location and types of vegetation and landscaping. The landscape plan may also be incorporated into the PDD site plan and narrative;
4. *Phases*. A phasing plan, if the development will occur in distinct phases, with a written schedule detailing the timing of improvements;
5. *Development Agreement*. A draft development agreement, if proposed by the applicant or as required by the City; and
6. *Conditions*. A draft of proposed covenants, conditions and restrictions demonstrating compliance with this chapter.

D. An applicant shall provide sufficient facts and evidence to enable the Hearing Examiner to make a decision. The established fee shall be submitted at time of application.

~~E. Notice of application shall be provided pursuant to LMC 18A.30.330. [Ord. 738 § 2 (Exh. A), 2020; Ord. 726 § 2 (Exh. B), 2019.]~~

~~18A.30.550 – Public hearing.~~

~~A. The Hearing Examiner shall hold an open record public hearing on any proposed conditional use and shall give notice thereof in accordance with the procedures established pursuant to 18A.20 LMC, Article III.~~

~~B. The hearing shall be conducted in accordance with the requirements of Chapter 18A.20 LMC, Article III, Public Notice Requirements. [Ord. 726 § 2 (Exh. B), 2019.]~~

18A.30.560 Required findings.

A PDD shall only be granted after ~~the Hearing Examiner has reviewed the proposed use and has made~~ written findings have been made that all of the standards and criteria set forth below have been met or can be met subject to conditions of approval:

- A. The PDD is consistent with the comprehensive plan; and
- B. The PDD, by the use of permitted flexibility and variation in design, is a development practice that results in better urban design features than found in traditional development. Net benefit to the City may be demonstrated by one or more of the following:
 - 1. Placement, type or reduced bulk of structures, or
 - 2. Interconnected usable open space, or
 - 3. Recreation facilities, or
 - 4. Other public facilities, or
 - 5. Conservation of natural features, or
 - 6. Conservation of critical areas and critical area buffers beyond, or
 - 7. Aesthetic features and harmonious design, or
 - 8. Energy efficient site design or building features, or
 - 9. Use of low impact development techniques;
- C. The PDD results in no greater burden on present and projected public utilities and services than would result from traditional development and the PDD will be served by adequate public or private facilities including streets, fire protection, and utilities; and
- D. The perimeter of the PDD is compatible with the existing land use or property that abuts or is directly across the street from the subject property. Compatibility includes but is not limited to size, scale, mass and architectural design of proposed structures; and
- E. Landscaping within and along the perimeter of the PDD is superior to that required by LMC 18A.70.150, and landscaping requirements applicable to specific districts contained in LMC

[18A.70.160](#), and enhances the visual compatibility of the development with the surrounding neighborhood; and

F. At least one major circulation point is functionally connected to a public right-of-way; and

G. Open space within the PDD is an integrated part of the project rather than an isolated element of the project; and

H. The design is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity; and

I. Roads and streets, whether public or private, within and contiguous to the site comply with guidelines for construction of streets; and

J. Streets and sidewalks, existing and proposed, are suitable and adequate to carry anticipated traffic within the proposed project and in the vicinity of the proposed project; and

K. Each phase of the proposed development, as it is planned to be completed, contains the required parking spaces, open space, recreation space, landscaping and utility area necessary for creating and sustaining a desirable and stable environment.

[L. In permitting a PDD, additional conditions may also be imposed as follows:](#)

[1. Limit the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.](#)

[2. Establish a special yard or other open space or lot area or dimension.](#)

[3. Limit the height, size or location of a building or other structure.](#)

[4. Designate the size, number, location or nature of vehicle access points.](#)

[5. Increase the amount of street dedication, roadway width or improvements within the street right-of-way.](#)

[6. Designate the size, location, screening, drainage, surfacing or other improvement of parking or truck loading areas.](#)

[7. Limit or otherwise designate the number, size, location, and height of lighting of signs.](#)

8. Limit the location and intensity of outdoor lighting or require its shielding.
9. Require screening, landscaping or another facility to protect adjacent or nearby property and designate standards for installation or maintenance of the facility.
10. Design the size, height, location or materials for a fence.
11. Protect existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.
12. Require provisions for public access, physical and visual, to natural, scenic and recreational resources.
13. Require provisions for storm water drainage including designating the size, location, screening, or other improvements of detention ponds and other facilities.
14. Impose special conditions on the proposed development to ensure that development is in conformance with the surrounding neighborhood and the intent and purpose of the zoning district classification.
15. Require such financial guarantees and evidence that any applied conditions will be complied with.

[Ord. 726 § 2 (Exh. B), 2019.]

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

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

~~B. In permitting a PDD, the Hearing Examiner may impose any or all of the following conditions:~~

- ~~1. Limit the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.~~

- ~~2. Establish a special yard or other open space or lot area or dimension.~~
- ~~3. Limit the height, size or location of a building or other structure.~~
- ~~4. Designate the size, number, location or nature of vehicle access points.~~
- ~~5. Increase the amount of street dedication, roadway width or improvements within the street right-of-way.~~
- ~~6. Designate the size, location, screening, drainage, surfacing or other improvement of parking or truck loading areas.~~
- ~~7. Limit or otherwise designate the number, size, location, and height of lighting of signs.~~
- ~~8. Limit the location and intensity of outdoor lighting or require its shielding.~~
- ~~9. Require screening, landscaping or another facility to protect adjacent or nearby property and designate standards for installation or maintenance of the facility.~~
- ~~10. Design the size, height, location or materials for a fence.~~
- ~~11. Protect existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.~~
- ~~12. Require provisions for public access, physical and visual, to natural, scenic and recreational resources.~~
- ~~13. Require provisions for storm water drainage including designating the size, location, screening, or other improvements of detention ponds and other facilities.~~
- ~~14. Impose special conditions on the proposed development to ensure that development is in conformance with the surrounding neighborhood and the intent and purpose of the zoning district classification.~~
- ~~15. Require such financial guarantees and evidence that any applied conditions will be complied with.~~

~~C. The decision of the Hearing Examiner is considered final and conclusive by the City. [Ord. 726-§-2 (Exh. B), 2019.]~~

18A.30.5680 Minimum size.

No changes proposed.

18A.30.5790 Permitted modifications.

No changes proposed.

18A.30.5860 Permitted residential density and lot sizes.

No changes proposed.

18A.30.59610 Required open space and recreation facilities.

No changes proposed.

18A.30.6020 Multiple zoning districts.

No changes proposed.

18A.30.6130 Phased development.

No changes proposed.

18A.30.640 Required certificates and approvals.

Repealed by Ord [738](#).

Article VII. Rezone and Text Amendments

18A.30.670 Authority.

No changes proposed.

18A.30.680 Site-specific rezone procedures.

No changes proposed.

18A.30.690 Collection of rezone applications.

Site-specific rezone applications may be submitted at any time. However, for review purposes, such proposals will be collected into two (2) sets in each calendar year. Unless otherwise specifically authorized by the City Council:

- A. Proposals submitted between April 1st and September 30th shall be considered collectively and voted upon by the City Council by March 31st of the following year.

B. Proposals submitted between October 1st and March 31st shall be considered collectively and voted upon by the City Council by September 30th of the same year.

C. Proposals will be considered no more than twice each year.

D. Time limits for review shall be as established in ~~LMC Chapter 18A.20 LMC.18A.20.090;~~ ~~provided, that the review period shall start on the latest submittal dates established under subsections (A) and (B) of this section and not the date of application.~~ [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.695 Quasi-judicial rezone procedures.

18A.30.695.10 Purpose.

No changes proposed.

18A.30.695.20 Applicability.

No changes proposed.

18A.30.695.30 Application requirements.

A. *Preliminary Review.* The provisions for conducting a preliminary review of a proposed rezone are set forth in LMC [18A.30.030](#).

B. *Application Filing.*

1. *Completeness Review.* Rezone applications shall be reviewed for completeness in accordance ~~with Department submittal standards checklists and pursuant to LMC~~ [18A.20.050](#).

2. *Application Site Plan.* All rezone applications shall include a site plan that identifies the exact boundaries of the proposed rezone area. Such site plan shall also indicate the relationship of the proposed rezone to the related PDD proposal.
3. *Limitations on Refiling.* Applications for a rezone pursuant to this chapter shall not be accepted if a similar rezone has been denied on the same site within the past twelve (12) months from the date of final action. This time period may be waived or modified if the Director or Examiner finds that special circumstances warrant earlier reapplication.
4. *Fees.* Fees for any rezone application filed pursuant to this title are set forth in the City adopted official fee schedule. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.695.40 Public notice.

No changes proposed.

18A.30.695.50 Review.

No changes proposed.

18A.30.695.60 Burden of proof.

No changes proposed.

18A.30.695.70 Examiner's authority.

No changes proposed.

18A.30.695.80 Appeals.

No changes proposed.

18A.30.695.90 Compliance with conditions.

No changes proposed.

Article VIII. Temporary Use Permits

18A.30.700 Purpose.

No changes proposed.

18A.30.710 Permitted uses.

No changes proposed.

18A.30.720 Exemptions.

No changes proposed.

18A.30.730 Application and authorization.

A. A temporary use permit ~~is a Process Type I action and~~ shall be considered in accordance with the procedures for such permits as set forth in Chapter [18A.20](#) LMC, Administration.

B. Temporary use applications shall be on a form prescribed by the ~~Community and Economic Development~~ [Planning and Public Works](#) Department and shall include all of the information and materials required by the application form. An applicant shall provide sufficient facts and

evidence to enable the Director to make a decision. The established fee shall be submitted at time of application.

C. Applications for temporary use permits shall be filed with the ~~Community and Economic Development~~ Department. Application shall be made at least fifteen (15) days prior to the requested date for commencement of the temporary use.

D. A temporary use authorized pursuant to this section shall be subject to all of the applicable standards of LMC [18A.30.740](#), Standards, and shall not be exempted or relieved from compliance with any other ordinance, law, permit or license applicable to such use, except where specifically noted. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.740 Standards.

No changes proposed.

18A.30.750 Criteria for granting approval.

A temporary use permit shall only be granted when the ~~Community Development~~ Director, after consultation and coordination with all other applicable City departments and other agencies, has determined that:

- A. The temporary use will be compatible with uses in the general vicinity and on adjacent properties.
- B. The temporary use will not create a material adverse effect on the livability or appropriate development of abutting properties and the surrounding community.
- C. The temporary use will not impair the normal, safe and effective operation of a permanent use on the same site.
- D. The temporary use will comply with the requirements of the zone within which it is proposed.

E. The temporary use shall comply with all applicable standards of the Tacoma-Pierce County Health Department, if applicable.

F. In applying temporary use criteria and determination of appropriate conditions, consideration shall be given but not limited to:

1. The harmony and scale, bulk, coverage, and density;
2. The availability of public facilities and utilities;
3. The harmful effect, if any, upon a desirable neighborhood character;
4. The generation of traffic and the capacity of surrounding streets and roads;
5. The creation of noise, vibration, odors, or other similar nuisances; and
6. Any other relevant impact on the peace, quiet, comfort, and enjoyment by and of the abutting properties and the surrounding community. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.760 Decision.

The Director shall provide the applicant with a written decision, either approving, denying or approving the application with modifications and/or conditions [of approval consistent with the procedures set forth in Chapter 18A.20 LMC.](#) ~~within fifteen (15) days after the date of submission of a complete application.~~ [Ord. 726 § 2 (Exh. B), 2019.]

Article IX. (Reserved)

Article X. Variance

18A.30.840 Purpose.

The intent of this section is to provide an avenue of relief where, by reason of exceptional configuration, or by reason of other unique and extraordinary situations or conditions existing on a piece of property, the strict application of development regulations enacted under this title would result in peculiar, exceptional and undue hardship upon the owner of such property, which was not the result of actions of the applicant, property owner or a previous property owner or agent. [Any variance request shall follow the procedures identified in LMC Chapter 18A.20 and other applicable LMC standards for approval.](#) [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.850 Process type of action.

A variance ~~is a Process Type III action and~~ shall be considered in accordance with the procedures for such permits as set forth in Chapter [18A.20](#) LMC, Administration. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.860 Limitations.

A variance shall not relieve an applicant from any of the procedural provisions of [Chapter 18A.20 LMC and applicable development regulations](#)~~this title and~~, conditions of approval established during prior permit review, ~~or any of the provisions of the critical areas code, except for the required buffer widths.~~ The variance process shall not allow the establishment of a use that is not otherwise permitted in the zoning district in which the proposal is located or allow development that would result in an increase in density or a reduction in the minimum lot size. [Ord. 726 § 2 (Exh. B), 2019.]

~~18A.30.870~~ Authority.

~~The Hearing Examiner shall have the authority to grant a variance after considering the matter at a public hearing duly called and giving notice to adjoining property owners as provided in LMC 18A.20.310, Public notice framework. [Ord. 726 § 2 (Exh. B), 2019.]~~

18A.30.8780 Required findings.

A. Before any variance is granted, the [approval authority as established in LMC 18A.20.080 Hearing Examiner](#) shall find that the following circumstances exist:

1. That the proposed variance will not amount to a rezone or constitute a change in the district boundaries shown on the official zoning map;
2. That because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property the variance is necessary to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located;
3. That the special conditions and circumstances do not result from the actions of the applicant;
4. That granting of the variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property is located;
5. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which subject property is situated; and
6. That the variance is the minimum variance necessary to provide the rights and privileges described above. [Ord. 726 § 2 (Exh. B), 2019.]

18A.30.8890 Additional conditions of approval.

Before granting a variance, the [appropriate approval authority as established in Chapter 18A.20 LMC Hearing Examiner](#) may prescribe appropriate conditions and safeguards that will ensure that the purpose and intent of this title shall not be violated. Noncompliance with the conditions of the permit shall be grounds for rehearing before the Hearing Examiner, in addition to fines and penalties under Chapter [1.44](#) LMC, General Penalties. The Hearing Examiner may suspend or revoke a variance pursuant to this section for violation of any of the provisions of this title or original conditions of approval. [Ord. 726 § 2 (Exh. B), 2019.]

Article XI. Unusual Uses

18A.30.8990 Purpose.

No proposed changes.

18A.30.9060 Process type of action.

An unusual use ~~is a Process Type III action and~~ shall be considered in accordance with the procedures for such permits as set forth in Chapter [18A.20](#) LMC, Administration. [Ord. 726 § 2 (Exh. B), 2019.]