



LAKWOOD CITY COUNCIL AGENDA

Monday, December 2, 2024

7:00 P.M.

City of Lakewood

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 participate via Zoom by either visiting <https://us02web.zoom.us/j/86872632373> or calling by telephone: Dial +1(253) 215- 8782 and enter participant ID: 868 7263 2373.

Virtual Comments: If you would like to provide virtual Public Comments or Testimony on Public Hearings during the meeting, you will need to join the Zoom meeting as an attendee by calling by telephone Dial +1(253) 215- 8782 and enter participant ID: 868 7263 2373 or visiting <https://us02web.zoom.us/j/86872632373>.

By Phone: For those participating by calling in by telephone (+1(253) 215- 8782 and enter participant ID: 868 7263 2373), to use the "Raise Hand" feature press *9 on your phone, to be called upon by the Mayor during the Public Comments or Public Hearings portion of the agenda. Your name or the last three digits of your phone number will be called out when it is your turn to speak. When using your phone to call in you may need to press *6 to unmute yourself. When you are unmuted please provide your name and city of residence. Each speaker will be allowed (3) three minutes to speak during the Public Comment and at each Public Hearing.

By ZOOM: For those using the ZOOM link (<https://us02web.zoom.us/j/86872632373>), upon entering the meeting, please enter your name or other chosen identifier. Use the "Raise Hand" feature to be called upon by the Mayor during the Public Comments or Public Hearings portion of the agenda. When you are unmuted please provide your name and city of residence. Each speaker will be allowed (3) three minutes to speak.

Outside of Public Comments and Public Hearings, all attendees on ZOOM will continue to have the ability to virtually raise your hand for the duration of the meeting. You will not be acknowledged and your microphone will remain muted except for when you are called upon.

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.

<http://www.cityoflakewood.us>

CALL TO ORDER**ROLL CALL****PLEDGE OF ALLEGIANCE****PROCLAMATIONS AND PRESENTATIONS**

1. Swearing-In Ceremony. – *Tim Lewis, Municipal Court Judge*
2. Youth Council Report.
3. Clover Park School District Report. – *Bryan Thomas, Board Vice President*

PUBLIC COMMENTS**C O N S E N T A G E N D A**

- (5) A. Approval of the minutes of the City Council study session of November 12, 2024.
- (9) B. Approval of the minutes of the City Council meeting of November 18, 2024.
- (16) C. Approval of claims vouchers, in the amount of \$3,664,439.42, for the period of October 16, 2024 through November 15, 2024.
- (68) D. Approval of payroll checks, in the amount of \$3,175,905.04, for the period of October 16, 2024 through November 15, 2024.
- (70) E. Motion No. 2024-83

Approving a grant agreement with the Washington State Department of Transportation and U.S. Department of Transportation to conduct a downtown transportation feasibility study.
- (91) F. Motion No. 2024-84

Authorizing the execution of an interlocal agreement with the Washington State Department of Fish and Wildlife (WSDFW) and expenditures to repair the boat launch at American Lake Park.

(100) G. Motion No. 2024-85

Authorizing the execution of an agreement with Camino to upgrade the permitting system and supporting development guide and application portal.

(115) H. Motion No. 2024-86

Confirming Mark Scheibmeir as the City of Lakewood Hearing Examiner.

(116) I. Motion No. 2024-87

Reappointing Kyle Franklin and Michael Lacadie to serve on the Community Services Advisory Board through December 15, 2028.

(117) J. Motion No. 2024-88

Cancelling the City Council Regular Meeting of December 16, 2024 and the City Council Study Session of December 23, 2024.

R E G U L A R A G E N D A

PUBLIC HEARINGS AND APPEALS

- (118) This is the date set for a public hearing on the 2024 Final Budget Adjustment.

ORDINANCE

(123) Ordinance No. 822

Adopting amendments to the 2019 Shoreline Master Program.

(349) Ordinance No. 823

Creating Chapter 9.16 of the Lakewood Municipal Code entitled Endangerment with a Controlled Substance.

UNFINISHED BUSINESS

NEW BUSINESS

REPORTS BY THE CITY MANAGER

CITY COUNCIL COMMENTS

ADJOURNMENT



LAKWOOD CITY COUNCIL MINUTES

Tuesday, November 12, 2024

City of Lakewood

6000 Main Street SW

Lakewood, WA 98499

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

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

Participant ID: 868 7263 2373

CALL TO ORDER

Mayor Whalen called the meeting to order at 7:00 p.m.

ROLL CALL

Councilmembers Present: 6 – Mayor Jason Whalen, Deputy Mayor Mary Moss, Councilmembers Michael Brandstetter, Patti Belle, Ryan Pearson and Paul Bocchi.

Councilmembers Excused: 1 – Councilmember J. Trestin Lauricella.

Community Services Advisory Board Members Present: 4 – Chair Kyle Franklin, Vice-Chair Darrin Lowry, Michael Lacadie and Shelby Taylor.

ITEMS FOR DISCUSSION:

Joint Community Services Advisory Board meeting.

Community Services Advisory Board (CSAB) members introduced themselves and reviewed the 2024 work plan items. Discussion ensued.

Review of 2025 Human Services Funding Recommendations.

Human Services Coordinator Shannon Bennett was joined by Kyle Franklin, Chair, Community Services Advisory Board and CSAB members reviewed the Human Services Funding process and recommendations for 2025 funding. Discussion ensued.

Review of 2025 Lodging Tax Funding Recommendations.

Deputy City Manager Tho Kraus reviewed the 2025 Lodging Tax Funding Recommendations. Discussion ensued.

Review of 2025 Fee Schedule Amendments.

Deputy City Manager Tho Kraus was joined by Planning and Public Works Director Jeff Rimack and Parks, Recreation and Community Services Director Mary Dodsworth. Rimack reviewed proposed amendments to Planning &

Development fees. Dodsworth reviewed the proposed amendments to the Parks and Recreation fees. Discussion ensued.

Review of 2025-2026 Proposed Biennial Budget.

Deputy City Manager Tho Kraus provided the City Council with the opportunity to review the 2025-2026 Proposed Biennial Budget. Discussion ensued.

ITEMS TENTATIVELY SCHEDULED FOR NOVEMBER 18, 2024 REGULAR CITY COUNCIL MEETING:

1. Proclamation recognizing Municipal Court Judge Lisa Mansfield.
2. Business Showcase. – *Diamond Designs*
3. Authorizing the execution of a construction contract for a traffic signal at the intersection of South Tacoma Way and 92nd Street South. – (Motion – Consent Agenda)
4. Authorizing the execution of a construction contract for roadway improvements along South Tacoma Way from 96th Street South to Steilacoom Boulevard. – (Motion – Consent Agenda)
5. Authorizing the execution of a grant agreement with the Department of Commerce to upgrade permitting software and supporting tools. – (Motion – Consent Agenda)
6. Authorizing the execution of an agreement for permitting software. – (Motion – Consent Agenda)
7. Authorizing the award of a service contract to Pro-Vac for Surface Water Infrastructure Cleaning and Inspection Services. – (Motion – Consent Agenda)
8. Authorizing the award of a contract to McDonough & Sons, Inc., in the amount of \$275,437, for 2025-2030 Street Sweeping Services. – (Motion – Consent Agenda)
9. Authorizing the award of a contract to Thomson Electric Constructors, Inc, in the amount of \$350,000, for the 2025 electrical services contract. – (Motion – Consent Agenda)
10. Approving the 2025 Human Services Funding Recommendations. – (Motion – Consent Agenda)
11. Approving the 2025 Lodging Tax Funding Recommendations. – (Motion – Consent Agenda)

12. Amending Ordinance No. 766 to extend certain parameters within which the City's designated representative can finalize the terms of the City's Limited Tax General Obligation Bonds. – (Ordinance – Regular Agenda)
13. Relating to the approval of projects to be funded with revenue generated by the City of Lakewood's Transportation Benefit District and Extending the Sunset Date. – (Ordinance – Regular Agenda)
14. Amending Chapter 3.52 of the Lakewood Municipal Code related to Utility Tax Rates. – (Ordinance – Regular Agenda)
15. 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. – (Ordinance – Regular Agenda)
16. Amending the 2023-2024 Biennial Budget. – (Ordinance – Regular Agenda)
17. Adopting the 2025-2026 Biennial Budget. – (Ordinance – Regular Agenda)
18. Adopting amendments to Title 18A of the Lakewood Municipal Code, 2024 Development Regulation Code Updates. – (Ordinance – Regular Agenda)
19. Amending Lakewood Municipal Code Chapters 18A.10.20 and 18A.30 to address 2SSB 5290 Local Project Review, Chapter 36.70B RCW; and establishing an effective date. – (Ordinance – Regular Agenda)
20. Setting the 2025 Fee Schedule. – (Resolution – Regular Agenda)
21. Establishing the 2025 Docket of Comprehensive Plan Land Use, Zoning Map and Policy Amendments. – (Resolution– Regular Agenda)

REPORTS BY THE CITY MANAGER

Deputy City Manager Kraus announced the following upcoming meetings and events:

- November 13, 6:00 P.M., Desserts on the Driveway, Springbrook Connections
- November 15, 6:00 P.M. to 9:30 P.M., Lakewood Chamber Thanks-For-Giving Holiday Auction & Dinner, The Adriatic at Oakbrook

- December 4, 8:00 A.M., Annual Employee Recognition Breakfast Event, Clover Park Technical College Rotunda
- December 4, 11:30 A.M. to 1:00 P.M., AWC District 6 Meeting, Orting City Hall, 104 Bridge Street S, Orting, WA
- December 5, 5:00 P.M. to 7:00 P.M., Tacoma-Pierce County Chamber's Public Officials Holiday Reception, LeMay – America's Car Museum, 2702 East D Street, Tacoma, WA 9842
- December 7, 4:30 P.M., Holiday Parade and Christmas Tree Lighting, Lakewood City Hall

CITY COUNCIL COMMENTS

Councilmember Pearson shared that he will be attending the Lakewood Chamber Holiday Giving Auction this week.

Councilmember Belle shared that last week she attended the Lakewood Arts Commission Retreat and she will attend Desserts on the Driveway.

Councilmember Bocchi shared that he will attend Desserts on the Driveway and the Lakewood Chamber Holiday Giving Auction.

Deputy Mayor Moss shared that she attended the South Sound Military and Community Partnership Elected Officials Council and toured the Western Airwing Sector.

Mayor Whalen shared that he attended the South Sound Military and Community Partnership Elected Officials Council and this week he will attend Desserts on the Driveway.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:07 p.m.

JASON WHALEN, MAYOR

ATTEST:

BRIANA SCHUMACHER
CITY CLERK



LAKESWOOD CITY COUNCIL MINUTES

Monday, November 18, 2024

City of Lakewood

6000 Main Street SW

Lakewood, WA 98499

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

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

Participant ID: 868 7263 2373

CALL TO ORDER

Mayor Whalen called the meeting to order at 7:00 p.m.

ROLL CALL

Councilmembers Present: 7 – Mayor Jason Whalen, Deputy Mayor Mary Moss, Councilmembers Michael Brandstetter, Ryan Pearson, Patti Belle, J. Trestin Lauricella and Paul Bocchi.

PLEDGE OF ALLEGIANCE

Mayor Whalen paused for a moment of silence and led the Pledge of Allegiance.

PROCLAMATIONS AND PRESENTATIONS

Proclamation recognizing Municipal Court Judge Lisa Mansfield.

Mayor Whalen presented a proclamation recognizing Municipal Court Judge Lisa Mansfield.

Business Showcase. – *Diamond Designs Unlimited*

Mayor Whalen recognized Shawn Luvass, Diamond Designs Unlimited as the November, 2024 Business Showcase.

PUBLIC COMMENTS

Kevin Green, LRI, spoke in support the 2025 Docket of Comprehensive Plan Land Use, Zoning Map and Policy amendments.

Ebrahim Mirjalili, Lakewood resident, spoke in opposition to the 1% property tax and utility tax increases.

Christina Manetti, *Lakewood resident*, spoke in opposition of the 1% property tax increase.

Dennis Haugen, *Sioux Falls resident*, spoke about community safety.

James Dunlop, Lakewood resident, spoke about the Said Joquin settlement.

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

- A. Approval of the minutes of the City Council study session of October 28, 2024.
- B. Approval of the minutes of the City Council meeting of November 4, 2024.

C. Motion No. 2024-76

Authorizing the award of a construction contract to Miles Resources, LLC., in the amount of \$606,998.00, for the South Tacoma Way – 96th to Steilacoom Project.

D. Motion No. 2024-77

Approving a Grant Agreement with the Washington State Department of Commerce to upgrade permit software and supporting tools.

E. Motion No. 2024-78

Authorizing the award of a contract with Pro-Vac, in the amount of \$1,277,729.10, for the Surface Water Infrastructure Cleaning and Inspection Services project.

F. Motion No. 2024-79

Authorizing the award of a contract with McDonough & Sons, Inc., in the amount of, \$275,437.00, for the 2025-2030 Street Sweeping Services project.

G. Motion No. 2024-80

Authorizing the award of a contract to Thomson Electric Constructors Inc., in the amount of \$350,000.00, for the 2025 Electrical Services project.

H. Motion No. 2024-81

Approving the 2025 Human Services funding recommendations.

I. Motion No. 2024-82

Approving the 2025 Lodging Tax funding recommendations.

J. Items Filed in the Office of the City Clerk:

1. Lakewood's Promise Advisory Board meeting minutes of June 6, 2024.
2. Community Services Advisory Board meeting minutes of June 18, 2024.
3. Lakewood's Promise Advisory Board meeting minutes of September 5, 2024.
4. Community Services Advisory Board meeting minutes of September 25, 2024.
5. Lakewood's Promise Advisory Board meeting minutes of October 3, 2024.

COUNCILMEMBER BRANDSTETTER MOVED TO ADOPT THE CONSENT AGENDA. SECONDED BY COUNCILMEMBER BOCCHI. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

R E G U L A R A G E N D A

ORDINANCE

Ordinance No. 816 Amending Chapter 3.52 of the Lakewood Municipal Code related to Utility Tax Rates.

COUNCILMEMBER LAURICELLA MOVED TO ADOPT ORDINANCE NO. 816. SECONDED BY COUNCILMEMBER BOCCHI. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

Ordinance No. 817 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.

DEPUTY MAYOR MOSS MOVED TO ADOPT ORDINANCE NO. 817. SECONDED BY COUNCILMEMBER BRANDSTETTER. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

Ordinance No. 818 Amending the 2023-2024 Biennial Budget.

COUNCILMEMBER BELLE MOVED TO ADOPT ORDINANCE NO. 818. SECONDED BY COUNCILMEMBER BRANDSTETTER. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOSLY.

Ordinance No. 819 Adopting the 2025-2026 Biennial Budget.

COUNCILMEMBER BRANDSTETTER MOVED TO ADOPT ORDINANCE NO. 819. SECONDED BY COUNCILMEMBER LAURICELLA. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOSLY.

Ordinance No. 820 Amending Lakewood Municipal Code Chapters 18A.10.20 and 18A.30 to address 2SSB 5290 Local Project Review, Chapter 36.70B RCW; and establishing an effective date.

DEPUTY MAYOR MOSS MOVED TO ADOPT ORDINANCE NO. 820. SECONDED BY COUNCILMEMBER LAURICELLA. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOSLY.

Ordinance No. 821 Adopting amendments to Title 18A of the Lakewood Municipal Code related to 2024 Development Regulations.

COUNCILMEMBER BELLE MOVED TO ADOPT ORDINANCE NO. 821. SECONDED BY COUNCILMEMBER BRANDSTETTER. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOSLY.

RESOLUTION

Resolution No. 2024-14 Setting the 2025 Fee Schedule.

COUNCILMEMBER PEARSON MOVED TO ADOPT RESOLUTION NO. 2024-14. SECONDED BY DEPUTY MAYOR MOSS.

COUNCILMEMBER BRANDSTETTER MOVED TO AMEND RESOLUTION NO. 2024-14 AS FOLLOWS:

SECTION C. TREE REMOVAL PERMIT – SINGLE FAMILY & MIXED RESIDENTIAL ZONED LOTS TO RETAIN THE \$150.00 TREE REMOVAL PERMIT FEE FOR ZONED LOTS GREATER THAN 10,000 SQUARE FEET IN SIZE AND WITH ONE OR MORE GARRY OAKS IS LOCATED THEREON; AND/OR LOT IS LOCATED IN A SHORELINE SETBACK; AND/OR LOT IS LOCATED IN A CRITICAL AREA.

SECONDED BY COUNCILMEMBER BOCCHI. VOICE VOTE WAS TAKEN AND FAILED WITH COUNCILMEMBERS BELLE, PEARSON, DEPUTY MAYOR MOSS AND MAYOR WHALEN VOTING IN OPPOSITION.

COUNCILMEMBER LAURICELLA MOVED TO AMEND RESOLUTION NO. 2024-14 AS FOLLOWS:

SECTION C. TREE REMOVAL PERMIT TO INCREASE ALL TREE REMOVAL PERMITS FROM \$125.00 TO \$150.00. SECONDED BY COUNCILMEMBER BOCCHI. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOSLY.

VOICE VOTE WAS TAKEN ON RESOLUTION NO. 2024-14 AS AMENDED AND CARRIED UNANIMOSLY.

Resolution No. 2024-15 Establishing the 2025 Docket of Comprehensive Plan Land Use, Zoning Map and Policy Amendments.

COUNCILMEMBER BRANDSTETTER MOVED TO ADOPT RESOLUTION NO. 2024-15. SECONDED BY COUNCILMEMBER BELLE. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOSLY.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

REPORTS BY THE CITY MANAGER

City Manager John Caulfield reported an update on the Camp Murray boat launch Master Plan development and that the City received an Energy Efficiency grant.

He then announced the following upcoming meetings and events:

- December 4, City of Lakewood Employee Recognition Event, Clover Park Technical College Rotunda
- December 4, Association of Washington Cities District 6 Meeting
- December 5, 15th Annual Fallen Officer Food and Blood Drive, Lakewood Police Station

- December 7, City of Lakewood Holiday Parade and Christmas Tree Lighting Event, City Hall
- December 13, 2-2 Stryker Brigade Combat Team Lancer Brigade Dinner Event, Thornewood Castle
- December 14, Jingle Bell Run, Fort Steilacoom Park
- December 18, Pierce County Chamber Annual Public Officials Holiday Event, Lamay Tacoma Car Museum

CITY COUNCIL COMMENTS

Councilmember Bocchi shared that he attended the Chamber of Commerce Dinner and expressed gratitude for small businesses who attended the event.

Councilmember Lauricella thanked Judge Lisa Mansfield for her service and her impact on the Lakewood community. He expressed appreciation for the business showcase and thanked Partners for Parks funding for the dog fence.

Councilmember Brandstetter shared that he attended the Desserts in Driveway event and Lake City Neighborhood Association meeting. He thanked the community for speaking out about their concerns regarding police and patrol.

Councilmember Pearson reported he will attend the Good Neighbor Village groundbreaking event and noted that he will be absent for the City Council meeting of November 25th

Councilmember Belle shared that she attended the Desserts in Driveway and Lakewood Chamber of Commerce events.

Deputy Mayor Moss shared that she appreciated the discussion at Desserts in Driveway event and thanked Judge Mansfield for her service to the community.

Mayor Whalen thanked the business showcase presented at tonight's meeting and Judge Mansfield for her service and dedication to therapeutic courts including veteran's court and community court. Mayor Whalen acknowledged the public's concerns regarding increased police patrol and more street lighting on the east side of I-5 and reported he will attend the Good Neighbor Village groundbreaking event.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:15 p.m.

JASON WHALEN, MAYOR

ATTEST:

JOSIE ATKINS
ACTING CITY CLERK



City of Lakewood

To: Mayor and City Councilmembers

From: Tho Kraus, Deputy City Manager

Through: John J. Caulfield, City Manager *John J. Caulfield*

Date: December 02, 2024

Subject: Claims Voucher Approval

Check Run Period: October 16, 2024 – November 15, 2024
Total Amount: \$3,664,439.42

Checks Issued:

10/31/24	Checks 100031-100076	\$ 313,021.36
11/15/24	Checks 100077-100156	\$ 143,854.35

EFT Checks Issued:

10/31/24	Checks 24845-24943	\$ 1,348,880.23
11/15/24	Checks 24944-25034	\$ 1,860,546.02

Void Checks:

10/17/24	Check 99887	\$ 81.84
10/17/24	Check 99926	\$ 606.20
10/21/24	Check 24828	\$ 1,174.50

Grand Total **\$ 3,664,439.42**

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein and that the claims are just and due obligations against the City of Lakewood, Washington, and that I am authorized to authenticate and certify said liens.

Dana Kapla

 Dana Kapla
 Assistant Finance Director

Tho Kraus

 Tho Kraus
 Deputy City Manager

John J. Caulfield

 John J. Caulfield
 City Manager

City of Lakewood - Accounts Payable Voucher Report

Heritage Bank

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Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
24845	10/31/2024	002289		ACCELA INC.			\$19,128.36
503.0000.04.518.80.41.090	9/30/2024		INV-ACC60485	IT 10/30/24-10/29/25 Accela Pu		9,020.92	
503.0000.04.518.80.41.090	9/30/2024		INV-ACC60485	IT 10/30/24-10/29/25 Accela Pu		8,352.70	
503.0000.04.518.80.41.090	9/30/2024		INV-ACC60485	Sales Tax		1,754.74	
24846	10/31/2024	002293		AHBL INC.			\$7,101.25
001.0000.07.558.50.41.001	9/30/2024		148118	CD AG 2024-017 08/2-09/25 Curr		5,981.25	
001.0000.07.558.50.41.001	9/30/2024		148264	CD AG 2024-017 08/26-09/25 Cur		1,120.00	
24847	10/31/2024	010631		AQUA TERRA CULTURAL RESOURCE.			\$1,635.00
301.0049.11.594.76.41.001	10/3/2024		PI-05-20_103	PK AG 2024-106 08/01-10/02 Har		1,635.00	
24848	10/31/2024	013845		ARROW CONSTRUCTION SUPPLY. LLC.			\$299.92
501.0000.51.548.79.48.005	10/7/2024		13818	PKFL Vehicle Repair Supplies		299.92	
24849	10/31/2024	010220		ASIA PACIFIC CULTURAL CENTER.			\$5,625.00
001.0000.11.565.10.41.020	10/24/2024		Q3/24	PKHS AG 2023-064A Q3/24 Promis		5,625.00	
24850	10/31/2024	007445		ASSOCIATED PETROLEUM PRODUCTS.			\$14,528.42
501.0000.51.521.10.32.001	10/15/2024		24-205878	PD 10/01-10/13 Fuel		12,583.27	
501.0000.51.548.79.32.001	10/15/2024		24-205895	PKFL 10/2-10/15/24		23.10	
501.0000.51.548.79.32.001	10/15/2024		24-205895	PKFL 10/2-10/15/24		84.17	
501.0000.51.548.79.32.001	10/15/2024		24-205895	PKFL 10/2-10/15/24		15.40	
501.0000.51.548.79.32.001	10/15/2024		24-205895	PKFL 10/2-10/15/24		10.78	
501.0000.51.548.79.32.002	10/15/2024		24-205895	PKFL 10/2-10/15/24		59.02	
501.0000.51.548.79.32.002	10/15/2024		24-205895	PKFL 10/2-10/15/24		133.44	
501.0000.51.548.79.32.002	10/15/2024		24-205895	PKFL 10/2-10/15/24		50.30	
501.0000.51.548.79.32.002	10/15/2024		24-205895	PKFL 10/2-10/15/24		135.49	
501.0000.51.548.79.32.002	10/15/2024		24-205895	PKFL 10/2-10/15/24		122.15	
501.0000.51.548.79.32.002	10/15/2024		24-205895	PKFL 10/2-10/15/24		66.21	
501.0000.51.548.79.32.002	10/15/2024		24-205895	PKFL 10/2-10/15/24		77.50	

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
501.0000	51.548.79.32.001		10/15/2024	24-205895	PKFL 10/2-10/15/24		50.30
501.0000	51.548.79.32.002		10/15/2024	24-205895	PKFL 10/2-10/15/24		20.53
501.0000	51.548.79.32.001		10/15/2024	24-205895	PKFL 10/2-10/15/24		145.76
501.0000	51.548.79.32.001		10/15/2024	24-205895	PKFL 10/2-10/15/24		137.55
501.0000	51.548.79.32.001		10/15/2024	24-205895	PKFL 10/2-10/15/24		155.00
501.0000	51.548.79.32.001		10/15/2024	24-205895	PKFL 10/2-10/15/24		87.76
501.0000	51.548.79.32.001		10/15/2024	24-205895	PKFL 10/2-10/15/24		152.94
501.0000	51.548.79.32.002		10/15/2024	24-205895	PKFL 10/2-10/15/24		233.52
501.0000	51.548.79.32.001		10/15/2024	24-205895	PKFL 10/2-10/15/24		184.23
24851	10/31/2024	013784		BARCOTT CONSTRUCTION.			\$328,068.82
301.0027	11.594.76.63.001		10/23/2024	2	PK AG 2024-113 10/08-10/22 Ame		328,068.82
24852	10/31/2024	011039		BERK CONSULTING INC.			\$6,703.14
196.6023	99.558.65.41.001		10/10/2024	10708-09-24F	ARPA AG 2022-241B 09/24 CPPR F		6,703.14
24853	10/31/2024	000065		BOYS AND GIRLS CLUBS OF.			\$15,667.56
196.3004	99.518.63.41.001		10/9/2024	11 Q3/24	ARPA AG 2021-427 Q3/24 Subreci		15,667.56
24854	10/31/2024	006493		CH2O INC.			\$161.34
502.0000	17.518.35.31.001		10/11/2024	353128	PKFC Micron Disposable		161.34
24855	10/31/2024	000536		CITY TREASURER CITY OF TACOMA.			\$2,381.00
101.0000	11.542.63.47.006		10/11/2024	100349546 10/11/24	PKST 08/13-10/10 7210 BPW W -		70.15
101.0000	11.542.64.47.005		10/11/2024	100351985 10/11/24	PKST 08/13-10/10 7500 BPW SW #		231.84
101.0000	11.542.64.47.005		10/11/2024	100475269 10/11/24	PKST 08/13-10/10 6621 BPW W #S		3.40
101.0000	11.542.64.47.005		10/11/2024	100475274 10/11/24	PKST 08/13-10/10 6401 Flanagan		4.14
101.0000	11.542.63.47.006		10/14/2024	100440754 10/14/24	PKST 09/12-10/10 7211 BPW W St		18.01
101.0000	11.542.63.47.006		10/14/2024	100898201 10/14/24	PKST 09/12-10/10 7729 BPW W		130.54
101.0000	11.542.64.47.005		10/24/2024	100228754 10/24/24	PKST 08/23-10/22 11199 GLD SW		52.14
101.0000	11.542.64.47.005		10/24/2024	100228973 10/24/24	PKST 08/22-10/22 10699 GLD SW		52.71
101.0000	11.542.64.47.005		10/24/2024	100254732 10/24/24	PKST 09/24-10/22 11023 GLD SW		21.06
101.0000	11.542.64.47.005		10/24/2024	100463705 10/24/24	PKST 08/24-10/23 7912 Phillips		4.14
101.0000	11.542.64.47.005		10/24/2024	100463706 10/24/24	PKST 08/24-10/23 7902 Steil Bl		4.14

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
101.0000.11.542.64.47.005			10/24/2024	100463728 10/24/24	PKST 08/24-10/23 10227 GLD SW		4.14
101.0000.11.542.64.47.005			10/24/2024	100463794 10/24/24	PKST 08/24-10/23 7621 Steil Bl		4.14
101.0000.11.542.64.47.005			10/24/2024	100707975 10/24/24	PKST 09/24-10/22 7403 Lkwd Dr		38.07
101.0000.11.542.64.47.005			10/24/2024	101198351 10/24/24	PKST 08/22-10/21 9214 78th ST		128.57
101.0000.11.542.64.47.005			10/21/2024	100228921 10/21/24	PKST 08/21-10/18 7702 Steil Bl		73.83
101.0000.11.542.64.47.005			10/21/2024	100228932 10/21/24	PKST 09/20-10/18 8300 Steil Bl		149.65
101.0000.11.542.64.47.005			10/21/2024	100228949 10/21/24	PKST 09/20-10/18 8200 Steil Bl		69.55
101.0000.11.542.63.47.006			10/21/2024	101208464 10/21/24	PKST 08/16-10/15 8003 Onyx Dr		120.37
101.0000.11.542.64.47.005			10/22/2024	100665891 10/22/24	PKST 09/21-10/21 7309 Onyx Dr		23.46
101.0000.11.542.63.47.006			10/22/2024	101316680 10/22/24	PKST 08/21-10/18 7198 Steilaco		95.48
001.0000.11.576.81.47.005			10/22/2024	101359258 10/22/24	PKFC 08/21-10/18 8714 87th Ave		195.06
001.0000.11.576.81.47.005			10/17/2024	100384880 10/17/24	PKFC 09/18-10/16 8700 Steil Bl		18.66
101.0000.11.542.63.47.006			10/17/2024	100440755 10/17/24	PKST 08/13-10/09 7001 BPW W #S		44.41
101.0000.11.542.64.47.005			10/17/2024	100905390 10/17/24	PKST 08/13-10/10 7429 BPW W		79.99
101.0000.11.542.64.47.005			10/17/2024	101085191 10/17/24	PKST 08/17-10/16 6802 Steil Bl		89.96
001.0000.11.576.81.47.005			10/15/2024	100384879 10/15/24	PKFC 09/14-10/14 8750 Steil Bl		37.31
101.0000.11.542.63.47.006			10/15/2024	101360340 10/15/24	PKST 09/13-10/11 5911 112th St		29.92
101.0000.11.542.63.47.006			10/16/2024	100415564 10/16/24	PKST 09/14-10/14 9450 Steil Bl		60.13
101.0000.11.542.63.47.006			10/16/2024	100415566 10/16/24	PKST 09/13-10/13 9000 Steil Bl		62.41
101.0000.11.542.63.47.006			10/16/2024	100415597 10/16/24	PKST 09/13-10/13 10000 Steil B		54.99
101.0000.11.542.63.47.006			10/16/2024	100471519 10/16/24	PKST 09/13-10/14 8312 87th St		41.42
101.0000.11.542.64.47.005			10/16/2024	100658937 10/16/24	PKST 09/13-10/14 10300 Steil B		37.24
101.0000.11.542.64.47.005			10/16/2024	100687561 10/16/24	PKST 09/14-10/14 8623 87th Ave		29.28
101.0000.11.542.64.47.005			10/16/2024	101086773 10/16/24	PKST 09/14-10/14 9550 Steil Bl		25.71
101.0000.11.542.63.47.006			10/16/2024	101350293 10/16/24	PKST 09/14-10/14 9872 Steil. B		16.58
101.0000.11.542.63.47.006			10/25/2024	101088135 10/25/24	PKST 08/23-10/23 8104 Phillips		48.21
101.0000.11.542.64.47.005			10/25/2024	101315810 10/25/24	PKST 08/24-10/23 7500 Steilaco		73.61
101.0000.11.542.63.47.006			10/29/2024	100218262 10/29/24	PKST 09/26-10/24 10601 Main St		58.70
101.0000.11.542.63.47.006			10/29/2024	100218270 10/29/24	PKST 09/27-10/25 10602 Main St		9.57
101.0000.11.542.64.47.005			10/29/2024	100218275 10/29/24	PKST 09/27-10/25 10511 GLD SW		64.17
101.0000.11.542.64.47.005			10/31/2024	100463704	PKST 08/24-10/23 8211 Phillips		4.14

24856 10/31/2024 005786 CLASSY CHASSIS.

\$1,576.45

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
501.0000	51.521.10.48.005		10/25/2024	6178	PDFL 10/24 Carwash		17.05
501.0000	51.521.10.48.005		10/25/2024	6178	PDFL 10/24 Oil Change		119.79
501.0000	51.521.10.48.005		10/18/2024	6177	PDFL 10/12-10/18 Lube Services		105.89
501.0000	51.548.79.48.005		9/30/2024	6171	PKFL Car Washes/Lube Oil Chg		247.11
180.0000	15.521.21.48.005		9/6/2024	6170	PDFL 09/24 Oil Change		92.20
501.0000	51.521.10.48.005		9/27/2024	6163	PDFL 09/24 Oil Change		103.09
501.0000	51.521.10.48.005		9/27/2024	6163	PDFL 09/24 Oil Change		115.07
501.0000	51.521.10.48.005		9/27/2024	6163	PDFL 09/24 Oil Change		99.45
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		12.96
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		10.53
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		10.53
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		10.53
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		17.01
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		10.53
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		17.01
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		13.77
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		10.53
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		12.15
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		10.53
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		10.53
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		21.06
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		31.59
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		12.96
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		10.53
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		10.53
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		21.06
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		12.20
180.0000	15.521.21.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		10.53
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		17.01
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		17.01
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		17.01
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		10.53
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		21.06

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		10.53
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		10.53
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		10.53
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		11.20
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		21.06
501.0000	51.521.10.48.005		9/30/2024	W-2164	PDFL 09/24 Carwash		10.53
501.0000	51.521.10.48.005		10/11/2024	6175	PDFL 10/05-10/11 Lube Services		242.73
24857	10/31/2024	013162		D.A. HOGAN AND ASSOCIATES INC.			\$2,475.00
301.0031	11.594.76.41.001		9/30/2024	24-8763	PK AG 2021-331 Thru 09.24 Ft.		2,475.00
24858	10/31/2024	000496		DAILY JOURNAL OF COMMERCE.			\$1,426.60
302.0133	21.595.30.44.001		10/9/2024	3403566	PWCP 10/02-10/09 Steil. Blvd -		678.30
401.0000	41.531.10.44.001		10/23/2024	3403923	PWSW 10/16-10/23 St. Sweeping		239.70
401.0000	41.531.10.44.001		10/23/2024	3403924	PWSW 10/16-10/23 Surf. Water I		372.30
101.0000	21.544.20.44.001		10/16/2024	3403750	PWST 10/16 Electrical Svcs. Ad		136.30
24859	10/31/2024	003867		DELL MARKETING LP.			\$7,805.85
503.0066	04.594.14.64.002		10/25/2024	10778902809	IT PD Havis Car Keyboard		2,982.48
503.0066	04.594.14.64.002		10/25/2024	10778902809	IT PD Havis Car Tablet Dock		4,107.30
503.0066	04.594.14.64.002		10/25/2024	10778902809	Sales Tax		301.23
503.0066	04.594.14.64.002		10/25/2024	10778902809	Sales Tax		414.84
24860	10/31/2024	003950		EMERGENCY FOOD NETWORK OF.			\$11,250.00
001.0000	11.565.10.41.020		10/4/2024	G-202401126	PKHS AG 2023-011A Q3/24 Co-Op		5,625.00
001.0000	11.565.10.41.020		10/4/2024	G-202401127	PKHS AG 2023-010A Q3/24 Home D		5,625.00
24861	10/31/2024	011987		FEDERAL EASTERN INTERNATIONAL.			\$5,358.57
001.0000	15.521.26.35.010		10/3/2024	56885200	PD - 3 ea Wilcox 624 Mount Bre		1,545.00
001.0000	15.521.26.35.010		10/3/2024	56885200	freight		20.00
001.0000	15.521.26.35.010		10/3/2024	56885200	Sales Tax		156.05
001.0000	15.521.26.35.010		10/3/2024	56885200	Sales Tax		2.02
195.0009	15.521.30.35.010		10/21/2024	57031200	PD - 1 @ \$1,080.00 ea - Vision		1,080.00
195.0009	15.521.30.35.010		10/21/2024	57031200	PD - 1 @ \$365.00 ea - Maverick		365.00

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
195.0009.15.521.30.35.010			10/21/2024	57031200	PD - 1 @ \$117.04 ea - 6x10 Spe		117.04
195.0009.15.521.30.35.010			10/21/2024	57031200	PD - 1 @ \$77.76 - Thorshield B		77.76
195.0009.15.521.30.35.010			10/21/2024	57031200	PD - 1 @ \$1,080.00 ea - Vision		1,080.00
195.0009.15.521.30.35.010			10/21/2024	57031200	PD - 1 @ \$365.00 ea - Maverick		365.00
195.0009.15.521.30.35.010			10/21/2024	57031200	PD - 1 @ \$139.44 ea - 8x10 Spe		139.44
195.0009.15.521.30.35.010			10/21/2024	57031200	PD - 1 @ \$77.76 - Thorshield B		77.76
195.0009.15.521.30.35.010			10/21/2024	57031200	Sales Tax		109.08
195.0009.15.521.30.35.010			10/21/2024	57031200	Sales Tax		36.87
195.0009.15.521.30.35.010			10/21/2024	57031200	Sales Tax		11.82
195.0009.15.521.30.35.010			10/21/2024	57031200	Sales Tax		7.85
195.0009.15.521.30.35.010			10/21/2024	57031200	Sales Tax		109.08
195.0009.15.521.30.35.010			10/21/2024	57031200	Sales Tax		36.87
195.0009.15.521.30.35.010			10/21/2024	57031200	Sales Tax		14.08
195.0009.15.521.30.35.010			10/21/2024	57031200	Sales Tax		7.85
24862	10/31/2024	001716		FENCE SPECIALISTS LLC.			\$3,468.15
504.0000.09.518.38.48.001			10/11/2024	0061211	RM CI # 2024-0064 Install Fenc		3,468.15
24863	10/31/2024	013406		FERNANDEZ. PATREA M			\$1,162.00
001.0000.11.571.20.41.001			10/29/2024	10/29/2024	PKRC 10/27 Yoga Instructor		1,162.00
24864	10/31/2024	009689		FLOHAWKS.			\$1,032.08
502.0000.17.518.35.48.001			10/23/2024	66266052	PKFC Electrical Svcs: CH		1,032.08
24865	10/31/2024	008185		FOOD CONNECTION.			\$3,750.00
001.0000.11.565.10.41.020			10/15/2024	Q3/24	PKHS AG 2023-023A Q3/24 Emerge		3,750.00
24866	10/31/2024	012975		FOSTER GARVEY PC.			\$45,949.59
001.0000.13.558.70.41.001			10/16/2024	2900305	ED Thru 09/30 Emmert Lkwd Cent		2,111.14
196.6022.99.518.63.41.001			10/16/2024	2900306	ARPA Thru 09/30 Mirjalili/Lape		43,838.45
24867	10/31/2024	013824		GENERAL PACIFIC INC..			\$3,890.91
001.0000.15.521.26.35.010			10/7/2024	1502938	PD - 2 - DJI Avata 2 Fly More		2,398.00
001.0000.15.521.26.35.010			10/7/2024	1502938	PD - 2 - DJI Care Refresh 2-Ye		198.00

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
001.0000.15.521.26.35.010			10/7/2024	1502938	PD - 2 - DJI Avata 2 Taclight		339.98
001.0000.15.521.26.35.010			10/7/2024	1502938	PD - 2 GPC DJI Avata 2 Hard Ca		498.00
001.0000.15.521.26.35.010			10/7/2024	1502938	PD - 2 - Anker 65w Charging Bl		100.00
001.0000.15.521.26.35.010			10/7/2024	1502938	Sales Tax		10.09
001.0000.15.521.26.35.010			10/7/2024	1502938	Sales Tax		242.20
001.0000.15.521.26.35.010			10/7/2024	1502938	Sales Tax		20.00
001.0000.15.521.26.35.010			10/7/2024	1502938	Sales Tax		34.34
001.0000.15.521.26.35.010			10/7/2024	1502938	Sales Tax		50.30
24868	10/31/2024	000207		GREATER LAKES MENTAL HEALTH.			\$61,802.34
001.0000.15.521.10.41.001			10/14/2024	Q3/24	PD AG 2021-300 2024 Q3/24 MHP		61,802.34
24869	10/31/2024	010115		GREEN TECH EXCAVATION.			\$22,909.61
105.0001.07.559.20.41.001			10/10/2024	19237	AB AG 2024-173 Abatement of 68		25,455.12
001.0000.00.223.40.00.000			10/10/2024	19237	AB AG 2024-173 Retainage		-2,545.51
24870	10/31/2024	013846		HAN CRIMI'S ART.			\$700.00
106.0000.11.573.20.41.001			10/14/2024	1234	PA Signal Box Designer		700.00
24871	10/31/2024	012308		HONEY BUCKET.			\$1,618.05
001.0000.11.571.20.41.082			10/10/2024	0554471818	PKFC 10/10-10/14 Sani-Can: 911		1,175.00
502.0000.17.518.35.41.001			10/17/2024	0554484854	PKFC 10/17-11/13 Sani-Can: 550		443.05
24872	10/31/2024	011106		J & J AUTOBODY REPAIR INC..			\$18,289.13
504.0000.09.518.35.48.001			10/7/2024	32107	PDFL 10/24 Insurance Repair		8,641.26
501.0000.51.521.10.48.005			10/7/2024	32107a	PDFL 10/24 Auto Glass		646.84
504.0000.09.518.35.48.001			9/30/2024	32121	RM Claim #2024-0067, Vehicle 4		2,286.56
504.0000.09.518.35.48.001			9/20/2024	32108	PDFL 09/24 Insurance Repair		6,714.47
24873	10/31/2024	013282		J.A. BRENNAN ASSOC. PLLC.			\$2,921.45
301.0019.11.594.76.41.001			10/18/2024	202317-12	PK AG 2023-200 Thru 09/24 Edge		2,921.45
24874	10/31/2024	008202		KPG PSOMAS.			\$1,754.50
302.0136.21.595.12.41.001			10/10/2024	190025	PWCP AG 2022-138 09/30-10/27/2		1,754.50

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
24875	10/31/2024	013676		LAKES CROSS COUNTRY BOOSTER.			\$5,176.10
104.0032.01.557.30.41.001			9/13/2024	2	HM AG 2024-126 Lodging Tax Gra		5,176.10
24876	10/31/2024	008414		LAKEWOOD FORD.			\$4,478.52
501.0000.51.521.10.48.005			9/24/2024	LCCS525380	PDFL 08/24 Battery		834.46
501.0000.51.548.79.31.006				CM186207F	PKFL Return: Kit		-120.34
501.0000.51.548.79.48.005			10/8/2024	LCCS517775	PKFL Vehicle Repair		3,646.81
501.0000.51.548.79.31.006			10/7/2024	187567F	PKFL Tail Light Assembly		117.59
24877	10/31/2024	000288		LAKEWOOD HARDWARE & PAINT.			\$487.31
001.0000.11.576.81.31.001			10/25/2024	756840	PKFC Painting Supplies		240.83
502.0000.17.521.50.31.001			10/28/2024	756993	PKFC Hygrade Triple Tube 4100K		39.59
502.0000.17.521.50.31.001			10/28/2024	757009	PKFC Hygrade Triple Tube 4100K		9.90
001.0000.11.571.20.31.001			10/10/2024	755567	PKRC Catrina Puppet Storage Ba		24.21
001.0000.11.576.81.31.001				757162	PKFC Refund 1Qt Pump Armor Flu		-71.51
001.0000.11.576.81.31.001			9/13/2024	753016	PKFC 1Qt Pump Armor Fluid		71.51
001.0000.11.571.20.31.001			10/18/2024	756263	PKRC Catrina Puppet Storage Ba		172.78
24878	10/31/2024	000298		LAKEWOOD TOWING AND TRANSPORT.			\$234.79
501.0000.51.521.10.48.005			10/15/2024	260836	PDFL 10/24 Tow		146.71
001.0000.15.521.10.41.070			10/16/2024	260895	PD 10/15 Chevrolet C/K 2500 Se		88.08
24879	10/31/2024	003008		LARSEN SIGN CO.			\$88.08
001.0000.11.571.22.41.001			5/13/2024	34253	PKRC Vinyl Sign: EBT Accepted		88.08
24880	10/31/2024	002390		LASA.			\$3,475.43
001.0000.11.565.10.41.020			10/24/2024	Q3/24	PKHS AG 2023-032A Q3/24 Emerge		3,475.43
24881	10/31/2024	013312		LAYLAND CONSTRUCTION LLC.			\$15,368.95
101.9999.11.542.70.48.001			10/29/2024	2346	PKST 10/24 Homeless Camp Clean		5,298.30
101.9999.11.542.70.48.001			10/24/2024	2336	PKST Homeless Camp Clean Up: 1		5,857.01
101.9999.11.542.70.48.001			10/21/2024	2334	PKST Homeless Camp Clean Up		4,213.64
24882	10/31/2024	012939		LENOVO INC..			\$2,422.20

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
503.0015.04.518.80.35.030			10/25/2024	6469604924	IT ThinkPad 16" 32G Mobile Wor		2,422.20
24883	10/31/2024	010712		LINDQUIST DENTAL CLINIC.			\$6,250.00
001.0000.11.565.10.41.020			10/15/2024	P111721	PKHS AG 2023-069A Q3/24 Uncomp		6,250.00
24884	10/31/2024	002185		LOWE'S COMPANIES INC.			\$621.36
502.0000.17.518.30.31.001			10/16/2024	979730	PKFC Maint Supplies		13.56
502.0000.17.521.50.31.001			10/15/2024	976982	PKFC Maint Supplies		91.15
001.0000.11.576.81.31.001			10/21/2024	991162	PKFC Maint Supplies		138.03
001.0000.11.542.70.31.001			9/9/2024	970392	PKST Maint Supplies		18.81
502.0000.17.521.50.31.001			10/25/2024	971818	PKFC Maint Supplies		359.81
24885	10/31/2024	004073		MACDONALD-MILLER FACILITY SOL.			\$101,698.55
502.0016.17.521.50.48.001			10/29/2024	JC97517	PKFC AG 2024-111 10/24 Lkwd PD		101,054.46
502.0000.17.521.50.48.001			10/21/2024	SVC317108	PKFC 10/08 HVAC		644.09
24886	10/31/2024	010674		MACKAY COMMUNICATIONS INC.			\$55.08
503.0000.04.518.80.42.001			10/24/2024	SB_202409_103441	IT PD 09/24 Air-Time AQ01968		55.08
24887	10/31/2024	013314		MACKENZIE.			\$375.00
502.0018.17.518.20.41.001			8/8/2024	1089954	PKFC AG 2024-071 07/01-07/28		375.00
24888	10/31/2024	013015		MAKING A DIFFERENCE FOUNDATION.			\$5,224.60
001.0000.11.565.10.41.020			10/10/2024	Q3/24	PKHS AG 2023-013A Q3/24 Eloise		5,224.60
24889	10/31/2024	009724		MILES RESOURCES LLC.			\$330.40
101.0000.11.542.30.31.030			10/28/2024	362585	PKST Cold Mix		198.92
401.0000.11.531.10.31.030			10/14/2024	362140	PKSW Hot Mix Asphalt & Waste Cl		131.48
24890	10/31/2024	013552		MINCE MERCANTILE. LLC..			\$133.00
631.0000.11.589.00.00.000			10/22/2024	10/22/2024	PKRC Jun-Aug FM: SNAP Reimb, W		128.00
001.0000.09.518.91.31.009			10/22/2024	10/22/2024	PKRC Jun-Aug FM: SNAP Reimb, W		5.00
24891	10/31/2024	013743		NDEKERE. BERNARD			\$300.00
001.0000.02.512.51.49.009			10/15/2024	October 2024	MC 10/24 Interpreter		300.00

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
24892	10/31/2024	011935		NEIL, LANI			\$1,168.91
106.0000.11.573.20.31.005			10/21/2024	10/21/2024 Reimb	PA Pierce College Students Art	144.13	
001.0000.11.571.20.31.001			10/21/2024	10/21/2024 Reimb	PKRC Council Float Decorations	778.84	
001.0000.11.571.20.31.001			10/21/2024	10/21/24 Reimb	PKRC Supplies For Puppet Stora	78.41	
106.0000.11.573.20.31.005			10/21/2024	10/21/24 Reimb	PA Arts Commission Mural Meeti	53.42	
001.0000.11.571.20.31.050			10/21/2024	10/21/24 Reimb	PKRC Truck & Tractor Supplies	114.11	
24893	10/31/2024	000365		NORTHWEST ABATEMENT SVC INC.			\$84,044.96
105.0001.07.559.20.41.001			10/24/2024	6744-01F	AB AG 2024-139 Abatement 9132	92,441.06	
105.0000.00.223.40.00.000			10/24/2024	6744-01F	AB AG 2024-139 Retainage	-8,396.10	
24894	10/31/2024	000173		NOURISH PIERCE COUNTY.			\$3,750.00
001.0000.11.565.10.41.020			10/15/2024	Q3/24	PKHS AG 2023-022A Q3/24 Nutrit	3,750.00	
24895	10/31/2024	013550		OASIS YOUTH CENTER.			\$6,673.73
001.0000.11.565.10.41.020			10/15/2024	Q3/24	PKHS AG 2023-054A Q3/24 Oasis	6,673.73	
24896	10/31/2024	000378		OGDEN MURPHY WALLACE.			\$3,012.00
001.0000.06.515.30.41.001			10/21/2024	892065	LG Thru 04/30 Public Defense	1,172.00	
001.0000.06.515.30.41.001			6/13/2024	893348	LG Thru 05/31 Public Defense	1,840.00	
24897	10/31/2024	010255		PAPE' MACHINERY EXCHANGE.			\$3,671.61
001.9999.11.576.81.35.001			10/18/2024	15698849	PKFC Lawn Equip Parts	2,730.43	
001.0000.11.576.80.31.001			10/24/2024	15705470	PKFC Machinery Parts	941.18	
24898	10/31/2024	000407		PIERCE COUNTY.			\$13,910.60
631.0003.02.586.10.00.010			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit	796.74	
503.0000.04.518.80.41.090			9/30/2024	CI-358554	IT Q2/24 Wide Area Network Cha	450.00	
503.0000.04.518.80.41.090			9/30/2024	CI-358554	IT Q2/24 Legal Info Network Ex	2,112.00	
503.0000.04.518.80.48.003			9/30/2024	CI-358774	IT Q3/24 Amazon Web Svcs.	4,566.57	
001.0000.15.521.10.41.125			10/11/2024	CI-358752	PD 09/24 Jail Services	5,985.29	
24899	10/31/2024	013196		PITNEY BOWES PRESORT SERVICES.			\$5,000.00
001.0000.99.518.40.42.002			10/11/2024	D-706976	ND Postage Deposit	5,000.00	

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
24900	10/31/2024	010630		PRINT NW.			\$1,241.62
001.0000.02.523.30.41.001			10/15/2024	42000101	MC Business Cards: D. Lomeli	84.47	
001.0000.07.558.60.49.005			10/24/2024	W42012601	CD Public Notice Signs	1,157.15	
24901	10/31/2024	009541		PRO FORCE LAW ENFORCEMENT.			\$5,720.30
001.0000.15.521.10.31.020			10/25/2024	560234	PD - SOCOM556R2ZBK-DS SUF SOCO	5,195.55	
001.0000.15.521.10.31.020			10/25/2024	560234	Sales Tax	524.75	
24902	10/31/2024	007183		PRO-VAC.			\$73,082.91
401.0000.11.531.10.48.001			10/31/2024	189927234	PKSW AG 2018-151D 09/24 Catch	28,517.00	
401.0000.11.531.10.48.001			9/30/2024	189921423	PKSW AG 2018-151D 09/24 Vault	44,565.91	
24903	10/31/2024	009152		PUBLIC FINANCE INC.			\$332.19
202.0000.02.514.20.41.001			10/15/2024	0002539	DS Q4/24 LID Admin: CLID No. 1	66.44	
202.0000.03.514.20.41.001			10/15/2024	0002539	DS Q4/24 LID Admin: CLID No. 1	265.75	
24904	10/31/2024	000445		PUGET SOUND ENERGY.			\$1,574.18
001.0000.11.576.81.47.005			10/25/2024	200001527346 10/24	PKFC 09/23-10/23 8714 87th Ave	10.90	
001.0000.11.576.81.47.005			10/25/2024	220024933081 10/24	PKFC 09/23-10/23 8714 87th Ave	61.64	
001.0000.11.576.80.47.005			10/24/2024	300000000129 10/24	PKFC 08/29-09/30 11500 Militar	40.60	
001.0000.11.576.81.47.005			10/22/2024	200001527551 10/24	PKFC 09/19-10/21 9115 Angle Ln	53.83	
101.0000.11.542.63.47.005			10/22/2024	220036507386 10/24	PK 09/26-10/21 10102 Angle Ln	17.16	
101.0000.11.542.64.47.005			10/21/2024	3000000005037 10/24	PKST 09/30-10/18 Flashing Ligh	143.81	
101.0000.11.542.63.47.006			10/21/2024	220033539960 10/24	PKST 09/18-10/18 9210 Elwood D	183.72	
101.0000.11.542.63.47.006			10/21/2024	220035471758 10/24	PKST 09/18-10/18 9230 Hipkins	37.58	
502.0000.17.518.35.47.011			10/21/2024	200018357661 10/24	PKFC 09/18-10/18 6000 Main St	663.29	
001.0000.11.576.80.47.005			10/4/2024	300000010268 10/24	PKFC 08/29-09/30 Woodlawn Ave	161.25	
001.0000.11.576.81.47.005			10/4/2024	300000010938 10/24	PKFC 08/22-09/23 9107 Angle Ln	200.40	
24905	10/31/2024	012426		RANGER TREE EXPERTS INC.			\$4,844.40
101.0000.11.542.70.41.001			10/17/2024	00813-1	PKST Tree Removal: 8716 John D	4,844.40	
24906	10/31/2024	010325		REBUILDING TOGETHER SOUTH.			\$6,250.00

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001.0000.11.565.10.41.020			10/14/2024	FY23-35	PKHS AG 2023-009A Q3/24 Rebuil		6,250.00
24907	10/31/2024	013735		REYNOLDS BURTON VINSON PLLC.			\$4,725.00
001.0000.06.515.30.41.001			10/28/2024	2024-6	LG AG 2024-075 10/24 Court App		4,725.00
24908	10/31/2024	013841		SAFEGUARD BUSINESS SYSTEMS INC.			\$89.71
001.0000.99.518.40.31.001			10/9/2024	9005984521	ND Alarm Permit Check		89.71
24909	10/31/2024	004775		SAN DIEGO POLICE EQUIP CO.			\$11,327.63
001.0000.15.521.26.31.020			10/14/2024	663249	PD Speer Lawman 9mm		7,594.50
001.0000.15.521.26.31.020			10/14/2024	663249	Sales Tax		767.04
001.0000.15.521.26.31.020			10/2/2024	663013	PD - 10 cases of 500 ea Federa		2,694.00
001.0000.15.521.26.31.020			10/2/2024	663013	Sales Tax		272.09
24910	10/31/2024	013330		SAURI. MARCO A			\$2,000.00
001.9999.11.565.10.41.020			10/17/2024	56	PKHS AG 2023-170 10/16-10/31 L		2,000.00
24911	10/31/2024	009723		SHERIDAN. SELINDA			\$327.00
001.0000.11.569.50.41.001			10/16/2024	10/16/2024	PKSR 09/09-10/14 Sumi Art Inst		327.00
24912	10/31/2024	013847		SHIELD ASSESSMENTS.			\$385.00
001.0000.09.518.10.41.001			10/13/2024	2672	HR 09/24 Pre-Employment Psych		385.00
24913	10/31/2024	012013		SOUTH SOUND MOTORCYCLES.			\$367.55
501.0000.51.521.10.48.005			10/9/2024	6014907	PDFL 10/24 Electrical		230.59
501.0000.51.521.10.48.005			10/9/2024	6014907	PDFL 10/24 Other		46.25
501.0000.51.521.10.48.005			10/3/2024	5029177	PDFL 10/24 Electrical		90.71
24914	10/31/2024	002881		SPRAGUE PEST SOLUTIONS CO.			\$128.41
001.0000.11.576.81.48.001			10/18/2024	5604694	PKFC 10/18 Gen Pest Control Sv		128.41
24915	10/31/2024	013478		STANTEC CONSULTING SVCS INC..			\$91,082.50
192.0014.07.558.60.41.001			11/11/2024	2295743	SSMP AG 2023-070 Thru 10/11 Mi		91,082.50
24916	10/31/2024	009493		STAPLES ADVANTAGE.			\$1,557.20

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
001.0000.15.521.10.31.001			10/19/2024	6014675212	PD Office Supplies		75.15
001.0000.15.521.30.31.001			10/19/2024	6014675213	PD Office Supplies		245.41
001.0000.02.512.50.31.001			10/24/2024	6013995676	MC Office Supplies		51.71
190.0009.52.559.31.31.001			10/11/2024	6014177698	CDBG Folders		107.02
001.0000.02.512.50.31.001			10/8/2024	6013995675	MC Office Supplies		119.37
001.0000.02.512.50.31.001			10/5/2024	6013841869	MC Office Supplies		898.35
001.0000.15.521.10.31.001			10/3/2024	6013697210	PD Office Supplies		33.78
001.0000.02.512.50.31.001			10/9/2024	6014058868	MC Office Supplies		26.41
24917	10/31/2024	000517		STATE AUDITOR'S OFFICE.			\$4,485.98
001.0000.04.514.20.41.001			10/10/2024	L163823	FN Accountability, Federal, &		4,485.98
24918	10/31/2024	002458		SUMMIT LAW GROUP.			\$3,121.50
001.0000.15.521.10.41.001			10/17/2024	157493	PD 09/24 General Labor		2,014.50
001.0000.15.521.10.41.001			10/17/2024	157494	PD 09/24 Catlett/Dier Grievanc		1,107.00
24919	10/31/2024	006497		SYSTEMS FOR PUBLIC SAFETY.			\$63,732.76
501.0000.51.521.10.48.005			10/25/2024	47831	PDFL 09/24 Stripout		2,008.51
501.0000.51.521.10.31.006			10/25/2024	48285	PDFL 10/24 Parts		48.36
501.0000.51.521.10.48.005			10/25/2024	48464	PDFL 10/24 Oil Change		137.70
501.0000.51.521.10.48.005			10/25/2024	48464	PDFL 10/24 Safety Inspection		24.38
501.0000.51.521.10.48.005			10/25/2024	48464	PDFL 10/24 Other		55.75
501.0000.51.521.10.48.005			10/21/2024	47567	PDFL 09/24 Oil Change		150.09
501.0000.51.521.10.48.005			10/21/2024	47567	PDFL 09/24 Safety Inspection		30.09
501.0000.51.521.10.48.005			10/21/2024	47567	PDFL 09/24 Other		1,523.78
501.0000.51.521.10.48.005			10/21/2024	48012	PDFL 09/24 Stripout		1,750.47
501.0000.51.521.10.48.005			10/21/2024	48171	PDFL 10/24 Other		274.57
501.0000.51.521.10.48.005			10/21/2024	48187	PDFL 09/24 Electronic		133.38
501.0000.51.521.10.48.005			10/21/2024	48187	PDFL 09/24 Brakes		587.27
501.0000.51.521.10.48.005			10/21/2024	48187	PDFL 09/24 Other		459.83
501.0000.51.521.10.48.005			10/21/2024	48200	PDFL 09/24 Oil Change		156.00
501.0000.51.521.10.48.005			10/21/2024	48200	PDFL 09/24 Safety Inspection		30.10
504.0000.09.518.35.48.001			10/21/2024	48200	RM Claim #2024-0052 Vehicle 40		1,713.20

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
501.0000	51.521.10.48.005		10/21/2024	48238	PDFL 09/24 Oil Change		90.89
501.0000	51.521.10.48.005		10/21/2024	48238	PDFL 09/24 Safety Inspection		469.52
501.0000	51.521.10.48.005		10/21/2024	48238	PDFL 09/24 Wipers		61.84
501.0000	51.521.10.48.005		10/21/2024	48238	PDFL 09/24 Brakes		737.31
501.0000	51.521.10.48.005		10/21/2024	48238	PDFL 09/24 Other		25.46
501.0000	51.521.10.48.005		10/21/2024	48238	PDFL 09/24 Tire Repair	55.738	55.74
501.0000	51.521.10.48.005		10/21/2024	48238	PDFL 09/24 Alignment		160.33
504.0000	09.518.35.48.001		10/21/2024	48238	RM Claim #2024-0057A, Vehicle		6,182.43
501.0000	51.521.10.48.005		10/21/2024	48300	PDFL 10/24 Oil Change		142.27
501.0000	51.521.10.48.005		10/21/2024	48300	PDFL 10/24 Safety Inspection		77.15
501.0000	51.521.10.48.005		10/21/2024	48300	PDFL 10/24 Transmisson		465.81
501.0000	51.521.10.48.005		10/21/2024	48300	PDFL 10/24 Battery		138.81
501.0000	51.521.10.48.005		10/21/2024	48300	PDFL 10/24 Tires		746.94
501.0000	51.521.10.48.005		10/21/2024	48300	PDFL 10/24 Wheel		287.33
501.0000	51.521.10.48.005		10/21/2024	48300	PDFL 10/24 Alignment		160.83
501.0000	51.521.10.48.005		10/21/2024	48390	PDFL 10/24 Oil Change		140.76
501.0000	51.521.10.48.005		10/21/2024	48390	PDFL 10/24 Safety Inspection		382.55
501.0000	51.521.10.48.005		10/21/2024	48390	PDFL 10/24 Brakes		497.76
501.0000	51.521.10.48.005		10/21/2024	48390	PDFL 10/24 Battery		390.30
501.0000	51.521.10.48.005		10/21/2024	48390	PDFL 10/24 Alternator		1,031.78
501.0000	51.521.10.48.005		10/21/2024	48390	PDFL 10/24 Wipers		78.07
501.0000	51.521.10.48.005		10/21/2024	48390	PDFL 10/24 Radiator		188.41
501.0000	51.521.10.48.005		10/21/2024	48390	PDFL 10/24 Other		24.34
501.0000	51.521.10.48.005		10/21/2024	48400	PDFL 10/24 Oil Change		144.34
501.0000	51.521.10.48.005		10/21/2024	48400	PDFL 10/24 Safety Inspection		26.42
501.0000	51.521.10.48.005		10/21/2024	48400	PDFL 10/24 Brakes		1,287.81
501.0000	51.521.10.48.005		10/21/2024	48400	PDFL 10/24 Transmission		408.64
501.0000	51.521.10.48.005		10/21/2024	48400	PDFL 10/24 Other		27.53
180.0000	15.521.21.48.005		10/21/2024	48419	PDFL 10/24 Oil Change		165.59
501.0000	51.521.10.48.005		10/21/2024	48419	PDFL 10/24 Safety Inspection		772.51
501.0000	51.521.10.48.005		10/21/2024	48419	PDFL 10/24 Wiper		49.28
501.0000	51.521.10.48.005		10/21/2024	48419	PDFL 10/24 Other		28.90
501.0000	51.521.10.48.005		10/21/2024	48432	PDFL 10/24 Safety Inspection		275.72

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
501.0000	51.521.10.48.005		10/21/2024	48432	PDFL 10/24 Wipers		63.90
501.0000	51.521.10.48.005		10/21/2024	48432	PDFL 10/24 Transmission		446.91
501.0000	51.521.10.48.005		10/21/2024	48432	PDFL 10/24 Tire Repair		207.54
501.0000	51.521.10.48.005		10/21/2024	48432	PDFL 10/24 Other		27.53
501.0000	51.521.10.48.005		10/21/2024	48433	PDFL 10/24 Oil Change		140.62
501.0000	51.521.10.48.005		10/21/2024	48433	PDFL 10/24 Safety Inspection		23.93
501.0000	51.521.10.48.005		10/21/2024	48433	PDFL 10/24 Other		25.03
501.0000	51.521.10.48.005		10/21/2024	48436	PDFL 10/24 Oil Change		134.67
501.0000	51.521.10.48.005		10/21/2024	48436	PDFL 10/24 Safety Inspection		24.71
501.0000	51.521.10.48.005		10/21/2024	48449	PDFL 10/24 Oil Change		147.87
501.0000	51.521.10.48.005		10/21/2024	48449	PDFL 10/24 Other		31.19
504.0000	09.518.35.48.001		10/21/2024	48449	RM Claim #2024-0068, Vehicle 4		3,315.13
501.0000	51.521.10.48.005		10/21/2024	48456	PDFL 10/24 Oil Change		143.61
501.0000	51.521.10.48.005		10/21/2024	48456	PDFL 10/24 Safety Inspection		25.69
501.0000	51.521.10.48.005		10/21/2024	48456	PDFL 10/24 Other		131.39
501.0000	51.521.10.48.005		10/21/2024	48458	PDFL 10/24 Oil Change		162.11
501.0000	51.521.10.48.005		10/21/2024	48458	PDFL 10/24 Safety Inspection		124.28
501.0000	51.521.10.48.005		10/21/2024	48458	PDFL 10/24 Wipers		56.48
501.0000	51.521.10.48.005		10/21/2024	48458	PDFL 10/24 Electrical		379.50
501.0000	51.521.10.48.005		10/21/2024	48485	PDFL 10/24 Tire Repair		212.14
501.0000	51.521.10.48.005		10/21/2024	48491	PDFL 10/24 Oil Change		142.95
501.0000	51.521.10.48.005		10/21/2024	48491	PDFL 10/24 Safety Inspection		78.72
501.0000	51.521.10.48.005		10/21/2024	48491	PDFL 10/24 Tires		262.22
501.0000	51.521.10.48.005		10/21/2024	48491	PDFL 10/24 Transmission		167.51
501.0000	51.521.10.48.005		10/21/2024	48491	PDFL 10/24 Other		5.51
501.0000	51.521.10.48.005		10/11/2024	48290	PDFL 09/24 Tire Repair		110.58
501.0000	51.521.10.48.005		10/11/2024	48290	PDFL 09/24 Other		25.26
180.0000	15.521.21.48.005		10/3/2024	48256	PDFL 09/24 Diagnostics		61.47
180.0000	15.521.21.48.005		10/3/2024	48256	PDFL 09/24 Tire Repair		61.47
180.0000	15.521.21.48.005		10/3/2024	48256	PDFL 09/24 Battery		770.49
501.0000	51.521.10.48.005		10/3/2024	48352	PDFL Other		25.26
501.0000	51.521.10.48.005		10/3/2024	48352	PDFL Tire Repair		110.58
501.0000	51.521.10.48.005		10/3/2024	48388	PDFL 09/24 Tire Repair		212.14

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
501.9999	51.594	21.64.005	9/11/2024	46438	PDFL 09/24 New Build		27,285.10
501.0000	51.521	10.48.005	9/25/2024	48195	PDFL 09/24 Oil Change		308.38
501.0000	51.521	10.48.005	9/25/2024	48195	PDFL 09/24 Safety Inspection		595.43
501.0000	51.521	10.48.005	9/25/2024	48195	PDFL 09/24 Battery		287.64
501.0000	51.521	10.48.005	9/25/2024	48195	PDFL 09/24 Wipers		58.78
501.0000	51.521	10.48.005	10/1/2024	48273	PDFL 09/24 Electrical		112.72
501.0000	51.521	10.48.005	10/1/2024	48313	PDFL 09/24 Other		25.26
501.0000	51.521	10.48.005	10/1/2024	48313	PDFL 09/24 Tire Repair		110.58
501.0000	51.521	10.48.005	9/5/2024	47975	PDFL 09/24 Stripout		1,455.03
501.0000	51.521	10.48.005	10/21/2014	48457	PDFL 10/24 Oil Change		154.68
501.0000	51.521	10.48.005	10/21/2014	48457	PDFL 10/24 Safety Inspection		276.35
501.0000	51.521	10.48.005	10/21/2014	48457	PDFL 10/24 Wipers		49.37
501.0000	51.521	10.48.005	10/21/2014	48457	PDFL 10/24 Transmission		320.68
501.0000	51.521	10.48.005	10/21/2014	48457	PDFL 10/24 Other		27.52
24920	10/31/2024	000540		TACOMA RUBBER STAMP.			\$22.83
001.0000	07.558	60.31.001	10/9/2024	I-731511-1	CD Nameplate: J. Hopkins		22.83
24921	10/31/2024	013393		TANGRAM DESIGN LLC.			\$11,240.00
301.0041	11.576	80.41.001	10/23/2024	848	PK AG 2022-223 PARK SIGN DESIG		6,240.00
301.0034	11.594	76.63.001	10/23/2024	848	PK AG 2022-223 PARK SIGN DESIG		5,000.00
24922	10/31/2024	011317		TETRA TECH INC.			\$1,758.00
401.0018	41.531	10.41.001	10/15/2024	52320833	PWSW AG 2018-164 08/31-09/27 W		1,758.00
24923	10/31/2024	002153		THE RESCUE MISSION.			\$3,750.00
001.0000	11.565	10.41.020	10/9/2024	0924	PKHS AG 2023-024A Q3/24 Emerge		3,750.00
24924	10/31/2024	006610		TITUS-WILL FORD SALES, INC.			\$471.83
501.0000	51.521	10.48.005	4/12/2024	FOCS206151	PDFL 04/24 Diagnostics		339.60
501.0000	51.521	10.48.005	4/12/2024	FOCS206151	PDFL 04/24 Transmission		132.23
24925	10/31/2024	010893		TNVC INC.			\$9,914.51
001.0000	15.521	26.35.010	10/8/2024	SO-000385	PD 1 TNVC TNV/BNVG-M Artemis B		8,905.00

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
001.0000.15.521.26.35.010			10/8/2024	SO-000385	freight		100.00
001.0000.15.521.26.35.010			10/8/2024	SO-000385	Sales Tax		899.41
001.0000.15.521.26.35.010			10/8/2024	SO-000385	Sales Tax		10.10
24926	10/31/2024	013666		TOLEMI.			\$36,000.00
503.0020.04.518.80.41.001			8/12/2024	LAKEWA002	IT 08/03/24-08/03/25 Building		16,000.00
503.0020.04.518.80.41.001			8/12/2024	LAKEWA002	IT 08/03/23-08/03/24 Rental Re		20,000.00
24927	10/31/2024	010651		TRAILER BOSS.			\$1,174.50
501.0000.51.548.79.48.005			10/2/2024	260970	PKFL Trailer Repair		1,174.50
24928	10/31/2024	011258		TRANSPORTATION SYSTEMS INC.			\$6,107.88
302.0000.00.223.40.00.000			10/30/2024	AG 2020-112 Ret. Rel	PWCP AG 2020-112 Retainage Rel		6,107.88
24929	10/31/2024	008186		TRCVB.			\$8,331.65
104.0016.01.557.30.41.001			9/30/2024	LW-2024-09	HM AG 2024-121 09/24 Lodging T		8,331.65
24930	10/31/2024	000153		TYLER TECHNOLOGIES INC.			\$116.71
503.0000.04.518.80.48.003			11/1/2024	020-155574	IT 11/15-12/14 Tyler Supervisi		116.71
24931	10/31/2024	013795		UNITED ACCESS. LLC..			\$4,421.54
302.0001.21.543.30.31.006			10/7/2024	65462	PWCP Featherlite Brake Lock Pu		4,002.92
302.0001.21.543.30.31.006			10/7/2024	65462	freight		35.00
302.0001.21.543.30.31.006			10/7/2024	65462	Sales Tax		383.62
24932	10/31/2024	002509		VERIZON WIRELESS.			\$733.37
503.0000.04.518.80.42.001			10/8/2024	9974005152	IT 08/17-09/16 Phone		215.96
503.0000.04.518.80.42.001			10/16/2024	9976436053	IT 09/17-10/16 Phone		215.96
503.0000.04.518.80.42.001			10/16/2024	9976436054	IT 09/17-10/16 Phone		301.45
24933	10/31/2024	013739		VERSATERM PUBLIC SAFETY US INC.			\$2,086.72
503.0000.04.518.80.48.003			10/22/2024	INV37-01547	IT 11/01/24-10/31/25 Blue Team		2,086.72
24934	10/31/2024	011512		WA STATE DEPT OF CORRECTIONS.			\$1,822.18
001.0000.15.521.10.41.001			10/4/2024	FCU2409.8134	PD 09/24 Work Crew Svcs		570.18

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
001.0000.15.521.10.41.001			8/5/2024	FCU2407.7979	PD 07/24 Work Crew Svcs		1,252.00
24935	10/31/2024	011595		WALTER E NELSON CO.			\$834.71
502.0000.17.518.35.31.001			10/25/2024	1021281	PKFC Maint Supplies		834.71
24936	10/31/2024	000593		WASHINGTON STATE TREASURER.			\$69,582.46
631.0002.02.586.10.00.020			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit		26,291.35
631.0002.02.586.10.00.010			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit		15,053.59
631.0002.02.586.10.00.090			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit		43.54
631.0002.02.586.10.00.210			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit		2.36
631.0002.02.586.10.00.060			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit		2,401.46
631.0002.02.586.10.00.130			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit		13.40
631.0002.02.586.10.00.140			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit		38.85
631.0002.02.586.10.00.150			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit		4,801.33
631.0002.02.586.10.00.160			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit		2,294.81
631.0002.02.586.10.00.220			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit		9.19
631.0002.02.586.10.00.030			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit		12,778.33
631.0002.02.586.10.00.050			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit		2,446.53
631.0002.02.586.89.26.000			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit		2,529.72
631.0002.07.586.10.00.040			10/21/2024	09/24 Bldg. Code	CD 09/24 State Bldg. Code		878.00
24937	10/31/2024	012410		WATT BANKS. LISA			\$2,008.75
001.9999.11.565.10.41.020			10/17/2024	130	PKHS AG 2023-170 10/16-10/31 L		2,008.75
24938	10/31/2024	010239		WEST PIERCE FIRE & RESCUE.			\$16,444.13
101.0000.11.544.90.49.003			9/3/2024	INV24-085	PK 07/31 CPR Class		271.29
001.0000.11.571.20.41.001			7/17/2023	INV23-062	PKRC 07/07/23 CPR Class		106.84
195.0005.15.521.30.41.001			10/14/2024	INV24-092	PD EMPG E-24-340		16,066.00
24939	10/31/2024	011031		XIOLOGIX LLC.			\$1,148.03
503.0000.04.518.80.48.002			10/28/2024	11347	IT Ruckus End User WatchDog Su		1,148.03
24940	10/31/2024	011032		YMCA OF PIERCE AND KITSAP CO..			\$17,864.45
196.3107.99.518.63.41.001			10/10/2024	3 Q3/24	ARPA AG 2021-428C Q3/24 Youth		4,110.45

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
196.3207.99.518.63.41.001			10/10/2024	3 Q3/24	ARPA AG 2021-428C Q3/24 Youth		13,754.00
24941	10/31/2024	001882		YWCA PIERCE COUNTY.			\$4,435.24
001.0000.11.565.10.41.020			10/14/2024	Q3/24	PKHS AG 2023-008A Q3/24 DV She		4,435.24
24942	10/31/2024	013730		ZAYO GROUP. LLC..			\$1,549.14
503.0000.04.518.80.42.001			10/8/2024	20959375	IT 10/08-11/07 Phone		1,549.14
24943	10/31/2024	001272		ZUMAR INDUSTRIES INC.			\$2,294.49
101.0000.11.542.64.31.001			8/30/2024	48942	PKST Signs		391.96
101.0000.11.542.64.31.001			10/16/2024	49575	PKST Maint. Supplies		1,902.53
24944	11/15/2024	001685		AMAYA ELECTRIC CORP.			\$27,390.32
101.0000.11.542.64.48.001			10/31/2024	9457-39	PKST AG 2023-215 Troubleshoot		511.33
101.0000.00.223.40.00.000			10/31/2024	9457-39	PKST AG 2023-215 Retainage Inv		-25.31
504.0000.09.518.39.48.001			10/31/2024	9457-41	RM AG 2023-215 CI # 2023-0037		11,975.01
504.0000.00.223.40.00.000			10/31/2024	9457-41	RM AG 2023-215 CI # 2023-0037		-562.70
101.0000.11.542.64.48.001			10/31/2024	9457.36	PKST AG 2023-215 Replace Optic		14,089.33
101.0000.00.223.40.00.000			10/31/2024	9457.36	PKST AG 2023-215 Retainage Inv		-691.99
302.0074.21.595.30.63.001			10/31/2024	9457.42	PWCP AG 2023-215 Remove OH Int		2,204.90
302.0000.00.223.40.00.000			10/31/2024	9457.42	PWCP AG 2023-215 Retainage Inv		-110.25
24945	11/15/2024	010395		ARAMARK REFRESHMENT SERVICES.			\$288.23
001.0000.99.518.40.45.004			10/24/2024	10687402	ND 10/24 Water Filtration: PD		98.82
001.0000.99.518.40.45.004			10/24/2024	10688809	ND 10/24 Water Filtration Uni		144.50
001.0000.99.518.40.45.004			10/24/2024	10689027	ND 10/24 Water Filtration Uni		44.91
24946	11/15/2024	007445		ASSOCIATED PETROLEUM PRODUCTS.			\$14,834.79
501.0000.51.548.79.32.001			10/29/2024	24-216665	PKFL 10/15-10/29/24		26.57
501.0000.51.548.79.32.001			10/29/2024	24-216665	PKFL 10/15-10/29/24		77.94
501.0000.51.548.79.32.001			10/29/2024	24-216665	PKFL 10/15-10/29/24		131.08
501.0000.51.548.79.32.001			10/29/2024	24-216665	PKFL 10/15-10/29/24		67.31
501.0000.51.548.79.32.001			10/29/2024	24-216665	PKFL 10/15-10/29/24		72.63
501.0000.51.548.79.32.001			10/29/2024	24-216665	PKFL 10/15-10/29/24		155.17

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
501.0000	51.548.79.32.001		10/29/2024	24-216665	PKFL 10/15-10/29/24		12.40
501.0000	51.548.79.32.001		10/29/2024	24-216665	PKFL 10/15-10/29/24		19.49
501.0000	51.548.79.32.001		10/29/2024	24-216665	PKFL 10/15-10/29/24		21.97
501.0000	51.548.79.32.001		10/29/2024	24-216665	PKFL 10/15-10/29/24		15.94
501.0000	51.548.79.32.002		10/29/2024	24-216665	PKFL 10/15-10/29/24		38.97
501.0000	51.548.79.32.001		10/29/2024	24-216665	PKFL 10/15-10/29/24		85.74
501.0000	51.548.79.32.002		10/29/2024	24-216665	PKFL 10/15-10/29/24		21.97
501.0000	51.548.79.32.002		10/29/2024	24-216665	PKFL 10/15-10/29/24		70.50
501.0000	51.548.79.32.002		10/29/2024	24-216665	PKFL 10/15-10/29/24		41.81
501.0000	51.548.79.32.002		10/29/2024	24-216665	PKFL 10/15-10/29/24		43.58
501.0000	51.548.79.32.002		10/29/2024	24-216665	PKFL 10/15-10/29/24		85.38
501.0000	51.548.79.32.002		10/29/2024	24-216665	PKFL 10/15-10/29/24		41.81
501.0000	51.548.79.32.002		10/29/2024	24-216665	PKFL 10/15-10/29/24		29.41
501.0000	51.548.79.32.002		10/29/2024	24-216665	PKFL 10/15-10/29/24		20.55
501.0000	51.548.79.32.002		10/29/2024	24-216665	PKFL 10/15-10/29/24		21.97
501.0000	51.548.79.32.001		10/29/2024	24-216665	PKFL 10/15-10/29/24		113.37
501.0000	51.548.79.32.001		10/29/2024	24-216665	PKFL 10/15-10/29/24		96.36
501.0000	51.548.79.32.001		10/29/2024	24-216665	PKFL 10/15-10/29/24		137.11
501.0000	51.548.79.32.001		10/29/2024	24-216665	PKFL 10/15-10/29/24		100.62
501.0000	51.548.79.32.001		10/29/2024	24-216665	PKFL 10/15-10/29/24		81.48
501.0000	51.548.79.32.001		10/29/2024	24-216665	PKFL 10/15-10/29/24		204.77
501.0000	51.548.79.32.002		10/29/2024	24-216665	PKFL 10/15-10/29/24		157.27
501.0000	51.521.10.32.001		10/28/2024	24-215708	PD 11/14 Fuel		12,841.62
24947	11/15/2024	013480		AVASEK LLC.			\$9,688.80
503.0050	04.518.80.41.001		11/10/2024	A4372	IT AG 2023-102A 10/24 MSP Mont		9,688.80
24948	11/15/2024	006119		BCRA.			\$103,290.21
301.0020	11.594.76.63.001		11/7/2024	32971	PK AG 2022-037 10/24 Wards Lak		4,412.50
301.0054	11.576.80.41.001		11/8/2024	32991	PK AG 2024-098 10/24 Harry Tod		593.75
302.0076	21.595.12.41.001		11/8/2024	32993	PWCP AG 2024-079 10/01-10/31 N		52,395.44
301.0054	11.576.80.41.001		10/8/2024	32887	PK AG 2024-098 09.24 Harry Tod		970.00
302.0076	21.595.12.41.001		10/8/2024	32888	PWCP AG 2024-07909 09/01-09/30		44,918.52

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
24949	11/15/2024	013856		BENTZ, KASEY			\$117.00
001.0000.15.521.40.43.004			11/6/2024	11/18-11/19 Per Diem	PD Women In LE Summit: K. Bent		117.00
24950	11/15/2024	011701		BUENAVISTA SERVICES INC.			\$8,947.72
001.0000.11.576.81.41.001			11/1/2024	12084	PKFC 10/24 Pavilion Janitorial		550.50
502.0000.17.518.30.41.001			10/20/2024	12060	PKFC/PKST 10/24 Janitorial Svc		4,532.44
502.0000.17.521.50.48.001			10/20/2024	12060	PKFC/PKST 10/24 Janitorial Svc		2,313.93
502.0000.17.542.65.48.001			10/20/2024	12060	PKFC/PKST 10/24 Janitorial Svc		1,100.96
001.0000.11.576.81.41.001			10/20/2024	12060	PKFC/PKST 10/24 Janitorial Svc		449.89
24951	11/15/2024	009926		CASCADE RIGHT-OF-WAY SVCS LLC.			\$4,965.00
302.0116.21.595.20.61.006			11/4/2024	LW CU 24.11	PWCP AG 2024-054 Thru 10/31 Cu		3,885.00
301.0020.11.594.76.63.001			11/4/2024	LW WL 24.11	PK AG 2024-085 Thru 10/24 Ward		1,080.00
24952	11/15/2024	013802		CHURCH, CONNIE			\$250.00
001.0000.02.512.51.49.009			10/3/2024	October 2024	MC 10/03 Interpreter		250.00
24953	11/15/2024	000536		CITY TREASURER CITY OF TACOMA.			\$10,605.06
502.0000.17.518.35.47.005			11/5/2024	100113209 11/05/24	PKFC 09/27-10/25 6000 Main St		6,967.51
101.0000.11.542.64.47.005			11/6/2024	100436443 11/06/24	PKST 10/04-10/31 8103 83rd Ave		20.38
101.0000.11.542.64.47.005			11/6/2024	101129625 11/06/24	PKST 10/3-10/31 7804 83rd Ave		22.87
101.0000.11.542.64.47.005			11/7/2024	100575626 11/07/24	PKST 10/09-11/05 8901 BPW SW		39.09
101.0000.11.542.64.47.005			11/7/2024	100681481 11/07/24	PKST 10/08-11/04 8601 BPW SW S		48.65
101.0000.11.542.63.47.006			11/12/2024	100349419 11/12/24	PKST 09/12-11/07 7502 Lkwd Dr		25.83
101.0000.11.542.63.47.006			11/12/2024	100440754 11/12/24	PKST 10/11-11/07 7211 BPW W St		18.56
101.0000.11.542.63.47.006			11/12/2024	100440755 11/12/24	PKST 10/10-11/06 7001 BPW W #S		27.42
101.0000.11.542.64.47.005			11/12/2024	100892477 11/12/24	PKST 09/12-11/07 8108 John Dow		107.16
101.0000.11.542.63.47.006			11/12/2024	100898201 11/12/24	PKST 10/11-11/07 7729 BPW W		141.02
101.0000.11.542.64.47.005			11/12/2024	100905390 11/12/24	PKST 10/11-11/07 7429 BPW W		41.64
101.0000.11.542.63.47.006			11/8/2024	100349546 11/08/24	PKST 10/11-11/07 7210 BPW W -		35.08
101.0000.11.542.64.47.005			11/8/2024	100350986 11/08/24	PKST 09/12-11/07 8800 Custer R		138.38
101.0000.11.542.64.47.005			11/8/2024	100351985 11/08/24	PKST 10/11-11/07 7500 BPW SW #		115.92
101.0000.11.542.64.47.005			11/8/2024	100463727 11/08/24	PKST 09/12-11/07 7919 Custer R		4.14

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101.0000	11.542.64.47.005		11/8/2024	100475269 11/08/24	PKST 10/11-11/07 6621 BPW W #S		1.70
101.0000	11.542.64.47.005		11/8/2024	100475274 11/08/24	PKST 10/11-11/07 6401 Flanagan		2.07
101.0000	11.542.64.47.005		11/8/2024	100520997 11/08/24	PKST 09/12-11/07 7609 Custer R		75.84
101.0000	11.542.64.47.005		11/1/2024	100230603 11/01/24	PKST 10/01-10/29 7429 Custer R		24.63
101.0000	11.542.63.47.006		11/1/2024	100230616 11/01/24	PKST 10/01-10/29 7400 Custer R		29.41
101.0000	11.542.63.47.006		10/31/2024	100223530 10/31/24	PKST 10/01-10/29 9315 GLD SW		2,669.35
101.0000	11.542.64.47.005		10/31/2024	100233510 10/31/24	PKST 10/01-10/29 2310 84th St		19.07
101.0000	11.542.63.47.006		10/31/2024	101367973 10/31/24	PKST 10/01-10/29 8200 Tacoma M		29.34
24954	11/15/2024	005786		CLASSY CHASSIS.			\$342.66
501.0000	51.521.10.48.005		11/1/2024	6193	PDFL 11/24 Oil Change		119.79
501.0000	51.521.10.48.005		11/1/2024	6193	PDFL 11/24 Oil Change		119.79
501.0000	51.521.10.48.005		11/1/2024	6193	PDFL 11/24 Oil Change		103.08
24955	11/15/2024	013857		COCKLE. LESHA			\$117.00
001.0000	15.521.40.43.004		11/6/2024	11/18-11/19 Per Diem	PD Women In LE Summit: L. Cock		117.00
24956	11/15/2024	000104		COMMUNITIES IN SCHOOLS.			\$6,250.00
001.0000	11.565.10.41.020		11/14/2024	Q3/24	PKHS AG 2023-038A Q3/24 School		6,250.00
24957	11/15/2024	010286		CUMMINS. TOM			\$136.00
101.0000	11.544.90.49.003		11/4/2024	10/25/24 Cummins CDL	PKST CDL Renewal: Cummins		136.00
24958	11/15/2024	000496		DAILY JOURNAL OF COMMERCE.			\$1,541.85
302.0151	21.595.30.63.001		10/23/2024	3403922	PWCP 10/09-10/23 South Tacoma		1,063.35
301.0020	11.594.76.44.001		10/29/2024	3404097	PK 10/29 Wards Lake Park Ph 1&		478.50
24959	11/15/2024	003867		DELL MARKETING LP.			\$2,630.32
503.0000	04.518.80.48.002		11/5/2024	10780561900	IT 11/01/24-11/04/25 ProSuppor		965.16
503.0000	04.518.80.48.002		11/12/2024	10781727957	IT Dell Dock 90W Power Deliver		1,665.16
24960	11/15/2024	013441		DOAN. MYCHI			\$150.00
001.0000	02.512.51.49.009		11/12/2024	October 2024	MC 10/24 Interpreter		150.00
24961	11/15/2024	013352		EL FAJRI. AMINE			\$150.00

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
001.0000.02.512.51.49.009			11/12/2024	October 2024	MC 10/24 Interpreter		150.00
24962	11/15/2024	011987		FEDERAL EASTERN INTERNATIONAL.			\$5,634.70
001.0000.15.521.10.35.010			10/30/2024	57095500	PD - 1 @ \$365.00 ea - Maverick		365.00
001.0000.15.521.10.35.010			10/30/2024	57095500	PD - 1 @ \$365.00 ea - Maverick		365.00
001.0000.15.521.10.35.010			10/30/2024	57095500	Sales Tax		36.87
001.0000.15.521.10.35.010			10/30/2024	57095500	Sales Tax		36.87
195.0009.15.521.30.35.010			10/21/2024	57031100	PD - 1 @ \$1,080.00 ea - Vision		1,080.00
195.0009.15.521.30.35.010			10/21/2024	57031100	PD ID Panels		365.00
195.0009.15.521.30.35.010			10/21/2024	57031100	PD Speed Plate		139.44
195.0009.15.521.30.35.010			10/21/2024	57031100	PD Thorshield Ballistic Sleeve		77.76
195.0009.15.521.30.35.010			10/21/2024	57031100	Sales Tax		109.08
195.0009.15.521.30.35.010			10/21/2024	57031100	Sales Tax		36.87
195.0009.15.521.30.35.010			10/21/2024	57031100	Sales Tax		14.08
195.0009.15.521.30.35.010			10/21/2024	57031100	Sales Tax		7.85
195.0009.15.521.30.35.010			10/25/2024	57401300	PD - Moffitt - Vision AXBIIIIA		1,134.00
195.0009.15.521.30.35.010			10/25/2024	57401300	PD - Moffitt - 8X10 Speed Plat		146.72
195.0009.15.521.30.35.010			10/25/2024	57401300	PD - Moffitt - Thorshield Ball		82.08
195.0009.15.521.30.35.010			10/25/2024	57401300	PD - Jordan - Vision AXBIIIIA,		1,134.00
195.0009.15.521.30.35.010			10/25/2024	57401300	PD - Jordan - 8X10 Speed Plate		146.72
195.0009.15.521.30.35.010			10/25/2024	57401300	PD - Jordan - Thorshield Balli		82.08
195.0009.15.521.30.35.010			10/25/2024	57401300	Sales Tax		114.53
195.0009.15.521.30.35.010			10/25/2024	57401300	Sales Tax		14.82
195.0009.15.521.30.35.010			10/25/2024	57401300	Sales Tax		8.29
195.0009.15.521.30.35.010			10/25/2024	57401300	Sales Tax		114.53
195.0009.15.521.30.35.010			10/25/2024	57401300	Sales Tax		14.82
195.0009.15.521.30.35.010			10/25/2024	57401300	Sales Tax		8.29
24963	11/15/2024	000066		FIRST RESPONDER OUTFITTERS INC.			\$522.82
001.0000.15.521.22.31.008			10/23/2024	10856-3	PD Alterations		6.62
001.0000.15.521.22.31.008			10/14/2024	10591-3	PD Uniform: A. Trujillo		516.20
24964	11/15/2024	013855		FITZGERALD, JESSICA			\$117.00

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001.0000.15.521.40.43.004			11/6/2024	11/18-11/19 Per Diem	PD Women In LE Summit: J. Fitz		117.00
24965	11/15/2024	013623		GARCIA, RUTH			\$150.00
001.0000.02.512.51.49.009			11/12/2024	October 2024	MC 10/24 Interpreter		150.00
24966	11/15/2024	007965		GORDON THOMAS HONEYWELL.			\$8,780.00
001.0000.03.513.10.41.001			10/31/2024	October 2024 1014	CM AG 2023-217 10/24 Gov'tl Af		5,260.00
192.0000.00.558.60.41.001			10/31/2024	October 2024 1185	SSMCP AG 2023-231 10/24 Gov'tl		3,520.00
24967	11/15/2024	011900		HEMISPHERE DESIGN INC.			\$8,000.00
104.0007.01.557.30.44.001			11/1/2024	LTAC241101	HM AG 2024-047 11/24 NEARcatio		6,000.00
001.9999.03.513.10.41.001			11/1/2024	BYBH241101	CM AG 2024-049 11/01 Build You		2,000.00
24968	11/15/2024	012308		HONEY BUCKET.			\$104.50
502.0000.17.518.35.41.001			11/1/2024	0554516638	PKFC 11/01-11/28 Sani-Can: CH		104.50
24969	11/15/2024	011300		HORWATH LAW PLLC.			\$70,043.00
001.0000.99.512.51.41.004			11/12/2024	October 2024	ND AG 2020-203B 10/24 Public D		62,850.00
001.9999.02.512.51.41.001			11/12/2024	October 2024	MC 10/24 Investigator Svcs		2,662.00
001.9999.02.512.51.41.001			11/12/2024	October 2024	MC 10/24 Social Worker Svcs		2,556.00
001.9999.02.523.30.41.001			11/12/2024	October 2024	MC 10/24 Community Court		1,975.00
24970	11/15/2024	011106		J & J AUTOBODY REPAIR INC..			\$7,666.60
504.0000.09.518.35.48.001			11/4/2024	32120	RM Claim #2024-0069 Ins Repair		7,666.60
24971	11/15/2024	013852		JACKSON, LORRA			\$250.00
106.0000.11.573.20.41.001			11/3/2024	20241103	PA 11/08 Art Talk		250.00
24972	11/15/2024	010885		JOHNSTON GROUP LLC.			\$5,250.00
001.0000.03.513.10.41.001			11/1/2024	1772	CM AG 2023-218 11/24 Fed. Gov.		5,250.00
24973	11/15/2024	013826		JOUAD PLANNING GROUP, LLC..			\$13,600.00
190.0009.52.559.31.41.001			10/28/2024	ONE #4069	CDBG AG 2024-167 5-Yr Consolid		13,600.00
24974	11/15/2024	011961		KELLEY CREATE.			\$2,916.75

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503.0000.04.518.80.31.002			11/6/2024	IN1792061	IT 10/24 Copier Overage		2,916.75
24975	11/15/2024	008202		KPG PSOMAS.			\$31,463.00
311.0007.21.535.12.41.001			11/9/2024	213672	PWSC AG 2023-180 08/23-09/26 W		31,463.00
24976	11/15/2024	002018		KRAZAN & ASSOC. OF WA INC..			\$3,805.00
301.0055.11.594.76.41.001			10/31/2024	f611644-6035	PK AG 2024-078 10/24 Historic		820.00
301.0055.11.594.76.41.001			10/31/2024	INV F611644-6035	PK AG 2024-078 10/25 Historic		820.00
301.0027.11.594.76.41.001			10/31/2024	INV F611645-6035	PK AG 2024-159 10/24 American		2,165.00
24977	11/15/2024	003132		LAKEWOLD GARDENS.			\$69,379.16
104.0004.01.557.30.41.001			10/30/2024	2024.10.30 LTAC	HM AG 2024-125 Lodging Tax Gra		21,051.73
104.0004.01.557.30.41.001			11/13/2024	2024 Ricardo Torres	HM AG 2024-125 Lodging Tax Gra		48,327.43
24978	11/15/2024	012346		LAKEWOOD BUILDING MAINT. LLC.			\$880.80
001.0000.11.576.80.41.001			11/4/2024	1052	PK AG 2023-126A 10/24 Janitori		717.95
001.0000.11.576.81.41.001			11/4/2024	1052	PK AG 2023-126A 10/24 Janitori		162.85
24979	11/15/2024	000288		LAKEWOOD HARDWARE & PAINT.			\$26.74
001.0000.11.542.70.31.001			11/1/2024	757466	PKST Chain For Chainsaw		26.74
24980	11/15/2024	000298		LAKEWOOD TOWING AND TRANSPORT.			\$1,789.85
001.0000.15.521.10.41.070			11/1/2024	261241	PD 10/31 Ford Explorer		258.55
001.0000.15.521.10.41.070			11/1/2024	261242	PD 10/31 Ford Explorer		258.55
001.0000.15.521.10.41.070			11/1/2024	261243	PD 10/31 Ford Explorer		258.55
001.0000.15.521.10.41.070			11/1/2024	261244	PD 10/31 Ford Explorer		258.55
001.0000.15.521.10.41.070			11/1/2024	261245	PD 10/31 Ford Explorer		258.55
001.0000.15.521.10.41.070			11/4/2024	261448	PD 11/01 Ford Explorer		497.10
24981	11/15/2024	003008		LARSEN SIGN CO.			\$1,078.99
001.0000.11.571.20.41.001			11/7/2024	35218	PKRC Christmas Banner Setup		71.57
001.0000.11.571.22.41.001			10/31/2024	35189	PKRC Welcome Walk Panels		693.63
001.0000.11.571.20.41.001			8/13/2024	34751	PKRC Fiesta De La Familia Bann		313.79
24982	11/15/2024	002390		LASA.			\$509,138.36

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196.6015.99.518.63.41.001			10/25/2024	3 2024	ARPA AG 2024-095 07/01-10/25 G		509,138.36
24983	11/15/2024	002296		LEXIS NEXIS.			\$967.78
503.0000.04.518.80.41.001			10/31/2024	3095397943	IT 10/24 LexisNexis		967.78
24984	11/15/2024	009711		LEXIS NEXIS RISK DATA MGMT INC.			\$220.20
001.0000.15.521.10.41.001			10/31/2024	1100039427	PD 10/24 Person Searches		220.20
24985	11/15/2024	002185		LOWE'S COMPANIES INC.			\$204.27
502.0000.17.518.35.31.001			11/7/2024	971297	PKFC Maint Supplies		54.28
502.0000.17.518.35.31.001			11/7/2024	972192	PKFC Maint Supplies		141.67
502.0000.17.521.50.31.001			11/12/2024	984165	PKFC Maint Supplies		8.32
24986	11/15/2024	009993		LTI INC.			\$12,959.94
101.0000.11.542.66.31.030			11/1/2024	947347	PKST Deicer Salt		12,959.94
24987	11/15/2024	004073		MACDONALD-MILLER FACILITY SOL.			\$50,266.70
502.0000.17.518.35.48.001			10/31/2024	SVC318726	PKFC 10/24 Svc Call For Leakin		539.49
502.0000.17.521.50.48.001			10/31/2024	SVC318728	PKFC 10/25 Svc Call For Cold R		754.19
502.0000.17.521.50.48.001			11/7/2024	SVC319343	PKFC 10/29 HVAC Labor: PD		1,032.72
502.0000.17.521.50.48.001			11/7/2024	SVC319345	PKFC 11/1 VAV Repair: PD		399.11
502.0000.17.521.50.48.001			11/6/2024	SVC319166	PKFC Blower Motor Assembly Rep		2,387.06
502.0000.17.518.35.48.001			11/1/2024	PM146632	PKFC HVAC PM: CH		4,624.75
502.0000.17.521.50.48.001			11/1/2024	PM146633	PKFC PD HVAC PM		1,317.35
502.0044.17.518.20.41.001			9/22/2024	8 2022-723 A (1)	PKFC DES 2022-723 A (1) CH HVA		6,243.73
502.0044.17.518.20.41.001			9/22/2024	8 2022-723 G(1-1)	PKFC DES 2022-723 G(1-1) CH HV		32,968.30
24988	11/15/2024	011573		MARTINEZ. SALLY			\$62.63
106.0000.11.573.20.31.005			11/12/2024	11/12/2024	PA Supplies For Arts Commissio		62.63
24989	11/15/2024	009724		MILES RESOURCES LLC.			\$88.08
101.0000.11.544.90.41.001			10/31/2024	362954	PKST 10/30 Scaling Svcs		22.02
101.0000.11.544.90.41.001			10/31/2024	362958	PKST 10/30 Scaling Svcs		22.02
101.0000.11.544.90.41.001			10/31/2024	363012	PKST 10/29 Scaling Svcs		22.02

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101.0000.11.544.90.41.001			10/31/2024	363013	PKST 10/29 Scaling Svcs		22.02
24990	11/15/2024	005146		MOTOROLA SOLUTIONS. INC.			\$4,842.29
001.9999.15.521.22.35.010			6/27/2024	8281937737	PD Impres 2 Li-Ion Batteries		4,398.08
001.9999.15.521.22.35.010			6/27/2024	8281937737	Sales Tax		444.21
24991	11/15/2024	013514		NEELEY CONSTRUCTION COMPANY.			\$17,247.25
301.0055.11.594.76.63.001			10/31/2024	502409-02	PK AG 2024-066 Ft. Steilacoom		17,247.25
24992	11/15/2024	002421		NORTHWEST PLAYGROUND EQUIP.			\$6,315.34
301.0027.11.594.76.63.001			10/31/2024	54629	PK Playground Benches		6,315.34
24993	11/15/2024	008848		NORTHWEST TRANSLATION SVCS.			\$176.80
001.0000.02.512.51.49.009			11/12/2024	October 2024	MC 10/24 Interpreter		176.80
24994	11/15/2024	012794		OMIGA SOLUTIONS LLC.			\$7,000.00
503.0000.04.518.80.48.003			11/6/2024	1142	IT 01/01-12/31 OCourt Maintena		6,000.00
503.0000.04.518.80.48.003			11/6/2024	1142	IT 09/01/23-08/31/24 Collect R		1,000.00
24995	11/15/2024	009317		OPTIC FUSION INC.			\$1,524.28
503.0000.04.518.80.42.001			11/1/2024	95-20359	IT 11/24 Internet Connectivity		1,524.28
24996	11/15/2024	007033		PARAMETRIX.			\$44,850.42
302.0113.21.595.12.41.001			10/28/2024	60764	PWCP AG 2024-037 Thru 10/05/24		44,850.42
24997	11/15/2024	000417		PERTEET INC.			\$23,143.07
302.0158.21.595.12.41.001			11/14/2024	20240025.0000 - 5	PWCP AG 2024-060 09/02-09/29		23,143.07
24998	11/15/2024	000407		PIERCE COUNTY.			\$302,235.41
001.0000.11.565.10.44.004			11/4/2024	CI-359965	PKHS Q3/24 2% Liquor Excise &		4,722.51
301.0005.11.594.76.63.001			11/1/2024	CI-359948	PKCP 1/3 Fees For Construction		266,462.31
001.0000.11.571.20.41.001			10/31/2024	CI-359374	PKRC Q3/24 Specialized Recreat		3,384.00
101.0000.11.542.64.41.001			10/30/2024	CI-359285	PKST 09/24 Traffic Ops. Maint.		27,666.59
24999	11/15/2024	008568		PITTS. SVEA			\$298.00

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001.0000.15.521.10.43.004			11/6/2024	11/18-11/21 Per Diem	PD IAPRO Conference: S. Pitts		298.00
25000	11/15/2024	010429		PMAM CORPORATION.			\$5,311.60
001.0000.15.521.10.41.015			10/31/2024	202410073	PD 10/4 Alarm Monitoring		2,114.45
001.0000.15.521.10.41.015			6/12/2024	202406032	PD 05/24 Alarm Monitoring		3,197.15
25001	11/15/2024	010630		PRINT NW.			\$7,964.36
106.0000.11.573.20.41.001			10/11/2024	36626701	PA Signal Box Artwork Setup: H		1,812.80
106.0000.11.573.20.41.001			10/29/2024	39932901	PA Signal Box Artwork Setup: 1		1,773.16
106.0000.11.573.20.41.001			10/28/2024	36629101	PA Signal Box Artwork Setup: 1		1,819.40
106.0000.11.573.20.41.001			10/28/2024	39933801	PA Signal Box Artwork Setup: 1		2,559.00
25002	11/15/2024	010579		PROFESSIONAL LANGUAGE SVCS.			\$300.00
001.0000.02.512.51.49.009			10/22/2024	October 2024	MC 10/24 Interpreter		300.00
25003	11/15/2024	008199		PUBLIC SAFETY TESTING.			\$1,500.00
001.0000.15.521.40.41.001			7/11/2024	2024-622	PD Q2 Police Officer Testing		1,500.00
25004	11/15/2024	000445		PUGET SOUND ENERGY.			\$30,730.40
101.0000.11.542.63.47.006			10/4/2024	300000007165 10/4/24	PKST 08/31-10/01N of Lk WA Blv		1,851.72
101.0000.11.542.63.47.006			10/7/2024	300000007165 10/7/24	PKST 08/30-09/30 7504 N St SW		4.54
001.0000.11.576.81.47.005			10/25/2024	300000010896 10/24	PKFC 09/19-10/21 Ft Steil Park		260.97
001.0000.11.576.81.47.005			10/25/2024	300000010938 10/24	PKFC 09/19-10/21 8802 Dresden		124.52
101.0000.11.542.63.47.006			10/24/2024	200006381095 10/24	PKST 09/30-10/30 7819 150th St		33.41
101.0000.11.542.63.47.006			10/31/2024	220008814687 10/24	PKST 09/30-10/30 7000 150th St		28.42
001.0000.11.576.80.47.005			10/31/2024	220018963391 10/24	PKFC 09/30-10/30 10365 112th S		75.03
101.0000.11.542.63.47.005			10/31/2024	220025290614 10/24	PKST 09/30-10/30 12702 Vernon		305.83
101.0000.11.542.63.47.005			10/31/2024	220025290630 10/24	PKST 09/30-10/30 8299 Veterans		187.23
001.0000.11.576.80.47.005			10/31/2024	220026435523 10/24	PKFC 09/30-10/30 8928 N Thorne		92.00
101.0000.11.542.63.47.006			10/31/2024	220028304982 10/24	PKST 09/30-10/30 12810 Gravell		155.87
101.0000.11.542.63.47.005			10/31/2024	220029285701 10/24	PKST 09/30-10/30 12319 GLD SW		191.65
101.0000.11.542.63.47.005			10/31/2024	220030615417 10/24	PKST 09/30-10/30 11828 Gravell		128.22
101.0000.11.542.63.47.005			10/31/2024	220031520764 10/24	PKST 09/30-10/30 12112 Edgewoo		115.81
101.0000.11.542.63.47.006			10/31/2024	220032386637 10/24	PKST 09/30-10/30 9201 WA Blvd		154.44

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101.0000	11.542.63.47.006		10/31/2024	220034217525 10/24	PKST 09/30-10/30 8601 WA Blvd		187.80
101.0000	11.542.63.47.006		10/31/2024	220035223043 10/24	PKST 09/30-10/30 11521 GLD SW		119.39
101.0000	11.542.63.47.005		10/31/2024	220034218267 10/24	PKST 09/30-10/30 14630 Union A		103.40
001.0000	11.576.80.47.005		10/31/2024	200001526637 10/24	PKFC 09/30-10/30 9222 Veteran'		30.14
001.0000	11.576.80.47.005		11/4/2024	300000000129 11/4/24	PKFC 09/30-10/30 11500 Militar		17.73
101.0000	11.542.63.47.006		11/4/2024	3000000007165 11/4/24	PKST 10/02-10/31 N of Lk WA BI		118,767.02
001.0000	11.576.80.47.005		11/4/2024	300000010268 11/4/24	PKFC 09/30-10/30 Woodlawn Ave		161.01
001.0000	11.576.81.47.005		11/4/2024	300000010938 11/4/24	PKFC 09/23-10/23 8802 Dresden		205.10
101.0000	11.542.63.47.006			3000000007165 9/3/24	PKST 08/01-08/30 N of Lk WA BI		-92,552.70
101.0000	11.542.63.47.006			3000000007165 9/9/24	PKST 07/31-08/29 7504 N St SW		-18.15
25005	11/15/2024	012426		RANGER TREE EXPERTS INC.			\$4,183.80
101.0000	11.542.70.41.001		10/17/2024	00814-1	PKST Tree Removal: 11742 Mason		4,183.80
25006	11/15/2024	007505		REDFLEX TRAFFIC SYSTEMS INC.			\$27,998.39
001.0000	15.521.71.41.080		10/31/2024	INV0087563	PD 10/24 Photo Enforcement		27,998.39
25007	11/15/2024	013553		REDWOOD TOXICOLOGY LAB INC.			\$961.00
001.0000	02.523.30.41.001		9/30/2024	30852920249	MC 09/24 UA's		763.00
001.0000	02.523.30.31.001		10/11/2024	835349	MC UA Supplies		198.00
25008	11/15/2024	011932		ROBERT W. DROLL.			\$31,520.66
301.0049	11.594.76.41.001		9/25/2024	23013-02	PK AG 2024-099 09/24 Harry Tod		9,348.87
301.0027	11.594.76.41.001		11/5/2024	22008-18	PK AG 2022-118 American Lake P		22,171.79
25009	11/15/2024	012942		ROBINSON. HUA			\$217.00
001.0000	02.512.51.49.009		11/12/2024	October 2024	MC 10/24 Interpreter		217.00
25010	11/15/2024	013528		ROMERO. STACEY			\$536.12
001.0000	02.512.51.49.009		11/12/2024	October 2024	MC 10/24 Interpreter		536.12
25011	11/15/2024	013330		SAURI. MARCO A			\$2,162.68
001.9999	11.565.10.41.020		11/12/2024	10/29-10/31/24 Miles	PKHS WA State Prevention Summi		36.68
001.9999	11.565.10.41.020		11/12/2024	10/29-10/31/24 Park	PKHS WA State Prevention Summi		60.00

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
001.9999.11.565.10.41.020			11/12/2024	10/29/24 Per Diem	PKHS WA State Prevention Summi		66.00
001.9999.11.565.10.41.020			11/4/2024	57	PKHS AG 2023-170 11/01-11/15 L		2,000.00
25012	11/15/2024	012020		SCHELL. MICHAEL			\$150.00
001.0000.02.512.51.49.009			11/12/2024	October 2024	MC 10/24 Interpreter		150.00
25013	11/15/2024	010934		SHAMDEEN. ABDULKAREEM			\$150.00
001.0000.02.512.51.49.009			10/7/2024	October 2024	MC 10/24 Interpreter		150.00
25014	11/15/2024	002912		SOUND ELECTRONICS.			\$549.43
502.0000.17.521.50.48.001			10/30/2024	517323	PKFC PD Evidence Door Security		549.43
25015	11/15/2024	013496		SOUND PACIFIC CONSTRUCTION LLC.			\$117,086.25
302.0083.21.595.30.63.001			10/31/2024	AG 2023-235 PP # 11	PWCP AG 2023-235 10/01-10/31 H		111,020.27
302.0083.21.534.30.63.001			10/31/2024	AG 2023-235 PP # 11	PWCP AG 2023-235 10/01-10/31 H		6,065.98
25016	11/15/2024	010656		SOUTH SOUND 911.			\$163,897.50
001.0000.15.521.10.41.126			11/1/2024	2711	PD 11/24 Communication Svcs		106,822.50
001.0000.15.521.10.41.126			11/1/2024	2711	PD 11/24 RMS Svcs		26,123.34
001.0000.15.521.10.41.126			11/1/2024	2711	PD 11/24 Record Svcs		21,780.83
001.0000.15.521.10.41.126			11/1/2024	2711	PD 11/24 Warrant Svcs		9,170.83
25017	11/15/2024	002881		SPRAGUE PEST SOLUTIONS CO.			\$82.33
502.0000.17.542.65.48.001			11/4/2024	5636351	PKFC 11/04 Pest Control Lkwd T		82.33
25018	11/15/2024	009493		STAPLES ADVANTAGE.			\$831.75
101.0000.11.544.90.31.001			11/1/2024	6016110130	PKST Paper, Calendars, Pens, S		199.39
001.0000.02.512.50.35.001			10/12/2024	6014244704	MC Office Supplies		513.15
001.0000.07.558.60.31.001			10/23/2024	6014889529	CD Easel Pad, Pop Up Notes, Po		119.21
25019	11/15/2024	005033		SUNBELT RENTALS.			\$1,739.20
502.0000.17.518.35.45.004			10/26/2024	141143312-0019	PKFC 10/10-11/06 Portable AC/D		1,739.20
25020	11/15/2024	010842		SUPPRESSION SYSTEMS INC.			\$1,200.10
101.0000.11.542.64.41.001			11/4/2024	27847	PKST Semi Annual PM: 8902 Mead		600.05

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
502.0000.17.521.50.41.001			11/4/2024	27848	PKFC Semi Annual PM: PD		600.05
25021	11/15/2024	006497			SYSTEMS FOR PUBLIC SAFETY.		\$9,798.43
501.0000.51.521.10.48.005			11/1/2024	48395	PDFL 10/24 Oil Change		93.50
501.0000.51.521.10.48.005			11/1/2024	48395	PDFL 10/24 Safety Inspection		1,249.16
501.0000.51.521.10.48.005			11/1/2024	48395	PDFL 10/24 Transmission		338.12
501.0000.51.521.10.48.005			11/1/2024	48395	PDFL 10/24 Steering		130.55
501.0000.51.521.10.48.005			11/1/2024	48395	PDFL 10/24 Other		597.58
501.0000.51.521.10.48.005			11/1/2024	48395	PDFL 10/24 Wiper		75.25
501.0000.51.521.10.48.005			11/1/2024	48395	PDFL 10/24 Other		25.95
501.0000.51.521.10.48.005			11/1/2024	48460	PDFL 10/24 Oil Change		143.12
501.0000.51.521.10.48.005			11/1/2024	48460	PDFL 10/24 Safety Inspection		335.22
501.0000.51.521.10.48.005			11/1/2024	48460	PDFL 10/24 Wipers		63.90
501.0000.51.521.10.48.005			11/1/2024	48460	PDFL 10/24 Transmission		465.77
501.0000.51.521.10.48.005			11/1/2024	48460	PDFL 10/24 Steering		428.04
501.0000.51.521.10.48.005			11/1/2024	48473	PDFL 10/24 Oil Change		143.12
501.0000.51.521.10.48.005			11/1/2024	48473	PDFL 10/24 Safety Inspection		307.62
501.0000.51.521.10.48.005			11/1/2024	48473	PDFL 10/24 Wipers		80.13
501.0000.51.521.10.48.005			11/1/2024	48473	PDFL 10/24 Other		27.53
501.0000.51.521.10.48.005			11/1/2024	48473	PDFL 10/24 Tires		57.80
501.0000.51.521.10.48.005			11/1/2024	48476	PDFL 10/24 Oil Change		94.33
501.0000.51.521.10.48.005			11/1/2024	48476	PDFL 10/24 Safety Inspection		664.31
501.0000.51.521.10.48.005			11/1/2024	48476	PDFL 10/24 Wipers		56.48
501.0000.51.521.10.48.005			11/1/2024	48476	PDFL 10/24 Other		28.91
501.0000.51.521.10.48.005			11/1/2024	48522	PDFL 10/24 Wipers		78.04
501.0000.51.521.10.48.005			11/1/2024	48522	PDFL 10/24 Electrical		168.84
501.0000.51.521.10.48.005			11/1/2024	48522	PDFL 10/24 Other		159.21
504.0000.09.518.35.48.001			11/1/2024	48525	RM Ckaim #2024-006710/24 Ins R		1,378.22
504.0000.09.518.35.48.001			10/31/2024	48483	RM Claim #2024-0065 10/24 Ins		1,999.31
501.0000.51.521.10.48.005			10/31/2024	48531	PDFL 10/24 Oil Change		147.52
501.0000.51.521.10.48.005			10/31/2024	48531	PDFL 10/24 Safety Inspection		388.95
501.0000.51.521.10.48.005			10/31/2024	48531	PDFL 10/24 Wipers		71.95

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
25022	11/15/2024	013229		TACOMAPROBONO COMMUNITY.			\$12,501.33
196.2002.99.518.63.41.001		11/5/2024	TPB 241105	ARPA AG 2021-425 10/24 Housing		12,501.33	
25023	11/15/2024	011013		TANNE. CARL			\$503.62
001.0000.02.512.51.49.009		11/12/2024	October 2024	MC 10/24 Interpreter		503.62	
25024	11/15/2024	012922		TIMBER COAST CONSTRUCTION.			\$11,162.70
190.4009.52.559.32.41.001		11/7/2024	241-27	CDBG AG 2024-153 MHR-205 Wheel		9,021.48	
190.4009.52.559.32.41.001		10/21/2024	241-25	CDBG AG 2024-153 MHR-205 Wheel		2,141.22	
25025	11/15/2024	008186		TRCVB.			\$7,159.32
104.0016.01.557.30.41.001		10/31/2024	LW-2024-10	HM AG 2024-121 10/24 Lodging T		7,159.32	
25026	11/15/2024	009372		VENTEK INTERNATIONAL.			\$90.00
503.0000.04.518.80.42.001		11/1/2024	146577	IT 11/24 CCU Server Hosting Mo		45.00	
503.0000.04.518.80.42.001		11/1/2024	146577	IT 11/24 Digital Cell Carrier		45.00	
25027	11/15/2024	012914		VERIZON COMMUNICATIONS INC.			\$1,910.67
503.0000.04.518.80.42.001		11/1/2024	611000067574	IT 10/24 GPS		248.71	
503.0000.04.518.80.42.001		11/8/2024	Z1035008	IT Thru 11/30 Internet		1,661.96	
25028	11/15/2024	010064		VILLIERS-FURZE. MICHELLE			\$787.52
001.0000.02.512.51.49.009		11/12/2024	October 2024	MC 10/24 Interpreter		787.52	
25029	11/15/2024	011595		WALTER E NELSON CO.			\$1,134.77
001.0000.11.576.80.31.001		11/6/2024	1023370	PKFC Foam Soap		254.26	
502.0000.17.518.35.31.001		10/30/2024	1022119	PKFC Hand Sanitizer, Cleaner		880.51	
25030	11/15/2024	012410		WATT BANKS. LISA			\$2,194.70
001.9999.11.565.10.41.020		11/4/2024	131	PKHS AG 2023-170 11/01-11/15 L		2,008.75	
001.9999.11.565.10.41.020		11/12/2024	10/30-10/31/24 Miles	PKHS WA State Prevention Summi		102.18	
001.9999.11.565.10.41.020		11/12/2024	10/30-10/31/24 Park	PKHS WA State Prevention Summi		32.00	
001.9999.11.565.10.41.020		11/7/2024	428900206753	PKHS CHOICE CBSG Snacks		51.77	
25031	11/15/2024	012987		WEX BANK.			\$1,858.68

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
501.0000	51.548.79.32.001		10/31/2024	100625132	10/24 PK Fuel		33.57
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		50.01
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		52.34
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		90.25
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		33.01
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		170.41
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		61.77
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		65.90
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		85.36
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		112.15
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		49.79
501.0000	51.548.79.32.001		10/31/2024	100625132	10/24 PK Fuel		82.17
180.0000	15.521.21.32.001		10/31/2024	100625132	10/24 PD Fuel		76.29
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		20.51
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		27.65
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		70.49
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		19.13
180.0000	15.521.21.32.001		10/31/2024	100625132	10/24 PD Fuel		356.57
190.0009	52.559.31.32.001		10/31/2024	100625132	10/24 PK Fuel		69.70
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		33.16
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		36.32
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		51.15
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		70.19
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		50.65
501.0000	51.521.10.32.001		10/31/2024	100625132	10/24 PD Fuel		90.14
25032	11/15/2024	000620		WINNING SEASONS.			\$88.63
502.0000	17.518.35.31.008		11/6/2024	S2024353	PKFC Work Sweatshirts For Davi		88.63
25033	11/15/2024	011031		XIOLOGIX LLC.			\$2,799.04
503.0000	04.518.80.35.030		10/28/2024	11346	IT 24 x 10/100/1000Mbps, Licen		2,799.04
25034	11/15/2024	001272		ZUMAR INDUSTRIES INC.			\$4,789.35

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
101.0000.11.542.64.31.001			11/5/2024	49953	PKST 30" HD Anchor, 2"x2"x12'		4,789.35
100031	10/31/2024	013840		AUSAGE. ASOMALIU AND FAANA			\$2,600.00
190.2005.53.559.32.41.001			10/21/2024	URA: Ausage 10/31/24	CDBG URA: Moving Exp. For Ausg		2,600.00
100032	10/31/2024	000933		CDW GOVERNMENT LLC.			\$20,835.27
503.0000.04.518.80.48.003			10/15/2024	AB1LR4W	IT Netmotion (Secure Access) R		18,923.95
503.0000.04.518.80.48.003			10/15/2024	AB1LR4W	Sales Tax		1,911.32
100033	10/31/2024	010262		CENTURYLINK.			\$1,144.41
503.0000.04.518.80.42.001			10/15/2024	333545327 10/15/24	IT 10/15-11/14 Phone		207.44
503.0000.04.518.80.42.001			10/17/2024	333627933 10/17/24	IT 10/17-11/16 Phone		322.19
503.0000.04.518.80.42.001			10/17/2024	333628514 10/17/24	IT 10/17-11/16 Phone		283.62
503.0000.04.518.80.42.001			10/17/2024	333796411 10/17/24	IT 10/17-11/16 Phone		65.00
503.0000.04.518.80.42.001			10/17/2024	333880118 10/17/24	IT 10/17-11/16 Phone		149.30
503.0000.04.518.80.42.001			10/20/2024	333797504 10/20/24	IT 10/20-11/19 Phone		50.35
503.0000.04.518.80.42.001			10/20/2024	333878305 10/20/24	IT 10/20-11/19 Phone		66.51
100034	10/31/2024	009191		CITY OF DUPONT.			\$100,001.57
631.0001.02.586.10.00.030			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit		100,001.57
100035	10/31/2024	002408		CITY OF TACOMA.			\$525.75
001.0000.15.521.32.41.001			10/7/2024	91224661	PD 09/24 Dump Fees		525.75
100036	10/31/2024	006613		CITY OF UNIVERSITY PLACE.			\$255.66
631.0001.02.586.10.00.030			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit		255.66
100037	10/31/2024	011564		CODE PUBLISHING COMPANY.			\$198.18
001.0000.06.514.30.41.001			10/30/2024	GCI0015799	LG Muni Code Web Update, New P		198.18
100038	10/31/2024	013549		CONCENTRA MEDICAL CENTERS.			\$73.00
001.0000.09.518.10.41.001			10/8/2024	84285635	HR Drug Screening		73.00
100039	10/31/2024	001531		DEPT OF ECOLOGY.			\$780.00
302.0164.21.595.30.41.124			10/7/2024	25-WAR313317-1	PWCP 07/01/24-06/30/25 Permit		780.00

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
100040	10/31/2024	002976		DEPT OF LICENSING.			\$5,198.33
501.9999.51.594.21.64.005		10/21/2024	10/21/2024		PD Vehicle Reg & Licensing Fee		5,198.33
100041	10/31/2024	000140		DEPT OF REVENUE-LEASEHOLD.			\$2,824.80
001.0000.00.237.10.00.000		10/30/2024	Q3/24		FN/CD Q3/24 Leasehold Tax		256.80
192.0000.00.237.10.00.000		10/30/2024	Q3/24		FN/CD Q3/24 Leasehold Tax		2,568.00
100042	10/31/2024	010425		DOYLE PRINTING COMPANY.			\$209.19
001.0000.15.521.10.49.005		10/10/2024	66678		PD Busines Cards: Babcock, Ale		209.19
100043	10/31/2024	000150		ECONOMIC DEVELOPMENT BOARD.			\$25,000.00
001.0000.13.558.70.41.078		10/1/2024	ONWARD5224		ED ONWARD! - YR 4		25,000.00
100044	10/31/2024	004710		EQUIFAX CREDIT NORTHWEST CORP.			\$120.23
001.0000.15.521.10.41.001		10/17/2024	2062542298		PD 09/18-10/17		120.23
100045	10/31/2024	013645		FIFTH ASSET INC. DBA DEBTBOOK.			\$18,080.62
503.0000.04.518.80.41.090		10/20/2024	DB2003747		IT 11/20/24-11/19/25 Tier 1 De		5,712.00
503.0000.04.518.80.41.090		10/20/2024	DB2003747		IT 11/20/24-11/19/25 Tier 3 Le		10,710.00
503.0000.04.518.80.41.090		10/20/2024	DB2003747		Sales Tax		1,658.62
100046	10/31/2024	002662		GENE'S TOWING INC.			\$198.18
001.0000.15.521.10.41.070		10/23/2024	531897		PD 10/21 Chrysler PT Cruiser,		88.08
001.0000.15.521.10.41.070		10/15/2024	531415		PD 10/15 Lincoln MKZ Hybrid, C		110.10
100047	10/31/2024	002817		GRAINGER.			\$31.04
502.0000.17.518.30.31.001		10/24/2024	9293269412		PKFC Dispensing Spout		31.04
100048	10/31/2024	010649		GRAVE CONCERNS ASSOCIATION.			\$934.85
104.0017.01.557.30.41.001		10/24/2024	LTAC 2024-5		HM AG 2024-128 Lodging Tax Gra		934.85
100049	10/31/2024	013297		ITSON. MAUREESE			\$300.00
106.0000.11.573.20.41.001		10/21/2024	218		PA 10/21 Music Performance		300.00

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100050	10/31/2024	013851		IVERSON. DAVID			\$2,500.00
001.0000.07.237.20.00.000			10/30/2024	Refund Permit 7799	CD Permit 7799 Refund HEX Depo		2,500.00
100051	10/31/2024	013831		KINGSPEN LLC.			\$250.00
106.0000.11.573.20.41.001			10/16/2024	10/16/2024	PA Mural		250.00
100052	10/31/2024	000299		LAKEVIEW LIGHT & POWER CO..			\$12,028.22
101.0000.11.542.63.47.006			10/16/2024	360	PKST Q3/24 Street Lights		9,573.26
101.0000.11.542.64.47.005			10/7/2024	67044-002 10/07/24	PKST 09/04-10/04 Pac Hwy & STW		76.71
101.0000.11.542.64.47.005			10/7/2024	67044-012 10/07/24	PKST 09/04-10/04 Hwy 512 & STW		106.45
101.0000.11.542.63.47.006			10/7/2024	67044-014 10/07/24	PKST 08/30-09/30 Hwy 512 & STW		91.54
101.0000.11.542.64.47.005			10/7/2024	67044-016 10/07/24	PKST 09/04-10/04 40th Ave SW		62.43
101.0000.11.542.64.47.005			10/7/2024	67044-031 10/07/24	PKST 09/04-10/04 84th St S & S		67.97
101.0000.11.542.64.47.005			10/7/2024	67044-032 10/07/24	PKST 09/04-10/04 100th ST SW &		83.32
101.0000.11.542.64.47.005			10/7/2024	67044-050 10/07/24	PKST 09/04-10/04 Lkwd Dr SW/St		76.81
101.0000.11.542.64.47.005			10/7/2024	67044-053 10/07/24	PKST 09/04-10/04 4648 Steil Bl		60.11
101.0000.11.543.50.47.005			10/7/2024	67044-074 10/07/24	PKST 09/04-10/04 9424 Front St		269.40
101.0000.11.542.64.47.005			10/7/2024	67044-078 10/07/24	PKST 09/04-10/04 100th St SW &		103.94
101.0000.11.542.64.47.005			10/7/2024	67044-079 10/07/24	PKST 09/04-10/04 96th St S & S		153.14
101.0000.11.542.64.47.005			10/7/2024	67044-080 10/07/24	PKST 09/04-10/04 8802 STW		77.88
101.0000.11.542.64.47.005			10/7/2024	67044-081 10/07/24	PKST 09/04-10/04 3601 Steil Bl		74.03
101.0000.11.542.63.47.006			10/7/2024	67044-083 10/07/24	PKST 09/04-10/04 40th & 100th		97.79
101.0000.11.542.64.47.005			10/7/2024	67044-084 10/07/24	PKST 09/04-10/04 Steil & Lkvw		79.84
101.0000.11.542.63.47.006			10/7/2024	67044-085 10/07/24	PKST 09/04-10/04 26th & 88th S		46.18
101.0000.11.542.63.47.006			10/7/2024	67044-087 10/07/24	PKST 09/04-10/04 123rd & BPW S		41.99
101.0000.11.542.63.47.006			10/7/2024	67044-089 10/07/24	PKST 09/04-10/04 9520 Front ST		50.11
101.0000.11.542.63.47.006			10/7/2024	67044-092 10/07/24	PKST 09/04-10/04 8909 STW		44.32
101.0000.11.542.64.47.005			10/14/2024	67044-004 10/14/24	PKST 09/11-10/11 108th St SW &		70.74
101.0000.11.542.64.47.005			10/14/2024	67044-010 10/14/24	PKST 09/11-10/11 108th St SW &		70.91
101.0000.11.542.64.47.005			10/14/2024	67044-017 10/14/24	PKST 09/11-10/11 112th St SW &		58.41
101.0000.11.542.64.47.005			10/14/2024	67044-030 10/14/24	PKST 09/11-10/11 112th ST SW &		73.86
101.0000.11.542.63.47.006			10/14/2024	67044-072 10/14/24	PKST 09/11-10/11 11302 Kendric		108.05
502.0000.17.542.65.47.005			10/14/2024	67044-073 10/14/24	PKFC 09/11-10/11 11420 Kendric		350.44

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
101.0000	11.542.63.47.006		10/14/2024	67044-091 10/14/24	PKST 09/11-10/11 4713 111th St		58.59
100053	10/31/2024	000292		LAKESWOOD POLICE SPECIAL INVEST.			\$3,570.00
180.0000	15.521.21.31.012		10/15/2024	10/15/24 Narcotics	PD Replenish Narcotics Petty C		3,570.00
100054	10/31/2024	000292		LAKESWOOD POLICE SPECIAL INVEST.			\$990.00
181.0000	15.521.21.31.012		10/15/2024	10/15/24 Investigat	PD Replenish Investigations Pe		990.00
100055	10/31/2024	000300		LAKESWOOD WATER DISTRICT.			\$1,362.90
001.0000	11.576.80.47.001		10/15/2024	19131.02 10/15/24	PKFC 08/12-10/07 Russell Rd S/		877.39
101.0000	11.542.70.47.001		10/15/2024	22087.01 10/15/24	PKST 08/12-10/07 @ 75th St & C		149.95
001.0000	11.576.80.47.001		10/22/2024	24214.01 10/22/24	PKFC 08/17-10/14 Oakbrook Pk C		335.56
100056	10/31/2024	004680		LANGUAGE LINE SERVICES.			\$20.58
001.0000	02.512.51.49.009		9/30/2024	11422247	MC 09/24		20.58
100057	10/31/2024	013372		LAS MOLAS ASSOCIATION.			\$500.00
001.0000	11.571.20.41.082		9/7/2024	09/07/2024	PKRC 09/07 Fiesta De Familia		500.00
100058	10/31/2024	005685		LEMAY MOBILE SHREDDING.			\$77.00
001.0000	02.512.50.41.001		10/1/2024	4858970S185	MC 09/06 Shredding		77.00
100059	10/31/2024	000309		LES SCHWAB TIRE CENTER.			\$3,508.15
501.0000	51.521.10.48.005		10/2/2024	30500851830	PDFL 10/24 Wheel		1,348.58
501.0000	51.548.79.48.005		10/21/2024	30500854627	PKFL Brakes		2,159.57
100060	10/31/2024	013592		LIBERTY TOWING.			\$88.08
001.0000	15.521.10.41.070		10/27/2024	24-88290	PD 10/27 Lincoln Navigator		88.08
100061	10/31/2024	013849		LINDEN. JON			\$2,500.00
001.0000	07.237.20.00.000		10/30/2024	Refund Permit 5089	CD Permit 5089 Refund HEX Depo		2,500.00
100062	10/31/2024	011393		NAVIA BENEFIT SOLUTIONS.			\$309.60
001.0000	09.518.10.41.001		10/28/2024	10899407	HR 10/24 Participant Fee		309.60

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
100063	10/31/2024	013818		NGUYEN, DAVID AND RACHEL			\$606.20
001.0000.00.213.10.00.000			9/26/2024	09/26/2024	PW Sewer Refund Receipt # 0177		121.28
001.0000.00.213.10.00.000			9/26/2024	09/26/2024	PW Sewer Refund Receipt # 0175		121.28
001.0000.00.213.10.00.000			9/26/2024	09/26/2024	PW Sewer Refund Receipt # 0172		121.28
001.0000.00.213.10.00.000			9/26/2024	09/26/2024	PW Sewer Refund Receipt # 0171		121.28
001.0000.00.213.10.00.000			9/26/2024	09/26/2024	PW Sewer Refund Receipt # 0170		116.14
001.0000.00.213.10.00.000			9/26/2024	09/26/2024	PW Sewer Refund Receipt # 0170		4.94
100064	10/31/2024	010743		NISQUALLY INDIAN TRIBE.			\$71,279.63
001.0000.15.521.10.41.125			8/31/2024	41662	PD 08/24 Pharmacy Reimb		44.62
001.0000.15.521.10.41.125			10/15/2024	41605	PD 09/24 Jail Services		71,235.01
100065	10/31/2024	006161		NORTHWEST PARKING EQUIPMENT CO.			\$12,104.22
301.0016.11.594.76.63.001			10/17/2024	001	PK Venstation Automated Fee Ma		10,570.00
301.0016.11.594.76.63.001			10/17/2024	001	freight		423.84
301.0016.11.594.76.63.001			10/17/2024	001	Sales Tax		1,110.38
100066	10/31/2024	006117		PETTY CASH.			\$97.36
001.0000.11.571.20.31.050			10/29/2024	10/24 VH	PKRC Yeider: Scare Crow Clothe		37.36
401.0000.41.531.10.43.005			10/29/2024	10/24 VH	PWSW Halar: Social Mktg. Train		60.00
100067	10/31/2024	006117		PETTY CASH.			\$92.52
001.0000.11.576.81.31.001			10/29/2024	10/24 NY	PKFC Anderson: Gorilla Glue		92.52
100068	10/31/2024	011616		PIERCE COUNTY PROJECT ACCESS.			\$3,750.00
001.0000.11.565.10.41.020			10/24/2024	Q3/24	PKHS AG 2023-012A Q3/24 Donate		3,750.00
100069	10/31/2024	012825		READY SET TOW LLC.			\$330.30
001.0000.15.521.10.41.070			10/15/2024	883	PD 10/14 Ford Transit, Case		88.08
501.0000.51.521.10.48.005			9/30/2024	837	PDFL 09/24 Tow		154.14
001.0000.15.521.10.41.070			10/11/2024	877	PD 10/11 Mercedes Benz M-Class		88.08
100070	10/31/2024	011108		REBUILDING HOPE! PIERCE COUNTY.			\$6,349.44
001.0000.11.565.10.41.020			10/24/2024	Q3/24	PKHS AG 2023-015A Q3/24 Advoca		6,349.44

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
100071	10/31/2024	000481		ROTARY CLUB OF LAKEWOOD.			\$1,657.78
196.6018.99.518.63.41.001			10/21/2024	09243202	ARPA AG 2023-116 09/24 Dolly P		1,657.78
100072	10/31/2024	013850		SCHNELLER. DAVID			\$2,500.00
001.0000.07.237.20.00.000			10/30/2024	Refund Permit 5510	CD Permit 5510 Refund HEX Depo		2,500.00
100073	10/31/2024	009354		TK ELEVATOR.			\$1,735.75
502.0000.17.518.35.48.001			10/31/2024	3008191358	PKFC/PKST 10/24 Elevator Svcs		645.16
502.0000.17.521.50.48.001			10/31/2024	3008191358	PKFC/PKST 10/24 Elevator Svcs		322.58
502.0000.17.542.65.48.001			10/31/2024	3008191358	PKFC/PKST 10/24 Elevator Svcs		768.01
100074	10/31/2024	009580		T-MOBILE USA.			\$780.00
001.0000.15.521.21.41.001			10/28/2024	9584497718	PD 10/07-10/10 Pen Register		350.00
001.0000.15.521.21.41.001			10/28/2024	9584497718	PD 10/04-10/07 Timing Advance		50.00
001.0000.15.521.21.41.001			10/28/2024	9584497718	PD 10/07-10/10 GPS Locate		115.00
001.0000.15.521.21.41.001			10/14/2024	9583086290	PD 10/02-10/03 GPS Locate		115.00
001.0000.15.521.21.41.001			10/14/2024	9583086290	PD 09/17-10/01 Timing Advance		50.00
001.0000.15.521.21.41.001			6/5/2024	9570097083	PD 10/2023 Area Dump		100.00
100075	10/31/2024	005831		TOWN OF STEILACOOM.			\$3,572.55
631.0001.02.586.10.00.020			10/25/2024	09/24 Court Remit	MC 09/24 Court Remit		3,572.55
100076	10/31/2024	006002		WASHINGTON STATE CRIMINAL.			\$1,150.00
001.0000.15.521.40.49.003			9/12/2024	201139955	PD 08/19 Handgun Level 1 Inst		1,150.00
100077	11/15/2024	010899		ACCESS INFORMATION MANAGEMENT.			\$2,569.44
001.0000.06.514.30.41.001			10/31/2024	11211497	LG 10/24 Record Retention & Mg		2,569.44
100078	11/15/2024	011257		AHUMADA. ANITA			\$199.58
001.0000.02.512.51.49.009			11/12/2024	October 2024	MC 10/24 Interpreter		199.58
100079	11/15/2024	013828		AOKI. DIANNE			\$300.00
106.0000.11.573.20.41.001			11/8/2024	11/08/2024	PA 11/08 Assemblage Workshop		300.00
100080	11/15/2024	008307		AT&T MOBILITY.			\$8,813.86

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
503.0000.04.518.80.42.001			9/19/2024	287296255265 09/24	IT Thru 09/19 Phone		4,383.48
503.0000.04.518.80.42.001			10/19/2024	287296255265 10/24	IT Thru 10/19 Phone		4,421.64
503.0000.04.518.80.42.001			10/19/2024	287304884473 10/24	IT/PD Thru 10/19 Phone		8.74
100081	11/15/2024	010014		BMI GENERAL LICENSING.			\$866.00
001.0000.11.571.20.49.001			11/2/2024	11583475	PKRC 11/01/2024-10/31/2025 Mus		866.00
100082	11/15/2024	000933		CDW GOVERNMENT LLC.			\$13,872.60
503.0000.04.518.80.48.003			10/30/2024	AB3RP7H	IT-Safenet Annual Maintenance		12,600.00
503.0000.04.518.80.48.003			10/30/2024	AB3RP7H	Sales Tax		1,272.60
100083	11/15/2024	010262		CENTURYLINK.			\$331.02
503.0000.04.518.80.42.001			11/2/2024	333543562 11/02/24	IT 11/02-12/01 Phone		73.72
503.0000.04.518.80.42.001			11/2/2024	333880787 11/02/24	IT 11/02-12/01 Phone		100.70
503.0000.04.518.80.42.001			11/3/2024	333964560 11/03/24	IT 11/03-12/02 Phone		73.72
503.0000.04.518.80.42.001			10/24/2024	333452252 10/24/24	IT 10/24-11/23 Phone		82.88
100084	11/15/2024	002120		CHICAGO TITLE CO.			\$494.55
190.4009.52.559.32.41.001			11/14/2024	Reconveyance Inv-63	CDBG MHR-095 Stanley Full Reco		494.55
100085	11/15/2024	011564		CODE PUBLISHING COMPANY.			\$562.50
001.0000.06.514.30.41.001			10/31/2024	GCI0015899	LG Muni Code - Web Change		562.50
100086	11/15/2024	009472		DISH NETWORK LLC.			\$186.13
503.0000.04.518.80.42.001			11/4/2024	8255 7070 8168 1616	IT 11/16-12/15 PD TV/HD Receiv		186.13
100087	11/15/2024	010063		EWING IRRIGATION PRODUCTS INC.			\$789.89
001.0000.11.576.81.31.030			10/23/2024	23870343	PKFC Roundup, Pesticide		789.89
100088	11/15/2024	013532		FLEXENTIAL.			\$2,349.95
503.0000.04.518.80.48.003			11/10/2024	INV782659	IT 11/01-11/30 IP Bandwidth, T		2,349.95
100089	11/15/2024	005398		GLOBAL SECURITY &.			\$131.95
101.0000.11.543.50.41.001			11/1/2024	4636914	PK 11/01/24-01/31/25 Fire Syst		131.95

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
100090	11/15/2024	013201		GOVOLUTION LLC.			\$69.60
503.0000.04.518.80.48.003			10/31/2024	14155	IT 10/24 Velocity Technology	69.60	69.60
100091	11/15/2024	000196		GOV'T FINANCE OFFICERS ASSOC.			\$149.00
001.0000.04.514.20.49.004			9/26/2024	2445742	FN 11/01/24-10/31/25 GAAFR Plu	149.00	149.00
100092	11/15/2024	011428		GUNDERSON LAW FIRM.			\$5,625.00
001.0000.06.515.30.41.001			11/1/2024	1429	LG AG 2024-029A 10/24 Prosecut	5,625.00	5,625.00
100093	11/15/2024	011754		HEREDIA-MONTESINOS, MARIANA			\$566.58
001.0000.02.512.51.49.009			11/12/2024	October 2024	MC 10/24 Interpreter	566.58	566.58
100094	11/15/2024	009728		HSA BANK.			\$123.75
001.0000.09.518.10.41.001			11/4/2024	W580819	HR 10/24 HSA Svc Fee	123.75	123.75
100095	11/15/2024	004863		I O SOLUTIONS INC.			\$269.00
001.0000.09.518.10.41.001			10/29/2024	C61363A	HR Exams/Scoring Nat'l Correct	240.00	240.00
001.0000.99.518.40.42.002			10/29/2024	C61363A	ND S & H On Exams	29.00	29.00
100096	11/15/2024	011489		INSI INC.			\$6,383.65
503.0000.04.518.80.42.001			10/31/2024	M16448	IT Labor for Fiber Install @ F	4,128.00	4,128.00
503.0000.04.518.80.42.001			10/31/2024	M16448	IT Materials for Fiber install	1,670.05	1,670.05
503.0000.04.518.80.42.001			10/31/2024	M16448	Sales Tax	585.60	585.60
100097	11/15/2024	010716		JUBITZ FLEET SERVICES.			\$239.07
501.0000.51.521.10.32.001			8/31/2024	CL999607	PDFL Fuel	239.07	239.07
100098	11/15/2024	000299		LAKEVIEW LIGHT & POWER CO..			\$9,090.76
101.0000.11.542.64.47.005			10/21/2024	67044-001 10/21/24	PKST 09/18-10/18 100th St SW &	68.78	68.78
101.0000.11.542.64.47.005			10/21/2024	67044-003 10/21/24	PKST 09/18-10/18 Motor Ave & W	86.00	86.00
101.0000.11.542.64.47.005			10/21/2024	67044-005 10/21/24	PKST 09/18-10/18 BP Wy SW & Lk	77.26	77.26
101.0000.11.542.64.47.005			10/21/2024	67044-006 10/21/24	PKST 09/18-10/18 108th St SW &	71.18	71.18
101.0000.11.542.64.47.005			10/21/2024	67044-019 10/21/24	PKST 09/18-10/18 BPW SW & 100t	73.86	73.86
101.0000.11.542.64.47.005			10/21/2024	67044-020 10/21/24	PKST 09/18-10/18 59th Ave SW &	89.75	89.75
101.0000.11.542.64.47.005			10/21/2024	67044-022 10/21/24	PKST 09/18-10/18 GLD SW & BPW	96.26	96.26

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
101.0000	11.542.64.47.005		10/21/2024	67044-024 10/21/24	PKST 09/18-10/18 GLD SW & Stei		70.47
001.0000	11.576.80.47.005		10/21/2024	67044-034 10/21/24	PKFC 09/18-10/18 10506 Russell		41.36
101.0000	11.542.63.47.006		10/21/2024	67044-039 10/21/24	PKST 09/18-10/18 5700 100th St		52.61
101.0000	11.542.64.47.005		10/21/2024	67044-046 10/21/24	PKST 09/18-10/18 10013 GLD SW		194.83
101.0000	11.542.64.47.005		10/21/2024	67044-047 10/21/24	PKST 09/18-10/18 59th Ave SW &		71.55
001.0000	11.576.80.47.005		10/21/2024	67044-063 10/21/24	PKFC 09/18-10/18 6002 Fairlawn		49.76
101.0000	11.542.64.47.005		10/21/2024	67044-064 10/21/24	PKST 09/18-10/18 93rd & BPW		63.77
101.0000	11.542.64.47.005		10/21/2024	67044-082 10/21/24	PKST 09/18-10/18 GLD & Mt Tac		178.23
101.0000	11.542.63.47.006		10/21/2024	67044-086 10/21/24	PKST 09/18-10/18 6119 Motor Av		66.00
101.0000	11.542.63.47.005		10/21/2024	67044-088 10/21/24	PK 09/18-10/18 11950 47th St S		49.93
101.0000	11.542.63.47.006		10/21/2024	67044-090 10/21/24	PKST 09/18-10/18 5310 100th St		93.41
101.0000	11.542.63.47.006		10/21/2024	67044-093 10/21/24	PKST 09/18-10/18 9511 GLD SW		47.61
502.0000	17.521.50.47.005		10/21/2024	117448-001 10/21/24	PKFC 09/18-10/18 Lkwd Police S		6,885.81
101.0000	11.542.64.47.005		10/28/2024	67044-028 10/28/24	PKST 09/25-10/25 Pac Hwy SW &		73.41
401.0000	41.531.10.47.005		10/28/2024	67044-037 10/28/24	PWSW 09/25-10/25 Pac Hwy SW		45.56
101.0000	11.542.64.47.005		10/28/2024	67044-038 10/28/24	PKST 09/25-10/25 BP Way & Pac		71.36
001.0000	11.576.80.47.005		10/28/2024	67044-041 10/28/24	PKFC 09/25-10/25 4721 127th St		39.14
101.0000	11.542.64.47.005		10/28/2024	67044-043 10/28/24	PKST 09/25-10/25 BPW SW & San		164.83
101.0000	11.542.64.47.005		10/28/2024	67044-054 10/28/24	PKST 09/25-10/25 11417 Pac Hwy		71.80
101.0000	11.542.64.47.005		10/28/2024	67044-055 10/28/24	PKST 09/25-10/25 11424 Pac Hwy		69.04
101.0000	11.542.64.47.005		10/28/2024	67044-056 10/28/24	PKST 09/25-10/25 11517 Pac Hwy		74.58
401.0000	41.531.10.47.005		10/28/2024	67044-057 10/28/24	PWSW 09/25-10/25 5118 Seattle		52.61
100099	11/15/2024	000300		LAKWOOD WATER DISTRICT.			\$841.72
502.0000	17.521.50.47.001		11/5/2024	26834.02 11/05/24	PKFC 08/24-10/26 9401 Lkwd Dr		841.72
100100	11/15/2024	011263		LAW OFFICES OF MATTHEW RUSNAK.			\$2,250.00
001.0000	99.512.51.41.035		11/1/2024	468	ND 10/24		2,250.00
100101	11/15/2024	005685		LEMAY MOBILE SHREDDING.			\$731.16
001.0000	15.521.10.41.001		11/1/2024	4860926S 185	PD 10/24		285.00
001.0000	02.512.50.41.001		11/1/2024	4862850S 185	MC 10/04 Shredding		78.16
001.0000	99.518.40.41.001		11/1/2024	4862859S185	ND 10/24 Shredding CH 3rd Floo		368.00

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
100102	11/15/2024	013242	LIAN. SAN				\$300.00
001.0000.02.512.51.49.009		11/12/2024	October 2024	MC 10/24 Interpreter		300.00	
100103	11/15/2024	006029	LLOYD ENTERPRISES INC.				\$1,142.00
001.0000.11.576.81.31.030		10/31/2024	333740	PKRC Crushed Rock		1,142.00	
100104	11/15/2024	013854	MARINCHAK. JEFFREY				\$588.00
105.0002.07.342.40.00.000		10/31/2024	10/31/2024	RH Refund Duplicate RH payment		588.00	
100105	11/15/2024	009189	MCCLAIN'S SOIL SUPPLY.				\$152.21
001.0000.11.542.70.31.030		11/2/2024	4793	PKST Top Soil		152.21	
100106	11/15/2024	009755	NEATHERY. DAVID				\$385.76
001.0000.02.512.51.49.009		11/12/2024	October 2024	MC 10/24 Interpreter		385.76	
100107	11/15/2024	010743	NISQUALLY INDIAN TRIBE.				\$1,433.34
001.0000.15.521.10.41.125		9/30/2024	41735	PD 09/24 Pharmacy Reimb		1,433.34	
100108	11/15/2024	013853	PERIKO THE ARTIST. LLC..				\$5,000.00
106.0000.11.573.20.41.001		11/4/2024	#1	PA FSP Mural Deposit		5,000.00	
100109	11/15/2024	010896	PUGET SOUND TITLE - TACOMA.				\$451.23
190.4009.52.559.32.41.001		10/31/2024	226587	CDBG MHR-204 Wheelehan Deed of		451.23	
100110	11/15/2024	005342	RAINIER LIGHTING & ELECTRICAL.				\$273.05
502.0000.17.521.50.31.001		11/5/2024	596048-1	PKFC Lights		61.66	
502.0000.17.518.35.31.001		11/7/2024	596136-1	PKFC Batteries		211.39	
100111	11/15/2024	012960	RAINIER RENTALS.				\$3,800.00
190.1006.52.559.32.41.001		11/14/2024	Wittenburg Move-In	CDBG EPP: Wittenburg Move-In C		3,800.00	
100112	11/15/2024	012825	READY SET TOW LLC.				\$88.08
001.0000.15.521.10.41.070		11/2/2024	950	PD 11/02 Ford Escape		88.08	
100113	11/15/2024	011105	RWC INTERNATIONAL LTD.				\$11,482.33

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
501.0000	51.548.79.48.005		10/29/2024	RA103009107:01	PKFL Vehicle Repair		11,482.33
100114	11/15/2024	012412		STEAGALL, LARRY			\$842.75
001.0000	03.557.20.41.001		10/14/2024	009-24	CM 10/12 Truck & Tractor Day		842.75
100115	11/15/2024	002667		TACOMA TOWING LLC.			\$968.88
001.0000	15.521.10.41.070		11/4/2024	255811	PD Nissan Altima		88.08
001.0000	15.521.10.41.070		11/4/2024	255827	PD Dodge Avenger		88.08
001.0000	15.521.10.41.070		11/4/2024	255907	PD 10/31 GMC Sierra		88.08
001.0000	15.521.10.41.070		11/4/2024	255927	PD 10/15 Mercedes S430		88.08
001.0000	15.521.10.41.070		11/4/2024	255935	PD 2003 Hyundai		88.08
001.0000	15.521.10.41.070		11/4/2024	255962	PD 10/06 Hyundai Sonata		88.08
001.0000	15.521.10.41.070		11/4/2024	255969	PD 10/15 Ford PIU		88.08
001.0000	15.521.10.41.070		11/4/2024	256070	PD 10/12 Ford Explorer		88.08
001.0000	15.521.10.41.070		11/4/2024	256090	PD 10/15 Ford PJU Hybrid		88.08
001.0000	15.521.10.41.070		11/4/2024	256091	PD 10/15 Ford Pickup		88.08
001.0000	15.521.10.41.070		11/4/2024	256102	PD 10/27 Hyundai Elantra		88.08
100116	11/15/2024	009354		TK ELEVATOR.			\$1,970.26
502.0000	17.518.35.48.001		10/30/2024	6000757947	PKFC Elevator Svc: CH, Car 1		1,970.26
100117	11/15/2024	009580		T-MOBILE USA.			\$3,528.00
503.0000	04.518.80.42.001		10/20/2024	996146084 10/20/24	IT 09/21-10/20 Phone		3,528.00
100118	11/15/2024	009580		T-MOBILE USA.			\$50.00
001.0000	15.521.21.41.001		7/16/2024	9573901745	PD 06/17-06/20 Timing Advance		50.00
100119	11/15/2024	009856		UTILITIES UNDERGROUND LOCATION.			\$290.40
101.0000	11.544.90.41.001		10/31/2024	4100174	PKST/PKSW 10/24 Excavation Not		193.60
401.0000	11.531.10.41.001		10/31/2024	4100174	PKST/PKSW 10/24 Excavation Not		96.80
100120	11/15/2024	013425		VISA - 0143.			\$951.33
001.0000	15.521.21.31.001		10/27/2024	0143/LaVerq 10/27/24	PD Batteries		67.54
001.0000	15.521.21.31.001		10/27/2024	0143/LaVerq 10/27/24	PD Printer Ink		101.37

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
001.0000.15.521.21.31.001			10/27/2024	0143/LaVerg 10/27/24	PD USB Splitter		20.70
001.0000.15.521.10.31.001			10/27/2024	0143/LaVerg 10/27/24	PD Google Pics: Chief Smith		5.89
001.0000.15.521.10.31.001			10/27/2024	0143/LaVerg 10/27/24	PD 2025 Calendars		687.78
001.0000.15.521.10.31.001			10/27/2024	0143/LaVerg 10/27/24	PD Plaques		68.05
100121	11/15/2024	011958		VISA - 0975.			\$1,184.77
105.0002.07.559.20.41.001			10/27/2024	0975/Gumm 10/27/24	AB RHSP Monthly CC Processing		35.00
105.0001.07.559.20.42.002			10/27/2024	0975/Gumm 10/27/24	AB Dang. Bldg. Abatement Maili		187.35
190.0009.52.559.31.31.001			10/27/2024	0975/Gumm 10/27/24	CDBG Phone Cover		16.27
105.0001.07.559.20.42.002			10/27/2024	0975/Gumm 10/27/24	AB Dang. Bldg. Abatement Maili		21.94
105.0001.07.559.20.42.002			10/27/2024	0975/Gumm 10/27/24	AB Dang. Bldg. Abatement Maili		10.97
190.1006.52.559.32.41.001			10/27/2024	0975/Gumm 10/27/24	CDBG EPP: Hotel For S McClain		636.18
190.0009.52.559.31.31.001			10/27/2024	0975/Gumm 10/27/24	CDBG Keyboard, Mouse, Pad		149.02
190.1006.52.559.32.41.001			10/27/2024	0975/Gumm 10/27/24	CDBG EPP: Hotel For S McClain		106.03
105.0001.07.559.20.31.001			10/27/2024	0975/Gumm 10/27/24	AB Batteries		22.01
100122	11/15/2024	013460		VISA - 1166.			\$4,405.61
503.0000.04.518.80.35.001			10/27/2024	1166/Sadri 10/27/24	ITLogitech Wireless Combos, He		396.56
503.0000.04.518.80.31.001			10/27/2024	1166/Sadri 10/27/24	IT Protectors, Otterbox, Cable		81.12
503.0000.04.518.80.49.004			10/27/2024	1166/Sadri 10/27/24	IT Cityoflakewood.us Domain Re		198.08
503.0000.04.518.80.49.004			10/27/2024	1166/Sadri 10/27/24	IT Pandora Music For CH Lobbyl		32.98
503.0000.04.518.80.41.090			10/27/2024	1166/Sadri 10/27/24	IT 10/08/24-10/08/25 Dropbox 6		1,905.98
503.0000.04.518.80.49.004			10/27/2024	1166/Sadri 10/27/24	IT Monthly MailChimp		145.33
503.0000.04.518.80.49.004			10/27/2024	1166/Sadri 10/27/24	IT 10/11-11/11 Fix & Protect		29.99
503.0000.04.518.80.49.004			10/27/2024	1166/Sadri 10/27/24	IT Int'l Trx Fee On Fix & Prot		0.30
503.0000.04.518.80.41.090			10/27/2024	1166/Sadri 10/27/24	IT 10/11-11/11 ChatGPT Plus Su		22.02
503.0000.04.518.80.31.001			10/27/2024	1166/Sadri 10/27/24	IT Pens, Binders, Badge Reels		75.33
503.0000.04.518.80.49.004			10/27/2024	1166/Sadri 10/27/24	IT DreamPress Yearly ssmcp.org		239.88
503.0000.04.518.80.35.001			10/27/2024	1166/Sadri 10/27/24	IT WiFi Access Points External		545.00
503.0000.04.518.80.35.001			10/27/2024	1166/Sadri 10/27/24	IT Backup Server Battery		269.75
503.0000.04.518.80.35.001			10/27/2024	1166/Sadri 10/27/24	IT WiFi Access Points Inernal		162.72
503.0000.04.518.80.35.001			10/27/2024	1166/Sadri 10/27/24	IT Wall Mount Rack		53.95
503.0000.04.518.80.31.001			10/27/2024	1166/Sadri 10/27/24	IT Server SFP Transceivers		246.62

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
100123	11/15/2024	011540		VISA - 1371.			\$166.24
001.0000.15.525.60.31.008			10/27/2024	1371/Gildeh 10/27/24	PD IMT Clothing: A. Suver	166.24	166.24
100124	11/15/2024	013268		VISA - 2868.			\$34.95
001.0000.99.518.40.42.002			10/27/2024	2868/RHSP 10/27/24	ND 1st Class & Certified Maili	10.41	10.41
105.0001.07.559.20.42.002			10/27/2024	2868/RHSP 10/27/24	ND 1st Class & Certified Maili	24.54	24.54
100125	11/15/2024	013694		VISA - 3310.			\$133.98
001.0000.00.231.90.00.005			10/27/2024	3310/Fin 5 10/27/24	HR 10/24 Employee Bday Celebra	133.98	133.98
100126	11/15/2024	012401		VISA - 3408.			\$5,020.86
195.0024.15.521.30.31.001			10/27/2024	3408/Carrol 10/27/24	PD Phone Case	11.02	11.02
195.0024.15.521.30.31.001			10/27/2024	3408/Carrol 10/27/24	PD Snacks For PPB SVO Presenta	88.65	88.65
195.0024.15.521.30.31.001			10/27/2024	3408/Carrol 10/27/24	PD REKOR Subscription	65.00	65.00
195.0024.15.521.30.31.001			10/27/2024	3408/Carrol 10/27/24	PD Hootsuite (Professional Pla	1,310.36	1,310.36
195.0024.15.521.30.31.001			10/27/2024	3408/Carrol 10/27/24	PD Air Fresheners	332.54	332.54
195.0024.15.521.30.31.001			10/27/2024	3408/Carrol 10/27/24	PD Babbel:Language Training	263.62	263.62
195.0024.15.521.30.31.001			10/27/2024	3408/Carrol 10/27/24	PD Laptops	1,778.10	1,778.10
195.0024.15.521.30.31.001			10/27/2024	3408/Carrol 10/27/24	PD High Volt Gloves	279.75	279.75
195.0024.15.521.30.31.001			10/27/2024	3408/Carrol 10/27/24	PD UC Signs	239.86	239.86
195.0024.15.521.30.31.001			10/27/2024	3408/Carrol 10/27/24	PD Badge Stickers	490.00	490.00
195.0024.15.521.30.31.001			10/27/2024	3408/Carrol 10/27/24	PD OB2 Readers	159.32	159.32
195.0024.15.521.30.31.001			10/27/2024	3408/Carrol 10/27/24	PD Int'l Trans Fee	2.64	2.64
100127	11/15/2024	013084		VISA - 3768.			\$16.95
001.0000.99.518.40.42.002			10/27/2024	3768/Beard 10/27/24	ND 10/01 PD Shipping	16.95	16.95
100128	11/15/2024	012415		VISA - 3853.			\$1,004.01
001.0000.99.518.40.42.002			10/27/2024	3853/Fin 2 10/27/24	ND FedEx inv 8-627-24709 09/06	66.89	66.89
001.0000.99.518.40.42.002			10/27/2024	3853/Fin 2 10/27/24	ND FedEx inv 8-620-18722 09/03	150.35	150.35
192.0000.00.558.60.31.063			10/27/2024	3853/Fin 2 10/27/24	SSMP Behavioral Health Care Fo	136.87	136.87
001.9999.02.523.30.43.002			10/27/2024	3853/Fin 2 10/27/24	MC WSADCP Conf: Pyne	357.25	357.25
001.0000.09.518.10.31.005			10/27/2024	3853/Fin 2 10/27/24	HR Lunch For Oral Board, Exerc	292.65	292.65

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
100129	11/15/2024	013734		VISA - 5000.			\$619.57
001.0000.15.521.80.49.003			10/27/2024	5000/Meeks 10/27/24	PD Crime Scene Invest Cert: E.	300.00	
001.0000.15.521.80.31.001			10/27/2024	5000/Meeks 10/27/24	PD Office Supplies	21.12	
001.0000.15.521.80.31.001			10/27/2024	5000/Meeks 10/27/24	PD Fentanyl Test Wipes	298.45	
100130	11/15/2024	012715		VISA - 5244.			\$2,603.84
104.0031.01.557.30.41.001				5244/Schuma 08/27/24	HM Refund Sister Cities Lodgin	-2,791.47	
001.0000.01.511.60.31.005			10/27/2024	5244/Schuma 10/27/24	CC Food For Special Council Mt	184.97	
001.0000.06.514.30.49.001			10/27/2024	5244/Schuma 10/27/24	LG 10/09-11/09 Online Notary B	19.00	
001.0000.06.514.30.49.001			10/27/2024	5244/Schuma 10/27/24	LG 09/09-10/09 Online Notary (50.00	
001.0000.01.511.60.31.005			10/27/2024	5244/Schuma 10/27/24	CC Food For City Council Mtg.	210.25	
001.0000.01.511.60.49.011			10/27/2024	5244/Schuma 10/27/24	CC Catering Deposit For SBCT E	1,408.98	
104.0031.01.557.30.41.001			10/27/2024	5244/Schuma 10/27/24	HM Sister Cities Shuttle Gratu	1,153.00	
001.0000.01.511.60.31.005			10/27/2024	5244/Schuma 10/27/24	CC Food For City Council Mtg.	128.12	
001.0000.06.514.30.49.001			8/27/2024	5244/Schuma 08/27/24	LG 07/09-08/09 Online Notary (50.00	
001.0000.06.514.30.49.001			8/27/2024	5244/Schuma 08/27/24	LG 08/09-09/09 Online Notary B	19.00	
001.0000.06.515.30.49.003			9/26/2024	5244/Schuma 09/26/24	LG Public Records Workshop: At	140.00	
001.0000.06.515.30.49.003			9/26/2024	5244/Schuma 09/26/24	LG Role of Clerk Zoom Workshop	87.00	
001.0000.06.515.31.49.003			9/26/2024	5244/Schuma 09/26/24	LG WSAMA Conf: Pace	312.00	
001.0000.06.515.31.49.003			9/26/2024	5244/Schuma 09/26/24	LG WSSAMA Conf: Dimsho	312.00	
001.0000.06.514.30.49.001			9/26/2024	5244/Schuma 09/26/24	LG 09/09-10/09 Online Notary B	19.00	
001.0000.06.514.30.49.001			9/26/2024	5244/Schuma 09/26/24	LG 08/09-09/09 Online Notary (50.00	
001.0000.99.518.40.49.004			9/26/2024	5244/Schuma 09/26/24	LG News Tribune Subscription	251.99	
504.0000.09.518.35.48.001			9/26/2024	5244/Schuma 09/26/24	RM Cl# 24-1286 Deductible	1,000.00	
100131	11/15/2024	013357		VISA - 5580.			\$550.00
001.0000.15.521.40.49.003			10/27/2024	5580/Prater 10/27/24	PD 06/02-06/20 Tuition: J. Pra	550.00	
100132	11/15/2024	013358		VISA - 5739.			\$48.83
001.0000.03.557.20.44.001			10/27/2024	5739/Graham 10/27/24	CM 09/13-09/17 Farmers Mkt FB	48.83	
100133	11/15/2024	013544		VISA - 6041.			\$13,228.63
001.0000.15.521.21.41.001			10/27/2024	6041/PD1 10/27/24	PD Cellphone Tracking, Case #5	300.00	

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
001.0000.15.521.21.31.001			10/27/2024	6041/PD1 10/27/24	PD USB Drives		82.53
001.0000.15.521.21.41.001			10/27/2024	6041/PD1 10/27/24	PD Cellphone Tracking, Case #5		300.00
001.0000.15.521.32.31.001			10/27/2024	6041/PD1 10/27/24	PD Maint Supplies		79.78
001.0000.15.521.10.42.002			10/27/2024	6041/PD1 10/27/24	PD 10/09 Certified Mail		31.23
001.0000.15.521.10.31.001			10/27/2024	6041/PD1 10/27/24	PD Bike Rack		25.31
001.0000.15.521.10.42.002			10/27/2024	6041/PD1 10/27/24	PD 10/15 Certified Mail		64.65
001.0000.15.521.10.31.001			10/27/2024	6041/PD1 10/27/24	PD Batteries		53.87
001.0000.15.521.10.42.002			10/27/2024	6041/PD1 10/27/24	PD 10/17 Certified Mail		52.05
001.0000.15.521.30.31.001			10/27/2024	6041/PD1 10/27/24	PD Supplies For NPO Events		74.72
001.0000.15.521.10.43.001			10/27/2024	6041/PD1 10/27/24	PD Good To Go Replenish		200.00
195.0024.15.521.30.31.001			10/27/2024	6041/PD1 10/27/24	PD 07/29-08/25 KIRO Radio Adve		10,000.00
001.0000.15.521.30.31.001			10/27/2024	6041/PD1 10/27/24	PD Supplies For SWAG Events		1,138.40
001.0000.15.521.30.31.001			10/27/2024	6041/PD1 10/27/24	PD Stickers		387.00
001.0000.15.521.30.31.001			10/27/2024	6041/PD1 10/27/24	PD Pencil Toppers & Bags		439.09
100134	11/15/2024	013567		VISA - 6058.			\$322.89
001.9999.15.525.30.43.004			10/27/2024	6058/PD3 10/27/24	PD Hurricane Relief		9.71
001.9999.15.525.30.43.006			10/27/2024	6058/PD3 10/27/24	PD Hurricane Relief		83.18
001.9999.15.525.30.43.001			10/27/2024	6058/PD3 10/27/24	PD Hurricane Relief		230.00
100135	11/15/2024	013758		VISA - 6313.			\$3,005.13
001.0000.11.542.70.31.001			10/27/2024	6313/O&M 10/27/24	PKST Darwin Grip Tools		141.90
001.0000.11.542.70.49.001			10/27/2024	6313/O&M 10/27/24	PKST Pesticide License: S Bird		103.00
001.0000.11.576.80.49.001			10/27/2024	6313/O&M 10/27/24	PKST Pesticide License: Nebeke		154.50
001.0000.11.576.81.49.001			10/27/2024	6313/O&M 10/27/24	PKFC Pesticide License: J Ande		206.00
001.0000.11.542.70.49.003			10/27/2024	6313/O&M 10/27/24	PKST Pesticide Webinars: S Bir		330.00
001.0000.11.576.80.49.003			10/27/2024	6313/O&M 10/27/24	PKST Pesticide Webinars: Nebek		360.00
001.0000.11.576.81.49.003			10/27/2024	6313/O&M 10/27/24	PKFC Pesticide Webinars: J And		750.00
501.0000.51.548.79.48.005			10/27/2024	6313/O&M 10/27/24	PKFL Bucket Truck Annual Inspe		1,243.69
001.0000.11.571.22.31.001				6313/O&M 08/27/24	PKRC Credit On Previous Tent P		-283.96
100136	11/15/2024	013367		VISA - 6364.			\$586.25
001.9999.02.523.30.43.002			10/27/2024	6364/Wright 10/27/24	MC WSADCP Conf: D. Wright, L.		586.25

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
100137	11/15/2024	011642		VISA - 6610.			\$1,559.94
001.0000.15.521.40.43.006			10/27/2024	6610/PD4 10/27/24	PD Kinetic Breaching Course: R	523.22	
001.0000.15.521.40.43.001			10/27/2024	6610/PD4 10/27/24	PD Kinetic Breaching Course: R	711.92	
001.0000.15.525.60.31.008			10/27/2024	6610/PD4 10/27/24	PD Uniform Clothing: S. Noble	324.80	
100138	11/15/2024	013394		VISA - 6687.			\$2,406.41
192.0000.00.558.60.31.064			10/27/2024	6687/Fin 1 10/27/24	SMCP Food For Steering Committ	208.66	
192.0000.00.558.60.43.002			10/27/2024	6687/Fin 1 10/27/24	ADC Installation Innovation Fo	652.01	
192.0000.00.558.60.43.001			10/27/2024	6687/Fin 1 10/27/24	ADC Installation Innovation Fo	448.74	
001.0000.11.571.22.31.001			10/27/2024	6687/Fin 1 10/27/24	PKRC Swag For Beloved Communit	907.00	
192.0005.07.558.60.31.001			10/27/2024	6687/Fin 1 10/27/24	SSMP Awards For Leadership	190.00	
100139	11/15/2024	011136		VISA - 7750.			\$143.14
001.0000.99.518.40.42.002			10/27/2024	7750/Allen 10/27/24	ND PD Shipping	20.55	
001.0000.15.521.80.31.001			10/27/2024	7750/Allen 10/27/24	PD Supplies	122.59	
100140	11/15/2024	011137		VISA - 7768.			\$2,724.38
503.0000.04.518.80.35.001			10/27/2024	7768/Alwine 10/27/24	IT Fleet Cables	660.60	
001.0000.15.521.40.43.006			10/27/2024	7768/Alwine 10/27/24	PD 2024 IACP Conf: J. Alwine	30.83	
001.0000.15.521.40.43.001			10/27/2024	7768/Alwine 10/27/24	PD 2024 IACP Conf: J. Alwine	30.00	
001.0000.15.521.40.43.002			10/27/2024	7768/Alwine 10/27/24	PD 2024 IACP Conf: J. Alwine	2,002.95	
100141	11/15/2024	011138		VISA - 7776.			\$415.54
001.0000.11.576.80.31.008			10/27/2024	7776/Anders 10/27/24	PKFC Rubber Boots	220.58	
001.0000.11.576.80.31.001			10/27/2024	7776/Anders 10/27/24	PKFC Harness	194.96	
100142	11/15/2024	011140		VISA - 7800.			\$363.96
001.0000.11.542.70.31.008			10/27/2024	7800/Cummin 10/27/28	PKST Raincoat & Bibs For A. Cr	226.25	
101.0000.11.542.30.31.008			10/27/2024	7800/Cummin 10/27/28	PKST Rubber Boots For J. Moore	137.71	
100143	11/15/2024	013609		VISA - 7924.			\$2,574.55
001.0000.11.571.20.31.050			10/27/2024	7924/Martin 10/27/24	PKRC Yoga Supplies	249.40	
001.0000.11.571.20.31.050			10/27/2024	7924/Martin 10/27/24	PKRC Art Frames	142.23	
001.0000.11.571.20.31.050			10/27/2024	7924/Martin 10/27/24	PKRC Christmas Gifts & Truck &	622.76	

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
001.0000.11.571.20.31.050			10/27/2024	7924/Martin 10/27/24	PKRC Stuffed Animals		1,171.16
001.0000.11.571.20.31.050			10/27/2024	7924/Martin 10/27/24	PKRC Books		331.80
001.0000.11.571.20.31.050			10/27/2024	7924/Martin 10/27/24	PKRC Gift Bags		57.20
100144	11/15/2024	011158		VISA - 7966.			\$1,334.67
001.0000.15.521.10.49.004			10/27/2024	7966/Pitts 10/27/24	PD TNT Subscription		431.99
001.0000.15.521.10.35.004			10/27/2024	7966/Pitts 10/27/24	PD Office Chair		187.16
001.0000.15.521.40.43.001			10/27/2024	7966/Pitts 10/27/24	PD IAPRO Conference: S. Pitts		306.20
001.0000.15.521.40.43.006			10/27/2024	7966/Pitts 10/27/24	PD IAPRO Conference: S. Pitts		204.72
001.0000.15.521.40.43.001			10/27/2024	7966/Pitts 10/27/24	PD IACP Conference: J. Alwine		30.00
001.0000.15.521.23.31.001			10/27/2024	7966/Pitts 10/27/24	PD Binders		174.60
100145	11/15/2024	012291		VISA - 7970.			\$15.25
001.0000.03.513.10.43.005			10/27/2024	7970/Caulfi 10/27/24	CM KWA Ribbon Cutting Event: C		2.00
001.0000.03.513.10.43.005			10/27/2024	7970/Caulfi 10/27/24	CM EDB Mtg: Caulfield		13.25
100146	11/15/2024	011159		VISA - 7974.			\$640.00
001.9999.15.525.30.43.006			10/27/2024	7974/Scheid 10/27/24	PD Hurricane Helene Relief		640.00
100147	11/15/2024	011162		VISA - 8006.			\$118.45
001.0000.15.525.60.31.001			10/27/2024	8006/Unfred 10/27/24	PD Utility Case		66.05
001.9999.15.525.30.43.004			10/27/2024	8006/Unfred 10/27/24	PD Hurricane Helene Relief		9.60
001.9999.15.525.30.43.006			10/27/2024	8006/Unfred 10/27/24	PD Hurricane Helene Relief		42.80
100148	11/15/2024	011172		VISA - 8105.			\$841.15
001.0000.15.521.40.43.002			10/27/2024	8105/PD2 10/27/24	PD IPMBA Instructor Course: J		841.15
100149	11/15/2024	011177		VISA - 8550.			\$488.22
001.0000.13.558.70.49.004			10/27/2024	8550/Newton 10/27/24	ED 09/29-10/29 Dropbox		13.22
001.0000.13.558.70.49.001			10/27/2024	8550/Newton 10/27/24	ED ICSC Membership: Newton		125.00
001.0000.13.558.70.49.003			10/27/2024	8550/Newton 10/27/24	ED Lkwd Chamber Holiday Dinner		350.00
100150	11/15/2024	012925		VISA - 9311.			\$634.49
190.3015.52.559.32.41.001				9311/Fin 4 10/27/24	CDBG EADR: No-Show Hoard Hotel		-573.15

Check No.	Date	Vendor	Inv Date	Invoice	Description	Amount	Check Total
190.3015.52.559.32.41.001			10/27/2024	9311/Fin 4 10/27/24	CDBG EADR: Hoard Hotel Stay 09		697.98
190.1006.52.559.32.41.001			10/27/2024	9311/Fin 4 10/27/24	CDBG EPP: Hoard Hotel Stay 09/		509.66
100151	11/15/2024	013244		VISA - 9393.			\$27.51
001.0000.15.521.21.35.010			10/27/2024	9393/Sale 10/27/24	PD Ammunition		27.51
100152	11/15/2024	011707		VISA - 9465.			\$359.65
001.0000.11.571.20.31.001			10/27/2024	9465/Fairfi 10/27/24	PKRC Bins & Shipping Tape		65.97
001.0000.11.565.10.31.005			10/27/2024	9465/Fairfi 10/27/24	PKHS Youth Council Meal		33.99
001.0000.11.571.20.31.001			10/27/2024	9465/Fairfi 10/27/24	PKRC Snacks For Truck & Tracto		46.70
001.9999.11.565.10.41.020			10/27/2024	9465/Fairfi 10/27/24	PKHS 2024 WA St Prev Summit		200.00
001.0000.11.571.20.49.004			10/27/2024	9465/Fairfi 10/27/24	PKRC CANVA Subscription		12.99
100153	11/15/2024	000595		WASHINGTON ASSOC OF SHERIFFS.			\$4,001.16
001.0000.02.523.30.41.001			9/30/2024	EM 2024-00441	MC 09/24 Home Monitoring		1,689.06
001.0000.02.523.30.41.001			9/30/2024	INV032267	MC Home Monitoring		2,312.10
100154	11/15/2024	010544		WASHINGTON ROCK QUARRIES INC.			\$108.99
401.0000.11.531.10.31.030			10/31/2024	105055	PKSW 2" Crushed Clean Rock		108.99
100155	11/15/2024	006002		WASHINGTON STATE CRIMINAL.			\$600.00
001.0000.15.521.40.49.003			11/1/2024	201140328	PD 10/07-10/11 Instructor Dev		600.00
100156	11/15/2024	013858		WATERFRONT V LLC.			\$60.00
105.0002.07.342.40.00.000			10/31/2024	10/31/2024	RH Refund Rental Housing Fee		60.00

of Checks Issued 316

Total \$3,666,301.96

Voids:

Check# 99887 81.84

Check# 99926 606.20

Check# 24828 1,174.50

Total: \$3,664,439.42



City of Lakewood

To: Mayor and City Councilmembers

From: Tho Kraus, Deputy City Manager

Through: John J. Caulfield, City Manager *John J. Caulfield*

Date: December 02, 2024

Subject: Payroll Check Approval

Payroll Period(s): October 16-31, 2024, and November 1-15, 2024

Total Amount: \$3,175,905.04

Checks Issued:

Check Numbers: 114650-114656

Total Amount of Checks Issued: \$30,467.22

Electronic Funds Transfer:

Total Amount of EFT Payments: \$750,051.15

Direct Deposit:

Total Amount of Direct Deposit Payments: \$2,089,211.70

Federal Tax Deposit:

Total Amount of Deposit: \$306,174.97

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein and that the claims are just and due obligations against the City of Lakewood, Washington, and that I am authorized to authenticate and certify said liens.

Dana Kapla

 Dana Kapla
 Assistant Finance Director

Tho Kraus

 Tho Kraus
 Deputy City Manager

John J. Caulfield

 John J. Caulfield
 City Manager

Payroll Distribution

City of Lakewood

Pay Period ending 10-16-2024 thru 11-15-2024

Direct Deposit and ACH in the amount of: \$ 3,145,437.82
Payroll Ck#'s 114650 - 114656 in the amount of: \$ 30,467.22
Total Payroll Distribution: \$ 3,175,905.04

Employee Pay Total by Fund:

<u>Fund 001 - General</u>	<u>Amount</u>
City Council	\$ 11,720.00
Municipal Court	\$ 90,583.70
City Manager	\$ 46,741.84
Administrative Services	\$ 71,514.16
Legal and Human Resources	\$ 96,979.91
Community and Economic Development	\$ 163,187.97
Parks, Recreation and Community Services	\$ 115,137.62
Police	\$ 1,430,973.62
Non-Departmental	\$ -
General Fund Total	\$ 2,026,838.82

Fund 101 - Street	\$ 56,471.91
Fund 104 - Hotel / Motel Lodging Tax	\$ 2,936.88
Fund 105 - Property Abatement/Rental Housing Safety Program	\$ 19,426.85
Fund 180 - Narcotics Seizure	\$ 1,520.64
Fund 190 - CDBG Grants	\$ 12,448.46
Fund 192 - SSMCP	\$ 17,983.00
Fund 195 - Public Safety Grants	\$ 18,735.79
Fund 196 - ARPA Grant	\$ 17,194.63
Fund 301 - Parks CIP	\$ 18,589.25
Fund 302 - Transportation CIP	\$ 83,623.35
Fund 311 - Sewer Capital Project	\$ 6,648.62
Fund 401 - Surface Water Management	\$ 54,914.62
Fund 502 - Property Management	\$ 16,360.06
Fund 503 - Information Technology	\$ 39,811.32
Other Funds Total	\$ 366,665.38

Employee Gross Pay Total:	\$ 2,393,504.20
Benefits and Deductions:	\$ 782,400.84
Grand Total:	\$ 3,175,905.04

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: December 2, 2024	TITLE: A Motion Authorizing a Grant Agreement with the US Department of Transportation and Washington State Department of Transportation for the Lakewood Downtown Transportation Feasibility Study	TYPE OF ACTION: <input type="checkbox"/> ORDINANCE NO. <input type="checkbox"/> RESOLUTION NO. <input checked="" type="checkbox"/> MOTION NO. 2024-83 <input type="checkbox"/> OTHER
REVIEW:	ATTACHMENTS: Grant Agreement	

SUBMITTED BY: Angie Silva, Assistant Director, Planning & Public Works (PPW)

RECOMMENDATION: It is recommended City Council adopt Motion No. 2024-83.

DISCUSSION: The city has been awarded a RAISE (Rebuilding American Infrastructure with Sustainability & Equity) grant through the US Department of Transportation (USDOT). The grant is administered by the Washington State Department of Transportation (WSDOT) and for the Lakewood Downtown Transportation Feasibility Study. All associated work must be completed by December 31, 2026. The study's scope of work includes:

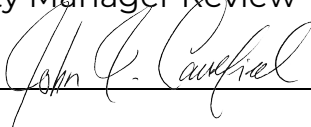
- Safety assessment of existing downtown transportation network.
- Public and stakeholder engagement on identifying community priorities for transportation improvements.
- Model existing (2024) and future (2044) downtown land use and transportation conditions to determine the level of need for different transportation modes (i.e cars, bikes, pedestrians & transit).
- Analyze alternatives to the downtown transportation network.
- Develop 30% conceptual project designs and planning level cost estimates.
- Cost-revenue analysis and identify strategic implementation approaches including economic development incentives.

Consultants are anticipated to assist the city in this feasibility study. In addition to the grant agreement, the city will need to execute a funding agreement with WSDOT to hire consultants and expend funds. Consultant selection will be made through a competitive selection process following WSDOT funding agreement approval.

Upon completion of the feasibility study, it is anticipated the analysis will further assist the city in reviewing the implementation of the downtown Planned Action EIS, as well as the effectiveness of the associated traffic mitigation fee program and transportation mitigation needs outlined in Ordinance No. 696.

ALTERNATIVE(S): The Council could take no action on the Motion.

FISCAL IMPACT: The Motion would authorize a grant agreement with USDOT and WSDOT for \$1,100,000. This is a reimbursable grant and does not require a city match.

Prepared by <u>Angie Silva, PPW Assistant Director</u>	City Manager Review  _____
Department Director <u>Jeff Rimack</u>	

U.S. DEPARTMENT OF TRANSPORTATION

**GRANT AGREEMENT UNDER THE
FISCAL YEAR 2024 RAISE PROGRAM**

This agreement is between the United States Department of Transportation (the “USDOT”) and the Washington Department of Transportation (the “Recipient”).

This agreement reflects the selection of the Recipient to receive a RAISE Grant for the Lakewood Downtown Transportation Feasibility Study.

If schedule A to this agreement identifies a Designated Subrecipient, that Designated Subrecipient is also a party to this agreement, and the parties want the Designated Subrecipient to carry out the project with the Recipient’s assistance and oversight.

The parties therefore agree to the following:

**ARTICLE 1
GENERAL TERMS AND CONDITIONS.**

1.1 General Terms and Conditions.

- (a) In this agreement, “**General Terms and Conditions**” means the content of the document titled “General Terms and Conditions Under the Fiscal Year 2024 RAISE Program: FHWA Projects,” dated June 26, 2024, which is at <https://www.transportation.gov/policy-initiatives/raise/raise-grant-agreements>. The General Terms and Conditions reference the information contained in the schedules to this agreement. The General Terms and Conditions are part of this agreement.
- (b) The Recipient states that it has knowledge of the General Terms and Conditions.
- (c) The Recipient acknowledges that the General Terms and Conditions impose obligations on the Recipient and that the Recipient’s non-compliance with the General Terms and Conditions may result in remedial action, terminating of the RAISE Grant, disallowing costs incurred for the Project, requiring the Recipient to refund to the USDOT the RAISE Grant, and reporting the non-compliance in the Federal-government-wide integrity and performance system.

**ARTICLE 2
SPECIAL TERMS AND CONDITIONS.**

There are no special terms for this award.

**SCHEDULE A
ADMINISTRATIVE INFORMATION**

1. Application.

Application Title: Lakewood Downtown Transportation Feasibility Study

Application Date: 2/28/2024

2. Recipient's Unique Entity Identifier.

See section 28.3 of the General Terms and Conditions.

3. Recipient Contact(s).

Stephanie Tax
Program Manager
WSDOT
PO Box 47390
Olympia WA 98504
(360) 480-1494
taxs@wsdot.wa.gov

4. Recipient Key Personnel.

None.

5. USDOT Project Contact(s).

Matthew Pahs
Planning Program Manager
FHWA Washington Division
711 Capitol Way S. Suite 501
Olympia, WA 98501
(360) 753-9418
Matthew.Pahs@dot.gov

6. Payment System.

USDOT Payment System: FMIS

7. Office for Subaward and Contract Authorization.

USDOT Office for Subaward and Contract Authorization: FHWA Division

8. Federal Award Identification Number.

See section 28.2 of the General Terms and Conditions.

9. Designated Subrecipient.

Designated Subrecipient: City of Lakewood

Designated Subrecipient Points of Contact:

Jeff Rimack
Director, Planning & Public Works
City of Lakewood
6000 Main St SW
Lakewood, WA 98499-5027
(253) 983-7739
jrimack@cityoflakewood.us

Angie Silva
Assistant Director, Planning & Public Works
City of Lakewood
6000 Main St SW
Lakewood, WA 98499-5027
(253) 983-7839
asilva@cityoflakewood.us

SCHEDULE B PROJECT ACTIVITIES

1. General Project Description.

This project will examine the engineering and construction constraints for active and multimodal transportation improvements in the Lakewood Downtown Subarea Plan. The outcome of the feasibility study will be a strategic and prioritized implementation plan for construction of transportation improvements based on: constraint, financially feasible and timely solutions, available grant funding sources, partnerships with allied agencies, economic development opportunities, and safety improvements.

2. Statement of Work.

Complete a Safety Assessment of existing Downtown transportation network.

Engage a Stakeholder Advisory Committee and the Lakewood public to identify community priorities for transportation improvements in the feasibility study.

Model existing (2024) and future (2044) land use and transportation conditions to determine the level of need for different transportation network elements.

Analyze alternatives to 2018 Downtown transportation network.

Develop 30 percent Conceptual Project Designs and Cost Estimates.

Cost-Revenue Analysis and Strategic Implementation Plan.

Prepare a Final Downtown Transportation Feasibility Study Report that includes:

Climate, Environmental, Health, and Safety Benefits.

Transportation Safety Benefits.

Social Equity Benefits.

Public Engagement Summary

Strategic Implementation Plan.

Analysis of Economic Development Incentives.

**SCHEDULE C
AWARD DATES AND PROJECT SCHEDULE**

1. Award Dates.

Budget Period End Date: 12/31/2028

Period of Performance End Date: See section 28.5 of the General Terms and Conditions

2. Estimated Project Schedule.

Milestone	Schedule Date
Planned Project Completion Date:	12/31/2026

3. Special Milestone Deadlines.

None.

**SCHEDULE D
AWARD AND PROJECT FINANCIAL INFORMATION**

1. Award Amount.

RAISE Grant Amount: \$1,100,000

2. Federal Obligation Information.

Federal Obligation Type: Single

3. Approved Project Budget.

Eligible Project Costs

	Total
RAISE Funds:	\$1,100,000
Other Federal Funds:	\$0
Non-Federal Funds:	\$0
Total:	\$1,100,000

4. Cost Classification Table

Reserved.

5. Approved Pre-award Costs

None. The USDOT has not approved under this award any costs incurred under an advanced construction authorization (23 U.S.C. 115), any costs incurred prior to authorization (23 C.F.R. 1.9(b)), or any pre-award costs under 2 C.F.R. 200.458.

**SCHEDULE E
CHANGES FROM APPLICATION**

Scope: No changes.

Schedule: The project schedule has been adjusted since the time of application and notice of award. Project completion is anticipated by December 31, 2026, instead of December 2025. Budget completion date is December 31, 2028. The schedule revision reflects additional time to complete consultant procurement, which was underestimated in the application.

The table below compares the Project milestone dates.

Milestone	Application	Schedule C
Planned Project Completion Date:	December 2025	December 31, 2026

Budget: No Change.

Other: N.A.

**SCHEDULE F
RAISE PROGRAM DESIGNATIONS**

1. Urban or Rural Designation.

Urban-Rural Designation: Urban

2. Capital or Planning Designation.

Capital-Planning Designation: Planning

3. Historically Disadvantaged Community or Area of Persistent Poverty Designation.

HDC or APP Designation: Yes

4. Funding Act.

Funding Act: IIJA

5. Security Risk Designation.

Security Risk Designation: Low

SCHEDULE G
RAISE PERFORMANCE MEASUREMENT INFORMATION

Reserved.

**SCHEDULE H
CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE IMPACTS**

1. Consideration of Climate Change and Environmental Justice Impacts.

The Recipient states that rows marked with “X” in the following table are accurate:

	The Project significantly reduces transportation-related pollution, like air pollution and greenhouse gas emissions. <i>(Describe the expected reductions and how they are achieved in the supporting narrative below.)</i>
	The Project aligns with an applicable State, regional, or local carbon-reduction plan. <i>(Identify the plan in the supporting narrative below.)</i>
	The Project addresses the disproportionate negative environmental impacts of transportation, such as exposure to elevated levels of air, water, and noise pollution. <i>(Describe how in the supporting narrative below.)</i>
X	The Project implements transportation-efficient land use and design, such as drawing on the features of historic towns and villages that had a mix of land uses, compact and walkable development patterns, accessible green space, and neighborhood centers. <i>(Describe how in the supporting narrative below.)</i>
	The Project shifts freight to lower-carbon travel modes to reduce emissions. <i>(Describe how in the supporting narrative below.)</i>
	The Project improves the resiliency of at-risk infrastructure to withstand extreme weather events and natural disasters caused by climate change, such as by using best-available climate data sets, information resources, and decision-support tools, and incorporating best practices identified by the USDOT. <i>(Identify the at-risk infrastructure and describe how the project improves its resiliency in the supporting narrative below.)</i>
	The Project incorporates energy efficient investments, such as electrification or zero emission vehicle infrastructure. <i>(Describe the energy efficient investments in the supporting narrative below.)</i>
	The Project redevelops brownfield sites. <i>(Identify the brownfield sites and describe the redevelopment in the supporting narrative below.)</i>
	The Project removes, replaces, or restores culverts to improve passage of aquatic species. <i>(Identify the affected culverts and describe how the changes will improve the passage of aquatic species in the supporting narrative below.)</i>
	The Project avoids adverse impacts to air or water quality, wetlands, and endangered species. <i>(Describe how in the supporting narrative below.)</i>
	The Project includes floodplain upgrades consistent with the Federal Flood Risk Management Standard in Executive Orders 14030 and 13690. <i>(Describe those floodplain upgrades in the supporting narrative below.)</i>
	The Recipient or a project partner has taken other actions to consider climate change and environmental justice impacts of the Project. <i>(Describe those actions in the supporting narrative below.)</i>

	The Recipient or a project partner has not yet taken actions to consider climate change and environmental justice impacts of the Project but, before beginning construction of the Project, will take relevant actions described in schedule B. <i>(Identify the relevant actions from schedule B in the supporting narrative below.)</i>
	The Recipient or a project partner has not taken actions to consider climate change and environmental justice impacts of the Project and will not take those actions under this award.

2. Supporting Narrative.

Transportation Efficient Land Use & Design

The goal of the Downtown Subarea Plan and this project is to facilitate redevelopment that will create a compact, high-density, mixed-use center served by a multimodal transportation system that prioritizes people-oriented active transportation and transit over the accommodation of private automobiles. This planning study will analyze the feasibility of pedestrian and bicycle improvements that will promote mode shift for future residents choosing to walk, bike, roll, and use transit rather than drive.

Currently, Downtown Lakewood’s transportation network relies on standard traffic signals at all major intersections, which facilitates vehicle engine idling and excess greenhouse gas emissions while vehicles sit and wait. The reassessment study will examine the feasibility of roundabouts to replace many traffic signals, which would be safer, more environmentally sustainable, reduce greenhouse gas emissions and less expensive to maintain. This project will also examine the feasibility of the following possibilities:

- Incorporation of low impact development (LID) principles and standards.
- Permeable surfaces if maintenance equipment and costs are sustainable.
- Low impact development and green stormwater infrastructure.
- Use of native, climate-appropriate, and/or drought tolerant landscaping.
- The feasibility of reclaimed gray water for landscape irrigation needs.
- Stream restoration to improve downstream habitat function and fish passage.

More people living near work, school, shopping, entertainment, recreation, and medical services and destinations, in conjunction with safe and convenient active transportation and transit-supportive facilities will facilitate all the following environmental improvements that support greenhouse gas reduction consistent with federal, state and regional plans. These include:

- Production of fewer short (< 2 mile) vehicle trips
- Higher mode shares for walking, biking, rolling, and riding transit
- Opportunities for bike share and scooter share vendors and one-car families
- Educational opportunities with larger employers and the public to promote walking, biking, rolling, and riding transit instead of driving
- Reduction of overall daily vehicle miles traveled (VMT)

- Reduction of greenhouse gas (GHG) emissions and improvements to overall air quality
- Reductions of water quality impacts from runoff on impervious surfaces
- Fewer collisions and therefore fewer releases of harmful pollutants such as fuels, brake fluids, and antifreeze from damaged vehicles.
- Overall improvements to public health and quality of life in Lakewood

**SCHEDULE I
RACIAL EQUITY AND BARRIERS TO OPPORTUNITY**

1. Efforts to Improve Racial Equity and Reduce Barriers to Opportunity.

The Recipient states that rows marked with “X” in the following table are accurate:

	The Project increases affordable transportation choices. <i>(Describe how in the supporting narrative below.)</i>
X	The Project expands active transportation usage. <i>(Describe how in the supporting narrative below.)</i>
	The Project significantly reduces vehicle dependence. <i>(Describe how in the supporting narrative below.)</i>
	The Project reduces transportation and housing cost burdens by integrating mixed use development and a diversity of housing types (including affordable housing) with multimodal transportation infrastructure. <i>(Describe how in the supporting narrative below.)</i>
	The Project coordinates and integrates land use, affordable housing, and transportation planning to create more livable communities and expand travel choices. <i>(Describe how in the supporting narrative below.)</i>
X	The Project reduces vehicle dependence and improves access to daily destinations, such as jobs, healthcare, grocery stores, schools, places of worship, recreation, or parks, such as by adding new facilities that promote walking or biking. <i>(Describe how in the supporting narrative below.)</i>
	The Project implements transit-oriented development that benefits existing residents and businesses. <i>(Describe how in the supporting narrative below, including a specific description of the benefits to <u>existing</u> residents and businesses.)</i>
	The Project mitigates urban heat islands to protect the health of at-risk residents, outdoor workers, and others. <i>(Describe how in the supporting narrative below.)</i>
	The Project proactively addresses racial equity. <i>(Describe how in the supporting narrative below.)</i>
	The Recipient or a project partner has taken other actions related to the Project to improve racial equity and reduce barriers to opportunity. <i>(Describe those actions in the supporting narrative below.)</i>
	The Recipient or a project partner has not yet taken actions related to the Project to improve racial equity and reduce barriers to opportunity but, before beginning construction of the Project, will take relevant actions described in schedule B. <i>(Identify the relevant actions from schedule B in the supporting narrative below.)</i>
	The Recipient or a project partner has not taken actions related to the Project to improve racial equity and reduce barriers to opportunity and will not take those actions under this award.

2. Supporting Narrative.

Active Transportation & Reduction of Vehicle Dependence

As part of this planning effort, the City will engage with those who need active transportation improvements most to increase their standard of living and reduce vehicle dependence. By improving the multimodal and active transportation networks within and into the Downtown Subarea, the project will provide the ability for residents in tracts 719 and 718 to have safe, affordable access walking, biking, rolling, or riding transit to local jobs, services, and housing, as well as to transit options that can take them to city, county, and regional destinations.

**SCHEDULE J
LABOR AND WORK**

1. Efforts to Support Good-Paying Jobs and Strong Labor Standards

The Recipient states that rows marked with “X” in the following table are accurate:

	The Recipient or a project partner promotes robust job creation by supporting good-paying jobs directly related to the project with free and fair choice to join a union. <i>(Describe robust job creation and identify the good-paying jobs in the supporting narrative below.)</i>
	The Recipient or a project partner will invest in high-quality workforce training programs such as registered apprenticeship programs to recruit, train, and retain skilled workers, and implement policies such as targeted hiring preferences. <i>(Describe the training programs in the supporting narrative below.)</i>
	The Recipient or a project partner implements targeted hiring preferences that will promote the entry and retention of underrepresented populations into those jobs including women, people of color, and people with convictions. <i>(Describe the use of targeted hiring preferences that will promote the entry and retention of underrepresented populations in jobs in the supporting narrative below.)</i>
	The Recipient or a project partner will partner with high-quality workforce development programs with supportive services to help train, place, and retain underrepresented communities in good-paying jobs or registered apprenticeships including through the use of local and economic hiring preferences, linkage agreements with workforce programs that serve underrepresented groups, and proactive plans to prevent harassment. <i>(Describe the supportive services provided to trainees and employees, preferences, and policies in the supporting narrative below.)</i>
	The Recipient or a project partner will partner and engage with local unions or other worker-based organizations in the development and lifecycle of the project, including through evidence of project labor agreements and/or community benefit agreements. <i>(Describe the partnership or engagement with unions and/or other worker-based organizations and agreements in the supporting narrative below.)</i>
X	The Recipient or a project partner will partner with communities or community groups representative of historically underrepresented groups to develop workforce strategies. <i>(Describe the partnership and workforce strategies in the supporting narrative below.)</i>
	The Recipient or a project partner has taken other actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards. <i>(Describe those actions in the supporting narrative below.)</i>
	The Recipient or a project partner has not yet taken actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards but, before beginning construction of the Project, will take relevant actions described in schedule B. <i>(Identify the relevant actions from schedule B in the supporting narrative below.)</i>

The Recipient or a project partner has not taken actions related to the Project to improve good-paying jobs and strong labor standards and will not take those actions under this award.
--

2. Supporting Narrative.

Historically Underrepresented Groups

Lakewood’s Downtown provides local and regional jobs for residents and commuters. The Pierce Transit Center location in the heart of the Lakewood Town Center makes commuting by bus an attractive option, even for those who own a vehicle. Lakewood workers commute from Tacoma (17 percent), Parkland (4.2 percent), South Hill (3.8 percent) and University Place (3.5 percent), all of whom could travel by bus and then walk to work Downtown. The Pierce Transit Center also provides connections with Lakewood’s other neighborhoods as well as regional transportation centers, the Sounder commuter rail, and Seattle-Tacoma International Airport.

A major focus of the Downtown Subarea Plan and this planning effort is to increase the percentage of living wage Lakewood jobs being held by Lakewood residents. Active transportation options in Downtown will attract businesses paying higher wages and improve the quality of life for people who live and work locally, especially low-income residents of Lakewood’s Tracts 719.01 and 718.05, and 718.07. From 2014 - 2021, Lakewood experienced employment growth at about 3.3 percent per year and added 2,157 additional jobs. As part of the community engagement phase of the project, the City will engage historically disadvantaged groups to understand what transportation, climate, environmental, health and safety strategies support accessibility to good paying jobs. A summary of all public engagement activities and documentation of feedback will be included in the final feasibility study. Additionally, it is expected the feasibility study will consider different methods of economic development which may identify needed workforce strategies to expand and retain good paying jobs in the Downtown Subarea Plan.

**SCHEDULE K
CIVIL RIGHTS AND TITLE VI**

1. Recipient Type Designation.

Recipient Type Designation: Existing

Existing Award Program: 20.205; Highway Planning and Construction

2. Title VI Assessment Information.

This section is not applicable because the Recipient Type Designation is “Existing.”

RECIPIENT SIGNATURE PAGE

The Recipient, intending to be legally bound, is signing this agreement on the date stated opposite that party's signature.

Washington State Department of Transportation

_____ By: _____
Date Signature of Recipient's Authorized Representative

Jay Drye, PE

Name

WSDOT Local Programs - Director

Title

DESIGNATED SUBRECIPIENT SIGNATURE PAGE

The Designated Subrecipient, intending to be legally bound, is signing this agreement on the date stated opposite that party's signature.

_____By: _____
Date Signature of Designated Subrecipient's Authorized
Representative

John Caulfield

Name

City Manager

Title

USDOT SIGNATURE PAGE

The USDOT, intending to be legally bound, is signing this agreement on the date stated opposite that party's signature.

UNITED STATES DEPARTMENT OF
TRANSPORTATION

Date

By:

Signature of USDOT's Authorized Representative

Ralph J. Rizzo

Name

FHWA Washington Division Administrator

Title


REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: December 2, 2024	TITLE: American Lake Boat Launch Repair	TYPE OF ACTION: — ORDINANCE NO.
REVIEW: December 2, 2024	ATTACHMENTS: Interlocal Agreement Project Budget Boat launch pictures	— RESOLUTION NO. — MOTION NO. 2024-84 — OTHER

SUBMITTED BY: Mary Dodsworth, Parks, Recreation and Community Services Director

RECOMMENDATION: It is recommended that the City Council authorize the City Manager to execute an interlocal agreement with the Washington State Department of Fish and Wildlife (WSDFW) to repair the boat launch at American Lake Park and authorize expenditures not to exceed \$90,000 for contract, permitting and other costs associated with this project.

DISCUSSION: Lake levels in Washington state can fluctuate due to a number of factors, including climate change, snowpack and precipitation. In October, the City closed two of the three launches at American Lake Park due to exceptional low water levels and impacts from damaged launches. The City received reports of dropping off the end of the launch or damage to vehicles or trailers from launching boats at this site. The best time to do the repairs is while the water levels are low. We have worked with Dept of Fish and Wildlife to support the repairs. They have a boat launch team based at their Lacey shop where they also fabricate the ramp panels. These are the same teams and types of products that were used to repair the Edgewater Launch and rebuild the American Lake launch in 2008-2009. Having local teams and resources reduces the cost of repairing the launch.

Mary Dodsworth Prepared by	 City Manager Review
Department Director	

Discussion Continued: Here is a summary of what we plan to do at this site:

- Add large boulders at the end of the ramp bed to help hold the smaller rock material in place.
- Replace the damaged planks and slide new planks back into place.
- Replace the damaged/missing blocks between the planks.
- Attach an articulating mat to the end of the planks. This will cover the rock material at the end of the ramp and help hold it in place. It will also act as a smoother transition if people back their trailers off the end of the ramp making it easier to pull the trailer back onto the planks.
- Add signage along the moorage docks to let people know when they are approaching the end of the boat ramp (especially helpful when the water levels are low).

Our window of opportunity is very tight. We are working with all the various permitting agencies to approve this emergency work and the WSDFW team has time in December and early January to support this repair work.

ALTERNATIVE(S): Delay the repairs until 2025 or beyond. Although we could request permit extensions, a delay would increase repair costs associated with working in higher water levels and rescheduling DFW teams or obtaining new contractors. For risk management purposes, we would need to keep at least two or all three launch lanes closed to prevent further damage to the launch, vehicles, or trailers. Closures could remain for up to 11 months. Since Camp Murray is the only other public launch onto American Lake, this would create access challenges for boaters and reduce revenue generated at the boat launch.

FISCAL IMPACT: Funds not to exceed \$90,000 from year end general fund savings. Funding for this project will be included in 2025 midyear budget adjustments.

American Lake Boat Launch Repairs	
Funding Summary	
Revenue Source	Total
City Funds	\$89,064
Total	\$89,064
Project Cost Summary	
Scope/Task	Total
Construction Subtotal	\$73,080
Additional Supplies/ Services (divers)	\$4,000
Permitting / inspections	\$1,000
Sub total	\$78,080
10.1% WSST	\$7,886
5% Contingency	\$3,904
Project Total Costs	\$89,870

**INTERLOCAL AGREEMENT
BETWEEN
CITY OF LAKEWOOD
AND
THE WASHINGTON DEPARTMENT OF FISH AND WILDLIFE**

THIS INTERLOCAL AGREEMENT is made and entered into, pursuant to the Interlocal Cooperation Act, Chapter 39.34 of the Revised Code of Washington, on the 2nd day of December, 2024, by and between the CITY OF LAKEWOOD, a municipal corporation of the State of Washington (hereinafter referred to as the "City"), and the Washington State Department of Fish and Wildlife, (hereinafter referred to as the "WDFW"),

PURPOSE: It is the purpose of this Agreement to provide the labor, supplies, materials and support to repair a boat launch on City of Lakewood property at American Lake Park, located in Lakewood, Washington.

THEREFORE, IT IS MUTUALLY AGREED THAT:

STATEMENT OF WORK

The WDFW shall furnish the necessary personnel, equipment, material and/or services and otherwise do all things necessary for or incidental to the performance of work set forth in the Project "98" Estimate marked as Attachment "A" attached hereto and incorporated herein.

The City shall furnish the necessary plans, specifications, permits and otherwise do all things necessary to enable the WDFW to perform the work set forth in the Project "98" Estimate marked as Attachment "A" attached hereto and incorporated herein.

PERIOD OF PERFORMANCE

Subject to its other provisions, the period of performance of this Agreement shall commence on December 9, 2024 and be completed by January 31, 2025, unless terminated sooner as provided herein.

PAYMENT

Compensation for the WDFW work provided in accordance with this agreement has been established under the terms of RCW 39.34.130. The parties have estimated that the cost of accomplishing the work herein will not exceed \$ 100,000.00 Payment for satisfactory performance of work shall not exceed this amount unless the parties mutually agree to a higher amount prior to the commencement of any work, which will cause the maximum payment to be exceeded. Compensation for services shall be based on the following rates and in accordance with the following terms, or as set forth in accordance with the budget in Attachment "A" which is attached hereto and incorporated herein.

WDFW shall submit invoices monthly. Payment to WDFW for approved and completed work will be made by warrant or account transfer by the City within 30 days of receipt of the invoice. Upon expiration of the contract, any claim for payment not already made shall be submitted within 30 days after the expiration date or the end of the fiscal year, whichever is earlier.

INSURANCE

The WDFW is part of the State of Washington and protected by the State's self-insurance liability program as provided by RCW 4.92.130. WDFW and CITY have entered into an agreement to provide the services described herein.

INDEMNIFICATION AND HOLD HARMLESS

To the extent authorized by law, the Parties shall protect, defend, indemnify, and hold harmless each other and their employees and authorized agents, while acting within the scope of their employment as such, from any and all costs, claims, judgments, and/or awards of damages (both to persons and/or property), arising out of, or in any way resulting from, the Work to be performed or performed pursuant to the provisions of this Agreement. The Parties shall not be required to indemnify, defend, or save harmless the other Party if the claim, suit, or action for injuries, death, or damages (both to persons and/or property) is caused by the sole negligence of the other Party; provided that, if such claims, suits, or actions result from the concurrent negligence of (a) the City, its employees or authorized agents, and (b) WSDOT, its employees or authorized agents, or involves those actions covered by RCW 4.24.115, the indemnity provisions provided herein shall be valid and enforceable only to the extent of each Party's, its employees', and/or authorized agents' own negligence.

The City agrees that its obligations under this section extend to any claim, demand and/or cause of action brought by, or on behalf of, any of its employees or agents while performing construction, operation, and/or maintenance of the project. For this purpose, the City, by mutual negotiation, hereby waives, with respect to the state only, any immunity that would otherwise be available to it against such claims under the industrial insurance provisions in Chapter 51.12 RCW.

The terms of section shall survive the termination of this Agreement.

COMPLIANCE WITH REGULATIONS AND LAWS

The parties shall comply with all applicable rules and regulations pertaining to them in connection with the matters covered herein.

TERMINATION

Either party may terminate this Agreement upon 30 days prior written notification to the other party. If this Agreement is so terminated, the terminating party shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement rendered prior to the effective date of termination.

TERMINATION FOR CAUSE

If for any cause, either party does not fulfill in a timely and proper manner its obligations under this Agreement, or if either party violates any of these terms and conditions, the aggrieved party will give the other party written notice of such failure or violation. The responsible party will be given the opportunity to correct the violation or failure within 15 working days. If the failure or violation is not corrected, this Agreement may be terminated immediately by written notice of the aggrieved party to the other.

DISPUTES

In the event that a dispute arises under this Agreement, it shall be determined by a dispute board in the following manner: Each party to this agreement shall appoint a member to the dispute board. The members so appointed shall jointly appoint an additional member to the dispute board. The dispute board shall evaluate the facts, contract terms and applicable statutes and rules and make a determination of the dispute. The determination of the dispute board shall be final and binding on the parties hereto.

ASSIGNMENT

(a) The parties shall not assign this Agreement or any interest, obligation or duty therein without the express written consent of the other party.

ATTORNEYS' FEES

If either party shall be required to bring any action to enforce any provision of this Agreement, or shall be required to defend any action brought by the other party with respect to this Agreement, and in the further event that one party shall substantially prevail in such action, the losing party shall, in addition to all other payments required therein, pay all of the prevailing party's reasonable costs in connection with such action, including such sums as the court or courts may adjudge reasonable as attorney's fees in the trial court and in any appellate courts.

NOTICES

All notices and payments hereunder may be delivered or mailed. If mailed, they shall be sent to the following respective addresses:

To the City:
City of Lakewood
6000 Main Street SW
Lakewood, WA 98499
Attn: Parks and Recreation Director
Phone:(253) 589-2489

To the WDFW:
Department of Fish and Wildlife
600 Capitol Way North
OLYMPIA WA 98501-1091
Attn :Daniel Talbot
Phone: 360-902-2200

Or to such other respective addresses as either party hereto may hereafter from time to time designate in writing. All notices and payments mailed by regular post (including first class) shall be deemed to have been given on the second business day following the date of mailing, if properly mailed and addressed. Notices and payments sent by certified or registered mail shall be deemed to have been given on the day next following the date of mailing, if properly mailed and addressed. For all types of mail, the postmark affixed by the United States Postal Service shall be conclusive evidence of the date of mailing.

NONDISCRIMINATION

Each of the parties, for itself, its heirs, personal representatives, successors in interest, and assigns, as

a part of the consideration hereof, does hereby covenant and agree that it will comply with pertinent statutes, Executive Orders and such rules as are promulgated to assure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or the presence of any sensory, mental or physical handicap be discriminated against or receive discriminatory treatment by reason thereof.

MISCELLANEOUS

- A. All of the covenants, conditions and agreements in this Agreement shall extend to and bind the legal successors and assigns of the parties hereto.
- B. This Agreement shall be deemed to be made and construed in accordance with the laws of the State of Washington. Jurisdiction and venue for any action arising out of this Agreement shall be in Pierce County, Washington.
- C. The captions in this Agreement are for convenience only and do not in any way limit or amplify the provisions of this Agreement.
- D. Unless otherwise specifically provided herein, no separate legal entity is created hereby, as each of the parties is contracting in its capacity as a governmental entity of the State of Washington. The identity of the parties hereto is as set forth hereinabove.
- E. The purpose of this Agreement is to accomplish the objectives of this Agreement.
- F. The funding of the respective obligations of the parties shall be out of the respective general funds/current expenses of the parties, except as otherwise specifically provided.
- G. The performances of the duties of the parties provided hereby shall be done in accordance with standard operating procedures and customary practices of the parties.
- H. Unless a joint oversight and administration board is created as provided herein, the oversight and administration of the Agreement shall be by the respective named representatives identified in the Notices section above, or their designees.
- I. No provision of this Agreement shall relieve either party of its public agency obligations and/or responsibilities imposed by law.
- J. If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be held to be invalid or unenforceable by a final decision of any court having jurisdiction on the matter, the remainder of this Agreement or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby and shall continue in full force and effect, unless such court determines that such invalidity or unenforceability materially interferes with or defeats the purposes hereof, at which time the City shall have the right to terminate the Agreement.
- K. This Agreement constitutes the entire agreement between the parties. There are no terms, obligations, covenants or conditions other than those contained herein. No modifications or amendments of this Agreement shall be valid or effective unless evidenced by an agreement in writing signed by both parties.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first above written.

**STATE OF WASHINGTON
DEPARTMENT OF FISH & WILDLIFE**

CITY OF LAKEWOOD

By: _____

By: _____
John Caulfield
City Manager

Attest: _____

Briana Schumacher
City Clerk

Heidi Wachter
Lakewood City Attorney

PROJECT "98" ESTIMATE

Start Date: _____ thru: _____		Work Order: _____	
Project Name: American Lake Boat Ramp		Business line: _____	
Signature Auth: _____		Customer Number: _____	
LABOR PERSONNEL		HRS.	LABOR RATE
		TOTAL	
Const & Maint Supv	120	\$86.29	\$10,354.80
Const & Maint Lead	120	\$81.26	\$9,751.20
Maint Mech II	120	\$72.54	\$8,704.80
Maint Mech II	120	\$72.54	\$8,704.80
N/A		\$0.00	\$0.00
N/A		\$0.00	\$0.00
N/A		\$0.00	\$0.00
PER DIEM RATE PERSONNEL		No. DAYS	LABOR-TOTAL
		AMOUNT	
		TOTAL	
Const & Maint Supv		\$79.00	\$0.00
Const & Maint Lead		\$79.00	\$0.00
Maint Mech II		\$79.00	\$0.00
Maint Mech II		\$79.00	\$0.00
N/A		\$0.00	\$0.00
N/A		\$0.00	\$0.00
N/A		\$0.00	\$0.00
Enter County			\$0.00
N/A			
LODGING PERSONNEL		No. NIGHTS	PER DIEM-TOTAL
		RATE	
		TOTAL	
Const & Maint Supv		\$176.00	\$0.00
Const & Maint Lead		\$176.00	\$0.00
Maint Mech II		\$176.00	\$0.00
Maint Mech II		\$176.00	\$0.00
			\$0.00
			\$0.00
			\$0.00
Enter Hotel			\$0.00
EQUIPMENT LICENSE		HRS / MILES	LODGING-TOTAL
		RATE	
		TOTAL	
24514E Ford PU	500	\$1.32	\$660.00
19393E Ford Serv	500	\$1.23	\$615.00
27726E FL Dump	500	\$2.67	\$1,335.00
28935E Trailer	8	\$85.00	\$680.00
15924E Trailer Cargo 2Ax	12	\$32.50	\$390.00
19314E Kenw Dump	500	\$2.67	\$1,335.00
32519E A/C Tri (AIRMAN)	4	\$278.00	\$1,112.00
NONE		\$0.00	\$0.00
NONE		\$0.00	\$0.00
NONE		\$0.00	\$0.00
NONE		\$0.00	\$0.00
NONE		\$0.00	\$0.00
MATERIALS VENDORS		ITEM	EQUIPMENT - TOTAL
		INVOICE #	
		TOTAL	
NC Machinery	Cat 308 Excavator		\$5,000.00
NC Machinery	Gradeall Forklift		\$4,000.00
Gilliardi	Quarry Spalls (36 Ton)	\$22.00 Per Ton	\$792.00
Gilliardi	1 1/4" Clean (12 Ton)	\$14.00 Per Ton	\$168.00
WDFW	(6) Planks		\$4,800.00
Fastenal	Cable/Crimps/Washers		\$500.00
McDowell Pile King	(12) MR-4 Manta-Rays		\$960.00
Ferguson	Fabric		\$100.00
Basalite	Articulated Concrete Blocks		\$3,384.75
WDFW	Silt Curtain		\$200.00
		MATERIAL TOTAL	\$19,904.75
		15%	\$9,532.10
		GRAND TOTAL	\$73,079.45

American Lake Boat Launch Existing Conditions



Connection between the launch panels is called an articulated mat which means the brick material will be removed/replaced/secured with cable and covered with fill material to create a flush and stable system.



You can see the cables that keep the bricks connected are damaged which allows the bricks and fill material to move/migrate.



Connection between the launch panels is called an articulated mat which means the brick material will be removed/replaced/secured with cable and covered with fill material to create a flush and stable system.



There is a drop off at the end of the launch and the material has migrated. Cracked concrete panels will be replaced and an 8 ft wide articulated mat the length of the launch area will be installed to provide more distance to launch during low water times.

**The pictures were taken late in summer 2024 when water levels were higher.*

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: December 2, 2024	TITLE: A Motion Authorizing a contract agreement with Camino to upgrade the permitting system and supporting development guide and application portal.	TYPE OF ACTION: <input type="checkbox"/> ORDINANCE NO. <input type="checkbox"/> RESOLUTION NO. <input checked="" type="checkbox"/> MOTION NO. 2024-85
REVIEW:	ATTACHMENTS: Professional Service Contract	<input type="checkbox"/> OTHER

SUBMITTED BY: Angie Silva, Assistant Director, Planning & Public Works (PPW)

RECOMMENDATION: It is recommended City Council adopt this Motion.


DISCUSSION: Through a competitive selection process, the city has selected Camino permitting software to replace the existing system. This permit system upgrade includes but not limited to:

- **Customer experience.** 24/7/365 online development guide to assist the public on feasibility questions, application requirements and estimated fees.
- **Transparency.** User friendly online application portal to ensure required documents are and fees paid for application completeness as well as real-time status of their application during review. This public portal will also assist customers following permit approval in scheduling required inspections.
- **Flexibility.** Customizable internal review workflows to ensure compliance with codes, review timelines, etc. Workflows can be adjusted easily in-house and allows staff to make improvements overtime using lean principles and address changing demands.
- **Integrations.** GIS integration such as zoning, critical areas, etc as part of development guide, application portal and review. Also incorporates email/Outlook by centralizing communications related to applications.
- **Reduced IT reliance.** Secured cloud-based data storage system which in return reduces city server needs, permit system upgrades and associated costs.
- **Reporting & Analytics.** Customizable performance reporting to meet 2SSB 5290, as well other workload, performance and financial analytics.
- **Training & Support.** 24/7/365 training resources and support for staff.

This permit system upgrade including one-time implementation expenses and at least the first year of subscription fees is covered by a Commerce grant. The grant concludes June 15, 2025. Ongoing, annual subscription fees beyond 2025 would be recovered through the city's permit technology fee.

ALTERNATIVE(S): The Council could take no action on the Motion.

FISCAL IMPACT: The total cost includes \$30,000 in one-time implementation fees, as well as \$69,000 annual subscription fee.

Prepared by Angie Silva, PPW Assistant Director	City Manager Review 
Department Director Jeff Rimack	

PROFESSIONAL SERVICES AGREEMENT

FOR

Camino Permitting System

This Professional Services Agreement ("Agreement"), made and entered into this 2nd day of December, 2024, by and between the City of Lakewood, a Washington municipal corporation ("City"), and Camino by Clariti, ("Contractor"). The City and Contractor (together "Parties") are located and do business at the below addresses which shall be valid for any notice required under this Agreement:

Camino Technologies by Clariti ATTN: David Marshall 2261 Market Street #4302 San Francisco, CA 94114 Email: david.marshall@claritisoftware.com Tel: 617-594-8000	CITY OF LAKEWOOD: Planning & Public Works ATTN: Angie Silva, Assistant Director 6000 Main St SW Lakewood, WA 98499-5027 Email: asilva@cityoflakewood.us Tel: 253-983-7839
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The Parties agree as follows:

1. **TERM.** The term of this Agreement shall commence upon the effective date of this Agreement, which shall be the date of mutual execution, and shall continue until the completion of the Work (as defined in Exhibit "A"), but in any event no later than thirty-six (36) months, which initial term may be subject to renewal pursuant to mutual agreement in writing by the Parties describing any additional terms related thereto("Term"). This Agreement may be extended for additional periods of time upon the mutual written agreement of the City and the Contractor.

2. **SERVICES.** The Contractor shall perform the services more specifically described in Exhibit "A", attached hereto and incorporated by this reference ("Services"), including the Work defined therein which Work shall be completed in a manner consistent with the accepted professional practices for other similar services within the Puget Sound region in effect at the time such Work Services are performed, performed to the City's reasonable satisfaction, within the agreed time period, and pursuant to the direction of the City Manager or his or her designee. The Contractor warrants that it has the requisite training, skill, and experience necessary to provide such Work and is appropriately accredited and licensed by all applicable agencies and governmental entities, including but not limited to obtaining any applicable City of Lakewood business license. Applicable Services shall begin immediately upon the effective date of this Agreement. Work shall be subject, at all

times, to inspection by and approval of the City, but the making (or failure or delay in making) such inspection or approval shall not relieve Contractor of responsibility for performance of the same in accordance with this Agreement.

3. TERMINATION. Either party may terminate this Agreement, with or without cause, upon providing the other party 120 days written notice at its address set forth above. The City may terminate this Agreement immediately if the Contractor fails to maintain required insurance policies, breaches confidentiality, or materially violates Section 12 and does not cure any such failure, breach, or violation within thirty (30) days of notice thereof; and such may result in ineligibility for further City agreements.

4. COMPENSATION.

4.1 Amount. In return for the Services, the City shall pay the Contractor an amount not to exceed a maximum amount and according to a rate or method as delineated in Exhibit "B", attached hereto and incorporated by this reference. The Contractor agrees that any hourly or flat rate charged by it for its services contracted for herein shall to the extent described in Exhibit "B", remain locked at the negotiated rate(s) for the Term. Except as otherwise provided in Exhibit "B", the Contractor shall be solely responsible for the payment of any taxes imposed by any lawful jurisdiction as a result of the performance and payment of this Agreement.

4.2 Method of Payment. On a monthly basis, the Contractor shall submit an invoice, including a description of what Services have been performed, the name of the personnel performing such Services, and any hourly labor charge rate for such personnel. The Contractor shall also submit a final bill upon completion of all Services. Payment shall be made on a monthly basis by the City only after the Work has been performed and within thirty (30) days after receipt and approval by the appropriate City representative of the invoice. If the Work does not meet the requirements of this Agreement, the Contractor will correct or modify the work to comply with the Agreement. Provided City has provided written notice of dispute thereof within 10 days of receipt of any applicable invoice, the City may withhold payment for such work until the work meets the requirements of the Agreement.

4.3 Non-Appropriation of Funds. If sufficient funds are not appropriated for payment under this Agreement for any future fiscal period, the City will not be obligated to make payments for Services or amounts incurred after the end of the current fiscal period, and this Agreement will terminate with thirty (30) days written notice and upon the completion of all remaining Services for which funds are appropriated. No penalty or expense shall accrue to the City in the event this provision applies.

5. INDEMNIFICATION.

5.1 Contractor Indemnification. Contractor shall defend, indemnify and hold the Public Entity, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of the Contractor in performance of the Work under this Agreement, except for injuries and damages caused by the sole negligence of the Public Entity.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Contractor and the Public Entity, its officers, officials, employees, and volunteers, the Contractor's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Contractor's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Contractor's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

1.1 Industrial Insurance Act Waiver. It is specifically and expressly understood that the Contractor waives any immunity that may be granted to it under the Washington State industrial insurance act, Title 51 RCW, solely for the purposes of this indemnification. Contractor's indemnification shall not be limited in any way by any limitation on the amount of damages, compensation or benefits payable to or by any third party under workers' compensation acts, disability benefit acts or any other benefits acts or programs. The Parties acknowledge that they have mutually negotiated this waiver.

Survival. The provisions of this Section shall survive the expiration or termination of this Agreement with respect to any event occurring prior to such expiration or termination.

6. INSURANCE. The Contractor shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the Work hereunder by the Contractor, its agents, representatives, or employees.

6.1. No Limitation. Contractor's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the Contractor to the coverage provided by such insurance, or otherwise limit the Public Entity's recourse to any remedy available at law or in equity.

6.2. Minimum Scope of Insurance. Contractor shall obtain insurance of the types and coverage described below:

a. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.

b. Commercial General Liability insurance shall be at least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop-gap independent contractors and personal injury and advertising injury. The Public Entity shall be named as an additional insured under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the Public Entity using an additional insured endorsement at least as broad as ISO CG 20 26.

c. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

d. Professional Liability insurance appropriate to the Contractor's profession.

6.3. Minimum Amounts of Insurance. Contractor shall maintain the following insurance limits:

a. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.

b. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.

c. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

6.4 Other Insurance Provision. The Contractor's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain that they shall be primary insurance as respect the Public Entity. Any Insurance, self-insurance, or self-insured pool coverage maintained by the Public Entity shall be excess of the Contractor's insurance and shall not contribute with it.

6.5 Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

6.6 Verification of Coverage. Contractor shall furnish the Public Entity with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Contractor before commencement of the work.

6.7 Notice of Cancellation. The Contractor shall provide the Public Entity with written notice of any policy cancellation within two business days of their receipt of such notice.

6.8 Failure to Maintain Insurance. Failure on the part of the Contractor to maintain the insurance as required shall constitute a material breach of contract, upon which the Public Entity may, after giving five business days' notice to the Contractor to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the Public Entity on demand, or at the sole discretion of the Public Entity, offset against funds due the Contractor from the Public Entity.

6.9 Public Entity Full Availability of Contractor Limits. If the Contractor maintains higher insurance limits than the minimums shown above, the Public Entity shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Contractor, irrespective of whether such limits maintained by the Contractor are greater than those required by this contract or whether any certificate of insurance furnished to the Public Entity evidences limits of liability lower than those maintained by the Contractor.

6.10 Survival. The provisions of this Section shall survive the expiration or termination of this Agreement.

7. WORK PRODUCT. All originals and copies of work product, including plans, sketches, layouts, designs, design specifications, records, files, computer disks, magnetic media or material which may be produced or modified by Contractor while performing the Work shall belong to the City upon delivery. The Contractor shall make such data, documents, and files available to the City and shall deliver all needed or contracted for work product upon the City's request. At the expiration or termination of this Agreement, all originals and copies of any such work product remaining in the possession of Contractor shall be delivered to the City. This provision shall only apply to Work as and to the extent expressly defined herein. For certainty, Contractor is and will remain the sole and exclusive owner of, and retains all intellectual property rights in the Camino Solution including, without limitation any updates, modifications, customizations or derivative works thereof. Except for the rights and licenses expressly granted in this Agreement, neither party grants to the other party any intellectual property rights under this Agreement, and all such rights, title and interests are hereby retained and reserved.

8. BOOKS AND RECORDS. The Contractor agrees to maintain books, records, and documents which sufficiently and properly reflect all direct and indirect costs related to the performance of the Work and maintain such accounting procedures and practices as

may be reasonably necessary to assure the City of proper accounting of all funds paid pursuant to this Agreement. These records shall be subject, at all reasonable times during Contractor's business hours, upon 30 days prior written notice, not more than once (1) per year during the Term, to inspection, review or audit by the City, its authorized representative, the State Auditor, or other governmental officials authorized by law to monitor this Agreement.

9. INDEPENDENT CONTRACTOR. The Parties intend that the Contractor shall be an independent contractor and that the Contractor has the ability to control and direct the performance and details of its work, the City being interested only in the results obtained under this Agreement. The City shall be neither liable nor obligated to pay Contractor sick leave, vacation pay or any other benefit of employment, nor to pay any social security or other tax which may arise as an incident of employment. Contractor shall take all necessary precautions and shall be responsible for the safety of its employees, agents, and subcontractors in the performance of the contract work and shall utilize all protection necessary for that purpose. All work shall be done at Contractor's own risk, and Contractor shall be responsible for any loss of or damage to materials, tools, or other articles used or held for use in connection with the work. The Contractor shall pay all income and other taxes due except as specifically provided in Section 4. Industrial or any other insurance that is purchased for the benefit of the City, regardless of whether such may provide a secondary or incidental benefit to the Contractor, shall not be deemed to convert this Agreement to an employment contract. If the Contractor is a sole proprietorship or if this Agreement is with an individual, the Contractor agrees to notify the City and complete any required form if the Contractor retired under a State of Washington retirement system and agrees to indemnify any losses the City may sustain through the Contractor's failure to do so.

10. CONFLICT OF INTEREST. It is recognized that Contractor may or will be performing professional services during the Term for other parties; however, such performance of other services shall not conflict with or interfere with Contractor's ability to perform the Services. To the extent reasonably practicable, Contractor agrees to resolve any such conflicts of interest in favor of the City. Contractor confirms that Contractor does not have a business interest or a close family relationship with any City officer or employee who was, is, or will be involved in the Contractor's selection, negotiation, drafting, signing, administration, or evaluating the Contractor's performance.

11. EQUAL OPPORTUNITY EMPLOYER. In all services, programs, activities, hiring, and employment made possible by or resulting from this Agreement or any subcontract, there shall be no discrimination by Contractor or its subcontractors of any level, or any of those

entities' employees, agents, subcontractors, or representatives against any person because of sex, age (except minimum age and retirement provisions), race, color, religion, creed, national origin, marital status, or the presence of any disability, including sensory, mental or physical handicaps, unless based upon a bona fide occupational qualification in relationship to hiring and employment. This requirement shall apply, but not be limited to the following: employment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. Contractor shall comply with and shall not violate any of the terms of Chapter 49.60 RCW, Title VI of the Civil Rights Act of 1964, the Americans With Disabilities Act, Section 504 of the Rehabilitation Act of 1973, 49 CFR Part 21, 21.5 and 26, or any other applicable federal, state, or local law or regulation regarding non-discrimination.

12. GENERAL PROVISIONS.

12.1 Interpretation and Modification. This Agreement, together with any attached Exhibits, contains all of the agreements of the Parties with respect to any matter covered or mentioned in this Agreement and no prior statements or agreements, whether oral or written, shall be effective for any purpose. Should any language in any Exhibits to this Agreement conflict with any language in this Agreement with respect to the Work, the terms of this Agreement shall prevail. The respective captions of the Sections of this Agreement are inserted for convenience of reference only and shall not be deemed to modify or otherwise affect any of the provisions of this Agreement. Any provision of this Agreement that is declared invalid, inoperative, null and void, or illegal shall in no way affect or invalidate any other provision hereof and such other provisions shall remain in full force and effect. Any act done by either Party prior to the effective date of the Agreement that is consistent with the authority of the Agreement and compliant with the terms of the Agreement, is hereby ratified as having been performed under the Agreement. No provision of this Agreement, including this provision, may be amended, waived, or modified except by written agreement signed by duly authorized representatives of the Parties.

12.2 Assignment and Beneficiaries. Neither the Contractor nor the City shall have the right to transfer or assign, in whole or in part, any or all of its obligations and rights hereunder without the prior written consent of the other Party. If the non-assigning party gives its consent to any assignment, the terms of this Agreement shall continue in full force and effect and no further assignment shall be made without additional written consent. Subject to the foregoing, the rights and obligations of the Parties shall inure to the benefit of and be binding upon their respective successors in interest, heirs and assigns. This Agreement is made and entered into for the sole protection and benefit of the Parties

hereto. No other person or entity shall have any right of action or interest in this Agreement based on any provision set forth herein.

12.3 Compliance with Laws. The Contractor shall comply with and perform the Services in accordance with all applicable federal, state, local, and city laws including, without limitation, all City codes, ordinances, resolutions, regulations, rules, standards and policies, as now existing or hereafter amended, adopted, or made effective.

12.4 Contractor's Employees – Employment Eligibility Requirements. Contractor and any subcontractors shall comply with E-Verify as set forth in Lakewood Municipal Code Chapter 1.42. E-Verify is an Internet-based system operated by United States Citizenship and Immigration Services in partnership with the Social Security Administration. E-Verify is free to employers and is available in all 50 states. E-Verify provides an automated link to federal databases to help employers determine employment eligibility of new hires and the validity of their Social Security numbers. The Contractor shall enroll in, participate in and document use of E-Verify for each employee directly completing the Work as a condition of the award of this contract. The Contractor shall continue participation in E-Verify throughout the course of the Contractor's contractual relationship with the City. If the Contractor uses or employs any subcontractor in the performance of Work under this contract, or any subsequent renewals, modifications or extension of this contract, the subcontractor shall register in and participate in E-Verify and certify such participation to the Contractor. The Contractor shall show proof of compliance with this section, and/or proof of subcontractor compliance with this section, within three (3) working days of the date of the City's request for such proof.

12.5 Contractor's Employees - Department of Retirement Systems (DRS) Retiree Return to Work Verification Process. The City's obligation to comply with DRS Retiree Return to Work Verification Process extends to Independent Contractors and Third Party Workers. The Contractor hereby certifies that no one who will be providing service to the City of Lakewood has retired under a DRS system.

12.6 Enforcement. Time is of the essence of this Agreement and each and all of its provisions in which performance is a factor. Adherence to completion dates set forth in the description of the Services is essential to the Contractor's performance of this Agreement. Any notices required to be given by the Parties shall be delivered at the addresses set forth at the beginning of this Agreement. Any notices may be delivered personally to the addressee of the notice or may be deposited in the United States mail, postage prepaid, to the address set forth above. Any notice so posted in the United States mail shall be deemed received three (3) days after the date of mailing. Any remedies provided for under the terms of this Agreement are not intended to be exclusive, but shall be cumulative with

all other remedies available to the City at law, in equity or by statute. The failure of a Party to insist upon strict performance of any of the covenants and agreements contained in this Agreement, or to exercise any option conferred by this Agreement in one or more instances shall not be construed to be a waiver or relinquishment of those covenants, agreements or options, and the same shall be and remain in full force and effect. Failure or delay of a Party to declare any breach or default immediately upon occurrence shall not waive such breach or default. Failure of a Party to declare one breach or default does not act as a waiver of such Party's right to declare another breach or default. This Agreement shall be made in, governed by, and interpreted in accordance with the laws of the State of Washington. If the Parties are unable to settle any dispute, difference or claim arising from this Agreement, the exclusive means of resolving that dispute, difference, or claim, shall be by filing suit under the venue, rules and jurisdiction of the Pierce County Superior Court, Pierce County, Washington, unless the parties agree in writing to an alternative process.

If the Pierce County Superior Court does not have jurisdiction over such as suit, then suit may be filed in any other appropriate court in Pierce County, Washington. Each party consents to the personal jurisdiction of the state and federal courts in Pierce County, Washington and waives an objection that such courts are an inconvenient forum. If either Party brings any claim or lawsuit arising from this Agreement, each party shall pay all its legal costs and attorney's fees and expenses incurred in defending or bringing such claim or lawsuit, including all appeals, in addition to any other recovery or award provided by law; provided, however, nothing in this paragraph shall be construed to limit the Parties' rights to indemnification under Section 5 of this Agreement.

12.7 Execution. Each individual executing this Agreement on behalf of the City and Contractor represents and warrants that such individual is duly authorized to execute and deliver this Agreement. This Agreement may be executed in any number of counterparts (including electronic counterparts), each of which shall be deemed an original and with the same effect as if all Parties hereto had signed the same document. All such counterparts shall be construed together and shall constitute one instrument, but in making proof hereof it shall only be necessary to produce one such counterpart. The signature and acknowledgment pages from such counterparts may be assembled together to form a single instrument comprised of all pages of this Agreement and a complete set of all signature and acknowledgment pages. The date upon which the last of all of the Parties have executed a counterpart of this Agreement shall be the "date of mutual execution" hereof.

IN WITNESS, the Parties hereto have caused this agreement to be executed the day and year first above written.

Date: _____

Date: _____

CITY OF LAKEWOOD

CAMINO

John J. Caulfield, City Manager

ATTEST:

Briana Schumacher, City Clerk

Approved as to form:

Heidi Ann Wachter, City Attorney

EXHIBIT “A”

SERVICES

Provide a complete description of any services that the Contractor will render including any limitations or requirements, special methods, and any instructions on how to do the services, reports or track the services.

1. The Contractor shall use commercially reasonable efforts to do or provide the following (collectively, the “Services”):
 - a. Contractor’s standard implementation services and any applicable training with respect thereto, which includes the one time set up of the Camino Solution and the migration of historical data (collectively, the “Work”); and
 - b. Access to and use of the Camino Permit, Licensing and Code Enforcement System software solution as more particularly described in the Contractor’s proposal to the City (collectively, the “Camino Solution”) by way of a limited, revocable, non-exclusive, non-transferable, non-sub-licensable right to access and use the Camino Solution during the Term for City’s internal business purposes through its authorized representatives with a valid and subsisting account and username and password issued by or on behalf of Contractor.
2. The City will not, nor will it allow any user to, directly or indirectly: (a) copy, modify or create derivative works or improvements of the Services; (b) rent, lease, lend, sell, sublicense, assign, distribute, publish, transfer or otherwise make available the Services to any person; (c) reverse engineer, disassemble, decompile, decode, adapt or otherwise attempt to derive or gain access to the source code of the Services or any part thereof; (d) bypass or breach any security measures used by the Services; (e) input, upload, transmit or otherwise provide to or through the Services any information or materials that are unlawful or injurious, or contain, transmit or activate any virus, trojan horse, worm, backdoor, malware or other malicious computer code; (f) transmit, or otherwise export the Services or underlying information or technology; (g) damage, destroy, disrupt, disable, impair, interfere with or otherwise impede or harm in any manner the Services; (h) remove, delete, alter or obscure any trade-marks, specifications, warranties or disclaimers, or any copyright, trade-mark, patent or other intellectual property or proprietary rights notices from the Services; (i) provide any usernames, passwords or other information which would permit access to the Services to any person who does not have authorized access from Contractor; (j) use the Services other than in

compliance with all applicable laws and regulations (including, but not limited to, any export restrictions or spam compliance laws); (k) to interfere with or disrupt the integrity or performance of the Services or the data contained therein; or (l) otherwise access or use the Services beyond the scope of the authorization expressly granted in this Agreement. The Parties acknowledge and agree that City shall be responsible for obtaining and maintaining the City information technology infrastructure used by or on behalf of Contractor in performing the Services, including all computers, software, hardware, databases, electronic systems and networks and any other equipment and other services needed to connect to, access or otherwise use the Services and City shall also be responsible for (a) ensuring that such equipment is compatible with the Services, (b) maintaining the security of such equipment, user accounts, passwords and files, and (c) for all uses of City user accounts with or without City's knowledge or consent.

3. EXCEPT FOR THE EXPRESS REPRESENTATIONS AND WARRANTIES PROVIDED IN THIS AGREEMENT, THE SERVICES ARE PROVIDED "AS-IS", AND CONTRACTOR HEREBY DISCLAIMS ANY AND ALL GUARANTEES, REPRESENTATIONS, CONDITIONS AND WARRANTIES REGARDING THE SERVICES, WHETHER IMPLIED OR STATUTORY, ORAL OR OTHERWISE, ARISING UNDER ANY LAW OR OTHERWISE, INCLUDING INTER ALIA FITNESS FOR A PARTICULAR PURPOSE OR MERCHANTABILITY. IN ADDITION, NOTWITHSTANDING ANYTHING IN THIS AGREEMENT, CONTRACTOR SHALL NOT BE LIABLE FOR ANY INDIRECT, PUNITIVE, SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES ARISING OUT OF THIS AGREEMENT AND IN ANY EVENT, CONTRACTOR'S MAXIMUM LIABILITY TO THE CITY UNDER THIS AGREEMENT WILL NOT EXCEED THE AGGREGATE AMOUNT OF FEES PAID BY THE CITY TO CONTRACTOR DURING THE TWELVE (12) MONTH PERIOD PRECEDING THE EVENT GIVING RISE TO THE CLAIM.
4. Notwithstanding any other provision of this Agreement, Contractor will not be liable to City for any delay in performing or failure to perform any of its obligations under this Agreement to the extent performance is delayed or prevented due to any cause or causes that are beyond Contractor's reasonable control. Any delay or failure of this kind will not be deemed to be a breach of this Agreement by Contractor, and the time for Contractor's performance of the affected obligation will be extended by a period that is reasonable in the circumstances.

EXHIBIT “B”

COMPENSATION

1. Total Compensation: In return for the Services, the City shall pay the Contractor in accordance with the following table:

Item	Includes	Cost
Software Subscription for Permit, License, and Code Enforcement System	Unlimited users Unlimited submission types ·Features outlined in RFP	\$69,000 / year*
Service Package / Implementation and training	One-time Cost	\$20,000
Data Migration	One-time Cost	\$10,000

*There will be no additional fees charged to the City during the first 3 years of the agreement other than as outlined above.

*At the end of the initial 3 year term, the price may increase up to the lesser of these two options: (1) the percentage change in the current Consumer Price Index for all urban consumers (CPI-U), or (2) 5%

2. Method of Compensation:

- a. City will pay to Contractor the Fees upfront annually and in advance for each year during the Term. Unless otherwise agreed, all invoices are payable within thirty (30) days of invoicing. Notwithstanding any terms hereof or otherwise, in the event that any Services are added during a billing period, such Services will be subject to the payment of Fees for a minimum of 12 months. All Fees will be based upon the total quantity of Services purchased, whether or not the corresponding Services are actively used during the billing period. Fees payable under this Agreement are: (i) non-refundable; and (ii) exclusive of any and all taxes, withholding and other levies and imposts applicable thereon (“Taxes”), and such Taxes will be invoiced together with the Fees, unless City is exempt from such Taxes. Contractor reserves the right to change the Fees with respect to existing service levels on an annual basis, at the end of the initial term or the then-current renewal term, upon at least thirty (300) days prior written notice to City (which may be sent by email).
- b. All invoices are payable, without holdback or setoff, except invoices disputed by the City in good faith (which shall not affect the undisputed portions of the Fees for the Work payable by the City).

- c. Without limiting any other remedy available to Contractor, in the event that any of the City's payment obligations are overdue and outstanding, Contractor may, in its discretion: (A) terminate this Agreement immediately upon notice to the City; or (b) suspend its obligations to the City relating to the Services until such time as all amounts due and owing under this Agreement are paid in full.

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: December 2, 2024	TITLE: Confirming Mark Scheibmeir as the City of Lakewood Hearing Examiner. ATTACHMENTS:	TYPE OF ACTION: __ORDINANCE NO. __RESOLUTION NO. <input checked="" type="checkbox"/> MOTION NO. 2024-86 __ OTHER
REVIEW:		

SUBMITTED BY: Jeff Rimack, Director, Planning & Public Works (PPW)

RECOMMENDATION: It is recommended City Council confirm extending the appointment of Mark Scheibmeir as the Lakewood Hearing Examiner to serve for a term of two years.

DISCUSSION: Lakewood Municipal Code Section [1.36.030](#) states that the Hearing Examiner position shall be appointed by the City Manager and confirmed by the City Council to serve for a term of two (2) years. The Office of the Hearing Examiner was created to act on behalf of the City Council and is authorized to act in a decision-making role involving administrative matters and such other quasi-judicial matters as contained in Lakewood Municipal Code (LMC) that may be granted by ordinance or referred to the Hearing Examiner by the City Manager.

ALTERNATIVE(S): The Council could take no action and direct the City Manager to appoint another Hearing Examiner.

FISCAL IMPACT: The fiscal impact varies depending on the workload and number of appeals.

Prepared by <u>Jeff Rimack, Director</u>	City Manager Review 
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REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: December 2, 2024	TITLE: Reappointing Kyle Franklin and Michael Lacadie to serve on the Community Services Advisory Board through December 15, 2028.	TYPE OF ACTION: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input checked="" type="checkbox"/> MOTION NO. 2024-87 <input type="checkbox"/> OTHER
REVIEW:	ATTACHMENTS:	

SUBMITTED BY: Briana Schumacher, City Clerk on behalf of Mayor Jason Whalen.

RECOMMENDATION: It is recommended that the City Council confirm the Mayor's reappointment of Kyle Franklin and Michael Lacadie serve on the Community Services Advisory Board through December 15, 2028.


DISCUSSION: Notices and outreach to seek volunteers to fill a vacancy on the Community Services Advisory Board was sent to neighborhood associations, civic groups, community organizations, The News Tribune and The Suburban Times. In addition, notice was posted on the City's website.

The Community Services Advisory Board advises the City Council on matters related to Human Services, the Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) programs which may include:

- Facilitate cooperation and coordination with the City on human services, CDBG, and HOME funding issues.
- Recommend to the City Council programs for funding out of City's general funds, CDBG and HOME funds, and other funding appropriations.
- Hold public hearings to receive public comments to identify community and housing needs, development of proposed activities, and recommendations for funding.
- Develop recommendations for the Consolidated Plan, Action Plan, and other related documents.
- Review and approve annual performance reports of CDBG and HOME activities for submittal to HUD.
- Develop and recommend citywide policies for funding allocations.
- Encourage partnerships and collaboration in the funding and provision community and human services.
- Review needs assessments, gap analyses, and other data to determine citywide needs which will help develop strategic action plans.
- Perform other community services related duties and functions as assigned by the City Council.

ALTERNATIVE(S): The Council could choose not to confirm the reappointments or re-advertise for these positions.

FISCAL IMPACT: There is no fiscal impact.

Briana Schumacher, City Clerk Prepared by	 _____ City Manager Review
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REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: December 2, 2024	TITLE: Canceling the Monday, December 16, 2024 Regular Meeting and the Monday, December 23, 2024 Study Session.	TYPE OF ACTION: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input checked="" type="checkbox"/> MOTION NO. 2024-88 <input type="checkbox"/> OTHER
REVIEW:	ATTACHMENTS:	


SUBMITTED BY: Briana Schumacher, City Clerk

RECOMMENDATION: It is recommended that the City Council cancel the Monday, December 16, 2024 Regular Meeting and the Monday, December 23, 2024 Study Session.

DISCUSSION: The City Council has no matters of city business coming forward for legislative authorization or review. Per the [City Council Rules of Procedure](#) the meetings may be canceled by the Mayor or a majority vote of the Council.

ALTERNATIVE(S): The City Council could choose not to cancel the meetings.

FISCAL IMPACT: There is no fiscal impact.

Briana Schumacher, City Clerk Prepared by	 City Manager Review
Heidi Ann Wachter, City Attorney Department Director	



To: Mayor and City Councilmembers
From: Tho Kraus, Deputy City Manager
Through: John J. Caulfield, City Manager *John J. Caulfield*
Date: December 2, 2024
Subject: Public Hearing on 2024 Final Budget Adjustment

The Revised Code of Washington (RCW) Chapter 35A.34 stipulates that a public hearing be held in connection with the modification process. Following the RCW guidelines, the City held a public hearing on the 2024 Final Budget Adjustment ordinance on December 2, 2024.

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 appropriate and use the funds as approved by the City Council.

The purpose of the proposed budget adjustment is to appropriate the \$2,000,000 Economic Development Opportunity Fund for Edgewater Park and Downtown Park(s).

ORDINANCE NO. XXX

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 adopted Ordinance 818 on November 18, 2024 implementing the 2024 Year-End Budget Adjustment; and

WHEREAS, the City Council of the City of Lakewood finds it necessary to revise the 2024 Budget to appropriate the \$2,000,000 Economic Development Opportunity Fund for Edgewater Park and Downtown Park(s) funded by General Funding Ending Fund Balance Reserves set aside for Economic Development Opportunity Fund; and

WHEREAS, the City Council of the City of Lakewood held a public hearing on the 2024 Year-End Budget Adjustment on December 2, 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 9th day of December, 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:	\$ 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

**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	\$ 77,230,171	\$ -	\$ 77,230,171	\$ 87,032,801	\$ 2,000,000	\$ 89,032,801	\$ 10,824,485
001 General	13,497,864	-	13,497,864	52,924,328	-	52,924,328	57,841,498	2,000,000	59,841,498	6,580,694
101 Street	-	-	-	4,035,929	-	4,035,929	4,035,929	-	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	1,558,567	-	1,558,567	1,560,367	-	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	46,651	-	46,651	122,881	-	122,881	-
181 Felony Seizure	22,370	-	22,370	-	-	-	22,370	-	22,370	-
182 Federal Seizure	4,671	-	4,671	9,000	-	9,000	13,671	-	13,671	-
190 CDBG	1,852,040	-	1,852,040	3,556,011	-	3,556,011	5,408,051	-	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	1,541,002	-	1,541,002	(45,899)
195 Public Safety Grants	-	-	-	1,269,973	-	1,269,973	1,269,973	-	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	-	-	-	1,682,754	-	1,682,754	1,682,754	-	1,682,754	-
202 LID Debt Service	344,289	-	344,289	219,765	-	219,765	564,054	-	564,054	-
204 Sewer Project Debt	1,551,698	-	1,551,698	869,757	-	869,757	1,863,340	-	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	\$ 43,925,121	\$ -	\$ 43,925,121	\$ 60,429,085	\$ -	\$ 60,429,085	\$ 306,592
301 Parks CIP	5,660,924	-	5,660,924	8,984,726	-	8,984,726	14,645,651	-	14,645,651	-
302 Transportation CIP	8,693,906	-	8,693,906	28,640,734	-	28,640,734	37,334,639	-	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	3,926,137	-	3,926,137	5,795,843	-	5,795,843	306,592
Enterprise Fund:	\$ 11,219,620	\$ -	\$ 11,219,620	\$ 5,134,724	\$ -	\$ 5,134,724	\$ 8,350,046	\$ -	\$ 8,350,046	\$ 8,004,298
401 Surface Water Management	11,219,620	-	11,219,620	5,134,724	-	5,134,724	8,350,046	-	8,350,046	8,004,298
Internal Service Funds:	\$ 6,499,334	\$ -	\$ 6,499,334	\$ 12,684,591	\$ -	\$ 12,684,591	\$ 14,560,616	\$ -	\$ 14,560,616	\$ 4,623,309
501 Fleet & Equipment	5,420,721	-	5,420,721	1,809,220	-	1,809,220	2,606,632	-	2,606,632	4,623,309
502 Property Management	739,671	-	739,671	2,297,529	-	2,297,529	3,037,200	-	3,037,200	-
503 Information Technology	338,942	-	338,942	5,099,705	-	5,099,705	5,438,647	-	5,438,647	-
504 Risk Management	-	-	-	3,478,137	-	3,478,137	3,478,137	-	3,478,137	-
Total All Funds	\$ 57,156,625	\$ -	\$ 57,156,625	\$ 138,974,607	\$ -	\$ 138,974,607	\$ 170,372,547	\$ 2,000,000	\$ 172,372,547	\$ 23,758,685

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: December 2, 2024	TITLE: Ordinance 822, Adopting Locally-Initiated Amendments to the Lakewood Shoreline Master Program	TYPE OF ACTION: <input checked="" type="checkbox"/> ORDINANCE NO. 822 <input type="checkbox"/> RESOLUTION NO. <input type="checkbox"/> MOTION NO. <input type="checkbox"/> OTHER
REVIEW: November 25, 2024	ATTACHMENTS: Ordinance 822 (Attachment A) Resolution 2024-09 (Attachment B)	

SUBMITTED BY: Tiffany Speir, Planning Division Manager through Jeff Rimack, Planning & Public Works (PPW) Department Director

RECOMMENDATION: That the City Council adopt Ordinance 822 to adopt locally-initiated amendments to the Lakewood Shoreline Master Program for consistency with the 2024 Critical Areas Ordinance.

DISCUSSION: Included in **Attachment A** is Ordinance 822, which includes the draft 2024 Shoreline Master Program (SMP) reflecting amendments to be consistent with the City’s 2024 Critical Areas Ordinance (CAO), adopted via Ordinance 813.


As part of the 2024 Comprehensive Plan and Development Regulation Periodic Review, the City updated its CAO to reflect the best available science (BAS) now available about how to protect fish and wildlife habitat conservation areas (FWHCAs) and to directly regulate critical areas not governed under the SMP.

Also in 2024 and discussed below, the City is conducting a locally-initiated SMP update to reflect the changes made to the CAO. The update is strictly limited and does not amend any other text of the SMP. Information provided to the public during the outreach process can be viewed at <https://cityoflakewood.us/smp/>.

The next full periodic update of the Lakewood SMP will be conducted in 2029 as required by state law.

ALTERNATIVE(S): The City Council could amend Ordinance 822 before taking action to adopt it; the City Council could also not adopt the Ordinance.

FISCAL IMPACT: This ordinance has no fiscal impact to the City. Future fiscal impacts may occur as the SMP is enforced on public and private shoreline projects.

Prepared by: <u>Tiffany Speir, Planning Division Manager</u> Jeff Rimack, Department Director	 _____ City Manager Review
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ATTACHMENT A

ORDINANCE NO. 822

**AN ORDINANCE of the City Council of the City of Lakewood, Washington:
adopting changes to the 2019 Shoreline Master Program.**

WHEREAS, the City of Lakewood incorporated effective February 28, 1996; and,

WHEREAS, the City of Lakewood is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the State of Washington, and planning pursuant to the Growth Management Act (GMA), Chapter 36.70A RCW; and

WHEREAS, the Washington Shoreline Management Act (RCW 90.58, referred to herein as "SMA") recognizes that shorelines are among the most valuable and fragile resources of the state, and that state and local government must establish a coordinated planning program to address the types and effects of development occurring along shorelines of state-wide significance; and

WHEREAS, the City is required to develop a Shoreline Master Program ("SMP") pursuant to the SMA and WAC 173-26; and,

WHEREAS, on August 14, 2014, the City adopted Ordinance No. 590 adopting an SMP; and

WHEREAS, in on October 21, 2019, the City adopted Ordinance No. 718 adopting the 2019 Lakewood SMP; and

WHEREAS, on September 6, 2024, the City Council adopted Ordinance 813 including changes to the Lakewood Critical Areas Ordinance (located at LMC Title 14); and

WHEREAS, strictly and exclusively to achieve consistency between the 2024 CAO and the City's SMP, the City has conducted a locally-initiated update process to the SMP as authorized under WAC 173-26-104, including coordinating a joint review process with the WA Department of Ecology (ECY); and

WHEREAS, on October 2, 2024, the City and ECY held a duly noticed joint public hearing on the amendments; and

WHEREAS, on November 6, 2024, the Planning Commission recommended approval of the proposed locally-initiated amendments to Lakewood's SMP; and

WHEREAS, on November 14, 2024, ECY notified the City of Lakewood affirming receipt of all of the material required by WAC 173-26-104 (3)(a) for an initial submittal, and that ECY anticipated issuing its initial determination of whether Lakewood's submittal is consistent with RCW 90.58 (Shoreline Management Act) and WAC 173-26, Part III (the SMP Guideline) by December 31, 2024; and

WHEREAS, the City Council reviewed the recommended amendments to the SMP on November 25, 2024 and will not hold a public hearing per WAC 173-26;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Changes to the Lakewood 2019 Shoreline Master Program adopted. The City Council hereby adopts the locally-initiated 2024 amendments to the 2019 Shoreline Master Program, a copy of which is attached to this Ordinance as Exhibit A and incorporated herein by this reference. A copy of said SMP shall be on file in the office of the City Clerk for public use; copies of this ordinance, together with copies of the SMP, shall be distributed and filed as required by law. In the event of a conflict between the SMP and any provision of Title 14 of the Lakewood Municipal Code, the SMP shall control.

Section 2. Severability. If any sections, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance or its application to any other person, property or circumstance.

Section 3. Effective Date. This Ordinance shall take effect fourteen (14) days following the date of a letter to the City of Lakewood from the Washington State Department of Ecology approving the SMP adopted by this ordinance.

PASSED by the City Council this 2nd day of December, 2024.

CITY OF LAKEWOOD

Jason Whalen, Mayor

Attest:

Approved as to Form:

Briana Schumacher, City Clerk

Heidi Ann Wachter, City Attorney

EXHIBIT A

City of Lakewood

Shoreline Master Program *Environment Designations, Policies, and Regulations*



Prepared by:

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DATE: January 2, 2025



This document was funded in part through a grant from the Washington Department of Ecology: 2009 Grant No. G1000045; 2018 Grant No. SEASMP-1719-LakPWD-00060.



Acknowledgments:

City of Lakewood Citizens

City of Lakewood Planning Commission

City of Lakewood City Council

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Chapter 1 Introduction

A. History and Requirements of the Shoreline Management Act

Washington's Shoreline Management Act (SMA or the Act) was adopted in 1971 by referendum to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines. RCW 90.58.020 outlines the Act's three broad policies:

1. **Encourage water-dependent uses**, preferably those "consistent with control of pollution and prevention of damage to the natural environment, or unique to or dependent upon use of the state's shorelines";
2. **Protect shoreline natural resources**, including "the land and its vegetation and wildlife, and the waters of the state and their aquatic life"; and
3. **Promote public access**: "the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible consistent with the overall best interest of the state and the people generally."

This Act recognizes that shorelines are among the most valuable and fragile of the state's resources. The Act and the City of Lakewood recognize and protect private property rights along the shoreline, while aiming to preserve the quality of this unique resource for all state residents.

The primary purpose of the Act is to provide for the management and protection of the state's shoreline resources by planning for reasonable and appropriate uses. In order to protect the public interest in preserving these shorelines, the Act establishes a coordinated planning program between the state and local jurisdictions to address the types and effects of development occurring along the state's shorelines. By law, the City is responsible for the following:

1. Developing an inventory of the natural characteristics and land use patterns along shorelines covered by the act.
2. Preparing a Shoreline Master Program (SMP) to determine the future of the shorelines.
3. Preparing a cumulative impact analysis to demonstrate that reasonably foreseeable development under the SMP will not result in a net loss of ecological function.
4. Developing a permit system to further the goals and policies of both the Act and the SMP.
5. Developing a Restoration Plan that includes goals, policies, and actions to restore impaired shoreline ecological functions.

B. Shoreline Master Program Development and Public Participation

The City obtained a grant from the Washington Department of Ecology (Ecology) in 2009 to conduct a comprehensive SMP update. The first step of the update process was to inventory the City's shorelines as defined by the Act, Chapter 90.58 RCW. American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek comprise the City's SMA shorelines. The inventory describes existing biological and physical conditions. These conditions were then analyzed and characterized to create a baseline from which future development actions in the shoreline will be measured.

The City identified environmental designations for the different shorelines, and policies and regulations for each were developed.

Ecology's SMP Guidelines (See Chapter 173-26-186(8) WAC) require the City to demonstrate that its updated SMP yields "no net loss" in shoreline ecological functions relative to the baseline due to its implementation. Ideally, the SMP, in combination with other City and regional efforts, will ultimately produce a net improvement in shoreline ecological functions.

C. Purposes of the Shoreline Master Program

The purposes of this SMP are:

1. To carry out the responsibilities imposed on the City by the SMA.
2. To comply with the SMP Guidelines (See WAC 173-26-186), focusing on regulations and mitigation standards to ensure that development under the SMP will not result in a net loss of ecological functions.
3. To further both the policies of Chapter 90.58 RCW and the policies of this SMP.
4. To promote public health, safety, and general welfare by providing a guide and regulation for the future development of the shoreline resources of the City.

D. Shoreline Master Program Basics

The City's SMP is both a planning and regulatory document that outlines policies and development regulations for the City's shorelines.

In order to preserve and enhance the City's shorelines, it is important to consult the City Shoreline Administrator and evaluate all shoreline development proposals in terms of the City's SMP. Some developments may be exempt from obtaining a permit; however, all proposals must comply with the policies and regulations established by the SMA as expressed through this local SMP.

While the SMA defines the content and goals that local jurisdictions should include in the SMP, each community must develop specific regulations to address their individual needs. Under the SMP Guidelines, all shorelines governed by the SMA receive a shoreline environment designation. The purpose of the shoreline environment designation system is to ensure that all land use, development, or other activity occurring within the designated shoreline jurisdiction is appropriate for that area and provides consideration for the special requirements of that environment.

The City has designated its shorelines on American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek under six shoreline environment designations: Aquatic, Natural, Conservancy, Urban Park, Urban - Stream Protection and Shoreline Residential. These shoreline environment designations are described in Chapter 2, Shoreline Environments.

American Lake has shorelines of statewide significance per RCW 90.58. Local government, in developing master programs for shorelines of statewide significance, shall give preference to uses in the following order of preference which:

- (1) Recognize and protect the statewide interest over local interest;
- (2) Preserve the natural character of the shoreline;
- (3) Result in long term over short term benefit;
- (4) Protect the resources and ecology of the shoreline;
- (5) Increase public access to publicly owned areas of the shorelines;
- (6) Increase recreational opportunities for the public in the shoreline;
- (7) Provide for any other element as defined in RCW [90.58.100](#) deemed appropriate or necessary.

Persons proposing any shoreline development, land use, or other projects in the shoreline area must consult with the City's Shoreline Administrator (the City's Community Development Director or designee) to determine how the proposal is addressed in the SMP. Except when specifically exempted by statute, all proposed uses and development occurring within shoreline jurisdiction must conform to Chapter 90.58 RCW, the Shoreline Management Act, and this Master Program.

The Shoreline Administrator will determine if a proposal is exempt from having to obtain a substantial development permit (i.e. qualifies for a Shoreline Exemption), as well as provide information on the permit application process.

Requests for variances, conditional use permits (CUPs), and/or substantial development permits require review and approval by the Shoreline Administrator and/or recommendation by the Shoreline Administrator to the Hearing Examiner, in accordance with Chapter 6 of this SMP. Requests for CUPs and variances also require final approval by Ecology. A description of exempt projects, shoreline application procedures, and criteria are discussed in Chapter 6, Administration.

A description of the area within the jurisdiction of this SMP is presented in Chapter 2: Shoreline Environments. Figure 1 depicts the general extent of shoreline jurisdiction in the City.

E. Organization of this Shoreline Master Program

This SMP is divided into seven chapters:

Chapter 1: Introduction provides general background information on the SMA; the development of the SMP in the City; and a general discussion of when and how a SMP is used.

Chapter 2: Shoreline Environments defines and maps the approximate extent of City's shoreline jurisdiction and defines and maps the environment designations of the City's shorelines. Policies and regulations specific to the six (6) shoreline environment designations are detailed in this chapter.

Chapter 3: General Policies and Regulations establishes the general policies and regulations that apply to uses, developments, and activities in *all* shoreline areas of the City, regardless of environment designation.

Chapter 4: Specific Shoreline Use Policies and Regulations sets forth policies and regulations governing specific categories of uses and activities typically found in shoreline areas. Specific setback regulations, reduction incentives, and dimensional and density standards are detailed in this chapter. The policies and regulations cover the following uses and activities: Aquaculture; Boating Facilities; Commercial Development; Parking (as a primary use); Recreational Facilities; Residential Development; Signs; Trails; Transportation Facilities; Utilities (Primary and Accessory); and other uses and activities.

Chapter 5: Shoreline Modification Activity Regulations provides policies and regulations for those activities that modify the physical configuration or qualities of the shoreline area.

Chapter 6: Administration provides the system by which the City's SMP will be administered, and provides specific information on the application process and criteria used in evaluating requests for shoreline substantial development permits, CUPs, and variances.

Chapter 7: Definitions defines terms found in this document.

F. Relationship between this Shoreline Master Program and Other Plans

The permitting process for a shoreline development or use does not exempt an applicant from complying with any other applicable local, state, regional, or federal laws or regulations. In the City, this includes, but is not limited to, the Land Use and Development Code (Lakewood Municipal Code (LMC) Title 18A), the Performance Code for Building and Facilities (LMC Title 15A), the City of Lakewood Comprehensive Plan, and the adopted surface water design manuals.

G. Title

This document shall be known and may be cited as the City of Lakewood Shoreline Master Program. This document may refer to itself as 'The Master Program' or "SMP."

Chapter 2 Shoreline Environments

A. Introduction to Shoreline Environment Designations

The SMA and the SMP Guidelines provide for shoreline environment designations to serve as a tool for applying and tailoring the general policies of the SMA to local shorelines. Shoreline environment designations are intended to preserve and enhance shoreline ecological functions and to encourage development that will enhance the present or desired future character of the shoreline. To accomplish this, shoreline segments are given an environment designation based on existing development patterns, biological capabilities, and limitations, the aspirations of the local citizenry and the criteria in the SMP Guidelines.

Environment designations are categories that reflect the type of development that has or that should take place in a given area. The SMP Guidelines recommend classifying shoreline environments using the categories described in WAC 173-26-211(5). Additionally, local governments may establish an alternative shoreline environment designation, provided there is consistency with the purposes and policies of the SMA and the SMP Guidelines, including WAC 173-26-211(5).

Once a shoreline segment has been given an environment designation, management policies are developed. These management policies are used as the basis for determining uses and activities that can be permitted in each environment designation. Specific development standards are also established, which specify how and where permitted development can take place within each shoreline environment designation.

B. Need for Consistency

Local governments are tasked with evaluating consistency between the SMP, the Comprehensive Plan, and land use regulations under WAC 173-26-211(3). The SMA requires that policies for lands adjacent to the shorelines be consistent with the Act, implementing rules and the local SMP. Conversely, local comprehensive plans provide the underlying framework within which SMP provisions should fit. The Growth Management Act (GMA) requires that SMP policies be incorporated as an element of the comprehensive plan, and that all elements be internally consistent. In addition, under the GMA, all development regulations must be consistent with the comprehensive plan.

The SMP Guidelines identify three criteria to assist local governments in evaluating the consistency between SMP environment designation provisions and the corresponding comprehensive plan elements and development regulations, including:

1. **Provisions not precluding one another.** Comprehensive plan provisions and shoreline environment designation provisions should not preclude one another. To meet this criterion, the provisions of both the comprehensive plan and the SMP must be able to be met. Further, when considered together and applied to any one piece of property, the SMP use policies and regulations and the local zoning or other use regulations should not conflict in a manner that all viable uses of the property are precluded.

2. **Use compatibility.** Land use policies and regulations should protect preferred shoreline uses from being impacted by incompatible uses. The intent is to prevent existing or potential future water oriented uses, especially water dependent uses, from being restricted on shoreline areas because of impacts to nearby non-water-oriented uses. To be consistent, SMPs, comprehensive plans, and development regulations should prevent new uses that are not compatible with preferred uses from locating where they may restrict preferred uses or development.
3. **Sufficient infrastructure.** Infrastructure and services provided in the comprehensive plan should be sufficient to support allowed shoreline uses. Shoreline uses should not be allowed where the comprehensive plan does not provide sufficient roads, utilities, and other services to support them. Infrastructure plans must also be mutually consistent with shoreline environment designations. Where they do exist, utility services routed through shoreline areas shall not be a sole justification for more intense development.

C. City of Lakewood Shoreline Jurisdiction

As defined by the SMA, lands subject to shoreline jurisdiction include “waters of the state” plus their associated “shorelands.” At a minimum, waters of the state are streams whose mean annual flow is 20 cubic feet per second (c.f.s.) or greater, and lakes whose area is greater than 20 acres. In RCW 90.58.030, Shorelands are defined as:

“Those lands extending landward for 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark (OHWM); floodways and contiguous floodplain areas landward 200 feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of this chapter.”

Within the City, shoreline jurisdiction includes American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, and Waughop Lake and their shorelands, as well as Chambers Creek and Clover Creek and their shorelands. Figure 1 depicts the general location of shoreline jurisdiction in the City and is illustrative in nature. The actual definition of shoreline jurisdiction as detailed in the SMA will determine the actual extent of shoreline jurisdiction on a project-by-project or parcel-by-parcel level. In the event of a mapping error, the City will rely upon common boundary descriptions and the criteria in RCW 90.58.030(2) and Chapter 173-22 WAC to determine shorelands and the extent of each environment designation.

D. City of Lakewood Shoreline Environment Designations

This SMP establishes six shoreline environment designations for the City of Lakewood’s shoreline jurisdiction. These environments are derived from the City’s Shoreline Analysis Report, the City of Lakewood Comprehensive Plan, and the environments recommended by the SMA and the SMP Guidelines. The City’s Shoreline Analysis Report provides an inventory of natural and built conditions within the City’s shoreline jurisdiction. The conditions identified in the inventory have been compared with the recommended shoreline environments and the most appropriate environments selected. The six (6) City shoreline environment designations in order of most intensive to least intensive are:

1. Shoreline Residential,
2. Urban - Stream Protection,
3. Urban Park,
4. Conservancy,
5. Natural, and
6. Aquatic.

These shoreline environment designations for the City are illustrated in Figure 1 (Shoreline Management Environment Designations), located at the end of this chapter, and described in the text below. Each shoreline description includes a definition and statement of purpose, followed by designation criteria, management policies, and references to development standards that are specific to that shoreline environment. Shoreline development standards in each shoreline environment are summarized in Table II in Chapter 4. Development standards pertaining to all shoreline areas are covered in Chapter 3 and development standards for particular uses are detailed in Chapter 4.

When interpreting the exact location of an environment designation boundary line, the location shown on the Official Shorelines Map shall prevail, consistent with the following rules:

1. Boundaries indicated as approximately following parcel, trac or section lines shall be so construed.
2. In cases of boundary line adjustments or subdivisions, the designation of the parent parcel shall not change as a result, except if pursuant to an amendment of this Shoreline Master Program (SMP).
3. Boundaries indicated as approximately following roads shall be construed to follow the nearest right-of-way edge.
4. Boundaries indicated as approximately parallel to or extensions of features indicated in this SMP shall be so construed.

Please see Figure 1 below at page 18 for the Shoreline Environment Designations Map.

E. Shoreline Areas Not Mapped or Designated

Any undesignated or unmapped shorelines in the City and its Urban Growth Area are assigned automatically a Conservancy shoreline environment designation until the shoreline is re-designated through an amendment to the SMP. This includes any areas that are annexed into the City and fall within the City's shoreline jurisdiction, such as Camp Murray.

F. Management Policies and Regulations

1. Shoreline Residential Environment

a) Purpose

The Shoreline Residential environment designation is designed to provide for residential uses and structures where the necessary facilities for development can be provided. An additional purpose is to provide appropriate public access and recreational uses.

b) Designation Criteria

The Shoreline Residential environment designation is assigned to shoreline areas that are associated with lakes and are predominantly single-family or multi-family residential development or are platted, zoned, and planned for residential development.

c) Designated Areas

1) Description

Shoreline Residential environment areas include those shorelands adjacent to American Lake, Gravelly Lake, Lake Louise, and Lake Steilacoom that are primarily developed and/or platted and zoned for residential uses, and where that use is anticipated to continue in the future.

2) Rationale

The segments of shoreline designated as Shoreline Residential are predominately-residential land uses and all areas are platted and planned for low to moderate residential density. Urban services and infrastructure are provided to these properties.

d) Management Policies

- 1) Residential activities and developments that protect and enhance the shoreline are preferred.
- 2) Limited non-residential uses, such as water-oriented recreation facilities, parks, day care facilities, and home occupation businesses should be allowed, provided they are consistent with the residential character and the requirements of the underlying zone.
- 3) Development should be located, sited, designed, and maintained to protect, enhance, and be compatible with the shoreline environment designation.
- 4) Development regulations should require the preservation of ecological functions, taking into account the environmental limitations and sensitivity of the shoreline area, the level of infrastructure and services available, and other comprehensive planning considerations.
- 5) Multi-family development, subdivisions of more than four lots and recreational developments should provide public access to the shoreline and joint use facilities for community recreational needs.
- 6) Low impact development (LID) best management practices (BMPs), such as minimizing effective impervious surfaces, infiltrating run-off, using green roofs and pervious pavers and other BMPs, should be implemented where feasible.

- 7) Private property owners should be encouraged to preserve and enhance native shoreline vegetation and use environmentally friendly landscaping practices, through incentives, information, and other assistance.

e) Regulations

- 1) Shoreline Use: Permitted, conditional, and prohibited uses for the Shoreline Residential environment are listed in Chapter 4, Specific Shoreline Use Policies and Regulations, and summarized in Table I of that Chapter.
- 2) Development Standards: Shoreline related development standards for the Shoreline Residential environment are summarized in Table II of Chapter 4.

2. Urban - Stream Protection Environment

a) Purpose

The purpose of the Urban - Stream Protection environment designation is to ensure appropriate protections for the ecological functions of Clover Creek, while recognizing the limited demand for water dependent uses in this environment. This designation reflects the current developed urban nature of most upland areas and provides for a range of uses consistent with underlying zoning, while closely regulating the intensity of development allowed within stream and wetland buffers.

b) Designation Criteria

The Urban - Stream Protection environment designation is assigned to shorelands along Clover Creek with the following characteristics:

- 1) Riparian functions impacted by historic development as documented in the Shoreline Analysis and Characterization Report;
- 2) Key management objectives include stream function enhancement, flood hazard mitigation, and fostering economically productive uses; and
- 3) A mix of urban land uses exist in upland areas, including single-family, higher density multi-family and commercial uses, depending on the underlying zoning.

c) Designated Areas

- 1) Description

The Urban - Stream Protection environment designation is assigned to areas that include Clover Creek between Lake Steilacoom and the City of Lakewood city limits, except for the shorelands in Springbrook Park adjacent to Clover Creek.

- 2) Rationale

The Urban - Stream Protection environment designation will protect and enhance stream functions by encouraging vegetative buffer enhancement and limiting development near the stream, while accommodating and allowing flexibility for existing and future uses, including single-family residential and higher intensity commercial and multi-family uses, where allowed by underlying zoning.

d) Management Policies

- 1) Stream functions should be protected, preserved and, where possible, enhanced per the Critical Areas provisions, while also encouraging redevelopment and allowing sufficient flexibility for accommodating existing and future upland shoreline uses.
- 2) Development or significant vegetation removal that would reduce the capability of vegetation to perform normal ecological functions should not be allowed.
- 3) Modification of the stream channel should not be allowed, except where there will be a clear improvement or restoration of stream functions.
- 4) Reflecting current land uses, a wide range of shoreline uses should be allowed outside of required setbacks and, critical areas, and buffers, including single- and multi-family residential, parks and open space, and commercial uses on existing commercial sites or where a public benefit consistent with the SMA's objectives can be provided, such as public access, mixed-use or ecological enhancement.
- 5) All uses should be consistent with the requirements of the underlying zoning. No new industrial uses should be allowed.
- 6) LID should be implemented where feasible for any development occurring within the Urban – Stream Protection environment.

e) Regulations

- 1) Shoreline Use: Permitted, conditional, and prohibited uses for the Urban - Stream Protection environment are listed in Chapter 4, Specific Shoreline Use Policies and Regulations, and are summarized in Table I of that Chapter.
- 2) Development Standards: Shoreline related development standards for the Urban - Stream Protection environment are summarized in Table II of Chapter 4.

3. Urban Park Environment

a) Purpose

The purpose of the Urban Park environment designation is to protect and restore ecological functions of open space in urban and developed settings, while allowing a variety of compatible uses, with an emphasis on water oriented recreation.

b) Designation Criteria

The Urban Park environment is assigned to areas with one or more of the following characteristics:

- 1) They are generally suitable for water-oriented recreational uses,
- 2) They have potential for ecological restoration,
- 3) They retain important ecological functions, even though partially developed, or
- 4) They have the potential for development that is compatible with ecological restoration.

c) Designated Areas

1) Description

Urban Park environment areas include:

- a. Shorelands in all public parks and public street ends located on lakes within the shoreline jurisdiction;
- b. Eagle Point (a private subdivision open space tract on American Lake, Parcel # 4001800540);
and
- c. Lakewold Gardens (a private facility with public access on Gravelly Lake).
- d. Shorelands adjacent to Waughop Lake; and
- e. Shorelands in Springbrook Park adjacent to Clover Creek.

2) Rationale

This designation will preserve and enhance the ecological functions of the publicly owned properties and private recreational areas of the shoreline while retaining future options for active and passive water oriented shoreline recreation and public access. The publicly owned parks offer potential for ecological restoration.

d) Management Policies

- 1) Uses that preserve the natural character of the area or promote preservation of open space, either directly or over the long term, should be the primary allowed uses. Uses that result in restoration of ecological functions should be allowed if the use is otherwise compatible with the purpose of the environment and the current uses and conditions at the specific location.
- 2) Water dependent recreational uses, such as public access piers, recreational floats and boat launches, should be given priority over non-water dependent recreational uses, provided they can be located, designed, constructed, operated, and mitigated in a manner that ensures no net loss of ecological

function.

- 3) Public access and public recreation objectives should be implemented whenever feasible and whenever significant ecological impacts can be mitigated.
- 4) Water oriented recreation uses, such as viewing trails, benches and shelters, should be emphasized and non-water oriented uses should be minimized and allowed only as an accessory use; for example picnic areas, forest trails and small playground areas would be acceptable, but tennis courts and developed sports fields would not.
- 5) Standards should be established for shoreline stabilization, vegetation conservation, water quality and shoreline modifications to ensure that new development does not result in a net loss of shoreline ecological functions or further degrade other shoreline values.
- 6) LID should be implemented where feasible for any development occurring within the Urban Park environment.

e) Regulations

- 1) Shoreline Use: Permitted, conditional, and prohibited uses for the Urban Park environment are listed in Chapter 4, Specific Shoreline Use Policies and Regulations, and summarized in Table I of that Chapter.
- 2) Development Standards: Shoreline related development standards for the Urban Park environment are summarized in Table II of Chapter 4.

4. Conservancy Environment

a) Purpose

The purpose of the Conservancy environment designation is to protect and restore ecological functions of open space, floodplain, and other sensitive lands, while allowing a variety of compatible uses, with an emphasis on passive recreation, such as trails and wildlife viewing.

b) Designation Criteria

The Conservancy environment is assigned to shorelines with one or more of the following characteristics:

- 1) They are generally unsuitable for intensive water-dependent recreational uses;
- 2) They are open space, flood plain or other sensitive areas that should not be more intensively developed;
- 3) They have potential for ecological restoration;
- 4) They retain important ecological functions, even though partially developed; or

- 5) They have limited potential for development that is compatible with ecological restoration.

c) Designated Areas

- 1) Description

Conservancy environment areas include:

- a. Shorelands of Chambers Creek between Lake Steilacoom and the confluence of Leach Creek; and
- b. Those portions of the Oakbrook 4th Addition subdivision that fall within the shoreline jurisdiction.

- 2) Rationale

This designation will preserve and enhance the ecological functions of undeveloped and minimally developed portions of the shoreline and sensitive lands while retaining future options for passive shoreline recreation and public access. These areas also offer potential for ecological restoration.

d) Management Policies

- 1) Uses that preserve the natural character of the area or promote preservation of open space or sensitive lands either directly or over the long term should be the primary allowed uses. Uses that result in restoration of ecological functions should be allowed.
- 2) Water oriented recreation uses, such as viewing trails, benches and shelters, should be emphasized and non-water oriented uses should be minimized and allowed only as an accessory use; for example picnic areas, forest trails and small playground areas would be acceptable, but tennis courts and developed sports fields would not.
- 3) Intensive water dependent facilities, such as motorized boat ramps, are generally not appropriate for these areas; limited facilities for swimming, viewing, and launch of non-motorized craft should be allowed in suitable areas.
- 4) Public access and public recreation objectives should be implemented whenever feasible and whenever significant ecological impacts can be mitigated.
- 5) Standards should be established for shoreline stabilization, vegetation conservation, water quality and shoreline modifications to ensure that new development does not result in a net loss of shoreline ecological functions or further degrade other shoreline values.
- 6) LID should be implemented where feasible for any development occurring within the Conservancy environment.

e) Regulations

- 1) Shoreline Use: Permitted, conditional, and prohibited uses for the Conservancy environment are listed in Chapter 4, Specific Shoreline Use Policies and Regulations, and summarized in Table I of that Chapter.
- 2) Development Standards: Shoreline related development standards for the Conservancy environment are summarized in Table II of Chapter 4.

5. Natural Environment

a) Purpose

The purpose of the Natural environment designation is to protect those shoreline areas that are relatively free of human influence or that include intact or minimally degraded shoreline functions intolerant of human use. These systems require that only very low intensity uses be allowed in order to maintain the ecological functions and ecosystem-wide processes. Local agencies should include planning for restoration of degraded shorelines within this environment.

b) Designation Criteria

A Natural environment designation is assigned to shoreline areas if any of the following characteristics apply:

- 1) The shoreline is ecologically intact and therefore currently performing an important, irreplaceable function or ecosystem-wide process that would be changed by human activity;
- 2) The shoreline is considered to represent ecosystems and geologic types that are of particular scientific and educational interest; or
- 3) The shoreline is unable to support new development or uses without significant adverse impacts to ecological functions or risk to human safety.

c) Designated Areas

1) Description

The Natural environment areas include the portion of Chambers Creek that includes the south bank between the confluence of Leach Creek and where Chambers Creek crosses the western City boundary. Parcels within the Oakbrook 4th Addition subdivision are specifically excluded from the Natural environment designation.

2) Rationale

This portion of Chambers Creek has generally high ecological function, a largely natural shoreline and is unable to support significant new development without significant adverse impacts to ecological function.

d) Management Policies

- 1) Any use that would substantially degrade the ecological functions or natural character of the shoreline area should not be allowed.
- 2) The following new uses should be prohibited in the Natural environment:
 - a. Commercial uses.
 - b. Industrial uses.
 - c. Non-water-oriented recreation, except the maintenance, repair, and limited expansion of existing facilities and uses.
 - d. Roads, utility corridors, and parking areas that can be located outside of Natural environment designated shorelines.
 - e. Multi-Family Residential.
 - f. Commercial forestry.
 - g. Agricultural uses.
- 3) Scientific, historical, cultural, educational research uses, and low-intensity water-oriented recreational access uses may be allowed if no significant ecological impact in the area will result.
- 4) Certain over-water structures, such as docks and piers, should not be allowed because of their impacts to the Natural environment and because there is not sufficient demand for these structures to support the water dependent uses on Chambers Creek.
- 5) New development or significant vegetation removal that would reduce the capability of vegetation to perform normal ecological functions should not be allowed.
- 6) The subdivision of property should not be allowed.
- 7) LID should be implemented where feasible for any development occurring within the Natural environment.

e) Regulations

- 1) Shoreline Use: Permitted, conditional, and prohibited uses for the Natural environment are listed in Chapter 4, Specific Shoreline Use Policies and Regulations, and summarized in Table I of that Chapter.
- 2) Development Standards: Shoreline related development standards for the Natural environment are summarized in Table II of Chapter 4.

6. Aquatic Environment

a) Purpose

The purpose of the Aquatic environment designation is to protect, restore, and manage the unique characteristics and resources of the areas waterward of the OHWM.

b) Designation Criteria

The Aquatic environment designation is assigned to areas waterward of the OHWM.

c) Designated Areas

1) Description

Aquatic environment areas include all areas waterward of the OHWM as generally shown in Figure 1, including areas waterward of the OHWM within Chambers Creek and Clover Creek, as determined on a site-by-site basis.

2) Rationale

Areas waterward of the OHWM within the City fall within the Aquatic environment designation criteria as set forth in WAC 173-26-211(5)(c). This designation intends to preserve, protect, and manage the ecological functions of all water bodies that are considered waters of the state, as defined by the SMA.

d) Management Policies

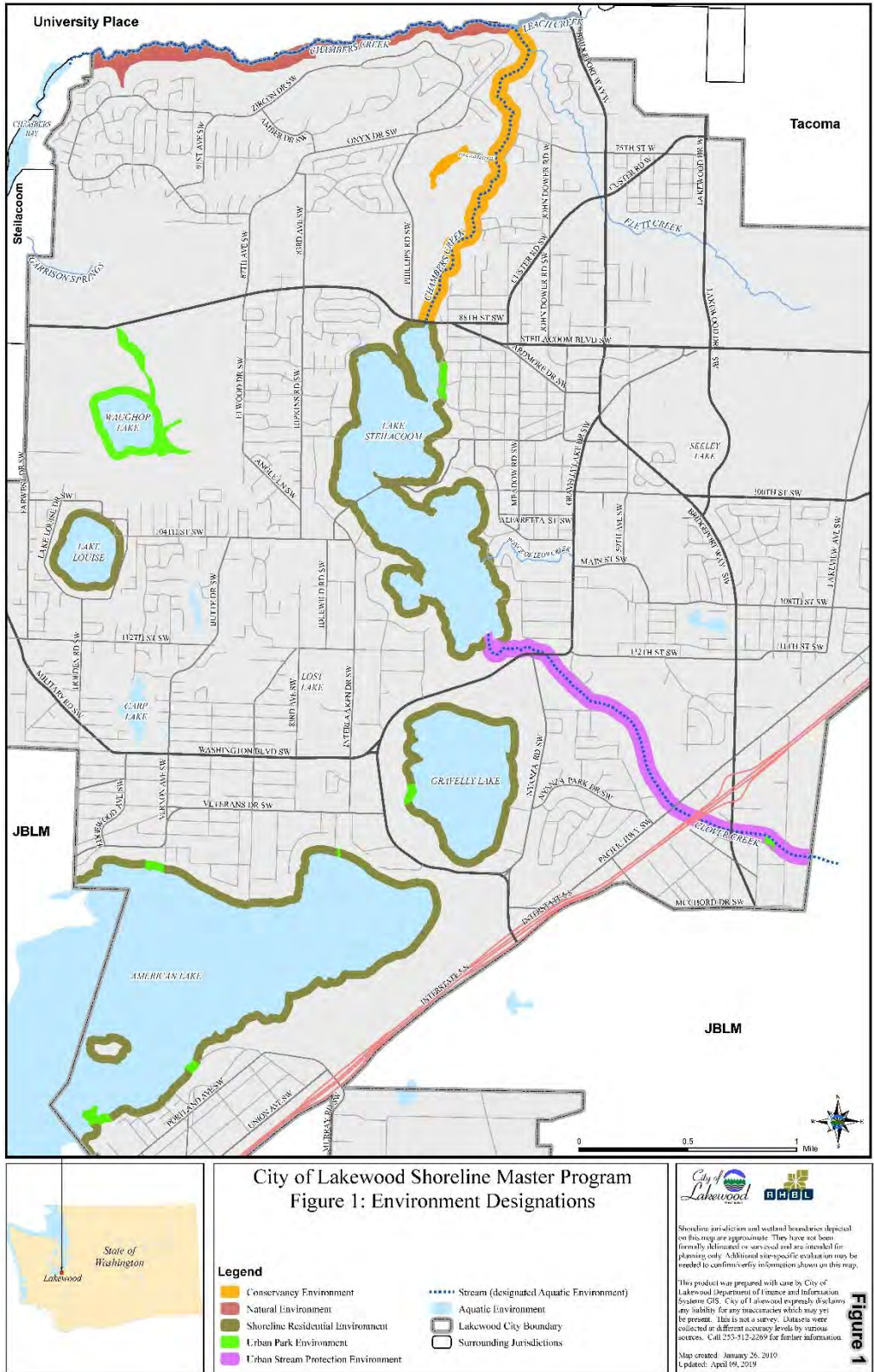
- 1) New over-water structures should be allowed only for water-dependent uses, public access, or ecological restoration.
- 2) The size of new over-water structures should be limited to the minimum necessary to support the structure's intended use.
- 3) In order to reduce the impacts of shoreline development and increase effective use of water resources, multiple uses of over-water facilities should be encouraged.
- 4) All developments and uses on waters or their beds should be located and designed to minimize interference with surface navigation, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.
- 5) Uses that adversely impact the ecological functions of identified critical freshwater habitats, should not be allowed except where necessary to achieve the objectives of RCW 90.58.020, and then only when their impacts are mitigated according to the sequence described in Chapter 3, Section B(4)(c)(3) of this SMP as necessary to assure no net loss of ecological functions.
- 6) Shoreline uses and modifications should be designed and managed to prevent degradation of water

quality and alteration of natural hydrological conditions.

e) Regulations

- 1) Shoreline Use: Permitted, conditional, and prohibited uses for the Aquatic environment are listed in Chapter 4, Specific Shoreline Use Policies and Regulations, and summarized in Table I of that Chapter.
- 2) Development Standards: Shoreline related development standards for the Aquatic environment are summarized in Table II of Chapter 4.

Figure 1. Note – Figure 1 is also available in 11x17 format at www.cityoflakewood.us



Chapter 3 General Shoreline Provisions

A. Introduction

The following policies and regulations apply to all uses, developments, and activities in the shoreline area of the City of Lakewood. General policies and regulations are broken into different topic headings. Each topic includes a description of its applicability, general policy statements, and specific regulations. The intent of these provisions is to be inclusive, making them applicable to all environments, while detailing specific requirements for particular shoreline uses and activities. Topics include the following:

- 1. Universally Applicable Policies and Regulations
- 2. Archaeological and Historic Resources
- 3. Critical Areas
- 4. Environmental Impacts and Mitigation Sequencing
- 5. Public Access
- 6. Restoration
- 7. Shorelines of Statewide Significance
- 8. Shoreline Vegetation Conservation (Clearing and Grading)
- 9. Water Quality, Stormwater, and Non-Point Pollution

These policies and regulations are in addition to other adopted ordinances and rules. Where conflicts exist between regulations, the requirement that most supports the provisions of RCW 90.58.020 shall apply. These interlocking development regulations are intended to make shoreline development responsive to specific design needs and opportunities along the City’s shorelines, protect the public’s interest in the shorelines’ recreational and aesthetic values, and assure, at a minimum, no net loss of ecological functions necessary to sustain shoreline natural resources.

These provisions address the elements of a SMP as required by RCW 90.58.100(2) and implement the SMP Guidelines as established in WAC 173-26-186.

B. Policies and Regulations

1. Universally Applicable Policies and Regulations

a) Applicability

The following provisions describe how this SMP is to be applied and the requirements for all shoreline uses and modifications in all shoreline environment designations.

b) Policies

- 1) The City should keep records of all project review actions within shoreline jurisdiction, including shoreline permits and letters of exemption.
- 2) The City should involve affected federal, state and tribal governments in the shoreline application review process.
- 3) The City should periodically review shoreline conditions to determine whether other actions are necessary to ensure no net loss of ecological functions, protect and enhance visual quality, and enhance residential and recreational uses on the City's shorelines. Such review should include, but is not limited to:
 - a. Water quality;
 - b. Conservation of aquatic vegetation (noxious weed control and vegetation enhancement that supports more desirable ecological and recreational conditions);
 - c. Changing visual character as result of new residential development, including additions, and individual vegetation conservation practices (both along shoreline and in upland areas); and
 - d. Shoreline stabilization and modifications.

c) Regulations

- 1) All proposed shoreline uses and development, including those that do not require a shoreline permit, must conform to the SMA and to the policies and regulations of this SMP.
- 2) The policies listed in this SMP are intended to provide broad guidance and direction for the "regulations" applied by the City. These policies constitute the Shoreline Element of the City's Comprehensive Plan.
- 3) If provisions within this SMP conflict, or where there is a conflict with other City policies and regulations, the provisions most directly implementing the objectives of the SMA, as determined by the Shoreline Administrator, shall apply unless specifically stated otherwise.
- 4) Shoreline uses, modifications and conditions listed as "prohibited" shall not be eligible for consideration as a variance or CUP. See Chapter 4 for Shoreline Use regulations and Chapter 6 (Administration) for exemptions, variances, conditional uses, and nonconforming use provisions.

2. Archaeological and Historic Resources

a) Applicability

The following provisions apply to archaeological and historic resources that either are recorded at the state historic preservation office and/or by local jurisdictions or have been inadvertently uncovered. Archaeological sites located both in and outside shoreline jurisdiction are subject to Chapter 27.44 RCW (Indian Graves and Records) and Chapter 27.53 RCW (Archaeological Sites and Records). Development or uses that may affect such sites shall comply with Chapter 25-48 WAC, as well as the provisions of this chapter.

b) Policies

- 1) Due to the limited and irreplaceable nature of archaeological and historic resources, destruction of or damage to any site having historic, cultural, scientific, or educational value as identified by the appropriate authorities, including affected Native American tribes, and Washington State Department of Archaeology and Historic Preservation should be prevented.
- 2) New development should be compatible with existing historic structures and cultural areas.

c) Regulations

- 1) Developers and property owners shall immediately stop work and notify the City, the Department of Archaeology and Historic Preservation and affected Native American tribes if archaeological resources are uncovered during excavation.
- 2) A site inspection or evaluation by a professional archaeologist in coordination with affected Native American tribes shall be required for all permits issued in areas documented to contain archaeological resources. Failure to comply with this requirement shall be considered a violation of the shoreline permit.
- 3) Significant archaeological and historic resources shall be permanently preserved for scientific study, education, and public observation. When the Shoreline Administrator determines that a site has significant archeological, natural scientific or historical value, a substantial development permit and/or any other permit authorizing development or land modification shall not be issued which would pose a threat to the site. The Shoreline Administrator may require that a site be redesigned or that development be postponed in such areas to allow investigation of public acquisition potential and/or retrieval and preservation of significant artifacts.
- 4) In the event that unforeseen factors constituting an emergency as defined in WAC 173-27-040(2)(d) necessitate rapid action to retrieve, preserve, or protect property containing artifacts or data identified above from damage by the elements, the project may be exempted from the permit requirement. The City shall notify Ecology, the State Attorney General's Office, and the State Historic Preservation Office of such a waiver in a timely manner.
- 5) Archaeological sites located both in and outside the shoreline jurisdiction are subject to Chapter 27-44 RCW (Indian Graves and Records) and Chapter 27-53 RCW (Archaeological Sites and Records) and shall comply with Chapter 25-48 WAC or its successor as well as the provisions of this SMP.

- 6) Identified historical or archaeological resources shall be considered in park, open space, public access, and site planning with access to such areas designed and managed to give maximum protection to the resource and surrounding environment.
- 7) Interpretive signs, plaques or other means to provide information about historical and archaeological features shall be provided, except when the location of resources are protected by state or federal law or disclosure of such information would potentially endanger the resources in question.

3. Critical Areas

Critical areas in shoreline jurisdiction are regulated by this SMP. As such, the Critical Areas and Natural Resource Lands Regulations, ~~Ordinance No. 630 § 10, December 7, 2015, and Ordinance No. 362 3(part), November 15, 2004, Ordinance No. 813 (part), September 16, 2024,~~ codified under Chapter 14 of the LMC, is herein incorporated by reference into this SMP (see **Appendix A**) with the exceptions and modifications noted below.

a) Applicability

Exceptions to the applicability of the Critical Areas and Natural Resource Lands Regulations in shoreline jurisdiction are provided below.

- 1) If provisions of the Critical Areas and Natural Resource Lands Regulations and other parts of the SMP conflict, the requirement that most supports the provisions of the SMA as stated in RCW 90.58.020 shall apply, as determined by the Shoreline Administrator.
- 2) The setbacks and buffer provisions for SMA water bodies contained in Chapter 4, Section C shall apply.
- 3) Provisions of the Critical Areas and Natural Resource Lands Regulations that are inconsistent with the SMA and SMP Guidelines shall not apply or are specifically modified in shoreline jurisdiction, as follows:
 - a. The provisions do not extend shoreline jurisdiction beyond the limits specified in Chapter 2, Section C of this SMP.
 - b. Provisions relating to exemptions in LMC Section 14.142.070 and allowable activities such as those outlined in LMC Sections 14.154.090 and 14.162.090 do not relieve the applicant from obtaining a substantial development permit or other permit or approval required under this SMP, or meeting the specific requirements identified in other sections of the SMP, including, but not limited to, mitigation sequencing and the no net loss requirement even when after-the-fact review and permitting is required for emergency actions. Where utility line trenching is proposed, it shall not be allowed in Category I or II wetlands, and is discouraged in Category III and IV wetlands.
 - c. Provisions that include a “reasonable use determination” shall not apply within shoreline jurisdiction. Specifically, LMC Sections 14.142.080 and 14.142.090 do not apply. Such uses and developments require a variance in accordance with Chapter 6 of this SMP.

- d. Provisions relating to variance procedures and criteria do not apply in the shoreline jurisdiction. Specifically, LMC Section 14.142.110, which references variance procedures in the LMC, does not apply. Variance procedures and criteria within shoreline jurisdiction have been established in this SMP, Chapter 6 Section D and in WAC 173-27-170.
- e. Provisions relating to nonconforming uses in LMC Section 14.142.180 shall not apply. Please see Chapter 6, Section F for nonconforming development standards within shoreline jurisdiction.
- f. Geologically Hazardous Areas. Provisions contained in LMC Section 14.146.000 are hereby clarified and amended.
 - i. New development and the creation of new lots through subdivision shall not be allowed when it would cause foreseeable risk from geological conditions to people or improvements during the life of the development.
 - ii. New development that would require structural shoreline stabilization over the anticipated life of the development shall not be allowed, unless stabilization is necessary to protect allowed uses where no alternative locations are available and no net loss of ecological functions will result.
 - iii. All shoreline stabilization shall comply with Chapter 5, Section C(1 and 2).
- g. Waughop Lake shall be subject to the setback requirements outlined in the SMP and not to the 35' buffer requirement in the LMC Section ~~14.154.060(B)~~ 14.154.050(B)(1).
- h. Identification of wetlands and delineation of their boundaries shall be done in accordance with the most recent version of the approved federal wetland delineation manual and applicable regional supplements, pursuant to WAC 173-22-035. All areas within the shoreline management area meeting the wetland designation criteria in that procedure are hereby-designated critical areas and are subject to the provisions of this SMP. See LMC Chapter 14.162.
- i. Special permitted uses identified in LMC Section 14.162.060 may be authorized pursuant to the requirements herein, however, these provisions do not relieve an applicant from complying with all other procedural and substantive requirements of this SMP, including, but not limited to, mitigation sequencing, and no net loss.
- ~~j. Wetland Buffers. The following modifications to LMC Section 14.162.080 shall apply.~~
 - ~~i. Buffer width averaging in LMC Section 14.162.080(B)(1) shall be limited such that the buffer at its narrowest point is no less than 75% of the standard width.~~
 - ~~ii. Administrative buffer reductions allowed under LMC Section 14.162.080(B)(2) shall be limited to 25% of the standard buffer width.~~
 - ~~iii. Within shoreline jurisdiction, wetland buffers as outlined in LMC Section 14.162.080 (A) for Category I wetlands shall not apply. Wetland buffers within shoreline jurisdiction for Category~~

~~l. Wetlands shall be 300 feet.~~

- ~~k. Mitigation. LMC Section 14.162.100(A) shall not apply. Mitigation sequencing shall follow the requirements of Chapter 3, Section B(4)(c)(3).~~
- ~~l. Agricultural Activities. LMC Section 14.162.110 shall not apply.~~
- m. Alternative Review Process, Corps of Engineers, Section 404 Permit. LMC Section 14.162.120 shall not be construed to modify the requirements contained in this SMP. In all cases, the buffer requirements identified herein shall apply and mitigation sequencing as required in Chapter 4, Section B(4)(c)(3) must be employed in the design, location and operation of the project.
- n. In-Stream Structures. Please see Chapter 5, Section C(5)(h) for regulations pertaining to in- stream structures such as dams and weirs.
- o. Channel Migration Zones (CMZ). Within the shoreline jurisdiction surrounding Chambers Creek, the Shoreline Administrator shall require a channel migration study when the City determines that a shoreline use, development or modification proposal has the potential to interfere with the process of channel migration. Potential CMZ reaches are shown on map 12 of the Shoreline Analysis Report dated October 1, 2010. The study shall include recommended measures (consistent with mitigation sequencing) that demonstrate how no net loss of ecological functions associated with channel migration will be achieved. The proposal must demonstrate how it will avoid affecting the CMZ through utilization of nonstructural flood hazard measures and avoid the need for future shoreline modifications and structural flood hazard measures.
- p. Flood Hazard Overlay. LMC Section 14.158.030 incorporates the Flood Hazard Overlay provisions of LMC Section 18A.40.100 by reference. In addition to the standards contained therein, the following shall apply:
 - i. Where feasible, nonstructural flood hazard reduction measures should be implemented.
 - ii. Development shall not increase flood hazards significantly or cumulatively and must be consistent with adopted and approved comprehensive flood hazard management plans, other comprehensive planning efforts, the requirements of the SMA and Chapter 173-26 WAC.
 - iii. New development and uses, including the subdivision of land, shall not be established when it is reasonably foreseeable that the development or use would require structural flood hazard reduction measures within the CMZ or floodway.
 - iv. The following uses may be authorized within the CMZ or floodway:
 - a. Ecological restoration or projects that protect ecosystem processes or ecological functions.
 - b. Bridges, utility lines and other public utility and transportation structures where no other feasible alternative exists or the alternative would result in unreasonable and disproportionate cost. Where such structures are allowed, mitigation shall address

impacted functions and processes in the affected area.

- c. Repair and maintenance of an existing legal use, provided such actions do not cause significant ecological impacts or increase flood hazards to other users.
 - d. Modifications or additions to an existing legal use, provided that further channel migration is not limited and the new development includes appropriate protection of ecological functions.
 - e. Development where existing structures prevent active channel movement and flooding.
 - f. Measures to reduce shoreline erosion, if it is demonstrated that the erosion rate exceeds that which would normally occur in a natural condition; the measure does not interfere with fluvial hydrological and geomorphological processes normally acting in natural conditions; and that the measure includes appropriate mitigation of impacts to ecological functions associated with the stream.
- v. New structural flood hazard reduction measures shall be allowed in shoreline jurisdiction only when it can be demonstrated by a scientific and engineering analysis that they are necessary to protect existing development, that nonstructural measures are not feasible, that impacts on ecological functions and priority species and habitats can be successfully mitigated so as to assure no net loss, and that appropriate vegetation conservation actions are undertaken consistent with the requirements of Chapter 3, Section C(8).
- vi. New structural flood hazard reduction measures shall be placed landward of the associated wetlands, and designated vegetation conservation areas, except for actions that increase ecological functions, such as wetland restoration, or as noted below. Such flood hazard reduction projects may be authorized if it is determined that no other alternative to reduce flood hazard to existing development is feasible. The need for, and analysis of feasible alternatives to, structural improvements shall be documented through a geotechnical analysis.
- vii. New structural public flood hazard reduction measures, such as dikes and levees, shall dedicate and improve public access pathways unless public access improvements would cause unavoidable health or safety hazards to the public, inherent and unavoidable security problems, unacceptable and immitigable significant ecological impacts, unavoidable conflict with the proposed use, or a cost that is disproportionate and unreasonable to the total long-term cost of the development.
- viii. The removal of gravel for flood management purposes shall be consistent with an adopted flood hazard reduction plan and with this SMP and allowed only after a biological and geomorphological study shows that extraction has a long-term benefit to flood hazard reduction, does not result in a net loss of ecological functions, and is part of a comprehensive flood management solution.
- ix. Structural flood hazard reduction measures shall be consistent with an adopted comprehensive flood hazard management plan approved by the State that evaluates cumulative impacts to the

watershed system.

- x. Flood hazard overlay variance criteria and requirements in LMC Section 18A.40.160 are in addition to the standard shoreline variance criteria and requirements identified in Chapter 6, Section D(1).

4. Environmental Impacts and Mitigation Sequencing

a) Applicability

A primary concern of the SMA is the environmental impact that uses and development may have on the fragile shorelines of the state. The following policies and regulations specify how environmental impacts shall be addressed in project design, construction, and regulatory approval and apply to all uses, activities, and development, regardless of whether a permit is required.

b) Policies

- 1) Shoreline processes and ecological functions should be protected through regulatory and non-regulatory means, including acquisition of key properties and conservation easements, development regulation, and providing incentives to encourage ecologically sound design.
- 2) The scenic aesthetic quality of shoreline areas and vistas should be preserved to the greatest extent feasible.
- 3) Adverse impacts on the natural environment should be minimized during all development phases (e.g. design, construction, operation, and management) and mitigation sequencing as described in the regulations should be applied to achieve no net loss of shoreline ecological functions.
- 4) Shoreline developments that propose to enhance environmentally sensitive areas, natural characteristics, shoreline resources, and provide water oriented public access and recreational opportunities should be encouraged and are consistent with the fundamental policies of this SMP.

c) Regulations

- 1) All shoreline uses and developments shall be located, designed, constructed, and mitigated to result in no net loss of ecological functions necessary to sustain shoreline natural processes.
- 2) All shoreline uses and activities shall be located and designed to prevent or minimize the need for shoreline protection structures (bulkheading, riprap, etc.), stabilization, landfills, dredging, groins, jetties, or substantial site regrading.
- 3) Where required, mitigation measures shall be applied in the following sequence listed in order of priority; lower priority measures shall be applied only when higher priority measures are determined to be infeasible or inapplicable:
 - a. Avoiding the impact altogether by not taking a certain action or parts of an action;

- b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
 - c. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
 - d. Reducing or eliminating the impact over time by preservation and maintenance operations;
 - e. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and
 - f. Monitoring the impact and the compensation projects and taking appropriate corrective measures.
- 4) All shoreline developments shall be located, constructed, and operated so as not to be a hazard to public health and safety.
 - 5) Identified significant short term, long term, or cumulative adverse environmental impacts lacking appropriate mitigation to ensure no net loss of ecological functions necessary to sustain shoreline processes shall be sufficient reason for permit denial.
 - 6) Substantive authority under the State Environmental Policy Act may be used to mitigate any environmental impacts not specifically or adequately addressed by the regulations contained in this SMP.

5. Public Access

a) Applicability

Public access includes the ability of the general public to reach, touch and enjoy the water's edge, to travel on the waters of the state, and to view the water and the shoreline from adjacent locations. There is a variety of types of public access, including, but not limited to, picnic areas, pathways and trails, promenades, bridges, street ends, ingress and egress, and parking.

Existing formal public access to shorelines within the City includes American Lake North Park, Harry Todd Park (American Lake), Edgewater Park (Lake Steilacoom), Fort Steilacoom Park (Waughop Lake), and Chambers Creek Canyon Park. In addition, there are a number of public street ends where there may be potential for developing public access.

b) Policies

- 1) Public shoreline access should be provided and enhanced through purchase or retention of access easements, signage of public access points, and designation and design of specific shoreline access areas for wildlife viewing.

- 2) Shoreline areas that hold unique value for public enjoyment should be identified and retained purchased, or easements should be acquired for public use. Prioritize sites in terms of short and long-term acquisition and development.
- 3) Street crossings of Clover Creek and public street ends terminating at the creek should be considered for public access facilities.
- 4) Access should be provided for a range of users including pedestrians, bicyclists, boaters, and people with disabilities to the greatest extent feasible.
- 5) Provisions for shoreline access should be required when the proposed development can be shown to have an impact on public access to waters of the state. Shoreline projects shall not be permitted that result in any net loss of shoreline access.
- 6) Required public access exactions should be reasonably related to the nature and scope of the project's impact to public access resources. Proximity to the water, by itself, shall not constitute an impact or basis for an exaction.
- 7) The design, construction, and operation of permitted uses in the shoreline jurisdiction should be regulated to minimize interference with the public's use of the water.
- 8) Access to all shoreline areas should be improved through expanded non-motorized connections and transit service.
- 9) Shoreline public access trails should be integrated with other existing and planned regional trails where feasible to provide non-motorized access and community connections.
- 10) Existing and proposed public access and recreational uses should be ensured to not adversely affect the integrity and character of the shoreline, threaten fragile shoreline ecosystem, or impair or detract from the public's visual or physical access to the water.
- 11) Preservation and enhancement of the public's visual access to all shoreline areas should be encouraged through the establishment of setbacks and height limits that ensure view corridors, but not be construed to mean excess removal of vegetation that partially impairs views.
- 12) Physical access for swimming and non-motorized boating, passive recreation (such as interpretive trails), and habitat enhancement should be encouraged for the management of shoreline public access sites.
- 13) Public access facilities should provide auxiliary facilities, such as parking and sanitation facilities, when appropriate, and they should be designed for accessibility by handicapped and physically impaired persons. Auxiliary facilities should be located outside of the shoreline management area or near the outer edge of the shoreline management area if feasible.
- 14) Public access should be designed to provide for public safety and to minimize potential impacts to private property and individual privacy.

- 15) Regulations should ensure that the development of active recreational facilities results in no net loss of ecological function. Regulations should address upland concerns, such as the location and design of parking and auxiliary facilities and active play areas, as well as the development of in-water and nearshore structures, such as non-motorized boat launches, piers, and swimming areas.
- 16) Public access facilities should be constructed of environmentally friendly materials, use LID BMPs where feasible, and sustain natural processes.
- 17) Regulations should provide guidance for the construction of trails in particularly environmentally sensitive shoreline segments along Chambers Creek and Waughop Lake.

c) Regulations

- 1) Where the City has shown that a project would have an adverse impact on existing public access to the waters of the state or create a new demand for public access, provisions shall be made to mitigate the impact/meet the projected demand and ensure that there is no net loss to public access resources or opportunities. Examples of impacts to shoreline access resources or new demand include, but are not limited to:
 - a. The development would result in increased demand for shoreline access by the location of new dwelling units within the 200' SMA jurisdiction without physical shoreline access for each unit.
 - b. The development would foreclose an opportunity to access an area without existing public access, or where the opportunity for access is unique.
 - c. The proposed development would interfere with existing public access.
 - d. The proposed development would interfere with planned public access facilities shown in an adopted plan, ordinance, or resolution of the Lakewood City Council.
 - e. The proposed development would create additional potential demand for emergency response services without adequate potential access to the shoreline for emergency responders.
 - f. Instances where there is an existing public access or access easement applicable to the property.
- 2) The Community Development Director may authorize reasonable adjustments to development standards such as lot coverage, minimum lot width, setbacks, etc. in order to accommodate public access. Such adjustments may require a variance in accordance with Chapter 6(D)(1).
- 3) Development exactions for public access shall be reasonably related to the scope and nature of the project and its impact to public access. Access may be limited to the final users or residents of the development where full public access is not required to mitigate the identified impact.
- 4) Developments, uses, and activities shall be designed and operated to avoid blocking, reducing or adversely interfering with the public's visual or physical access to the water and the shorelines. In providing visual access to the shoreline, natural vegetation shall not be excessively removed either by

clearing or by topping.

- 5) Public access sites shall be connected directly to the nearest public street through a parcel boundary, tract, or easement.
- 6) Public access sites shall be made barrier free for the physically disabled where feasible.
- 7) Required public access sites shall be fully developed and available for public use at the time of occupancy or use of the development or activity.
- 8) Public access easements and permit conditions shall be recorded on the deed where applicable or on the face of a plat, if applicable, or short plat as a condition running in perpetuity with the land. Recording with the Pierce County Recorder's Office shall occur at the time of permit approval (See RCW 58.17.110; relating to subdivision approval).
- 9) The standard state approved logo and other approved signs that indicate the public's right of access and hour of access shall be constructed, installed, and maintained by the applicant in conspicuous locations at public access sites. Alternatively, where public access is prohibited, property owners may install signs indicating this, subject to size and location restrictions in a required permit.
- 10) Future actions by the applicant or other parties shall not diminish the usefulness or value of the public access site.
- 11) Physical public access shall be designed to prevent significant impacts to sensitive natural systems, follow the mitigation sequence identified in Chapter 3, Section B(4)(C)(4) and achieve no net loss of shoreline ecological function .
- 12) Where public access is to be provided by a trail the requirements contained in Chapter 4, Section (D)(8) shall apply.
- 13) Whenever financially feasible and practical, the City shall require the use of building materials and technologies whose production and use result in reduced environmental impacts when developing public access to the shoreline.
- 14) The Administrator may waive the requirement for public access where it is demonstrated to be infeasible due to reasons for incompatible uses, safety, security, or impact to the shoreline environment or due to constitutional or other applicable legal limitations. In determining infeasibility, the Administrator shall consider alternate methods of providing public access such as offsite improvements, viewing platforms, separation of uses and restricting hours for public access.

6. Restoration

a) Applicability

Restoration refers to the reestablishment or upgrading of impaired ecological shoreline processes or functions. The following policies are intended to guide actions to improve shoreline ecological functions over time where

such functions have been degraded. Restoration is distinct from mitigation measures necessary to achieve no net loss of shoreline functions and the City's commitment to plan for restoration will be implemented primarily through non-regulatory means (e.g. incentives, public projects and voluntary private actions).

b) System-Wide Restoration Policies

- 1) Areas that are biologically and aesthetically degraded should be reclaimed and restored to the greatest extent feasible while maintaining appropriate use of the shoreline. Water quality of all water bodies within the shoreline management area should be improved by managing the quality and quantity of stormwater in contributing systems, consistent with the latest Ecology Stormwater Management Manual for Western Washington.
- 2) The quality, width, and diversity of native vegetation in protected corridors adjacent to lake and stream habitats should be increased to provide safe migration pathways for fish and wildlife, food, nest sites, shade, perches, and organic debris. Strive to control non-indigenous plants or weeds that are proven harmful to native vegetation or habitats.
- 3) Work should continue with other jurisdictions and stakeholders on implementation of the Water Resource Inventory Area (WRIA) 12 Plan.
- 4) Funding for various restoration actions and programs should be sought from local sources and by working with other WRIA 12 jurisdictions and stakeholders to seek federal, state, grant and other funding opportunities.
- 5) A public education plan should be developed to inform private property owners in the shoreline zone and in the remainder of the City about the effects of land management practices and other unregulated activities (such as pesticide/herbicide use, car washing) on fish and wildlife habitats. The City should strive to coordinate efforts with local groups such as the Tahoma Audubon Society, Chambers/Clover Creek Watershed Council, the Clover Creek Council and other appropriate partners and stakeholders.
- 6) Lake area and wetland should be protected, enhanced, and restored throughout the contributing basin where functions have been lost or compromised.

c) SMA Restoration Policies

- 1) Waughop Lake (Fort Steilacoom Park), American Lake North Park, Harry Todd Park, and Edgewater Park should be targeted for restoration of shoreline natural resources and functions while ensuring continued public access to the shoreline.
- 2) Restoration of aquatic and riparian habitat along Clover Creek should be encouraged and accomplished over time through incentives for private property owners, stormwater management improvements, and City capital improvement projects.
- 3) The City should collaborate with Pierce County and the City of University Place for any restoration activities that would improve habitat and other ecological functions within Chambers Creek Canyon

Park.

- 4) The City, Washington State Parks, and Pierce County should protect natural areas and continue to identify and implement shoreline restoration projects at Fort Steilacoom Park, while ensuring continued public access.
- 5) Ecological functions of lake shorelines should be improved by removing bulkheads and replacing these features to the extent feasible with bioengineered stabilization solutions to improve aquatic habitat conditions.
- 6) Ecological functions of streams and related habitat with stream bank stabilization should be improved using native vegetation.
- 7) American Lake North Park and Harry Todd Park should be targeted for limited habitat enhancements that are designed and sited to be compatible with the heavy active recreation use at these parks. Opportunities include planting of native vegetation where appropriate.
- 8) Habitat conditions should be improved by increasing large woody debris recruitment potential through plantings of trees along the lakeshore, particularly conifers. Where a safety hazard will not be created, installation of large woody debris should be encouraged to meet short-term needs.
- 9) Single-family residential properties should be targeted with incentives, outreach, and information for homeowners who are willing to voluntarily remove bulkheads, plant native vegetation and recruit large woody debris.
- 10) The amount and impact of overwater and in-water structures should be decreased within SMP lakes through minimization of structure size and use of more environmentally friendly materials, including grated decking.
- 11) American Lake North Park, Edgewater Park, Harry Todd Park, Springbrook Park and Open Space, and Chambers Creek Canyon Park should be targeted for the use of environmentally friendly materials and design during the future planned development of recreational facilities.
- 12) Native vegetation should be preserved and restored along shorelines to the greatest extent feasible.
- 13) Aquatic invasive species in American Lake, Gravelly Lake, Lake Louise, and Waughop Lake should be monitored and controlled, and participation in lake-wide efforts at Lake Steilacoom should continue to reduce populations of non-native aquatic vegetation.
- 14) Restoration projects may include shoreline modification actions such as vegetation modification, shoreline stabilization, dredging or filling in accordance with all applicable provisions in this SMP and provided the primary purpose of such actions is clearly restoration of natural character and ecological functions of the shoreline.
- 15) In accordance with RCW 90.58.580 and WAC 173-27-215, a Substantial Development Permit is not required for development on land that is brought under shoreline jurisdiction due to a shoreline

restoration project. However, projects are still required to comply with the regulations of this Master Program.

- 16) Projects taking place on lands that are brought into shoreline jurisdiction due to a shoreline restoration project that caused a landward shift of the OHWM may apply to the Administrator for relief from the SMP development standards and use regulations under the provisions of RCW 90.58.580. Any relief granted shall be strictly in accordance with the limited provisions of RCW 90.58.580, including the specific approval of the Department of Ecology.

7. Shorelines of Statewide Significance

a) Applicability

The SMA designated certain shoreline areas as shorelines of statewide significance. American Lake is a shoreline of statewide significance. Such shorelines are considered major resources from which all people of the state derive benefits, thus preference is given to uses, which favor long-range goals and support the overall public interest.

b) Policies

In implementing the objectives for shorelines of statewide significance, the City should consider the following policies in order of priority, 1 being the highest and 6 being the lowest.

- 1) Recognize and protect the statewide interest over local interest.
 - a. Make all information associated with this SMP and proposed amendments publicly available, and consider comments and opinions from groups and individuals representing statewide interests when developing and amending the SMP.
- 2) Preserve the natural character of the shoreline.
 - a. Designate and administer shoreline environment designations and use regulations to protect and restore the shoreline ecology and character.
 - b. Protect and restore diversity of vegetation and habitat associated with shoreline areas.
- 3) Support actions that result in long-term benefits over short-term benefits.
 - a. Restrict or prohibit development that would irreversibly damage shoreline resources.
- 4) Protect the resources and ecology of the shoreline.
 - a. All shoreline development should be located, designed, constructed, and managed to avoid disturbance of and minimize adverse impacts to wildlife resources, including spawning, nesting, rearing and habitat areas and migratory routes.
 - b. Actively promote aesthetic considerations when contemplating new development, redevelopment of existing facilities or general enhancement of shoreline areas.
- 5) Increase public access to publicly owned areas of the shorelines.
 - a. Implement a comprehensive wayfinding signage program that directs the public to publicly owned shoreline areas.

- 6) Increase recreational opportunities for the public in the shoreline.
 - a. Plan for and encourage development of facilities for recreational use of the shoreline.

8. Shoreline Vegetation Conservation (Clearing and Grading)

a) Applicability

The following provisions apply to any activity, development, or use which results in the removal of or affect to shoreline vegetation, whether or not that activity requires a shoreline permit. Such activities include clearing, grading, grubbing, and trimming of vegetation. These provisions also apply to vegetation protection and enhancement activities.

b) Policies

- 1) Native shoreline vegetation should be conserved to maintain shoreline ecological functions and/or processes and should mitigate the direct, indirect, and/or cumulative impacts of shoreline development, wherever feasible. Important functions of shoreline vegetation include, but are not limited to:
 - a. Providing shade necessary to maintain water temperatures required by salmonids and other organisms for all or a portion of their lifecycles.
 - b. Regulating microclimate in riparian and nearshore areas.
 - c. Providing organic inputs necessary for aquatic life, including providing food in the form of various insects and other benthic macroinvertebrates.
 - d. Stabilizing banks, minimizing erosion and sedimentation, and reducing the occurrence and severity of landslides.
 - e. Reducing introduction of fine sediment into the aquatic environment by minimizing erosion, aiding infiltration, and retaining runoff.
 - f. Improving water quality through filtration and vegetative uptake of nutrients and pollutants.
 - g. Providing a source of large woody debris to moderate stream flows, create hydraulic roughness, form pools and increase structural diversity for salmonids and other species.
 - h. Providing habitat elements for riparian-associated species, including downed wood, snags, migratory corridors, food, and cover.
- 2) Management and control of noxious and invasive weeds should be encouraged, preferably by using non-toxic or natural controls. Control of such species should be done in a manner that retains on-site native vegetation, provides for erosion control, and protects water quality.
- 3) Adverse environmental and shoreline impacts of clearing and grading should be avoided wherever

feasible through proper site planning, construction timing and practices, bank stabilization, soil bioengineering and use of erosion and drainage control methods. Maintenance of drainage controls should be a high priority to ensure continuing, effective protection of habitat and water quality.

- 4) All clearing and grading activities should be designed with the objective of maintaining natural diversity in vegetation species, age, and cover density.
- 5) Incentives for the retention and planting of native vegetation should be provided, and extensive lawns should be discouraged due to their limited erosion control value, limited water retention capacity, and associated chemical and fertilizer applications particularly in areas recommended for designation as Shoreline Residential. Incentives could include additional flexibility with building setbacks from American Lake, Gravelly Lake, Lake Louise, and Lake Steilacoom, a simplified permit process with recommended planting plans, reduced or waived permit fees, and/or City participation in a pilot-project that promotes shoreline restoration.
- 6) The City should explore opportunities for the planting and enhancement of native vegetation at American Lake North Park, Harry Todd Park, Edgewater Park, and Fort Steilacoom Park.
- 7) In order to increase habitat and address other ecological functions within the shoreline environment such as wave attenuation, temperature regulation, and bank stabilization, homeowners and property managers should be encouraged to leave diseased and fallen trees in place along the shoreline edge provided the trees are not a danger to public safety or private property.
- 8) The removal of mature trees and native vegetation along American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek should be regulated in a manner that provides greater protection than the current Tree Preservation regulations (LMC Section 18A.50.300). In particular, removal of non-hazardous mature trees and native vegetation within the required setback of American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek should be severely restricted regardless of lot size or use.
- 9) The City should provide information to the public about environmentally appropriate vegetation management, landscaping for shoreline properties and alternatives to the use of pesticides and herbicides, which affect water quality and aquatic habitat.
- 10) Property owners should use the following BMPs when maintaining residential landscapes:
 - a. Avoid use of herbicides, fertilizers, insecticides, and fungicides along drainage channels, and shores of American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek, as well as in the water.
 - b. Limit the amount of lawn and garden watering to avoid surface runoff.
 - c. Dispose of grass clippings, leaves, or twigs properly; do not sweep these materials into the street, into a body of water, or near a storm drain.
 - d. Use native plant materials wherever possible in soil bioengineering applications and habitat

restoration activities for aquatic weed management. Remove, destroy, and modify aquatic vegetation only to the extent necessary to allow water-dependent activities to continue and in a manner that minimizes adverse impacts to native plant communities. Handle and dispose of weed materials and attached sediments appropriately.

c) Regulations

- 1) Clearing and grading activities and related alteration of the natural landscape within shoreline jurisdiction shall only be allowed in association with a permitted shoreline use, activity or development, with limited exceptions as set forth below:
 - a. Removal of noxious weeds as listed by the state in Chapter 16-750 WAC, provided such activity shall be conducted in a manner consistent with BMPs and the City's engineering and stormwater design standards, and native vegetation shall be promptly reestablished in the disturbed area. Noxious weeds removed under this provision shall be removed by hand or using small equipment to minimize negative impacts to the shoreline environment.
 - b. Pruning consistent with accepted arboricultural practices, maintenance of existing ornamental landscapes, and other activities allowed pursuant to these regulations, if said modification is conducted in a manner consistent with this SMP and results in no net loss to ecological functions or critical fish and wildlife habitats.
 - c. Maintenance or view restoration provided that said activity is conducted in a manner consistent with this SMP and results in no net loss to ecological functions or critical fish and wildlife habitat areas.
 - d. Removal of non-native vegetation, including trees up to six inches in diameter at breast height (dbh), provided all areas of exposed soil are replanted or stabilized.
- 2) All clearing and grading activities must also adhere to the requirements of this SMP and the City's code pertaining to land clearing and grading (Chapter 12A LMC - Public Works; LMC Sections 18A.50.400 - 18A.50.445 - Landscaping; LMC Section 18A.50.231 - Landscape design objectives for specific uses). Additional clearing and grading performance standards may be required as a condition of permit issuance to ensure the proposal will result in no net loss of shoreline ecological functions.
- 3) Shoreline developments shall address vegetation conservation and maintenance through compliance with this Section, the critical area standards incorporated in Appendix A, mitigation sequencing required in Section B(4)(c)(3) of this Chapter, and any other regulations specific to vegetation management that may be contained in other chapters of this SMP.
- 4) In all shoreline areas, land clearing, grading, filling and alteration of natural drainage features and landforms shall be limited to the minimum necessary for development.
- 5) Properties within the setbacks and buffers of Chambers Creek, Clover Creek, and Waughop Lake shall maintain native vegetation in an undisturbed state.

- 6) Native understory vegetation and trees within the shoreline setbacks in all environments shall be retained, unless removal is necessary to provide water access, to provide limited view corridors, to mitigate a hazard to life or property, or removal is in association with a permitted development. Any removed vegetation shall be replaced to assure no net loss in ecological functions.
- 7) Native understory vegetation and trees within the Natural environment shall be retained, unless removal is necessary to mitigate a hazard to life or property or allow for limited development associated with an educational, historic, water-oriented recreation, or cultural interpretation facility. Any removed vegetation must be replaced and/or enhanced to assure no net loss in ecological functions.
- 8) Within all other shoreline areas, outside of setbacks and buffers, tree removal shall be limited to the minimum necessary to accommodate proposed structures and uses or to mitigate a hazard to life or property. Significant trees, as defined in LMC Section 18A.50.320 shall be replaced according to a tree replacement plan prepared by a qualified professional that demonstrates how no net loss will be achieved.
- 9) The City shall require a shoreline vegetation management plan (SVMP) prepared by a qualified professional as part of any Substantial Development Permit that includes tree removal and land clearing. The City may require a SVMP for exempt activities or other permits involving tree removal and land clearing where necessary if project plans or other information does not clearly demonstrate compliance with this section. The SVMP shall document compliance with the mitigation sequence and identify appropriate compensatory mitigation, performance assurances, and maintenance and monitoring requirements necessary to assure no net loss of ecological functions. See Chapter 4, Section C(3)(a)(4 and 5) for additional SVMP requirements when the proposal involves an administrative setback reduction. The Citywide tree standards contained in LMC Section 18A.50.300 (Ordinance #264, August 20, 2001) shall be the minimum compensatory mitigation standards and the Shoreline Administrator may require additional compensatory mitigation to meet the no net loss standard. All development, including, but not limited to, development on lots that are less than seventeen thousand (17,000) square feet that would otherwise be exempt under the Citywide tree regulations, shall be required to comply with the standards contained in this SMP as well as those in Title 18A LMC.
- 10) Restoration of any shoreline that has been disturbed or degraded shall use native plant materials, unless such restoration occurs within a developed and maintained ornamental landscape, in which case noninvasive plant materials similar to what most recently occurred on-site may be used.
- 11) Snags and downed trees that are not in the path of proposed improvements and do not pose a hazard to life or property shall be retained for wildlife habitat.
- 12) Placement of fifty (50) cubic yards or more of material from off-site (other than surcharge or preload), or the creation or raising of dry upland shall be considered fill and shall comply with the fill provisions in Chapter 5.
- 13) Surfaces cleared of vegetation and not developed must be replanted with native species or other species as approved by the City within one (1) year. Replanted areas shall be planned and maintained such that,

within three (3) years, the vegetation is at least ninety (90) percent reestablished.

- 14) Stabilization of exposed erosion-prone surfaces within the shoreline environment shall utilize soil bioengineering techniques wherever feasible instead of hardscape or structural techniques.
- 15) Aquatic vegetation control shall only occur when native plant communities and associated habitats are threatened or where weeds restrict an existing water dependent use. Aquatic vegetation control shall occur in compliance with all other applicable laws and standards, including Ecology and Washington Department of Fish and Wildlife (DFW) requirements. Aquatic vegetation control by mechanical methods is exempt from the requirement to obtain a substantial development permit only if the bottom sediment or benthos is not disturbed in the process. It is assumed that mechanical removal of accumulated vegetation at a level closer than two (2) feet to the root level will disturb the bottom sediment and benthos layer.
- 16) The control of aquatic vegetation by de-rooting, rotovating or other methods, which disturb the bottom sediment or benthos, shall be considered development for which a substantial development permit is required.
- 17) The application of herbicides or pesticides in American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek, wetlands, or surface water conveyances requires a permit from the Ecology and may require preparation of a SEPA checklist for review by other agencies. The individual(s) involved must obtain a pesticide applicator license from the Washington State Department of Agriculture.
- 18) Prior to issuance of any construction, grading, or building permits, the City may require that the permittee post a cash guarantee to assure compliance with vegetation conservation standards. This amount should be equal one hundred fifty percent (150%) of the City Engineer's estimated cost of the project, or no less than two thousand dollars (\$2,000) unless specific proposal details support an alternative amount.
- 19) Prior to final issuance of a building permit, land use permit, or occupancy, a cash guarantee equal to thirty percent (30%) of the landscaping replacement cost may be required to assure compliance with vegetation conservation standards. The cash guarantee may be maintained for a three (3) year period, at which point the Shoreline Administrator will determine if the surety will be released or extended to maintain landscaped areas.
- 20) The Shoreline Administrator shall require the cash guarantees identified above when the proposal involves a variance, a setback reduction consistent with the flexible setback provisions of Chapter 4, Subsection C(3), or work within a critical area or buffer as defined in Appendix A.

9. Water Quality, Stormwater, and Non-Point Pollution

a) Applicability

The following section applies to all development and uses in shoreline jurisdiction that affect water quality and

storm water quantity. Human occupation and shoreline area development affect water quality in numerous ways. For example, higher peak stormwater discharges at greater velocities caused by an increase in development and impermeable surfaces leads to scouring and stream bank erosion. Erosion increases suspended solids concentrations and turbidity in receiving waters, and carries heavy metals, household wastes, excess nutrients, and other pollutants into these waters. Increased nitrogen and phosphorus enrichment results in algal growth that depresses levels of dissolved oxygen in receiving waters. Water quality degradation adversely affects wildlife habitat and public health.

Maintaining high water quality standards and restoring degraded systems has been mandated in Chapter 90.58 RCW. In January of 2007, the City received its Western Washington Phase II Municipal Stormwater Permit from the Ecology. Under this permit, the City developed a Stormwater Management Program.

b) Policies

- 1) All shoreline uses and activities should be located, designed, constructed, and maintained to mitigate the adverse impacts to water quality.
- 2) Water quality education efforts should be used to reduce the potential sources of pollutants to American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek and other natural waterways. Phosphorous reduction sources in the Lake Steilacoom and American Lake sub-basins and fecal coliform sources in the Chambers Creek and Clover Creek sub-basins should be emphasized until the City can provide sufficient data to Ecology to have 303d listing removed from these water bodies. The 303d listing is comprised of those waters that are in the polluted water category under the Clean Water Act, for which beneficial uses- such as drinking, recreation, aquatic habitat, and industrial use - are impaired by pollution. Phosphorous sources include, but are not limited to, failing septic systems and residential fertilizer application. Fecal coliform pollutant sources include, but are not limited to, failing septic systems, and duck, geese and dog feces.
- 3) Stormwater impacts should be addressed through the application of the adopted Surface Water Design Manuals and all applicable City stormwater regulations.
- 4) New impervious surfaces should be limited within the shoreline management area by setting maximum impervious surface standards for new development and redevelopment and by encouraging pervious pavement use and other LID BMPs where feasible.
- 5) The City should work with the Tacoma-Pierce County Health Department to ensure existing septic systems are working properly to prevent groundwater and surface water degradation through excessive inputs of nutrients (nitrogen and phosphorus) and hazardous microbes, with an emphasis on the Chambers Creek and Clover Creek subbasins due to their 303(d) listing for fecal coliform.
- 6) The City should work with Pierce County Public Works and Utilities and the Tacoma-Pierce County Health Department to require sanitary sewer system connection when existing properties on septic systems are developed, redeveloped, or substantially modified.
- 7) The City should continue to provide general information to the public about the land use and human

activities which impact water quality by encouraging educational curricula that provide students with first hand exposure to the issues and solutions, and through community activities, such as Adopt-A-Stream programs.

- 8) The City should encourage homeowners and property managers to maintain and enhance vegetation that supports water quality functions and to use non-chemical weed and pest control solutions and natural fertilizers.

c) Regulations

- 1) All shoreline uses and activities shall utilize BMPs to minimize any increase in surface runoff and to control, treat, and release surface water runoff so that receiving water quality and shore properties and features are not adversely affected during both construction and operation. Physical control measures include, but are not limited to, catch basins, settling ponds, oil/water separators, filtration systems, grassy swales, interceptor drains, and landscaped buffers. All types of BMPs require regular maintenance. BMPs are identified in the City's adopted stormwater manuals.
- 2) Structural stormwater facilities, such as vaults, pipes and catch basins, shall be located outside of the shoreline setback, unless the Shoreline Administrator determines that such location is not feasible.
- 3) Solid waste, liquid waste, and untreated effluent shall not be allowed to enter any bodies of water or to be discharged onto the land.
- 4) The direct release of oil and hazardous materials or chemicals onto the land or into water is prohibited. Equipment for the transportation, storage, handling or application of such materials shall be maintained in a safe and leak proof condition. If there is evidence of leakage, the further use of such equipment shall be suspended until the deficiency has been satisfactorily corrected as determined by the Shoreline Administrator.
- 5) All shoreline development shall comply with the applicable requirements of the City's adopted surface water design Manuals and all applicable City stormwater regulations.
- 6) All shoreline development shall implement applicable LID BMPs where feasible, pursuant to the standards contained in the adopted surface water design manuals and the most recent edition of the Low Impact Development Technical Guidance Manual for Puget Sound.

Chapter 4 Shoreline Use Provisions

A. Applicability

As required by the SMA, this SMP sets forth policies and regulations governing specific categories of uses and activities typically found in shoreline areas. The policies and regulations cover the following uses and activities: Agriculture, Aquaculture, Boating Facilities, Commercial Development (Primary and Accessory), Forest Practices, Industrial Development, Mining, Parking (as a primary use), Recreational Facilities, Residential Development, Scientific, Historical, Cultural, or Educational Uses, Signage, Transportation, and Utilities (Primary and Accessory). The policies and regulations provide the basic criteria for evaluating shoreline permit applications and exemptions and are used to implement the broader goals, policies and intent of the SMA and this Program.

This SMP contains limited provisions related to commercial or industrial development along the shorelines of American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek. These water bodies, with the exception of Waughop Lake and portions of Chambers Creek, are substantially developed with residential uses, with little undeveloped shoreline remaining. As such, access to the water is primarily related to recreation and residential uses and is not considered particularly important to commercial or industrial interests.

B. General Policies

- 1) When determining allowable uses and resolving use conflicts within the City’s shoreline jurisdiction, the following should be applied in the order of preference listed below:
 - a. Reserve appropriate areas for protecting and restoring ecological functions to control pollution and prevent damage to the natural environment and public health.
 - b. Reserve shoreline areas for water-dependent and associated water related uses.
 - c. Reserve shoreline areas for other water-related and water-enjoyment uses that are compatible with ecological protection and restoration objectives.
 - d. Treat single-family residential uses as a preferred use and encourage the continuation and development of this use where it can occur without significant impact to ecological functions or displacement of water-dependent uses.
 - e. Limit non-water-oriented uses to those locations where the above-described uses are inappropriate or where non-water-oriented uses demonstrably contribute to the objectives of the SMA, including opportunities for ecological enhancements and public access improvements.

- 2) Proposed shoreline use should be consistent with the City’s Comprehensive Plan. Conversely, upland uses on adjacent lands outside of immediate SMA jurisdiction (in accordance with RCW 90.58.340) should be consistent with the purpose and intent of this SMP.
- 3) All development and redevelopment activities within the City’s shoreline jurisdiction should be designed to ensure public safety, enhance public access, protect existing shoreline and water views, and achieve no net loss of shoreline ecological functions.
- 4) The use of “Green Building” practices should be encouraged, and in some cases required where feasible, such as LID and those promulgated under the Leadership in Energy and Environmental Design (LEED) and Green Built programs, for new development within the shoreline jurisdiction.
- 5) Proposed shoreline uses should not infringe upon the rights of others or upon the rights of private ownership.
- 6) Shoreline uses, which enhance their specific areas or employ innovative features for purposes consistent with this program, should be encouraged.
- 7) Restoration in shoreline areas that have been degraded or diminished in ecological value and function because of past activities or catastrophic events should be encouraged.

C. Shoreline Use and Development Standards

Table I and Table II indicate the allowable uses by shoreline environment designation and the key standards that apply to development. The standards in this section are supplemental to standards in other portions of this SMP.

1. Shoreline Use Table

Table I. Shoreline Uses

KEY P3 = Permitted Use C = Conditional Use X = Prohibited Shoreline uses are allowed only if permitted in both the shoreline environment designation and the underlying zone. A use that occurs on both landward and waterward of the OHWM must meet the requirements of both the specific upland shoreline environment designation as well as the aquatic environment designation. Please also refer to specific use policies and regulations in Section 4 below. SHORELINE USE	SHORELINE RESIDENTIAL	URBAN-STREAM PROTECTION	URBAN PARK	CONSERVANCY	NATURAL	AQUATIC
Agriculture	X	X	X	X	X	X
Aquaculture	C	C	C	C	X	C
Boating Facilities ¹						

Marinas (Public or Private)	C	X	C	X	X	C
Floating Homes and Live Aboards	X	X	X	X	X	X
Community Piers and Docks (Private Shared Use)	P	X	P	X	X	P
Public Pier	C	X	P	X	X	P
Boat Launch ⁴	C	X	C	X	X	C
Water-Oriented Commercial ²	C	P	C	C	X	C
Non-Water Oriented Commercial ²	C	P	C	C	X	X
Forest Practices	X	X	X	X	X	X
Industrial	X	X	X	X	X	X
Mining	X	X	X	X	X	X
Parking						
Parking (As a Primary Use)	X	X	X	X	X	X
Parking (As an Accessory Use)	P	P	P	X	X	X
Recreation ³						
Water-Dependent	P	P	P	P	P	P
Water-Enjoyment	P	P	P	P	P	P
Non-Water Oriented (As an Accessory Use)	P	P	P	P	C	X
Non-Water Oriented (As a Primary Use)	X	C	X	X	X	X
KEY P3 = Permitted Use C = Conditional Use X = Prohibited Shoreline uses are allowed only if permitted in both the shoreline environment designation and the underlying zone. A use that occurs on both landward and waterward of the OHWM must meet the requirements of both the specific upland shoreline environment designation as well as the aquatic environment designation. Please also refer to specific use policies and regulations in Section 4 below. SHORELINE USE	SHORELINE RESIDENTIAL	URBAN-STREAM PROTECTION	URBAN PARK	CONSERVANCY	NATURAL	AQUATIC
Residential Structures						
Single-Family	P	P	C	C	C	X
Multi-Family	P	P	X	X	X	X
Scientific, Historical, Cultural, or Educational Uses	P	P	P	P	P	P
Transportation Facilities						
New Public Roads	P	C	C	C	C	C
Expansion of Existing Roads and New Driveways	P	P	P	P	C	C
Major Trails	C	C	C	C	X	C
Minor Trails	P	P	P	P	P	C
Utilities (Primary)						
Solid Waste Disposal or Transfer Sites	X	X	X	X	X	X
Other	C	C	C	C	C	C
Utilities (Secondary)						
All	P	P	P	P	C	C
Other Uses and Activities						
Restoration Activities	P	P	P	P	P	P

¹ See Chapter 5 (Shoreline Modifications) for specific types of in-water or over water structures/facilities allowed in each environment (e.g. piers, docks and floats). Please note, boat ramps and overwater structures are not allowed in the Urban - Stream Protection, Conservancy, and Natural environments.

² In the Shoreline Residential, Conservancy and Urban Park environments, only water-oriented commercial activities or limited accessory commercial uses are allowed, e.g. day care in Shoreline Residential and concessions in the Urban Park, per the use standards in Commercial Uses in this SMP and in the underlying zoning.

³See permit requirements and exemptions in Chapter 5 and Chapter 6.

⁴Launching rails are not considered boating facilities for purposes of this Section. Launching rails are not intended to serve more than four (4) residences. For launching rail provisions, see Chapter 5.

2. Shoreline Development Standards Table

Table II. Shoreline Development Standards

DEVELOPMENT STANDARD	SHORELINE RESIDENTIAL	URBAN - STREAM PROTECTION	URBAN PARK	CONSERVANCY	NATURAL	AQUATIC
Maximum Height ¹	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	N/A ³
Shoreline Setback or Buffer By Waterbody ^{2,4} Note: Setback requirements apply to all lakes and buffer requirements apply to streams. See definitions for more information. Along streams, an additional 8 ft. building setback shall apply to edge of the buffer per Critical Area standards.	65 ft. Setback (Note: May be reduced to 50 ft. with enhancement)	Clover Creek 65 ft. Buffer (Note: May be reduced to 50 ft. with enhancement)	100 ft. Setback for Urban Park properties on all lakes (Note: May be reduced to 75 ft. with enhancement) Clover Creek 65 ft. Buffer (Note: May be reduced to 50 ft. with enhancement.)	150 ft. Buffer (Note: No reduction allowed unless a variance is obtained)	150 ft. Buffer (Note: No reduction allowed unless a variance is obtained)	N/A ³

DEVELOPMENT STANDARD	SHORELINE RESIDENTIAL	URBAN - STREAM PROTECTION	URBAN PARK	CONSERVANCY	NATURAL	AQUATIC
Maximum Impervious Surface Coverage within shoreline jurisdiction ⁵	35% (R1 and R2) 50% (R3) 60% (R4) 50% (ARC) 60% (MR2) 70% (NC1) 80% (NC2) Provided an additional 10% of site coverage using pervious pavements shall be allowed	See adjacent column for Shoreline Residential	30%	20%	5%	N/A ³
Maximum Impervious Surface or Hard Surface Coverage within Shoreline Setback or Buffer. Note: Pervious pavements required where feasible	10% within 25 ft. of the OHWM, 20% within remaining portion of setback	See critical area buffer requirements	10% within 25 ft. of OHWM, 20% within remaining portion of setback for Lakes See critical area buffer requirements for stream	See critical area buffer requirements	See critical area buffer requirements	N/A ³
Minimum Lot Frontage	50 ft. (Lake Louise) 60 ft. (American Lake and Gravelly Lake) 70 ft. (Lake Steilacoom)	100 ft.	No further subdivision allowed	No further subdivision allowed	No further subdivision allowed	N/A ³

DEVELOPMENT STANDARD	SHORELINE RESIDENTIAL	URBAN - STREAM PROTECTION	URBAN PARK	CONSERVANCY	NATURAL	AQUATIC
Minimum Lot Size and Lot Density	Underlying zoning: R1 - 25,000 gsf R2 - 17,000 gsf R3 - 7,500 gsf R4 - 5,700 gsf	Underlying zoning: R1 - 25,000 gsf R2 - 17,000 gsf R3 - 7,500 gsf R4 - 5,700 gsf MF2 - 35 dua MF3 - 54 dua	No further subdivision is allowed	No further subdivision allowed	No further subdivision is allowed	N/A ³

¹ Height limits apply to all permanent and temporary structures. Development shall also be subject to the height limits established by the underlying zoning. The height limit shall not apply to television antennas, chimneys, flagpoles, public utilities, and similar appurtenances.

² Setbacks are measured landward, on a horizontal plane perpendicular to the shoreline. The standard setback applies unless the applicant implements voluntary enhancements as described in the following regulations and in Table III below. Where allowed, the setback may be reduced by the Shoreline Administrator to the minimum setback indicated in Table II. See zoning regulations for interior lot setbacks and other requirements that apply to specific zones. In the event of a conflict between a provision in this SMP and a provision in another part of the LMC, the requirement that provides the most protection to the shoreline management area shall be applied.

³ Not Applicable. Land-based standards do not apply in the Aquatic environment because only water dependent structures and development, such as docks, are allowed. Height of all structures shall be the minimum necessary for the proposed water dependent use.

⁴ Activities and improvements associated with ecological restoration or interpretation, water-oriented uses, and public access are not required to meet the minimum setback. However, where such development can be approved within the minimum setback, the placement of structures and hard surfaces shall be limited to the minimum necessary for the successful operation of the use. In no case shall parking be allowed within the minimum setback. Allowed structures include (but are not limited to) upland boathouses, gazebos, viewing platforms and decks.

⁵ Partial credit may be given for using pervious pavements for driveways, parking areas, walkways, and patios, based on City review of the specifications for the particular product used. In no case shall the credit be used to develop more than an additional 10% of the lot with the pervious pavement. Please note that impervious surface coverage may be further limited within the setback or buffer pursuant to the development standards in this Chapter.

3. Shoreline Setback and Buffer Regulations Administration

- a) The following standards shall apply for all proposals that request a reduction in the standard shoreline setback or buffer identified in Table II:
 - 1) The standard setback or buffer may be reduced down to the minimum setback or buffer identified in Table II for each eligible shoreline environment designation and water body when setback reduction impacts are mitigated using the options provided in Table III to achieve an equal or greater protection of lake or stream ecological functions. Any setback or buffer reduction requests beyond that allowed in Table II shall require a variance. Within the Conservancy and Natural environments, buffer

reductions shall only be approved as part of the variance process. Variance approval criteria are described in Section 6.D.

- 2) At least one (1) water-related action must be undertaken in order to achieve the full reduction allowed.
- 3) A maximum of ten (10) feet in cumulative reduction may be achieved under Upland Related Actions.
- 4) All property owners who obtain approval for a setback or buffer reduction must have prepared and agree to adhere to a Shoreline Vegetation Management Plan (SVMP) approved by the Shoreline Administrator and record the final approved setback or buffer and corresponding conditions in a Notice on Title. The Notice on Title shall include a statement regarding the existence of the SVMP and it shall be provided to the Shoreline Administrator.
- 5) The SVMP shall detail the required restoration of native vegetation. The SVMP shall consist of a mixture of trees, shrubs, and groundcover and be designed to improve shoreline ecological functions. The SVMP shall include appropriate limitations on the use of fertilizer, herbicides and pesticides as needed to protect lake water quality. The SVMP shall be completed by a qualified professional and include a monitoring and maintenance program that shall, at a minimum, include the following:
 - a. The goals and objectives for the mitigation plan;
 - b. A description of how required mitigation sequencing was implemented;
 - c. Mitigation performance standards, including standards for vegetation coverage and survival;
 - d. A monitoring plan that includes annual progress reports submitted to the Shoreline Administrator for a period of no less than two (2) growing seasons nor more than five (5) years sufficient to establish that performance standards have been met as determined by the Shoreline Administrator; and
 - e. A contingency plan.
- 6) Whenever the Shoreline Administrator determines through progress report review that mitigation performance standards have not been achieved, the property owner shall be required to institute corrective action, which shall also be subject to further monitoring as provided in this section.
- 7) The Shoreline Administrator may require a cash guarantee or other security in an amount sufficient to guarantee that all required mitigation measures will be completed in a manner that complies with conditions of approval and to guarantee satisfactory workmanship and materials for a period not to exceed five (5) years. The Shoreline Administrator shall establish the conditions of the security according to the nature of the proposed mitigation, maintenance or monitoring and the likelihood and expense of correcting mitigation or maintenance failures.
- 8) All costs associated with the mitigation/monitoring and planning including City expenses, shall be the responsibility of the applicant.
- 9) Impervious surface coverage within the approved lake setback shall be limited to ten percent (10%) within twenty-five (25) feet of the OHWM and twenty percent (20%) within the remaining portion of the applied setback. All development within buffers, including impervious surface, is subject to the requirements for Critical Areas contained in this SMP.

Table III. Shoreline Setback and Buffer Reduction Mechanisms

REDUCTION MECHANISM		REDUCTION ALLOWANCE
Water Related Actions		
1	Removal of an existing bulkhead which is located at, below, or within 5 ft. landward of the shoreline's OHWM and subsequent shoreline restoration to a natural or semi-natural state, including restoration of topography, beach/substrate (lake bottom) composition and stabilization of areas that have been disturbed by the bulkhead removal with native vegetation.	Bulkhead removal on at least 75% of frontage: 15 ft. 50% of frontage: 10 ft. 25% of frontage: 5 ft.
2	Restoration of natural shoreline conditions (e.g. no bulkhead or other unnatural shoreline feature such as upland impervious surfaces or other structural alterations allowed) within 10 ft. of the OHWM, including restoration of native vegetation. This reduction will only be granted if ecological functions would be improved relative to the existing condition.	10 ft.
3	Existing hard structural stabilization at or near the OHWM is removed and new hard structural shoreline stabilization measures are setback from the OHWM between two (2) ft. to four (4) ft. based on feasibility and existing conditions and are sloped a maximum angle of 3 vertical: 1 horizontal to provide dissipation of wave energy and increase the quality or quantity of nearshore shallow-water habitat. See Chapter 6 for stabilization measure types and additional standards. For purposes of this reduction mechanism only, need for the replacement structure is not required to be demonstrated as outlined in Chapter 5, Section (C)(2)(c), Shoreline Stabilization – Replacement and Repair.	5 ft.
4	Soft structural shoreline stabilization measures are installed waterward of the OHWM on a site currently containing only hard stabilization. Measures may include the use of gravels, cobbles, limited use of boulders in conjunction with other measures, and logs, as well as vegetation. The material shall be of a size and placed to remain stable and accommodate alteration from wind and boat-driven waves and shall be graded to a maximum slope of 1 vertical: 4 horizontal	5 ft.
Upland Related Actions		
5	Restoration of native vegetation (and preservation of existing trees and native vegetation) in at least 75% of the reduced (i.e. that portion remaining after reductions are applied) setback area. The remaining 25%	10 ft.

REDUCTION MECHANISM		REDUCTION ALLOWANCE
	of the setback area can be comprised of existing non-invasive, non-native vegetation. Up to 20 ft. of frontage may be used for improved shoreline access. Access areas shall be counted as part of the 25% non-native area and located to avoid areas of greater sensitivity and habitat value.	
6	Restoration of native vegetation (and preservation of existing trees and native vegetation) in at least 25% of the reduced setback area. Up to 20 ft. of frontage may be used for improved shoreline access. Access areas shall be counted as part of the 75% non-native area and located to avoid areas of greater sensitivity and habitat value.	5 ft.
7	Installation of biofiltration/infiltration mechanisms such as rain gardens, bioswales, created and/or enhanced wetlands, infiltration facilities, ponds, or other approved LID BMPs that treat the majority of surface water run-off from a site and meet or exceed adopted stormwater requirements. (Note: stormwater ponds serving more than one property should be located outside of shoreline jurisdiction if feasible and in accordance with mitigation sequencing).	5 ft.
8	Installation of at least 500 sq. ft. of "green" roof in accordance with the standards of the LEED Green Building Rating System.	5 ft.
9	Installation of a minimum of 1,000 sq. ft. of pervious material for driveway, parking, patio and/or road construction.	5 ft.
10	Preserving or restoring at least 20% of the total lot area outside of the setback or buffer area as native vegetation. No more than 20% of the total lot area can be lawn.	5 ft.

D. Specific Shoreline Use Policies and Regulations

1. Aquaculture

Aquaculture is the culture or farming of fish, shellfish, or other aquatic plants and animals. This activity is of statewide interest. Aquaculture is dependent on the use of the water area. When consistent with control of pollution and prevention of damage to the environment, it is a preferred use of the water area. The technology associated with some forms of aquaculture is still in its formative stages and experimental. Thus, this SMP recognizes the necessity of some latitude in the development of this use.

a) Policies

- 1) Aquaculture should not be permitted in areas where it would result in a net loss of ecological functions or significantly conflict with navigation and other water-dependent uses.

- 2) Aquaculture facilities should be designed and located to prevent the spread of disease to native aquatic life, significant ecological impacts caused by new nonnative species, or significant impacts on the shorelines' aesthetic qualities.

b) Regulations

- 1) Aquaculture development shall conform to applicable state and federal policies and regulations, provided they are consistent with the SMA and this SMP to ensure no net loss of ecological function.
- 2) The applicant shall demonstrate that the proposed facility meets the requirements of Policy 2 above.
- 3) Impacts to ecological functions shall be mitigated in accordance with the sequence described in Chapter 3, Section 4(C)3.

2. Boating Facilities

a) Applicability

Boating facilities, including community piers, public or community boat launches and marinas, shall be subject to the policies and regulations of this Section and those for specific types of facilities in Chapter 5, Section C(5). Boating facilities as defined in this SMP do not apply to residential moorage facilities serving four (4) or fewer single-family residences. Policies and regulations for all overwater structures and moorage facilities, including those serving four (4) or fewer single-family residences, are addressed in Chapter 5, Section C(5).

Accessory uses found in boating facilities may include fuel docks and storage, boating equipment sales and rental, wash-down facilities, fish cleaning stations, repair services, public launching, bait and tackle shops, potable water, waste disposal, administration, parking, groceries, restrooms and dry goods.

b) Policies

- 1) Boating facilities should be located and designed to ensure no net loss of ecological functions or other significant adverse impacts, and, where feasible, enhance degraded and/or scarce shoreline features.
- 2) Boating facilities should not unduly obstruct navigable waters and should consider adverse effects to recreational opportunities such as fishing, pleasure boating, swimming, beach walking, picnicking, and shoreline viewing.
- 3) Boating facilities should be located in areas of low biological productivity as documented in a report prepared by a qualified professional at time of application.
- 4) Boating facilities should be located and designed so their structures and operations will be aesthetically compatible with the neighboring area and will not unreasonably impair shoreline views. However, the need to protect and restore functions and to provide for water-dependent uses carries higher priority than the protection of views.
- 5) Limits should be put on the size of community docks to address the potential for impacts on

neighboring properties.

- 6) Accessory uses at boating facilities should be limited to water-oriented uses, or uses that provide physical and/or visual shoreline access for substantial numbers of the general public. Non-water-dependent accessory uses should be located outside of shoreline jurisdiction or outside of the shoreline setback.

c) Regulations

1) Location Standards.

- a. New boating facilities shall not be permitted in areas where dredging will be required or where impacts to shoreline ecological functions and processes cannot be mitigated.
- b. New boating facilities shall not significantly affect the rights of navigation on the water of the state.
- c. Boating facilities shall not be located where their development would reduce the quantity or quality of critical fish and wildlife habitat areas as defined in LMC Section 14.154.020 (Critical Areas and Natural Resource Lands Regulations, Ordinance No.362 3(part), 2004) or where significant ecological impacts would occur.
- d. Boating facilities shall be located and designed with the minimum necessary shoreline stabilization to protect facilities, users, and watercraft from floods or destructive storms.
- e. Boating facilities shall not be located where it would be incompatible with the need to protect the public health, safety, and welfare.
- f. Boating facilities shall be located only where adequate utility services are available, or where they can be provided concurrent with the development.

2) Facility Design.

- a. All boating facilities shall be designed to avoid and minimize impacts. All unavoidable impacts must be mitigated.
- b. All boating facilities shall be the minimum size necessary to accommodate the anticipated demand. Specifically, the amount of overwater cover, the size, and number of in-water structures, the waterward length of the facility, and the extent of any necessary associated shoreline stabilization or modification shall be minimized. Boating facilities shall meet all applicable Shoreline Modification regulations in Chapter 5. Community and public moorage facilities shall meet the size and usage requirements established in Chapter 5, Section C(5).

3) Site Design and Operation.

- a. Boating facilities shall be designed so that lawfully existing or planned public shoreline access is not blocked, obstructed, nor made dangerous.

- b. Boating facilities shall provide physical and/or visual public or community access for as many water-oriented recreational uses as possible, commensurate with the scale of the proposal, including, but not limited to, physical and visual access to waterbodies, public piers or fishing platforms.
 - c. Upland boat storage may be allowed within shoreline jurisdiction in the Urban Park and Shoreline Residential environments, provided impervious surface limitations and other standards are met, mitigation sequencing is followed and impacts can be mitigated to achieve no net loss.
 - d. Accessory uses at boating facilities shall be located outside of shoreline jurisdiction where feasible and shall be limited to water-oriented uses or uses that support physical or visual shoreline access for substantial numbers of the general public. Accessory development may include, but is not limited to, parking, non-hazardous waste storage and treatment, stormwater management facilities, and utilities where necessary to support the water-oriented use.
 - e. The applicant shall comply with all state agency policies and regulations, including all applicable health, safety, and welfare requirements associated with the primary or accessory use.
 - f. The streets serving the proposed facility must handle the traffic generated by such a facility safely and conveniently.
 - g. The facility must be limited to day moorage only. No live-aboards or floating homes are allowed.
 - h. Covered moorage is allowed only in the Shoreline Residential environment by a CUP. Boat lift canopies are a permitted use in the Shoreline Residential environment. See Chapter 5, Section (C)(5)(d)(8) and (9) for applicable standards.
 - i. The perimeter of parking, upland boat storage, and other storage areas shall be landscaped to provide a visual and noise buffer between adjoining dissimilar uses or scenic areas.
 - j. All facilities must have provisions available for cleanup of accidental contaminants and spills
 - k. Public access shall be required, pursuant to the requirements and exemptions in the Public Access regulations contained in Chapter 3.
- 4) Boat Launch.
- a. Location Standards - Boat launches shall be sited so that they do not significantly damage fish and wildlife habitats and shall not occur in areas with native emergent vegetation. Native upland vegetation removal shall be minimized to the greatest extent feasible. All facilities shall be sited and designed per required mitigation sequencing.
 - b. Public launch ramps shall be located only on stable shorelines where feasible and where water depths are adequate to eliminate or minimize the need for dredging, filling, beach enhancement, or other maintenance activities.

- c. The design shall comply with all regulations as stipulated by state and federal agencies, affected tribes, or other agencies with jurisdiction.
- d. The applicant shall demonstrate that the proposed length of a boat launch is the minimum necessary to launch the intended craft safely. In no case shall the ramp extend beyond the point where the water depth is eight (8) feet below the OHWM, unless the Shoreline Administrator determines that a greater depth is needed for a public boat launch facility.
- e. Design Standards.
 - i. Boat launches for non-motorized boats shall be constructed of gravel or other similar natural material.
 - ii. Preferred launch ramp designs for motorized boats, in order of priority, are:
 - a. Open grid designs with minimum coverage of lake substrate.
 - b. Seasonal ramps that can be removed and stored upland.
 - c. Structures with segmented pads and flexible connections that leave space for natural beach substrate and can adapt to changes in shoreline profile.
 - d. Standard concrete pads.

3. Commercial Development

a) Applicability

Commercial development means those uses that are involved in wholesale, retail, service, and business trade. Uses and activities associated with commercial development that are identified as separate uses in this program include Agriculture, Aquaculture, Mining, Industry, Boating Facilities, Transportation Facilities, and Utilities. Piers and docks, bulkheads, shoreline stabilization, flood protection, and other shoreline modifications are sometimes associated with commercial development and are subject to those shoreline modification regulations in Chapter 5 in addition to the standards for commercial development established herein.

b) Policies

- 1) Commercial development should be limited in the shoreline area based on the residential and recreational nature of the existing shoreline.
- 2) Water-oriented commercial developments should be preferred over non-water-oriented commercial uses.
- 3) Commercial developments should be encouraged to incorporate LID BMPs where feasible into new and existing projects.

c) Regulations

- 1) New commercial uses shall be prohibited within all shoreline areas except where the underlying zoning permits such uses, and one or more of the criteria identified below are met:
 - a. The use is water-oriented;
 - b. The use is an accessory use to a permitted recreational use or facility within the Urban Park or Conservancy environment. Examples include, but are not limited to:
 - i. Concession stands in City Parks,
 - ii. Booths associated with festivals sponsored by the City, and private parties or receptions and banquets, and
 - iii. Boat rentals.
 - c. The use is a home occupation within the Shoreline Residential environment provided they meet the requirements of LMC Sections 18A.70.200 and 18A.70.250 pertaining to Home Occupations.
 - d. The site is physically separated from the shoreline by another property or public right of way.
 - e. The use is part of a mixed-use project that includes water-dependent uses and provides a significant public benefit with respect to the SMA's objectives, such as providing public access and ecological restoration.
 - f. Navigability is severely limited at the proposed site, and the proposed commercial use provides significant public benefit with respect to the SMA's objectives, such as providing public access and ecological restoration; or
 - g. The use is non-water oriented and replaces an existing non-water oriented use in an existing commercial building. For purposes of this regulation, replace means the footprint and general intensity of the commercial uses are the same.
- 2) Water oriented uses shall incorporate design and operational elements that clearly demonstrate that they meet the definition of water dependent, water related or water oriented uses.
- 3) Commercial uses shall provide public access as required in Chapter 3, Section B(5) and ecological restoration where feasible and shall not negatively impact existing navigation, recreation or public access.
- 4) All commercial loading and service areas shall be located or screened to minimize adverse impacts, including visual impacts, to the shoreline environment.
- 5) LID BMPs shall be incorporated into new development where feasible, pursuant to the City's adopted Surface Water Design Manual and the most recent edition of the Low Impact Development Technical Guidance Manual for Puget Sound.

- 6) Commercial development and accessory uses must conform to the setback and height standards established in Table II.

4. Parking

a) Applicability

Parking is the temporary storage of automobiles or other motorized and non-motorized vehicles. The following provisions apply only to parking that is accessory to a permitted shoreline use. Parking as a primary use and parking which serves a use not permitted in shoreline jurisdiction is prohibited.

b) Policies

- 1) Parking in shoreline areas should be minimized
- 2) Parking facilities in shoreline areas should be located and designed to minimize adverse impacts including impacts related to stormwater runoff, water quality, visual qualities, public access, and vegetation and habitat maintenance, and to result in no loss of ecological functions.
- 3) Parking in shoreline areas should not restrict access to the site by necessary public safety vehicles, utility vehicles, or other vehicles requiring access to shoreline properties.

c) Regulations

- 1) Parking as a primary use is prohibited in shoreline jurisdiction.
- 2) Parking in shoreline areas must directly serve a permitted shoreline use.
- 3) Parking facilities shall provide adequate provisions to control surface water runoff to prevent it from contaminating water bodies.
- 4) Parking facilities serving individual buildings on the shoreline shall be located landward from the principal building being served, except when the parking facility is within or beneath the structure and adequately screened or in cases when an alternate orientation would have less adverse impact on the shoreline.
- 5) Exterior parking facilities shall be designed and landscaped to minimize adverse impacts upon adjacent shoreline and abutting properties. Exterior parking facilities for nonresidential uses shall be landscaped to provide an effective “full-screen” within three (3) years of project completion when viewed from adjacent areas within shoreline jurisdiction.
- 6) New and reconstructed parking areas within the Urban Park shoreline environment designation shall utilize LID BMPs where feasible in accordance with the City’s adopted Surface Water Design Manual and the most recent edition of the Low Impact Development Technical Guidance Manual for Puget Sound.

5. Recreational Development

a) Applicability

Recreational uses include passive activities, such as walking, viewing, and fishing. Recreational development also includes facilities for active uses, such as swimming, boating, and other outdoor recreation uses. This section applies to both public and private shoreline recreational facilities (excluding private residences). Commercial shoreline recreational facilities must also meet the requirements for Commercial Development.

b) Policies

- 1) Primary recreational uses in the shoreline jurisdiction should be limited to water-oriented uses. Non-water-oriented recreational facilities may be allowed as an accessory use and in limited circumstances where they do not displace water oriented uses, for example, where visual access is incorporated if feasible and physical access is not possible.
- 2) The coordination of local, state, and federal recreation planning should be encouraged. Shoreline recreational developments should be consistent with the City's Comprehensive Park and Recreation Plan.
- 3) Recreational developments should be designed to preserve, enhance, or create scenic views and vistas.
- 4) The use of publicly owned lands for public access and development of recreational opportunities should be encouraged.
- 5) Priority for land acquisition should be given to open space that provides wildlife habitat and offers opportunities for education and interpretation.
- 6) Shoreline areas with a potential for providing recreation or public access opportunities should be identified and acquired by lease or purchase, or through partnerships with nonprofit and service organizations, and incorporated into the park and open space system.
- 7) Links between existing and future shoreline parks, recreation areas, and public access points should be created with a non-motorized trail system using existing rights-of-way or through acquisition of easements and/or land.
- 8) Recreational activities should be designed to avoid conflict with private property rights, and to minimize and mitigate negative impacts on adjoining property.
- 9) Public access should not contribute to a net loss of shoreline ecological functions.

c) Regulations

- 1) All structures associated with a recreational use, except water dependent structures, such as docks and boardwalks and limited water enjoyment structures such as open viewing platforms and benches, shall maintain a standard setback from the OHWM per Table II. However, existing structures may be replaced in their current location and configuration to the extent allowed by the Nonconforming

Development provisions of Chapter 6, Section F, and state and federal agencies with jurisdiction. Any further setback reduction shall require approval of a setback reduction pursuant to Table II in this Chapter or a shoreline variance.

- 2) Private and public recreation areas shall protect existing native vegetation in the shoreline area and restore vegetation impacted by development activities. Recreational use and development shall result in no net loss of shoreline ecological functions. Mitigation shall be provided as necessary to meet this requirement. Failure to meet this standard will result in permit denial. The City may request necessary studies by qualified professionals to determine compliance with this standard.
- 3) Water-dependent or water-related activities such as swimming, boating, and fishing, and activities that benefit from waterfront scenery, such as picnicking, hiking and bicycling, shall be emphasized in planning public and private (excluding residential) noncommercial recreation sites in shoreline areas.
- 4) All recreational developments shall make adequate provisions for:
 - a. Non-motorized and pedestrian access;
 - b. The prevention of trespass onto adjacent properties, including, but not limited to, landscaping and fencing;
 - c. Protection and restoration of environmentally sensitive areas and shoreline processes and functions;
 - d. Signs indicating the public's right of access to shoreline areas, installed and maintained in conspicuous locations at the point of access and the entrance; and
 - e. Buffering of such development from adjacent private property or natural areas.
- 5) In approving shoreline recreational developments, the City shall ensure that the development will maintain, enhance, or restore desirable shoreline features.
- 6) Swimming areas shall be separated from boat launch areas.
- 7) The construction of swimming facilities, piers, moorages, floats, and launching facilities waterward of the OHWM shall be governed by the regulations relating to overwater structure construction in the Shoreline Modifications Section of this SMP.
- 8) Fragile and unique shoreline areas with valuable ecological functions, such as wildlife habitats, shall be used only for non-intensive recreation activities that do not involve the construction of structures.
- 9) Recreation developments such as golf courses and playfields that require periodic use of fertilizers, pesticides or other chemicals, or that support high-intensity activities as a primary use, such as sporting events, shall be located outside of shoreline jurisdiction.
- 10) Proposals for new or expanded recreational development shall include provisions for public access to the shoreline, subject to the requirements and exemptions contained in Chapter 3, Subsection B(5)(c).

6. Residential Development

a) Applicability

Residential development means construction of one or more buildings or structures, or subdivision of land to provide a place of abode for human beings. Such development includes multi-family and single-family dwellings together with accessory uses and structures normally applicable to residential uses located landward of the OHWM, including, but not limited to, swimming pools, garages, sheds, decks, patios and fences.

Residential development is preferred use under this SMP and is allowed where it can be accommodated without significant shoreline impacts. Residential development is prohibited in the Aquatic environment, and single-family residential development is a conditional use in the Natural, Urban Park, and Conservancy environments. Single-family and multi-family development is further limited by the underlying zoning.

b) Policies

- 1) Residential development should be permitted only where there are adequate provisions for utilities, circulation, and access.
- 2) New development should provide adequate setbacks and natural buffers from the water and ample open space among structures to protect natural features, preserve views and minimize use conflicts.
- 3) The City should provide development incentives, including reduced shoreline setbacks, to encourage the protection, enhancement, and restoration of high functioning buffers and natural or semi-natural shorelines.
- 4) Residential development should be designed to preserve shoreline aesthetic characteristics, views, and minimize physical impacts to shoreline ecological functions.
- 5) Residential development should be designed to preserve existing shoreline vegetation, control erosion, protect water quality, and utilize LID BMPs where feasible.
- 6) The City should encourage the use of joint-use piers and docks in lieu of individual piers and docks for each waterfront lot to protect the ecological functions of the lake.
- 7) The City should encourage the use of alternative paving products for walkways, driveways, and patios, such as pervious pavers, as a mechanism for reducing impervious surfaces and surface water runoff.
- 8) At a minimum, development should achieve no net loss of ecological functions necessary to sustain shoreline natural resources, even for exempt development.

c) Regulations

- 1) Residential development is a preferred use where it can be accommodated without significant impacts to the shoreline and shall be permitted in shoreline jurisdiction subject to the policies and regulations

for the specific shoreline environment designation (see Chapter 4, Table II), underlying zoning regulations, and the general regulations in Chapter 3 of this SMP.

- 2) Structures or other development accessory to residential uses are permitted in shoreline jurisdiction, if allowed under all other applicable standards in this SMP and subject to the provisions of the City's zoning code.
- 3) All additions to residential structures must comply with all standards in this SMP, including required shoreline setbacks established in Chapter 4, Table II.
- 4) Nonconforming residential structures that are repaired, modified, replaced or enlarged are subject to the requirements in Chapter 6, Section F(2) (Administration - Nonconforming Use and Development Standards).
- 5) Accessory uses and appurtenant structures not specifically addressed in the SMP shall be subject to the same regulations as primary residences, including setbacks, with the exception of water-oriented accessory structures that comply with the impervious surface limits identified in Table II of this Chapter. Water-oriented structures allowed in the setback include, but are not limited to, boathouses, gazebos, viewing platforms and decks.
- 6) In order to maintain visual access to the waterfront, all fences except those located next to creeks shall be set back a minimum of fifteen (15) feet from the OHWM. Fences located next to creeks must be placed above the creek's flood limit level.
- 7) To protect views and vistas maximum height limits have been established for each shoreline environment designation as indicated in Chapter 4, Table II.
- 8) The stormwater runoff for all new or expanded pavements or other impervious surfaces shall be directed to infiltration systems and other LID BMPs shall be incorporated into new development where feasible, in accordance with the City's adopted Surface Water Design Manual and the most recent edition of the Low Impact Development Technical Guidance Manual for Puget Sound.
- 9) LID stormwater facilities, such as swales and infiltration areas, may be located within the required shoreline setback area at the discretion of the Shoreline Administrator if no mature trees are removed.
- 10) Residential development, including land subdivision, shall result in no net loss of shoreline ecological functions. This includes meeting the no net loss standard at full build out of a subdivision or other development. Mitigation shall be provided as necessary to meet this requirement. Failure to meet this standard will result in permit denial. The City may request necessary studies by qualified professionals to determine compliance with this standard.
- 11) For the purposes of this section and WAC 173-27-040(2)(g), the following shall be considered a "normal appurtenance" to a single-family residence. Not all normal appurtenances are considered water oriented:
 - a. Garages

- b. Decks
- c. Driveways and parking areas
- d. Utilities
- e. Fences
- f. Landscaping
- g. Pathways, walkways and stairways
- h. Swimming pool and spa
- i. Flagpole
- j. Shed up to two hundred (200) square feet
- k. Children's play equipment
- l. Fire Pit
- m. Sports court
- n. Installation of a septic tank, drain field and grading which does not exceed two hundred fifty (250) cubic yards and which does not involve the placement of fill in any wetland or waterward of the OHWM (when permitted by Tacoma Pierce County Health Department, Pierce County Sewer Utility, and City policies and regulations).

7. Signs

a) Policies

- 1) Signs should be designed and placed so that they are compatible with the aesthetic quality of the existing shoreline and adjacent water and land uses.
- 2) Signs should not block or otherwise interfere with visual access to the water or shorelines.

b) Regulations:

- 1) Signs shall comply with the City's sign regulations.
- 2) All signs shall be located and designed to minimize interference with vistas, viewpoints, and visual access to the shoreline.
- 3) The following types of signs may be allowed in all shoreline environment designations:
 - a. Water navigational signs and highway signs necessary for operation, safety, and direction.
 - b. Public information signs directly relating to a shoreline use or activity.
 - c. Off-premise, freestanding signs for community identification, information, or directional purposes.
 - d. Site and institutional flags or temporary decorations customary for special holidays and similar events of a public nature.

8. Trails

a) Applicability

Trails serve as both recreational facilities and transportation facilities. Trails are classified into two types: minor trails and major trails. Major trails are paved and they allow for simultaneous use by both pedestrians and bicycles. Major trails also frequently provide connections between local points of interest and a larger regional access network. Due to their use of pavement and the necessity of complying with ADA design requirements,

major trails are generally not appropriate for locations with steep terrain or environmentally sensitive areas. Minor trails, on the other hand, are designed for local access and usually have less improved right-of-way than major trails. Minor trails are typically unpaved and surfaced with either gravel or bare dirt, although they may have sections where pervious pavement is used. Due to their narrow right-of-way, minor trails usually do not support simultaneous use by pedestrians and bicycles.

b) Policies

- 1) Normal operation and normal maintenance and repair of all trails in shoreline jurisdiction should be exempt from the Substantial Development Permit requirements, subject to the specific provisions identified in Chapter 6 Section C(1).
- 2) Trail location, design, and construction should adhere to mitigation sequencing and no net loss requirements.

c) Regulations

- 1) Unless approved as a major trail, trails shall be no greater than ten (10) feet in total improved width, which includes eight (8) feet of surface and one (1) foot shoulders. Not including landscaping, no more than eight (8) feet of improved surface is preferable in most cases.
- 2) Major trails shall be the minimum width necessary to accommodate the proposed use safely and in no case shall they be more than eighteen (18) feet in total improved width, which includes fourteen (14) feet of surfaced trail and two (2) foot shoulders.
- 3) Gravel, woodchips, or pervious pavement shall be used for public access within the shoreline management area unless the Shoreline Administrator determines that such use is not in the public interest because of safety, durability, aesthetic, or functionality concerns.
- 4) Trails shall be placed at least twenty-five (25) feet from the OHWM, except for bridges, limited spurs to physical access points and overlooks comprising no more than ten percent (10%) of the overall linear length of the proposed trail. The Shoreline Administrator shall use the variance process and criteria for evaluating a proposed reduction in the twenty-five (25) foot setback for trails parallel to the water, which exceed ten percent (10%) of the total linear length of the proposed trail.
- 5) Landscaping shall be native and drought tolerant or site appropriate.
- 6) Enhancement of shoreline functions, including native plantings, shall be incorporated into trail designs as mitigation for development impacts where necessary and where a clear benefit can be demonstrated.
- 7) Trails shall be subject to other specific conditions as described in the applicable trail or parks plan.

9. Transportation Facilities

a) Applicability

Transportation facilities are those structures and developments that aid in land, air, and water surface movement of people, goods, and services. They include roads and highways, bridges, heliports, and other related facilities.

In the City, transportation facilities account for a limited percentage of the shoreline land inventory. However, the impact of these facilities on shorelines can be substantial.

b) Policies

- 1) Normal operation, and normal maintenance and repair of all transportation facilities in the shoreline jurisdiction should be exempt from Substantial Development Permit requirements, subject to the specific provisions identified in Chapter 6 Section C(1).
- 2) New road construction in the shoreline jurisdiction should be minimized, and such construction outside of the Shoreline Residential environment should be allowed by conditional use only when related to and necessary for the support of permitted shoreline activities.
- 3) Expansion of existing roadways in the shoreline jurisdiction should be allowed if such facilities are found to be in the public interest, as determined jointly by the City Engineer and Shoreline Administrator.
- 4) Joint use of transportation corridors within the shoreline jurisdiction for roads, utilities, and motorized and non-motorized forms of transportation should be encouraged.

c) Regulations

- 1) New road construction in shoreline jurisdiction shall be minimized and allowed only when related to, and necessary for, the support of permitted shoreline activities or found to be within the public interest.
- 2) New stream crossings associated with transportation uses shall be avoided if possible and minimized in number and total area impacts (e.g. perpendicular crossings). Culverts and bridges shall be designed to allow passage of adult and juvenile salmon pursuant to DFW Fish Passage Guidelines and accommodate the flow of water, sediment, and woody debris during the 100-year return storm event. Bridge abutments shall be located outside of floodplains and CMZs if feasible.
- 3) Transportation facility development shall result in no net loss of shoreline ecological functions and shall not affect existing or planned water dependent uses. Mitigation shall be provided as necessary to meet this requirement. Failure to meet this standard will result in permit denial.
- 4) New roads and expansion of existing roadways within the shoreline jurisdiction shall be allowed only when the proponent demonstrates that:
 - a. No alternative route is feasible; and
 - b. The roadway is constructed and maintained to cause the least possible adverse impact on the land and water environment.

- 5) Transportation and primary utility facilities shall be required to make joint use of rights-of-way, and to consolidate crossings of water bodies to minimize adverse impacts to the shoreline.
- 6) Developers of roads must be able to demonstrate that efforts have been made to coordinate with existing land use plans including the SMP and the City's Comprehensive Plan.
- 7) All debris and other waste materials from roadway construction shall be disposed of in such a way as to prevent their entry into any water body.
- 8) Road designs must provide safe pedestrian and non-motorized vehicular crossings where public access to shorelines is intended.
- 9) Streets within shoreline jurisdiction shall be designed with the minimum pavement area required. Gravel and more innovative materials shall be used where feasible for pathways and road shoulders to minimize the amount of impermeable surfaces and help to maintain a more natural appearance.
- 10) The City shall give preference to mechanical means for roadside brush control on roads in shoreline jurisdiction rather than the use of herbicides.

10. Utilities (Primary)

a) Applicability

Utilities are services and facilities that produce, transmit, store, process, or dispose of electric power, gas, water, sewage, communications and the like. Utilities in this SMP are divided into primary and secondary based on type and scale. The provisions of this section apply to primary utility uses and activities such as solid waste handling and disposal, regional water transmission lines and storage facilities, sewage treatment facilities and interceptors, water or sewer pump stations, power generating or high voltage transmission facilities, gas pipelines and storage facilities and regional stormwater treatment facilities.

b) Policies

- 1) New primary utilities should be located outside of shoreline jurisdiction unless they are water oriented, no other feasible option exists, and should utilize existing transportation and utility sites, rights-of-way and corridors where allowed, rather than creating new corridors. Joint use of rights-of-way and corridors should be encouraged.
- 2) Solid waste disposal activities and facilities should be prohibited in shoreline areas.
- 3) Primary utilities should avoid locating in environmentally sensitive areas unless no feasible alternatives exist.
- 4) Primary utility facilities and corridors should be located to protect scenic views if they must be placed in a shoreline area, preferably underground or designed to minimize impacts on the aesthetic qualities of the shoreline area if possible.

c) Regulations

- 1) Primary utilities shall be located outside of SMA jurisdiction unless no other feasible option exists.
- 2) Primary utilities shall be located landward of OHWM unless such location is not feasible or would result in potentially greater environmental impacts.
- 3) Primary utility facilities shall avoid disturbance of unique and fragile areas, as well as wildlife spawning, nesting and rearing areas. Utility facility design, location, development, and maintenance shall result in no net loss of shoreline ecological functions. Mitigation shall be provided as necessary to meet this requirement. Failure to meet this standard will result in permit denial.
- 4) Through coordination with local government agencies, utility development shall provide for compatible, multiple uses of sites and rights-of-way. Such uses include shoreline access points, trail systems and other forms of recreation and transportation, providing such uses will not unduly interfere with utility operations, endanger public health and safety, or create a significant and disproportionate liability for the owner.
- 5) Utility lines shall utilize existing rights-of-way, corridors, and/or bridge crossings whenever possible and shall avoid duplication and construction of new corridors in all shoreline areas. Proposals for new corridors or water crossings must fully substantiate the infeasibility of existing routes.
- 6) Solid waste disposal sites and facilities are prohibited in all shoreline environment designations.
- 7) Where major facilities must be placed in a shoreline area, the location and design shall be chosen so as not to destroy or obstruct scenic views.
- 8) To the greatest extent feasible, primary utility development shall provide screening of facilities from water bodies and adjacent properties. Screening, including landscaping and fencing, shall be designed to constitute a dense “full screen,” where feasible.
- 9) Clearing of vegetation for the installation or maintenance of utilities shall be kept to a minimum and, upon project completion; any disturbed areas shall be restored to their pre-project condition.
- 10) The City shall hold public meetings prior to the issuance of a substantial development permit for a major primary utility project in accordance with the administrative procedures outlined in this SMP to allow for the greatest amount of public input to help guide utility-related decisions.

11. Utilities (Secondary)

a) Applicability

Secondary utilities are typically distribution services connected directly to the uses along the shoreline. For example, power distribution, telephone, cable, water mains and distribution lines, sewer collectors and side sewer stubs, stormwater collection and conveyance, are all considered as utilities accessory to shoreline uses. They are covered in this section because they concern all types of development and have the potential of

affecting the ecological condition and visual quality of the shoreline and its waters. On-site accessory utilities that only serve the permitted shoreline use (e.g. sewer connection) are considered part of the primary use. The Shoreline Administrator shall have the authority to determine when a facility is a Primary or Secondary Utility based on the guidance provided in the SMP.

b) Policies

- 1) Utilities necessary to serve shoreline uses should be properly sited and installed to protect the shoreline and water from contamination and degradation.
- 2) Secondary utility facilities and right-of-ways should be located outside of the shoreline area to the extent possible. Utility lines should be placed underground if possible when a shoreline location is required.
- 3) Utility facilities should be designed and located in a manner, which preserves the natural landscape and shoreline ecology, and minimizes conflicts with present and planned land uses.

c) Regulations

- 1) Through coordination with local government agencies, utility developments shall provide for compatible multiple uses of sites and rights-of-way. Such uses include shoreline access points, trail systems, and other forms of recreation and transportation, providing such uses will not unduly interfere with utility operations, or endanger public health and safety.
- 2) In shoreline areas, secondary utilities shall be placed underground unless demonstrated to be infeasible. Further, such lines shall utilize existing rights-of-way and existing corridors whenever possible.
- 3) Utility facilities shall be located and designed to avoid destruction of, or damage to, important wildlife areas, and other unique and fragile areas. Utility facility development shall result in no net loss of shoreline ecological functions. Mitigation shall be provided as necessary to meet this requirement. Failure to meet this standard will result in permit denial.
- 4) Clearing for the installation or maintenance of utilities shall be kept to a minimum, and upon project completion, any disturbed area shall be restored, to the greatest extent feasible, to pre-project conditions, including replanting with native species, or other species as approved by the Shoreline Administrator, and maintenance care. If the previous condition is identified as being undesirable for shoreline function, then landscaping and other improvements shall be undertaken.
- 5) The location and construction of outfalls shall comply with all appropriate federal, state, county and city regulations.
- 6) The City shall maintain, enhance, and restore public natural drainage systems in accordance with all applicable policies and regulations to protect water quality, reduce flooding, reduce public costs, and prevent associated environmental degradation for a no net loss of shoreline ecological functions.

- 7) New utility lines including electricity, communications, and fuel lines shall be located underground, where feasible. Existing above ground lines shall be moved underground when properties are redeveloped or in conjunction with major system upgrades or replacements where feasible.
- 8) Utility development shall include public access to the shoreline, trail systems, and other forms of recreation, providing such uses will not unduly interfere with utility operations, endanger the public health, safety, and welfare, or create a significant and disproportionate liability for the owner.
- 9) Proposals for new utility corridors shall demonstrate the infeasibility of existing routes.

Chapter 5 Shoreline Modification Provisions

A. Introduction and Applicability

Shoreline modifications are those structures and actions that modify the physical configuration or qualities of the shoreline area, particularly at the point where land and water meet. Shoreline modifications include, but are not limited to, structures such as bulkheads, docks, piers, and floats, and actions such as clearing, grading and dredging. Shoreline modifications are, by definition, undertaken in support of or in preparation for a permitted shoreline use. A single use may require several different shoreline modifications.

Shoreline modification policies and regulations are intended to assure, at a minimum, no net loss of ecological functions necessary to sustain shoreline natural resources and to prevent, reduce and mitigate the negative environmental impacts of proposed shoreline modifications consistent with the goals of the SMA. A proposed development must meet all of the regulations for both applicable uses and activities as well as the general and environment designation regulations.

This chapter has been divided into four sections: Shoreline Stabilization, Dredging and Disposal, Fill, and Overwater Structures and Launching Facilities.

B. Table of Permitted Shoreline Modifications

The shoreline modification table below determines whether a specific shoreline modification is allowed within each of the shoreline environment designations. See the standards following the table for a full explanation of structures and actions and required conditions.

Table IV. Permitted Shoreline Modifications

- P = Permitted Use
- C = May be Permitted as a Conditional Use
- X = Prohibited, Not Eligible for a Variance or CUP
- N/A = Not Applicable

SHORELINE MODIFICATIONS	Shoreline Residential	Urban - Stream Protection	Urban Park	Conservancy	Natural	Aquatic
SHORELINE STABILIZATION						See adjacent upland shoreline environment designation
Beach Restoration and Enhancement	P	X	P	X	C	
Soil Bio-engineering	P	P	P	P	P	
Structural Stabilization	P	X	C	X	X	
Breakwaters, Jetties, and Groins	X	X	X	X	X	
Clearing and Grading	P	P ¹	P ¹	P ¹	C ¹	
Dredging and Disposal	X	X	X	X	X	
Dredging ²	C	C	C	C	C	
FILL						
Fill Upland of OHWM	P	P ¹	P ¹	C ¹	X	
Fill Waterward of OHWM ²	C	C	C	X	C	

OVERWATER AND IN-WATER STRUCTURES⁴					
Recreational Float	P	X	P	X	X
Overwater Boathouse ³	X	X	X	X	X
Single / Joint Pier and Dock	P	X	P	X	X
Moorage Piles and Mooring Buoys	P	X	P	X	X
Private Community Dock	P	X	P	X	X
Public Pier/Dock	C	X	P	X	X
Boat Launch	C	X	C	X	X
Launching Rails	C	X	X	X	X
Boat Lifts	P	X	X	X	X
Boat Lift Canopies	P	X	X	X	X
Moorage Covers (Open Sides, Structural Roof)	C	X	X	X	X
In-Stream Structures (e.g. Dams and Weirs)	C	C	C	C	C

¹The critical area provisions of LMC Title 14 as incorporated into this SMP shall apply within designated critical areas and buffers (such as streams and wetlands). Critical area requirements may further restrict this activity and other development activities in portions of the shoreline management area. Please see LMC Title 14 and Chapter 3, Section (B)(3) for more information.

²Dredging and fill waterward of the OHWM occur in the Aquatic shoreline environment designation by definition, but are regulated based on the adjacent upland shoreline environment designation. In the shoreline environment designations where they are allowed, fill waterward of the OHWM and dredging are only permitted in limited situations. See Chapter 5, Section C(3) and (4) for additional restrictions and requirements. Small scale beach restoration utilizing up to or less than twenty-five (25) cubic yards of material is permitted waterward of the OHWM without a CUP. See Chapter 5, Section C(4)(c)(2).

³Boathouses landward of the OHWM no greater than twelve (12) feet in height are allowed in shoreline setbacks subject to impervious surface limits and other restrictions in this SMP.

⁴See permit requirements and exemptions per Section C.5 (b) of Chapter 5 and Chapter 6.

C. Policies and Regulations

1. General Policies and Regulations

a) Applicability

The following provisions apply to all shoreline modifications whether such proposal addresses a single property or multiple properties. Additional requirements as contained in other Chapters of this SMP apply. Where a general standard, environmental standard or use standard conflicts with the provisions contained in this chapter, the more restrictive shall apply.

b) Policies

- 1) The adverse effects of shoreline modifications should be reduced, as much as possible, and shoreline modifications should be limited in number and extent.
- 2) The Shoreline Administrator should take steps to assure that shoreline modifications individually and cumulatively do not result in a net loss of ecological function by preventing unnecessary shoreline modifications by giving preference to those types of shoreline modifications that have a lesser impact on ecological functions, and by requiring mitigation of identified impacts resulting from shoreline

modifications.

c) Regulations

- 1) All shoreline modifications must be in support of an authorized shoreline use or provide for human health and safety.
- 2) All shoreline development shall be located and designed to prevent or minimize the need for shoreline modifications.
- 3) In reviewing shoreline modification permits, the Shoreline Administrator shall require steps to avoid then reduce significant ecological impacts according to the mitigation sequence in Chapter 3, Section B.4.C.3.
- 4) The Shoreline Administrator shall base all shoreline modification decisions on available scientific and technical information and a comprehensive analysis of site-specific conditions provided by the applicant, as stated in WAC 173-26-231.

2. Shoreline Stabilization (Including Bulkheads)

a) Applicability

Shoreline stabilization includes structures and actions taken to address erosion impacts caused by natural processes, such as currents, floods, and waves. Examples of stabilization methods include beach restoration and enhancement, soil bioengineering, and bulkheads.

"Hard" structural stabilization measures refer to those with solid, hard surfaces, such as concrete or boulder bulkheads, while "soft" structural measures rely on less rigid materials, such as anchored logs, limited rock placement in conjunction with other components, bioengineered vegetation measures, and beach enhancement. Nonstructural methods include building setbacks, relocation of the structure to be protected, ground water management, and planning and regulatory measures.

Generally, the harder the construction measure, the greater the impact on shoreline processes, such as sediment transport, geomorphology, and biological functions. The means taken to reduce damage caused by erosion, accretion, and flooding must recognize and promote the benefits of these natural occurrences. Erosion does not occur without accretion (deposition and accumulation) of material eroded, such as formation of a beach or a sandbar. Likewise, accretion cannot occur unless material has been eroded.

A key regulatory distinction in this SMP is made between new stabilization measures and the replacement of existing stabilization measures. New stabilization measures include the enlargement of existing structures. Some of these techniques are currently being used in City as described below, or they are techniques that could be used to address local shoreline issues.

General policies and regulations addressing shoreline stabilization methods are presented below, followed by discussion, polices and regulations of the individual stabilization methods.

Beach Restoration or Enhancement

Beach enhancement is the alteration of exposed and submerged shorelines for the purpose of stabilization, recreational enhancement, and/or aquatic habitat creation or restoration using native or similar material. The materials used are dependent on the intended use. For recreational purposes, various grades of clean sand or pea gravel are often used to create a beach above the OHWM. Restoration or re-creation of a shore feature may require a rock and gravel matrix and/or other materials appropriate for the intended use.

Soil Bioengineering

Soil bioengineering is the practice of using natural vegetative materials to stabilize shorelines and prevent erosion. This may include use of root systems, or other living plant material; fabric; and limited rock toe protection, where appropriate. Soil bioengineering projects often include fisheries habitat enhancement measures, such as anchored logs or root wads, in project design. Soil bioengineering techniques may be applied to shoreline areas and the upland areas away from the immediate shoreline.

The use of soil bioengineering as a shoreline stabilization technique is a viable and proven alternative to riprap, concrete and other structural solutions. It provides habitat while maintaining and preserving the shoreline's natural character. Soil bioengineering is the preferred "best practices" choice when considering shoreline stabilization.

Bulkheads

Bulkheads are shoreline structures, either sloped or vertical, usually constructed parallel to the shore close to or at the OHWM. The primary purpose is to contain and prevent the loss of soil caused by erosion or wave action.

Bulkheads have historically been constructed of poured-in-place or precast concrete, concrete blocks, steel or aluminum sheet piling, wood or wood and structural steel combinations, and boulders. Bulkheads may be either thin structures penetrating deep into the ground or more massive structures resting on the surface.

Uses and activities related to bulkheads, which are identified as separate use activities in this program, such as Fill and Residential Development, are subject to the regulations for those uses in addition to the standards for bulkheads established in this section.

Groins

Groins are barrier-type structures of rock, wooden piling, or other materials constructed across the beach itself and extending into the water with the intent to obstruct sand and sediment carried by the littoral drift action along shorelines. Groins have limited applicability in the City's shoreline jurisdiction because of the relatively small size of the jurisdictional lakes.

b) Policies

- 1) Shoreline stabilization should be located, designed, and maintained to protect and maintain shoreline ecological functions, ongoing shoreline processes, and the integrity of shoreline features. Ongoing stream or lake processes and the probable effects of proposed shoreline stabilization on other

properties and shoreline features should be considered. Shoreline stabilization should not be developed for the purpose of filling shorelines.

- 2) Hard structural shoreline stabilization measures should only be used when softer, more natural, flexible, or non-structural methods such as placing the development farther from the OHWM, planting vegetation, or installing on-site drainage improvements, beach nourishment and bioengineering have been determined infeasible. Alternatives for shoreline stabilization should be based on the following hierarchy of preference:
 - a. No action (allow the shoreline to retreat naturally), increase buffers, and relocate structures.
 - b. Flexible defense works constructed of natural materials including soft shore protection, bioengineering, including beach nourishment, protective berms, or vegetative stabilization.
 - c. Rigid works constructed of artificial materials such as riprap or concrete.
- 3) Structures should be located and designed to avoid the need for future shoreline stabilization where feasible. Land subdivisions should be designed to assure that future development would not require shore stabilization.
- 4) New or expanded structural shoreline stabilization should only be permitted where necessary to protect an existing primary structure or a legally existing shoreline use that is in danger of loss or substantial damage, and where it would not cause a net loss of shoreline ecological functions and processes.
- 5) New or expanded structural shoreline stabilization for enhancement, restoration, or hazardous substance remediation projects should only be allowed when non-structural measures, vegetation planting, or on-site drainage improvements would be insufficient to achieve enhancement, restoration, or remediation objectives.
- 6) Shoreline stabilization should not be permitted when it interferes with public access, or other appropriate shoreline uses including, but not limited to, navigation or private recreation.
- 7) Non-regulatory methods to protect, enhance, and restore shoreline ecological functions and other shoreline resources should be encouraged for shore stabilization. Non-regulatory methods may include public facility and resource planning, technical assistance, education, voluntary enhancement and restoration projects, or other incentive programs.
- 8) Provisions for multiple use, restoration, and/or public shore access should be incorporated into the location, design, and maintenance of shore stabilization for public or quasi-public developments whenever safely compatible with the primary purpose. Shore stabilization on publicly owned shorelines should not be allowed to decrease long-term public use of the shoreline.
- 9) Materials used for construction of shoreline stabilization should be selected for long-term durability, ease of maintenance, compatibility with local shoreline features including aesthetic values, and flexibility for future uses.

- 10) New development that would require shoreline stabilization, which causes significant impacts to adjacent properties, should not be allowed.
- 11) Explore a range of solutions to reduce the amount of bulkheads and hard shoreline armoring over time around American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, and Waughop Lake and restore natural bank conditions. Alternative methods to typical shoreline armoring using native vegetation and other natural shoreline features should be the preferred method where feasible.

c) Regulations

Shoreline Stabilization - General Requirements

- 1) The standards in this section apply to all developments and uses in shoreline jurisdiction.
- 2) Except as otherwise provided in these regulations, structural shoreline stabilization to protect primary structures from damage from erosion shall be allowed only after it is demonstrated through a geotechnical report that non-structural solutions would not provide sufficient protection to existing structures. If structural stabilization is necessary to protect structures, then the feasibility of soft structural measures shall be evaluated prior to consideration of hard structural measures. Soft structural stabilization measures shall be used unless the Shoreline Administrator determines that it is not feasible based on the geotechnical report required in this section and provided by the applicant.
- 3) The geotechnical report shall evaluate the necessity of structural stabilization measures by estimating timeframes and rates of erosion, urgency, alternative solutions, and other pertinent factors. Hard armoring shall not be authorized except where the geotechnical report confirms that there is a significant possibility that a primary structure will be damaged within three years as a result of shoreline erosion in the absence of such measures or where waiting until the need is that immediate would foreclose the opportunity to use measures that would avoid impacts on ecological functions. Where a geotechnical report confirms a need to prevent potential damage to a primary structure, but the need is not as immediate as three (3) years, soft structural stabilization measures may be authorized.
- 4) Soft shoreline stabilization may include the use of gravels, cobbles, limited use of boulders in conjunction with other measures, and logs, as well as vegetation.
- 5) During construction or repair work on a shoreline stabilization measure, areas of temporary disturbance within the shoreline setback shall be restored as quickly as feasible to their pre-disturbance condition or better to avoid impacts to the ecological function of the shoreline.

Shoreline Stabilization - New Development

- 1) New development, including land subdivision, shall, to the extent feasible, be located and designed to eliminate the need for concurrent or future shoreline stabilization and ensure no net loss of ecological function at full build-out. A geotechnical analysis of the site and shoreline characteristics shall be required to assure that lots created through subdivision will not require shoreline stabilization in order for reasonable development to occur. New non-water dependent development that would require

shoreline stabilization and cause significant adverse impacts to adjacent or down-current properties is prohibited.

- 2) New development, including single-family residences, that requires new structural shoreline stabilization shall be prohibited unless all of the conditions below are met:
 - a. The need to protect the development from damage due to erosion caused by natural processes, such as currents and waves is demonstrated through a geotechnical report;
 - b. The erosion is not being caused by upland conditions, such as loss of vegetation and drainage;
 - c. Non-structural measures, such as placing the development farther from the shoreline, planting vegetation, LID BMPs, or installing on-site drainage improvements, are not feasible or not sufficient; and
 - d. The stabilization structure will not result in a net loss of shoreline ecological functions.
- 3) New development on steep or unstable slopes shall be set back sufficiently to ensure that shoreline stabilization will not be needed during the life of the structure, as demonstrated by a geotechnical analysis prepared by a geotechnical engineer or related professional licensed and in good standing in the State of Washington.

Shoreline Stabilization - New or Expanded Measures

New structural stabilization measures and enlargement of existing structural stabilization measures shall be limited to the minimum size necessary and shall be permitted only when it has been conclusively demonstrated through scientific analysis that shoreline stabilization is necessary to protect existing primary structures, public improvements, ecological function restoration projects or hazardous substance remediation projects from erosion, and that nonstructural measures, planting vegetation, or installing on-site drainage improvements are not feasible or not sufficient.

Shoreline Stabilization - Replacement and Repair

- 1) An existing shoreline stabilization structure shall not be replaced with a similar structure unless there is a demonstrated need to protect legally established principal uses or existing structures from erosion caused by currents or waves and a nonstructural measure is not feasible.
- 2) Shoreline stabilization solutions developed to replace existing shoreline stabilization shall be placed along the same alignment as, or landward of, the shoreline stabilization being replaced, except as noted below.
- 3) Where existing hard structural stabilization is replaced by soft structural or non-structural shoreline stabilization using bioengineering techniques and results in a documented improvement of shoreline functions, such stabilization may be allowed waterward of the OHWM subject to state and federal approvals. Such stabilization does not constitute fill for the purpose of this SMP.
- 4) A major repair or replacement of a hard shoreline stabilization structure shall be allowed without a

demonstration of need when the existing primary structure is ten (10) feet or less from the OHWM. All other major repair proposals must include a written narrative prepared by a qualified geotechnical engineer that provides a demonstration of need. A major repair shall be defined as:

- a. A repair needed to a portion of an existing stabilization structure that has collapsed, eroded away, or otherwise demonstrated loss of structural integrity, or in which the repair work involves modification of the toe rock or footing, and the repair is fifty percent (50%) or greater than the linear length of the shoreline stabilization measure; or
 - b. A repair to more than seventy-five percent (75%) of the linear length of the existing hard structural stabilization measure in which the repair work involves replacement of top or middle course rocks or other similar repair activities.
- 5) Minor repairs are repairs that do not meet the threshold established in regulation 4 above. Such repairs shall be allowed without a demonstration of need.

General Shoreline Stabilization - Design Requirements

- 1) Shoreline stabilization and modification projects shall avoid adverse impacts to the environment to the greatest extent feasible, and where such impacts cannot be avoided, mitigation shall be provided to achieve no net loss of shoreline ecological functions.
- 2) Shoreline stabilization shall not be used to create new or newly usable land.
- 3) Shoreline stabilization shall not significantly interfere with normal surface and/or subsurface drainage into the water body.
- 4) Shoreline stabilization shall be designed so as not to constitute a hazard to navigation and not interfere with visual access to the water substantially.
- 5) Shoreline stabilization shall be designed so as not to not cause a significant impact to adjacent properties, including the need for shoreline stabilization elsewhere.
- 6) Professional design (as approved by the Shoreline Administrator) of all shoreline stabilization is required. All shoreline modifications shall be in support of a permitted shoreline use that is in conformance with the provisions of this SMP unless it can be demonstrated that such activities are necessary and in the public interest.
- 7) All shoreline modification activities must comply with all other regulations as stipulated by state and federal agencies, local tribes, or others that have jurisdiction.
- 8) Alternative methods to typical shoreline armoring using native vegetation and other natural shoreline features shall be considered when replacing existing and constructing new shoreline stabilization solutions.
- 9) Public access shall be required as part of publicly financed shoreline stabilization measures unless public

access improvements would cause unavoidable health or safety hazards to the public, inherent and unavoidable security problems, unacceptable and immitigable significant ecological impacts, unavoidable conflict with proposed use, or a cost that is disproportionate and unreasonable to the total long-term cost of the development.

Beach Restoration or Enhancement

- 1) Beach enhancement along American Lake, Gravelly Lake, Lake Louise and Lake Steilacoom may be permitted when the applicant has demonstrated that the project will not detrimentally interrupt littoral processes, redirect waves, current, or sediment to other shorelines, or adversely affect adjacent properties or habitat and all other standards of the SMP are followed.
- 2) Beach enhancement for the purpose of shoreline stabilization is limited to the minimum necessary. Proposals exceeding the threshold outlined in Section 4(c)(2) shall be subject to the requirements for shoreline fill in that section.
- 3) Natural beach restoration/enhancement activities shall not:
 - a. Extend waterward more than the minimum amount necessary to achieve the desired stabilization;
 - b. Disturb significant amounts of valuable shallow water fish/wildlife habitat without appropriate mitigation of the impacts.
- 4) The size and/or mix of new materials to be added to a beach shall be as similar as possible to that of the natural beach sediment, but large enough to resist normal current, wake, or wave action at the site.
- 5) The restored beach shall approximate, and may slightly exceed, the natural beach width, height, bulk or profile (but not as much as to create additional dry land).
- 6) Beach enhancement is prohibited within fish and/or wildlife spawning, nesting, or breeding habitat that would be adversely affected by it, as well as where littoral drift of the enhancement materials would adversely affect adjacent spawning grounds or other areas of biological significance.

Soil Bioengineering

- 1) All soil bioengineering projects shall use native plant materials appropriate to the specific area including trees, shrubs, and groundcovers, unless demonstrated infeasible for the particular site.
- 2) Except where more restrictive or specific Critical Area and Resource Lands Regulations apply, all cleared areas shall be replanted immediately following construction and irrigated (if necessary) to ensure that within three (3) years all vegetation is one hundred percent (100%) reestablished to achieve no net loss of ecological functions of the shoreline area. Areas that fail to reestablish vegetation adequately shall be replanted by the applicant with approved plant materials until the plantings are viable. The Shoreline Administrator may establish additional performance standards in permit conditions based on the project site and nature of the proposal.

- 3) Any bioengineered bank stabilization and replanted areas as required by Regulation 2 above shall be maintained in the form of a buffer zone for a minimum of three (3) years. The buffer zone shall exclude activities that could disturb the site. Where determined necessary by the Shoreline Administrator, fencing may be required to ensure protection of plantings.
- 4) All construction and planting activities shall be scheduled to minimize impacts to water quality and fish and wildlife aquatic and upland habitat, and to optimize survival of new vegetation.

Breakwaters

- 1) Breakwaters, jetties, and groins shall not be permitted.

Bulkheads

- 1) Bulkhead design and development shall conform to all other applicable local, state, and federal agency regulations.
- 2) On shorelines where no other adjacent bulkheads, the bulkhead construction shall tie in with the contours of the adjoining shorelines, as feasible, to avoid causing erosion of the adjoining properties.
- 3) Bulkheads may tie in flush with existing bulkheads on adjoining properties, provided that the new bulkhead does not extend waterward of OHWM, except that which is necessary to make the connection to the adjoining bulkhead. In such circumstances, the remaining portion of the bulkhead shall be placed landward of the existing OHWM such that no net loss of lake occurs and the design complies with all other regulations as stipulated by state and federal agencies, local tribes, or others that have jurisdiction.
- 4) Replacement bulkheads shall not encroach waterward of the OHWM or existing structure unless the residence was occupied prior to January 1, 1992, and there is overriding safety or environmental concerns. In such cases, the replacement structure shall abut the existing stabilization structure.
- 5) When a bulkhead is required at a public access site, provisions for safe access to the water shall be incorporated into bulkhead design.
- 6) Stairs or other permitted structures may be built into a bulkhead, but shall not extend waterward of a bulkhead.
- 7) Fill behind bulkheads shall be limited to an average of one (1) cubic yard per linear foot of bulkhead. Any filling in excess of this amount shall be subject to the policies and regulations in this SMP pertaining to fill activities.

3. Dredging and Disposal

a) Applicability

Dredging is the removal or displacement of earth or sediments such as gravel, sand, mud or silt and/or other materials or debris from any stream, or lake and associated shorelines, side channels, and wetlands. In a lake setting, dredging is normally done for specific purposes or uses such as deepening a navigational channel or obtaining bottom material.

Dredge material is disposed of on land or into water bodies and may be intended for the purpose of creating new or additional lands for other uses. Dredge spoil varies from clean river sand to organic sludge. While some of this material is deposited on land, a significant portion is dumped, intentionally or unintentionally, back into the water or immediately adjacent to the water.

Of all activities on shorelines, dredging poses one of the greatest threats to water quality and aquatic life. In most cases, dredging occurs in shallow areas and may disturb the aquatic environment by temporarily reducing water clarity from suspended sediments, causing aquatic plant and animal loss by direct removal or from the sedimentation of suspended materials, altering the nutrient and oxygen levels of the water column, and suspending toxic materials from the sediments into the water column.

b) Policies

- 1) In all cases, dredging operations should be planned and conducted to protect and maintain existing aquatic habitat and other shoreline uses, properties, and values. Proposals that include dredging should provide mitigation to achieve no net loss of shoreline ecological functions.
- 2) When allowed, dredging and dredge material disposal should be limited to the minimum amount necessary.
- 3) Dredging waterward of the OHWM for the primary purpose of obtaining fill should not be allowed, except as part of a restoration or environmental cleanup project.
- 4) The City may impose limitations on dredging activities, such as limited operating hours, time periods, and requirements for buffer strips at the site.
- 5) Dredging or excavation of gravel for the purposes of flood management should be consistent with adopted flood hazard reduction plans and should result in no net loss of ecological function.

c) Regulations

- 1) Dredging and disposal of dredge material shall avoid and minimize significant ecological impact; impacts that cannot be avoided shall be mitigated to achieve no net loss of ecological processes and functions.
- 2) New development siting and design shall avoid the need for new and maintenance dredging.
- 3) Dredging may be permitted as a conditional use activity only:
 - a. When necessary to support a water-dependent use; or
 - b. For expansion or alteration of public utility facilities; or

- c. As part of mitigation actions, environmental restoration, a comprehensive flood control program or habitat enhancement projects.
- 4) In all cases where dredging is allowed, dredging may be permitted as a conditional use:
 - a. When technical information demonstrates water circulation, littoral drift, aquatic life and water quality will not be substantially impaired; and
 - b. When other solutions would result in greater environmental impact; and
 - c. When applicable permits of other local, state, federal have been obtained.
- 5) Maintenance dredging associated with a water dependent use shall be restricted to maintaining the previously dredged and/or existing authorized location, depth, and width.
- 6) Dredging for the primary purpose of obtaining fill or construction material is prohibited, except for projects associated with MTCA or CERCLA habitat restoration, or any other significant restoration effort approved by a shoreline CUP. When dredging is allowed for fill materials, placement of fill must be waterward of the OHWM.
- 7) Proposals for dredging and dredge disposal shall include details on all feasible mitigation measures to protect aquatic habitats. Dredging and dredge disposal shall not create a net loss of shoreline ecological functions.
- 8) Dredging material, which will not subsequently cause violation of state Water Quality Standards, may be used in permitted landfill projects.
- 9) Excavation on beaches below the OHWM in lands covered by water constitutes dredging and shall include precautions to prevent the migration of fine grain sediments, disturbed by the excavation, onto adjacent beach areas. Excavations on beaches shall be backfilled promptly using material of similar composition and similar or coarser grain size.
- 10) Dredging shall be timed so that it does not interfere with aquatic life.
- 11) Depositing dredge materials in all water areas shall be prohibited, except where authorized in Regulation 6 above.
- 12) Disposal of dredged material on shorelands or wetlands within a CMZ shall be prohibited.
- 13) Dredging shall utilize techniques (such as hydraulic dredging instead of agitation dredging) that cause minimal dispersal and broadcast of bottom material.
- 14) Limitations may be imposed on dredging activities, such as limited operating hours, time periods, and requirements for buffer strips at the site.
- 15) Dredging or excavation of gravel for the flood management shall be consistent with an adopted flood hazard reduction plan per the requirements of WAC 173-26-221(3)(c). Such dredging or excavation shall only be approved after a biological study demonstrates that the project would have a long-term benefit to flood hazard reduction, is part of a comprehensive flood management solution, and would not result in a net loss of ecological function.

4. Fill

a) Applicability

Fill is the placement of soil, sand, rock, gravel, sediment, earth-retaining structure, or other material to an area waterward of the OHWM, in wetlands or on shorelands in a manner that raises the elevation or creates dry land. Fill is usually considered in locations where the water is shallow and rooted vegetation often occurs. In their natural condition, these areas provide valuable habitat for fish and wildlife feeding, breeding, and shelter. Biologically, these areas tend to be highly productive portions of the lake. For these reasons, governmental agencies and scientific experts have generally sought to prohibit or restrict fill.

b) Policies

- 1) Shoreline fill waterward of the OHWM should be permitted as a conditional use in all shoreline environment designations, and only when tied to a specific development proposal that is permitted by the SMP.
- 2) Where permitted, fill coverage should be the minimum necessary to provide for the proposed use.
- 3) In evaluating fill projects, factors such as current and potential public use of the shoreline and water surface area, water flow and drainage, water quality and habitat should be considered and protected to the maximum extent feasible. Further, the City should assess the overall value of the fill site in its present state versus the proposed shoreline use to be created to ensure consistency with the SMA and this SMP.
- 4) Fills waterward of the OHWM should be restricted to the minimum necessary to support water-dependent uses, public access, cleanup and disposal of contaminated sediments as part of an interagency clean-up plan, disposal of dredged sediments in accordance with the Washington State Department of Natural Resources (DNR) rules, expansion or alteration of transportation facilities of statewide significance when no other alternatives are feasible, and for mitigation actions, environmental restoration and enhancement projects, and only when other solutions would result in greater environmental impact.
- 5) Shoreline fills should be designed and located so that there will be no net loss of existing ecological systems or natural resources, and no alteration of local currents, surface and subsurface drainage, or flood waters which would result in hazard to adjacent life, property, or natural resource systems.
- 6) The fill perimeter should be designed to avoid or eliminate erosion and sedimentation impacts, both during initial fill activities and over time. Natural appearing and self-sustaining control methods are preferred over structural methods.

c) Regulations

- 1) Fill proposals must demonstrate, at a minimum, that they will result in no net loss of shoreline ecological functions.

- 2) Fills waterward of the OHWM (not including small scale beach restoration that does not exceed twenty-five (25) cubic yards) shall require a CUP and shall be restricted to the minimum necessary to:
 - a. Support water-dependent uses;
 - b. Provide public access;
 - c. Allow for the remediation and disposal of contaminated sediments as part of an interagency clean-up plan;
 - d. Allow the disposal of dredged sediments in accordance with DNR rules;
 - e. Provide for the expansion or alteration of transportation facilities of statewide significance when no other alternatives are feasible; and
 - f. Accomplish mitigation actions, environmental restoration and enhancement projects, and only when other solutions would result in greater environmental impact.
- 3) Fills shall be designed, constructed, and maintained to prevent, minimize, and control all material movement, erosion, and sedimentation from the affected area.
- 4) All perimeters of fills shall be provided with vegetation, retaining walls, or other satisfactory mechanisms for erosion prevention and sediment capture.
- 5) Fill shall be permitted only where it is demonstrated that the proposed action will not:
 - a. Result in significant damage to water quality, fish, aquatic habitat, and/or wildlife habitat; or
 - b. Adversely alter natural drainage and circulation patterns, or significantly reduce floodwater-holding capabilities.
- 6) No refuse disposal sites, solid waste disposal sites, or sanitary fills shall be permitted within the American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom or Waughop Lake shoreline areas.
- 7) Any placement or removal of materials landward of the OHWM shall comply with the Vegetation Conservation and Critical Areas provisions of this SMP.
- 8) Fill for the purpose of raising the average grade level is prohibited.

5. Overwater Structures and Launching Facilities

a) Applicability

Piers and docks are structures that abut the shoreline and often used as a landing or moorage place for watercraft. Piers are built on fixed platforms supported by piles above the water, while docks float upon the water. Some piers may terminate in a float section that is connected by a ramp.

Recreational floats are independent anchored offshore platforms, used for water-dependent recreational activities such as swimming and diving.

Boat launches include graded slopes, slabs, pads, planks, or rails used for launching boats by means of a trailer, hand, or mechanical device.

All of these types of facilities have positive and negative environmental aspects. Floating docks generally have less of a visual impact than piers on pilings. However, in the nearshore, docks can interrupt littoral drift of sediments and other suspended materials, and significantly shade the aquatic environment throughout their length. Pile piers can provide diverse habitat for both desirable and undesirable aquatic life. Excavated moorage involves dredging and disturbs bottom sediments and aquatic life. Docks and piers alike create impediments to boat traffic and fish travel. Boat launches impact soils and vegetation, both upland and aquatic. Construction of these facilities requires regulation to protect navigation, to protect shoreline aesthetics, and to maintain the useable water surface and aquatic lands for life forms characteristic and important to those areas.

b) Exemptions

Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee, or contract purchaser of single-family and multiple-family residences. A dock is a landing and moorage facility for watercraft and does not include recreational decks, storage facilities or other appurtenances.

- 1) The City will review all development proposals for overwater structures to determine if: The proposal is or is not exempt from the requirement for a Substantial Development Permit per WAC 173-27-040. This exemption applies in freshwater when the fair market value of the dock does not exceed:
 - A) Twenty-two thousand five hundred dollars (\$22,500) for docks that are constructed to replace existing docks, and are of equal or lesser square footage than the existing dock being replaced; or
 - B) Eleven thousand two hundred dollars (\$11,200) for all other docks constructed in fresh waters.

However, if subsequent construction occurs within five years of completion of the prior construction, and the combined fair market value of the subsequent and prior construction exceeds the amount specified above, the subsequent construction shall be considered a substantial development for the purpose of this chapter.

- 2) The proposal is suitably located and designed and that all potential impacts have been recognized and mitigated such that there is no net loss of shoreline ecological functions; and
- 3) The proposal is consistent with the intent, policies, and regulations of the SMA, the SMP Guidelines, and this SMP.

c) General Policies

- 1) New piers and docks should be allowed only for public access and water-dependent uses.
- 2) New piers and docks should be restricted to the minimum size necessary and permitted only when the applicant has demonstrated that a specific need exists to support the intended water-dependent use.
- 3) Piers and docks should be discouraged where conflicts with recreational boaters and other recreational water activities would be created by pier and dock construction.
- 4) The further proliferation of single-purpose, single-owner piers, and docks should be discouraged. Preference should be given to the shared use piers in shoreline areas.
- 5) Preference should be given to fixed-pile piers elevated above the OHWM. Floating docks should be allowed if the applicant can demonstrate why a fixed pile pier is not feasible or will result in greater

impacts.

- 6) Recreational floats should be allowed where they are intended to support public or private recreational uses, or in lieu of fixed piers adjacent to residential land uses.
- 7) New overwater boathouses are prohibited and new moorage covers should not be allowed, except through a CUP in the Shoreline Residential environment.
- 8) Overwater structures, including piers, should only be authorized after consideration of:
 - a. The effect such structures have on wildlife and aquatic life, water quality, scenic and aesthetic values, environmentally sensitive resources, submerged lands, and submerged vegetation.
 - b. The effect such structures have on water circulation, recreational boating, sediment movement and littoral drift and shoreline access.
- 9) Overwater structures and mooring buoys should be designed to cause minimum interference with navigable waters and the public's safe use of the lake and shoreline.
- 10) The proposed size of the structure and intensity of use or uses of any overwater structure should be compatible with the surrounding environment and land and water uses.
- 11) Lighting facilities should be limited to the minimum extent necessary to locate the pier or dock at night.

d) Regulations - Docks, Piers and Moorage Structures

- 1) All new overwater structures, including modifications and/or additions, must comply with all regulations contained in this SMP and all other regulations as stipulated by state and federal agencies, local tribes, or others that have jurisdiction.
- 2) Mitigation shall be provided for all reconstructed, repaired, or modified overwater structures to ensure no net loss of ecological function.
- 3) Fixed pile piers elevated at least two (2) feet above the water surface shall be preferred over floating docks. Floating docks shall be allowed if floating elements are not located within the first twenty (20) feet of the shoreline, measured waterward of the OHWM, unless the applicant can demonstrate why adherence to this restriction is not feasible and an alternative design would result in less ecological impact.
- 4) New piers and docks shall be allowed only for public access and water-dependent use, which includes a structure associated with a single-family residence that is designed and intended as a facility for access to watercraft and otherwise complies with the regulations contained in this section. Piers and docks of the minimum size necessary to accommodate the proposed water dependent use may be permitted accessory to a development provided:
 - a. No more than one (1) pier/dock for each single-family residence is permitted. Up to one (1) buoy

- is allowed per dwelling unit in lieu of a dock.
- b. No more than one (1) pier, dock or other moorage structure is allowed for a water dependent commercial use or a multi-family development on a single lot or contiguous ownership with the required minimum lot width.
- 5) On lots that have less than the minimum lot width for an overwater structure, as required in Table V, joint-use piers/docks shall be required, except when lots on either side of the subject lot have legal pre-existing piers or docks and the applicant demonstrates to the satisfaction of the Shoreline Administrator that a shared use agreement is not feasible. Only in this case may the lot with less than the required minimum lot width be permitted an individual pier.
 - 6) New piers and docks that are not accessory to single-family residences shall be permitted only when intended for public use or when the applicant demonstrates that a specific need exists to support the intended water-dependent use.
 - 7) New residential development of more than two (2) dwellings shall provide a joint use or community moorage structure, rather than individual piers or docks.
 - 8) New moorage covers in the Shoreline Residential environment are permitted by a CUP, if the proposal meets all of the following criteria:
 - a. The applicant demonstrates that a joint use or community moorage structure is not feasible;
 - b. The applicant demonstrates that the moorage cover is the minimum size necessary to provide for the water dependent use;
 - c. The overwater structure does not create any potential adverse impacts to public safety;
 - d. Navigation rights are not significantly impacted;
 - e. The overwater structure does not cause environmental impacts that cannot be sufficiently mitigated;
 - f. The covered moorage is placed as far waterward of the OHWM as feasible and safe, within the limits of the dimensional standards for docks and piers established in this Section;
 - g. There is only one (1) covered moorage per moorage facility, including joint use piers; and
 - h. The overwater structure complies with all other conditional use criteria in WAC 173-27-160 as outlined in Chapter 6 of this SMP.
 - 9) New boat lifts and boat lift canopies are permitted as long as the following requirements are met:
 - a. Boatlifts shall be placed as far waterward of the OHWM as feasible and safe, within the limits of the dimension standards for piers and docks.
 - b. Bottom of a boat lift canopy shall be elevated above the boat lift to the maximum extent feasible, the lowest edge of the canopy must be at least four (4) feet above the water surface, and the top of the canopy must not extend more than seven (7) feet above an associated pier.
 - c. One boat lift and boat lift canopy and up to two (2) jetski lifts per dwelling unit.
 - d. The lift does not require the placement of pilings or permanent structures.
 - e. A maximum of two (2) cubic yards of clean rock fill or pre-cast concrete blocks are permitted to anchor the boat lift if the substrate prevents the use of anchoring devices.
 - f. No hydraulic fluid other than water shall be used in the boat lift system; backflow protection may

be required.

- 10) Proposed overwater structures that do not comply with the dimensional standards in Table V may only be approved if they obtain a variance. Provided that, pursuant to WAC 173-27-040 (2)(b), any legally existing nonconforming pier or dock may be repaired or restored (replacement may be authorized as repair) to its original pre-existing size, dimension, configuration and location without the need for a variance, provided such activity meets the definition of normal maintenance and repair. Projects undertaken pursuant to this section must be permitted within two years of removal of the pre-existing, nonconforming structure.
- 11) All float tubs shall be fully encapsulated.
- 12) Floating docks are required to be designed to not ground during low water conditions.
- 13) All overwater structures shall be constructed and maintained in a safe and sound condition. Abandoned or unsafe overwater structures shall be removed or repaired promptly by the owner.
- 14) Wooden components that will be in contact with water or over water shall not be treated or coated with herbicides, fungicides, paint, pentachlorophenol, arsenate, creosote, or similar toxic substances. Structures shall be made out of materials that have been approved by applicable state and federal agencies.
- 15) Non-water dependent elements and uses, such as decks and gazebos built on piers or docks, are not allowed.

Table V. Dimensional Standards for Overwater Structures

Standard	Dock or Float	Pier	Moorage Pile or Buoy
Height above OHWM ¹	N/A	2 ft.	N/A
Maximum Waterward Distance for all Single Use and Joint Use Moorage Structures or Floats ²	Point at which 11 ft. water depth from OHWM is reached, not to exceed the following: Lake Louise: 40 ft. All other lakes: 80 ft.	Point at which 11 ft. water depth from OHWM is reached, not to exceed the following: Lake Louise: 40 ft. All Other lakes: 80 ft.	Point at which 11 ft. water depth from OHWM is reached, not to exceed the following: Lake Louise: 40 ft. All Other lakes: 80 ft.
Maximum Waterward Distance for Community Docks	150 ft.	150 ft.	N/A
Setback from Extension of Side Yard Lot Lines	10 ft.	10 ft.	10 ft.

Maximum Surface Area ⁴	550 sq. ft. (single owner) 640 sq. ft. (2 owners) 100 sq. ft. for each additional owner over 2 up to a maximum size of 2,000 sq. ft. Please note that all docks and piers must also meet water frontage standards	550 sq. ft. (single owner) 700 sq. ft. (2 owners) 120 sq. ft. for each additional owner over 2 up to a maximum size of 2,000 sq. ft. Please note that all docks and piers and docks must also meet water frontage standards	N/A
Location of Ells, Fingers and Deck Platforms, or Freestanding Buoy or Moorage Pile ³	No closer than 20 ft. waterward of the OHWM. Within 20 ft. of the OHWM, only the access ramp portion of dock is allowed.	No closer than 20 ft. waterward of the OHWM. Within 20 ft. of the OHWM, only the access ramp portion of dock is allowed.	No closer than 20 ft. waterward of the OHWM and moorage piles may not be located farther away than the end of the pier or dock
Minimum Water Frontage Required - Single-Family	50 ft.	50 ft.	None
Private Joint Use or Community Docks - Intensity of Use (Number of Slips)	One moorage for each 30 ft. of shoreline frontage up to 210 ft., plus one moorage for each additional 20 ft.	One moorage for each 30 ft. of shoreline frontage up to 210 ft., plus one moorage for each additional 20 ft.	N/A
On Lake Steilacoom only, pier and dock primary walkways or decks must be fully grated or contain other materials that allow light transmittance through between thirty and fifty percent (30%-50%) of the material, depending on the pier or float width.			

¹ During the course of the normal fluctuations of the elevation of the water body, No portion of a deck of a pier shall protrude more than six (6) feet above the water surface.

² The proposed length must be the minimum necessary to support the intended use. The total dock length includes approach ramp and floating element(s). If eleven (11) foot average water depth is reached within twenty (20) feet of the approach ramp for a dock, a floating element will be permitted, not to exceed the maximum length standard. A dock or pier may exceed the maximum length with a shoreline variance, provided a report prepared by a qualified professional that includes verifiable survey information demonstrates the average water depth of eleven (11) feet is not attainable within the maximum length allowed from the OHWM. Existing public piers may be repaired or replaced to their previous length.

³ Includes all walkways and additional fingers. The maximum width of a ramp connecting a pier to a float should be

minimized to the maximum extent practical and should not exceed 4 feet in width.

⁴Includes all walkways, ramps, and additional fingers. The maximum surface area also includes the areas of related or separate recreational floats. Two or more residential property owners must utilize joint-use docks and piers. Existing public piers may be repaired or replaced to their previous square footage.

e) Regulations - Recreational Floats

- 1) Recreational floats may be permitted, provided:
 - a. The area of a recreational float shall be minimized to the maximum extent feasible and comply with regulations as stipulated by state and federal agencies, local tribes, or others that have jurisdiction. No recreational float shall have more than one hundred and fifty (150) square feet when associated with a private recreation land use, and four hundred (400) when associated with a public recreational land use.
 - b. Distance waterward from the OHWM. Recreational floats must be in water with depths of eleven (11) feet or more at the landward end of the float and may be located up to a maximum waterward distance as shown in Table V.
 - c. The area of the recreational float shall be in addition to the maximum surface area for overwater structures in Table V.
- 2) Recreational floats shall be designed and intended for swim use or other non-motorized use.
- 3) On Lake Steilacoom, recreational floats shall be fully grated.
- 4) Retrieval lines shall not float at or near the surface of the water.
- 5) Height. Recreational floats must be built so that the deck surface is one (1) foot above the water's surface and they must have reflectors for nighttime visibility.
- 6) All float tubs shall be fully encapsulated.

f) Regulations - Moorage Piles and Buoys

- 1) Up to two (2) moorage piles are allowed per dwelling unit, up to a maximum of six (6) moorage piles for joint use or community docks.
- 2) Up to one (1) buoy is allowed per dwelling unit in lieu of a dock.
- 3) Buoys shall be anchored to the lake substrate in accordance with all state and federal requirements.

g) Regulations - Boat Launches (Rails and Ramps)

- 1) Launching rails may be permitted as a conditional use in the Shoreline Residential environment in lieu of a moorage pier. The applicant shall demonstrate that the proposed length of the rail is the minimum necessary to safely launch the intended craft and comply with all regulations as stipulated by state and federal agencies, local tribes, or others that have jurisdiction. In no case shall the rail extend beyond the point where the water depth is eight (8) feet below the OHWM.

- 2) Launching rails shall be anchored to the ground with the use of tie-type construction.
- 3) No more than one (1) launching rail per single-family residence or duplex is permitted.
- 4) Launching ramps may be permitted as a conditional use for recreational uses or when serving more than four (4) residential units in the Shoreline Residential or Urban Park environment. The applicant shall demonstrate that the proposed length of the ramp is the minimum necessary to safely launch the intended craft and comply with all regulations as stipulated by state and federal agencies, local tribes, or others that have jurisdiction. In no case shall the ramp extend beyond the point where the water depth is eight (8) feet below the OHWM.
- 5) Launching ramps serving more than four (4) residential units are regulated as Boating Facilities and they must comply with all policies and regulations in Chapter 4 of this SMP. Launching rails serving more than four (4) residential units are prohibited.
- 6) Location Standards - Launch ramps and launching rails shall be sited so that they do not significantly damage fish and wildlife habitats and shall not occur in areas with native emergent vegetation. Removal of native upland vegetation shall be minimized to the greatest extent feasible. All facilities shall be sited and designed per required mitigation sequencing.
- 7) Where feasible, launch ramps and launching rails shall be located only on stable shorelines where water depths are adequate to eliminate or minimize the need for dredging, filling, beach enhancement or other maintenance activities.
- 8) The design shall comply with all regulations as stipulated by state and federal agencies, affected tribes, or other agencies with jurisdiction.
- 9) Design Standards
 - a. Boat launches for non-motorized boats shall be constructed of gravel or other similar natural material.
 - b. Preferred launch ramp designs for motorized boats, in order of priority, are:
 - A) Open grid designs with minimum coverage of lake substrate.
 - B) Seasonal ramps that can be removed and stored upland.
 - C) Structures with segmented pads and flexible connections that leave space for natural beach substrate and can adapt to changes in shoreline profile.
 - D) Standard concrete pads.

h) Regulations - In-stream Structures

- 1) In-stream structures shall be minimized and shall only be allowed consistent with the provisions of the SMP, including mitigation sequencing and no net loss.
- 2) When allowed, in-stream structures shall be located, designed and operated to protect and preserve ecosystem-wide processes, ecological functions and cultural resources, including (but not limited to)

fish passage, wildlife and water resources, critical areas, hydrogeological processes and natural scenic vistas.

- 3) The location and planning of in-stream structures shall give due consideration to the full range of public interests, watershed functions and processes, and environmental concerns, with special emphasis on protecting and restoring priority habitats and species. In particular, this includes anadromous fish.

Chapter 6 Administration

A. Purpose and Applicability

There is hereby established an administrative system designed to assign responsibilities for implementation of the SMP and shoreline permit review, to prescribe an orderly process by which to review proposals and permit applications, and to ensure that all persons affected by this SMP are treated in a fair and equitable manner. All proposed shoreline uses and development, including those that do not require a shoreline permit, must conform to the SMA and to the policies and regulations of this SMP.

The SMP shall apply to every person, individual, firm, partnership, association, organization, corporation, local or state governmental agency, public or municipal corporation, or other non-federal entity which develops, owns, leases or administers lands, wetlands, or waters that fall under the jurisdiction of the Act. The permit requirements established under the SMP apply to all nonfederal activities, and to development and uses undertaken on lands not federally owned but under lease, easement, license or other similar property right of the federal government. Nothing in the SMP shall affect and rights established by treaty to which the United States is a party.

1. Exceptions to Local Review and Permitting

Developments not required to obtain shoreline permits or local reviews. Consistent with WAC 173-27-044 and -045, requirements to obtain a substantial development permit, conditional use permit, variance, letter of exemption, or other review to implement the Shoreline Management Act do not apply to the following:

- a) Remedial actions. Pursuant to RCW 90.58.355, any person conducting a remedial action at a facility pursuant to a consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or to the department of ecology when it conducts a remedial action under chapter 70.105D RCW.
- b) Boatyard improvements to meet NPDES permit requirements. Pursuant to RCW 90.58.355, any person installing site improvements for storm water treatment in an existing boatyard facility to meet requirements of a national pollutant discharge elimination system storm water general permit.
- c) WSDOT facility maintenance and safety improvements. Pursuant to RCW 90.58.356, Washington State Department of Transportation projects and activities meeting the conditions of RCW 90.58.356 are not required to obtain a substantial development permit, conditional use permit, variance, letter of exemption, or other local review.
- d) Projects consistent with an environmental excellence program agreement pursuant to RCW 90.58.045.
- e) Projects authorized through the Energy Facility Site Evaluation Council process, pursuant to chapter 80.50 RCW.

B. Shoreline Administrator

1. Authority

- a) The City's Shoreline Administrator is hereby vested with:
 - 1) Overall authority for administering the SMA and this SMP;
 - 2) Authority to approve, approve with conditions, or deny shoreline permit revisions in accordance with the policies and provisions of this SMP; and
 - 3) Authority to grant statements of exemption from substantial development permits in accordance with the policies and provisions of this SMP.

2. Duties

- a) The duties and responsibilities of the Shoreline Administrator shall include:
 - 1) Preparing and using application forms essential to administer this SMP.
 - 2) Advising interested citizens and applicants of the policies, regulations, and procedures of this SMP.
 - 3) Making administrative decisions and interpretations of the policies and regulations of this SMP and the SMA. In development of any procedures for and/or administrative interpretations of the Master Program, the Administrator shall consult with the Department of Ecology to insure any formal written interpretation is consistent with the purpose and intent of the Shoreline Management Act and the Shoreline Master Program Guidelines.
 - 4) Collecting applicable fees, as established in the City's fee schedule.
 - 5) Determining application submission completeness.
 - 6) Conducting field inspections as necessary.
 - 7) Reviewing applications and submitted and related information.
 - 8) Determining if a substantial development permit, CUP, or variance is required.
 - 9) Providing copies of permit applications to relevant staff and agencies for review and comment.
 - 10) Conducting a thorough review and analysis of shoreline exemption applications; reviewing other staff and agency comments; making written findings and conclusions; and approving, approving with conditions, or denying such exemptions.
 - 11) Submitting substantial development permit, CUP and variance applications and written recommendations and findings on such permits to the City's Hearing Examiner for their consideration and action.
 - 12) Assuring that proper notice is given to appropriate persons and the public for all hearings.
 - 13) Providing technical and administrative assistance to the City's Hearing Examiner, Planning Advisory

Board, and City Council as required for effective and equitable implementation of this program and the Act.

- 14) Investigating, developing, and proposing amendments to this SMP as deemed necessary to more effectively and equitably achieve its policies.
- 15) Enforcing and seeking remedies for alleged violations of this SMP, the SMA or conditions of any approved shoreline permit issued by the City.
- 16) Acting as the primary liaison between local and state agencies in the administration of the SMA and this SMP.
- 17) Forwarding shoreline permits to the Ecology for filing or action.

C. Substantial Development

Any person wishing to undertake substantial development within the shoreline shall submit materials as required under Chapter 18A.02 LMC and shall apply to the Shoreline Administrator for a shoreline permit, as required in this Chapter and Chapter 90.58 RCW. Specific submittal requirements may be established by administrative rule.

1. Exemptions

- a) Developments, which are exempt from the requirement for a substantial development permit, are identified in WAC 173-27-040 or as subsequently amended.
- b) Applicants must apply for an exemption approval on forms provided by the City, pursuant to Chapter 18A.02 LMC. Applicants shall be required to submit information necessary to determine the exemption and compliance with the requirements of this SMP. Submittal requirements shall be established by administrative rule.
- c) Before determining that a proposal is exempt, the Shoreline Administrator may conduct a site inspection to ensure that the proposal meets the exemption criteria.
- d) All development, use, or activity that occurs within the shoreline jurisdiction is subject to the requirements of this SMP, regardless of whether a substantial development permit required.
- e) Exempt development may still require a variance or CUP. For example, exempt development that cannot meet the dimensional standards in this SMP will require a variance and certain uses are allowed in certain shoreline environment designations only upon approval of a CUP.
- f) The Administrator shall prepare a letter of exemption whenever a development is determined to be exempt from the Substantial Development permit requirements and the development is subject to one or more of the federal permit requirements outlined in WAC 173-27-050. The letter shall indicate the specific exemption that is being applied to the development and provide a summary of the City's analysis of the

consistency of the project with the SMP.

2. Permit Process

- a) Applicants shall apply for substantial development permits, CUPs, and variances on forms provided by the City.
- b) Substantial development permits, CUPs, and variances are Process II applications and shall be processed and subject to the applicable regulations of Chapter 18A.02 LMC, as amended.
- c) Public Notice. A notice of application shall be issued for all shoreline permit applications as provided for in Chapter 18A.02 LMC, as amended, excepting that the public comment period for the notice of application for a shoreline permit shall be not less than thirty (30) days, per WAC 173-27-110(2)(e).
- d) Public Hearing. The Shoreline Administrator, at his or her discretion, may refer any shoreline application to the Hearing Examiner as a Process III application when the proposal could significantly impact another party or the proposal is of broad public concern. If a hearing is to be held on an application, notices of such a hearing shall include a statement that any person may submit oral or written comments on an application at the hearing.
- e) Application review. The Shoreline Administrator shall make decisions on applications for substantial development permits, CUPs, and variances based upon:
 - 1) The policies and procedures of the SMA and related sections of the WAC;
 - 2) Any public comment received on the application as it relates to compliance with the requirements of the SMA or this SMP; and
 - 3) Special procedures for WSDOT projects. Permit review time for projects on a state highway. Pursuant to RCW 47.01.485, the Legislature established a target of 90 days review time for local governments; and
 - 4) This SMP.
- f) Local Appeal. All decisions of the Shoreline Administrator may be appealed to the Hearing Examiner pursuant to Chapter 18A.02 LMC and related provisions. Any party may also appeal a substantial development permit, CUP, or variance to the Shoreline Hearings Board as provided by RCW 90.58.180 without first exhausting any local appeal opportunity. The decision of the Hearing Examiner may also be appealed to the Shoreline Hearings Board.
- g) Filing with Ecology. All applications for a permit or permit revision shall be submitted to Ecology, as required by WAC 173-27-130 or as subsequently amended. After City approval of a CUP or Variance, the City shall submit the permit to the Ecology for approval, approval with conditions, or denial, as provided in WAC 173-27-200. Ecology shall transmit its final decision to the City and the applicant within thirty (30) calendar days of the date of submittal by the City. Permit revisions shall comply with the revision approval criteria and process provided in WAC 173-27-100.
- h) Hold on Construction. Each permit issued by the City shall contain a provision that construction pursuant to the permit shall not begin and is not authorized until twenty-one (21) days from the date of filing with Ecology, per WAC 173-27-190 or as subsequently amended. "Date of filing" of the City's final decision on

Substantial Development Permits differs from date of filing for a CUP or variance. In the case of a substantial development permit, the date of filing is the date Ecology actually receives the City decision on the permit. In the case of a variance or CUP, the “date of filing” means the date that Ecology’s final decision on the permit is transmitted to the City.

- i) Duration of permits. Construction, or the use or activity, shall commence within two (2) years after the effective date of the permits. Authorization to conduct development activities shall terminate within five (5) years after the effective date of a shoreline permit. The Shoreline Administrator may authorize a single extension before the end of either of these time periods, with prior notice to parties of record and Ecology, for up to one (1) year based on reasonable factors.
- j) Compliance with permit conditions. When permit approval includes conditions, such conditions shall be satisfied prior to occupancy or use of a structure or prior to commencement of a nonstructural activity. All uses and developments occurring within shoreline jurisdiction shall be compliant with Chapter 90.58 RCW.

D. Variances and Conditional Use Permits

The SMA states that SMPs shall contain provisions covering variances and CUPs that are consistent with Chapter 173-27 WAC. These provisions should be applied in a manner, which assures that a person will be able to use his/her property in a fair and equitable manner while still protecting the environment.

1. Shoreline Variance

a) Purpose

The purpose of a variance is strictly limited to granting relief to specific bulk dimensions, or performance standards set forth in this SMP, and where there are extraordinary or unique circumstances relating to the property such that the strict implementation of the SMP would impose unnecessary hardships on the applicant or thwart the SMA policies as stated in RCW 90.58.020. Construction pursuant to this permit shall not begin nor can construction be authorized except as provided in RCW 90.58.020. In all instances, extraordinary circumstances shall be shown and the public interest shall suffer no substantial detrimental effect.

b) Application

- 1) An application for a Variance shall comply with the provisions of Chapter 18A.02 LMC. An applicant for Substantial Development Permit who wishes to request a Variance shall submit the applications for a Variance and Substantial Development Permit simultaneously.

c) Criteria for Granting Variances

- 1) Variances for development that will be located landward of the OHWM and landward of any wetland may be authorized provided the applicant can demonstrate consistency with the following variance criteria as listed in WAC 173-27-170:
 - a. That the strict application of the bulk, dimensional, or performance standards set forth in the

SMP precludes, or significantly interferes with, reasonable use of the property.

- b. That the hardship described above is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the SMP and not, for example, from deed restrictions or the applicant's own actions.
 - c. That the design of the project is compatible with other permitted activities within the area and with the uses planned for the area under the Comprehensive Plan and SMP and the design will not cause adverse impacts to the shoreline environment.
 - d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area.
 - e. That the variance requested is the minimum necessary to afford relief.
 - f. That the public interest will suffer no substantial detrimental effect.
- 2) Variances for a development that will be located waterward of the OHWM mark or within any wetland may be authorized provided the applicant can demonstrate all of the following:
- a. That the strict application of the bulk, dimensional, or performance standards set forth in the SMP precludes all reasonable use of the property.
 - b. That the proposal is consistent with the criteria established under subsection (1)(a) through (f) of this section.
 - c. That the public rights of navigation and use of the shorelines will not be adversely affected.
- 3) In the granting of all variances, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if variances were granted to other developments and/or uses in the area where similar circumstances exist, the total of the variances shall also remain consistent with the policies of RCW 90.58.020 and shall not cause substantial adverse effects to the shoreline environment.
- 4) Variances from the use regulations of the SMP are prohibited.

2. Shoreline Conditional Use Permits

a) Purpose

The purpose of a CUP is to allow flexibility in the application of use regulations of the SMP in a manner consistent with the policies of RCW 90.58.020. In authorizing a conditional use, special conditions may be attached to the permit by the City or Ecology to prevent undesirable effects of the proposed use and/or to assure consistency of the project with the SMA and this SMP.

b) Application

An application for a CUP shall comply with the provisions of Chapter 18A.02 LMC. An applicant for a Substantial Development Permit who wishes to request a CUP shall submit the applications for a CUP and Substantial Development Permit simultaneously.

c) Criteria for Granting Shoreline Conditional Use Permits

- 1) Uses classified as conditional uses in the SMP may be authorized, provided the applicant demonstrates all of the following conditional use criteria as listed in WAC 173-27-160:
 - a. That the proposed use is consistent with the policies of RCW 90.58.020 and the SMP;
 - b. That the proposed use will not interfere with the normal public use of public shorelines;
 - c. That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the Comprehensive Plan and this SMP;
 - d. That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and
 - e. That the public interest suffers no substantial detrimental effect.
- 2) In the granting of all CUPs, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if CUPs were granted for other developments in the area where similar circumstances exist, the total of the conditional uses shall also remain consistent with the policies of RCW 90.58.020 and shall not produce substantial adverse effects to the shoreline environment.
- 3) Other uses, which are not classified or set forth in this SMP, may be authorized as conditional uses provided the applicant can demonstrate consistency with the requirements of this section and the requirements for conditional uses contained in the SMP.
- 4) Uses, which are specifically prohibited by this SMP, shall not be authorized.

E. Appeals to the Shoreline Hearings Board

Any person aggrieved by the granting or denying of a substantial development permit, CUP, or variance, the upholding of an exemption appeal, or by the rescinding of a permit pursuant to the provisions of this SMP, may seek review from the State of Washington Shorelines Hearing Board by filing a petition for review within twenty-one (21) days of the date of filing of the permit decision. Within seven (7) days of filing the petition, the petitioner shall serve copies of the petition to Ecology, the Attorney General's Office, and the City of Lakewood. State Hearings Board regulations are provided in RCW 90.58.180 and Chapter 461-08 WAC.

F. Nonconforming Use and Development Standards

1. Applicability

"Nonconforming use or development" means a shoreline use or development which was lawfully constructed

or legally established prior to the effective date of the SMA or this SMP, or amendments thereto, but which does not conform to present regulations or standards of this SMP. Nonconforming uses are also subject to LMC Section 18A.02.830. Where the standards in this Section are more specific or conflict with the standards in LMC Section 18A.02.830, the standard in this Section shall apply. Where the standards contained in this Section do not address an issue related to nonconforming development, the standards contained in LMC Section 18A.02.830 shall apply.

2. Standards for Nonconforming Structures, Uses, and Lots

a. Nonconforming structures

- 1) Structures that were legally established and are used for a conforming use but are nonconforming with regard to setbacks, buffers or yards; area; bulk; height or density may continue as legal nonconforming structures and may be maintained and repaired.
- 2) Nonconforming structures may be enlarged or expanded provided that said enlargement meets the applicable provisions of the master program. In the absence of other more specific regulations, proposed expansion shall not increase the extent of nonconformity by further encroaching upon or extending into areas where construction would not be allowed for new structures, unless a shoreline variance permit is obtained.
- 3) Nonconforming single-family residences that are located landward of the ordinary high water mark may be enlarged or expanded in conformance with applicable bulk and dimensional standards by the addition of space to the main structure or by the addition of normal appurtenances as defined in WAC 173-27-040 (2)(g) upon approval of a conditional use permit.
- 4) A structure for which a variance has been issued shall be considered a legal nonconforming structure and the requirements of this section shall apply as they apply to preexisting nonconformities.
- 5) In the absence of other more specific regulations, a structure which is being or has been used for a nonconforming use may be used for a different nonconforming use only upon the approval of a conditional use permit. A conditional use permit may be approved only upon a finding that:
 - a. No reasonable alternative conforming use is practical; and
 - b. The proposed use will be at least as consistent with the policies and provisions of the act and the master program and as compatible with the uses in the area as the preexisting use. In addition, such conditions may be attached to the permit as are deemed necessary to assure compliance with the above findings, the requirements of the master program and the Shoreline Management Act and to assure that the use will not become a nuisance or a hazard.
- 6) A nonconforming structure which is moved any distance must be brought as closely as practicable into conformance with the applicable master program and the act.
- 7) If a nonconforming development is damaged to an extent not exceeding seventy-five percent of the replacement cost of the original development, it may be reconstructed to those configurations existing immediately prior to the time the development was damaged, provided that application is made for the

permits necessary to restore the development within two years of the date the damage occurred.

b. Nonconforming uses

- 1) Uses that were legally established and are nonconforming with regard to the use regulations of the master program may continue as legal nonconforming uses.
- 2) In the absence of other more specific regulations in the master program, such uses shall not be enlarged or expanded, except upon approval of a conditional use permit.
- 4) If a nonconforming use is discontinued for twelve consecutive months or for twelve months during any two-year period, the nonconforming rights shall expire and any subsequent use shall be conforming unless re-establishment of the use is authorized through a conditional use permit which must be applied for within the two year period. Water-dependent uses should not be considered discontinued when they are inactive due to dormancy, or where the use includes phased or rotational operations as part of typical operations. A use authorized pursuant to subsection (2)(e) of this section shall be considered a conforming use for purposes of this section.

c. Nonconforming lots

A nonconforming lot may be developed if permitted by other land use regulations of the local government and so long as such development conforms to all other requirements of the applicable master program and the act.

G. Enforcement and Penalties

I. General Provisions

- a) The Shoreline Administrator shall enforce all provisions of this SMP. The enforcement procedures and penalties contained in Chapter 173-27 WAC and Chapter 90.58 RCW are hereby incorporated by reference. See also Chapter 1.44 LMC for additional information regarding the City's enforcement regulations and related penalties.
- b) The Shoreline Administrator shall have authority to enforce this Title, any rule or regulation adopted, and any permit, order or approval issued pursuant to this Title, against any violation or threatened violation thereof. The Shoreline Administrator is authorized to issue civil infraction citations and administrative orders, levy fines, and/or institute legal actions in court including prosecution of misdemeanor violations. Recourse to any single remedy shall not preclude recourse to any of the other remedies. Each violation of this Title, or any rule or regulation adopted, or any permit, permit condition, approval or order issued pursuant to this Title, shall be a separate offense, and, in the case of a continuing violation, each day's continuance shall be deemed a separate and distinct offense. An application for a required permit, when pursued in good faith, shall stay the accumulation of violations. All costs, fees, and expenses in connection with enforcement actions may be recovered as damages against the violator.
- c) The Shoreline Administrator is authorized to make site inspections and take such actions as necessary to enforce the SMP. The Shoreline Administrator or representative may enter private property with the

consent of the owner or occupant or pursuant to a warrant.

- d) The Shoreline Administrator shall have the authority to order restoration, rehabilitation or replacement measures to compensate for the destruction or degradation of areas at the owner's expense.
- e) The Shoreline Administrator may bring appropriate actions at law or equity, including actions for injunctive relief, to ensure that no uses are made of shorelines, which are inconsistent with this Title. Enforcement actions shall include civil infractions, administrative orders, prosecution of misdemeanors, and actions for damages and restoration.
- f) Aiding or abetting. Any person who, through an act of commission or omission, procures, aids, or abets in the violation shall be considered to have committed a violation of this Title.
- g) Any person found to have violated any provision of this Title or who knowingly makes a false statement, representation or certification in any application, record or other document filed or required to be maintained under this Title or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device, record or methodology required to be maintained pursuant to this Title shall be guilty of a misdemeanor, punishable by up to 90 days in jail and/or a fine of up to \$1,000.00.
- h) Orders and penalties issued pursuant to this Section may be appealed as provided for by this Title.

2. Administrative Orders

- a) The Shoreline Administrator may serve an administrative order when any person makes or partakes in any use of land, development or any activity within the shoreline jurisdiction or on associated critical areas and/or buffers in violation of this Title. The order shall include the following:
 - 1) A description of the specific nature, location, extent, and time of violation. The order may include the damage or potential damage resulting from the violation.
 - 2) A notice that the violation or the potential violation cease and desist or, in appropriate cases, the specific corrective action to be taken within a given time. A civil penalty may be issued with the order.
 - 3) Effective date. The cease and desist order issued under this Section shall become effective immediately upon receipt by the person to whom the order is directed.
 - 4) Compliance. Failure to comply with the terms of an administrative order can result in enforcement actions including, but not limited to, the issuance of a civil penalty.
 - 5) The order may include specific corrective measures to be taken to mitigate environmental damage.
 - 6) The order shall state that an affected party may request a hearing by sending a written request for a hearing to the Shoreline Administrator within ten (10) days of the receipt of said order and upon payment of the applicable appeal fee.
 - 7) Failure to comply with the terms and provisions of an administrative order issued under this Title shall

constitute public nuisance and may be abated and prosecuted according to applicable law including LMC Section 8.16, Chapter 7.48 RCW and Chapter 9.66 RCW.

- 8) Administrative orders pursuant to this Title shall be served upon the property owner, person, or party occupying the property by personal service or by mailing a copy of the order by certified mail, postage prepaid, return receipt requested, to the property owner at the property address or to the mailing address listed upon public records regarding the property. In the event that personal service or certified mail service cannot be completed, or the property owner cannot be identified or located, service of the order may be achieved by posting the administrative order in a conspicuous location upon the property.
 - a. Any person who undertakes any activity within an area regulated by the SMA or affiliated critical area or buffer without first obtaining an approval required by this Title, or who violates one or more conditions of any approval required by this Title, shall be subject to a Class 2 civil infraction citation with a mandatory \$250.00 fine. Any person who violates one or more conditions of administrative order issued under this Title may be subject to prosecution for a misdemeanor, and a maximum penalty of 90 days in jail and/or a \$1,000.00 fine may be imposed. Each violation and, in the case of a continuing violation, each violation and each day of activity without a required approval shall be a separate and distinct violation. An application for a required permit, when pursued in good faith, shall stay the accumulation of violations. The penalty provided shall be appealable as provided by law.
 - b. Any person, party, firm, corporation, or other legal entity convicted of violating any of the provisions of this Title, shall be guilty of a civil infraction or misdemeanor. Each day or portion of a day during which a violation of this Title is continued, committed, or permitted shall constitute a separate offense. Any development carried out contrary to the provisions of this Title shall constitute a public nuisance and it may be enjoined as provided by the Statutes of the State of Washington.

3. Suspension and Revocation

In addition to other penalties provided for elsewhere, the Shoreline Administrator may suspend or revoke any project permit approval if it finds that the applicant has not complied with any or all of the conditions or limitations set forth in the approval, has exceeded the scope of work set forth in the approval, or has failed to undertake the project in the manner set forth in the approved application.

H. Shoreline Master Program Review by City of Lakewood

1. This SMP shall be periodically reviewed and amendments shall be made as are necessary to reflect changing local circumstances, new information or improved data, and changes in state statutes and administrative rules, and changes to the City's Comprehensive Plan and implementing regulations.
2. The City's established permit tracking system, aerial photos, reviewing of other available data, and field observations as feasible shall be used to periodically evaluate the effectiveness of this SMP in achieving no net loss of shoreline ecological functions with respect to both permitting and exemptions. This process

shall also be used to periodically evaluate the cumulative effects of authorized development on shoreline conditions.

3. As part of any major update, an evaluation report assessing the effectiveness of the SMP in achieving no net loss shall be prepared and considered in determining whether policies and regulations are adequate in achieving this requirement.
4. The SMP periodic review process shall be consistent with requirements of RCW 90.58.080 and WAC 173-26-090 or its successor and shall include a local citizen involvement effort and public hearing to obtain the views and comments of the public.

I. Amendments to the Shoreline Master Program

1. Any of the provisions of this SMP may be amended as provided for in RCW 90.58.120 and .200 and Chapter 173-26 WAC. Any amendments shall also be subject to the procedures in LMC Section 18A.02.
2. Amendments or revisions to the SMP, as provided by law, do not become effective until approved by Ecology.

J. Severability

If any provisions of this SMP, or its application to any person or legal entity or parcel of land or circumstances is held invalid, the remainder of this SMP, or the application of the provisions to other persons or legal entities or parcels of land or circumstances, shall not be affected.

K. Conflict of Provisions

Should a conflict occur between the provisions of this SMP or between this SMP and the laws, regulations, codes or rules promulgated by any other authority having jurisdiction within the City, the requirement that most supports the purposes and provisions of the SMA as detailed in RCW 90.58.020 shall apply, as determined by the Shoreline Administrator, except when constrained by federal or state law.

Chapter 7 Definitions and Abbreviations

THE FOLLOWING WORDS AND PHRASES ARE GIVEN THE DEFINITIONS AND/OR ABBREVIATIONS PROVIDED IN THIS CHAPTER FOR PURPOSES OF INTERPRETING THIS SMP.

Accessory use or accessory structure - Any subordinate use, structure, or building or portion of a building located on the same lot as the main use or building to which it is subordinate.

Accretion - The growth of a beach by the addition of material transported by wind and/or water, including, but not limited to, shore forms such as barrier beaches, points, spits, and hooks.

Act - The Shoreline Management Act (See Chapter 90.58 RCW).

Adjacent lands or properties - Lands adjacent to the shorelines of the state (outside of shoreline jurisdiction). The SMA directs local governments to develop land use controls (i.e. zoning, comprehensive planning) for such lands consistent with the policies of the SMA, related rules and the local SMP (see RCW 90.58.340).

Agriculture - Agricultural uses, practices and activities. In all cases, the use of agriculture related terms shall be consistent with the specific meanings provided in WAC 173-26-020. Accessory agricultural uses may consist of garden plots, livestock pens, barns, or other structures supporting incidental agriculture on the property.

Anadromous fish - Fish species, such as salmon, which are born in fresh water, spend a large part of their lives in the sea, and return to freshwater rivers and streams to procreate.

Appurtenance - A structure or development which is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the OHWM and also of the perimeter of any wetland. For purposes of this SMP, normal appurtenances are outlined in Chapter 4, Section D(6)(c)(11).

Aquaculture - The commercial cultivation of fish, shellfish, and/or other aquatic animals or plants including the incidental preparation of these products for human use.

Archaeological - Having to do with the scientific study of material remains of past human life and activities.

Associated wetlands - Those wetlands that are in proximity to and either influence, or are influenced by tidal waters or a lake or stream subject to the SMA. (See WAC 173-22-030(1)).

Average grade level - The average of the natural or existing topography of the portion of the lot, parcel, or tract of real property which will be directly under the proposed building or structure; provided that in case of structures to be built over water, average grade level shall be the elevation of OHWM. Calculation of the average grade level shall be made by averaging the elevations at the center of all exterior walls of the proposed building or structure (See WAC 173-27-030(3)).

Baseline - The existing shoreline condition, in terms of both ecological function and shoreline use, established at the time this SMP is approved.

Beach - The zone of unconsolidated material that is moved by waves, wind and tidal currents, extending landward to the coastline.

Beach enhancement/restoration - Process of restoring a beach to a state that more closely resembles a natural beach, using beach feeding, vegetation, drift sills and other nonintrusive means as applicable.

Beach feeding - Landfill deposited on land or in the water to be distributed by natural water processes for the purpose of supplementing beach material.

Benthic organism or Benthos - Living organisms that live in or on the bottom layer of aquatic systems, at the interface of the sediment (or substrate) and overlying water column. Benthos commonly refers to an assemblage of insects, worms, algae, plants and bacteria.

Berm - A linear mound or series of mounds of sand and/or gravel generally paralleling the water at or landward of the OHWM. A linear mound may be used to screen an adjacent activity, such as a parking lot, from transmitting excess noise and glare.

Best Management Practices (BMPs) - Methods of improving water quality that can have a great effect when applied by numerous individuals. BMPs encompass a variety of behavioral, procedural, and structural measures that reduce the amount of contaminants in stormwater runoff and in receiving waters.

Bioengineering - see Soil bioengineering.

Biofiltration system - A stormwater or other drainage treatment system that utilizes the ability of plant life to screen out and metabolize sediment and pollutants. Typically, biofiltration systems are designed to include grassy swales, retention ponds and other vegetative features.

Biota - The animals and plants that live in a particular location or region.

BMPs - see Best Management Practices.

Boat launch or ramp - Graded slopes, slabs, pads, planks, or rails used for launching boats by means of a trailer, hand, or mechanical device.

Boat lift - A mechanical device that can hoist vessels out of the water for storage, usually located along a pier.

Boat lift canopy - A translucent canopy or awning that is attached to the boat lift to shield the boat from sun and precipitation.

Boathouse - A structure designed for storage of vessels located over water or on shorelands. Boathouses do not include "houseboats" or "floating homes." Boathouses have 4 walls and a solid roof, whereas covered moorage does not include walls, only a roof.

Boating facility - A public or private moorage structure or boat launch serving more than four (4) residences.

Breakwater - An offshore structure generally built parallel to the shore that may or may not be connected to land, built to protect a harbor, moorage, or navigational activity from wave and wind action by creating a still-water area along the shore and to protect the shoreline from wave-caused erosion.

Buffer or “buffer zone, strip, or area” means the area adjacent to a shoreline or critical area that separates and protects the area from adverse impacts associated with adjacent land uses.

Bulkhead - A vertical or nearly vertical erosion protection structure placed parallel to the shoreline at or near the OHWM, consisting of concrete, timber, steel, rock, or other permanent material not readily subject to erosion.

CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act ("Superfund"); 1986 amendments are known as Superfund Amendments and Reauthorization Act or “SARA.”

Channel Migration Zone (CMZ) - The area within which a river channel is likely to move over a period of time, also referred to as the meander belt. Unless otherwise demonstrated through scientific and technical information, areas separated from the active river channel by legally existing artificial channel constraints that limit channel movement within incorporated municipalities and urban growth areas and all areas separated from the active channel by a legally existing artificial structure(s) that is likely to restrain channel migration, including transportation facilities, built above or constructed to remain intact through the one hundred-year flood should not be considered within the CMZ.

Chapter 90.58 RCW - The Shoreline Management Act of 1971.

City - The City of Lakewood.

Clearing - The destruction or removal of vegetation ground cover, shrubs and trees including, but not limited to, root material removal and/or topsoil removal.

CMZ - see Channel Migration Zone.

Commercial - Uses and facilities that are involved in wholesale or retail trade or business activities.

Community Pier / Dock - Joint use moorage serving more than four (4) residences that is tied to specific parcels by covenant or deed. Community piers are distinguished from marinas in that they do not offer moorage space for lease or sale.

Comprehensive Plan - Comprehensive plan means the document adopted by the city council, including all attachments, that outlines the City’s goals and policies relating to growth management, and prepared in accordance with Chapter 36.70A RCW.

Conditional Use - A use, development, or substantial development that is classified as a conditional use or is not classified within the SMP. (See WAC 173-27-030(4)).

Conservation Easement - A legal agreement that the property owner enters into to restrict uses of the land. Such restrictions can include, but are not limited to, passive recreation uses such as trails or scientific uses and fences or other barriers to protect habitat. The easement is recorded on a property deed, runs with the land,

and is legally binding on all present and future owners of the property, therefore, providing permanent or long-term protection.

Covered moorage - Boat moorage, without solid walls, that has a solid roof to protect the vessel and is attached to the dock itself or the substrate of the lake.

Cumulative impact - The impact on the environment resulting from the incremental impact of past, present, and reasonably foreseeable future actions taken together regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

Degrade - To scale down in desirability or salability, to impair in respect to some physical property or to reduce in structure or function.

Development - The construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any permanent or temporary project which interferes with the normal public use of the waters overlying lands subject to the SMA at any state of water level. "Development" does not include dismantling or removing structures if there is no other associated development or re-development. (See RCW 90.58.030(3a)).

DFW - the Washington State Department of Fish and Wildlife.

DNR - the Washington State Department of Natural Resources.

Dock - A floating moorage structure.

Dredge spoil or Dredge material - The material removed by dredging.

Dredging - Excavation or displacement of the bottom or shoreline of a water body by mechanical or hydraulic machines to maintain channel depths or berths for navigational purposes or to cleanup polluted sediments.

Dwelling unit - A single unit providing complete, independent living facilities for one or more persons, not to exceed one family, and includes permanent provisions for living, sleeping, eating, cooking and sanitation.

EIS - Environmental Impact Statement.

Ecological functions - The work performed or the role played by the physical, chemical, and biological processes that contribute to the maintenance of the aquatic and terrestrial environments that constitute the shoreline's natural ecosystem.

Ecology - The Washington State Department of Ecology.

Ecosystem-wide processes - The suite of naturally occurring physical and geologic processes of erosion, transport, and deposition; and specific chemical processes that shape landforms within a specific shoreline ecosystem and determine both the types of habitat and the associated ecological functions.

Ell - Terminal section of a pier which typically extends perpendicular to the pier walkway. These sections can be either on fixed-piles or floating docks and are typically wider than the pier walkway.

Emergency - An unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with the SMP. Emergency construction is construed narrowly as that which is necessary to protect property from damage by the elements. For a complete definition of emergency, including required follow up actions and exclusions from this definition, see RCW 90.58.030(3eiii) and WAC 173-27-040(2d)).

Endangered Species Act (ESA) - A federal law intended to protect any fish or wildlife species that are threatened with extinction throughout all or a significant portion of its range. (See 16 U.S.C. § 1531 et seq.).

Enhancement - Alteration of an existing resource to improve or increase its characteristics and processes without degrading other existing functions. Enhancements are to be distinguished from resource creation or restoration projects.

Environmental impacts - The effects or consequences of actions on the natural and built environments, including effects upon the elements of the environment listed in the State Environmental Policy Act. (See WAC 197-11-600 and WAC 197-11-444).

Environmentally Sensitive Areas Ordinance 362, City of Lakewood - This ordinance provides the goals, policies, and implementing regulations for protecting the designated critical areas of the City. The ordinance addresses environmentally sensitive area development controls; measures important for protecting and preserving these resources; preventing or mitigating cumulative adverse environmental impacts to critical areas; and serves to alert the public to the development limitations of critical areas.

Environments or Shoreline Environment - Designations given to specific shoreline areas based on the existing development pattern, the biophysical capabilities and limitations, and the goals and aspirations of local citizenry, as part of an SMP.

Erosion - The wearing away of land by of natural forces.

Exaction – A concept in real property law where a condition for development is imposed on a parcel of land that requires the developer to mitigate anticipated negative impacts of the development.

Excavated moorage slip - A boat mooring location that is man-made in that it requires dredging or excavation of excess sediment to afford access. Such slips may often involve dredging of the lake bottom waterward of the OHWM, or may include excavating a segment of the existing shoreline to enable moorage of a boat.

Excavation - The artificial movement of earth materials.

Exemption - Specific developments exempt from the definition of substantial developments and the Substantial Development Permit process of the SMA. An activity that is exempt from the substantial development provisions of the SMA must still be carried out in compliance with policies and standards of the Act and the local SMP. CUPs and/or Variances may also still be required even though the activity does not need a Substantial Development Permit. For a complete list of exemptions, see WAC 173-27-040.

Fair market value - The open market bid price for conducting the work, using the equipment and facilities, and purchasing the goods, services and materials necessary to accomplish a development, normally the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation and contractor overhead and profit. The fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials (See WAC 173-27-030(8)).

Feasible - An action, such as a development project, mitigation, or preservation requirement, that meets all of the following conditions:

- (a) The action can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results;
- (b) The action provides a reasonable likelihood of achieving its intended purpose; and
- (c) The action does not physically preclude achieving the project's primary intended legal use.

In cases where certain actions are required unless they are infeasible, the burden of proving infeasibility is on the applicant. In determining an action's infeasibility, the reviewing agency may weigh the action's relative public costs and public benefits, considered in the short- and long-term time frames.

Fill - The addition of soil, sand, rock, gravel, sediment, earth retaining structure, or other material to an area waterward of the OHWM, in wetland, or on shorelands in a manner that raises the elevation or creates dry land.

Finger pier or fingers - A narrow extension to a fixed-pile pier, usually extending perpendicular to the pier walkway along with an ell to form an enclosed area for boat moorage.

Float - A floating structure that is moored, anchored, or otherwise secured in the water offshore and that may be associated with a fixed-pile pier, or may be a standalone structure, such as platforms used for swimming and diving.

Floating dock - A fixed structure floating upon a water body for the majority of its length and connected to shore.

Floating home - A structure designed and operated substantially as a permanently based over water residence, typically served by permanent utilities and semi-permanent anchorage/moorage facilities. Floating homes are not vessels and lack adequate self-propulsion and steering equipment to operate as a vessel.

Floodplain - The land area susceptible to inundation with a one percent (1%) chance of being equaled or exceeded in any given year (synonymous with 100-year floodplain). The limits of this area are based on flood regulation ordinance maps or a reasonable method that meets the objectives of the SMA (See WAC 173-22-030(2)).

Floodway - The area, as identified in an SMP, that has been established in Federal Emergency Management

Agency flood insurance rate maps (FIRM) or floodway maps. The floodway does not include lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state.

Geotechnical report or Geotechnical analysis - A scientific study or evaluation conducted by a qualified expert that includes a description of the ground and surface hydrology and geology; the affected land form and its susceptibility to mass wasting, erosion, and other geologic hazards or processes; conclusions and recommendations regarding the effect of the proposed development on geologic conditions; the adequacy of the site to be developed; the impacts of the proposed development; alternative approaches to the proposed development; and measures to mitigate potential site-specific and cumulative geological and hydrological impacts of the proposed development, including the potential adverse impacts to adjacent and down-current properties. Geotechnical reports shall conform to accepted technical standards and must be prepared by qualified professional engineers or geologists who have professional expertise about the regional and local shoreline geology and processes.

Grading - The physical manipulation of the earth's surface and/or drainage pattern in preparation for an intended use or activity.

Grassy swale - A vegetated drainage channel that is designed to remove various pollutants from storm water runoff through biofiltration.

Groin - A barrier-type structure extending from, and usually perpendicular to, the backshore into a water body, to protect a shoreline and adjacent upland by influencing water movement and/or material deposits. This is accomplished by building or preserving an accretion beach on its up drift side by trapping littoral drift. A groin is relatively narrow in width but varies greatly in length. A groin is sometimes built in a series as a system and may be permeable or impermeable, high or low, and fixed or adjustable.

Habitat - The place or type of site where a plant or animal naturally or normally lives and grows.

Hearing Examiner - The Hearing Examiner of the City of Lakewood.

Height - The distance measured from the average grade level to the highest point of a structure; provided, that television antennas, chimneys and similar appurtenances shall not be used in calculating height, except where it obstructs the view of a substantial number of residences on areas adjoining such shorelines. Temporary construction equipment is excluded in this calculation (See WAC 173-27-030(9)).

Heliport - Any landing area or other facility used or intended to be used by private aircraft for landing or taking off of aircraft, including all associated or necessary buildings and open spaces.

Hoist - A device used for lifting or lowering a load by means of a drum or lift-wheel around which rope, fiber or chain wraps. It may be manually operated, electrically or pneumatically driven.

Houseboat - A vessel, principally used as an over water residence, licensed and designed for use as a mobile structure with detachable utilities or facilities, anchoring, and the adequate self-propulsion and steering equipment to operate as a vessel. Principal use as an overwater residence means occupancy in a single location,

for a period exceeding two (2) months in any one calendar year. This definition includes live aboard vessels.

Impervious surface - Any horizontal surface artificially covered or hardened so as to prevent or impede the water percolation into the soil mantle including, but not limited to, roof tops, swimming pools, or paved or graveled roads, walkways or parking areas, but excluding landscaping and surface water retention/detention facilities.

In-stream structure - A structure placed by humans within a stream or river waterward of the OHWM that either causes or has the potential to cause water impoundment or water flow diversion, obstruction, or modification. In-stream structures may include structures used for hydroelectric generation, irrigation, water supply, flood control, transportation, utility service, fish habitat enhancement, or other purpose.

Joint Use Pier or Dock - A pier, dock, or secured float or floats for vessel moorage, fishing, or other water use that is shared by two (2) or more residences, up to four (4) residences. Joint use moorage serving more than four residences is considered a community pier or dock.

Lake - A body of standing water in a depression of land or expanded part of a river, including, but not limited to, reservoirs of twenty (20) acres or greater in total area. A lake is bounded by the OHWM or, where a stream enters a lake, the extension of the elevation of the lake's OHWM within the stream (WAC 173-20-030; WAC 173-22-030(4)).

Landfill - The creation of, or addition to, a dry upland area (landward of the OHWM) by the addition of rock, soil, gravels and earth or other material, but not solid or hazardous waste.

Landscaping - Vegetation ground cover including shrubs, trees, flower beds, grass, ivy and other similar plants and including tree bark and other materials which aid vegetative growth and maintenance.

Launching rail - See Boat launch or ramp.

Launching ramp - See Boat launch or ramp.

LID - Low Impact Development.

Littoral - Living or occurring on the shore.

Littoral drift - The mud, sand, or gravel material moved parallel to the shoreline in the nearshore zone by waves and currents. **Marina** - A private or public facility providing the purchase or lease of a slip for storing, berthing and securing boats or watercraft, including both long-term and transient moorage, including, but not limited to, accessory facilities that provide incidental services to marina users, such as waste collection, boat sales or rental activities, and retail establishments providing fuel service, repair or service of boat. Community docks and piers, which serve specific upland parcels and which do not offer moorage for purchase by the general public, shall not be considered to be marinas.

Lot Width - The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot lines, except that portion of a flag lot that usually forms an extended access way to a street right-of-way.

Low Impact Development (LID) - A stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation, and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

May - Signifies an action is permitted but not required, provided it conforms to the provisions of this SMP.

Mitigation or Mitigation sequencing - The process of avoiding, reducing, or compensating for the environmental impact(s) of a proposal through the following sequence of steps, listed in order of priority: (See WAC 197-11-768 and WAC 173-26-201(2)(e)(1)).

- (a) Avoiding the impact all together by not taking a certain action or parts of an action;
- (b) Minimizing impacts by limiting the degree or magnitude of the action by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations;
- (e) Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and
- (f) Monitoring the impact and the compensation projects and taking appropriate corrective measures.

Moorage - Any device or structure used to secure a vessel for temporary anchorage, but which is not attached to the vessel (such as a pier or buoy).

Moorage Piles - Structural members driven into the lake bed to serve as a stationary moorage point. They are typically used for moorage of small boats in the absence of, or instead of, a dock or pier. In some cases, moorage piles may be associated with a dock or pier.

Multi-family dwelling or Multi-family residence - A building containing two (2) or more dwelling units, including, but not limited to, duplexes, triplexes, four-plexes, apartment buildings and condominium buildings.

Must - Signifies an action is required.

Native plants - Plants that occur naturally, and that distribute and reproduce without aid. Native plants in western Washington are those that existed prior to intensive settlement that began in the 1850s.

Nonconforming use, development, structure, or lot - (a) "Nonconforming use" means an existing shoreline use that was lawfully established prior to the effective date of the act or the applicable master program, but which does not conform to present use regulations due to subsequent changes to the master program. (b) "Nonconforming development" or "nonconforming structure" means an existing structure that was lawfully constructed at the time it was built but is no longer fully consistent with present regulations such as setbacks, buffers or yards; area; bulk; height or density standards due to subsequent changes to the master program. (c) "Nonconforming lot" means a lot that met dimensional requirements of the applicable master program at the time of its establishment but now contains less than the required width, depth or area due to subsequent changes to the master program (See WAC 173-27-080).

Normal maintenance – Those usual acts to prevent a decline, lapse, or cessation from a lawfully established

condition.

Normal repair – To restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment.

Ordinary High Water Mark (OHWM) - The mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or Ecology provided, that in any area where the OHWM cannot be found, OHWM adjoining fresh water shall be the line of mean high water. (See RCW 90.58.030(2)(c) and WAC 173-22-030(5)).

Overwater structure - Any device or structure projecting over the OHWM, including, but not limited to, piers, docks, floats, and moorage.

Permit or Shoreline Permit - Any substantial development permit, CUPs or variance, or revision, or any combination thereof, authorized by the Act (See WAC 173-27-030(13)).

Pier - A fixed, pile-supported moorage structure.

Primary structure – The structure associated with the principal use of the property. This also includes single family residential appurtenant structures (such as a garages, attached decks, driveways, utilities, and septic tanks and drainfields) that cannot feasibly be relocated. It does not include structures such as tool sheds, gazebos, greenhouses or other ancillary residential improvements that can feasibly be moved landward to prevent the erosion threat.

Priority habitat - A habitat type with unique or significant value to one or more species. An area classified and mapped as priority habitat must have one or more of the following attributes:

- 1) Comparatively high fish or wildlife density;
- 2) Comparatively high fish or wildlife species diversity;
- 3) Fish spawning habitat;
- 4) Important wildlife habitat;
- 5) Important fish or wildlife seasonal range;
- 6) Important fish or wildlife movement corridor;
- 7) Rearing and foraging habitat;
- 8) Important marine mammal haul-out;
- 9) Refuge habitat;
- 10) Limited availability;
- 11) High vulnerability to habitat alteration;
- 12) Unique or dependent species; or
- 13) Shellfish bed.

A priority habitat may be described by a unique vegetation type or by a dominant plant species that is of primary

importance to fish and wildlife (such as oak woodlands or eelgrass meadows); by a successional stage (such as, old growth and mature forests); or by a specific habitat element (such as a consolidated marine/estuarine shoreline, talus slopes, caves, snags) of key value to fish and wildlife. A priority habitat may contain priority and/or non-priority fish and wildlife.

Priority species - Species requiring protective measures and/or management guidelines to ensure their persistence at genetically viable population levels, and that meet any of the criteria listed below:

- (a) State-listed or state proposed species. State-listed species are those native fish and wildlife species legally designated as endangered (WAC 232-12-014), threatened (WAC 232-12-011), or sensitive (WAC 232-12-011). State proposed species are those fish and wildlife species that will be reviewed by DFW (POL-M-6001) for possible listing as endangered, threatened, or sensitive according to the process and criteria defined in WAC 232-12-297.
- (b) Vulnerable aggregations. Vulnerable aggregations include those species or groups of animals susceptible to significant population declines, within a specific area or statewide, by virtue of their inclination to congregate. Examples include heron colonies, seabird concentrations, and marine mammal congregations.
- (c) Species of recreational, commercial, and/or tribal importance. Native and nonnative fish, shellfish, and wildlife species of recreational or commercial importance and recognized species used for tribal ceremonial and subsistence purposes that are vulnerable to habitat loss or degradation.
- (d) Species listed under the federal Endangered Species Act as proposed, threatened, or endangered.

Professional engineer - A person who, by reason of his or her special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design, acquired by professional education and practical experience, is qualified to practice engineering and is licensed by the State of Washington or another state.

Proposed, Threatened, and Endangered Species - Those native species that are proposed to be listed or are listed by DFW as threatened or endangered, or that are proposed to be listed or are listed as threatened or endangered under the federal Endangered Species Act.

Public access - The ability of the general public to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and to view the water and the shoreline from adjacent locations. (See WAC 173-26- 221(4)).

Public interest - The interest shared by the citizens of the state or community at large in the affairs of government, or some interest by which their rights or liabilities are affected such as an effect on public property or on health, safety, or general welfare resulting from a use or development (See WAC 173-27- 030(14)).

Public use - Public use means to be made available daily to the general public on a first-come, first-served basis, and may not be leased to private parties on any more than a day use basis. (See WAC 332-30-106)).

RCW - Revised Code of Washington.

Residential development - Development which is primarily devoted to or designed for use as a dwelling(s), including, but not limited to, single-family development, multi-family development, and the creation of new residential lots through land division.

Recreational float - A floating structure that is moored, anchored, or otherwise secured in the water offshore and that is generally used for recreational purposes such as swimming and diving.

Recreational Use or Development - Facilities such as parks, trails, and pathways, whether public, private or commercial, that provide a means for relaxation, play, or amusement. For the purposes of this SMP, recreational facilities are divided into two categories:

- 1) Water-oriented (i.e. - moorage facilities, fishing piers, recreational floats, trails, swimming beaches, overlooks, etc.); and
- 2) Non-water-oriented (i.e. - sports fields, golf courses, sport courts, etc.).

Restoration or Ecological restoration - The reestablishment or upgrading of impaired ecological shoreline processes or functions accomplished through measures including, but not limited to, revegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions.

Riparian - Of, on, or pertaining to the banks of a river, stream or lake.

Riprap - A layer, facing, or protective mound of stones placed to prevent erosion, scour, or sloughing of a structure or embankment; also, the stone so used.

Rotovating - An aquatic vegetation harvesting technique that uses rototilling technology to uproot and remove plants.

Runoff - Water that is not absorbed into the soil but rather flows along the ground surface following the topography.

Sediment - The fine grained material deposited by water or wind.

SEPA - see State Environmental Policy Act

SEPA Checklist - The checklist required of some projects under SEPA to identify the probable significant adverse impacts on the quality of the environment, to help to reduce or avoid impacts from a proposal, and to help the responsible governmental agency decide whether a full environmental impact statement (EIS) is required (See WAC 197-11-960).

Setback - A required open space, specified in SMPs, measured horizontally upland from and perpendicular to the OHWM. "Setback" means the distance a building structure is placed behind a specified limit such as a lot line or shoreline buffer.

Shall - Signifies an action is required.

Shorelands or Shoreland Areas - Those lands extending landward for two hundred (200) feet in all directions as measured on a horizontal plane from the OHWM; floodways and contiguous flood plain areas landward two hundred (200) feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of the SMA. Shorelands in the City are limited to those areas within two hundred (200) feet of the OHWM of American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek and any associated wetlands.

Shoreline Administrator - The City of Lakewood Planning and Community Development Director or his/her designee, charged with the responsibility of administering this SMP.

Shoreline jurisdiction - All of the geographic areas covered by the SMA, related rules and the applicable SMP. In the City, shoreline jurisdiction includes American Lake, Gravelly Lake, Lake Louise, Lake Steilacoom, Waughop Lake, Chambers Creek, and Clover Creek, those areas within two hundred (200) feet of the OHWM of these water bodies, and any associated wetlands. See definitions of Shorelines, Shorelines of the state, Shorelines of statewide significance, Shorelands, and Wetlands.

Shoreline Management Act (SMA) - Chapter 90.58 RCW, as amended. Washington law adopted to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines.

Shoreline Master Program (SMP) - The comprehensive use plan and related use regulations used by local governments to administer and enforce the permit system for shoreline management. SMPs must be developed in accordance with the policies of the SMA, be approved and adopted by the state, and be consistent with the rules (WACs) adopted by Ecology.

Shoreline Master Program Guidelines - The Shoreline Master Program (SMP) Guidelines are state standards which local governments must follow in drafting their shoreline master programs. The Guidelines translate the broad policies of the Shoreline Management Act (RCW 90.58.020) into standards for regulation of shoreline uses. The guidelines are found in WAC 173-26, Part III.

Shoreline modification - Those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can also include other actions, such as clearing, grading, or application of chemicals or significant vegetation removal.

Shoreline stabilization - Actions taken to address erosion impacts to property and dwellings, businesses, or structures caused by natural processes, such as current, flood, tides, wind or wave action. These actions include structural measures such as bulkheads and nonstructural methods such as building setbacks or relocation of structures.

Shoreline vegetation management plan (SVMP) - A plan prepared by a qualified professional that identifies appropriate mitigation, performance assurances, and maintenance and monitoring requirements necessary to assure no net loss of ecological functions.

Shorelines - All of the water areas of the state, including reservoirs and their associated shorelands, together with the lands underlying them, except those areas excluded under RCW 90.58.030(2)(e).

Shorelines Hearings Board - A state-level quasi-judicial body, created by the SMA, which hears appeals by any aggrieved party on the issuance of a shoreline permit, enforcement penalty and appeals by local government. (See RCW 90.58.170; 90.58.180).

Shorelines of statewide significance - A select category of shorelines of the state, defined in RCW 90.58.030(2)(f), where special use preferences apply and greater planning authority is granted by the SMA. SMP policies, use regulations and permit review must acknowledge the use priorities for these areas established by the SMA. (See RCW 90.58.020). In Lakewood, American Lake is the only lake considered to have shorelines of statewide significance and subject to RCW 90.58.

Shorelines of the state - Shorelines and shorelines of statewide significance.

Should - Signifies an action is required unless there is a demonstrated, compelling reason, based on policy of the SMA and this SMP, against taking the action.

Sign - A board or other display containing words and/or symbols used to identify or advertise a place of business or to convey information. Excluded from this definition are signs required by law and the flags of national and state governments.

Significant vegetation removal – The removal or alteration of trees, shrubs, and/or ground cover by clearing, grading, cutting, burning, chemical means, or other activity that causes significant ecological impacts to functions provided by such vegetation. The removal of invasive or noxious weeds does not constitute significant vegetation removal. Tree pruning, not including tree topping, where it does not affect ecological functions, does not constitute significant vegetation removal.

Single-family residence - A detached dwelling designed for and occupied by one (1) family including those structures and developments within a contiguous ownership which are a normal appurtenance (See Chapter 4, Section D(6)(c)(11)).

SMA - see Shoreline Management Act.

SMP - see Shoreline Master Program.

Soil bioengineering - An applied science that combines structural, biological and ecological concepts to construct living structures that stabilize soils to control erosion, sedimentation and flooding using live plant materials as a main structural component.

Solid waste - All garbage, rubbish trash, refuse, debris, scrap, waste materials and discarded materials of all types, whether the sources be residential or commercial, exclusive of hazardous wastes, and including any and all source-separated recyclable materials and yard waste.

State Environmental Policy Act (SEPA) - State law that requires state agencies, local governments and other

lead agencies to consider environmental factors when making most permit decisions, especially for development proposals of a significant scale. As part of the SEPA process, EISs and public comment may be required.

Stream - A naturally occurring body of periodic or continuously flowing water where the mean annual flow is greater than twenty (20) cubic feet per second and the water is contained within a channel (See WAC 173-22-030(8)).

Structure - A permanent or temporary edifice or building, or any piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above or below the surface of the ground or water, except for vessels (See WAC 173-27-030(15)).

Substantial Development - Any development of which the total cost or fair market value exceeds seven thousand and forty seven dollars (\$7,047), or any development which materially interferes with the normal public use of the water or shorelines of the state. The dollar threshold established in this definition must be adjusted for inflation by the Washington State Office of Financial Management every five (5) years based upon changes in the consumer price index during that time period. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, Seattle, Washington area, for urban wage earners and clerical workers, all items, compiled by the Bureau of Labor and Statistics, United States Department of Labor. The total cost or fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials. A list of activities and developments that shall not be considered substantial development is provided in Chapter 7 (See WAC 173- 27-040(2)(a)).

SVMP - see Shoreline Vegetation Management Plan.

Terrestrial - Of or relating to land as distinct from air or water.

Upland - The dry land area above and landward of the OHWM.

Utilities - Services and facilities that produce, transmit, store, process or dispose of electric power, gas, water, stormwater, sewage and communications.

Utilities, Primary - Utilities comprised of trunk lines or mains that serve neighborhoods, areas and cities. Examples include solid waste handling and disposal sites, water transmission lines, sewage treatment facilities and mains, power generating or transmission facilities, gas storage and transmission facilities and stormwater mains and regional facilities.

Utilities, Secondary - Utilities comprised of small-scale distribution and collection facilities connected directly to development within the shoreline area. Examples include local power, telephone, cable, gas, water, sewer and stormwater service lines.

Variance - A means to grant relief from the specific bulk, dimensional or performance standards specified in the applicable SMP, but not a means to vary a shoreline use. A variance must be specifically approved, approved with conditions, or denied by Ecology (See WAC 173-27-170).

WAC - Washington Administrative Code.

Water-dependent use - A use or a portion of a use which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations, including, but not limited to, moorage structures (including those associated with residential properties), ship cargo terminal loading areas, ferry and passenger terminals, barge loading facilities, ship building and dry docking, marinas, aquaculture, float plane facilities and sewer outfalls.

Water-enjoyment use - A recreational use or other use that facilitates public access to the shoreline as a primary characteristic of the use; or a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as a general characteristic of the use and which through location, design, and operation ensures the public's ability to enjoy the physical and aesthetic qualities of the shoreline. In order to qualify as a water-enjoyment use, the use must be open to the general public and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that fosters shoreline enjoyment.

Water-oriented use - Refers to any combination of water-dependent, water-related, and/or water enjoyment uses.

Water quality - The physical characteristics of water within shoreline jurisdiction, including water quantity, hydrological, physical, chemical, aesthetic, recreation-related, and biological characteristics. "Water quantity" refers only to development and uses regulated and affecting water quantity, such as impermeable surfaces and storm water handling practices. Water quantity does not mean the withdrawal of ground water or diversion of surface water pursuant to RCW 90.03.250 through RCW 90.03.340.

Water-related use- A use or a portion of a use which is not intrinsically dependent on a waterfront location but whose economic viability is dependent upon a waterfront location because:

- 1) Of a functional requirement for a waterfront location such as the arrival or shipment of materials by water or the need for large quantities of water or,
- 2) The use provides a necessary service supportive of the water-dependent commercial activities and the proximity of the use to its customers makes its services less expensive and/or more convenient. Examples include manufacturers of ship parts large enough that transportation becomes a significant factor in the products cost, professional services serving primarily water-dependent activities and storage of water-transported foods. Examples of water-related uses may include warehousing of goods transported by water, seafood processing plants, hydroelectric generating plants, gravel storage when transported by barge, oil refineries where transport is by tanker and log storage.

Wetlands or Wetland areas - Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, generally including swamps, marshes, bogs and similar areas, but not those artificial wetlands intentionally created from non-wetland sites, such as irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally

created from non-wetland areas to mitigate the conversion of wetlands.

Zoning - To designate by ordinance, including maps, areas of land reserved and regulated for specific land uses.

(Attachment A)

Action to adopt 2024 LMC Title 14 Critical Areas Ordinance (CAO)
in Lakewood, WA Ordinance 813

**“CRITICAL AREAS ORDINANCE”
Lakewood Municipal Code (LMC) Title 14**

Chapter 14.142

**CRITICAL AREAS AND NATURAL RESOURCE LANDS AUTHORITY, INTENT, AND
GENERAL PROVISIONS***

Sections:

- 14.142.010 Authority and title.**
- 14.142.020 Intent.**
- 14.142.030 Interpretation.**
- 14.142.040 Applicability and mapping.**
- 14.142.045 Best Available Science.**
- 14.142.050 Permitted uses.**
- 14.142.060 Regulated uses/activities.**
- 14.142.070 Exemptions and allowed activities.**
- 14.142.080 Reasonable use exception.**
- 14.142.090 Reasonable use exception and modification of critical area requirements for individual single-family residences.**
- 14.142.100 Review Process.**
- 14.142.110 Variances.**
- 14.142.120 Current use assessment.**
- 14.142.130 Compliance provisions.**
- 14.142.135 General mitigation requirements.**
- 14.142.138 General critical areas report requirements.**
- 14.142.140 Appeal procedures.**
- 14.142.160 Fees.**
- 14.142.170 Title and plat notification.**
- 14.142.180 Nonconforming uses, structures, and lots.**
- 14.142.190 Administrative procedures and technical criteria.**
- 14.142.200 Severability.**

* **Prior legislation note:** Ord. [362](#) repealed provisions concerning critical areas and natural resource lands that were formerly in Chapters 14.138 and 14.142, based on the provisions of Ord. [56](#).

14.142.010 Authority and title.

This title is established pursuant to the requirements of the Growth Management Act (RCW [36.70A.060](#)) and the State Environmental Protection Act (Chapter [43.21C](#) RCW). This title shall be known as the “Critical Areas and Natural Resource Lands Regulations.” [Ord. 362 § 3, 2004.]

14.142.020 Intent.

It is the intent of the critical areas and resource lands regulations to:

- A. Designate and protect critical areas and natural resource lands, including wetlands, critical aquifer recharge areas, fish and wildlife habitat conservation areas,

geologically hazardous areas, frequently flooded areas, and mineral resource lands.

B. Protect the natural environment, including air and water, to preserve the community's high quality of life.

C. Protect unique, fragile and valuable elements of the environment, including fish and wildlife habitat; including suitable habitats to maintain native fish and wildlife species within their natural geographic distribution so that isolated sub-populations are not created.

D. Protect the public against losses from:

1. Costs of public emergency rescue and relief operations where the causes are avoidable.
2. Degradation of the natural environment and the expense associated with repair or replacement.

E. Protect members of the public and public resources and facilities from injury, loss of life, or property damage due to landslides, steep slope failures, erosion, seismic events, or flooding.

F. Avoid, minimize and mitigate for impacts arising from land development and other activities affecting critical areas to maintain their ecological functions and values including water quality, flood attenuation, habitat, recreation, education, and cultural preservation.

G. Provide the public with sufficient information and notice of potential risks associated with developing in and adjacent to critical areas.

H. Implement the goals and requirements of the Growth Management Act and the Lakewood comprehensive plan. [Ord. 362 § 3, 2004.]

14.142.030 Interpretation.

In the interpretation and application of this title, all provisions shall be:

A. Considered the minimum necessary;

B. Liberally construed to serve the purposes of this title; and

C. Deemed neither to limit nor repeal any other powers under state statute. [Ord. 362 § 3, 2004.]

14.142.040 Applicability and mapping.

A. *Applicability.* This title shall apply to all lands, land uses and development activity in the City which are designated as critical areas or natural resource lands by the City, including wetlands. Properties containing critical areas or natural resource lands are subject to this title. When the requirements of this title are more stringent than those of other City codes and regulations, the requirements of this title shall apply.

Where a site contains two or more critical areas, the site shall meet the minimum standards and requirements for each identified critical area as set forth in this title. Critical areas on lands subject to the Washington State Shoreline Management Act (SMA) and regulated by the City's shoreline management regulations shall be regulated under the shoreline provisions and are not subject to the procedural and substantive requirements of this title. Nothing in this section, however, is intended to limit or change the quality of information to be applied in protecting critical areas within shorelines of the state.

Shorelines of the state shall not be considered critical areas under this title except to the extent that specific areas located within such shorelines qualify for critical area designation based on the definition of critical areas provided by RCW [36.70A.030\(5\)](#) and have been designated as such by the City's critical areas regulations.

If the City's shoreline regulations do not include land necessary for buffers for critical areas that occur within shoreline areas, then the City shall continue to regulate those critical areas and their required buffers pursuant to this title.

B. *Mapping.* Maps may be developed and maintained by the City which show the general location of critical areas for informational purposes. The actual presence of critical areas and the applicability of these regulations shall be determined by the classification criteria established for each critical area. [Ord. 590 § 2, 2014; Ord. 362 § 3, 2004.]

14.142.045 Best available science.

- A. *Criteria for best available science.* The best available science is that scientific information applicable to the critical area prepared by local, state or federal natural resource agencies, a qualified scientific professional or team of qualified scientific professionals consistent with criteria established in WAC [365-195-905](#) through [365-195-925](#), as amended.
- B. *Protection for functions and value and anadromous fish.* Critical area studies and decisions to alter critical areas shall rely on the best available science to protect the functions and value of critical areas and must give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fish and their habitat, such as salmon and bull trout.
- C. *Absence of valid scientific information.* Where there is an absence of valid scientific information or incomplete scientific information relating to a critical area leading to uncertainty about the risk to critical area function of permitting an alteration of or impact to the critical area, the Director shall take a "precautionary approach" that strictly limits development and land use activities until the uncertainty is sufficiently resolved. To address such uncertainty, the Director may consult with State agencies regarding best available science and agency recommendations. The burden of proof that the action will cause no net loss or harm to persons or property falls on the applicant or the property owner.

14.142.050 Permitted uses.

Uses permitted on properties designated as critical areas or natural resource lands shall be the same as those permitted in the zone classification shown in the City's

Land Use and Development Code unless specifically prohibited by this title. [Ord. 362 § 3, 2004.]

14.142.060 Regulated uses/activities.

- A. Unless the requirements of this title are met, the City shall not grant any approval or permission to alter the condition of any land, water or vegetation, or to construct or alter any structure or improvement including but not limited to the following: building permit, commercial or residential; binding site plan; conditional use permit; franchise right-of-way construction permit; site development permit; master plan development; right-of-way permit; shoreline conditional use permit; shoreline environmental redesignation; shoreline substantial development permit; shoreline variance; large lot subdivision, short subdivision; special use permit; subdivision; unclassified use permit; utility and other use permit; variance; zone reclassification; or any subsequently adopted permit or required approval not expressly exempted by this chapter.
- B. Compliance with these regulations does not remove an applicant's obligation to comply with applicable provisions of any other federal, state, or local law or regulation. Requirements include but are not limited to those of the U.S. Army Corps of Engineers, Washington Department of Fish and Wildlife, and the Washington Department of Ecology, which must be met prior to commencing activities affecting wetlands, except as addressed in LMC [14.162.120](#) regarding Corps of Engineers Section 404 individual permits.
- C. The following activities within a critical area and/or buffer, unless exempted by LMC [14.142.070](#), shall be regulated:
1. Removing, excavating, disturbing or dredging soil, sand, gravel, minerals, organic matter or materials of any kind;
 2. Dumping, discharging or filling;
 3. Draining, flooding or disturbing the water level or water table. In addition, an activity which involves intentional draining, flooding or disturbing the water level or water table in a wetland, in which the activity itself occurs outside the wetland and buffer, shall be considered a regulated activity;
 4. Driving pilings or placing obstructions, including placement of utility lines;
 5. Constructing, reconstructing, demolishing or altering the size of any structure or infrastructure;
 6. Altering the character of a wetland by destroying or altering vegetation through clearing, harvesting, cutting, intentional burning, shading or planting;
 7. Activities which result in significant changes in water temperature or physical or chemical characteristics of wetland water sources, including changes in quantity of water and pollutant level;
 8. Application of pesticides, fertilizers and/or other chemicals, unless demonstrated not to be harmful to wetland habitat or wildlife;
 9. The division or redivision of land.
- D. The Department may require protection measures or erosion control measures such as temporary or permanent fencing to provide for protection of a wetland and buffer when any of the above activities are proposed on a site, but are not proposed within a wetland and/or buffer. [Ord. 362 § 3, 2004.]

14.142.070 Exemptions and allowed activities.

- A. All exempted or allowed activities shall use reasonable methods to avoid potential impacts to critical areas. To be exempt from this Title does not give permission to degrade a critical area or ignore risk from natural hazards. Any incidental damage to, or alteration of, a critical area that is not a necessary outcome of the exempted or allowed activity shall be restored, rehabilitated, or replaced at the responsible party's expense. Exemption from the critical areas code does not exempt an applicant from obtaining all other required permits from the city and/or state agencies.
- B. All activities and uses consistent with Title 18A of this code that are not covered under parts C and D of this section shall be required to comply fully with this Title.
- C. The following activities are exempt from the provisions of this title:
 - 1. *Existing Agricultural Activities.* The activities cease to be existing when the area on which they were conducted has been converted to a nonagricultural use or has lain idle both more than five years and so long that modifications to the hydrological regime are necessary to resume agricultural activities, unless the idle land is registered in a federal or state soils conservation program.
 - 2. Activities on improved portions of roads, rights-of-way or easements, provided there is no expansion of ground coverage.
 - 3. Maintenance or reconstruction of existing regional storm drainage facilities; provided, that reconstruction does not involve expansion of facilities.
 - 4. For the following utility line activities, when undertaken pursuant to best management practices to avoid impacts to critical areas:
 - a. Normal and routine maintenance or repair of existing utility structures or right-of-way.
 - b. Relocation within improved rights-of-way of electric facilities, lines, equipment, or appurtenances, not including substations, with an associated voltage of 55,000 volts or less only when required by a local government agency.
 - c. Relocation within improved right-of-way of utility lines, equipment, or appurtenances only when required by a local governmental agency which approves the new location of the facilities.
 - d. Installation or construction in improved City road rights-of-way, and replacement, operation, or alteration of all electric facilities, lines, equipment, or appurtenances, not including substations, with an associated voltage of 55,000 volts or less.
 - e. Installation or construction in improved City road rights-of-way and replacement, operation, repair, or alteration of all utility lines, equipment, or appurtenances.
 - 5. Activities in artificial wetlands, except those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands. In order for an artificial wetland not created to mitigate conversion of wetlands to be exempt from the requirements of this title,

it must meet all of the following characteristics:

- a. It must have been an intentionally created water feature, meaning that it was not the result of an accident or an unexpected by-product of some other intentional act;
 - b. It must be located in a formerly non-wetland (upland) site. The applicant shall provide compelling evidence of the former condition of the site, such as a critical areas report prepared in accordance with this chapter, and as determined by the planning director. In instances of questionable or unclear historic condition, the City shall take the approach that is more protective of the resource; and
 - c. For any work within or adjacent to the feature, the applicant must provide applicable permit approvals or waivers of jurisdiction from state and federal jurisdictional agencies.
6. Activities in wetlands in areas managed according to a special area management plan or other plan adopted by the City and specifically designed to protect wetland resources.
 7. Maintenance activities of landscaping and gardens in a wetland buffer, including, but not limited to, mowing lawns, weeding, harvesting and replanting of garden crops, pruning and planting of vegetation to maintain the condition and appearance of the site existing on February 1, 1992.
 8. Activities designed for previously approved maintenance and enhancement of wetlands.
 9. Site investigative work necessary for land use application submittals such as surveys, soil logs, percolation tests and other related activities.
 10. Activities undertaken to comply with the United States Environmental Protection Ecology Administrative Enforcement Order pursuant to the Model Toxins Control Act, including the following activities:
 - a. Remediation or removal of hazardous or toxic substances;
 - b. Source control; and
 - c. Natural resource damage restoration.
 11. Control of noxious weeds that are included on the state noxious weed list or listed on the Noxious Weeds Designated for Control or Eradication in Pierce County by the Pierce County Noxious Weed Control Board annual list. Control methods shall be subject to review and approval of an abatement plan by the Department that minimizes the impacts to the critical area and any associated buffers.
 12. Activities undertaken on the site of an existing holding pond where the water flow and/or water table is controlled by a previously approved pump system.

[Ord. 362 § 3, 2004.]

14.142.080 Reasonable use exception.

- A. If the application of this title would deny all reasonable use of a site, development may be allowed which is consistent with the general purposes of this title and the public interest.
- B. Nothing in this title is intended to preclude all reasonable use of property. An applicant for a development proposal may file a request for a reasonable use exception

which shall be considered as a Process III permit action by the City Hearing Examiner at a public hearing, following notice, as required by the City Zoning Code. The request shall include the following information:

1. A description of the areas of the site which are critical areas and/or natural resource lands or within buffers required under this title;
2. A description of the amount of the site which is within setbacks required by other standards of the Zoning Code;
3. A description of the proposed development, including a site plan;
4. An analysis of the impact that the amount of development described in subsection [\(B\)\(3\)](#) of this section would have on the natural resource land(s) or critical area(s);
5. An analysis of what other reasonable uses with less impact on the natural resource land(s) or critical area(s) and associated buffer(s) are possible;
6. A design of the proposal so that the amount of development proposed as reasonable use will have the least impact practicable on the natural resource land(s) and/or critical area(s);
7. An analysis of the modifications needed to the standards of this title to accommodate the proposed development;
8. Demonstration of legal lot status;
9. A description of any modifications needed to the required front, side and rear setbacks; building height; and buffer widths to provide for a reasonable use while providing greater protection to the critical area(s) and/or natural resource land(s); and
10. Such other information as the Department determines is reasonably necessary to evaluate the issue of reasonable use as it relates to the proposed development.
11. The Department will forward a copy of a request for reasonable use exception to the Washington State Departments of Fish and Wildlife and Ecology for review, comment, and recommendation.

C. The Hearing Examiner may approve the reasonable use exception, if the Examiner determines the following criteria are met:

1. There is no other reasonable use to the proposed development with less impact on the natural resource land(s) and/or critical area(s); and
2. The proposed development does not pose a threat to the public health, safety or welfare on or off the site; and
3. Any alteration of the natural resource land(s) and/or critical area(s) shall be the minimum necessary to allow for reasonable use of the property; and
4. The subject property is an existing legal lot as demonstrated in this section, and the inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant in subdividing the property or adjusting a boundary line thereby creating the undevelopable condition after October 8, 1991 (the effective date of Pierce County Critical Areas Regulations); and
5. The proposal mitigates the impacts on the natural resource land(s) and/or critical area(s) to the maximum extent possible, while still allowing reasonable use of the site.
6. For reasonable use exceptions involving wetlands, the additional requirements of LMC [14.162.090\(D\)](#) shall apply.

D. Where appropriate in the context of LMC [14.142.110](#), the City shall give preference to the modification of the development standards set forth in the Land Use and Development Code (LMC Title [18A](#)) as the first method to accommodate reasonable development on lots constrained by critical areas and/or their buffers. [Ord. 362 § 3, 2004.]

14.142.090 Reasonable use exception and modification of critical area requirements for individual single-family residences.

The purpose of this section is to provide an alternative to the full reasonable use exception process for an individual single-family residence on an existing, legal lot, while minimizing impacts to critical areas. The Director shall have the authority to grant minor variances and/or reasonable use exceptions to modify or waive some or all of the requirements of this chapter in accordance with the provisions of this section, subject to the following procedure:

A. The applicant for the modification or waiver of critical area requirements shall submit any critical area special studies following a preapplication review meeting as well as such other documents or studies, as requested by the Director.

B. The Director may adjust critical area requirements or grant minor variances for single-family residence applications provided:

1. The proposal is the minimum necessary to accommodate the building footprint and access. In no case, however, shall the building footprint and outdoor activity areas encroaching into the critical area or required buffer exceed 7,000 square feet;
2. Access shall be located so as to have the least impact on the critical area and its buffer;
3. The proposal shall be designed to preserve the functions and values of the critical area(s) to the maximum extent possible;
4. Adverse impacts resulting from alterations of steep slopes shall be minimized;
5. The property is an existing legal lot;
6. The proposal includes on-site mitigation to the maximum extent possible;
7. The proposal will not significantly affect drainage capabilities, flood potential, and steep slopes and landslide hazards on neighboring properties; and
8. The proposal first develops noncritical area land, then the critical area buffer before the critical area itself is developed.

C. The Director may require reasonable, noncompensatory mitigation measures to mitigate and minimize the loss of the functions and values of the critical areas and may impose mitigating conditions to the modification, waiver or variance in order to meet the standards of this subsection.

D. Modifications pursuant to this chapter that relate only to the buffer requirements for single-family residential permits shall be reviewed and decided as a Process 1 determination in conjunction with the building permit application. Modifications that would impinge upon the critical area itself or require an administrative building setback variance shall be reviewed and decided using Process 2 procedures.

E. This section shall not apply to the following critical areas:

1. Steep slope hazard areas that are unmitigatable landslide hazard areas;

2. Steep slope hazard areas of slope greater than 70 percent where either the lot or slope are abutting and above a Class I or II wetland stream, and associated buffer, or an open storm water conveyance system.

14.142.100 Review Process.

- A. The Department shall perform a critical areas and natural resource lands review of any City permit or approval requested for any regulated activity including, but not limited to, those set forth in LMC [14.142.060](#), on a site which includes or is adjacent to or abutting one or more natural resource lands or critical areas and their buffers, unless otherwise provided in this title.
- B. As part of all development applications:
 1. The Department shall review the information submitted by the applicant to:
 - a. Confirm the nature and type of the natural resource land and/or critical area and evaluate any required studies;
 - b. Determine whether the development proposal is consistent with this title;
 - c. Determine whether any proposed alterations to the site containing natural resource lands or critical areas are necessary;
 - d. Determine if the mitigation and monitoring plans proposed by the applicant are sufficient to protect the public health, safety and welfare consistent with the goals, purposes, objectives and requirements of this title; and
 - e. Confirm that the proposed activity or development will result in no net loss of ecological function, pursuant to WAC 365-196-830(4). Mitigation sequencing, if required, shall comply with the mitigation sequencing requirements established in [LMC 14.142.135](#).
- C. A threshold determination may not be made prior to Departmental review of any special studies or technical reports required by this title, except where the applicant requests a determination of significance so that environmental review is required.
- D. The City may approve, approve with conditions, or deny any development proposal in order to comply with the requirements and carry out the goals, purposes, objectives and requirements of this title.
- E. Approval of a development proposal does not discharge the obligation of the applicant or any successors in interest to comply with the provisions of this title. [Ord. 362 § 3, 2004.]

14.142.110 Variances.

Variance applications for exceptions to the development standards of the City's Land Use and Development Code may be used as a method for reducing impacts to critical areas. The City's Hearing Examiner or Community Development Director may consider impacts to critical areas as an undue hardship, and as a basis for finding that unique circumstances apply to a specific property in support of the granting of variances. Variance applications shall be considered by the City according to variance procedures in the City Land Use and Development Code. [Ord. 362 § 3, 2004.]

14.142.120 Current use assessment.

- A. The Department shall notify the Assessor-Treasurer's Office when restrictions on development occur on a particular site.

- B. The City shall provide the Assessor-Treasurer's Office with relevant information regarding critical areas and buffering requirements of this chapter in determining the fair market value of the land. Any owner of an undeveloped buffer which has been placed in a separate tract or tracts, protective easement, public or private land trust dedication, or other similarly preserved area may petition the County Assessor-Treasurer's Office to have that portion of land assessed consistent with those restrictions. [Ord. 362 § 3, 2004.]

14.142.130 Compliance provisions.

- A. *General Provisions.*
 - 1. The Department shall have authority to enforce this title, any rule or regulation adopted, and any permit, order or approval issued pursuant to this title, against any violation or threatened violation thereof. The Department is authorized to issue civil infraction citations and administrative orders, levy fines, and/or institute legal actions in court including prosecution of misdemeanor violations. Recourse to any single remedy shall not preclude recourse to any of the other remedies. Each violation of this title, or any rule or regulation adopted, or any permit, permit condition, approval or order issued pursuant to this title, shall be a separate offense, and, in the case of a continuing violation, each day's continuance shall be deemed to be a separate and distinct offense. An application for a required permit, when pursued in good faith, shall stay the accumulation of violations. All costs, fees, and expenses in connection with enforcement actions may be recovered as damages against the violator.
 - 2. The Department is authorized to make site inspections and take such actions as necessary to enforce this title. A Department representative may enter private property with the consent of the owner or occupant or pursuant to a warrant.
 - 3. The Department shall have the authority to order restoration, rehabilitation or replacement measures to compensate for the destruction or degradation of critical areas or natural resource lands at the owner's expense.
 - 4. The Department may bring appropriate actions at law or equity, including actions for injunctive relief, to ensure that no uses are made of critical areas or buffers which are inconsistent with this title. Enforcement actions shall include civil infractions, administrative orders, prosecution of misdemeanors, and actions for damages and restoration.
 - 5. *Aiding or Abetting.* Any person who, through an act of commission or omission procures, aids or abets in the violation shall be considered to have committed a violation of this title.
 - 6. Any person found to have violated any provision of this title or who knowingly makes a false statement, representation or certification in any application, record or other document filed or required to be maintained under this title or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device, record or methodology required to be maintained pursuant to this title shall be guilty of a misdemeanor, punishable by up to 90 days in jail and/or a fine of up to \$1,000.
 - 7. Orders and penalties issued pursuant to this section may be appealed as

provided for by this title.

B. Administrative Orders.

1. The Department may serve an administrative order when any person makes or partakes in any use of land, development or any activity on regulated critical areas and/or buffers in violation of this title. The order shall include the following:
 - a. A description of the specific nature, location, extent and time of violation. The order may include the damage or potential damage resulting from the violation.
 - b. A notice that the violation or the potential violation cease and desist or, in appropriate cases, the specific corrective action to be taken within a given time. A civil penalty may be issued with the order.
 - c. *Effective Date.* The cease and desist order issued under this section shall become effective immediately upon receipt by the person to whom the order is directed.
 - d. *Compliance.* Failure to comply with the terms of an administrative order can result in enforcement actions including, but not limited to, the issuance of a civil penalty.
 - e. The order may include specific corrective measures to be taken to mitigate environmental damage.
 - f. The order shall state that a hearing may be requested by an affected party by sending a written request for a hearing to the Hearing Examiner within 10 days of the receipt of said order and upon payment of the applicable appeal fee.
 - g. Failure to comply with the terms and provisions of an administrative order issued under this title shall constitute public nuisance and may be abated and prosecuted according to applicable law including Chapter [8.16](#) LMC and Chapters [7.48](#) and [9.66](#) RCW.
 - h. Administrative orders pursuant to this title shall be served upon the property owner or person or party occupying the property by personal service or by mailing a copy of the order by certified mail, postage prepaid, return receipt requested, to the property owner at the property address or to the mailing address listed upon public records regarding the property. In the event that personal service or certified mail service cannot be completed, or the property owner cannot be identified or located, service of the order may be achieved by posting the administrative order in a conspicuous location upon the property.
2. Any person who undertakes any activity within a regulated critical area or buffer without first obtaining an approval required by this title, or who violates one or more conditions of any approval required by this title, shall be subject to a Class 2 civil infraction citation with a mandatory \$250.00 fine. Any person who violates one or more conditions of administrative order issued under this title may be subject to prosecution for a misdemeanor, and a maximum penalty of 90 days in jail and/or a \$1,000 fine may be imposed. Each violation and, in the case of a continuing violation, each violation and each day of activity without a required approval shall be a separate and distinct violation. An application for a required permit, when pursued in good faith, shall stay the accumulation of violations. The penalty provided shall be appealable as provided by law.

C. Penalties and Enforcement. Any person, party, firm, corporation or other legal

entity convicted of violating any of the provisions of this title, shall be guilty of a civil infraction or misdemeanor. Each day or portion of a day during which a violation of this title is continued, committed, or permitted shall constitute a separate offense. Any development carried out contrary to the provisions of this title shall constitute a public nuisance and may be enjoined as provided by the statutes of the state of Washington.

D. *Suspension and Revocation.* In addition to other penalties provided for elsewhere, the Department may suspend or revoke any project permit approval if it finds that the applicant has not complied with any or all of the conditions or limitations set forth in the approval, has exceeded the scope of work set forth in the approval, or has failed to undertake the project in the manner set forth in the approved application. [Ord. 362 § 3, 2004.]

14.142.135 General mitigation requirements

Mitigation must be sufficient to restore impacted functions and values, or compensate for the impacted functions and values, of the critical area and to prevent risk from a hazard posed to a critical area by the proposed activity. Mitigation must not be implemented until after the Department has provided approval of a critical areas report that includes a mitigation plan.

- A. *Mitigation Sequencing.* This section applies to mitigation required with all critical areas reviews, approvals, and enforcement pursuant to this chapter. This section is supplemented with specific measures under sections for particular critical area types. Mitigation for specific development proposals may include a combination of the measures below and must be designed and constructed in accordance with the provisions of this section. Before impacting any critical areas, an applicant must demonstrate that the following actions have been taken in the following sequential order:
1. Avoiding the impact altogether by not taking a certain action or parts of actions;
 2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology, or by taking affirmative steps, such as project redesign, relocation, or timing, to avoid or reduce impacts;
 3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment or by restoring or stabilizing the critical area through natural, engineering, or other methods;
 4. Reducing or eliminating the impacts or hazard over time by preservation and maintenance operations during the life of the action;
 5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and/or
 6. Monitoring, measuring and reporting the impact to the decision-maker and taking appropriate corrective measures.
- B. Applicants must first demonstrate an inability to avoid or reduce impacts before the use of actions to mitigate potential impacts will be allowed. No activity or use may be allowed that results in a net loss of the functions or values of a critical area.
- C. *Type, Location and Timing of Mitigation.* Unless it is demonstrated that higher levels of ecological functioning or greater reduction of hazard risk would result from an alternative approach or as otherwise allowed in this chapter, mitigation for adverse

impacts must be based on best available science and must be in-kind, on site, and prior to the activities that will disturb the critical area. Mitigation measures that cannot be implemented prior to the critical area impacts must be completed immediately following disturbance and prior to use or occupancy of the action or development. Construction of mitigation projects must be timed to reduce impacts to existing fisheries, wildlife, and flora.

1. The Department may authorize a one-time temporary delay in completing construction or installation of the mitigation when the applicant provides a written explanation from a qualified professional as to the rationale for the delay and satisfactory financial guarantee that the installation will occur. An appropriate rationale would include identification of the environmental conditions that could produce a high probability of failure or significant construction difficulties (e.g., project delay lapses past a fisheries window, or installing plants should be delayed until the dormant season to ensure greater survival of installed materials). The delay must not create or perpetuate hazardous conditions or environmental damage or degradation, and the delay must not be injurious to the health, safety, or general welfare of the public.

14.142.138 General critical areas report requirements.

Critical area reports shall be prepared for nonexempt proposed developments containing critical areas or their buffers. In addition to information required in specific critical area chapters, the critical area reports shall:

- A.** Be prepared by qualified experts as defined in WAC [365-195-905\(4\)](#). The following list shows the type of critical area report and the related professional discipline:
- 1.** Wetlands: wetland biologist.
 - 2.** Critical aquifer recharge areas: hydrogeologist or geologist.
 - 3.** Floodplains: hydrologist or engineer.
 - 4.** Geologically hazardous areas: engineer or geologist.
 - 5.** Fish and wildlife habitats: biologist.
- B.** Incorporate best available science.
- C.** Cover a study area large enough to understand relationships with important off-site factors and identify any nearby critical area whose buffer extends onto the project site.
- D.** Contain the following:
- 1.** Name and contact information of the applicant, description of the proposed development, and identification of required permits;
 - 2.** Site plan drawn to scale of no less than one inch equals 100 feet showing critical areas, buffers, existing structures, and proposed structures, clearing, grading, and stormwater management;
 - 3.** Characterization of critical areas and buffers;
 - 4.** Assessment of the probable impact of the development proposal on critical areas;
 - 5.** Analysis of site development alternatives;
 - 6.** Detailed explanation of how the project is consistent with each of the mitigation sequencing standards identified in LMC 14.142.135;
 - 7.** An analysis of the anticipated impacts on functions and values;
 - 8.** Evaluation of compliance with this title's substantive requirements applicable to the proposed development;
 - 9.** If impacts to the buffer or critical area are proposed the report shall include:
 - a.** A strategy for mitigating the impacts, including site selection factors;
 - b.** An analysis of the existing and anticipated functions and values at the mitigation site, including an assessment of risks; and
 - c.** A review of the best available science relative to the proposed mitigation;
 - 10.** Additional information as required in the chapter corresponding to the type of critical area;
 - 11.** Documentation of who prepared the report and when, with fieldwork and data sheets;
 - 12.** Statement specifying the accuracy of the report and assumptions relied upon;
 - 13.** Additional information as required by the director.

E. When the contents of a critical area report determine that a proposed development requires compensatory mitigation and the mitigation approach proposed is acceptable to the city, a separate stand-alone mitigation plan shall be prepared in accordance with the specific requirements of other chapters in this title. The mitigation plan will be submitted once the director accepts the findings of the critical areas report.

14.142.140 **Appeal procedures.**

Requests for reconsideration and appeals of a decision issued under this title shall be considered by the City according to procedures provided in the City's Land Use and Development Code for the underlying permit or entitlement, or as an appeal of an administrative decision. [Ord. 362 § 3, 2004.]

14.142.160 **Fees.**

The City shall establish an appropriate fee structure for permit processing and technical review by separate resolution. [Ord. 362 § 1, 2004.]

14.142.170 **Title and plat notification.**

If more than one critical areas/resource lands exist on the site subject to the provisions of this title, then one notice which addresses all of the critical areas/resource lands shall be sufficient. [Ord. 362 § 3, 2004.]

14.142.180 **Nonconforming uses, structures, and lots.**

An established use or existing structure that was lawfully permitted prior to adoption of this chapter, but which is not in compliance with this chapter, or a legal lot that does not meet minimum lot area and other dimensional requirements of Title 18A, or that was created or altered prior to February 28, 1996, may continue or be developed subject to the requirements of Title 18A.

14.142.190 **Administrative procedures and technical criteria.**

The Department shall develop administrative procedures, including technical requirements, to guide decision making in implementing provisions of this chapter. In particular, the Department shall adopt procedures for determining the category of specific wetlands. In so doing, the Department shall solicit the views of wetland specialists, ecologists, developers and interested citizens. Administrative procedures can be modified from time to time, and can include material by reference to state or federal criteria subject to notice to the public and consideration of public views and input. Administrative procedures shall be made available to the public upon request, and shall be consistent with the provisions of this chapter. Upon request, the Department shall provide the City Council with copies of all administrative procedures, including modifications, to ensure consistency with the provisions of this chapter. [Ord. 362 § 3, 2004.]

14.142.200 **Severability.**

If any provision of this title or any of its subsections, or its application to any person or circumstance is held invalid, the remainder of this regulation or the application of the provision to other persons or circumstances shall not be affected. [Ord. 362 § 3, 2004.]

Chapter 14.146 GEOLOGICALLY HAZARDOUS AREAS*

Sections:

14.146.010

Purpose.

14.146.020

Designation of erosion and landslide hazard areas.

14.146.030

Protection standards for erosion and landslide hazard areas.

14.146.040

Designation of seismic hazard areas.

14.146.050

Protection standards in seismic hazard areas.

14.146.060

Designation of mine hazard areas.

14.146.070

Protection standards in mine hazard areas.

*** Prior legislation note:** Ord. [362](#) repealed provisions concerning geologically hazardous areas that were formerly in this chapter, based on the provisions of Ord. [56](#).

14.146.010 Purpose.

The purpose for the classification and designation of geologically hazardous areas is to classify and designate areas on which development should be prohibited, restricted, or otherwise controlled because of danger from geological hazards. For purposes of this title, geologically hazardous areas include the following: areas susceptible to erosion, sliding, earthquake or other geological events that pose a threat to the health and safety of citizens when incompatible development is sited in areas of significant hazard, and other hazard areas subject to geological events such as coal mine hazards and volcanic hazards including mass wasting, debris flow, rock falls, and differential settlement. [Ord. 362 § 3, 2004.]

14.146.020 Designation of erosion and landslide hazard areas.

A. *General.* Erosion hazard areas are those areas that because of natural characteristics, including vegetative cover, soil texture, slope, gradient, and rainfall patterns, or human-induced changes to such characteristics, are vulnerable to erosion and likely to become unstable. Landslide hazard areas are areas potentially subject to risk of mass movement due to a combination of geologic, topographic, and hydrologic factors. Mine hazard areas include those areas underlain by, adjacent to, or affected by mine working such as adits, gangways, tunnels, drifts, or air shafts.

B. *Classification.*

1. *Criteria.*

- a. Erosion hazard areas are identified by the presence of vegetative cover, soil texture, slope, and rainfall patterns, or human-induced changes to such characteristics, which create site conditions which are vulnerable to erosion. Erosion hazard areas are those areas that are classified as having moderate to severe, severe or very severe erosion potential by the Soil Conservation Service, United States Department of Agriculture (USDA). The geologic units considered as potential erosion hazards within areas of slopes greater than 15 percent may consist of the following: m (modified land), Qal (alluvium), Qw (wetland deposits), Qb (beach deposits), Qtf (tide flat deposits), Qls (landslide deposits), Qf (fan deposits), the Qvr and Qvs series (Vashon recessional outwash, and Steilacoom Gravel), and Qvi (ice contact deposits). These units are identified because of density and composition. Erosion hazard areas may also include:
 - i. Areas susceptible to rapid stream incision and stream bank erosion;
 - ii. Areas located within on-quarter mile of an active fault as indicated on Scientific Investigations Maps (SIM) or described in studies by the United States Geological Survey, Geology and Earth Resources Division of the Washington Department of Natural Resources, or other documents authorized by government agencies, or identified during site inspection.
- b. Landslide hazard areas are those areas subject to landslide because of any combination of bedrock, soil, slope (gradient), slope aspect, structure, hydrology, or other factors meeting any of the following criteria:
 - i. Areas of historic failures, such as:
 - (A) Those areas delineated by the United States Department of Agriculture Natural Resources Conservation Service as having significant limitation for

- building site development;
 - (B) Those areas mapped by the Department of Ecology Coastal Zone Atlas of the Department of Natural Resources slope stability mapping as unstable (“U” or class 3), unstable old slides (“UOS” or class 4), or unstable recent slides (“URS” or class 5); or
 - (C) Areas designated as quaternary slumps, earthflows, mudflows, lahars, or landslides on maps published by the United States Geological Survey or Washington Department of Natural Resources.
 - ii. Areas with all three of the following characteristics:
 - (A) Slopes steeper than 15 percent; and
 - (B) Hillsides intersecting geologic contacts with a relatively permeable sediment overlying a relatively impermeable sediment or bedrock; and
 - (C) Springs or ground water seepage;
 - iii. Areas that have shown movement during the Holocene epoch (from 10,000 years ago to the present) or which are underlain by mass wastage debris of this epoch;
 - iv. Slopes that are parallel or sub-parallel to planes of weakness (such as bedding planes, joint systems, and fault planes) in subsurface materials;
 - v. Slopes having gradients steeper than 80 percent subject to rockfall during seismic shaking;
 - vi. Areas potentially unstable as a result of rapid stream incision, streambank erosion, and undercutting by wave action, including stream channel migration zones;
 - vii. Areas that show evidence of, or are at risk from snow avalanches;
 - viii. Areas located in a canyon or on an active alluvial fan, presently or potentially subject to inundation by debris flows or catastrophic flooding;
 - ix. Any area with a slope of ~~30~~ 40 percent or steeper and with a vertical relief of 10 or more feet except areas composed of bedrock. A slope is delineated by establishing the toe and top and measured by averaging the inclination over at least 10 feet of vertical relief.
2. *Mapping.* Areas meeting the criteria established above may be delineated in, but not limited to, the following documents:
- a. For erosion hazard areas, Cities and Counties may consult the United States Department of Agriculture Natural Resources Conservation Service;
 - b. Coastal Zone Atlas for Washington, Washington Department of Ecology;
 - c. Maps published by the United States Geological Survey or Washington Department of Natural Resources Division of Geology and Earth Resources;
 - d. Geologic Map of the Steilacoom 7.5-Minute Quadrangle, Washington 2003. [Ord. 362 § 3, 2004.]

14.146.030 Protection standards for erosion and landslide hazard areas.

- A. *Prohibited Development Areas.* In areas meeting all three of the following characteristics, no structure or disturbance of vegetation is permitted:
1. An area with a slope of 100 percent or steeper (45 degrees); and
 2. Hillside intersecting geological contacts with a relatively permeable sediment overlying a relatively impermeable sediment or bedrock; and

3. Springs or ground water seepage.

B. *Regulation – Geotechnical Report Required.* For all regulated activities proposed within landslide and erosion hazard areas, a geotechnical report prepared by a professional geotechnical engineer or geologist licensed by the state of Washington shall be submitted (see subsection (B)(2) of this section). Where the applicant can clearly demonstrate to the Department through submittal of a geological assessment (see subsection (B)(1) of this section) that the regulated activity or any related site alterations will not occur within the landslide or erosion hazard area or any associated buffers, the requirements for a geotechnical report may be waived. A geological assessment may be prepared by a professional engineer licensed by the state of Washington with expertise in geotechnical engineering or by a professional geologist/hydrologist or soils scientist who has earned a bachelor's degree in geology, hydrology, soils science, or closely related field from an accredited college or university, or equivalent educational training, and has at least five years experience assessing erosion and landslide hazards.

1. *Geological Assessments.*

- a. Should the applicant question the presence of landslide or erosion hazard areas on the site, the applicant may submit a geological assessment.
- b. The geological assessment shall include at a minimum the following:
 - i. A description of the topography, surface and subsurface hydrology, soils, geology, and vegetation of the site; and
 - ii. An evaluation of the analysis area's inherent landslide and erosion hazards; and
 - iii. A site plan of the area delineating all areas of the site subject to landslide and erosion hazards, based on mapping and criteria referenced in LMC [14.146.020](#).

The submittal must include a contour map of the proposed site, at a scale of one inch equals 20 feet or as deemed appropriate by the Department. Slopes shall be clearly delineated for the ranges between 15 and 29 percent, and 30 percent or greater, including figures for aerial coverage of each slope category on the site. When site specific conditions indicate the necessity, the Department may require the topographic data to be field surveyed.

2. *Geotechnical Reports.* The geotechnical report shall be prepared by a professional geotechnical engineer or geologist licensed by the state of Washington, and shall address the existing geologic, topographic, and hydrologic conditions on a site, including an evaluation of the ability of the site to accommodate the proposed activity. The geotechnical report shall include at a minimum the following:

- a. *Site Geology Information Required.*
 - i. *Topographic Data.* Submittal must include a contour map of the proposed site, at a scale of one inch equals 20 feet or as deemed appropriate by the Department. Slopes shall be clearly delineated for the ranges between 15 and 29 percent, and 30 percent or greater, including figures for aerial coverage of each slope category on the site. When site specific conditions indicate the necessity, the Department may require the topographic data to be field surveyed.
 - ii. *Subsurface Data.* Submittal must include boring logs and exploration methods; soil and rock stratification, ground water levels and seasonal

changes of ground water levels. Subsurface data shall include any evidence of the presence of any organic fill or other conditions that would have the potential to affect buildings or development on the site.

iii. *Site History.* Submittal must include a description of any prior grading, soil instability, or slope failure.

iv. *Seismic Hazard.* Submittal of data concerning the vulnerability of the site to seismic events, including potential for liquefaction of soils.

b. *Geotechnical Engineering Information Required.*

i. Slope stability studies and opinion(s) of slope stability for the predeveloped and post- developed condition. Site specific setbacks and buffers from landslide hazard areas should be based on the results of the stability analysis;

ii. Proposed angles of cut and fill slopes and site grading requirements;

iii. Structural foundation requirements and estimated foundation settlements;

iv. Soil compaction criteria;

v. Proposed surface and subsurface drainage;

vi. Lateral earth pressures;

vii. Vulnerability of the site to erosion;

viii. Suitability of on-site soil for use as fill;

ix. Laboratory data and soil index properties for soil samples; and

x. Building limitations.

Where a valid geotechnical report has been prepared within the last five years for a specific site, and where the proposed land use activity and surrounding site conditions are unchanged, said report may be utilized and a new report may not be required. If any changed environmental conditions are associated with the site, or surrounding the site, the applicant shall submit an amendment to the geotechnical report.

The development proposal may be approved, approved with conditions, or denied based on the Department's evaluation of the ability of the proposed mitigation measures to reduce risks associated with the erosion and landslide hazard area.

3. *Protection – Performance Standards.* The Department shall evaluate all geotechnical reports for landslide and erosion hazard areas to ensure that the following standards are met:

a. *Location and Extent of Development.*

i. Development shall be located to minimize disturbance and removal of vegetation;

ii. Structures shall be clustered where possible to reduce disturbance and maintain natural topographic character; and

iii. Structures shall conform to the natural contours of the slope and foundations should be tiered where possible to conform to existing topography of the site.

b. *Design of Development.*

i. All development proposals shall be designed to minimize the building footprint and other disturbed areas within the identified geologically hazardous area;

ii. All development shall be designed to minimize impervious lot coverage;

- iii. Roads, walkways and parking areas shall be designed to parallel the natural contours;
- iv. Access ways shall be designed to avoid geological hazards to the extent feasible. If hazardous areas cannot be avoided, then hazards shall be mitigated as directed by a professional engineer licensed by the state of Washington.

The Department may approve, approve with conditions, or deny development proposals based on these performance standards.

4. *Protection – Buffer Requirement.* A buffer, consisting of undisturbed natural vegetation, and measured in a perpendicular direction from all landslide and erosion hazard areas, shall be required from the top of slope and toe of slope of all landslide or erosion hazard areas that measure 10 feet or more in vertical elevation change from top to toe of slope, as identified in the geotechnical report, maps, and field-checking. The minimum buffer distance requirements from the top of slope and toe of slope of landslide or erosion hazard areas shall be at least 50 percent the value of the slope's height, not exceeding 15 feet, for structures at the base of a slope and at least 33.3 percent the value of the slope's height, not exceeding 40 feet or as otherwise specified in the International Building Code Section 1808.7 or as otherwise amended; as may be amended by the State Building Code Council; or as indicated by a site-specific geotechnical report. In addition, a setback from the buffer area shall be provided as described in subsection (B)(6) of this section. In no case shall the building setback from the top, sides and toe of a landslide hazard area be less than 10 feet.

To increase the functional attributes of the buffer, the Department may require that the buffer be enhanced through planting of appropriate native species that will provide effective protection against erosion and landslides. The edge of the buffer area shall be clearly staked, flagged, and fenced prior to any site clearing or construction. The buffer boundary markers shall be clearly visible, durable, and permanently affixed to the ground. Site-clearing shall not commence until the engineer has submitted written notice to the Department that buffer requirements of this chapter are met. Field-marking shall remain until all construction and clearing phases are completed, and final approval has been granted by the Department. The identified critical area and buffer shall be placed in a separate critical area tract or tracts, protective easement, public or private land trust dedication, or similarly preserved through an appropriate permanent protective mechanism as determined by the Department.

5. *Modifications to Buffer Width.* When the geotechnical report demonstrates that a lesser buffer distance, and design and engineering solutions, will meet the intent of this chapter, such reduced buffer and design and engineering solutions may be permitted. Should the geotechnical report indicate that a greater buffer than that required by subsection (B)(4) of this section is needed to meet the intent of this chapter, the greater buffer shall be required.

6. *Building Setback and Construction Near Buffer.* Eight-foot minimum setback lines shall be required from the buffer area required in subsection (B)(4) of this section, for construction of any impervious surface(s) greater than 120 square feet of base coverage. Clearing, grading, and filling within eight feet of the

buffer shall only be allowed when the applicant can demonstrate that vegetation within the buffer will not be damaged.

7. *On-Site Sewage Disposal Systems.* On-site sewage disposal systems, including drain fields within landslide or erosion hazard areas and related buffers as identified in subsection [\(B\)\(4\)](#) of this section, shall meet all requirements of the Tacoma-Pierce County Board of Health and the Washington State Department of Health for on-site sewage disposal (Chapter [246-272](#) WAC).

8. *Erosion Control Plan.* Erosion control plans shall be required for all regulated activities in erosion hazard areas. The erosion control plans shall be consistent with the City Site Development Regulations, Section 3.04.

9. *Notification.*

a. *Title Notification.* The owner of any site within an erosion hazard or landslide hazard area, as identified in LMC [14.146.020](#), on which a development proposal is submitted, shall record a notice with the Pierce County Auditor in the form set forth below:

b. Form of notice:

EROSION OR LANDSLIDE HAZARD AREA NOTICE

Parcel Number: _____

Address: _____

Legal Description: _____

Present Owner: _____

Notice: This site lies within an erosion or landslide area as defined by Chapter 14. _____ of the Lakewood Municipal Code. The site was the subject of a development proposal for application number _____

filed on (date) _____

Restrictions on use or alteration of the site may exist due to natural conditions of the site and resulting regulation. Review of such application has provided information on the location of the erosion or landslide hazard area and any restriction on use.

Signature of Owner(s) (NOTARY

ACKNOWLEDGMENT) _____

- c. *Plat Notification.* For all proposed short subdivision and subdivision proposals within erosion hazard or landslide hazard areas, the applicant shall include a note on the face of the plat. The note shall be as set forth below:

Notice: This site lies within or includes an erosion hazard or landslide hazard area as defined in Chapter [14.146](#) of the City Code. Restrictions on use or alteration of the site may exist due to natural conditions of the site and resulting regulation.

[Ord. 362 § 3, 2004.]

14.146.040 Designation of seismic hazard areas.

- A. *General.* Seismic hazard areas must include areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement or subsidence, soil liquefaction, surface faulting, or tsunamis.

B. *Classification.*

1. *Criteria.* Seismic hazard areas are generally those areas susceptible to ground failure during seismic events. Failure can consist of soil liquefaction, slope failure, settlement, ground rupture, or lateral displacement. Settlement and soil liquefaction conditions occur in areas underlain by cohesionless soils, usually fine sand, of low density, typically in association with a shallow ground water table.
2. *Mapping.* Seismic hazard areas may be identified using the maps published by the United States Geological Survey or Washington Department of Natural Resources Division of Geology and Earth Resources and the Geologic Map of the Steilacoom 7.5-Minute Quadrangle, Washington 2003; and the "Preliminary Liquefaction Susceptibility Map of Pierce County, Washington, September 2003" published by the Washington Department of Natural Resources. [Ord. 362 § 3, 2004.]

14.146.050 Protection standards in seismic hazard areas.

A. *Regulation – Geotechnical Report Required.* For all regulated activities, except the construction of wood frame structures under 5,000 square feet, mobile homes, fences, and/or subdivision of property, proposed within seismic hazard areas, a geotechnical report prepared by a professional engineer licensed by the state of Washington with expertise in geotechnical engineering shall be submitted (see subsection [\(A\)\(2\)](#) of this section). Retaining walls may also be excluded from the requirement of a geotechnical report when the height of soil fills on the upper side are not in excess of four feet above the toe of the wall, backfills do not exceed a top surface slope of 4:1 (H:V), and there is no permanent structure existing or proposed within a distance of three times the height of the wall. Where an applicant can demonstrate through submittal of a geological assessment (see subsection [\(A\)\(1\)](#) of this section), that there are no seismic hazards on site, the requirement for the geotechnical report may be waived. A geological assessment may be prepared by a professional geotechnical engineer or by a professional geologist licensed by the state of Washington.

1. *Geological Assessments.*

- a. Should the applicant question the presence of seismic hazard areas on the site, the applicant may submit a geological assessment.
- b. The geological assessment shall include at a minimum the following:
 - i. A description of the topography, surface and subsurface hydrology, soils, geology, and vegetation of the site; and
 - ii. An evaluation of the analysis area's inherent seismic hazards; and
 - iii. A site plan of the area delineating all areas of the site subject to seismic hazards, based on mapping and criteria referenced in LMC [14.146.040](#).

If the geological assessment demonstrates, to the satisfaction of the Department, that the proposed site is not located in any seismic hazard areas, based upon the criteria set forth in subsection [\(A\)\(1\)\(b\)](#) of this section, then the requirements of this section shall not apply.

2. *Geotechnical Report.* The geotechnical report shall be prepared by a professional engineer licensed by the state of Washington with experience in geotechnical engineering and shall address the existing geologic, topographic, and hydrologic conditions on a site, including an evaluation of the ability of the site to accommodate the proposed activity. The geotechnical report shall include at a

minimum the following:

- a. A discussion of the surface and subsurface geologic conditions of the site;
- b. A site plan of the area delineating all areas of the property subject to seismic hazards, based on mapping and criteria referenced in LMC [14.146.040](#);
- c. A discussion of mitigation measures which can be taken to reduce seismic risks associated from liquefaction, ground shaking, settlement or slope failure with the underlying surficial geology; and
- d. An evaluation of the effectiveness of the proposed mitigation measures. Where a valid geotechnical report has been prepared within the last five years for a specific site, and where the proposed land use activity and surrounding site conditions are unchanged, said report may be utilized and a new report may not be required. If any changed environmental conditions are associated with the site, or surrounding the site, the applicant shall submit an amendment to the geotechnical report.

The development proposal may be approved, approved with conditions, or denied based on the Department's evaluation of the ability of the proposed mitigation measures to reduce seismic risks associated with the underlying surficial geology.

3. *Notification.*

- a. *Title Notification.* The owner of any site within a seismic hazard area as identified in LMC [14.146.040](#), on which a development proposal is submitted, shall record a notice with the Pierce County Auditor in the form set forth below:

Form of Notice:

SEISMIC HAZARD AREA NOTICE

Parcel Number: _____

Address: _____

Legal Description: _____

Present Owner: _____

Notice: This site lies within a seismic hazard area as defined by Chapter [14.146](#) of the Lakewood Municipal Code. The site was the subject of a development proposal for application number _____ filed on (date) _____

Restrictions on use or alteration of the site may exist due to natural conditions of the site and resulting regulation. Review of such application has provided information on the location of a seismic hazard area and any restrictions on use.

Signature of owner(s) NOTARY

ACKNOWLEDGMENT

- b. *Plat Notification.* For all proposed short subdivision and subdivision proposals within seismic hazard areas, the applicant shall include a note on the face of the plat. The note shall be as set forth below:

Notice: This site lies within a seismic hazard area as defined in Chapter [14.146](#), of the City Code. Restrictions on use or alteration of the site may exist due to natural conditions of the site and resulting regulation.

[Ord. 362 § 3, 2004.]

14.146.060 Designation of ~~other~~ mine hazards areas.

- A. *General.* Mine hazard areas must include areas underlain by, adjacent to, or affected by mine working such as adits, gangways, tunnels, drifts, or air shafts.
- B. *Classification.*
1. *Criteria.* Proximity to development, depth from ground surface to the mine working, and geologic material are factors that should be considered in mine hazard areas.
 2. *Mapping.* Mine hazard areas may be identified using the Geologic Hazards Map published by the Department of Natural Resources Washington Geologic Survey . [Ord. TBD § TBD.]

14.146.70 Protection standards in mine hazard areas.

- A. *Regulation – Geotechnical Report Required.* For all regulated activities, except the construction of wood frame structures under 5,000 square feet, mobile homes, fences, and/or subdivision of property, proposed within mine hazard areas, a geotechnical report prepared by a professional engineer licensed by the state of Washington with expertise in geotechnical engineering shall be submitted (see subsection [\(A\)\(2\)](#) of this section). Retaining walls may also be excluded from the requirement of a geotechnical report when the height of soil fills on the upper side are not in excess of four feet above the toe of the wall, backfills do not exceed a top

surface slope of 4:1 (H:V), and there is no permanent structure existing or proposed within a distance of three times the height of the wall. Where an applicant can demonstrate through submittal of a geological assessment (see subsection [\(A\)\(1\)](#) of this section), that there are no mine hazards on site, the requirement for the geotechnical report may be waived. A geological assessment may be prepared by a professional geotechnical engineer or by a professional geologist licensed by the state of Washington.

1. *Geological Assessments.*

- a. Should the applicant question the presence of mine hazard areas on the site, the applicant may submit a geological assessment.
- b. The geological assessment shall include at a minimum the following:
 - i. A description of the topography, surface and subsurface hydrology, soils, geology, and vegetation of the site; and
 - ii. An evaluation of the analysis area's inherent mine hazards; and
 - iii. A site plan of the area delineating all areas of the site subject to mine hazards, based on mapping and criteria referenced in LMC [14.146.060](#).

If the geological assessment demonstrates, to the satisfaction of the Department, that the proposed site is not located in any mine hazard areas, based upon the criteria set forth in subsection [\(A\)\(1\)\(b\)](#) of this section, then the requirements of this section shall not apply.

2. *Geotechnical Report.* The geotechnical report shall be prepared by a professional engineer licensed by the state of Washington with experience in geotechnical engineering and shall address the existing geologic, topographic, and hydrologic conditions on a site, including an evaluation of the ability of the site to accommodate the proposed activity. The geotechnical report shall include at a minimum the following:

- a. A discussion of the surface and subsurface geologic conditions of the site;
- b. A site plan of the area delineating all areas of the property subject to mine hazards, based on mapping and criteria referenced in LMC [14.146.060](#);
- c. A discussion of mitigation measures which can be taken to reduce risks associated from mine hazards; and
- d. An evaluation of the effectiveness of the proposed mitigation measures. Where a valid geotechnical report has been prepared within the last five years for a specific site, and where the proposed land use activity and surrounding site conditions are unchanged, said report may be utilized and a new report may not be required. If any changed environmental conditions are associated with the site, or surrounding the site, the applicant shall submit an amendment to the geotechnical report.

The development proposal may be approved, approved with conditions, or denied based on the Department's evaluation of the ability of the proposed mitigation measures to reduce risks associated with the underlying surficial geology.

3. *Notification.*

- a. *Title Notification.* The owner of any site within a mine hazard area as

identified in LMC [14.146.060](#), on which a development proposal is submitted, shall record a notice with the Pierce County Auditor in the form set forth below:

Form of Notice:

MINE HAZARD AREA NOTICE

Parcel Number: _____

Address: _____

Legal Description: _____

Present Owner: _____

Notice: This site lies within a mine hazard area as defined by Chapter [14.146](#) of the Lakewood Municipal Code. The site was the subject of a development proposal for application number _____ filed on (date) _____

Restrictions on use or alteration of the site may exist due to natural conditions of the site and resulting regulation. Review of such application has provided information on the location of a seismic hazard area and any restrictions on use.

Signature of owner(s) NOTARY

ACKNOWLEDGMENT

b. *Plat Notification.* For all proposed short subdivision and subdivision proposals within mine hazard areas, the applicant shall include a note on the face of the plat. The note shall be as set forth below:

Notice: This site lies within a mine hazard area as defined in Chapter [14.146](#), of the City Code. Restrictions on use or alteration of the site may exist due to natural conditions of the site and resulting regulation.

Chapter 14.150
CRITICAL AQUIFER RECHARGE AREAS*

Sections:

14.150.010

Purpose.

14.150.020

Designation of aquifer recharge areas.

14.150.030

Protection standards in aquifer recharge areas.

14.150.040

Hydrogeological assessments.

*** Prior legislation note:** Ord. [362](#) repealed provisions concerning aquifer recharge areas that were formerly in this chapter, based on the provisions of Ord. [56](#).

14.150.010 Purpose.

The Growth Management Act requires the City of Lakewood to designate areas and adopt development regulations for the purpose of protecting areas within the City critical to maintaining ground water recharge and quality. The Growth Management Act, Water Pollution Control Act, Water Resources Act of 1971, and the Ground Water Quality Standards require that these actions be taken to protect ground water quality and quantity such that its use as potable water can be preserved for current and future uses. This chapter shall define a scientifically valid methodology by which the City of Lakewood will designate areas determined to be critical in maintaining both ground water quantity and quality. This chapter shall specify regulatory requirements to be enacted when development within these areas is proposed to occur. [Ord. 362 § 3, 2004.]

14.150.020 Designation of critical aquifer recharge areas.

A. *General.* Critical aquifer recharge areas are areas where the prevailing geologic conditions allow infiltration rates which create a high potential for contamination of ground water resources or contribute to the replenishment of ground water.

B. *Classification.* For the purposes of this chapter, the boundaries of the City's aquifer recharge areas are:

1. The boundaries of the two highest DRASTIC zones which are rated 180 and above on the DRASTIC index range, as identified in Map of Ground Water Pollution Potential, Pierce County, Washington, National Water Well Association, U.S. Environmental Protection Agency; and
2. The Clover/Chambers Creek Aquifer Basin boundary, as identified in Draft Clover/Chambers Creek Basin Ground Water Management Program and Environmental Impact Statement, Brown and Caldwell for Washington State Department of Ecology.
3. Any site located within the Clover/Chambers Creek Basin boundary or the two highest DRASTIC zone boundaries is included in the critical aquifer recharge area. [Ord. 362 § 3, 2004.]

C. *Mapping.* Critical aquifer recharge areas and ~~areas of vulnerability~~ may be identified using the following maps from the Pierce County Open Geospatial Data Portal:

1. "Aquifer Recharge Areas" published December 2015 and updated in January 2018.
2. ~~"Aquifer Vulnerable Deep Areas" published May 1996 and updated in October 2017.~~ "Aquifer Clover Chambers Creek" published April 2000 and updated in October 2017.

14.150.030 Protection standards in critical aquifer recharge areas.

~~A. *Protection Standards.*~~

- ~~1. Regulated activities/facilities may be permitted in a critical aquifer recharge area only if the applicant can demonstrate that the proposed activity will not cause contaminants to enter the aquifer and that the proposed activity will not adversely affect the recharging of the aquifer.~~

- ~~2.—The proposed regulated activity must comply with the water source protection requirements and recommendations of the Federal Environmental Protection Agency and State Department of Health.~~
- ~~3.—Best management practices shall be required for activities within the designated low and moderate susceptibility zones.~~
- ~~4.—Based upon available information including that provided by the applicant pursuant to the requirements of this section, the Director shall have discretion to impose conditions designed to prevent degradation of groundwater quality or quantity. Such conditions may include a hydrologic site evaluation, determination of background water quality, quantity, and groundwater levels prior to approval and development of groundwater quality and/or quantity management plans. All conditions shall be based on all known, available, and reasonable methods of prevention, control, and treatment.~~
- ~~5.—A mitigation plan shall be required to address groundwater impacts identified in the hydrogeologic site evaluation, if such an evaluation is required. The Director may require that the mitigation plan include monitoring, process controls, remediation, and discussion of alternatives.~~
- ~~6.—Project approval shall be based on the conditions and/or mitigation plan required by the Director.~~

B. *Exemptions.* In addition to the exemptions listed in LMC [14.142.070](#), the following uses shall be exempt from the requirements of this chapter:

1. Sewer lines and appurtenances.
2. Individual on-site domestic sewage disposal (septic) systems releasing less than 14,500 gallons of effluent per day, subject to permitting by the Tacoma-Pierce County Health Department.

C. *Plat Notification.* For all proposed short subdivision and subdivision proposals within the City, the applicant shall include a note on the face of the plat. The note shall be as set forth below:

Notice: This subdivision lies within a critical aquifer recharge area as defined in Chapter [14.150](#) of the Lakewood Municipal Code. Restrictions on use or alteration of the site may exist due to natural conditions of the site and resulting regulation.

D. *Prohibited Activities.* Because of high potential for contamination, and low potential for remediation of ground waters used as potable water sources, the following uses of land shall be prohibited within the City of Lakewood:

1. Landfills, including hazardous or dangerous waste, municipal solid waste, special waste, and wood waste. Inert and demolition waste landfills may be permitted subject to the requirements of subsection [E](#) of this section.
2. Underground injection wells, except as may be proposed by a public agency for remediation of ground water contamination or aquifer enhancement.
3. Metals mining.
4. New sand and gravel mining.
5. Wood treatment facilities.

6. Storage of more than 70,000 gallons of liquid petroleum or other hazardous substances.

E. *Regulated Activities.* The following land uses may only be permitted after review and approval of a hydrogeological assessment by the Tacoma-Pierce County Health Department. Uses requiring a hydrogeological assessment may be conditioned or denied based upon the TPCHD's evaluation of the hydrogeologic assessment. Other state and federal regulations pertaining to the specific activities listed should be referenced in the hydrogeologic assessment and agency review:

1. Aboveground storage tanks (WAC [173-303-640](#));
2. Automobile washing facilities (Chapter [173-216](#) WAC, DOE Publication WQ-R-95-56);
3. Below-ground storage tanks (Chapter [173-360A](#) WAC);
4. Residential structures housing three or more units and utilizing on-site septic systems (Chapter [246-272](#) WAC, TPCHD Regulations);
5. Sludge land application sites categorized as S-3, S-4 and S-5, as defined above;
6. Animal containment area (Chapters [173-216](#) and [173-220](#) WAC);
7. Inert and demolition waste landfills (Chapter [173-304](#) WAC);
8. Facilities with the potential to generate hazardous waste, including, but not limited to, boat repair facilities, biological research facilities, dry cleaners, furniture stripping, motor vehicle service garages, photographic processing, and printing shops (Chapter [173-303](#) WAC).

F. *Protection Standards.*

1. Regulated activities/facilities may be permitted in a critical aquifer recharge area only if the applicant can demonstrate that the proposed activity will not cause contaminants to enter the aquifer and that the proposed activity will not adversely affect the recharging of the aquifer.
2. The proposed regulated activity must comply with the water source protection requirements and recommendations of the Federal Environmental Protection Agency and State Department of Health.
3. Best management practices shall be required for activities within the designated low and moderate susceptibility zones.
4. Based upon available information including that provided by the applicant pursuant to the requirements of this section, the Director shall have discretion to impose conditions designed to prevent degradation of groundwater quality or quantity. Such conditions may include a hydrologic site evaluation, determination of background water quality, quantity, and groundwater levels prior to approval and development of groundwater quality and/or quantity management plans. All conditions shall be based on all known, available, and reasonable methods of prevention, control, and treatment.
5. A mitigation plan shall be required to address groundwater impacts identified in the hydrogeologic site evaluation, if such an evaluation is required. The Director may require that the mitigation plan include monitoring, process controls, remediation, and discussion of alternatives.
6. Project approval shall be based on the conditions and/or mitigation plan required by the Director.

G. *Storage Tank Permits.* The Fire Marshal specifically regulates and authorizes permits for underground storage tanks, pursuant to the Uniform Fire Code (Article 79) and this chapter. The Washington Department of Ecology also regulates and authorizes permits for underground storage tanks (Chapter [173-360A](#) WAC). The TPCHD regulates and authorizes permits for the removal of underground storage tanks (Pierce County Code, Chapter [8.34](#)).

1. *Facilities with Underground Tanks – New Underground Tanks.* All new underground storage facilities used or to be used for the underground storage of hazardous substances or hazardous wastes shall be designed and constructed so as to:

- a. Prevent releases due to corrosion or structural failure for the operational life of the tank;
- b. Be protected against corrosion, constructed of noncorrosive material, steel clad with a noncorrosive material, or designed to include a secondary containment system to prevent the release or threatened release of any stored substance; and
- c. Use material in the construction or lining of the tank which is compatible with the substance to be stored.
- d. The installation of underground storage tanks shall also be subject to state and local permit requirements.

2. *Aboveground Tanks.*

- a. No new aboveground storage facility or part thereof shall be fabricated, constructed, installed, used, or maintained in any manner which may allow the release of a hazardous substance to the ground, ground waters, or surface waters of Lakewood within a critical aquifer recharge area.
- b. No new aboveground tank or part thereof, with the exception of tanks for potable water, shall be fabricated, constructed, installed, used, or maintained without having constructed around and under it an impervious containment area enclosing or underlying the tank or part thereof.
- c. A new aboveground tank that will contain hazardous substances shall be of double wall construction and shall include a secondary containment system separate from the tank that will hold 110 percent of the tank's capacity. The secondary containment system must be designed and constructed to contain the material stored in the tank. [Ord. 362 § 3, 2004.]

14.150.040 Critical area reports –hydrogeological assessment requirements.

A. A hydrogeological assessment shall be included in a critical areas report prepared in accordance with LMC 14.142.138 if a regulated activity is proposed within a critical aquifer recharge area in accordance with the provisions of this chapter.

B. The hydrogeologic assessment may be submitted by a state of Washington licensed hydrogeologist, or professional engineer with a strong background in geology as demonstrated by course work from an accredited college or university. Persons who believe they are qualified to conduct a hydrogeologic assessment may petition the TPCHD for consent.

C. The hydrogeologic assessment shall include, but is not limited to:

1. Information sources;
2. Geologic setting: include well logs or borings used to identify information;
3. Background water quality;
4. Ground water elevations;
5. Location/depth to perched water tables;
6. Recharge potential of facility site (permeability/transmissivity);
7. Ground water flow direction and gradient;
8. Currently available data on wells located within 1,000 feet of site;
9. Currently available data on any spring within 1,000 feet of site;
10. Surface water location and recharge potential;
11. Water source supply to facility (e.g., high capacity well);
12. Any sampling schedules necessary;
13. Discussion of the effects of the proposed project on the ground water resource;
14. Other information as required by the TPCHD.

D. Uses requiring a hydrogeologic assessment may be conditioned or denied based upon the TPCHD's evaluation of the hydrogeologic assessment. Any project denied a permit based upon the Tacoma-Pierce County Health Department's evaluation of the hydrogeologic assessment shall receive a written explanation of the reason(s) for denial and an explanation of measures required, if any, to comply with these regulations. [Ord. 362

§ 3, 2004.]

Chapter 14.154
FISH AND WILDLIFE HABITAT CONSERVATION AREAS*

Sections:

14.154.010

Purpose and intent.

14.154.020

Designation of fish and wildlife habitat conservation areas.

14.154.030

Habitat protection standards.

14.154.040

Title and plat notification.

14.154.050

Habitat protection for rivers and streams.

14.154.070

14.154.080

Habitat protection for ponds.

14.154.090

Provisions for priority Oregon white oak trees and woodlands.

Provisions for fish and wildlife, habitat buffers, where required.

*** Prior legislation note:** Ord. [362](#) repealed provisions concerning fish and wildlife habitat areas that were formerly in this chapter, based on the provisions of Ord. [56](#).

14.154.010 Purpose and intent.

Many land use activities can impact the habitats of fish and wildlife. Where areas of fish and wildlife habitat are subject to development, land use shall be managed to protect critical habitats. Managing land use to protect critical habitats is intended to allow proposed development to occur in a manner that is sensitive to the habitat needs of fish and wildlife species. The purpose of this chapter is to identify fish and wildlife species and habitats and establish habitat protection procedures and mitigation practices that are designed to achieve no “net loss” of species and habitat due to new development or other regulated activities.

As a necessary first step in achieving the necessary protection of fish and wildlife species, it is the intent of this chapter to:

- A. Define and identify fish and wildlife species and habitats;
- B. Emphasize and encourage education, information and voluntary action to enhance, protect, rehabilitate, and restore fish and wildlife species and habitats;
- C. Rely primarily upon existing procedures and laws, such as the State Environmental Policy Act, Chapter [43.21C](#) RCW; the City’s Shoreline Use Regulations; and the Shoreline Management Act, Chapter [90.58](#) RCW, that, directly or indirectly, protect fish and wildlife species and habitats; and
- D. Establish buffers adjacent to rivers, streams, and other identified critical habitat conservation areas and locations to protect fish and wildlife habitats.

It is not intended that this chapter repeal, abrogate, or impair any existing law or regulations. If the buffering provisions of this chapter conflict with any existing City law or regulation, the more stringent shall apply. [Ord. 362 § 3, 2004.]

14.154.020 Designation of fish and wildlife habitat conservation areas.

- A. *General.* This chapter applies to proposed regulated activities within fish and wildlife habitat conservation areas on all public and private lands. Fish and wildlife habitat conservation areas are those areas identified either by known point locations of specific species (such as a nest or den) or by habitat areas or both.
- B. *Identification of Fish and Wildlife Species and Habitats.*
 1. *Fish and Wildlife Habitat Conservation Areas.*
 - a. *Federal and State Listed Species and Their Associated Habitats.* Areas which have a primary association with federally or state listed endangered, threatened, or sensitive species of fish or wildlife (specified in [50 CFR 17.11](#), [50 CFR 17.12](#), WAC [220-610-010](#) and [220-610-110](#)) and which, if altered, may reduce the likelihood that the species will persist over the long term. These areas include seasonal ranges and habitat elements.
 - b. Habitats and species of local importance, including the following:
 - i. Documented habitat areas or outstanding potential habitat areas for fish

and wildlife species. These areas include specific habitat types which are infrequent in occurrence in Pierce County and Lakewood, and may provide specific habitats with which endangered, threatened, sensitive, candidate, or monitor species have a primary association, such as breeding habitat, winter range, and movement corridors. These areas include the following:

- (A) Aspen stands.
 - (B) Biodiversity areas and corridors.
 - (C) Herbaceous balds.
 - (D) Priority Oregon white oak woodlands.
 - (E) Prairies.
 - (F) Old growth/mature forests.
 - (G) Caves.
 - (H) Cliffs.
 - (I) Snag8reas and logs.
 - (J) Riparian habitats.
 - (K) Freshwater wetlands.
 - (L) Rivers and streams with critical fisheries.
- c. Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat.
 - d. Waters of the state, including all water bodies classified by the Washington Department of Natural Resources (DNR) water typing classification system as detailed in WAC [222-16-030](#), together with associated riparian areas.
 - e. Lakes, ponds, streams, and rivers planted with game fish by a governmental entity or tribal entity.
 - f. State natural area preserves and natural resource conservation areas as defined, established, and managed by the DNR and WDFW.
2. *Mapping.* The resources listed below provide information on fish and wildlife habitat conservation areas:
- a. Puget Sound Environmental Atlas, Puget Sound Water Quality Authority.
 - b. The following Washington Department of Natural Resources documents and data sources:
 - i. Stream typing maps.
 - ii. Natural Heritage Database and [Washington Natural Heritage Program Data Explorer](#) tool.
 - c. The following Washington Department of Fish and Wildlife documents and data sources:
 - i. Priority Habitats and Species Program, including the [PHS on the Web](#) maps.
 - ii. Nongame Database.
 - iii. Washington Rivers Information System.
 - iv. Water Resource Inventory Areas (WRIA).
 - d. The following U.S. Fish and Wildlife Services (USFWS) data sources:
 - i. [Information for Planning and Consultation](#) (IPaC).
 - ii. [National Wetlands Inventory](#) (NWI), available through <https://www.fws.gov/program/national-wetlands-inventory>.
 - iii. [Ord. 630 § 1, 2015; Ord. 362 § 3, 2004.]

14.154.030 Habitat protection standards.

A. *Education and Information.* A voluntary education program to explain the need for and methods of habitat management will help provide for long-term protection and enhancement of fish and wildlife habitat conservation areas. By informing citizens of the declining populations of several fish and wildlife species in Pierce County, the diminishing animal habitat available, and the management techniques that individuals can use to preserve and restore fish and wildlife habitat areas, the City can foster good stewardship of the land by property owners.

1. The Department will provide educational materials and lists of additional sources of information to applicants proposing regulated activities in the vicinity of fish and wildlife habitat conservation areas. Materials will be selected from a variety of state and local resources. At a minimum, the City will link applicants to the Washington Department of Fish and Wildlife's [Priority Habitat and Species website](#).

The Department will accumulate information on the number of proposed activities associated with fish and wildlife habitat conservation areas as identified by this chapter and indicated by county maps to be in the vicinity of identified fish and wildlife habitats pursuant to LMC [14.154.020](#). Information shall include the number of single-family residences and other development occurring in the vicinity of fish and wildlife areas. Based on this information, additional regulations may be developed.

B. *Use of Existing Procedures and Laws, Biological Assessments.* The primary procedures used to implement this chapter shall include this chapter itself, the City's Land Use and Development Code, the State Environmental Policy Act (Chapter [43.21C](#) RCW), the City's environmental regulations, , and Best Available Science (BAS) on Priority Habitats and Species from the Department of Fish and Wildlife (WDFW) as required in RCW 36.70A.172.

Regulated activities subject to environmental review shall be reviewed with consideration for impacts on fish and wildlife habitat as identified in this title. The Community Development Director may require a biological assessment prepared by a qualified wildlife biologist whenever the Director finds that a project site may contain, affect, or be affected by, species or habitats designated in this chapter. Biological assessments shall be prepared in accordance with LMC [14.154.050\(B\)](#), and are subject to the review and approval of the Director.

Projects undergoing review for fish and wildlife considerations shall be routed to the Washington Department of Fish and Wildlife, the Washington Department of Ecology, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers and any other appropriate state and federal agencies. These agencies will have an opportunity to provide specific habitat information on proposed development sites, advise the City of their jurisdiction and applicable permit requirements, and suggest appropriate project modifications and/or other mitigation.

The City shall give substantial weight to the management recommendations contained then the Washington Department of Fish and Wildlife Priority Habitats and Species Program. [Ord. 775 § 1 (Exh. A), 2022; Ord. 630 § 2, 2015; Ord. 362 § 3, 2004.]

14.154.040 Title and plat notification.

For regulated activities where a habitat assessment or habitat management plan has

been prepared as part of the proposal's environmental review, the owner of the site shall record a notice of the reports with the Pierce County Auditor so that information is known if the property ownership changes.

A. *Title Notification.* The owner of any site where a habitat assessment or habitat management plan has been prepared for a development proposal shall record a notice with the Pierce County Auditor in the form set forth below:

Form of Notice:

FISH AND WILDLIFE
HABITAT CONSERVATION
AREA NOTICE

Parcel Number: _____

Address: _____

Legal Description: _____

Present Owner: _____

Notice: This site lies within/contains a fish and wildlife habitat conservation area as defined by Chapter [14.154](#) of the Lakewood Municipal Code. The site was the subject of a development proposal for _____ application number _____

filed on _____ (date).

Restrictions on use or alteration of the site may exist due to natural conditions of the site and resulting regulation. Review of such application has provided information on the location of the fish and wildlife habitat conservation area and any restriction on use.

Signature of Owner(s)

Date

(NOTARY ACKNOWLEDGMENT)

B. *Plat Notification.* For all proposed short subdivision and subdivision proposals within fish and wildlife habitat conservation areas, the applicant shall include a note on the face of the plat. [Ord. 630 § 3, 2015; Ord. 362 § 3, 2004.]

14.154.050 Habitat protection for rivers and streams.

Regulated activities proposed along rivers and streams shall provide for habitat protection.

A. ***Intent of Riparian Buffers.*** The intent of riparian buffers is to protect the following 5 basic riparian functions that influence in-stream and near-stream habitat quality:

1. Recruitment of Large Woody Debris (LWD) to the stream. LWD creates habitat structures necessary to maintain salmon/trout and other aquatic organisms' productive capacity and species diversity.
2. Shade. Shading by the riparian forest canopy maintains cooler water temperatures and influences the availability of oxygen for salmon/trout and other aquatic organisms.
3. Bank integrity (root reinforcement). Bank integrity helps maintain habitat quality and water quality by reducing bank erosion and creating habitat structure and in-stream hiding cover for salmon/trout and other aquatic organisms.
4. Runoff filtration. Filtration of nutrients and sediments in runoff (surface and shallow subsurface flows) helps maintain water quality.
5. Wildlife habitat. Functional wildlife habitat for riparian-dependent species is based

on sufficient amounts of riparian vegetation to provide protection for nesting and feeding.

6. Contribution of detrital nutrients. Nutrients derived from terrestrial litter, typically from leaves, bark, seeds, cones, flowers, fruits, twigs, and other small plant parts.

B. Riparian Buffers. Habitat protection for fish and wildlife conservation areas shall be provided through buffers.

1. *Standard buffers from ordinary high water mark of the water body are as follows:*

Water Type	Standard buffer
Type F Waters	150 ft
Type Np Waters	100 ft
Type Ns Waters	100 ft

2. *Buffers for Type S shoreline water bodies are provided in the Lakewood Shoreline Master Program (SMP).*

C. Interrupted buffer. When a riparian buffer contains an existing legally established public or private road, the Director may allow development on the landward side of the road provided that the development will not have a detrimental impact to the stream. The applicant may be required to provide a critical areas report to describe the potential impacts. In determining whether a critical areas report is necessary, the City shall consider the hydrologic, geologic, and/or biological habitat connection potential and the extent and permanence of the buffer interruption.

D. Riparian Management Zone buffers. An applicant may choose to conduct a site evaluation of soil conditions prepared by a qualified professional and consistent with current Best Available Science on 200-year site potential tree height as provided by the Washington Department of Fish and Wildlife. If such site evaluation of soil conditions yields a 200-year site potential tree height of a lesser value than the buffers assigned in this section, the applicant may use the lower value in place of the standard buffer.

1.

E. Habitat Impact Assessment. Unless allowed under Chapter [18A.50](#) LMC, Article I, a permit application to develop in the special flood hazard area (SFHA), for that portion of any parcel located within the boundary of any buffer as required by the National Marine Fisheries Service's Puget Sound Biological Opinion of September 22, 2008, shall include in a critical area report in compliance with LMC 14.142.138 an assessment of the impact of the project on water quality and aquatic and riparian habitat. In addition to the requirements of LMC 14.142.138, the assessment shall be:

1. A biological evaluation or biological assessment that has received concurrence from the U.S. Fish and Wildlife Service or the National Marine Fisheries Service, pursuant to Section 7 of the Endangered Species Act; or
2. Documentation that the activity fits within a habitat conservation plan approved pursuant to Section 10 of the Endangered Species Act; or
3. Documentation that the activity fits within Section 4(d) of the Endangered Species Act; or
4. An assessment prepared in accordance with the most current Regional Guidance for Floodplain Habitat Assessment and Mitigation, FEMA (Federal

Emergency Management Agency) Region X. The assessment shall determine if the project would adversely affect:

- a. The primary constituent elements identified when a species is listed as threatened or endangered;
- b. Essential fish habitat designated by the National Marine Fisheries Service;
- c. Fish and wildlife habitat conservation areas;
- d. Vegetation communities and habitat structures;
- e. Water quality;
- f. Water quantity, including flood and low flow depths, volumes and velocities;
- g. The channel's natural planform pattern and migration processes;
- h. Spawning substrate, if applicable; and/or
- i. Floodplain refugia, if applicable.

F. *Habitat Mitigation Plan.*

1. If the assessment conducted under subsection D of this section concludes the proposed project is expected to have an adverse effect on water quality and/or aquatic or riparian habitat or habitat functions, the applicant shall provide a plan to mitigate those impacts, in accordance with the current Regional Guidance for Floodplain Habitat Assessment and Mitigation, FEMA (Federal Emergency Management Agency) Region X.

a. If the proposed project is located outside of the protected area, the mitigation plan shall include such avoidance, minimization, restoration, or compensation measures as are appropriate for the situation.

b. If the proposed project is located within the protected area, the mitigation plan shall include such appropriate measures as are needed to ensure that there is no adverse effect due to the project.

Minimization measures are not allowed in the protected area, unless they, in combination with other measures, result in no adverse effect.

No compensatory mitigation is allowed in the protected area.

2. The plan's habitat mitigation activities shall be incorporated into the proposed project. The floodplain development permit shall be based on the redesigned project and its mitigation components.

3. A certificate of occupancy or final inspection approval for a project shall not be issued until all work identified in the biological evaluation, biological assessment, or mitigation plan has been completed or the applicant has provided the necessary assurances that unfinished portions of the project will be completed.

G. *Compensatory Storage.* There shall be no-net-loss of ecological function through new development. A development proposal shall provide compensatory storage if grading or other activity displaces any effective flood storage volume. Compensatory storage shall:

1. Provide equivalent volume at equivalent elevations to that being displaced. For this purpose, "equivalent elevation" means having similar relationship to ordinary high water and to the best available 10-year, 50-year and 100-year water surface profiles;

2. Be hydraulically connected to the source of the flooding; and

3. Provide compensatory storage in the same construction season as when the displacement of flood storage volume occurs and before flood season

begins.

4. The newly created storage area shall be graded and vegetated to allow fish access during flood events without creating fish stranding sites. [Ord. 726 § 2(Exh. A), 2019; Ord. 659 § 2, 2017; Ord. 630 § 4, 2015; Ord. 362 § 3, 2004.]

14.154.070 Habitat protection for ponds.

A. Regulated activities proposed on ponds deliberately designed and created from dry sites, such as canals, detention facilities, wastewater treatment facilities, farmponds, temporary construction ponds (of less than three years' duration), and landscape amenities shall be subject to a 35-foot buffer requirement. The buffer, consisting of undisturbed natural vegetation, shall extend landward from the ordinary high water mark of the pond. [Ord. 362 § 3, 2004.]

14.154.080 Provisions for priority Oregon white oak trees and woodlands.

A. No person shall willfully remove, top, damage, destroy, break, injure, mutilate or kill any priority Oregon white oak trees and woodlands except as allowed by this chapter.

B. During building or construction operations, suitable protective measures in LMC [18A.70.320\(A\)](#) shall be erected around Oregon white oak trees, stands, or woodlands which may be subject to injury.

C. The following activities may be allowed regarding priority Oregon white oak trees and woodlands:

1. Removal of diseased trees and trees that present an imminent threat to properties with an approved tree removal permit. The Director may require a written report by a certified arborist assessing the condition of any tree that is purported to be diseased or hazardous. Tree replacement is required at a two-to-one ratio per LMC [18A.70.330](#).

2. *Trimming*. Trimming shall be granted when it is determined:

a. That trimming is needed for safety or public welfare or to remove diseased or dead branches; or

b. That branches hang over an existing building or interfere with utility lines or right-of-way access.

c. Utility pruning shall be conducted in accordance with the latest edition of the United States Department of Agriculture's Publication NA-FR-01-95 How to Prune Trees, available at

https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsbdev7_016046.pdf,

except that tree pruning for utilities shall be conducted in accordance with the latest edition of the International Society of Arboriculture's Best Management Practices – Utility Pruning of Trees, available at

[https://www.seattle.gov/light/vegetation-](https://www.seattle.gov/light/vegetation-management/docs/Acrobat%20Document.pdf)

[management/docs/Acrobat%20Document.pdf](https://www.seattle.gov/light/vegetation-management/docs/Acrobat%20Document.pdf).

3. *Single-Family Property*. If the presence of the priority Oregon white oak woodland renders the development of a house or permitted accessory structure infeasible, and the application of incentives in LMC [18A.70.320\(J\)](#) is insufficient to result in a feasible development, the City may allow removal or trimming of priority Oregon white oak trees and woodlands in order to allow a maximum building footprint of

1,500 square feet for a single-family residence, 1,000 square feet for an accessory dwelling unit, and 1,000 square feet for a detached garage. Additional impervious area for the driveway will be permitted which provides the shortest and most direct access to the house with minimal encroachment or impact into the critical area. The proposal shall demonstrate prior tree removal has met Chapter [18A.70 LMC, Article III](#) in effect at the time, the proposal results in the least possible impact to the critical area to achieve a feasible development, and includes mitigation to offset any impacts to critical areas consistent with the provisions of this chapter and in accordance with a report prepared by a qualified biologist or certified arborist. The City may require a third- party review of the report at the applicant's expense. A minimum two-to-one replacement ratio shall be applied. See required findings in subsection [\(C\)\(5\)](#) of this section. If a proposal does not meet the parameters of this paragraph see subsection [D](#) of this section.

4. *Commercial, Industrial, Multifamily, Institutional or Other Development.* On nonsingle-family properties where priority Oregon white oak trees and woodlands does not exceed one acre in size contiguous and the application of incentives in LMC [18A.70.320\(J\)](#) is insufficient to result in a feasible development, the City may allow for removal or trimming of priority Oregon white oak trees and woodlands to accommodate a legal use of the property with the least possible impact to the critical area, provided no clearing of trees occurred prior to the application for a land use permit in violation of Chapter [18A.70 LMC, Article III](#) in effect at the time, and provided mitigation is instituted consistent with a report prepared by a qualified biologist or certified arborist. The City may require a third-party review of the report at the applicant's expense. A minimum two-to-one replacement ratio shall be applied. See required findings in subsection [\(C\)\(5\)](#) of this section. If a proposal does not meet the parameters of this paragraph see subsection [D](#) of this section.

5. *Required Findings.* To approve a proposal for a single-family home in subsection [\(C\)\(3\)](#) of this section or other non-single-family development in subsection [\(C\)\(4\)](#) of this section, the Director shall find:

- a. The application of incentives in LMC [18A.70.320\(J\)](#) is insufficient to result in a feasible development.
- b. The development results in the least possible impact to the critical area to achieve a feasible development that accommodates a legal use of the property.
- c. The report and mitigation prepared by a qualified biologist or certified arborist demonstrate to the satisfaction of the Director that mitigation addresses impacts to priority Oregon white oak trees and woodlands consistent with the provisions of this chapter. The report and mitigation consider the Washington Department of Fish and Wildlife Priority Habitats and Species Program management recommendations for Oregon white oak woodlands. The report has been reviewed by either the Washington Department of Fish and Wildlife through SEPA review and/or a qualified biologist or certified arborist at the applicant's expense as required by the Director. The City may consult WDFW for additional review as needed.
- d. Prior tree removal has met Chapter [18A.70 LMC, Article III](#) in effect at the time.

D. If the application of this section would deny all reasonable use of property, the

applicant may apply for a reasonable use exception pursuant to LMC [14.142.080](#). [Ord. 775 §1 (Exh. A), 2022.]

14.154.090 Provisions for fish and wildlife, habitat buffers, where required.

A. *Building Setback and Construction Near Buffer.* A minimum setback of eight feet from the buffer shall be required for construction of any impervious surface(s) greater than 120 square feet of base coverage. Clearing, grading, and filling within eight feet of the buffer shall only be allowed when the applicant can demonstrate that vegetation within the buffer will not be damaged.

B. *Marking of the Buffer Area.* The edge of the buffer area shall be clearly staked, flagged, and fenced prior to and through completion of construction. The buffer boundary markers shall be clearly visible, durable, and permanently affixed to the ground.

C. *Fencing from Farm Animals.* The Director shall determine if fencing is necessary to protect the functions and values of the critical area. If found to be necessary, the Director shall condition any permit or authorization issued pursuant to this chapter to require the applicant to install a permanent fence around the habitat conservation area or buffer, when fencing will prevent future impacts to the habitat conservation area. The applicant shall be required to install a permanent fence around the habitat conservation area or buffer when domestic grazing animals are present or may be introduced on site. Fencing installed as part of a proposed activity or as required in this subsection shall be designed so as not to interfere with species migration, including fish runs, and shall be constructed in a manner that minimizes habitat impacts.

D. Enhancements to natural buffers consistent with the education program (such as revegetation or nest boxes) are allowed.

E. *Allowable Activities within Buffers.* The following activities may occur within the buffer after notification to the Department; provided, that any other required permits are obtained.

1. Removal of diseased trees and trees that present an imminent threat to properties. The Director may require a written report by a registered landscape architect, certified nursery professional, or certified arborist assessing the condition of any tree that is purported to be diseased or hazardous.
2. Repair of existing fences.
3. Construction, reconstruction, remodeling, or maintenance of docks and bulkheads as authorized and pursuant to the applicable regulations.
4. Construction of a pervious path for purposes of private access.
5. Trimming of vegetation for purposes of providing view corridors; provided, that trimming shall be limited to view corridors of 20 feet or less; and provided, that benefits of the buffer to fish and wildlife habitat are not reduced. Trimming shall be limited to pruning of branches and vegetation. Trimming shall not include felling or removal of trees.
6. Construction of public trails.
7. Roadways, bridges, rights-of-way, and utility lines where no feasible

alternative exists, and where the development minimizes impacts on the watercourse and RMZ. Clear documentation explaining the lack of alternatives and measures taken to minimize impacts on the critical area and buffer shall be provided to the Community and Economic Development Department prior to approval. [Ord. 362 § 3, 2004.]

F. *Special provisions—Streams.* The following provisions supplement those identified in this chapter and this Ordinance.

1. *Activities, uses, and alterations proposed to be located in water bodies used by anadromous fish or in areas that affect such water bodies shall give special consideration to the preservation and enhancement of anadromous fish habitat, including, but not limited to, the following:*
 - a. Activities shall be timed to occur only during the allowable work window as designated by the Washington Department of Fish and Wildlife;
 - b. An alternative alignment or location for the activity is not feasible;
 - c. The activity is designed so that it will minimize the degradation of the downstream functions or values of the fish habitat or other critical areas; and
 - d. Any impact to the functions and values of the habitat conservation area are mitigated in accordance with an approved critical areas report and habitat management plan, if applicable.
2. *Structures that prevent the migration of salmonids shall not be allowed in the portion of water bodies currently or historically used by anadromous fish. Fish bypass facilities shall be provided that allow the upstream migration of adult fish and shall prevent juveniles migrating downstream from being trapped or harmed.*
3. *Fills within streams, when authorized, shall minimize the adverse impacts to anadromous fish and their downstream habitat, shall mitigate any unavoidable impacts, and shall only be allowed for water-dependent uses.*
4. *Activities and uses shall be prohibited in Type F streams and riparian buffers except for the allowable activities and uses listed below.*
 - a. Stream Crossings. Stream crossing shall be minimized, but when necessary they shall conform to the following standards as well as other applicable laws (see the Department of Fish and Wildlife, or Ecology):
 - i. The stream crossing is the only reasonable alternative that has the least impact;
 - ii. *It has been shown in a critical areas report that the proposed crossing will not decrease the stream and associated buffer functions and values;*
 - iii. *The stream crossing shall use bridges instead of culverts unless it can be demonstrated that a culvert would result in equal or less ecological impacts;*
 - iv. *All stream crossings using culverts shall use super span or oversized culverts with appropriate fish enhancement measures. Culverts shall not obstruct fish passage;*
 - v. *Stream crossings shall be designed according to the Washington Department of Fish and Wildlife Water Crossing Design Guidelines (2013), and the National Marine Fisheries Service Guidelines for Salmonid Passage at Stream Crossings, 2000, or as amended;*

- vi. *All stream crossings shall be constructed during the summer low flow period or as specified by the Washington Department of Fish and Wildlife in the hydraulic project approval;*
 - vii. *Stream crossings shall not occur through salmonid spawning areas unless no other feasible crossing site exists;*
 - viii. *Bridge piers or abutments shall not be placed in either the floodway or between the ordinary high water marks unless no other feasible alternative placement exists;*
 - ix. *Stream crossings shall not diminish the flood carrying capacity of the stream;*
 - x. *Stream crossings shall minimize interruption of downstream movement of wood and gravel;*
 - xi. *Stream crossings shall provide for maintenance of culverts and bridges; and*
 - xii. *Stream crossings shall be minimized by serving multiple properties whenever possible.*
- b. Utilities. Utility corridors shall not be aligned parallel with any stream channel unless the corridor is outside the buffer, and crossings shall be minimized. Installation shall be accomplished by boring beneath the scour depth and hyporheic zone of the water body where feasible. Crossings shall be contained within the existing footprint of an existing road or utility crossing where possible. Otherwise, crossings shall be at an angle greater than sixty degrees to the centerline of the channel. The criteria for stream crossing shall also apply.
- c. Stormwater facilities. Stormwater facilities provided that they are located in the outer twenty-five percent of the buffer and are located in the buffer only when no practicable alternative exists outside buffer. Stormwater facilities should be planted with native plantings where feasible to provide habitat, and/or less intrusive facilities should be used. Detention/retention ponds should not be located in the buffer.
- d. Floodway dependent structures. Floodway dependent structures or installations may be permitted within streams if allowed or approved by other codes or other agencies with jurisdiction.

- e. Stream bank stabilization. Stream bank stabilization shall only be allowed when it is shown, through a stream bank stability assessment conducted by a qualified fluvial geomorphologist or hydraulic engineer, that such stabilization is required for public safety reasons, that no other less intrusive actions are possible, and that the stabilization will not degrade instream or downstream channel stability. Stream bank stabilization shall utilize bioengineering or soft armoring techniques unless otherwise demonstrated. Stream bank stabilization shall conform to the Integrated Streambank Protection Guidelines developed by the Washington State Department of Fish and Wildlife, 2002 or as revised. Stabilization measures must demonstrate the following:
 - i. Natural shoreline processes will be maintained. The project will not result in increased erosion or alterations to, or loss of, shoreline substrate within one-fourth mile of the project area;
 - ii. The stabilization measures will not degrade fish or wildlife habitat conservation areas or associated wetlands; and
 - iii. Adequate mitigation measures ensure that there is no net loss of the functions or values of riparian habitat.
- f. Maintenance of lawfully established existing bank stabilization is allowed provided it does not increase the height or linear amount of bank and does not expand waterward or into aquatic habitat landward.
- g. Clearing or development in riparian habitat areas which is at least one hundred feet from the waterline and separated by a continuous public or private roadway serving three or more lots.

5. *Type N Streams. Activities and uses that result in unavoidable and necessary impacts may be permitted in Type Np and Ns streams and buffers in accordance with an approved critical areas report and habitat management plan, and only if the proposed activity is the only reasonable alternative that will accomplish the applicant's objectives.*

Chapter 14.158
FREQUENTLY FLOODED AREAS*

Sections:

14.158.010

Purpose.

14.158.020

Designation.

14.158.030

Protection.

14.158.010 Purpose.

The purpose of this section is to:

- A. Promote the general health, welfare and safety of the City's residents, and protect human life and property from the dangers of flooding.
- B. Prevent the establishment of certain structures and land uses unsuitable for human habitation because of the danger of flooding, unsanitary conditions or other hazards.
- C. Minimize the need for rescue and relief efforts associated with flooding.
- D. Help maintain a stable tax base by providing for sound use and development in flood-prone areas and to minimize prolonged business interruptions, and future blight areas.
- E. Minimize damage to public facilities and utilities located in flood hazard areas.
- F. Ensure that potential home and business buyers are notified that property is in a flood area.
- G. Minimize expenditure of public money for costly flood relief, damage repair and flood control projects.
- H. Ensure that those who occupy frequently flooded areas assume responsibility for their actions.
- I. Qualify the City of Lakewood for participation in the National Flood Insurance Program, thereby giving resident and businesses the opportunity to purchase flood insurance.
- J. Maintain the quality of water in rivers, streams, and lakes and their floodplains so as to protect public water supplies, areas of the Public Trust, and wildlife habitat protected by the Federal Endangered Species Act.
- K. Retain the natural channel, shoreline, and floodplain creation processes and other natural floodplain functions that protect, create, and maintain habitat for threatened and endangered species.
- L. Prevent or minimize loss of hydraulic, geomorphic, and ecological functions of floodplains and stream channels.

14.158.020 Designation.

- A. The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for Pierce County, and Incorporated Areas" dated March 7, 2017, and any revisions thereto, with an accompanying flood insurance rate map (FIRM), and any revisions thereto, are considered frequently flooded areas and are hereby adopted by reference and declared to be a part of this chapter.
- B. The [FEMA online flood map](#) contains up-to-date flood hazard information available to the public.
- C. The flood insurance study and the FIRM are on file at the City of Lakewood, 6000 Main Street SW, Lakewood, WA. The flood insurance study shall be kept on file by the City Engineer. [Ord. 659 § 3, 2017; Ord. 630 § 5, 2015; Ord. 362 § 3, 2004.]

14.158.030 Protection.

- A. All development in frequently flooded areas shall be regulated according to the City's Site Development Regulations, and Chapter [18A.50](#) LMC, Article I, Flood Hazard Overlay.
- B. Regulated activity within frequently flooded areas shall require preparation of a critical area report that complies with LMC 14.142.138 to ensure no-net-loss of floodplain function.

Chapter 14.162
WETLANDS AREAS*

Sections:

- 14.162.010 **Purpose.**
- 14.162.020 Designation of wetland areas.**
- 14.162.030 Wetland categories.**
- 14.162.040 Regulated activities.**
- 14.162.050 Exemptions.**
- 14.162.060 Special permitted uses.**
- 14.162.070 Delineation, and wetland analysis requirements.**
- 14.162.080**
- 14.162.090 Protection standards – Establishing buffers.**
Protection standards for allowing regulated activities in wetlands and buffers.
- 14.162.100**
- 14.162.120 Mitigation.**
- 14.162.130 Alternative review process, Corps of Engineers Section 404 individual permits.**
Wetland review procedure, fees, and title notification.

*** Prior legislation note:** Ord. [362](#) repealed provisions concerning wetland areas that were formerly in this chapter, based on the provisions of Ord. [56](#).

14.162.010 Purpose.

The purpose of these regulations is to avoid, or in appropriate circumstances, to minimize, rectify, reduce or compensate for impacts arising from land development and other activities affecting wetlands, and to maintain and enhance the biological and physical functions and values of wetlands with respect to water quality maintenance, storm water and floodwater storage and conveyance, fish and wildlife habitat, primary productivity, recreation, education, and historic and cultural preservation. When avoiding impacts is not reasonable, mitigation shall be implemented to achieve no net loss of wetlands in terms of acreage, function and value. [Ord. 362 § 3, 2004.]

[14.162.020](#) [Designation of wetland areas.](#)

Identification of wetlands and delineation of their boundaries pursuant to this chapter shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements. All areas within the City meeting the wetland designation criteria in that procedure are hereby designated critical areas and are subject to the provisions of this chapter. [Ord. 630 § 6, 2015; Ord. 362 § 3, 2004.]

[14.162.030](#) [Wetland categories.](#)

In order to provide information on the functions and values of wetlands in a time- and cost-effective way, wetland analysis reports shall categorize wetlands by their attributes and characteristics. Wetlands shall be rated using the latest adopted version of the Washington State Wetland Rating System for Western Washington published by the Washington State Department of Ecology (“State Wetland Rating System”). The State Wetland Rating System provides the detailed criteria for establishing wetland categories. Wetlands are generally designated as follows:

A. Category I wetlands are those that (1) represent a unique or rare wetland type; or (2) are more sensitive to disturbance than most wetlands; (3) are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; or (4) provide a high level of functions. Generally, these wetlands are not common and make up a small percentage of the wetlands in the region. The following are considered Category I wetlands:

1. Bogs.
2. Mature and old-growth forested wetlands.
3. Wetlands that perform many functions very well: wetlands scoring 23 to 27 points using the Washington State Wetland Rating System for Western Washington, Ecology Publication No. 14-06-029.

B. Category II wetlands are difficult, though not impossible, to replace, and provide high levels of some functions. These wetlands occur more commonly than Category I wetlands, but still need a relatively high level of protection. Category II wetlands in western Washington include wetlands that perform functions well: wetlands scoring between 20 and 22 points using the Washington State Wetland Rating System for Western Washington. Wetlands scoring 20 to 22 points were judged to perform most functions relatively well, or performed one group of functions very well and the other

two moderately well.

C. Category III wetlands are wetlands with a moderate level of functions (scores between 16 and 19 points) using the Washington State Wetland Rating System for Western Washington. Category III wetlands usually have been disturbed in some ways, and are often less diverse or more isolated from other natural resources in the landscape than Category II wetlands.

D. Category IV wetlands have the lowest levels of functions (scores between nine and 15 points) and are often heavily disturbed. These are wetlands that we should be able to replace, and in some cases be able to improve. These wetlands may provide some important functions. [Ord. 630 § 7, 2015; Ord. 362 § 3, 2004.]

14.162.040 Regulated activities.

A list of regulated activities is included in LMC [14.142.060](#). [Ord. 362 § 3, 2004.]

14.162.050 Exemptions.

A list of exempt activities is included in LMC [14.142.070](#). [Ord. 362 § 3, 2004.]

14.162.060 Special permitted uses.

A. The following uses are normally regulated but may be allowed, subject to a Process I administrative determination by the Director, provided the listed criteria are met.

B. *Educational and Recreational Facilities.* Minor structural fill may be allowed for the construction and enhancement of public trails, such as bridging, and trail-related facilities such as benches, interpretive signs, and viewing platforms. Construction of such features on all previously filled areas is allowed. The following conditions must be met:

1. An alternative location outside the wetland is not feasible. Trails and related facilities within wetlands shall, to the extent possible, be placed on other previously disturbed areas;
2. Associated facilities, such as interpretive centers, restrooms, or parking areas are not allowed within wetlands or buffers by this conditional exemption;
3. The fill on which the trails or trail-related facilities is placed is limited to the minimum dimensions necessary for the actual crossing and shall not cover more than 5,000 square feet of wetland area;
4. Project design shall minimize adverse impacts to wetlands/buffers and wildlife habitat. Previous surfaces shall be used;
5. All construction work in the wetland shall be done during the summer dry season (July 15th to October 15th). A time extension may be granted by the Department;
6. Native vegetation disturbed by trail construction activities shall be salvaged and replanted in the disturbed areas to the extent feasible.

C. *Minor Road or Trail Crossings.* Fills for the construction of a road or trail crossing shall be allowed in wetlands or buffers; provided, that crossings of wetlands shall be avoided to the extent possible. Fills for the construction of a road crossing through a Category I wetland shall not be allowed by this conditional exemption. Crossings shall

follow the following criteria:

1. An alternative location outside the wetland is not reasonably feasible;
2. The fill on which the road or trail is placed is limited to the minimum dimensions necessary for the actual crossing;
3. The fill placed in wetlands shall not cover more than 5,000 square feet of wetland area;
4. Crossings shall utilize design which minimizes the adverse impacts to the wetland and hydrology of the existing system;
5. Wetland disturbance shall be limited to no greater than five feet beyond the designated toe-of-fill;
6. All construction work in the wetland shall be done during the summer dry season (July 15th to October 15th). A time extension may be granted in writing by the Department; and
7. Crossings shall serve multiple purposes and properties, whenever possible.

D. *Erosion Control.* Bank stabilization activities necessary for erosion prevention shall be allowed in buffers and Category II, III, and IV wetlands as part of a single and complete project. Bank stabilization projects shall meet all other applicable local, state and federal laws and the following criteria:

1. The minimum amount of material needed for erosion prevention is used;
2. The bank stabilization activity is no more than 500 feet in length, 15 feet high, and will not exceed an average of one-half cubic yard of fill per running foot of bank;
3. No material is placed in any location or manner that may impair surface water movement into or out of any wetland area or other water body;
4. No material is placed in any location or manner that may be eroded by normal or anticipated high flows; and
5. The disturbed area shall be revegetated within 60 days after completion of the project with native species indigenous to the site. Hydro-seeding with approved mix may be used for temporary erosion control.

E. The construction of utility lines and poles in Category II, III or IV wetlands and buffers provided there are no feasible alternatives and impacts are mitigated. [Ord. 362 § 3, 2004.]

14.162.070 Delineation, and wetland analysis requirements.

A. *Wetland Review Procedures – General Requirements.*

1. The National Wetlands Inventory (NWI) from the United States Fish and Wildlife Service provides an indication of where potential wetlands are located within the city. The actual presence or location of a potential wetland or a potential wetland that has not been mapped, but may be present on or adjacent to a site shall be determined using the procedures and criteria established in this chapter.
2. The Department will complete a review of the most recent version of the National Wetland Inventory data available at <https://www.fws.gov/program/national-wetlands-inventory> and other source documents for any proposed regulated activity to determine whether the project area for a proposed single-family dwelling unit or other proposed development is located in the vicinity of a known wetland. Identification of a potential wetland

may also occur as a result of field investigations conducted by Department staff.

3. When the Department's maps, sources, or field investigation indicate that a potential wetland is located within 225 feet of the project area for a proposed one-family dwelling unit or other proposed regulated activities, the Department shall require a wetland verification report to determine whether or not a regulated wetland is present and if so, its relative location in relation to the proposed project area or site. The findings of the wetland verification report shall be documented as outlined in subsections [\(B\)\(1\)](#) of this section.

4. If Department staff completes a field investigation and determines that no regulated wetlands are present, then wetland review will be considered complete.

5. If it is determined that a wetland exists within 225 feet of a project site, then a wetland analysis report prepared by a qualified professional shall be required. All wetland analysis reports shall include a proposed categorization of the wetland in accordance with the guidelines set forth in LMC [14.162.030](#), and a calculation of the standard wetland buffer as set forth in LMC [14.162.080](#).

B. *General Wetland Review.* General wetland review shall include the submittal of a wetland verification report or a wetland analysis report, together with a wetland review fee as established in the City's fee schedule.

1. *Wetland Verification Report.*

a. A wetland verification report shall be submitted when a field investigation or review of the City's Critical Areas Atlas determines that a regulated wetland may be present within 225 feet of the site.

b. A wetland verification report may determine that:

i. No regulated wetland is, in fact, present within 225 feet of the project site; or

ii. Wetlands are identified but are evaluated and found to be nonregulated; or

iii. A regulated wetland is present within 225 feet of the project site, in which case a wetland analysis report may be required to determine the limits of the wetland, its classification and appropriate buffer width and other appropriate mitigations necessary to protect the wetland functions and values; or

iv. A regulated wetland is present; however, categorization can be summarily determined and it is apparent that the standard buffer does not extend within the site.

c. The wetland verification report shall include data sheets, site maps, and other field data and information necessary to confirm wetland presence or absence and category. If nonregulated wetlands are identified, a site plan must be provided that identifies their location.

d. The wetland verification report shall identify and discuss wetland boundaries within the site as well as those that extend off site. Off-site wetlands and associated standard buffers do not have to be marked in the field.

e. Department staff shall review the wetland verification report and either:

i. Accept the report and approve the wetland application; or

ii. Reject the report and require the submittal of a wetland analysis report.

2. *Critical Areas Report – additional requirements for wetlands.* In addition to the

general requirements of a critical areas report as outlined in LMC 14.142.138, the following are critical areas report requirements specific to wetlands:

- a. If a regulated wetland or its standard buffer extends onto the site, the Department shall require a critical areas report prepared by a qualified professional as required by this title. Information required in a critical areas report is identified in LMC 14.142.138.
- b. If the Department determines that a Category I wetland is on site which is associated with documented habitat for endangered, threatened, or sensitive species or for potentially extirpated plant species recognized by state or federal agencies, the Department shall also require the submittal of a habitat assessment report as set forth in LMC [14.154.030\(B\)](#).
- c. If the Department determines that additional mitigation is necessary to offset the identified impacts, the applicant shall comply with the additional mitigation requirements set forth in the wetland analysis report, biological assessment, or SEPA determination.
- d. The Department shall review and approve the critical areas report to determine the appropriate wetland category and buffer, and shall include the wetland in the City's Wetland Atlas. The Department shall approve the report's findings and proposals unless specific, written reasons are provided which justify not doing so.
- e. Approval of the wetland review shall be concluded upon a determination that the critical areas report and mitigation plan, if applicable, are thorough and accurate, and meet all requirements of this title. [Ord. 726 § 2(Exh. A), 2019; Ord. 362 § 3, 2004.]

14.162.080 Protection standards – Establishing buffers.

A. *Requirements.* The buffer widths in Table 14.1 have been established in accordance with the best available science. They are based on the category of wetland and the habitat score as determined by a qualified wetland professional using the Washington State Wetland Rating System for Western Washington: 2014 Update, and as amended.

1. The use of the buffer widths in Table 14.1 requires the implementation of the measures in Table 14.2, where applicable, to minimize the impacts of the adjacent land uses.
 1. If an applicant chooses not to apply the mitigation measures in Table 14.2, then a 33 percent increase in the width of all buffers is required. For example, a 75-foot buffer with the mitigation measures would be a 100-foot buffer without them to ensure no-net-loss of wetland functions.
2. The buffer widths in Table 14.1 assume that the buffer is vegetated with a native plant community appropriate for the ecoregion. If the existing buffer is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer should either be planted to create the appropriate plant community, or the buffer should be widened to ensure that adequate functions of the buffer are provided.
3. The buffer at its narrowest point is never less than either three-quarters of the required width or 75 feet for Category I and II, 50 feet for Category III and 25 feet for Category IV, whichever is greater.

Table 14.1 Wetland Buffer Requirements

Wetland Category	Buffer width (in feet) based on habitat score			
	3-5 points		6-7 points	8-9 points
Category I: Based on total score	75 ft		110 ft	225 ft
Category I: Bogs and wetlands of high conservation value	190 ft			225 ft
Category I: Coastal lagoons	150 ft (merge with right)		150 ft	225 ft
Category I: Interdunal	225 ft (merge with right)		225 ft	225 ft
Category I: Forested	75 ft		225 ft	225 ft
Category I: Estuarine	150 ft (buffer width not based on habitat scores)			
Category II: Based on score	75 ft		165 ft	225 ft
Category II: Interdunal wetlands	110 ft (merge with right)		110 ft	225 ft
Category II: Estuarine	110 ft (buffer width not based on habitat scores)			
Category III (all)	60 ft		225 ft	225 ft
Category IV (all)	40 ft			

Table 14.2 Required Measures to Minimize Impacts to Wetlands

(Measures are required if applicable to a specific proposal)

Disturbance	Activities and Uses that Cause Disturbances	Required Measures to Minimize Impacts
Light	<ul style="list-style-type: none"> • Parking lots • Commercial/industrial uses • Residential uses • Recreation (e.g., athletic fields) • Agricultural buildings 	<ul style="list-style-type: none"> • Direct lights away from wetland • Only use lighting when necessary for public safety, and keep lights off when not needed • Use motion-activated lights where feasible • Use full cut-off filters to cover light bulbs and direct light only where needed • Limit use of blue-white colored lights in favor of red-amber hues • Use lower-intensity LED lighting • Dim light to the lowest acceptable intensity
Noise	<ul style="list-style-type: none"> • Commercial • Industrial • Recreation (e.g., athletic fields, bleachers, etc.) • Residential • Agriculture 	<ul style="list-style-type: none"> • Locate activity that generates noise away from wetland • If warranted, enhance existing buffer with native vegetation plantings adjacent to noise source • For activities that generate relatively continuous, potentially disruptive noise, such as certain heavy industry or mining, establish an additional 10-foot heavily vegetated buffer strip immediately adjacent to the outer wetland buffer
Toxic runoff	<ul style="list-style-type: none"> • Parking lots • Roads • Commercial/industrial • Residential areas • Application of pesticides • Landscaping • Agriculture 	<ul style="list-style-type: none"> • Route all new, untreated runoff away from wetland while ensuring wetland is not dewatered • Establish covenants limiting use of pesticides within 150 feet of wetland • Apply integrated pest management

Table 14.2 Required Measures to Minimize Impacts to Wetlands
(Measures are required if applicable to a specific proposal)

Disturbance	Activities and Uses that Cause Disturbances	Required Measures to Minimize Impacts
Storm water runoff	<ul style="list-style-type: none"> • Parking lots • Roads • Residential areas • Commercial/industrial • Recreation • Landscaping/lawns • Other impermeable surfaces, compacted soil, etc. 	<ul style="list-style-type: none"> • Retrofit storm water detention and treatment for roads and existing adjacent development • Prevent channelized or sheet flow from lawns that directly enters the buffer • Infiltrate or treat, detain, and disperse new runoff from impervious surfaces and lawns • Use low impact development (LID) techniques (for more information refer to the drainage ordinance and manual)
Pets and human disturbance	<ul style="list-style-type: none"> • Residential areas • Recreation 	<ul style="list-style-type: none"> • Use privacy fencing OR plant dense vegetation to delineate buffer edge and to discourage disturbance using vegetation appropriate for the ecoregion • Place wetland and its buffer in a separate tract or protect with a conservation easement • Place signs around the wetland buffer every 50-200 feet and at the back of each residential lot in a subdivision
Dust	<ul style="list-style-type: none"> • Tilled fields • Roads 	<ul style="list-style-type: none"> • Use best management practices to control dust
Disruption of corridors or connections	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Maintain connections to off-site areas that are undisturbed • Restore corridors or connections to off-site habitats by replanting

- B. Buffer widths may be modified by averaging or increasing.
1. Buffer width averaging may be allowed only where the applicant demonstrates the following:
 - a. Buffer encroachment is unavoidable.
 - b. A habitat assessment has been submitted which demonstrates that the site does not provide habitat for any endangered, threatened, or sensitive fish or animal species; or
 - c. For wetlands and/or required buffers associated with documented habitat for endangered, threatened, or sensitive fish or wildlife species, a habitat assessment report has been submitted that demonstrates that the buffer modification will not result in an adverse impact to the species of study.
 - d. The wetland contains variations in sensitivity due to existing physical characteristics; and
 - e. Width averaging will not adversely impact the wetland or critical fish and wildlife habitat; and
 - f. The total buffer area after averaging is no less than the buffer area prior to averaging; and
 - g. The minimum buffer width will not be less than 75 percent of the widths established in subsection [A](#) of this section.
 - h. The averaging is accomplished within the project boundaries.

- i. Buffer width averaging shall only be permitted where it is shown that there are no feasible alternatives to the site design that could be accomplished without buffer averaging.
 - 2. The Department may require increased buffer width when a larger buffer is necessary to protect wetland functions and values based on local conditions. This determination shall be reasonably related to protection of the functions and values of the regulated wetland. Such determination shall demonstrate that:
 - a. A larger buffer is necessary to maintain viable populations of existing species; or
 - b. The wetland is used by species listed by the federal government or the state as endangered, threatened, sensitive or as documented priority species or habitats, or essential or outstanding potential sites such as heron rookeries or raptor nesting areas; or
 - c. The adjacent land is susceptible to severe erosion and erosion control measures will not effectively prevent adverse wetland impacts; or
 - d. The adjacent land has minimal vegetative cover or slopes greater than 15 percent.
- C. Buffers shall be measured perpendicular from the wetland edge.
- D. When buffer boundaries have been determined, they shall be marked in the field by a licensed surveyor. The markers shall be clearly visible, durable, and permanently affixed to the ground.
- E. A building setback line of eight feet shall be required from the edge of a buffer.
- F. Except as otherwise specified, buffers shall be retained in a natural condition.
- G. A wetland buffer shall not be required to extend beyond an existing substantial improvement such as an improved road, dike, levee, or other permanent infrastructure of a linear nature, where the existing improvement obviates the beneficial impact that the buffer would provide for the wetland. In these cases, the edge of said linear infrastructure shall be considered the extent of the buffer if the following are true:
 - 1. the portion of the wetland buffer on the other side of the existing substantial improvement can be shown to provide insignificant function compared to the buffer on the wetland side;
 - 2. the existing substantial improvement cannot be feasibly removed, relocated, or restored to provide buffer functions; and
 - 3. The functional analysis in this sub-section is included in the critical areas report prepared by a qualified professional under the requirements of this chapter. [Ord. 630 § 8, 2015; Ord. 362 § 3, 2004.]

14.162.090 Protection standards for allowing regulated activities in wetlands and buffers.

- A. Regulated activities in Category III and IV wetlands and/or buffers for Category III and IV wetlands may be allowed when the applicant demonstrates to the

Department that all adverse impacts to wetlands will be mitigated according to LMC [14.162.100](#).

B. The placement of access roads, utility lines, and utility poles may be allowed in buffers for Category II wetlands if the following conditions are met:

1. There is no feasible alternative location for an access road and/or utilities to the site; and
2. The applicant demonstrates that all adverse impacts to wetlands will be mitigated according to a mitigation plan which complies with LMC [14.162.100](#).

C. The following activities may be allowed in a buffer without a complete mitigation plan if the applicant demonstrates to the Department that all adverse impacts to wetlands will be mitigated according to LMC [14.162.100](#). In cases that require environmental review, a threshold environmental determination may not be made until the Department is satisfied that adequate mitigation will occur. The allowed activities are as follows:

1. One well and necessary appurtenances, including a pump and appropriately sized pump house, but not including a water storage tank (unless the water storage tank can be contained within the pump house), may be allowed on each site in a buffer if all the following conditions are met:
 - a. The pump house is a one-story building with a ground area of less than 220 square feet; and
 - b. The well is more than 75 feet deep; and
 - c. For Category I and II wetlands, the minimum distance from the well and appurtenances to the wetland edge is no less than 50 percent of the buffer widths established in the table in LMC [14.162.080\(A\)](#); and
 - d. Access to the well and pump house shall be by a pervious trail for pedestrian traffic only, or, if necessary, by an unimproved access for a maintenance vehicle.
2. Pervious walkways and trails and associated viewing platforms; provided, that those pathways are limited to minor crossings having no adverse impact on water quality. They should be generally parallel to the perimeter of the wetland, located only in the outer 25 percent of the wetland buffer area and located to avoid removal of significant trees. They should be limited to pervious surfaces no more than five feet in width for pedestrian use only. Raised boardwalks utilizing nontreated pilings may be acceptable. In the case of Category I wetlands the minimum distance from the wetland edge is no less than 50 percent of the buffer width established in the table in LMC [14.162.080\(A\)](#).
3. The placement of utility lines which do not require excavation, or utility poles, in any part of a buffer for a Category II, III, or IV wetland. They may be placed in a buffer for a Category I wetland; provided, that the minimum distance from the wetland edge is no less than 50 percent of the Category I buffer width established in the table in LMC [14.162.080\(A\)](#).
4. Activities within that area of a buffer in which a direct line to the wetland is obstructed by an existing substantial improvement such as an improved road or a permanent structure, the presence of which significantly reduces the likely impact of the proposed activity on the wetland.

A zoning certification, building permit, and/or site development permit shall not be

issued for these regulated activities until the applicant demonstrates to the satisfaction of the Department that all adverse impacts to wetlands will be mitigated according to LMC [14.162.100](#).

D. *Reasonable Use Exception – Category I and II Wetlands.* Regulated activities in Category I and II wetlands and/or buffers for Category I and II wetlands may be allowed only if, following a public hearing, the Hearing Examiner determines that a reasonable use exception is warranted pursuant to LMC [14.142.080](#), and the following criteria are met:

1. No reasonable use with less impact on the wetland is possible; and
2. There is no feasible on-site alternative to the proposed activities, including phasing of project implementation, change in timing of activities, revision of road and lot layout, and/or related site planning and density considerations, that would allow a reasonable economic use with less adverse impacts to wetlands; and
3. The proposed activities will result in minimum feasible alteration or impairment to the wetland's functional characteristics and existing contours, vegetation, fish and wildlife resources, and hydrological conditions; and
4. The disturbance of wetlands has been minimized by locating any necessary activities outside the wetland to the extent possible; and
5. The proposed activities will not jeopardize the continued existence of species listed by the federal government or the state as endangered, threatened, sensitive, or documented priority species or priority habitats; and
6. The proposed activities will not cause significant degradation of ground water or surface water quality; and
7. The proposed activities comply with all state, local and federal laws, including, but not limited to, those related to sediment control, pollution control, floodplain restrictions, and on-site wastewater disposal; and
8. Any and all regulated activities in wetlands and buffers will be mitigated according to LMC [14.162.100](#). The Examiner may require the preparation of a formal mitigation plan; and
9. There will be no damage to nearby public or private property and no threat to the health or safety of people on or off the property; and
10. The inability to derive reasonable economic use of the property is not the result of actions by the applicant in segregating or dividing the property and creating the undevelopable condition after the effective date of this chapter.

E. *Reasonable Use Provision, Categories III and IV Wetlands.* If an applicant for a regulated activity on a Category III or IV wetland and/or associated buffer cannot obtain permission through the procedures described in subsections [A](#) and [C](#) of this section, the activity may be allowed if, following a public hearing, the Hearing Examiner determines the criteria of subsection [D](#) of this section are met. [Ord. 630 § 9, 2015; Ord. 362 § 3, 2004.]

[14.162.100](#) Mitigation.

- A. The mitigation proposed should comply with LMC 14.142.135, as well as the following provisions.
- B. Methods of Compensatory Mitigation. Mitigation for wetland and buffer

impacts shall rely on a method listed below in order of preference. A lower-preference form of mitigation shall be used only if the applicant's qualified wetland professional demonstrates to the Director's satisfaction that all higher-ranked types of mitigation are not viable, consistent with the criteria in this Section.

1. Restoration: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions and environmental processes to a former or degraded wetland. Restoration is divided into two categories:
 - a. Re-establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions and environmental processes to a former wetland. Re-establishment results in rebuilding a former wetland and results in a gain in wetland area and functions. Example activities could include removing fill, plugging ditches, or breaking drain tiles to restore a wetland hydroperiod, which in turn will lead to restoring wetland biotic communities and environmental processes.
 - b. Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions and environmental processes to a degraded wetland. Rehabilitation results in a gain in wetland function but does not result in a gain in wetland area. The area already meets wetland criteria, but hydrological processes have been altered. Rehabilitation involves restoring historic hydrologic processes. Example activities could involve breaching a dike to reconnect wetlands to a floodplain or return tidal influence to a wetland.

2. Establishment (Creation): The manipulation of the physical, chemical, or biological characteristics of a site to develop a wetland on an upland where a wetland did not previously exist at an upland site. Establishment results in a gain in wetland area and functions. An example activity could involve excavation of upland soils to elevations that will produce a wetland hydroperiod and hydric soils by intercepting groundwater, and in turn supports the growth of hydrophytic plant species.
 - a. If a site is not available for wetland restoration to compensate for expected wetland and/or buffer impacts, the Director may authorize establishment of a wetland and buffer upon demonstration by the applicant's qualified wetland professional that:
 - i. The hydrology and soil conditions at the proposed mitigation site are conducive for sustaining the proposed wetland and that establishment of a wetland at the site will not likely cause hydrologic problems elsewhere;
 - ii. Adjacent land uses and site conditions do not jeopardize the viability of the proposed wetland and buffer (e.g., due to the presence of invasive plants or noxious weeds, stormwater runoff, noise, light, or other impacts); and
 - iii. The proposed wetland and buffer will eventually be self-sustaining with little or no long-term maintenance.

- iv. The proposed wetland would not be established at the cost of another high-functioning habitat (i.e., ecologically important uplands).
- 3. Preservation (Protection/Maintenance). The removal of a threat to, or preventing the decline of, wetlands by an action in or near those wetlands. This term includes activities commonly associated with the protection and maintenance of wetlands through the implementation of appropriate legal and physical mechanisms such as recording conservation easements and providing structural protection like fences and signs. Preservation does not result in a gain of aquatic resource area or functions but may result in a gain in functions over the long term. Preservation of a wetland and associated buffer can be used only if:
 - a. The Director determines that the proposed preservation is the best mitigation option;
 - b. The proposed preservation site is under threat of undesirable ecological change due to permitted, planned, or likely actions that will not be adequately mitigated under existing regulations;
 - c. The area proposed for preservation is of high quality or critical for the health and ecological sustainability of the watershed or sub-basin. Some of the following features may be indicative of high-quality sites:
 - i. Category I or II wetland rating.
 - ii. Rare or irreplaceable wetland type [e.g, peatlands, mature forested wetland, estuaries, vernal pools, alkali wetlands] or aquatic habitat that is rare or a limited resource in the area.
 - iii. The presence of habitat for threatened or endangered species (state, federal, or both).
 - iv. Provides biological and/or hydrological connectivity to other habitats.
 - v. Priority sites identified in an adopted watershed plan.
 - c. Permanent preservation of the wetland and buffer shall be provided through a legal mechanism such as a conservation easement or tract held by an appropriate natural land resource manager/land trust.
 - d. The Director may approve another legal and administrative mechanism in lieu of a conservation easement if it is determined to be adequate to protect the site.
- 4. Enhancement. The manipulation of the physical, chemical, or biological characteristics of a wetland to heighten, intensify, or improve specific wetland function(s). Enhancement is undertaken for specified purposes such as water quality improvement, flood water retention, or wildlife habitat. Enhancement results in the gain of selected wetland function(s) but may also lead to a decline in other wetland function(s). Enhancement does not result in a gain in wetland area. Enhancement activities could include planting vegetation, controlling non-native or invasive species, and modifying site elevations to alter hydroperiods in existing wetlands. Applicants proposing to enhance wetlands and/or associated buffers shall demonstrate how the proposed enhancement will increase the wetland and/or buffer functions, how this increase in function will adequately

compensate for the impacts, and how existing wetland functions at the mitigation site will be protected.

5. Alternative Types of Mitigation/Resource Tradeoffs. The Director may approve alternative mitigation proposals that are based on best available science, such as priority restoration plans that achieve restoration goals identified in the SMP. Alternative mitigation proposals shall provide an equivalent or better level of ecological functions and values than would be provided by standard mitigation approaches. Alternative mitigation approaches shall comply with all reporting, monitoring, and performance measures of this Section including adherence to mitigation sequencing. The City may consult with agencies with expertise and jurisdiction over the critical areas during the review to assist with analysis and identification of appropriate performance measures that adequately safeguard critical areas. The Director will consider the following for approval of an alternative mitigation proposal:

- a. Clear identification of how an alternative approach will achieve equal or better ecological benefit.
- b. The proposal uses a watershed approach consistent with Selecting Wetland Mitigation Sites Using a Watershed Approach [Western Washington or Eastern Washington (Ecology Publication #09-06-32 or Publication #10-06-007), or as revised].
- c. All impacts are identified, evaluated, and mitigated.
- d. Methods to demonstrate ecological success are clear and measurable.

C. Location of Compensatory Mitigation. Permittee-responsible compensatory mitigation actions shall be conducted using a watershed approach and shall generally occur within the same sub-drainage basin. However, when the applicant can demonstrate that a mitigation site in a different sub-drainage basin is ecologically preferable, it should be used.

The following criteria will be evaluated when determining whether on-site or offsite compensatory mitigation is ecologically preferable. When considering the location of mitigation, preference should be given to using programmatic approaches, such as a mitigation bank or an ILF program.

1. No reasonable opportunities exist on site or within the sub-drainage basin or opportunities on site or within the sub-drainage basin do not have a high likelihood of success based on a determination of the capability of the site to compensate for the impacts. Considerations should include anticipated replacement ratios for wetland mitigation, buffer conditions and required widths, available water to maintain anticipated hydrogeomorphic class(es) of wetlands when restored, proposed flood storage capacity, and potential to mitigate riparian fish and wildlife impacts (such as connectivity);
2. On-site mitigation would require elimination of high-quality upland habitat;
3. Off-site mitigation has a greater likelihood of providing equal or improved wetland functions compared to the altered wetland.
4. Off-site locations shall be in the same sub-drainage basin unless:

- a. Watershed goals for water quality, flood storage or conveyance, habitat, or other wetland functions have been established by the [City/County] and strongly justify locating mitigation at another site;
 - b. Credits from a state-certified wetland mitigation bank are used as compensation, and the use of credits is consistent with the terms of the certified bank instrument;
 - c. Fees are paid to an approved ILF program to compensate for the impacts.
5. The design for the compensatory mitigation project needs to be appropriate for its position in the landscape. Therefore, compensatory mitigation should not result in the creation, restoration, or enhancement of an atypical wetland.
- D. Timing of Compensatory Mitigation. It is preferred that compensatory mitigation projects be completed prior to activities that will impact wetlands. At the least, compensatory mitigation shall be completed immediately following wetland impacts and prior to use or occupancy of the action or development. Construction of mitigation projects shall be timed to reduce impacts to existing fisheries, wildlife, and flora.
- 1. The Director may authorize a one-time temporary delay in completing construction or installation of the compensatory mitigation when the applicant provides a written explanation from a qualified wetland professional as to the rationale for the delay. An appropriate rationale would include identification of the environmental conditions that could produce a high probability of failure or significant construction difficulties. For example, a project delay that creates conflicts with other regulatory requirements (fisheries, wildlife, stormwater, etc.) or installing plants should be delayed until the dormant season to ensure greater survival of installed materials. The delay shall not create or perpetuate hazardous conditions or environmental damage or degradation, and the delay shall not be injurious to the health, safety, or general welfare of the public. The request for the delay shall include a written justification that documents the environmental constraints that preclude timely implementation of the compensatory mitigation plan. The justification will be verified by the City, who will issue a formal decision.
- E. Monitoring. Mitigation monitoring shall be required for a period necessary to establish that performance standards have been met, but not for a period less than five years. If a scrub-shrub or forested vegetation community is proposed, monitoring may be required for ten years or more. The mitigation plan shall include monitoring elements that ensure success for the wetland and buffer functions. If the mitigation goals are not attained within the initially established monitoring period, the applicant remains responsible for managing the mitigation project until the goals of the mitigation plan are achieved.
- 1.
- F. Compensatory mitigation for alterations to wetlands shall be used only for impacts that cannot be avoided or minimized and shall achieve equivalent or greater biologic functions. Compensatory mitigation plans shall be consistent with Wetland Mitigation in Washington State – Part 2: Developing Mitigation Plans – Version 1 (Ecology Publication No. 06-06-011b, Olympia, WA, March 2006, or as revised), and

Selecting Wetland Mitigation Sites Using a Watershed Approach (Western Washington) (Publication No. 09-06-32, Olympia, WA, December 2009).

2. Mitigation ratios shall be consistent with subsection (B)(3) of this section.

3. *Wetland Mitigation Ratios*[1].

Category and Type	Creation or Reestablishment	Rehabilitation	Preservation	Enhancement
Category I: Mature	6:1	12:1	24:1	16:1
Category I: Base	4:1	8:1	16:1	16:1
Category II	3:1	6:1	12:1	12:1
Category III	2:1	4:1	8:1	8:1
Category IV	1.5:1	3:1	6:1	6:1

3. Ratios for rehabilitation and enhancement may be reduced when combined with 1:1 replacement through creation or reestablishment. See Table 1a, Wetland Mitigation in Washington State – Part 1: Agency Policies and Guidance – Version 1 (Ecology Publication No. 06-06-011a, Olympia, WA, March 2006, or as revised).

4. The detailed mitigation plan shall be signed by the wetland specialist to indicate that the plan is according to specifications determined by the wetland specialist. A signed original mitigation plan shall be submitted to the Department.

5. Approval of the detailed mitigation plan shall be signified by a notarized memorandum of agreement signed by the applicant and Department Director or designate, and recorded with the County Auditor. The agreement shall refer to all requirements for the mitigation project.

6. The mitigation project shall be completed according to a schedule agreed upon between the Department and the applicant.

7. Wetland mitigation shall occur according to the approved wetland mitigation plan, and shall be consistent with provisions of this chapter.

8. On completion of construction for the wetland mitigation project, the wetland specialist shall notify the Department. The Department will inspect and review the construction project prior to acceptance. [Ord. 630 § 10, 2015; Ord. 362 § 3, 2004.]

i.

14.162.120 Alternative review process, Corps of Engineers Section 404 individual permits.

A. The alternative review process outlined below may be used in cases where a Section 404 individual permit is required from the U.S. Army Corps of Engineers. (Refer to [33](#) CFR Sections [320.1](#), [323.2\(g\)](#), and [325.5\(b\)\(1\)](#).)

1. The applicant shall notify the Department when the applicant applies for the Section 404 permit or contacts the Corps concerning a specific project.

2. The applicant shall apprise the Department of the Corps' permitting process, including notifying the Department of all hearings or meetings scheduled to discuss the applicant's project, potential mitigation or approval.

3. The review process of the Corps will substitute for the review process outlined in LMC [14.162.130](#) when the protection of the wetland or wetlands in question is equal to or better than the provisions of this chapter or the City's SMP. When protection through the Corps permitting process is lesser than in this chapter or the SMP, the provisions of the latter shall be used.

4. The City participation in the Corps' review process does not constitute approval of the applicant's project by the City. The substantive provisions of this chapter are still applicable and authorization of regulated activities will be approved or denied by the Department based upon those provisions. However, the Department shall consider the mitigation requirements as set forth by the commenting agencies during the Corps' review process and shall concur with that mitigation, if it is functionally equivalent to or more protective than the requirements of this chapter.

5. The applicant shall submit the information specified in LMC [14.162.070](#) and [14.162.100](#) to the Department when filing for the Corps permit. The Department may also require the submittal of any additional information deemed necessary.

6. *Notice of Application.* A notice of application will be required for any permit applications subject to Chapter [18A.20](#) LMC, Article III. [Ord. 726 § 2(Exh. A), 2019; Ord. 362 § 3, 2004.]

14.162.130 Wetland review procedure, fees, and title notification.

- A. *Procedure.* The provisions of this section regarding wetlands regulation shall be incorporated and integrated into other City permitting requirements including, but not limited to, the review and issuance of zoning certifications, site development permits, clearing and grading permits, building permits, environmental reviews under SEPA, administrative and conditional use permits, shoreline permits and subdivisions.

- B. *Fees.* Each applicable fee shall be payable at the time the applicant submits an application or document to which a fee applies according to the City’s fee schedule.

- C. *Notice on Title.* When the City determines that activities not exempt from this chapter are proposed, the property owner shall file for record with the Pierce County Auditor a notice approved by the Department in a form substantially as set forth below. The notice shall provide notice in the public record of the presence of a wetland or buffer, the application of this chapter to the property, and that limitations on actions in or affecting such wetlands and buffers may exist. The notice shall be notarized and shall be recorded prior to approval of any land use proposal for the site.

Notice on title is not required for utility line easements on lands not owned by the jurisdiction conducting the regulated activity.

Form of notice:

WETLAND AND/OR WETLAND BUFFER NOTICE

Tax Parcel
Number:

Name:

Address:

Legal Description:

NOTICE: This property contains wetlands or wetland buffers as defined by the City Code 14.162. Restrictions on use or alteration of the wetlands or wetland buffers may exist due to natural conditions of the property and resulting regulations.

Signature of owner _____

Date: _____

(NOTARY ACKNOWLEDGMENT)

D. Wetland Tract.

1. Prior to final approval of any development application on a property containing a wetland or wetland buffer, the part of the wetland and/or buffer which is on the site shall be placed in a separate wetland tract or tracts, protective easement, public or private land trust dedication, or similarly preserved through an appropriate permanent protective mechanism as determined by the City. All wetland tracts, protective easements, land trust dedications and other similarly preserved areas shall remain undeveloped in perpetuity, except as they may be allowed to be altered pursuant to this chapter.

2. Prior to final approval of any development application on a property containing a wetland or wetland buffer, the common boundary between a wetland tract, protective easement, land trust dedication, or other similarly preserved area and the adjacent land shall be permanently identified with permanent signs. Sign locations, wording, and size and design specifications shall be as required by the Department.

3. At any time after a wetland tract, protective easement, land trust dedication, or other similarly preserved area has been established, the owner may submit a delineation report to the Department. If the Department determines that a boundary change has occurred, or that a wetland no longer exists, the wetland tract, protective easement, land trust dedication, or other similarly preserved area may be altered or eliminated, as appropriate. If the Department determines that wetland boundaries have changed or that a wetland has been eliminated due wholly or in part to illegal activity, a change or elimination of wetland tract, protective easement, land trust dedication, or other similarly preserved area shall not be permitted.

4. A wetland tract, protective easement, land trust dedication, or other similarly preserved area is not required for utility lines in easements on lands not owned by the jurisdiction conducting the regulated activity.

E. Review and Approval. Provisions for the protection of wetlands in conjunction with regulated activities shall be reviewed and approved by the Department. Approval shall be granted upon a determination that the wetland analysis report and mitigation plan meet all applicable requirements of this chapter, and that the monitoring program and contingency plan are tied to an acceptable financial guarantee to assure that the requirements will be complied with.

F. Expiration. Approvals shall be valid for a period of three years from the date of issue unless a longer or shorter period is specified by the Department. An extension of

an original approval may be granted upon submittal of a written request to the Department prior to expiration. Prior to the granting of an extension, the Department may require updated studies if, in its judgment, the original intent of the approval is altered or enlarged by the renewal, if the circumstances relevant to the review and issuance of the original permit have changed substantially, or if the applicant failed to abide by the terms of the original approval. [Ord. 362 § 3, 2004.]

Chapter 14.165
DEFINITIONS

Sections:
14.165.010

Definitions.

14.165.10 Definitions.

For the purpose of this title, in addition to the definitions in LMC [18A.10.180](#), the following definitions shall apply:

“Abutting” means bordering upon, to touch upon, in physical contact with. Sites are considered abutting even though the area of contact may be only a point.

“Activity” means any use conducted on a site.

“Agricultural activities” means the production of crops and/or raising or keeping livestock, including operation and maintenance of farm and stock ponds, drainage ditches, irrigation systems, and normal operation, maintenance and repair of existing serviceable agricultural structures, facilities or improved areas, and the practice of aquaculture. Forest practices regulated under Chapter [76.09](#) RCW, Title [222](#) WAC are not included in this definition.

“Alluvial geologic unit” means geologically recent stream, lake, swamp and beach deposits of gravel, sand, silt and peat.

“Animal containment area” means a site where two or more animal units of large animals per acre or three- quarters of an animal unit of small animals per acre are kept, and where a high volume of waste material is deposited in quantities capable of impacting ground water resources.

“Animal unit” means the equivalent of 1,000 pounds of animal.

“Applicant” means a person, party, firm, corporation, or other legal entity that proposes a development on a site.

“Aquifer” means a saturated geologic formation which will yield a sufficient quantity of water to serve as a private or public water supply.

“Aquifer recharge area” means areas where the prevailing geologic conditions allow infiltration rates which create a high potential for contamination of ground water resources or contribute significantly to the replenishment of ground water with potential to be used for potable water. For the purposes of this title, all of the area located within the Clover/Chambers Creek Basin boundary or the two highest DRASTIC zone boundaries is included in the aquifer recharge area.

“Aquifer susceptibility” means the ease with which contaminants can move from the land surface to the aquifer based solely on the types of surface and subsurface materials in the area. Susceptibility usually defines the rate at which a contaminant will reach an aquifer unimpeded by chemical interactions with the vadose zone media.

“Base flood” means the flood having a one percent chance of being equaled or

exceeded in any given year, also referred to as the “100-year flood.” The area subject to the base flood is the special flood hazard area designated on flood insurance rate maps as Zones “A” or “V.”

“Base flood elevation” means the elevation of the base flood above the datum of the effective firm. “Basement” means any area of structure having its floor sub-grade (below ground level) on all sides.

“Best management plan” means a plan developed for a property which specifies best management practices for the control of animal wastes, storm water runoff, and erosion.

“Biologist” means a qualified professional for critical area reports who has earned at least a bachelor of science degree in biological sciences from an accredited college or university, and has at least four years of professional experience as a biologist.

“Buffer” means an area contiguous with a critical area that is required for the integrity, maintenance, function, and structural stability of the critical area.

“Building footprint” means the horizontal area measured within the outside of the exterior walls of the ground floor of all principal and accessory buildings on a lot.

“Channel migration area” means that area within the lateral extent of likely stream channel movement due to stream bank destabilization and erosion, rapid stream incision, aggradation, avulsions, and shifts in location of stream channels plus 50 feet.

“Class” means one of the wetland classes used to categorize wetlands by their attributes and characteristics. Wetlands shall be rated using the latest adopted version of the Washington State Wetland Rating System for Western Washington published by the Washington State Department of Ecology.

“Class I injection well” means a well used to inject industrial, commercial, or municipal waste fluids beneath the lowermost formation containing, within one-quarter mile of the well bore, an underground source of drinking water.

“Class II injection well” means a well used to inject fluids: brought to the surface in connection with conventional oil or natural gas exploration or production and may be commingled with wastewaters from gas plants that are an integral part of production operations, unless those waters are classified as dangerous wastes at the time of injection; for enhanced recovery of oil or natural gas; or for storage of hydrocarbons that are liquid at standard temperature and pressure.

“Class III injection well” means a well used for extraction of minerals, including but not limited to the injection of fluids for: in-situ production of uranium or

other metals that have not been conventionally mined; mining of sulfur by Frasch process; or solution mining of salts or potash.

“Class IV injection well” means a well used to inject dangerous or radioactive waste fluids.

“Class V injection wells” means all injection wells not included in Class I, II, III, or IV.

“Classification” means defining value and hazard categories to which critical areas and natural resource lands will be assigned.

“Clearing” means the cutting, moving on site, or removal of standing or fallen timber; the removal or moving on site of stumps; or the cutting or removal of brush, grass, ground cover, or other vegetative matter from a site in a way which exposes the earth’s surface of the site. In addition to the above, clearing is an activity which does not require reforestation per an approved forest practices application/notification issued by the Department of Natural Resources.

“Cliff” means a steep vertical or overhanging face of rock or earth greater than 25 feet in height.

“Compensatory mitigation” means mitigation to compensate for loss of wetland habitat due to filling of wetlands or other regulated activities in wetlands.

“Confined aquifer” means an aquifer bounded above and below by beds of distinctly lower permeability than that of the aquifer itself and that contains ground water under sufficient pressure for the water to rise above the top of the aquifer.

“Confining formation” means the relatively impermeable formation immediately overlying an artesian aquifer.

“Contaminant” means any chemical, physical, biological, or radiological substance that does not occur naturally or occurs at concentrations and duration as to be injurious to human health or welfare or shown to be ecologically damaging.

“Critical aquifer recharge area” means areas that are determined to have a critical recharging effect on aquifers used as a source for potable water, and are vulnerable to contamination from recharge.

“Critical areas” means wetlands, frequently flooded areas, fish and wildlife habitat conservation areas, aquifer recharge areas, and geologically hazardous areas as defined in this chapter.

“Critical facilities” means those facilities occupied by populations or which handle dangerous substances including but not limited to hospitals, medical facilities; structures housing, supporting or containing toxic or explosive substances; covered public assembly structures; school buildings through secondary including day-care centers; buildings for colleges or adult education; jails and detention facilities; and all structures with occupancy of greater than 5,000 people.

“Degraded” means to have suffered a decrease in naturally occurring functions and values due to activities undertaken or managed by persons, on or off a site.

“Delineation” means identification of wetlands and their boundaries done in accordance with the approved federal wetland delineation manual and applicable regional supplements.

“Delineation report” means a written document prepared by a wetland specialist which includes data sheets, findings of the delineation and a site plan which identifies the wetland boundaries.

“Department” means the City of Lakewood Planning and Public Works Department.

“Designation” means taking formal legislative and/or administrative action to adopt classifications, inventories, and regulations.

“Developed lot” means any lot developed with a primary use and structure(s), not generally subject to further development with additional units or other primary uses.

“Development” means any human-induced change to improved or unimproved real property including, but not limited to, the construction of buildings or other structures, placement of manufactured home/mobile, mining, dredging, clearing, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, subdivision of property, removal of substantial amounts of vegetation, or alteration of natural site characteristics.

“Director” means the Director of the Planning and Public Works Department or his/her designee.

“DRASTIC” means a model developed by the National Water Well Association and Environmental Protection Agency used to measure aquifer susceptibility.

“Dry certificate” means any combination of structural and nonstructural measures that prevent flood waters from entering a structure.

“Earth/earth material” means naturally occurring rock, soil, stone, sediment, or combination thereof. “Ecotone” means a transition area between two adjacent vegetation communities.

“Elevation certificate” means the official form (FEMA form 81-31) used to provide elevation information necessary to ensure compliance with provisions of this title and determine the proper flood insurance premium rate.

“Enhancement” means actions performed to improve the condition of existing degraded wetlands and/or buffers so that the quality of wetland functions increases (e.g., increasing plant diversity, increasing wildlife habitat, installing environmentally compatible erosion controls, removing nonindigenous plant or animal species, removing fill material or solid waste).

“Erosion” means the wearing away of the earth’s surface as a result of the movement of wind, water, or ice.

“Erosion hazard areas” means those areas that because of natural characteristics, including vegetative cover, soil texture, slope, gradient, and rainfall patterns, or human-induced changes to such characteristics, are vulnerable to erosion.

“Excavation” means the mechanical removal of earth material.

“Existing” means those uses legally established prior to incorporation whether conforming or nonconforming. “Extirpation” means the elimination of a species from a portion of its original geographic range.

“Feasible” means, for the purpose of this chapter, that an action, such as a development project, mitigation, or preservation requirement, meets all of the following conditions: (1) the action can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results; (2) the action provides a reasonable likelihood of achieving its intended purpose; and (3) the action does not physically preclude achieving the project’s primary intended legal use. In cases where this chapter requires certain actions, unless they are infeasible, the burden of proving infeasibility is on the applicant. In determining an action’s infeasibility, the Director may weigh the action’s relative public costs and public benefits, considered in the short- and long-term time frames.

“Fill/fill material” means a deposit of earth material, placed by human or mechanical means.

“Filling” means the act of placing fill material on any surface, including temporary stockpiling of fill material. “Fish and wildlife habitat areas” means those areas identified as being of critical importance to maintenance of fish, wildlife, and plant species, including: areas with which endangered, threatened, and sensitive species have a primary association; habitats and species of local importance; naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat; waters of the state; lakes, ponds, streams, and rivers planted with game fish by a

governmental or tribal entity, or private organization; state natural area preserves and natural resource conservation areas.

“Fisheries biologist” means a professional with a degree in fisheries, or certification by the American Fisheries Society, or with five years’ professional experience as a fisheries biologist.

“Flood insurance rate map (FIRM)” means the official map on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

“Flood or flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters; and/or
2. The unusual and rapid accumulation of runoff of surface waters from any source.

“Flood protection elevation” (FPE) means the elevation above the datum of the effective FIRM to which the new and substantially improved structures must be protected from flood damage.

“Floodfringe” means the area subject to inundation by the base flood, but outside the limits of the floodway, and which may provide needed temporary storage capacity for flood waters.

“Floodplain” means the total area subject to inundation by the base flood, including the floodfringe and the floodway areas.

“Floodway” means the channel of a river, or other watercourse, and the land areas that must be reserved in order to convey and discharge the base flood without cumulatively increasing the water surface elevation by more than one foot, and those areas designated as deep and/or fast-flowing water.

“Frequently flooded areas” are lands in the floodplain subject to at least a one percent or greater chance of flooding in any given year, or within areas subject to flooding due to high groundwater. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and areas where high groundwater forms ponds on the ground surface.

“Geological assessment” means an assessment prepared by a professional engineer licensed by the state of Washington with expertise in geotechnical engineering or prepared by a professional geologist, hydrologist, or soils scientist, who has earned the related bachelor’s degree from an accredited college or university, or equivalent educational training, and has a minimum of five years’ experience assessing the relevant geologic hazard. A geological assessment must detail the surface and subsurface conditions of a site and delineate the areas of a property that might be subject to specified geologic

hazards.

“Geologically hazardous areas” means areas that, because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

“Geotechnical report” means a report prepared by a professional engineer licensed by the state of Washington with expertise in geotechnical engineering, evaluating the site conditions and mitigating measures necessary to reduce the risks associated with development in geologically hazardous areas.

“Grading” means any excavating, filling, clearing, creating (or combination thereof) of impervious surfaces.

“Ground amplification” means an increase in the intensity of earthquake induced ground shaking which occurs at a site whereby thick deposits of unconsolidated soil or surficial geologic materials are present.

“Ground water” means all water found beneath the ground surface, including slowly-moving subsurface water present in aquifers and recharge areas.

“Ground water management area” means a specific geographic area or subarea designated pursuant to Chapter [173-100](#) WAC for which a ground water management program is required.

“Ground water management program” means a comprehensive program designed to protect ground water quality, to assure ground water quantity, and to provide for efficient management of water resources while recognizing existing ground water rights and meeting future needs consistent with local and state objectives, policies and authorities within a designated ground water management area or subarea and developed pursuant to Chapter [173-100](#) WAC.

“Habitat assessment” means a report prepared by a professional wildlife biologist or fisheries biologist, which identifies the presence of fish and wildlife habitat conservation areas in the vicinity of the proposed development site.

“Habitat management plan” means a report prepared by a professional wildlife biologist or fisheries biologist, which discusses and evaluates the measures necessary to maintain fish and wildlife habitat conservation areas on a proposed development site.

“Habitat of local importance” means an area, range or habitat within which a species has a primary association and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term. Examples include areas of high relative density or species richness, breeding

habitat, winter range, and movement corridors. These areas may also include habitats that are of limited availability or high vulnerability to alteration.

The Lakewood City Council may designate specific habitats of local importance by ordinance or resolution.

“Hazardous substance(s)” means any liquid, solid, gas, or sludge, including any materials, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical or biological properties described in WAC [173-303-090](#) or [173-303-100](#).

“Hazardous substance processing or handling” means the use, storage, manufacture, or other land use activity involving hazardous substances, but does not include individually packaged household consumer products or quantities of hazardous substances of less than five gallons in volume per container. Hazardous substances shall not be disposed on site unless in compliance with Dangerous Waste Regulations, Chapter [173-303](#) WAC, and any pertinent local ordinances, such as sewer discharge standards.

“Hazardous waste” means and includes all dangerous waste and extremely hazardous waste as designated pursuant to Chapter [70.300](#) RCW and Chapter [173-303](#) WAC.

1. “Dangerous waste” means any discarded, useless, unwanted, or abandoned substances including, but not limited to, certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:
 - a. Have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or
 - b. Are corrosive, explosive, flammable, or may generate pressure through decomposition or other means.
2. “Extremely hazardous waste” means any waste which:
 - a. Will persist in a hazardous form for several years or more at a disposal site and which in its persistent form presents a significant environmental hazard and may be concentrated by living organisms through a food chain or may affect the genetic make-up of humans or wildlife; and
 - b. Is disposed of at a disposal site in such quantities as would present an extreme hazard to humans or the environment.

“Hazardous waste treatment and storage facility” means a facility that treats and stores hazardous waste and is authorized pursuant to Chapter [70.300](#) RCW and Chapter [173-303](#) WAC. It includes all contiguous land and structures used for recycling, reusing, reclaiming, transferring, storing, treating, or disposing of hazardous waste. Treatment includes using physical, chemical, or biological processing of hazardous wastes to make such waste nondangerous or less

dangerous and safer for transport, amenable for energy or material resource recovery.

Storage includes the holding of waste for a temporary period but not the accumulation of waste on the site of generation as long as the storage complies with applicable requirements of Chapter [173-303](#) WAC.

“Historic structure” means a structure that:

1. Is listed on the National Register of Historic Places, the Washington Heritage Register, or the Washington Heritage Barn Register; or
2. Has been certified to contribute to the historical significance of a registered historic district.

“Hydrogeologic assessment” means a report detailing the subsurface conditions of a site and which indicates the susceptibility and potential for contamination of ground water supplies.

“Hydrologic soil groups” means soils grouped according to their runoff-producing characteristics under similar storm and cover conditions. Properties that influence runoff potential are depth to seasonally high water table, intake rate and permeability after prolonged wetting, and depth to a low permeable layer. Hydrologic soil groups are normally used in equations that estimate runoff from rainfall, but can be used to estimate a rate of water transmission in soil. There are four hydrologic soil groups: A, with low runoff potential and a high rate of water transmission; B with moderate infiltration potential and rate of water transmission; C, with a slow infiltration potential and rate of water transmission; and D, with a high runoff potential and very slow infiltration and water transmission rates.

“Hydrologically isolated wetland” means a wetland which:

1. Is not contiguous to any 100-year floodplain of a lake, river or stream; and
2. Has no contiguous surface hydrology, hydric soil or hydrophytic vegetation between the wetland and any other wetland or stream system.

“Hyporheic zone” means a saturated layer of rock or sediment beneath and/or adjacent to a stream channel that contains some proportion of channel water or that has been altered by channel water infiltration.

“Impervious surface” means natural or human-produced material on the ground that does not allow surface water to penetrate into the soil. Impervious surfaces may consist of buildings, parking areas, driveways, roads, sidewalks, and any other areas of concrete, asphalt, plastic, etc.

“Infiltration” means the downward entry of water into the immediate surface of soil.

“In-kind mitigation” means to replace wetlands with substitute wetlands whose

characteristics and functions and values are intended to replicate those destroyed or degraded by a regulated activity.

“Lakes” means impoundments of open water 20 acres or larger in size.

“Landfill” means a disposal facility or part of a facility at which solid waste is permanently placed in or on land and which is not a landspreading disposal facility.

“Landslide” means the abrupt downslope movement of soil, rocks, or other surface matter on a site. Landslides may include, but are not limited to, slumps, mudflows, earthflows, rockfalls, and snow avalanches.

“Landslide hazard areas” means areas which are potentially subject to risk of mass movement due to a combination of geologic, topographic, and hydrologic factors.

“Large animal” means an animal with an average weight of 100 pounds or more.

“Liquefaction” means a process by which a water-saturated granular (sandy) soil layer loses strength because of ground shaking commonly caused by an earthquake.

“Long-term commercial significance” means the growing capacity, productivity, and soil composition of land which makes it suitable for long-term commercial production, in consideration with the land’s proximity to population areas, and the possibility of more intense uses of land.

“Mineral resource lands” means lands primarily devoted to the extraction of minerals or which have known or potential long-term commercial significance for the extraction of minerals.

“Minerals” means gravel, sand, and valuable metallic substances.

“Mitigation” means to avoid, minimize or compensate for adverse environmental impacts. “Mitigation” includes:

1. Avoiding the impact altogether by not taking a certain action or parts of an action;
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and/or
6. Monitoring the impact and taking appropriate corrective measures.

“Natural floodplain functions” means the contribution that a floodplain makes to support habitat, including but not limited to providing flood storage and conveyance, reducing flood velocities, reducing sedimentation, filtering nutrients and impurities from runoff, processing organic wastes, moderating temperature fluctuations and providing breeding and feeding grounds for aquatic and riparian species.

“Natural resource lands” means mineral resource lands which have long-term commercial significance.

“New construction” for flood hazard purposes refers to structures for which the “start of construction” commenced on or after the effective date of the ordinance codified in this title.

“Nonconforming lot” means a legally established lot, the area, dimensions, or location of which met the applicable requirements in effect at the time the lot was created, but which fails by reason of such adoption, amendment, or revision of the Lakewood Municipal Code to conform to the present requirements of the zone in which it is located.

“Nonconforming structure” means a legally established structure or building, the size, dimensions, or setbacks of which met the applicable requirements in effect at the time the building was constructed, but which fails by reason of adoption, amendment, or revision of the Lakewood Municipal Code to conform to the present requirements of the zone in which it is located.

“Nonconforming use” means a legally established use that met the applicable requirements at the time it was established but that fails by reason of adoption, amendment, or revision of the Lakewood Municipal Code to conform to the present requirements of the zone in which it is located.

“Old growth forests” means stands of at least two tree species, forming a multi-layered canopy with occasional small openings; with at least 20 trees/hectare (eight trees/acre) more than 81 centimeters (32 inches) dbh or more than 200 years of age; and more than 10 snags/hectare (four snags/acre) over 51 centimeters (20 inches) diameter and 4.6 meters (15 feet) tall; with numerous downed logs, including 10 logs/hectare (four logs/acre) more than 61 centimeters (24 inches) diameter and more than 15 meters (50 feet) long. High elevation stands (more than 762 meters (2,500 feet)) may have lesser dbh (more than 76 centimeters (30 inches)), fewer snags (more than 0.6/ hectare (1.5/acre)), and fewer large downed logs (0.8 logs/hectare (two logs/acre)) that are more than 61 centimeters (24 inches) diameter and more than 15 meters (50 feet) long.

“Ordinary high water” means that mark on all lakes, streams, ponds, and tidal

water that will be found by examining the bed and banks and ascertaining where the presence and action of water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on the effective date of this chapter or as it may naturally change thereafter; provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining fresh water shall be the mean high water.

“Oregon white oak” means the species *Quercus garryana*, also known as a Garry oak. All references to oak trees in this chapter refer to Oregon white oak. See also “priority Oregon white oak woodland.”

“Out-of-kind mitigation” means to replace wetlands with substitute wetlands whose characteristics do not approximate those destroyed or degraded by a regulated activity.

“Perched ground water” means ground water in a saturated zone is separated from the main body of ground water by unsaturated rock.

“Permanent erosion control” means continuous on-site and off-site control measures that are needed to control conveyance and/or deposition of earth, turbidity or pollutants after development, construction, or restoration.

“Permeability” means the capacity of an aquifer or confining bed to transmit water. It is a property of the aquifer and is independent of the force causing movement.

“Permeable surfaces” mean sand, gravel, and other penetrable deposits on the ground which permit movement of ground water through the pore spaces, and which permit the movement of fluid to the ground water.

“Person” means an individual, firm, company, partnership, association, corporation, or other legal entity.

“Ponds” means naturally occurring impoundments of open water less than 20 acres in size and larger than 2,500 square feet which maintain standing water throughout the year.

“Potable water” means water that is safe and palatable for human use.

“Prairies” means open areas predominated by native, drought-resistant, grasses, forbs (flowering nonwoody plants) and herbs. In Pierce County, prairies are an unusual vegetation regime found in areas of extremely well-drained soils.

“Priority Oregon white oak woodland” means forested areas of pure oak, or of oak/conifer associations one acre or larger, and all oak trees located within,

where oak canopy coverage of the area is at least 25 percent. Stands of oaks less than one acre in size may also be considered priority habitat when found to be particularly valuable to fish and wildlife (i.e., they contain many cavities, have a large diameter at breast height (dbh), are used by priority species, or have a large canopy).

“Private organization” means a nonprofit corporation organized pursuant to Chapter [24.03](#) RCW, which includes the planting of game fish among its purposes for organizing as a nonprofit corporation.

“Protected area” means the lands that lie within the boundaries of the floodway, the riparian habitat zone and the channel migration area. Because of the impact that development can have on flood heights and velocities and habitat, special rules apply in the protected area.

“Public services” include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

“Qualified ground water scientist” means a hydrogeologist, geologist, engineer, or other scientist who meets all the following criteria:

1. Has received a baccalaureate or post-graduate degree in the natural sciences or engineering; and
2. Has sufficient training and experience in ground water hydrology and related fields as may be demonstrated by state registration, professional certifications, or completion of accredited university programs that enable that individual to make sound professional judgments regarding ground water vulnerability.

“Qualified professional” means a person who is a qualified scientific expert with expertise appropriate to the relevant critical areas as determined by the person’s credentials and/or certification, any advanced degrees earned in the pertinent scientific discipline from a recognized university, the number of years of experience in the pertinent scientific discipline, recognized leadership in the discipline of interest, formal training in the specific area of expertise, and field and/or laboratory experience with evidence of the ability to produce peer-reviewed publications or other professional literature. No one factor is determinative in deciding whether a particular person is a qualified professional.

“Reasonable use” means a legal concept articulated by federal and state courts in regulatory taking cases. In a takings case, the decision-maker must balance the public’s interests against the owner’s interests by considering the nature of the harm the regulation is intended to prevent, the availability and effectiveness of alternative measures, and the economic loss borne by the owner. Public interest factors include the seriousness of the public problem, the extent to which the land involved contributes to the problem, the degree to which the regulation solves the problem, and the feasibility of less oppressive solutions.

“Reasonable use exception” means a process by which the City will consider an applicant’s request for relief from critical area regulations if the applicant demonstrates that strict application of critical area regulations would deny all reasonable use of a property.

“Recessional outwash geologic unit” means sand and gravel materials deposited by melt-water streams from receding glaciers.

“Recharge” means the process involved in the absorption and addition of water to ground water.

“Regolith” means any body of loose, noncemented particles overlying and usually covering the bedrock.

“Regulated activities” include, but are not limited to, any activities which are directly undertaken or originate in a regulated critical area or resource land or their buffer that require any of the following entitlements from the City: building permit, commercial or residential; binding site plan; boundary line adjustment; conditional use permit; franchise right-of-way construction permit; site development permit; master plan development; right-of-way permit; shoreline conditional use permit; shoreline environmental redesignation; shoreline substantial development permit; shoreline variance; large lot subdivision, short subdivision; special use permit; subdivision; unclassified use permit; utility and other use permit; variance; zone reclassification; or any subsequently adopted permit or required approval not expressly exempted by this chapter. Regulated activities also include those specific activities listed in LMC [14.142.060](#).

“Regulatory floodplain” means the area of the special flood hazard area and all protected areas within the jurisdiction of the City of Lakewood.

“Restoration” means the reestablishment of ecological and/or habitat resources and features from a previously disturbed or degraded critical area site.

“Riparian” means of, adjacent to, or living on, the bank of a river, lake, pond, ocean, sound, or other water body.

“Seismic hazard areas” means areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement, or soil liquefaction.

“Short subdivision” or “short plat” means the division or redivision of land into four or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership.

“Site” means a lot, parcel, tract, or combination of lots, parcels, or tracts where a development is proposed.

“Slope” means an inclined earth surface, the inclination of which is expressed as the ratio of horizontal distance to vertical distance.

“Slump” means the downward and outward movement of a mass of bedrock or regolith along a distinct surface of failure.

“Snag-rich areas” means forested areas which contain concentrations of standing dead trees, averaging 10 snags or greater per acre, and averaging greater than 15 inches in diameter at breast height.

“Soil survey” means the most recent National Cooperative Soil Survey for the local area or county by the Soil Conservation Service, United States Department of Agriculture.

“Sole source aquifer” means an area designated by the U.S. Environmental Protection Agency under the Safe Drinking Water Act of 1974, Section 1424(e). The aquifer(s) must supply 50 percent or more of the drinking water for an area without a sufficient replacement available.

“Special flood hazard area (SFHA)” means the land subject to inundation by the base flood. Special flood hazard areas are designated on flood insurance rate maps with the letters “A” or “V,” including AE, AO, AH, A1-99, and VE. The special flood hazard area is also referred to as the area of special flood hazard or SFHA.

“Species of local importance” means species that are of local concern due to their population status or their sensitivity to habitat manipulation.

“Start of construction” for flood hazard purposes includes substantial improvements, and means the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement that occurred before the permit’s expiration date. The “actual start” is either the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the excavation for a basement, footing, piers, or foundations or the erection of temporary forms; nor does it include the installation on property of accessory structures not occupied as dwelling units or not part of the main structure. For a substantial improvement, the “actual start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

“Stockpiling” means the placement of material with the intent to remove it at a later time.

“Subdivision” or “formal subdivision” means the division or redivision of land into five or more lots, tracts, parcels, sites, or division for the purpose of sale, lease, or transfer of ownership.

“Substantial damage” for flood hazard purposes means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial damage also means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

“Substrate” means the soil, sediment, decomposing organic matter or combination of those located on the bottom surface of a wetland.

“Temporary erosion control” means on-site and off-site control measures that are needed to control conveyance or deposition of earth, turbidity or pollutants during development, construction, or restoration.

“Toe of slope” means a distinct topographic break in slope at the lowermost limit of the landslide or erosion hazard area.

“TPCHD” means the Tacoma-Pierce County Health Department.

“Unconfined aquifer” means an aquifer not bounded above by a bed of distinctly lower permeability than that of the aquifer itself and containing ground water under pressure approximately equal to that of the atmosphere. This term is synonymous with the term “water table aquifer.”

“Underground tank” means any one or a combination of tanks (including underground pipes connected thereto) which are used to contain or dispense an accumulation of hazardous substances or hazardous wastes, and the volume of which (including the volume of underground pipes connected thereto) is 10 percent or more beneath the surface of the ground.

“Urban governmental services” include those governmental services historically and typically delivered by cities, and includes storm and sanitary sewer systems, domestic water systems, street cleaning services, and other public utilities associated with urban areas and normally not associated with nonurban areas.

“Urban growth” refers to growth that makes intensive use of the land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of such land for the production of food, other agricultural products, or fiber, or the extraction of mineral

resources. When allowed to spread over wide areas, urban growth typically requires urban governmental services. “Characterized by urban growth” refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

“Utility line” means pipe, conduit, cable or other similar facility by which services are conveyed to the public or individual recipients. Such services shall include, but are not limited to, water supply, electric power, gas, communications and sanitary sewers.

“Vadose zone” is the distance between the land surface and the uppermost aquifer. This distance is also defined as the “depth to water” zone or unsaturated zone.

“View corridor” means an area which affords views of lakes, mountains, or other scenic amenities normally enjoyed by residential property owners.

“Water table” means that surface in an unconfined aquifer at which the pressure is atmospheric. It is defined by the levels at which water stands in wells that penetrate the aquifer just far enough to hold standing water.

“Water typing” means a system for classifying water bodies according to their size and fish habitat characteristics. The Washington Department of Natural Resources Forest Practices Water Typing classification system defines four water types:

1. Type “S” = Shoreline: streams that are designated “shorelines of the state,” including marine shorelines.
2. Type “F” = Fish: streams that are known to be used by fish or meet the physical criteria to be potentially used by fish.
3. Type “Np” = Nonfish Perennial streams.
4. Type “Ns” = Nonfish Seasonal streams.

“Waters of the State” means lakes, rivers, ponds, streams, inland waters, underground waters, salt waters and all other surface waters and watercourses within the jurisdiction of the state of Washington.

“Well” means a bored, drilled or driven shaft, or a dug hole whose depth is greater than the largest surface dimension.

“Wellhead protection area” means the surface and subsurface area surrounding a well or well field that supplies a public water system through which contaminants are likely to pass and eventually reach the water well(s) as designated under the Federal Clean Water Act.

“Wetland” or “wetlands” means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of

vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands generally do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities. However, wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands, if permitted by the City.

“Wetland specialist” means a person with experience and training in wetlands issues, and with experience in performing delineations, analyzing wetland functions and values, analyzing wetland impacts, and recommending wetland mitigation and restoration. Qualifications include:

1. Bachelor of Science or Bachelor of Arts or equivalent degree in biology, botany, environmental studies, fisheries, soil science, wildlife, agriculture or related field, and two years of related work experience, including a minimum of one year of experience delineating wetlands using the Unified Federal Manual and preparing wetland reports and mitigation plans. Additional education may substitute for one year of related work experience; or

2. Four years of related work experience and training, with a minimum of two years’ experience delineating wetlands using the Unified Federal Manual and preparing wetland reports and mitigation plans.

The person should be familiar with the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, the City Site Development Regulations, the City wetland management policies, and the requirements of this title.

“Wildlife biologist” means a professional with a degree in wildlife, or certification by the Wildlife Society, or with five years’ professional experience as a wildlife biologist. [Ord. 775 § 1 (Exh. A), 2022; Ord. 758 § 2 (Exh. A), 2021; Ord. 726 § 2 (Exh. A), 2019; Ord. 630 § 11, 2015; Ord. 362 § 3, 2004.]

ATTACHMENT B

PLANNING COMMISSION RESOLUTION 2024-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKEWOOD, WASHINGTON, FORMALIZING ITS RECOMMENDATIONS REGARDING LOCALLY-INITIATED UPDATES TO THE SHORELINE MASTER PROGRAM AND FORWARDING ITS RECOMMENDATIONS TO THE LAKEWOOD CITY COUNCIL FOR CONSIDERATION AND ACTION.

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

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

WHEREAS, the City Council adopted Title 18A, Land Use and Development Code, of the Lakewood Municipal Code (LMC) on August 20, 1002 via Ordinance No. 264; and

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

WHEREAS, per RCW 36.70A.130 (4) and (5), the City of Lakewood reviewed and revised its Comprehensive Land Use Plan and Development Regulations to ensure the Plan and regulations comply with the Growth Management Act (GMA) via Ordinances 812 and 813; and

WHEREAS, the 2019 Shoreline Master Program (SMP) was incorporated into the Lakewood Municipal Code (LMC) as Title 16 through Ordinance 813; and

WHEREAS, in order to reconcile the updated regulations included in LMC Title 14 via Ordinance 813 with the Lakewood SMP, Lakewood is conducting a locally-initiated amendment process to the SMP; and

WHEREAS, WAC 173-26-104 authorizes the optional joint City-Department of Ecology (ECY) review process that Lakewood is using for the 2024 SMP locally-initiated amendments; and

WHEREAS, notice of the proposed 2024 SMP locally-initiated updates was provided to state agencies on August 28, 2024 per City of Lakewood NOIA 2024-S-7451 and state agencies have been afforded the opportunity to comment per RCW 36.70A.106 (1); and

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

WHEREAS, the City of Lakewood and Department of Ecology held a joint public comment period from September 18 through October 17, 2024; and

WHEREAS, the City of Lakewood and Department of Ecology held a joint open record public hearing on October 2, 2024; and

WHEREAS, consistent with criteria found in WAC 173-26-201(1)(c), the Planning Commission finds that the proposed locally-initiated amendments to the Lakewood Shoreline Master Program:

- i. Will not foster uncoordinated and piecemeal development of the state's shorelines.
- ii. Are consistent with all applicable policies and standards of the Shoreline Management Act.
- iii. Meet all procedural rule requirements for public notice and consultation.
- iv. Satisfy master program guidelines analytical requirements and substantive standards, including that the amendment will not result in a net loss of shoreline ecological functions; and

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

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

Section 1. Amendments to the City's land use and development regulations as follows:

LMC 16.10.030

Chapter 3 General Shoreline Provisions

- A. Introduction
- B. Policies and Regulations
 1. Universally Applicable Policies and Regulations
 2. Archaeological and Historic Resources
- 3. Critical Areas**

Critical areas in shoreline jurisdiction are regulated by this SMP. As such, the Critical Areas and Natural Resource Lands Regulations, Ordinance No. 630-§10, December 7, 2015, and Ordinance No. 362-3(part), November 15, 2004, codified under Chapter 14 of the LMC, Ordinance No. 813, 2024, codified under Chapter 14 of the LMC is herein incorporated by reference into this SMP (see Appendix A) with the exceptions and modifications noted below.

- a) Applicability

Exceptions to the applicability of the Critical Areas and Natural Resource Lands Regulations in shoreline jurisdiction are provided below.

1) If provisions of the Critical Areas and Natural Resource Lands Regulations and other parts of the SMP conflict, the requirement that most supports the provisions of the SMA as stated in RCW 90.58.020 shall apply, as determined by the Shoreline Administrator.

2) The setbacks and buffer provisions for SMA water bodies contained in Chapter 4, Section C shall apply.

3) Provisions of the Critical Areas and Natural Resource Lands Regulations that are inconsistent with the SMA and SMP Guidelines shall not apply or are specifically modified in shoreline jurisdiction, as follows:

a. The provisions do not extend shoreline jurisdiction beyond the limits specified in Chapter 2, Section C of this SMP.

b. Provisions relating to exemptions in LMC Section 14.142.070 and allowable activities such as those outlined in LMC Sections 14.154.090 and 14.162.090 do not relieve the applicant from obtaining a substantial development permit or other permit or approval required under this SMP, or meeting the specific requirements identified in other sections of the SMP, including, but not limited to, mitigation sequencing and the no net loss requirement even when after-the-fact review and permitting is required for emergency actions. Where utility line trenching is proposed, it shall not be allowed in Category I or II wetlands, and is discouraged in Category III and IV wetlands.

c. Provisions that include a "reasonable use determination" shall not apply within shoreline jurisdiction. Specifically, LMC Sections 14.142.080 and 14.142.090 do not apply. Such uses and developments require a variance in accordance with Chapter 6 of this SMP.

d. Provisions relating to variance procedures and criteria do not apply in the shoreline jurisdiction. Specifically, LMC Section 14.142.110, which references variance procedures in the LMC, does not apply. Variance procedures and criteria within shoreline jurisdiction have been established in this SMP, Chapter 6 Section D and in WAC 173-27-170.

e. Provisions relating to nonconforming uses in LMC Section 14.142.180 shall not apply. Please see Chapter 6, Section F for nonconforming development standards within shoreline jurisdiction.

f. Geologically Hazardous Areas. Provisions contained in LMC Section 14.146.000 are hereby clarified and amended.

i. New development and the creation of new lots through subdivision shall not be allowed when it would cause foreseeable risk from geological conditions to people or improvements during

the life of the development.

ii. New development that would require structural shoreline stabilization over the anticipated life of the development shall not be allowed, unless stabilization is necessary to protect allowed uses where no alternative locations are available and no net loss of ecological functions will result.

iii. All shoreline stabilization shall comply with Chapter 5, Section C(1 and 2).

g. Waughop Lake shall be subject to the setback requirements outlined in the SMP and not to the 35' buffer requirement in the LMC Section 14.154.050(B)(1).

h. Identification of wetlands and delineation of their boundaries shall be done in accordance with the most recent version of the approved federal wetland delineation manual and applicable regional supplements, pursuant to WAC 173-22-035. All areas within the shoreline management area meeting the wetland designation criteria in that procedure are hereby-designated critical areas and are subject to the provisions of this SMP. See LMC Chapter 14.162.

i. Special permitted uses identified in LMC Section 14.162.060 may be authorized pursuant to the requirements herein, however, these provisions do not relieve an applicant from complying with all other procedural and substantive requirements of this SMP, including, but not limited to, mitigation sequencing, and no net loss.

j. ~~Wetland Buffers. The following modifications to LMC Section 14.162.080 shall apply:~~

~~i. Buffer width averaging in LMC Section 14.162.080(B)(1) shall be limited such that the buffer at its narrowest point is no less than 75% of the standard width.~~

~~ii. Administrative buffer reductions allowed under LMC Section 14.162.080(B)(2) shall be limited to 25% of the standard buffer width.~~

~~iii. Within shoreline jurisdiction, wetland buffers as outlined in LMC Section 14.162.080 (A) for Category I wetlands shall not apply. Wetland buffers within shoreline jurisdiction for Category I wetlands shall be 300 feet.~~

~~k. Mitigation. LMC Section 14.162.100(A) shall not apply. Mitigation sequencing shall follow the requirements of Chapter 3, Section B(4)(c)(3).~~

~~l. Agricultural Activities. LMC Section 14.162.110 shall not apply.~~

m. Alternative Review Process, Corps of Engineers, Section 404 Permit. LMC Section 14.162.120 shall not be construed to modify the requirements contained in this SMP. In all cases, the buffer requirements identified herein shall apply and mitigation sequencing as required in Chapter 4, Section B(4)(c)(3) must be employed in the design, location and operation of the project.

n. In-Stream Structures. Please see Chapter 5, Section C(5)(h) for regulations pertaining to in- stream structures such as dams and weirs.

o. Channel Migration Zones (CMZ). Within the shoreline jurisdiction surrounding Chambers Creek, the Shoreline Administrator shall require a channel migration study when the City determines that a shoreline use, development or modification proposal has the potential to interfere with the process of channel migration. Potential CMZ reaches are shown on map 12 of the Shoreline Analysis Report dated October 1, 2010. The study shall include recommended measures (consistent with mitigation sequencing) that demonstrate how no net loss of ecological functions associated with channel migration will be achieved. The proposal must demonstrate how it will avoid affecting the CMZ through utilization of nonstructural flood hazard measures and avoid the need for future shoreline modifications and structural flood hazard measures.

p. Flood Hazard Overlay. LMC Section 14.158.030 incorporates the Flood Hazard Overlay provisions of LMC Section 18A.40.100 by reference. In addition to the standards contained therein, the following shall apply:

i. Where feasible, nonstructural flood hazard reduction measures should be implemented.

ii. Development shall not increase flood hazards significantly or cumulatively and must be consistent with adopted and approved comprehensive flood hazard management plans, other comprehensive planning efforts, the requirements of the SMA and Chapter 173-26 WAC.

iii. New development and uses, including the subdivision of land, shall not be established when it is reasonably foreseeable that the development or use would require structural flood hazard reduction measures within the CMZ or floodway.

iv. The following uses may be authorized within the CMZ or floodway:

a. Ecological restoration or projects that protect ecosystem processes or ecological functions.

b. Bridges, utility lines and other public utility and

transportation structures where no other feasible alternative exists or the alternative would result in unreasonable and disproportionate cost. Where such structures are allowed, mitigation shall address impacted functions and processes in the affected area.

c. Repair and maintenance of an existing legal use, provided such actions do not cause significant ecological impacts or increase flood hazards to other users.

d. Modifications or additions to an existing legal use, provided that further channel migration is not limited and the new development includes appropriate protection of ecological functions.

e. Development where existing structures prevent active channel movement and flooding.

f. Measures to reduce shoreline erosion, if it is demonstrated that the erosion rate exceeds that which would normally occur in a natural condition; the measure does not interfere with fluvial hydrological and geomorphological processes normally acting in natural conditions; and that the measure includes appropriate mitigation of impacts to ecological functions associated with the stream.

v. New structural flood hazard reduction measures shall be allowed in shoreline jurisdiction only when it can be demonstrated by a scientific and engineering analysis that they are necessary to protect existing development, that nonstructural measures are not feasible, that impacts on ecological functions and priority species and habitats can be successfully mitigated so as to assure no net loss, and that appropriate vegetation conservation actions are undertaken consistent with the requirements of Chapter 3, Section C(8).

vi. New structural flood hazard reduction measures shall be placed landward of the associated wetlands, and designated vegetation conservation areas, except for actions that increase ecological functions, such as wetland restoration, or as noted below. Such flood hazard reduction projects may be authorized if it is determined that no other alternative to reduce flood hazard to existing development is feasible. The need for, and analysis of feasible alternatives to, structural improvements shall be documented through a geotechnical analysis.

vii. New structural public flood hazard reduction measures, such as dikes and levees, shall dedicate and improve public access

pathways unless public access improvements would cause unavoidable health or safety hazards to the public, inherent and unavoidable security problems, unacceptable and immitigable significant ecological impacts, unavoidable conflict with the proposed use, or a cost that is disproportionate and unreasonable to the total long- term cost of the development.

viii. The removal of gravel for flood management purposes shall be consistent with an adopted flood hazard reduction plan and with this SMP and allowed only after a biological and geomorphological study shows that extraction has a long-term benefit to flood hazard reduction, does not result in a net loss of ecological functions, and is part of a comprehensive flood management solution.

ix. Structural flood hazard reduction measures shall be consistent with an adopted comprehensive flood hazard management plan approved by the State that evaluates cumulative impacts to the watershed system.

x. Flood hazard overlay variance criteria and requirements in LMC Section 18A.40.160 are in addition to the standard shoreline variance criteria and requirements identified in Chapter 6, Section D(1).

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

PASSED AND ADOPTED at a regular meeting of the City of Lakewood Planning Commission this 6th day of November, 2024, by the following vote:

AYES: 5 BOARDMEMBERS: Robert Estrada, Sharon Wallace, Linn Larsen, Ellen Talbo, and Philip Lindholm

NOES: 0 BOARDMEMBERS:

ABSENT: 2 BOARDMEMBERS: Phillip Combs and Mark Herr

ATTEST:

Robert Estrada
Robert Estrada (Nov 20, 2024 21:17 PST)
ROBERT ESTRADA, CHAIR,
PLANNING COMMISSION

Karen Devereaux
KAREN DEVEREAUX, SECRETARY

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: December 2, 2024	TITLE: Ordinance creating Chapter 9.16 of the Lakewood Municipal Code entitled "Endangerment with a Controlled Substance".	TYPE OF ACTION: <input checked="" type="checkbox"/> ORDINANCE NO. 823 <input type="checkbox"/> RESOLUTION NO. <input type="checkbox"/> MOTION NO. <input type="checkbox"/> OTHER
REVIEW: November 25, 2024	ATTACHMENTS: Ordinance	

SUBMITTED BY: Heidi Ann Wachter, City Attorney

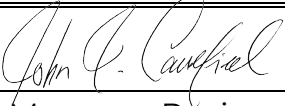
RECOMMENDATION: It is recommended that the City Council adopt Ordinance No. 823 creating Chapter 9.16 of the Lakewood Municipal Code related to Endangerment with a Controlled Substance.

DISCUSSION: The proposed Ordinance makes it a gross misdemeanor to knowingly or recklessly permit a child or dependent person to have contact with a controlled substance. For purposes of the ordinance, "controlled substance" does not include cannabis and does not apply if the controlled substance was obtained by prescription or in the course of delivering health care services. Children and dependent persons may not have the awareness or agency to remove themselves from circumstances in which they may be exposed to controlled substances. The draft Ordinance seeks to clearly define exposure to a controlled substance as reckless endangerment within the Lakewood Municipal Code and that reckless endangerment with a controlled substance other than cannabis may be charged as a gross misdemeanor. The Ordinance intentionally does not name individual controlled substances, resulting in the inclusion of all federally controlled substances other than cannabis. By drafting the ordinance this way updates will not be needed as new varieties of controlled substances emerge.

The Prosecuting Attorney for Pierce County is encouraging cities to adopt this type of ordinance to achieve consistent enforcement throughout the county. Cities have local control over misdemeanor offenses occurring within their respective municipalities and thus local municipal enforcement is needed to achieve countywide impact.

ALTERNATIVE(S): The City Council could choose to decline adoption or propose amendments to the Ordinance.

FISCAL IMPACT: There is no fiscal impact associated with adoption of the Ordinance.

Heidi Ann Wachter Prepared by	 City Manager Review
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ORDINANCE NO. 823

AN ORDINANCE of the City Council of the City of Lakewood, Washington creating Chapter 9.16 of the Lakewood Municipal Code entitled "Endangerment with a Controlled Substance."

WHEREAS, the misuse of controlled substances in Washington State is a growing public health crisis, resulting in negative health outcomes such as addictions, overdoses, and deaths for far too many community members; and

WHEREAS, drug overdose and drug poisoning moved from the sixth leading cause of death among children aged 1-19 years of age in the United States in 2019 to third in 2020, which included a 110.6 percent increase in unintentional poisonings; and

WHEREAS, drug poisonings in Washington have increased steadily since 2014, increasing 30 percent from 2019 to 2020, another 30 percent from 2020 to 2021, and 23 percent from 2021 to 2022 according to the University of Washington Addictions, Drug, and Alcohol Institute; and

WHEREAS, opioid-related overdose is the most common cause of accidental death in Pierce County, outnumbering motor vehicle collisions and firearm deaths according to the Tacoma-Pierce County Health Department; and

WHEREAS, between 2020 to 2022, Pierce County experienced 32.53 deaths per 100,000 residents due to overdose, a higher rate than the state average of 27.98 for the same period; and

WHEREAS, 1 in 8 children nationwide aged 17 or younger lived in households with at least one parent who had a past substance use disorder according to a 2014 report by the Substance Abuse and Mental Health Services Administration (SAMHSA); and

WHEREAS, fentanyl is often up to 50 times more potent than heroin and other synthetic opioids such as nitazenes and carfentanil; and

WHEREAS, the ease of illicit manufacture and potency of synthetic opioids has driven down illegal drug prices and caused synthetic opioids to be mixed with street drugs such as heroin, cocaine, and methamphetamine; and

WHEREAS, the *Washington State Office of the Family and Children's Ombuds Child Fatalities and Near Fatalities in Washington State* September 2023 report states that over a quarter of the child fatalities and more than half of the child near fatalities involved accidental ingestions and overdoses in 2022; and

WHEREAS, the same report reflects that 1 unknown, 8 multiracial, 8 African American/Black, 9 Latino/Hispanic, and 39 Caucasian/White youths were involved in accidental ingestion and overdose accidents in 2022; and

WHEREAS, according to the Tacoma-Pierce County Health Department, deaths and emergency room visits from overdoses involving synthetic opioids, methamphetamine, and cocaine are on the rise and neighboring counties are starting to see overdoses related to tranquilizers like xylazine; and

WHEREAS, the Washington Poison Center had 116 cases in 2020 which involved the accidental exposure of children ages 0-5 years to opioids and opiates and it is believed many more cases go unreported; and

WHEREAS, the Washington State Department of Health reports youth (ages 0-17) died from drug overdoses at the rate of 148 youth in 2016, 160 youth in 2017, 159 youth in 2018, 149 youth in 2019, 247 youth in 2020, 340 youth in 2021, 346 youth in 2022, and 378 youth in 2023; and

WHEREAS, for those who survive exposure, an overdose can result in acute and chronic medical complications, including cognitive impairment, brain injury, and cardiac arrhythmia; and

WHEREAS, exposure to controlled substances is a threat to the health and safety of all Lakewood residents, especially so for the children and dependent persons who are in close proximity to individuals who use illegal substances; and

WHEREAS, sufficient mechanisms must be in place to hold people accountable when children and dependent persons are exposed to life-threatening harms; and

WHEREAS, the Lakewood City Council finds it necessary and appropriate to take action in its capacity to update the Lakewood Municipal Code to protect public health and safety, and desires to take immediate steps to deter the endangerment of children and other vulnerable populations caused by the dangers of exposure to controlled substance.

NOW, THEREFORE, the City Council of the City of Lakewood do ordain as follows:

Section 1. new Chapter 9.16 to the Lakewood Municipal Code, "Endangerment with a Controlled Substance," is hereby adopted as shown in Exhibit A, which is attached hereto and incorporated herein by reference.

Section 2. Corrections. The City Clerk and the codifiers of this Ordinance are authorized to make necessary clerical corrections to this Ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section or subsection numbers and any references thereto.

Section 3. 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 4. Effective Date. Effective Date. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 2nd day of December, 2024.

CITY OF LAKEWOOD

Attest:

Jason Whalen, Mayor

Briana Schumacher, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney

Chapter 9.16 ENDANGERMENT WITH A CONTROLLED SUBSTANCE

Sections:

9.16.010 Definitions.

9.16.020 Endangerment with a Controlled Substance.

9.16.030 Penalty for Violations.

9.16.040 Preemption.

9.16.050 Severability.

9.16.010 Definitions.

For the purpose of this Chapter, the following terms shall apply:

- A. "Cannabis" shall mean the same as the term is defined in RCW 69.50.101.
- B. "Child" shall mean the same as the term is defined in RCW 9A.42.010.
- C. "Controlled substance" shall mean the same as the term is defined in RCW 69.50.101.
- D. "Dependent person" shall mean the same as the term is defined in RCW 9A.42.010.

9.16.020 Endangerment with a Controlled Substance.

- A. A person is guilty of the crime of endangerment with a controlled substance if the person knowingly or recklessly permits a child or dependent person to ingest, inhale, absorb, or have contact with a controlled substance other than cannabis, unless the controlled substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice.
- B. Administering or providing a controlled substance to a child or dependent person in the course of delivering health care services is not a violation of this Section.

9.16.030 Penalty for Violations.

Unless otherwise specified, any person who violates this Chapter is guilty of a gross misdemeanor punishable by up to 364 days in jail and a \$5,000 fine. The Prosecuting Attorney is encouraged to consider referring such cases for assessment, treatment, and other services including referral to alternative resolution courts following the formal filing of charges.

9.16.040 Preemption.

In the event the Washington State Legislature passes a law preempting this Chapter, this Chapter shall cease to have effect on the same date the statute comes into effect. Any violation of this Chapter that occurs prior to the preempting statute coming into effect may be prosecuted and punished pursuant to this Chapter.