



**Wednesday, June 18, 2025 @ 6:30 PM**

**HOW TO ATTEND**

- **In-person:** Council Chambers, Lakewood City Hall, 6000 Main St SW., Lakewood, WA 98499
- **Virtually:** Online or by phone.  
Online: <https://cityoflakewood-us.zoom.us/j/88030740190>  
Phone: (253) 215-8782 and enter meeting ID: 880 3074 0190
- **Livestream:** <https://YouTube.com/CityofLakewoodWA>

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

**PUBLIC COMMENT**

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

**IN-PERSON/VIRTUAL COMMENTS**

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

**WELCOME/CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MEETING MINUTES** dated May 7, 2025

**AGENDA UPDATES**

**PUBLIC COMMENT**

**PUBLIC HEARINGS** None

**UNFINISHED BUSINESS**

- Adoption of 2025 Planning Commission Rules of Procedure

**NEW BUSINESS**

- Introduction of 2025 Annual Development Regulation (24ADRs) package

**NEXT STEPS**

- REPORTS FROM CITY COUNCIL LIAISON, CITY STAFF, PLANNING COMMISSION MEMBERS

**Attachments**

- Staff Report: 2025 Planning Commission Rules of Procedure
- Staff Report: 2025 Annual Development Regulations



City of  
Lakewood

## Lakewood Planning Commission May 7, 2025 Meeting Minutes

### **WELCOME/CALL TO ORDER**

Phillip Combs, Chair, called the meeting to order at 6:30 p.m.

### **ROLL CALL**

**Planning Commission Members Present** Phillip Combs, Chair; Ellen Talbo, Vice Chair; Mark Herr, Robert Estrada, Sharon Wallace and Philip Lindholm

**Planning Commission Members Absent** Linn Larsen

**Staff** Tiffany Speir, Planning Division Manager; Troy Pokswinski, Capital Projects Manager; and Karen Devereaux, Administrative Assistant

**Council Liaison** Council Member Paul Bocchi (not present)

### **APPROVAL OF MINUTES**

**MOTION:** For approval of April 16, 2025 meeting minutes as written.

**SECONDED. PASSED 6-0.**

**AGENDA UPDATES** None

**PUBLIC COMMENT** None

**PUBLIC HEARINGS** None

**UNFINISHED BUSINESS** None

### **NEW BUSINESS**

#### 6-Year Transportation Improvement Plan (TIP)

Mr. Troy Pokswinski provided the Planning Commission with an update of the 6-Year Transportation Improvement Plan. Mr. Pokswinski explained the need to leverage local dollars through grant applications is particularly important to the City, especially considering the decrease in funding available for transportation-related capital improvements. The intent of this program is not only to list projects for funding but to establish City Council approval to submit grant applications on those projects contained in the Program.

#### Status Update on Natural Environment and Climate Change (NECC) Program

Ms. Tiffany Speir provided a presentation on this new City program, which is replacing the 2022 Three Year Energy & Climate Change Work Plan. The NECC Program would include: a compiled policy direction from existing City initiatives and priorities; a 10+ year Implementation Plan; and a 5-year Work Plan. Of the 15 items listed in the 2022 work plan, 9 items were complete, 4 were ongoing, and 2 were not started.

#### Planning Commission Rules of Procedure

Ms. Tiffany Speir reviewed the draft updated document and the selected sections where wording had been updated, removed, or added.

**REPORTS**

**City Council Liaison Comments** None

**City Staff Comments**

Ms. Speir reminded commissioners of the Volunteer Appreciation Event at the Ft. Steilacoom Park Pavillion on Wednesday, May 28<sup>th</sup> at 4:30 p.m.

**Planning Commission Members**

Chair Phillip Combs would not be present at the Joint Council meeting on Monday, May 12, 2025 at 7:00 p.m. and requested that Vice Chair Ellen Talbo attend in his absence.

**ADJOURNMENT** Meeting adjourned at 7:18 p.m.

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Phillip Combs, Chair

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Karen Devereaux, Clerk

**CITY OF LAKEWOOD PLANNING COMMISSION**  
**Rules of Procedure, ~~Regulations, and By-Laws~~**

The Lakewood Planning Commission is established pursuant to City of Lakewood Ordinance No. 594, adopted September 15, 2014, and Lakewood Municipal Code (LMC) ~~Section Chapter 02.90.~~ The Lakewood Planning Commission shall consist of not more than seven (7) members, appointed by majority vote of the City Council, but a smaller number, not less than four (4) shall constitute a lawful Commission.

Pursuant to LMC ~~02.90.050~~, we, the members of the City of Lakewood Planning Commission do hereby adopt, publish, and declare the rules, ~~regulations, and of~~ procedures set forth herein. These rules ~~and procedures~~ shall govern the conduct of meetings, maintenance of order, and order of business at regular meetings. In the event of a conflict between these rules and ~~the express provisions of the municipal code, the municipal code shall prevail. RCW Chapter 35A.63 (Planning Agency), LMC Chapter 2.90 LMC (Planning Commission), and/or LMC Chapter 2.68 (Work Plan), the RCW and LMC provisions shall prevail.~~

**ARTICLE I - NAME**

The name of this board is and shall be the CITY OF LAKEWOOD PLANNING COMMISSION, hereinafter referred to as the "Planning Commission" or "Commission".

**ARTICLE II - OFFICERS AND DUTIES**

**SECTION 1 OFFICERS**

The Officers of the Planning Commission shall consist of a Chair and Vice-Chair. Officers shall be elected each year for a one-year term at the first regular meeting of each calendar year.

**SECTION 2 CHAIR**

The Chair shall preside over the meetings of the Planning Commission and exercise all the powers usually incident to the office, retaining, however, to himself/herself as a member of the Planning Commission, the full right to have his/her own vote recorded in all deliberations of the Commission. He/she shall enforce the by-laws and execute the will of the Commission. He/she shall appoint all committees and/or task force members.

**SECTION 3 VICE-CHAIR**

The Vice-Chair, in the absence of the Chair from any meeting, shall perform all the duties incumbent upon the Chair. In the absence of the Chair and Vice-Chair, the members present shall elect, for that meeting only, a Chair Pro-Tern who shall have full powers of the Chair. (See Section 4)

**SECTION 4 CHAIR PRO-TEM**

In the absence of the Chair and the Vice-Chair, a Chair pro-tern shall be elected informally by the members present to conduct the meeting.

**SECTION 5 ~~SECRETARY~~ Planning Commission Clerk**

A ~~Secretary Clerk~~ shall be provided by the ~~Community Development and Economic~~ Department of Planning and Public Works (PPW) to prepare minutes and keep such records, attend to correspondence of the Commission, and perform such other duties as may be deemed necessary, including but not limited to:

- A. Take roll at regular, special and public meetings and hearings;
- B. Keep a record of all correspondence;
- C. Preserve all manuscripts and records;
- D. Keep a current roster of all members.
- E. Prepare and circulate the monthly agenda and staff reports regarding Planning Commission business;
- F. Record, transcribe and publish the minutes of all meetings of the Planning Commission; and
- G. Publish public notice of meetings.

**SECTION 6 SPECIAL ELECTION OF OFFICERS**

Should any officer resign, be removed, or otherwise vacate his office, his/her term shall be filled by result of an election at the next regular meeting or as soon as possible.

**SECTION 7 TASK FORCES**

- A. The Planning Commission may establish special task forces to investigate community issues within the scope of its authority. The Commission may initiate a task force on their own or at the direction of the City Council.
- B. Task forces will be composed of five (5) members. A maximum of three (3) members shall be from the Planning Commission.
- C. Task forces shall operate under the following Sections of the Planning Commission by-laws:

Article II Section 2	Chair
Article II Section 3	Vice-Chair
Article II Section 4	Chair Pro-Tem
Article II Section 5	<del>Secretary Clerk</del>
Article II Section 5	Attendance
Article II Section 6	Rules of Meeting
Article II Section 7	Voting/Parliamentary Procedures & Motions
Article II Section 11	Meeting Decorum
Article II Section 12	Debates

D. Task forces are charged with researching the basic topic, identifying issues, gathering information from experts, proponents, opponents, and the general public either in work sessions or public meetings.

E. Task forces will make a clear, concise written report that includes alternatives and recommendations to the Planning Commission.

### **SECTION 8 STANDING OR TEMPORARY COMMITTEES**

The Chair shall have full power to create standing or temporary committees of one or more members, charged with such duties of examination, investigation, and inquiry relative to one or more subjects of interest to the Commission, and within the scope of its authority.

No standing or temporary committee shall have the power to commit the Commission to the endorsement of any plan or program prior to its submission to, and approved by the Planning Commission. Committee reports should be very brief, giving subject matter and date(s) during which the subject was discussed.

Standing and temporary committees shall use the same rules and regulations of the Commission in their deliberations.

## **ARTICLE III – MEETING SCHEDULE**

### **SECTION 1 REGULAR MEETINGS**

Regular meetings of the Planning Commission shall be held the first and third Wednesday of each month at 6:30 p.m. in Lakewood City Hall Council Chambers or at such other place as the Commission may determine. Any regular meeting may be canceled or rescheduled by the Chair, or in his absence, by the Vice-Chair. If ~~in any given month~~ there is no business which requires Commission action, ~~the a~~ regular meeting will be canceled. Every effort will be made to conduct each meeting as efficiently as possible in order to adjourn the meeting no later than ~~7-10~~ p.m.

### **SECTION 2 LEGAL HOLIDAYS**

If a regular meeting falls on a legal holiday, that meeting shall be rescheduled or canceled by the Chair.

### **SECTION 3 SPECIAL MEETINGS**

Special meetings of the Planning Commission may be called by any of the following: Chair, or in his absence, by the Vice-Chair; or by a majority vote of the Commission members. The scheduling and holding of all Planning Commission meetings is to be done in accordance with Washington State Law.

Every effort shall be made to set up work sessions or special meetings with City of Lakewood City Council and other Advisory Boards in order to create effective communication between these bodies.

## SECTION 4 QUORUM

A majority of the current membership of the Planning Commission shall constitute a quorum for the transaction of business. Any action taken by a majority of those present, when those present constitute a quorum, at any regular or special meeting of the Planning Commission shall be deemed the official action of the Commission.

If there is not a quorum at the start of a meeting, the Planning Commission shall adjourn and not hold that meeting.

## SECTION 5 ATTENDANCE

Attendance at regular and special meetings is expected of all Planning Commission members. Any member anticipating absence from a meeting should notify the Chair or the ~~Community Economic Development~~PPW Department in advance of any meeting.

If a member ~~shall~~misses three consecutive meetings or six meetings in a six month time period without there being reasonable cause, the Commission may recommend to the City Council the removal of the member.

## SECTION 6 RULES OF MEETINGS

A. Participation. In keeping with Parliamentary Procedures, discussion by the members should be concise, to the point, and relevant to the business pending before the Commission.

B. Staff Participation. The Chair may call on a City employee, qualified to give expert testimony and/or a presentation on a matter, to address the Planning Commission.

C. Public Participation. The Rules of Procedure for Public Participation are identified in Section 11. ~~Time limits for the maximum duration of Audience Comments and Public Hearings at any one meeting may be imposed, if necessary, at the discretion of the Chair.~~

D. Robert's Rules of Order, Newly Revised, shall govern the deliberations of the Commission; ~~except when in~~ there is a conflict with any of the rules contained herein, Robert's Rules of Order shall prevail.

## SECTION 7 VOTING/PARLIAMENTARY PROCEDURES AND MOTIONS

### VOTING:

A. Each member present has a duty and obligation to vote on all questions put before the Commission unless that member has a conflict of interest or an appearance of fairness concern. ~~in the case of quasi-judicial matters.~~ If a member does not vote on a question before the Commission (without a conflict of interest or appearance of fairness exclusion), the vote of such member shall be counted as a vote with the

prevailing side. It is provided, however, that a new member to the Commission who is attending his or her first or second meeting may, at the member's discretion, be excused from voting on issues if the member believes he or she does not have sufficient information or background on the question to make an informed vote.

B. If any person on the Commission concludes that he or she has a conflict of interest or an appearance of fairness problem with respect to a matter pending before the agency so that he or she cannot discharge his or her duties, he or she shall disqualify himself or herself from participating in the deliberations and the decision-making process with respect to the matter. If this occurs, the City Council may appoint a person to serve as an alternate on the Commission to serve in his or her stead in regard to such a matter.

~~B. Any time a member of the Planning Commission believes he or she may have a conflict of interest or appearance of fairness concern which should or may disqualify that member from voting on a particular issue shall apprise the Chair of such potential conflict of interest or appearance of fairness concern, and the Chair shall determine whether or not the member is entitled to vote, provided that the decision of the Chair may be overruled by a majority of the remaining members of the Commission (excluding the member whose vote is subject of the decision).~~

~~C. In advance of any quasi-judicial matter coming before the Planning Commission, the Chair shall request of the members present whether any of them believe they have an appearance of fairness concern or a conflict of interest which would disqualify them from participating in the quasi-judicial matter. Additionally, the Chair shall inquire of people in attendance of the quasi-judicial hearing whether any member of the public in attendance believes that a member of the Commission has a conflict of interest or an appearance of fairness concern which would disqualify such member from voting on the quasi-judicial matter. If any concerns or questions are raised regarding the eligibility of a member to vote, the decision shall be made on the member's eligibility to vote as set forth in Paragraph B, above.~~

#### **PARLIAMENTARY PROCEDURES AND MOTIONS:**

A. If a motion does not receive a second, it dies. Matters that do not constitute a motion include nominations, withdrawal of motion by the person making the motion, request for a roll call vote, and point of order or privilege, therefore a second is not needed.

B. A motion that receives a tie vote is deemed to have failed.

C. When making motions, be clear and concise and not include arguments for the motion within the motion.

D. After a motion has been made and seconded, the Commission members may discuss their opinions on the issue prior to the vote.

E. A motion may be withdrawn by the maker of the motion with agreement of the second prior to the calling of the question without the

consent of the Commission.

F. A motion to table is non-debatable and shall preclude all amendments or debates of the issue under consideration. A motion to table is to be used in instances where circumstances or situations arise which necessitate the interruption of the Planning Commission members' consideration of the matter then before them. A motion to table, if passed, shall cause the subject matter to be tabled until the interrupting circumstances or situations have been resolved, or until a time certain, if specified in the motion to table. To remove an item from the table in advance of the time certain requires a two-thirds' majority vote.

G. A motion to postpone to a certain time is debatable, is amendable and may be reconsidered at the same meeting. The question being postponed may be considered at a later time at the same meeting, or to a time certain at a future regular or special Planning Commission meeting.

H. A motion to postpone indefinitely is debatable, is not amendable, and may be reconsidered at the same meeting only if it received an affirmative vote.

I. A motion to call for the questions shall close debate on the main motion and is undebatable. This motion must receive a second and fails without a two-thirds' vote; debate is reopened if the motion fails.

J. A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.

K. Motions that cannot be amended include: Motion to adjourn, lay on the table, roll call vote, reconsideration and take from the table. A motion to amend an amendment is not in order.

L. Amendments are voted on first, then the main motion as amended (if the amendment received an affirmative vote).

M. Debate of the motion only occurs after the motion has been moved and seconded.

N. The Chair's ~~Secretary-Clerk~~ should repeat the motion prior to voting.

O. The ~~Secretary-Clerk~~ will take a roll call vote, if requested by the Chair, a Planning Commission member, or as required by law.

P. When a question has been decided, any Commission member who voted in the majority may move for reconsideration, but no motion for reconsideration of a vote shall be made until the next Regular Planning Commission meeting.

Q. A representative from the ~~Community and Economic Development~~ PPW Department and/or the City Attorney shall act as the Commission's parliamentarian and shall decide all questions of interpretation of these rules which may arise at a Planning Commission meeting.

## **SECTION 8 AGENDA AND STAFF REPORTS**

LMC 2.90 identifies the jurisdiction, powers and authority of the Planning Commission. In addition, the City Council may, from time to time, grant to the Planning Commission such other jurisdiction, powers, duties and authority as City Council deems appropriate and consistent with state and City law. The Planning Commission shall work in accordance with a work plan adopted by the City Council as detailed in Chapter 2.68 LMC.

An agenda for every regular meeting shall be prepared and distributed by the ~~Community and Economic Development~~ PPW Department to each Commission member not less than five (5) days prior to the date of the meeting at which such agenda is to be considered. The agenda shall be accompanied with a complete copy of the unapproved minutes of the previous meeting, staff reports, and such other material, illustrations, petitions, etc., as may pertain to the agenda.

## **SECTION 9 ORDER OF BUSINESS**

A. The order of business for each regular meeting of the Planning Commission shall be as follows:

1. Call to order.
2. Roll Call.
3. Approval of minutes of the preceding meeting.
4. Agenda Update.
- ~~5.~~ Public Comments.

Members of the audience may comment on items relating to any matter related to the Commission's business not subject to a public hearing at that meeting under the "Public Comments" period. Comments are limited to three (3) minutes per person. ~~Groups who have at least three members present at the meeting may designate a speaker who may have a total of ten (10) minutes to speak on behalf of the group.~~ The Chair shall determine the overall amount of time set for "Public Comments." Public comments sign-up forms will be available at each meeting for use of those citizens-residents wishing to address the Commission. The ~~Secretary-Clerk~~ shall serve as timekeeper.

In addressing the Commission, each person should stand, and after recognition, move to the podium, give his/her name, and ~~unless further time is given by the presiding officer~~, shall limit his/her comments to three minutes. All remarks shall be made to the Commission as a body and not to any individual member or to City staff or to the public.

No person shall be permitted to enter into any discussion from the floor without first being recognized by the presiding officer.

6.5 Public Hearings.

The public hearings section of the agenda allows for local ~~citizens-~~residents to submit testimony on projects where public notice provisions are required pursuant to the Lakewood Municipal Code. Testimony shall be received in the same manner for each project duly noticed and as outlined above under the public comments section. Testimony shall be limited to three minutes per person.

~~7.6. Business-New and Unfinished Items.~~

The ~~business-items~~New and Unfinished sections deals with matters before the Planning Commission that do not require a Public Hearing.

~~8.7. Reports.~~

~~a. City Council Liaison: The Council Liaison will provide information to the Planning Commission on items of mutual interest.~~

~~b. City Staff: City Council Actions: T h e~~ –Staff will report on:

~~a.~~–actions taken by the City Council that followed Planning Commission actions and other matters of interest.;

~~b. Written Communications: Staff will review~~ pertinent written communication on planning--related topics.;

~~c. Future Agenda(s): Planning Commission members may request items to be placed on future agendas. Staff may report on items planned for future agendas.~~

~~d. Area Wide Planning/Land Use Updates: Staff will report~~ ~~on~~relevant -actions taken by the State Legislature, Growth Management Coordinating Committee (GMCC), the Pierce County Regional Council (PCRC), the Pierce County Council, or the Puget Sound Regional Council (PSRC), on any planning or land use issues affecting Lakewood.;

~~e. Other: Staff will report on~~ other topics relevant to the Planning Commission.

8. Future Agenda(s): Planning Commission members may request items to be placed on future agendas. Staff may report on items planned for future agendas.

9. Reports of Standing or Temporary Committees.

10. Adjournment.

B. Recess - The foregoing agenda may be interrupted for a stated time as called by the Chair to recess for any reason.

**SECTION 10 MEETINGS OPEN TO THE PUBLIC**

Any regular or special meeting of the Planning Commission shall be appropriately noticed per Washington State Statute; and be open to the public.

## **SECTION 11 MEETING DECORUM**

To provide a fair and efficient form for the conduct of business at Planning Commission meetings, the following rules of decorum shall be observed:

- A. No person including Planning Commission members shall address the Commission or a presenter without first obtaining recognition from the Chair.
- B. The order of business shall be as prescribed on the agenda. Changes to the agenda order shall be approved by the Chair or by majority vote of Commission members present.
- C. In instances where a written staff report has been prepared, the staff representative, upon recognition by the Chair, shall present the staff report.
- D. Following the presentation of the staff report, the Commission shall be afforded the opportunity to question the staff regarding the material in the report.
- E. After questioning of the staff is completed, the Chair may recognize the applicant or proponent of that item to speak, if any. Following the proponent's remarks, any other person wishing to speak on the matter may be recognized by the Chair.
- F. Once any person has spoken in regard to a specific matter before the Planning Commission, he or she shall not be recognized to speak again until all persons wishing to speak have been given the first opportunity to do so.

## **SECTION 12 DEBATES**

- A. Speaking to the Motion - No member of the Planning Commission, including the Chair, shall speak more than twice on the same motion except by consent of the majority of the Planning Commission members present at the time the motion is before the Commission.
- B. Interruption - No member of the Commission, including the Chair, shall interrupt or argue with any other member while such member has the floor, other than the Chair's duty to preserve order during meetings.
- C. Courtesy - All speakers, including all members of the Commission, in the discussion, comments, or debate of any matter or issue shall address their remarks to the Chair, be courteous in their language and deportment, and shall not engage in or discuss or comment on personalities, or indulge in derogatory remarks or insinuations in respect to any other member of the Planning Commission, or any member of the staff or the public, but shall at all times confine their remarks to those facts which are germane and relevant to the question or matter under discussion.
- D. Transgression - If a member of the Planning Commission shall transgress these rules on debates, the Chair shall call such member to

order, in which case such member shall be silent except to explain or continue in order. If the Chair shall transgress these rules on debate or fail to call such member to order, any other member of the Commission may, under a point of order, call the Chair or such other member to order, in which case the Chair or such member, as the case may be, shall be silent except to explain or continue in order.

E. Challenge to Ruling – Any member of the Planning Commission, including the Chair, shall have the right to challenge any action or ruling of the Chair, or member, as the case may be, in which case the decision of the majority of the Commission present, including the Chair, shall govern.

## ARTICLE IV - REPORTS

### SECTION 1 PLANNING COMMISSION ~~RESOLUTIONS AND~~ REPORTS

Reports of official Planning Commission reviews ~~and/or resolutions~~ containing official recommendations ~~following based on a~~ public hearing shall be considered the majority report of the Commission. All Planning Commission ~~reports-resolutions~~ shall include a finding of facts. ~~R~~The ~~reports~~ and resolutions ~~will~~shall be prepared by the ~~Secretary-Clerk~~ of the Planning Commission and approved and forwarded to the City Council.

### SECTION 2 ANNUAL REPORTS

In the first quarter of the calendar year, the Planning Commission shall prepare a written report to be forwarded to the Mayor and City Council containing, but not limited to:

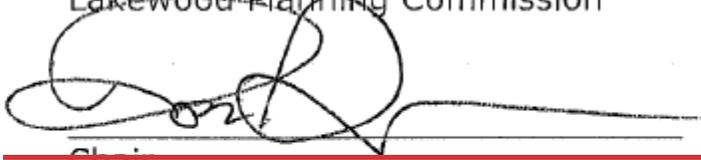
- A. A comparison of the adopted annual work program, objectives, and activities with actual or anticipated accomplishments.
- B. The extent to which unforeseen problems and opportunities have occurred.
- C. Proposals for any new short- or long-range programs to implement the policies of the Comprehensive Plan.

## ARTICLE V - AMENDMENTS

These rules and regulations may be amended by a majority vote at a regular or special meeting.

The foregoing rules and regulations were approved and adopted at a regular meeting of the Planning Commission held on the ~~149<sup>th</sup>~~ day of ~~October~~June, 20~~25~~16.

Lakewood Planning Commission



Chair

1-9-17

Date



Secretary

1.9.17

Date

Lakewood Planning Commission

Chair

Date

Clerk

Date



TO: Planning Commission  
 FROM: Tiffany Speir, Planning Division Manager  
 DATE: June 18, 2025  
 SUBJECT: 2025 Annual Development Regulation Amendments  
 ATTACHMENTS: SEPA Determination of Non-Significance and Environmental Checklist (**Attachment A**)

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**BACKGROUND**

This staff report contains 14 recommended amendments to various Lakewood Municipal Code (LMC) development regulation text, sections, and maps. The amendments are based on statutory and regulatory updates, staff experience and interaction with the City code, and customer feedback.

On July 2, the Planning Commission will hold a public hearing on the amendments and is scheduled to take action on a resolution recommending action by the City Council.

In summary, the amendments affect various sections of LMC Titles 1, 2, 12, 14, 16, 17, 18A, 18B, and 18C.

**DISCUSSION: PROPOSED DEVELOPMENT REGULATION AMENDMENTS**

Amendment 1	Hearing Examiner Appeals
Amendment 2	Planning Commission Authority and References in Code
Amendment 3	Road Identifications in LMC Chapter 12.09.
Amendment 4	CC&Rs and Easements Regulations
Amendment 5	Director’s Interpretations
Amendment 6	Brewery Land Use and Associated Definitions and Regulations
Amendment 7	Mixed Use Definition and Downtown Subarea Regulations
Amendment 8	Required Notice of Type I Decisions
Amendment 9	Review and Approval Authority for Various Permit Types
Amendment 10	Signage Requirements for Comprehensive Plan Zoning Map Amendment Applications
Amendment 11	Required Record of Survey for Short Subdivisions
Amendment 12	Technical Correction to 18A.70.310 (C) (addition of links)
Amendment 13	New Definitions in LMC Title 18A
Amendment 14	Allowing Previously Used Manufactured Homes in Manufactured Home Parks

**Note:** These amendments are subject to change prior to the July 2, 2025 Planning Commission public hearing.

## **Amendment 1. Hearing Examiner Appeals**

### **1.36.115 Initiating appeals.**

\* \* \*

C. Filing Fee. The first party to file a notice of appeal must, at the time the notice is filed, pay the filing fee, as set forth in the City of Lakewood fee schedule adopted pursuant to LMC 3.20.010, to the City Clerk. ~~If the appellant asserts that the matter is one for which a fee is not required pursuant to the provisions of this code or other applicable law, the City Clerk shall receipt the notice of appeal without fee. The issue of whether a filing fee is required shall be promptly decided by the Hearing Examiner. If the Hearing Examiner determines that a filing fee is required, the appellant shall be required to tender the filing fee within 10 days of the date of such decision. Where a filing fee is required, but not paid, on motion, the appeal shall be dismissed.~~

\* \* \*

#### **Background for amendment:**

##### Fees are adopted by legislative action.

The City Council adopts appeal fees by legislative action. In this case, City Council adopted applicable fee schedule in Resolution No. 2024-14 (2025 Proposed Fee Schedule.xlsx). All those who wish to appeal an administrative officer's decision must pay the \$587.00 fee. The adopted fee schedule offers no exceptions or waivers but notes that fees are set by the Council "in amounts reflective of actual costs." *Id.* The fee for an appeal of administrative decisions did not increase in the recently adopted fee schedule; it stayed the same. The City Council could have – and in some instances has – permitted exemptions and reductions of fees; e.g., the Humane Society is exempt from licensing animals (LMC 6.06.023); service animals must be licensed, but no fee is required (LMC 6.06.025); and certain permit fees are reduced to encourage affordable housing (LMC 18A.90.070).

##### Hearing Examiner is "creature" of enabling legislation.

Administrative tribunals are creatures of the legislative body that creates them, and their power is limited to that which the creating body grants. *Lejeune v. Clallum County*, 64 Wn. App 257, 824 P.2d 1144 (1992), As a quasi-judicial tribunal, the Hearing Examiner must follow the Council's directive and require an appeal fee, without waiver or exemption

##### Payment of an appeal fee for administrative review is jurisdictional.

Failure to timely and properly appeal denies the Hearing Examiner jurisdiction to review an appeal. *Graham Thrift Group v. Pierce County*, 75 Wn. App. 263, 877 P.2d 228 (1994) (The plaintiffs' failure to make a timely payment of an administrative appeal fee is a jurisdictional bar.) See also *Deschenes v. King County*, 83 Wn.2d 714, 521 P. 2d 1181 (1974) (The rule is well known and universally respected that a court lacking jurisdiction of any matter may do nothing other than enter an order of dismissal. 21 C.J.S. Courts § 118 (1940).

## **Amendment 2. Planning Commission Authority and References in Code**

### **2.90 Planning Commission**

\* \* \*

#### **2.90.040 Jurisdiction, powers and authority.**

The jurisdiction, powers and authority of the Planning Commission, ~~as these relate to matters covered by LMC~~ are established in this chapter. The Planning Commission shall serve in an advisory capacity to the City Council and City Manager on matters related to planning, redevelopment, and transportation covered by the Lakewood Municipal Code. In addition, the City Council may, from time to time, grant to the Planning Commission such other jurisdiction, powers, duties and authority as City Council deems appropriate and consistent with state and City law. The Planning Commission shall work in accordance with a work plan as detailed in Chapter [2.68](#) LMC.

\* \* \*

#### **~~2.90.060 Construction of Planning Advisory Board.~~**

~~All references to the Planning Advisory Board in other sections of the Lakewood Municipal Code, unless the context reflects otherwise, shall be construed as meaning the Planning Commission provided for in this chapter.~~

### **16.10.060 Administration.**

\* \* \*

(B)(2)(a)(xiii) Providing technical and administrative assistance to the City's Hearing Examiner, ~~Planning Commission Advisory Board~~, and City Council as required for effective and equitable implementation of this program and the Act.

### **17.14.010 Review process.**

Preliminary plat applications shall be reviewed as a Process III hearing action as outlined in Chapter [18A.20](#) LMC, Article I. Preliminary plat applications are subject to a hearing before the City's Hearing Examiner. The Hearing Examiner's decision on a preliminary plat application is considered final and conclusive.

If a comprehensive plan or zoning ordinance amendment is required for a subdivision project, the amendment shall be processed and approved prior to processing of the subdivision application. Site specific comprehensive plan and zoning ordinance amendments shall be reviewed as a Process IV hearing action as outlined in Chapter [18A.20](#) LMC, Article I. Amendment applications are subject to a hearing before the ~~Planning Commission Advisory Board~~ and final approval by the City Council.

### **18A.10.180 Definitions.**

\* \* \*

"Planning Advisory Board" means the former name of the Planning Commission, used prior to the adoption of Ordinance 604.

**Amendment 3. Road identifications in LMC Chapter 12.09.**

**12.09.022 Principal arterials.**

Principal arterials provide service for principal traffic movements within the City. They serve centers of activity; intra-area travel between Lakewood and other suburban centers between larger communities, and between principal trip generators. Principal arterials serve the longest trips and carry the principal portion of trips entering and leaving the overall area. Typically they are the highest traffic volume corridors in the City. The design year ADT is generally more than 15,000 vehicles per day. They frequently carry important intra-urban and inter-city bus routes.

The spacing of principal arterials usually varies from about one mile in highly developed business areas to five miles or more in rural areas. Service to abutting land should be subordinate to the provision of travel service to principal traffic movements; this service should be incidental to the primary functional responsibility of the street. Desirably it is located on community and neighborhood boundaries or adjacent to but not through principal shopping centers, parks, and other homogeneous areas.

**Principal Arterials**

<b>Street Name</b>	<b>From</b>	<b>To</b>
Bridgeport Way W/SW	McChord Drive <u>SW</u> (South City Limits)	Leach Creek (North City Limits)
Custer Road SW and W	88th Street SW	74th Street W
Gravelly Lake Drive <u>SW</u>	I-5 Northbound On-Ramp	Bridgeport Way W
Lakewood Drive SW	Bridgeport Way SW	74th Street W (North City Limits)
Military Road SW	107th Avenue SW (West City Limits)	Washington Boulevard SW
South Tacoma Way	112th Street S	South 80th Street (North City Limits)
Steilacoom Boulevard SW	<del>Far West</del> <u>Farwest</u> Drive <u>SW</u> (West City Limits)	South Tacoma Way
Washington Boulevard SW	Military Road SW	Gravelly Lake Drive SW
74th Street W	Custer Road W	Lakewood Drive SW
88th Street SW	Steilacoom Boulevard SW	Custer Road SW
100th Street SW	Bridgeport Way SW	South Tacoma Way
112th Street S	South Tacoma Way	Steele Street S

## **Amendment 4: CC&Rs and Easements Regulations**

### **Title 17 Subdivisions**

#### 17.02 General Provisions

##### **17.02.020 Purpose.**

The intent of this title is to provide criteria, regulations and standards to govern the subdividing of land within the City and to:

\* \* \*

L. Provide for effective and equitable administration and enforcement of private agreements only when an application proposes to alter that agreement and that agreement has been incorporated into an approval granted pursuant to Chapter 58.17 RCW or Title 17 LMC, except for agreements that are unenforceable and void under Shelley v. Kraemer, 334 U.S. 1, 68 S. Ct. 836, 92 L. Ed. 1161 (1948), and RCW 49.60.224

### **Title 18A, Land Use and Development Code**

##### **18A.10.020 Purpose.**

\* \* \*

Specifically, this code is intended to:

\* \* \*

J. Provide for effective and equitable administration and enforcement of private agreements only when an application proposes to alter that agreement and that agreement has been incorporated into an approval granted pursuant to Chapter 58.17 RCW or Title 17 LMC, except for agreements that are unenforceable and void under Shelley v. Kraemer, 334 U.S. 1, 68 S. Ct. 836, 92 L. Ed. 1161 (1948), and RCW 49.60.224.

## **Amendment 5: Director's Interpretations**

### **18A.10.070 Interpretations.**

A. The Director ~~is responsible for administering and interpreting the provisions shall review and resolve any questions involving the proper interpretation or application of the provisions of~~ this title and other City plans, codes, regulations and standards related to project permits that may be requested by any property owner, tenant, government officer, department, board, council or commission affected. The Director's decision shall be in keeping with the spirit and intent of this title and of the comprehensive plan.

#### B. Director's Interpretation.

1. Director's Administrative Interpretation. ~~As part of the director's administrative authority, the director may initiate an informal or formal code interpretation whenever necessary and the interpretation will be made available pursuant to this section.~~

2. Director's Informal Interpretation. ~~The director or their designee may respond to informal inquiries regarding code applicability and clarification prior to or outside of the context of a specific project permit application. These interpretations are neither subject to appeal nor binding on the department.~~

3. Director's Formal Interpretations. ~~The director may respond to formal inquiries regarding code provisions. The interpretation shall be in writing and will be made available by the department pursuant to this section. Interpretation requests from an applicant, landowner or tenant shall require an application and fee for a formal interpretation. The fee shall be established in the official fee schedule for the City, adopted by the City Council. Formal director's interpretations are binding and may be appealable to the Hearing Examiner as set forth in Chapter 18A.20 LMC.~~

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

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

6. *Official Zoning Map.* If any conflict occurs between the City of Lakewood Zoning Map and the text of this title, then the text of this title shall prevail.

7. *Permanent Record.* All code interpretations shall be retained by the department. Further, they shall be prioritized and considered for inclusion in the next applicable code update. Code interpretations shall be made available to the public and posted on the Department website or through the City's permit system portal, whichever is applicable.

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

~~C. *Interpretation of Land Use Tables.* See LMC 18A.40.020, Interpretation of land use tables.~~

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

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

~~If the Director determines that moving the zoning line as a result of a boundary line adjustment is not clearly minor, would have a material impact on the zoning pattern of the area, or would be contrary to the goals, objectives or intent of the comprehensive plan,~~

then the zoning boundary shall only be moved after approval through the formal zoning amendment process pursuant to Chapter 18A.20 LMC.

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

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

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

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

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

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

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

~~E.—*Interpretation of Unlisted Words and Phrases.* The definition of any word or phrase, not listed in this title, which is in question when administering this title, shall be defined from one of the following sources which are incorporated herein and adopted by reference. Said sources shall be utilized to find the desired definition in the order listed as follows:~~

~~1.—City of Lakewood Land Use and Development Code.~~

~~2.—City of Lakewood comprehensive plan.~~

~~3.—Any other portion of the Lakewood Municipal Code or other City resolution, ordinance, or regulations.~~

~~4.—Any statute or regulation of the state of Washington, beginning with the most applicable first.~~

~~5.—Legal determinations and definitions from applicable case law.~~

~~6.—Legal definitions from the most recent edition of Black's Law Dictionary.~~

~~7.—Definitions from Webster's Dictionary or other common dictionary.~~

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

~~C. Allowed uses. Except as provided in Chapter 18A.40 LMC, when a use is not specifically listed in this title, it shall be understood that the use may be allowed if it is determined by the director that the use is similar to other uses listed. It is further recognized that every conceivable use cannot be identified. In anticipation that new uses will evolve over time, this section establishes the director's authority to compare a proposed use and measure it against those listed in this title for determining similarity. In determining similarity, as well as when considering all other uses, the director shall make all of the following findings:~~

1. The proposed use shall meet the intent of, and be consistent with the goals, objectives and policies of the Lakewood Comprehensive Plan and applicable subarea plans;
2. The proposed use shall meet the stated purpose and general intent of the Comprehensive Plan land use designation and zoning classification in which the use is proposed to be located;
3. The proposed use shall not adversely impact the public health, safety and general welfare of the residents of the city; and
4. The proposed use shall share characteristics in common with, and not be of greater intensity, density or generate more environmental impact than those uses listed in the land use zone in which it is to be located.

If determined similar, the unspecified use shall meet all of the code requirements and follow the approval process prescribed for the listed use.

An application and fee for a director's interpretation of similar use shall be assessed and established in the official fee schedule for the City, adopted by the City Council. Formal similar use determinations are binding and may be appealable to the Hearing Examiner as set forth in Chapter 18A.20 LMC.

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

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

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

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

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

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

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

~~N. Interpretations of the Director shall be appealable to the Hearing Examiner as set forth in Chapter 18A.20 LMC, Part IV. [Ord. 820 5 2 (Att. A), 2024; Ord. 758 5 2 (Exh. A), 2021; Ord. 726 5 2 (Exh. B), 2019.]~~

#### **18A.40.020 Interpretation of land use tables.**

\* \* \*

G. Pursuant to the criteria and procedures in LMC 18A.10.070(C), Any proposed use not listed in the land use table(s) shall be classified by the Director as permitted, conditional, or not permitted, based on the listed use to which the proposed use is most similar. ~~Where there is a question regarding the inclusion or exclusion of a particular proposed use within a particular zoning district, use category, or use type, the Director shall have the authority to make the final determination. If the Director determines that the proposed use is not similar to any use in the land use table(s), the proposed use shall not be permitted.~~

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

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

J. Permitted uses as established by this chapter may be modified by subarea regulations.

K. Nonconforming uses are governed by Chapter 18A.20 LMC, Article II.

## **Amendment 6: Brewery Land Use and Associated Definitions and Regulations**

### **18A.10.180 Definitions**

\* \* \*

“Bar/tavern” means a drinking establishment licensed by the Washington State Liquor and Cannabis Board primarily engaged in the retail sale of where alcoholic beverages are sold for on-site consumption and, which are not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May also include beer brewing as part of a microbrewery or brew pub, and other beverage tasting facilities, such as wine or beer tasting rooms. Does not include adult-oriented businesses.

\* \* \*

“Brew pub” means a type of eating or drinking establishment that includes as an accessory use the production of malt liquors, regardless of alcohol content by volume, for consumption on the premises; except that sales for off-premises consumption, if not prohibited by other local ordinance or state or federal law, shall be allowed in specialty containers holding no more than one (1) U.S. gallon (128 U.S. fluid ounces), commonly referred to as growlers. The area of the establishment devoted to the production of malt liquors shall not exceed five thousand (5,000) square feet. May include the distribution of beverages for consumption at other sites.

\* \* \*

“Distillery” means a business licensed by the Washington State Liquor Cannabis Board that is a combination of retail, wholesale and manufacturing business of liquor or spirits. Tasting rooms, tap rooms and food may be sold on site but shall be a subordinate use. May also include a micro or craft distillery production. ~~a place where liquor is manufactured.~~

\* \* \*

“Small craft distillery” means a production facility that manufactures distilled spirits and that can contract distilled spirits for, and sell distilled spirits to, holders of distillery licenses, manufacturer’s licenses and grower’s licenses.

\* \* \*

“Tasting room” means a location separate from, or on the same site as, the production/manufacturing site, that allows customers to taste samples of wine, beer, or other alcoholic beverage and has a State of Washington issued liquor license to operate a tasting room. In addition to sampling of alcoholic beverages, a tasting room may include retail sales for off-premises consumption. The tasting room facility must be directly affiliated with a minimum of one (1) brewery/winery. The tasting room may be operated within a brewery/winery facility, accessory to separate on-site use or as a standalone retail use. Tasting rooms must comply with standard retail land use hours of operation (7:00 a.m. to 11:00 p.m.).

### **18A.40.040 Commercial and industrial uses.**

A. *Commercial and Industrial Land Use Table.* See LMC 18A.40.040(B) for development and operating conditions. See LMC 18A.10.120(D) for the purpose and applicability of zoning districts.

	Zoning Classifications																					
Commercial and Industrial	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	MF3 (B)(1)	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI
Accessory commercial (B)(5)	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	-	-
Accessory industrial (B)(6)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	P	-
Accessory retail or services	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	P
Artisan shop	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-
Auto and vehicle sales/rental (B)(8)	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	P	P	-	-	-	-	-
Auto parts sales	-	-	-	-	-	-	-	-	-	P	-	P	P	P	P	P	P	-	-	-	-	-
Bank, financial services	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	P	-	-	-	-	-
Brewery	=	=	=	=	=	=	=	=	=	=	=	P	P	P	P	P	P	P	P	P	P	=
Brewery, production (B)(1)*	-	-	-	-	-	-	-	-	-	P	-	-	C	C	C	P	C	-	P	-	-	-
Building and landscape materials sales	-	-	-	-	-	-	-	-	C	-	-	P	P	-	P	P	P	-	-	-	-	-
Building contractor, light	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	P	-
Building contractor, heavy	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	C	C	C	-
Business support service	-	-	-	-	-	-	-	-	-	P	-	P	P	P	P	P	P	-	P	-	-	-
Catering service	-	-	-	-	-	-	-	-	-	P	C	P	P	P	P	C	P	-	-	-	-	-
Cemetery, mausoleum, columbarium	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-
Club, lodge, private meeting hall	-	-	C	-	-	-	-	-	C	C	C	P	P	P	P	-	C	-	-	-	-	-
Commercial recreation facility, indoor	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	C	C	-	C

	Zoning Classifications																					
Commercial and Industrial	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	MF3 (B)(1)	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI
Commercial recreation facility, outdoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-
Community center	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	P	-	-	-	-	C
Construction/heavy equipment sales and rental	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	C	-	-
Convenience store	-	-	-	-	-	-	-	-	-	P	-	P	P	C	C	C	P	-	-	-	-	-
Distillery	=	=	=	=	=	=	=	=	=	=	=	P	P	P	P	P	P	P	P	P	P	=
Equipment rental	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	-	-	P	-	-
Flex space (B)(7)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	P	P	-	-
Fuel dealer	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	-	-
Furniture/fixtures manufacturing, cabinet shop	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	C	P	P	-
Furniture, furnishings, appliance/equipment store	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	P	-	-	-	-	-
Gas station	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-
General retail	-	-	-	-	-	-	-	-	-	P	-	P	P	P	P	-	P	-	P	-	-	-
Golf course, country club	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Grocery store, large	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	P	-	-	-	-	-
Grocery store, small	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	P	-	-	-	-	-
Handcraft industries, small-scale manufacturing	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	C	-	P	P	-	-
Health/fitness facility, commercial	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	-	-	P	C	-	-	-
Health/fitness facility, quasi-public	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	P
Kennel, animal boarding (B)(3)	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	P	C	-	C	P	-
Laboratory, medical/analytical	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	P	P	P
Laundry, dry cleaning plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	C	C	-	-

Commercial and Industrial	Zoning Classifications																					
	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	MF3 (B)(1)	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI
Library, museum	-	-	-	-	-	-	-	-	-	-	-	P	P	C	P	-	C	-	-	-	-	-
Live/work and work/live units	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	C	C	-	C	C	-	-
Maintenance service, client site services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	P	-
Manufacturing, assembling and packaging, light	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	P	-
Manufacturing, assembling and packaging, medium	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	P	P	P	-
Manufacturing, assembling and packaging, heavy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-
Metal products fabrication, machine and welding shops, American Direct	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	P	-	-
Medical services, lab	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	P
Mixed use	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-	-	-
Mobile home, RV, and boat sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-
Mortuary, funeral homes and parlors	-	-	-	-	-	-	-	-	-	P	-	-	P	-	P	-	P	-	-	-	-	-
Motion picture production studios	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Office, business services	-	-	-	-	-	-	-	-	-	P	P	P	P	C	P	P	P	-	P	-	-	-
Office, processing	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	-	-	-	P	-	-	-
Office, professional	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	C	P	-	P	-	-	-
Outdoor storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	P	-
Pawnbrokers and secondhand dealers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-
Personal services	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	-	-	-
Personal services, restricted	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Petroleum product storage and distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-
Places of assembly	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P
Printing and publishing	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	P	-	P	P	-	-
Produce stand	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-	-
Recycling facility – processing facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	C	C	-
Recycling facility – scrap and dismantling yards	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
Repair service, equipment, large appliances	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	-	C	P	P	-
Research and development	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-
Secondhand store	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-
Shelter, animal (B)(3), (B)(4)	-	-	-	-	-	-	-	-	-	-	-	P	P	-	C	P	C	-	-	P	-	C
Shopping center	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	C	P	-	-	-	-	-
Social service organization	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	-	C	-	-	-	-	-
Solid waste transfer station	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	C	P	P	-
Small craft distillery (B)(2)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	P	-	-	-
Sports and active recreation facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	C
Storage, personal storage facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	C	P	-	-
Studio, art, dance, martial arts, music, etc.	-	-	-	-	-	-	-	-	-	-	-	P	P	C	P	-	P	-	-	-	-	-
Swap meet	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Theater, auditorium	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	-	-
Truck/trailer parking	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-
Veterinary clinic (B)(3)	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	P	-	-	P	-	C

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

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

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

B. Development and Operating Conditions.

\*\*\*

—2. ~~Breweries, small craft distilleries, and wineries may contain retail outlets.~~

[The remainder of the subsections in 18A.40.040 (B) will be renumbered in accordance with removal of (B)(2).]

**18A.40.050 Eating and drinking establishments.**

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

Eating and drinking establishments land uses	Zoning Classifications																				
	R1	R2	R3	R4	MR1	MR2	MF1	MF2	MF3	ARC	NC1	NC2	TOC	CBD	C1	C2	C3	IBP	I1	I2	PI
Bar/tavern <a href="#">(B)(1)*</a>	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-
<del>Brewery, brew pub</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>P</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>						
Mobile food vending facility <a href="#">(B)(2)</a>	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P
Night club	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	C	C	-	-	-	-
Restaurant, café, coffee shop, counter ordering	-	-	-	-	-	-	-	-	-	-	P	P	P	P	C	P	P	-	-	-	-
Restaurant, café, coffee shop, drive-through services <a href="#">(B)(3)</a>	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	-	-	-	-
Restaurant, café, coffee shop, table service	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-
Restaurant, café, coffee shop, outdoor dining <a href="#">(B)(4)</a>	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-
Restaurant, café, coffee shop, serving alcohol	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-
<del>Tasting room</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>P</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>						
<del>Vendor stand <a href="#">(B)(5)</a></del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>P</del>	<del>P</del>	<del>-</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>

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

\* Numbers in parentheses reference use-specific development and operating conditions under subsection [\(B\)](#) of this section.

**18A.80.030 Zoning district parking requirements.**

\*\*\*

F. *Parking Standards.* Note that the parenthetical numbers in the matrix identify specific requirements or other information which is set forth following the matrix in subsection G of this section.

PARKING STANDARDS TABLE				
Use	Unit measure	Optional Minimum; see 18A.80.060(H)).	Max	Required bicycle parking spaces
<b>BUSINESS PARK</b>				
General business park	Per 1,000 square feet	2	4	See offices
<b>COMMERCIAL</b>				
Banks	Per 1,000 gross square feet	2	3	See offices
Billiard halls	Per table	1	2	1 per 20 auto stalls, Minimum of 4
Bowling alleys	Per alley	3	5	1 per 20 auto stalls, Minimum of 4
Commercial recreation	Per 1,000 square feet	3	5	1 per 20 auto stalls, Minimum of 4
Day care, preschools, nursery schools (1)	Per staff member	0.5	1	1 per 25 auto stalls, Minimum of 1
Hotels, motels (2)	Per room or suite	1	2	See retail
	Per 1,000 square feet of seating area of banquet and meeting rooms	6	N/A	See places of assembly without fixed seats
Medical and dental clinic and offices	Per 1,000 square feet of GFA	2	4	See offices
Mini storage	Per 100 units	1; or a minimum of 3 spaces plus 2 for permanent on-site managers	N/A	None
Mortuaries, funeral homes	Per 4 seats	1	2	None
Neighborhood commercial shopping area	Per 1,000 square feet	1	2	See retail
Office building	Per 1,000 square feet of GFA			1 per 15 auto stalls, Minimum of 2
	• With on-site customer service	2	4	
	• Without on-site customer service	1.5	3	
Regional shopping centers, food and drug stores	Per 1,000 square feet of GFA	3	6	See retail
Restaurants	Per 100 square feet of dining area	1	4	See retail
Retail	Per 1,000 gross square feet	3	6	1 per 20 auto stalls, Minimum of 2
Retail in mixed-use development	Per 1,000 gross square feet	2	4	See retail
Service stations (mini marts are retail uses)	Per employee plus per service bay	0.5	1	None
<a href="#">Brewery and distillery</a>	<a href="#">Per 500 gross square feet</a>	<a href="#">2</a>		<a href="#">1 per 20 auto stalls</a>
<b>INDUSTRIAL</b>				
General industrial	Greatest number of employees on a single shift plus one space for each vehicle owned, leased or operated by the company	0.5	1	See offices
Warehouse	Per 2,000 square feet of GFA plus per 400 square feet of GFA used for office or display area	1	N/A	None

PARKING STANDARDS TABLE				
Use	Unit measure	Optional Minimum; see 18A.80.060(H).	Max	Required bicycle parking spaces
<b>INSTITUTIONAL</b>				
Convalescent facilities, nursing homes	Per 2 patient beds	1	3	See offices
Hospital	Per bed	0.5	1	See offices
Libraries	Per 200 square feet of GFA	0.5	1	1 per 20 auto stalls, Minimum of 2
Schools, elementary and junior high	Per classroom and office	1	1.5	1 per classroom
Schools, senior high	Per classroom and office plus per <a href="#">each 5</a> students of designated capacity	1	2	1 per 5 auto stalls, Minimum of 2
<b>PLACES OF ASSEMBLY</b>				
Places of assembly without fixed seats	Per 1,000 square feet of GFA	10	11	1 per 25 auto stalls, Minimum of 2
Places of assembly with fixed seats	Per 4 seats	1	2	1 per 40 auto stalls, Minimum of 4
Stadiums, auditoriums, gymnasiums, theaters	Per 4 seats of the permitted assembly occupants, (School and/or public facility parking spaces may be used provided the facilities are on the same or contiguous parcels within 300 feet of the theater or auditorium.)	1	1.5	1 per 25 auto stalls, Minimum of 4
<b>RESIDENTIAL</b>				
Accessory dwelling unit (3)	Per dwelling unit	1	N/A	None
	Per dwelling unit within 1/2 mile of a major transit stop (3)	0/1	N/A	None
Affordable housing units within 1/4 mile of transit (any type) (4)	Per dwelling unit within 1/4 mile of frequent transit service (4)	Studio – 0.75 1 bedroom – 1 2+ bedroom – 1.5	N/A	1 per 7.5 auto stalls. 3 <a href="#">minimum</a> per building
Single-family	Per dwelling unit	2	N/A	None
Duplexes (5)	Per dwelling unit within 1/2 mile of frequent transit service (5)	0	N/A	0.5 per unit
Multifamily structures with four to six units (5)	Per dwelling unit	Studio – 1 1 bedroom – 1.25 2+ bedroom – 1.5	N/A	2
	Per dwelling unit within 1/2 mile of a major transit stop	0	N/A	0.5 per unit
Multifamily structures with seven or more units (6)	Per dwelling unit	Studio – 1 1 bedroom – 1.25 2+ bedroom – 1.5	N/A	1 per 10 auto stalls. 2 minimum per building
	Per dwelling unit within 1/2 mile of a major transit stop	Studio – 0.75 1 bedroom – 1 2+ bedroom – 1.5	N/A	1 per 7.5 auto stalls. 3 <a href="#">minimum</a> per building
Mobile home subdivision	Per dwelling unit	2	N/A	None
Mobile home parks (7)	Per dwelling unit	1.5	N/A	None
Rooming houses, lodging houses, bachelor or efficiency units (6)	Per occupant	1	3	See multifamily
	Per room within 1/2 mile of a major transit stop	0.75	3	See multifamily
Senior citizen apartments and housing for people with disabilities	Per 3 dwelling units	1	2	See multifamily
	Per dwelling unit within 1/4 mile of frequent transit service	0	N/A	0.25 per unit

### Background for Amendment:

This amendment updates the City's allowed land uses to include breweries and distilleries in the NC1, NC2, TOC, CBD, C1, C2, C3, I1, I2 IBP zones.

The Washington State Liquor and Cannabis Board (WSLCB) issues various permits and licenses for **breweries, wineries, distilleries, and other alcohol-related operations**. Each type of facility and operation has specific license types, privileges, and restrictions. Below is an overview of the most relevant permits for alcohol producers in Washington State:

---

## 1. Brewery Licenses

### Microbrewery License (Domestic Brewery License)

- **Production Limit:** Up to 60,000 barrels/year.
- **Privileges:**
  - Manufacture beer.
  - Sell beer to distributors, retailers, and consumers.
  - Operate a **tasting room**.
  - Apply for a **restaurant license** (snack bar, beer & wine, or spirits).
  - May hold a **direct shipment endorsement** for shipping beer to consumers.

### Domestic Brewery License (Large Brewery)

- **Production:** Over 60,000 barrels/year.
- **Similar privileges** to the microbrewery license, with added flexibility for larger operations.

### Brewpub Endorsement

- **Add-on to Microbrewery License.**
- Allows operation of a retail restaurant selling beer and wine for on-premises consumption.
- Allows the sale of guest taps (beer from other licensed producers).

---

## 2. Winery Licenses

### Domestic Winery License

- **Privileges:**
  - Manufacture wine.
  - Sell and distribute wine to distributors, retailers, or directly to consumers.
  - Operate a **tasting room** and up to two **additional retail locations**.
  - Ship wine directly to consumers both in and out of state (with proper endorsements).
  - Import bulk wine or grapes from out-of-state for production.

---

## 3. Distillery Licenses

### Distillery License

- **Privileges:**
  - Manufacture spirits.
  - Sell to distributors and spirits retailers.
  - Provide samples and sell bottles to consumers from on-site tasting room.
  - Must maintain 51% Washington-grown raw materials if seeking farm distillery status.

### Craft Distillery License

- **Limits:** Produce no more than 150,000 gallons per year.
- **Additional Privileges:**
  - Sell own product for on- and off-premises consumption.
  - Conduct public sampling.

- Sell to retailers and restaurants (self-distribution).
- Use Washington-grown agricultural products (minimum 51%).

---

#### 4. Additional Endorsements and Permits

##### Retail Sales Endorsement

- Allows breweries, wineries, or distilleries to sell products at retail directly to consumers, including through a restaurant, taproom, or gift shop.

##### Special Occasion License

- For non-profits to serve alcohol at events.

##### Beer/Wine Specialty Shop License

- For retail stores selling beer and/or wine for off-premises consumption.

##### Temporary Permits

- Allow new businesses to operate while awaiting permanent license approval.

##### Direct Shipment Endorsement

- Required for shipping wine or beer directly to Washington consumers.

---

#### 5. Combination Licenses

- Businesses can hold **multiple licenses** (e.g., a microbrewery with a retail restaurant license or a winery with a special events permit).
- Applications must demonstrate compliance with state production, service, and reporting requirements.

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#### Additional Notes

- All producers must comply with **recordkeeping, labeling, tax reporting,** and **health/safety** requirements.
- Zoning and local approval is **required** prior to final license issuance.
- All premises are subject to **inspections** and **random audits** by the WSLCB.

#### WASHINGTON STATE LIQUOR AND CANNABIS BOARD DEFINITIONS

##### Microbrewery

A microbrewery in Washington is defined by its production capacity and licensing:

- Produces less than 60,000 barrels of beer annually.
- Holds a microbrewery license under RCW 66.24.244.
- May sell beer and growlers of its own production at retail for on- and off-premises consumption.
- Can act as a distributor for its own products.
- May sell beer from other licensed microbreweries or domestic breweries, provided their brands do not exceed 25% of on-tap offerings.
- May also sell cider from domestic wineries.

##### Brewpub

The WSLCB does not have a specific license titled 'brewpub.' Brewpubs typically operate under a combination of licenses:

- Microbrewery License for beer production.
- Retail licenses such as a spirits, beer, and wine restaurant license for on-premises alcohol sales.

This setup enables brewing beer and serving it with food in a restaurant/pub setting.

### **Craft Production**

The term 'craft production' is not explicitly defined by WSLCB regulations.

It is often used to describe small-scale, artisanal brewing operations.

In local zoning contexts, it refers to limited-quantity production for on-site sales and tastings

### **Micro Distillery (Craft Distillery)**

Defined as distilleries producing no more than 150,000 proof gallons of spirits annually.

- At least 50% of raw materials must be grown in Washington State.
- Standard Distillery License: \$2,000/year.
- Craft Distillery License: \$100/year.
- May sell up to two liters per person per day for off-premises consumption.
- May provide free samples (max 2 ounces per person per day, served in half-ounce portions).
- Can operate up to two off-site tasting rooms.
- Requires MAST permits for servers.
- Generally restricts under-21s from tasting rooms unless accompanied by an adult.
- May produce spirits under contract for other licensed entities with WSLCB approval.

## Amendment 7: Mixed Use Definition and Downtown Subarea Regulations

### 18A.10.80 Definitions

\* \* \*

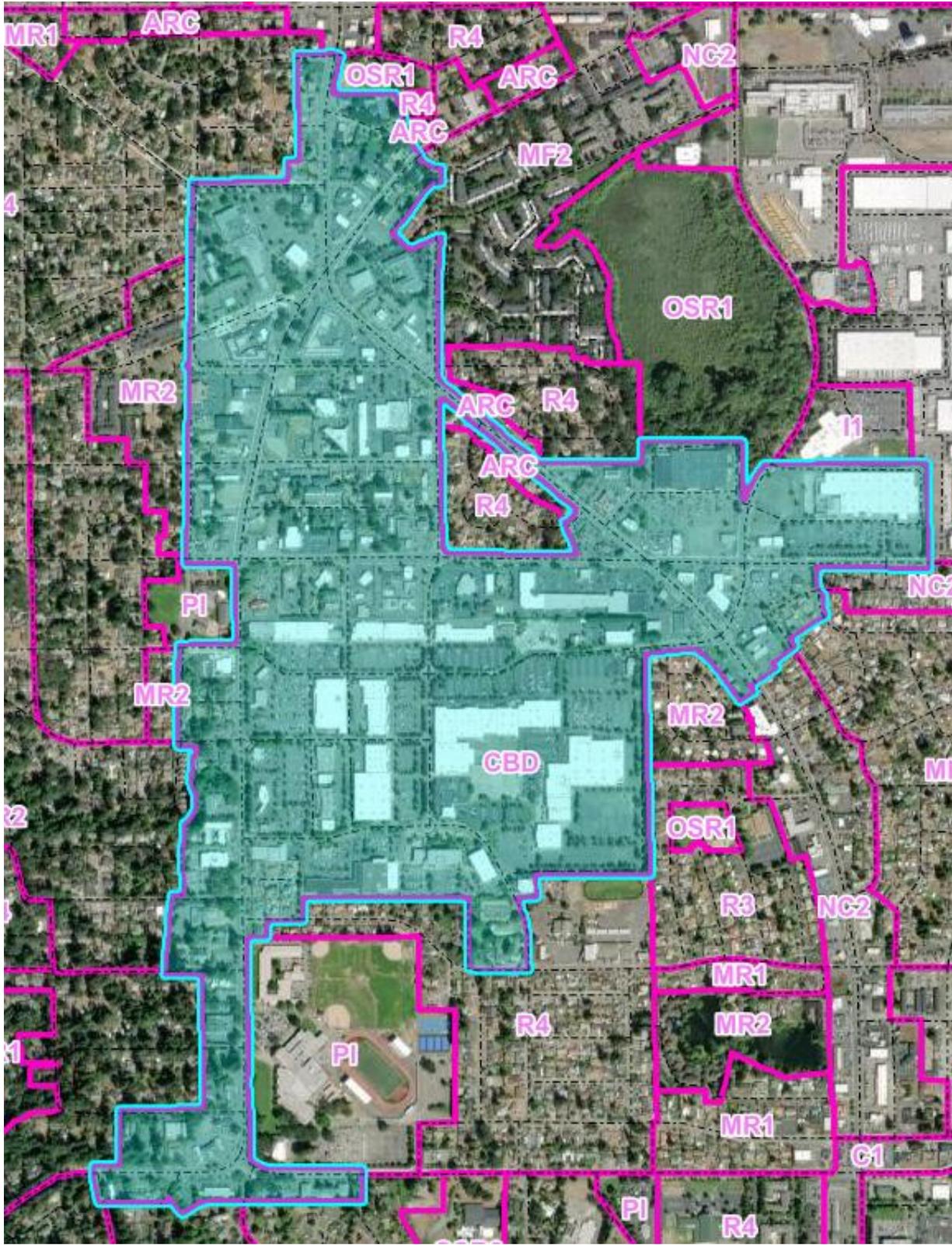
“Mixed-use” means the horizontal or vertical development of a site, building or one or more parcels that combines both nonresidential and residential uses. Mixed use may also be located in a single or integrated group of buildings. ~~a project that combines both commercial and residential uses, where the residential component is typically located above the commercial. This code allows for multiple, horizontally and/or vertically attached dwelling units. Horizontal mixed use means single-use buildings allowed on one (1) parcel. Vertical mixed use means a combination of different uses in the same building. Commercial uses shall comprise a minimum of thirty five (35) percent of the square footage of the ground floor in multistory buildings and shall align with the building’s frontage.~~

### 18B.200.210 Application within Downtown District.

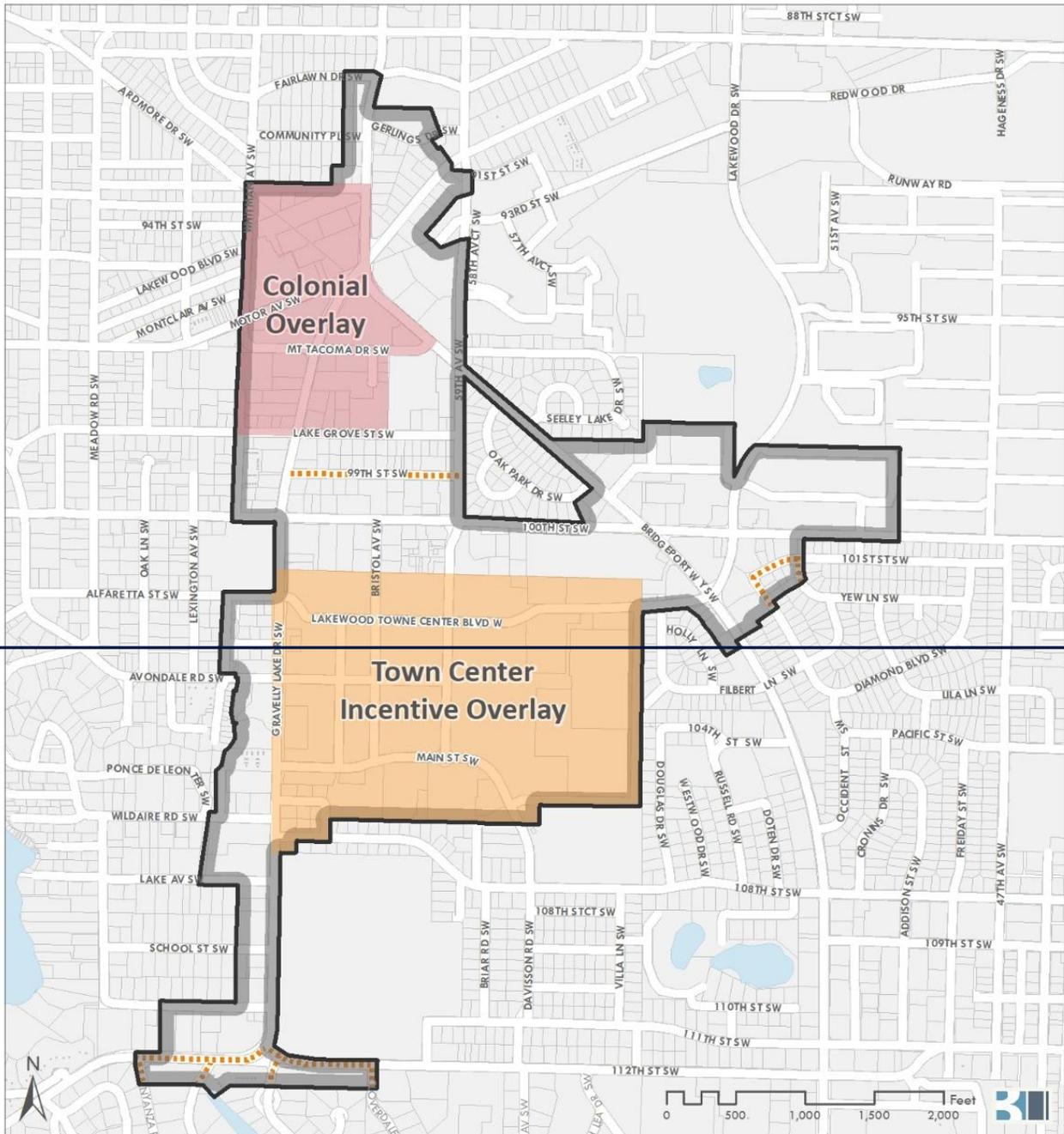
One base zone and several zoning overlays are applied within the Downtown District, as shown in the map below.

- A. The Central Business District (CBD) zoning district is a mix of the primary retail, office, social, urban residential, and government center of the City. The complementary and interactive mixture of uses and urban design provides for a regional intensity and viability with a local character. The regional focus and vitality of the district is evident in the urban density, intensity, and composition of the uses in the district. Local character is reflected in the district’s design, people orientation, and connectivity between uses, structures, and public spaces that foster a sense of community.
- B. Colonial Overlay (C-O) district is a special design district in the CBD zone that preserves the unique colonial style aesthetic within that area. ~~Stand-alone residential development is prohibited in the C-O.~~
- C. Town Center Incentive Overlay (TCI-O) district allows for the holistic development of the Lakewood Towne Center in alignment with the vision and policies of the downtown plan. This area is available for master planning in accordance with the provisions in LMC 18B.700.720. ~~Stand-alone residential development is prohibited in the TCI-O.~~
- D. Low-Impact Mixed-Use Roads (LIMU-O) district supports the transformation of the Downtown District according to the downtown plan and the fulfillment of the purpose of the CBD zone, but allows for existing single-family residential development to remain in place.
- E. Transition Overlay. The Transition Overlay (TO) is any property or portion of a property in the Downtown District that is within 100 feet of an abutting single-family residential zone or mixed residential zone (also called the district receiving the transition). Properties within the Downtown District that are separated from a single-family residential or mixed residential zone by a City owned right-of-way of at least 60 feet in width do not have to provide a transition area.





## 18B.200-2. Overlay Districts Map



**LEGEND**

	Colonial Overlay		Parcels
	Town Center Incentive Overlay		Low-impact Mixed Use
	Transition Overlay		Roads
	Lakewood CBD Boundary		Waterbody

**[Map to be replaced to depict updated subarea boundary and Downtown Town Center Incentive Overlay District Boundary on southern border of the subarea.]**

**Amendment 8: Required Notice of Type I Decisions**

**18A.20.310 Public notice framework.**

To inform the public of proposed project actions, the Department and applicants shall provide notice as identified in the table below. A vicinity map and basic site plan shall be included with any mailed notices. If a project is SEPA-exempt and no public hearing is required, notice will be limited to the type of notice described below.

Type of Notice	Type I	Type II	Type III	Type IV	Type V
Notice of Application (NOA)	No	Yes	Yes	No	<u>Yes</u> ; only for area-wide and site-specific amendments and rezones.
Adjacent Property Owner Mailing	No	Yes**	Yes	No	<u>Yes</u> ; only for area-wide and site-specific amendments, rezones and annexation proposals.
Project Site Posting	No	Yes	Yes	No	<u>Yes</u> ; only for area-wide and site-specific amendments and rezones.
City Website	No	Yes	Yes	Yes	Yes
Newspaper of Record	No	Yes	Yes	No	Yes
SEPA Determination*	If applicable	If applicable	If applicable	If applicable	If applicable
Notice to Parties of Record	Yes	Yes	Yes	No	Yes
Notice of Decision (NOD)	<u>Yes</u> <del>No</del>	Yes	Yes	No	No

\* SEPA threshold determination is required unless categorically exempt by SEPA Washington Administrative Codes and/or LMC Title [14](#).

\*\* Only for land subdivisions and shoreline permits.

**Amendment 9: Review and Approval Authority for Various Permit Types**

**18A.10.80 Definitions**

\* \* \*

“Major permit modification” means a change to an approved permit if one (1) or more of the criteria included in LMC 18A.20.085 (B)(2) are met.

\* \* \*

“Minor permit modification” means a change to an approved permit that do not meet the criteria of a major permit modification as listed in LMC 18A.20.085 (B)(2). See LMC 18A.20.085 (C).

**18A.20.080 Review and approval authorities.**

The following table and generalized flowchart describes permit types, the process and the final decision authorities. See LMC 18A.20.400 et seq. for appeals. When separate applications are consolidated at the applicant’s request and approved by the Department Director, the final decision shall be rendered by the highest authority designated for any part of the consolidated application.

If the following table doesn’t specify how to process a major or minor amendment, the Director shall make a determination based on the original permit type. Major amendments go through the same approval process as the original permit. Minor amendments go one level lower. For example, if the original permit used a Type III process, a major amendment would be processed as a Type III, while a minor amendment would be a Type II process.

Application Type	Review and Approval Authority	Type I	Type II	Type III	Type IV	Type V
<b>Planning (LMC Titles 17, 18A, 18B and 18C)</b>						
Administrative Conditional Use	PPW		X			
Administrative Nonconforming Determination	D	X				
<u>Preliminary</u> Binding Site Plan	PPW		X			
Binding Site Plan Major Modification	PPW		X			
Binding Site Plan Minor Modification	PPW	X				
Boundary Line Adjustment	PPW	X				
Comprehensive Map Amendment, Area-Wide	PC/CC					X
Comprehensive Map Amendment, Site-Specific	PC/CC					X
Conditional Use	HE			X		
Cottage Housing	PPW		X			
Design Review	PPW	X				

Application Type	Review and Approval Authority	Type I	Type II	Type III	Type IV	Type V
Development Agreement	CC					X
Director's Interpretation	D	X				
Emergency Housing	PPW	X				
Emergency Shelter	PPW	X				
Essential Public Facilities	HE			X		
Final Plat Alteration	HE			X		
Final Subdivision Plat (10 lots or more)	PPW	X				
Final Short Plat, unit lot & binding site plan (9 lots or less)	PPW	X				
Foster Care Facility	PPW	X				
Home Occupation	PPW	X				
Land Use Variance (less than 15% deviation to standards)	PPW	X				
Land Use Variance (greater than 15%, less than 25% deviation to standards)	PPW		X			
Land Use Variance (greater than 25% deviation to standards)	HE			X		
Permanent Supportive Housing	PPW	X				
Planned Development District	HE			X		
Plat Alteration	HE			X		
Preliminary Plat (10 lots or more)	HE			X		
Preliminary Plat Major Modification	HE			X		
Preliminary Plat Minor Modification	PPW		X			
Preliminary Short Plat (9 lots or less)	PPW		X			
Preliminary Short Plat Major Modification	PPW		X			

Application Type	Review and Approval Authority	Type I	Type II	Type III	Type IV	Type V
Preliminary Short Plat Minor Modification	PPW	X				
Public Facilities Master Plan	HE			X		
<a href="#">Public Facilities Master Plan Major Modification</a>	<a href="#">HE</a>			<a href="#">X</a>		
<a href="#">Public Facilities Master Plan Minor Modification</a>	<a href="#">PPW</a>		<a href="#">X</a>			
Rezone, Area-Wide	PC/CC					X
Rezone, Site-Specific	PC/CC					X
<a href="#">RV use in manufactured home park</a>	<a href="#">PPW</a>	<a href="#">X</a>				
Short-Term Rental	PPW		X			
Similar Use Determination	D	X				
Small Cell Wireless	PPW	X				
Temporary Use	PPW	X				
Time Extension	PPW	X				
Transfer of Development Rights	PPW	X				
Transitional Housing	PPW	X				
Tree Removal/Emergency Tree Removal	PPW	X				
<a href="#">Preliminary unit lot subdivision</a>	<a href="#">PPW</a>		<a href="#">X</a>			
<a href="#">Preliminary unit lot subdivision Major Modification</a>	<a href="#">PPW</a>		<a href="#">X</a>			
<a href="#">Preliminary unit lot subdivision Minor Modification</a>	<a href="#">PPW</a>	<a href="#">X</a>				
Zoning Amendment (text only)	CC					X
Zoning Certification	PPW	X				
Zoning Interpretations	D	X				
<b>Environmental (LMC Title 14 and Lakewood Shoreline Master Program)</b>						
Critical Area Reasonable Use Exception	PPW	X				

Application Type	Review and Approval Authority	Type I	Type II	Type III	Type IV	Type V
Critical Area Variance (less than 15% deviation to standards)	PPW	X				
Critical Area Variance (greater than 15%, less than 25% deviation to standards)	PPW		X			
Critical Area Variance (greater than 25% deviation to standards)	HE			X		
Shoreline Exemption	PPW	X				
Shoreline Conditional Use*	HE			X		
Shoreline Master Program Amendment*	PC/CC					X
Shoreline Substantial Development Permit	PPW		X			
Shoreline Permit (after approval) Major/Minor Modification*	PPW		X			
Shoreline Variance*	HE			X		
SEPA Threshold Determination	PPW		X			
SEPA Planned Action Conformance	PPW	X				
<b>Building (LMC Title 15)</b>						
Accessory Building	PPW	X				
Accessory Dwelling Unit	PPW	X				
Adult Family Home	PPW	X				
Building Code Interpretation	CBO	X				
Certificate of Occupancy	CBO	X				
Commercial Addition/Remodel	PPW	X				
Demolition	PPW	X				
Manufactured/Mobile Home	PPW	X				
Mechanical	PPW	X				
Minor/Major Modification to Approved Building Permit	PPW	X				

Application Type	Review and Approval Authority	Type I	Type II	Type III	Type IV	Type V
Multifamily	PPW	X				
New Commercial Building	PPW	X				
New Residential Building	PPW	X				
Plumbing	PPW	X				
Residential Addition/Remodel	PPW	X				
Signs	PPW	X				
Single-Family Home	PPW	X				
<b>Development Engineering (LMC Titles 12 and 13)</b>						
Minor/Major Modification to Approved Site Development Permit	PPW	X				
Right-of-Way	PPW	X				
Road Vacation	CC					X
Site Development Permit	PPW	X				
Transportation Mitigation Fee	PPW	X				
<b>Miscellaneous</b>						
Business License	PPW	X				
Multifamily Tax Exemption**	PPW	X				
Scrivener's Corrections	D				X	

Legend:

D = Planning and Public Works Director  
PPW = Planning and Public Works Department  
CBO = Chief Building Official  
CE = City Engineer  
CC = Lakewood City Council  
HE = Hearing Examiner  
PC = Lakewood Planning Commission

\* Pursuant to Chapter [90.58](#) RCW, following local action, final decisions are made by the Washington State Department of Ecology. Ecology's final approval is required for amendments to the Lakewood Shoreline Master Plan (SMP), shoreline conditional use permit and shoreline variance permit.

\*\* Subject to final approval by resolution of the City Council per Chapter [3.64](#) LMC.

**Amendment 10: Signage Requirements for Comprehensive Plan Zoning Map  
Amendment Applications**

**18A.30.040 Council approval of final docket – Comprehensive plan.**

\* \* \*

C. Notice boards must be posted on parcels subject to a proposed zoning amendment consistent with the requirements at LMC 18A.20.330 (F).

**Amendment 11: Required Record of Survey for Short Subdivisions**

**17.38.035 Record of survey.**

A. The plat map shall be titled on the top of the page, in large capital letters, as follows:

RECORD OF SURVEY FOR SHORT SUBDIVISION

B. A note shall be placed on the plat map that reads as follows:

THIS IS A SHORT SUBDIVISION. APPROVAL IS NOT A GUARANTEE THAT FUTURE PERMITS WILL BE GRANTED FOR ANY LAND USE, STRUCTURE OR DEVELOPMENT WITHIN A LOT AFFECTED BY THIS SHORT SUBDIVISION.

C. All requirements of Chapter 58.09 RCW and Chapter 332-130 WAC governing minimum standards for land boundary surveys shall be met and a note shall be placed on the plat map that reads as follows:

THIS SURVEY COMPLIES WITH ALL STANDARDS AND GUIDELINES OF THE "SURVEY RECORDING ACT" CHAPTER 58.09 RCW AND 332-130 WAC.

D. Short Subdivision applications shall be submitted to the Department of Planning and Public Works (PPW) on forms approved by the Department with liability for errors not to exceed the value of the affected lots, as determined by the assessed value on the date of approval. The preliminary title report shall set forth all persons having an interest in the lots affected by the short subdivision. The preliminary title report must be dated no more than 30 days prior to application and must be updated to the date of short subdivision approval, without cost to the City.

E. The plat map submitted for recording in the Auditor’s Office shall contain all survey information required for a record of survey under the “Survey Recording Act,” Chapter 58.09 RCW and Chapter 332-130 WAC, together with the following additional signature blocks, which shall be fully executed before approval:

SURVEYOR’S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of Survey Recording Act at the request of on \_\_\_\_\_, 20\_\_\_\_.

Certificate Number

Surveyor

DEPARTMENT OF PLANNING AND PUBLIC WORKS (PPW)

\_\_\_\_\_  
Planning and Public Works (PPW) Director      Date

I hereby certify that all state and city taxes heretofore levied against the property described hereon, according to the books and records of my offices, have been fully paid.

\_\_\_\_\_  
Deputy Assessor/Treasurer                      Date

Reviewed for Segregation

\_\_\_\_\_  
Deputy Assessor/Treasurer                      Date

F. A free consent statement, as shown below, shall be inked on the plat map. This shall be signed and notarized, prior to submittal, in permanent black ink, by all parties having interest in the property. Owners' names shall also be lettered below the signatures.

The undersigned agree that the boundary line adjustment set forth herein is made with the free consent and in accordance with the desires of the owners.

(Black Ink Seal. Paper Press Seals Will Not Be Accepted)

Notary Seal

I hereby certify that the above individual(s) signed as a free and voluntary act and deed for the uses and purposes herein mentioned.

Given under my hand and seal this \_\_\_\_ day of \_\_\_\_, 20\_\_.

\_\_\_\_\_, NOTARY PUBLIC, in and for the State of Washington,  
residing at \_\_\_\_\_.

G. An application for a short subdivision shall be accompanied by a nonrefundable planning review fee as set forth in separate resolution.

**Amendment 12: Technical Correction to 18A.70.310 (C) (addition of links)**

**18A.70.310 Tree removal applicability/exemptions.**

\* \* \*

C. Removal of Trees in Association with Right-of-Way and Easements. Tree removal by a public agency or a franchised utility within a public right-of-way or upon an easement, for the purpose of installing and maintaining water, storm, sewer, power, gas or communication lines, or motorized or nonmotorized streets or paths when pruning is not sufficient to alleviate the interference condition is exempt from this chapter.

Notification to the City by the public agency or franchised utility is required prior to tree maintenance or removal within City rights-of-way.

Topping is prohibited. 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/nrs/pubs/na/NA-FR-01-95-Rev-2012.pdf> or its successor, 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.isa-arbor.com/store/product/4486/> or its successor.

**Amendment 13: New Definitions in LMC Title 18A**

**18A.10.180 Definitions.**

\* \* \*

"Animal shelter" means a facility used to house or contain stray, homeless, abandoned, or unwanted animals, and that is owned, operated, or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization or person devoted to the welfare, protection, and humane treatment of animals.

\* \* \*

"Animal Short-Term Boarding Facility" means any place of business or establishment that watches or houses animals for a fee for the owner. This term includes doggie daycare.

\* \* \*

"Dripline" means the outermost edge of a tree's canopy. When viewed from above, the dripline will appear as a line that follows the contour of the tree's branches. At a minimum, the dripline is a circle whose diameter is fifteen (1.5) times a tree's diameter at breast height (DBH.)

**Amendment 14: Allowing Previously Used Manufactured Homes in  
Manufactured Home Parks**

**18A.40.110 Residential uses.**

\* \* \*

5. Detached primary dwelling units, or single-family dwelling units, include site-built homes, manufactured homes and modular homes.
  - a. All detached single-family dwellings (including manufactured homes) located in residential zones shall meet all of the following criteria:
    - i. ~~May not have previously had a title granted to a retail purchaser and may not be a used mobile home as defined by RCW 82.45.032(2), now or hereafter amended.~~
    - ii. Be built to meet or exceed the standards established by 42 U.S.C. Chapter 70 – Manufactured Home Construction and Safety Standards, now or hereafter amended.
    - iii. Be thermally equivalent or better to that required by the state energy code for new residential structures, now or hereafter amended.
    - iv. Be set on and securely attached to a permanent foundation as specified by the manufacturer.
    - v. Proof of title elimination per the Pierce County Auditor identified process is required prior to manufactured housing building occupancy.
    - vi. Be connected to required utilities that include plumbing, heating and electrical systems.

\* \* \*