



LAKWOOD CITY COUNCIL STUDY SESSION AGENDA

Monday, July 13, 2015

7:00 P.M.

City of Lakewood

City Council Chambers

6000 Main Street SW

Lakewood, WA 98499

Page No.

CALL TO ORDER

ITEMS FOR DISCUSSION:

- (3) 1. Joint Lodging Tax Advisory Committee meeting.- (Memorandum)
- (10) 2. Review of model aircrafts in parks code. – (Memorandum)

REPORTS BY THE CITY MANAGER

ITEMS TENTATIVELY SCHEDULED FOR THE JULY 20, 2015 REGULAR CITY COUNCIL MEETING:

- 1. Item No. 2 above.
- 2. Proclamation recognizing Colonel H. Charles Hodges, Jr. for outstanding service to the military and support for the citizens of Lakewood. – *Colonel H. Charles Hodges, Jr.*
- 3. Business showcase. – Ram Restaurant & Brewery
- 4. Reappointing Clayton DeNault to the Lakewood's Promise Advisory Board. – (Motion – Consent Agenda)
- 5. Adopting the Six Year (2016-2021) Six Year Transportation Improvement Program. – (Resolution – Regular Agenda)
- 6. Expressing support for the 2016 West Pierce Fire & Rescue maintenance and operations property tax levy. – (Resolution – Regular Agenda)

The City Council Chambers is accessible to persons with disabilities. Equipment is available for the hearing impaired. Persons requesting special accommodations or language interpreters should contact the City Clerk's Office, 589-2489, as soon as possible in advance of the Council meeting so that an attempt to provide the special accommodations can be made.

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The Council Chambers will be closed 15 minutes after adjournment of the meeting.

COUNCIL COMMENTS

ADJOURNMENT

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TO: Mayor and City Councilmembers
FROM: Becky Newton, Economic Development Manager
THROUGH: John J. Caulfield, City Manager
MEETING DATE: July 13, 2015 (Study Session)
SUBJECT: Lodging Tax Advisory Committee (LTAC) 2016

This memorandum provides information on this year's lodging tax program. Beginning September 16, the Lodging Tax Advisory Committee (LTAC) will meet for the purpose of reviewing 2016 applications. The application period begins July 23 and closes three weeks later. LTAC recommendations will be presented to the City Council in the fall of 2015.

Lodging tax is a special excise tax of *seven percent* of the sale of, or charge made, for the furnishing of lodging. The tax applies to the sale of or charge made for the furnishing of lodging by a hotel, motel, rooming house, tourist court, or trailer camp.

Four percent of the seven percent tax is restricted and is to be used for tourism promotion, the acquisition of tourism related facilities, or the operation of tourism facilities.

Three percent of the seven percent tax is also restricted, and is to be used for acquisition, construction expansion, marketing, and the management of convention facilities.

Applications are reviewed based on the lodging tax guidelines outlined below.

Background: The objective of the City of Lakewood Lodging Tax Advisory Committee process is to support projects, which encourage eligible tourism and cultural activities and support tourism facilities in Lakewood. The process is reviewed annually and the guidelines are updated in accordance with reported success of existing programs, potential for new programs and changes in state law. A calendar for

the application process will be established but will allow for emerging opportunities as they arise.

Objectives for Hotel/Motel Tax Funds:

- Generate increased tourism in Lakewood resulting in over-night stays at local hotels.
- Generate maximum economic benefit through overnight lodging, sale of meals and goods, and construction of tourism-related facilities.
- Increase recognition of Lakewood throughout the region as a destination for tourism.
- Increase opportunities for tourism by developing new visitor activities.

Allocation Guidelines:

- The City shall seek proposals for funding on an annual basis from organizations seeking to use Hotel/Motel Tax funds for promoting tourism or for acquisition, construction or operation of tourism related facilities.
- Organizations seeking funding must complete an application form.
- The Lodging Tax Advisory Committee shall review the proposals and make recommendations to City Council as to which applications should receive funding.
- The final funding decision will be made by City Council in the form of approval or denial of the recommendation as recommended – no amendments to recommendations will be made by the City Council.
- Once approved for funding an organization must enter into a contract and funding will be provided in quarterly installments or on a reimbursable basis.
- Organizations receiving funding must submit a report at the end of the calendar year.
- \$101,850.00 will be paid annually to the Sharon McGavick Student Center through
- 2027 pursuant to the City’s agreement with Clover Park Technical College.
- 4% - Can be used for tourism promotion, or the acquisition of tourism-related facilities, or operation of tourism-related facilities.
- 3%- Can only be used for the acquisition, construction, expansion, marketing, management, and financing of convention facilities, and facilities necessary to support major tourism destination attractions that serve a minimum of one million visitors per year.
- The City shall maintain a reserve fund of at least 25% for future capital projects.

Available Funding for 2016: The following table shows projected expenditures based on the lodging tax fund balance beginning in 2015. The table also shows set asides for future capital projects, last year's allocations, and the ongoing support for the McGavick Center.

Balance at 1/1/2015	\$1,028,557
Estimated 2015 projected revenue	\$536,113
Less 25 percent for future capital projects	-\$134,028
Remaining balance	\$1,430,642
2015 lodging tax allocations/expenditures {made in 2014}	-\$350,000
Remaining balance	\$1,080,642
Less 2015 for CPTC McGavick Center support	-\$101,850
Remaining balance	\$978,792
Funds available under the four percent restricted use category	\$281,744
Funds available under the three percent restricted use category	\$697,048

Supplemental information is included with this memorandum including the historical lodging tax revenues and expenditures, and the LTAC's Work Plan.

**LAKEWOOD LODGING TAX ADVISORY COMMITTEE (LTAC)
2015 SCHEDULE & WORK PLAN**

Members

Mayor Don Anderson, Chair
Rebecca Huber
Jackeline Juy
Mario Lee
Phillip Raschke
Linda K. Smith

General Meeting Schedule:

June/July

Coordination of September 2015 meeting.

September 2015

1. Review lodging tax grant applications in advance of day-long presentations.
2. Listen to presentations from potential lodging tax grant recipients. Reviews, rates, and makes funding recommendations that are forwarded to the Lakewood Council for their deliberations.
3. Meet on an as needed basis to review lodging tax grant applications for the next year and provide funding recommendations to the Lakewood City Council for their consideration and deliberations.

October 2015

1. Present recommendations to the City Council.
2. Follow up with further review and recommendations as requested by the City Council.

City Council Liaison: Mayor Don Anderson

City Staff: Economic Development Manager Becky Newton

City of Lakewood
Fund 104 - Hotel/Motel Lodging Tax

Year	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015 Est
Revenues											
Special Hotel/Motel Tax (5%)	\$ 180,041	\$ 204,859	\$ 298,997	\$ 431,145	\$ 344,044	\$ 400,243	\$ 375,170	\$ 341,154	\$ 383,578	\$ 399,904	\$ 382,938
Transient Rental Income Tax (2%)	78,602	88,855	82,990	156,789	137,617	160,098	150,069	145,555	153,431	159,962	153,175
Interest Income	15,169	30,940	32,059	18,740	4,796	1,936	2,145	1,074	1,093	1,255	-
Total Revenue	\$ 273,812	\$ 324,654	\$ 414,047	\$ 606,675	\$ 486,457	\$ 562,277	\$ 527,384	\$ 487,782	\$ 538,102	\$ 561,121	\$ 536,113
Expenditures:											
Advertise Grant Application Open Periods/LTAC Meetings/Investment Fees	-	-	-	-	-	253	444	291	381	407	-
Lakewood Economic Dept - Program & Personnel	-	-	-	-	64,344	32,869	29,937	35,586	33,978	12,783	-
Asia Pacific Cultural Center (APCC)	-	-	-	-	-	-	10,000	10,000	-	-	2,500
Audubon Washington - Birding Map	-	-	-	-	-	-	-	5,000	-	-	-
Daffodil Festival dba Daffodilians	-	4,400	-	-	-	4,000	4,000	4,000	4,000	-	-
Grave Concerns - Ft Steilacoom Historic Cemetery Brochure/Genealogy	-	-	-	-	-	-	-	2,943	-	-	-
Historic Fort Steilacoom Assoc.	2,000	2,000	2,000	-	3,000	7,000	7,000	6,998	8,000	8,000	6,500
Lakewood Gardens	40,000	31,936	38,855	37,904	38,000	52,986	43,453	45,266	44,195	44,912	40,000
*Lakewood Chamber of Commerce	84,000	68,500	62,000	70,000	73,000	56,446	65,000	80,000	80,000	80,000	78,500
Lakewood Economic Dept - International District Cultural Banners + Road Signs	-	-	-	-	-	-	-	-	12,931	-	-
Lakewood Historical Society & Museum	25,000	50,000	40,000	40,000	36,835	21,060	39,500	39,500	39,500	39,500	33,000
Lakewood Landmarks & Heritage Advisory Board Historical Driving Tour Brochure	-	-	-	-	-	-	-	-	9,968	-	4,500
Lakewood Parks & Rec Dept - Lakewood Farmers Market	-	-	-	-	-	-	-	5,000	9,957	11,440	10,000
Lakewood Parks & Rec Dept - SummerFEST	-	22,550	6,917	9,000	6,986	10,000	11,000	17,000	17,000	15,275	18,000
Lakewood Playhouse, Marketing (2 Capital Impr. in 2013 \$20,178.44 & \$8,403.86)	-	-	20,000	33,300	37,000	25,000	25,880	24,976	25,000	22,368	22,000

City of Lakewood
Fund 104 - Hotel/Motel Lodging Tax

Year	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015 Est
Buxton Co. - Tourism Profile	-	-	-	-	-	-	46,500	-	-	-	-
Lakewood Sister Cities Assn (LSCA) - International Festival (2012 grant was extended to 2013)	-	2,500	3,245	9,000	9,000	3,500	11,998	-	6,000	12,404	10,000
LSCA's Korean Sister City Committee - Soccer Tournament	-	4,168	-	-	-	-	-	-	-	-	-
Northwest Korean Cultural Foundation - International	-	-	-	12,500	10,500	12,500	2,677	-	-	-	-
Northwest Korean Golf Assoc. (Tacoma Korean Golf Assn)	-	-	7,200	10,000	-	-	-	-	-	-	-
Northwest Tae Kwon Do	-	5,000	-	-	-	-	-	-	-	-	-
Dean Paulson Photography - Tourism Photos	-	-	-	-	-	-	-	909	-	-	-
Freelance Graphics - Tourism	-	-	-	-	-	-	-	1,366	-	-	-
South Sound User's Guide - Tourism Guides	-	-	-	-	-	-	-	547	200	-	-
*Tacoma Regional Convention + Visitor Bureau	-	-	24,000	15,500	25,000	35,000	35,000	39,997	45,000	45,000	40,000
*Tacoma South Sound Sports Commission	20,000	20,000	25,000	25,000	25,000	30,000	25,000	35,000	50,000	50,000	40,000
Washington Museum of Military Technology	5,000	-	-	-	-	-	-	-	-	-	-
Lakewood Economic Dept - Promotion & Outreach (FRAUSE, Media Consultant)	-	-	-	-	31,858	-	23,918	24,000	24,000	24,000	10,000
Today in America - Promotional	-	-	-	-	-	-	-	19,800	-	-	-
Lakewood Colonial Center Theater Rehab & Potential Study + Advertising	-	-	-	-	-	20,219	-	-	-	-	-
Lakewood Parks & Rec Dept - Boat Launch Improvements	-	120,000	-	-	-	-	-	-	-	-	-
Lakewood Parks & Rec Dept - Fort Steilacoom Park Barn Feasibility Study	-	-	-	10,000	-	-	-	-	-	-	-
Lakewood Parks & Rec Dept - Fort Steilacoom Park Bleachers/Soccer Goal Posts	-	-	25,902	-	-	-	-	-	-	-	-

City of Lakewood
Fund 104 - Hotel/Motel Lodging Tax

Year	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015 Est
Lakewood Parks & Rec Dept - Fort Steilacoom Park Golf Course Feasibility Study + Advertise	-	-	-	-	-	15,113	-	-	-	-	-
Lakewood Playhouse, Building Updates	-	40,000	-	-	-	10,000	9,870	12,500	28,582	-	-
McCament & Rogers - 2009 Hotel Study + 2011 Update	-	-	-	-	43,888	-	14,070	-	-	-	-
Lakewood Parks Gateway Project	-	-	-	-	-	-	-	-	-	-	10,000
Lakewood Parks Waughop Lake Trail	-	-	-	-	-	-	-	-	-	-	25,000
Clover Park Technical College McGavbick Center	-	-	101,850	101,850	101,850	101,850	101,850	101,850	101,850	101,850	101,850
Total Expenditures	\$ 176,000	\$ 371,054	\$ 356,968	\$ 374,054	\$ 506,262	\$ 437,796	\$ 507,097	\$ 512,530	\$ 540,542	\$ 467,939	\$ 451,850
Revenues Over/(Under) Expenditure	\$ 97,812	\$ (46,400)	\$ 57,079	\$ 232,621	\$ (19,805)	\$ 124,481	\$ 20,287	\$ (24,747)	\$ (2,440)	\$ 93,182	\$ 84,263
Other Sources / (Uses)											
Transfer In from General Fund	496,490	-	-	-	-	-	-	-	-	-	-
Total Net Sources/(Uses)	\$ 496,490	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Beginning Balance	\$ -	\$ 594,302	\$ 547,902	\$ 604,981	\$ 837,601	\$ 817,795	\$ 942,277	\$ 962,564	\$ 937,817	\$ 935,374	\$ 1,028,557
Ending Balance	\$ 594,302	\$ 547,902	\$ 604,981	\$ 837,601	\$ 817,795	\$ 942,277	\$ 962,564	\$ 937,817	\$ 935,374	\$ 1,028,557	\$ 1,112,820
									Reserved for Capital		134,028
									From 4%		281,744
									From 3%		697,048

* Designated a Tourism Promotion Organization by Washington State

Transfer In from General Fund: Transfer of lodging tax revenue previously accounted for in the General Fund to the newly created Lodging Tax Fund in 2005.

Prior to 2005, lodging tax activity was accounted for in the General Fund.



To: Mayor and City Councilmembers

From: Mary Dodsworth, Parks, Recreation & Community Services Director

Through: John J. Caulfield, City Manager 

Date: July 13, 2015

Subject: Model Aircraft in Parks Code Change

Attachments: A: February 19 staff memo to PRAB regarding topic
B: Excerpt from February 24, 2015 PRAB meeting minutes
C: March 19, 2015 PRAB subcommittee meeting notes
D: FAA Rules for model aircraft

Summary: Council directed Parks and Recreation Advisory Board (PRAB) to review issues regarding model aircraft in parks and recommend potential Lakewood Municipal Code (LMC) or policy changes. The board reviewed this topic and developed a list of issues at their February 24, 2015 PRAB meeting. A subcommittee met in March for further discussion. A matrix was developed to look at issues, impacts and solutions. Various designated areas at the park were considered along with changes to code and administrative rules to govern use of the area. The issue was discussed at the April and May PRAB meetings. The community was invited to attend and make comments.

Recommendations:

1. Code Change Recommendations: 08.76.500 - Model Aircraft and Rockets:
No person shall fly rockets or ~~model~~ radio controlled aircraft in any park area unless in a designated area.

Justification: This would outlaw radio controlled planes in all City Parks unless they were in an area determined to be big enough and safe enough for use. The site would be in an area that could be monitored and activities altered based on other uses in the area.

2. Move LMC section 08.76.500 from Part V (misdemeanors) to Part III (infractions).

Justification: This would make it easier for police to enforce.

3. Establish the model airplane fly zone in overflow parking area across from the red barn near the cemetery.

Justification: this area is not programmed space and is used the least amount of time for overflow parking. It is out of visual range from Steilacoom Blvd and athletic fields to reduce “distraction” issues. No trees or buildings to create hazards. Can be roped or fenced off without limiting use by others. Access is from park road so it will be easier to sign and close to air traffic when needed for other uses.

4. Develop a set of Administrative Rules to govern use of the site.

Justification: The rules would be separate from the code and posted at the proposed site. This would give the city flexibility to add / remove / change rules based on how the area is being used. Rule suggestions include: electric aircraft only, no nitro or gasoline powered aircraft, flying in designated area only, must operate in a safe manner (no diving towards vehicle, people, animals or buildings), must yield to manned aircraft, must be kept in line of site, must maintain an altitude of less than 500 feet, flying outside of established area is prohibited, flying for commercial use must be permitted by the City and a City of Lakewood business license is required, pilots flying in First Person View must have a spotter and City staff can close area for safety or to use for other purposes at any time.

5. Develop a volunteer program to help educate park users, fund improvements and encourage safe use of area.

Justification: Volunteers are the eyes and ears of our park system and can help us identify issues, concerns, trends and solutions. They can also support site improvements with work parties, fund raising and procuring sponsorship.

Attachment A : February 19 staff memo to PRAB regarding topic

TO: Park and Recreation Advisory Board (PRAB)

FROM: Mary Dodsworth, Director
Heidi Wachter, City Attorney

DATE: February 19, 2015

SUBJECT: 2015 Proposed Park Code Change – Aircraft and Drones

Summary: The Lakewood Municipal Code (LMC) 8.76 authorizes the City to establish rules and fees for park and recreation programs and facilities. Council directed the PRAB to review the section of the park code referring to model aircraft and rockets (LMC 08.76.500). The purpose of this memo is to review how current aircraft use in parks conflicts with our current Code language and introduces options for harmonization of practice with the Code. A PRAB subcommittee has been established to support this effort but has not yet met to review options.

Background: Use of aircraft and rockets has been banned in City parks since Incorporation. In 2014, the City received many complaints regarding use of model aircraft at Fort Steilacoom Park. Staff notified the police department of the complaints and the section of our code banning aircraft and rockets from parks. The police made contact with people at the park who were using various aircraft and provided educational enforcement and awareness. This activity created attention among hobbyist users of what are commonly known as “drones” (unmanned aircraft).¹ Also, recently in the news we have heard many stories regarding “drones” which has created discussions from local organizations to the FAA. Based on this, Council directed the PRAB to review the code, look at alternatives and develop a recommendation.

Current Status: The plain language of the Code prohibits use of model aircraft and rockets in any park in the City of Lakewood.² The definition of “aircraft” includes “drones” by including “any machine or device designed to travel through the air”.³ Drones meet this definition despite not being specifically mentioned.

In February, 2015, the Federal Aviation Administration (FAA) released rules regarding drones. Their applicability to small recreational drones is questionable (see attached). Further rules are expected in that regard with the understanding that these rules appear to be years overdue. Federal regulation preempts City regulation.

The PRAB developed a list of issues and questions to review when considering alternatives to the code. They included: safety of park users, park land, vegetation, wildlife and drivers on nearby roads; recreational vs commercial use, noise, limited access to certain park areas; designated hours of allowed operation; what improvements may be needed to support this use; supervision or enforcement of rules; cameras on drones (surveillance and privacy); height restrictions; what are other state, county or local rules or laws; how do you educate the hobbyist community; what signage is needed, radio controlled vs combustible fuel; and how do you protect neighborhoods, Western State and Pierce College.

¹ The term “drone” is not an acronym. Acronyms for these vehicles are UAV (Unmanned Aerial Vehicle), Unpiloted Aerial Vehicle, and RPA (Remotely Piloted Aircraft).

² LMC 8.76.500(A).

Options:

1. Maintain existing Code language, which poses the question of enforcement. Training would be needed so that law enforcement and prosecution understand how to proceed given current language. Current violation of this section of the code is a misdemeanor, with a fine of up to \$1,000 or 90 days in jail. Current Code does not reference the FAA rules.
2. Amend the existing definition of “aircraft” to specifically include “drones”. While this would further clarify that the definition of “aircraft” includes “drones” this option again poses the question of enforcement because City Code prohibits aircraft in parks and aircraft activity is taking place in City parks.
3. Amend the Code to allow aircraft in parks and encourage individuals to use care and caution when operating equipment.
4. Amend the Code to allow aircraft in parks with some regulation. This option could be exercised in conjunction with a study of what regulation will work best for all users of the parks. Examples could include:
 - a. Allow aircraft use pursuant to adopted rules as to time, location, safety and other considerations.
 - b. Allow aircraft use pursuant to permit.

Recommendation: Option 4a best addresses the conduct currently occurring in the park with flexibility for the City to implement regulations to keep the conduct safe for park users. It is recommended that such regulation be incorporated into the Code by reference to facilitate tailoring the regulations as needed. Option 4a is similar to how we have allowed dogs off leash in designated areas and how we have allowed horseback riding only at Fort Steilacoom Park.

Rather than codifying each rule, the regulation would be referenced and the City would maintain and regularly update rules regarding time, location, safety, and other boundaries for use based on activity, site changes or other issues which may occur after testing out this new regulated use. Similarly, the Code should be amended to reference FAA rules as they currently exist or may in the future regulate unmanned aircraft in Lakewood. It is also advisable for the City to specifically reserve the right to prohibit flying of aircraft for any given period of time as needed for special events, parks maintenance or other reasons.

Next Steps: Prior to implementing Code changes or rules for aircraft in the parks, the Parks and Recreation Advisory Board subcommittee should study the issues and questions noted above to determine which aspects of this activity require regulation. Park users and hobbyists would be invited to a future meeting to provide input regarding this topic. The subcommittee would make a recommendation(s) to the PRAB who would then create a board recommendation to forward to Council.

Attachment: B Excerpt from February 24, 2015 PRAB meeting minutes

UNFINISHED BUSINESS:

Park Code Update: City Council directed the PRAB to review Lakewood Municipal Code 8.76.500 referring to model aircraft and rockets to see if accommodation could be made for hobbyists. Director Dodsworth reviewed a memo and back up materials prepared by staff and the city attorney and summarized how the current aircraft use at the park conflicts with our current code and introduced several options to consider. The memo recommended amending the code to allow aircraft in the park with regulation. This would ensure protection of the park and safety of park users.

At the January PRAB meeting the Board developed a list of issues and questions to review when considering alternatives to the code. A PRAB subcommittee will study the issues and questions to determine what regulation or changes should occur. They also agreed that adding representatives from the hobbyist group and parks maintenance would be helpful.

Public comment regarding this issue included: Jerry Dunlap referred to a proposal he presented at a previous meeting and thought the recommendations presented tonight were fantastic. He noted that this type of use was provided at Marymoor Park in King County and provided a website for additional information regarding safety, rules, training, etc. Pete Thomas agreed with the recommendation provide by staff. Ken Shepard liked the memo and recommendations.

PRAB comments included: Sylvia asked that we consider recreational vs commercial use and how we could enforce any new rules. Alan was surprised that the FAA didn't provide better definitions of recreational aircraft. Vito asked if there were any other parks in the system that could support this type of use and appreciated that four options were presented. He asked if the Board had any other options to consider. Sylvia made a motion to approve recommendation 4A in the memo and ask the subcommittee to review this item and bring code and rule change recommendations back to the Board for consideration. Seconded by Alan. The motion passed.

Attachment C: March 19, 2015 PRAB subcommittee meeting notes

	<p>LAKWOOD PARKS & RECREATION ADVISORY BOARD SUBCOMMITTEE MEETING NOTES THURSDAY, March 19, 2015 – 4:00 PM Lakewood City Hall Room 1-A</p>
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Subcommittee Members Attending: Jason Gerwen, Heinz Haskins, Scott Williams, Jerry Dunlap, Mary Dodsworth

Purpose of Meeting: City Council directed the PRAB to review Lakewood Municipal Code 8.76.500 referring to model aircraft and rockets to see if accommodation could be made for hobbyists. The Board reviewed information at their February 24, 2015 meeting. The Board selected a subcommittee to do additional research and report back to the group.

Director Dodsworth reviewed the memo provided to the PRAB at their previous meeting, FAA proposed rules, and a proposal prepared by local hobbyists. Based on input from the PRAB an issue matrix was created to look at areas of concern and address impacts and potential solutions.

Issue Matrix: If an area is designated how would this impact the following:

ISSUES	Impact / Solution
Safety	Park Users - awareness of area, first person view, require a spotter, Need signage or flags. Put on a park map and post on website.
	Park Land - parking areas to be defined, can't just drive up to spot, electric devices only, no fuel powered devices
	Vegetation – create no fly zones. Select an area to be used.
	Wildlife - hours of operation, select location to protect wildlife
Distraction to athletes and drivers	Create buffer zone. Do not put near roads or active sports fields. Develop hours of operation to avoid sporting events. Provide education to hobbyists.
Size of use area	3 – 5 acres
Recreational vs Commercial	Recreation and personal use only / education Commercial users need a City of Lakewood Business license
Noise	Follow City code – Re: Decibel Levels and hours
Creates access to other areas: neighborhood areas WSH - Pierce College	Define location to restrict using park to access neighborhood areas WSH - Pierce College.
Hours of Operation	Allow when park is open. Closed at city discretion (when area is needed for other activities / events. Not open during cross country meets and events.
Site Improvements	What amenities are needed to support site. Keep area undeveloped. May need some fencing. All that is needed for a runway is a mowed area. No asphalt runways. Benches and garbage cans are nice for participants.
Supervision / Enforcement	Group can police themselves (self-monitoring like at dog park) Call Police/911 if safety issues are occurring. Change code from misdemeanor to infraction to make it easier for police to respond and site.
Cameras – Privacy	Must stay within established area. If they want to use unmanned airplanes for filming, must get special use permit.
Local / state / fed rules	Add to code that all local/state/federal rules must be followed so we don't have to update code if FAA changes rules or if rules change regarding police use, size, height, etc...
Signage / education	Need to educate users and non-users regarding location / rules. Signs are a must! Provide information on website, in Connections newsletter, etc... link to other websites for information/ education.
Battery vs fuel	Electric Only – no fuel
Size / weight of aircraft	Not exceed 15 pounds

Code Change Recommendation: Group recommended the following changes to the Code:

08.76.500 - Model Aircraft and Rockets –

- A. No person shall fly rockets or model radio controlled aircraft in any park area unless in a designated area.

Remove this section from Part IV - RULES GOVERNING USE OF FACILITIES – MISDEMEANORS and add to Part III - RULES GOVERNING USE OF FACILITIES – INFRACTIONS

~~08.76.580 – Misdemeanors~~

~~Any person found guilty of violating any provision of Part IV of this chapter is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$1,000.00, or by imprisonment in jail for not more than 90 days, or both.~~

08.76.570 - Infractions

The failure to perform any act required or the performance of any act prohibited by Part III of this chapter is a civil infraction, punishable by a fine of no more than \$125.

Definitions: The group did not see a need to change the definitions to add drone or unmanned aircraft systems (UAS).

Administrative rules: A set of rules would be created and posted at the proposed site. This would give the city flexibility to add / remove / change rules based on how the area is being used. Rule suggestions include: electric aircraft only, no nitro or gasoline powered aircraft, flying in designated area only, must operate in a safe manner (no diving towards vehicle, people, animals or buildings), must yield to manned aircraft, must be kept in line of site, must maintain an altitude of less than 500 feet, flying for commercial use must be permitted by the City and a City of Lakewood business license is required, pilots flying in First Person View must have a spotter, and City staff can close area to use at any time.

Location: Group discussed two potential areas: one is overflow parking near the horse barn (A) and the other is the triangle overflow parking area near red barn (B). Both sites provide open space, unobstructed from trees and not regularly programmed space. Site A would be closed more often than B as it is primary overflow parking for large events in shelter, picnic areas, races and soccer fields. Site B is normally used for parking for SummerFEST and Truck and Tractor Day and runners use this area for Cross Country meets.





Overview of Small UAS Notice of Proposed Rulemaking

Summary of Major Provisions of Proposed Part 107

The following provisions are being proposed in the FAA's Small UAS NPRM.

<p>Operational Limitations</p>	<ul style="list-style-type: none"> • Unmanned aircraft must weigh less than 55 lbs. (25 kg). • Visual line-of-sight (VLOS) only; the unmanned aircraft must remain within VLOS of the operator or visual observer. • At all times the small unmanned aircraft must remain close enough to the operator for the operator to be capable of seeing the aircraft with vision unaided by any device other than corrective lenses. • Small unmanned aircraft may not operate over any persons not directly involved in the operation. • Daylight-only operations (official sunrise to official sunset, local time). • Must yield right-of-way to other aircraft, manned or unmanned. • May use visual observer (VO) but not required. • First-person view camera cannot satisfy "see-and-avoid" requirement but can be used as long as requirement is satisfied in other ways. • Maximum airspeed of 100 mph (87 knots). • Maximum altitude of 500 feet above ground level. • Minimum weather visibility of 3 miles from control station. • No operations are allowed in Class A (18,000 feet & above) airspace. • Operations in Class B, C, D and E airspace are allowed with the required ATC permission. • Operations in Class G airspace are allowed without ATC permission • No person may act as an operator or VO for more than one unmanned aircraft operation at one time. • No careless or reckless operations. • Requires preflight inspection by the operator. • A person may not operate a small unmanned aircraft if he or she knows or has reason to know of any physical or mental condition that would interfere with the safe operation of a small UAS. • Proposes a microUAS option that would allow operations in Class G airspace, over people not involved in the operation, provided the operator certifies he or she has the requisite aeronautical knowledge to perform the operation.
<p>Operator Certification and Responsibilities</p>	<ul style="list-style-type: none"> • Pilots of a small UAS would be considered "operators". • Operators would be required to: <ul style="list-style-type: none"> ○ Pass an initial aeronautical knowledge test at an FAA-approved knowledge testing center. ○ Be vetted by the Transportation Security Administration.

	<ul style="list-style-type: none"> ○ Obtain an unmanned aircraft operator certificate with a small UAS rating (like existing pilot airman certificates, never expires). ○ Pass a recurrent aeronautical knowledge test every 24 months. ○ Be at least 17 years old. ○ Make available to the FAA, upon request, the small UAS for inspection or testing, and any associated documents/records required to be kept under the proposed rule. ○ Report an accident to the FAA within 10 days of any operation that results in injury or property damage. ○ Conduct a preflight inspection, to include specific aircraft and control station systems checks, to ensure the small UAS is safe for operation.
Aircraft Requirements	<ul style="list-style-type: none"> • FAA airworthiness certification not required. However, operator must maintain a small UAS in condition for safe operation and prior to flight must inspect the UAS to ensure that it is in a condition for safe operation. Aircraft Registration required (same requirements that apply to all other aircraft). • Aircraft markings required (same requirements that apply to all other aircraft). If aircraft is too small to display markings in standard size, then the aircraft simply needs to display markings in the largest practicable manner.
Model Aircraft	<ul style="list-style-type: none"> • Proposed rule would not apply to model aircraft that satisfy all of the criteria specified in Section 336 of Public Law 112-95. • The proposed rule would codify the FAA's enforcement authority in part 101 by prohibiting model aircraft operators from endangering the safety of the NAS.

SEC. 336. SPECIAL RULE FOR MODEL AIRCRAFT

(a) IN GENERAL.—Notwithstanding any other provision of law relating to the incorporation of unmanned aircraft systems into Federal Aviation Administration plans and policies, including this subtitle, the Administrator of the Federal Aviation Administration may not promulgate any rule or regulation regarding a model aircraft, or an aircraft being developed as a model aircraft, if—

- (1) the aircraft is flown strictly for hobby or recreational use;
- (2) the aircraft is operated in accordance with a community based set of safety guidelines and within the programming of a nationwide community-based organization;
- (3) the aircraft is limited to not more than 55 pounds unless otherwise certified through a design, construction, inspection, flight test, and operational safety program administered by a community-based organization;
- (4) the aircraft is operated in a manner that does not interfere with and gives way to any manned aircraft; and
- (5) when flown within 5 miles of an airport, the operator of the aircraft provides the airport operator and the airport air traffic control tower (when an air traffic facility is located at the airport) with prior notice of the operation (model aircraft operators flying from a permanent location within 5 miles of an airport should establish a mutually-agreed upon operating procedure with the airport operator and the airport air traffic control tower (when an air traffic facility is located at the airport)).

(b) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Administrator to pursue enforcement action against persons operating model aircraft who endanger the safety of the national airspace system.

(c) MODEL AIRCRAFT DEFINED.—In this section, the term “model aircraft” means an unmanned aircraft that is—

- (1) capable of sustained flight in the atmosphere;
- (2) flown within visual line of sight of the person operating the aircraft; and
- (3) flown for hobby or recreational purposes.