



LAKWOOD CITY COUNCIL STUDY SESSION AGENDA

Monday, August 24, 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. 2015 Comprehensive Plan update. – (Memorandum)
- (188) 2. Review of cottage housing code amendments. – (Memorandum)
- (221) 3. Review of Comcast franchise agreement. – (Memorandum)
- (265) 4. Review of interlocal agreement with West Pierce Fire & Rescue relative to Fire Marshal services. – (Memorandum)
- (281) 5. Review of rental housing code amendments. – (Memorandum)

REPORTS BY THE CITY MANAGER

- (286) Comprehensive Plan process guidance. – (Memorandum)

ITEMS TENTATIVELY SCHEDULED FOR THE SEPTEMBER 8, 2015 REGULAR CITY COUNCIL MEETING:

- 1. Item Nos. 3 - 5 above.
- 2. Proclamation declaring the month of September 2015 as Prostate Cancer Awareness Month. – *Mr. Bob Freeman, Tacoma Prostate Cancer Support Group*

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.

<http://www.cityoflakewood.us>

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

3. Proclamation declaring the month of September 2015 as National Literacy Month. – *Ms. Barbara Vest, Lakewood Arts Commission Member*
4. Proclamation declaring September 18, 2015 as Lakewood Playhouse Theatre Day. – *Mr. John Munn, Managing Artistic Director, Lakewood Playhouse*
5. Appointing members to serve on the Parks and Recreation Advisory Board. – (Motion – Consent Agenda)
6. Setting Monday, September 21, 2015, at approximately 7:00 p.m, as the date for a public hearing by the City Council relative to the City of Tacoma's Proposition 3 utility tax levy. – (Motion – Consent Agenda)
7. Awarding a bid relative to the Traffic Signal Upgrade Phase 5 project. – (Motion – Consent Agenda)
8. Authorizing the execution of an agreement with Lakeview Light & Power relative to the LED streetlighting project. – (Motion – Regular Agenda)
9. Authorizing the execution of an agreement with Ricoh for copy machines. – (Motion – Regular Agenda)

COUNCIL COMMENTS

ADJOURNMENT

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.

<http://www.cityoflakewood.us>

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



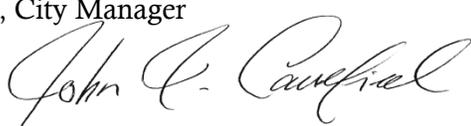
TO: Mayor and City Councilmembers

FROM: Dan Catron, AICP
Long Range Planning Manager

THROUGH: M. David Bugher, Assistant City Manager/ Community
Development Director, and John Caulfield, City Manager

MEETING DATE: August 24, 2015

SUBJECT: **2015 COMPREHENSIVE PLAN UPDATE - INTRODUCTION**



BACKGROUND:

RCW 36.70A.130(4) of the Washington State Growth Management Act (GMA) requires that cities “take action to review and, if needed, revise their comprehensive plans and development regulations to ensure the plan and regulations comply with the requirements (of the GMA)”. Jurisdictions planning under the GMA (such as Lakewood) are required to review and update their comprehensive plans every eight years. The state schedule requires that Lakewood update its plan by June 30, 2015, however the City has notified the State that the Lakewood updates and amendments are not expected to be finally adopted until the end of 2015.

At this time, the Planning Commission has received an introduction to the proposed amendments and update, but has not had substantive discussions or any public hearings. Sixty-day notice was sent to the Department of Commerce on July 20, 2015. Notice of the proposed updates and amendments was transmitted to other public agencies on July 30, 2015. A public hearing before the Planning Commission is scheduled for September 16, 2015.

Environmental review under SEPA has been performed and a threshold determination (Determination of Non-significance- DNS) was issued on July 30, 2015. A Notice of Issuance was published in *The News Tribune*, posted on the subject properties and mailed to the owners of properties within 300 feet of specific sites proposed to be re-designated and/or rezoned.

PROPOSED AMENDMENTS/ UPDATES:

The Lakewood Comprehensive Plan was initially adopted in 2000 and updated in 2004. Specific amendments and obvious updates have occurred annually since the initial adoption. In 2014 the City adopted updates to Chapters 2, Land-Use Maps; 3, Land-Use Policies; 5, Economic Development; and 7, Utilities, as the first phase of the required 2015 update. The 2015 updates include the following:

Chapter 1, Introduction- Amendments to Chapter 1 consist primarily of simple updates to language and references. The Chapter 1 update also includes incorporation of conclusions from the City's 2015 Community Vision Plan. Section 1.2.1 is added to describe the 2015 Vision Plan project. The *Guiding Principles* statement in the original comprehensive plan is proposed to be replaced by the *Community Values* identified in the 2015 Vision Plan. Since the 2015 Visioning project remains a "work-in-progress", additional amendments may be added after the conclusion of the Visioning process and/or in 2016.

The 2015 update also includes a series of "before and after" comparison pictures based on photos included in the original comprehensive plan. Finally, Section 1.7 is added to describe the 2015 update itself.

Chapter 4, Community Design- Amendments to Chapter 4 are also primarily simple updates and word-smithing. Substantive changes include extending the Civic-Boulevard designation to all of Bridgeport Way (instead of just Pacific Highway to Steilacoom Boulevard), noting the potential for significant modifications of the freeway interchanges in Tillicum, and affirming the City's desire to see a commuter rail station in Tillicum.

It is noted that the City Council has expressed interest in preparing a sub-area plan for the Central Business District (CBD). The CBD, Lakewood Station District, and Tillicum are singled out in the comprehensive plan as urban design focus areas. There are basic "Urban Design Framework" diagrams for each of these areas included in the existing comprehensive plan (which need to be updated at some point). Development of sub-area plans for these areas would be consistent with existing comprehensive plan policies to prepare such plans (and would also be an opportunity to update the basic Urban Design Framework diagrams included in the original comprehensive plan).

Chapter 6, Transportation- The Transportation Element of the City's Comprehensive Plan consists of two parts- Chapter 6 of the comprehensive plan which contains general transportation goals and policies, level-of-service standards, policies regarding concurrency, and a re-assessment strategy intended to address any failure to maintain LOS standards and/or funding for transportation facilities; and, second, the City's Six-Year Comprehensive Transportation Improvement Program (6-year TIP). The 6-year TIP is a planning document that is updated every year as required by state law (RCW35.77.010). The early years of the Program are fairly definite- it can be assumed that those projects will be constructed as scheduled. Projects in the later years of the program are more speculative, and may be accelerated, delayed or canceled as funding and conditions change.

Updates to Chapter 6 of the Comprehensive Plan include:

- Reworking some language in in the General Transportation Goals and Policies.
- Modified Policy T-2.4 to eliminate reference to the proposed Cross-base Highway, instead focusing on improvement to I-5 through Lakewood and JBLM, and connections to the Lakewood street system.
- Modified Policy T-2.5 regarding the I-5/SR 512 interchange.
- Added Policy T-4.6 to “Ensure emergency responders have efficient access to public and private properties.”
- Added Policy T-7.3 to “Ensure predictable sources of income to maintain the transportation system.”
- Replaced Goal T-9 regarding streetlights with goal to “Provide a balanced multimodal transportation system that supports the safe and efficient movement of people and goods.” Policies are added encouraging an inclusive transportation planning process that provides for the needs of all users, and to minimize the impacts of transportation facilities on low-income, minority, and special needs populations.
- Added Policy T-10.4 to “Consider the negative effects of transportation infrastructure and operations on the climate and natural environment.”
- Added Policy T-10.5 to “Support the development and implementation of a transportation system that is energy efficient and improves system performance.”
- Modification of Goal T-14 and related policies to specifically reference the Non-Motorized Transportation Plan adopted in 2009.
- Changed Policy T-14.7 from “Develop a non-motorized transportation plan...” to “Consider adopting a “Complete Streets” ordinance.”
- Added Policy T-16.5 to “Focus investments in downtown central business areas by promoting joint- and mixed use development and integrating shared use parking practices.”
- Added Policy T-16.6 to “Incorporate *Transportation 2040* guidelines into planning for centers and high-capacity transportation station areas.”
- Policy T-19.1- Recalibrated Level of Service definitions generally by adding time to the definition of each LOS level.
- Modified Policy T-19.3 to include development of multimodal concurrency standards.
- Revised Goal T-20 and related policies to revise LOS standards for specific roadways and intersections. Eliminated specific LOS standards for 5 roadway segments.
- Added new Policy T-20.4 to allow stop-controlled intersections to operate worse than the LOS standard.
- Reworked the last bullet in Section 6.7, Reassessment Strategy.

Chapter 8- Public Services- The chapter was last amended in 2004. The chapter outlines City policy in the following areas: fire protection, emergency medical services, police, emergency management, schools and higher education, library services, health and human services, and housing and community development programs. 2015 updates recognize the creation of West Pierce Fire and Rescue, acknowledge the discontinuance of the crime free rental housing program, update policies regarding fire protection and emergency management, and enhance policies regarding the location of schools and redevelopment of surplus school sites. The updates also refine policies regarding library services, including a policy to promote the

construction of a new main library facility within the City's downtown core, provide a reference to the Pierce County Library 2030 report, and support expansion of bookmobile services to underserved and/or isolated areas. Goals and policies regarding health and human services are also updated together with policies regarding housing and community development programs.

Chapter 9, Public Facilities and Improvements- Amendments to Chapter 9 include making explicit the references to the City's 6-year Capital Improvement Plan (CIP), the Legacy Parks Plan, and the master plan documents for private utility companies as part of the City's Capital Facilities element. The 20-year plan portion includes capital-facilities-related goals and policies; and the Capital Improvement Plan, Parks Plan, and utility master plans provide specific short term operational planning. Substantive changes include the addition of Policy CF- 2.10, which directs the City to update the CIP every two years in conjunction with approval of the city budget; update of Policy CF-7.2 to reflect the fact that the Lakewood Police Station building has been constructed; and addition of Policy CF 9.3 providing that the siting of essential public facilities is not categorically prohibited.

Chapter 10, Implementation- Amendments to Chapter 10 are primarily minor updates to the existing text. Substantive amendments include the explicit policy of supporting the construction of a Sounder commuter rail station in Tillicum, and the addition of references to implementation of the *Woodbrook Business Park Development Report (2009)* and the *Tillicum Neighborhood Plan (2011)*.

City Initiated Amendments

In addition to the update of the comprehensive plan, in April, 2015, the Planning Commission adopted a resolution of intent directing the Community and Economic Development Department to consider two amendments to the Land-use and Zoning maps:

- To "up-zone" approximately 56 acres of developed large-lot residential land comprising approximately 75 parcels located between Interlaaken Drive SW and Tower Road SW, north of Washington Blvd. SW. The amendment would rezone the land from R1 to R2 in order to reflect the existing mix of lot sizes and provide for increased in-fill housing options; and
- To re-designate and rezone approximately 7 acres of mostly vacant land located on the southwest corner of Gravelly Lake Drive SW and Veterans Drive SW (Pierce County Assessor's Parcels 4585000042 and 4725003074). The property would be re-designated from *Residential Estate* to *Single Family*, and rezoned from *R1* to *R3*.

Privately-Initiated Amendment

The Lakewood Racquet Club is proposing to re-designate and rezone a portion of their 11.4 acre facility at 5820 112th Street SW from *Open Space and Recreation* to *Mixed Residential* to accommodate development of the site with residential uses. The conceptual project map submitted with the rezone application indicates a 26-unit residential development on the site (although the City must consider all potential uses when evaluating a re-zone request.)

DISCUSSION: The 2015 updates use the Department of Commerce Update Checklist and the Puget Sound Regional Council (PSRC) Vision 2040 Plan and corresponding checklist to ensure that the City's plan and update comply with the State and PSRC requirements. Both of these agencies want to see that the City is accommodating its "fair share" of regional growth as determined through the Pierce County Regional Council (PCRC), and planning for corresponding growth and traffic.

2030 growth targets established for Lakewood include 13,200 additional population (72,000 total), 8,380 additional dwelling units (34, 284 total), and 9,285 additional jobs (38,336 total). The land use element update completed in 2014 indicates that the City has capacity for approximately 10,915 new housing units, and 23,904 in population growth.

Draft Updates

In order to facilitate the Council's consideration of the proposed comprehensive plan update, drafts of the proposed updates are attached. These are incomplete working documents, so some information and references may be missing. Staff has also included drafts of the Department of Commerce and PSRC Comprehensive Plan Update checklists to give the Council an idea of the types of issues and requirements that these agencies are interested in. The Planning Commission and Council will eventually need to make affirmative findings that the proposed updates are consistent with the City's comprehensive plan and the Washington State Growth Management Act.

CITY COUNCIL'S ROLE: This memorandum introduces the 2015 comprehensive plan and zoning amendments proposals to the Council. It provides the Council with the opportunity to become familiar with the proposed updates and pending land use actions. However, individual Councilmembers should be cautioned to reserve making comments that could be construed as decision-making at this time. Council is also advised to not to make significant changes/modifications to the scope of the amendments. An example of changing scope would include adding additional land use amendments to the batch that has already been proposed. Any 'significant change' in scope will require modifications to the environmental review process which is currently underway. That process would have to be halted, and a new process initiated which could impact the SEPA threshold determination process, delay consideration, and affect scheduling. If a change in scope is to be considered, then it would be the staff recommendation to move that work forward into 2016.

Attachments:

1. Draft Comprehensive Plan Updates
 - a) Chapter 1- Introduction
 - b) Chapter 4- Urban Design
 - c) Chapter 6-Transportation
 - d) Chapter 8- Public Services
 - e) Chapter 9- Capital Facilities

f) Chapter 10- Implementation

2. Planning Commission Resolution of Intent, April 15, 2015
3. Map showing proposed R1 to R2 rezone at Tower and Interlaaken
4. Map showing proposed R1 to R3 rezone at SW corner of Gravelly Lake Dr. and Veterans Dr.
5. Proposed Lakewood Racquet Club site plan
6. Department of Commerce Comp Plan Update Checklist (draft)
7. PSRC Comp Plan Update Checklist (draft)

1.0 INTRODUCTION

1.1 What is the Purpose of this Plan?

Incorporated in 1996, the City of Lakewood is engaged in the process of defining itself, articulating a vision of its future, and shaping its physical substance. This process is ongoing, taking place in City Council meetings, in letters to the editor, in permit requests, in dinner-table discussions, and many other venues. The ultimate blueprint of this vision is this comprehensive plan, which will guide Lakewood's growth and development ~~over the next 20 years.~~

The City of Lakewood has prepared and updated this comprehensive plan, as required by the Washington State Growth Management Act (GMA). Per GMA, comprehensive plans are intended to plan for a 20-year time horizon. The plan will shape Lakewood's growth for the next two decades by:

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

1.2 How Was this Plan Created?

This comprehensive plan is a reflection of the community's values and an expression of its vision for the future. Community-wide visioning sessions held early in the plan's development (prior to original adoption in 2000) identified characteristics in Lakewood held dear by the participants, and those they thought needed to be changed. A summary of strengths and weaknesses is given in Table 1.1 below, based on the initial visioning sessions and refined during the 2004 review process.

{Insert photo? Was aerial view of Bridgeport}

Table 1.1: Lakewood's Strengths and Weaknesses (updated 2004).

	Strengths	Weaknesses
1	Abundant natural beauty	Despite intermediate improvements, perception of Lakewood as a high-crime area perpetuates
2	High quality of City officials and staff	Older, substandard retail development
3	Good economic potential and business climate	Unattractive gateways to the city
4	Strong civic involvement	<u>Legacy of poor land-use planning</u>
5	Good schools, libraries, and higher education opportunities	Poor quality or non-existent streets, sidewalks and bike paths

The original visioning exercise went further to identify specific actions the City should take in relationship to some of the issues facing Lakewood. The principal role of these visioning sessions in the comprehensive planning process was to provide City officials and staff a sense of Lakewood's current state and where it should be headed, from the public's perspective. During the period between city incorporation and the initial adoption of a comprehensive plan, the following priorities have lent guidance to City officials in prioritizing public actions (Table 1.2). Throughout the lengthy comprehensive planning process, these visions have remained as a touchstone for accomplishment. They mark one standard against which the comprehensive plan and a constantly evolving city environment can be measured in years ahead. Again, these were have been modified and updated as part of the 2004 review process.

Table 1.2: Goals and Recommended Actions Emerging from 1999 Visioning.

Action Area	Goal	Prioritized Actions
Capital Facilities	Lakewood has attractive, well designed civic facilities that are a source of pride to the community.	<ul style="list-style-type: none"> • Acquire land base for civic functions • • Build a Civic Center • Conduct capital facilities planning
Economic Base	Lakewood supports a strong, diverse employment base.	<ul style="list-style-type: none"> • Make Lakewood 'Lakewood' –more grass, trees, and water • Create a broad economic base through a variety of creative tools
Environment	Lakewood continues to cherish and protect the natural environment including its lakes, woods, and natural amenities.	<ul style="list-style-type: none"> • Cleanse stormwater entering lakes • Protect and make accessible the lakes and woods

Table 1.2: Goals and Recommended Actions Emerging from 1999 Visioning. (cont)

Action Area	Goal	Prioritized Actions
Government	City government in Lakewood functions to preserve and protect the values of its diverse population.	<ul style="list-style-type: none"> • Monitor implementation of zoning code • Amend the zoning process where necessary • Formalize dealing with military bases • Complete the conversion of police services from County contract
Human Services	Lakewood has paid close attention to the needs of all its citizens and provides excellent human services.	<ul style="list-style-type: none"> • Promote youth services • Promote neighborhood interaction
Land Use – Residential	Lakewood has preserved its existing single-family neighborhoods while creating an urban center that supports multi-family residential in planned areas with high levels of public services.	<ul style="list-style-type: none"> • Maintain character of single-family neighborhoods • Promote compact urban center well served by public services • Diversify housing types for emerging markets • Promote mixed use
Land Use – Commercial	Lakewood has both thriving community centers and a downtown. Downtown has become not only the “heart” of the city, but a regional urban center where commerce, culture, and government flourish.	<ul style="list-style-type: none"> • Encourage quality design in commercial construction
Land Use – Amenities	Lakewood is a beautiful city marked by an abundance of parks, open spaces, and attractive, landscaped corridors.	<ul style="list-style-type: none"> • Emphasize open space and preservation of wildlife habitat • Preserve natural area within Ft. Steilacoom Park
Transportation	Lakewood has an excellent, integrated transportation system that supports all modes of transportation – private vehicles, public transportation, bicycles, and walking.	<ul style="list-style-type: none"> • Upgrade streets with sidewalks and landscaping • Add bicycle trails/lanes, especially between park areas • Continue to pursue development of Sound Transit station • Seek funding for 512/100th intersection • Support Cross-Base Highway
Urban Design	Lakewood is now a city with a “heart.” Friendly, diverse neighborhoods with distinct character are now linked to a dynamic unique city center	<ul style="list-style-type: none"> • Encourage more pleasant human environment around development • Encourage

	that is truly a blending of lakes and woods.	contemporary design in redevelopment
Utilities	Utilities have been extended throughout the majority of the city to provide citizens with efficient and reliable services.	<ul style="list-style-type: none"> • Extend sewers to Tillicum & American Lake Gardens • Pursue undergrounding of above-ground utilities city-wide at appropriate level

Representative photos reflecting the strengths and weaknesses that citizens observed during the visioning process (prior to initial adoption of the Comprehensive plan) are presented at the end of this chapter as Figures 1.1 and 1.2. The prioritized actions developed during the 1999 visioning sessions served as a basis for many of the original policies established in Chapter 3.0. At the beginning of each chapter are additional photographs depicting the character of the city at the start of this 20-year plan (in 2000). Both the citizen photos and the additional character photos serve as benchmarks documenting the city at the start of the comprehensive planning process, against which future change can be measured. “Before and After” photo comparisons are added in 2015 to show progress since the initial adoption of this plan. As of 2015, it is clear that a significant amount of change has occurred since incorporation, and the City has made great strides in realizing the values and goals articulated in the original visioning effort.

1.2.1 2014-15 Community Vision Project

In 2014 the City prepared an updated Community Vision Plan based on a broad community survey and meetings with a variety of community groups and organizations. This information was used to craft an aspirational vision statement, define a set of community values, and articulate a set of actions intended to further those values as the City moves into the future.

The 2015 Vision Plan includes the following Vision Statement:

Lakewood is a safe, culturally diverse, and beautiful city. As Lakewood grows, we will continue to be one of Washington’s premier places to live, raise a family, and cultivate a business. Our picturesque parks, scenic lakes, protected open spaces, and abundant natural amenities make Lakewood the undiscovered gem of the Puget Sound region. The foundation for Lakewood’s future lies in the outstanding K-12 and higher education institutions within our city and the core values our community is built upon, including family, service, community engagement, and protection of the natural environment. Active and on-going support for America’s service members at Joint Base Lewis-McChord is an explicit mission of the city. Lakewood’s strategic location, robust economy, high-quality public services, and parks and recreation facilities round out the reasons that the City of Lakewood is the perfect place to call home.

Not surprisingly, the 2015 Vision Plan reinforces many of the themes identified in the 1999 visioning exercise such as creation of a broad and diverse economic base, provision of high quality public facilities, and protection of the environment. The 2015 Vision Plan acknowledges the core values of family, service, community engagement and protection of the natural environment. However, the 2015 Vision Plan goes even farther and organizes the community’s goals and aspirations around five Community Values. These Community Values are:

Lakewood Community Values

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

The 2015 Vision Plan discusses each of these community values and sets forth over 65 action items intended to move the community toward its vision for the future. Progress on the realization of these community values is intended to be measured in an annual “report card” using milestones, benchmarks, and metrics set forth in the Community Vision Plan.

1.3 What Principles Guide This Plan?

Lakewood is a place where values that increase our ability to form community are honored and proclaimed: integrity, honesty, rights with responsibility, respect for law and order, mutual respect and care for all citizens, cooperation, and volunteerism. These values were augmented in 2015 with the 5 community values noted above.

As Lakewood continues to ~~evolve~~ develop as a city, the City seeks to ensure a more successful future for Lakewood's people by working together with vision, focus, and cohesion to provide opportunities for all people to meet their needs and fulfill their aspirations.

City staff and the Planning Advisory Board (PAB), an advisory body to the City Council, used the core values expressed by those participating in the initial visioning process to develop the set of guiding principles for the comprehensive plan, presented on the following page. These principles were developed to serve as a framework, giving structure to and containing the process. They do not identify specific actions that should be taken, but they are a measuring device against which to gauge decisions. Ultimately, each of the goals and policies contained in the plan relates back to these guiding principles.

GUIDING PRINCIPLES

People are Lakewood's most vital asset.

A city's livability and prosperity are found in the collective spirit of those who live and work there. Lakewood's community development goals are not merely related to buildings, roads, and such, but to people's quality of life and their pride in and individual contributions to the community.

A sense of place helps define the city.

Putting Lakewood's comprehensive plan to work will help support its most functional areas and continue to improve the physical and social conditions that have resulted in its compromised standing in the regional eye.

Lakewood must be a safe community.

A city and its neighborhoods are underpinned by caring people who watch after each other. Ensuring that there are adequate resources in place to foster public safety will help create a quality place for everybody.

Variety in the built environment helps sustain Lakewood.

Combining land uses that encourage people to live, work, and play in the "new downtown" and the Lakewood Station area will help create a more vibrant life and economy in the city's dominant commercial areas.

Connectivity and movement are essential.

Urban life is improved by facilitating movement, access, and connection for freight, private vehicles, pedestrians, public transportation, and bicycles. Developing a connecting network of streets, sidewalks, and land uses will keep Lakewood's people and products mobile.

Lakewood's urban ecology is important.

A city's natural spaces help make it a desirable place to live. Actively identifying and pursuing opportunities to reestablish a balance between Lakewood's urban and natural systems and restore such natural spaces as creek channels, oak stands, and "rails to trails" possibilities will help overcome past encroachment by development.

New development must contribute.

Holding new development responsible for providing functional infrastructure will offset its impacts on the community and ensure healthy neighborhoods for new residents.

The City must contribute.

Lakewood's public lands and infrastructure — streets, sidewalks, and other public areas — set the stage for life in the city. Targeting public investments into infrastructure and other public projects will create clean, safe, inviting, and well connected and maintained facilities for a maximum number of people.

1.4 What Does this Plan Do?

As a community, Lakewood has been around for a long time, but it was not until incorporation in 1996 that the City began the ambitious effort of charting its own destiny for the first time. The course charted by the City's plan ~~will take~~ Lakewood on a deliberate new direction in clear departure from the incremental approach to planning that prevailed prior to incorporation. Adoption of this plan represents the City's commitment to that new direction, ~~allowing helping~~ Lakewood to create a community that reflects the values of all its inhabitants.

Development of this plan was a long, complex effort involving the contributions and reflections of members of the community, the PAB, elected officials, and outside experts. The result is a cohesive policy structure to guide the innumerable decisions facing this community as it forges ahead over the next two decades. Because all City regulations are legally required to be consistent with this plan, it gives City government, for the first time, a common starting point for developing regulations, reviewing legislation and proposed projects, and making crucial spending decisions.

A review of this plan was required under state law in 2004. Because the plan was only a little more than three years into its implementation at that time, this was not viewed as an opportunity to deviate from the course set following the arduous process leading up to Lakewood's initial comprehensive plan.

Because every effort was made to make this plan a vital, living document that is relevant in the day-to-day activities of the City over the next 20 years, the required review process focused on evaluating the plan against statutory requirements and making adjustments where needed. To achieve this objective, the goals and policies that comprise the foundation of the plan must be specific enough to direct real actions while remaining sufficiently far-reaching to apply to the unforeseeable future. This is no simple task. The plan's edicts vary in specificity from the details of urban design in the Lakewood Station district to the much more general, longer-range transition of ~~American Lake Gardens~~ the Woodbrook area from residential to industrial use.

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

1.4.1 Controlling Sprawl

Land use in Lakewood is characterized by sprawl—that all too common pattern of low intensity land use, where housing, businesses, and other activities are widely scattered with no focus. Sprawl, often the result of lax land use controls, results in inefficient use of infrastructure, ~~over-dependence on the~~ automobile dependency, lack of spatial organization, and urban development that most people perceive as ugly. This plan will reverse this trend through the following:

- New land use designations custom tailored to resolving Lakewood's existing land use problems.
In contrast to generic land use controls, each of the land use designations was developed to specifically address the land use issues facing Lakewood. To be applied through new zoning developed in response to this plan, the land use designations address specific types of uses as well as housing and employment densities. The mosaic of designations will direct development intensity and determine where living, working, shopping, and relaxing will occur for the next two decades.

- Limiting the surplus of commercial land.

- ~~Limiting the surplus of commercial land.~~

Commercial activity has traditionally been distributed throughout Lakewood in a relatively random pattern. Not only is this an extremely inefficient use of land, it ~~contributes to a weak~~ weakens the local economy. This plan restricts new commercial development to specialized nodes and corridors for regional commerce and neighborhood commercial areas as a service to nearby residents and businesses.

- Targeted residential growth in specific neighborhoods.

A number of residential areas will be rejuvenated as high-density neighborhoods supported by public open space, neighborhood commercial centers, and other amenities. The neighborhood targeted for maximum growth is Springbrook. Along with its name change from McChord Gate, this neighborhood will undergo substantial redevelopment at land-efficient densities. With its proximity to employment opportunities at JBLM McChord Air Force Base (AFB) and the central business district (CBD), as well as excellent access via I-5 and commuter rail at Lakewood Station, Springbrook is a natural candidate for high density residential development. Construction of new townhouses and apartments has been will be catalyzed through provision of amenities such as new parks, open space, and improved infrastructure (including a new water main installed in 2012). Other neighborhoods with substantial growth capacity slated for redevelopment under this plan include the Custer neighborhood in north central Lakewood, the northern portion of Tillicum, and the area around the Lakewood commuter rail station.

- Focused investment.

Public investment will be focused on the areas of the city where major change is desired. ~~Future s~~Spending will be prioritized to achieve the coherent set of goals established in this plan. As required by law, capital expenditure will be consistent with the comprehensive plan, providing a rational basis for fiscal decision-making. Specifically, public investment will be tied to growth; thus, areas targeted for increased housing and employment density will have top priority for City spending. The City has spent over \$24 million on projects in the Springbrook, Woodbrook and Tillicum areas since 2004, including extension of sanitary sewer service to Tillicum and Woodbrook, extension of water service to Springbrook, and substantial roadway improvements in these areas.

1.4.2 Protecting the Social, Economic, and Natural Environments

While much of the emphasis of this plan is to transform the city, preserving and enhancing its best attributes are also underlying directives. From a broad perspective, Lakewood's environment consists of viable neighborhoods, healthy economic activity, and functioning natural systems. This plan recognizes that to be sustainable, the inter-relationships between these elements must be recognized. each of these environments is interrelated:

- Preserve existing neighborhoods.

One of Lakewood's greatest strengths is its established residential neighborhoods. This plan protects these valuable assets through careful management of growth, provision of adequate services, and stewardship of the physical environment.

- Attracting new jobs through a variety of economic development incentives.

To balance residential growth, Lakewood needs to significantly increase its employment base. This will be achieved by protecting existing employment resources and by creating new opportunities. In addition to a host of economic development initiatives, the plan seeks to cultivate~~protects~~ industrial resources through designation of the City's two~~an~~ industrial areas- Lakewood Industrial Park and Woodbrook, as ~~/~~manufacturing~~C~~centers of Local Importance. New jobs will be facilitated by designating new areas for industrial, office, and high tech growth.

- Addressing public safety in a responsible manner.

Since incorporation, much of Lakewood's budget has been spent on police protection. Under this plan, crime prevention and effective response will remain ~~the City's~~ a top priority of the City.

- Application of environmental protection measures.

Environmental protection is a major, integral theme of this plan. Environmental values and actions underlie and drive the majority of goals and policies comprising each chapter of the plan. Examples range from land use provisions such as riparian protection to transportation demand management.

- Conversion of a part of Woodbrook (American Lake Gardens) to industrial use. Woodbrook American Lake Gardens currently provides substandard housing served by failing septic systems. With this plan targeting residential growth in other neighborhoods, American Lake Gardens Woodbrook is a promising opportunity for job creation. This plan envisions a new state-of-the-art industrial area park. ~~Over the 20-year life of the plan, this~~ The assortment of aging and substandard housing and other land uses will be transformed to a major destination for manufacturing, corporate headquarters, and other employment-generating uses making use of excellent access to I-5 and the planned Cross-Base Highway.

1.4.3 Creation of Place

“There’s no there, there” is a common criticism of many American localities, and Lakewood has been no exception. The traditional icon of place is a recognizable downtown. While many of the basic ingredients for a downtown are already in place in Lakewood, they currently do not work together to create an active, multi-faceted core. This plan is focused on creating a viable, functioning, and attractive community center.

- Continue development of the aCentral bBusiness dDistrict (CBD). The CBD is will become the center of commercial and cultural activity for the city. It encompasses both the Lakewood Towne Center and Colonial Center. The area in and around the Towne Center is envisioned as a magnet for intensive mixed use urban development including higher density office and residential uses. At the north end of the CBD, the Colonial Center will serve as the hub of Lakewood's cultural activity. Higher quality, denser urban redevelopment is expected within will dominate the District, noticeably increasing social, cultural, and commercial activity. Streetscape and other urban design improvements will make this area more accessible and inviting to pedestrians.

- Development of a special district around Lakewood Station. The Lakewood Station area is intended to will become a new high density employment and residential district catalyzed by station-area development opportunities. A dense concentration of urban development with a major concentration of multi-unit housing, health care services, and employment, shopping, ~~and services~~ will be developed within walking distance of the Lakewood commuter rail station. A significant high density, multi-unit residential presence in the center of this area will be encouraged. There will be special emphasis placed on design to enhance the pedestrian environment and create a diverse new urban neighborhood. New open space opportunities consistent with the desired urban character will be prioritized to attract development. A new pedestrian bridge connection the Lakewood Station to the neighborhood to the north was completed in 2013.

- Increased emphasis on making Lakewood accessible and convenient for pedestrians and bicycle riders. This plan offers transportation choice by putting walking and bicycling on an equal footing with the automobile. New linked systems of sidewalks, crosswalks, trails, and pathways will not only make alternatives to driving viable for those unable to drive, but a desirable option for those who choose to walk or ride.

- New urban design approaches to raise the aesthetic standards throughout the city. Lakewood citizens are overwhelmingly in favor of instilling a sense of place for their community by making it more attractive. This plan addresses this sentiment with an entire chapter devoted to urban design. The policies in the Urban Designis chapter will improve the quality of place through specific design treatments both at the city-wide context level as well as at the level of specific targeted neighborhoods.

THIS PAGE LEFT BLANK INTENTIONALLY

1.5 How Will this Plan Be Used?

Following adoption ~~in 2000, the this~~-comprehensive plan ~~will be was~~ implemented in large part ~~by through~~ adoption of a number of programs, plans, and codes. Some of these additional documents include:

- A zoning code that ~~will ensure that the City's zoning is~~ consistent with the comprehensive plan land use designations;
- Sub-area, corridor, and gateway plans for specific portions of Lakewood. Sub-area plans have been prepared for Tillicum and the Woodbrook Industrial Park;
- A critical areas ordinance, as defined by the GMA (LMC Title 14A, adopted March 2004); and
- A shoreline master program, as defined by the State Shoreline Management Act (adopted December 2014); and,
- ~~a~~ 6-year capital improvement program (CIP), updated on a regular basis.

Because the GMA requires that these programs and regulations be consistent with the City's comprehensive plan, the plan is particularly important in determining the City's future capital expenditures and how they relate to specific plan goals and policies.

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

Central to the plan is an official land use map, presented in Chapter 2, that delineates the type and intensity of all land uses within the city. This map is accompanied by definitions for all land use designations it includes. Chapter 2 also includes a discussion of Lakewood's urban growth area (UGA) and identifies UGA boundaries. The remaining chapters contain the individual plan elements and their various goals and policies that guide decisionmaking on how Lakewood will grow, look, and function into the future.

1.6 How Does this Plan Relate to GMA and Other Requirements?

Comprehensive plans are intentionally broad and far-reaching. This plan does not address the specifics of individual land uses, localized urban design treatments, or specific programs. Instead, it lays the framework for how such issues will be addressed by City policies and programs in the future.

Under GMA, local comprehensive plans must address certain planning elements including land use, transportation, housing, capital facilities, and utilities. This plan contains a number of chapters that correspond to or otherwise address the GMA's required planning elements. Lakewood has also chosen to prepare several optional elements, addressing the topics of urban design, economic development, and public services.

Tables 1.3 through 1.8 identify the locations of required and optional elements under GMA within this plan. Each chapter generally contains goals and policies, accompanied by explanatory text. Information required by GMA is also contained in a background report, which documents existing conditions and trends in detail; an environmental impact statement (EIS), which analyzes potential environmental impacts as required by SEPA;

and the CIP, the City's prioritized list of planned capital expenditures for the next 6 years.

1.6.1 Land Use

The GMA land use requirements are addressed in several locations. The majority of issues related to land use are addressed in Chapters 2 and 3. Chapter 2 discusses land use designations and locations, while Chapter 3 consists of goals and policies related to the land use designations. In addition, some physical characteristics such as building intensities are addressed at greater detail in Chapter 4 (Urban Design). Future population is estimated according to a development capacity model included in Section 3.3 of the EIS.

Table 1.3: Relationship Between GMA Requirements for Land Use and the Lakewood Comprehensive Plan.

RCW Section & GMA Requirement	Location where Lakewood Comprehensive Plan Complies with Requirement
36.70A.070(1) Population densities (land use element)	<ul style="list-style-type: none"> comp. plan Section 2.3: Land Use Designations
36.70A.070(1) Building intensities (land use element)	<ul style="list-style-type: none"> comp. plan Section 2.3: Land Use Designations comp. plan Section 4.2: Relationship Between Urban Design and Land Use Designations
36.70A.070(1) Estimates of future population growth (land use element)	<ul style="list-style-type: none"> comp. plan Section 3.2: Residential Lands and Housing 2.3: Land Use Designations
36.70A.070(1) Protection of groundwater quality/quantity (land use element)	<ul style="list-style-type: none"> comp. plan Section 3.11: Environmental Quality
36.70A.070(1) Drainage/flooding/stormwater runoff (land use element)	<ul style="list-style-type: none"> comp. plan Section 3.11: Environmental Quality

1.6.2 Housing

Housing issues are addressed in the land use chapter and several other locations. The comprehensive plan land use designations and map (Chapter 2) identify areas of the city targeted for different housing types. The land use chapter (Chapter 3) addresses goals and policies related to a variety of housing issues. Technical analysis of needs and capacity is contained in the background report and the EIS.

Table 1.4: Relationship Between GMA Requirements for Housing and the Lakewood Comprehensive Plan.

RCW Section & GMA Requirement	Location where Lakewood Comprehensive Plan Complies with Requirement
36.70A.070(2)(a) Inventory/analysis of existing/projected housing needs (housing element)	<ul style="list-style-type: none"> • Housing section of background report • EIS Section 3.5 Housing
36.70A.070(2)(b) Statement of goals/policies/objectives/mandatory provision for the preservation/improvement/development of sufficient land for housing (housing element)	<ul style="list-style-type: none"> • comp. plan Section 3.2: Residential Lands and Housing
36.70A.070(2)(c) Sufficient land for housing, including government-assisted, low-income, manufactured, multi-family, group homes, & foster care (housing element)	<ul style="list-style-type: none"> • comp. plan Section 3.2: Residential Lands and Housing • comp. plan Section 2.3: Land Use Designations
36.70A.070(2)(d) Provisions for existing/projected needs for all economic segments (housing element)	<ul style="list-style-type: none"> • comp. plan Section 3.2: Residential Lands and Housing

1.6.3 Capital Facilities

Capital facilities are addressed in Chapter 9 of the comprehensive plan, background report, EIS, and Lakewood 2019-2020 CIP. The required capital facilities issues are addressed in the capital facilities chapter. Technical analysis of needs and capacity is contained in the background report and the EIS.

Table 1.5: Relationship Between GMA Requirements for Capital Facilities and the Lakewood Comprehensive Plan.

RCW Section & GMA Requirement	Location where Lakewood Comprehensive Plan Complies with Requirement
36.70A.070(3)(a) Inventory of existing capital facilities owned by public entities, showing location and capacities (capital facilities element)	<ul style="list-style-type: none"> background report utilities section EIS Section 3.8: Public Services and Utilities
36.70A.070(3)(b) Forecast of future needs for capital facilities (capital facilities element)	<ul style="list-style-type: none"> background report utilities section EIS Section 3.8: Public Services and Utilities
36.70A.070(3)(c) Proposed locations and capacities of expanded/new capital facilities (capital facilities element)	<ul style="list-style-type: none"> Lakewood 20105-20240 CIP
36.70A.070(3)(d) At least a 6-year plan to finance capital facilities (capital facilities element)	<ul style="list-style-type: none"> Lakewood 20105-20240 CIP
36.70A.070(3)(e) Requirement to reassess land use element capital facilities funding falls short (capital facilities element)	<ul style="list-style-type: none"> comp. plan Section 9.4: General Goals and Policies

1.6.4 Utilities

The most detailed discussion of utility capacity, needs, and locational issues is contained in the utilities section of the background report. The utilities section of the EIS also contains relevant information, especially pertaining to impacts and proposed mitigation associated with this plan. Although the comprehensive plan chapter on utilities includes summary level review of how the plan will accommodate land use changes, the chapter is primarily comprised of goals and policies.

Table 1.6: Relationship Between GMA Requirements for Utilities and the Lakewood Comprehensive Plan.

RCW Section & GMA Requirement	Location where Lakewood Comprehensive Plan Complies with Requirement
36.70A.070(4) General/proposed locations of utilities (utilities element)	background report utilities section EIS Section 3.8: Public Services and Utilities comp. plan Chapter 7.0: Utilities
36.70A.070(4) Capacity of existing/proposed utilities (utilities element)	background report utilities section EIS Section 3.8: Public Services and Utilities comp. plan Chapter: 7.0 Utilities

1.6.5 Transportation

The transportation chapter of the comprehensive plan establishes the overall transportation framework for Lakewood's transportation planning through long-range goals and policies.

Table 1.7: Relationship Between and GMA Requirements for Transportation and the Lakewood Comprehensive Plan.

RCW Section & GMA Requirement	Location where Lakewood Comprehensive Plan Complies with Requirement
36.70A.070(6)(a)(i) Land use assumptions used in estimating travel (transportation element)	<ul style="list-style-type: none"> • comp. plan Section 2.3: Land Use Designations
36.70A.070(6)(ii) Estimated traffic impacts to state transportation facilities (transportation element)	<ul style="list-style-type: none"> • EIS Section 3.6: Transportation
36.70A.070(6)(iii)(A) Inventory of air/water/ground transportation & services (transportation element)	<ul style="list-style-type: none"> • background report transportation section • EIS Section 3.6: Transportation
36.70A.070(6)(iii)(B)&(D) Level of service standards (LOSs) for locally owned arterials & transit routes & actions/requirements for bringing those that don't meet LOSs into compliance (transportation element)	<ul style="list-style-type: none"> • comp. plan Section 6.5: Level of Service Standards and Concurrency
36.70A.070(6)(iii)(C) Level of service standards for state highways (transportation element)	<ul style="list-style-type: none"> • comp plan. Section 6.5: Level of Service Standards and Concurrency
36.70A.070(6)(iii)(E) Traffic forecasts for at least ten years (transportation element)	<ul style="list-style-type: none"> • EIS Section 3.6: Transportation
36.70A.070(6)(iii)(F) Identification of state/local system needs to meet current/future demands (transportation element)	<ul style="list-style-type: none"> • EIS Section 3.6: Transportation
36.70A.070(6)(iv)(A) Analysis of funding capability (transportation element)	<ul style="list-style-type: none"> • Lakewood 2005-2010 CIP (transportation section)
36.70A.070(6)(iv)(B) Multi-year financing plan based on needs identified in comp. plan (transportation element)	<ul style="list-style-type: none"> • Lakewood 2005-2010 CIP (transportation section)
36.70A.070(6)(iv)(C) Discussion of how funding shortfalls will be handled (transportation element)	<ul style="list-style-type: none"> • EIS Section 3.6: Transportation

36.70A.070(6)(v) Intergovernmental coordination efforts (transportation element)	<ul style="list-style-type: none"> • comp. plan Section 6.1: Introduction and Purpose (Transportation) • comp. plan Section 6.1.1: General Transportation Goals and Policies
36.70A.070(6)(vi) Demand management strategies (transportation element)	<ul style="list-style-type: none"> • comp. plan Section 6.2: Transportation Demand Management

This plan also designates arterial street classifications, identifies bicycle and pedestrian trails, and establishes level of service (LOS) standards. Analysis of traffic, safety, and LOS impacts; road improvements proposed by the state and county; and funding options are contained in the EIS. Specific transportation projects led by the City are listed in the CIP.

1.6.6 Optional Elements

Lakewood opted to include chapters addressing urban design, economic development, and public services, along with the five required elements discussed above. In addition, other issues such as parks and recreation and environmental quality are addressed in the land use chapter. (Economic development and parks and recreation have been added to the GMA as required elements; however, that requirement is currently not in effect per RCW 36.70A.070(9) so still are considered to constitute optional elements being addressed under this plan.

Table 1.8 Relationship Between GMA Optional Elements and the Lakewood Comprehensive Plan.

RCW Section & GMA Requirement	Location where Lakewood Comprehensive Plan Complies with Requirement
36.70A.080(1) Optional elements at City's discretion	<ul style="list-style-type: none"> • comp. plan Chapter 4.0: Urban Design • comp. plan Chapter 5.0: Economic Development • comp. plan Chapter 8.0: Public Services

1.6.7 Regional Planning Policies

In addition to the GMA, this plan is required to comply with VISION 2040, the multi-county policies, and Pierce County's County-Wide Planning Policies (CWPP). This plan shares many of the VISION 2040 goals, especially expanding housing choice and increasing job opportunities for community residents. Urban scale neighborhood redevelopment proposed for the Lakewood Station district, Springbrook, Tillicum, and elsewhere exemplifies the type of urban growth envisioned by these regional policies. Numerous other features, including improved pedestrian and bicycle networks, compact urban design types, and balanced employment and housing, further demonstrate this consistency. The goals and policies comprising Lakewood's comprehensive plan also reflect the emphasis of each of the major CWPP issue areas. In particular, the Future Land-Use Map is based on the CWPP's land-use principles. This is reiterated in the corresponding goals and policies associated with the map, which comprise the land-use chapter.

1.6.7.1 Compliance with Vision 2040

The Lakewood Comprehensive Plan supports a sustainable approach to growth and future development. The Plan incorporates a systems approach to planning and decision-making that addresses protection of the natural environment. The plan commits to maintaining and restoring ecosystems, through steps to conserve key habitats, clean up polluted waterways, and reduce greenhouse gas emissions. The plan includes provisions that ensure that a healthy environment remains available for future generations in Lakewood.

Lakewood's comprehensive plan has been updated based on residential and employment targets that align with Vision 2040. Through the targeting process the City has identified the number of housing units in the city for the year 2031. We have also established an affordable housing goal for this planning period.(2) Residential and employment growth targets have also been identified for our designated regional growth center.

The comprehensive plan addresses each of the policy areas outlined in VISION 2040. Lakewood has policies that address habitat protection, water conservation, air quality, and climate change. The City's land-use codes incorporate environmentally friendly development techniques, such as low-impact landscaping. The plan calls for more compact urban development and includes design guidelines for mixed-use and transit-oriented development. There are directives to prioritize funding and investments to our regional growth center. The housing (sub)element commits to expanding housing production at all income levels to meet the diverse needs of both current and future residents. The plan includes an economic development element that supports creating jobs, investing in all people, creating great communities, and maintaining a high quality of life. The transportation element advances cleaner and more sustainable mobility, with provisions for complete streets, green streets, context-sensitive design, and a programs and strategies that advance alternatives to driving alone. The City coordinates its transportation planning with neighboring jurisdictions, including our level-of-service standards and concurrency provisions. The City is committed to resource conservation in the provision of public services.

The comprehensive plan also addresses local implementation actions in VISION 2040, including identification of underused lands, mode-split goals for the City's designated center, and housing targets.

1.7 2015 Update

A substantial update to this plan was completed in 2015. The 2015 updates acknowledged goals that had been met since the plan's initial adoption in 1996, and also took into account the recommendations resulting from a Visioning project in 2014-15. The 2015 updates intend to implement the provisions of Vision 2040, the regional growth strategy put forth by the Puget Sound Regional Council (PSRC).

The primary concept of the regional growth strategy is that development is to be focused into urban areas and "centers". The City of Lakewood is classified as a "core city" and designated as a *Regional Growth Center*, and, as such, is expected to accommodate a large share of the region's growth.

In 2014 the City designated eight (8) Centers of Local Importance (COLIs). These COLIs were adopted in Section 2.5 (Land Use Maps chapter) of this comprehensive plan. Centers of Local Importance are designated in order to focus development and funding to areas that are important to the local community. COLIs are intended to promote compact, pedestrian oriented development with a mix of uses, proximity to diverse services, and a variety of appropriate housing options. COLIs may also be used to identify established industrial areas. The Centers of Local Importance identified for the City of Lakewood include:

- A. Tillicum
- B. Fort Steilacoom/Oakbrook
- C. Custer Road
- D. Lakewood Industrial Park/CPTC
- E. South Tacoma Way
- F. Springbrook
- G. Woodbrook
- H. Lake City West

The City of Lakewood is also working with Pierce County and the Puget Sound Regional Council (PSRC) to develop an appropriate Centers policy for Joint Base Lewis McChord (JBLM). The base has a significant impact and influence on the region, the State, and the City of Lakewood. PSRC and Pierce County are seeking an appropriate and equitable way to account for JBLM within the regional Centers framework and the Growth Management Act.

THIS PAGE LEFT BLANK INTENTIONALLY

4.0

URBAN DESIGN AND COMMUNITY CHARACTER

4.1 Introduction

This chapter describes the community's vision for the development of Lakewood's physical environment. It presents a framework of priority roads, gateways, open space connections, and focus areas, followed by the goals and policies to achieve the vision.

Upon incorporation, Lakewood ceased to be a small part of a larger entity and instead became its own place. With the status of cityhood has come a need for identity and sense of place. Lakewood's citizens have strongly expressed the need for the community to take control of its image, to grow into a recognizable city with a strong civic center, and to eliminate the negative aspects of its past.

In the citizens' visioning sessions that took place at the beginning of the comprehensive planning process, urban design was identified as the most urgent planning issue before the City. This was a significant occurrence, as it is somewhat unusual for urban design to achieve such a high profile when compared to other pressing civic issues such as transportation, public safety, and human services. Participants expressed a desire for a plan that develops a foundation for building a "heart of the city," creates beautiful entrances to the city ("gateways"), creates a legacy of interconnected parks and green spaces, and identifies and preserves the best natural and built features that Lakewood has to offer. They wanted a more pedestrian-oriented city with attractive streets and an environment that helps orient and guide visitors.

This chapter begins the process of fulfilling a community vision of Lakewood as a fully evolved city that combines a defined sense of place and a collective unity of spirit as evidenced by an appealing, functional environment. Five major urban design building blocks are defined in this chapter to work toward this goal. First, urban design needs related to specific land-use categories are discussed. Secondly, the relationship of urban design to transportation planning is presented, and some street classifications related to urban design are presented. Next, a physical framework plan identifies the key elements that define the city's physical structure in terms of its open space network, civic boulevards, and major gateways. Urban design strategies for specific focus areas are presented, along with specific actions for implementation. Finally, overall urban planning goals and policies are identified to guide development of Lakewood's physical environment.

The three urban design focus areas that are singled out for special attention are: the CBD, Lakewood Station district, and Tillicum. These three focus areas are crucial to the city's image and are parts of the city where substantial change is planned that will create a rich mixture of land uses in a pedestrian oriented environment. To achieve this level of change, substantial public investment and standards for private development will be needed.

There are limitations as to how urban design can be addressed at the comprehensive planning level. For this reason, this chapter recommends the future preparation of subarea plans to address priority areas at a scale allowing for the necessary attention to detail. Pending these detailed studies, adherence to the goals and policies shown here will assist the City in carrying out some of its most pressing development priorities such as City Hall construction, [continued](#) redevelopment of the Lakewood Mall [into Lakewood Towne Center](#), development of [transit oriented residential projects around](#) the Sound Transit commuter rail station, and preservation of strong single-family neighborhoods.

4.2 Relationship Between Urban Design and Land-Use Designations

Particularly desirable urban design features accompany many of the land-use designations discussed in Chapter 2. These features are identified here in relationship to the specific land-use designations, except the CBD and Lakewood Station district, which are presented separately.

4.2.1 Residential Lands

Urban design is especially important in multi-family residential areas to create satisfying and aesthetic places for residents. The following factors should be considered in developing multi-family properties:

Mixed Residential and Multi-Family: Encourage infill development along key pedestrian streets and in proximity to public transit routes or centers. Use design to create a pedestrian scale along key pedestrian streets. Locate parking behind residential buildings with access off alleys, where possible, and limit driveways and curb cuts along key pedestrian streets. Building faces should typically be oriented parallel to the street with setbacks aligned with adjacent buildings. Architectural variety should be encouraged, as should building modulation, emphasis on semi-public, semi-private, and private open space. Building scale, especially in mixed residential areas, should respect physical context. Above all, livability over the long term should be a prime consideration during the project review process.

High-Density Multi-Family: Encourage the development of high-density multi-family residential neighborhoods in proximity to public transit and the commuter rail station. Neighborhood character should reinforce a pedestrian orientation along key pedestrian streets and linkages to commuter rail or public transit. Below grade parking or garages behind buildings, with access from alleys where possible, should be encouraged. Driveways and curb cuts along key pedestrian streets should be limited. Encourage the incorporation of design elements characteristic of older single-family residential areas such as pitched roofs, roof dormers, modulation of building facades, articulated building materials and finishes, and human-scale massing. The result should be an attractive, urban residential neighborhood with wide sidewalks, street trees, and numerous public seating/gathering spots in a combination of private and open space.

4.2.2 Commercial Lands

Urban design is particularly important in commercial areas to create vibrant and interesting places for people to shop, dine, and meet. The following factors should be considered in developing commercial areas:

Corridor Commercial: New commercial development within this designation is likely to continue to be predominantly auto-oriented. Encourage the redevelopment of streets, bicycle paths, transit stops, street trees, and sidewalks along these commercial corridors, and reduce the number of curb cuts and surface parking lots fronting onto streets. Establish building design and signage standards and guidelines to provide a unified, attractive character to these commercial corridors. Visually, these areas are to appear dedicated to commerce but should not be unduly cluttered or chaotic looking. Individual character in areas such as the International District should be promoted.

Neighborhood Business District: Development within this designation serves the immediate surrounding neighborhood with goods and services. These are pedestrian-scaled business districts within close walking distance to medium and high-density residential areas. New development should have a strong pedestrian orientation with improved sidewalks along key pedestrian streets. On-street parking should be provided to assist in slowing traffic through the business district and providing a sense of pedestrian safety. The design of the neighborhood business district should reflect the scale of adjacent residential areas. Streetscape design may emphasize a special neighborhood character and a richer palette of materials, including public artworks. Green

street connections emphasizing pedestrian safety should link neighborhood business districts to surrounding residential neighborhoods. These districts should have the feel of a small village hub which serves as the focus of community life.

4.2.3 Industrial Lands

Industrial areas require less extensive urban amenities, but urban design is still important to create economically viable and attractive industrial sites. The following factors should be considered in developing industrial properties:

Emphasis is on employment-generating uses, including light manufacturing, warehousing and distribution, and business park activities. Perimeter buffer areas should clearly define the site's geographic boundaries, minimizing visual, acoustic, or other impacts to adjacent users, reducing the nuisance potential of these land uses. Sources of noise, dust, light, or other potential nuisances should be sited properly to shield adjacent land uses. Entryways to industrial sites should be visually attractive, as they tend to be the only public expression of design for these uses.

Way-finding is ~~also critical due to the transient nature of these~~ for persons making pickups and deliveries at industrial sites. Consequently, signage should clearly identify principal entrances and loading docks for each business. Resistance to theft, vandalism, and personal crimes should also be a prime design consideration. Freight traffic must be accommodated through use of proper turning radii, consolidated access points, adequate turning lanes, turning pockets and sight distances, and clear freeway access routes. The needs of rail access should be accounted for, and conflicts with pedestrians and vehicles minimized. Minimum landscaping standards adequate to prevent large areas of parking from dominating the landscape should be required. Stormwater detention basins should be developed as attractive features of the natural landscape, with attention to appearance, landscaping, biofiltration, and potential for providing wildlife or open space ~~values~~ resources.

4.3 Relationship Between Urban Design and Transportation

Transportation networks, together with open space, typically form a framework of public lands that set the stage for city life. While private lands arrayed within this framework account for the bulk of human activity, it is the public networks which often form our deepest image of a city. These networks also typically contain much of the lands in public ownership, giving the city a measure of control over how they appear, how they are used, and what functions they perform. These networks can help fulfill the citizens' desire for a better regional image, more attractive gateways and entrances into the city, better accommodations for foot and bicycle traffic, and increased access to natural and recreation areas.

To help implement the City's aspirations for an attractive and well-ordered streetscape environment, urban design classifications have been identified related to the transportation network. The intent is to identify key features in the city for improvement with regards to civic image, orientation, and pedestrian functioning, rather than create an universal system into which all public rights-of-way (ROW) fit. The principal urban design concepts related to transportation are shown in Table 4.1. Only certain critical streets and intersections have been selected for special attention. These civic boulevards, green streets, and gateways are discussed in the following section.

Table 4.1: Urban Design Street Classifications.

<u>Urban Design Classification</u>	<u>Primary Function</u>	<u>Design Characteristics</u>
<u>Civic Boulevards</u>	<u>To provide a positive civic image and sense of identity along key arterials functioning as entranceways into the city or key commercial areas of the city while maintaining adequate levels of service for high traffic volumes.</u>	<u>Should include full sidewalks with planting strips , curb ramps, crosswalks, and traffic control at all intersections; street trees, attractive street furniture, special attention to bus shelter areas; and decorative lighting. May include planted medians, decorative pavements, on-street parking, and special signal mounting. Should be considered an opportunity for public art.</u>
<u>Green Streets</u>	<u>To provide for a high level of pedestrian function, protect pedestrians from conflicts with vehicles, and provide pedestrian amenities.</u>	<u>Full sidewalks or sidewalks with planting strips; curb ramps, crosswalks, and traffic control at all intersections; street trees; street furniture including seating in appropriate locations; and pedestrian oriented lighting.</u>
<u>Internal Gateways</u>	<u>To create a positive sense of entry into a district, create a sense of neighborhood identity, and provide way-finding and orientation functions.</u>	<u>Significant landscaping, way-finding and orientation devices, public art, special pavements, street furnishings. Finer scale, greater emphasis on pedestrians than with external gateways.</u>
<u>External Gateways</u>	<u>To create a positive sense of entry into the city, as well as providing way-finding and orientation functions.</u>	<u>Significant landscaping, way-finding and orientation devices, public art, special pavements, street furnishings. Larger scale, greater emphasis on vehicular experience than with internal gateways.</u>

Civic Boulevards: These are the key vehicular routes people use to travel through or to districts and neighborhoods. These road corridors should be a priority for improvements to vehicular and pedestrian functioning and safety, and for general streetscape improvements such as street trees, street lighting, landscaping, signage and pedestrian sidewalks, building orientation, and the location of on-street parking. They have been identified as civic boulevards due to the prominent role they play in carrying people into the city and therefore creating an image of the city. The urban design framework plan identifies the following arterials as civic boulevards: the full length of Bridgeport Way from I-5 to Steilacoom Boulevard, Gravelly Lake Drive from Nyanza Boulevard to Steilacoom Boulevard, 100th Street from South Tacoma Way to Gravelly Lake Drive, and the entirety of S. Tacoma Way and Pacific Highway Southwest, as well as Thorne Lane, Union Avenue, and Spruce Street in Tillicum (Table 4.2).

Table 4.2: Civic Boulevards.

<u>Civic Boulevards</u>	<u>Locations</u>
<u>Bridgeport Way</u>	<u>Full length</u>
<u>Gravelly Lake Drive</u>	<u>from Nyanza Boulevard to Steilacoom Boulevard</u>
<u>100th Street</u>	<u>from South Tacoma Way to Gravelly Lake Drive</u>
<u>S. Tacoma Way/ Pacific Hwy SW</u>	<u>All (except So. Tac. Way extension)</u>
<u>Thorne Lane</u>	<u>from I-5 to Union Avenue</u>
<u>Union Avenue</u>	<u>from W. Thorne Lane to Spruce Street</u>
<u>Spruce Street</u>	<u>from Union Street to N. Thorne Lane</u>

Key Pedestrian Streets or Trails (“Green Streets”): This term identifies streets that function as preferred pedestrian routes between nodes of activity, trails that link open space areas, or streets with a distinctive pedestrian-oriented character, such as a shopping street. Key pedestrian streets should have wide sidewalks; streetscape features such as street trees, benches, wayfinding signage, and pedestrian-oriented street lighting; and safe street crossings. The framework plan identifies pedestrian-friendly green streets in several areas including the CBD where they are important to create a downtown atmosphere. Lastly, Lakewood’s Legacy parks plan identifies a system of off-street trails to be developed that link the city’s major open spaces.

Table 4.3: Key Pedestrian Routes.

<u>Green Streets</u>	<u>Neighborhood</u>	<u>Extents</u>
<u>83rd Ave.</u>	<u>Oakbrook</u>	<u>Steilacoom Blvd. to Garnett</u>
<u>Thunderbird pedestrian link</u>	<u>Oakbrook</u>	<u>Private corridor through Thunderbird Oakbrook Plaza</u>
<u>Phillips Road</u>	<u>Oakbrook</u>	<u>Steilacoom Blvd. to 81st St.</u>
<u>Lakewood Town Center</u>	<u>CBD</u>	<u>Various pedestrian links within LTC property</u>
<u>Lakewood Drive</u>	<u>CBD</u>	<u>Bridgeport Way to Steilacoom Blvd.</u>
<u>Steilacoom Blvd.</u>	<u>CBD</u>	<u>Lakeview Drive to 63rd Ave.</u>
<u>63rd Ave.</u>	<u>CBD</u>	<u>Steilacoom Blvd. to Motor Ave.</u>
<u>Mt. Tacoma Drive</u>	<u>CBD</u>	<u>Seeley Lake to Silver St.</u>
<u>72nd Ave.</u>	<u>Lakewood Center</u>	<u>Steilacoom Blvd. to Waverly Dr.</u>

<u>Waverly Drive</u>	<u>Lakewood Center</u>	<u>72nd Ave. to Hill Grove Lane</u>
<u>Hill Grove Lane</u>	<u>Lakewood Center</u>	<u>Waverly Drive to Mt. Tacoma Drive</u>
<u>108th Street</u>	<u>Lakeview</u>	<u>Pacific Hwy. to Davisson Road</u>
<u>Kendrick Street</u>	<u>Lakeview</u>	<u>Entire length</u>
<u>San Francisco Ave.</u>	<u>Springbrook</u>	<u>Bridgeport Way to 49th Ave.</u>
<u>49th Ave.</u>	<u>Springbrook</u>	<u>San Francisco Ave. to 127th St.</u>
<u>127th St.</u>	<u>Springbrook</u>	<u>49th Ave. to 47th Ave.</u>
<u>Bridgeport Way</u>	<u>Springbrook</u>	<u>123rd St. to McChord Gate</u>
<u>123rd St.</u>	<u>Springbrook</u>	<u>Entire length</u>
<u>47th Ave.</u>	<u>Springbrook</u>	<u>From Pacific Hwy. SW to 127th St.</u>
<u>Washington Ave.</u>	<u>Tillicum</u>	<u>W. Thorne Lane to N. Thorne Lane</u>
<u>Maple Street</u>	<u>Tillicum</u>	<u>Entire length</u>
<u>Custer Road</u>	<u>Flett</u>	<u>Bridgeport Way to Lakeview Blvd.</u>
<u>75th Street West</u>	<u>Flett</u>	<u>Bridgeport Way to Dean St.</u>
<u>79th Street West</u>	<u>Flett</u>	<u>59th Ave. to Dean Street</u>
<u>59th Ave.</u>	<u>Flett</u>	<u>79th Street to 75th Street</u>
<u>Burgess Street</u>	<u>Flett</u>	<u>79th Street to 75th Street</u>
<u>Douglas Street</u>	<u>Flett</u>	<u>79th Street to Custer Street</u>
<u>Cody Street</u>	<u>Flett</u>	<u>79th Street to 75th Street</u>
<u>Dean Street</u>	<u>Flett</u>	<u>78th Street to 75th Street</u>

Gateways: Gateways are the major access points and entrances to a city. They contribute to the public’s mental image of a city and provide people with clues to wayfinding and orientation. This function can be strengthened by making them more memorable and identifiable through special design features such as landscaping, signage, lighting, paving patterns, and architectural treatment. A summary of proposed internal and external gateways is identified in Table 4.4. Most external gateways in the plan are along I-5, with several located at the city’s northern and western boundaries. Three internal gateways are recognized in the area of the CBD: the intersections of 100th Street and Lakewood Boulevard at Bridgeport Way; 100th Street at Gravelly Lake Boulevard; and most importantly, Gravelly Lake Boulevard at Bridgeport Way.

Table 4.4: Gateways.

<u>Internal Gateways</u>	<u>Locations</u>
<u>Gravelly Lake Drive</u>	<u>At Bridgeport Way</u>
<u>Intersections of 100th Street and Lakewood Boulevard</u>	<u>At Bridgeport Way</u>
<u>100th Street</u>	<u>At Gravelly Lake Drive</u>
<u>External Gateways</u>	
<u>Union Ave</u>	<u>Fort Lewis Gate</u>
<u>Union Ave</u>	<u>Thorne Lane</u>
<u>Bridgeport Way</u>	<u>Pacific Highway SW</u>
<u>South Tacoma Way/ Pacific Highway SW</u>	<u>SR 512 Interchange</u>
<u>84th Street</u>	<u>I-5 Interchange</u>
<u>Bridgeport Way</u>	<u>Leach Creek (University Place border)</u>

Steilacoom Blvd.
South Tacoma Way
Nyanza Boulevard

Town of Steilacoom border
80th Street (Tacoma border)
I-5 Interchange

4.4 Citywide Urban Design Framework Plan

With incorporation, Lakewood inherited an established system of transportation and open space networks. With improvement, they can help fulfill the citizens' desire for a better regional image, more attractive gateways into the city, better pedestrian and bicycle accommodations, and better access to natural and recreation areas. A citywide urban design framework plan illustrating these design components is shown in **Figure 4.1**. This framework plan focuses on the following main elements.

Landmarks: Landmarks are reference points in or outside the city. They help orient people and create the city's identity. Lakewood landmarks identified in this plan include:

- Colonial Center
- Flett House
- Boatman-Ainsworth
- Settlers Cemetery
- Fort Steilacoom
- Thomewood Manor House
- Lakewood Mall
- Lakewood Gardens
- Lake Steilacoom Bridge
- City Hall*
- Lakewood Station*

* potential future landmarks

Although they have no official protected status at this time, landmarks serve as important catalysts for neighborhood building. The plan also shows the opportunity to create several new landmarks with the recentareful development of a newthe City Hall and future development of Lakewood Station.

Activity Nodes: Activity nodes are key destinations that attract human activity such as employment, shopping, civic functions, and public open spaces such as parks. These areas are usually memorable places in the minds of residents. No attempt was made to identify activity nodes in the framework plan, as they are widespread and varied in nature. However, among the most prominent are the three identified as urban design focus areas (the Central Business District, Lakewood Station, and Tillicum), which are shown on Figure 4.1, and discussed in depth in Section 4.5.

Open Space/Parks/Landscape Buffers: Open spaces, parks, and landscaped buffers contribute to a city's image, provide a public amenity, and offer visual relief from the built environment. Major open spaces such as Seeley Lake, the Flett Wetlands, or the beach park at Harry Todd Park in Tillicum are existing open space areas that contribute to the quality of Lakewood's urban environment. New open space amenities should be developed as part of new commercial development and public facilities to add to the network of parks and open spaces within the city. These may be small pocket parks, civic plazas, green corridors, buffers, or habitat restoration.

4.5 Focus Area Urban Design Plans

Three areas of the city were selected for a focused review of urban design needs: the CBD, the Lakewood Station district, and Tillicum. These areas were singled out for their prominence, for the degree of anticipated change, and for the rich mixture of land uses within a limited space, calling for a higher level of urban design treatment. Each area is discussed in terms of a vision for that area, its needs, and proposed actions to fulfill those needs and realize the vision. A graphic that places those identified needs and proposed actions in context accompanies the discussion.

4.5.1 Central Business District

A major goal of this comprehensive plan is to create a downtown in the CBD, redeveloping it into a rich urban area with civic amenities, walkable streets, and a mix of uses including housing, entertainment, restaurants, and retail. The CBD has significant economic assets such as the Lakewood ~~Towne Center~~Mall, historic and cultural assets such as the Colonial Center, nearby open space assets such as Seeley Lake, civic assets such as Clover Park High School and ~~the future~~ City Hall, and other major retail and entertainment assets. There is a strong street pattern, including the intersection of three of the city's major civic boulevards: Bridgeport Way, Gravelly Lake Drive, and 100th Street.

To create a downtown atmosphere, a number of land use and infrastructure changes will be needed, including:

- intensification of land use within the CBD, including some higher density residential infill;
- development of more urban civic amenities, including park space, civic plazas, and recreation opportunities;
- establishment of pedestrian linkages between the Colonial Center and Lakewood Towne Center~~the Mall~~; and
- creation of an urban streetscape with pedestrian-oriented spaces, buildings that define street edges, and high quality design in the streetscape.

Key to this vision for the CBD is continuation of the successful and creative evolution of ~~the~~ Lakewood ~~Mall~~Towne Center. Specific actions the City can take in support of ~~Mall~~this redevelopment include appropriate design of the new City Hall within the Mall site; assistance with strengthening the street grid within the CBD, including specific streetscape improvements along major civic boulevards; good transportation planning, including a strong transit link between the CBD and the new commuter rail station; and good land-use planning, working with the development community to promote residential growth within the CBD where it is close to available jobs and services.

The urban design framework plan depicting some of the potential land-use and urban design changes in the CBD is shown in Figure 4.2. Some of the specific urban design actions shown in that figure that may occur as the CBD develops are as follows:

Landmarks/Activity Nodes: Streetscape enhancements to the intersection of Gravelly Lake Drive and Bridgeport Way would create a positive image of the city, with new landscaping, crosswalks, signal poles, central island, signage, and other treatments. ~~The new City Hall could include an integrated park/plaza with useable performance space.~~

Civic Boulevards: The framework plan identifies various safety and image-oriented streetscape improvements to Bridgeport Way, Gravelly Lake Drive, and 100th Street, including the use of landscaped medians in the current turning lanes, crosswalks, undergrounding of utilities, and general aesthetic improvements. Improvements to the intersection of Bridgeport Way with Lakewood Boulevard and 100th Street would improve visibility and access to the MallTowne Center.

Green Streets: For the network of pedestrian-oriented streets identified in between the Colonial Center and the Lakewood MallTowne Center, improvements would be made to increase pedestrian interest and safety, such as curb ramps, street trees, crosswalks, and lighting.

Open Space: Improved access and recreational opportunities are shown for Seeley Lake Park. ~~A new park/plaza could be developed in conjunction with City Hall, providing new open space in the CBD.~~ The development of smaller urban parks within the CBD could occur through density bonuses to private developers in exchange for development of public open space.

4.5.2 Lakewood Station District

Development of the Sound Transit commuter rail station (“[Lakewood Sounder Station](#)”) on Pacific Highway Southwest represents a major investment of public funds in Lakewood. It also presents the potential for major land use change as the private market responds to the opportunities presented by increased transportation options. The comprehensive plan defines the Lakewood Station district as a transit-oriented neighborhood with higher density residential uses, medically oriented businesses, and other commercial uses responding to increased transportation access in the area.

The commuter rail station ~~will combine~~ a [Pierce Transit substantial](#) park-and-ride lot and transit transfer center ~~along with the rail station to create a multi-modal transportation hub. The station's design must be harmonious with development of an adjacent high-density residential neighborhood separated by only the railroad tracks and a minor street. The design should include an attractive streetscape and incorporate features that make it a good neighbor.~~ Parking for a large number of vehicles, as well as improved transit and pedestrian access, will assist in the transformation and redevelopment potential for the commercial corridor along Pacific Highway Southwest. ~~Design features should include such elements as street-level commercial uses integrated into the façade of the parking structure, safe pedestrian connections across the tracks, as well as through the extensive parking lots associated with the rail station, and attractive open spaces containing significant landscaping. A newly constructed pedestrian bridge and pedestrian amenities on Kendrick Street to the north of the Sounder Station, together with high-density multi-family residential zoning set the stage for redevelopment of the area with transit-oriented residential development. Features such as wet stormwater detention ponds for parking lot runoff and preservation of the existing Garry oak stands north of the planned station location can become part of the public open space structure.~~ New sidewalks and streetscape elements such as lighting and landscaping will improve the visual quality and public safety of the area around the station.

Other changes envisioned within the Lakewood Station district include:

- the strengthening and completion of the street grid north of St. Clare Hospital and east of Bridgeport Way;
- development of an open space corridor adjacent to the railroad tracks as part of a greater citywide system; and
- expansion of the street grid in Springbrook to allow for connections between 47th Street and Bridgeport Way.

The urban design framework plan graphic depicting some of the potential land-use and urban design changes in the Lakewood Station area is shown in [Figure 4.3](#). Some of the specific urban design actions shown which may occur as the Lakewood Station district develops over the next 20 years are as follows:

Landmarks/Activity Nodes: The Bridgeport Way intersection with I-5, arguably the most important and visible access point into the city, would be redeveloped and landscaped into a graceful entrance on both sides of Pacific Highway Southwest. The commuter rail station and related architecture, including the garage structure, could present a memorable regional image, while simultaneously functioning to mediate the transition in scale between the station and the neighborhood to the north.

Civic Boulevards: Bridgeport Way, Pacific Highway Southwest, and 112th Street would receive various safety and image-oriented streetscape improvements, including the use of landscaped medians in the current turning lanes, improved crosswalks, undergrounding of utilities, and general aesthetic improvements. The intersection of Bridgeport Way with Pacific Highway Southwest in particular is suited for potential improvements related to creating a positive gateway image for Lakewood.

Green Streets: Several important pedestrian connections would be made along existing streets to increase pedestrian interest and safety, including curb ramps, street trees, crosswalks, lighting, and other improvements. A pedestrian connection along Kendrick Street, which acts as a spine connecting the commuter rail station to Lakeview School, would facilitate use of the playground as a neighborhood park. Another important connection between the station area and Springbrook could be made through improvements along 47th Avenue, including the bridge, which could become a significant second access point to Springbrook.

Open Space: A number of significant public open space opportunities could be realized in the course of station area development. Stormwater retention facilities developed in conjunction with ~~the station~~ ~~park-and-ride lots~~ would provide open space, as would the proposed linear park developed adjacent the Burlington Northern ROW. One or more small pocket parks could be developed in conjunction with future development. Freeway buffers along the I-5, primarily on the east side, would create additional green space.

4.5.3 Tillicum

The Tillicum neighborhood functions as a separate small village within Lakewood. Accessible only by freeway ramps at the north and south end of the area, it has its own commercial sector; moderately dense residential development; and an elementary school, library, and park. Tillicum is a very walkable neighborhood with a tight street grid and relatively low speed traffic. Harry Todd Park is one of the largest City-owned parks, and Tillicum is one of the few neighborhoods in the city with public waterfront access.

In public meetings discussing alternative plans for the city, Tillicum emerged as a neighborhood viewed as having significant potential for residential growth over the next 20 years. With a traditional street grid, significant public open space and lake access, and strong regional transportation connections, there is a major opportunity for Tillicum to evolve into a more urban, pedestrian-oriented community. This is further enhanced by the long-range potential for a commuter rail station and new highway connection to the east.

~~A significant constraint to realizing this vision is the lack of sewers in Tillicum. Extension of the sewer to Tillicum would be very expensive, with the cost of the distribution system through the streets being the most costly aspect. The City is committed to the sewerage of Tillicum by 2017; however, sewer extension is dependent on the successful redevelopment of American Lake Gardens as an industrial area, including private development of sewers east of I-5. Because of recent extension of sewer service to the area, the development of multi-family housing in Tillicum will not be is now possible until sewer hookups are available.~~ In addition to sewer development, there are other actions the City can take in support of the development of multi-family housing in Tillicum including: development of a long-range plan for Harry Todd Park and implementation of specific improvements to expand ~~its~~ ~~sewer~~ capacity;

- development of a pedestrian connection between the park and commercial district along Maple Street, with sidewalks, curb ramps, crosswalks, lighting, and other improvements;
- improvements at the I-5 interchanges to create attractive, welcoming gateways; and
- a pedestrian/bikeway easement north along the railroad or through the country club to other portions of

Lakewood.

The proposal by Amtrak to locate high-speed passenger rail service through the area (the Point Defiance Bypass project) will result in significant modifications to the freeway interchanges in Tillicum. These modifications should be designed in conjunction with improvements to I-5 to address congestion.

The urban design framework plan for Tillicum is shown in **Figure 4.4**. Some of the specific urban design actions which could be undertaken in Tillicum include:

Landmark/Activity Nodes: The northern entrance into Tillicum, as well as the only entrance into ~~American Lake Gardens Woodbrook~~, is at the Thorne Lane overpass and I-5. It would be improved as a civic gateway, with landscaping, road improvements, signage, and other elements as needed. This interchange may be significantly redesigned in conjunction with the Point Defiance Bypass and I-5 congestion management projects.

Civic Boulevards: As the main entrance road into Tillicum and the perimeter road embracing multi-family development, Thorne Lane would be improved as a civic boulevard. Development intensification in Tillicum would occur east of Thorne Lane, with W. Thorne Lane marking the initial southern boundary of the sewer extension to keep costs in check. Potential improvements of Union Street in support of commercial functions would include such elements as pedestrian improvements, parking, landscaping, lighting, and other functional items. Long-range planning would also identify site requirements for the ~~potential~~ planned future commuter rail stop and proposes a strategyies to fulfill ~~these~~ this need needs.

Green Streets: Maple Street would be improved as a green street to provide a pedestrian-oriented connection between ~~the lake~~ American Lake and Harry Todd Park at one end, and the commercial district/future rail station at the other. In between, it would also serve the school and the library. It would serve as a natural spine, gathering pedestrian traffic from the surrounding blocks of multi-family housing and providing safe access to recreation, shopping, and public transportation.

Open Space: Harry Todd Park would be improved by upgrading existing recreation facilities and constructing additional day use facilities such as picnic shelters and restrooms. A regional biking/hiking trail connecting local connection between Tillicum ~~to~~ and the Ponders Corner area could be built along an easement granted by various landowners, principally the Tacoma Country and Golf Club and Sound Transit/ Burlington Northern Railroad.

4.6 Goals and Policies

GOAL UD-1: Design streets and associated amenities so that they are an asset to the city.

Policies:

- UD-1.1: Provide attractive streetscapes with street trees and sidewalks, planting strips, shelters, benches, and pedestrian-scale lighting in appropriate locations.
- UD-1.2: Clearly define and consistently apply a reasonable threshold for requiring developer improvements in development regulations.
- UD-1.3: Require sidewalks on both sides of all new streets, except local access streets in industrially designated areas that are not on existing or planned transit routes and where there is a low projected level of pedestrian traffic.
- UD-1.4: Design intersections to safely accommodate both pedestrian and vehicular traffic. Construct intersections with the minimum dimensions necessary to maintain LOSs and to meet emergency services needs, discouraging the construction of turning lanes where they would deter pedestrians.
- UD-1.5: Develop and apply appropriate traffic-calming tools to control traffic volume and speed through identified neighborhoods.
- UD-1.6: Work with transit providers to incorporate transit stops and facilities at appropriate intervals along transit routes.
- UD-1.7: Include curb ramps for sidewalks at all intersections to assist wheelchairs, strollers, and cyclists.

GOAL UD-2: Establish a system of gateways and civic boulevards to provide identity to the city, foster appropriate commercial uses, and enhance the aesthetic character of the city.

Policies:

- UD-2.1: Identify streets to be treated as civic boulevards and provide appropriate design improvements.
- UD-2.2: Identify intersections to be treated as major gateways and provide appropriate design improvements.

GOAL UD-3: Employ design standards to ease the transition of scale and intensity between abutting residential uses and between residential areas and other uses.

Policies:

- UD-3.1: Use buffers, landscaping, and building design and placement to ease the transition of scale and intensity between abutting residential uses of different densities and between residential areas and other uses.
- UD-3.2: Work with WSDOT to identify solutions to buffering the visual and acoustic impacts of I-5 and the railroad on sensitive neighborhoods.

GOAL UD-4: Employ design standards to improve the auto-dominant atmosphere that dominates commercial corridors.

- UD-4.1 Encourage the redevelopment of streets, bicycle paths, transit stops, street trees, and sidewalks along commercial corridors.
- UD-4.2 Reduce the number and width of curb cuts and surface parking lots fronting on commercial streets.
- UD-4.3 Establish building design and signage standards and guidelines to provide a unified, attractive character to commercial corridors.
- UD-4.4 Promote individual neighborhood character in areas such as the International District.

GOAL UD-5: Establish a system of gateways and civic boulevards to provide identity to the city, foster appropriate commercial uses, and enhance the aesthetic character of the city.

Policies:

UD-5.1: Provide appropriate design improvements to treat the following streets as civic boulevards:

- the full length of Bridgeport Way ~~from I-5 to Steilacoom Boulevard~~;
- Gravelly Lake Drive from Nyanza Road to Steilacoom Boulevard;
- 100th Street from Gravelly Lake Drive to S. Tacoma Way;
- S. Tacoma Way and Pacific Highway Southwest from the Tacoma city limits to Ponders Corner;
- 112th Street from Nyanza Road to Bridgeport Way;
- N. Thorne Lane from I-5 to Portland Street;
- W. Thorne Lane between Portland Street and Union Avenue;
- Portland Street between N. Thorne Lane and W. Thorne Lane;
- Union Avenue from Berkeley Avenue to Spruce Street; and
- Spruce Street from Union Avenue to Portland Avenue.

UD-5.2: Provide appropriate design improvements to treat the following intersections as major gateways:

- South Tacoma Way at Tacoma city limits;
- 84th Street at I-5;
- SR 512/I-5 at South Tacoma Way;
- Bridgeport Way at South Tacoma Way/I-5;
- Nyanza Boulevard at I-5;
- N. Thorne Lane at I-5;
- Steilacoom Boulevard at city limits;
- Berkeley Avenue SW at I-5;
- Bridgeport Way at University Place city limits;
- Bridgeport Way at Gravelly Lake Drive;
- 100th Street at Gravelly Lake Drive; and
- 100th Street at Bridgeport Way.

GOAL UD-6: Create distinct districts for commercial activity and promote character and improved aesthetic standards.

Policies:

UD-6.1: Establish design standards for commercial districts implemented through a design review process and design guidelines to reinforce a distinct character for individual commercial districts.

UD-6.2: Develop and enforce parking lot design standards, identifying requirements for landscaping, walkways, runoff treatment, parking area ratios, and other elements as needed.

GOAL UD-7: Promote pedestrian-oriented development patterns within designated mixed-use commercial districts.

Policies:

UD-7.1: Foster pedestrian-oriented site design measures including items such as pedestrian amenities, pedestrian-oriented lighting, traffic calming devices, signage, and related measures.

UD-7.2: Encourage the development of office and housing uses above retail in appropriate land-use designations to permit living and working in the same neighborhood.

UD-7.3: Encourage the development of appropriately scaled commercial development that creates consistent street walls and limits parking on the primary street frontage.

UD-7.4: Encourage pedestrian connections between buildings and across streets to public open space, and to adjoining areas.

UD-7.5: Promote pedestrian linkages between mixed use districts and related neighborhoods through development of a green streets program.

UD-7.6: Promote pedestrian linkages between mixed use districts and the existing open space network.

GOAL UD-8: Develop the design of the CBD to support its role as Lakewood's downtown.

Policies:

UD-8.1: Develop a sub-area plan for the entire CBD area, paying attention to the integration of Lakewood Towne Center with the remainder of the CBD. ~~partnership arrangement with the Lakewood Mall to reestablish its viability, in recognition of its importance to the city and its economy.~~

UD-8.2: Continue to fFoster transformation of the former mall to provide better public visibility; create additional public rights-of-way; and potentially develop entertainment, housing, visitor _____ _____-serving, and open space uses.

UD-8.3: Promote design elements that reinforce and enhance the distinctive character of the Colonial _____ _____Center and while enabling contemporary urban design in the CBD overall.

UD-8.4: Maintain a pedestrian-orientation in building, site, and street design and development in the CBD.

UD-8.5: Promote urban amenities throughout the CBD and on individual sites.

GOAL UD-9: Create a livable, transit-oriented community within the Lakewood Station district through application of urban design principles.

Policies:

UD-9.1: Provide for pedestrian and bicycle connectivity within the Lakewood Station district to the commuter rail station.

UD-9.2: Identify the opportunities for additional public/semi-public green space in the Lakewood Station district. (see Policy LU25.3 regarding bonus densities).

UD-9.3: Improve identified civic boulevards, gateways, and green streets within the Lakewood Station district to provide a unifying and distinctive character.

UD-9.4: Establish the intersection of Pacific Highway Southwest and Bridgeport Way as a major gateway into the city and develop a landscaping treatment to enhance the city's image at this gateway.

UD-9.5: Develop a sub-area plan to serve as the framework plan for developing the Lakewood Station district. Incorporate site and architectural design measures to coordinate consistency of private and public development.

GOAL UD-10: Promote the evolution of Tillicum into a vital higher density pedestrian-oriented neighborhood through application of urban design principles.

Policies:

UD-10.1: Identify opportunities for additional public/semi-public green space in Tillicum.

UD-10.2: Provide opportunities for pedestrian and bicycle connections from Tillicum to other portions of Lakewood.

UD-10.3: Improve identified civic boulevards, gateways, and green streets within Tillicum to provide a unifying and distinctive character.

GOAL UD-11: Reduce crime and improve public safety through site design and urban design.

Policies:

UD-11.1: Reduce crime opportunities through the application of crime prevention through environmental design (CPTED) principles.

UD-11.2: Consolidate parking lot access onto major arterials where appropriate to promote public safety.

GOAL UD-12: Facilitate implementation of gateway enhancement programs in Tillicum, Springbrook, and [Woodbrook American Lake Gardens](#).

Policies:

UD-12.1: Establish a program to design and implement a gateway enhancement plan at the entrances to each

neighborhood.

UD-12.2: Work with private and public property owners and organizations to create and implement the gateway plans.

UD-12.3: Work with the WSDOT or successor agency to facilitate the future incorporation of sound barriers adjacent to these communities along I-5 to reduce noise impacts to residential areas.

GOAL UD-13: Provide funding for urban design and open space improvements necessary for maintenance and improvement of the quality of life in Lakewood.

Policies:

UD-13.1: Identify and seek potential outside funding sources such as grants, regional and state partnerships, and others to implement identified urban design and open space improvements.

UD-13.2: Develop a strategy to partially fund urban design and open space improvements from local sources, which may include sources such as local improvement districts, developer impact fees, bond measures, and others.

GOAL UD-14: Recognize the value of scenic views and visual resources as contributors to Lakewood's character and the quality of life.

Policies:

UD-14.1: Develop a program to identify and protect sensitive views, view corridors, and/or visual resources.

UD-14.2: Make views of Mt. Rainier, the lakes, wetlands and creeks, Ft. Steilacoom, Flett Wetlands, and historic landmarks from public sites a priority for protection.

6.0

TRANSPORTATION

6.1 Introduction and Purpose

By the year 2030, traffic congestion on freeways and arterial roadways within the region is projected to be far more extensive, resulting in longer travel delays. Lakewood shares the region's transportation woes since it is part of the regional transportation system and integrally connected to systems of adjacent jurisdictions. Lakewood currently experiences traffic congestion around its freeway interchanges and some principal arterial streets.

There are many causes of increased traffic congestion within Lakewood, including:

- Annual vehicle miles traveled growing at a faster rate than population or employment growth.
- An increase in the number of two-wage-earner households. An historical decline in transit use as a percentage of overall trips.
- Road improvements have not kept pace with traffic volume for environmental, financial, and community character reasons.

To correct some of the problems contributing to these conditions, Lakewood must develop and maintain a balanced multimodal transportation system that integrates the local transportation network with the regional transportation system and supports land use goals and policies.

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

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

This chapter covers all areas within Lakewood's city limits and will be expanded to ensure that consideration is given to urban growth areas as they are brought into the city. The transportation goals and policies included here are based on local priorities but are also coordinated with the comprehensive plans of neighboring cities such as University Place and Tacoma, and that of Pierce County. The proposals within this transportation chapter are consistent with neighboring jurisdiction plans and will positively contribute to the region's transportation system.

Travel forecasts and financial strategies are included in the technical appendix.

The challenge of developing Lakewood's future transportation system will be to strike a balance between accommodating increased traffic demand and maintaining community character. Developing a transportation system that enhances Lakewood's neighborhoods while providing effective mobility for people, goods, and services through multiple travel modes is a primary focus of this chapter. There are a number of considerations related to transportation in Lakewood:

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

Existing Patterns. Lakewood's road network has evolved in a pattern typical of suburban sprawl. A few principal roadways connect a network largely composed of otherwise unconnected cul-de-sacs. Because of the city's geographic location and presence of natural features and military reservations, I-5 and SR 512 form primary connections with the rest of the region.

Alternative Modes. There are few realistic alternatives to driving for most people in Lakewood. The City's incomplete bicycle and pedestrian network does not provide safe links between most commercial areas, schools, community facilities, and residential neighborhoods. Alternative motorized modes include local and regional transit connections provided by Pierce Transit. Intercity Transit and Sound Transit systems will improve connectivity as commuter rail service is established.

6.1.1 Arterial Street Classifications

Street classifications are defined in Figure 6.1.

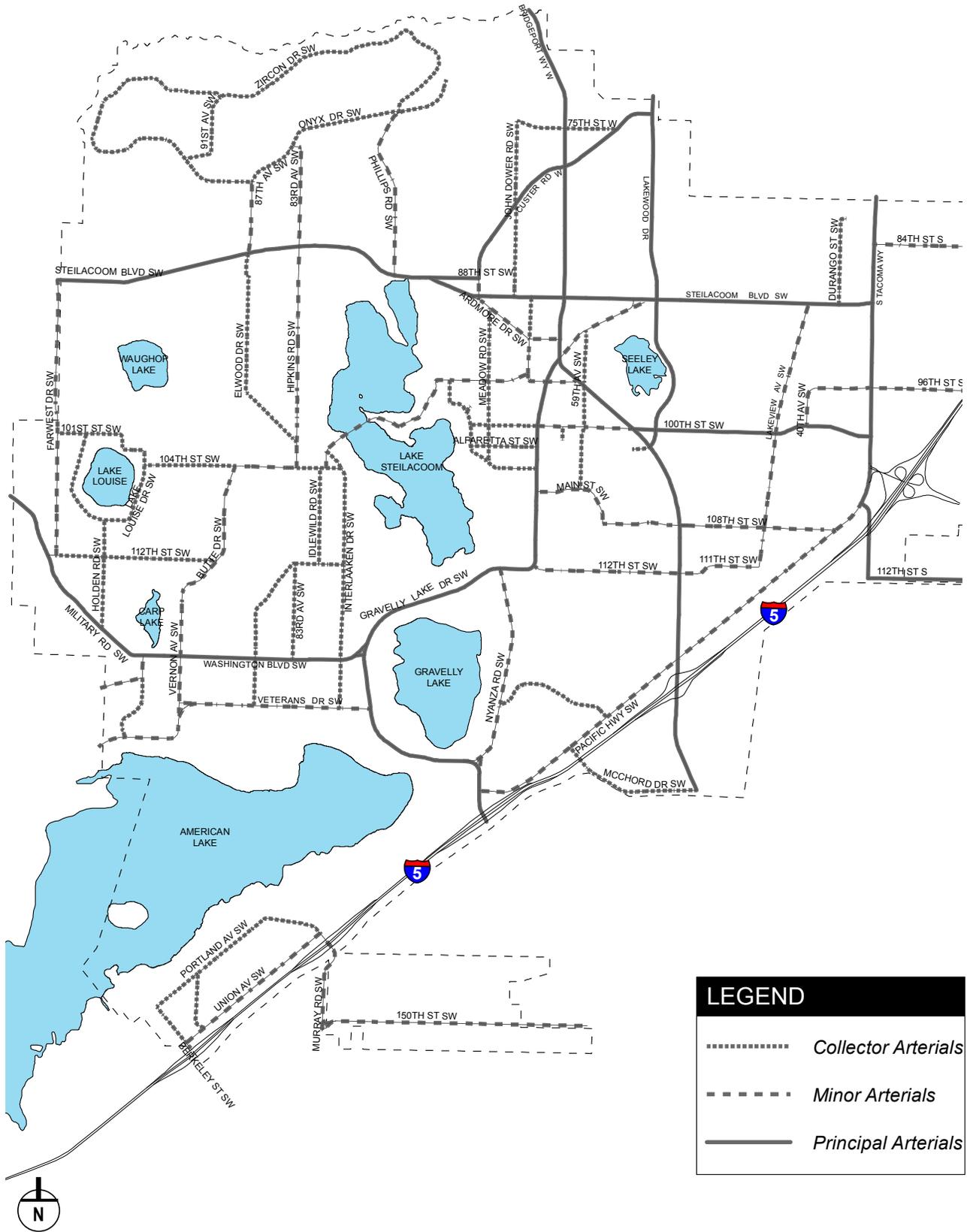
6.2 General Transportation Goals and Policies

GOAL T-1: Apply the street functional classification system and transportation design standards in the construction of new or upgraded transportation infrastructure.

Policy:

T-1.1: Define all streets according to the following criteria:

- Principal arterials are roadways that provide access to principal centers of activity. These roadways serve as corridors between principal suburban centers, larger communities, and between major trip generators inside and outside the plan area. Service to abutting land is subordinate to travel service to major traffic movements. The principal transportation corridors within the City of Lakewood are principal arterials. These roadways typically have daily volumes of 15,000 vehicles or more.
- Minor arterials are intra-community roadways connecting community centers with principal arterials. They provide service to medium-size trip generators, such as commercial developments, high schools and some junior high/grade schools, warehousing areas, active parks and ballfields, and other land uses with similar trip generation potential. These roadways place more emphasis on land access than do principal arterials and offer lower traffic mobility. In general, minor arterials serve trips of moderate length, and have volumes of 5,000 to 20,000 vehicles per day.



LEGEND	
	Collector Arterials
	Minor Arterials
	Principal Arterials

0 2,000 4,000 Feet

Source: Transpo Group
July 2015

Figure 6.1
Arterial Street Classification

- Collector arterials connect residential neighborhoods with smaller community centers and facilities as well as provide access to the minor and principal arterial system. These roadways provide both land access and traffic circulation within these neighborhoods and facilities. Collector arterials typically have volumes of 2,000 to 8,000 vehicles per day.
- Local access roads include all non-arterial public city roads and private roads used for providing direct access to individual residential or commercial properties. Service to through traffic movement usually is deliberately discouraged.

T-1.2: Design transportation facilities to fit within the context of the built or natural environments in which they are located.

T-1.3: Adopt a street light placement policy that establishes the level and type of lighting that must be provided in conjunction with new development and redevelopment, including pedestrian-oriented lighting in targeted areas.

GOAL T-2: Maintain maximum consistency with state, regional, and local plans and projects.

Policies:

T-2.1: Coordinate with the state, county, adjacent jurisdictions, and transit providers to ensure consistency between transportation improvements, land-use plans, and decisions of the City and other entities, consistent with PSRC's Regional Growth Strategy.

T-2.2: Continue to participate in regional transportation planning to develop and upgrade long-range transportation plans.

T-2.3: Periodically review the street classification system with adjacent jurisdictions to ensure consistency.

T-2.4: Support and actively participate in improvements to I-5 through Lakewood and JBLM, and pursue safe connections to the local community.

T-2.5: Work with WSDOT to identify and implement improvements to the I-5/SR 512 interchange.

GOAL T-3: Maximize transportation connections without negatively impacting residential areas.

Policies:

T-3.1: Delineate key street connections through undeveloped parcels to ensure that connections are made as development occurs.

T-3.2: Where practical, connect public streets to enable local traffic to circulate efficiently and to reduce impacts elsewhere in the transportation network.

T-3.3: Where practical, require new development to "stub out" access to adjacent undeveloped parcels to ensure future connectivity, indicating the future connection on the face of the plat, and (when possible) connect with existing road ends.

T-3.4: Accommodate pedestrian and bicycle connections where grades, right-of-way (ROW) widths, or other natural or built environment constraints have precluded street connections from being implemented.

GOAL T-4: Balance the need for property access with safety considerations.

July 10, 2015

Policies:

- T-4.1: Limit access as necessary to maintain safe and efficient operation of the existing street system while allowing reasonable access to individual parcels.
- T-4.2: Limit direct access onto arterials when access opportunities via another route exist.
- T-4.3: Provide for full access to parcels abutting local residential streets, except where adequate alley access exists to individual lots.
- T-4.4: Discourage abandonment of alleys.
- T-4.5: Work with adjacent jurisdictions to establish consistent access limitations to arterials and highways of regional transportation importance.
- T-4.6: Ensure emergency responders have efficient access to public and private properties.

GOAL T-5: Manage traffic to minimize its impact on neighborhoods, mobility, and enterprise.

Policies:

- T-5.1: Maintain optimal traffic signal timing and synchronization along arterials and other principal transportation routes to ensure smooth traffic flow as well as pedestrian safety at crossings.
- T-5.2: Prior to any street reclassifications, conduct an analysis of existing street configurations, land uses, subdivision patterns, location(s) of structure(s), impact on neighborhoods, and transportation network needs.
- T-5.3: Upgrading residential streets to collector and arterial classifications will be discouraged and will occur only when a significant community-wide need can be identified.

GOAL T-6: Reduce the impact of freight routing on residential and other sensitive land uses.

Policies:

- T-6.1: Designate truck routes for freight.
- T-6.2: Require new development and redevelopment to provide for freight loading and unloading on-site or in designated service alleys rather than in the public ROWs.

GOAL T-7: Sustain and protect the City's investment in the existing transportation network.

Policies:

- T-7.1: Maintain streets at the lowest life cycle cost (the optimum level of street preservation required to protect the surfaces).
- T-7.2: Maintain sidewalks to ensure continuous and safe connections.
- T-7.3: Ensure predictable sources of income to maintain the transportation system.

GOAL T-8: Minimize visual and noise impacts of roadways on adjacent properties and other users.

Policies:

July 10, 2015

T-8.1: Create and apply standards for planting strips, including street trees, between road edges and sidewalks to be applied to various road classifications.

T-8.2: Create and apply standards for landscaped islands and medians to break up linear expanses.

GOAL T-9: Provide a balanced, multimodal transportation system that supports the safe and efficient movement of people and goods.

Policies:

T-9.1: Provide for the needs of drivers, public transportation vehicles and patrons, bicyclists, and pedestrians of all ages and abilities in the planning, programming, design, construction, reconstruction, operations, and maintenance of the City's transportation system.

T-9.2: Minimize the negative impacts of transportation improvement projects on low-income, minority, and special needs populations.

T-9.3: Ensure mobility choices for people with special transportation needs, including persons with disabilities, the elderly, the young, and low-income populations.

6.3 Transportation Demand and Systems Management

Transportation demand management (TDM) techniques include various mechanisms intended to influence people's choices about how they get from one place to another, with the goal of reducing vehicular travel demand on the road network, which subsequently reduces pollution and greenhouse gas emissions. Within Washington State, there is a statewide commute trip reduction (CTR) program that was initiated in 1991 to work with and assist employers in instituting TDM programs for their employees. These programs include measures such as parking management (making parking more difficult or expensive to obtain) ridesharing, telecommuting, and alternative work schedules. In addition, local governments can establish land-use regulations that foster the use of bike/pedestrian and transit modes.

Transportation systems management (TSM) refers to strategies that improve facility operations, traffic flow, or safety without adding lanes to increase capacity. TSM strategies are generally lower-cost improvements that do not typically involve major construction of new or expanded capital facilities.

GOAL T-10: Minimize the growth of traffic congestion to meet state, regional, and local environment and sustainability goals.

Policies:

T-10.1: Require TDM improvements serving pedestrians, bicyclists, and transit riders as impact mitigation for new development.

T-10.2: Where practical, retrofit existing streets to link neighborhoods and disperse neighborhood access to services.

T-10-3: Interconnect traffic signals to provide green light progressions through high-volume corridors to maximize traffic flow efficiency during peak commute periods.

T-10-4: Consider the negative effects of transportation infrastructure and operations on the climate and natural environment.

T-10-5: Support the development and implementation of a transportation system that is energy efficient and improves system performance.

GOAL T-11: Reduce dependence on SOV use during peak commute hours.

While the WSDOT, the State Department of General Administration (GA), and Pierce Transit have shared responsibility for implementing and managing the state and regional CTR programs, the City of Lakewood can actively support and promote these programs. Beyond supporting the state's and Pierce Transit's work to implement CTR programs, the City of Lakewood should work closely with Pierce Transit, Pierce County and/or the GA to cooperatively implement CTR programs

Policies:

- T-11.1: Establish CTR programs within major employer worksites as required by state law.
- T-11.2: Work with Pierce Transit, Pierce County and major employers and institutions to coordinate and publicize CTR efforts.
- T-11.3: Encourage employers not affected by the CTR law (less than 100 employees) to offer CTR programs to their employees on a voluntary basis and assist these employers with tapping into larger employers' ridematching/ridesharing and other HOV/transit incentive programs, where possible.
- T-11.4: Encourage large employers to institute flex-hour or staggered-hour scheduling and compressed work weeks to reduce localized congestion during peak commute times.
- T-11.5: Implement a local public awareness and education program designed to promote the environmental and social benefits of TDM strategies.
- T-11.6: Work with local high schools to educate students about the social benefits of carpooling and riding transit to school.
- T-11.7: Plan and implement arterial HOV improvements such as HOV lanes or transit-signal priority improvements at intersections to connect high-density employment centers with bus transit centers and commuter rail stations.

GOAL T-12: Decrease dependence on single-occupant vehicles (SOVs) as a primary means of transportation.

Policies:

- T-12.1: Prevent automobiles from dominating neighborhood and central business districts, while still accommodating their use.
- T-12.2: Maximize the availability of non-SOV transportation options to encourage people to use different modes.
- T-12.3: Work with Pierce Transit to implement transit signal-priority systems that enhance the reliability of transit as an alternative transportation mode.

GOAL T-13: Develop and maintain collaborative working relationships with outside agencies to improve the transportation system.

Policies:

- T-13.1: Involve appropriate agencies in the early review of development proposals to assess opportunities for transit-oriented design and amenities.

July 10, 2015

- T-13.2: Support regional and high-capacity transit systems (e.g., buses and rail) that reliably and efficiently connect to local transit services.
- T-13.3: Coordinate with transit agencies to provide facilities and services supportive of HOV use such as ridematching, provision of vanpool vehicles, on-demand services, shuttles, etc.
- T-13.4: Coordinate with transit agencies to determine and respond to emerging routing and frequency needs, particularly in residential neighborhoods.
- T-13.5: Work with transit agencies to develop design and placement criteria for shelters so that they best meet the needs of users and are a positive amenity.
- T-13.6: Work with WSDOT to pursue HOV lanes on I-5 and SR 512 serving the city and regional transit operations.
- T-13.7: Allocate staff resources to work with other transportation government agencies in drafting and submitting joint applications for state and federal transportation grants to support projects that benefit multiple jurisdictions.
- T-13.8: Work with the Burlington Northern Santa Fe Railway, Sound Transit and other appropriate agencies to pursue funding for a grade separation at the 100th Street SW rail crossing.
- T-13.9: Explore local shuttle service between high density areas within the urban center such as the Lakewood Station district, Lakewood Towne Center, the Sound Transit commuter rail station, the Colonial Center, and other high-density developments with high transit ridership potential.
- T-13.10: Encourage ridesharing through requirements for parking reserved for carpool and vanpool vehicles in the zoning code.
- T-13.11: Coordinate with service providers and other utilities using rights-of-way on the timing of improvements to reduce impacts to communities and to lower the cost of improvements.
- T-13.12: Work with Sound Transit and WSDOT to pursue expansion of the existing SR-512 park-and-ride facility.
- T-13.13: Work with Pierce Transit to monitor transit service performance standards and to focus service expansion along high-volume corridors connecting high-density development centers with intermodal transfer points.

GOAL T-14: Provide safe, convenient, inviting routes for bicyclists and pedestrians (see adopted Non-Motorized Transportation Plan).

Policies:

- T-14.1: Implement and place a high importance on projects identified in the City's Non-Motorized Transportation Plan that serve and connect high density areas, major employers, schools, parks, shopping areas, and other popular destinations.
- T-14.2: Promote and improve public bicycle and pedestrian connections to achieve greater connectivity.

July 10, 2015

- T-14.3: Balance the desirability of breaking up large blocks with midblock crossings with the safety needs of pedestrians.
- T-14.4: Require the incorporation of non-motorized facilities including bicycle parking, pedestrian-scale lighting, benches, and trash receptacles into new development designs.
- T-14.5: Work with transit providers to provide bike racks and/or lockers at key transit stops and require them as condition of new development.
- T-14.6: Coordinate with adjacent jurisdictions to design for coherent bike and pedestrian corridors.
- T-14.7: Consider adopting a “Complete Streets” ordinance.

6.4 Parking

Parking in Lakewood primarily exists in surface parking lots to support commercial, office, light industrial, and multi-family residential areas. There is an abundant supply of parking in most of these areas. While adequate parking is critical to any type of development, an oversupply of parking wastes resources and encourages a continuation of auto-oriented travel. Therefore, the parking goals and policies balance these two conflicting outcomes.

GOAL T-15: Provide adequate parking that serves Lakewood's needs but does not encourage a continuation of auto-oriented development and travel patterns.

Policies:

- T-15.1: Develop and implement reasonable and flexible parking standards for various types of land uses that balance the need for providing sufficient parking with the desirability of reducing commute traffic.
- T-15.2: Consider parking standards that support TDM efforts.
- T-15.3: Allow adjacent or nearby uses that have different peak parking demands such as employment and housing to facilitate shared parking spaces.
- T-15.4: Recognize the capacity of transit service in establishing parking standards.
- T-15.5: Develop and enforce parking lot design standards, identifying requirements for landscaping, walkways, runoff treatment, parking area ratios, lighting, and other elements as needed.

GOAL T-16: Foster the evolution of a central business district that is compact and walkable and not defined by large expanses of parking lots.

Policies:

- T-16.1: Consider maximum parking requirements for higher density areas to encourage alternative transportation modes.
- T-16.2: Confine the location of parking areas to the rear of properties to increase pedestrian safety and minimize visual impact.
- T-16.3: Identify places where on-street parking can be added adjacent to street-facing retail to encourage shopping and buffer sidewalks.
- T-16.4: Encourage the use of structured or underground parking to use land more efficiently.

July 10, 2015

T-16.5: Focus investments in downtown central business areas by promoting joint- and mixed use development and integrating shared-use parking practices.

T-16.6: Incorporate Transportation 2040 guidelines into planning for centers and high-capacity transportation station areas.

GOAL T-17: Expand park-and-ride capacity to serve rail as well as other transit uses and accommodate growth.

Policies:

T-17.1: Work with transit providers to establish additional park-and-ride facilities to serve Sound Transit operations and to facilitate ridesharing and express bus connections.

T-17.2: Encourage commercial development on major transit routes to dedicate unused parking area to park-and-ride facilities where feasible.

6.5 Freight Mobility

Movement of goods is critical to Lakewood's economic activity. Supplies and products must be able to move into, out of, and throughout the commercial parts of the city. The following goals and policies address the specific needs of freight mobility in Lakewood.

GOAL T-18: Plan for location of freight routing in conjunction with placement of industrial, commercial, and other land uses to maintain and improve commercial transportation and mobility access.

Policies:

T-18.1: Install directional signage for truck routes through key areas of the city.

T-18.2: Consider potential freight movement needs of new development as part of SEPA review.

T-18.3: Create development standards for freight access to commercial uses likely to possess such needs.

T-18.4: Examine the potential of unused or underutilized rail lines in Lakewood for freight rail.

T-18.5: As industrial uses concentrate into certain areas, identify ways to eliminate the conflict among freight users this may tend to create.

T-18.6: Promote the continued operation of existing rail lines to serve the transportation needs of Lakewood businesses.

T-18.7: Support reconstruction of the I-5/SR 512 interchange to improve access to the Lakewood Industrial Park.

T-18.8: Support new access and infrastructure improvements to American Lake Gardens that facilitate industrial development.

T-18.9: Explore future opportunities to grade separate rail traffic from street arterials where significant safety hazards or traffic congestion warrant.

6.6 Level-of-Service Standards and Concurrency

6.6.1 Definitions

The GMA requires the adoption of Level-of-Service (LOS) standards for arterial streets and intersections to serve as a gauge to judge the quality and performance of the transportation system. The LOS standards for arterial streets and intersection selected for Lakewood are based on the peak hour LOS for special roadway links designated on Figure 6.2.

Level-of-service standards required by the GMA are closely related to the issue of concurrency. The GMA requires transportation improvements to be made concurrent with development. Once a street or intersection exceeds its LOS standard, improvements must be planned within six years to improve the street's performance to a level that does not violate the standard. If planned improvements were to exceed the six-year time frame, new development that would add traffic to the street could not be approved.

The most common approach to LOS for roads is the ratio of traffic volume to the design capacity of a facility while intersection LOS is based on the average delay experience by drivers. Both roadway and intersection LOS are typically evaluated during the peak hour travel and are typically converted to letter grades "A" through "F," as described in the Transportation Research Board's *Highway Capacity Manual*. The LOS A represents the least amount of congestion, while LOS F represents the highest level of congestion.

Level-of-service standards can be chosen for different arterials within a city. Levels of service should desirably be the same on both sides of a city/county boundary; however, different goals on either side of a boundary can be legitimate reasons for two jurisdictions to establish different standards.

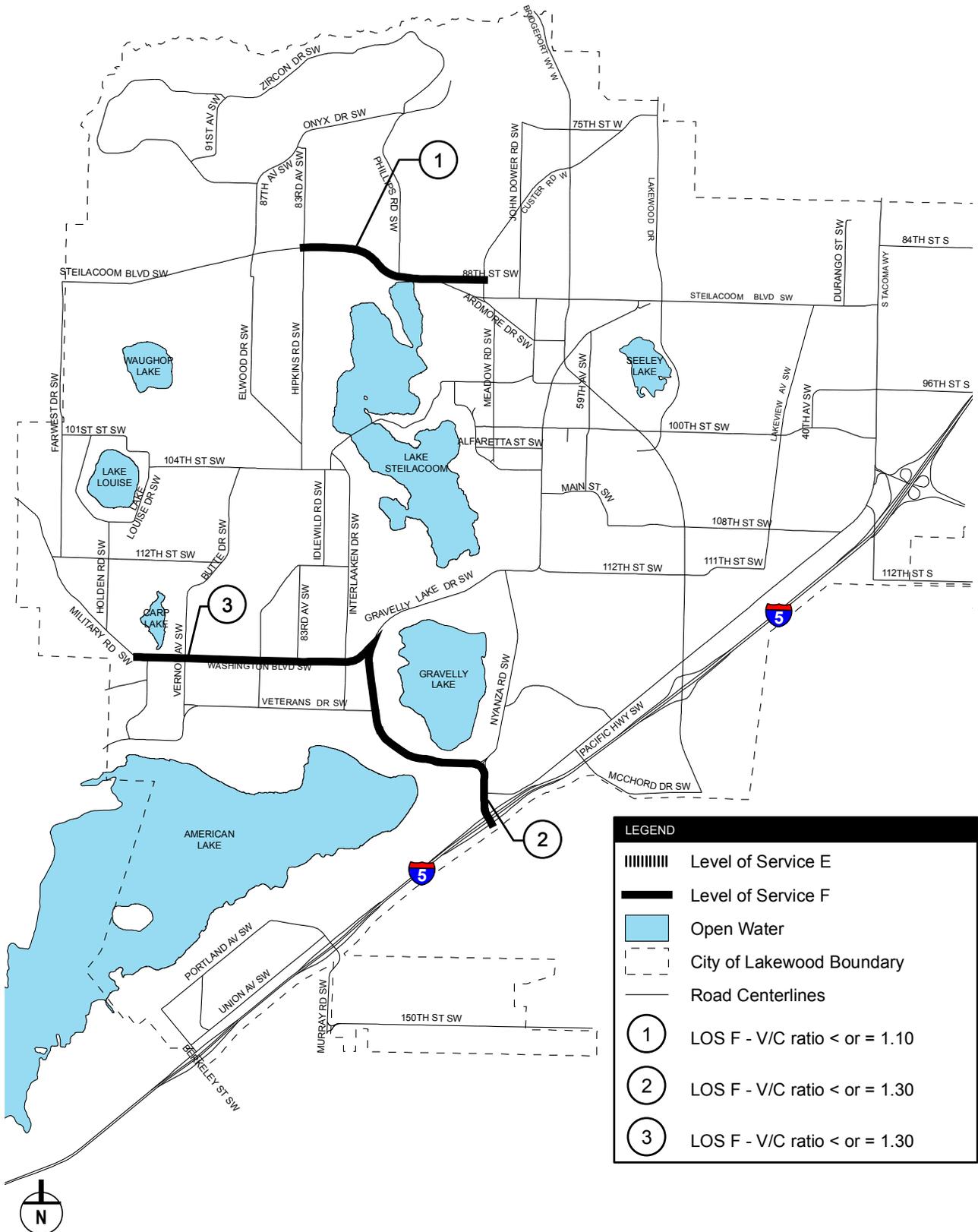
6.6.2 Goals and Policies

GOAL T-19: Apply standardized performance measurement criteria to monitor transportation LOS.

Policies:

T-19.1: Monitor road performance using the Highway Capacity Manual's standardized A-F LOS measures:

- LOS A is defined as representing a free flow condition. Travel speeds are typically at or near the speed limit and little to no delay exists. Drivers have the freedom to select their desired speeds and to make turns and maneuver within the traffic stream.
- LOS B is defined as representing stable flow. Drivers still have some freedom to select their travel speed. Average delays of 10-20 seconds per vehicle are experienced at signalized intersections.
- LOS C is defined as falling within the range of stable flow, but vehicle travel speeds and maneuverability are more closely controlled by higher traffic volumes. The selection of speed is not affected by the presence of others, and maneuvering within the traffic stream requires vigilance on the part of the driver. Longer average delays of 20-35 seconds per vehicle are experienced at signalized intersections.
- LOS D is defined as approaching unstable flow. Travel speed and freedom to maneuver are somewhat restricted, with average delays of 35-55 seconds per vehicle at signalized intersections. Small increases in traffic flow can cause operational difficulties at this level.



LEGEND	
	Level of Service E
	Level of Service F
	Open Water
	City of Lakewood Boundary
	Road Centerlines
	LOS F - V/C ratio < or = 1.10
	LOS F - V/C ratio < or = 1.30
	LOS F - V/C ratio < or = 1.30

Figure 6.2
Designated Level
of Service Thresholds

Source: Transpo Group
 July 2015

- LOS E is defined as representing operating conditions at or near the capacity of the roadway. Low speeds (approaching 50 percent of normal) and average intersection delays of 55-80 seconds per vehicle are common. Freedom to maneuver within the traffic stream is extremely difficult. Any incident can be expected to produce a breakdown in traffic flow with extensive queuing.
- LOS F is defined as forced flow operation at very low speeds. Operations are characterized by stop-and-go traffic. Vehicles may progress at reasonable speeds for several hundred feet or more, then be required to stop in a cyclic fashion. Long typical delays of over 80 seconds per vehicle occur at signalized intersections.

T-19.2: Collaborate with adjacent jurisdictions to develop appropriate LOS standards where roadway centerlines serve as a jurisdictional boundary.

T-19.3: Work toward developing multimodal LOS and concurrency standards.

GOAL T-20: Adopt the following arterial and intersection LOS thresholds for maintaining transportation concurrency on arterial streets in Lakewood.

Policies:

T-20.1: Maintain LOS D with a V/C ratio threshold of 0.90 during weekday PM peak hour conditions on all arterial streets and intersection in the city, including state highways of statewide significance except as otherwise identified.

T-20.1: Maintain LOS D during weekday PM peak hour conditions at all arterial street intersections in the city, including state highways of statewide significance except as otherwise identified.

T-20.2: Maintain LOS F with a V/C ratio threshold of 1.10 in the Steilacoom Boulevard corridor between 88th Street SW and 83rd Avenue SW.

T-20.3: Maintain LOS F with a V/C ratio threshold of 1.30 on Gravelly Lake Drive between I-5 and Washington Boulevard SW and Washington Boulevard SW, west of Gravelly Lake Drive.

T-20.4: The City may allow two-way and one-way stop-controlled intersections to operate worse than the LOS standards. However, the City requires that these instances be thoroughly analyzed from an operational and safety perspective.

GOAL T-21: Use traffic management strategies and land use regulations to protect street and network LOS standards.

Policies:

T-21.1: Establish mitigation requirements for new development where LOS is expected to fall below acceptable standards as a result of that development.

T-21.2: Limit new development to areas where LOS standards can be maintained and restrict development in areas where they cannot be maintained.

T-21.3: Use road widening only as a last resort to address LOS deficiencies, except in areas where roadways are substandard and improving them to standards would increase their contribution to overall LOS.

T-21.4: Ensure that comprehensive plan amendments, rezones, master plans, conditional uses, and other significant land use proposals are reviewed with consideration of the proposal's impact on street LOS standards.

6.7 Reassessment Strategy

The arterial level of service thresholds established above will be monitored over time. For locations that may exceed the level of service threshold in the future, a different threshold would need to be established or a specific facility improvement would need to be identified and programmed for funding within six years.

While the future of transportation financing from state and federal sources remains uncertain at present, there are mechanisms available to municipalities to generate revenue for, or otherwise encourage private investment in, transportation facilities. If the above proactive policies fail to maintain future levels of service within the established LOS thresholds, the City of Lakewood will resort to some combination of the following TDM/TSM and land-use strategies to bring any LOS deficiencies back into compliance under GMA concurrency requirements:

- Coordinate timing of new development in LOS-deficient areas with fully-funded improvements identified in the required six-year transportation improvement plan.
- Provide for routing traffic to other roads with underutilized capacity to relieve LOS standard deficiencies, but taking into consideration the impact of additional traffic on the safety and comfort of existing neighborhoods.
- Aggressively pursue the following TDM strategies, including parking management actions in dense commercial centers:
 - Install parking meters on streets within and adjacent to commercial centers;
 - Develop public parking facilities and use cost pricing to discourage SOV commuting;
 - Institute a municipal parking tax;
 - Set maximum parking space development standards and reduce over time to further constrain parking supply;
 - Support charging for employee parking and providing monetary incentives for car and vanpooling;
 - Partner with Pierce Transit to identify public and/or private funding for expanded transit service during peak and off-peak times along LOS-deficient corridors.
- Aggressively pursue federal and state grants for specific transportation improvements on LOS deficient roadway segments.
- Make development density bonuses available to developers who provide additional transit, bicycle, and pedestrian-friendly amenities beyond the minimum requirements.
- Reassess commercial and residential development targets by planning area and make adjustments to channel development away from LOS-deficient locations.
- If the actions above are not sufficient, consider changes in the LOS standards and/or limit the rate of growth, revise the City's current land use element to reduce density or intensity of development, and/or phase or restrict development to allow more time for the necessary transportation improvements to be completed.

Transportation Background Report

CITY OF LAKEWOOD COMPREHENSIVE PLAN

Prepared for:
City of Lakewood

July 2015

Prepared by:



11730 118th Avenue NE, Suite 600
Kirkland, WA 98034-7120
Phone: 425-821-3665
Fax: 425-825-8434
www.transpogroup.com

13318.01

© 2015 Transpo Group

Table of Contents

Inventory of Existing Transportation Facilities & Conditions	1
Street & Highway System	1
Freight System.....	11
Non-Motorized Travel System	13
Transit System.....	13
City Transportation Programs.....	15
Travel Forecasts and Needs Evaluation	16
Travel Demand Forecasts	16
Planned Transportation Improvements	17
Level of Service Standards & Concurrency.....	19
2030 Baseline & Plan Evaluation.....	21
Transportation Systems Plan	31
Street and Highway System	31
Freight & Mobility System.....	38
Non-Motorized Travel System	38
Public Transit System	38
Transportation Demand Management.....	39
Air, Rail, & Water Transportation Facilities.....	40
Implementation Program.....	41
Local Funding	41
Transportation Benefit District	41
Regional Coordination	41
Grants	42
Other Potential Funding Sources.....	42
Concurrency Management and Development Review	44
Reassessment Strategy.....	44

Figures

Figure 1.	Existing Street Network	2
Figure 2.	Existing Traffic Control	3
Figure 3.	Existing (2014) Weekday Daily Traffic Volumes	4
Figure 4.	Existing (2014) Weekday PM Peak Hour Traffic Volumes.....	5
Figure 5.	Existing (2014) Weekday PM Peak Hour Roadway LOS Where LOS D or Worse	12
Figure 6.	Future (2030) Weekday Daily Traffic Volumes	22
Figure 7.	Future (2030) Weekday PM Peak Hour Traffic Volumes.....	23
Figure 8.	Future (2030) Baseline Weekday PM Peak Hour Roadway LOS Where LOS D or Worse	30
Figure 9.	Arterial Street Classification	32

Tables

Table 1.	Existing (2014) Weekday PM Peak Hour Intersection Traffic Operations Summary	6
Table 2.	Existing (2014) Weekday PM Peak Hour Roadway Traffic Operations Summary	8
Table 3.	Transit Service Routes	13
Table 4.	Level of Service Criteria for Urban and Rural Roadways.....	20
Table 5.	Future (2030) Weekday PM Peak Hour Intersection Traffic Operations Summary	24
Table 6.	Future (2030) Weekday PM Peak Hour Roadway Traffic Operations Summary	26
Table 7.	Roadway Functional Classification Descriptions.....	33
Table 8.	Transportation Projects and Programs.....	34
Table 9.	Local Transportation Funding Options	42

Inventory of Existing Transportation Facilities & Conditions

Travel needs within the City of Lakewood are met by a range of transportation facilities and services. These facilities and services provide for travel within the City and also connect Lakewood with the rest of the region. The City's existing transportation system is comprised of a state highway, arterials, collectors, and local roads as well as facilities for pedestrians, bicycles, and transit. The following summarizes key elements of the existing transportation system serving the City. The inventory provides input for identifying and prioritizing the City's transportation improvement projects and programs.

Street & Highway System

The backbone of the City's transportation system is the street and highway system. The street and highway system provides mobility and access for a range of travel modes and users. Roadways are classified by their intended function and desired service. The City's roadway functional classification is identified in the Transportation Systems Plan section and is based on existing and future transportation needs.

To provide background for identifying the transportation improvement projects and programs, a summary of existing conditions of the City roadway system is presented. This includes the number of lanes and existing traffic controls, traffic volumes and operations, transportation safety conditions, and the freight system. Non-motorized and transit facilities and services, which use the roadway system, are described in the subsections that follow.

Street Network

The existing state highway and arterial street system serving Lakewood is shown in Figure 1. The City is served by several highways and major, minor, and local streets include Interstate 5 (I-5), State Route (SR) 512, South Tacoma Way, Pacific Highway SW, Steilacoom Boulevard, Bridgeport Way, a portion of Gravelly Lake Drive, Custer Road, 100th Street SW, Lakewood Drive, Washington Boulevard, Military Road, and a small segment of 112th Street SW. Existing intersection traffic control devices are shown on Figure 2. All major arterial street intersections are signalized.

Existing Traffic Volumes

Recent traffic counts were assembled from a variety of sources to determine current vehicle demands on City roadways. Daily vehicle volumes were obtained from the City of Lakewood and as needed, were adjusted based on historically observed growth rates to reflect existing (2014) conditions. Weekday PM peak hour volumes were also assembled for major intersections throughout the City through a combination of planning studies conducted in the City and new counts collected in 2014. The weekday PM peak hour is typically the period when traffic volumes are the highest within the City.

Existing (2014) average daily traffic volumes are summarized in Figure 3 and existing weekday PM peak hour traffic volumes are summarized in Figure 4. As shown, high daily traffic volumes are generally experienced along principal arterials, which carry volumes ranging from approximately 13,000 to as high as 41,000 trips per day. Traffic volumes are the highest in the vicinity of interchanges with I-5, with the highest daily volume occurring at South Tacoma Way north of the I-5/SR 512 interchange (about 41,400 vehicles per day). Volumes are generally lower in the southern and western areas of the city, where many of the residential neighborhoods are located.

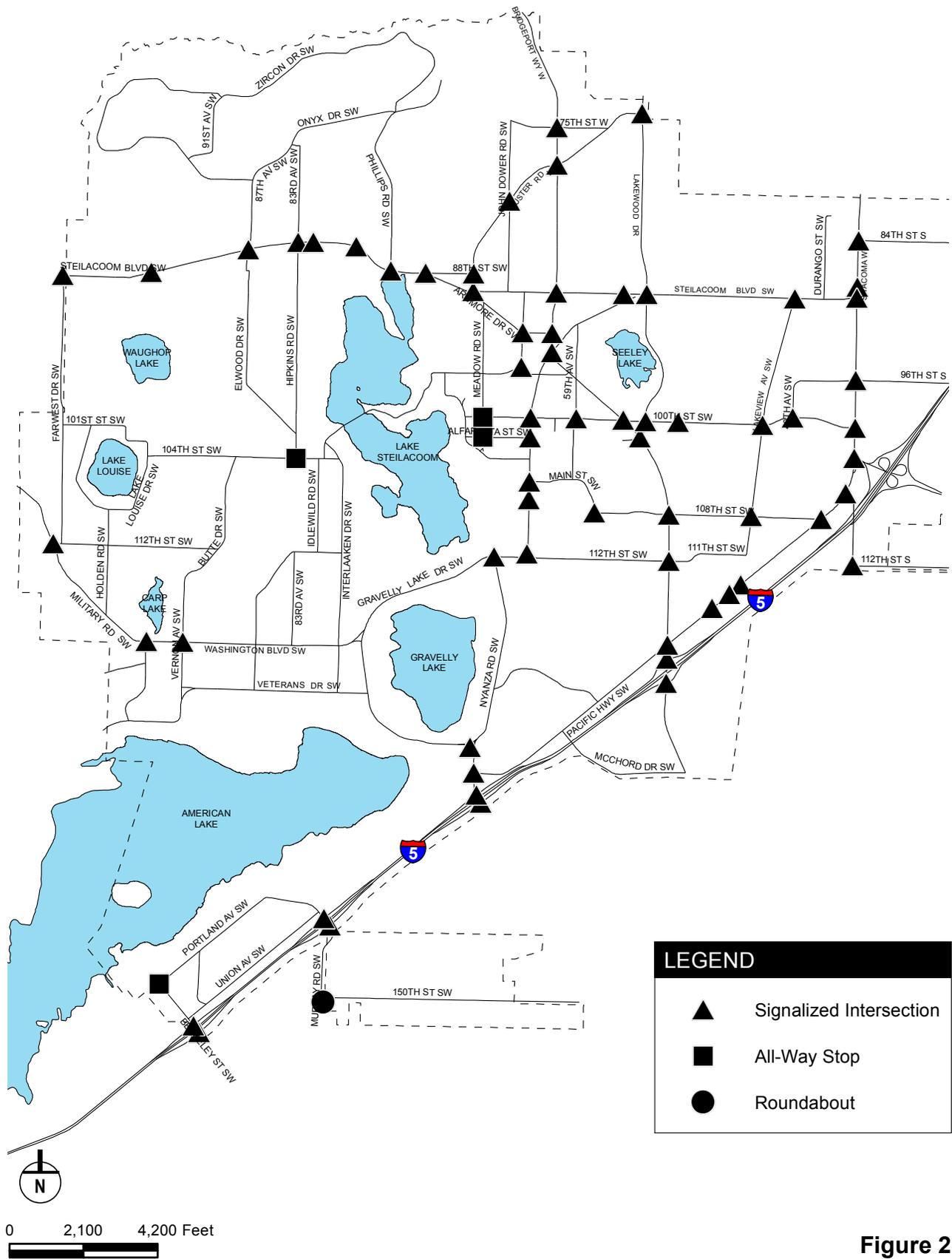


Figure 2
Existing Traffic Control

Source: Transpo Group
R | 2015

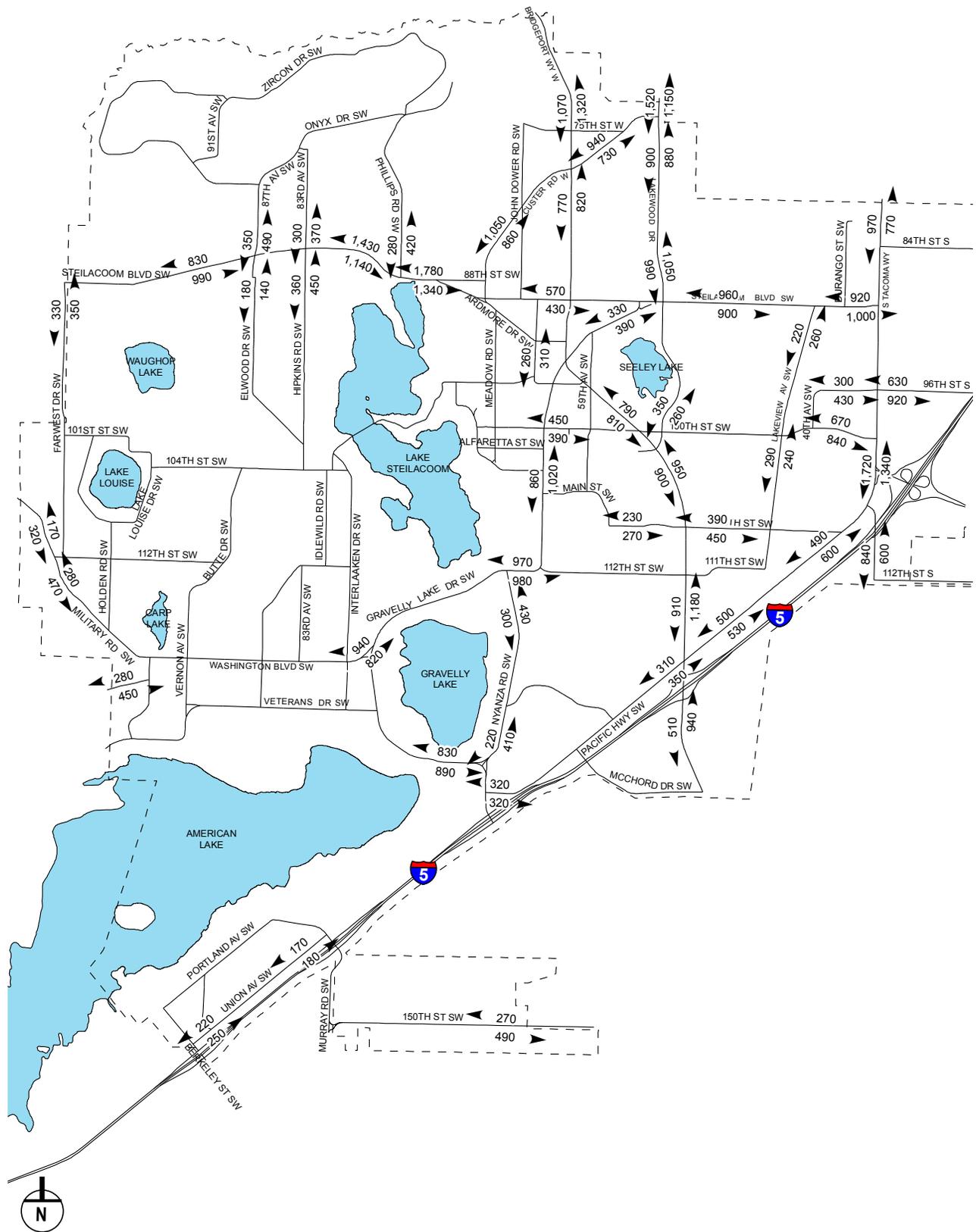


Figure 4
Existing (2014) Weekday PM
Peak Hour Traffic Volumes

Source: Transpo Group
 R | 2015

Existing Traffic Operations

Traffic volumes were used to evaluate existing traffic operations in Lakewood through the evaluation of levels of service (LOS) as defined in the later Travel Forecasts and Needs Evaluation section. Major intersections throughout the City were evaluated based on the latest level of service methodologies defined in the *Highway Capacity Manual (HCM)*, 2010.

Level of service (LOS) is an estimate of the quality and performance of transportation facility operations in a community. According to the HCM, the degree of traffic congestion and delay is rated using the letter "A" for the least amount of congestion to the letter "F" for the highest amount of congestion (i.e., LOS A through LOS F). LOS for intersections is based on the overall delay for all drivers at an intersection while LOS for roadway segments is based on the volume-to-capacity ratio (V/C) for roadway segments.

An LOS standard of LOS D is generally applied for all arterial street intersection in Lakewood, and WSDOT facilities within the City are also under an LOS D standard. An average delay of 35 seconds or less for drivers at stop-controlled intersection is equivalent to LOS D or better. At signalized intersections this threshold is 55 seconds or less and for roadway segments it is a V/C ratio of 0.90 or less.

Table 1 summarizes the level of service at each of the major intersections while roadway operations are described later.

Intersection	LOS^{1,2}	Delay³
Berkeley Ave/NB I-5 Ramps ²	D	52
Berkeley Ave/SB I-5 Ramps ²	C	27
Berkeley Ave/Union Ave	B	12
Bridgeport Way/San Francisco Ave	A	9
Bridgeport Way/NB I-5 Ramps ²	C	21
Bridgeport Way/SB I-5 Ramps ²	B	19
Bridgeport Way/Pacific Hwy	D	45
Bridgeport Way/112th St	B	17
Bridgeport Way/108th St	B	20
Bridgeport Way/Lakewood Dr ²	C	30
Bridgeport Way/100th St	C	32
Bridgeport Way/59th Ave	B	12
Bridgeport Way/Mt. Tacoma Dr	A	8
Bridgeport Way/Gravelly Lake Dr ²	C	27
Bridgeport Way/93rd St	B	10
Bridgeport Way/Steilacoom Blvd	C	22
Bridgeport Way/Custer Rd	C	27
Bridgeport Way/75th St	B	16
Bridgeport Way/Meadow Park Rd	D	43
Gravelly Lake Dr/NB I-5 Ramps ²	E	70
Gravelly Lake Dr/SB I-5 Ramps ²	D	47
Gravelly Lake Dr/Pacific Hwy ²	B	16
Gravelly Lake Dr/Nyanza Rd S ²	A	10
Gravelly Lake Dr/Veterans Dr	B	11
Gravelly Lake Dr/Washington Blvd	B	18
Gravelly Lake Dr/Nyanza Rd N ²	A	8

Intersection	LOS^{1,2}	Delay³
Gravelly Lake Dr/112th St	C	30
Gravelly Lake Dr/Main St ²	C	27
Gravelly Lake Dr/Avondale Rd	E	50
Gravelly Lake Dr/Alfaretta St	B	11
Gravelly Lake Dr/100th St	B	19
Gravelly Lake Dr/Mt. Tacoma Dr	B	13
Gravelly Lake Dr/Steilacoom Blvd	B	12
Pacific Hwy/108th St ²	C	22
Pacific Hwy/S Tacoma Way ²	C	24
Steilacoom Blvd/Sentinel Dr	A	10
Steilacoom Blvd/Western State Hospital ²	A	7
Steilacoom Blvd/87th Ave	B	19
Steilacoom Blvd/83rd Ave	C	26
Steilacoom Blvd/Custer ES	B	14
Steilacoom Blvd/Briggs Ln	B	18
Steilacoom Blvd/Phillips Rd ²	B	10
Steilacoom Blvd/88th St ²	B	16
Steilacoom Blvd/Custer Rd ²	A	7
Steilacoom Blvd/Lakewood Dr	C	26
Steilacoom Blvd/Hageness Dr	A	3
Steilacoom Blvd/Lakeview Dr	A	8
Steilacoom Blvd/Durango St	D	33
Steilacoom Blvd/S Tacoma Way	C	30
S Tacoma Way/Pacific Hwy ²	C	24
S Tacoma Way/SR 512-Perkins Ln ²	D	35
S Tacoma Way/100th St ²	B	10
S Tacoma Way/96th St	C	28
S Tacoma Way/92nd St	F	60
S Tacoma Way/84th St ²	B	14
SR 512/I-5 SB Off-Ramp	E	62
Thorne Ln/NB I-5 Ramps ²	D	51
Thorne Ln/SB I-5 Ramps ²	D	48
Thorne Ln/Union Ave	B	11
100th St/Lakewood Dr	C	21
Motor Ave/Whitman Ln	A	6
Ardmore Dr/Whitman Ln	B	11
Custer Rd/Lakewood Dr	D	46
Interlaaken Dr/Washington Blvd	D	34
75th St/Custer Rd	B	14
75th St/Lakewood Dr	C	17
108th St/Lakeview Dr	A	8
John Dower Rd/Custer Rd	A	6
88th St/Custer Rd ²	A	5
112th St/Old Military Rd	A	6
112th St/Holden Rd	A	7
100th St/Lakeview Dr	B	17
100th St/59th Ave	B	15

Intersection	LOS ^{1,2}	Delay ³
108th St/Main St	B	11
100th St/David Ln	A	5
Murray Rd/150th St ⁴	B	0

1. Level of service based on *Highway Capacity Manual (HCM) 2010* methodology unless otherwise noted.
2. Level of service based on *HCM 2000* methodology due to limitation of the *HCM 2010* methodology,
3. Average delay in seconds per vehicle.
4. Level of service based on Sidra roundabout methodology.
5. When comparing these calculated performance measures to field observations and real-world driver experience, it is important to note that these calculations are based on the volume of vehicles that travelled through each intersection and may not fully capture the actual travel demand; some locations such as S Tacoma Way/100th Street or S Tacoma Way/SR 512-Perkins Lane may operate worse than reported in this table.

As shown in Table 1, all study intersections currently operate at LOS D or better with the exception of the State Route (SR) 512/I-5 Southbound Off-Ramp traffic signal which operates at LOS E primarily due to long vehicle delays on the southbound off-ramp approaching SR 512.

Although all study intersections are calculated to meet City and WSDOT level of service standards, when comparing these calculated performance measures to field observations and real-world driver experience, it is important to note that these calculations are based on the volume of vehicles that travelled through each intersection and may not fully capture the actual travel demand. This is demonstrated by observed congestion at the two SR 512 intersections where calculated delays may be shorter than those experienced in the field. However, the calculated results do illustrate similar patterns of performance and relative congestion to those observed in the field, which indicates that the methodology is useful in evaluating the performance of potential improvements.

Roadway V/C ratios and LOS were calculated for mid-block arterial roadway sections throughout the City of Lakewood, based on and on the HCM methodology and current PM peak hour traffic volumes. The results are shown in Table 2.

Table 2. Existing (2014) Weekday PM Peak Hour Roadway Traffic Operations Summary

Street Name/Section	Existing (2014) Volume		Existing Capacity ²	Existing (2014) V/C	
	NB/EB ¹	SB/WB ¹		NB/EB	SB/WB
Ardmore Dr SW					
southeast of Steilacoom Blvd SW	480	480	720	0.67	0.67
northwest of Whitman Ave SW	370	460	720	0.51	0.64
Bridgeport Way W					
north of 75th St W	1,320	1,070	2,050	0.64	0.52
north of Custer Rd W	920	900	2,050	0.45	0.44
south of Custer Rd W	820	770	2,050	0.40	0.38
north of Gravelly Lake Dr SW	1,070	890	2,050	0.52	0.43
south of Gravelly Lake Dr SW	740	680	2,050	0.36	0.33
north of 100th St SW	790	810	2,050	0.39	0.40
south of 100th St SW	570	620	2,050	0.28	0.30
south of Lakewood Dr SW	950	900	2,050	0.46	0.44
north of 112th St SW	880	760	2,050	0.43	0.37
north of Pacific Highway SW	1,180	910	2,050	0.58	0.44
south of Pacific Highway SW	1,250	990	2,050	0.61	0.48
at Clover Creek bridge south of I-5	940	510	2,050	0.46	0.25
Custer Rd SW/ W					
northeast of Bridgeport Way SW	730	940	1,825	0.40	0.52

Street Name/Section	Existing (2014) Volume			Existing (2014) V/C	
	NB/EB ¹	SB/WB ¹	Existing Capacity ²	NB/EB	SB/WB
southwest of Bridgeport Way SW	790	1,040	1,825	0.43	0.57
north of 88th St SW	860	1,050	1,825	0.47	0.58
south of 88th St SW	120	180	2,050	0.06	0.09
Far West Dr SW					
south of Steilacoom Blvd SW	350	330	2,050	0.17	0.16
Gravelly Lake Dr SW					
southwest of Steilacoom Blvd SW	390	330	2,050	0.19	0.16
northeast of Bridgeport Way SW	280	290	1,825	0.15	0.16
southwest of Bridgeport Way SW	670	560	2,050	0.33	0.27
south of Mount Tacoma Dr SW	960	740	2,050	0.47	0.36
south of 100th St SW	950	790	2,050	0.46	0.39
south of Alfaretta St SW	920	670	2,050	0.45	0.33
north of Wildaire Rd SW	1,020	860	2,050	0.50	0.42
north of 112th St SW	920	870	2,050	0.45	0.42
west of 112th St SW	980	970	2,050	0.48	0.47
west of end Nyanza Rd SW (S)	890	830	975	0.91	0.85
north of Pacific Highway SW	1,380	1,070	2,050	0.67	0.52
south of Pacific Highway SW	1,330	1,020	2,050	0.65	0.50
Hipkins Rd SW					
south of Steilacoom Blvd SW	450	360	720	0.63	0.50
Lakeview Ave SW					
south of 100th St SW	240	290	1,825	0.13	0.16
south of Steilacoom Blvd SW	260	220	1,825	0.14	0.12
Lakewood Dr SW					
north of 74th St W	1,150	1,520	2,050	0.56	0.74
south of 74th St W	880	900	1,825	0.48	0.49
north of Steilacoom Blvd SW	1,050	990	1,825	0.58	0.54
south of Steilacoom Blvd SW	690	680	2,050	0.34	0.33
north of 100th St SW	260	350	2,050	0.13	0.17
Military Rd SW					
south of 112th St SW	470	280	975	0.48	0.29
northwest of 112th St SW	320	170	975	0.33	0.17
Mount Tacoma Dr SW					
west of Bridgeport Way	200	170	975	0.21	0.17
west of Gravelly Lake Dr	390	410	975	0.40	0.42
Murray Rd SW					
north of 146th St SW	1,040	530	1,825 NB / 975 SB	0.57	0.54
N Gate Rd SW					
northeast of Nottingham Rd SW	450	280	720	0.63	0.39
N Thorne Ln SW					
southeast of Union Ave SW	270	450	720	0.38	0.63
Nyanza Rd SW (N)					
north of Gravelly Lake Dr SW	410	220	975	0.42	0.23
south of Gravelly Lake Dr SW	430	300	975	0.44	0.31
Pacific Highway SW					
north of 108th St SW	1,050	850	2,050	0.51	0.41

Street Name/Section	Existing (2014) Volume			Existing (2014) V/C	
	NB/EB ¹	SB/WB ¹	Existing Capacity ²	NB/EB	SB/WB
southwest of 108th St SW	600	490	2,050	0.29	0.24
northeast of Bridgeport Way SW	530	500	2,050	0.26	0.24
southwest of Bridgeport Way SW	350	310	975	0.36	0.32
east of Gravelly Lake Dr SW	320	320	720	0.44	0.44
Phillips Rd SW					
north of Steilacoom Blvd SW	420	280	720	0.58	0.39
South Tacoma Way					
north of 84th St SW	770	970	2,050	0.38	0.47
north of Steilacoom Blvd	1,000	1,240	2,050	0.49	0.60
south of Steilacoom Blvd SW	990	1,310	2,050	0.48	0.64
north of 96th St S	910	1,300	2,050	0.44	0.63
north of 100th St SW	780	950	2,050	0.38	0.46
south of SR 512	1,060	1,190	2,050	0.52	0.58
southeast of Pacific Highway SW	600	840	2,050	0.29	0.41
Steilacoom Blvd SW					
east of Farwest Dr SW	830	840	1,825	0.45	0.46
west of 87th Ave SW	990	830	1,825	0.54	0.45
west of 83rd Ave SW/Hipkins Rd SW	960	1,190	2,050	0.47	0.58
west of Phillips Rd SW	1,140	1,430	1,825	0.62	0.78
east of Phillips Rd	1,340	1,780	2,050	0.65	0.87
southeast of 88th St SW	710	1,040	1,825	0.39	0.57
west of Bridgeport Way SW	430	570	1,825	0.24	0.31
east of Bridgeport Way SW	470	580	1,825	0.26	0.32
west of Gravelly Lake Dr SW	500	600	1,825	0.27	0.33
east of Lakewood Dr SW	900	960	2,050	0.44	0.47
west of Lakeview Ave SW	940	930	2,050	0.46	0.45
west of South Tacoma Way	1,000	920	2,050	0.49	0.45
Union Ave SW					
northeast of Berkeley St SW	250	220	720	0.35	0.31
southwest of North Thorne Ln SW	180	170	720	0.25	0.24
Washington Blvd SW					
west of Gravelly Lake Dr SW	820	940	975	0.84	0.96
Whitman Ave SW					
south of Ardmore Dr SW	310	260	975	0.32	0.27
40th Ave SW					
north of 100th St SW	360	390	975	0.37	0.40
74th St					
west of Lakewood Dr	960	1,010	2,050	0.47	0.49
83rd Ave SW					
north of Steilacoom Blvd SW	370	300	975	0.38	0.31
84th St S					
east of South Tacoma Way	540	570	2,050	0.26	0.28
87th Ave SW					
south of Steilacoom Blvd SW	140	180	720	0.19	0.25
north of Steilacoom Blvd SW	490	350	975	0.50	0.36
88th St SW					

Street Name/Section	Existing (2014) Volume		Existing Capacity ²	Existing (2014) V/C	
	NB/EB ¹	SB/WB ¹		NB/EB	SB/WB
east of Steilacoom Blvd SW	780	840	1,825	0.43	0.46
93rd St SW					
east of Whitman Ave SW	180	220	975	0.18	0.23
96th St S					
west of South Tacoma Way	430	300	975	0.44	0.31
east of South Tacoma Way	920	630	1,825	0.50	0.35
100th St SW					
west of South Tacoma Way	840	670	1,825	0.46	0.37
east of Lakeview Ave SW	1,180	930	2,050	0.58	0.45
west of Lakeview Ave SW	980	810	2,050	0.48	0.40
east of Lakewood Dr SW	1,130	1,040	2,050	0.55	0.51
east of Bridgeport Way	730	710	2,050	0.36	0.35
east of Gravelly Lake Dr	390	450	1,825	0.21	0.25
108th St SW					
west of Pacific Highway SW	550	460	720	0.76	0.64
east of Bridgeport Way SW	450	390	975	0.46	0.40
west of Bridgeport Way SW	300	270	975	0.31	0.28
east of Davisson Rd SW	270	230	975	0.28	0.24
112th St SW/S					
between Military Rd SW & Farwest Dr S	200	210	720	0.28	0.29
east of Gravelly Lake Drive	310	350	975	0.32	0.36
east of Bridgeport Way SW	180	190	975	0.18	0.19
west of Bridgeport Way SW	290	310	720	0.40	0.43
150th St SW					
east of Woodbrook Rd SW	490	270	720	0.68	0.38

1. Volumes shown are for northbound and southbound (NB and SB) when the roadway is oriented NB-SB or eastbound and westbound (EB and WB) when oriented EB-WB.
2. When roadway capacity differs between a roadway's two directions of travel, each direction's capacity is shown (e.g. NB / SB or EB / WB).

Figure 5 highlights the one arterial segment within the City of Lakewood that currently operates at LOS D (v/c > 0.90) or worse under existing (2014) conditions: westbound Washington Boulevard SW west of Gravelly Lake Drive SW. Although operating at LOS F with a v/c of 1.22, this roadway segment does not currently exceed its adopted LOS F and 1.30 v/c standard.

Freight System

The Washington State Freight and Goods Transportation System (FGTS) is used to classify state highways, county roads, and city streets according to average annual gross truck tonnage they carry as directed by RCW 47.05.021. The FGTS establishes funding eligibility for the Freight Mobility Strategic Investment Board (FMSIB) grants and supports designations of HSS (Highways of Statewide Significance) corridors, pavement upgrades, traffic congestion management, and other state investment decisions.

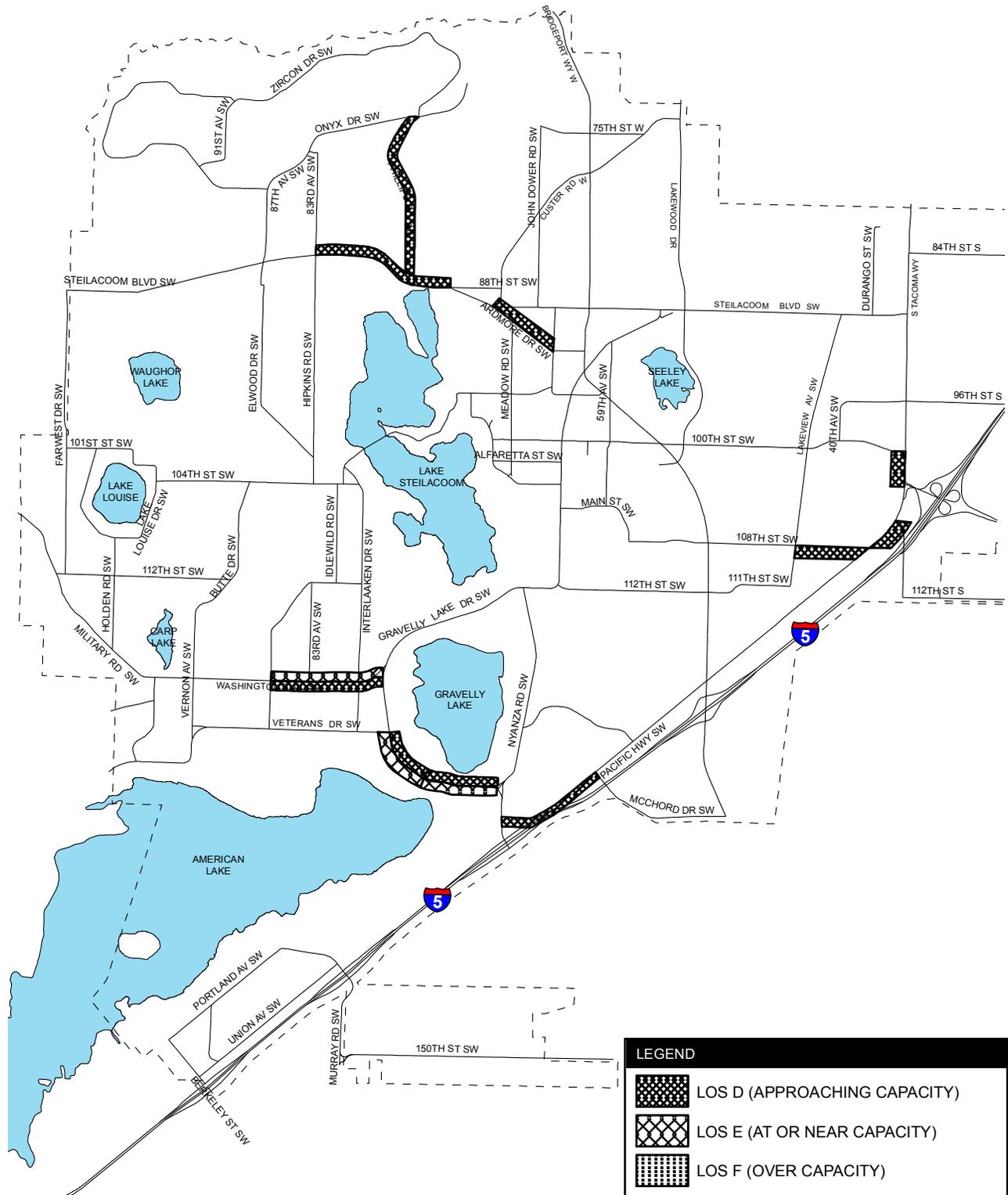


Figure 5
Existing (2014) Weekday PM Peak Hour
Roadway LOS Where LOS D or Worse

Source: Transpo Group

R | 2015

The FGTS classifies roadways using five freight tonnage classifications, T-1 through T-5. Routes classified as T-1 or T-2 are considered strategic freight corridors and are given priority for receiving FMSIB funding. Within the City of Lakewood, the western terminus of SR 512 up to Pacific Highway SW has the highest classification at T-1, which reflects this state route’s connectivity to I-5 and the broader Puget Sound region freeway system. The City of Lakewood also classifies all principal arterials as truck routes and designs these roadways to serve freight movement. Industrial areas throughout the City served by these routes include the Lakewood Industrial Park, the areas southeast of the SR 512/I-5 interchange, and other designated industrial areas throughout the City

Non-Motorized Travel System

Pedestrian and bicycle facilities play a vital role in the City’s transportation environment. The non-motorized transportation system is comprised of facilities that promote mobility without the aid of motorized vehicles. A well-established system encourages healthy recreational activities, reduces travel demand on City roadways, and enhances safety within a livable community. Pedestrian and bicycle facilities also provide access to/from transit facilities. Good transit access can increase the use of non-automobile travel modes, and vice versa.

The City of Lakewood has developed a Non-Motorized Transportation Plan (NMTP, June 2009). The NMTP provided an inventory of the City’s pedestrian and bicycle facilities, evaluated deficiencies and needs, and identified projects and strategies to enhance the non-motorized system.

Transit System

Three transit providers operate within the City of Lakewood: Pierce Transit, Intercity Transit, and Sound Transit. Pierce Transit provides bus service throughout Lakewood and all three transit agencies provide service to areas outside of Lakewood.

Pierce Transit provides transit service within the City of Lakewood and throughout Pierce County. There are currently ten local routes serving the City of Lakewood, offering connections to McChord AFB, Parkland Transit Center, Tillicum, Steilacoom, Tacoma Mall, and downtown Tacoma. Nine of these routes connect at the Lakewood Transit Center, adjacent to the north side of Lakewood Towne Center.

In addition to the local transit routes, regional express routes to Seattle and Olympia operated by Sound Transit and Intercity Transit also serve the SR 512 Park and Ride located at the junction of SR 512 and South Tacoma Way, and the Lakewood Sounder Station. Sound Transit operates three bus routes that serve the City of Lakewood as well as the Lakewood-Seattle Commuter Train. Intercity Transit operates four daily commuter routes that serve Lakewood and one weekend route. Table 1 lists Pierce Transit, Sound Transit, and Intercity transit routes currently serving the City of Lakewood.

Table 3. Transit Service Routes

Route No.	Operator	Description	Service Area	Schedule
2	Pierce Transit	S 19th St – Bridgeport	Downtown Tacoma to Lakewood Mall	Weekdays – every 30 minutes Sat/Sun. – every 30 minutes
3	Pierce Transit	Lakewood – Tacoma	Downtown Tacoma to Lakewood Mall	Weekdays – every 30 minutes Sat/Sun. – every 30 minutes
48	Pierce Transit	Sheridan – M St	Downtown Tacoma to Lakewood Mall	Weekdays – every 30 minutes Sat/Sun. – every hour
51	Pierce Transit	Union Ave	Ruston to St Clare Hospital	Weekdays – every hour

Route No.	Operator	Description	Service Area	Schedule
				Sat/Sun. – every hour
202	Pierce Transit	72nd St	Lakewood Mall to Tacoma City Park	Weekdays – every 30 minutes Sat/Sun. – every 30 minutes
204	Pierce Transit	Lakewood - Parkland	Pacific Lutheran University to Lakewood Mall	Weekdays – every 30 minutes Sat/Sun. – every 30 minutes
206	Pierce Transit	Pacific Highway – Tillicum	Lakewood Mall to Tillicum	Weekdays – every 45 minutes Sat/Sun. – every 45 minutes
212	Pierce Transit	Steilacoom	Lakewood Mall to Steilacoom Ferry	Weekdays – every 30 minutes Sat/Sun. – every hour
214	Pierce Transit	Washington	Lakewood Mall to Pierce College to American Lake Veterans Hospital	Weekdays – every 30 minutes Sat/Sun. – every hour
300	Pierce Transit	S Tacoma Way	Tacoma Mall to McChord Air Force Base	Weekdays – every 30 minutes Sat/Sun. – every hour
574	Sound Transit	Lakewood – Sea-Tac	Lakewood Mall to Sea-Tac Airport	Weekdays – every 30 minutes Sat/Sun. – every 30 minutes
592	Sound Transit	Olympia/DuPont – Seattle	Downtown Seattle to Downtown Olympia	Weekdays – every 20 minutes Sat/Sun. – every 30 minutes
594	Sound Transit	Lakewood – Seattle	Downtown Seattle to Downtown Tacoma to DuPont	Weekdays – every 15 minutes Sat/Sun. – every 30 minutes
Train	Sound Transit	Commuter rail line from Lakewood to Seattle	Downtown Seattle to St Clare Hospital	Weekdays – every 30 minutes Sat/Sun. – No Service
603	Intercity Transit	Olympia – Tumwater – Tacoma - Lakewood	Downtown Tacoma to Tumwater	Weekdays – every 30 minutes Sat/Sun. – No Service
605	Intercity Transit	Weekend Service	Downtown Tacoma to Tumwater	Weekdays – No Service Sat/Sun. – Every hour
609	Intercity Transit	S 19th St – Bridgeport	Downtown Tacoma to Lakewood Mall	Weekdays – every 30 minutes Sat/Sun. – every 30 minutes
612	Intercity Transit	Lakewood – Tacoma	Downtown Tacoma to Lakewood Mall	Weekdays – every 30 minutes Sat/Sun. – every 30 minutes
620	Intercity Transit	Sheridan – M St	Downtown Tacoma to Lakewood Mall	Weekdays – every 30 minutes Sat/Sun. – every hour

1. Route and service information provided on each transit agencies' website (Accessed 7/1/2015).

Pierce Transit also provides door-to-door paratransit service via the Shuttle for the mentally ill and physically impaired. This service is available through the Pierce Transit Dispatch Office. Rideshare and ridematch programs are also available for commuters who want to start or join a carpool or vanpool.

In support of these transit operations, several transit service facilities are also provided in Lakewood including:

- The Lakewood Transit Center located in the Town Center area,
- The SR 512 Park & Ride near the SR 512 / I-5 interchange, and
- Lakewood Station on Pacific Highway SW near the Bridgeport Way SW interchange with I-5

City Transportation Programs

The City of Lakewood maintains a Six-Year Comprehensive Transportation Improvement Program (Six-Year TIP) that provides a six-year list of proposed transportation-related capital expenditures and associated operating costs for the City. This plan sets funding strategies not only for the current year, but also to project future needs for major construction, land acquisition, and equipment to improve the cultural environment, capital infrastructure, and recreational opportunities for the citizens of Lakewood.

The City maintains a pavement resurfacing program to maintain the City's road system to the highest condition rating with the funds available using asphalt overlays and surface chip seals. The City uses a Pavement Management System software program to help identify individual resurfacing projects. The City targets alternating annual funding of \$30,000 and \$5,000 for the pavement management software program while funding for pavement resurfacing varies each year depending on roadway locations and resurfacing needs. The City's 2016-2021 Six-Year Transportation Improvement Program identifies a minimum annual expenditure of \$1,410,000 for pavement resurfacing during the next six years.

Travel Forecasts and Needs Evaluation

In addition to addressing existing transportation system issues, the City must develop its transportation system to accommodate forecast growth. The Growth Management Act (GMA) requires that the transportation planning horizon be at least ten years in the future. The City has adopted 2030 as the forecast year for the Transportation Element consistent with the Land Use Element.

The City's travel demand model was updated to support the City's transportation planning efforts. The travel demand model provides a tool for forecasting long-range traffic volumes based on the projected growth in housing and employment identified in the Land Use Element. However, it must be noted that the specific land use forecasts included in the model are intended for planning purposes only and in no way are intended to restrict or require specific land use actions. The land use forecasts are consistent and supportive with the adopted countywide growth targets for the City and region.

The following sections summarize the travel demand forecast, planned improvements, and level of service standards used to evaluate the adequacy of the City's planned transportation system. A future baseline scenario (2030 Baseline) was evaluated that reflects all currently planned land uses and transportation improvements. Where deficiencies were identified by this analysis when compared to the City's adopted standards, improvements were identified to be added to the City's Comprehensive Plan (2030 Plan).

Travel Demand Forecasts

A citywide travel demand model was developed using the Visum computer software package. An important function of a travel demand model is its ability to analyze future land use and its corresponding travel forecasts. The model calculates trip generation based on land use characteristics, allowing the impact of different land use types and development intensities to be evaluated.

The City's travel demand model developed in 2009 was updated as part of the I-5 JBLM Corridor Plan. The I-5/JBLM/Lakewood Model (or 2014 Lakewood Model) was the basis for the 2015 Transportation Element update because it enhances the 2009 model with more detail around I-5 and JBLM facilities and travel demands. The 2009 Lakewood Model was a refined version of Pierce County's older regional EMME model, but was converted to the Visum software platform. TAZs had also been subdivided to better reflect travel patterns in the Cities of Lakewood and DuPont, and for JBLM areas.

The 2014 Lakewood Model was built to be generally consistent with PSRC model inputs and outputs, such as regional land use forecasts, mode share estimates, and trip distribution in the model area, along with future forecasts at some external zones. The model also included the roadway network in eastern Thurston County. The 2014 Lakewood Model is generally consistent with TRPC future volume forecasts for Thurston County external zones.

Land use inputs drive the travel demand developed for the study area. In other words, the number of person trips generated in the model is directly tied to the land use inputs. These land use inputs can be in units of people, homes, or employment, or for more unique land types, specific traffic counts. The land use growth assumed in the City's travel demand model is consistent with the Land Use Element.

Within the City of Lakewood, the number of residential dwelling units was forecast to grow at an annual growth rate of 1.3 percent until 2030, based on Pierce County growth targets for the City of Lakewood. The number of employees is expected to grow at an annual growth

rate of 1.6 percent until 2030, consistent with the growth agreed upon by Pierce County and local cities and the Land Use Element of the City of Lakewood Comprehensive Plan.

Planned Transportation Improvements

The City has identified a comprehensive list of multimodal transportation system improvement projects and programs. The multimodal improvement projects address transportation needs within the existing City limits. Improvements under other jurisdictions include previously identified projects as well as potential improvements identified by the City of Lakewood. The City will continue to coordinate with the other agencies in their transportation planning efforts to facilitate development of a comprehensive transportation system for the City and surrounding communities.

The following sections describe roadway network and transit service/capital project planned to improve the transportation system within the City. Additional improvement not currently included but identified to be added to the City's Comprehensive Plan are also identified (2030 Plan). Non-motorized improvements have been separately identified in the City's Non-Motorized Transportation Plan (NMTP, June 2009).

Roadway Network Improvements

Adapted from the existing street network, the future street network includes various planned transportation improvements. For travel demand forecasting purposes, only funded projects associated with vehicle operations and roadway capacity have been analyzed in the City's travel demand model. The following are planned transportation improvements outside the City assumed when evaluating future 2030 Baseline model:

- High-Occupancy Vehicle lanes on I-5 and SR 16 in the Tacoma area, north of S 38th Street
- SR 510 Yelm Loop
- I-5 Congestion Management TIGER III (Southbound auxiliary lane and ramp metering)
- Point Defiance Bypass rail project
- JBLM Joint-Base Connector Phase 1 (Rainer Gate Closed)
- JBLM Integrity Gate Open
- JBLM Mounts Road Gate Open (full access)
- JBLM I-Street and Pendleton Gates Closed

For areas within the City, the future 2030 Baseline scenario includes only the projects that have been recently completed or will be completed in the near future as identified in the City's current (2016-2021) Six-Year Transportation Program project list. This scenario provides a baseline for identifying future deficiencies, which are used to establish a framework for developing the Transportation Systems Plan. The 2030 Baseline scenario includes the following planned improvements:

- **Madigan Access Improvement Project** - Activate the traffic signal at the Union Avenue SW / Berkeley Avenue SW and add dual left-turn lanes from Union Avenue SW to Berkeley Avenue SW.
- **Steilacoom Boulevard / S Tacoma Way Intersection** – Add eastbound right-turn lane on Steilacoom Boulevard, replace/upgrade traffic signal controllers, and implement access control in the vicinity of the intersection.

- **Gravelly to Thorne Connector** – Construct a new two-way connector road between Tillicum and Gravelly Lake Drive, and install a traffic signal at the Union Avenue SW/Thorne Lane SW.

The future 2030 Plan scenario includes improvement projects expected to be completed as part of the City's Transportation Element. The 2030 Plan scenario includes the following long-term improvement projects which were identified based on the evaluation of 2030 Baseline conditions described in the later 2030 Baseline & Plan Evaluation section:

- All 2030 Baseline improvements
- **96th Street Two-Way Left-Turn Lane** – Construct a center two-way left-turn lane from 500 feet east of S Tacoma Way to the I-5 underpass.
- **Murray Road & 150th Street Corridor Widening** – Widen southbound Murray Road north of S 146th Street to two travel lanes. Previous phases of this project have been constructed and are reflected in existing conditions.
- **Gravelly Lake Drive: Bridgeport to Steilacoom Road Diet** – Reduce four travel lanes to two travel lanes with a center two-way left-turn lane.
- **Rechannelize Southbound S Tacoma Way at 96th Street** – Reconfigure the southbound channelization on southbound S Tacoma Way at 96th Street SW to provide two left-turn lanes, one through lane, and one shared through/right-turn lane, and modify associated traffic signal heads.

Note that the WSDOT is currently preparing an Interchange Justification Report (IJR) to identify improvements to the interchanges between SR 512 and Nisqually. Within the City of Lakewood, this study is considering potential improvements to the Thorne Lane SW and Berkeley Avenue SW interchanges. This study is currently still in progress and as such, no specific improvements to either of these interchanges or I-5 within the City are included in the future conditions analysis.

Transit Planned Service and Capital Improvements

Pierce Transit's planned service and capital improvements are summarized in the *Transit Development Plan: 2014-2019* and show no anticipated bus expansions. Bus routes are regularly reviewed for potential modification and/or consolidation although no specific expansion of bus route service is planned from 2015 and beyond, although vanpool service is anticipated to expand by approximately 10 vans per year through the 2019 planning horizon.

Sound Transit's current long-range plans are summarized in the *Final Supplemental Environmental Impact Statement on the Regional Transit Long-Range Plan* (2005). This plan identified two potential Sound Transit service expansions beyond existing conditions that would be located within the Lakewood:

- 1) The potential extension of Sounder Commuter Rail service from its current southern terminus at the Lakewood Sounder Station to a new station located in DuPont, although funding/construction of this extension was not included within the Sound Transit 2 funding package, and
- 2) A potential Bus Rapid Transit (BRT) route from DuPont to Lakewood and extending north to Tacoma and Federal Way.

Potential additional changes to Sound Transit service have been adopted by Sound Transit's Board of Directors in the *Sound Transit Regional Transit Long-Range Plan Update Final Supplemental Environmental Impact Statement* (November 2014). This document is the basis behind the potential "Sound Transit 3" funding package that is anticipated to be put a public vote in November 2016. Within Lakewood, this plan would maintain the previously planned extension of Sounder Commuter Rail service to DuPont and adds a potential regional

express/BRT service from Lakewood to Spanaway, Frederickson, South Hill, and Puyallup. However, it is important to consider that none of these potential Sound Transit service expansions are currently funded.

Based on a review of **Intercity Transit's** 2015-2019 *Strategic Plan*, no specific Intercity Transit service changes or capital projects are anticipated to occur that impact Lakewood.

Level of Service Standards & Concurrency

Level of service (LOS) standards establish the basis for the concurrency requirements in the GMA, while also being used to evaluate impacts as part of the State Environmental Protection Act (SEPA). Agencies are required to “adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with development” (RCW 36.70A.070(6)(b)). Therefore, setting the LOS standard is an essential component of regulating development and identifying planned improvements for inclusion in the Transportation Element.

Level of Service Definitions

Level of service is both a qualitative and quantitative measure of roadway and intersection operations. Level of service uses an “A” to “F” scale to define the operation of roadways and intersections as follows:

LOS A: Primarily free flow traffic operations at average travel speeds. Vehicles are completely unimpeded in their ability to maneuver within the traffic stream. Control delays at signalized intersections are minimal.

LOS B: Reasonably unimpeded traffic flow operations at average travel speeds. The ability to maneuver within the traffic stream is only slightly restricted and control delays at signalized intersections are not significant.

LOS C: Stable traffic flow operations. However, the ability to maneuver and change lanes may be more restricted than in LOS B, and longer queues, adverse signal coordination, or both may contribute to lower than average travel speeds.

LOS D: Small increases in traffic flow may cause substantial increases in approach delays and, hence, decreases in speed. This may be due to adverse signal progression, poor signal timing, high volumes, or some combination of these factors.

LOS E: Significant delays in traffic flow operations and lower operating speeds. Conditions are caused by some combination of adverse progression, high signal density, high volumes, extensive delays at critical intersections, and poor signal timing.

LOS F: Traffic flow operations at extremely low speeds. Intersection congestion is likely at critical signalized intersections, with high delays, high volumes, and extensive vehicle queuing.

A more technical method of measuring LOS is described in the Transportation Research Boards *Highway Capacity Manual* (HCM), which involves the calculation of the volume-to-capacity ratio (V/C) of a roadway or intersection. The V/C ratio ranges shown in Table 4 have been developed for determining corridor LOS for urban roadways.

Table 4. Level of Service Criteria for Urban and Rural Roadways

LOS		Volume-to-Capacity (V/C) Ratio
A	less than or equal to	0.3
B	less than or equal to	0.5
C	less than or equal to	0.75
D	less than or equal to	0.90
E	less than or equal to	1.0
F	greater than	1.0

State Highway Level of Service Standards

The City of Lakewood is served by two state highways. Both of the highways, I-5 and SR 512, are classified as Highways of Statewide Significance (HSS). There are no state highways classified as Highways of Regional Significance (HRS) within Lakewood.

State law sets LOS D for HSS facilities in urban areas and LOS C for HSS facilities in rural areas. Both I-5 and SR 512 are classified as Urban within the Lakewood planning area so LOS D applies. The GMA concurrency requirements do not apply to HSS facilities.

WSDOT applies these standards to highway segments, intersections, and freeway interchange ramp intersections. When a proposed development affects a segment or intersection where the level of service is already below the region’s adopted standard, then the pre-development level of service is used as the standard. When a development has degraded the level of service on a state highway, WSDOT works with the local jurisdiction through the SEPA process to identify reasonable and proportional mitigation to offset the impacts. Mitigation could include access constraints, constructing improvements, right-of-way dedication, or contribution of funding to needed improvements.

City of Lakewood Level of Service Standards

The City has adopted LOS standards for transportation facilities under its jurisdiction as required under the GMA. The Comprehensive Plan adopts the following roadway capacity and LOS standard:

Maintain LOS D with a V/C ratio threshold of 0.90 during weekday PM peak hour conditions on all arterial streets and intersection in the city, including state highways of statewide significance.

Although, this standard is typically considered reasonable and is used in most urban areas in the Puget Sound region, some transportation facilities are considered fully built-out and are not able to be further improved due to either physical limitations or very high financial cost. Setting different LOS standards for specific areas is a common practice that accounts for the function and use of the roadways into acceptable operating conditions. At locations where physical limitations prevent widening or where a very high financial cost to construct additional improvements would likely occur, LOS standards are based on the 2030 Plan scenario described in the later 2030 Baseline & Plan Evaluation section.

- Maintain LOS F with a V/C ratio threshold of 1.10 in the Steilacoom Boulevard corridor between 88th Street SW and 83rd Avenue SW.
- Maintain LOS F with a V/C ratio threshold of 1.30 on Gravelly Lake Drive between I-5 and Washington Boulevard SW and Washington Boulevard SW, west of Gravelly Lake Drive.

Signalized and stop-sign controlled intersection LOS shall be calculated based on the most recent version of the *Highway Capacity Manual* (HCM, Transportation Research Board). Signalized and all-way stop-controlled intersection level of service shall be calculated for the overall intersection while side-street (two-way) stop-controlled intersections shall be calculated for the worst operating travel lane group at the intersection. Intersection level of service at roundabout intersections shall be evaluated using the Sidra software program roundabout methodology for the overall intersection and signalized LOS delay thresholds from the current HCM. When HCM or Sidra intersection methodologies are unable to be applied due to limitations of the methods, alternative calculation methods may be used.

The City also recognizes how intersection control (e.g., traffic signals, roundabouts, and stop signs) defines level of service. For two-way and one-way stop-controlled intersections, the LOS is defined by the amount of time vehicles are waiting at the stop sign. Although a substantial volume of traffic can proceed through the intersection without any delays, a small volume at the stop sign can incur delays that would exceed LOS D. To avoid mitigation that would only serve a small volume of traffic, the City may allow two-way and one-way stop-controlled intersections to operate worse than the LOS standards. However, the City requires that these instances be thoroughly analyzed from an operational and safety perspective.

As appropriate, mitigation will be identified and required to address potential impacts to safety or operations. Potential installation of traffic signals or other traffic control devices at these locations shall be based on the Manual on Uniform Traffic Control Devices (MUTCD), the Transportation Element, and sound engineering practices. This allowance within the LOS standards is needed because the installation of a traffic signal or other traffic control device may not be warranted per the MUTCD or desirable based on the proximity of other current or planned traffic controls as identified in the Transportation Element.

2030 Baseline & Plan Evaluation

The 2030 travel demand model assumed currently committed and planned transportation improvement projects would be constructed by 2030 as discussed above. This scenario provides a baseline for identifying potential alternative transportation improvement needs. The results of the alternatives evaluation were used to establish a framework for the Transportation Systems Plan.

The updated Lakewood travel demand model was used to convert forecasted 2030 land use data into vehicle travel demand growth on City roadways. This travel demand growth was then used to forecast 2030 traffic volumes and travel patterns. Figure 6 and Figure 7 summarize the forecast daily and weekday PM peak hour traffic volumes throughout Lakewood.

Traffic operations for forecast 2030 conditions were evaluated and have been summarized in Table 5 for intersection operations and Table 6 for roadway operations. Locations falling below City or WSDOT level of service (LOS) standards are highlighted in both tables. Both the future planned intersection and roadway segment LOS results are compared with the baseline conditions results to understand potential deficiencies in the transportation system, and whether the identified long-term transportation improvements address the baseline deficiencies.

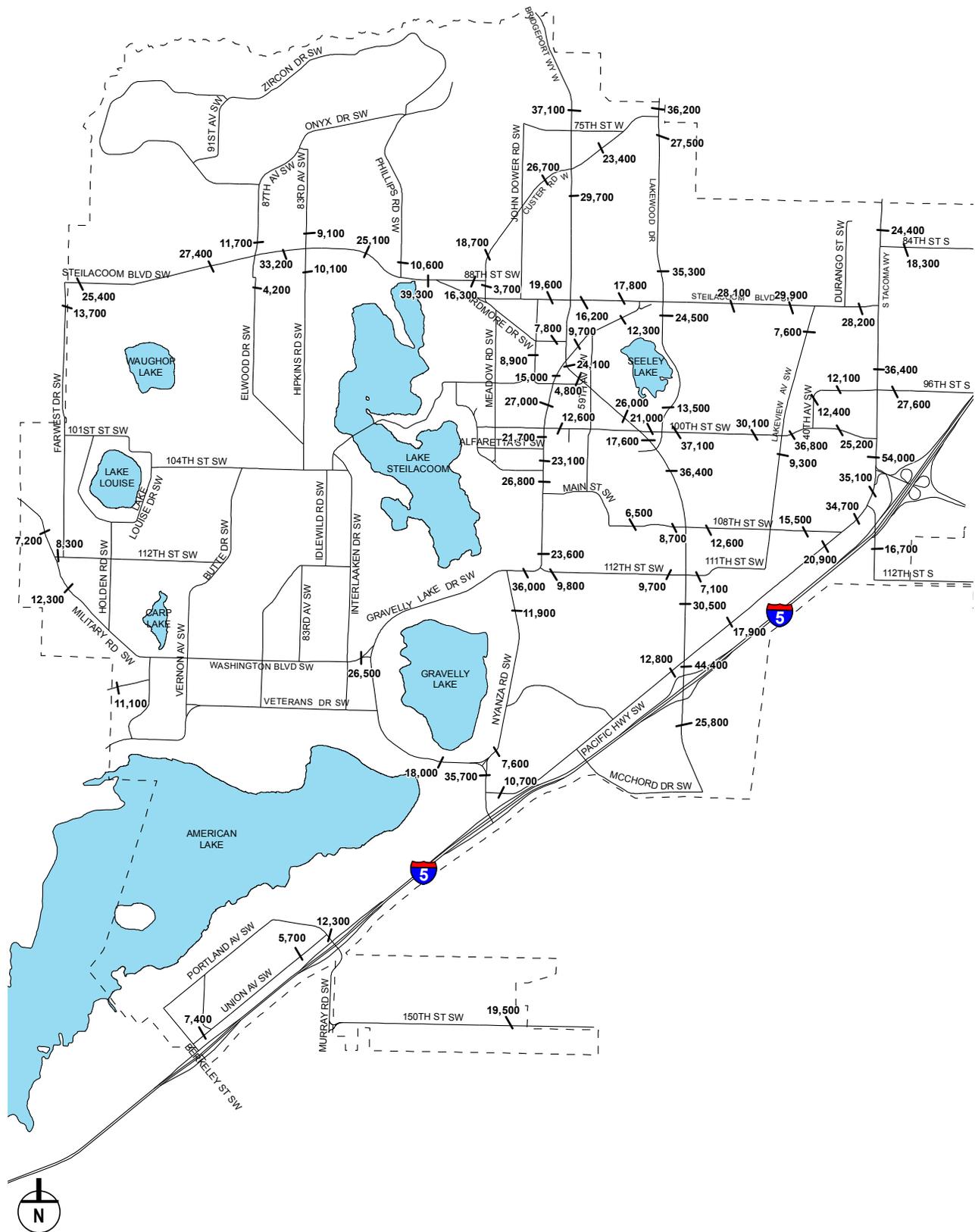


Figure 6
Future (2030) Weekday Daily Traffic Volumes

Source: Transpo Grou
 R | 2015

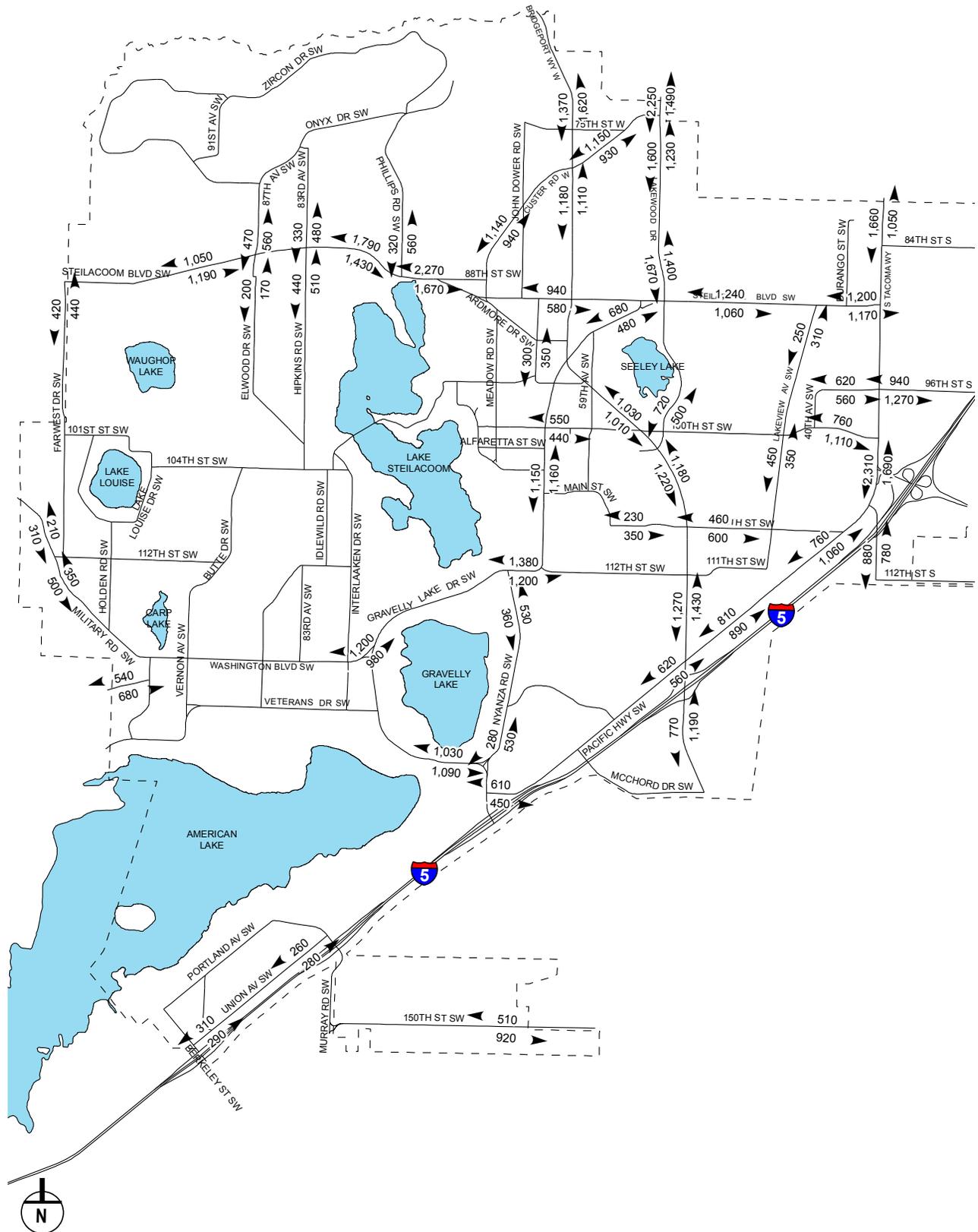


Figure 7
Future (2030) Weekday PM
Peak Hour Traffic Volumes

Source: Transpo Group

R | 2015

Table 5. Future (2030) Weekday PM Peak Hour Intersection Traffic Operations Summary

Intersection	2030 Baseline		2030 Plan ¹	
	LOS ^{2,3}	Delay ⁴	LOS	Delay
Berkeley Ave/NB I-5 Ramps ²	D	46	-	-
Berkeley Ave/SB I-5 Ramps ²	F	85	-	-
Berkeley Ave/Union Ave	B	13	-	-
Bridgeport Way/San Francisco Ave	A	9	-	-
Bridgeport Way/NB I-5 Ramps ²	B	20	-	-
Bridgeport Way/SB I-5 Ramps ²	B	14	-	-
Bridgeport Way/Pacific Hwy	D	53	-	-
Bridgeport Way/112th St	C	20	-	-
Bridgeport Way/108th St	C	28	-	-
Bridgeport Way/Lakewood Dr ²	D	35	-	-
Bridgeport Way/100th St	D	51	-	-
Bridgeport Way/59th Ave	B	12	-	-
Bridgeport Way/Mt. Tacoma Dr	A	10	-	-
Bridgeport Way/Gravelly Lake Dr ²	D	38	-	-
Bridgeport Way/93rd St	B	14	-	-
Bridgeport Way/Steilacoom Blvd	D	36	-	-
Bridgeport Way/Custer Rd	D	39	-	-
Bridgeport Way/75th St	C	21	-	-
Bridgeport Way/Meadow Park Rd	D	49	-	-
Gravelly Lake Dr/NB I-5 Ramps ²	C	27	-	-
Gravelly Lake Dr/SB I-5 Ramps ²	C	31	-	-
Gravelly Lake Dr/Pacific Hwy ²	D	51	-	-
Gravelly Lake Dr/Nyanza Rd S ²	A	10	-	-
Gravelly Lake Dr/Veterans Dr	B	15	-	-
Gravelly Lake Dr/Washington Blvd	C	21	-	-
Gravelly Lake Dr/Nyanza Rd N ²	A	10	-	-
Gravelly Lake Dr/112th St	D	45	-	-
Gravelly Lake Dr/Main St ²	C	26	-	-
Gravelly Lake Dr/Avondale Rd	A	6	-	-
Gravelly Lake Dr/Alfaretta St	B	12	-	-
Gravelly Lake Dr/100th St	C	23	-	-
Gravelly Lake Dr/Mt. Tacoma Dr	B	15	-	-
Gravelly Lake Dr/Steilacoom Blvd	C	20	-	-
Pacific Hwy/108th St ²	C	25	-	-
Pacific Hwy/S Tacoma Way ²	D	42	-	-
Steilacoom Blvd/Sentinel Dr	B	14	-	-
Steilacoom Blvd/Western State Hospital ²	B	10	-	-
Steilacoom Blvd/87th Ave	C	25	-	-
Steilacoom Blvd/83rd Ave	C	34	-	-
Steilacoom Blvd/Custer ES	C	34	-	-
Steilacoom Blvd/Briggs Ln	C	28	-	-
Steilacoom Blvd/Phillips Rd ²	B	13	-	-
Steilacoom Blvd/88th St ²	C	25	-	-
Steilacoom Blvd/Custer Rd ²	B	17	-	-
Steilacoom Blvd/Lakewood Dr	E	66	D	51

Intersection	2030 Baseline		2030 Plan ¹	
	LOS ^{2,3}	Delay ⁴	LOS	Delay
Steilacoom Blvd/Hageness Dr	A	3	-	-
Steilacoom Blvd/Lakeview Dr	A	10	-	-
Steilacoom Blvd/Durango St	A	4	-	-
Steilacoom Blvd/S Tacoma Way	C	32	-	-
S Tacoma Way/Pacific Hwy ²	D	42	-	-
S Tacoma Way/SR 512-Perkins Ln ²	D	40	-	-
S Tacoma Way/100th St ²	B	17	-	-
S Tacoma Way/96th St	E	71	D	48
S Tacoma Way/92nd St	A	7	-	-
S Tacoma Way/84th St ²	B	17	-	-
SR 512/I-5 SB Off-Ramp	E	56	-	-
Thorne Ln/NB I-5 Ramps ²	D	40	-	-
Thorne Ln/SB I-5 Ramps ²	D	37	-	-
Thorne Ln/Union Ave	B	15	-	-
100th St/Lakewood Dr	D	42	-	-
Motor Ave/Whitman Ln	A	8	-	-
Ardmore Dr/Whitman Ln	B	12	-	-
Custer Rd/Lakewood Dr	D	55	-	-
Interlaaken Dr/Washington Blvd	A	5	-	-
75th St/Custer Rd	B	14	-	-
75th St/Lakewood Dr	C	26	-	-
108th St/Lakeview Dr	B	11	-	-
John Dower Rd/Custer Rd	B	12	-	-
88th St/Custer Rd ²	A	6	-	-
112th St/Old Military Rd	A	7	-	-
112th St/Holden Rd	A	7	-	-
100th St/Lakeview Dr	C	31	-	-
100th St/59th Ave	B	16	-	-
108th St/Main St	B	12	-	-
100th St/David Ln	A	5	-	-
Murray Rd/150th St ⁵	A	4	-	-

1. Traffic operations at locations where the 2030 Plan scenarios differs from the 2030 Baseline scenario are shown in both tables; where results are not shown for the 2030 Plan scenario, traffic operations remain the same as 2030 Baseline operations.
2. Level of service based on *Highway Capacity Manual (HCM) 2010* methodology unless otherwise noted.
3. Level of service based on *HCM 2000* methodology due to limitation of the *HCM 2010* methodology,
4. Average delay in seconds per vehicle.
5. Level of service based on Sidra roundabout methodology.

As shown in Table 5, the Steilacoom Boulevard SW / Lakewood Drive SW and S Tacoma Way / 96th Street S intersection would operate below the City's LOS D intersection standard without the planned improvements at both intersections.

Table 6. Future (2030) Weekday PM Peak Hour Roadway Traffic Operations Summary

Street Name/Section	2030 Baseline					2030 Plan ¹		
	NB/EB ² Volume	SB/WB ² Volume	Capacity ³	NB/EB v/c	SB/WB v/c	Capacity	NB/EB v/c	SB/WB v/c
Ardmore Dr SW								
southeast of Steilacoom Blvd SW	550	610	720	0.76	0.85	-	-	-
northwest of Whitman Ave SW	420	530	720	0.58	0.74	-	-	-
Bridgeport Way W								
north of 75th St W	1,620	1,370	2,050	0.79	0.67	-	-	-
north of Custer Rd W	1,190	1,220	2,050	0.58	0.60	-	-	-
south of Custer Rd W	1,110	1,180	2,050	0.54	0.58	-	-	-
north of Gravelly Lake Dr SW	1,340	1,160	2,050	0.65	0.57	-	-	-
south of Gravelly Lake Dr SW	930	850	2,050	0.45	0.41	-	-	-
north of 100th St SW	1,030	1,010	2,050	0.50	0.49	-	-	-
south of 100th St SW	660	700	2,050	0.32	0.34	-	-	-
south of Lakewood Dr SW	1,180	1,220	2,050	0.58	0.60	-	-	-
north of 112th St SW	1,060	1,060	2,050	0.52	0.52	-	-	-
north of Pacific Highway SW	1,430	1,270	2,050	0.70	0.62	-	-	-
south of Pacific Highway SW	1,650	1,350	2,050	0.80	0.66	-	-	-
at Clover Creek bridge south of I-5	1,190	770	2,050	0.58	0.38	-	-	-
Custer Rd SW/ W								
northeast of Bridgeport Way SW	930	1,150	1,825	0.51	0.63	-	-	-
southwest of Bridgeport Way SW	980	1,150	1,825	0.54	0.63	-	-	-
north of 88th St SW	940	1,140	1,825	0.52	0.62	-	-	-
south of 88th St SW	260	190	2,050	0.13	0.09	-	-	-
Far West Dr SW								
south of Steilacoom Blvd SW	440	420	2,050	0.21	0.20	-	-	-
Gravelly Lake Dr SW								
southwest of Steilacoom Blvd SW	480	680	2,050	0.23	0.33	975	0.49	0.70
northeast of Bridgeport Way SW	350	610	1,825	0.19	0.33	975	0.36	0.63
southwest of Bridgeport Way SW	740	840	2,050	0.36	0.41	-	-	-
south of Mount Tacoma Dr SW	1,100	980	2,050	0.54	0.48	-	-	-
south of 100th St SW	1,080	1,070	2,050	0.53	0.52	-	-	-
south of Alfaretta St SW	1,050	950	2,050	0.51	0.46	-	-	-
north of Wildaire Rd SW	1,160	1,150	2,050	0.57	0.56	-	-	-
north of 112th St SW	1,100	1,170	2,050	0.54	0.57	-	-	-
west of 112th St SW	1,200	1,380	2,050	0.59	0.67	-	-	-
west of end Nyanza Rd SW (S)	1,090	1,030	975	1.12	1.06	-	-	-
north of Pacific Highway SW	1,670	1,320	2,050	0.81	0.64	-	-	-
south of Pacific Highway SW	1,530	1,350	2,050	0.75	0.66	-	-	-
Hipkins Rd SW								
south of Steilacoom Blvd SW	510	440	720	0.71	0.61	-	-	-
Lakeview Ave SW								
south of 100th St SW	350	450	1,825	0.19	0.25	-	-	-
south of Steilacoom Blvd SW	310	250	1,825	0.17	0.14	-	-	-
Lakewood Dr SW								
north of 74th St W	1,490	2,250	2,050	0.73	1.10	2,050	0.73	1.10

Street Name/Section	2030 Baseline					2030 Plan ¹		
	NB/EB ² Volume	SB/WB ² Volume	Capacity ³	NB/EB v/c	SB/WB v/c	Capacity	NB/EB v/c	SB/WB v/c
south of 74th St W	1,230	1,600	1,825	0.67	0.88	-	-	-
north of Steilacoom Blvd SW	1,400	1,670	1,825	0.77	0.92	1,825	0.77	0.92
south of Steilacoom Blvd SW	1,020	1,080	2,050	0.50	0.53	-	-	-
north of 100th St SW	500	720	2,050	0.24	0.35	-	-	-
Military Rd SW								
south of 112th St SW	500	350	975	0.51	0.36	-	-	-
northwest of 112th St SW	310	210	975	0.32	0.22	-	-	-
Mount Tacoma Dr SW								
west of Bridgeport Way	240	210	975	0.25	0.22	-	-	-
west of Gravelly Lake Dr	440	500	975	0.45	0.51	-	-	-
Murray Rd SW								
north of 146th St SW	1,360	740	1,825 NB / 975 SB	0.75	0.76	1,825	0.75	0.41
N Gate Rd SW								
northeast of Nottingham Rd SW	680	540	720	0.94	0.75	-	-	-
N Thorne Ln SW								
southeast of Union Ave SW	440	650	720	0.61	0.90	-	-	-
Nyanza Rd SW (N)								
north of Gravelly Lake Dr SW	530	280	975	0.54	0.29	-	-	-
south of Gravelly Lake Dr SW	530	360	975	0.54	0.37	-	-	-
Pacific Highway SW								
north of 108th St SW	1,550	1,200	2,050	0.76	0.59	-	-	-
southwest of 108th St SW	1,060	760	2,050	0.52	0.37	-	-	-
northeast of Bridgeport Way SW	890	810	2,050	0.43	0.40	-	-	-
southwest of Bridgeport Way SW	560	620	975	0.57	0.64	-	-	-
east of Gravelly Lake Dr SW	450	610	720	0.63	0.85	-	-	-
Phillips Rd SW								
north of Steilacoom Blvd SW	560	320	720	0.78	0.44	-	-	-
South Tacoma Way								
north of 84th St SW	1,050	1,660	2,050	0.51	0.81	-	-	-
north of Steilacoom Blvd	1,350	1,960	2,050	0.66	0.96	-	-	-
south of Steilacoom Blvd SW	1,290	1,880	2,050	0.63	0.92	-	-	-
north of 96th St S	1,180	1,830	2,050	0.58	0.89	-	-	-
north of 100th St SW	1,110	1,350	2,050	0.54	0.66	-	-	-
south of SR 512	1,410	1,570	2,050	0.69	0.77	-	-	-
southeast of Pacific Highway SW	780	880	2,050	0.38	0.43	-	-	-
Steilacoom Blvd SW								
east of Farwest Dr SW	1,050	1,060	1,825	0.58	0.58	-	-	-
west of 87th Ave SW	1,190	1,050	1,825	0.65	0.58	-	-	-
west of 83rd Ave SW/Hipkins Rd SW	1,180	1,380	2,050	0.58	0.67	-	-	-
west of Phillips Rd SW	1,430	1,790	1,825	0.78	0.98	-	-	-
east of Phillips Rd	1,670	2,270	2,050	0.81	1.11	2,050	0.81	1.11
southeast of 88th St SW	1,010	1,370	1,825	0.55	0.75	-	-	-
west of Bridgeport Way SW	580	940	1,825	0.32	0.52	-	-	-

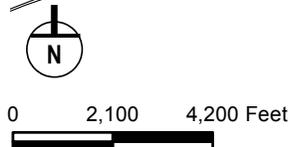
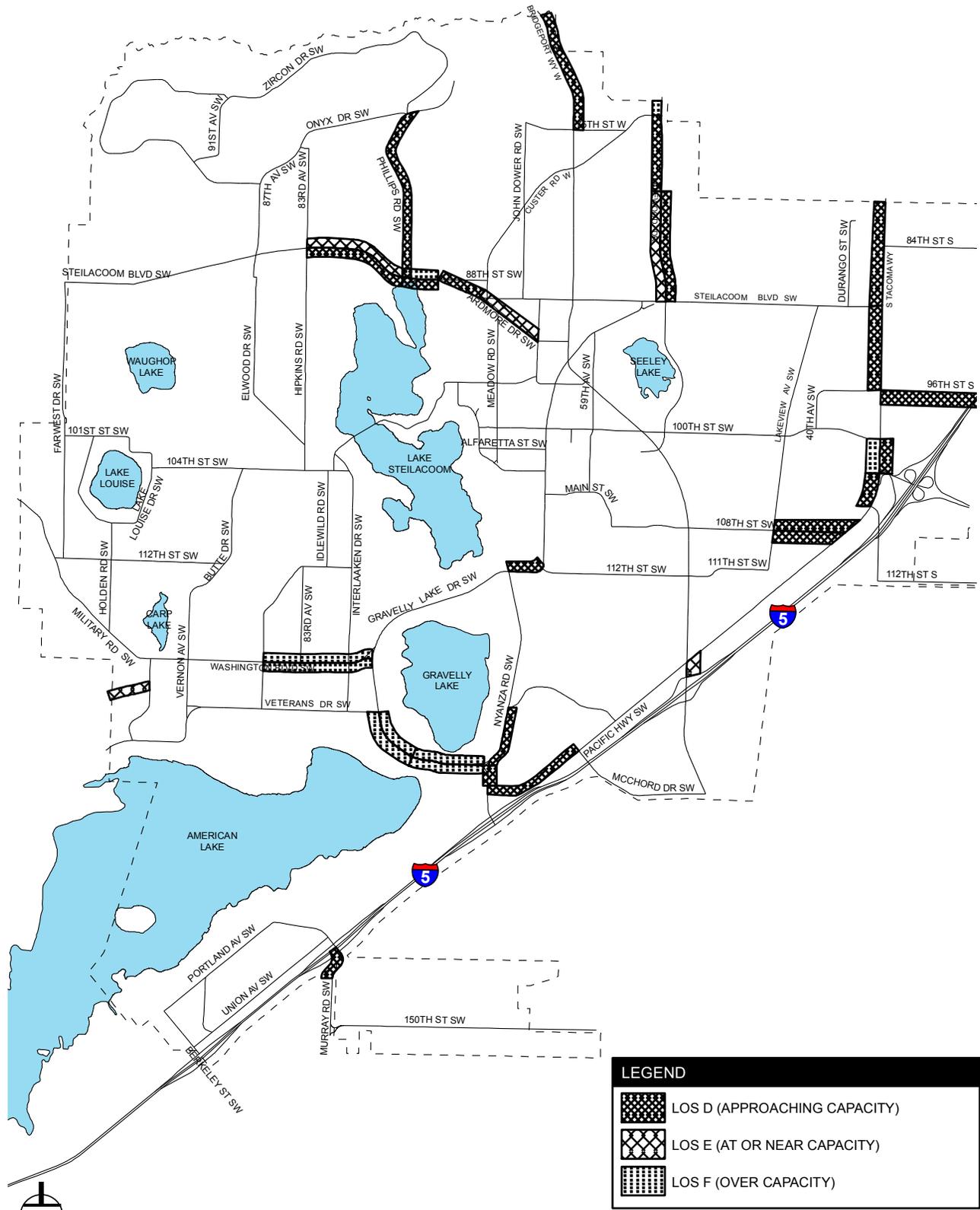
Street Name/Section	2030 Baseline					2030 Plan ¹		
	NB/EB ² Volume	SB/WB ² Volume	Capacity ³	NB/EB v/c	SB/WB v/c	Capacity	NB/EB v/c	SB/WB v/c
east of Bridgeport Way SW	580	800	1,825	0.32	0.44	-	-	-
west of Gravelly Lake Dr SW	630	830	1,825	0.35	0.45	-	-	-
east of Lakewood Dr SW	1,060	1,240	2,050	0.52	0.60	-	-	-
west of Lakeview Ave SW	1,150	1,270	2,050	0.56	0.62	-	-	-
west of South Tacoma Way	1,170	1,200	2,050	0.57	0.59	-	-	-
Union Ave SW								
northeast of Berkeley St SW	290	310	720	0.40	0.43	-	-	-
southwest of North Thorne Ln SW	280	260	720	0.39	0.36	-	-	-
Washington Blvd SW								
west of Gravelly Lake Dr SW	980	1,200	975	1.01	1.23	975	1.01	1.23
Whitman Ave SW								
south of Ardmore Dr SW	350	300	975	0.36	0.31	-	-	-
40th Ave SW								
north of 100th St SW	420	670	975	0.43	0.69	-	-	-
74th St								
west of Lakewood Dr	1,160	1,280	2,050	0.57	0.62	-	-	-
83rd Ave SW								
north of Steilacoom Blvd SW	480	330	975	0.49	0.34	-	-	-
84th St S								
east of South Tacoma Way	750	730	2,050	0.37	0.36	-	-	-
87th Ave SW								
south of Steilacoom Blvd SW	170	200	720	0.24	0.28	-	-	-
north of Steilacoom Blvd SW	560	470	975	0.57	0.48	-	-	-
88th St SW								
east of Steilacoom Blvd SW	810	1,010	1,825	0.44	0.55	-	-	-
93rd St SW								
east of Whitman Ave SW	250	320	975	0.26	0.33	-	-	-
96th St S								
west of South Tacoma Way	560	620	975	0.57	0.64	-	-	-
east of South Tacoma Way	1,270	940	1,825	0.70	0.52	2,050	0.62	0.46
100th St SW								
west of South Tacoma Way	1,110	760	1,825	0.61	0.42	-	-	-
east of Lakeview Ave SW	1,530	1,320	2,050	0.75	0.64	-	-	-
west of Lakeview Ave SW	1,280	1,050	2,050	0.62	0.51	-	-	-
east of Lakewood Dr SW	1,400	1,310	2,050	0.68	0.64	-	-	-
east of Bridgeport Way	900	960	2,050	0.44	0.47	-	-	-
east of Gravelly Lake Dr	440	550	1,825	0.24	0.30	-	-	-
108th St SW								
west of Pacific Highway SW	630	590	720	0.88	0.82	-	-	-
east of Bridgeport Way SW	600	460	975	0.62	0.47	-	-	-
west of Bridgeport Way SW	400	270	975	0.41	0.28	-	-	-
east of Davisson Rd SW	350	230	975	0.36	0.24	-	-	-
112th St SW/S								
between Military Rd SW & Farwest Dr S	240	280	720	0.33	0.39	-	-	-

Street Name/Section	2030 Baseline					2030 Plan ¹		
	NB/EB ² Volume	SB/WB ² Volume	Capacity ³	NB/EB v/c	SB/WB v/c	Capacity	NB/EB v/c	SB/WB v/c
east of Gravelly Lake Drive	370	490	975	0.38	0.50	-	-	-
east of Bridgeport Way SW	240	310	975	0.25	0.32	-	-	-
west of Bridgeport Way SW	350	460	720	0.49	0.64	-	-	-
150th St SW								
east of Woodbrook Rd SW	920	510	1,825	0.50	0.28	-	-	-

1. Traffic operations at locations where the 2030 Plan scenarios differs from the 2030 Baseline scenario are shown in both tables; where results are not shown for the 2030 Plan scenario, traffic operations remain the same as 2030 Baseline operations.
 2. Volumes shown are for northbound and southbound (NB and SB) when the roadway is oriented NB-SB or eastbound and westbound (EB and WB) when oriented EB-WB.
 3. When roadway capacity differs between a roadway's two directions of travel, each direction's capacity is shown (e.g. NB / SB or EB / WB).

Figure 8 highlights the arterial segments within the City of Lakewood that operate at LOS D (v/c > 0.90) or worse under future (2030) conditions and includes the following roadway sections:

- Southbound Lakewood Drive SW north of 74th Street W
- Southbound Lakewood Drive SW north of Steilacoom Boulevard SW
- Southbound Murray Road SW north of 146th Street SW
- Westbound Steilacoom Boulevard SW east of Phillips Road
- Westbound Washington Boulevard SW west of Gravelly Lake Drive SW



Source: Transpo Group
July 2015

Figure 8
Future (2030) Baseline Weekday PM Peak Hour
Roadway LOS where LOS D or Worse

Transportation Systems Plan

The transportation system improvement recommendations provide a long-range strategy for the City of Lakewood to address current and forecast transportation issues and needs. Transportation system improvements are required to safely and more efficiently accommodate the projected growth in population and employment within the City. The recommended improvements are based upon analyses of the existing transportation system, forecasts of future travel demands, anticipated availability of funding resources, and the desire of the community to create an efficient transportation system that puts a priority on community livability.

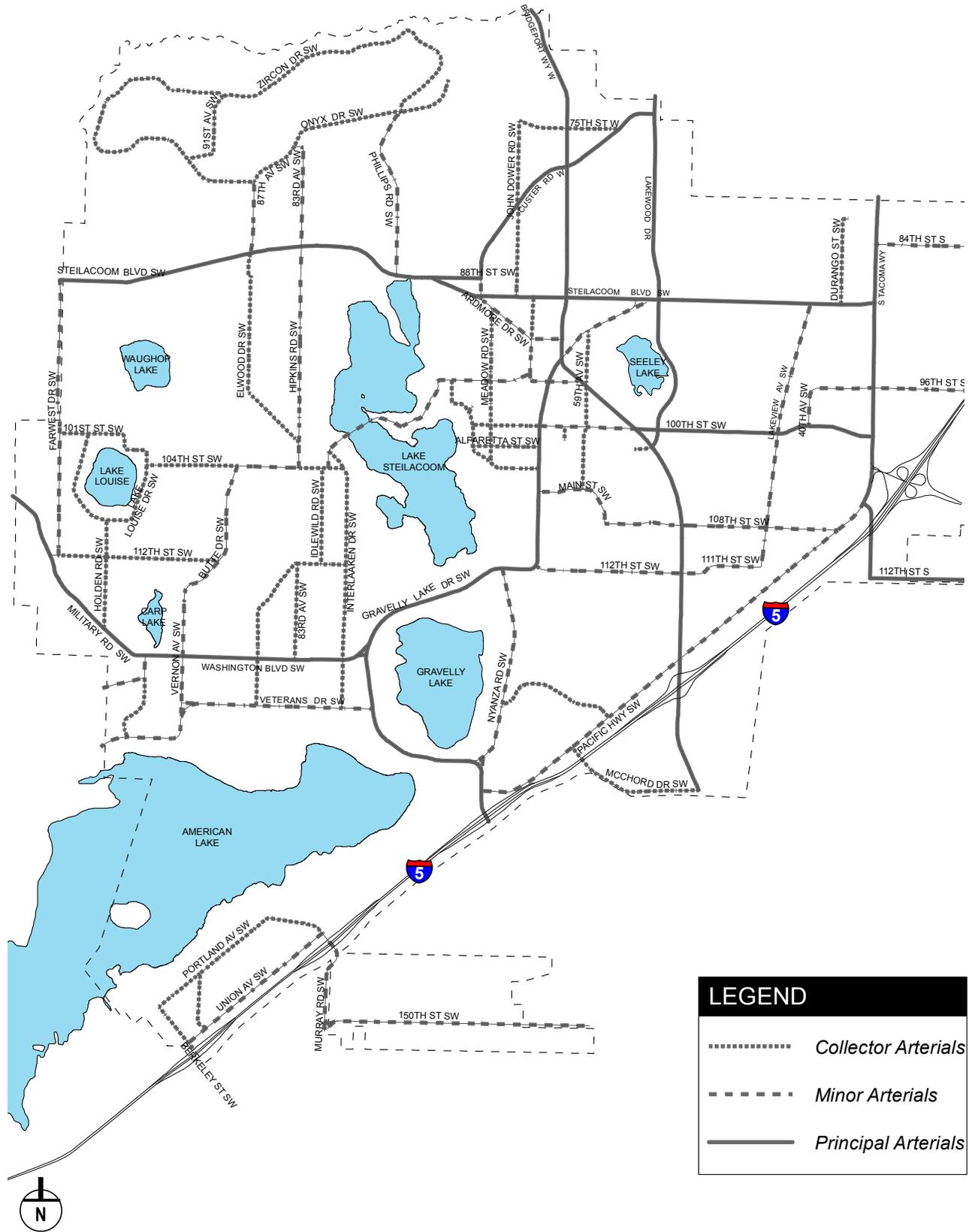
Street and Highway System

Streets and state highways are the core of the transportation system serving the City of Lakewood and surrounding communities. These facilities provide for the overall movement of people and goods through a wide range of travel modes. Streets and highways serve automobile trips, trucks, transit, vanpools, carpools, and bicycle/pedestrian travel. Therefore, the streets and highways establish the framework for the overall transportation system of the City.

Roadway Functional Classification

A roadway functional classification system allows the City to group highways, roads, and streets that comprise the transportation system into a hierarchy. The functional classification of a roadway is typically based on the types of trips that occur on it, the basic purpose for which it was designed, and the amount of traffic it carries. Higher classifications (e.g., freeways, principal arterials) provide a high degree of mobility with higher traffic volumes, generally at higher speeds, and should have limited access to adjacent land uses. Lower classifications (e.g., local access streets) provide greater access to adjacent land and are not intended to serve through traffic, carrying lower volumes at lower speeds. Collectors balance the function between mobility and access.

Based on state law, cities are required to adopt a roadway functional classification system that is consistent with state and federal guidelines. In Washington, these requirements are codified in RCW 35.78.010 and RCW 47.26.090. Each local jurisdiction is responsible for defining its transportation system into at a minimum, three functional classifications: principal arterial, minor arterial, and collector. All other roadways are assumed to be local streets. Lakewood's roadway functional classification system has four categories, as presented in Table 7. Figure 9 shows the functional classification for streets within the City.



LEGEND

- Collector Arterials
- - - - Minor Arterials
- Principal Arterials

0 2,000 4,000 Feet

Source: Transpo Group
July 2015

Figure 9
Arterial Street Classification

Table 7. Roadway Functional Classification Descriptions

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

Planning for the transportation system needs primarily focuses on the arterial and collector street system within the City since local access streets typically do not have capacity deficiencies.

Roadway Standards

The City has sought to encourage standardization of road design elements for consistency and to assure that motoring, bicycling, and pedestrian public safety needs are met. Considerations include safety, convenience, aesthetics, proper drainage, and economical maintenance. The standards include items such as right-of-way needs, pavement width, type and width of pedestrian and bicycle facilities, and roadway and intersection radii.

The standards are intended to support the City's goals in providing adequate facilities to meet the mobility and safety needs of the community, as well as complying with storm water management, sensitive areas, and other regulations. The standards are intended to assist design professionals and developers for all new and reconstructed roadways and right-of-way facilities, both public and private, within the City. See City of Lakewood *Engineering Standards Manual* and *Non-Motorized Transportation Plan* for more details.

Transportation Improvement Projects

Based on an evaluation of existing and forecast traffic volumes, traffic operations, safety, and circulation needs, a recommended list of transportation improvement projects and programs were defined. The project list is organized into the following categories:

- New Construction Arterial Street Projects
- Roadway Improvements
- Traffic Signals
- Transportation Planning
- Bikeways
- Street Lighting
- Bridges
- Beautification Projects
- Roadway Restoration Projects
- Neighborhood Traffic Management
- Various Other Transportation Projects

Table 8 also provides a brief description of each project including the project limits. A project identification number consistent with the City’s Six-Year TIP project list is provided for each project that is referenced. Planning-level cost estimates are also included for each project based on costs identified in the 2016-2021 Six-Year TIP. This project list includes one improvement in addition to the 2016-2021 Six-Year TIP: rechannelizing Southbound S Tacoma Way at 96th Street (Project #3.20). The cost estimates for Project #3.20 were prepared based on typical per unit costs, functional classification, and level of improvement. Adjustments to construction costs were included, as needed, to reflect any specific implementation issues, such as environmental impacts or impacts on adjacent properties.

Table 8. Transportation Projects and Programs

Number	Project	Description	Estimated Cost ¹
<u>New Construction Arterial Street Projects</u>			
1.2	Gravelly Lake Drive at I-5 Right Turn Lane	Widen GLD from Nyanza to I-5 SB on-ramp to provide dedicated right-turn lane. Traffic signal upgrades; bridge widening; r/w acquisition.	\$1,600,000
1.4	Union Avenue – Berkeley to N. Thorne Lane	Widen to add turn lane, shared bike/travel lane, sidewalks, street lighting. Intersection improvements.	\$5,000,000
1.18	96th Street – 2-way left turn lane	Widen 96th St. from 500' east of So. Tac. Way to I-5 underpass to provide 2- way left turn lane. Does not include sidewalks or HMA overlay.	\$500,000
1.20	123rd St SW – Realignment	Realign 123rd St SW as it enters Bridgeport	\$400,000
1.21	Murray Road and 150th Street Corridor Capacity	Provide capacity for Woodbrook Industrial development: widening of Murray Road and 150th; bike/pedestrian facilities; structural pavement section improvements	\$4,500,000
1.22	Gravelly to Thorne Connector	Two-way connector road between Tillicum and Gravelly Lake Drive. Signalization.	\$25,000,000
1.23	Interstate 5 through Lakewood	Planning and design coordination only.	\$1,000 annual
1.24	Madigan Access Project	Provide improved access to Madigan including: Freedom bridge, ramp, & roadway widening; signalization improvements; Union Ave/Berkeley St improvements	\$4,200,000
1.25	North Gate Access Improvements	Improve access to Lewis North including: intersection improvements (Edgewood / North Gate Road); non- motorized improvements (Edgewood Dr. and North Gate Rd)	\$1,700,000
1.26	Steilacoom Boulevard / So Tacoma Way Intersection	SB right turn lane extension on Steilacoom Blvd. Access control improvements on both roads. Replace/upgrade traffic signals. Curb, gutter, sidewalk, lighting.	\$1,380,000
1.27	Bridgeport Way – I-5 Ramp to Pacific Hwy	Turn lane extension to improve capacity and queuing capability. Road / shoulder widening; sidewalks; walls for widening.	\$810,000
<u>Roadway Improvements</u>			
2.26	Safety Improvements in the Vicinity of Schools	May include sidewalks, crossing improvements, signage, etc. in vicinity of schools.	\$50,000 bi-annual
2.29	Steilacoom Blvd. Custer to 88th Street	Curbs, gutters, sidewalks, street lighting, on both sides. Signal modifications. Signal replacement Custer/Ardmore. Overlay.	\$1,975,000
2.41	Steilacoom Blvd – Bridgeport Way to Fairlawn	Curbs, gutters, sidewalks, on both sides. Overlay.	\$1,400,000
2.50	Gravelly Lake Drive – 100th to Bridgeport Way	Curb, gutters, sidewalks, street lighting, drainage. Signal modifications. Signal replacement Mt. Tacoma.	\$1,774,000

Number	Project	Description	Estimated Cost¹
2.54	Minor Pedestrian Safety Improvements	Non-hardscape improvements. Shoulder widening on high-volume roads where less than 2' walkway exists.	\$50,000 – annual
2.55	High Accident Location Safety Improvements	May include sight distance corrective measures, signal modifications, etc. at one of top 25 accident locations.	\$50,000 – annual
2.60	South Tacoma Way – SR512 to 96th Street	Curb, gutter, sidewalks, street lighting, drainage, overlay.	\$3,460,000
2.61	ADA Standards – Sidewalk Upgrades	On-going program to gradually upgrade existing facilities to current ADA standards	\$50,000 – annual
2.65	Steilacoom Blvd – 87th to 83rd	Curb, gutter, sidewalks, street lighting, drainage, overlay.	\$2,080,000
2.66	Steilacoom Blvd –83 rd to Weller Road	Curb, gutters, sidewalks, street lighting, drainage, overlay.	\$2,650,000
2.67	Bridgeport Way – I-5 to JBLM Gate	Curb, gutters, sidewalks, street lighting, drainage, overlay.	\$3,650,000
2.68	Hipkins Rd. 104th to Steilacoom Blvd.	Curb, gutters, sidewalks, street lighting, drainage, overlay.	\$3,050,000
2.69	Gravelly Lake Drive – Bridgeport to Steilacoom Road Diet	Reduce 4 travel lanes to 3. Curb, gutters, sidewalks, bike lanes, street lighting, drainage, overlay.	\$1,850,000
2.70	Lakewood Station – Non-Motorized Access Improvements	Curb, gutters, sidewalks, and street lighting improvements per Lakewood NMTP and Sound Transit Access Improvement Study.	\$1,500,000
2.71	Steilacoom Blvd – Weller Road to Phillips Road	Curb, gutter, sidewalks, street lighting, drainage, overlay.	\$2,530,000
2.72	100th Street & Lakewood Drive	Curb, gutter, sidewalks, sharrows, replace 100th/Lakewood signal, street lighting, drainage, overlay.	\$1,780,000
2.73	112th / 111th – Bridgeport to Kendrick	Curb, gutter, sidewalks, sharrows, street lighting, drainage, overlay.	\$2,040,000
2.74	Steilacoom Blvd Corridor Design – Farwest to Phillips	Curb, gutter, sidewalks, sharrows, turn lanes, street lighting, drainage, overlay.	\$942,000
2.75	South Tacoma Way – 88th to North City Limits	Curb, gutter, sidewalks, bike lanes, street lighting, signal at 84th, drainage, overlay.	\$3,100,000
2.76	Phillips Road – Steilacoom to Onyx	Curb, gutter, sidewalks, bike lanes, street lighting, drainage, overlay.	\$2,800,000
2.77	Washington Blvd – Edgewood Ave to Gravelly Lake Drive	Curb, gutter, sidewalks, bike lanes, street lighting, drainage, overlay.	\$5,900,000
2.78	Oakbrook Sidewalks & Street Lighting	Curb, gutter, sidewalks, sharrows, turn lanes, street lighting, drainage, overlay.	\$3,400,000
2.79	Lake City Business District Sidewalks (American Lake Park to Veterans Dr / Alameda)	Curb, gutter, sidewalks, sharrows, street lighting, drainage, overlay.	\$2,100,000
2.80	Interlaaken Drive SW / Mt. Tacoma Drive Non-Motorized Improvements – Short Lane to Whitman Avenue SW	Provide curb and gutter, sidewalk and a shared travel/bike lane on one side of Interlaaken / Mt. Tacoma Dr.	\$4,000,000
2.81	Roadway Safety Improvements at 40 th Ave. SW and 96 th St. SW	Curb, gutter, sidewalks, sharrows, guard rail, street lighting, pavement reconstruction.	\$843,000
2.82	59th Ave SW Sidewalk – 100th to Bridgeport Way SW	Sidewalk east side of roadway	\$125,000
2.83	Gravelly Lake Dr. – Pacific Hwy to Nyanza (south)	Curb, gutter, sidewalks, bike way, street lighting, pavement rehab.	\$1,450,000
Traffic Signals			
3.1	Steilacoom / Durango Traffic	Intersection meets warrants for traffic signal. Signal	\$350,000

Number	Project	Description	Estimated Cost¹
	Signal	needed with new development in area. Special concern with adjacent train crossing becoming active.	
3.7	Washington Blvd. / Interlaaken Drive Signal and Intersection improvement	Install new signal at intersection.	\$375,000
3.8	Traffic Signal Timing Upgrades	Upgrade traffic signal timing and coordination.	\$10,000 – annual
3.11	City-Wide Traffic Signal Management System	City-hall based Traffic Management Center. Fiber optic interconnect. PTZ major corridors. Active traffic management including web based info.	\$1,270,000
3.12	Traffic Signal Replacement Program	Replace aging traffic signals. Priorities based on maintenance history. (one signal every 3rd year)	\$250,000 – bi-annual
3.13	Gravelly Lake Drive / Avondale Traffic Signal	Intersection meets warrants for traffic signal. Increased volumes in and around Towne Center.	\$250,000
3.14	S Tacoma Way / 92nd Street	New warranted signal	\$650,000
3.16	Steilacoom Blvd / Western State Hospital Signal Replacement	Replace existing signal	\$210,000
3.17	Steilacoom Blvd / Lakeview Ave Signal Replacement	Replace existing signal	\$340,000
3.19	Traffic Signal Asset Management System	Purchase software; develop asset management system	\$115,000
3.20	Rechannelize Southbound S Tacoma Way at 96th Street	Reconfigure the southbound channelization on southbound S Tacoma Way at 96th Street SW to provide two left-turn lanes, one through lane, and one shared through/right-turn lane, and modify associated traffic signal heads.	\$805,000

Transportation Planning

4.1	Pavement Management System	Semi-Annual evaluation of pavement condition	\$5,000 / \$30,000 – bi-annual
4.2	Transportation Model	On-going updates of travel demand model.	\$5,000 – annual
4.8	Lakewood City Center Sub-Area Plan	Review access and circulation for vehicles, transit, and non- motorized transportation.	\$20,000
4.9	Non-Motorized Transportation Plan Update	Update NMTP to include relevant policy updates and capital improvement projects. (original plan adopted June 2009)	\$15,000
4.10	ADA Transition Plan Update	Update ADA transition plan to address ADA deficiencies of existing curb ramps; signal access / operations; etc.	\$15,000

Bikeways

5.1	Miscellaneous Bikeway Markings / Signage	Ongoing installation of bicycle pavement markings and signage throughout the City.	\$20,000 – annual
5.4	Miscellaneous Bike Lane Construction	Ongoing construction of bicycle lanes on existing roadways.	\$50,000 – bi-annual
5.5	North Thorne Lane to Gravelly Lake Drive Non-Motorized Trail	Provide non-motorized path between Tillicum and Gravelly Lake Drive “Gravelly to Thorne Connector” construction.	\$5,000,000
5.6	Gravelly Lake Non-Motorized Trail	Provide non-motorized path around Gravelly Lake along Gravelly Lake Drive and Nyanza Drive. Existing roadway cross section shifted to outside and overlaid. Lighting.	\$200,000

Street Lighting

6.2	Arterial Street Lighting	Install street lighting in requested areas based on ranking criteria	\$30,000 – annual
6.4	Low income area street lighting	Install street lighting in various low income areas	\$30,000 – annual
6.6	LED Street Lighting Upgrades	Update existing street lighting to LED. Coordinate	\$2,260,000

Number	Project	Description	Estimated Cost¹
		with purveyors on rebates.	(*typically \$160,000 annual)
<u>Bridges</u>			
7.1	Bridge Inspection	On-going biennial bridge inspection.	\$9,000 – bi-annual
<u>Beautification Project</u>			
8.10	Gateway Improvements		\$20,000 – annual
<u>Roadway Restoration Projects</u>			
9.7	Resurfacing Program – Various Locations	Projects in various locations may include pavement preservation contribution to planned utility projects to facilitate full roadway overlays.	\$18,070,000
9.10A	Steilacoom Boulevard – 87th to Weller Road	Restore roadway section to current City standards.	\$1,120,000
9.10B	Steilacoom Boulevard – Weller Road to Custer Road	Restore roadway section to current City standards.	\$1,120,000
9.14	Lakewood Drive – 100th to Steilacoom Blvd	Restore roadway section to current City standards.	\$900,000
9.15	Lakewood Drive – Flett Creek to N. City Limits	Restore roadway section to current City standards.	\$1,100,000
9.16	59th Ave – Main Street to 100 Street	Restore roadway section to current City standards.	\$450,000
9.17	108th – Bridgeport Way to Pacific Hwy	Restore roadway section to current City standards.	\$600,000
9.18	Custer – Steilacoom to John Dower	Restore roadway section to current City standards.	\$450,000
9.19	88th – Steilacoom to Custer	Restore roadway section to current City standards.	\$250,000
9.20	Pacific Hwy – 108th to SR512	Restore roadway section to current City standards.	\$540,000
9.21	100th – Lakeview to South Tacoma Way	Restore roadway section to current City standards.	\$480,000
9.22	100th – 59th to Lakeview	Restore roadway section to current City standards.	\$1,100,000
10.1	Neighborhood Traffic Management	May include speed humps, traffic circles, signage, etc.	\$20,000 – annual
<u>Other</u>			
11.1	On-call technical assistance	Various professional services including surveying, structural, geotechnical, environmental to support various projects	\$50,000 – annual
11.2	Public Works Operations & Maintenance Facility	Property acquisition; design and construction of jointly-owned Streets / Surface Water Management O&M Shop.	\$585,000
<ol style="list-style-type: none"> All costs in 2015 dollars with no accounting for inflation and are consistent with the 2016-2021 Six-Year TIP project list with the exception of Project #3.20 - Rechannelize Southbound S Tacoma Way at 96th Street. Costs estimated for project #3.20 - Rechannelize Southbound S Tacoma Way at 96th Street prepared by Transpo Group and are based on typical per unit costs, functional classification, and level of improvement 			

Transportation Programs

The City of Lakewood has several ongoing programs to maintain or improve the transportation system. These regular programs help to ensure the condition and reliability of the City's transportation system and to upgrade different elements to current City, State, Federal, or typical industry standards. Improvement programs include:

- Safety improvements within the vicinity of schools (bi-annual)
- A review of high accident location safety improvements (annual)

- On-going upgrades to pedestrian facilities to comply with current Americans with Disabilities Act (ADA) standards (annual)
- Maintenance updates for traffic signal timing settings (annual)
- A traffic signal replacement program to update/upgrade aging traffic signals (tri-annual)
- A pavement management system (bi-annual)
- On-going updates to the City's travel demand model
- Bikeway markings and signage (annual) and bike lane construction (bi-annual)
- Street lighting installation based on ranking criteria, specific low-income areas, and regular upgrading to LEDs (annual)
- Bridge inspections (bi-annual)
- Pavement resurfacing (annual)
- Neighborhood traffic management (annual)

Freight & Mobility System

Trucks deliver goods to retail establishments and construction materials to construction sites, as well as transport goods from industrial uses located throughout the City. By increasing the time cost and other costs of moving freight, traffic congestion increases the price of goods. The City must ensure that trucks have the ability to move to and through Lakewood.

To support freight movement, the City classifies all principal arterials as truck routes. Access to industrial areas such as the Lakewood Industrial Park, the areas northeast and southeast of the SR 512/I-5 interchange, the Woodbrook neighborhood, and other designated industrial areas throughout the City is supported by the maintenance and design of the City's principal arterials.

Non-Motorized Travel System

Bicycle, pedestrian, and equestrian facilities play a vital role in the City's transportation environment. The non-motorized transportation system is comprised of facilities that promote mobility without the aid of motorized vehicles. A well-established system encourages healthy recreational activities, reduces vehicle demand on City roadways, and enhances safety within the community.

The City desires to enhance the Lakewood urban area pedestrian and bicycle system. The City has an annual program to enhance non-motorized facilities. Improvements summarized in the Non-Motorized Transportation Plan (NMTP, June 2009) are identified to address gaps in the non-motorized transportation system. Greater details on existing and planned pedestrian and bicycle facilities are provided in the NMTP and previously in Table 8. As a separate publication, the NMTP was developed to directly address non-motorized elements as part of the Comprehensive Plan and the vision of citizens.
Non-Motorized Transportation Plan (NMTP, June 2009)

Public Transit System

As the region continues to grow in population, vehicular traffic congestion, and ages, more citizens will become reliant on alternatives to the passenger vehicle for mobility purposes. Pierce

Transit, Sound Transit, and Intercity Transit will be key players in Lakewood's ability to maintain necessary mobility.

The City will continue to support the use of transit services by supporting the following:

- Bus, commuter rail, and passenger rail stops at popular destinations;
- Transit oriented development near existing or new transit facilities;
- Transit stops that are comfortable and convenient for waiting for transit service;
- High frequency and reliability of service (Bus Rapid Transit, transit signal priority, etc.);
- Low number of transfers required to reach a destination;
- Service during non-peak hours and weekends;
- Vehicular and non-motorized accessibility of transit facilities (bus stops, park-and-rides, etc.);
- Safety and security at the transit facilities

Several key transit facilities located in the City support of these features including the Lakewood Transit Center, SR 512 Park & Ride, and Lakewood Station. In addition the City could implement transit oriented development policies in the vicinity of these facilities to further support transit usage.

Transportation Demand Management

To minimize increases in the impacts of vehicles on the transportation system and the environment, alternatives to the single-occupancy vehicle will become more necessary. These alternatives include carpooling, walking, bicycling, transit, telecommuting, and flexible hours at work sites.

Transportation demand management (TDM) is the term used when communities, employers, schools, or households develop techniques to influence mode choice, the time of a trip, and the frequency of trips made. TDM is a major policy thrust in the Puget Sound Regional Council's MTP and is also required under the Growth Management Act (GMA). Examples of TDM include:

- Charging for parking at worksites to increase the cost of driving alone, relative to carpooling;
- Providing free or low cost bus passes to employees as part of an employee benefit package to encourage use of transit or vanpools;
- Providing incentives to employees who carpool, walk, or bicycle to work;
- Allowing flexible hours at work sites so employees can shift their commute trip to non-peak periods;
- Developing telecommuting programs so that employees do not need to commute into the office every work day;
- Providing guaranteed ride home programs to employees who bus, carpool, or vanpool; and
- Providing worksite amenities, such as cash machines, food services, daycare, breakrooms, showers, and clothes lockers to reduce the need for non-work trips.

Other techniques, such as convenient parking for carpool/vanpools, in-house ride matching services, and bus maps on site can encourage alternatives to the single-occupancy vehicle.

Washington's Commute Trip Reduction (CTR) Act sets goals for reducing the number of single-occupancy vehicle trips at worksites that employ over 100 regular, full-time employees.

While there are currently no employers in the City that currently fall under these requirements, the City will continue to coordinate with employers and transportation service providers (such as Pierce Transit and Sound Transit) as appropriate, to coordinate policies and services to CTR affected sites.

Air, Rail, & Water Transportation Facilities

Regional, national, and international air travel for Lakewood is provided via Seattle-Tacoma International Airport, located approximately 30 miles north of the City. The airport can be accessed via I-5.

Sound Transit railroad tracks traverse Lakewood in approximate alignment with S Tacoma Way, Lakeview Avenue S, and I-5. Currently, this rail line serves Sounder Commuter Rail north from the Lakewood Station. Amtrak passenger train activity is anticipated to begin using these tracks through Lakewood beginning in 2017, although is not expected to stop at the Lakewood Station. The City of Lakewood would support potential improvements to rail facilities such as a study of a potential Amtrak stop at the Lakewood Station or potential grade separation from rail facilities at various crossing locations through the City.

There is no waterborne transportation serving Lakewood. The Transportation Element does not identify waterborne transportation as a component of the City's transportation system.

Implementation Program

The transportation improvement projects must be funded and implemented to meet existing and future travel demands in and around the City of Lakewood. Implementation of the projects identified in the Transportation Element involves a range of funding strategies and potential new funding sources. One strategy includes coordinating with other agencies to build support and construct the transportation improvement projects, including the expansion of transit service in the City. Another strategy includes the pursuit of grants, which will be especially critical in the implementation of safety and operational improvements and completion of the non-motorized projects. The City will also need to review and regularly maintain development review processes to assure that the impacts of growth are mitigated and transportation improvements are completed concurrent with new development. Additionally, the City should explore additional funding sources to implement high priority transportation projects to support new growth. Finally, if expected funding for improvements to meet future transportation needs is found to be inadequate and the City will not be able to meet adopted level of service (LOS) standards, then the City will need to pursue options as laid out under the Reassessment Strategy.

Local Funding

The City utilizes a number of fees and tax revenues to construct and maintain their transportation facilities. Primary City revenues directed toward transportation projects include the Real Estate Excise Tax (REET) and Surface Water fees. Drainage and retention of storm water is part of most roadway and intersection projects making Surface Water fee revenue an appropriate part of the transportation funding program. The City also uses state fuel tax revenue to maintain and operate the transportation system and can direct revenues from its General Fund to transportation projects and programs, as needed.

Transportation Benefit District

The City created a Transportation Benefit District (TBD) in 2012, and in 2014 authorized an annual \$20 vehicle licensing fee to fund specific transportation projects and programs throughout the City. The TBD is governed by the members of the Lakewood City Council as the District's Board of Directors and the Mayor serves as the Chair of the Board. Revenues from a TBD can be used for the construction, maintenance, preservation, and operation of state, regional, or local agency roadways, high capacity transportation systems, public transit, and transportation management programs. However, Lakewood has specifically identified the projects and programs that the fee revenue will be applied towards. The City could consider enacting additional TBD taxes and fees to implement additional projects identified in the Transportation Element.

Regional Coordination

The City will closely coordinate with WSDOT to implement improvements to I-5, SR 512, the Sound Transit railroad tracks in association with the Point Defiance Bypass project, and the Berkeley Street interchange. Even though I-5 and SR 512 are outside the corporate limits of the City, Lakewood residents and businesses take primary and direct access from these highways. Lakewood will work with WSDOT, PSRC, the transit providers, and neighboring jurisdictions to improve these corridors.

Lakewood's transportation system is also impacted by neighboring jurisdictions. Lakewood needs to address regional traffic impacts to jointly develop or advocate for transportation improvements along common border streets. The City must also work to improve connections to key Pierce Transit and Sound Transit facilities.

Grants

The City will continue to aggressively pursue federal and state grants to implement many of the identified transportation improvements. Key state and federal grant programs are managed by the state Transportation Improvement Board (TIB), PSRC, or through WSDOT Local Programs. Each grant program requires an agency match. The City will need to reserve adequate funding for use in matching against any grant funds that are received.

The City will work through TIB, PSRC, and WSDOT to pursue grants for specific projects. Projects to improve principal arterials such as South Tacoma Way, Steilacoom Boulevard, Bridgeport Way, and Gravelly Lake Drive are candidates for TIB and some federal grant programs managed through WSDOT. Grants to enhance pedestrian and bicycle facilities are largely through either TIB, WSDOT pedestrian/bicycle program, or the Safe Routes to Schools program.

Other Potential Funding Sources

The following outlines possible funding sources the City could consider for financing transportation maintenance, and capital projects and programs. The City should explore strategies to address funding shortfalls and consider policy changes that would provide for reliable future revenues to fully maintain, operate, and expand its transportation system. The potential funding options are described below and listed in Table 9.

Table 9. Local Transportation Funding Options

Local Funding Source	Comments
Transportation Impact Fee	<u>With City Council approval</u> , the City may charge a fee to help fund specific transportation projects shown to be reasonably related to new development.
Local or Business Improvement District (LID or BID)	Levy a special benefit assessment on properties within a specific area that would benefit from the improvement.
General Obligation (GO) Bonds	<u>With voter approval</u> , a GO bond requires 60 percent approval and creates a new source of funds when tied to an excess levy for repayment of the bond debt.
Planned Action Ordinance	A project specific action under the State Environmental Protection Act (SEPA) in which the mitigation measures that will be applied have already been identified through a environmental review process.
Other Developer Mitigation	Potential mitigation to address local development regulations and requirements such as GMA concurrency, the State Environmental Policy Act (SEPA), and street standards/frontage improvements.
Latecomers Agreements	Allow property owners who have paid for capital improvements to recover a portion of the costs from other property owners in the area who later develop property that will benefit from those improvements.

SOURCE: Transpo Group 2015

Transportation Impact Fees

Transportation impact fees (TIF) may be charged to help fund specific transportation projects shown to be reasonably related to new development. The impact fees “shall only be used to fund system improvements” that are reasonably related to and benefit the new development. Impact fees may not be used to correct existing deficiencies. The imposing jurisdiction must also contribute funds to the included projects, which by statute cannot be funded 100 percent through impact fees (RCW 82.02.050 [2]). The revenues collected from a TIF must then be used within six years of payment. The goal of implementing transportation impact fees is to create fees based on a new development’s expected benefit from the transportation system improvements that are needed to support future growth. Generally, this is done by basing the fees on the number of vehicle trips a development is expected to generate and the

proportional cost of the transportation improvement projects (alternatively can be charged on a per unit basis) needed to serve growth.

Local Improvement District or Parking and Business Improvement Area

Any jurisdiction may form a local improvement district (LID) parking and business improvement area (PBIA) and levy a special assessment on properties within the district that would benefit from the improvements. An LID is a special purpose financing option that may be created by the City or other local governments to fund improvements, such as streets, water, or sewer facilities that benefit nearby property owners. Voter approval is not required to form an LID, but the LID formation may be challenged by the property owners. LIDs for cities are authorized under RCW 35.43 to 35.56. The City may levy a tax on the property within an area that will benefit from a specific capital project. They can be created by local governments or they can be initiated by property owners in the benefit area. Property owners that will benefit from the improvements would be assessed a special benefit assessment based on proportionate levels determined during the formation of the districts. This special benefit assessment would typically be paid annually by the property owner for a time period established during the formation of the district. The City would have discretion in its financial contribution to the overall project costs of the district.

A PBIA is somewhat similar to an LID, but has specific requirements per RCW 35.87A.010. A PBIA is permitted to aid general economic development and neighborhood revitalization. It is intended to facilitate the cooperation of merchants, businesses, and residential property owners to support economic vitality, livability, and general trade. A PBIA requires a petition be submitted by at least 60 percent of the assessments of property within the area.

General Obligation Bonds Supported with an Excess Property Tax Levy

The City Council may go to the public for a voter-approved bond with a property tax increase. With voter approval, the City can increase funding through debt by raising the property tax rates to pay the general obligation bond.

Planned Action Ordinance

Planned Action Ordinances (PAO) are a project specific action under the State Environmental Protection Act (SEPA) in which an Environmental Impact Statement (EIS) designates, by ordinance, those types of projects to be considered Planned Actions – spelling out mitigation measures that will be applied. This type of action is appropriate for small areas, such as the downtown, expecting a specific type of development. Per RCW 43.21C.031, GMA counties and cities may designate a planned action. A planned action must be designated by an adopted ordinance or resolution of the City. The planned action must be based on an Environmental Impact Statement (EIS) that adequately addresses significant environmental impacts. The EIS needs to be prepared in conjunction with a comprehensive plan or subarea plan adopted under GMA.

The planned action can only include projects that are subsequent to or implement the comprehensive plan or subarea plan; however, the projects must be located within the defined urban growth area. The planned action would be limited to specific geographical areas that are less than the boundaries of the City or to specific types of development within the City. The ordinance and/or EIS must specify a time limit for the planned action. The City will need to fund the costs of preparing the subarea plan and EIS to establish the planned action, which is typically a significant upfront investment.

To ensure that the developments are not paying twice for the same impacts, it is recommended that projects included in a planned action are not also included in a TIF, or at least are specifically allocated to each funding source. This distinction would simplify the administration of both funding options.

Other Development Mitigation

All new development in the City must pass state and local development regulations and requirements. These include GMA concurrency requirements, the State Environmental Policy Act (SEPA), and road standards/frontage improvements. These elements are project specific and are reviewed as part of each development application.

Latecomers Agreements

Latecomers Agreements (RCW 35.72) are contracts that allow property owners who have elected to install capital improvements to recover a portion of the costs from other property owners in the area who later develop property that will benefit from those improvements. The City may also join in the financing of the improvement projects and be reimbursed in the same manner as a property owner. The period of collection may not exceed 15 years and is based on a pro-rata share of the construction and contract administration costs of the particular project. The City must define an area subject to the charges by determining which properties would require similar improvements. The preliminary assessment reimbursement area needs to be provided to all property owners within the area; owners of property in the area may request a hearing to discuss the Latecomers Agreement. The contract must define the cost allocation process based on benefits to properties in the reimbursement area. The final contract must be recorded with the County Auditor within 30 days to be valid. Although not explicitly required, the City could adopt an ordinance noting the circumstances where the option for such a reimbursement contract would be acceptable.

Concurrency Management and Development Review

Concurrency refers to the ongoing process of coordinating infrastructure needs with community development. This concept was formalized in the GMA to ensure that adequate public facilities are provided in concert with population and employment growth. For transportation facilities, the GMA requirement is fulfilled if its LOS standards will continue to be met including the additional travel demand generated by each development.

Concurrency determinations for the roadway network are closely linked with development review decisions. In addition, the City reviews development applications pursuant to the State Environmental Policy Act (SEPA). Concurrency and SEPA are primarily focused on a shorter-term time frame. Projects that result in an adverse impact are required to fund or implement mitigation measures that reduce the impact below a level of significance and/or meet the LOS standard. The City provides credits where developers are required to construct improvements whose costs are included in the Six-Year TIP program.

The City will regularly monitor the operations and levels of service of its transportation system. The City will use the information in developing its Six-Year Transportation Improvement Program (TIP), pursuit of grants, and coordination with WSDOT and other agencies. The City will apply SEPA and the City's Road Standards to evaluate and identify appropriate improvements for mitigating impacts of developments in the City.

Reassessment Strategy

The implementation strategy to complete the capital projects identified in Table 8 is largely based on revenue from taxes and grants, and the Transportation Benefit District. The City may be able to shift revenues from other funding programs to address specific needs as yearly budgets are prepared. In addition, the City is committed to reassessing its transportation needs and funding sources each year as part of the annual six-year TIP. This allows the City to match the shorter-term improvement projects with available funding.

In order to maintain the vitality of the City's transportation system, the City should adhere to the following principles as it implements the Transportation Element:

- Coordinate timing of new development in LOS deficient areas with fully-funded improvements identified in the required six-year TIP.
- Provide for routing traffic to other roads with underutilized capacity to relieve LOS standard deficiencies, but taking into consideration the impact of additional traffic on the safety and comfort of existing neighborhoods.
- Aggressively pursue the following TDM strategies, including parking management actions in the commercial centers:
 - Install parking meters on streets within and adjacent to commercial centers;
 - Develop public parking facilities and use cost pricing to discourage SOV commuting;
 - Institute a municipal parking tax;
 - Set maximum parking space development standards and reduce over time to further constrain parking supply;
 - Support charging for employee parking and providing monetary incentives for car and vanpooling;
 - Partner with Pierce Transit to identify public and/or private funding for expanded transit service during peak and off-peak times along LOS deficient corridors.
- Aggressively pursue federal and state grants for specific transportation improvements on LOS deficient roadway segments.
- Make development density bonuses available to developers who provide additional transit, bicycle, and pedestrian-friendly amenities beyond the minimum requirements.
- Reassess commercial and residential development targets and make adjustments to channel development away from LOS deficient locations.
- If the actions above are not sufficient, consider changes in the LOS standards and/or limit the rate of growth, revise the City's current land use element to reduce density or intensity of development, and/or phase or restrict development to allow more time for the necessary transportation improvements to be completed.

PUBLIC SERVICES

8.1 Introduction

The City of Lakewood is not a full-service city. This circumstance stems from Lakewood being an unincorporated community of Pierce County up until 1996. Many public services were provided by Pierce County, the City of Tacoma, special service districts, a utility co-op (Lakeview Light and Power), and a private utility company (Puget Sound Energy). A number of these entities still provide services to Lakewood.

Since incorporation, some public services are now provided by the City of Lakewood. The table below provides information on the services the City provides, and the services provided by other public agencies and one private company.

Table 8.1 Public Service Providers	
Public Service	Provider
General Administrative Services	City of Lakewood
Police	City of Lakewood
Public Works	City of Lakewood
Stormwater	City of Lakewood
Refuse	Waste Connections (under contract with the City of Lakewood)
Fire Protection	West Pierce Fire & Rescue
Emergency Medical Services (EMS)	West Pierce Fire & Rescue
Emergency Management	City of Lakewood
Health & Human Services	City of Lakewood
Housing and Community Development Programs	Tacoma/Lakewood Consortium
Schools	Clover Park School District, Pierce College, Clover Park Technical College, & private schools
Library Services	Pierce County Library
Water	Lakewood Water District
Sewer	Pierce County Public Works & Utilities; City of Tacoma provides sewers on Lakewood's northerly edge
Power (electricity & gas)	Tacoma Power, Puget Sound Energy, & Lakeview Light & Power

Many of the utility related services listed in the table are covered in other chapters of Lakewood’s Comprehensive Plan, or by other agencies’ planning programs. Thus, these services are not addressed in this chapter. This chapter concentrates on the following services: fire protection; emergency medical services; police; emergency management; schools and higher education; library services; health and human services; and housing and community development programs.

The City recognizes the importance of planning for these functions in conjunction with required GMA elements to ensure that growth in the City is coordinated with growth in these services. This is particularly important for schools, both K-12 and post-secondary education, whose enrollment numbers, student populations, and sometimes even course emphases are strongly tied to local growth, but where “disconnects” may easily occur if planning is not coordinated. This chapter interrelates Lakewood’s Comprehensive Plan to the functions of Clover Park School District, Pierce College, Clover Park Technical College, the Pierce County Library System, and various human services providers.

In setting goals and policies related to this final group, this chapter also sets forth the City’s commitment to its citizens’ well-being through its participation in community-based strategic planning efforts for health and human, and housing and community development services.

8.2 Fire Protection

GOAL PS-1: Protect the community through a comprehensive fire and life safety program.

Policies:

- PS-1.1: Maintain a Washington Surveying and Rating Bureau (or successor agency) rating of ISO Class 3 or better.
- PS-1.2: Install and maintain traffic signal control devices responsive to emergency vehicles.
- PS-1.3: Where possible, and mutually beneficial, coordinate land acquisition for emergency services facilities with other departments (e.g., Parks, Public Works, Police) to maximize benefits to the City.

PS-1.4: Continue the utilization of the West Pierce Fire & Rescue Fire Marshal and staff to provide fire and life safety inspections of occupancies as a means of identifying and remedying potential fire hazards before fires occur.

PS-1.5: Educate and inform the public on fire safety and hazardous materials to further protect the community and the environment from unnecessary damage.

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

Policies:

PS-2.1: Periodically evaluate population growth, community risks, emergency response times, apparatus deployment, and staffing levels to identify future service and facility needs.

PS-2.2: Incorporate the fire department in evaluation of proposed annexations to determine the impact on response standards.

PS-2.3: Provide fire station locations, apparatus deployment, and staffing levels that support the core fire service provisions and response time objectives as approved in Resolution by the Board of Fire Commissioners.

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

Policies:

PS-3.1: Require all new development to provide minimum fire flow requirements as prescribed in the International Fire Code.

PS-3.2: Continue to require that all structures and facilities under City jurisdiction adhere to City, state, and national regulatory standards such as the International Building and Fire Codes and any other applicable fire safety guidelines.

PS-3.3: Require developers to install emergency access control devices to gated communities as approved by the public works director.

PS-3.4: Consider requiring assessment of a hazardous material impact fee for industrial uses.

8.3 Emergency Medical Services (EMS)

GOAL PS-4: Protect citizens through a comprehensive EMS program that maximizes available resources.

Policies:

PS-4.1: The fire department will serve as the primary and lead Basic Life Support (BLS) and Advanced Life Support (ALS) provider within the city.

PS-4.2: Provide a four-minute initial time standard for EMS calls.

PS-4.3: Provide fire station locations, apparatus deployment, and staffing levels that support the core EMS service provisions and response time objectives as approved in Resolution by the Board of Fire Commissioners.

PS-4.4: Maintain criteria-based dispatch system for determining appropriate levels of response.

PS-4.5: Implement citizen CPR training programs with existing personnel and resources.

PS-4.6: Implement and maintain a local physician advisor program in conjunction with the Pierce County EMS Medical Program Director to ensure the medical quality of emergency medical services.

8.4 Police Service

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

Policies:

PS-5.1: Provide police protection with a three-minute response time for life-threatening emergencies (Priority 1), a six-minute response time for crimes in progress or just completed (Priority 2), and a routine/non-emergency response time of 20 minutes (Priority 3).

PS-5.2: Maintain a level of police staffing, services, and command that is adequate to serve Lakewood's current needs and future growth.

PS-5.3: Where appropriate, participate in innovative programs and funding strategies to reduce community crime.

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

Policies:

PS-6.1: Support and encourage community-based crime-prevention efforts through interaction and coordination with existing neighborhood watch groups, assistance in the formation of new neighborhood watch groups, and regular communication with neighborhood and civic organizations.

PS-6.2: Implement a crime prevention through environmental design program that results in the creation of well-defined and defensible spaces by reviewing such things as proposed developments' demographic settings; intended uses; and landscaping, lighting, and building layout as a means of access control.

PS-6.3: Seek ways to involve police with youth education, such as bike safety training, anti-drug courses, "cop in school" program, etc.

8.5 Emergency Management

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

Policies:

PS-7.1: Adopt and maintain a comprehensive emergency management plan consistent with federal and state requirements.

PS-7.2: Continue to fund and support the emergency management program, ensuring that emergency management plans, equipment, and services are sufficient for potential disaster response.

- PS-7.3: Maintain personnel, resources, and training necessary within all appropriate City departments to provide the disaster response called for in the emergency management disaster response plans.
- PS-7.4: Coordinate with appropriate state agencies when preparing disaster response plans and when considering floodplain or seismic ordinance standards.
- PS-7.5: Develop an interagency communications network incorporating all public service agencies within the City for use during disasters.
- PS-7.6: Maintain and enhance rescue capabilities that include extrication, trench rescue, water rescue, high-angle rescue, and urban rescue.
- PS-7.7: Develop and implement additional public education activities that promote water safety.

8.6 Schools

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

Policies:

- PS-8.1: Support efforts of the school district to ensure that adequate school sites are provided and that the functional capacity of schools is not exceeded.
- PS-8.2: Work with the school district to prepare/update a master plan for all its facilities and a capital improvement plan.
- PS-8.3: Consider the impact on school enrollment and capacities when reviewing new development proposals, higher density infill projects, zoning changes, and comprehensive plan amendments.
- PS-8.4: Require that developers assist in donating or purchasing school sites identified on the facilities map in correlation to the demand that their developments will create.

PS-8.5: Ensure that new school sites include room for future expansion if needed.

PS-8.6: Request student generation factors from the school district for the City's use in analyzing the impact of project proposals on schools.

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

Policies:

PS-9.1: Subject to specific regulatory standards, allow existing private schools to expand and new private schools to develop.

PS-9.2: Ensure that the comprehensive plan and development standards provide sufficient accommodation for the operation and expansion of private school opportunities.

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

Policies:

PS-10.1: Prohibit development of public and private schools on sites that present hazards, such as within Accident Potential Zones and industrial zoning districts, nuisances, or other limitations on the normal functions of schools that are unable to be mitigated.

PS-10.2: Work with schools and neighborhoods to explore options for access to elementary and secondary schools via local streets and/or paths.

PS-10.3: Develop specific regulatory standards to ensure that new residential development located near public schools provides adequate pedestrian and bicycle connections, signage, and traffic control measures where needed to ensure the safety of students traveling between the development and the school.

PS-10.4: Apply improvement responsibilities to school district or private school operator developing new school sites equivalent to that applied to other types of development.

- PS-10.5: Retrofit existing neighborhoods with sidewalks, crosswalks, special signage, and other traffic control measures near schools as funding becomes available or as land uses are redeveloped.
- PS-10.6: Co-locate public school grounds and public parks whenever possible.
- PS-10.7: Encourage as appropriate the school district or private school operator to reduce high school student generated traffic impacts by implementing transportation demand management mechanisms such as limited student parking, public bus routes, and other appropriate tools.
- PS-10.8: Encourage the school district to continue to make schools available for civic functions when classes are not in session.
- PS-10.9: Establish limited parking zones around schools where parking capacity problems exist.
- PS-10.10: Work with the CPSD to reuse/redevelop surplus school properties with appropriate uses consistent with the Comprehensive Plan.

8.7 Higher Education

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

Policies:

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

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

Policies:

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

8.8 Library Services

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

Policies:

PS-13.1: Work with the Pierce County Library System to address current service deficits, continued population growth, changing library services, increased and changing customer needs and expectations within the Lakewood service area.

PS-13.2: Promote the construction a new main library facility within the City's downtown core.

PS-13.3: Assist the Pierce County Library System in the reuse/sale of the existing library building/property located at 6300 Wildaire Rd SW.

PS-13.4: Work with the Library System to ensure that its facilities are located and designed to effectively serve the community.

PS-13.5: Support the Pierce County Library System's service levels (seating, materials and shelving, technology guidelines, meeting rooms, square feet per capita, and parking) as outlined in the *Pierce County Library 2030* report and as may be updated from time-to-time.

PS-13.6: Work with the Library System to identify non-capital alternatives such as specialized programs, new technologies, and other alternatives to provide up-to-date library services.

PS-13.7: Establish a three- to five-mile service radius for library coverage.

PS-13-8: Continue and expand bookmobile services to underserved and/or isolated areas such as Springbrook, Tillicum, and Woodbrook.

8.9 Health and Human Services

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

Policies:

PS-14.1: Assess and anticipate human services needs and develop appropriate policy and program responses.

PS-14.2: Convene and engage others, including the Youth Council, the Lakewood Community Collaboration, and Lakewood's Promise, in community problem-solving to develop and improve social services.

PS-14.3: Disburse Community Development Block Grant and General Fund dollars to support a network of services which respond to community needs.

PS-14.4: Promote awareness of needs and resources through strengthened dialogue, effective marketing strategies, and public relations activities.

PS-14.5: Encourage services that respect the diversity and dignity of individuals and families, and foster self-determination and self-sufficiency.

PS-14.6: Foster a community free of violence, discrimination and prejudice.

GOAL PS-15: Ensure the City's Human Services Funds are effectively and efficiently managed.

Policies:

PS-15.1: The City's role is to fund, advocate, facilitate, plan, and inform by continually engaging service providers and community organizations in dialogue regarding the functioning of the

present service systems, the emerging needs of the community and the building of a comprehensive system of services.

- PS-15.2: Develop and maintain a strategic plan to direct collaborative services efforts.
- PS-15.3: Assess community needs and administer a funding allocations process to address identified community needs.
- PS-15.4: Develop contract performance measures and monitor contracting agencies performance.

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

Policies:

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

GOAL PS-17: Participate in regional and local efforts that address human services needs in the region and in the City.

Policies:

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

8.10 Lakewood's Housing and Community Development Programs

GOAL PS-18: Provide decent affordable housing.

Policies:

- PS-18.1: Preserve existing owner-occupied housing stock.
- Provide a range of home repair assistance to qualified lower-income homeowners.
- PS-18.2: Expand/sustain affordable homeownership opportunities.
- Reduce the financial burden of new homeowners through assistance with down payment for home purchases.
- Provide housing counseling to homeowners and potential homebuyers.
- Collaborate with partners and housing providers toward the goal of expanding homeownership opportunities.
- PS-18.3: Provide assistance to preserve the quality and habitability of affordable rental housing.
- Provide incentives to improve properties.
- Collaborate with partners and housing providers to develop and implement strategies to preserve affordable rental housing.
- Support the crime-free housing activities.
- Support fair housing activities such as landlord/tenant counseling.
- PS-18.4: Provide assistance for a continuum of housing for persons with special needs, homeless persons and people at risk of homelessness.
- Develop partnerships with housing providers and human services agencies providing emergency shelters, permanent supportive, and repaid re-housing assistance.
- Support the efforts of the Ten-Year Regional Plan to End Chronic Homelessness in Pierce County.
- PS-18.5: Reduce barriers to affordable housing by supporting fair housing activities such as outreach and education.

Support fair housing activities such as outreach and education.

PS-18.6: Develop new affordable housing options as new funding opportunities become available.

GOAL PS-19: Revitalize targeted neighborhoods.

Policies:

PS-19.1: Assist with sewer connections for single family owner-occupied units in targeted areas.

PS-19.2: Support code violation enforcement activities and activities to remove slums and blight.

GOAL PS-20: Maintain/improve community facilities and public infrastructure.

Policies:

PS-20.1: Support public infrastructure such as streets, sidewalks, street-lighting, street-related improvements, and park facilities and improvements, and the removal of architectural barriers that impede American Disabilities Act accessibility.

PS-20.2: Support community facilities providing emergency services and basic needs.

PS-20.3: Support the delivery of human services to identified vulnerable populations.

PS-20.4: Develop and improve parks and open space in low income residential neighborhoods.

GOAL PS-21: Expand economic opportunities.

Policies:

PS-21.1: Support economic development activities that provide or retain livable wage jobs for low and moderate income persons.

Develop a low-interest loan program, tax credits and other mechanisms to serve as incentives for businesses to create or retain jobs for low and moderate income persons.

Develop a technical assistance program for supporting businesses for the purpose of creating or retaining jobs for low and moderate income individuals.

Provide businesses with access to low-interest loans to expand economic opportunities through on-site infrastructure improvements, rehabilitation, acquisition, and other commercial improvements for the purpose of creating or retaining jobs for low and moderate income persons.

PS-21.2: Focus investment on housing development and infrastructure improvements in support of economic development in targeted neighborhoods.

9.0

CAPITAL FACILITIES AND IMPROVEMENTS

9.1 Introduction

Upon its incorporation, Lakewood was typical of most newly incorporated cities in Washington in that many urban services and utilities in the city were provided by special districts, other jurisdictions, or private companies. While this is still largely the case, Lakewood's decision to take its police services in-house in 2004 changed the City's position with regard to poses a dramatic departure from past practices in terms of capital facilities needs and funding for that service function.

A key function of this comprehensive plan is to coordinate the provision of urbanthese services and utilities to fulfill Lakewood's vision. However, the City has varying levels of actual control over the urban services and utilities provided within its boundariesthe city. This chapter directs how the City manages and finances capital improvements for the services and utilities directly provided by the City, and establishes the City's relationship to other services and utility providers.

The Capital Facilities Element of the Comprehensive Plan consists of two portions- the 20 year Plan and the 6-year Plan/Program. The 20 year plan portion, which is this chapter, contains capital facilities related goals and policies that are integrated with other goals and policies of the Comprehensive Plan. The program portion, which is the 6-year Capital Improvement Plan, contains inventories of existing and proposed capital facilities, identifies both regular and special maintenance requirements, forecasts future needs for facilities for six years, identifies deficiencies in capital facilities and the actions necessary to address such deficiencies, and contains a six-year financing plan and budget. The 6-year Capital Improvement Plan is a separate document.

In addition to the Capital Facilities Element, planning and programming for transportation and parks (the two largest components of City spending on capital facilities) is guided by the Transportation element of this plan, and the Legacy Parks Plan.

Planning and programming for utilities and facilities/services provided by special districts, State and Federal government, Pierce County, the City of Tacoma, and private utility companies is typically the responsibility of these providers.

The terminology important to this element is defined below.

- Capacity. The maximum amount of service or utility that can be provided with existing capital facilities.
- Capital facilities. The physical facilities and systems used to provide a service or utility.
- Concurrency. The ability and financial commitment of the service provider to expand capacity or maintain the level of service for new development through capital improvements within a six year period.
- Level of service (LOS). The minimum acceptable standard of service provision.
- Regulatory authority. The jurisdiction, district, or company with basic control of the service or utility. The

authority can be vested in the state, county, City, or special district. Sometimes federal or state regulations place specific limitations on the local jurisdiction's authority to regulate a service or utility.

- *Special district.* An independent, quasigovernmental organization that provides a public service or utility and operates under specific state regulations.

9.2 Urban Services and Utilities

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

9.2.1 Type 1: City-Provided Services and Utilities

Type 1 services and utilities (shown below) are provided directly to the resident by the City of Lakewood or City-contracted provider.

Table 9.1: Type 1 Services & Utilities.

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

Source: City of Lakewood

9.2.2 Type 2: Independent Special District-Provided Services

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

Table 9.2: Type 2 Services.

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

Source: City of Lakewood

9.2.3 Type 3: Special District, Pierce County, or Private Utilities

Type 3 services are utilities. A utility is provided directly to the resident by a special district, county, or company. The City has land-use, [right-of-way \(ROW\)](#), and franchise regulatory authority; thus, the districts, county, and private companies must provide the service or utility to support development and administration of this plan. The City may also require additional considerations from the provider for use of the [city right-of-way ROWs](#).

Table 9.3: Type 3 Utilities.

Service Or Utility	Agency	City Regulatory Authority	Planning Responsibility	Funding Responsibility	Who Sets LOS?	Project Review
Sanitary Sewer	Pierce County Public Works	land use, ROW/franchise	joint	provider	joint	provider
Water	Lakewood Water District	land use, ROW/franchise	joint	provider	joint	provider

	Parkland Water District					
Electric	Tacoma Power, Puget Sound Energy, Lakeview Power	land use, ROW/franchise	provider	provider	joint	provider
Communications	Private communications companies, City of Tacoma (Click! Network)	land use, ROW/franchise	provider	provider	joint	provider/ City
Natural Gas	Puget Sound Energy	land use, ROW/franchise	provider	provider	joint	provider

Source: City of Lakewood

9.2.4 Type 4: Federal Service

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

Table 9.4: Type 4 Utilities & Services.

	City Regulatory Authority	Planning Responsibility	Funding Responsibility	Who Sets LOS?	Project Review
Federal Military Lands	none	federal	federal	federal	federal NEPA ¹
Federal Utilities & Services to Non-Federal Lands	none	provider	provider	City	City

Source: City of Lakewood

Notes: 1. The City retains the right of comment on federal projects through the National Environmental Policy Act.

9.3 Service and Utility Goals and Policies

Specific goals and policies for Type 1 services and utilities are found in other chapters of this comprehensive plan or in plans developed by the providers. The locations of these goals and policies are identified in Table 9.5.

The following documents contain information supplemental to this plan.

Environmental Impact Statement (EIS). Through the EIS process, existing capacities are documented and a forecast of future capital improvements in services and utilities is projected. Based on the EIS analysis, capacity and locational policies for each Type 1, Type 2, Type 3, and Type 4 service and utility are incorporated in the respective service, utility, transportation, and land-use chapters of this plan. The background report includes an inventory of existing capital facilities. ~~As Lakewood continues with the process of assuming its own police services, the capital facilities inventory will be modified to include police-related elements.~~

Capital Improvement Plan (CIP). The CIP lists the planned capital investments for each Type 1 service and utility and identifies dedicated funding sources for the projects anticipated within six years. Lakewood's

CIP is procedurally modified and updated in conjunction with its budget rather than as part of the yearly comprehensive plan amendment cycle.

Table 9.5: Location of Utility and Public Service Goals and Policies.

Type 1	Subheading Addressing Primary Policies	Level of Service	Capital Improvements
Parks & Recreation ²	3.9	n/a	City ¹
Transportation ²	6.0	Chapter 6	City ¹
Stormwater Management ²	7.2	Chapter 7	City ¹
Solid Waste	7.7	provider plans	City ¹
Police	8.4	Chapter 8	City ¹
Capital Facilities	9.6	n/a	City ¹
Type 2			
Public Schools ⁴	8.6	provider plans ⁴	provider CIP ³
Fire	8.2	provider plans	provider CIP ³
Emergency Medical	8.3		
Libraries	8.8	provider plans	provider CIP ³
Type 3			
Sewer ⁴	7.3	provider plans ⁴	City & provider CIP ³
Water ⁴	7.4	provider plans ⁴	City & provider CIP ³
Electric	7.5	provider plans	provider CIP ³
Communications	7.6	provider plans	provider CIP ³
Natural Gas	7.98	provider plans	provider CIP ³
Location of Type 4 References			
Federal Military Lands	Installation plans	Installation plans	Federal
Federal Utilities & Services to Non-Federal Lands	Varies by utility & service	Varies by utility & service	City & provider CIPs

Source: City of Lakewood

Notes:

1: City capital improvement plan (CIP).

2: Technical plans ([Legacy parks plan](#), [stormwater management plan](#), [transportation plans](#))

3: CIPs are included as an appendix to this plan.

4: Provider plans will be reviewed and approved by the City to the extent permitted under the law, and thereafter, adopted as technical plans.

9.4 General Goals and Policies

GOAL CF-1: Provide services and utilities that the City can most effectively deliver, and contract or franchise for those services and utilities that the City determines can best be provided by a special district, other jurisdiction, or the private sector.

Policies:

CF-1.1: Periodically review the provision of services and utilities within the city to ensure that service is being provided in accordance with this plan.

CF-1.2: Require the provider to correct deficiencies where deficiencies in service or utility provision are identified. If the City determines that the provider is not responsive to the service needs of city residents, the City shall consider all remedies within its authority to ensure the adequate provision of service.

CF-1.3: All services and utilities shall be provided in accordance with this plan.

GOAL CF-2: Provide and maintain adequate Type 1 capital facilities to meet the needs of existing and new development as envisioned in this plan.

Policies:

- CF-2.1: Deny land use and/or development permit requests when capacity to serve the project is projected to be inadequate, and/or LOS is projected to be unmet, at the time of occupancy.
- CF-2.2: Require new development to fund a fair share of costs to provide service and utility needs generated by that development.
- CF-2.3: At the City's discretion, capital improvements shall be provided by the developer to ensure that capacity is available or LOS standards are met at the time of occupancy.
- CF-2.4: Concurrency may be utilized for determining transportation capacity and LOS.
- CF-2.5: Provide City facilities and parks and recreation capital improvements in accordance with this plan and the [Legacy](#) parks plan.
- CF-2.6: Review proposed land use permits and/or development permits or approvals for impacts to parks and recreation capacity.
- CF-2.7: Require new development to fund a fair share of costs to provide parks and recreation needs generated by that development.
- CF-2.8: The City may consider public, on-site open space and recreational facilities provided at the developer's expense that are substantially in excess of those required by the City, or that provide a unique attribute to the city, as a full or partial substitute for a development's fair share funding for parks and recreation.
- CF-2.9: Coordinate with public schools for jointly funded parks and recreation capital improvements and inclusion of jointly funded projects in the parks and recreation CIP.
- CF-2.10: [Update the City's 6-year Capital Improvement Plan at least every two years in conjunction with the City's budget development and approval process. Develop a discrete capital facilities needs assessment and funding plan associated with the ~~assumption of police services.~~](#)

GOAL CF-3: Require Type 2 providers to provide adequate service and capital facilities to meet the needs of existing and new development as envisioned in this plan.

Policies:

- CF-3.1: Where land use and/or development permits or approvals must be reviewed by a Type 2 provider, the provider shall conduct such reviews in a timely manner concurrently with the City.
- CF-3.2: Coordinate with fire and medical service providers for inclusion of necessary health and safety development standards into City development regulations and building codes, and support the providers' enforcement of the adopted standards.
- CF-3.3: Coordinate with public school providers for the provision of capital improvements.

- CF-3.4: Incorporate the public school CIPs as appendices to the City CIP following review for consistency with this plan.
- CF-3.5: Following review and adoption of a District master plan and CIP, coordinate with public schools for the collection, if applicable, of school impact fees as part of the project review process.

GOAL CF-4: Require Type 3 utilities to provide adequate service and capital facilities to meet the needs of existing and new development as envisioned in this plan.

Policies:

- CF-4.1: Type 3 utilities shall expedite the provision of services and capital facilities necessary to support this plan.
- CF-4.2: Where land use and/or development permits or approvals must be reviewed by a Type 3 provider, the provider shall conduct such reviews in a timely manner concurrently with the City.
- CF-4.3: Coordinate with providers for inclusion of necessary development standards into City development regulations and building codes, and support the providers' enforcement of the adopted standards.
- CF-4.4: Deny land use and/or development permit applications unless sufficient water, sewer, and electrical capacity or LOS are available to the development at time of occupancy.
- CF-4.5: At the City's discretion, the developer shall provide the necessary capital improvements to ensure that water, sewer, and electrical capacity will be available or levels of service met at the time of occupancy. Improvements shall meet the standards set forth by the utility provider.
- CF-4.6: Require new development to fund a fair share of costs to provide water and sewer utilities needs generated by that development.
- CF-4.7: Incorporate sewer and water provider CIPs as appendices to the City CIP, following review for consistency with this plan.

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

Policies:

- CF-5.1: Coordinate with Type 4 providers on a case-by-case basis for the provision of services on non-federal land.
- CF-5.2: Coordinate with Type 4 providers for monitoring and maintenance of provider facilities located on non-federal land.

9.5 Capital Improvement Plans

GOAL CF-6: Maintain and continually update~~Establish~~ a City CIP consisting of separate CIPs for each service or utility that lists planned capital improvements and establishes a priority and dedicated funding source for the

capital improvements for a six-year period.

Policies:

- CF-6.1: Evaluate each service or utility CIP priority and funding sources at least once every two years, but not more than twice a year. Any amendment to the CIP must analyze the impacts the amendment will have on permits issued by the City based on concurrency.
- CF-6.2: Provide necessary Type 1 capital improvements within the City’s ability to fund or within the City’s authority to require others to provide.
- CF-6.3: Evaluate concurrency for transportation based on only those capital improvements identified in the CIP as fully funded within the six-year period.
- CF-6.4: The City shall not provide a capital improvement, nor shall it accept the provision of a capital improvement by others, if the City or the provider is unable to pay for subsequent annual operating and maintenance costs of the improvement.
- CF-6.5: The City CIP shall constitute a separate adopted appendix to this plan.

9.6 City Facilities

GOAL CF-7: Provide, maintain, and improve City facilities to ensure efficiency safety, and to provide the best possible service to residents, employees, and the city while enhancing the physical landscape and quality of life.

Policies:

- CF-7.1: Provide a City Hall and other city facilities that are safe; functional; conducive to the provision of local governance, service provision, and operations; and provide a positive model of the type of development desired in the city.
- CF-7.2: ~~Maintain, and provide as needed, Pursue the timely acquisition and/or development of~~ adequate permanent facilities for police functions.
- CF-7.3: ___ To the extent possible, direct public investment toward residential areas targeted for high density residential growth, especially those with existing substandard public environment, characterized by a lack of sidewalks, street lighting, open space, and other public amenities.
- CF-7.4: ___ Prioritize the acquisition and development of parks and recreation facilities to eliminate LOS _____ deficiencies in densely populated areas of the city and provide amenities in areas designated for _____ growth.
- CF-7.5: ___ Acquire properties and/or conservation easements in support of critical lands protection, salmon recovery, and floodplain management.

9.7 Essential Public Facilities Siting

GOAL CF-8: Provide for the siting of identified essential public facilities.

Policies:

- CF-8.1: Identify and classify a list of statewide, countywide, and citywide essential public facilities.
- CF-8.2: Identify facilities of a statewide nature consistent with those of the Washington State Office of Financial Management or successor agency.
- CF-8.3: Identify countywide essential public facilities following a cooperative interjurisdictional agreement pursuant to GMA requirements and consistent with the guidance of the CWPP.
- CF-8.4: Identify city essential public facilities pursuant to the requirements of GMA.

GOAL CF-9: Administer a process, through design and development regulations, to site essential public facilities that adequately consider impacts of specific uses.

Policy:

CF-9.1: Address, as a priority measure, essential public facilities siting related to direct provision of police services.

CF-9.2: The proposal process for siting an essential public facility is as follows:

- The proposal must be identified on the City’s essential public facilities list.
- In the siting of a statewide or countywide essential public facility, the applicant is required to provide a justifiable need for the public facility and for its location in Lakewood based upon forecasted needs and logical service area, including an analysis of alternative sites within and outside of the city.
- In the siting of a statewide or countywide essential public facility, the applicant is required to establish a public process by which the residents of the city and the affected neighborhoods have a reasonable opportunity to participate in the site selection process.
- Proposals must be consistent with this comprehensive plan and the City’s design and development regulations.
- If a proposal is not specifically addressed by use (or intensity of the use) in the comprehensive plan or design and development regulations, the City will make an administrative use determination in accordance with City regulations. In such cases, proposals requesting siting as an essential public facility shall be subject to a conditional use permit or public facilities permit unless otherwise determined by the City.
- The proposal will be analyzed for impacts and mitigation in accordance with City design and development regulations.
- Analysis and mitigation may include fiscal impacts of the proposal to the City.

•CF 9.3: Subject to the provisions of this section, the siting of essential public facilities is not categorically precluded.

9.8 Servicing Urban Growth Areas

GOAL CF-10: Coordinate with other jurisdictions, agencies, and service and utility providers for the provision of urban services and utilities within the UGA.

Policy:

CF-10.1: Coordinate with other jurisdictions and agencies for the provision of services and utilities in accordance with the appropriate Type 1, 2, 3, or 4 goals and policies.

GOAL CF-11: Provide urban services and utilities to annexed areas that the City can most effectively deliver, and contract or franchise for those services and utilities that the City determines can best be provided by a special district, other jurisdiction, or the private sector.

Policy:

CF-11.1: Determine which service and utility providers are best suited to provide for annexed areas on a case-by-case basis prior to annexation.

10.0

IMPLEMENTATION

10.1 Introduction and Purpose

The adoption of a comprehensive plan does not complete the land-use planning process. Planning is an ongoing process, and the comprehensive plan is a living document that must respond to changing circumstances and evolving community values. The success of Lakewood's comprehensive planning effort will be measured in the end by the degree to which the plan is implemented; to ensure successful implementation, mechanisms must be in place to provide for ongoing administration, monitoring, and amendments.

This chapter has been included to assist the City and others toward that end by identifying a programmatic framework of comprehensive plan implementation. It differs in format from other chapters because it establishes specific mechanisms for responding to implementation needs. The purpose of the implementation approaches contained in this chapter is three-fold:

- To ensure effective, fair, and impartial administration and enforcement of the comprehensive plan and its implementing ordinances and programs;
- To ensure that the comprehensive plan continues to reflect the needs and desires of the Lakewood community; and
- To ensure that the comprehensive plan is regularly reviewed and amended consistent with state law.

10.2 Interpretation of Goals and Policies

The comprehensive plan provides a guide and general regulatory framework for development in Lakewood that reflects community desires. The goals and policies contained in the plan will guide public and private investments in development but, by themselves, will not ensure that Lakewood becomes the community it wants to be. The plan will be used by the City of Lakewood to help make decisions about proposed ordinances, policies, and programs. Although the plan will be used to direct the development of regulations governing land use and development, the plan will not be relied upon in reviewing applications for specific development projects, except when reference to the comprehensive plan is expressly required by an applicable development regulation.

Goals included in the plan represent the results that the City hopes to realize over time; however, it should be kept in mind that they are neither guarantees nor mandates. Accompanying policies help guide the creation or change of specific rules or strategies such as development regulations, budgets, or strategic plans. Rather than referring directly to the comprehensive plan policies, decisions on specific City actions will typically follow ordinances, resolutions, budgets, or strategic plans that, themselves, reflect relevant plan policies.

Implementation of most policies involves a number of City actions over time, so often a specific action or project cannot be looked to as fulfilling a particular plan policy.

Some policies use the words "shall" or "should," "ensure" or "encourage," and so forth. In general, such words should be read to describe the relative degree of emphasis that the policy imparts, but not necessarily to establish a specific legal duty to perform a particular act, to undertake a particular program or project, or to achieve a specific result. Whether such result is intended must be determined by reading the policy in question in the context of all related policies in the plan.

Although policies are intended to be mutually supportive, a conflict may sometimes appear to arise between policies, particularly in the context of a specific situation, or as viewed from the differing perspectives of opposing interests. Because policies do not exist in isolation, it is the responsibility of City officials and policymakers to reconcile and balance the various interests represented by the policies.

The Future Land-Use Map (Figure 2.1), and any amendments that are made to that that map in the coming years, should reflect and be based on goals and policies included in the text. If conflicts arise between the Future Land-Use Map and the plan goals and policies, the map shall prevail.

Any strategies which are suggested are not intended to be directive but are included to exemplify a means of carrying out the plan. Other strategies to carry out the plan may also be available and, in some cases, may be preferred. The plan should not be construed as compelling the City to undertake a particular work program; rather, decision makers should use the plan to evaluate potential courses of action to satisfy plan goals and policies.

10.3 Administration

This chapter includes a series of four tables that link implementation mechanisms or programs to specific comprehensive plan goal areas that they are responsible for implementing. These tables are categorized according to the program or party responsible for goal implementation: current City of Lakewood programs; current City regulations; other government agencies; or private sector entities. Many goal areas are implemented by more than one mechanism, and some mechanisms implement multiple goal areas. In order to avoid redundancy, no attempt has been made to cross-reference the two.

While these tables are not a complete inventory of either available implementation mechanisms or comprehensive plan goal areas, they establish an initial implementation framework for the major issues addressed by this plan. Additional mechanisms will be made available or identified in the years ahead that will also play an important role in implementing the comprehensive plan.

10.3.1 City-Run Programs

The City of Lakewood administers a number of current ongoing programs whose missions are consistent with the purposes of the comprehensive plan, which are summarized in Table 10.1. These programs are administered by a variety of City departments and focus on a range of objectives. Their ongoing activities will gradually allow the City to achieve many of the goals identified by the plan.

Table 10.1: City-Run Programs and Goal Implementation.

<u>PRINCIPAL IMPLEMENTATION MECHANISMS</u>	<u>PRIMARY GOAL AREAS</u>
<u>Street tree program</u>	<u>3.10 Isolated Areas</u> <u>3.11 Environmental Quality</u> <u>4.5 Focus Area Urban Design Plans</u>
<u>Sidewalk program</u>	<u>3.10 Isolated Areas</u> <u>4.3 Relationship between Urban Design and Transportation</u> <u>6.3 Transportation Demand and Systems Management</u>
<u>Significant tree ordinance</u>	<u>3.10 Isolated Areas</u> <u>3.11 Environmental Quality</u> <u>4.5 Focus Area Urban Design Plans</u>

<u>Crime-free rental housing program</u>	<u>3.2 Residential Lands and Housing</u>
<u>Street lighting program</u>	<u>3.2 Residential Lands and Housing</u> <u>3.3 Commercial Lands and Uses</u> <u>4.5 Focus Area Urban Design Plans</u>
<u>Economic development/ redevelopment program</u>	<u>3.4 Industrial Lands and uses</u> <u>5.0 Economic Development Goals and Policies</u>
<u>Urban trails program</u>	<u>3.9 Greenspaces, Recreation, and Culture</u> <u>3.10 Isolated Areas</u> <u>4.4 Citywide Urban Design Framework Plan</u>
<u>Strategic budgeting (CIP, TIP)</u>	<u>6.7 Transportation Re-Assessment Strategy</u> <u>9.5 Capital Improvement Plans</u>
<u>Stormwater and surface water management program</u>	<u>7.2 Stormwater</u>

10.3.2 City Regulation

The City’s zoning, land-use, and development codes are the primary regulatory vehicles for implementing many aspects of the comprehensive plan. These codes are the main translation mechanisms between the land-use designations and actual physical development (Table 10.2) and must be consistent with this plan. Since adoption of the comprehensive plan in 2000, new zoning designations have been developed to achieve the densities and development standards outlined in the comprehensive plan, and a new Title 18A setting forth zoning districts and associated permitted uses and development standards has replaced Title 18, the City’s interim zoning code still in effect at the time of the plan’s [initial](#) adoption.

Table 10.2: City Land-Use Regulations and Goal Implementation.

<u>PRINCIPAL IMPLEMENTATION MECHANISMS</u>	<u>PRIMARY GOAL AREAS</u>
<u>Design standards for business districts</u>	<u>3.3 Commercial Lands and Uses</u>
<u>Sign ordinance</u>	<u>3.3 Commercial Lands and Uses</u>
<u>Subarea plans for applicable districts</u>	<u>3.2 Residential Lands and Housing</u> <u>3.3 Commercial Lands and Uses</u> <u>3.9 Greenspaces, Recreation, and Culture</u> <u>3.10 Isolated Areas</u> <u>3.12 Nonconformities</u> <u>4.5 Focus Area Urban Design Plans</u>
<u>Development code</u>	<u>3.2 Residential Lands and Housing</u> <u>3.3 Commercial Lands and Uses</u> <u>3.7 Air Corridor Lands and Uses</u> <u>3.9 Greenspaces, Recreation, and Culture</u> <u>3.10 Isolated Areas</u> <u>3.11 Environmental Quality</u> <u>3.12 Nonconformities</u>
<u>Land use and zoning code</u>	<u>3.2 Residential Lands and Housing</u> <u>3.3 Commercial Lands and Uses</u> <u>3.4 Industrial Lands and uses</u> <u>3.6 Military Lands</u> <u>3.7 Air Corridor Lands and Uses</u> <u>3.8 Public and Semi-Public Institutional Land Uses</u> <u>3.10 Isolated Areas</u> <u>3.11 Environmental Quality</u> <u>3.12 Nonconformities</u> <u>4.2 Relationship between Urban Design and Land-Use Designations</u>
<u>Uniform building, fire, mechanical, and plumbing codes</u>	<u>3.2 Residential Lands and Housing</u> <u>3.3 Commercial Lands and Uses</u> <u>3.12 Nonconformities</u>
<u>Critical areas ordinance</u>	<u>3.11 Environmental Quality</u>
<u>Shoreline master program</u>	<u>3.11 Environmental Quality</u>
<u>Impact fees</u>	<u>3.2 Residential Lands and Housing</u> <u>3.11 Environmental Quality</u>
<u>SEPA mitigation</u>	<u>3.3 Commercial Lands and Uses</u> <u>3.9 Greenspaces, Recreation, and Culture</u> <u>3.11 Environmental Quality</u>
<u>NEPA mitigation</u>	<u>3.5 Military Lands</u> <u>3.11 Environmental Quality</u>

10.3.3 Other Government Agencies and Special Districts

Much of the public infrastructure essential to Lakewood is owned and operated by other agencies. Because the city’s schools, colleges, libraries, and public transit are not controlled by the City, this plan includes policy language addressing coordination with these agencies. Table 10.3 identifies the relationship between these agencies and comprehensive plan goal areas.

Table 10.3: Non-City Agencies and Goal Implementation.

<u>PRINCIPAL IMPLEMENTOR</u>	<u>PRIMARY GOAL AREAS</u>
<u>U. S. Department of Defense</u>	<u>3.6 Military Lands</u>
<u>Clover Park School District</u>	<u>8.6 Schools</u> <u>3.8 Public and Semi-Public Institutional Land Uses</u>
<u>Clover Park Technical College</u>	<u>8.7 Higher Education</u> <u>3.8 Public and Semi-Public Institutional Land Uses</u>
<u>Pierce College</u>	<u>8.7 Higher Education</u> <u>3.8 Public and Semi-Public Institutional Land Uses</u>
<u>Pierce County Library System</u>	<u>8.8 Library System</u>
<u>Tacoma Pierce County Housing Authority</u>	<u>3.2 Residential Lands and Housing</u>
<u>Pierce Transit</u>	<u>6.2 General Transportation Goals and Policies</u> <u>6.3 Transportation Demand Management (park and ride)</u>
<u>Sound Transit</u>	<u>6.2 General Transportation Goals and Policies (rail station development)</u>
<u>WSDOT</u>	<u>6.2 General Transportation Goals and Policies</u> <u>6.3 Transportation Demand Management</u> <u>6.5 Level of Service Standards (LOS) and Concurrency (New SR 512 interchange)</u>
<u>Pierce County Department of Parks and Recreation</u>	<u>3.8 Greenspaces, Recreation, and Culture</u>
<u>Pierce County Department of Public Works and Utilities</u>	<u>7.3 Sanitary Sewers</u>
<u>Town of Steilacoom</u>	<u>7.7 Solid Waste</u>
<u>Lakewood Water District</u>	<u>7.3 Sanitary Sewers</u>
<u>Tacoma Public Utilities</u>	<u>7.4 Water</u>
<u>Puget Sound Energy</u>	<u>7.4 Water</u>
<u>Pierce County Sheriff's Office</u>	<u>7.5 Electricity</u>
<u>Lakewood Fire District #2</u>	<u>8.4 Police Service</u> <u>8.2 Fire Protection</u> <u>8.3 Emergency Medical Services (EMS)</u>

10.3.4 Private Sector

Implementing the comprehensive plan will be the responsibility of the entire community throughout the life of the plan. Both for-profit enterprises, such as developers and other businesses, as well as non-profit organizations will play major roles in this effort. Private contributions will range from voluntary to regulatory compliance and payment of impact fees. Table 10.4 identifies some of the most important private sector responsibilities for comprehensive plan implementation.

Table 10.4: Private Sector Roles in Goal Implementation.

<u>PRINCIPAL IMPLEMENTATION MECHANISMS OR IMPLEMENTOR</u>	<u>PRIMARY GOAL AREAS</u>
<u>St. Clare Hospital</u>	<u>8.9 Health and Human Services</u> <u>3.8 Public and Semi-Public Institutional Land Uses</u>
<u>Developer agreements</u>	<u>3.9 Greenspaces, Recreation, and Culture</u> <u>3.11 Environmental Quality</u>
<u>Lakewood Human Services Collaboration strategic plan</u>	<u>8.9 Health and Human Services</u>

Tahoma Nature Conservancy Lakewold Gardens Other non-profits	3.8 Greenspaces, Recreation, and Culture
Private utility purveyors	7.0 Utilities

10.3.5 Initial Implementation Strategies

The following strategies exemplify how some of the central comprehensive plan elements can be implemented. These are not intended to be exhaustive, but form a critical link between policy-making and programming. They begin to translate the comprehensive plan into guidance for City's everyday work functions.

Land-Use Implementation Strategies

- Target redevelopment of obsolete one-bedroom apartment complexes.
- Recognize existing programs and regulatory mechanisms such as the City's street lighting program, street tree program, sign ordinance, sidewalk program, significant tree ordinance as ongoing means of achieving land-use goals.
- Develop [redevelopment and](#) subarea plans for ~~Tillieum, American Lake Gardens~~, the Lakewood Station ~~De~~district, Springbrook, the CBD, the Pacific Highway SW corridor, and selected residential arterials.
- Examine the potential for employing density bonuses in return for private development of public open space.
- [Maintain and periodically update the city's](#) ~~Adopt a~~ Critical Areas and Resource Lands Ordinance and related plans as required by [the](#) GMA. [The City's critical areas regulations were initially adopted in 2004.](#)
- ~~Develop and adopt a~~ [Maintain the City's](#) Shoreline Master Program [\(adopted 2014\)](#) consistent with GMA and the state Shoreline Management Act, including salmon recovery provisions.
- Capitalize on historical sites in the area such as Fort Steilacoom, Lakewold Gardens, and the Lakewood [Colonial](#) Theater, as well as other local amenities like the lakes and parks.
- Work to maintain an adequate variety of land uses within the city to support development.
- [Work to provide for on-line submittal of development permit and building permit application forms.](#)
- Streamline the permit processing system wherever possible to make it easier to understand and to minimize the review time and costs.
- ~~Develop redevelopment plans for the Lakewood Station area, the Central Business District, and the Pacific Highway southwest corridor.~~
- [Continue to prepare the Woodbrook area for redevelopment with industrial uses and pursue opportunities to locate appropriate businesses consistent with utility extensions as described in the Woodbrook Business Park Development report issued in July, 2009.](#)

- Continue with redevelopment efforts in Tillicum and the preparation of development regulations and design standards as described in the Tillicum Neighborhood Plan adopted in June 2011.

Urban Design and Community Character Implementation Strategies

- Develop and implement community design guidelines for commercial, industrial, and multi-family residential development. Identify design elements and features that give specific areas a distinctive character. Include provisions to minimize impacts to residential development adjacent to development sites.
- Include design considerations in developing subarea plans.
- Study the feasibility of creating a local improvement district in the CBD to help fund local improvements.
- Encourage ongoing development of an individual identity for the International District.
- Develop an urban design manual for commercial and industrial development to provide information to developers regarding the architectural and landscape standards that would be applied to a project in an effort to streamline the project review and application process.

Economic Development Implementation Strategies

- Develop a policy to clarify the types of economic development incentives that could be offered by the City, and work with the Enterprise Consortium to take advantage of the incentive programs available to designated areas of Lakewood.
- Maintain an active relationship with the Tacoma-Pierce County Economic Development Board and work with them to attract businesses to Lakewood.
- Identify those industries best suited to Lakewood such as military or transportation related, high-tech, medical services or biotechnology, and actively pursue ~~new~~ corporations to relocate or expand in Lakewood.
- Develop neighborhood business alliances which would focus the energy and resources of the local business community to create a sense of identity and improve communications between business owners and the City, as well as facilitate the use of business assistance resources.
- Develop and carry out periodic surveys of the business community to identify issues affecting the business community and to ensure retention efforts are focused appropriately.
- Maintain the ~~Implement a~~ business visit program by the City's Economic Development staff.
- Encourage home-based businesses which have outgrown the home to stay in Lakewood.
- Continue to develop and improve ~~Create~~ systems for information exchange between the City, real estate brokers, the development community, and the financial organizations to inform the City of new development trends, properties for sale, vacancies, and economic development issues-inquiries.

- Take advantage of existing business assistance programs offered by partner organizations.
- In coordination with partner organizations, develop new assistance programs to fill unmet business training needs.
- Partner with educational institutions to take advantage of workforce training opportunities.
- Seek grant opportunities to support business development loan programs.
- Support existing business development loan programs to ensure their continued success.
- Devise cooperative ways to encourage small business development by working with local lending institutions.
- Develop and maintain an economic development component for the City Web site.
- Prepare profiles of successful Lakewood businesses to be used in marketing packets.
- Research and develop a demographic and economic profile as part of a marketing packet.
- Develop a promotional community brochure highlighting the special attributes of the community.
- Develop a marketing campaign targeted at regional business publications designed to attract business and promote a positive business image for Lakewood, while developing a publication and database of land available for development.
- Develop a “buy local” campaign to promote local businesses and decrease sales tax leakage.
- Create opportunities for Lakewood residents to learn how business contributes to the services and amenities enjoyed by those living in the Lakewood community.
- Create opportunities to showcase local businesses to draw attention to Lakewood’s diverse business community.
- Create opportunities for the City to express support of the business community and express appreciation of its importance to the community.
- Develop relationships with other public and private organizations to capitalize on existing resources. Such partners may include the Lakewood Chamber of Commerce, Pierce County, City of Tacoma, Port of Tacoma, The Empowerment Consortium, Pierce College, Clover Park Technical College, Tacoma-Pierce County Economic Development Board as well as others.
- Explore the development of an annual “economic summit” to be conducted in association with our partner organizations and the business community in order to exchange information.
- Enhance communication linkages between the City, business community, property owners, the Korean Business Association, and other business organizations.
- Facilitate and support community events that attract visitors to the community such as LakeFolk Fest, SummerFest, and Fort Steilacoom Days.

- Continue to work with the Tacoma-Pierce County Visitor and Convention Bureau and the Lakewood Chamber of Commerce to promote tourism.
- Create a tourism development strategy in conjunction with the Tacoma-Pierce County Visitor and Convention Bureau and Lakewood Chamber of Commerce.
- ~~Establish a~~ Maintain and develop the Lakewood Lodging Tax Advisory Board and lodging tax funding program.
- Develop and implement a communications program to “sell” Lakewood as a preferred location for development of new businesses.
- Study and report on commercial demand leakage and pursue projects and strategies to keep retail dollars in Lakewood., and devise potential mechanisms to deter, commercial leakage.
- Identify a funding base for and provide loans for business expansion, apart from startups.

Transportation Implementation Strategies

- Develop pedestrian overlay zones for the CBD and Lakewood Station district.
- Complete funding and implementation of reconstruction of the Pacific Highway Southwest corridor to add curb, gutter and sidewalks as well as add landscaping elements and improve signage.
- Provide local support for the reconstruction of the I-5/SR 512 interchange and grade separation at 100th Street SW and Lakeview Drive.
- Provide local support for the construction of ~~the Lakewood~~ a Sounder Station in Tillicum. The station could also serve as an Amtrak station if Amtrak service is added to the Sound Transit rail line.
- Identify the gateways to Lakewood and construct entry signage and install landscaping.

Capital Facilities Implementation Strategies

- As part of the capital facilities plan, develop public policies that assign public dollars to areas targeted for redevelopment. Use the capital facilities plan to identify funding strategies including the use of public bonds, local improvement districts, public-private partnerships, and grants to focus the phased construction of public facilities and infrastructure. This policy also includes regularly updating the capital facilities plan to reflect any changes in financing strategies.
- Develop an equitable process for siting essential public facilities that balances developer certainty with the public interest.

10.4 Public Involvement

The City values the involvement and input of all its citizens in planning issues. Considerable public involvement and input has been sought and offered with regard to the comprehensive plan and its succeeding amendments, and the zoning code and development regulations. As work programs evolve to support the plan's implementation, additional targeted public involvement processes may be used to gain further insight as

to how the community might wish to achieve comprehensive plan goals and policies. As the comprehensive plan unfolds, the City should remain mindful of creating meaningful opportunities for public involvement in the creation and institution of programs and practices geared toward plan implementation. These will not be “one-size-fits-all” efforts but may use differing techniques and tools depending on the scope and nature of the issue at hand, and the level of participation being sought.

Responsibility for citizen involvement in shaping the City's activities lies not only at the City's level in creating opportunities, but also at the citizens' level in availing themselves of those opportunities. The City will make every effort to inform people of involvement and input processes; but in order to be truly effective, citizens must accept personal responsibility for informing themselves of the issues and responding to the City. The highest potential for contribution lies in early and continuous involvement.

10.5 Enforcement

At the policy level, Community Development staff will monitor the relationship of the comprehensive plan to other City activities and policy undertakings, providing information to City administration and elected officials as necessary to make informed decisions in keeping with the adopted plan. Enforcement of regulations adopted pursuant to the comprehensive plan routinely occur through the activities of the City's code enforcement staff.

10.6 Amendments

The comprehensive plan can be amended only once yearly, except as provided in state law. Changes to the comprehensive plan may occur only after analysis, full public participation, notice, and environmental review.

Proposed amendments each calendar year shall be considered not only on their own merits, but concurrently so that the cumulative effect of the proposals can be determined. To begin the process of entertaining amendments to either the plan's goals and policies or the Future Land-Use Map, staff shall promulgate an application process that involves, at minimum, the following information:

- A detailed statement of what is proposed to be changed and why;
- A statement of anticipated impacts of the change, including geographic area affected and issues presented;
- A demonstration of why the existing comprehensive plan guidance should not continue or is no longer relevant;
- A statement of how the proposed amendment complies with the state GMA's goals and specific requirements;
- A statement of how the proposed amendment complies with the CWPP; and
- Identification of any changes to zoning or development regulations, other plans, or capital improvement programs that will be necessary to support the change, together with identification of funding sources if capital change is involved.

Details for review of amendments is set forth in the Lakewood Municipal Code and details the type and level of information to be required for each type of amendment (policy or map), public notice and participation, environmental review, and methods for cumulative impact analysis of separate proposals. As with any application and review process, the City may charge fees for plan amendments, consistent with the City's approved fee schedule.

10.7 Periodic Review

The comprehensive plan, in accordance with state law, shall be formally reviewed in its entirety every seven

years following the 2015 update~~04~~ review, per RCW 36.70A.130(4)(a). The review should include an analysis of the effect on various plan elements of recent demographic trends and projections, land-use trends and demand, economic trends, statutory requirements and relevant case law, and any other data that is deemed relevant at the time. Under RCW 36.70A.130(3), the County shall review its designated UGAs and densities against anticipated population growth for the succeeding 20-year period. In conjunction with this review, the City shall review its UGAs and population densities and determine the efficacy of, and any changes that may be sought to, growth boundaries.

To effectively and flexibly respond to changing conditions, the specific review approach and process is to be developed administratively and may vary from one periodic review to the next.

Monitoring to what degree the comprehensive plan is being met will be an integral part of the periodic review process. This will enable the City to make mid-course corrections to accomplish or refine goals and policies to more capably respond to local needs. For the 2004 review, an attempt to wholly revamp the plan was not seen as appropriate. In only four years since its adoption, and three since adoption of new development regulations, much of what is envisioned under the plan has not had the opportunity to come to fruition. Therefore, the initial review was quite limited in scope. For later review periods, the City may wish to consider intermediate benchmarking practices to quantifiably measure the comprehensive plan's outcomes and to identify trends that may indicate needed changes. For example, measuring the amount of vacant land used for new development each year and how dense the growth is on this land offers a picture of how quickly and efficiently that vacant land supply is being used.

RESOLUTION OF INTENT OF THE LAKEWOOD PLANNING COMMISSION TO CONSIDER
AMENDING THE LAKEWOOD COMPREHENSIVE PLAN AND THE LAKEWOOD LAND USE
DEVELOPMENT REGULATIONS

WHEREAS, the Lakewood Comprehensive Plan was amended in 2014; and

WHEREAS, the 2014 amendments to the Comprehensive Plan established policies to increase single family housing development opportunities;

WHEREAS, the Lakewood City Council adopted a work plan of the Planning Commission to investigate such opportunities; and

WHEREAS, the Lakewood Community Development Department reviewed geographic areas within the community by which to promote new single family housing; and

WHEREAS, this information was presented to the Lakewood Planning Commission on January 21, 2015, March 4, 2015, and March 18, 2015; and

WHEREAS, the Lakewood Municipal Code, Chapter 18A.2, allows the Lakewood Planning Commission to initiate land use amendments by the adoption of a Resolution of Intent; and

WHEREAS, at the Community Development Director prepared a Draft Resolution of Intent to amend the Comprehensive Plan and Zoning Maps on behalf of the Lakewood Planning Commission; and

WHEREAS, the Lakewood Planning Commission considered the Resolution of Intent on the 15^d day of April, 2015.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

The Lakewood Planning Commission hereby adopts a Resolution of Intent to consider:

Amending the Zoning Map for residential properties found east of Interlaaken Drive SW and west of Tower Road SW, south of Gravelly Lake Drive SW, and generally north of Lake Steilacoom Drive SW, and as depicted on Map 1 contained in the department staff report to the Lakewood Planning Commission dated April 15, 2015; and

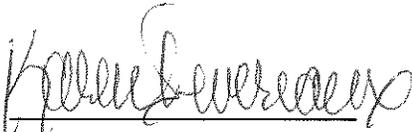
Amending the Comprehensive Plan from "Residential Estate" to "Single Family," and the zoning classification from "R1" to "R3," for two properties located at the southwesterly corner of Gravelly Lake Drive SW and Veterans Drive SW, and as depicted on Map 4 contained in the department staff report to the Lakewood Planning Commission dated April 15, 2015

The Planning Commission shall hold a public hearing on the proposed amendments, and make its recommendations to the Lakewood City Council in 2015.

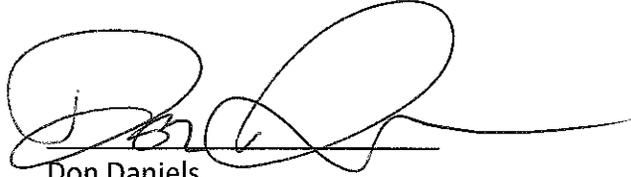
PASSED AND ADOPTED THIS 15th DAY OF APRIL, 2015.

ATTEST:

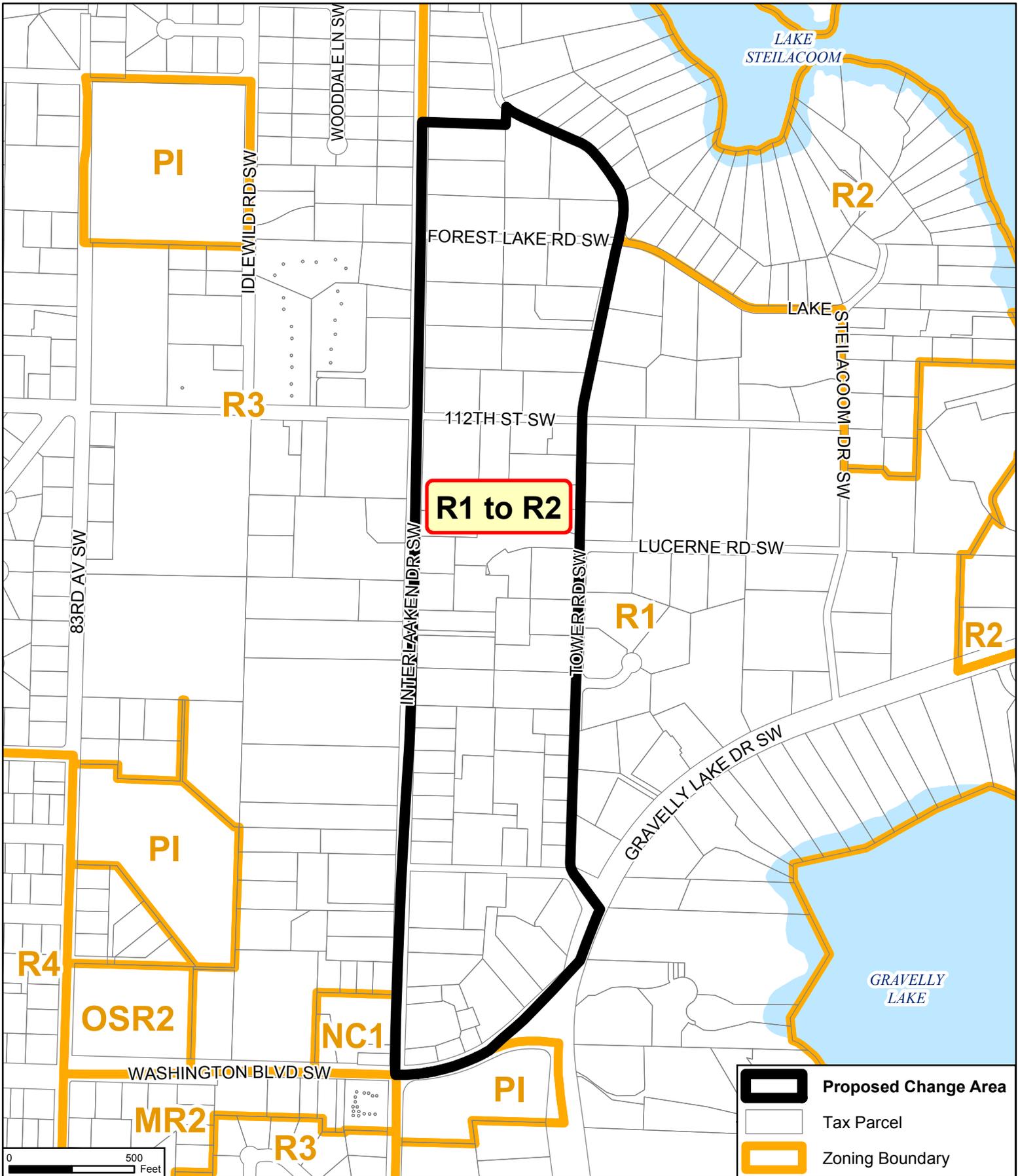
LAKEWOOD PLANNING
COMMISSION



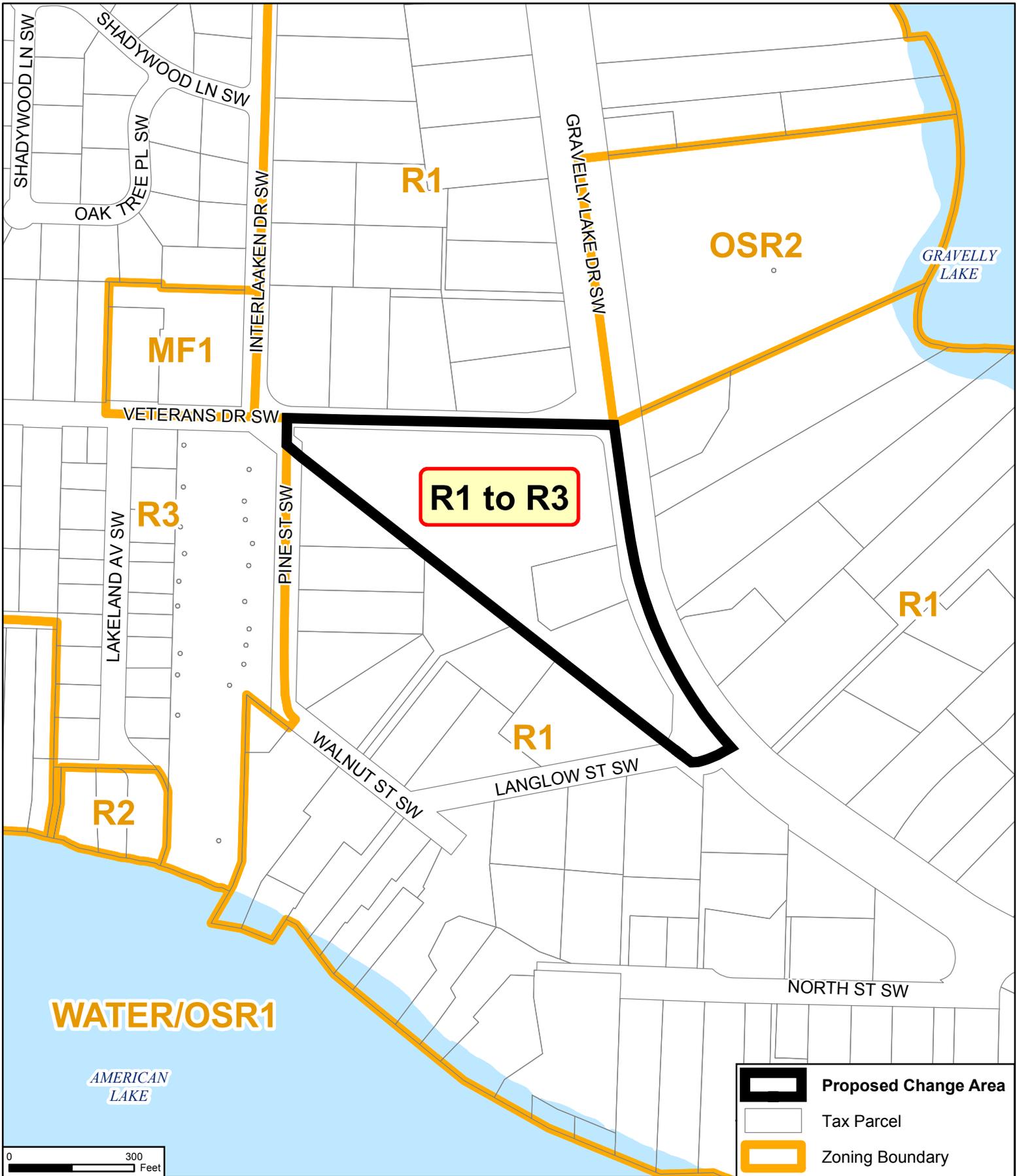
Karen Devereaux,
Administrative Assistant &
Recorder



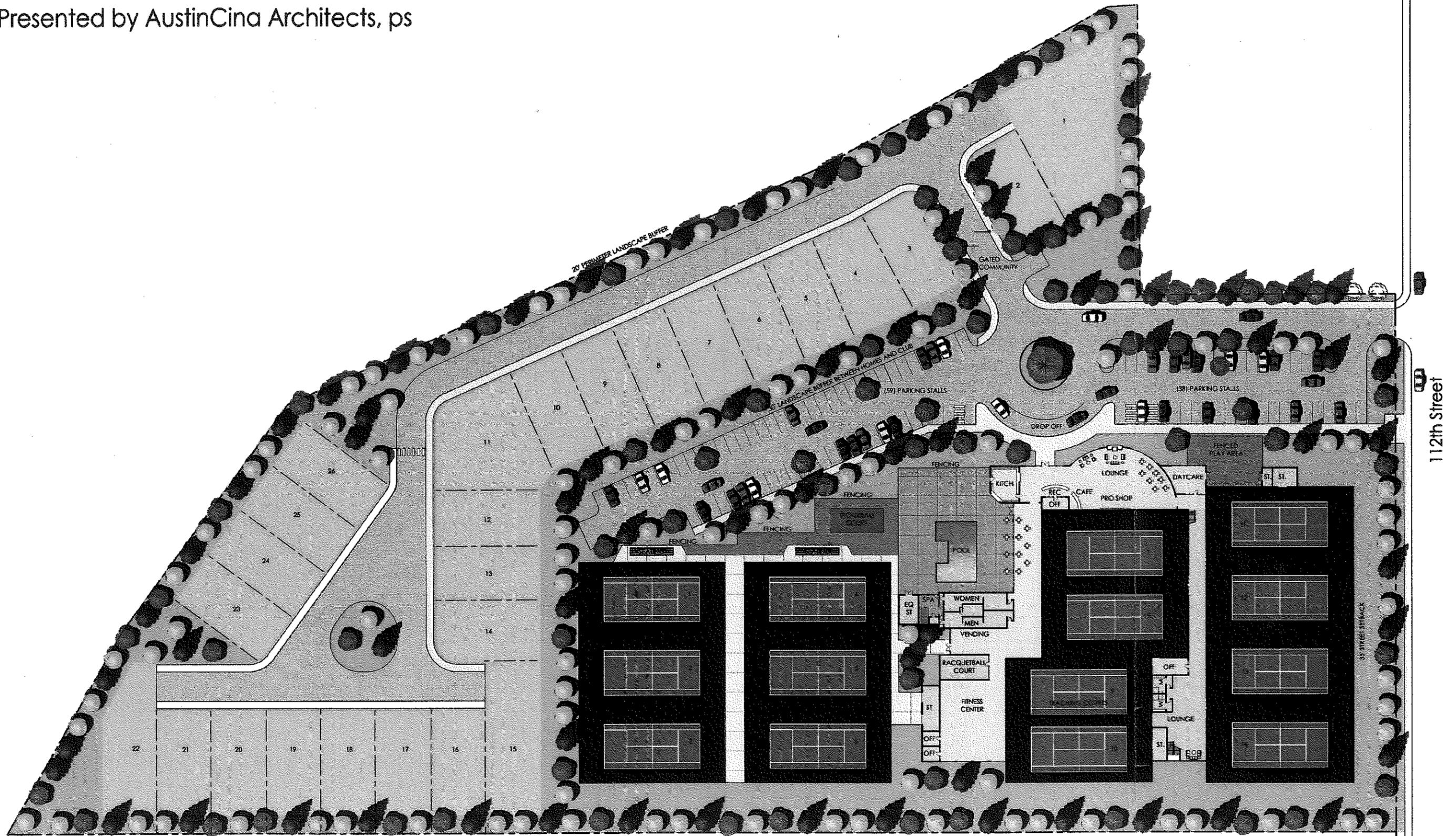
Don Daniels,
Planning Commission Chair



Map 1 R1 to R2



Map 4 R1 to R3





Periodic Update Checklist for Cities – Updated June 2013

Covers laws through 2012

This checklist is intended to help cities that are fully planning under the Growth Management Act (GMA) to conduct the “periodic review and update” of comprehensive plans and development regulations required by [RCW 36.70A.130\(4\)](#). Cities can use the checklist to identify components of their comprehensive plan and development regulations that may need to be updated to reflect the latest local conditions or to comply with changes to the GMA since their last update.

This checklist includes components of the comprehensive plan and development regulations that are specifically required by the GMA. **Statutory requirements adopted since 2003 are emphasized in highlighted text** to help identify new components of the GMA that may not have been addressed in annual updates or other amendments outside of the required periodic update process. Cities within the Puget Sound Regional Council boundaries may want to use this checklist in tandem with [PSRC checklists](#). A separate checklist is available for counties. Expanded checklists (one for [Comprehensive Plans](#), one for [Development Regulations](#)) are also available, which include a more comprehensive list of related good ideas and things to consider.

How to fill out the checklist

With the most recent version of your comprehensive plan and development regulations in hand, fill out each item in the checklist. Select the check box or type in the fields, answering the following questions:

Is this item addressed in your current plan or regulations? If YES, fill in the form with citation(s) to where in the plan or code the item is addressed. We recommend using citations rather than page numbers because they stay the same regardless of how the document is printed. If you have questions about the requirement, follow the hyperlinks to the relevant statutory provision or rules. If you still have questions, visit the [Commerce web page](#) or [contact a Commerce planner](#) assigned to your region.

Is amendment needed to meet current statute? Check YES to indicate a change to your plan or regulations will be needed. Check NO to indicate that the GMA requirement has already been met. Local updates may not be needed if the statute hasn’t changed since your previous update, if your city has kept current with required inventories, or if there haven’t been many changes in local circumstances. Check “Further Review Needed” if you are unsure whether the requirement has already been met or if the city is considering a review, but hasn’t yet decided.

Is your city considering optional amendments? Use this field to note areas where your city may elect to work on or amend sections of your plan or development regulations that are not required by the GMA.

How to use the completed checklist

Commerce strongly encourages you to use the completed checklist to develop a [detailed work plan](#) (see Appendix B) for your periodic update. The checklist can be used to inform the contents of a city council resolution that defines what actions will be taken as part of the GMA periodic update.

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Is city considering optional amendments?
--	---	---	--

I. Required Comprehensive Plan Elements and Components

1. A Land Use Element that is consistent with countywide planning policies (CWPPs) and RCW 36.70A.070(1) .			
a. A future land use map showing city limits and urban growth area (UGA) boundaries. RCW 36.70A.070(1) and RCW 36.70A.110(6) WAC 365-196-400(2)(d) , WAC 365-196-405(2)(i)(ii)	<input type="checkbox"/> No x Yes Location(s) Comp Plan figure 2.1	<input type="checkbox"/> Yes x No <input type="checkbox"/> Further review needed	
b. Consideration of urban planning approaches that increase physical activity . RCW 36.70A.070(1) , Amended in 2005 WAC 365-196-405 (2)(j)	<input type="checkbox"/> No x Yes Location(s) <ul style="list-style-type: none"> • Station district and ped bridge • NMTP • Most commercial areas are mixed use • Sidewalk requirements • Legacy Parks Plan 	<input type="checkbox"/> Yes x No <input type="checkbox"/> Further review needed	
c. A consistent population projection throughout the plan which should be consistent with the Office of Financial Management forecast for the county or the county's sub-county allocation of that forecast. RCW 43.62.035 , WAC 365-196-405(f)	<input type="checkbox"/> No X Yes Location(s) Comp Plan 3.2.5, 3.2.6 (2030= 72,000)	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
d. Estimates of population densities and building intensities based on future land uses . RCW 36.70A.070(1) ; WAC 365-196-405(2)(i)	<input type="checkbox"/> No X Yes Location(s) Comp Plan Table 3.2	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
e. Provisions for protection of the quality and quantity of groundwater used for public water supplies . RCW 36.70A.070(1)	<input type="checkbox"/> No x Yes Location(s) CP Sec. 3.11.7 LMC 14A.150-Aquifer Recharge Areas LWD Comp. Water Plan	<input type="checkbox"/> Yes x No <input type="checkbox"/> Further review needed	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Is city considering optional amendments?
f. Identification of lands useful for public purposes such as utility corridors, transportation corridors, landfills, sewage treatment facilities, stormwater management facilities, recreation, schools, and other public uses. RCW 36.70A.150 and WAC 365-196-340	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP Sec 3.8, 3.9, 3.10 PI zone OS zone	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
g. Identification of open space corridors within and between urban growth areas , including lands useful for recreation, wildlife habitat, trails, and connection of critical areas. RCW 36.70A.160 and WAC 365-196-335	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP Sec 3.10 Ft Steilacoom Park Phillips Rd Game Farm Chambers Ck Cyn. Flett Wetlands	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
h. <i>If there is an airport within or adjacent to the city:</i> policies, land use designations (and zoning) to discourage the siting of incompatible uses adjacent to general aviation airports. [RCW 36.70A.510, RCW 36.70.547 , New in 1996] <i>Note: The plan (and associated regulations) must be filed with the Aviation Division of WSDOT. WAC 365-196-455</i>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Location(s) No g.a. airports; See CP Sec 3.7 for JBLM policies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
i. <i>If there is a Military Base within or adjacent to the jurisdiction employing 100 or more personnel:</i> policies, land use designations, (and consistent zoning) to discourage the siting of incompatible uses adjacent to military bases. RCW 36.70A.530(3) , New in 2004. See WAC 365-196-475	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP 3.6, 3.7 JBLM JLUS update in progress	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Further review needed	
j. Where applicable, a review of drainage, flooding, and stormwater run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state. RCW 36.70A.70(1) and WAC 365-196-405(2)(c) <i>Note: RCW 90.56.010(26) defines waters of the state.</i>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP 3.12.4, 3.12.7	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
k. Policies to designate and protect critical areas including wetlands, fish and wildlife habitat protection areas, frequently flooded areas, critical aquifer recharge areas, and geologically hazardous areas. In developing these policies, the city must have included the best available science (BAS) to protect the functions and values of critical areas, and give “special consideration” to conservation or protection measures necessary to preserve or enhance anadromous fisheries.	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP 3.12.1, 3.12.2, 3.12.4, 3.12.5, 3.12.8 LMC 14A.142 et seq; BAS Report from Geo Engineers dated 8/18/2004	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Is city considering optional amendments?
<p>RCW 36.70A.030(5), RCW 36.70A.172, BAS added in 1995. See WAC 365-195-900 through -925, WAC 365-190-080</p> <p><i>Note:</i> A voluntary stewardship program was created in 2011 as an alternative for protecting critical areas in areas used for agricultural activities. Counties had the opportunity to opt into this voluntary program before January 22, 2012. See requirements of the voluntary stewardship program. RCW 36.70A.700 through .904.</p>			
<p>1. <i>If forest or agricultural lands of long-term commercial significance are designated inside city: a program authorizing Transfer (or Purchase) of Development Rights.</i> RCW 36.70A.060(4), Amended in 2005</p>	<p><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Location(s) NA</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed</p>	
<p>2. A Housing Element to ensure the vitality and character of established residential neighborhoods and is consistent with relevant CWPPs, and RCW 36.70A.070(2).</p>			
<p>a. Goals, policies, and objectives for the preservation, improvement, and development of housing. RCW 36.70A.070(2)(b) and WAC 365-196-410(2)(a)</p>	<p><input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP Section 3.2</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed</p>	
<p>b. An inventory and analysis of existing and projected housing needs over the planning period. RCW 36.70A.070(2)(a) and WAC 365-196-410(2)(b) and (c)</p>	<p><input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP Sec. 3.2.7; Table 3.1</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed</p>	
<p>c. Identification of sufficient land for housing, including but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, group homes, and foster care facilities. RCW 36.70A.070(2)(c)</p>	<p><input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP Sec. 3.2.7; Table 3.2</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed</p>	
<p>d. Adequate provisions for existing and projected housing needs for all economic segments of the community. RCW 36.70A.070(2)(d) and WAC 365-196-410</p>	<p><input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP Sec. 3.2.8;</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed</p>	
<p>e. <i>If enacting or expanding an affordable housing program under RCW 36.70A.540: identification of land use</i></p>	<p><input type="checkbox"/> No <input checked="" type="checkbox"/> Yes</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Is city considering optional amendments?
designations within a geographic area where increased residential development will assist in achieving local growth management and housing policies. RCW 36.70A.540 , New in 2006 . WAC 365-196-870	Location(s) CP Sec 3.2, Policies LU 2.38 thru LU 2.42	<input type="checkbox"/> Further review needed	
f. Policies so that manufactured housing is not regulated differently than site built housing. RCW 35.21.684 , 35.63.160 , 35A.21.312 , and 36.01.225 , Amended in 2004	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP LU-7.6 LMC 18A.50.180	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
g. <i>If</i> the city has a population of over 20,000: provisions for accessory dwelling units (ADUs) to be allowed in single-family residential areas. RCW 36.70A.400 , RCW 43.63A.215(3)	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP LU-6.2, 6.3 LMC 18A.70.300	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
3. A Capital Facilities Plan (CFP) Element to serve as a check on the practicality of achieving other elements of the plan, covering all capital facilities planned, provided, and paid for by public entities including local government and special districts, etc.; including water systems, sanitary sewer systems, storm water facilities, schools, parks and recreational facilities, police and fire protection facilities. Capital expenditures from Park and Recreation elements, if separate, should be included in the CFP Element. The CFP Element must be consistent with CWPPs, and RCW 36.70A.070(3) , and include:			
a. Policies or procedures to ensure capital budget decisions are in conformity with the comprehensive plan. RCW 36.70A.120	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP Goals CF-1,2	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
b. An inventory of existing capital facilities owned by public entities. RCW 36.70A.070(3)(a) and WAC 365-196-415(2)(a)	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP Section 9.2	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
c. A forecast of needed capital facilities. RCW 36.70A.070(3)(b) and WAC 365-196-415 (b) <i>Note:</i> The forecast of future need should be based on projected population and adopted levels of service (LOS) over the planning period.	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) Goals CF-2 through 10 Adopted LOS: D, or per	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Is city considering optional amendments?
	Figure 6.3 for roadways. Future needs: 6-yr CIP		
d. Proposed locations and capacities of expanded or new capital facilities. RCW 36.70A.070(3)(c) and WAC 365-196-415 (3)(C)	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) As indicated in 6-yr CIP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
e. A six-year plan (at least) identifying sources of public money to finance planned capital facilities. RCW 36.70A.070(3)(d) and RCW 36.70A.120 WAC 365-196-415	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) 6-yr CIP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
f. A policy or procedure to reassess the Land Use Element if probable funding falls short of meeting existing needs. RCW 36.70A.070(3)(e) WAC 365-196-415(2)(d)	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) Comp Plan section 6.7- Reassessment Strategy	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
g. <i>If</i> impact fees are collected: identification of public facilities on which money is to be spent. RCW 82.02.050(4) WAC 365-196-850	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Location(s) NA. NO impact fees.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
4. A Utilities Element which is consistent with relevant CWPPs and RCW 36.70A.070(4) and includes:			
a. The general location, proposed location and capacity of all existing and proposed utilities. RCW 36.70A.070(4) WAC 365-196-420	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP Ch 7.0- Utilities Element	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
5. A Transportation Element which is consistent with relevant CWPPs and RCW 36.70A.070(6) and includes: TRANSPORTATION ELEMENT WILL BE INCLUDED AS PART OF 2015 UPDATE			
a. An inventory of air, water, and ground transportation facilities and services, including transit alignments, state-	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Is city considering optional amendments?
owned transportation facilities, and general aviation airports. RCW 36.70A.070(6)(a)(iii)(A) and WAC 365-196-430(2)(c) .	Location(s) CP Ch 6.0- Transportation Element	<input type="checkbox"/> Further review needed	
b. Adopted levels of service (LOS) standards for all arterials, transit routes and highways. RCW 36.70A.070(6)(a)(iii)(B) , New in 1997. WAC 365-196-430	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP Section 6.6	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
c. Identification of specific actions to bring locally-owned transportation facilities and services to established LOS. RCW 36.70A.070(6)(a)(iii)(D) , Amended in 2005. WAC 365-196-430	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP Section 6.3 (TDM) CP Section 6.7 (Reassessment strategy)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
d. A forecast of traffic for at least 10 years , including land use assumptions used in estimating travel. RCW 36.70A.070(6)(a)(i) , RCW 36.70A.070(6)(a)(iii)(E) WAC 365-196-430(2)(f) .	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) Transpo model. See 7/15 Transp. Background Report	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
e. A projection of state and local system needs to meet current and future demand. RCW 36.70A.070(6)(a)(iii)(F) WAC 365-196-430(2)(f)	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP Section 6.7 (Reassessment strategy)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
f. A pedestrian and bicycle component. RCW 36.70A.070(6)(a)(vii) , Amended 2005 WAC 365-196-430(2)(j)	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP Goal T-14 and sub. policies. NMTP adopted 11/08	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
g. A description of any existing and planned transportation demand management (TDM) strategies , such as HOV lanes or subsidy programs, parking policies, etc. RCW 36.70A.070(6)(a)(vi) WAC 365-196-430(2)(i)	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP section 6.3	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
h. An analysis of future funding capability to judge needs	<input type="checkbox"/> No	<input type="checkbox"/> Yes	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Is city considering optional amendments?
against probable funding resources. RCW 36.70A.070(6)(a)(iv)(A) WAC 365.196-430(2)(k)(iv)	X Yes Location(s) CP Sec. 6.7; Transp. Background report; 6-year TIP	X No <input type="checkbox"/> Further review needed	
i. A multiyear financing plan based on needs identified in the comprehensive plan, the appropriate parts of which serve as the basis for the 6-year street, road or transit program. RCW 36.70A.070(6)(a)(iv)(B) and RCW 35.77.010 WAC 365-196-430(2)(k)(ii)	<input type="checkbox"/> No X Yes Location(s) CP Sec. 6.7; Transp. Background report; 6-year TIP	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
j. <i>If</i> probable funding falls short of meeting identified needs: a discussion of how additional funds will be raised, or how land use assumptions will be reassessed to ensure that LOS standards will be met. RCW 36.70A.070(6)(a)(iv)(C) ; WAC 365-196-430(2)(l)(ii)	<input type="checkbox"/> No x Yes Location(s) T-13.7, 13.8; Goal T-21; Section 6.7 Reassessment Strategy	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
k. A description of intergovernmental coordination efforts , including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions and how it is consistent with the regional transportation plan. RCW 36.70A.070(6)(a)(v) ; WAC 365-196-430(2)(a)(iv)	<input type="checkbox"/> No x Yes Location(s) CP Goals T-2, T-13 and sub policies. Policy T-19.2	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
6. Provisions for siting essential public facilities (EPFs), consistent with CWPPs and RCW 36.70A.200. This section can be included in the Capital Facilities Element, Land Use Element, or in its own element. Sometimes the identification and siting process for EPFs is part of the CWPPs.			
a. A process or criteria for identifying and siting essential public facilities (EPFs) . [RCW 36.70A.200 , Amended in 1997 and 2001] <i>Notes:</i> EPFs are defined in RCW 71.09.020(14) . Cities should consider <i>OFM's list of EPFs</i> that are required or likely to be built within the next six years. Regional Transit Authority facilities are included in the list of essential public facilities RCW 36.70A.200, amended 2010. WAC 365-196-550(d)	<input type="checkbox"/> No X Yes Location(s) CP Section 3.8, and Chapter 8.0 – Public Services. LMC 18A.30.800 et. seq.; LMC 18A.20.400.D	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
b. Policies or procedures that ensure the comprehensive plan does not preclude the siting of EPFs . RCW 36.70A.200(5) <i>Note:</i> If the EPF siting process is in the CWPPs, this policy may be contained in the comprehensive plan as well.	<input type="checkbox"/> No X Yes Location(s) CP Policy 9.3 CWPP EPF 1-8	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Is city considering optional amendments?
WAC 365-196-550(3)		needed	
7. Consistency is required by the GMA.			
a. All plan elements must be consistent with relevant county-wide planning policies (CWPPs) and, where applicable, Multicounty Planning Policies (MPPs), and the GMA. RCW 36.70A.100 and 210 WAC 365-196-400(2)(c) , 305 and 520	<input type="checkbox"/> No X Yes Location(s) CP Section 1.6.7	<input type="checkbox"/> Yes <input type="checkbox"/> No X Further review needed Chapter 1 will be updated in 2015	
b. All plan elements must be consistent with each other. RCW 36.70A.070 (preamble). WAC 365-197-400(2)(f)	<input type="checkbox"/> No X Yes Location(s)	<input type="checkbox"/> Yes <input type="checkbox"/> No X Further review needed Chapter 1 will be updated in 2015	
c. The plan must be coordinated with the plans of adjacent jurisdictions. RCW 36.70A.100 WAC 365-196-520	<input type="checkbox"/> No X Yes Location(s) Section 10.3.3; Table 10-3	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
8. Shoreline Provisions			
Comprehensive plan acknowledges that for shorelines of the state, the goals and policies of the shoreline management act as set forth in RCW 90.58.020 are added as one of the goals of this chapter as set forth in RCW 36.70A.020 without creating an order of priority among the fourteen goals. The goals and policies of the shoreline master program approved under RCW 90.58 shall be considered an element of the comprehensive plan. RCW 36.70A.480 , WAC 365-196-580	<input type="checkbox"/> No x Yes Location(s) CP Section 3.11.3; SMP Update recently approved by DOE	<input type="checkbox"/> Yes x No <input type="checkbox"/> Further review needed	
9. Public participation, plan amendments and monitoring.			
Note: House Bill 2834, passed in 2012, eliminates the requirement for cities planning under the GMA to report every 5 years on its progress in implementing its comprehensive plans.			
a. A process to ensure public participation in the comprehensive planning process. RCW 36.70A.020(11) , .035 , and .140 ; WAC 365-196-600(3) The process should address annual amendments (if the	<input type="checkbox"/> No X Yes Location(s) CP Section 10.4, 10.6, 10.7.	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Is city considering optional amendments?
jurisdiction allows for them) [RCW 36.70A.130(2), Amended in 2006], emergency amendments [RCW 36.70A.130(2)(b)], and may include a specialized periodic update process. Plan amendment processes may be coordinated among cities within a county [RCW 36.70A.130(2)(a)] and should be well publicized.	LMC 18A.02.400, 18A.02.565 Pub. Part. Plan for Comp Plan updates adopted May 2013.	needed	
b. A process to assure that proposed regulatory or administrative actions do not result in an unconstitutional taking of private property . See <i>Attorney General's Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property</i> for guidance. RCW 36.70A.370	X No <input type="checkbox"/> Yes Location(s) See 18A.50.135.I with regard to street frontage improvements.	<input type="checkbox"/> Yes <input type="checkbox"/> No X Further review needed No explicit policy?	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Is city considering optional amendments?
--	---	---	--

II. Required Components of Development Regulations [WAC 365-196-810](#)

<p>10. Regulations designating and protecting critical areas are required by RCW 36.70A.170, RCW 36.70A.060(2) and RCW 36.70A.172(1). <i>Note:</i> A voluntary stewardship program was created in ESHB 1886 (2011) as an alternative for protecting critical areas in areas used for agricultural activities. Counties may choose to opt into this voluntary program before January 22, 2012. Click here for the requirements of the voluntary stewardship program.</p>			
<p>a. Classification and designation of each of the five types of critical areas (<i>wetlands, critical aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas</i>), if they are found within your city. RCW 36.70A.170; WAC 365-196-830(2) <i>Note:</i> Senate Bill 5292 adopted in 2012 clarified that certain water-based artificial features or constructs are excluded from being considered part of a fish and wildlife habitat conservation areas.</p>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) <small>LMC 14A.142 et seq.</small>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
<p>b. Findings that demonstrate Best Available Science (BAS) was included in developing policies and development regulations to protect the function and values of critical areas. In addition, findings should document special consideration given to conservation or protection measures necessary to preserve or enhance anadromous fisheries. RCW 36.70A.172(1); WAC 365-195, WAC 365-195</p>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) <small>BAS Review prepared by GeoEngineers Inc. dated August 18, 2004</small>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
<p>c. Regulations that protect the functions and values of wetlands. RCW 36.70A.060(2) and RCW 36.70A.172(1) WAC 365-190-090</p>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) <small>LMC 14A.162</small>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
<p>d. A definition of wetlands consistent with RCW 36.70A.030(21) WAC 365-190-090, WAC 173-22-035</p>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Location(s) <small>LMC 14A.165.010</small>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Further review needed	Need to update language
<p>e. Delineation of wetlands using the approved federal wetlands delineation manual and applicable regional supplements [RCW 36.70A.175, RCW 90.58.380 (1995) (2011)] WAC 173-22-035</p>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Location(s) <small>LMC 14A.162.020</small>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Further review needed	Need to reference 2014 rating system (Need to update CARL by 6/30/15)

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Is city considering optional amendments?
f. Regulations that protect the functions and values of critical aquifer recharge areas (“areas with a critical recharging effect on aquifers used for potable water” RCW 36.70A.030(5)(b)). RCW 36.70A.060(2) and RCW 36.70A.172(1) WAC 365-190-100	<input type="checkbox"/> No X Yes Location(s) LMC 14A.150	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
g. Regulations to protect the quality and quantity of ground water used for public water supplies. RCW 36.70A.070(1)	<input type="checkbox"/> No X Yes Location(s) CP 3.11.7; LMC 14A.150; Lot size and lot coverage limits in zoning code.	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
h. Regulations that protect the functions and values of fish and wildlife habitat conservation areas. RCW 36.70A.060(2) and RCW 36.70A.172(1) WAC 365-195-925(3), 365-190-130	<input type="checkbox"/> No X Yes Location(s) LMC 14A.154	<input type="checkbox"/> Yes <input type="checkbox"/> No X Further review needed to analyze WAC 365-190-130 adopted 2010.	(Need to update CARL by 6/30/15)
i. Regulations that protect the functions and values of frequently flooded areas. RCW 36.70A.060(2) and RCW 36.70A.172(1) WAC 365-190-110, WAC 173-158-040	<input type="checkbox"/> No X Yes Location(s) LMC 14A.158; LMC 18A.40.100 et seq.	<input type="checkbox"/> Yes <input type="checkbox"/> No X Further review needed Update references to latest FEMA maps.	(Need to update CARL by 6/30/15)
j. Definition of “fish and wildlife habitat conservation areas” does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company. New in 2012. RCW 36.70A.030(5)	<input type="checkbox"/> No X Yes Location(s) LMC 14A.165.010	<input type="checkbox"/> Yes <input type="checkbox"/> No ? Further review needed NEEDS UPDATE TO ADD CLARIFICATION LANGUAGE?	(Need to update CARL by 6/30/15)
k. Provisions to ensure water quality and stormwater drainage regulations are consistent with applicable Land Use Element policies. RCW 36.70A.070(1)	<input type="checkbox"/> No X Yes Location(s) LMC 12A.10, 12A.11, 14A.150	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Is city considering optional amendments?
l. Regulation of geologically hazardous areas consistent with public health and safety concerns. RCW 36.70A.030(9) , RCW 36.70A.060(2) and RCW 36.70A.172(1) WAC 365-190-120	<input type="checkbox"/> No X Yes Location(s) LMC 14A.146	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
m. Provisions that allow “ reasonable use ” of properties constrained by presence of critical areas. RCW 36.70A.370 . See <i>Attorney General’s Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property</i> for guidance	<input type="checkbox"/> No X Yes Location(s) LMC 14A.142.080 and 090	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
n. <i>If your city is assuming regulation of forest practices as provided in RCW 76.09.240: forest practices regulations that protect public resources, require appropriate approvals for all phases of conversion of forest lands, are guided by GMA planning goals, and are consistent with adopted critical areas regulations.</i> RCW 36.70A.570 , Amended in 2007, 2010 and RCW 76.09.240 Amended in 2007, 2010 <i>Note: Applies only to counties fully planning under the GMA with a population greater than 100,000 and the cities and towns within those counties where a certain number of Class IV applications have been filed within a certain timeframe.</i>	<input type="checkbox"/> No <input type="checkbox"/> Yes Location(s) NA	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
11. Shoreline Master Program			
See Washington State Department of Ecology’s SMP Submittal Checklist			
a. Zoning is consistent with Shoreline Master Program (SMP) environmental designations. RCW 36.70A.070 ; RCW 36.70A.480 WAC 365-196-580	<input type="checkbox"/> No X Yes Location(s) SMP Table II-development standards refer to underlying zoning.	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
b. <i>If SMP regulations</i> have been updated to meet Ecology’s shoreline regulations: protection for critical areas in shorelines is accomplished solely through the SMP. RCW 36.70A.480(4) , Amended in 2003 and 2010 and RCW 90.58.090(4) . WAC 365-196-580	<input type="checkbox"/> No X Yes Location(s) SMP Chapter 3, Section B.3	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
12. The Zoning Code should contain the following provisions:			
a. Family daycare providers are allowed in areas zoned for residential or commercial uses. Zoning conditions should be no more restrictive than those imposed on other residential	<input type="checkbox"/> No X Yes Location(s)	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Is city considering optional amendments?
<p>dwelling in the same zone, but may address drop-off and pickup areas and hours of operation. RCW 36.70A.450, WAC 365-196-865</p>	LMC 18A.70.100	review needed	
<p>b. Manufactured housing is regulated the same as site-built housing. RCW 35.21.684, 35.63.160, 35A.21.312 and 36.01.225, All Amended in 2004</p>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) LMC 18A.50.180; 18A.70.400 et seq.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
<p>c. <i>If</i> the city has a population over 20,000 accessory dwelling units (ADUs) are allowed in single-family residential areas. RCW 43.63A.215(3)</p>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) LMC 18A.70.310	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
<p>m. <i>If</i> there is an airport within or adjacent to the city: zoning that discourages the siting of incompatible uses adjacent to general aviation airports. RCW 36.70A.510, RCW 36.70.547, New in 1996) <i>Note:</i> The zoning regulations must be filed with the Aviation Division of WSDOT. WAC 365-196-455</p>	<input type="checkbox"/> No <input type="checkbox"/> Yes Location(s) NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Further review needed	
<p>n. <i>If</i> there is a Military Base within or adjacent to the jurisdiction employing 100 or more personnel: zoning that discourages the siting of incompatible uses adjacent to military bases. RCW 36.70A.530(3), New in 2004. WAC 365-196-475</p>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) LMC 18A.30.700 et. seq, JBLM JLUS update underway 2014	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
<p>o. Residential structures that are occupied by persons with handicaps must be regulated the same as a similar residential structure occupied by a family or other unrelated individuals. RCW 36.70A.410, WAC 365-196-860</p>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) See LMC 18A.90.200 def'n of 'family'; and allowance for Type 1 Group Homes in all residential zones.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
<p>p. Cities adjacent to I-5, I-90, I-405, or SR 520 and counties -- for lands within 1 mile of these highways -- must adopt regulations that allow electric vehicle infrastructure (EVI) as a use in all areas except those zoned for residential or resource use, or critical areas by July 1, 2011. RCW 36.70A.695, New in 2009</p>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) See Admin policy 2010-01 dated 6/30/2010. May want to adopt model ordinance.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Further review needed	
<p>q. Development regulations of all jurisdictions must allow electric vehicle battery charging stations in all areas except</p>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Is city considering optional amendments?
those zoned for residential or resource use, or critical areas by July 1, 2011. RCW 36.70A.695 , New in 2009	Location(s) See Admin policy 2010-01 dated 6/30/2010. May want to adopt model ordinance.	<input type="checkbox"/> Further review needed	
13. Subdivision Code regulations			
a. Subdivision code is consistent with and implements comprehensive plan policies. RCW 36.70A.030(7) and 36.70A.040(4)(d) , WAC 365-196-820	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) LMC 17.10.030 as amended by Ord 591. 17.14.020.A; 17.22.050.B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
b. Code requires written findings documenting that proposed subdivisions provide appropriate provision under RCW 58.17.110(2)(a) for: Streets or roads, sidewalks, alleys, other public ways, transit stops, and other features that assure safe walking conditions for students; potable water supplies [RCW 19.27.097], sanitary wastes, and drainage ways (stormwater retention and detention); open spaces, parks and recreation, and playgrounds; and schools and school grounds. WAC 365-196-820(1)	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) LMC 17.14.030.A.1 and B.1; LMC 17.22.070.B.1	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
c. Subdivision regulations may implement traffic demand management (TDM) policies. RCW 36.70A.070(6)(a)(vi)	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) CP Section 6.3;	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	
d. Preliminary subdivision approvals under RCW 58.17.140 are valid for a period of five, seven, or nine years. [RCW 58.17.140 and RCW 58.17.170 . Amended 2010 by SB 6544. Expires 2014. Amended 2012 by HB 2152 <i>Note:</i> House Bill 2152, adopted by the Legislature in 2012, modified timelines. The preliminary plat approval is valid for: seven years if the date of preliminary plat approval is on or before December 31, 2014; five years if the preliminary plat approval is issued on or after January 1, 2015; and nine years if the project is located within city limits, not subject to the shoreline management act, and the preliminary plat is approved on or after December 31, 2007.	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Location(s) LMC 17.14.040 as amended by Ord 591. Note, checklist does not seem to accurately reflect RCW 58.17.140(3)(b).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Further review needed	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Is city considering optional amendments?
14. Concurrency , Impact Fees, and TDM			
a. The transportation concurrency ordinance includes specific language that prohibits development when level of service standards for transportation facilities cannot be met. RCW 36.70A.070(6)(b)	<input type="checkbox"/> No X Yes Location(s) LMC 18A.50.195, LMC 12A.09	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
b. <i>If</i> adopted: impact fee methods are consistent with RCW 82.02.050 through 100 <i>Note:</i> The timeframe for expending or encumbering impact fees has been extended to ten years. RCW 82.02.070 and RCW 82.02.080, Amended in 2011. WAC 365-196-850	<input type="checkbox"/> No <input type="checkbox"/> Yes Location(s) NA	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
<i>If</i> required by RCW 70.94.527 : a commute trip reduction ordinance to reduce the proportion of single-occupant vehicle commute trips. RCW 70.94.521-551, Amended in 2006. WAC 468-63 <i>Note:</i> WSDOT maintains a list of affected jurisdictions	<input type="checkbox"/> No X Yes Location(s) LMC 12A.13	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
15. Siting Essential Public Facilities (EPFs)			
Regulations are consistent with Essential Public Facility siting process in countywide planning policies or city comprehensive plan, and do not preclude the siting of EPFs. RCW 36.70A.200(5) WAC 365-196-550	<input type="checkbox"/> No X Yes Location(s) LMC 18A.20.400.D, 18A.30.830.A.1.b	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
16. Project Review Procedures			
Project review processes integrate permit and environmental review for: notice of application; notice of complete application; one open-record public hearing; allowing applicants to combine public hearings and decisions for multiple permits; notice of decision; one closed-record appeal. RCW 36.70A.470, RCW 36.70B and RCW 43.21C WAC 365-196-845	<input type="checkbox"/> No X Yes Location(s) LMC 18A.02 et seq	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
17. General Provisions: The GMA requires that development regulations be consistent with and implement the comprehensive plan. RCW 36.70A.030(7) and .040(4)(d) . Regulations should also include:			
a. A process for early and continuous public participation in the development regulation development and amendment process. RCW 36.70A.020(11),.035, .130 and .140	<input type="checkbox"/> No X Yes Location(s) CP 10.4; LMC 18A.02.565.	<input type="checkbox"/> Yes X No <input type="checkbox"/> Further review needed	
b. A process to assure that proposed regulatory or administrative actions do not result in an unconstitutional	<input type="checkbox"/> No <input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	

	Addressed in current plan or regs? If yes, where?	Changes needed to meet current statute?	Is city considering optional amendments?
taking of private property. RCW 36.70A.370, WAC 365-196-855 <i>Note: See Attorney General's Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property.</i>	Location(s) See 18A.50.135.I with regard to street frontage improvements.	X Further review needed No explicit policy?	

This checklist covers the requirements of the Growth Management Act through the laws of 2012. It does not address related issues, or things that are not required but that are commonly found in comprehensive plans and the implementing regulations. It may be useful to look at the expanded checklists (one for comprehensive plans, one for development regulations) and the Growth Management Act Amendment Changes 1995-2012 (amended annually). For more information, please visit:

<http://www.commerce.wa.gov/Services/localgovernment/GrowthManagement/Growth-Management-Planning-Topics/Pages/GMA-Periodic-Update.aspx>

PSRC Comprehensive Plan Reporting Tool

City of Lakewood- 2015

Description of Submitted Materials

Explain the nature of the comprehensive plan materials being submitted for review, including the date adopted. For example, is this a full plan update, a revised plan element, or a set of annual amendments?

The attached materials represent a full comprehensive plan update for the City of Lakewood for 2015. Chapters 2, 3, 5, and 7 (Land-use Maps, Land Use and Housing, Economic Development and Utilities) were updated in 2014. 2015 updates include Chapters 1,4,6,8,9, and 10 (Introduction, Urban Design, Transportation, Public Services, Capital Facilities and Implementation).

Part I: Checklist

Vision 2040 Statement

- ✓ A VISION 2040 statement of how the comprehensive plan addresses the multicounty planning policies and the planning requirements in the Growth Management Act is included

The City of Lakewood interacts with the region through the Puget Sound Regional Council (PSRC). The City of Lakewood is considered a Core City with a designated Regional Growth Center. As a core city, Lakewood expects to play a significant role in accommodating forecasted growth in Pierce County and helping to reduce development pressure on rural and natural resource lands. A statement to this effect will be part of the update of Chapter 1 (Introduction).

General Multi-County Planning Policies

- ✓ Describe planning coordination with other jurisdictions and agencies (including, where appropriate tribes) *(MPP-G-1)*
- ✓ Describe efforts to identify existing and new funding for infrastructure and services *(MPP-G-4)*

MPP-G-1 Planning Coordination

The City of Lakewood participates regularly in the Pierce County Growth Management Coordinating Committee, Pierce County Transportation Coordinating Committee and the Pierce County Regional Council. The City of Lakewood also hosts the South Sound Military Communities Partnership (SSMCP) which is funded by the Department of Defense Office of Economic Adjustment to help military communities deal with the unique issues presented by the presence of military installations. The SSMCP is currently working with jurisdictions affected by Joint Base Lewis McChord (JBLM) to update that installation's Joint Land Use Study (JLUS) and Air Installation Compatible Use Zone (AICUZ) plans.

The City works closely with State agencies on specific topics such as critical areas, shorelines, and regional transit issues. The City also enjoys a productive relationship with the Nisqually Tribe.

MPP-G-4 Funding

The City of Lakewood monitors State and federal registers and clearinghouses that provide up-to-date information on new and existing grant, loan, and other funding resources for infrastructure and services. Funding sources for transportation projects typically include motor vehicle fuel tax, real estate excise tax, transfers from the Surface Water Management Fund, CDBG, vehicle license fees, property taxes, private utilities, private developers and various grant opportunities. The City has also used transportation grant funding provided through the Department of Defense, Office of Economic Adjustment. These funds have been used for relieving I-5 Corridor congestion adjacent to Lakewood and JBLM.

The Environment

Stewardship

- ✓ *Address the natural environment in all aspects of local planning, basing decision-making on the environmental best-information available; incorporate regionwide planning initiatives, such as the Department of Ecology's water resource inventory areas (WRIA) process – or actions based on guidance from the International Council for Local Environmental Initiatives (ICLEI) (MPP-En-1 through 7; En-Action-11)*

The City of Lakewood supports protection of important ecological systems through restoration activities and public ownership of lands, supporting critical environmental processes. The City's Critical Areas and Resource Lands Ordinance, adopted in 2004, incorporates Best Available Science (BAS). The City is proactively working to improve stormwater management and surface water quality through the installation of stormwater filtration devices on inlet structures and fish habitat improvements (such as the removal of fish barriers and construction of fish ladders in the City's creeks). Under the National Pollutant Discharge Elimination System (NPDES), the City maintains its current permits with the State Department of Ecology. The City is currently in the process of integrating low-impact development (LID) regulations into its municipal code. LID practices protect natural ecosystems as well as water quality. The City also supports the habitat preservation and management efforts of Joint Base Lewis-McChord. The City uses environmental review under SEPA to identify and mitigate potential environmental impacts of specific development projects.

Earth and Habitat

- ✓ Identify open space areas and develop programs for protecting and/or acquiring these areas *(MPP-En-8 and 9)*
- ✓ Coordinate planning for critical areas and habitat with adjacent jurisdictions *(MPP-En-9 through 11)*
- ✓ Include provisions for protecting and restoring native vegetation *(MPP-En-12)*

The City of Lakewood is fortunate to have many critical environmental resource lands under public ownership and control. The City contains approximately 1,100 acres of publicly owned passive open

space and 350 acres of active recreational open space. The City has specific open space land use designations in the Comprehensive Plan and open space zoning districts. Development on properties designated and zoned for open space is extremely limited. In addition, the City's Critical Areas and Resource Lands (CARL) regulations may require restrictive covenants, placement of sensitive property in a separate tract, or permanent dedication of sensitive critical areas and their buffers.

The City engages in joint planning efforts with Pierce County and the City of University Place with regard to Chambers Creek Canyon, and with JBLM and the Washington State Department of Fish and Wildlife over American Lake and the boat launch located just south of the Lakewood city limit.

The City has also established a partnership with Pierce College to provide financial assistance from the City's tree fund in order to support the College's experimental oak prairie restoration program.

Water Quality

- ✓ *Take actions to maintain hydrological functions within ecosystems and watersheds, including restoration of shorelines and estuaries, as well as reducing pollution in water (MPP-En-13 through 16)*

The City of Lakewood is working proactively to maintain hydrological functions and water quality within the Chambers- Clover Creek Watershed (WRIA 12). The City maintains a full-time Surface Water Quality Manager, levies a surface water quality management fee on individual properties, and is actively engaged in installation of water quality improvement devices in public stormwater intake structures. The City has obtained grant funds to monitor water quality at Waughop Lake located in Fort Steilacoom Park. Lakewood maintains an active public education and outreach program designed to reduce or eliminate behaviors and practices that cause or contribute to adverse stormwater impacts, and, further, encourages the public to participate in stewardship programs.

The City adopted a comprehensive shoreline management program update in 2013, which was approved by the Department of Ecology in 2014. Other policies and regulations intended to protect water quality include the City's critical areas regulations which address aquifer recharge and wellhead protection, wetlands, and protective buffers for other water bodies including lakes, ponds, and streams.

Air Quality

- ✓ *Include policies and implementation actions to address federal and state clean air laws and the reduction of pollutants including greenhouse gases (MPP-En-17 through 19)*
- ✓ *Incorporate the Puget Sound Clean Air Agency's adopted growth management policies into the comprehensive plan (see Appendix-E-1) (MPP-En-17 through 19)*

Section 3.11.9 of the Comprehensive Plan addresses air quality. Goal LU-63 directs the City to pursue federal, state, regional and local air quality standards through coordinated, long-term strategies that address the many contributors to air pollution. Specific policies include promotion of land use and transportation practices and strategies that reduce levels of air-polluting emissions; ensuring the

retention and planting of trees and other vegetation to help promote air quality, and restriction of wood-burning fireplaces in new and replacement construction.

Climate Change

- ✓ *Include specific provisions to reduce greenhouse gas emissions; include provisions addressing adaptation to the effects of climate change (MPP-En-16, 20 through 25. MPP-DP-45, MPP-T-5 through 7; MPP-PS-1, 12, 13; RCW 80.80.020)*

Transportation is the primary source of greenhouse gas emissions in Lakewood. As a focal point for action, the City targets more efficient and less polluting alternatives to driving alone as the best way to reduce emissions. Regulatory and incentive approaches are being explored, including changing zoning regulations to promote more mixed-use and higher-density development. Through these approaches, the City can create more walkable and transit-friendly neighborhoods. The City of Lakewood also encourages the use of alternative energy sources at work and at home. Development practices that retain or restore vegetation and conserve water and energy are also used to help address issues related to climate change.

Development Patterns

Urban

- ✓ Document growth targets¹ for population (expressed in housing units) and for employment (*MPP-DP-3*)
- ✓ Include provisions to develop compact urban communities and central places with densities that support transit and walking. (*MPP-DP-14*)
- ✓ Identify underused land and have provisions for redevelopment in a manner that supports the *Regional Growth Strategy*(*MPP-DP-15*)

The City of Lakewood is designated as a “Core City” within Pierce County in the Vision 2040 Regional Growth Strategy. Pierce County Ordinance 2011-36s established population, housing unit, and employment targets for cities, towns and unincorporated areas for the year 2030. The targets established for Lakewood are:

	2008 Baseline	'08-'30 Change	2030 Target
Population	58,780	13,220	72,000
Housing	25, 904	8,380	34,284
Employment	29,051	9,285	38,336

¹ **Regional Growth Strategy and Planning Targets** - The Regional Growth Strategy in VISION 2040 provides guidance for local growth targets. Jurisdictions are asked to explain steps being taken to align with the regional guidance. It is recognized that the allocations in the Regional Growth Strategy are for 2040 and that the planning process between now and then may not be linear.

The City's comprehensive plan, chapter 5, discusses the means by which to establish an urban design framework from which to develop compact urban communities. Generalized plans have been proposed for the Central Business District and the Lakewood Station District. These plans have been followed through with extensive sidewalk construction projects, "sharrow" bike lanes, and a pedestrian bridge to connect the Lakeview Neighborhood with the Sound Transit Commuter Rail Station. Of late, the City has proposed a complete streets program for Motor Avenue. This fall the Lakewood City Council will be releasing a subarea plan request for proposal for the entire Central Business District in furtherance of its goals to establish a downtown.

Lakewood has mapped all of its vacant and underutilized lands. There are about 695 acres and 1,210 acres of vacant land and underutilized properties, respectively. The data is used by the City's economic development division to market the City for redevelopment purposes. The City's current land use policies do allow for the City to plan for the project targets. However, there are two concerns. The first is the lack of infrastructure. Upon incorporation, Lakewood inherited a deficient system and has been playing catch-up ever since. Notable examples include a lack of sewers in some neighborhoods and a very poor non-motorized transportation system. The second issue is that Lakewood is not a full-service city. Fire services are provided by the West Pierce Fire District. Water is provided by a special service district. Sewer is provided by Pierce County. Power is provided by one of three utility providers. The current system requires a significant amount of policy coordination where sometimes the City's goals are not shared by other agencies.

Centers

- ✓ Identify one or more central places as locations for more compact, mixed-use development (*MPP-DP-11*)
- ✓ Demonstrate how funding has been prioritized to advance development in centers and central places (*MPP-DP-7, 10, 13; MPP-T-12; MPP-H-6*)

The central portion of Lakewood is designated as an "Urban Growth Center" under the Countywide Planning Policies (CWPP). Lands within this designated center are mostly zoned "Central Business District" or CBD, but the designated center also includes mixed residential, high-density residential, neighborhood commercial and Transit Oriented Commercial (TOC) zoning districts. The CBD zone supports a wide variety of primarily commercial uses, but also allows for multi-family residential uses at up to 54 dwelling units per acre. The City has enacted several incentives intended to encourage new growth within identified growth centers including a Multi-family Tax Exemption program pursuant to Section 84.14. RCW, and a Senior Housing Overlay and Housing Incentives Programs which encourage affordable housing and housing for seniors through density bonuses.

Unincorporated Urban Areas

- ✓ *Include policies and programs to address annexation and the orderly transition of unincorporated areas to city governance (MPP-DP-18)*

The City of Lakewood's Urban Growth Area (UGA) includes the Partridge-Arrowhead Glen area west of the City (approx. 256 acres and a population of 2,444) and the cantonment areas of Joint Base Lewis McChord (JBLM) and Camp Murray (Washington State National Guard). The Partridge-Arrowhead Glen UGA is shared with the Town of Steilacoom. This area is mostly built-out with moderate density single-family housing, and is not expected to experience drastic changes in the existing land use pattern.

Issues related to the incorporation of these areas are discussed in detail in the recently updated Section 2.6 of the Lakewood Comprehensive Plan.

Resource Lands

- ✓ *Identify steps to limit development in resource areas. (MPP-DP-29 through 32)*

The City of Lakewood does not currently contain any commercially viable resource extraction lands. Environmentally sensitive areas are discussed in the City's critical areas regulations –LMC Section 14A.142 et seq.

Development Patterns- Orderly Development

Regional Design

- ✓ *Incorporate design provisions in local plans and regulations that apply the Transportation 2040 Physical Design Guidelines (Transportation 2040 Physical Design Guidelines)*
- ✓ *Include guidelines for environmentally friendly and energy-efficient building (MPP-DP-33 through 42)*
- ✓ *Preserve historic, visual, and cultural resources (MPP-DP-34)*
- ✓ *Ensure that the design of public buildings contributes to a sense of community (MPP-DP-38)*

The City of Lakewood was mostly developed after World War II, and already built out at the time of its incorporation in 1996. The area is historic, however, being one of the first areas in the state to be settled by persons of European descent. In 1849, Mr. Joseph Heath established a farm on what was to eventually become Fort Steilacoom, and later, Western State Hospital. The landscape upon the arrival of European settlers was primarily prairie and lakes. The history of Lakewood is of the conversion of the original prairie to the suburban landscape we see today. Around the turn of the century, wealthy citizens in Tacoma constructed large vacation homes around the City's lakes - homes that are generally the most expensive homes in the City today. In 1935 Mr. Norton Clapp constructed the Lakewood Colonial Center, one of the first shopping centers established west of the Mississippi River. The Colonial Center still exists today at the intersection of Gravelly Lake Drive and Bridgeport Way SW. Camp Lewis, (later to become Fort Lewis and then Joint Base Lewis-McChord, JBLM) was established with the advent of World War One. The presence of JBLM

created a need for affordable housing for its soldiers and other personnel. The City's proximity to the established City of Tacoma led to a housing construction boom after World War II. The City's current form was shaped by these historic developments, together with other influences such as the construction of a Navy Supply Depot during World War II (which would later become Clover Park Technical College and the Lakewood Industrial Park), and the construction of Interstate 5 in the mid- and late- 1950's. The City supports a Landmarks and Heritage Advisory Board to help preserve, protect, and promote the unique heritage and historic resources of the City.

New construction in the City today must follow energy efficiency standards of the *International Building Code* and *International Energy Conservation Code (IECC)*. To promote a high level of design and a sense of community in the City, new multi-family residential and non-residential developments are also subject to compliance with community design guidelines.

Health and Active Living

- ✓ *Include health provisions that address (a) healthy environment, (b) physical activity and well-being, and (c) safety (MPP-DP-43 through 47; MPP-En-3, 19. MPP-T-4, 7, 11, 15, 16)*

The City promotes a healthy environment, physical activity, well-being and safety through a number of policies, programs and actions including the City's Parks and Recreation Legacy Plan, the City's Non-Motorized Transportation Plan, and codes generally intended and designed to "protect the public health, safety, and welfare."

Section 3.10 of the City's comprehensive plan addresses Green Spaces, Recreation, and Culture. One of the explicit goals of this section is to "Create a strong, active, and healthy community by providing a variety of open space and recreation opportunities." Further development of the City's parks and recreation programs is expected to be accomplished pursuant to the Parks Legacy Plan adopted in 2013.

Housing

- ✓ *Include provisions to increase housing production opportunities, including diverse types and styles for all income levels and demographic groups (MPP-H-1 through 9)*
- ✓ *Include provisions to address affordable housing needs (MPP-H-1 through 9)*
- ✓ *State how regional housing objectives in VISION 2040 are being addressed – including housing diversity and affordability, jobs-housing balance, housing in centers, and flexible standards and innovative techniques (H-Action-1 and 2)*

The City of Lakewood's 2014 Comprehensive Plan update provided a thorough review of the City's housing policies- essentially incorporating a Housing sub-element into the Land-Use element. The Housing sub-element is included as Section 3.2 of the comprehensive plan as updated in 2014. The updates specifically promote a variety of housing types for all income levels and demographic groups. Section 3.2.8 addresses housing provisions for all economic segments of the community. Section 3.2.9 addresses housing resources with a focus on affordable housing for low income households. The update also includes lengthy discussion

of the City's efforts to address affordable housing needs through several on-going City programs. Among the programs offered:

- A major home repair program; a housing rehabilitation program;
- Down payment assistance;
- A neighborhood stabilization program designed to assist with the demolition and/or redevelopment of foreclosed, vacant, or abandoned properties;
- Forming a special partnership with Habitat for Humanity to build 41 owner-occupied single family homes; and
- Providing financial support for rehabilitation and improvements of properties through various non-profit organizations such as Rebuilding Together South Sound, in addition to properties owned by Network Tacoma, Living Access Support Alliance, and the Pierce County Housing Authority.

Economic Development

- ✓ *Include an economic development element that addresses: business, people, and places (Ec-Action-6; see MPP-Ec-1 through 22)*
- ✓ *Include provisions that address industry clusters (MPP-Ec-3)*
- ✓ *Focus retention and recruitment efforts on business that provide family wage jobs, industry clusters that export goods and services, and small/start up companies that are locally owned (MPP-Ec-1, 3, 4, 5)*
- ✓ *Include provisions and programs for distressed areas or areas with disadvantaged populations (MPP-Ec-11, 12)*
- ✓ *Ensure adequate housing growth in centers working collaboratively with the private sector – through the provision of infrastructure (MPP-Ec-6, 18, 20)*

The City's 2014 update includes an update of the Economic Development Element (Chapter 5). This element updates the City's vision of its economic future- evolving from a "bedroom community" for the City of Tacoma and JBLM, to a "diversified, full-service, and self-contained city". The updated element notes how the City's strong transportation networks, with immediate access to Interstate 5 and State Highway 512 and to the Ports of Tacoma and Seattle, provide a natural opportunity for warehousing and distribution facilities. The Economic Development element also notes the natural potential for a health-care industry cluster focused around St. Clare, Madigan, and the American Lake Veterans hospitals, and an Educational Services cluster developed around Pierce College, Clover Park Technical College, and the Clover Park School District. Section 5.2.4 discusses the role of Joint Base Lewis- McChord in the region's economy and the natural linkages to off-base businesses that support the military.

Goal ED-5 and associated policies promote the revitalization/ redevelopment of (among other areas) the distressed areas of Springbrook, Woodbrook, Tillicum, Lakeview, and Lake City.

Housing is promoted in the City's urban center through the provision of robust transportation alternatives including the transit center at Lakewood Towne Center shopping area, which is within the *Central Business District* (CBD) zone, and the Lakewood Station Commuter Rail terminus in the *Transit Oriented Commercial* (TOC) zoning district. Both of these zoning districts permit high density multi-family housing at up to 54 dwelling units per acre.

Public Services

- ✓ *Include provisions to promote more efficient use of existing services, such as waste management, energy, and water supply, through conservation – including demand management programs and strategies (MPP-PS-3, 7, 8, 11, 12, 13, 19)*
- ✓ *Include provisions to promote renewable energy and alternative energy sources (MPP-PS-12, 13; MPP-En-21 through 23; MPP-T-6)*
- ✓ *Include provisions to meet long-term water needs, including conservation, reclamation and reuse (MPP-PS-17 through 20; MPP-En-25)*

Lakewood is a “contract city” and does not provide waste management, energy, water or communications infrastructure. The City does, however, promote the efficient use of existing service infrastructure (provided by contract service providers) through the encouragement of infill development (versus extension of services to currently unserved areas). The City also supports measures promoting use of renewable energy and alternative energy sources such as Electric Vehicle charging stations and infrastructure.

The City's two largest power providers are Tacoma Power and Puget Sound Energy. Tacoma gets 90% of its power from hydroelectric sources, and Puget Sound Energy gets 48% of its electricity from hydroelectric and wind sources. Puget Sound Energy also gets 25% of its electricity from natural gas sources. The City's third electrical provider, Lakeview Light and Power, is heavily invested in development of renewable energy sources; however, the cooperative buys energy on the regional market and specific sources may vary from day to day.

Water service throughout Lakewood is primarily provided by the Lakewood Water District. The Lakewood Water District has served the Lakewood Community since 1943. There is no significant land area into which the District could expand of its service. Sewer service in the City is provided primarily through the Pierce County sewer utility.

Lakewood has limited stormwater collection infrastructure. The soils in Lakewood are very porous and stormwater is expected to be infiltrated into the ground on-site for most land development projects. Limited municipal stormwater systems are provided where infiltration is difficult because of soil conditions, or where soils have been contaminated and it is not desirable to infiltrate stormwater because of the potential to spread the contamination. There are also larger regional stormwater systems that convey water from other jurisdictions (i.e. City of Tacoma) to existing detention/infiltration facilities in Lakewood.

Transportation- VISION 2040 and Transportation 2040

As of this writing (May, 2015), the City is in the process of updating its entire comprehensive plan transportation chapter. Adoption of the revised chapter is to occur in the fall of 2015. Amendments to this checklist are anticipated to take place after this date.

The road system for the City of Lakewood is essentially built out. There are no areas available for development or redevelopment that would require any significant expansion of the roadway system. The City is strategically placed to take advantage of regional commuting resources including the Sounder commuter train and bus systems operated by Pierce Transit and Sound Transit. Several “park-and-ride” facilities are located within the city.

Transportation funding sources for the City include motor vehicle fuel tax, real estate excise tax, transfers in from the Surface Water Management Fund (for the portions of projects related to surface water), grants, private utilities, private developers, vehicle license fees, a Property Tax Excess Bond Levy, Community Development Block Grant (CDBG) funds and the City’s general fund.

Maintenance, Management and Safety

- ✓ Develop clean transportation programs and facilities, including actions to reduce pollution and greenhouse gas emissions from transportation (*MPP-T-5 through 7*)
- ✓ Incorporate environmental factors into transportation decision-making, including attention to human health and safety (*MPP-DP-44; MPP-T-7*)
- ✓ Identify stable and predictable funding sources for maintaining and preserving existing transportation facilities and services (*MPP-G-4, 5; MPP-T-33*)
- ✓ Include transportation system management and demand management programs and strategies (*MPP-T-2, 3, 11, 23, 24*)
- ✓ Identify transportation programs and strategies for security and emergency responses (*MPP-T-8*)

The City of Lakewood is improving its transportation management capabilities through the implementation of active traffic management technology. Cameras have been installed at many key intersections and City personnel are able to manipulate traffic signal cycles based on real-time congestion conditions.

The City has also taken an active role with regard to the Interstate 5 corridor adjacent to Joint Base Lewis McChord (JBLM) and through Lakewood. Corridor issues include congestion and capacity, access to JBLM, and safety issues prompted by the proposed Point Defiance Bypass railroad project, which includes routing high speed passenger rail alongside Interstate 5. The train project has potential impacts on the existing I-5 interchanges.

Supporting the Growth Strategy

- ✓ Focus system improvements to support existing and planned development as allocated by the *Regional Growth Strategy* (*MPP-T-9 through 22*)

- ✓ Prioritize investments in centers (*MPP-T-12; MPP-DP-7, 10, 13; MPP-H-6*)
- ✓ Invest in and promote joint- and mixed-use development (*MPP-T-10*)
- ✓ Include complete street provisions and improve local street patterns for walking and biking (*MPP-T-14 through 16*)
- ✓ Design transportation facilities to fit the community in which they are located (“context-sensitive design”); use urban design principles when developing and operating transportation facilities in cities and urban areas (*MPP-T-20, 21*)

Lakewood’s Comprehensive Plan supports the regional growth strategy by taking advantage of the City’s location on the Sounder commuter rail network. The southerly terminus of the Sounder route is the Lakewood Station. The station provides a parking garage for 600 vehicles, and is also served by several bus routes. The area surrounding the Lakewood Station is designated as the Lakewood Station District. The District includes both Transit Oriented Commercial and High Density Multi-family Residential zoning districts. Both zoning districts allow multi-family residential development at up to 54 dwelling units per acre.

The City promotes a downtown farmer’s market. The City is releasing a complete streets request for proposal for Motor Avenue which is located near the Colonial Center. The City is embarking on the promulgation of a subarea plan for the Central Business District. Work on the plan is to begin in 2016. Part of the plan will include a capital facilities plan which will assist policy makers in prioritizing major infrastructure projects where people and goods are a central focus. Of late, the City has proposed new, linear walkways throughout the Towne Center designed to promote new mixed used development.

Greater Options and Mobility

- ✓ Invest in alternatives to driving alone (*MPP-T-23, 24*)
- ✓ Ensure mobility of people with special needs (*MPP-T-25*)
- ✓ Avoid new or expanded facilities in rural areas (*MPP-T-28; MPP-DP-27*)
- ✓ Include transportation financing methods that sustain maintenance, preservation, and operations of facilities. (*MPP-T-33*)

The City of Lakewood is served by the Pierce County Public Transportation Benefit Area Corporation (“Pierce Transit”). Pierce Transit provides at least 10 bus routes through the City. The primary transit hub in Lakewood is the Lakewood Transit Center located in the Lakewood Towne Center. Lakewood is also served by the I-5/512 commuter park-and-ride facility, and the Lakewood Sounder Station (“Lakewood Station”) facilities operated by Sound Transit. By contract with Sound Transit, the City of Lakewood is responsible for the maintenance of the Lakewood Station facility. The 1-5/512 Park and Ride facility provides 493 parking spaces and Lakewood Station provides approximately 600 parking spaces. Shuttle paratransit programs are provided by Pierce Transit for persons with disabilities who are unable to avail themselves of regular transit service.

The City’s primary industrial facility, the Lakewood Industrial Park, and Joint Base Lewis McChord are both served by rail which reduces roadway transportation requirements for freight.

The City possesses no rural areas in which to expand. Development within Lakewood is through redevelopment.

Linking Land Use and Transportation

- ✓ Integrate the ten *Transportation 2040* physical design guidelines in planning for centers and high-capacity transit station areas (*MPP-T-21; Transportation 2040 Physical Design Guidelines*)
- ✓ Use land use development tools and practices that support alternatives to driving alone – including walking, biking and transit use (*MPP-T-33*)

The Lakewood Comprehensive Plan provides for concentrated residential densities in areas proximate to the Lakewood Transit Center and the Lakewood Sounder Station. Both areas support residential development at densities up to 54 dwelling units per acre. Access to the Lakewood Sounder Station has been further promoted by the construction of a pedestrian bridge over the railroad tracks to connect the Station to the residential neighborhoods to the north and west. The City is also pursuing non-motorized linkages between the Sounder Station and St. Clare hospital to the west.

Investments

The City has in place an adopted Six-Year Transportation Capital Improvement Plan. The Plan lists current and planned public improvement needs that are considered the most important within the six-year planning horizon. Projects are funded through a variety of sources including motor fuel tax, real estate excise tax, transfers in from Surface Water Management Fund for portions related to surface water, grants - secured/anticipated, private utilities, private developers, general government, CDBG and a \$20 vehicle license fee. The improvements include pavement preservation, new streets and sidewalks, new LED street lights, signal programs, and neighborhood traffic safety programs. Most of the improvements focus on major transportation corridors throughout the City. The enclosed map shows the locations of proposed projects. The total investment over the six-year period is \$75,315,000. The following table provides a summary of the total investments by year.

Table 1						
Summary of Six-Year Transportation Capital Improvement Plan						
	2015	2016	2017	2018	2019	2020
All transportation projects	\$14,872,500	\$14,941,500	\$9,506,000	\$12,961,000	\$11,642,000	\$11,392,000

Transportation- Growth Management Act Requirements

Land Use Assumptions and Forecast of Travel Demand

- ✓ Demonstrate that travel demand forecasts and transportation need assessments are always based on land use assumptions² that correspond with the most recently adopted growth targets; ensure that population and employment assumptions are consistent throughout the comprehensive plan (i.e., land use element, transportation element, and housing element) *RCW 36.70A.070(6)(a)(i)*

The City's transportation Element is being updated in 2015. The update will utilize the land use assumptions from the City's 2014 update of the Land Use element, and the 2030 population and employment targets adopted by Pierce County.

Service and Facility Needs- LOS Standards and Concurrency

- ✓ Include inventories for each transportation system, including roadways, transit, cycling, walking, freight, airports, and ferries *RCW 36.70A.070(6)(a)(iii)(A)*
- ✓ Establish level-of-service standards that promote optimal movement of people across multiple transportation modes *RCW 36.70A.070(6)(a)(iii)(B); MPP-DP-54*
- ✓ Include state facilities and reflect related level-of-service standards
- ✓ *RCW 36.70A.070(6)(a)(iii)(C)*
- ✓ Address multiple transportation modes in concurrency programs (*RCW 36.70A.070(b) and 36.70A.108; MPP-DP-54 through 56*)
- ✓ Tailor concurrency programs, especially for centers, to encourage development that can be supported by transit (*MPP-DP-56*)

The 2015 Transportation Element Update includes an evaluation of existing conditions pertaining to critical transportation systems. The update will provide special focus on corridors and intersections identified as having specific congestion issues. The City's transportation consultant will prepare a traffic model to identify levels of service at identified locations. The analysis will note existing levels of service and identify any existing or anticipated LOS deficiencies.

Financing and Investments

- ✓ Include a multiyear financing plan, as well as an analysis of funding capability *RCW 36.70A.070(6)(a)(iv)(A) and (B)*
- ✓ Include a reassessment strategy to address the event of a funding shortfall *RCW 36.70A.070(6)(a)(iv)(C)*

The City maintains a "rolling" six-year transportation capital improvement plan and a two-year biennial operating budget. Project costs and allocation of future resources beyond the current 2015/2016 biennium are proposed as an integral part of the plan and will be reviewed and updated during each subsequent biennium. Each year through the adoption of the capital improvement plan,

² **The Transportation Element Must Be Based on the Land Use Assumptions in the Comprehensive Plan** - A problem sometimes encountered in the certification of transportation-related provisions in local comprehensive plans is the use of different planning assumptions in the transportation element from the land use element. Comprehensive plans are to be internally consistent, which means that the same land use assumptions must be used for planning for housing, transportation, and other provisions in the plan.

revenues are assessed. If funding shortfalls exist, then the City adjusts the level of improvements to coincide with financial resources.

On August 6, 2012, the Lakewood City Council adopted Ordinance No. 550, creating a transportation benefit district (TBD) in the City of Lakewood, referred to as the Lakewood TBD. The TBD is a quasi-municipal corporation and independent taxing district created for the sole purpose of acquiring, constructing, improving, providing and funding transportation improvement within the city limits of Lakewood. The Lakewood TBD accounts for the \$20 annual vehicle licensing fee (VLF) revenues used to fund specific transportation projects. Proceeds from the VLF are transferred to Fund 102 Street Capital Projects.

The City's adopted financial policies further address capital financing and investments. Decision making for capital improvements is coordinated with the operating budget to make effective use of the City's limited resources for operating and maintaining facilities. Revenues are estimated conservatively so as not to introduce regular shortfalls in individual revenue accounts. Capital proposals include comprehensive resource and expenditure plans. Changes in the comprehensive resource plan project estimates are fully reported to the City Council for review and approval. Project proposals include the project's impact on the operating budget. Capital projects that are not completed within the fiscal year are carried over to subsequent year(s) and approved by the City Council. Capital projects will not be budgeted unless there are reasonable expectations that revenues will be available to pay for them. If a proposed project will cause a direct negative impact on other publicly owned facilities, improvements to the other facilities will be required as part of the new project and become a part of the new project's comprehensive costs.

The City Council annually reviews and establishes criteria against which capital proposals should be measured. Included among the factors which will be considered for priority-ranking are the following:

- Projects which have a positive impact on the operating budget (reduced expenditures, increased revenues);
- Projects which are programmed in the 6-Year Operating Budget Forecast;
- Projects which can be completed or significantly advanced during the 6-Year Capital Improvement Plan;
- Projects which can be realistically accomplished during the year they are scheduled;
- Projects which implement previous City Council-adopted reports and strategies.

Intergovernmental Coordination

- ✓ *Coordinate with neighboring cities, the county, regional agencies, and the state RCW 36.70A.070(6)(a)(v); MPP-G-1; MPP-T-9*

The City coordinates with neighboring cities, the County, Joint Base Lewis-McChord and the State on a variety of transportation issues including congestion on I-5, construction of the Point Defiance Rail Bypass, access to Camp Murray, and access to JBLM.

The City is a member of the South Sound Military & Communities Partnership (SSMCP). Its purposes is to foster effective communication, understanding, and mutual benefit by serving as the most effective point of coordination for resolution of those issues which transcend the specific interests of the military and civilian communities of the South Sound region. SSMCP membership includes cities and towns in Pierce and Thurston counties, school districts, economic development boards, health systems, ports, colleges and universities, chambers of commerce, workforce development organizations, social services organizations, veterans' services and the Nisqually tribe. SSMCP also works hand-in-hand with the Washington Military Alliance.

The City coordinates with Pierce County Community Connections on a wide variety of social services programs. The City is an active member of the Tacoma-Pierce County Coalition to End Homelessness. The City is an active participant in the oversight and distribution of Section 2060 and 2163 funds. These programs provide funds for low income housing development and support homelessness programs throughout the region.

Lakewood is a member of RAMP. RAMP is a regional coalition including business, labor, public and private organizations and citizens dedicated to improved mobility in the South Sound and Washington State.

Lakewood is a member of the Pierce County Growth Coordination Committee (GMCC) and the Pierce County Regional Council (PCRC). The GMCC is the technical body which supports the PCRC. Both groups ensure that the Growth Management Act requirements are coordinated within the County and the region.

Demand Management

- ✓ *Identify demand management strategies and actions, including but not limited to programs to implement the Commute Trip Reduction Act. RCW 36.70A.070(6)(a)(vi); MPP-T-3; MPP-T-23; MPP-T-24*

The City has made investments and developed policies that are intended to foster use of the Sounder Commuter rail system and other transit options along the I-5 corridor. The City encourages transit oriented development in the Lakewood Station area through zoning that allows for high density residential development, application of multi-family residential tax incentives, and construction of sidewalks, a pedestrian bridge, and other infrastructure to facilitate access to Lakewood Station. Infrastructure improvements extend across I-5 into the Springbrook neighborhood. The City also encourages the use of public transit options through high density zoning and multi-family tax incentives around the Lakewood Towne Center.

Policies to implement the Commute Trip Reduction Act are contained in the Comprehensive Plan and Section 12A.13 of the Lakewood Municipal Code. The City of Lakewood provides commute trip reduction actions through a technical work group comprising Pierce County jurisdictions and Pierce Transit called "Pierce Trips". This group is active and is working to continually update and improve its level of employer and commuter support services. CTR services provided by Pierce trips include

employer commute reduction program development, ride matching services, Emergency Ride Home program, ORCA program administration and vanpool programs.

Pedestrian and Bicycle Component

- ✓ *Include strategies, programs, and projects that address nonmotorized travel as a safe and efficient transportation option – including pedestrian and bicycle planning, project funding and capital investments, education and safety.*

RCW 36.70A.070(6)(a)(vii); MPP-T-14 through 16

The City of Lakewood adopted a Non-Motorized Transportation Plan (NMTP) in 2008. The plan includes an inventory of the existing pedestrian and bicycle system which was then integrated into the City's geographic information system (GIS). The NMTP also includes a planning process intended to address the guidelines and regulatory requirements of the Americans with Disabilities Act (ADA), and to provide a methodology for prioritizing non-motorized transportation projects. The NMTP also includes policy and design guidelines for non-motorized transportation systems, and plans for a way-finding program.

Land Uses Adjacent to Airports

- ✓ *Identify and address any airports within or adjacent to the jurisdiction*
RCW 36.70.547 and 36.70A.070(6)(a)(iii)(A); MPP-T-31
- ✓ *Describe existing and planned uses near the airport, as well as policies and regulations that discourage incompatible uses*
RCW 36.70.547; MPP-DP-51

The City of Lakewood is adjacent to JBLM and the McChord Field runway. Properties to the north of McChord Field are within the identified Accident Potential Zones (APZs) and impacted areas for aircraft noise. These constraints are noted in the City's comprehensive plan and zoning ordinance. The City is currently working with JBLM and other neighboring jurisdictions on an update of the Joint Land Use Study (JLUS) for the facility. The City's current zoning within the Accident Potential Zones places limitations on types of uses and the intensity of uses (as expressed in terms of persons per acre), implements performance standards to discourage activities that are detrimental to aircraft operations, and requires noise attenuation for new structures based on the structure's location. Upon conclusion of update of the Joint Land Use Study (currently underway), appropriate adjustments will be made to the City's comprehensive plan and development regulations.

PART II: Questions

The Environment

(MPP-En-1 through 25; MPP-DP-29 through 32, 43 through 47; MPP-PS-1, 3, 7, 8, 12, 13, 19, 20, 24)

Explain how the plan addresses the environment and sustainable development. At a minimum please discuss the following:

- ✓ *Using system approaches to planning for and restoring the environment*
- ✓ *Air quality and climate change (including clean transportation and reduced greenhouse gas emissions)*
- ✓ *Water quality*
- ✓ *Wise use of services and resources (including conserving water and energy, reducing waste, protecting resource lands)*
- ✓ *Human health and well-being*

The City of Lakewood Comprehensive Plan and development regulations were developed from the outset with environmental protection considerations in mind. The most valuable of the City's environmental systems resources, open space and natural habitat areas of the City are protected through public ownership and/or open space designation and zoning. The City's critical areas and shoreline regulations are also used to regulate land use in and around sensitive areas. Development standards and capital improvement projects are implemented to protect the environment against the more direct impacts of land development. Planning decisions regarding the distribution of land uses relative to transportation networks are intended to reduce transportation impacts and greenhouse gas emissions.

Population and Employment Growth

(MPP-G-4, 5; MPP-DP-1 through 28, 33 through 42, 48 through 56; MPP-H-1 through 9, MPP-Ec-1 through 22; MPP-PS-2, 4, 5, 21 through 24)

Explain how the plan guides residential and job growth. At a minimum, please discuss the following:

- ✓ *Planning targets (housing and employment) that align with VISION*
- ✓ *Planning for and achieving housing production (to meet the needs of all income levels and demographic groups)*
- ✓ *Adequate infrastructure and financing to serve existing communities and future development (including amenities)*
- ✓ *Promoting centers and compact urban development (including density, redevelopment and infill, design)*
- ✓ *Planning for unincorporated urban growth areas (joint planning) and annexation*
- ✓ **for counties:** *Rural development and rural character*
- ✓ *Economic development*

As noted above, Lakewood is designated as a *regional growth center*. The comprehensive plan focuses housing and employment growth into the City's Central Business District and the Lakewood Station District. The City also has eight designated "Centers of Local Importance" which reflect second

tier targets for growth. The City’s “toolbox for growth” includes the multi-family tax exemption incentive programs, various housing assistance programs, and a flexible zoning code allowing for mixed use development.

Transportation Provisions

(MPP-G-4, 5; MPP-EN-7, 19, 23; MPP-DP-7, 10, 13, 17, 27, 40, 42, 43, 54 through 56; MPP-H-6, MPP-Ec-6; MPP-T-1 through 33; RCW 36.70A.070(6))

Explain how the plan addresses the following provisions from VISION 2040 and Transportation 2040 – the region’s long-range transportation plan:

- ✓ *Clean transportation*
- ✓ *Maintenance and safety*
- ✓ *Demand management*
- ✓ *Serving centers and compact communities*
- ✓ *Transportation facilities that fit the community in which they are located (“Context-sensitive design”)*
- ✓ *Greater options and mobility*

The City’s Transportation Element is being updated as part of the 2015 update cycle. As noted above, the City is focusing on taking advantage of existing transit systems by focusing population and employment growth into the Central Business District and Lakewood Station areas. The City is also working to fill gaps in pedestrian and bicycle routes through targeted improvements selected according to the prioritization methodology established in the City’s Non-Motorized Transportation Plan.

Future transportation projects intended to provide increased options for Lakewood citizens include new trolley or shuttle service from isolated areas of the City (Springbrook, Woodbrook, and Tillicum) to the City’s Central Business District. (This program was recently identified as part of the City’s Visioning process and has not yet been developed or implemented.)

Consistency Assessment of Capital Facilities Programming Processes

(PS-Action-8)

- ✓ *Describe how capital improvement programs and other service and facility plans are consistent with and implement VISION 2040 and the growth management objectives in the comprehensive plan.*

Regional and state-wide public facilities located in Lakewood include Western State Hospital, Pierce College and Clover Park Technical College, St. Clare Hospital, Pierce Transit headquarters, DSNS Work-Source offices, and the South Tacoma Game Farm. Transportation facilities include the Lakewood Sounder Station, Sounder Layover facility, and rail line owned by Sound Transit, as well as Interstate 5 and the WSDOT maintenance facility of Pacific Highway SW.

The City evaluates the siting of public facilities through zoning permits. A wide variety of public uses are allowed in the Public-Institutional zoning district with the issuance of a discretionary land-use permit (administrative use permit or conditional use permit). Most of the existing institutional uses in Lakewood operate pursuant to an approved discretionary land use permit. "Master Plans" are required for facilities exceeding 20 acres. Other public uses may be sited in other zoning districts depending on the nature of the use and the district. New structures and significant programmatic changes are usually authorized through an amendment or update of an existing land-use permit or master plan.

VISION 2040 Actions

Describe work underway or proposed to address the following VISION 2040 implementation actions:

- ✓ *Expanded efforts to conduct environmental planning (En-Action-11)*
- ✓ *Identification of underutilized lands (DP-Action-16)*
- ✓ *Collaboration with special districts on facilities siting and design (PS-Action-6)*
- ✓ *Collaboration with special districts on facilities location (PS-Action-7 and 8)*

Several actions are currently under consideration or in development which are intended to further land use planning goals expressed in the city's comprehensive plan and related programs. These include:

- Closure of Oakwood Elementary School. This school is located in the Accident Potential Zone and Noise Impact Area for McChord Airfield. The school is proposed to be closed in 2015 and its students distributed to other schools in the vicinity.
- Closure of Woodbrook Junior High School. This school is proposed to be closed to help facilitate conversion of the Woodbrook area to industrial uses. The student population of this school is intended to be redistributed to schools both on-base at JBLM and off-base in Lakewood.
- The City is currently in the process of making adjustments to the comprehensive plan Future Land Use map and zoning district maps to re-designate/re-zone select properties in the Residential Estate areas to accommodate increased density. This reassessment is focusing on lands fronting on arterial streets or with other characteristics that may warrant increased densities.
- The City is currently in the process of developing a "cottage housing" ordinance that would provide for increased densities in single-family zoning districts in exchange for development of cottage housing units meeting specific design requirements and providing for specific types and amounts of open space.
- The City is planning to develop a specific planning document, a "Planned Action" or other framework, to encourage further development of the Lakewood Towne Center. This is likely to take the form of a subarea plan for the City's Regional Growth Center.
- The City has recently taken steps to accommodate a new large multi-family development in the Springbrook neighborhood. The project site was a decrepit mobile-home park that has

been vacated over the last few years. A multi-family tax exemption has tentatively been approved for the property. The project may include over 200 dwelling units.

- The City and the Clover Park School District will initiate a capital facilities planning process this late summer and early fall. This proposal will review aging school and facility infrastructure, and consolidation and closure issues.
- Through the SSMCP and the JLUS planning process which is currently underway, the City is pursuing the acquisition of privately held Clear Zone properties located at the northerly end of McChord Field.
- Within the past year, the City embarked on a community visioning process. Sustainable and responsible practices have become a topic of interest. The city council is currently considering a number of actions items including a community sustainability plan, a green building intuitive, a waste diversion plan for large institutional uses (school facilities, colleges, an existing hospital, and a psychiatric hospital), and reducing municipal electrical costs by installing LED traffic signals & street lights throughout the community.

Monitoring

(MPP-G-3) Describe monitoring programs for

- 1) *plan implementation and performance*
- 2) *tracking where residential and employment growth is occurring*
- 3) *achieving housing production*
- 4) *assessing the health and function of natural environmental systems – including protection and restoration*
- 5) *reducing pollution and greenhouse gas emissions*

The City's comprehensive plan includes an implementation chapter. Section 10.3.5 lists specific implementation strategies for land use, urban & community character, economic development, transportation, and capital facilities planning. Additionally, the community & economic development department provides an annual work plan to the city council which outlines emerging land use issues, and where appropriate, makes recommendations for amendments to policy documents. Specific performance measurements are adopted as part of the City's biennium budget process.

The City monitors existing economic conditions and trends and produces reports to this effect. Case in point is the semi-annual Lakewood Index which provides statistical information on school enrollment, new businesses, and unemployment rates at the local and regional level, real estate data, and retail sales tax collections. Residential growth is tracked through the issuance of building permits. Employment growth is also tracked through building permits, in addition to business licensing. The City maintains a list of top employers. The City performs business retention/expansion interviews. Over 100 interviews are conducted annually. The City is a member of the Tacoma Pierce County Economic Development Board (EDB). The EDB assists with site selection and relocation of major businesses to Pierce County. EDB board members include Lakewood elected officials and the city manager.

Each year, the community & economic development department produces an annual housing report. The report provides information on new housing starts, in addition to data on the type of housing, and level of affordability. The City's comprehensive plan has specific policies encouraging housing of all types (See Section 3.2.10). In 2014 and 2015, the City expanded its multifamily tax exemption program to Springbrook and the Lakewood station district to encourage redevelopment and expand housing production.

The City requires tree removal permits as a means of monitoring the City's forested lands. Natural open and forested lands account for 31 percent of Lakewood's land cover.

Development projects are required to set aside the City's remaining open space areas or provide mitigation. For one project, over 30 percent of the land was set aside as private open space to protect Oregon white oaks, and, further, to preserve portions of the Flett Creek Wetlands Complex from further development.

The City has used its land use regulations to set aside private lands for open space. The City has acquired private lands classified as wetlands. The City has expanded its park areas.

The City maintains contracts for services for a tree arborist and with Pierce College. The tree arborist monitors the health of City street trees. Pierce College works with the City to develop systems which would increase the population of Oregon white oaks. This program is funded using the City's tree mitigation fund.

The City has pursued Department of Ecology grants to study the health of local lakes. The Public Works Surface Water Management Division (SWM) promotes the preservation of natural drainage systems, protection of fishery resources, and wildlife habitat. Most recently, the SWM partnered with the Nisqually Tribe to construct a fish ladder on Clover Creek.

Lakewood is pursuing the reduction of greenhouse gas emissions primarily through its transportation policies by: reducing the consumption of energy through an efficient and convenient transportation system; keeping travel times for people and goods as low as possible; and emphasizing the movement of people and goods, rather than vehicles, in order to obtain the most efficient use of transportation facilities.

Currently under review by the City Council is a community visioning plan. Five community values have been identified, one of which is labeled, Sustainable & Responsible Practices. Multiple actions have been proposed including developing a community sustainability plan, promoting municipal energy conservation and alternative forms of transportation, protecting Puget Sound water quality, and introducing new recycling programs.

Other Topics

Explain any other provisions in the comprehensive plan of regional interest or significance, as well as any unique topics or issues.



TO: Mayor and City Councilmembers

FROM: Dan Catron, AICP
Long Range Planning Manager

THROUGH: M. David Bugher, Assistant City Manager/ Community Development
Director, and John Caulfield, City Manager

DATE: August 24, 2015

**SUBJECT: CITY INITIATED AMENDMENT TO LAKEWOOD MUNICIPAL CODE
TITLE 18A REGARDING COTTAGE HOUSING**

In an effort to offer more housing choices for residents and development options for property owners, the Community Development Department has been directed to develop a cottage housing ordinance for the city. Generally speaking, cottage housing is defined as a multi-unit housing development consisting of small detached units (generally 800-1,200 sq. ft.) arranged around a commonly owned open space area with congregate parking. A special cottage housing ordinance is proposed that would allow cottage housing developments to exceed the base density otherwise allowed in the underlying zoning district, subject to special design and development standards and the approval of a conditional use permit. The proposed regulations are intended to apply in the City's single-family residential zones- *R1* through *R4*.

Allowing an increased number of dwelling units and density would be mitigated through the requirement of smaller dwelling units and a higher level of design control. Lot coverage limitations would be the same for cottage housing and traditional development. In developing a cottage housing ordinance, the Planning Commission sought to balance development incentives to promote cottage housing against protection of existing neighborhood character by asking what design and development requirements are appropriate to justify the granting of a density bonus relative to traditional development?

DESCRIPTION OF PROPOSED AMENDMENTS:

The proposed amendments would create a new section in LMC Chapter 18A.70, *Use Specific Standards*, providing for a new specific residential use type. Cottage Housing would be allowed

in all single family residential zoning districts (*R1* through *R4*) subject to approval of a conditional use permit (CUP) by the City’s hearing examiner. Approval of a CUP for cottage housing would require compliance with the specific provisions of the new chapter.

The proposed regulations include density bonuses for cottage housing- 3 times the base density in the R1 and R2 zones, and 2 times the base density in the R3 and R4 zones- resulting in the following densities for cottage units:

Zone	Cottage density	Trad. density
R1	4.35 cottages/acre	1.45 du/acre
R2	6.6 cottages/ acre	2.2 du/acre
R3	9.6 cottages/acre	4.8 du/acre
R4	12.8 cottages/acre	6.4 du/acre

The density bonuses are considered necessary as an incentive for the development of cottage housing projects in light of the additional scrutiny and special standards that are required for cottage housing as compared to traditional single-family residential development.

Cottage housing is differentiated from traditional single-family housing by limitations on the size of the units, specific requirements regarding roof pitch and covered porches, limitations on attached garages, and requirements for common open space areas.

The draft ordinance would limit the maximum number of cottage units per development to 12. This would equate to full development on a one acre R4 site, or full development of a 2.75 acre R1 site.

ANALYSIS:

ZONING ORDINANCE AMENDMENT REQUIREMENTS:

Lakewood Municipal Code Section 18A.02.415 provides that amendments to the zoning code shall only be made if the City Council determines that the change is consistent with the standards and criteria listed below. The standards and criteria are listed in *italics*, and staff comments are provided below each standard for each proposed amendment.

- 1) *The request must be compatible with the Comprehensive Plan.*

The Lakewood Comprehensive Plan seeks to establish and maintain Lakewood as a “vibrant, sustainable, family-oriented community”. The Plan seeks to accommodate growth while preserving the character of established neighborhoods and protecting them from intrusion of incompatible uses by using “innovative land development concepts and techniques” such as cottage housing. The following policies of the Land-Use Chapter support cottage housing explicitly:

Objective: Provide a variety of housing types and revised regulatory measures which increase housing affordability.

LU-2.38 Support projects including subdivisions and site plans incorporating innovative lot and housing types, clustered detached houses, clustered semi-attached houses and a variety of lots and housing types within a site.

LU-2.39 Support projects that incorporate quality features, such as additional window details, consistent architectural features on all facades, above average roofing and siding, entry porches, or trellises where innovative site or subdivision designs are permitted.

LU-2.40 Encourage the construction of cottages on small lots through incentives such as density bonuses.

LU-2.41 Support standards that allow cottage housing developments with the following features in residential zones, provided the cottages are limited by size or bulk;

- Allow increased density over the zoned density;
- Allow reduced minimum lot size, lot dimensions, and setbacks;
- Allow both clustered and non-clustered cottages;
- Allowing clustered parking; and
- Base the required number of parking spaces on unit size, or number of bedrooms.

LU-4.19 Use design standards to encourage housing types that protect privacy, provide landscaping or other buffering features between structures of different scale, and/or promote investments that increase property values where housing that is more dense is allowed in existing single-family neighborhoods.

Staff concludes that adoption of the proposed cottage housing regulations is consistent with explicit comprehensive plan policies.

2) *The proposed amendment and subsequent development of the site would be compatible with development in the vicinity.*

3) *The proposed amendment will not unduly burden the transportation system in the vicinity of the property with significant adverse impacts which cannot be mitigated.*

4) *The proposed amendment will not unduly burden the public services and facilities serving the property with significant adverse impacts which cannot be mitigated.*

The proposed amendments do not propose the rezoning of any specific properties or sites. Compatibility with surrounding development and questions of impacts will be addressed in the context of specific cottage housing proposals. Criteria 2, 3, and 4 are not applicable to the proposed amendments.

5) *The proposed amendment will not adversely affect the public health, safety and general welfare of the citizens of the City.*

The proposed cottage housing regulations provide property owners with additional options and flexibility with regard to redevelopment and in-fill of single-family residential properties. The proposed regulations require that cottage housing projects undergo review as a conditional use permit, giving the hearing examiner broad authority to require project designs and design elements that protect and promote the public health, safety and general welfare of the community.

6) *The entire range of permitted uses in the requested zoning classification is more appropriate than the entire range of permitted uses in the existing zoning classification, regardless of any representations made by the petitioner as to the intended use of subject property.*

7) *Circumstances have changed substantially since the establishment of the current zoning map or zoning district to warrant the proposed amendment.*

8) *The negative impacts of the proposed change on the surrounding neighborhood and area are largely outweighed by the advantages to the city and community in general, other than those to the individual petitioner.*

The proposed amendments do not propose the rezoning of any specific properties or sites. Criteria 6, 7, and 8 are not applicable to the proposed amendments.

PUBLIC NOTICE:

Public notice of the June 17th public hearing before the Planning Commission was posted at City Hall and published in the Tacoma News Tribune on May 28, 2015. Sixty day notice was provided to the Washington Department of Commerce pursuant to RCW 36.70A.106 on May 15, 2015.

Staff made a presentation regarding the proposed amendments to the Pierce County Master Builders Association (MBA) on July 14, 2015. The MBA appreciated the effort to create new development options, but did not believe that cottage housing was going to be in very high demand in the current real estate market. Staff has also contacted several other local jurisdictions (University Place, Puyallup, Lacey, and Shoreline) that have (or had) cottage housing provisions as part of their zoning code. Only Lacey has an active cottage housing project- a Habitat for

Humanity project with 31 cottage lots, on which 6 cottage units have been constructed to date. Staff at these jurisdictions have speculated that the recent recession has suppressed demand for this specialized type of housing.

EXHIBITS:

1. Planning Commission Resolution 2015-01
2. Planning Commission Minutes from March 4, April 15, May 20, June 17, and July 15 2015.
3. Determination of Non-Significance dated June 4, 2015
4. SEPA Checklist
5. E-mail from Marilyn Henderson dated June 13, 2015
6. Letter from WA Dept. of Ecology dated June 18, 2015
7. SEPA Notice
8. Notice of Public Hearing

**CITY OF LAKEWOOD
PLANNING COMMISSION
RESOLUTION NO. 2015-01**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKEWOOD
RECOMMENDING APPROVAL OF AN AMENDMENTS TO THE LAND USE AND
DEVELOPMENT CODE- CHAPTER 18A OF THE LAKEWOOD MUNICIPAL CODE
REGARDING COTTAGE HOUSING

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

WHEREAS, pursuant to the Washington State Growth Management Act of 1995, the City of Lakewood adopted a Comprehensive Plan in July, 2000, and a Land Use and Development Code (Chapter 18A of the Lakewood Municipal Code) on August 20, 2001; and,

WHEREAS, since the time of adoption of the Land Use and Development Code the City has received input on the Code from citizens and project proponents, and has identified areas where adjustments to the Code would be appropriate; and,

WHEREAS, the Community Development Director has received suggestions to provide for increased density and housing options within the City's single family residential zoning districts; and

WHEREAS, the Planning Commission held a duly-noticed public hearing(s) on June 17, 2015, to receive and consider public testimony on said proposed code changes; and,

WHEREAS, the Planning Commission has found that the proposed changes to the Land Use and Development Code are consistent with the adopted Lakewood Comprehensive Plan and will not adversely affect the public health , safety and general welfare of the citizens of the city; and,

WHEREAS, the Planning Commission has found affirmatively that the proposed amendments satisfy the applicable findings of LMC 18A.02.415;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission for the City of Lakewood does hereby recommend to the Lakewood City Council that the following amendments to Chapter 18A of the Lakewood Municipal Code be adopted:

(Language to be added is underlined, and language to be deleted is ~~struck through~~).

1. The Commission recommends that Section 18A.02.502 be amended so that the Section reads as follows:

18A.02.502 - Process Types – Permits

TABLE 3: APPLICATION PROCESSING PROCEDURES

Permit Process Types. Permit applications for review pursuant to this section shall be classified as a Process I, Process II, Process III, or Process IV action. Process V actions are legislative in nature. Permit applications and decisions are categorized by process type as set forth in Table 3. The differences between the processes are generally associated with the different nature of the decisions and the decision-making body as described below.

	Process I Administrative Action	Process II Administrative Action	Process III Hearing Action	Process IV Hearing Action	Process V Legislative Action
Permits	Zoning certification; Building permit; Design Review; Sign permit; Temporary Sign permit; Accessory Living Quarters; Limited Home Occupation; Temporary Use; Manufactured or Mobile Home permit; Boundary Line Adjustments; Minor modification of Process II and III permits; Final Site Certification; Certificate of Occupancy; ***Sexually Oriented Business extensions	Administrative Uses; Short Plat; SEPA; Home Occupation; Administrative Variance; Binding Site Plans, Minor Plat Amendment, Major modification of Process II permits	Conditional Use; Major Variance; Preliminary Plat; Major Plat Amendment; Major modification of Process III permits: Shoreline Conditional Use; Shoreline Variance; Shoreline Substantial Development Permit; Public Facilities Master Plan; <u>Cottage Housing Development</u> (may be considered together with residential binding site plan)	Zoning Map Amendments; Site-specific Comprehensive Plan map amendments; Specific Comprehensive Plan text amendments; Shoreline Redesignation, **Final Plat**;; **Development Agreement** **No hearing required or recommendation made by Planning Advisory Board**	Generalized or comprehensive ordinance text amendments; Area-wide map amendments; Annexation; Adoption of new planning-related ordinances

Impacts	Minimal or no effect on others, so issuance of permit is not dependent on others	Application of the standards may require some knowledge of impacts and effect upon others	Potential significant effect on some persons or broad impact on a number of persons	Potential significant effect on some persons or broad impact on a number of persons	Potential significant effect on some persons or broad impact on a number of persons
Notice & Comment	Participation of applicant only	Nearby property owners invited to comment on an application	In addition to applicant, others affected invited to present initial information	In addition to applicant, others affected invited to present initial information	Anyone invited to present information
Recommendation	NA	NA	Community Development Department Staff	Planning Advisory Board, except for Final Plat and Development Agreement as noted ** above	Planning Advisory Board
Decision-Making Body	Community Development Director	Community Development Director	Hearing Examiner	City Council	City Council
Appeal	Hearing Examiner Community Development Director's decision on permits noted *** above is appealable to Superior Court.	Hearing Examiner	Superior Court	Superior Court	Superior Court

2. The Board recommends that a new Section 18A.70.700 through 790 be added to read as follows:

18A.70.700 - Cottage Housing

18A.70.710 – Purpose and Intent – Cottage Housing

The purpose of this chapter is to provide for a specific residential development type (“cottage housing”) featuring modestly sized single family detached residences with commonly held community amenities, and oriented around commonly held open-space areas. Specific design standards must be met. An increase in allowable density over the maximum density allowed in the underlying zoning district is provided as an incentive to encourage development of this type of housing, and in recognition of the reduced impacts expected from this type of housing versus typical single-family residential development. This housing type is intended to:

- A. Promote a variety of housing choices to meet the needs of a population diverse in age, income, household composition, and individual needs.
- B. Provide opportunities for more affordable housing choices within single-family neighborhoods.
- C. Encourage creation of functional usable open space in residential communities.
- D. Promote neighborhood interaction and safety through design.
- E. Ensure compatibility with neighboring land uses.
- F. Provide opportunities for infill development that support the growth management goal of more efficient use of urban residential land.

Intent: It is the intent of this section to provide specific standards for an increased density residential development type that is compatible with moderate density single family residential environments. This housing type will be strictly regulated to provide design amenities that make the development more attractive and compatible as infill in existing single family neighborhoods. Specific design features include limited-size detached building forms with a high level of design quality, increased minimum levels of landscaping and open space, and professionally maintained landscaping, common areas and building exteriors.

Approval of a cottage housing development project exceeding the maximum density allowed in the underlying zoning district shall only be granted if the project complies with the specific development and design standards contained in this section. Nothing in this section is intended

prohibit or limit the development of housing projects that otherwise meet the provisions of the underlying zoning district.

18A.70.720 – Applicability – Cottage Housing

Cottage housing is permitted in the R1, R2, R3 and R4 zoning districts. The provisions of individual zoning districts shall be applicable to cottage housing developments; provided, that where a conflict exists, the provisions of this section shall control.

18A.70.730 - General Provisions – Cottage Housing

- A. Cottage housing projects are permitted with the approval of a Cottage Housing Development Plan. Discrete ownerships may only be created through the residential binding site plan and/or condominium declaration process pursuant to RCW 64.34 as applicable. Cottage housing development plans shall be subject to review and approval as a conditional use permit subject to Process III permit procedures. Adherence to all applicable development standards shall be determined by the City’s Hearing Examiner as a component of the review process.
- B. Individual cottage units shall contain at least eight hundred (800) and no more than one thousand two hundred (1,200) square feet of gross floor area. Cottage units may include basements of up to 400 sq. ft., which shall not be included in the gross floor area calculation.
- C. A community building of up to 2,500 square feet in size may be provided for the residents of the cottage housing development. Roof pitch, architectural themes, materials and colors shall be consistent with that of the dwelling units within the cottage housing development.
- D. Accessory dwelling units shall not be permitted in cottage housing developments.

18A.70.740 - Development Standards – Cottage Housing

Cottage housing development shall be subject to the following development standards.

A. Density.

1. In the R1 and R2 zoning districts, cottage housing development shall be allowed a density not to exceed three (3) times the base density allowed in the underlying zone.

2. In R3 and R4 zoning districts, cottage housing developments shall be allowed a density not to exceed two (2) times the base density allowed in the underlying zone.

3. On a site to be used for a cottage housing development, existing detached single-family residential structures, which may be nonconforming with respect to the standards of this section, may be permitted to remain at the discretion of the hearing examiner, but the extent of the nonconformity may not be increased. The number of any such nonconforming dwelling unit(s) shall be multiplied by the factors noted in sections 1 or 2 above, and included in calculating the density of the cottage housing development.

B. Locational criteria.

1. The minimum area for a cottage housing project is 0.75 acre, which may include more than one contiguous lot.

2. Cottage housing development shall be separated from another cottage housing development by a minimum of 400 feet measured between the closest points of the subject properties.

C. Site design.

1. Cottage housing development shall be clustered and shall consist of a minimum of four (4) dwelling units and a maximum of twelve (12) dwelling units.

2. At least seventy-five (75) percent of dwelling units shall abut the common open space.

3. Common open spaces shall have dwelling units abutting at least two (2) sides.

4. Creation of individual lots shall only be permitted through the residential binding site plan process provided in LMC 17.34 and Chapter 64.34. RCW.

5. Siting of dwelling units or common open space in areas with slopes exceeding fifteen (15) percent is discouraged. Dwelling units shall not be placed in such areas if extensive use of retaining walls is necessary to create building pads or open space areas.

6. Fencing and Screening. The intent of internal decorative fencing and screening is to delineate private yards, screen parking areas and structures, community assets and unit walls. A cottage housing development is intended to be an internally open community sharing common areas. The intent of external fencing and screening is to conceal the higher density development from adjacent lower density land uses. Chain link and solid fences shall not be allowed internally. Solid fencing is allowed on the perimeter boundary, except where bordering an external street where streetscape landscaping is required.

D. Setbacks and building separation.

1. Dwelling units shall have at least a fifteen (15) foot front and five (5) foot side and rear yard setback.

2. Dwelling units shall be separated from one another by a minimum of ten (10) feet, not including projections.

3. Dwelling units and accessory buildings shall be separated by at least six (6) feet.

4. Dwelling units not abutting or oriented toward a right of way shall have a front yard oriented towards the common open space. The approval authority may use appropriate discretion, consistent with the intent of this chapter, in determining orientation of yards.

E. Lot coverage.

Lot coverage shall not exceed the maximums specified for each individual zoning district. Lot coverage shall be calculated for the overall cottage housing development, not for individual lots. Paved components of common open space areas and walkways shall not be counted in lot coverage calculations.

18A.70.750 - Open Space – Cottage Housing

1. A minimum of five hundred (500) square feet of common open space shall be provided per dwelling unit.

2. Common open space shall be a minimum of three thousand (3,000) square feet in size, regardless of number of dwelling units.

3. No dimension of a common open space area used to satisfy the minimum square footage requirement shall be less than ten (10) feet, unless part of a pathway or trail.

4. In subdivisions and short subdivisions, common open space shall be located in a separate tract or tracts.

5. Required common open space shall be divided into no more than two (2) separate areas per cluster of dwelling units.

6. Common open space shall be improved for passive or active recreational use. Examples may include but are not limited to courtyards, orchards, landscaped picnic areas or gardens. Common open space shall include amenities such as but not limited to seating, landscaping, trails, gazebos, barbecue facilities, covered shelters or water features.

7. Surface water management facilities may be commonly held, but shall not counted toward meeting the common open space requirement.

8. Parking areas, required setbacks, private open space, and driveways do not qualify as common open space area.

18A.70.760 – Building Design Standards – Cottage Housing

A cottage housing development is expected to reflect a coherent and high quality design concept and include architectural elements that ensure compatibility with existing neighborhood development and character. The following design elements are intended to provide compatibility with existing residential environments. Alternative designs may be submitted to the hearing examiner for review and approval, but the Examiner must find that any such concepts meet or exceed the design quality of the prescriptive standards, and fulfill the stated purpose and intent of this chapter.

A. Roofs.

1. Dwelling units shall have a minimum 6:12 roof pitch. Up to thirty-five (35) percent of roof area may have a slope not less than 4:12. Portions of a roof with a pitch of less than 6:12 shall be limited to architectural features such as dormers, porch roofs and shed roofs.

2. Garages and carports shall have a minimum 6:12 roof pitch.

B. Entries and porches.

1. Each dwelling unit abutting a public right of way (excluding alleys) shall have a primary entry and covered porch a minimum of eighty (80) square feet in size, oriented toward the public right of way. If abutting more than one public right of way, the developer and City shall collaborate to determine which right of way the entrance and covered porch shall be oriented toward.

2. Each dwelling unit shall have an entry and covered porch oriented toward the common open space. If the dwelling unit abuts a public right of way, this may be a secondary entrance, and the minimum porch size shall be fifty (50) square feet. If not abutting a public right of way, this shall be the primary entrance, and the minimum porch size shall be eighty (80) square feet.

3. Covered porches shall be a minimum of six (6) feet deep.

C. Dwelling units shall not include attached garages unless the garage abuts an alley or shared parking lot. The first 200 square feet of attached garage space shall not be counted towards maximum dwelling unit size allowance. Garage area in excess of 200 sq. ft. shall be counted in the floor area of the unit.

D. Detached garages and carports associated with individual dwelling units shall not exceed five hundred (500) square feet in size. No shared garage or carport may exceed one thousand – two hundred (1,200) square feet in size.

E. Hearing Examiner Review. The Hearing Examiner shall consider all aspects of the project, and shall ensure that the project is well designed and compatible with existing and planned development in the vicinity. Possible topics for review by the Examiner include (but are not

necessarily limited to): building materials and finishes, articulation and modulation, massing, trim details, colors, exterior lighting, special building heights, paving materials, mechanical equipment screening, fencing, tree retention and landscaping.

18A.70.770 – Parking – Cottage Housing

A. A minimum of 1.8 parking spaces per cottage shall be provided for the entire development. Fifteen (15) percent of total required spaces shall be designated for guests.

B. All or a portion of new on-street parking provided as a component of the development may be counted towards minimum parking requirements if the approval authority finds that such parking configuration will result in adequate parking, and is compatible with the character and context of the surrounding area.

C. No more than fifty (50) percent of covered parking spaces may be carports.

D. Garage doors shall not be oriented toward a public right of way with the exception of an alley.

E. Garages and carports shall not be located between the common open space and the dwelling units.

F. Parking lots shall be broken into sub-lots of no more than eight (8) parking spaces. Sub-lots shall be separated by landscaped bulb-outs a minimum of 12 (twelve) feet in width.

G. Parking in the form of garages, carports or lots may occupy no more than forty (40) percent of site frontage on a public right of way, except in the case of an alley, in which case no restriction applies. On-street parking is permitted along the entire frontage. Parking in garages shall not be counted towards meeting minimum parking requirements unless an enforceable covenant is established that would require that the garage be used for automobile parking only and not general storage.

H. Parking lots shall be set back at least fifteen (15) feet from front property lines and ten (10) feet from external side and rear property lines.

I. Parking lots of more than two (2) spaces, visible from a public right of way (excluding alleys) or adjacent single-family uses or zones shall be screened by landscaping consistent with LMC 18A.50.430.

18A.70.780 - Common Area Maintenance – Cottage Housing

Cottage housing development shall be required to implement a mechanism, acceptable to the approval authority, to ensure the continued care and maintenance of all common areas including common open space, parking, surface water management facilities (if applicable) and any other common area. Such a mechanism might include creation of a homeowners' or condominium association with authority and funding necessary to maintain the common areas.

18A.70.790 – Modifications – Cottage Housing

Applicants may request modifications to the open space, site design, design standards, setbacks and parking provisions of this chapter. The approval authority may modify the above referenced provisions of this chapter if both of the following apply:

A. The site is constrained due to unusual shape, topography, easements or critical areas; and

B. The modification will not result in a project that is less compatible with neighboring land uses than would have occurred under strict adherence to the provisions of this chapter.

C. The approval authority may permit modifications to the building design standards if it finds the alternative design concept provides a high level of design quality and compatibility with the character of the surrounding neighborhood.

3. The Commission recommends that Section 18A.90.200 be amended to add the following definitions:

18A.90.200 - Definitions

COTTAGE. A Single Family Detached Dwelling containing at least eight hundred (800) and no more than one thousand two hundred (1,200) square feet of gross floor area, constructed as part of a cottage housing development project and subject to the general requirements of LMC section 18A.10.800

COTTAGE HOUSING DEVELOPMENT. An alternative type of development comprised of small, Single Family Detached Dwellings (“cottages”) clustered around common open space, usually with detached garages and parking area.

18A.90.200A - Definitions

SINGLE FAMILY DETACHED DWELLING. A residential dwelling unit that is not attached to another residential dwelling unit by any means and provides living accommodations for a single individual or family. Dwelling units shall be separately located, with a maximum of one (1) dwelling unit per individual lot, except as may be allowed in conjunction with approved Cottage Housing Development.

PASSED AND ADOPTED at a regular meeting of the Planning Commission on July 15, 2015, by the following vote:

AYES: BOARDMEMBERS: Daniels, Pourpasand, Estrada, Guerrero, Wagemann, Webber

NOES: BOARDMEMBERS: None

ABSENT: BOARDMEMBERS: Coleman-Lacadie

DON DANIELS, CHAIR
PLANNING COMMISSION

ATTEST:

KAREN DEVERAUX, SECRETARY

Excerpts from Planning Commission Meeting Minutes Regarding Cottage Housing

From March 4, 2015

Introduction to Cottage Housing

Mr. Dan Catron informed the group that staff has been asked by Council to work on a cottage housing program to provide alternatives within single-family districts throughout the City. During his introduction he provided two workups of development sites explaining that cottage housing is defined as a multi-unit housing development consisting of small detached units (650-1,100 sq. ft.) arranged around a commonly owned open space or garden with a congregate parking area.

In this introduction, Mr. Catron noted he borrowed heavily from surrounding jurisdictions and how they have introduced cottage housing concepts into their neighborhoods.

Mr. Dave Bugher ran through a work plan draft and overview of the steps the commissioners will go through in developing a draft ordinance. The process will include the development of a draft ordinance, environmental review under SEPA, notifications to the State, and likely public hearings in June. It is expected that comprehensive plan amendments will get very intense from August to October before this project is completed.

From April 15, 2015

Cottage Housing Regulations

Mr. Dan Catron led a discussion noting some of the policy issues the Commission may want to consider in the formulation of a cottage housing program.

The specific issues identified for early discussion included:

- Maximum allowable lot coverage
- Maximum number of units allowed in a cottage housing development
- Use and ownership of cottage units
- Inclusion of garages
- Should garages be allowed to count toward parking requirements, and
- Design standards

In order to facilitate the Commission's consideration of a cottage housing program, a draft resolution was provided for review and discussed.

From May 20, 2015

Cottage Housing Draft Ordinance

Mr. Dan Catron noted this is the third review of the draft by the commissioners. In response to previous discussions, staff made further adjustments to the draft ordinance to show the program is consistent with the City's Comprehensive Plan and the Washington State Growth Management Act.

Mr. Dan Catron explained the following substantive changes were made to the draft resolution: Provided broad design review authority (and flexibility) at the discretion of the hearing examiner, while at the same time providing a prescriptive option for certain design elements; Deleted requirements for a minimum amount of private open space; Increased maximum cottage unit size to 1,200 sq. ft.; Clarified that cottage units shall not include basements; and Increased maximum size of shared garages to 1,200 sq. ft.

Staff further recommends the Commission schedule a public hearing on the proposed amendments for the June 17th meeting. Environmental official still has time to review any public comments made before the SEPA comment period ends and findings become final on June 18th. There is no appeal on SEPA determinations for legislative acts. The Planning Commission would make recommendation to City Council at some time after the close of the public hearing. Usually the board will take action at the next meeting if all concerns are resolved.

Mr. Dan Catron provided commissioners with a copy of both the SEPA Checklist and the draft SEPA Determination of Non-Significance.

Mr. Robert Estrada requested clarification on the inclusion of basements. Mr. Dan Catron noted he was looking at comparable codes of similar jurisdictions and stated he added that in consideration of the definition for floor area exempting basements.

Mr. Robert Estrada asked about dates of the SEPA documents. Mr. Dan Catron explained the environmental checklist documents have already been completed. Staff is looking for the environmental official to sign the Determination of Non-Significance on June 4th with a 14-day comment period culminating in a hearing on June 17th. Mr. Dan Catron explained that the commissioner's recommendation to Council is not a final action. 60-day notice to CTED was initiated a few days ago; Council is not allowed to take action during this 60-day period.

Mr. James Guerrero thanked staff for work on revisions. Concerns were voiced over limiting design with requirements of 6/12 or steeper pitch roofs with a small percentage allowed at a lower pitch. Noting that a potential site for cottage housing is near the transit station, Mr. Guerrero also queried the requirement for 1.8 parking spaces per unit and wondered if as a community we want to discourage cars in general and have people move toward mass transit. Mr. Paul Wagemann commented that less parking near a transit station makes sense; however, not enough parking causes other consequences worth discussing.

Mr. Don Daniels commented that builder/developer deals with staff then goes to the Hearing Examiner (HEX). Mr. Dan Catron explained that every cottage housing

development will be required to get approval from hearing examiner. Staff works with developers to resolve as many issues as possible before going in front of HEX. Mr. Bugher added that the code is written that the HEX is to give great weight to the recommendation provided by the Community Development Department in the approval process.

Mr. Dave Bugher explained to commissioners this same discussion can happen after the public hearing to get a better understanding of citizen concerns and relevant issues could then be determined. Mr. Bugher queried if commissioners were comfortable with the proposed dates for the public hearing on the matter so staff could move forward. All agreed to hold public hearing on June 17th.

FROM JUNE 17, 2015

Cottage Housing Regulations – Public Hearing

Mr. Dan Catron explained the notice of public hearing was posted at the City Hall and published in the News Tribune and the cottage housing topic has been discussed by commissioners at three separate meetings. It was noted the discussion would continue after the hearing as well as at subsequent meetings before the commissioners would forward a recommendation to City Council. The issues before commissioners included zoning code amendments to increase density as well as limitations on the allowed size of cottage units. Mr. Catron added that a determination of non-significance had been filed.

As part of the public comments, Mr. Dan Catron also provided the commissioners with a copy of an email from Marilyn Henderson noting her concerns of density increases and smaller lot sizes in the R1 zones near lake areas and traffic impacts on Gravelly Lk Dr SW.

Chairman, Mr. Don Daniels, opened the floor to the public and invited them to comment on the topic.

Mr. Glen Spieth, Lakewood resident, cautioned commissioners about limiting the parking spaces availability of only 1.8 spaces per unit, allowed in cottage housing developments, noting he felt the City was not ready at this time to diminish reliance on automobile use and expect everyone to use transit to commute.

Mr. Charles Ames, Lakewood resident, supported the idea of cottage housing in his comments that he has observed the concept in other cities in the state and feels it's a good idea and can be a neighborhood asset.

Ms. Marie Barth, Lakewood resident and realtor, shared that Lakewood does not currently offer much to those local residents looking to downsize from larger homes in wooded areas and tree lined properties into a comfortable living space such as a cottage housing unit. Ms. Barth cautioned the commissioners to allow a larger unit of

1,500 to 2,000 sq. ft. to retain buyers; she stated 800 – 1,200 sq. ft. is more like an apartment.

Commissioners sought to clarify a few public comments before opening the floor to discussion.

Mr. Dan Catron clarified for the group the draft resolution currently allows the minimum number of parking stalls for cottage housing to be 1.8 per unit, apartment complexes is allowed 1.75 per unit, and a standard single-family residence requires 2 parking spaces dwelling.

Ms. Victoria Stanich, Lakewood resident, arrived late and was invited to address the commissioners. Ms. Stanich voiced concerns of minimum size requirements of each lot and how many units would be squeezed onto a smaller lot. Mr. Dan Catron explained the minimum lot size depended on the zone involved. He noted the draft resolution currently allows a minimum of 4 units and a maximum of 12 units as it relates to the cottage housing regulations.

It was noted Ms. Marie Barth, Realtor, has sold units to Lakewood residents who are now moving into University Place because Lakewood was unable to provide what the buyer wanted in a comfortably-sized, secure community. Ms. Barth suggested the commissioners visit the local Interlaaken Towers and a few other planned communities to get a better idea of her example for larger units in cottage housing.

Mr. Don Daniels, Chairman, closed the public hearing after thanking the public participants for their comments. The Chairman opened the floor for discussion among commissioners.

Mr. James Guerrero queried the design restrictions on the roofing of cottage housing units. Mr. Dan Catron explained he tried to create flexibility in the resolution to allow for a higher level of design compatibility within an existing neighborhood.

Mr. James Guerrero felt a couple downsizing into a cottage housing unit would likely have two cars and wondered if 1.8 parking stalls would be enough per unit. Mr. Robert Estrada commented that most would use the garage for storage and park on the street creating congested neighborhoods.

Mr. Don Daniels, Chairman, asked commissioners to list the items they would like staff to research and consider as changes for the draft resolution. Mr. Robert Estrada queried the possibility of getting data on the elderly population leaving Lakewood to live in University Place. Mr. Robert Estrada commented they may want to increase the square footage of cottage housing to larger units of 1,500 to 2,000 sq. ft.

Mr. Paul Wagemann queried if the request for larger units could be accommodated. Both Mr. James Guerrero and Mr. Dan Catron commented it could probably be done in

an R3 or R4 zone in a broad spectrum of mixed residential or low-multifamily where you can build fairly densely or at medium density.

Mr. Dan Catron added he would like to research the queries made by commissioners for changes to the draft resolution while taking another look at the codes and consequences of the changes before another presentation.

FROM JULY 15, 2015

Cottage Housing Regulations

Mr. Dan Catron explained that in response to the last meeting's discussion staff made a few changes now allowing basements of up to 400 sq. ft. and added language regarding the use of fencing as a design standard within cottage housing projects.

Mr. Catron shared that he'd met with the Master Builders Association to discuss the proposed ordinance and MBA members did not believe cottage housing would be a very popular product at this time. MBA members thought the 1200 sq. ft. limit would be too small for the current market. The process requiring a conditional use permit and design review was going to be too onerous for the return they might get on this kind of a product. They felt if the City wanted to see increased densities to consider re-designating the zoning on existing parcels or making changes within the development standard for each individual zone such as minimum lot size and maximum densities.

Mr. Catron explained that among the zoning code requirements for amending the zoning code, the main finding that is required would be for the Planning Commission to find the amendments to be consistent with the Comprehensive Plan, and there is very explicit language in the Comp Plan directing the City to develop a cottage housing ordinance.

Mr. David Bugher noted that with this ordinance the Commission is providing for another type of housing product that is not available in Lakewood and would allow use by a wide variety of age groups. Mr. Bugher commented that much of the literature about cottage housing suggests once they take action on an ordinance they may want to go back within a year or two and evaluate if it is having the desired affect and if not continue to make adjustments to the code. Often the adjustments have to do with issues related to density. Mr. Bugher explained to commissioners that adopting this ordinance does not take away any of their flexibility and it is up to the commission and council to strike a balance as to what they think are most appropriate based on community needs and values.

The Planning Commission adopts the resolution providing a recommendation that Council adopt the Cottage Housing Ordinance by a unanimous roll call vote. M/S/C Pourpasand/Estrada.

**CITY OF LAKEWOOD
DETERMINATION OF NON-SIGNIFICANCE**

PROJECT NAME: 2015 Cottage Housing Regulations

PROJECT DESCRIPTION: Amendments to the City’s Land Use and Development Code to provide for Cottage Housing Developments

PROJECT PROPONENT: City of Lakewood
6000 Main Street SW
Lakewood, WA 98499

SUMMARY:

This proposal involves zoning code amendments establishing special provisions for a specific form of residential development known as “Cottage Housing”. Cottage housing involves developments of 4 to 12 detached dwelling units of limited size that are oriented around a central garden or community open space area. Density bonuses above the maximum residential density of the underlying zoning district are permitted in exchange for compliance with specific design guidelines and parameters. Specific environmental protection regulations, including the City’s Environmental Rules and Procedures (“Local SEPA Regulations”), Critical Areas and Resource Lands Ordinance, and the City’s Shoreline Management Regulations remain applicable to cottage housing, and are not affected by these proposed amendments.

FINDINGS OF FACT:

1. On July 10, 2000, the Lakewood City Council adopted a new Comprehensive Plan as required by the Washington State Growth Management Act of 1995. An Environmental Impact Statement was prepared pursuant to the State Environmental Policy Act (SEPA) which addresses the environmental impacts caused by changes in land use proposed by the new Plan.
2. On August 20, 2001 the City adopted a Land Use and Development Code (Chapter 18A of the Lakewood Municipal Code). The broad intent of the Code is to implement the Comprehensive Plan. The adopted Code is intended to foster harmony among land uses, preserve the qualities of desirable residential neighborhoods, improve neighborhoods whose character undermines good-quality living conditions, diminish reliance on automobile use, and promote the well-being of the city through integration of aesthetic, environmental, and economic values.
3. The Community Development Department is now proposing to provide for a special type of residential development known as “cottage housing”. Cottage housing involves the construction of multiple single-family detached residential structures of limited size oriented

around a commonly-held open space area. Cottage housing would allow for density to be increased in terms of dwelling units per acre, but would also be subject to special design and permitting requirements. Overall impervious lot coverage limitations would remain in effect.

4. The proposed changes to the Land Use and Development Code are minor in nature and will help the City accommodate additional in-fill housing units in existing urban areas served by existing infrastructure and utilities consistent with the Washington State Growth Management Act.

CONCLUSIONS OF RESPONSIBLE OFFICIAL:

The Responsible Official concludes that the proposed amendment to the Land Use and Development Code to allow for Cottage Housing development will help implement the provisions of the Comprehensive Plan. The proposed amendments to the Land Use and Development Code will not have any adverse effects on the environment beyond, or separate from, those of the Comprehensive Plan itself. Pursuant to WAC 197-11-350 (3), a DNS may be issued. This conclusion is based on staff review of the proposed code amendments and the environmental checklist. The environmental effects of specific projects allowed by the proposed ordinance will be analyzed on a case-by-case basis, as required by the State Environmental Policy Act.

Agency: City of Lakewood
Community Development Department
6000 Main Street SW
Lakewood, WA 98499

Date of Issue: June 4, 2015

Comment Deadline: June 18, 2015

Date of Final Determination: _____


David Bugher, Responsible Official

NOTE: Pursuant to Lakewood Municipal Code Section 14.02.200, decisions of the Responsible Official regarding Process V Legislative Actions are final and are not subject to administrative appeal.

CITY OF LAKEWOOD
DEPARTMENT OF COMMUNITY DEVELOPMENT

ENVIRONMENTAL CHECKLIST APPLICATION FORM

PROJECT: 2015 AMENDMENTS TO THE LAND USE AND
DEVELOPMENT CODE REGARDING COTTAGE HOUSING

A. BACKGROUND

1. **Name of Proposed Project:** 2015 Cottage Housing Regulations
2. **Proponent:** City of Lakewood
3. **Contact Person:** Dan Catron, Planning Manager
6000 Main Street SW
Lakewood, WA 98499
4. **Checklist Date:** May 13, 2015
5. **Lead Agency:** City of Lakewood
6. **Proposed Timing:** Adoption expected in Fall 2015
7. **Future Actions:** This proposed ordinance would allow land owners to develop cottage housing projects
8. **Environmental Information:** No specific environmental information at this time.
9. **Other pending government approvals:** None at this time. Specific project applications may be submitted in the future following procedures set forth in this ordinance.
10. **Government approvals for this project:** Adoption of an ordinance by the Lakewood City Council.
11. **Project Description:** This proposal involves zoning code amendments establishing special provisions for specific form of residential development known as “Cottage Housing”. Cottage housing involves developments of 4 to 12 detached dwelling units of limited size that are oriented around a central garden or community open space area. Density bonuses above the maximum residential density of the underlying zoning district are permitted in exchange for compliance with specific design guidelines and parameters.

12. Project Location: The proposed regulations may be applied to properties within the City of Lakewood zoned R1, R2, R3, and R4.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee: Dan Catron

Position and Agency/Organization: Planning Manager, City of Lakewood

Date Submitted: May 13, 2015

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emission to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed code amendments are intended to provide an alternative to traditional single family and multi-family housing types. The main use of the contemplated development(s) will continue to be residential. No additional discharges to water, emissions to air, handling of toxic substances, or production of noise is expected beyond that which would be encountered in any residential development. Potential impacts will continue to be addressed through case-by-case environmental and code review for individual projects.

Proposed measures to avoid or reduce such increases are:

Pollution impacts will be avoided and reduced by implementation of existing regulations. Impacts will be considered in the context of site specific zoning permits, SEPA review and through consultation with other responsible agencies.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed code amendments (and implied cottage housing development) will not affect the level of protection for biotic resources. Important fish and wildlife habitat areas have been identified through the Riparian Overlay zoning, or designated and zoned for open space uses as appropriate. Specific projects will be required to conduct site specific SEPA review and evaluate impacts on biotic resources. The proposed amendments will not affect this aspect of the Code.

Proposed measures to protect or conserve plants, animals, fish, or marine life?

Measures to protect and conserve biotic resources include Federal and state endangered species regulations, site specific SEPA reviews, the Critical Areas and Resource Lands Ordinance, the Shoreline Management Regulations, the Riparian Overlay zone, and the tree retention provisions of the code. These aspects of the Code are not affected by the proposed amendments. The proposed amendments are intended to result in a high level of design with low impact development features that protect biotic resources.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed changes to the land use and development code are minor in nature and are not expected to result in significant increase demands for energy or natural resources. The proposed distribution of land uses, as dictated by the Comprehensive Plan, is intended to increase the jobs/housing balance for different areas of the City, and increase the effectiveness of public transportation. The proposed amendments will not affect this aspect of the Code.

Proposed measures to protect or conserve energy and natural resources are:

Adherence to International Building Code requirements

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed code changes do not affect environmentally sensitive areas. Existing protections for such sensitive areas will remain in place. No significant adverse impacts are anticipated.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Reliance on existing or updated laws, regulations and procedures. The proposed amendments will not affect this aspect of the Code.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposed code changes are intended to implement future land use goals consistent with the Comprehensive Plan. The proposed amendments do allow for increased densities; however the increase in density is offset by the limitations on lot coverage and unit size. Lot coverage, as specified for each separate zoning district, is not affected.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Reliance on the existing Lakewood Comprehensive Plan and shoreline management regulations. The proposed amendments are not intended to result in significant land use or shoreline impacts.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

In general, the Comprehensive Plan and the Land Use and Development Code have been developed to improve transportation and public services demands. The proposed code changes will not have any significant effect on transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

Not applicable.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed code is otherwise expected to work in concert with local, state, and federal laws intended to protect the environment. No conflicts are known at this time. Any conflicts identified would be corrected in an appropriate manner. The proposed amendments will not affect this aspect of the Code.

From: Marilyn Henderson [mailto:tukatz@tukatz.com]

Sent: Saturday, June 13, 2015 8:38 PM

Subject: Cottage Housing

Dear Council Members:

I understand there is a hearing on Tuesday about the proposed zoning ordinance change to allow 'cottage housing' in zones R1, R2, R3 and R4. I am not able to attend, but want to express my concerns about this proposal.

I have read the draft resolution and looked at the maps of the city. I have also had some email conversations with Dan Catron, the Planning Manager. He was very helpful in explaining the reasons behind the proposed changes. I understand that in large part it is an attempt to satisfy requirements in the Growth Management Plan and increase housing density.

Mr. Catron also explained to me that in 2000 the city successfully argued a case brought by the Low Income Housing Institute, which sought to increase densities in the central areas around the lakes. The argument, as I understand it, was that the large lot sizes were necessary to protect trees, wild life habitat and aquifer recharge areas. Which brings me to my concern about the proposed Cottage Housing: What has changed? Are the large lots, particularly in R1 zones, no longer needed to protect trees, wild life habitat and aquifer recharge areas? We see every year the problems with the lakes - particularly Lake Steilacoom, but recently Lake Louise. How will the proposed Cottage Housing address the problems we have with these lakes?

I am also concerned about providing for increased traffic - yes, I recognized that the plan is mandated by the Growth Management Act, but what plans are incorporated to address the increased traffic load, particularly along Gravelly Lake Drive, where getting onto the freeway is backed up in the morning? Also, are there plans to modify utilities to take on the extra load? What about police and fire? Will these units provide sufficient tax revenues to offset the additional cost for infrastructure, public safety and schools?

While I understand the necessity to implement the provisions of the Growth Management Act, I am concerned that this plan needs more discussion before rushing into a decision. I recall the discussion regarding the zoning variance for the SHB Estates - there was a lot of opposition to that variance, but it was granted anyway with, as I recall, a single stipulation - a traffic light at the intersection of Washington and Interlaaken. This was a travesty - a significant change to an area of large lots, impacting many property owners. I know nothing can be done about SHB Estates now, but I sincerely hope that the proposed Cottage Housing isn't yet another example of poor planning.

Mr. Catron also advised me of a zoning change that is in the works around Gravelly Lake Drive and Veterans where the property owner wants to subdivide into 7000 square foot lots. That is absolutely intolerable! I hope when that change comes before the city council there will be rigorous debate about the impact to the historical area of Lakewood.

Regards
Marilyn Henderson



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

June 18, 2015

Dan Catron, AICP, Principal Planner
City of Lakewood
6000 Main Street Southwest
Lakewood, WA 98499

Dear Mr. Catron:

Thank you for the opportunity to comment on the determination of nonsignificance for the 2015 Cottage Housing Regulations Project. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

TOXICS CLEANUP/TACOMA SMELTER PLUME: Eva Barber (360) 407-7094

Ecology recognizes this is a non-project action.

The City of Lakewood is located in an area that may have been contaminated with heavy metals due to the air emissions originating from the old Asarco smelter in north Tacoma (visit Ecology's Tacoma Smelter Plume map search tool: <https://fortress.wa.gov/ecy/smeltersearch/>).

Soil contamination from the former Asarco smelter poses a risk to human health and the environment. Children are at especially high risk from direct exposure to contaminated soil. Construction workers, landscapers, gardeners, and others who work in the soils are also at risk.

The link below provides a fact sheet that explains more how the arsenic and lead clean-up levels were set and why Ecology sees that they are protective for human health:
http://www.ecy.wa.gov/programs/tcp/sites_brochure/tacoma_smelter/2011/ts-hp.htm.

Ecology recommends that the City of Lakewood consider adopting future policies related the Tacoma Smelter Plume.

Ecology also recommends that the City of Lakewood include the following as conditions of approval for future soil disturbance projects located in the shoreline jurisdiction:

- Sample the soil and analyze for arsenic and lead. The applicant shall contact Eva Barber with the Southwest Regional Office (SWRO), Toxics Cleanup Program at the phone number given above or via email at eva.barber@ecy.wa.gov for guidance about soil sampling within Tacoma Smelter Plume. The soil sampling results shall be sent to the local land use permitting agency and Ecology for review.
- If lead or arsenic are found at concentrations above the Model Toxics Control Act (MTCA) cleanup levels (Chapter 173-340 WAC); the owners, potential buyers, construction workers, and others shall be notified of their occurrence. The applicant shall also contact the Environmental Report Tracking System Coordinator in SWRO (360) 407-6300. The MTCA cleanup level for arsenic is 20 parts per million (ppm) and lead is 250 ppm.
- If lead, arsenic and/or other contaminants are found at concentrations above MTCA cleanup levels, the applicant shall:
 - 1) Enter into the Voluntary Cleanup Program with - Ecology prior to issuance of any site development permits for this proposal and/or the initiation of any grading, filling, or clearing activities. For more information on the Voluntary Cleanup Program, visit Ecology website at: <http://www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm>.
 - 2) Obtain an opinion letter from Ecology stating that the proposed soil remediation will likely result in no further action under - MTCA prior to the issuance of any site development permit and/or the initiation of any grading, filling, or clearing activities. The issued site development permit plans shall be consistent with the plans reviewed and deemed consistent with MTCA by Ecology. The applicant shall provide to the local land use permitting agency the opinion letter from Ecology.
 - 3) Prior to finalizing site development permits, provide to the local land use permitting agency “No Further Action” determination from Ecology indicating that the remediation plans were successfully implemented under MTCA.

If Ecology determines this project should not be part of the Voluntary Cleanup Program, Ecology will contact the lead agency and discuss possible options.

- If soils are found to be contaminated with arsenic, lead, or other contaminants, extra precautions shall be taken to avoid escaping dust, soil erosion, and water pollution during grading and site construction. Site design shall include protective measures to isolate or remove contaminated soils from public spaces, yards, and children’s play areas. Contaminated soils generated during site construction shall be managed and disposed of in accordance with state and local regulations, including the Solid Waste Handling Standards regulation (Chapter 173-350 WAC). For information about soil

June 18, 2015

Page 3

disposal contact the local health department in the jurisdiction where soils will be placed.

For assistance and information about Tacoma Smelter Plume and soils contamination, contact Eva Barber at the phone number given above or via email at eva.barber@ecy.wa.gov.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(SM:15-2822)

cc: Eva Barber, TCP

CITY OF LAKEWOOD
NOTICE OF ISSUANCE OF DETERMINATION OF NON-SIGNIFICANCE (DNS)

Project Name: 2015 Cottage Housing Regulations

Description of Proposal: City initiated amendments to the City’s Land Use and Development Code (Title 18A of the Lakewood Municipal Code). This proposal involves zoning code amendments establishing special provisions for a specific form of residential development known as “Cottage Housing”. Cottage housing involves developments of 4 to 12 detached dwelling units of limited size that are oriented around a central garden or community open space area. Density bonuses above the maximum residential density of the underlying zoning district are permitted in exchange for compliance with specific design guidelines and parameters. The proposed amendments will apply to all lands zoned R1, R2, R3, and R4 within the Lakewood city limits.

Proponent: City of Lakewood, Washington
Community Development Department

Lead Agency: City of Lakewood, Washington

The Lead Agency for this proposal has determined that all potential significant adverse impacts on the environment will be addressed through mitigation measures including further project specific environmental reviews. An environmental impact statement is not required under RCW 43.21C.030(2)(c). Copies of the proposed amendments and the threshold determination are available to the public on request.

This DNS is issued under 197-11-340 (2)(a)(v); the Lead Agency will not act on this proposal for 14-days beginning on June 4, 2015, and ending 14 days later on June 18, 2015. Comments on environmental effects, if any, must be submitted within this time period. Written comments are encouraged.

A public hearing before the Planning Advisory Board to take public testimony and consider the proposed amendments will be held on June 17, 2015, at 6:30 PM in the Lakewood City Council Chambers at 6000 Main Street SW. The decision of the Planning Advisory Board will be forwarded to the Lakewood City Council as a recommendation for action.

Responsible Official: David Bugher
Community Development Director, City of Lakewood

Address: 6000 Main Street SW
Lakewood, WA 98499-5027

Telephone: (253) 512-2261

The final threshold determination for Process V Legislative Actions is considered final and is not subject to administrative appeal. The DNS becomes final 14 days after issuance unless it is withdrawn by the Responsible Official.

To be published once in the Tacoma News Tribune on June 4, 2015

**CITY OF LAKEWOOD
NOTICE OF PUBLIC HEARING**

Project Name: 2015 Cottage Housing Regulations

Description of Proposal: This proposal involves zoning code amendments establishing special provisions for a specific form of residential development known as “Cottage Housing”. Cottage housing involves developments of 4 to 12 detached dwelling units of limited size that are oriented around a central garden or community open space area. Density bonuses above the maximum residential density of the underlying zoning district are permitted in exchange for compliance with specific design guidelines and parameters. The proposed amendments will apply to all lands zoned R1, R2, R3, and R4 within the Lakewood city limits. The Planning Commission may choose to modify the amendments recommended by staff. The recommendation of the Planning Commission will be forwarded to the Lakewood City Council for final action.

Proponent: Community Development Department
City of Lakewood, Washington

A public hearing before the Lakewood Planning Commission to take public testimony and consider the proposed amendments is scheduled for Wednesday, June 17, 2015, beginning at 6:30 P.M. The hearing will be held in the City Council Chambers, 6000 Main Street SW, Lakewood, WA. The decision of the Planning Commission will be forwarded to the Lakewood City Council as a recommendation for action.

A copy of the proposed amendments and the staff report to the Planning Advisory Board may be obtained at the Lakewood Community Development Department.

Contact: Lakewood Community Development Department
Dan Catron, Principal Planner
6000 Main Street SW
Lakewood, WA 98499-5027

Telephone: (253) 512-2261

To be published once in The News Tribune on May 28, 2015



TO: Mayor and City Councilmembers
THRU: John J. Caulfield, City Manager *John J. Caulfield*
FROM: Heidi A. Wachter, City Attorney; Adam Lincoln, Management Analyst
DATE: August 24, 2015
SUBJECT: Comcast Franchise Agreement Update

Purpose: This will be the City's first franchise agreement with Comcast. To date, the parties have been operating pursuant to the franchise in place at incorporation between Pierce County and Comcast. Needless to say it is outdated. This new Agreement creates parity with the Agreement between Tacoma Public Utilities – Click! and the City. This update modernizes the Agreement and contains the elements required by the Federal Telecommunications Act.

Analysis: The City of Lakewood has two cable franchises. One is with Tacoma Public Utilities – Click! and the other is with Comcast. The Click! franchise became effective in 2004 and will expire in 2019. The Comcast franchise became effective in the 1983 as Cable TV Puget Sound and predates cityhood. Cable franchises are required to be substantially similar by the Federal Telecommunications Act in order to protect competition between providers. The City of Lakewood should enter into a new franchise agreement with Comcast so as to modernize the franchise and bring it in line with best practices. Other cities that have updated their franchise with Comcast to resemble the Click! franchise include: University Place, Town of Steilacoom, DuPont, and Ruston. Pierce County has done the same.

The City Manager Department conducted an analysis of all City Franchise Agreements in 2014. The analysis concluded that the Agreement with Comcast is expired in 2006 and is in need of updating to bring it in line with modern agreements and with the City's more modern cable agreements. Details of the new agreement include:

Term and extensions: 5 year agreement with a 5 year extension.

Franchise fees and other fees: Maintains existing franchise fee at 5%, which will create approximately \$815,000 in revenue in 2015 and is part of the current budget. The agreement also allows for the addition of PEG fees up to the amount of \$0.50 per subscriber per month. The additional fee would need to be authorized by the City Council. However, it is not recommended that PEG fees be authorized at this time, due to restrictions on how such fees can be used.

Utility Tax: Maintains existing utility tax at 6%, which will create approximately \$960,000 in revenue in 2015 and is part of the current budget.

Street maintenance and undergrounding: The Agreement allows Comcast to have access to the City rights of way. Comcast is then required to follow the applicable permit processes to conduct their work and is required to restore all streets to the original state it was found in. The Public Works Director has the authority to sign off on the quality of the repairs that Comcast makes.

The Agreement includes language for undergrounding of cable utilities. The Agreement does not require all of the wiring to be undergrounded, but it does state that if utilities in the area are already undergrounded and Comcast chooses to run new line, they will also place their lines underground. In joint trenching situations, Comcast will share in the costs of such an endeavor and will participate with other providers in any joint trenching projects to relocate overhead wiring to an underground facility.

Customer relations: In addition to offering a local customer service facility (located on 6th Ave in Tacoma), the Agreement includes language that would allow Comcast to provide rate discounts to governmental and educational institutions and bulk discounts to multiple dwelling units.

Audits and reviews: The City has the ability to conduct a thorough audit if Comcast is provided with 30 day notice. The Agreement also requires that Comcast provides the City with quarterly franchise fee reports.

Other items: All City facilities may have free basic television services.

The Franchise allows for the City Council to collect PEG fees up to the amount of \$0.50 per subscriber per month. The City Council would need to authorize this additional fee. PEG fees may only be used for capital expenses (including cameras, computers, microphones, storage devices, broadcast equipment, etc.) and not for other expenses such as personnel to operate a local television channel or to install new equipment and cameras in the City Council Chambers. If PEG fees are spent on non-capital expenses then the difference would be subtracted from the franchise fees that are paid to the City.

A survey of other jurisdictions suggests that many jurisdictions collecting PEG fees have not found qualifying ways to spend them. The City of Lakewood does not have a need to collect PEG fees. The City would be able to collect \$5,400 (\$.03 per subscriber per month) to \$90,000 (\$.50 per subscriber per month) per year depending on how much each user is charged. The City does not have the capacity to create programming or to monitor the equipment needs that would be necessary to establish a City-run cable channel. It would also be difficult to regularly spend any fees that were collected and the account would potentially grow to a size where the fees may need to be returned to the cable provider.

Recommendation: It is recommended that the City Council authorize the execution of a franchise agreement between the City of Lakewood and Comcast.

1
2
3
4
5 **CABLE TV FRANCHISE AGREEMENT**

6 Between City of Lakewood & Comcast Cable Communications Management, LLC.
7
8

9 **TABLE OF CONTENTS**

10
11 SECTION 1. DEFINITIONS.....5
12 "Access"5
13 "Access Center"5
14 "Access Channel"5
15 "Access Fees"5
16 "Activation" or "Activated"5
17 "Affiliated Entity" or "Affiliate"5
18 "Bad Debt"6
19 "Basic Service"6
20 "Broadcast Signal"6
21 "Cable Acts"6
22 "Cable Operator"6
23 "Cable Service"6
24 "Channel"6
25 "Connection"6
26 "Designated Access Provider"6
27 "Designated Distributor"6
28 "Downstream Channel"6
29 "Dwelling Unit"7
30 "Expanded Basic Service"7
31 "FCC"7
32 "Fiber Optic"7
33 "Franchise"7
34 "Franchise Area"7
35 "Franchise Fee"7
36 "Grantee"7
37 "Grantor"7
38 "Gross Revenues"7
39 "Headend" or "Hub"8
40 "Leased Access Channel"8
41 "Noncommercial"8
42 "Normal Business Hours"9
43 "Normal Operating Conditions"9
44 "Pay Service" or "Premium Service"9
45 "Person"9
46 "Rights-of-Way"9
47 "Road"9
48 "School"9

1	“Service Interruption”	9
2	"State"	9
3	"Subscriber"	9
4	"System" or “Cable System”	9
5	"Tier".....	10
6	“Upstream Channel”	10
7	“Video Programming”	10
8		
9	SECTION 2. GRANT OF FRANCHISE.....	10
10	2.1 Grant	10
11	2.2 Use of Rights-of-Way	11
12	2.3 Duration	11
13	2.4 Effective Date	11
14	2.5 Franchise Nonexclusive	12
15	2.6 Grant of Other Franchises.....	12
16	2.7 Familiarity with Franchise	12
17	2.8 Effect of Acceptance.....	13
18	2.9 Police Powers.....	13
19	2.10 Franchise Area	13
20		
21		
22	SECTION 3. FRANCHISE FEE AND FINANCIAL CONTROLS	13
23	3.1 Franchise Fee	13
24	3.2 Payments.....	13
25	3.3 Acceptance of Payment.....	13
26	3.4 Quarterly Franchise Fee Reports	14
27	3.5 Audits.....	14
28	3.6 Financial Records.....	14
29	3.7 Interest on Late Payments.....	14
30	3.8 Maximum Franchise Fee.....	14
31	3.9 Additional Commitments Not Franchise Fees	15
32	3.10 Payment on Termination.....	15
33		
34	SECTION 4. ADMINISTRATION AND REGULATION.....	15
35	4.1 General Provision.....	15
36	4.2 Rates and Charges.....	15
37	4.3 Rate Discrimination	16
38	4.4 Filing of Rates and Charges	16
39	4.5 Late Fees	16
40	4.6 Time Limits Strictly Construed	16
41	4.7 Performance Evaluation.....	17
42		
43	SECTION 5. FINANCIAL AND INSURANCE REQUIREMENTS.....	17
44	5.1 Indemnification.....	17
45	5.2 Insurance Requirements.....	18
46	5.3 Security	19
47		
48	SECTION 6. CUSTOMER SERVICE	19

1	6.1	Subscriber Contracts	19
2	6.2	Subscriber Privacy	19
3	6.3	Customer Service Center	19
4	6.4	Customer Service Agreement and Manual	20
5			
6		SECTION 7. REPORTS AND RECORDS	20
7	7.1	Open Records	20
8	7.2	Confidentiality	20
9	7.3	Records Required.....	21
10	7.4	Copies of Federal and State Reports	21
11	7.5	Complaint File and Reports	21
12	7.6	Inspection of Facilities	22
13	7.7	False Statements.....	22
14			
15		SECTION 8. PROGRAMMING AND CHANNEL CAPACITY	22
16	8.1	Grantee Compliance.....	22
17	8.2	Broad Programming Categories.....	22
18	8.3	Obscenity	22
19	8.4	Parental Control Device.....	22
20	8.5	Complimentary Cable Service	23
21	8.6	New Developments.....	23
22			
23		SECTION 9. EDUCATIONAL AND GOVERNMENTAL ACCESS	23
24	9.1	Future Access Programming.....	23
25	9.2	Future Capital Fee.....	23
26	9.3	Access Reporting.....	24
27	9.4	Management and Control of Access Channel.....	24
28	9.5	Change in Technology	24
29	9.6	Access Channel on Lowest Level of Service.....	24
30	9.7	Return Line.....	24
31	9.8	Technical Quality.....	24
32	9.9	Payments to Grantee.....	25
33			
34			
35		SECTION 10. GENERAL RIGHT-OF-WAY USE AND CONSTRUCTION	25
36	10.1	Construction.....	25
37	10.2	Relocation	26
38	10.3	Location of Facilities	27
39	10.4	Restoration of Rights-of-Way/Grantor Owned Property	27
40	10.5	Maintenance and Workmanship	27
41	10.6	Acquisition of Facilities	28
42	10.7	Discontinuing Use of Facilities.....	28
43	10.8	Hazardous Substances.....	28
44	10.9	Undergrounding of Cable	28
45	10.10	Construction Codes.....	29
46	10.11	Construction and Use of Poles.....	29
47	10.12	Tree Trimming	30
48	10.13	Standards.....	30

1	10.14	Stop Work	30
2	10.15	Work of Contractors and Subcontractors.....	31
3	10.16	GIS Mapping.....	31
4			
5		SECTION 11. CABLE SYSTEM DESIGN AND CAPACITY	31
6	11.1	Equal and Uniform Service.....	31
7	11.2	Cable System Upgrade.....	31
8	11.3	Technical Performance	31
9	11.4	Cable System Performance Testing.....	32
10	11.5	Additional Tests.....	32
11			
12		SECTION 12. SERVICE EXTENSION.....	33
13	12.1	Service Availability	33
14			
15		SECTION 13. STANDBY POWER AND EAS.....	33
16	13.1	Standby Power	33
17	13.2	Emergency Alert Capability	33
18			
19		SECTION 14. FRANCHISE BREACHES; TERMINATION OF FRANCHISE	34
20	14.1	Informal Dispute Resolution.....	34
21	14.2	Procedure for Remediating Franchise Violations	34
22	14.3	Alternative Remedies.....	35
23	14.4	Assessment of Monetary Damages.....	35
24	14.5	Revocation	36
25	14.6	Removal	37
26		SECTION 15. ABANDONMENT	37
27	15.1	Effect of Abandonment.....	37
28			
29		SECTION 16. FRANCHISE TRANSFER.....	38
30	16.1	Transfer of Ownership or Control.....	38
31			
32		SECTION 17. MISCELLANEOUS PROVISIONS.....	39
33	17.1	Preferential or Discriminatory Practices Prohibited	39
34	17.2	Notices	39
35	17.3	Costs to Be Borne by Grantee.....	40
36	17.4	Binding Effect.....	40
37	17.5	Authority to Amend	40
38	17.6	Venue	40
39	17.7	Governing Law	40
40	17.8	Captions	40
41	17.9	Construction of Franchise.....	40
42	17.10	No Joint Venture	40
43	17.11	Waiver.....	40
44	17.12	Severability	41
45	17.13	Entire Agreement.....	41
46	17.14	Compliance with Federal, State, and Local Laws.....	41
47	17.15	Customer Service Standards	41
48	17.16	Force Majeure	41

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39

CABLE TV FRANCHISE AGREEMENT

SECTION 1. DEFINITIONS

For the purposes of this Franchise and all exhibits attached hereto the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. Words not defined shall be given their common and ordinary meaning. The word "shall" is always mandatory and not merely directory.

"Access"

means the availability for Noncommercial use by various governmental and educational agencies, including Grantor and its designees, of particular channels on the System to receive and distribute Video Programming to Subscribers, as permitted under applicable law, including, but not limited to:

(A) "Educational Access" means Access where Schools are the primary users having editorial control over programming and services.

(B) "Governmental Access" means Access where governmental institutions or their designees are the primary users having editorial control over programming and services; and

(C) "Access" means Educational Access and Governmental Access, collectively.

"Access Center"

means a facility or facilities where signals are managed and delivered to the Grantee for Downstream transmission to Subscribers or to other Access Centers via a dedicated connection.

"Access Channel"

means any Channel, or portion thereof, designated for Noncommercial Access purposes or otherwise made available to facilitate or transmit Access programming.

"Access Fees"

means the Capital Fee paid to the Grantor by the Grantee in accordance with section 9.1 below.

"Activation" or "Activated"

means the status of any capacity on or part of the System wherein the use of that capacity or part thereof may be made available without further installation of system equipment other than Subscriber premise equipment, whether hardware or software.

"Affiliated Entity" or "Affiliate"

means when used in connection with Grantee any corporation, Person who owns or controls, is owned or controlled by, or is under common ownership or control with, Grantee and its successor corporations. Affiliated Entity or Affiliate also means any Person with whom Grantee contracts to provide Cable Services on the Cable System.

"Bad Debt"

means amounts lawfully owed by a Subscriber and accrued as revenues on the books of Grantee, but not collected after reasonable efforts by Grantee.

1 **"Basic Service"**
2 means any Cable Service tier which includes, at a minimum, the retransmission of local
3 television Broadcast Signals.

4 **"Broadcast Signal"**
5 means a television signal transmitted over the air to a wide geographic audience, and received by
6 a System off-the-air by antenna, microwave, satellite dishes or any other means.

7 **"Cable Acts"**
8 means the Cable Communications Policy Act of 1984, and the Cable Television Consumer
9 Protection and Competition Act of 1992, as amended by the Telecommunications Act of 1996
10 and any amendments thereto.

11 **"Cable Operator"**
12 means any Person or groups of Persons, including Grantee, who provides Cable Service over a
13 System and directly or through one or more Affiliates owns a significant interest in such System
14 or who otherwise control(s) or is(are) responsible for, through any arrangement, the management
15 and operation of such a System.

16 **"Cable Service"**
17 means the one-way transmission to Subscribers of Video Programming, or other programming
18 service and Subscriber interaction, if any, which is required for the selection or use of such
19 Video Programming or other programming service.

20 **"Channel"**
21 means a portion of the frequency band capable of carrying a Video Programming Service or
22 combination of Video Programming Services, whether by analog or digital signal, on a twenty-
23 four (24) hour per day basis or a portion thereof.

24 **"Connection"**
25 with regard to connections to public buildings, means installation of fiber optic or coaxial cable
26 or other System related facilities through the outer wall of the building.

27 **"Designated Access Provider"**
28 means the entity or entities designated by the Grantor to manage or co-manage Educational or
29 Governmental Access Channels and facilities. The Grantor may be a Designated Access
30 Provider.

31
32 **"Designated Distributor"**
33 means any entity authorized by Grantor to distribute Access Programming.

34 **"Downstream Channel"**
35 means a Channel capable of carrying a transmission from the Headend to remote points on the
36 System.

37 **"Dwelling Unit"**
38 means any residential building, or each portion thereof.

1 **"Expanded Basic Service"**
2 means cable programming services not included in the Basic Service and excluding premium or
3 pay-per-view services.

4 **"FCC"**
5 means the Federal Communications Commission or its lawful successor.

6 **"Fiber Optic"**
7 means a transmission medium of optical fiber cable, along with all associated electronics and
8 equipment capable of carrying Cable Service by means of electric lightwave pulses.

9 **"Franchise"**
10 means the document in which this definition appears, which is executed between Grantor and
11 Grantee, containing the specific provisions of the authorization granted and the contractual and
12 regulatory agreement created hereby.

13 **"Franchise Area"**
14 means the area within the jurisdictional boundaries of the Grantor, including any areas annexed
15 by Grantor during the term of this Franchise.
16

17 **"Franchise Fee"**
18 includes any tax, fee or assessment of any kind imposed by the Grantor on the Grantee or
19 Subscribers, or both solely because of their status as such. The term Franchise Fee does not
20 include:

21 (A) Any tax, fee or assessment of general applicability, for example a utility tax.

22 (B) Capital costs which are required by the Franchise to be incurred by the Grantee
23 for educational or governmental access facilities, including the support required in Section 9.1;

24 (C) Requirements or charges incidental to the awarding or enforcing of the franchise,
25 including but not limited to, payments for bonds, letters of credit, insurance, indemnification,
26 penalties or liquidated damages; or

27 (D) Any fee imposed under Title 17, United States Code.
28

29 **"Grantee"**
30 Means Comcast Cable Communications Management, LLC. or its lawful successor, transferee or
31 assignee.
32

33 **"Grantor"**
34 Means the City of Lakewood.

35 **"Gross Revenues"**
36 means any and all revenue derived directly or indirectly by the Grantee, or by any other entity
37 that is a Cable Operator of the Cable System including Grantee's Affiliates, from the operation
38 of Grantee's Cable System to provide Cable Services in the Franchise Area. Gross Revenues
39 include, by way of illustration and not limitation, monthly fees charged Subscribers for Cable
40 Services including Basic Service, any expanded tiers of Cable Service, optional Premium
41 Services; installation, disconnection, reconnection and change-in-service fees, Leased Access

1 Channel fees, all Cable Service lease payments from the Cable System, late fees and
2 administrative fees, revenues from rentals or sales of converters or other Cable System
3 equipment; advertising sales revenues (including local, regional and a pro rata share of national
4 advertising carried on the Cable System in the Franchise Area) net of commissions due to
5 advertising agencies that arrange for the advertising buy; the fair market value of consideration
6 received by the Grantee for use of the Cable System to provide Cable Service and accounted for
7 as revenue under GAAP; revenues from program guides, additional outlet fees, Franchise Fees,
8 revenue from interactive services to the extent they are considered Cable Services under federal
9 law, revenue from the sale or carriage of other Cable Services, and revenues from home
10 shopping, and other revenue-sharing arrangements. Gross Revenues shall include revenue
11 received by any entity other than the Grantee where necessary to prevent evasion or avoidance of
12 the obligation under this Franchise to pay the Franchise Fees. Gross Revenues shall not include
13 (i) to the extent consistent with GAAP, Bad Debt, provided, however, that all or part of any such
14 Bad Debt that is written off but subsequently collected shall be included in Gross Revenues in
15 the period collected; (ii) the Capital Fee specified in subsection 9.1; (iii) any taxes on services
16 furnished by the Grantee which are imposed directly on any Subscriber or user by the State,
17 Town or other governmental unit and which are collected by the Grantee on behalf of said
18 governmental unit. The Franchise Fee is not such a tax.

19
20 The parties intend for the definition of Gross Revenues to be as inclusive as possible consistent
21 with existing applicable law. If there is a change in federal law subsequent to the effective date
22 of this Franchise, such change shall not impact this Gross Revenues definition unless the change
23 specifically preempts the affected portion of the definition above.

24 **"Headend" or "Hub"**

25 means any Facility for signal reception and dissemination on a System, including cable,
26 antennas, wires, satellite dishes, monitors, switchers, modulators, processors for Broadcast
27 Signals or other signals, equipment for the interconnection of the System with adjacent Systems
28 and interconnection of any networks which are part of the System, and all other related
29 equipment and Facilities.

30 **"Leased Access Channel"**

31 means any Channel or portion of a Channel commercially available for programming in
32 accordance with Section 612 of the Cable Act.

33 **"Noncommercial"**

34 means, in the context of Access Channels, that particular products and services are not promoted
35 or sold. This term shall not be interpreted to prohibit an Access Channel operator or programmer
36 from soliciting and receiving financial support to produce and transmit video programming on an
37 Access Channel, or from acknowledging a contribution, in the manner of the Corporation for
38 Public Broadcasting.

39 **"Normal Business Hours"**

40 means those hours during which most similar businesses in the community are open to serve
41 customers.

1 **“Normal Operating Conditions”**
2 means those service conditions which are within the control of the Grantee. Those conditions
3 which are not within the control of the Grantee include, but are not limited to, natural disasters,
4 civil disturbances, power outages, telephone network outages, and severe or unusual weather
5 conditions. Those conditions which are ordinarily within the control of the Grantee include, but
6 are not limited to, special promotions, rate increases, and maintenance or upgrade of the System.

7 **"Pay Service" or "Premium Service"**
8 means Video Programming or other programming service choices (such as movie channels or
9 pay-per-view programs) offered to Subscribers on a per-channel, per-program or per-event basis.

10 **"Person"**
11 means any natural person, sole proprietorship, partnership, joint venture, association, or limited
12 liability entity or corporation, or any other form of entity or organization.
13

14 **“Rights-of-Way”**
15 means land acquired or dedicated for public streets or roads, highways, avenues, lanes, alleys,
16 bridges, sidewalks, easements and similar public property located within the Franchise area.

17 **“Roads”**
18 means Rights-of-Way.

19 **"School"**
20 means any accredited educational institution including, for example, primary and secondary
21 schools (K-12), colleges and universities and excluding home schools and residential facilities.

22 **“Service Interruption”**
23 means the loss of picture or sound on one or more cable channels.

24 **"State"**
25 means the State of Washington.

26 **"Subscriber"**
27 means any Person who lawfully receives Cable Services provided by Grantee by means of the
28 System with Grantee’s express permission.

29 **"System" or “Cable System”**
30 means a facility, consisting of a set of closed transmission paths and associated signal generation,
31 reception and control equipment that is designed to provide Cable Service which includes video
32 programming and which is provided to multiple Subscribers within a community, but such term
33 does not include (1) a facility that serves only to retransmit the television signals of one or more
34 television broadcast stations; (2) a facility that serves Subscribers without using any public right-
35 of-way; (3) a facility of a common carrier which is subject, in whole or in part, to the provisions
36 of Title II of the federal Communications Act (47 U.S.C. § 201 et seq.), except that such facility
37 shall be considered a Cable System (other than for purposes of Section 621(c) (47 U.S.C. §
38 541(c)) to the extent such facility is used in the transmission of video programming directly to
39 Subscribers, unless the extent of such use is solely to provide interactive on-demand services; (4)
40 an open video system that complies with federal statutes; or (5) any facilities of any electric

1 utility used solely for operating its electric utility systems. When used herein, the term “Cable
2 System” or “System” shall mean Grantee’s Cable System in the Franchise Area.

3 **“Tier”**

4 means a category of Cable Services provided by the Grantee for which a separate rate is charged.

5 **“Upstream Channel”**

6 means a Channel capable of carrying a transmission to the Headend from remote points on the
7 System.

8 **“Video Programming”**

9 means programming provided by, or generally considered comparable to programming provided
10 by, a television broadcast station.

11
12 **SECTION 2. GRANT OF FRANCHISE**

13 **2.1 Grant**

14 (A) Grantor hereby grants to Grantee a nonexclusive and revocable authorization to
15 make reasonable and lawful use of the Rights-of-Way within the Franchise Area to construct,
16 operate, maintain, reconstruct, and upgrade a System for the purpose of providing Cable
17 Services, subject to the terms and conditions set forth in this Franchise. This Franchise shall
18 constitute both a right and an obligation to provide the Cable Services required by, and to fulfill
19 the obligations set forth in, the provisions of this Franchise.

20 (B) The Grantee, through this Franchise, is granted the right to operate its System
21 using the Grantor's Rights-of-Way within the Franchise Area in compliance with all lawfully
22 enacted applicable Grantor construction codes and regulations. Nothing in this Franchise shall be
23 deemed to waive the requirements of the other codes and ordinances of general applicability
24 lawfully enacted, or hereafter lawfully enacted, by the Grantor to the extent that the provisions of
25 the codes and ordinances do not have the effect of materially limiting the benefits or materially
26 expanding the obligations of the Grantee that are granted by this Franchise. The Grantee
27 specifically agrees to comply with the provisions of Grantor ordinances provided that in the
28 event of a conflict between the provisions of ordinances and the Franchise, the express
29 provisions of the Franchise shall govern. Grantee reserves the right to challenge provisions of
30 any ordinance, rule, regulation, resolution or other enactment of the Grantor that conflicts with
31 its contractual right granted herein.

32 (C) This Franchise shall not be interpreted to prevent the Grantor from imposing
33 additional conditions, including additional compensation conditions for use of the Rights-of-
34 Way, should Grantee provide service other than Cable Service, to the extent permitted by law.

35 (D) Grantee promises and guarantees, as a condition of exercising the privileges
36 granted by this Franchise, that any Affiliate of the Grantee directly involved in the offering of
37 Cable Service in the Franchise Area, or directly involved in the management or operation of the
38 System in the Franchise Area, will also comply with the terms and conditions of this Franchise.

39 (E) No rights shall pass to Grantee by implication.

1 (F) This Franchise is intended to convey limited rights and interests only as to those
2 Rights-of-Ways in which the Grantor has an actual interest. It is not a warranty of title or
3 interest in any Rights-of-Way; it does not provide the Grantee with any interest in any particular
4 location within the Rights-of-Way; and it does not confer rights other than as expressly provided
5 in the grant hereof.

6 **2.2 Use of Rights-of-Way**

7 (A) Subject to Grantor's supervision and control, Grantee may erect, install, construct,
8 repair, replace, reconstruct, and retain in, on, over, under, upon, across, and along the Rights-of-
9 Way within the Franchise Area, such wires, cables (both coaxial and fiber optic), conductors,
10 ducts, conduit, vaults, manholes, amplifiers, appliances, pedestals, attachments and other
11 property and equipment as are necessary and appurtenant to the operation of a System for the
12 provision of Cable Services within the Franchise Area. Grantee shall comply with all applicable
13 construction codes, laws, ordinances, and regulations, now in effect or enacted hereafter. This
14 grant does not include the installation, maintenance or construction, repair or replacement of any
15 wireless telecommunications facilities or equipment within Rights-of-Way or otherwise on
16 Grantor owned property or on property held in trust or used by the Grantor.

17 (B) Grantee must follow Grantor-established written requirements including all
18 Grantor codes, ordinances and other regulations regarding placement of System facilities in
19 Rights-of-Way, including the specific location of facilities in the Rights-of-Way, and must in any
20 event install System facilities in a manner that minimizes interference with the use of the Rights-
21 of-Way by others, including others that may be installing communications facilities. The
22 Grantor may require that System facilities be installed at a particular time, at a specific place or
23 in a particular manner as a condition of access to a particular Right-of-way; may deny access if
24 Grantee is not willing to comply with Grantor's requirements; and may remove, or require
25 removal of, any facility that is not installed in compliance with the requirements established by
26 Grantor, or which is installed without prior Grantor approval of the time, place or manner of
27 installation and charge Grantee for all the costs associated with removal; and may require
28 Grantee to cooperate with others to minimize adverse impacts on the Rights-of-Way through
29 joint trenching and other arrangements. Grantee shall assume all Grantee's costs associated with
30 any requirement of Grantor in the exercise of its police powers or in furtherance of any public
31 improvement to move its System located in the Right-of-way.

32
33 **2.3 Duration**

34 The term of this Franchise and all rights, privileges, obligations and restrictions pertaining
35 thereto shall be five (5) years from the effective date of this Franchise, unless terminated sooner
36 as hereinafter provided. This Franchise may be extended by mutual agreement of the parties for
37 five (5) additional years.

38 **2.4 Effective Date**

39 The provisions of this Franchise shall be effective upon the written acceptance of this Franchise
40 by the Grantee, signed by its proper officers, filed with the Clerk of the Grantor within sixty days
41 from _____, 2015.

1 **2.5 Franchise Nonexclusive**

2 This Franchise shall be nonexclusive, and subject to all prior rights, interests, easements or
3 licenses granted by Grantor or its predecessors to any Person to use any property, Rights-of-
4 Way, easement, right, interest or license for any purpose whatsoever, including the right of
5 Grantor to use same for any purpose it deems fit, including the same or similar purposes allowed
6 Grantee hereunder. Grantor may at any time grant authorization to use the Rights-of-Way for
7 any purpose not incompatible with Grantee's authority under this Franchise and for such
8 additional Franchises for Systems as Grantor deems appropriate.

9 **2.6 Grant of Other Franchises**

10 (A) The Grantee acknowledges and agrees that the Grantor reserves the right to grant
11 one or more additional franchises to provide Cable Service within the Franchise Area; provided,
12 the Grantor agrees that it shall amend this Franchise to include any material terms or conditions
13 that it makes available to the new entrant within ninety (90) days of the Grantee's request, so as
14 to ensure that the regulatory and financial burdens on each entity are materially equivalent.
15 "Material terms and conditions" include but are not limited to: franchise fees; insurance; system
16 build-out requirements; security instruments; public, education and government Access Channels
17 and support; customer service standards; required reports and related record keeping; and notice
18 and opportunity to cure breaches. If any such additional or competitive franchise is granted by
19 the Grantor which, in the reasonable opinion of the Grantee, contains more favorable or less
20 burdensome terms or conditions than this Franchise, the Grantor agrees that it shall amend this
21 Franchise to include any more favorable or less burdensome terms or conditions in a manner
22 mutually agreed upon by Grantor and Grantee.

23
24 (B) In the event an application for a new cable television franchise is filed with the
25 Grantor proposing to serve the Franchise Area, in whole or in part, the Grantor shall provide
26 notice of such application.

27
28 (C) In the event that a wireline multichannel video programming distributor provides
29 video service to the residents of the Grantor under the authority granted by federal or State
30 legislation or other regulatory entity, the Grantee shall have a right to request Franchise
31 amendments that relieve the Grantee of regulatory burdens that create a competitive
32 disadvantage to the Grantee. In requesting amendments, the Grantee shall file a petition seeking
33 to amend the Franchise. Such petition shall: (1) indicate the presence of such wireline
34 competitor; (2) identify the basis for Grantee's belief that certain provisions of the Franchise
35 place Grantee at a competitive disadvantage; and (3) identify the regulatory burdens to be
36 amended or repealed in order to eliminate the competitive disadvantage. The Grantor shall not
37 unreasonably withhold consent to the Grantee's petition.

38
39 **2.7 Familiarity with Franchise**

40 The Grantee acknowledges and warrants by acceptance of the rights, privileges and agreement
41 granted herein, that it has carefully read and fully comprehends the terms and conditions of this
42 Franchise and is willing to and does accept all reasonable risks of the meaning of the provisions,
43 terms and conditions herein. The Grantee further acknowledges and states that it has fully
44 studied and considered the requirements and provisions of this Franchise, and finds that the same

1 are commercially practicable at this time and consistent with all local, state and federal laws and
2 regulations currently in effect, including the Cable Act.

3 **2.8 Effect of Acceptance**

4 By accepting the Franchise, the Grantee: (1) acknowledges and accepts the Grantor's legal right
5 to issue and enforce the Franchise; (2) agrees that it will not oppose the Grantor's intervening in
6 any legal or regulatory proceeding affecting the System; (3) accepts and agrees to comply with
7 each and every provision of this Franchise; and (4) agrees that the Franchise was granted
8 pursuant to processes and procedures consistent with applicable law, and that it will not raise any
9 claim to the contrary.

10 **2.9 Police Powers**

11 Grantee's rights hereunder are subject to the police powers of Grantor to adopt and enforce
12 ordinances necessary to the safety, health and welfare of the public, and Grantee agrees to
13 comply with all applicable laws, ordinances and regulations enacted pursuant to the police
14 powers of Grantor, or hereafter enacted in accordance therewith, by Grantor or any other legally-
15 constituted governmental unit having lawful jurisdiction over the subject matter hereof. Any
16 conflict between the provisions of this Franchise and any other present or future lawful exercise
17 of Grantor's police powers shall be resolved in favor of the latter.
18

19 **2.10 Franchise Area**

20 Grantee shall provide Cable Service, as authorized under this Franchise, within the Franchise
21 Area.
22

23 **SECTION 3. FRANCHISE FEE AND FINANCIAL CONTROLS**

24 **3.1 Franchise Fee**

25 As compensation for the use of Grantor's Rights-of-Way or Roads, Grantee shall pay as a
26 Franchise Fee to Grantor, throughout the duration of this Franchise, an amount equal to five
27 (5%) percent of Grantee's Gross Revenues associated with Grantee's operation of its System in
28 the Franchise Area. Accrual of such Franchise Fee shall commence as of the effective date of
29 this Franchise.

30 **3.2 Payments**

31 Grantee's Franchise Fee payments to Grantor shall be computed quarterly for the preceding
32 calendar quarter ending September 30, December 31, March 31 and June 30. Each quarterly
33 payment shall be due and payable no later than forty-five (45) days after said dates.

34 **3.3 Acceptance of Payment**

35 No acceptance of any payment shall be construed as an accord by Grantor that the amount paid
36 is, in fact, the correct amount, nor shall any acceptance of payments be construed as a release of
37 any claim Grantor may have for further or additional sums payable or for the performance of any
38 other obligation of Grantee.

1 **3.4 Quarterly Franchise Fee Reports**

2 Each payment shall be accompanied by a written report to Grantor, verified by an officer of
3 Grantee, containing an accurate statement in summarized form, as well as in detail, of Grantee's
4 Gross Revenues and the computation of the payment amount. Such reports shall detail all Gross
5 Revenues of the System and shall be drafted in accordance with generally accepted accounting
6 principles.

7 **3.5 Audits**

8 On an annual basis, upon thirty (30) days' prior written notice, Grantor shall have the right to
9 conduct an independent audit of Grantee's records related to this Franchise and to re-compute
10 any amounts determined to be payable under this Franchise. Provided Grantee cooperates in
11 making all relevant records available upon request, Grantor will in good faith attempt to
12 complete each audit within six (6) months, and the audit period shall not be any greater than the
13 previous three (3) years, unless Grantor has information relating to previous years beyond the
14 three (3) which raises doubt as to the accuracy of payments made under this or previous
15 Franchises. Any additional amounts due to the Grantor as a result of the audit shall be paid
16 within sixty (60) days following written notice to the Grantee by the Grantor, which notice shall
17 include a copy of the audit findings. If the audit shows that Franchise Fees have been underpaid,
18 by three percent (3%) in a calendar year or more, Grantee shall pay the total cost of the audit.

19 **3.6 Financial Records**

20 Grantee agrees to meet with a representative of the Grantor upon written request to review
21 Grantee's method of record-keeping, financial reporting, the computing of Franchise Fee
22 obligations and other procedures, the understanding of which the Grantor deems necessary for
23 reviewing reports and records that are relevant to the enforcement of this Franchise.

24 **3.7 Interest on Late Payments**

25 In the event any payment is not received within forty-five (45) days from the end of the calendar
26 quarter, Grantee shall pay, in addition to the payment or sum due, interest from the due date at an
27 interest rate of 1%, beginning on the forty-sixth (46th) day after the end of the calendar quarter
28 and continuing every day thereafter until the seventy-sixth (76th) day after the end of the calendar
29 quarter, or until payment is made, whichever is earlier. If any payment is not received within
30 seventy-six (76) days after the end of the calendar quarter, Grantee shall be assessed a late fee in
31 the additional amount of two hundred dollars (\$200.00) per day, beginning on the seventy-sixth
32 (76th) day after the end of the calendar quarter and continuing every day thereafter until paid.

33 **3.8 Maximum Franchise Fee**

34 The parties acknowledge that, at present, applicable federal law limits Grantor to collection of a
35 Franchise Fee of five percent (5%) of Gross Revenues. In the event that at any time during the
36 duration of this Franchise, Grantor is authorized to collect an amount in excess of five percent
37 (5%) of Gross Revenues, then this Franchise may be amended unilaterally by Grantor to provide
38 that such excess amount shall be added to the Franchise Fee to be paid by Grantee to Grantor
39 hereunder, provided that all providers of Cable Service in the Franchise Area over which the
40 Grantor has jurisdiction are treated in an equivalent manner, and Grantee has received sixty (60)
41 days prior written notice from Grantor of such amendment.

1 **3.9 Additional Commitments Not Franchise Fees**

2 No term or condition in this Franchise shall in any way modify or affect Grantee's obligation to
3 pay Franchise Fees. Although the total sum of Franchise Fee payments and additional
4 commitments set forth elsewhere in this Franchise may total more than five percent (5%) of
5 Grantee's Gross Revenues in any 12-month period, Grantee agrees that the additional
6 commitments herein are not Franchise Fees, nor are they to be offset or credited against any
7 Franchise Fee payments due to Grantor, nor do they represent an increase in Franchise Fees to be
8 passed through to Subscribers pursuant to any federal law. Access Fees are not to be offset
9 against and are not Franchise Fees.

10 **3.10 Payment on Termination**

11 If this Franchise terminates for any reason, the Grantee shall file with the Grantor within ninety
12 (90) calendar days of the date of the termination, a financial statement, certified by an
13 independent certified public accountant, showing the Gross Revenues received by the Grantee
14 since the end of the previous fiscal year. Within sixty (60) days of the filing of the certified
15 statement with the Grantor, Grantee shall pay any unpaid amounts as indicated. If the Grantee
16 fails to satisfy its remaining financial obligations as required in this Franchise, the Grantor may
17 do so by utilizing the funds available in a Letter of Credit or other security provided by the
18 Grantee.

19 **SECTION 4. ADMINISTRATION AND REGULATION**

20 **4.1 General Provisions**

21 (A) Grantor shall be vested with the power and right to administer and enforce the
22 requirements of this Franchise and the regulations and requirements of applicable law, including
23 the Cable Act, or to delegate that power and right, or any part thereof, to the extent permitted
24 under State and local law.

25 (B) Grantee shall comply with all applicable federal and state laws and regulations,
26 including regulations of any administrative agency thereof, as well as all Grantor ordinances,
27 resolutions, rules and regulations heretofore or hereafter adopted or established during the term
28 of the Franchise. Nothing in this Franchise shall limit or expand the Grantor's right of eminent
29 domain under State law.

30 (C) The Grantee and Grantor shall be entitled to all rights and be bound by all
31 changes in local, State and federal law that occur subsequent to the effective date of this
32 Franchise. The Grantee and the Grantor acknowledge that their rights and obligations under this
33 Franchise are explicitly subject to all such changes. However, should such changes in law
34 substantially reduce Grantee's obligation to pay or provide Franchise Fees, or any other support
35 required in this Franchise, the Grantor and Grantee agree to enter into good faith negotiations for
36 a six (6) month period, at the request of either party, to resolve the issues. If resolution is not
37 reached within the six (6) month period, and the period has not been extended by mutual
38 agreement, the term of this Franchise shall be reduced to three (3) years, and the parties shall
39 commence the renewal process in accordance with the Cable Act.

40 **4.2 Rates and Charges**

41 All Grantee rates and charges related to or regarding Cable Services shall be subject to regulation
42 by Grantor to the full extent authorized by applicable federal, State and local laws.

1 **4.3 Rate Discrimination**

2 All Grantee rates and charges shall be published (in the form of a publicly-available rate card),
3 made available to the public, and shall be non-discriminatory as to all Persons of similar classes,
4 under similar circumstances and conditions. Grantee shall apply its rates in accordance with
5 governing law. Grantee shall permit Subscribers to make any in-residence connections the
6 Subscriber chooses without additional charge and without penalizing the Subscriber therefore.
7 However, if any in-home connection requires service from Grantee due to signal quality, signal
8 leakage or other factors, caused by improper installation of such in-home wiring or faulty
9 materials of such in-home wiring, the Subscriber may be charged appropriate service charges by
10 Grantee. Nothing herein shall be construed to prohibit:

11
12 (A) The temporary reduction or waiving of rates or charges in conjunction with valid
13 promotional campaigns;

14 (B) The offering of reasonable discounts to similarly situated Persons.

15 (C) The offering of rate discounts for either Cable Service generally, or data
16 transmission to governmental agencies or educational institutions; or

17 (D) The offering of bulk discounts for Multiple Dwelling Units.

18 **4.4 Filing of Rates and Charges**

19 (A) Throughout the term of this Franchise, Grantee shall maintain on file with Grantor
20 a complete schedule of applicable rates and charges for Cable Services provided under this
21 Franchise. Nothing in this subsection shall be construed to require Grantee to file rates and
22 charges under temporary reductions or waivers of rates and charges in conjunction with
23 promotional campaigns. As used in this subsection, no rate or charge shall be considered
24 temporary if Subscribers have the ability over a period greater than twelve (12) consecutive
25 months (or such other period as may be approved by Grantor) to purchase Cable Services at such
26 rate or charge.

27 (B) On an annual basis, Grantee shall provide a complete schedule of current rates
28 and charges for any and all Leased Access Channels, or portions of such Channels, provided by
29 Grantee.

30 **4.5 Late Fees**

31 If the Grantee assesses any kind of penalty fee for late payment, such fee shall comply with
32 applicable law.

33 **4.6 Time Limits Strictly Construed**

34 Whenever this Franchise sets forth a time for any act to be performed by Grantee, such time shall
35 be deemed to be of the essence, and any failure of Grantee to perform within the allotted time
36 may be considered a material breach of this Franchise. However, in the event that Grantee is
37 prevented or delayed in the performance of any of its obligations under this Franchise by reason
38 beyond the reasonable control of Grantee, Grantee shall have a reasonable time, under the
39 circumstances, to perform the affected obligation under this Franchise or to procure a substitute
40 for such obligation which is satisfactory to Grantor.

1 **4.7 Performance Evaluation**

2 (A) Special evaluation sessions may be held at any time upon request by Grantor
3 during the term of this Franchise.

4 (B) All evaluation sessions shall be open to the public and announced at least one
5 week in advance in a newspaper of general circulation in the Franchise Area. Grantor may
6 notify its Subscribers of evaluation sessions by announcement on its Access Channel.

7 (C) Topics which may be discussed at any evaluation session may include, but are not
8 limited to, Cable Service rate structures; Franchise Fees; liquidated damages; free or discounted
9 Cable Services; application of new technologies; system performance; Cable Services provided;
10 programming offered; customer complaints; privacy; amendments to this Franchise; judicial and
11 FCC rulings; line extension policies; and Grantor's or Grantee's rules; provided that nothing in
12 this subsection shall be construed as requiring the renegotiation of this Franchise.

13 (D) During evaluations under this Section, Grantee shall fully cooperate with Grantor
14 and shall provide such information and documents as Grantor may require to perform the
15 evaluation.
16

17 **SECTION 5. FINANCIAL AND INSURANCE REQUIREMENTS**

18 **5.1 Indemnification**

19 (A) General Indemnification. Grantee shall indemnify, defend and hold Grantor, its
20 officers, officials, boards, commissions, authorized agents and employees, harmless from any
21 action or claim for injury including death, damage, loss, liability, cost or expense, including
22 court and appeal costs and attorneys' fees and expenses, arising from any casualty or accident to
23 Person or property, including, without limitation, copyright infringement, defamation, and all
24 other damages in any way arising out of, or by reason of, any construction, excavation,
25 operation, maintenance, reconstruction, or any other act done under this Franchise, by or for
26 Grantee, its agents, or its employees, or by reason of any neglect or omission of Grantee its
27 agents or its employees. Grantee shall consult and cooperate with the Grantor while conducting
28 its defense of the Grantor.
29

30 (B) Indemnification for Relocation. Grantee shall indemnify Grantor for any
31 damages, claims, additional costs or expenses assessed against, or payable by, Grantor related to,
32 arising out of, or resulting, directly or indirectly, from Grantee's failure to remove, adjust or
33 relocate any of its facilities in the Streets in a timely manner in accordance with any relocation
34 required by Grantor.
35

36 (C) Additional Circumstances. Grantee shall also indemnify, defend and hold Grantor
37 harmless for any claim for injury, damage, loss, liability, cost or expense, including court and
38 appeal costs and attorneys' fees or expenses in any way arising out of:
39

40 (1) The grant of this Franchise;

41
42 (2) Any failure by Grantee to secure consents from the owners, authorized
43 distributors or licensees/licensors of programs to be delivered by the System.
44

1 (D) Procedures and Defense. If a claim or action arises, Grantor or any other
2 indemnified party shall tender the defense of the claim to Grantee, which defense shall be at
3 Grantee's expense. Grantor may participate in the defense of a claim and, in any event, Grantee
4 may not agree to any settlement of claims affecting Grantor without Grantor's written approval.

5
6 (E) Non-waiver. The fact that Grantee carries out any activities under this Franchise
7 through independent contractors shall not constitute an avoidance of or defense to Grantee's duty
8 of defense and indemnification under this Section.

9
10 (F) Duty to Give Notice and Tender Defense. The Grantor shall give the Grantee
11 timely written notice of any claim or of the commencement of any action, suit or other
12 proceeding covered by the indemnity in this Section. In the event any such claim arises, the
13 Grantor or any other indemnified party shall tender the defense thereof to the Grantee and the
14 Grantee shall have the obligation and duty to defend any claims arising thereunder, and the
15 Grantor shall cooperate fully therein.

16
17 (G) If separate representation to fully protect the interests of both parties is necessary,
18 such as a conflict of interest between the Grantor and the counsel selected by Grantee to
19 represent, the Grantor, Grantee shall pay expenses incurred by the Grantor in defending itself
20 with regard to any action, suit or proceeding indemnified by Grantee. The Grantor's expenses
21 shall include all out-of-pocket expenses, such as consultants' fees, and shall also include the
22 reasonable value of any services rendered by the Grantor attorney or his/her assistants or any
23 employees of the Grantor or its agents but shall not include outside attorneys' fees for services
24 that are unnecessarily duplicative of services provided the Grantor by Grantee.

25 26 **5.2 Insurance Requirements**

27 (A) General Requirement. Grantee must have adequate insurance during the entire
28 term of this Franchise to protect the Grantor against claims for injuries to Persons or damages to
29 property which in any way relate to, arise from or are connected with this Franchise, or involve
30 Grantee, its agents, representatives, contractors, subcontractors and their employees.

31 (B) Initial Insurance Limits. Grantee must keep insurance in effect in accordance
32 with the minimum insurance limits herein set forth by the Grantor from time to time. The
33 Grantee shall obtain policies for the following initial minimum insurance limits:

- 34 (1) Commercial General Liability: Five million dollars (\$5,000,000)
35 aggregate limit per occurrence for bodily injury, personal injury and property damage;
36 (2) Automobile Liability: Three million dollars (\$3,000,000) combined single
37 limit per accident for bodily injury and property damage; and
38 (3) Employer's Liability: One million dollars (\$1,000,000).

39 (C) Endorsements.

- 40 (1) All policies shall contain, or shall be endorsed so that:
41 (a) The Grantor shall be designated as additional insured.
42 (b) The Grantee's insurance coverage shall be primary insurance with
43 respect to the Grantor, its officers, officials, boards, commissions, employees and
44 duly authorized agents. Any insurance or self-insurance maintained by the

1 Grantor, its officers, officials, boards, commissions, employees and agents shall
2 be in excess of the Grantee's insurance and shall not contribute to it; and

3 (c) Grantee's insurance shall apply separately to each insured against
4 whom a claim is made or lawsuit is brought, except with respect to the limits of
5 the insurer's liability.

6 (2) The insurance shall provide that the insurance shall not be cancelled or
7 materially altered so as to be out of compliance with the requirements of this Section
8 without thirty (30) days' written notice first being given to Grantor. If the insurance is
9 cancelled or materially altered so as to be out of compliance with the requirements of this
10 Section within the term of this Franchise, Grantee shall provide a replacement policy.
11 Grantee agrees to maintain continuous uninterrupted insurance coverage, in the amounts
12 required, for the duration of this Franchise.

13 (D) Acceptability of Insurers. The insurance obtained by Grantee shall be placed with
14 insurers with a Best's rating of no less than "A."

15 (E) Verification of Coverage. The Grantee shall furnish the Grantor with certificates
16 of insurance or a copy of the page of the policy reflecting blanket additional insured status. The
17 certificates for each insurance policy are to be signed by a Person authorized by that insurer to
18 bind coverage on its behalf. The certificates for each insurance policy are to be on standard
19 forms or such forms as are consistent with standard industry practices, and are to be received and
20 approved by the Grantor prior to the commencement of activities associated with this Franchise.
21 The Grantee hereby warrants that its insurance policies satisfy the requirements of this Franchise.

22 **5.3 Security**

23 Upon the effective date of this Franchise, Grantee shall provide a performance bond in the
24 amount of \$25,000.00 to ensure the faithful performance of its responsibilities under this
25 Franchise and applicable law, including, by way of example and not limitation, its obligations to
26 relocate and remove its facilities and to restore Grantor Rights-of-Way and other property.
27

28 **SECTION 6. CUSTOMER SERVICE**

29 **6.1 Subscriber Contracts**

30 Grantee shall not enter into a contract with any Subscriber that is in any way inconsistent with
31 the terms of this Franchise.

32 **6.2 Subscriber Privacy**

33 Grantee will comply with privacy rights of Subscribers in accordance with applicable federal,
34 State and local laws.

35 **6.3 Customer Service Center**

36 Throughout the Franchise term, the Grantee must maintain, at a minimum, one (1) customer
37 service center located within Pierce County that will be open during Normal Business Hours, to
38 provide Subscribers the opportunity to receive and pick up Subscriber equipment and to make
39 bill payments and complaints.

1 **6.4 Customer Service Agreement and Manual**

2 (A) Grantee shall provide to Subscribers an accurate, comprehensive service
3 agreement and customer installation packet for use in establishing Subscriber service. This
4 material shall, at a minimum, contain the following:

- 5 (1) Grantee's procedure for investigation and resolution of Subscriber service
6 complaints.
- 7 (2) Services to be provided and rates for such services.
- 8 (3) Billing procedures.
- 9 (4) Service termination procedure.
- 10 (5) A description of the manner that will be used to provide notice of changes
11 in rates, service or service terms and conditions.
- 12 (6) A complete statement of the Subscriber's right to privacy.
- 13 (7) Converter and cable modem equipment policy.
- 14 (8) The name, address and phone number of the Person identified by the
15 Grantor as responsible for handling cable questions and complaints for the Grantor. This
16 information shall be prominently displayed in the installation packet.

17 (B) A copy of the installation packet shall be provided to each Subscriber at the time
18 of initial installation and any reconnection (excluding reconnections to the same Subscriber
19 within twelve (12) months), and at any time the packet is requested by the Subscriber. Grantee
20 shall make reasonable efforts to advise customers of any material changes in cable operation
21 policies.
22

23 **SECTION 7. REPORTS AND RECORDS**

24 **7.1 Open Records**

25 Grantor shall have access to, and the right to inspect, any books and records of Grantee, its
26 parent corporations and Affiliated entities, necessary for the enforcement of the terms of this
27 Franchise. Grantee shall not deny Grantor access to any of Grantee's records on the basis that
28 Grantee's records are under the control of any parent corporation, Affiliated entity or a third
29 party. Grantor may, in writing, request copies of any such records or books, and Grantee shall
30 provide such copies within thirty (30) days of the transmittal of such request. One copy of all
31 reports and records required under this or any other Section shall be furnished to Grantor at the
32 sole expense of Grantee. If the requested books and records are too voluminous, or for security
33 reasons cannot be copied or removed, then Grantee may request, in writing within ten (10) days,
34 that Grantor inspect them at Grantee's local offices. If any books or records of Grantee are not
35 kept in a local office and not made available in copies to Grantor upon written request as set
36 forth above, and if Grantor determines that an examination of such records is necessary for the
37 enforcement of this Franchise, then all reasonable travel and maintenance expenses incurred in
38 making such examination shall be paid by Grantee.

39 **7.2 Confidentiality**

40 Grantor agrees to keep confidential any proprietary or confidential books or records to the extent
41 permitted by law. Grantee shall be responsible for clearly and conspicuously identifying the
42 work confidential or proprietary, and shall provide a brief written explanation as to why such

1 information is confidential and how it may be treated as such under State or federal law. If
2 Grantor receives a demand from any Person for disclosure of any information designated by
3 Grantee as confidential, Grantor shall, so far as consistent with applicable law, advise Grantee
4 and provide Grantee with a copy of any written request by the party demanding access to such
5 information within a reasonable time. If Grantee believes that the disclosure of such documents
6 by Grantor would interfere with Grantee's rights under federal or state law, Grantee shall
7 institute an action in the Pierce County Superior Court to prevent the disclosure by Grantor of
8 such documents. Grantee shall join the Person requesting the documents to such an action.
9 Grantee shall defend, indemnify and hold Grantor harmless from any claim or judgment
10 including, but not limited to, any penalties or costs under RCW 42.17.

11 **7.3 Records Required**

12 Grantee shall at all times maintain:

13 (A) A full and complete set of plans, records and "as built" maps showing the
14 exact location of all System equipment installed or in use in the Franchise Area, which is
15 generated in Grantee's normal course of business;

16 (B) A copy of all FCC filings on behalf of Grantee, its parent corporations or
17 Affiliates which relate to the operation of the System in the Franchise Area;

18 (C) A list of Grantee's Cable Services, rates and Channel line-ups;

19 (D) A statistical compilation of Subscriber complaints, actions taken and
20 resolution, and a log of service calls.

21 **7.4 Copies of Federal and State Reports**

22 Upon written request, Grantee shall submit to Grantor copies of any pleading, applications,
23 notifications, communications and documents of any kind, submitted by Grantee or its Affiliates
24 to any federal, State or local courts, regulatory agencies and other government bodies if such
25 documents directly relate to the operations of Grantee's System within the Franchise Area.
26 Grantee shall submit such documents to Grantor no later than thirty (30) days after receipt of
27 Grantor's request. Grantee shall not claim confidential, privileged or proprietary rights to such
28 documents unless under federal, State, or local law such documents have been determined to be
29 confidential by a court of competent jurisdiction, or a federal or State agency. With respect to all
30 other reports, documents and notifications provided to any federal, State or local regulatory
31 agency as a routine matter in the due course of operating Grantee's System within the Franchise
32 Area, Grantee shall make such documents available to Grantor upon Grantor's written request.

33 **7.5 Complaint File and Reports**

34 Grantee shall keep an accurate and comprehensive file of any and all complaints regarding the
35 System, and Grantee's actions in response to those complaints, in a manner consistent with the
36 privacy rights of Subscribers. Those files shall remain open to Grantor during normal business
37 hours and shall be retained for a period of one year. Upon request, Grantee shall provide a report
38 to the Grantor which can, at Grantor's option, include the following information:

39 (A) Nature and type of customer complaints;

40 (B) Number, duration, general location and customer impact of unplanned service
41 interruptions;

- 1 (C) Any significant construction activities which affect the quality or otherwise
2 enhance the service of the System;
- 3 (D) Average response time for service calls;
- 4 (E) New areas constructed and available for Cable Service;
- 5 (F) Video programming changes (additions/deletions); and
- 6 (G) Such other information as reasonably requested by Grantor.

7 **7.6 Inspection of Facilities**

8 Grantor may inspect any of Grantee's cable system facilities and equipment in the Rights-of-Way
9 at any reasonable time during business hours upon at least forty-eight (48) hours-notice, or, in
10 case of emergency, upon demand without prior notice.

11 **7.7 False Statements**

12 Any intentional false or misleading statement or representation in any report required by this
13 Franchise shall be a material breach of this Franchise and may subject Grantee to all remedies,
14 legal or equitable, which are available to Grantor under this Franchise or otherwise.
15

16 **SECTION 8. PROGRAMMING AND CHANNEL CAPACITY**

17 **8.1 Grantee Compliance**

18 Grantee will provide the broad categories of programming and Channel capacity required in this
19 Franchise, and in all applicable federal, State or local laws, statutes, regulations or standards.

20 **8.2 Broad Programming Categories**

21 Grantee shall provide or enable the provision of at least the following initial broad categories of
22 programming to the extent such categories are reasonably available:

- 23 (A) Educational programming;
- 24 (B) Sports programming;
- 25 (C) General entertainment programming;
- 26 (D) Children's programming;
- 27 (E) Information/news programming;
- 28 (F) National and local government programming.

29 **8.3 Obscenity**

30 Grantee or Grantor shall not transmit, or permit to be transmitted, over any Channel subject to its
31 editorial control any programming which is obscene.

32 **8.4 Parental Control Device**

33 Upon request by any Subscriber, Grantee shall make available a parental control or lockout
34 device traps or filters to enable a Subscriber to control access to both the audio and video
35 portions of any or all Channels. Grantee shall inform its Subscribers of the availability of the
36 lockout device at the time of their initial subscription and periodically thereafter.

1 **8.5 Complimentary Cable Service**

2 Grantor acknowledges that complimentary services reflect a voluntary initiative on the part of
3 Grantee. Grantee does not waive any rights it may have regarding complimentary services under
4 federal law or regulation. Subject to applicable law, should Grantee elect to offset governmental
5 complimentary services against franchise fees, Grantee shall first provide Grantor with ninety
6 (90) days prior notice. Grantee, upon written request, shall provide without charge, a Standard
7 Installation and one outlet of Basic and Expanded Basic Service to those administrative buildings
8 owned and occupied or leased and occupied by the Grantor, fire station(s), police station(s),
9 libraries and K-12 public school(s) that are within 125 feet aerial or 60 feet underground of its
10 Cable System. In the case of leased facilities, recipient of service is responsible for securing
11 approval for appropriate right of entry suitable to the Grantee at its sole discretion. The Cable
12 Service provided shall not be distributed beyond the originally installed outlet without
13 authorization from Grantee. The Cable Service provided shall not be used for commercial
14 purposes, and such outlets shall not be located in areas open to the public. The Grantor shall take
15 reasonable precautions to prevent any use of the Grantee's Cable System in any manner that
16 results in the inappropriate use thereof or any loss or damage to the Cable System. The Grantor
17 shall hold the Grantee harmless from any and all liability or claims arising out of the provision
18 and use of Cable Service required by this Section. The Grantee shall not be required to provide
19 an outlet to such buildings where a non-Standard Installation is required, unless the Grantor or
20 building owner/occupant agrees to pay the incremental cost of any necessary Cable System
21 extension and/or non-Standard Installation. If additional outlets of Cable Service are provided to
22 such buildings, the building owner/occupant shall pay the usual installation and service fees
23 associated therewith.

24 **8.6 New Developments**

25 If there is a new technology which in Grantor's opinion would enhance substantially the quality
26 or quantity of programming available to Subscribers on the System, Grantee shall, at the request
27 of the Grantor, investigate the feasibility of implementing said technology and report to Grantor
28 the results of such investigation.
29

30 **SECTION 9. EDUCATIONAL AND GOVERNMENTAL ACCESS**

31 **9.1 Future Access Programming**

32 Grantor agrees Educational and Governmental Access programming provided on Grantee's
33 Cable System adequately meets the needs of the community. Grantor may, during the term of
34 this franchise, conduct a community needs assessment and conclude that Grantor Access
35 programming is required. Upon receipt of such written notice, the Grantor and Grantee shall
36 meet to discuss the required Access programming needs of the Grantor and the ability of the
37 Grantee to accommodate them.

38 **9.2 Future Capital Fee**

39 In the event the Grantor and Grantee decide that Grantor specific Access programming is
40 required and can be accommodated, and that a Capital Fee for access Capital expenditures is also
41 required, Grantee shall collect from Subscribers and pay to Grantor a Capital Fee for educational
42 and government access capital expenditures in the amount up to fifty cents (\$.50) per Subscriber
43 per month. Grantee shall make such payments quarterly, no later than forty-five (45) days

1 following the end of the quarter. The Grantor agrees that 47 C.F.R. §76.922 permits Grantee to
2 add the cost of the Capital Fee to the price of Cable Services and to collect the Capital Fee from
3 Subscribers. In addition, as permitted in 47 C.F.R. §76.985, all amounts paid as the Capital Fee
4 may be separately stated on Subscriber's bills as a government access capital equipment fee.

5 **9.3 Access Reporting**

6 Upon Grantee's written request the Grantor shall submit a report annually on the use of Grantor
7 Access Channels and Capital Fee. The Grantor shall submit a report to Grantee within one
8 hundred twenty (120) days of a written request. Grantee may review the records of the Grantor
9 regarding the use of the Capital Fee.

10 **9.4 Management and Control of Access Channels**

11 (A) In the event that Sect. 9.2 is implemented, Grantor may authorize Designated
12 Access Providers to control, operate, and manage the use of any and all Grantor specific Access
13 facilities provided by Grantee under this Franchise, including, without limitation, the operation
14 of Grantors Access Channels. The Grantor or its designee may formulate rules for the operation
15 of the Access Channels, consistent with this Franchise. Nothing herein shall prohibit the Grantor
16 from authorizing itself to be a Designated Access Provider.

17 (B) Grantee shall cooperate with Grantor and Designated Access Providers in the use
18 of the System and Grantor specific Access facilities for the provision of Access Channels.

19 **9.5 Change in Technology**

20 In the event Grantee makes any change in the System and related equipment and facilities or in
21 Grantee's signal delivery technology, which directly or indirectly affects the signal quality or
22 transmission of Grantor specific Access programming, Grantee shall at its own expense take
23 necessary technical steps or provide necessary technical assistance, including the acquisition of
24 all necessary equipment, and full training of Grantor specific Access personnel to ensure that the
25 capabilities of Access channels are not diminished or adversely affected by such change. For
26 example, this provision shall apply if Basic Service on the Cable System is converted from an
27 analog to a digital format, such that the Access Channels must also be converted to digital in
28 order to be received by Subscribers.

29 **9.6 Access Channels on Lowest Level of Service**

30 All Access Channels provided to Subscribers under this Franchise shall be included by Grantee,
31 without limitation, as a part of the lowest level of service, subject to applicable law.

32 **9.7 Return Line**

33 Within 360 days written notice, Grantee shall activate a return line capable of transmitting video
34 programming to enable the distribution of Grantor specific Access programming to Subscribers
35 on Grantor specific Access Channels. The return line shall run from a location to be determined
36 by the Grantor to the Grantee's facilities. Grantor shall be responsible for the cost to construct
37 the return line.
38

39 **9.8 Technical Quality**

40 The Grantee shall maintain Grantor specific Access channels at the same or better level of
41 technical quality and reliability required by this Franchise and all other applicable laws, rules and
42 regulations for other Channels. The Grantee shall provide routine maintenance and shall repair

1 and replace, if necessary, all Grantee's transmission equipment, including fiber transmitters and
2 receivers, channel modulators, associated cable and equipment, required to carry a quality signal
3 to and from the Grantor's Designated Distributor's facilities (and Designated Access Providers')
4 and the Grantee's facilities for the Grantor specific Access channels provided under this
5 Franchise.
6

7 **9.9 Payments to Grantee**

8 After completion of work requested by Grantor for which Grantor is to reimburse the Grantee,
9 and upon submission by Grantee of an invoice for payment of the cost incurred by Grantor,
10 Grantor agrees to make payment for the cost incurred up to the estimated cost for the work;
11 provided, however, that all payments shall be subject to adjustment for any amount found upon
12 audit or otherwise to have been improperly invoiced.
13

14 **SECTION 10. GENERAL RIGHT-OF-WAY USE AND CONSTRUCTION**

15 **10.1 Construction**

16 (A) Subject to applicable laws, regulations and ordinances of Grantor and the
17 provisions of this Franchise, Grantee may perform all construction necessary for the operation of
18 its System. All construction and maintenance of any and all Grantee's facilities within Rights-
19 of-Way shall, regardless of who performs the construction, be and remain Grantee's
20 responsibility.

21 (B) Prior to beginning any construction, Grantee shall provide Grantor with a
22 construction schedule for work in the Rights-of-Ways.

23 (C) Grantee may make excavations in Rights-of-Way for any facility needed for the
24 maintenance or extension of Grantee's System. Prior to doing such work, Grantee shall apply
25 for, and obtain, appropriate permits from Grantor, and give appropriate notices to Grantor. As a
26 condition of any permits so issued, Grantor officials may impose such conditions and regulations
27 as are necessary for the purpose of protecting any structures in such Rights-of-Way, proper
28 restoration of such Rights-of-Way and structures, protection of the public and the continuity of
29 pedestrian or vehicular traffic. When obtaining a permit, Grantee shall inquire in writing about
30 other construction currently in progress, planned or proposed, in order to investigate thoroughly
31 all opportunities for joint trenching or boring. Whenever it is possible and reasonably
32 practicable to joint trench or share bores or cuts, Grantee shall work with other providers,
33 licensees, permittees and franchisees so as to reduce so far as possible the number of Rights-of-
34 Way cuts within the Franchise Area.

35 (D) In the event that emergency repairs are necessary, Grantee shall immediately
36 notify Grantor of the need for such repairs. Grantee may initiate such emergency repairs, and
37 shall apply for appropriate permits within forty-eight (48) hours after discovery of the
38 emergency.

39 (E) Repair and Restoration of Property.

40 (1) The Grantee shall protect public and private property within the Rights-of-
41 Way from damage.

42 (2) If public property is disturbed or damaged, the Grantee shall restore the
43 property to its former condition. Public right-of-way or other Grantor property shall be

1 restored in a manner and within a timeframe approved by the Grantor's Director of Public
2 Works. If restoration of public right-of-way or other property of the Grantor is not
3 satisfactorily performed within a reasonable time, the Director of Public Works may,
4 after prior notice to the Grantee, or without notice where the disturbance or damage may
5 create a risk to public health or safety, or cause delay or added expense to a public project
6 or activity, cause the repairs to be made at the Grantee's expense and recover the cost of
7 those repairs from the Grantee. Within forty-five (45) days of receipt of an itemized list
8 of those costs, including the costs of labor, materials and equipment, the Grantee shall
9 pay the Grantor. If suit is brought by Grantor upon Grantee's failure to pay for repair or
10 restoration, the reasonable costs and expenses of the prevailing party will be paid by the
11 non-prevailing party.

12 (F) Movement for Other Permittees.

13
14 At the request of any Person holding a valid permit and upon reasonable advance notice,
15 Grantee shall temporarily raise, lower or remove its wires as necessary to permit the moving of a
16 building, vehicle, equipment or other item. The expense of such temporary changes must be paid
17 by the permit holder, and Grantee may require the estimated payment in advance.

18 **10.2 Relocation**

19 (A) Facilities Relocation – Upon the receipt of a demand by the Grantor, within thirty
20 days, or in the event of an emergency, upon such shorter notice period as the Grantor deems
21 reasonable under the circumstances, Grantee, at its sole cost and expense, shall remove or
22 relocate any Facilities, if and when the removal or relocation of such Facilities is made necessary
23 by the Grantor acting pursuant to any lawful governmental or proprietary purpose, including,
24 without limitation, engaging in any lawful change of grade, alignment or width of any Rights-of-
25 Way in the Franchise Area pursuant to any concern regarding health, safety and welfare, or in the
26 installation or replacement of any street light pole. Whenever Grantee is required to remove
27 Facilities or if Grantee desires to relocate Facilities, then the Grantor shall use its best efforts to
28 accommodate Grantee by making another functionally equivalent property available for use in
29 accordance with and subject to the terms and conditions of this Franchise. However, nothing in
30 this Agreement shall be construed as creating an obligation of the Grantor to provide Grantee
31 with such property.

32 (B) Relocation Costs – Whenever the removal or relocation of Facilities is required
33 under this Franchise or otherwise by order of Grantor, and such removal or relocation shall cause
34 the Rights-of-Way to be damaged, Grantee, at its sole cost and expense, shall promptly repair
35 and return the Rights-of-Way, in which the Facilities are located, to the same condition as
36 existed prior to such work in the sole determination of Grantor. If Grantee does not return the
37 affected site to a safe and satisfactory condition, then Grantor shall have the option to perform or
38 cause to be performed such reasonable and necessary work and charge Grantee for the proposed
39 costs to be incurred or the actual cost incurred by Grantor. Upon the receipt of a demand for
40 payment by the Grantor, Grantee shall reimburse Grantor for such costs within thirty days.

41 **10.3 Location of Facilities**

42 Within five (5) business days, unless otherwise specified in Grantee's regulations, after the
43 Grantor or any franchisee, licensee or permittee of the Grantor notifies Grantee of a proposed
44 Right-of-Way excavation, Grantee shall, at Grantee's expense:

1 (A) Mark on the surface all of its located underground facilities within the area of the
2 proposed excavation;

3 (B) Notify the excavator of any unlocated underground facilities in the area of the
4 proposed excavation; or

5 (C) Notify the excavator that Grantee does not have any underground facilities in the
6 vicinity of the proposed excavation.

7 **10.4 Restoration of Rights-of-Way / Grantor Owned Property**

8 (A) Whenever Grantee disturbs the surface of any Rights-of-Way or Grantor owned
9 property for any purpose, Grantee shall promptly restore the Rights-of-Way or Grantor owned
10 property to a condition as good or better than its prior condition in Grantor's sole determination.
11 When any opening is made by Grantee in a hard surface pavement in any Rights-of-Way or
12 Grantor owned property, Grantee shall promptly refill the opening and restore the surface to a
13 condition satisfactory to Grantor.

14 (B) If Grantee excavates the surface of any Rights-of-Way or Grantor owned
15 property, Grantee shall be responsible for restoration in accordance with applicable regulations
16 of the Rights-of-Way and its surface within the area affected by the excavation. Grantor may,
17 after providing notice to Grantee, refill or repave any opening made by Grantee in the Rights-of-
18 Way or on Grantor owned property, and the expense thereof shall be paid by Grantee. Grantor
19 may, after providing notice to Grantee, remove and repair any work done by Grantee which, in
20 the determination of Grantor, does not conform to applicable code. The cost thereof, including
21 the costs of inspection and supervision shall be paid by Grantee. All excavations made by
22 Grantee in Rights-of-Way or on Grantor owned property shall be properly safeguarded for the
23 prevention of accidents. All of Grantee's work under this Franchise, and this Section in
24 particular, shall be done in strict compliance with all rules, regulations and ordinances of
25 Grantor.

26 **10.5 Maintenance and Workmanship**

27 (A) Grantee's System shall be constructed and maintained in such manner as not to
28 interfere with sewers, water pipes or any other property of Grantor, or with any other pipes,
29 wires, conduits, pedestals, structures or other facilities that may have been laid in Rights-of-Way
30 by, or under, Grantor's authority.

31 (B) Grantee shall provide and use any equipment and appliances necessary to control
32 and carry Grantee's signals so as to prevent injury to Grantor's property or property belonging to
33 any Person. Grantee, at its own expense, shall repair, renew, change and improve its facilities to
34 keep them in good repair and safe and presentable condition.

35 (C) The Grantee's transmission and distribution system, wires and appurtenances shall
36 be located, erected and maintained so as not to endanger or interfere with the lives of Persons, or
37 to unnecessarily hinder or obstruct the free use of Rights-of-Way, alleys, bridges or other public
38 property.

39 **10.6 Acquisition of Facilities**

40 Upon Grantee's acquisition of facilities in any Grantor Rights-of-Way, or upon the addition or
41 annexation to the Grantor of any area in which Grantee owns or operates any facility, Grantee
42 shall, at Grantor's request, submit to Grantor a statement describing all facilities involved,

1 whether authorized by franchise, permit, license or other prior right, and specifying the location
2 of all such facilities to the extent Grantee has possession of such information. Such facilities
3 shall immediately be subject to the terms of this Franchise.
4

5 **10.7 Discontinuing Use of Facilities**

6 Whenever Grantee intends to discontinue using any facility within the Rights-of-Way, Grantee
7 shall submit for Grantor's approval a complete description of the facility and the date on which
8 Grantee intends to discontinue using the facility. Grantee may remove the facility or request that
9 Grantor allow it to remain in place. Notwithstanding Grantee's request that any such facility
10 remain in place, Grantor may require Grantee to remove the facility from the Rights of Way or
11 modify the facility to protect the public health, welfare, safety and convenience, or otherwise
12 serve the public interest. Grantor may require Grantee to perform a combination of modification
13 and removal of the facility. Grantee shall complete such removal or modification in accordance
14 with a schedule set by Grantor. Until such time as Grantee removes or modifies the facility as
15 directed by Grantor, or until the rights to and responsibility for the facility are accepted by
16 another Person having authority to construct and maintain such facility, Grantee shall be
17 responsible for all necessary repairs and relocations of the facility, as well as maintenance of the
18 Rights-of-Way, in the same manner and degree as if the facility were in active use, and Grantee
19 shall retain all liability for such facility. If Grantee abandons its facilities, Grantor may choose to
20 use such facilities for any purpose whatsoever including, but not limited to, Access Channel
21 purposes.

22 **10.8 Hazardous Substances**

23 (A) Grantee shall comply with all applicable State and federal laws, statutes,
24 regulations and orders concerning hazardous substances relating to Grantee's System in Rights-
25 of-Way.

26 (B) Grantee shall maintain and inspect its System located in Rights-of-Way. Upon
27 reasonable notice to Grantee, Grantor may inspect Grantee's facilities in Rights-of-Way to
28 determine if any release of hazardous substances has occurred, or may occur, from or related to
29 Grantee's System. In removing or modifying Grantee's facilities as provided in this Franchise,
30 Grantee shall also remove all residues of hazardous substances related thereto.

31 **10.9 Undergrounding of Cable**

32 (A) Where electric and telephone utility wiring is installed underground at the time of
33 System construction, or when such wiring is subsequently placed underground, all System lines,
34 wiring and equipment shall also be placed underground with other wire line service at no
35 expense to the Grantor. Related System equipment, such as pedestals, must be placed in
36 accordance with applicable code requirements and rules as interpreted by the Grantor's Director
37 of Public Works. In areas where either electric and telephone utility wiring are aerial, the
38 Grantee may install aerial cable, except when a property owner or resident requests underground
39 installation and agrees to bear the additional cost in excess of aerial installation.

40 (B) The Grantee shall utilize existing poles and conduit wherever possible.

41 (C) This Franchise does not grant, give or convey to the Grantee the right or privilege
42 to install its facilities in any manner on specific utility poles or equipment of the Grantor or any
43 other Person.

1 (D) The Grantee and the Grantor recognize that situations may occur in the future
2 where the Grantor may desire to place its own cable or conduit for fiber optic cable in trenches or
3 bores opened by the Grantee. If the Grantee upgrades in the future, the Grantee shall submit
4 these plans to the Grantor in accordance with the Grantor's permitting process so that such
5 opportunities may be explored. However, nothing set forth herein shall obligate the Grantee to
6 slow the progress of the upgrade of the System to accommodate the Grantor. In addition, the
7 Grantee agrees to cooperate with the Grantor in any other construction by the Grantee that
8 involves trenching or boring. If sufficient space is reasonably available, the Grantee shall allow
9 the Grantor to lay its cable, conduit and fiber optic cable in the Grantee's trenches and bores,
10 provided the Grantor shares in the cost of the trenching and boring on the same terms and
11 conditions as the Grantee at that time shares the total cost of trenches and bores. The Grantor
12 shall be responsible for maintaining its respective cable, conduit and fiber optic cable buried in
13 the Grantee's trenches and bores under this paragraph.

14 E) The Grantor shall not be required to obtain easements for the Grantee.

15 (F) The Grantee shall participate with other providers in joint trench projects to
16 relocate its overhead facilities underground and remove its overhead facilities in areas where all
17 utilities are being converted to underground facilities.

18 **10.10 Construction Codes**

19 Grantee shall strictly adhere to all building and zoning codes currently or hereafter in effect.
20 Grantee shall arrange its lines, cables and other appurtenances, on both public and private
21 property, in such a manner as to cause no unreasonable interference with the use of said public or
22 private property by any Person. In the event of such interference, Grantor may require the
23 removal or relocation of Grantee's lines, cables and other appurtenances from the property in
24 question.

25 **10.11 Construction and Use of Poles**

26 Whenever feasible, Grantee shall use existing poles when the installation of facilities above-
27 ground is permitted. In the event Grantee cannot obtain the necessary poles and related facilities
28 pursuant to a pole attachment agreement, and only in such event, then it shall be lawful for
29 Grantee to make all needed excavations in the Streets for the purpose of placing, erecting, laying,
30 maintaining, repairing and removing poles, conduits, supports for wires and conductors, and any
31 other facility needed for the maintenance or extension of Grantee's System. All poles of Grantee
32 shall be erected between the curb and the sidewalk unless otherwise designated by the proper
33 authorities of Grantor, and each pole shall be set whenever practicable at an extension lot line.
34 Grantor shall have the right to require Grantee to change the location of any pole, conduit,
35 structure or other facility within Rights-of-Way when, in the opinion of Grantor, the public
36 convenience requires such change, and the expense thereof shall be paid by Grantee.

37 **10.12 Tree Trimming**

38 Upon obtaining a written permit from Grantor, if such a permit is required, Grantee may prune or
39 cause to be pruned, using proper pruning practices in accordance with such permit, any tree in
40 the Rights-of-Way which interferes with the System.
41

1 **10.13 Standards**

2 (A) All work authorized and required hereunder shall be done in a safe, thorough and
3 worker-like manner. The Grantee must comply with all federal, State and Grantor safety
4 requirements, rules, regulations, laws and practices, and employ all necessary devices as required
5 by applicable law during construction, operation and repair of its System. By way of illustration
6 and not limitation, the Grantee must comply with the National Electric Code, National Electrical
7 Safety Code and Occupational Safety and Health Administration (OSHA) Standards.

8 (B) Grantee shall ensure that all cable drops are properly bonded to the electrical
9 power ground at the home, consistent with applicable code requirements. All non-conforming or
10 non-performing cable drops shall be replaced by Grantee as necessary.

11 (C) All installations of equipment shall be permanent in nature, durable and installed
12 in accordance with good engineering practices and of sufficient height to comply with all
13 existing Grantor regulations, ordinances and State laws so as not to interfere in any manner with
14 the right of the public or individual property owner, and shall not interfere with the travel and use
15 of public places by the public during the construction, repair, operation or removal thereof, and
16 shall not obstruct or impede traffic.

17 (D) In the maintenance and operation of its System in Rights-of-Way, alleys and other
18 public places, and in the course of any new construction or addition to its facilities, the Grantee
19 shall proceed so as to cause the least possible inconvenience to the general public; any opening
20 or obstruction in the Rights-of-Way or other public places made by the Grantee in the course of
21 its operations shall be guarded and protected at all times by the placement of adequate barriers,
22 fences or boarding, the bounds of which, during periods of dusk and darkness, shall be clearly
23 designated by warning lights.

24 (E) In the event the Grantor shall relocate a Rights-of-Way, raise or lower a bridge, or
25 make any other changes requiring the removal of utility installations, the Grantee shall remove or
26 relocate its installations at said locations at no cost to the Grantor.

27 **10.14 Stop Work**

28 On notice from Grantor that any work is being conducted contrary to the provisions of this
29 Franchise, or in an unsafe or dangerous manner as determined by Grantor, or in violation of the
30 terms of any applicable permit, laws, regulations, ordinances or standards, the work may
31 immediately be stopped by Grantor. The stop work order shall:

32 (A) Be in writing;

33 (B) Be given to the individual doing the work, or posted on the work site;

34 (C) Be sent to Grantee by mail at the address given herein;

35 (D) Indicate the nature of the alleged violation or unsafe condition; and

36 (E) Establish conditions under which work may be resumed.

37 **10.15 Work of Contractors and Subcontractors**

38 Grantee's contractors and subcontractors shall be licensed and bonded in accordance with
39 Grantor's ordinances, regulations and requirements. Work by contractors and subcontractors is
40 subject to the same restrictions, limitations and conditions as if the work were performed by
41 Grantee. Grantee shall be responsible for all work performed by its contractors and

1 subcontractors and others performing work on its behalf as if the work were performed by it, and
2 shall ensure that all such work is performed in compliance with this Franchise and other
3 applicable law, and shall be jointly and severally liable for all damages and correcting all damage
4 caused by them. It is Grantee's responsibility to ensure that contractors, subcontractors or other
5 persons performing work on Grantee's behalf are familiar with the requirements of this Franchise
6 and other applicable laws governing the work performed by them.

7
8 **10.16 GIS Mapping**

9
10 Grantee shall provide the City with records of Grantee's trunk and distribution facilities within
11 the Franchise Area in a standard geographic information system format (GIS) format. All
12 updates of the GIS shall be submitted to the City Public Works Department within thirty (30)
13 days upon annual request.
14
15

16 **SECTION 11. CABLE SYSTEM DESIGN AND CAPACITY**

17 **11.1 Equal and Uniform Service**

18 The Grantee shall provide access to equal and uniform Cable Service offerings throughout the
19 Franchise Area along public rights-of-way, provided that nothing shall prohibit the Grantee from
20 activating additional Cable Services to Subscribers on a node by node basis during an upgrade of
21 its Cable System.

22 **11.2 Cable System Upgrade**

23 Prior to the effective date of this Franchise, the Grantee undertook a voluntary upgrade of its
24 Cable System to a fiber-to-the-node system architecture, with fiber-optic cable deployed from
25 the Headend to the node and tying into a hybrid fiber-coaxial system already serving
26 Subscribers. Active and passive devices are capable of passing a minimum of 750 MHz, and the
27 Cable System is capable of delivering high quality signals that meet, or exceed, FCC technical
28 quality standards regardless of a particular manner in which signal is transmitted. During the
29 term of this Franchise, the Grantee agrees to maintain the Cable System in a manner consistent
30 with, or in excess of these specifications.
31

32 **11.3 Technical Performance**

33 The technical performance of the Cable System shall meet or exceed all applicable federal
34 (including, but not limited to, the FCC), State and local technical standards, as they may be
35 amended from time to time, regardless of the transmission technology utilized. Grantor shall
36 have the full authority permitted by applicable law to enforce compliance with these technical
37 standards.

38 **11.4 Cable System Performance Testing**

39 (A) Grantee shall, at Grantee's expense, perform the following tests on its Cable
40 System:

- 41 (1) All tests required by the FCC;

1 (2) All other tests reasonably necessary to determine compliance with
2 technical standards adopted by the FCC at any time during the term of this Franchise; and

3 (3) All other tests as otherwise specified in this Franchise.

4 (B) At a minimum, Grantee's tests shall include:

5 (1) Cumulative leakage index testing of any new construction;

6 (2) Semi-annual compliance and proof of performance tests in conformance
7 with generally accepted industry guidelines;

8 (3) Tests in response to Subscriber complaints;

9
10 (4) Cumulative leakage index tests, at least annually, designed to ensure that
11 one hundred percent (100%) of Grantee's Cable System has been ground or air tested for
12 signal leakage in accordance with FCC standards.

13 (C) Grantee shall maintain written records of all results of its Cable System tests,
14 performed by or for Grantee. Copies of such test results will be provided to Grantor upon
15 request.

16 (D) The FCC semi-annual testing is conducted in January/February and July/August
17 of each year. If Grantor contacts Grantee prior to the next test period (*i.e.*, before December 15
18 and June 15 respectively of each year), Grantee shall provide Grantor with no less than seven (7)
19 days prior written notice of the actual date(s) for FCC compliance testing. If Grantor notifies
20 Grantee by the December 15th and June 15th dates that it wishes to have a representative present
21 during the next test(s), Grantee shall cooperate in scheduling its testing so that the representative
22 can be present. Notwithstanding the above, all technical performance tests may be witnessed by
23 representatives of the Grantor.

24 (E) Grantee shall be required to promptly take such corrective measures as are
25 necessary to correct any performance deficiencies fully and to prevent their recurrence as far as
26 possible. Grantee's failure to correct deficiencies identified through this testing process shall be
27 a material violation of this Franchise. Sites shall be re-tested following correction.

28 **11.5 Additional Tests**

29 Where there exists other evidence that in the judgment of Grantor casts doubt upon the reliability
30 or technical quality of Cable Service, the Grantor shall have the right and authority to require
31 Grantee to test, analyze and report on the performance of the Cable System. Grantee shall fully
32 cooperate with the Grantor in performing such testing and shall prepare the results and a report,
33 if requested, within thirty (30) days after testing. Such report shall include the following
34 information:

35 (A) the nature of the complaint or problem which precipitated the special tests;

36 (B) the Cable System component tested;

37 (C) the equipment used and procedures employed in testing;

38 (D) the method, if any, in which such complaint or problem was resolved; and

39 (E) any other information pertinent to said tests and analysis which may be required.
40

1 **SECTION 12. SERVICE EXTENSION**

2 **12.1 Service Availability**

3 (A) In general, except as otherwise provided herein, Grantee shall provide Service
4 within seven (7) days of a request by any Person within its Franchise Area. For purposes of this
5 Section, a request shall be deemed made on the date of signing a service agreement, receipt of
6 funds by Grantee, receipt of a written request by Grantee or receipt by Grantee of a verified
7 verbal request. Grantee shall provide such service:

8 (1) At a non-discriminatory installation charge for a standard installation,
9 consisting of a one hundred twenty-five (125) foot drop connecting to an inside wall,
10 with additional charges for non-standard installations computed according to a non-
11 discriminatory method for such installations, adopted by Grantee and provided in writing
12 to Grantor.

13 (2) At non-discriminatory monthly rates for all Subscribers, excepting
14 commercial customers, MDU Bulk customers and other lawful exceptions to uniform
15 pricing.
16

17 **SECTION 13. STANDBY POWER AND EAS**

18 **13.1 Standby Power**

19 Grantee shall provide standby power generating capacity at the System Headend capable of
20 providing at least twelve (12) hours of emergency operation. Grantee shall maintain standby
21 power system supplies, rated for at least two (2) hours duration, throughout the trunk and
22 distribution networks. In addition, throughout the term of this Franchise Grantee shall have a
23 plan in place, along with all resources necessary for implementing such plan, for dealing with
24 outages of more than two (2) hours.

25 **13.2 Emergency Alert Capability**

26 (A) In accordance with, and at the time required by, the provisions of FCC
27 Regulations, as such provisions may from time to time be amended, EAS activation will be
28 accomplished in compliance with the FCC approved Washington State EAS plan and the Local
29 Area EAS plan that applies to City of Lakewood, which has already been submitted for approval
30 to the Washington State Emergency Communications Committee (WSECC).

31 (B) Grantee shall ensure that the EAS system is functioning properly at all times. It
32 will test the EAS system periodically, in accordance with FCC regulations.
33

34 **SECTION 14. FRANCHISE BREACHES; TERMINATION OF**
35 **FRANCHISE**

36 **14.1 Informal Dispute Resolution**

37 Prior to proceeding with the formal Procedure for Remediating of Franchise Violations process as
38 set forth below (in subsection 14.2), Grantor agrees to provide Grantee informal verbal or
39 electronic mail notice of any alleged material violation of this Franchise and allow Grantee a
40 reasonable opportunity to cure the violation. If the alleged violation is investigated by Grantee

1 and determined to be valid, Grantee agrees to exert good faith efforts to immediately resolve the
2 matter. However, if the alleged violation is determined by Grantee to be invalid, or outside of
3 Grantee's legal responsibilities, the Grantee promptly shall so advise Grantor. Grantee agrees to
4 exert good faith efforts to expedite its investigation, determination and communications to
5 Grantor so that the informal resolution process proceeds on an expedited basis. If Grantor
6 believes that Grantee is unreasonably delaying the informal resolution process, it may commence
7 the formal dispute resolution process.

8 **14.2 Procedure for Remediating Franchise Violations**

9 (A) If Grantor believes that Grantee has failed to perform any material obligation
10 under this Franchise, or has failed to perform in a timely manner, Grantor shall notify Grantee in
11 writing, stating with reasonable specificity the nature of the alleged default. Grantee shall have
12 thirty (30) days from the receipt of such notice to:

13 (1) Respond to Grantor, contesting Grantor's assertion that a default has
14 occurred, and requesting a hearing in accordance with subsection (B), below;

15 (2) Cure the default; or

16 (3) Notify Grantor that Grantee cannot cure the default within the thirty (30)
17 days, because of the nature of the default. In the event the default cannot be cured within
18 thirty (30) days, Grantee shall promptly take all reasonable steps to cure the default and
19 notify Grantor in writing and in detail as to the exact steps that will be taken and the
20 projected completion date. In such case, Grantor may set a hearing in accordance with
21 subsection (B) below to determine whether additional time beyond the thirty (30) days
22 specified above is indeed needed, and whether Grantee's proposed completion schedule
23 and steps are reasonable. Upon five (5) business days' prior written notice, either Grantor
24 or Grantee may call an informal meeting to discuss the alleged default.

25 (B) If Grantee does not cure the alleged default within the cure period stated above, or
26 by the projected completion date under subsection (A) (3), or denies the default and requests a
27 hearing in accordance with subsection (A) (1), or Grantor orders a hearing in accordance with
28 subsection (A) (3), Grantor shall set a public hearing to investigate said issues or the existence of
29 the alleged default. Grantor shall notify Grantee of the hearing in writing and such hearing shall
30 take place no less than seven (7) days after Grantee's receipt of notice of the hearing. At the
31 hearing, Grantee shall be provided an opportunity to be heard, to present and question witnesses,
32 and to present evidence in its defense. At any such hearing, Grantor shall not unreasonably limit
33 Grantee's opportunity to make a record which may be reviewed should any final decision of
34 Grantor be appealed to a court of competent jurisdiction. The determination as to whether a
35 default or a material breach of this Franchise has occurred shall be within Grantor's sole
36 discretion, but any such determination shall be subject to appeal to a court of competent
37 jurisdiction.

38 (C) If, after the public hearing, Grantor determines that a default still exists; Grantor
39 shall order Grantee to correct or remedy the default or breach within fourteen (14) days or within
40 such other reasonable time frame as Grantor shall determine. In the event Grantee does not cure
41 within such time to Grantor's reasonable satisfaction, Grantor may:

42 (1) Assess and collect monetary damages in accordance with this Franchise;

43 (2) Commence procedures to terminate this Franchise; or,

1 (3) Pursue any other legal or equitable remedy available under this Franchise
2 or applicable law.

3 (D) The determination as to whether a violation of this Franchise has occurred
4 pursuant to this Section herein shall be within the sole discretion of the Grantor or its designee.
5 Any such determination by Grantor shall be accompanied by a record, to which Grantee's
6 contribution shall not be unreasonably limited by Grantor. Any such final determination shall be
7 subject to appeal to a court of competent jurisdiction.

8 **14.3 Alternative Remedies**

9 (A) No provision of this Franchise shall be deemed to bar the right of either party to
10 seek or obtain judicial relief from a violation of any provision of the Franchise or any rule,
11 regulation, requirement or directive promulgated hereunder. Neither the existence of other
12 remedies identified in this Franchise nor the exercise thereof shall be deemed to bar or otherwise
13 limit the right of either party to recover monetary damages, as allowed under applicable law, or
14 to seek and obtain judicial enforcement of obligations by means of specific performance,
15 injunctive relief or mandate, or any other remedy at law or in equity.

16 (B) The Grantor specifically does not, by any provision of this Franchise, waive any
17 right, immunity, limitation or protection (including complete damage immunity) otherwise
18 available to the Grantor, its officers, officials, Councils, boards, commissions, authorized agents,
19 or employees under federal, state, or local law including by example Section 635A of the Cable
20 Act. The Grantee shall not have any monetary recourse against the Grantor, or its officers,
21 officials, Council, Boards, commissions, agents or employees for any loss, costs, expenses or
22 damages arising out of any provision, requirement of this Franchise or the enforcement thereof.

23 **14.4 Assessment of Monetary Damages**

24 (A) Upon completion of the procedures set forth above, and from the date of said
25 violation pursuant to the procedures specified in this Franchise, Grantor may assess against and
26 collect from Grantee monetary damages in amounts of up to five hundred dollars (\$500.00) per
27 day or the Grantor's actual damages, whichever is greater, for general construction delays, and
28 up to two hundred dollars (\$200.00) per day for any other material breaches. Grantor may
29 collect the assessment as specified in this Franchise.

30 (B) Any assessment hereunder shall not constitute a waiver by Grantor of any other
31 right or remedy it may have under this Franchise or applicable law, including its right to recover
32 from Grantee any additional rights or claims Grantor might have to damages, losses, costs and
33 expenses, after the period for collecting liquidated damages referenced in subsection (C) below
34 has expired.

35 (C) The Grantor and the Grantee recognize the delays, expense and unique difficulties
36 involved in proving in a legal proceeding the actual loss suffered by the Grantor as a result of the
37 Grantee's breach of this Franchise. Accordingly, instead of requiring such proof, the Grantor and
38 the Grantee agree that the Grantee shall pay to the Grantor the sums set forth above for each day
39 that the Grantee shall be in breach of the specific provisions of this Franchise, for a maximum of
40 ninety (90) days. Such amounts are agreed by both parties to be a reasonable estimate of the
41 actual damages the Grantor would suffer in the event of the Grantee's breach of such provisions
42 of this Franchise, and are not intended as a penalty.

1 (D) The Grantee's maintenance of the Security required herein or by applicable code
2 shall not be construed to excuse unfaithful performance by the Grantee of this Franchise; to limit
3 the liability of the Grantee to the amount of the Security; or to otherwise limit the Grantor's
4 recourse to any other remedy available at law or equity.

5 **14.5 Revocation**

6 (A) This Franchise may be revoked and all rights and privileges rescinded if a
7 material breach of the Franchise is not cured pursuant to Section 14.2, or in the event that:

8 (1) Grantee fails to perform any material obligation under this Franchise;

9 (2) Grantee attempts to evade any material provision of this Franchise or to
10 practice any fraud or deceit upon the Grantor or Subscribers;

11 (3) Grantee makes a material misrepresentation of fact in the negotiation of
12 this Franchise;

13 (4) Grantee or an Affiliate challenges the legality or enforceability of this
14 Franchise in a judicial or administrative (for example, FCC) proceeding;

15 (5) Grantee fails to maintain required business offices as provided above;

16 (6) Grantee abandons the System, or terminates the System's operations;

17 (7) Grantee fails to restore service to the System after three consecutive days
18 of an outage or interruption in service; except when approval of such outage or
19 interruption is obtained from the Grantor, it being the intent that there shall be continuous
20 operation of the System; or

21 (8) Grantee becomes insolvent, unable or unwilling to pay its debts, or is
22 adjudged bankrupt, there is an assignment for the benefit of Grantee's creditors, or all or
23 part of the Grantee's System is sold under an instrument to secure a debt and is not
24 redeemed by Grantee within thirty (30) days from said sale.

25 (B) Additionally, this Franchise may be revoked one hundred twenty (120) days after
26 the appointment of a receiver or trustee to take over and conduct the business of the Grantee (at
27 the option of the Grantor and subject to applicable law) whether in a receivership, reorganization,
28 bankruptcy or other action or proceeding, unless:

29 (1) The receivership or trusteeship is vacated within one hundred twenty (120)
30 days of appointment; or

31 (2) The receivers or trustees have, within one hundred twenty (120) days after
32 their election or appointment, fully complied with all the material terms and provisions of
33 this Franchise, and has remedied all material defaults under the Franchise. Additionally,
34 the receivers or trustees shall have executed an agreement duly approved by the court
35 having jurisdiction, by which the receivers or trustees assume and agree to be bound by
36 each and every term and provision of this Franchise.

37 (C) If there is a foreclosure or other involuntary sale of the whole or any part of the
38 plant, property and equipment of Grantee, Grantor may serve notice of revocation on Grantee
39 and to the purchaser at the sale, and the rights and privileges of Grantee under this Franchise
40 shall be revoked thirty (30) days after service of such notice, unless:

41 (1) Grantor has approved the transfer of the Franchise, in accordance with the
42 procedures set forth in this Franchise and as provided by law; and

1 (2) The purchaser has covenanted and agreed with Grantor to assume and be
2 bound by all of the terms and provisions of this Franchise.

3 (D) Grantor shall provide Grantee written notice of its intent to consider revocation
4 and hold a hearing in accordance with the provisions of this Franchise. Grantee shall submit any
5 objection to revocation in writing to Grantor, stating with specificity its objections. Grantor shall
6 hear any Persons interested in the revocation, and shall allow Grantee an opportunity to be heard,
7 to cross-examine witnesses, to present evidence, and to make all reasonable additions to the
8 hearing record.

9 (E) Grantor shall determine whether the Franchise shall be revoked. The Grantee
10 may appeal such determination to a court of competent jurisdiction. Such appeal to the
11 appropriate court shall be taken within thirty (30) days of the issuance of the determination of the
12 Grantor. Grantor shall receive notice of any appeal concurrent with any filing to a court of
13 competent jurisdiction.

14 **14.6 Removal**

15 (A) In the event of termination, expiration or revocation of this Franchise, and after all
16 appeals from any judicial determination are exhausted and final, Grantor may order the removal
17 of the System facilities from the Franchise Area at Grantee's sole expense within a reasonable
18 period of time as determined by Grantor. In removing its plant, structures and equipment,
19 Grantee shall refill, at its own expense, any excavation that is made by it and shall leave all
20 Rights-of-Way, public places and private property in as good a condition as that prevailing prior
21 to Grantee's removal of its equipment.

22 (B) If Grantee fails to complete any required removal to the satisfaction of Grantor,
23 Grantor may cause the work to be done, and Grantee shall reimburse Grantor for the reasonable
24 costs incurred within thirty (30) days after receipt of an itemized list of Grantor's expenses and
25 costs, or Grantor may recover its expenses and costs from the Security, or pursue any other
26 judicial remedies for the collection thereof. Any expenses incurred in the collection by Grantor
27 of such obligation shall be included in the monies due Grantor from Grantee, including
28 reasonable attorney fees, court expenses and attributed expenses for work conducted by
29 Grantor's staff or agents.

31 **SECTION 15. ABANDONMENT**

32 **15.1 Effect of Abandonment**

33 If the Grantee abandons its System during the Franchise term, or fails to operate its System in
34 accordance with its duty to provide continuous service, the Grantor, at its option, may operate the
35 System or; designate another entity to operate the System temporarily until the Grantee restores
36 service under conditions acceptable to the Grantor, or until the Franchise is revoked and a new
37 franchisee is selected by the Grantor. If the Grantor designates another entity to operate the
38 System, the Grantee shall reimburse the Grantor for all reasonable costs, expenses and damages
39 incurred, including reasonable attorney fees, court expenses and attributed expenses for work
40 conducted by Grantor's staff or agents.

1 **SECTION 16. FRANCHISE TRANSFER**

2 **16.1 Transfer of Ownership or Control**

3 (A) The Cable System and this Franchise shall not be sold, assigned, transferred,
4 leased or disposed of, either in whole or in part, either by involuntary sale or by voluntary sale,
5 merger or consolidation; nor shall title thereto, either legal or equitable, or any right, interest or
6 property therein pass to or vest in any Person or entity without the prior written consent of the
7 Grantor, which consent shall be by the Grantor's Council, acting by ordinance or resolution.

8 (B) The Grantee shall promptly notify the Grantor of any actual or proposed change
9 in, or transfer of, or acquisition by any other party of control of the Grantee. The word "control"
10 as used herein is not limited to majority stockholders but includes actual working control in
11 whatever manner exercised. Every change, transfer or acquisition of control of the Grantee shall
12 make this Franchise subject to cancellation unless and until the Grantor shall have consented in
13 writing thereto.

14 (C) The parties to the sale or transfer shall make a written request to the Grantor for
15 its approval of a sale or transfer and furnish all information required by law and the Grantor.

16 (D) In seeking the Grantor's consent to any change in ownership or control, the
17 proposed transferee shall indicate whether it:

18 (1) Has ever been convicted or held liable for acts involving deceit including
19 any violation of federal, State or local law or regulations, or is currently under an
20 indictment, investigation or complaint charging such acts;

21 (2) Has ever had a judgment in an action for fraud, deceit, or
22 misrepresentation entered against the proposed transferee by any court of competent
23 jurisdiction;

24 (3) Has pending any material legal claim, lawsuit, or administrative
25 proceeding arising out of or involving a cable system;

26 (4) Is financially solvent, by submitting financial data including financial
27 statements that are audited by a certified public accountant who may also be an officer of
28 the transferee, along with any other data that the Grantor may reasonably require; and

29 (5) Has the financial, legal and technical capability to enable it to maintain
30 and operate the Cable System for the remaining term of the Franchise.

31 (E) The Grantor shall act by ordinance or resolution on the request within one
32 hundred twenty (120) days of the request, provided it has received all requested information.
33 Subject to the foregoing, if the Grantor fails to render a final decision on the request within one
34 hundred twenty (120) days, such request shall be deemed granted unless the requesting party and
35 the Grantor agree to an extension of time.

36 (F) Within thirty (30) days of any transfer or sale, if approved or deemed granted by
37 the Grantor, Grantee shall file with the Grantor a copy of the deed, agreement, lease or other
38 written instrument evidencing such sale or transfer of ownership or control, certified and sworn
39 to as correct by Grantee and the transferee, and the transferee shall file its written acceptance
40 agreeing to be bound by all of the provisions of this Franchise, subject to applicable law. In the
41 event of a change in control, in which the Grantee is not replaced by another entity, the Grantee
42 will continue to be bound by all of the provisions of the Franchise, subject to applicable law, and

1 will not be required to file an additional written acceptance. By agreeing to any transfer of
2 ownership, Grantor does not waive any rights in this Franchise.

3 (G) In reviewing a request for sale or transfer, the Grantor may inquire into the legal,
4 technical and financial qualifications of the prospective controlling party or transferee, and
5 Grantee shall assist the Grantor in so inquiring. The Grantor may condition said sale or transfer
6 upon such terms and conditions as it deems reasonably appropriate, provided, however, any such
7 terms and conditions so attached shall be related to the legal, technical and financial
8 qualifications of the prospective controlling party or transferee and to the resolution of
9 outstanding and unresolved issues of noncompliance with the terms and conditions of this
10 Franchise by Grantee.

11 (H) Notwithstanding anything to the contrary in this subsection, the prior approval of
12 the Grantor shall not be required for any sale, assignment or transfer of the Franchise or Cable
13 System to an entity controlling, controlled by or under the same common control as Grantee,
14 provided that the proposed assignee or transferee must show financial responsibility as may be
15 determined necessary by the Grantor and must agree in writing to comply with all of the
16 provisions of the Franchise. Further, Grantee may pledge the assets of the Cable System for the
17 purpose of financing without the consent of the Grantor; provided that such pledge of assets shall
18 not impair or mitigate Grantee's responsibilities and capabilities to meet all of its obligations
19 under the provisions of this Franchise.
20

21 **SECTION 17. MISCELLANEOUS PROVISIONS**

22 **17.1 Preferential or Discriminatory Practices Prohibited**

23 Grantee shall not discriminate in hiring, employment or promotion on the basis of race, color,
24 ethnic or national origin, religion, age, sex, sexual orientation, or physical or mental disability.
25 Throughout the term of this Franchise, Grantee shall fully comply with all equal employment or
26 non-discrimination provisions and requirements of federal, State and local laws, and rules and
27 regulations relating thereto.

28 **17.2 Notices**

29 Throughout the term of this Franchise, each party shall maintain and file with the other a local
30 address for the service of notices by mail. All notices shall be sent to such respective address,
31 and such notices shall be effective upon the date of mailing. At the effective date of this
32 Franchise:

33
34 Grantee's address shall be:

35 Comcast Cable
36 410 Valley Ave. NW, Suite 9
37 Puyallup, WA 98371
38 Attention: General Manager
39

40
41 With a copy to:

42 Comcast Cable
43 15815 25th Avenue West

1 Lynnwood, WA 98087
2 Attention: Franchise Department

3
4 Grantor's address shall be:

5 City of Lakewood
6 6000 Main Street SW
7 Lakewood, WA 98499
8
9

10 **17.3 Costs to be Borne by Grantee**

11 Grantee shall pay for all costs of publication of this Franchise, and any and all notices prior to
12 not more than two (2) public meetings provided for pursuant to this Franchise.

13 **17.4 Binding Effect**

14 This Franchise shall be binding upon the parties hereto, their permitted successors and assigns.

15 **17.5 Authority to Amend**

16 No provision of this Franchise Agreement Shall be amended or otherwise modified, in whole or
17 in part, except by an instrument, in writing, duly executed by the Grantor and the Grantee, which
18 amendment shall be authorized on behalf of the Grantor through the adoption of an appropriate
19 resolution or order by the Grantor, as required by applicable law.

20 **17.6 Venue**

21 The Venue for any dispute related to this Franchise shall be with the United States District Court
22 for the Western District of Washington or the Pierce County Superior Court, Tacoma,
23 Washington.

24 **17.7 Governing Law**

25 This Franchise shall be governed in all respects by the laws of the State of Washington.

26 **17.8 Captions**

27 The captions and headings of this Franchise are for convenience and reference purposes only and
28 shall not affect in any way the meaning or interpretation of any provisions of this Franchise.

29 **17.9 Construction of Franchise**

30 The provisions of this Franchise shall be liberally construed to promote the public interest.

31 **17.10 No Joint Venture**

32 Nothing herein shall be deemed to create a joint venture or principal-agent relationship between
33 the parties and neither party is authorized to, nor shall either party act toward third persons or the
34 public in any manner that would indicate any such relationship with the other.

35 **17.11 Waiver**

36 The failure of either party at any time to require performance by the other of any provision
37 hereof shall in no way affect the right of the other party hereafter to enforce the same. Nor shall
38 the waiver by either party of any breach of any provision hereof be taken or held to be a waiver

1 of any succeeding breach of such provision, or as a waiver of the provision itself or any other
2 provision.

3 **17.12 Severability**

4 If any Section, subsection, paragraph, term or provision of this Franchise is determined to be
5 illegal, invalid or unconstitutional by any court or agency of competent jurisdiction, such
6 determination shall have no effect on the validity of any other Section, subsection, paragraph, term
7 or provision of this Franchise, all of which will remain in full force and effect for the term of the
8 Franchise.

9 **17.13 Entire Agreement**

10 This Franchise and all Exhibits represent the entire understanding and agreement between the
11 parties hereto with respect to the subject matter hereof and supersede all prior oral negotiations
12 and written agreements between the parties.

13 **17.14 Compliance with Federal, State, and Local Laws**

14 The Grantee shall comply with applicable federal, state and local laws, rules and regulations.

15 **17.15 Customer Service Standards**

16 The Grantee shall comply with any applicable customer service standards that are lawfully
17 adopted by Grantor and are consistent with applicable Federal law.

18 **17.16 Force Majeure**

19 The Grantee shall not be held in default under, or in noncompliance with, the provisions of this
20 Franchise, nor suffer any enforcement or penalty relating to noncompliance or default, where
21 such noncompliance or alleged defaults occurred or were caused by circumstances reasonably
22 beyond the ability of the Grantee to anticipate and control, including war or riots, civil
23 disturbances, floods or other natural catastrophes, labor stoppages, slow downs, or power outages
24 exceeding back-up power supplies, work delays caused by waiting for utility providers to service
25 or monitor their utility poles to which the Grantee's Cable System is attached as well as
26 unavailability of materials irrespective of cost.

27
28

1 **IN WITNESS WHEREOF**, and pursuant to the vote of approval of the qualified
2 electors (if required) of the City of Lakewood, Washington this Franchise is signed in the name
3 of the City of Lakewood, Washington, this _____ day of _____, 2015.
4

5
6 **CITY OF LAKEWOOD**
7

8
9 _____
10 By: Don Anderson
11 Mayor, City of Lakewood
12

13
14 **ATTEST:**
15

16 _____
17 Alice M. Bush, MMC, City Clerk
18

19 Approved as to Form:
20

21 _____
22 Heidi A. Wachter, City Attorney
23

24
25 **ACCEPTED** this _____ day of _____, 2015, subject to applicable
26 federal, state and local law.
27

28 **Comcast Cable Communications Management, LLC.**
29

30 _____
31 By: (Authorized Representative Signature)
32



TO: Mayor and City Councilmembers
THRU: John J. Caulfield, City Manager *John J. Caulfield*
FROM: Heidi A. Wachter, City Attorney; Adam Lincoln, Management Analyst
DATE: August 24, 2015
SUBJECT: Fire Marshal/Fire Inspection ILA

Purpose: The City Manager's Department presented an analysis to the City Council in April, 2014 regarding the agreement between West Pierce Fire & Rescue (West Pierce) and the City of Lakewood for the provision of fire marshal and fire inspection services. The amount that was billed to the City significantly decreased following an adjustment to the agreement in 2013. The analysis concludes that the agreement provided for a more fair price to the City of Lakewood but that the language in the agreement could be improved upon (See Table 1). The following analysis clarifies the proposed changes to the Interlocal Agreement (ILA) between West Pierce and the City of Lakewood. It was prepared in partnership between the City and West Pierce.

Analysis: This agreement is a more simplified agreement, removes duplicative language, clarifies the method for annual CPI increases and removes confusing language that was unclear as to the amount the City paid to West Pierce. ILA does not alter any of the services that the City receives for fire marshal and fire inspections. The City will continue to receive the same high-quality services that it currently receives from West Pierce.

The ILA has been greatly improved over the past two years. The first improvement set a price that would no longer fluctuate based on the number of inspections in a given year. It was replaced by a fixed rate that increases annually though it did not establish the specific CPI to be used for annual cost adjustments. This version corrects that oversight and uses the CPI-U for annual increases to the agreement.

Previous versions of this Agreement also establish the total fee for fire marshal and fire inspection services at \$400,000 with Lakewood assuming half of the cost. This Agreement is more clear and only addresses the \$202,400 dollars that the City pays to West Pierce. It is not necessary to address in this agreement, costs not assumed by the City of Lakewood. Also, the payments to West Pierce will now be paid on a quarterly basis rather than as a single payment at the beginning of the year. This will help to better manage cash flow at the start of the year. Table 1 further illustrates the cost of this Agreement since 2010.

Table 1:

Year	Payment to Fire Department	Permit Fees	Net Cost to City
2010	\$254,723	\$27,990	\$226,733
2011	\$256,251	\$46,691	\$209,560
2012	\$255,487	\$41,612	\$213,875
2013	\$268,766	\$62,896	\$205,870
2014	\$205,281	\$55,644	\$149,637
2015	\$202,400	TBD	TBD
2016	\$202,400 + CPI-U	TBD	TBD

Both the City’s Community and Economic Development Department and West Pierce spent time removing duplicative language and operational policy language. The agreement is now more clear and the operational policy language will be incorporated in an operational policy manual that will be shared by the City and West Pierce. This agreement establishes regular reporting of fire inspections and other services on a semi-annual basis.

Recommendation: It is recommended that the City Council authorize the execution of an Interlocal Agreement between the City of Lakewood and West Pierce.

INTERLOCAL AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND PIERCE COUNTY FIRE PROTECTION DISTRICT 3, RELATING TO DEVELOPMENT REVIEW PROCESS AND ENFORCEMENT OF THE INTERNATIONAL FIRE CODE FOR THE CITY OF LAKEWOOD

~~THIS AGREEMENT is made and entered into by and between the City of Lakewood, incorporated under the laws of the State of Washington (hereinafter referred to as the "City") and Pierce County Fire Protection District 2, a municipal corporation of the State of Washington (hereinafter referred to as the "District"), effective the date on which the last party to sign this agreement so signs.~~

THIS INTERLOCAL AGREEMENT ("Agreement") is made and entered into pursuant to the Interlocal Cooperation Act, Chapter 39.34 of the Revised Code of Washington, on the twentieth day of July, 2015, by and between Pierce County Fire Protection District 3, a Washington municipal corporation ("The District"), and the City of Lakewood, a Washington municipal corporation ("Lakewood"), collectively referred to herein as the "parties".

WITNESSETH:

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

WHEREAS, all local governmental authority and jurisdiction with respect to the newly incorporated City was transferred to the City upon incorporation; and,

WHEREAS, the City annexed into the District, after a vote of the people, for fire protection and emergency medical services; and,

WHEREAS, the City has adopted land use regulations, a series of safety codes having to do with buildings, maintenance and use of structures and their occupancies, including, but not limited to, the International Building Code (IBC) and the International Fire Code (IFC); and,

WHEREAS both parties have the power, authority, and responsibility to provide fire protection within their respective boundaries; and,

~~WHEREAS, the City has further power, authority, and responsibility to enforce the codes codes as specified under RCW 19.27 including the IFC that relate to fire control and fire protection; and,~~

WHEREAS, the District has a fully functional Fire Prevention Division and trained personnel that can and will conduct regular fire code safety inspections, provide public education, fire prevention; and,

WHEREAS, the City and the District wish to fully cooperate and coordinate activities that will avoid unnecessary duplication of effort and expenditures; and,

WHEREAS, such agreements are specifically authorized by the Interlocal Cooperation Act of Chapter 39.34 of the Revised Code of Washington.

NOW THEREFORE, in consideration of the terms and provisions contained herein, IT IS AGREED by and between the City and the District as follows:

Interlocal Agreement for Fire Inspection/Fire Marshal Services – Page 1

A. Purpose. The purpose of this Interlocal Agreement is to ensure development review process and enforcement of the International Fire Code (IFC) for the City of Lakewood.

B. Services. The District, through this Agreement, shall provide the following services to the City of Lakewood.

1. The ~~e~~District shall furnish a fire plan review process, fire code inspections, fire code permit issuance process, and final cause and origin investigations. The Chief of the District is hereby agreed to be the ~~City Fire Chief~~Fire Code Official for purposes of administering and enforcing the IFC.
2. The District shall appoint a representative(s) to participate in the City's development review process. This would include such items as Site Plans ~~R~~review process, ~~technical Review committees~~, pre-~~construction application~~ conferences, and code enforcement. The City shall advise the District in a timely manner of meetings that will require its attendance.
3. The District shall have the discretion as to the personnel that will be assigned to the Prevention ~~division~~Division. The District will inform the City, through written notice to the Building Official, of changes in personnel in the Prevention ~~d~~Division within 10 business days. The District and the City shall meet as needed/to address issues involved with this agreement, as reasonably requested by either party.
4. ~~The District shall administer and enforce IFC as adopted and amended by the City for the City by conducting inspections, performing plan reviews on fire sprinklers, standpipes, fire alarm systems, road access, hydrant location and number, hood and duct extinguishing systems, and maintaining a Fire Prevention Division. Inspections of existing occupancies and new occupancies shall be conducted as follows: providing services which shall include, but not be limited to the following:~~
 - a. ~~Inspections are to be performed as per Section 104 and Section 105.22 required under section 106 of the IFC.~~
 - ~~b. Inspections in accordance with the IFC shall be conducted at least annually for Group A, all divisions, Group E, all divisions, Group H, all divisions and Group I, all divisions, and other occupancies as deemed necessary by the Fire Chief and/or the Fire Marshal. In the event of any interpretation of the Lakewood Municipal Code resulting from an inspection, the authority remains with the Fire Code Official. Inspections in accordance with the IFC shall be conducted at least annually for Group A, all divisions, Group E, all divisions, Group H, all divisions and Group I, all divisions, and other occupancies as deemed necessary. In other types of occupancies, the inspections shall be conducted as often as necessary as determined by the Fire Chief.~~
 - b. The District shall serve written notice of violations of the IFC to gain compliance and perform follow up inspections ~~with there inspection~~ in a timely manner.

~~d. If compliance is not achieved after the first re-inspection(s), a second written notice shall be served.~~

~~e.~~

d. ~~After the second re-inspection for violation if non-compliance still exists, then~~ the Fire ~~Chief~~ Code Official or designee in consultation with the City Attorney or designee shall consider additional legal means for gaining compliance, including prosecuting the violations in the Lakewood Municipal Court. The ~~Fire Chief~~ Fire Code Official or designee shall confer with the City Manager or his/her designee, ~~and the City Attorney or his/her designee~~ to consider responses to violations and non-compliance.

f. ~~At the time of the first inspection, the Fire Prevention Division Inspectors shall determine if a valid permit is held by occupancies requiring a permit, pursuant to the IFC Section 105. If a valid permit is not held, an application will be given to the occupant along with instructions. The application must be returned to the District and the District shall forward a reference copy of the Fire Code application to the City Building Official. The District shall notify the City of its action and shall not issue the Fire Code permit if other outstanding permits exist within the City Building department for that occupancy.~~

Comment [MD1]: Make this section an internal procedure policy

~~g. The Building Official shall interpret the differences between the Fire Code and the Building Code and other Uniform Codes in accordance with City Ordinance, and the Building Official is authorized to make such interpretations.~~

~~c. A copy of Copies of~~ plans submitted to the City for building construction and/or alteration shall be submitted to the District for review. Generally, the District shall ~~be responsible for determining~~ review for compliance with the following:

- a. Fire hydrant location requirements
- b. Location of Fire Department connections for standpipes and sprinkler systems.
- c. Key box locations ~~and approvals.~~
- d. Fire flow requirements.
- e. ~~Plan Review buildings classified as IFC requirements for~~ Group A, B, E, F, H, I, ~~LC, M, R, S and U-4~~ occupancies.
- f. Road access to property and buildings for firefighting purposes, including fire lanes, in accordance with the IFC and local regulations.

~~5.4. The District shall review plans, issue permits and perform inspections for Automatic Fire Suppression Systems and Fire Alarm and/or detection systems for all IFC required construction permits outlined in section 105.7.~~

~~6. The District West Pierce shall witness tests of Automatic Fire Suppression System, Standpipes, and Fire Alarm and/or Detection systems. Such tests are to be performed by the installer.~~

Services provided by the City.

Interlocal Agreement for Fire Inspection/Fire Marshal Services – Page 3

1. The City Building Official shall provide interpretations to resolve any discrepancies that may arise in the adopted codes, including between the IBC and IFC.
2. The City will confer with West Pierce The District on the approvals necessary for issuance of Certificates of Occupancy for new construction and tenant improvements.
7. ~~The Building Official shall not issue a certificate of occupancy without approval of the District. The City and the District will jointly conduct final inspections of new buildings, other than single family residences or private garages not larger than three (3) stalls.~~

~~8.5~~ One of the primary purposes of this agreement is to provide for IFC enforcement in the City, by and through District Personnel. Therefore, this agreement shall be deemed a lawful delegation ~~of by~~ the Fire Chief of the District of the City's statutory powers to enforce the IFC and related City Ordinances, subject to the terms and conditions hereof. For its assistance in providing plan review services as set forth ~~in paragraph 5-~~ hereinabove, and for its services in enforcing the Fire Codes and Ordinances as adopted by the City, the District shall receive fees for these services. Applicable fees shall be adopted by the City by Resolution, as provided by City of Lakewood Ordinance No. 19, or as provided ~~as in~~ the fees set in the IFC adopted by the City in its Ordinance 29, or amendment thereto.

~~9.6~~ The District shall review applications and perform field inspections of firework stands and public displays to insure compliance with applicable City and State laws. The District shall issue the fireworks permits and administer any bonds or cash deposits required by a fireworks Ordinance if adopted by the City.

~~10.7~~ The District shall provide the City, ~~upon request~~ on a semi-annual basis, a written report of the activities of the Fire Prevention Division, including inspections, permits issued, fees from permits and plan review.

8. Each of the parties agrees that it will comply with pertinent statutes, executive orders and such rules as are promulgated to assure that no person shall be discriminated against or receive discriminatory treatment.

C. Financial Provisions. In consideration for the services provided in this Agreement, the parties agree to the following:

1. The cost necessary to accomplish this Agreement for 2015 shall be \$202,400, which shall serve as the baseline cost for this Agreement. The District will bill the City for this cost in equal quarterly payments in January, April, July, and October of each year.
2. The cost of the agreement shall increase annually based on the Consumer Price Index (CPI) using the Seattle-Tacoma-Bremerton CPI-U June index.
3. In January of each year, the District will provide the City with remittance of the previous year's fire inspection permit fees.
4. Should construction permit activity significantly increase, the City and the District shall meet to discuss additional staffing needs and necessary payments needed to accommodate such increased workload.

~~The City shall protect, defend, indemnify, and save the District, its officers, employees, and agents harmless from any and all costs, claims, judgments, or awards of damages arising out of or in any way resulting from the negligent acts or omissions of the City, its officers, employees, or agents relating to or in the performance of this agreement.~~

~~The District shall protect, defend, indemnify, and save the City its officers, employees, and agents harmless from any and all costs, claims, judgments, or awards of damages arising out of or in any way resulting from the negligent acts or omissions of the District, its officers, employees, or agents relating to or in the performance of this agreement.~~

~~This agreement shall renew annually, and may be terminated by either party giving 90 calendar days notice to the other, unless the parties otherwise mutually agree. The parties shall cooperate to implement and carry out the terms and provisions of this agreement, and shall further cooperate to identify any other action needed to carry out the purposes and intents of the parties regarding this agreement, and needed to comply with the codes and goals of the City and the District.~~

~~Each of the parties, for itself, its heirs, personal representatives, successors in interest, and assigns, as part of the consideration hereof, does hereby covenant and agree that it will comply with pertinent statutes, executive orders and such rules as are promulgated to assure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or the presence of any sensory, mental or physical handicap be discriminated against or receive discriminatory treatment by reason thereof.~~

~~Payment:~~

~~The base costs necessary to accomplish the purposes of this Agreement are estimated by the District to be \$234,596 during the 2004 contract year (September 1, 2003–August 31, 2004). This will serve as the baseline annual cost for the contract. The City and District will split the cost to accomplish the purposes of this agreement with the District paying fifty percent (50%) of the costs and the City paying fifty percent (50%) of the costs.~~

~~In addition to the base cost established in paragraph 16a, the City and the District will share the costs associated with additional inspection staff added in 2004. These costs for 2005 are \$204,000 which shall serve as the initial annual cost for these additional staff. In 2005 the City shall pay 12.5% of these costs, in 2006 the City shall pay 25% of these costs, in 2007 the City shall pay 37.5% and in 2008 and for all future years the City shall pay 50% of these costs.~~

~~Both the baseline annual cost specified in paragraph 16a and the additional cost in paragraph 16b shall be increased annually by the Consumer Price Index (CPI) using the Seattle-Tacoma-Bremerton index.~~

~~By January 1st of each year the District will provide the City with an invoice for the costs outlined in paragraphs 16 a, b and c above.~~

~~Previous Agreements between the City and the District have operated on a contract year of September 1 through August 31 In order to bring the Agreement in to compliance with both the District's and the City's annual calendar year budget, this~~

~~Agreement will be based on a twelve month calendar year (January 1 through December 31). However, in order to make this transition, the 2005 contract year shall be September 1, 2004 through December 31, 2005. For this special contract year, the City will pay the costs outlined in paragraphs 16 a and b minus the amount of permit fees remitted to the District for the same period of time. All subsequent years of this Agreement will operate on a twelve month calendar year.~~

D. Agreement Administration. Both parties agree to be partners and will work together to ensure that the relationship between the City and the District remains strong.

1. Dispute resolution. Disputes between the parties that cannot be resolved at the department level are to be resolved by the City Manager and Fire Chief. It is understood between the parties that this Agreement is of benefit to both parties and there is a common interest in working through issues to continue the Agreement.

B.E. Audit and Review.

1. The City has the ability to review and audit the effectiveness of the terms of this Agreement on an annual basis. The City may review the workload and efficiency of the Fire Prevention Division to evaluate the actual cost of Fire Prevention services. Such a review may take into consideration workload, timeliness, responsiveness and may include comparisons with other similar or neighboring jurisdictions.
2. The City must provide written notice to the District thirty (30) days in advance that the City plans to undertake such a review. The District will provide any and all necessary documentation to assist the City in its review.
3. Should the City determine, through the course of a review, that the District is not efficiently providing Fire Prevention services causing the City to pay more than necessary, the City may submit a request to the District to reorganize or reduce its Fire Prevention services to bring them into compliance with the City's findings.
4. Should the District disagree with the City's review and reject a request for change in service delivery, the parties will enter into arbitration to resolve the disagreement.

F. Indemnification.

1. The City shall protect, defend, indemnify, and save the District, its officers, employees, and agents harmless from any and all costs, claims, judgments, or awards of damages arising out of or in any way resulting from the negligent acts or omissions of the City, its officers, employees, or agents relating to or in the performance of this agreement.
2. The District shall protect, defend, indemnify, and save the City, its officers, employees, and agents harmless from any and all costs, claims, judgments, or awards of damages arising out of or in any way resulting from the negligent acts or omissions of the District, its officers, employees, or agents relating to or in the performance of this agreement.

G. Termination. Either party shall have the right to terminate this Agreement, provided that the terminating party notifies the other party nine (9) months prior to such termination to allow the parties sufficient time to address alternate measures.

H. Term.

1. Without notice this Agreement automatically renews annually unless notification is provided as outlined in section G of this Agreement.
2. The parties shall cooperate to implement and carry out the terms and provisions of this agreement, and shall further cooperate to identify any other action needed to carry out the purposes and intents of the parties regarding this agreement and needed to comply with the codes and goals of the City and the District.

I. Amendment. Amendments to this Agreement must be in writing and may be made at any time during the term of the Agreement.

H.J. Miscellaneous Terms.

1. All of the covenants, conditions and agreements in this Agreement shall extend to and bind the legal successors and assigns of the parties hereto.
2. This Agreement shall be deemed to be made and construed in accordance with the laws of the State of Washington, Jurisdiction and venue for any action arising out of this Agreement shall be in Pierce County, Washington.
3. The captions in this Agreement are for convenience only and do not in any way limit or amplify the provisions of this Agreement.
4. Unless otherwise specifically provided herein, no separate legal entity is created hereby, as each of the parties is contracting in its capacity as a municipal corporation of the State of Washington. The identity of the parties hereto are as set forth hereinabove.
5. The performances of the duties of the parties provided hereby shall be done in accordance with standard operating procedures and customary practices of the parties.
6. Unless otherwise specifically provided herein, ~~and~~ any real property to be held in connection herewith, if applicable, shall be held as the separate property of the party or parties in whose name(s) the property is/was acquired.
7. No provision of this Agreement shall relieve either party of its public agency obligations ~~and/or~~ responsibilities imposed by law.
8. If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be held to be invalid or unenforceable by a final decision of any court having jurisdiction on the matter, the remainder of this Agreement or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby and shall continue in full force and effect, unless such court determines that such invalidity or unenforceability materially interferes with or defeats the purposes hereof, at which time the City shall have the right to terminate the Agreement.
9. This Agreement constitutes the entire agreement between the parties. There are no terms,

obligations, covenant or conditions other than those contained herein. No modifications or amendments of this Agreement shall be valid or effective unless evidenced by an agreement in writing signed by both parties.

10. Copies of this Agreement shall be filed with the ~~Pierce County Auditor's Office and the~~ respective Clerks or records management officials of the parties hereto.

IN WITNESS THEREOF, the parties acting in their official capacities have hereby executed this Agreement by affixing thereto the signatures of the proper officers on the date indicated.

City of Lakewood

~~West Pierce Fire &~~
Rescue Pierce County Fire Protection District 3

John J. Caulfield
City Manager
Dated: _____
Attest: _____

Jim Sharp
Fire Chief
Dated: _____
Attest: _____

Alice M. Bush, MMC
City Clerk

Approved as to form:

Approved as to form:

Heidi Ann Wachter, City Attorney
Date: _____

Date: _____

INTERLOCAL AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND PIERCE COUNTY FIRE PROTECTION DISTRICT 3, RELATING TO DEVELOPMENT REVIEW PROCESS AND ENFORCEMENT OF THE INTERNATIONAL FIRE CODE FOR THE CITY OF LAKEWOOD

THIS INTERLOCAL AGREEMENT (“Agreement”) is made and entered into pursuant to the Interlocal Cooperation Act, Chapter 39.34 of the Revised Code of Washington, on the eighth day of September, 2015, by and between Pierce County Fire Protection District 3, a Washington municipal corporation (“The District”), and the City of Lakewood, a Washington municipal corporation (“Lakewood”), collectively referred to herein as the “parties”.

WITNESSETH:

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

WHEREAS, all local governmental authority and jurisdiction with respect to the newly incorporated City was transferred to the City upon incorporation; and,

WHEREAS, the City annexed into the District, after a vote of the people, for fire protection and emergency medical services; and,

WHEREAS, the City has adopted land use regulations, a series of safety codes having to do with buildings, maintenance and use of structures and their occupancies, including, but not limited to, the International Building Code (IBC) and the International Fire Code (IFC); and,

WHEREAS both parties have the power, authority, and responsibility to provide fire protection within their respective boundaries; and,

WHEREAS, the City has further power, authority, and responsibility to enforce the codes as specified under RCW 19.27 including the IFC; and,

WHEREAS, the District has a fully functional Fire Prevention Division and trained personnel that can and will conduct regular fire code safety inspections, provide public education, fire prevention; and,

WHEREAS, the City and the District wish to fully cooperate and coordinate activities that will avoid unnecessary duplication of effort and expenditures; and,

WHEREAS, such agreements are specifically authorized by the Interlocal Cooperation Act of Chapter 39.34 of the Revised Code of Washington.

NOW THEREFORE, in consideration of the terms and provisions contained herein, IT IS AGREED by and between the City and the District as follows:

- A. **Purpose.** The purpose of this Interlocal Agreement is to ensure development review process and enforcement of the International Fire Code (IFC) for the City of Lakewood.
- B. **Services.** The District, through this Agreement, shall provide the following services to the City of Lakewood.

1. The District shall furnish a fire plan review process, fire code inspections, fire code permit issuance process, and final cause and origin investigations. The Chief of the District is hereby agreed to be the Fire Code Official for purposes of administering and enforcing the IFC.
2. The District shall appoint a representative(s) to participate in the City's development review process. This would include such items as Site Plans review process, pre-application conferences, and code enforcement. The City shall advise the District in a timely manner of meetings that will require its attendance.
3. The District shall have the discretion as to the personnel that will be assigned to the Prevention Division. The District will inform the City, through written notice to the Building Official, of changes in personnel in the Prevention Division within 10 business days. The District and the City shall meet as needed/to address issues involved with this agreement, as reasonably requested by either party.
4. The District shall administer and enforce IFC as adopted and amended by the City for the City by providing services which shall include, but not be limited to the following:
 - a. Inspections required under section 106 of the IFC.
 - b. Inspections in accordance with the IFC shall be conducted at least annually for Group A, all divisions, Group E, all divisions, Group H, all divisions and Group I, all divisions, and other occupancies as deemed necessary by the Fire Chief and/or the Fire Marshal. In the event of any interpretation of the Lakewood Municipal Code resulting from an inspection, the authority remains with the Fire Code Official.
 - c. The District shall serve written notice of violations of the IFC to gain compliance and perform follow up inspections in a timely manner.
 - d. If compliance is not achieved after re-inspection(s), the Fire Code Official or designee in consultation with the City Attorney or designee shall consider additional legal means for gaining compliance, including prosecuting the violations in the Lakewood Municipal Court. The Fire Code Official or designee shall confer with the City Manager or his/her designee to consider responses to violations and non-compliance.
5. Copies of plans submitted to the City for building construction and/or alteration shall be submitted to the District for review. Generally, the District shall review for compliance with the following:
 - a. Fire hydrant location requirements
 - b. Location of Fire Department connections for standpipes and sprinkler systems.
 - c. Key box locations.
 - d. Fire flow requirements.
 - e. IFC requirements for Group A, B, E, F, H, I, M, R, S and U occupancies.

- f. Road access to property and buildings for firefighting purposes, including fire lanes, in accordance with the IFC and local regulations.
6. The District shall review plans, issue permits and perform inspections for all IFC required construction permits outlined in section 105.7.
 7. Services provided by the City:
 - a. The City Building Official shall provide interpretations to resolve any discrepancies that may arise in the adopted codes, including between the IBC and IFC.
 - b. The City will confer with The District on the approvals necessary for issuance of Certificates of Occupancy for new construction and tenant improvements.
 - c. One of the primary purposes of this agreement is to provide for IFC enforcement in the City, by and through District Personnel. Therefore, this agreement shall be deemed a lawful delegation by the Fire Chief of the District of the City's statutory powers to enforce the IFC and related City Ordinances, subject to the terms and conditions hereof. For its assistance in providing plan review services as set forth hereinabove, and for its services in enforcing the Fire Codes and Ordinances as adopted by the City, the District shall receive fees for these services. Applicable fees shall be adopted by the City by Resolution, as provided by City of Lakewood Ordinance No. 19, or as provided in the fees set in the IFC adopted by the City in its Ordinance 29, or amendment thereto.
 - d. The District shall review applications and perform field inspections of firework stands and public displays to insure compliance with applicable City and State laws. The District shall issue the fireworks permits and administer any bonds or cash deposits required by a fireworks Ordinance if adopted by the City.
 - e. The District shall provide the City, on a semi-annual basis, a written report of the activities of the Fire Prevention Division, including inspections, permits issued, fees from permits and plan review.
 - f. Each of the parties agrees that it will comply with pertinent statutes, executive orders and such rules as are promulgated to assure that no person shall be discriminated against or receive discriminatory treatment.

C. **Financial Provisions.** In consideration for the services provided in this Agreement, the parties agree to the following:

1. The cost necessary to accomplish this Agreement for 2015 shall be \$202,400, which shall serve as the baseline cost for this Agreement. The District will bill the City for this cost in equal quarterly payments in January, April, July, and October of each year.
2. The cost of the agreement shall increase annually based on the Consumer Price Index (CPI) using the Seattle-Tacoma-Bremerton CPI-U June index.
3. In January of each year, the District will provide the City with remittance of the previous year's fire inspection permit fees.

4. Should construction permit activity significantly increase, the City and the District shall meet to discuss additional staffing needs and necessary payments needed to accommodate such increased workload.

D. **Agreement Administration.** Both parties agree to be partners and will work together to ensure that the relationship between the City and the District remains strong.

1. **Dispute resolution.** Disputes between the parties that cannot be resolved at the department level are to be resolved by the City Manager and Fire Chief. It is understood between the parties that this Agreement is of benefit to both parties and there is a common interest in working through issues to continue the Agreement.

E. **Audit and Review.**

1. The City has the ability to review and audit the effectiveness of the terms of this Agreement on an annual basis. The City may review the workload and efficiency of the Fire Prevention Division to evaluate the actual cost of Fire Prevention services. Such a review may take into consideration workload, timeliness, responsiveness and may include comparisons with other similar or neighboring jurisdictions.
2. The City must provide written notice to the District thirty (30) days in advance that the City plans to undertake such a review. The District will provide any and all necessary documentation to assist the City in its review.
3. Should the City determine, through the course of a review, that the District is not efficiently providing Fire Prevention services causing the City to pay more than necessary, the City may submit a request to the District to reorganize or reduce its Fire Prevention services to bring them into compliance with the City's findings.
4. Should the District disagree with the City's review and reject a request for change in service delivery, the parties will enter into arbitration to resolve the disagreement.

F. **Indemnification.**

1. The City shall protect, defend, indemnify, and save the District, its officers, employees, and agents harmless from any and all costs, claims, judgments, or awards of damages arising out of or in any way resulting from the negligent acts or omissions of the City, its officers, employees, or agents relating to or in the performance of this agreement.
2. The District shall protect, defend, indemnify, and save the City, its officers, employees, and agents harmless from any and all costs, claims, judgments, or awards of damages arising out of or in any way resulting from the negligent acts or omissions of the District, its officers, employees, or agents relating to or in the performance of this agreement.

G. **Termination.** Either party shall have the right to terminate this Agreement, provided that the terminating party notifies the other party nine (9) months prior to such termination to allow the parties sufficient time to address alternate measures.

H. Term.

1. Without notice this Agreement automatically renews annually unless notification is provided as outlined in section G of this Agreement.
2. The parties shall cooperate to implement and carry out the terms and provisions of this agreement, and shall further cooperate to identify any other action needed to carry out the purposes and intents of the parties regarding this agreement and needed to comply with the codes and goals of the City and the District.

I. Amendment. Amendments to this Agreement must be in writing and may be made at any time during the term of the Agreement.

J. Miscellaneous Terms.

1. All of the covenants, conditions and agreements in this Agreement shall extend to and bind the legal successors and assigns of the parties hereto.
2. This Agreement shall be deemed to be made and construed in accordance with the laws of the State of Washington, Jurisdiction and venue for any action arising out of this Agreement shall be in Pierce County, Washington.
3. The captions in this Agreement are for convenience only and do not in any way limit or amplify the provisions of this Agreement.
4. Unless otherwise specifically provided herein, no separate legal entity is created hereby, as each of the parties is contracting in its capacity as a municipal corporation of the State of Washington. The identity of the parties hereto is as set forth hereinabove.
5. The performances of the duties of the parties provided hereby shall be done in accordance with standard operating procedures and customary practices of the parties.
6. Unless otherwise specifically provided herein, any real property to be held in connection herewith, if applicable, shall be held as the separate property of the party or parties in whose name(s) the property is/was acquired.
7. No provision of this Agreement shall relieve either party of its public agency obligations and/or responsibilities imposed by law.
8. If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be held to be invalid or unenforceable by a final decision of any court having jurisdiction on the matter, the remainder of this Agreement or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby and shall continue in full force and effect, unless such court determines that such invalidity or unenforceability materially interferes with or defeats the purposes hereof, at which time the City shall have the right to terminate the Agreement.
9. This Agreement constitutes the entire agreement between the parties. There are no terms, obligations, covenant or conditions other than those contained herein. No modifications

or amendments of this Agreement shall be valid or effective unless evidenced by an agreement in writing signed by both parties.

10. Copies of this Agreement shall be filed with the respective Clerks or records management officials of the parties hereto.

IN WITNESS THEREOF, the parties acting in their official capacities have hereby executed this Agreement by affixing thereto the signatures of the proper officers on the date indicated.

City of Lakewood

Pierce County Fire Protection District 3

John J. Caulfield
City Manager
Dated: _____
Attest: _____

Jim Sharp
Fire Chief
Dated: _____
Attest: _____

Alice M. Bush, MMC
City Clerk

Approved as to form:

Approved as to form:

Heidi Ann Wachter, City Attorney
Date: _____

Date: _____



TO: Mayor and City Councilmembers

THRU: John J. Caulfield, City Manager

FROM: Heidi A. Wachter, City Attorney

DATE: August 24, 2015

SUBJECT: Rental Housing Inspection Proposed Code Amendment

Purpose: This is to provide background for a proposed ordinance to amend the City's code regarding rental housing inspection to remove language which, subsequent to enactment, was rendered illegal by court decision through litigation involving other cities. The Council studied rental housing inspection at the February 21 Council retreat and again at the Council Study Session on July 27, 2015.

Analysis: The City of Lakewood has dedicated significant resources to creating and maintaining a quality of life in neighborhoods throughout the City. This includes efforts made through Code Enforcement, right of way maintenance and parks programs to name a few. While these efforts have made significant strides in the right direction, some of the more challenging examples of poor property maintenance are inhibiting the City's efforts in the areas of Economic Development and development of new housing stock with particular focus on affordable housing for families. Specifically, there are numerous examples of property maintenance in residential rental housing which fall below the standard the City expects for its citizens.

The City Code includes language that is intended to facilitate enforcement efforts in substandard residential rental property. Many cities have programs of similar nature and some of these efforts have resulted in litigation by landlords and property owners against cities, most notably two lawsuits, one involving the City of Seattle in 1994 and the other the City of Pasco in 2007.

Each of these cities was separately sued for attempting to implement similar provisions around inspection of rental properties. Seattle's program failed constitutional scrutiny, but Pasco's Code succeeded. The critical distinction between the two programs is that Seattle mandated that landlords use municipal employees to perform the required inspection while Pasco allowed the landlord to independently certify compliance by having an approved class of inspectors conduct the required inspection. This difference, requiring municipal access to private property versus accepting independent certification, is the difference between an unconstitutional intrusion and a defensible program.

State legislation passed in the wake of these cases which has been compared with the Lakewood Municipal Code. State law regarding entry onto rental housing property is clearly aimed at keeping governmental authorities out of private property absent proper grounds to justify entry. The rental housing inspection program creates a regular inspection process that allows the

landlord to comply without admitting the governmental entity onto the property and the warrant process allows governmental entities to gain access when circumstances warrant it. Divergence from this clear statutory intent will be challenging to defend and the proposed Code amendments bring the City more in line with that intent.

Attached is a draft Ordinance revising provisions of Title 5 Lakewood Municipal Code relative to Rental Housing inspections strictly to result in an ordinance free of unenforceable language. Any further changes to the program will come forward only after further study and significant community outreach.

ORDINANCE NO. ____

AN ORDINANCE of the City Council of the City of Lakewood, Washington, repealing sections of Chapter 5.60 Lakewood Municipal Code relative to residential housing.

WHEREAS, RCW 59.18.125 authorizes local governments to enact a rental housing inspection program as a business license condition; and

WHEREAS, in 1999, the City of Lakewood enacted what is now chapter 5.60 Lakewood Municipal Code (LMC) providing for a rental housing license and crime free strategies; and

WHEREAS, intervening decisions of the Washington State Supreme Court and subsequent legislation calls into question portions of chapter 5.60 LMC, the repeal of those sections is advisable to bring the current code in line with these decisions and state legislation,

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

Section 1: The following section within chapter 05.60 LMC is repealed:

~~**05.60.030 – Advisory Council on Rental Housing.**~~

~~There is hereby established as an advisory board to the City, to be known as the Advisory Council on Rental Housing. The Advisory Council shall be comprised of interested owners and manager of rental housing complexes and other interested persons to serve on an as needed basis, and the Police Chief or designee as an ex officio member, to meet not less than quarterly, created to assist and advise the City in connection Rental housing related issues in the City and regionally, including:~~

- ~~A. Facilitate cooperation and coordination with the Police Department on Rental housing issues,~~
- ~~B. Recommend to the City, programs and strategies to enhance awareness of Police Rental housing related issues,~~
- ~~C. Recommend approaches for Rental housing training programs, including City/ Police sponsored no cost training,~~
- ~~D. Develop networking and strategies for Police/ Rental housing partnership & support programs, educational programs, consistent city wide crime free approaches, “no tolerance for crime,” property protection and preparation programs,~~
- ~~E. Coordinate, develop and disseminate procedures for tenant screening, rental agreements (including language to include enforcement of rules and protection of facilities and neighborhoods), eviction techniques, strategies,~~
- ~~F. Provide on going management resources, including regular, periodic meetings, telephone and other response strategies,~~

- ~~G. Promote strong ties and building mutually beneficial relationships between Police and Rental housing operators, including methods for recognizing illegal activity, identifying, reporting crimes, knowing police functions, roles, exchange information with police and other agencies,~~
- ~~H. Develop linkages to other agencies and resources, including the Fire District, HUD and Section 8 Programs, Safe Streets, Neighborhood Watch, etc.~~
- ~~I. Develop and/or identify Dispute Resolution Alternatives, and similar resources (Pierce County Community Services Housing Program, State Programs, Court alternatives),~~
- ~~J. Recognize and incorporate programs and procedures that identify and reflect cultural influences, sensitivities, understanding differences in the tenant/community population,~~
- ~~K. Act as an unofficial liaison between the Rental housing community and the Police Department, and~~
- ~~L. Participate in such other and related roles and functions as requested by the City.~~

Section 2: The following section within chapter 05.60 LMC is repealed:

~~05.60.040 – Rental housing Crime/Violation Enforcement Criteria.~~

~~The City shall identify and communicate with the managers and operators Rental housing Complex businesses in the City generally predictable/identifiable enforcement criteria, and shall establish forums for information sharing and enforcement review. The City Police Force shall promote a licensing enforcement strategy generally based on the following priority:~~

- ~~A. Crime free housing training programs.~~
- ~~B. Mutually derived crime prevention strategies.~~
- ~~C. City directed crime prevention strategies. Strategies will be consistent with “best practices” taught in cost-free City training and industry standards.~~
- ~~D. Inspection of the residential units of the Rental housing Complex. It is provided, however, that except in the case of emergencies or other exigent circumstances, or in instances where it is impracticable or unreasonable to provide advance notice, such inspections shall be preceded by not less than forty-eight (48) hours advance notice to the tenant.~~
- ~~E. Manager operator selected security officers.~~
- ~~F. City directed off duty police security.~~
- ~~G. License revocation — ultimate resort.~~

~~It is envisioned that most problems can be resolved by participation in Crime Free Housing training and implementation of its recommended practices. Failure to participate in strategies A through D may subject the Licensee to revocation. Any expense incurred in connection with paragraphs B through E above will be borne by the Licensee. Provided that this priority shall be a guide, with actual requirements for licensees reflecting measured, appropriate determinations based on the level of seriousness of violations, the enforcement history and other relevant factors. It is further provided that the “inspection of the residential units of the Rental housing Complex,” item D above, includes inspection of residential units in the complex for any applicable health, building, fire, housing or life safety code violations, or other serious violations.~~

Section 3: If any sections, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of component jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance or its application to any other person, property or circumstance.

Section 4: This Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary.

ADOPTED by the City Council this ____ day of _____, 2015.

CITY OF LAKEWOOD

Don Anderson, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to Form:

Heidi A. Wachter City Attorney



To: Mayor and City Councilmembers

Through: John J. Caulfield, City Manager

From: Heidi A. Wachter, City Attorney

Date: August 24, 2015

Subject: Comprehensive Plan Advisory

Purpose: This is to provide guidance regarding the process for adopting amendments to the Comprehensive Plan for the City.

Discussion: This type of Council action falls under the general heading of “quasi-legislative” action. “Quasi-legislative” describes action by the Council that resembles legislative acts such as policy-making. This includes “local legislative, policy-making actions of the type that adopt, amend, or revise comprehensive, community, or neighborhood plans or other land use planning documents.”¹

Contrast this with “quasi-judicial” action, which involves greater impact on a limited number of property owners and less on the community at large, the proceeding is aimed at fact-finding and choosing between two distinct alternatives and the decision involves policy application rather than policy setting.²

1. The process for adoption of Comprehensive Plan amendments pursuant to City Code. Pursuant to City Code, Comprehensive Plan amendments are Type IV Hearing Actions.³ Comprehensive Plan amendments, both map and text, are specifically identified as Type IV processes and any question as to the applicable process is resolved by the Community Development Director.⁴ Notice is proscribed by Code and includes notice to anyone who requests it and public posting.⁵ Code also includes separate SEPA notification, mailed notice of the

¹ ‘The Appearance of Fairness Doctrine in Washington State’, Municipal Research and Services Center Report Number 32, Revised, April 2011, p 8.

² Id, p 7.

³ LMC 18A.2.502 and 18A.2.506.

⁴ Id and 18A.2.155, which details Director responsibility and authority.

⁵ LMC 18A.2.670.

public hearing within 300 feet of the subject request, and notification in the newspaper of record. In the City of Lakewood, the public hearing is conducted by the Planning Commission and the City Council receives the record. Upon receipt, the Council reviews the record and may accept it and take action accordingly, identify deficiencies and either remand the matter back to the Planning Commission or open the record at the Council level. The Planning Commission makes a recommendation, the Council makes the final decision and any appeal is heard in Superior Court.⁶

2. Final authority for Type IV decisions rests with the Council.

The Council should be aware of what is expected to come before the Planning Commission. While the Planning Commission has been granted authority to hold the public hearing and make recommendations to the Council and the Council should not reproduce the process at the Council level, there are options in advance of the process to consider. When the Council reviews matters being brought forward that are of particular interest to either the Council or the community, the Council can ensure that the Planning Commission has sufficient guidance as to the City's goals and vision. The Council can also, in instances where proposals have been initiated by the City, amend or withdraw those proposals.

3. While a legislative process is generally more open than a judicial process, best practice is to create and maintain a complete and transparent record.

The process for legislative acts is more open and inclusive than for judicial processes. Comments can be submitted in a variety of forms and the only restriction is that they be timely.⁷ This results in questions about collecting input outside the formal hearing. Citizen contact with council members directly one-on-one outside any public meeting is permitted, however there can be drawbacks to this, including the following:

- Conversations outside of meetings may not become part of the legislative record.
 - Council members may be working from different sets of information; some having only the public record and others having the public record along with several private conversations.
 - Challenges to the legislation ultimately adopted will be based on the record, thus if there is a private conversation that supports the action taken, it may not come into any appeal taken.
 - Attempts by Council to incorporate comments from outside the record may lose something in translation and become an independent source of concern from citizens.
- Perceptions that the real process related to the legislation is taking place outside public meetings can undermine confidence in the process and weaken public participation in the formal process. This is particularly harmful to the authority of the Planning Commission, which is the body authorized to hold the public hearing. The meaning of this hearing can erode if citizens opt to direct their comments informally to Council members.

⁶ See, generally LMC 18A.2.502.

⁷ See, generally 18A.2.670.

Thus, while there are not prohibitions to contact with Council outside the formal process related to Comprehensive Plan Amendments, there are best practices, which include the following:

- Ample notice of public hearings, including both live testimony and submission of letters.
 - One thorough and complete record, commonly understood by Council members, staff and citizens.
4. The Council has options upon receipt and review of the record from the Planning Commission.
- The Council can accept the record as complete and consider the recommendation.
 - The Council can find the record to be incomplete and
 - Remand the record back to the Planning Commission for further hearing (an example might be if the Council were to find notice of the hearing lacking a “do over” could be ordered to include adequate notice)
 - Remand the record back to the Planning Commission to clarify specific points (an example might be what is deemed to be an incomplete staff report regarding the impact of a particular zoning recommendation)
 - Open the record at the Council level. This should be supported by articulation of the inadequacy in the record that requires such action. The City has adopted a process for holding hearings at the Planning Commission level and will want to explain why holding the hearing at the Council level was necessary in a particular case since that deviates from the Code. If the Council intends to hold a public hearing notice requirements apply and this begs the question that if adequate notice was provided at the Planning Commission level, what new testimony is expected at the Council level.
5. The Council has options upon accomplishing a complete record.
- Accept the recommendation of the Planning Commission.
 - Amend the recommendation of the Planning Commission.
 - Deny the recommendation of the Planning Commission.

In any instance, the Council should articulate which parts of the record support the decision. Those who are dissatisfied with the outcome can appeal in Superior Court and the decision there will be based on a review of the record.