



## LAKESWOOD CITY COUNCIL AGENDA

Monday, March 21, 2016

7:00 P.M.

City of Lakewood

City Council Chambers

6000 Main Street SW

Lakewood, WA 98499

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Page No.

### CALL TO ORDER

### ROLL CALL

### PLEDGE OF ALLEGIANCE

### PROCLAMATIONS AND PRESENTATIONS

1. Business showcase. – *Tijuana Taco, Robert Gomez, Owner*
- ( 3) 2. Pierce Transit Destination 2040 Long Range Plan. – *Mr. Darin Stavish, Principal Planner and Mr. Peter Stackpole, Service Planning Assistant Manager*

### PUBLIC COMMENTS

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

- ( 16) A. Approval of the minutes of the City Council meeting of March 7, 2016.
- ( 22) B. Approval of the minutes of the City Council Study Session of March 14, 2016.
- ( 26) C. Motion No. 2016–15

Appointing Michael Lacadie to serve on the Community Services Advisory Board through December 15, 2020.

*The 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>

*City Hall will be closed 15 minutes after adjournment of the meeting.*

( 30) D. Motion No. 2016–16

Authorizing the execution of a collective bargaining agreement with the Teamsters Local Union No. 117 from January 1, 2016 through December 31, 2018.

## ( 57) E. Items Filed in the Office of the City Clerk:

1. Lakewood Arts Commission meeting minutes of February 1, 2016.
2. Lakewood's Promise Advisory Board meeting minutes of February 11, 2016.

**R E G U L A R A G E N D A****ORDINANCES**( 62) Ordinance No. 620 – (continued from the meeting of February 1, 2016)

Amending Title 18A of the Lakewood Municipal Code relative to cottage housing. – *Assistant City Manager for Development Services*

(162) Ordinance No. 635

Amending Sections 12A.9.022, 12A.9.023 and 12A.9.024 of the Lakewood Municipal Code relative to arterial street classifications. – *Public Works Director*

**UNFINISHED BUSINESS****NEW BUSINESS****REPORTS BY THE CITY MANAGER**

- (182) Streets, sidewalks and sewers Capital Improvement Program progress report.

**CITY COUNCIL COMMENTS****ADJOURNMENT**

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# **Pierce Transit**

## **Destination 2040 Long Range Plan**

**Lakewood City Council**

**March 21, 2016**

**Sue Dreier, Chief Executive Officer**

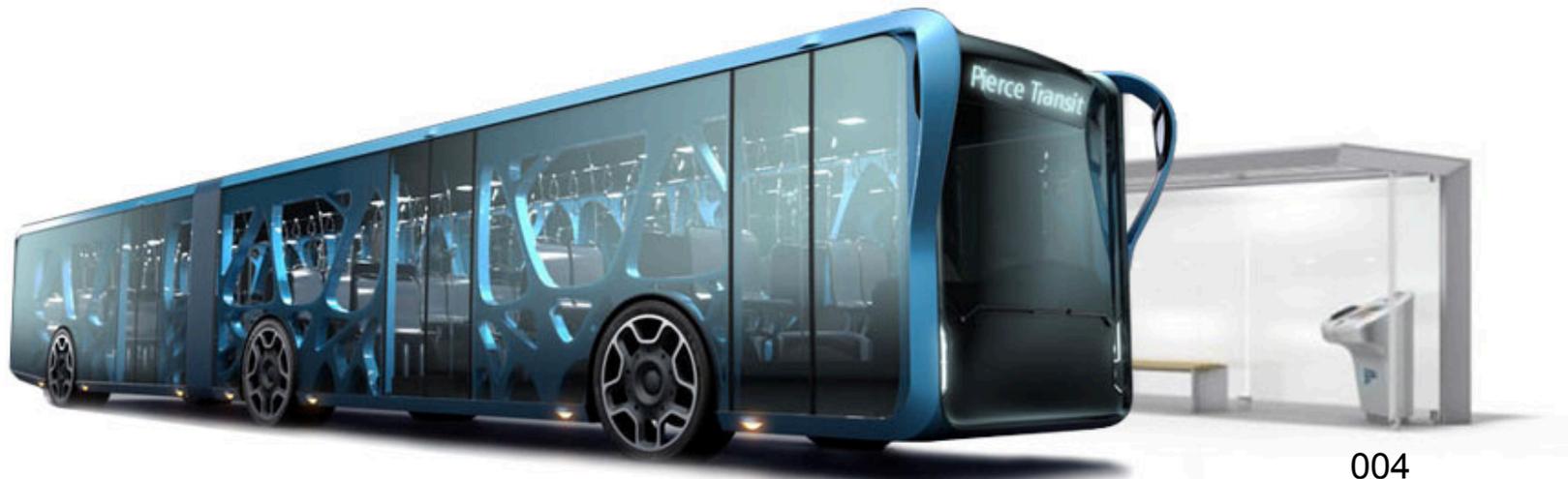
**Peter Stackpole, Service Planning**

**Assistant Mgr.**

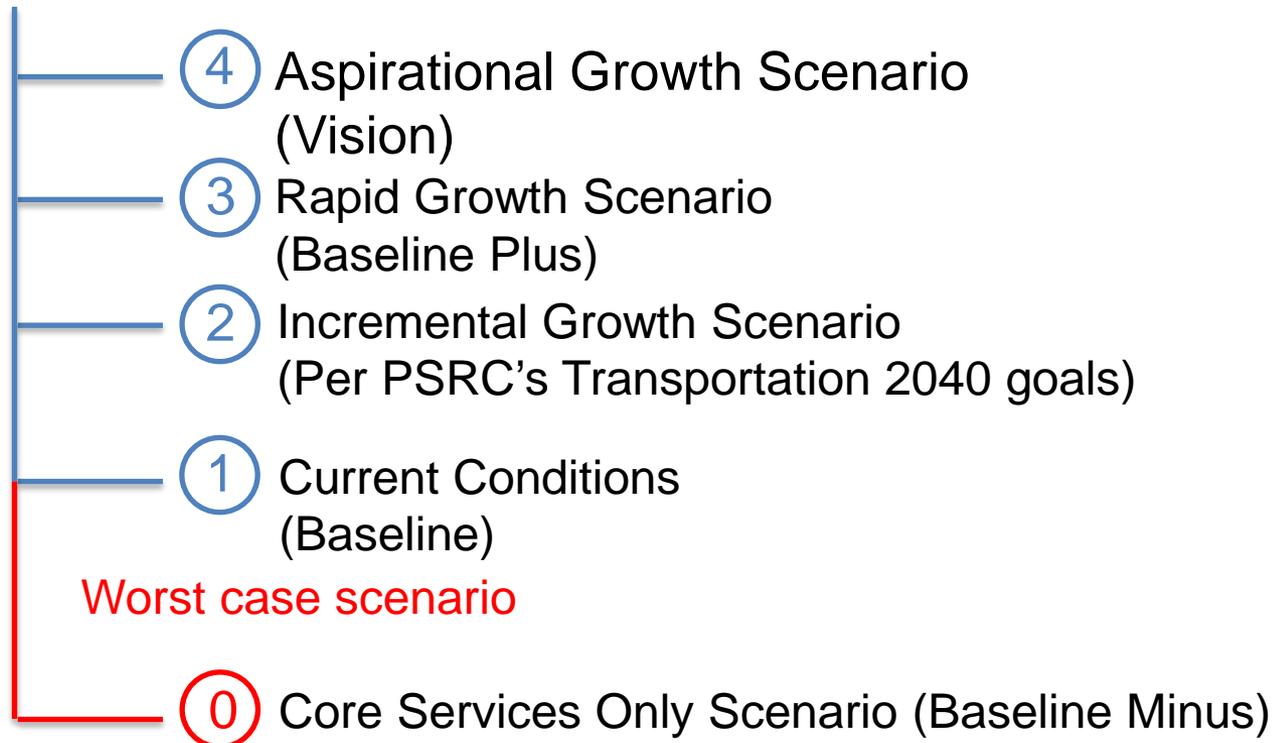
**Darin L. Stavish, AICP, Principal Planner**

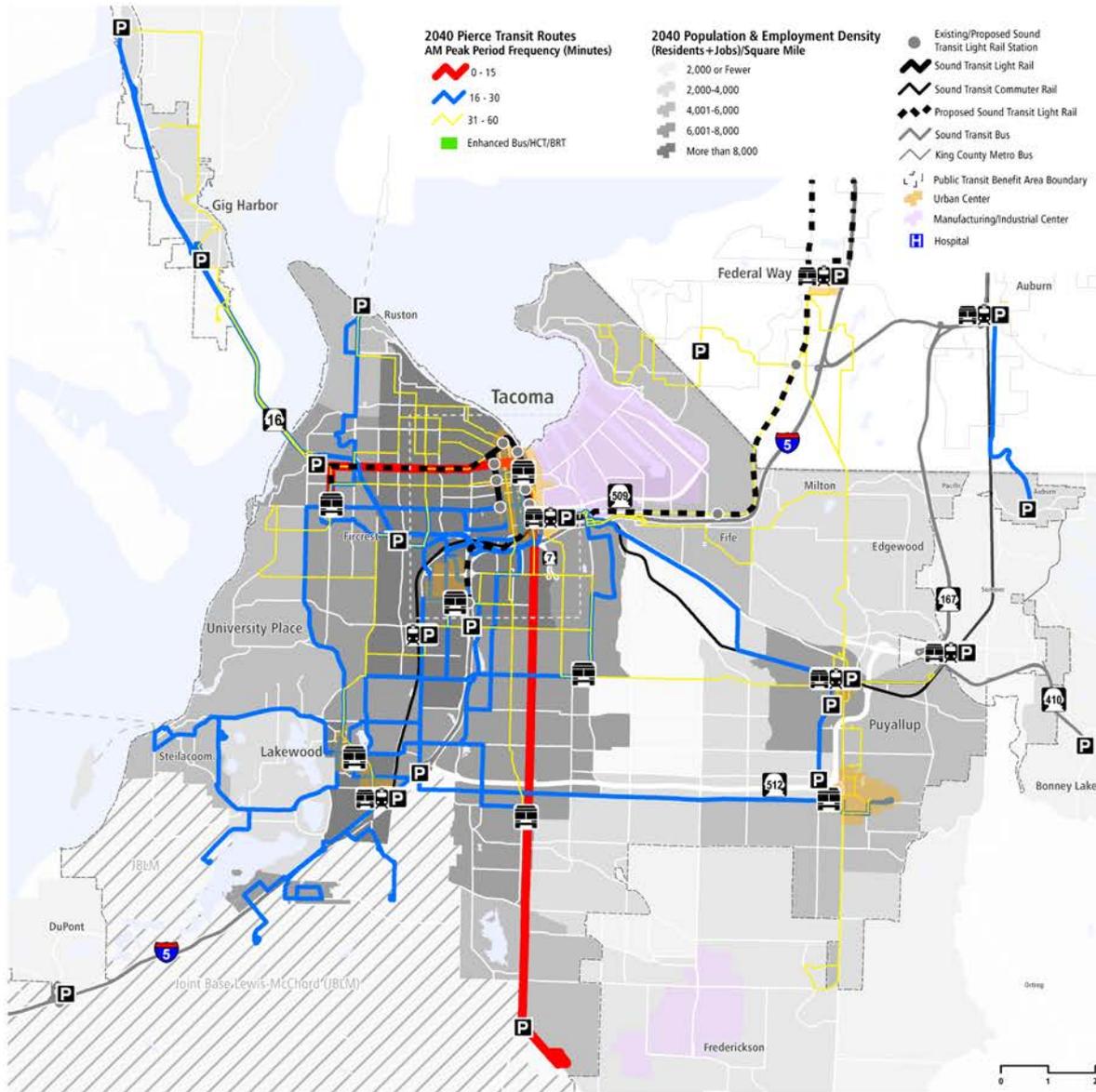
## Two Key Long Range Transit Plan Components

- A range of future alternative service scenarios for growth through 2040.
- The PSRC's travel demand modeling and evaluation of the scenarios for potential ridership.



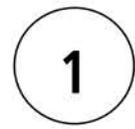
## Introduction of Four Future Scenarios for either Constrained or Unconstrained Funding



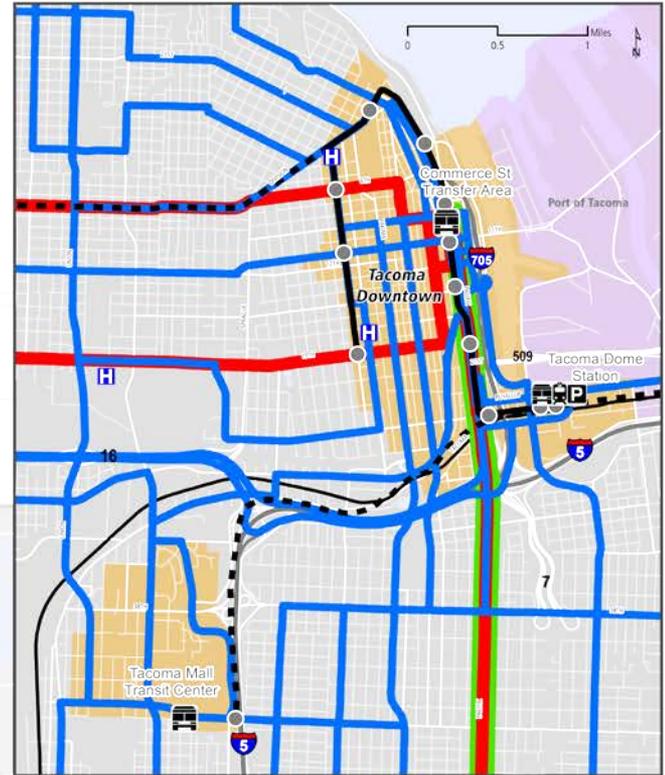
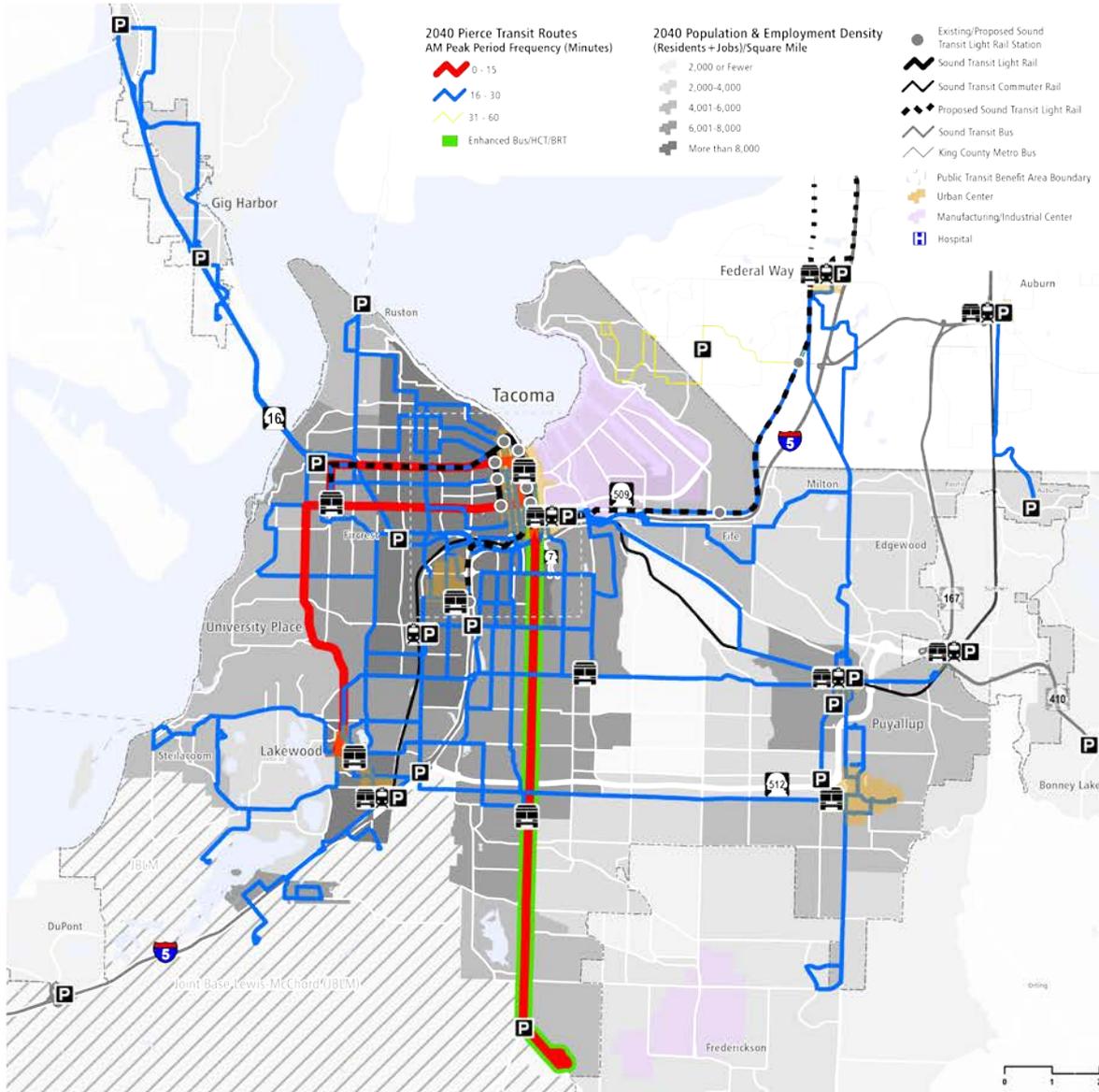


**Current Conditions Scenario**  
(Baseline)

0% Annual Service Hour Growth Rate  
 2020..... 454,000  
 2030..... 454,000  
 2040..... 454,000



Sources: Pierce Transit, Sound Transit, King County Metro, Puget Sound Regional Council, Pierce County



## Incremental Growth Scenario (per Transportation 2040)

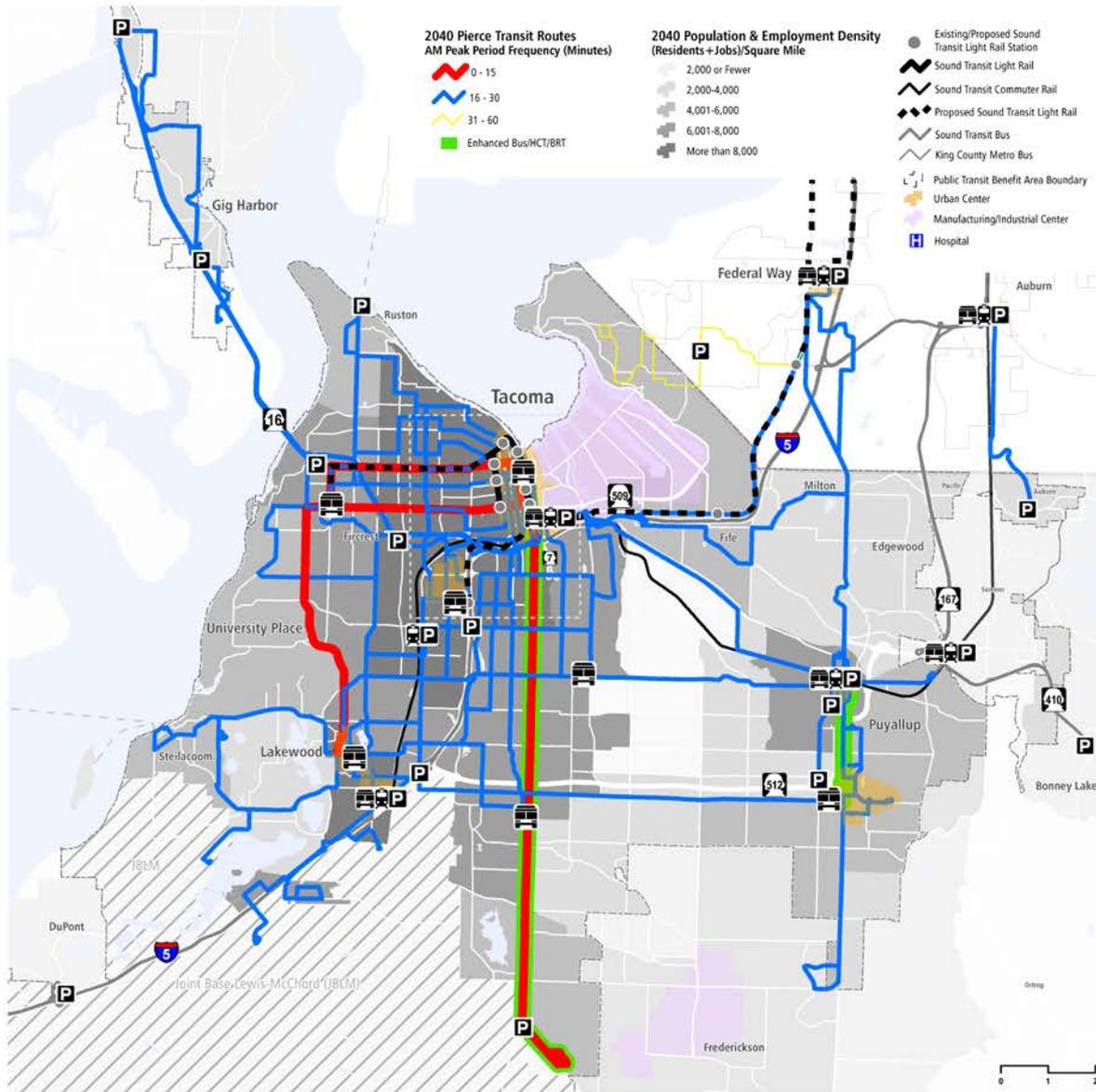
2.0% Annual Service Hour  
Growth Rate

2020.....	488,000
2030.....	595,000
2040.....	726,000

2



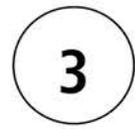
Sources: Pierce Transit, Sound Transit, King County Metro, Puget Sound Regional Council, Pierce County



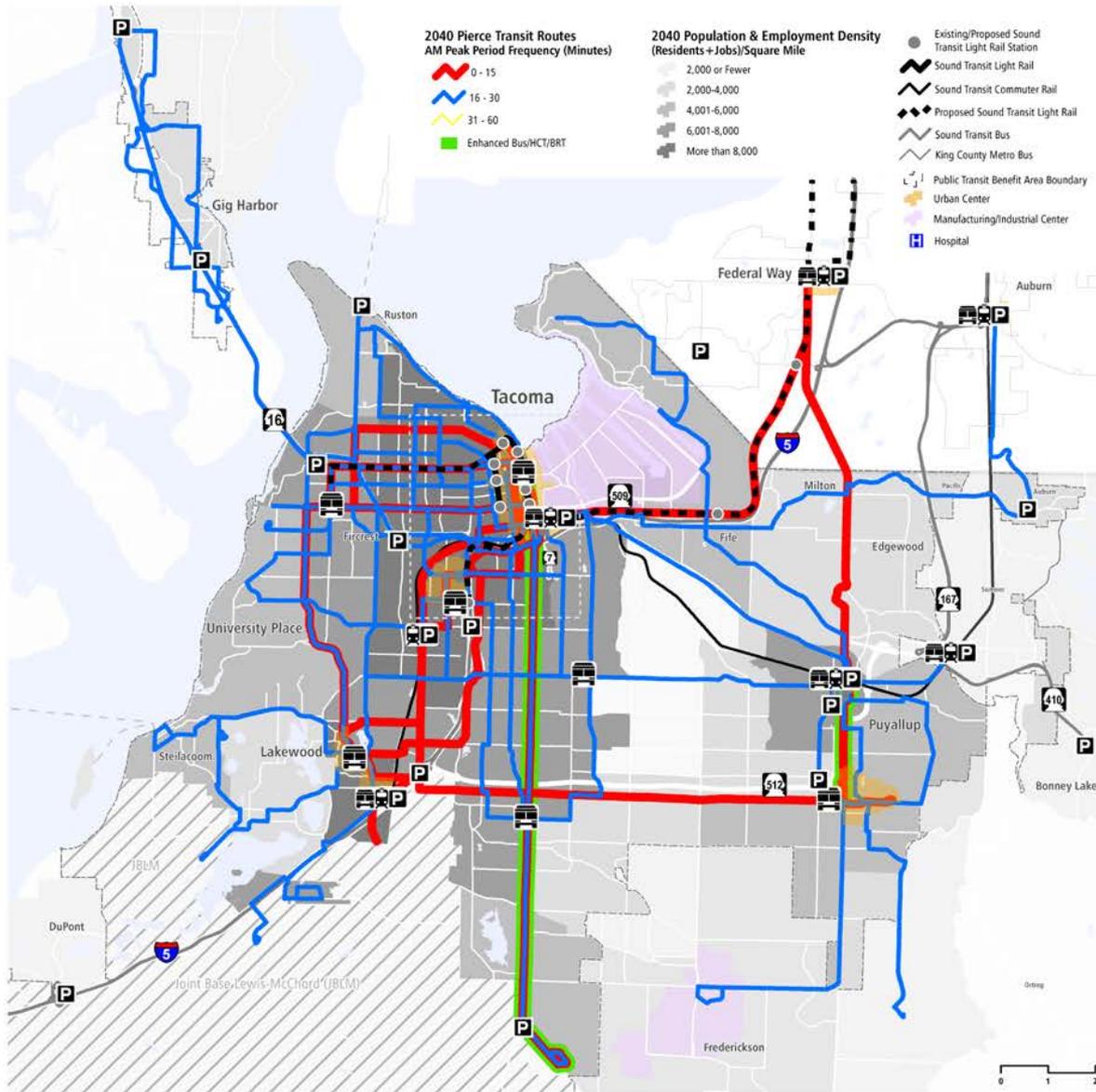
**Rapid Growth Scenario**  
(Baseline Plus)

2.5% Annual Service Hour Growth Rate

2020	.....	500,000
2030	.....	640,000
2040	.....	820,000



Sources: Pierce Transit, Sound Transit, King County Metro, Puget Sound Regional Council, Pierce County



## Aspirational Growth Scenario (The Vision—Within PTBA)

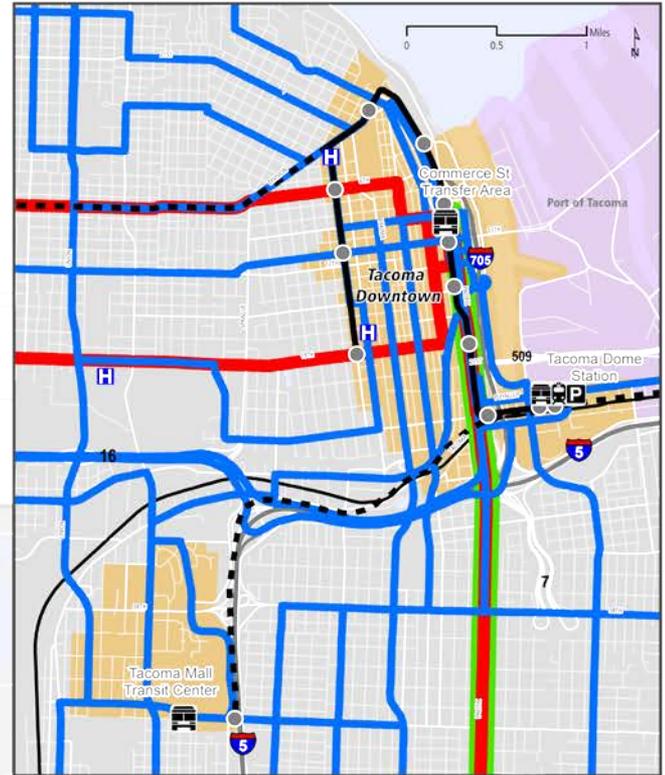
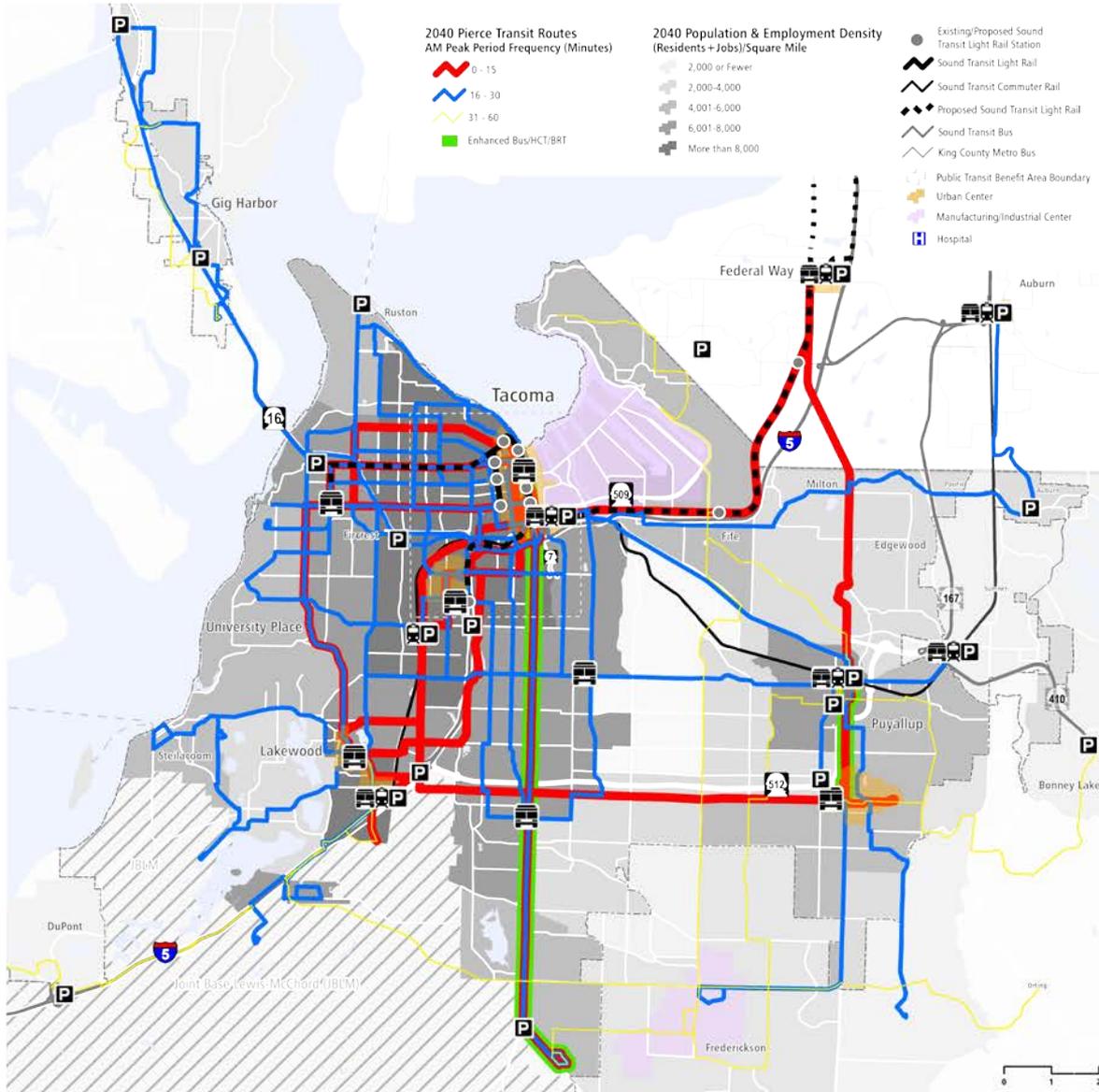
3.0% Annual Service Hour  
Growth Rate

2020.....513,000  
2030.....689,000  
2040.....927,000

4a



Sources: Pierce Transit, Sound Transit, King County Metro, Puget Sound Regional Council, Pierce County



## Aspirational Growth Scenario (The Vision—Beyond PTBA)

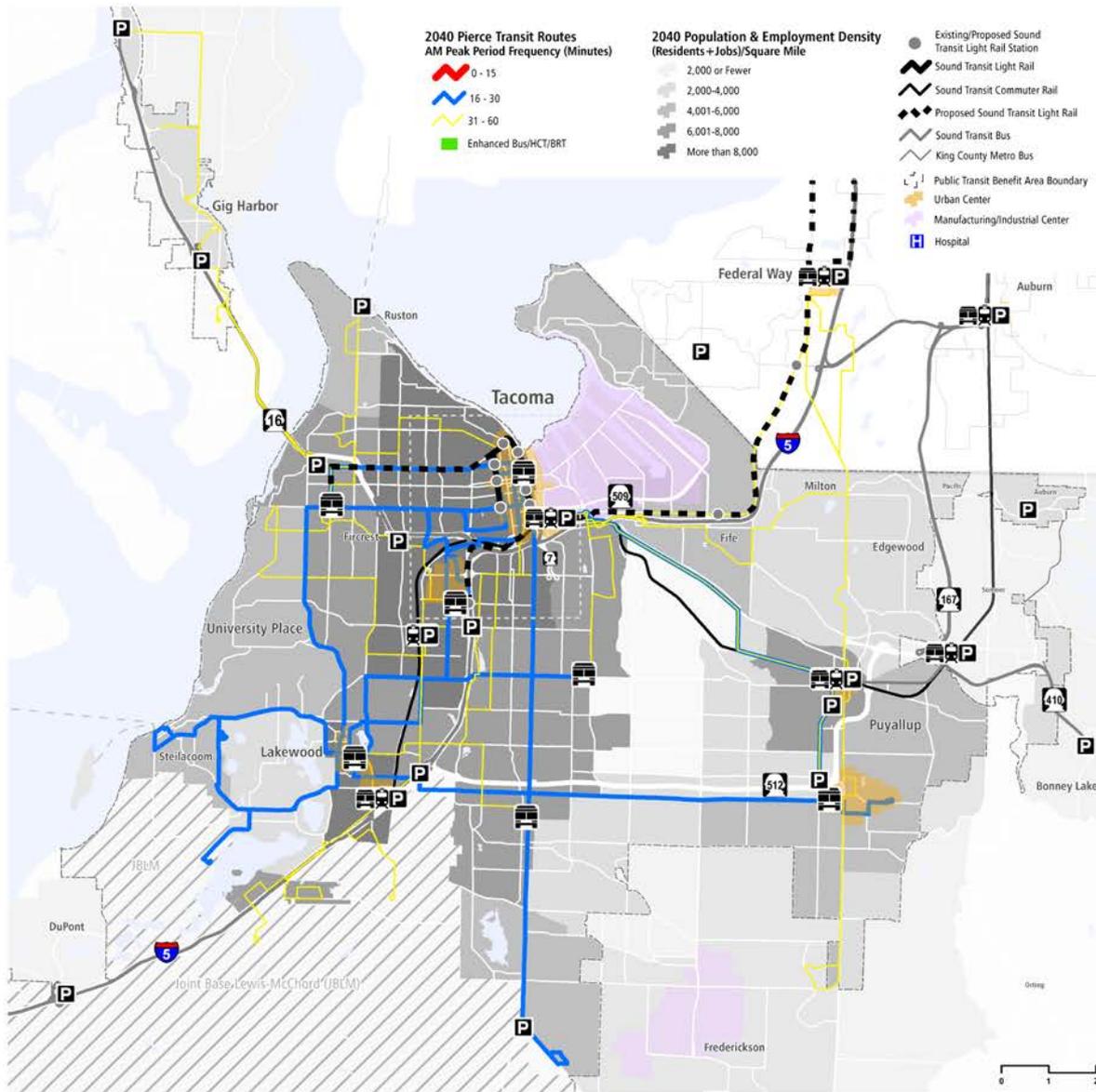
3.0% Annual Service Hour  
Growth Rate

2020.....513,000  
2030.....689,000  
2040.....927,000

4b



Sources: Pierce Transit, Sound Transit, King County Metro, Puget Sound Regional Council, Pierce County



Reduction to 300,000 Annual Service Hours

0



Sources: Pierce Transit, Sound Transit, King County Metro, Puget Sound Regional Council, Pierce County

## Internal Challenges or Obstacles

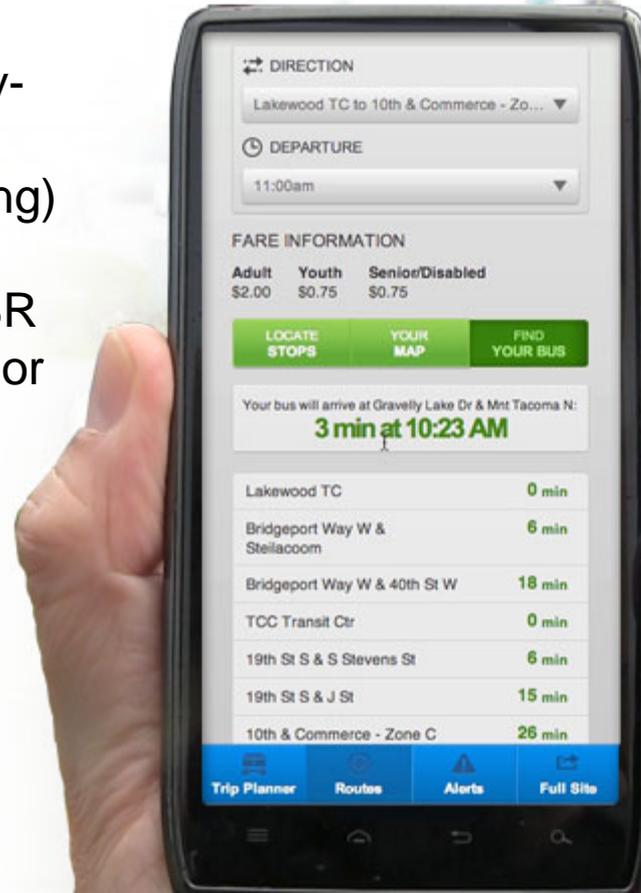
- Uncertain or unstable financial outlook (e.g., currently too much reliance on sales tax revenues).
- Vehicle conditions and replacement schedules.
- Human Capital and the "aging out" of the current Pierce Transit workforce.

## External Challenges or Obstacles

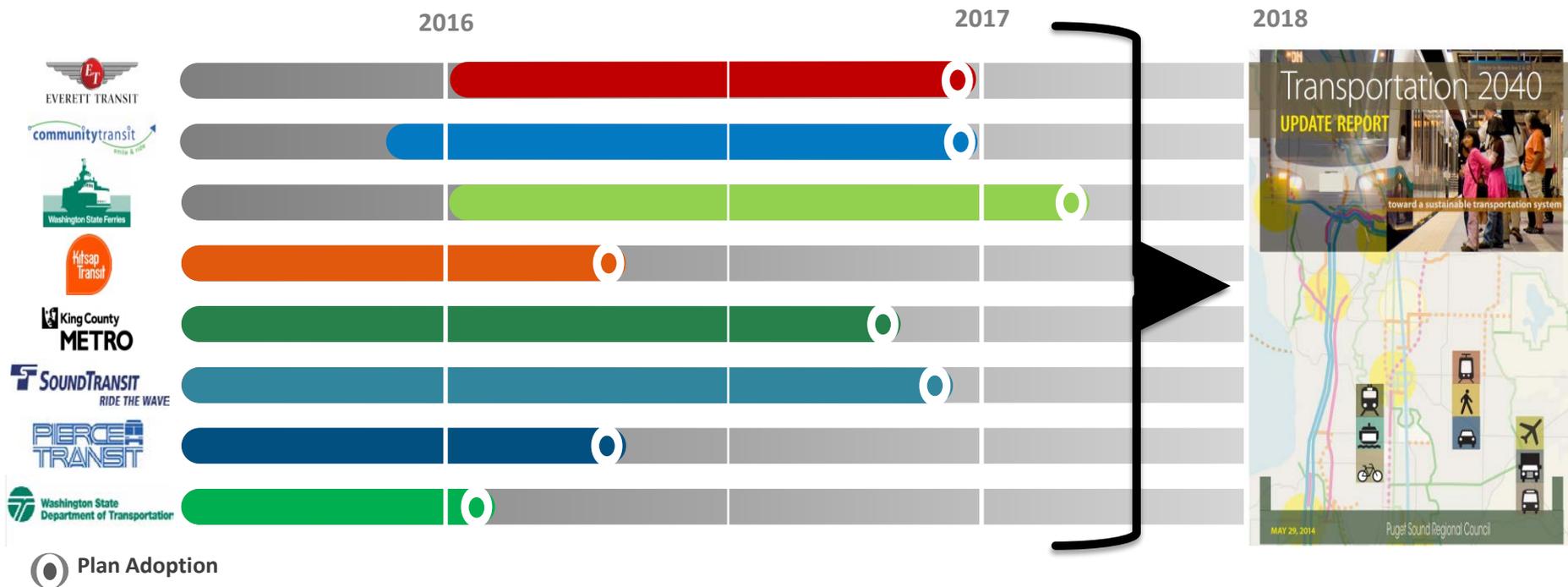
- Improving and maintaining the public's perception of the agency. Looking for new customers and “choice” riders too - not just serving “captive” or transit-dependent riders.
- Creating a culture of greater transit usage in Pierce County where the car is still the preferred and usually more convenient mode choice.
- Suburban land use patterns that are not conducive to transit usage beyond the Tacoma CBD. Vast distances between intra-county destinations that are only accessible by car in many cases.

# Opportunities for Growth

- Underserved transit-dependent population areas; Pierce County-targeted infill areas within the PTBA (e.g., employment, housing)
- Evaluating the Pacific Avenue/SR 7 Corridor for a higher-capacity or even Bus Rapid Transit service
- Emerging Technologies
- Potential Riders (New Demographics)
- Regional Connections to ST3

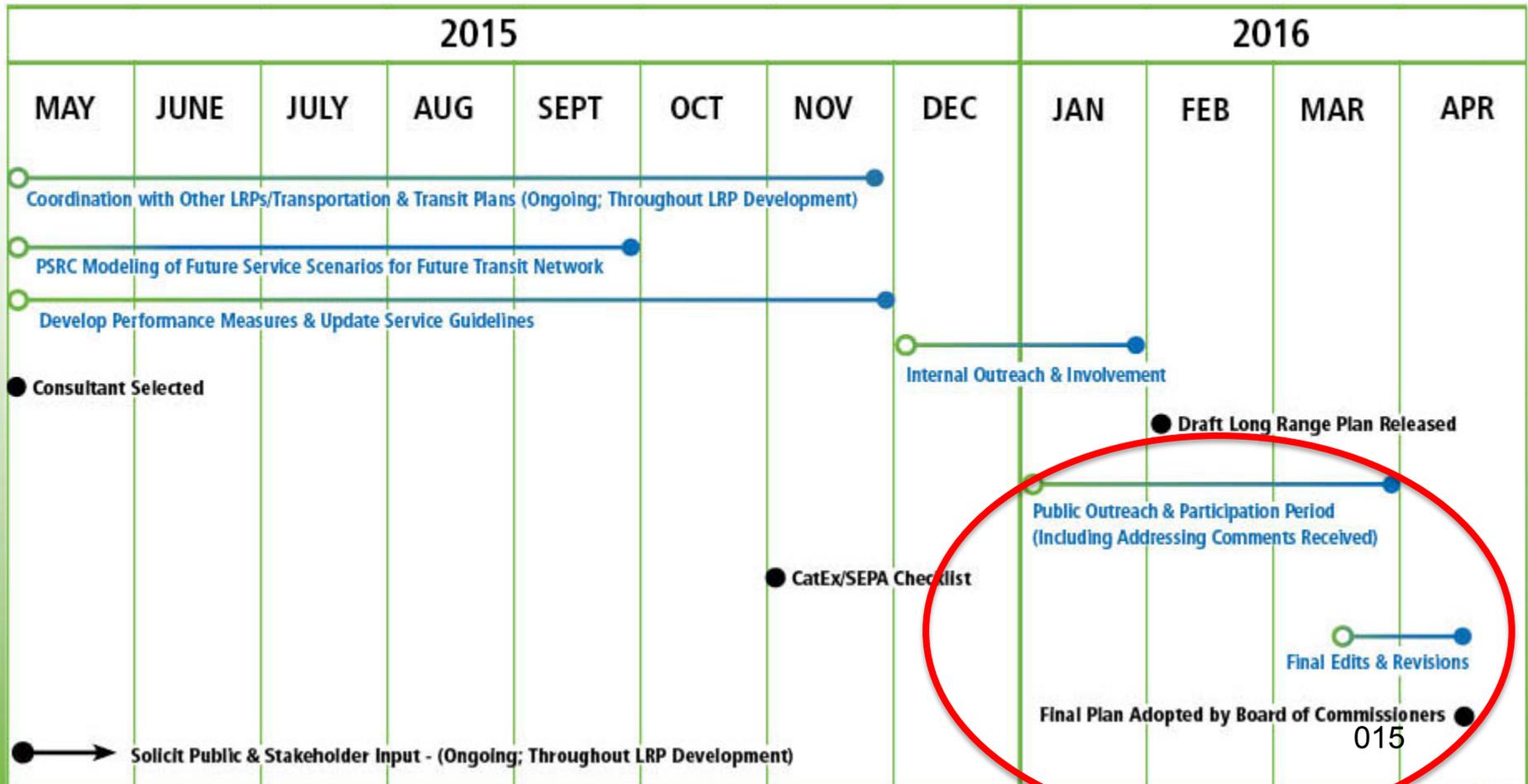


# Puget Sound Regional Council



- Foundational work for looking at transit in the region as a system
- Will identify synergies based on local input and places that need work
- A more cost-effective and less-duplicative system than in today's Plan
- The result will be a regionally integrated future transit network

# Next Steps | Destination 2040 Timeline & Milestones





## **LAKWOOD CITY COUNCIL MINUTES**

Monday, March 07, 2016  
City of Lakewood  
City Council Chambers  
6000 Main Street SW  
Lakewood, WA 98499

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### **CALL TO ORDER**

Mayor Anderson called the meeting to order at 7:01 p.m.

### **ROLL CALL**

Councilmembers Present: 7 – Mayor Don Anderson; Deputy Mayor Jason Whalen; Councilmembers Mary Moss, Mike Brandstetter, John Simpson, Marie Barth and Paul Bocchi.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Anderson.

### **PROCLAMATIONS AND PRESENTATIONS**

#### **Youth Council Report.**

The Youth Council reported on the City's 20<sup>th</sup> anniversary celebration, the AWC Center for Quality Communities Scholarship Fund application and youth representatives that attended six of Lakewood's citizens advisory committees and boards. School reports at each of the high schools were provided.

#### **Proclamation declaring February 7 through April 29, 2016 as Pierce County READS.**

DEPUTY MAYOR WHALEN PRESENTED A PROCLAMATION DECLARING FEBRUARY 7 THROUGH APRIL 29, 2016 AS PIERCE COUNTY READS TO MS. JEANINE ADAMS, TILlicum BRANCH MANAGER, AND MS. KIM ARCHER, LAKEWOOD BRANCH LIBRARY, PIERCE COUNTY LIBRARY SYSTEM.

#### **Proclamation recognizing Diane Formoso.**

MAYOR ANDERSON PRESENTED A PROCLAMATION RECOGNIZING MS. DIANE FORMOSO, CARING FOR KIDS FOR HER COMMUNITY SERVICE.

#### **Clover Park School District Board Report.**

Clover Park School District (CPSD) Board President Schafer reported on the passing of the District levy by 56 percent and thanked the Council for supporting the levy. He spoke about the career guidance program award, and the STEM fair where 150 volunteers served as judges and students who participated. He spoke about the ACT 6 scholarships that focused on urban community leaders. He then spoke about a girl who won the State wrestling championship title.

Councilmember Simpson asked what are the plans for the little red school house structure. CPSD President Schafer indicated that he would report back to the Council with that information.

## **PUBLIC COMMENTS**

Speaking before the Council were:

*Dennis Haugen, Lakewood resident*, showed a video of South Carolina Governor Haley's comments about Boeing.

*Stephanie Michelson, S & K Green Goods, Lakewood resident*, spoke about the passing of I-502, the role of the Planning Commission and understood that when voters voted for I-502, it would be implemented in Lakewood.

*Jordan Michelson, J & K Cannabis*, spoke about finishing what the voters wanted which would allow bringing I-502 businesses into the city. He asked that the Council allow Lakewood residents to run such successful businesses.

*Glen Spieth, Lakewood Historical Society*, expressed concern about the clock outside the Fed Ex building which is a focal point of the Motor Avenue redevelopment plan and to find a way to be able to keep the antique clock before or after the building is demolished as it is an important feature of the Motor Avenue building.

*Merlin Berry, Lakewood resident*, spoke about the need to build a homeless shelter in Lakewood.

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

- A. Approval of the minutes of the City Council meeting of February 16, 2016.
- B. Approval of the minutes of the City Council Study Session of February 22, 2016.
- C. Approval of payroll checks, in the amount of \$2,131,006.48, for the period January 16, 2016 through February 15, 2016.
- D. Approval of claim vouchers, in the amount of \$2,454,908.35, for the period January 16, 2016 through February 12, 2016.

E. Ordinance No. 633

Amending Section 9A.03.050 of the Lakewood Municipal Code relative to disclosing intimate images.

F. Resolution No. 2016-03

Setting Monday, April 18, 2016, at approximately 7:00 p.m., as the date for a public hearing by the City Council on vacating a portion of 84th Street right-of-way.

G. Motion No. 2016-12

Authorizing the execution of a collective bargaining agreement with the Lakewood Police Management Guild from January 1, 2016 through December 31, 2019.

## H. Items Filed in the Office of the City Clerk:

1. Planning Commission meeting minutes of January 6, 2016.
2. Community Services Advisory Board meeting minutes of January 20, 2016.
3. Parks and Recreation Advisory Board meeting minutes of January 26, 2016.
4. Landmarks and Heritage Advisory Board meeting minutes of January 28, 2016.

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

## R E G U L A R   A G E N D A

### ORDINANCE

**Ordinance No. 634 amending Chapter 13.06 of the Lakewood Municipal Code relative to garbage collection services**

COUNCILMEMBER BRANDSTETTER MOVED TO ADOPT ORDINANCE NO. 634. SECONDED BY COUNCILMEMBER SIMPSON.

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COUNCILMEMBER BRANDSETTER MOVED TO AMEND ORDINANCE NO. 634 BY DELETING 13.06.360 B AND C(2). SECONDED BY COUNCILMEMBER

BOCCHI. VOICE VOTE WAS TAKEN AND CARRIED WITH COUNCILMEMBER SIMPSON VOTING IN OPPOSITION.

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VOICE VOTE WAS TAKEN ON THE AMENDED ORDINANCE NO. 634 AND CARRIED UNANIMOUSLY.

### **UNFINISHED BUSINESS**

None.

### **NEW BUSINESS**

**Motion No. 2016-13 awarding a bid to Johansen Excavating, Inc., in the amount of \$2,820,367.97, for improvements on Bridgeport Way between JBLM to I-5.**

COUNCILMEMBER SIMPSON MOVED TO AWARD A BID TO JOHANSEN EXCAVATING, INC., IN THE AMOUNT OF \$2,820,367.97, FOR IMPROVEMENTS ON BRIDGEPORT WAY BETWEEN JBLM TO I-5. SECONDED BY COUNCILMEMBER BRANDSTETTER. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

**Motion No. 2016-14 casting a vote for a Position 2 representative on the Zoo and Trek Authority Board.**

COUNCILMEMBER BARTH MOVED TO CAST A VOTE FOR DENISE MCCLUSKEY AS POSITION 2 REPRESENTATIVE ON THE ZOO AND TREK AUTHORITY BOARD. SECONDED BY COUNCILMEMBER BOCCHI. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

### **REPORTS BY THE CITY MANAGER**

Acting City Manager Kraus called on Surface Water Manager Vigoren.

#### **Tillicum and Woodbrook sewer connections update**

Surface Water Manager Vigoren provided an update on sewer connections in Tillicum and Woodbrook.

Discussion ensued if there had been any property owners asking for deferrals to hook up to sewers; what is the grant match for sewer grants received; what is the cash flow in the sewer connection fund and does the City have the ability to raise or lower the sewer availability charge so it is not equal to the sewer charge; and what would it cost to put in sewers in areas that are not sewerred in Tillicum as shown in the map.

**Community and Economic Development Department and South Sound Military Communities Partnership update.**

Assistant City Manager for Development Services Bugher provided an update on the Community and Economic Development Department and the South Sound Military Communities Partnership work plans.

Discussion ensued on funding abatements and its positive return on investment and what interfund loans might be available to continue to provide funding and staffing for this program.

**City's 20<sup>th</sup> anniversary update.**

Acting City Manager Kraus provided a recap of the 20<sup>th</sup> anniversary update that was held on February 23, 2016. She reviewed two options for a 20<sup>th</sup> anniversary event which is a stand alone for June 4, 2016 at approximately noon - 5:00 p.m. The second option is to roll 20<sup>th</sup> Anniversary into Summerfest on July 9, 2016 from 11:00 a.m. – 11:30 p.m. She then reviewed what is being proposed at the two options. Discussion ensued on planning for shelter due to inclement weather, possibly considering an alternate date and including the 2-2 Stryker Brigade. After further discussion, it was the consensus of the Council to hold a stand alone 20<sup>th</sup> anniversary event.

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Acting City Manager Kraus introduced Human Resources Manager Mary McDougal.

She then announced that the Council Retreat is scheduled for March 19, 2016 in Conference Room 3A at 8:30 a.m.

**CITY COUNCIL COMMENTS**

Councilmember Moss commented on the Sound Transit meeting. She then commented on the St. Francis Cabrini auction she attended.

Councilmember Brandstetter complimented Chief Zaro for highlighting the positive work of the Police Department.

Councilmember Barth commented on the positive meeting she attended regarding the Motor Avenue Design project. She also reported on the Public Safety Advisory Committee and the Chamber luncheon meetings she attended.

Councilmember Simpson complimented the work of the Landmarks and Heritage Advisory Board. He indicated that he will be attending the Tillicum Neighborhood Association meeting.

Deputy Mayor Whalen commented on the 20th Anniversary Celebration event and the editorial article on the 20<sup>th</sup> anniversary. He commented on the City of Tacoma's Mayoral State of City event he attended. He also commented on the Motor Avenue Design meeting at the Little Church on the Prairie. He spoke about the meetings he attended with the Mayor and City Manager in Washington, DC.

Mayor Anderson commented on the 20<sup>th</sup> Anniversary celebration, Debi Young's retirement and the Boys and Girls Club dinner events. He then spoke about the meetings he attended in Washington, DC.

Councilmember Bocchi commented on the Economic Development Board meeting he attended.

### **ADJOURNMENT**

There being no further business, the meeting adjourned at 10:15 p.m.

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DON ANDERSON, MAYOR

ATTEST:

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ALICE M. BUSH, MMC  
CITY CLERK



## **LAKWOOD CITY COUNCIL STUDY SESSION MINUTES**

Monday, March 14, 2016  
City of Lakewood  
City Council Chambers  
6000 Main Street SW  
Lakewood, WA 98499

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### **CALL TO ORDER**

Mayor Anderson called the meeting to order at 7:01p.m.

### **ROLL CALL**

Councilmembers Present: 7 – Mayor Don Anderson; Deputy Mayor Jason Whalen; Councilmembers Mary Moss, Mike Brandstetter, John Simpson, Marie Barth and Paul Bocchi.

### **ITEMS FOR DISCUSSION:**

#### **Review of the 2015 Human Services Annual Report.**

Human Resources Coordinator Shields reported on the human services program, clients served and benefits returned.

Discussion ensued on services provided; the return to benefit ratios; why is there a focus based on language skills instead of need as it relates to medical health conditions; what services are being provided by LASA Client Services Center to the community; concerns about the homeless issues and how it is evolving.

#### **Review of Fiscal Year 2016 Consolidated Annual Action Plan and funding recommendations.**

Program Manager Gumm reviewed the Fiscal Year 2016 Consolidated Annual Action Plan and amendments to the Fiscal Year 2013 and 2014 Consolidated Annual Action Plans and a Section 108 loan guarantee for improvements on 108<sup>th</sup> Street.

Edith Owens, Chair of the Community Services Advisory Board, reviewed the proposed funding recommendations for Community Development Block Grant and HOME Investment Partnership Act Grants. Projects recommended for funding include improvements on 108<sup>th</sup> Street, low income streetlighting, major home repairs, sewer loans, emergency assistance for displaced residents, affordable housing projects and housing rehabilitation loans.

Discussion ensued on the sewer loan and major home repair program; how healthy is the revolving loan accounts and how are funds prioritized and used; and can there be a strategy section in the Consolidated Action Plan to include a coordinated process to address the needs of homeless persons.

#### **Abatement program update.**

Program Manager Jeff Gumm provided an update of the abatement program including the number of abatements completed, pending abatements and their locations.

Discussion ensued on how rental housing abatements are handled and how was the City able to enter the apartment complex; how are buildings that are damaged by fire handled; are abated properties rentals or owner-occupied properties (most often they are bank-owned); what happens to the mobile home park when a mobile home is abated; is there the possibility of lending other funds besides the General Fund for the abatement program.

#### **Review of cottage housing Ordinance No. 620.**

Assistant City Manager for Development Services Bugher provided an overview of the proposed substitute ordinance relative to cottage housing. Assistant to the City Manager Courtney Cassaday then reviewed various scenarios using multiple densities for cottage housing options based on R1, R2, R3 and R4.

Discussion ensued on the definition of the average lot size.

### **REPORTS BY THE CITY MANAGER**

City Manager Caulfield called on Assistant City Manager for Development Services Bugher to provide an update on the Motor Avenue Design project.

#### **Motor Avenue Design Update.**

Assistant City Manager for Development Services Bugher reported on the community outreach meetings that were conducted on the Motor Avenue design project and the positive community feedback received.

Discussion ensued if there were any impediments raised from the community outreach meetings (none); how would the closing of Motor Avenue alternative incorporate with the improvements to be made on Gravelly Lake Drive; and that this project can be a positive stimulus for downtown improvements.

City Manager Caulfield provided an update on the Legislative session and the bills that the Governor had vetoed. He reported that the City will be submitting applications for six Puget Sound Regional Council transportation projects:

- 1) Steilacoom Blvd/88<sup>th</sup> St. Overlay-Weller Rd to Custer Rd.

- 2) Lakewood ITS Phase VI
- 3) Steilacoom Blvd – Farwest Dr. to Phillips Rd Right of Way Acquisition (only)
- 4) 112<sup>th</sup>/111<sup>th</sup> Street Improvement – Bridgeport Way to Kendrick
- 5) Gravelly Lake Drive Non-Motorized Trail (Design only)
- 6) South Tacoma Way-88<sup>th</sup> St. to North City Limits (Design/Right of Way Acquisition only)

He then provided an update on code enforcement efforts. He reported that the County's homeless count information will become available in April. He noted that the Air Show is back and will be held in August. He complimented Bill Adamson, SSMCP Program Manager for his work in Lakewood being recognized as a defense community by the Association of Defense Communities.

He reported that Albertson's will be coming back to the Steilacoom Boulevard location. He noted that the Council's Retreat will be held on March 19, 2016 at 8:30 a.m. Agenda items include the review of the Community Satisfaction Survey and a review of goals and priorities in advance of 2017/2018 biennial budget.

He also noted that on March 15, 7:00 p.m., Lakeview Light & Power's Annual Meeting will be held at First Baptist Church of Lakewood.

**ITEMS TENTATIVELY SCHEDULED FOR THE MARCH 21, 2016 REGULAR CITY COUNCIL MEETING:**

1. Business showcase.
2. Pierce Transit Destination 2040 Long Range Plan. – *Mr. Darin Stavish, Principal Planner and Ms. Rebecca Japhet, Public Relations Officer, Pierce Transit*
3. Appointing a member to serve on the Community Services Advisory Board. – (Motion – Consent Agenda)
4. Approving a collective bargaining agreement with the Teamsters Local Union No. 117 from January 1, 2016 through December 31, 2018. – (Motion – Consent Agenda)
5. Ordinance No. 620 – (continued from the meeting of February 1, 2016) Amending Title 18A of the Lakewood Municipal Code relative to cottage housing. – (Ordinance – Regular Agenda)
6. Amending Chapter 12A.9 of the Lakewood Municipal Code relative to street classifications. – (Ordinance – Regular Agenda)

**CITY COUNCIL COMMENTS**

Councilmember Moss commented on the Community Collaboration meeting she attended. She then spoke about the Lakewood’s Promise Advisory Board meeting and the Teen Award Annual banquet.

Councilmember Bocchi commented on the Father Daughter dance at Lakes High School. He asked if a Councilmember could attend the Pacific Neighborhood Association meeting because of a PCRC meeting he needs to attend.

Councilmember Simpson commented on the Lake City Neighborhood Association meeting he attended.

Mayor Anderson commented on the Coffee with the Mayor meeting. He then commented on a meeting he held with CPSD Board President Schafer to hold a joint meeting with the Council and CPSD Board. He commented on a Ft. Lewis spouse dinner event he attended with the special forces group commander and leadership.

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Mayor Anderson announced that Council will move into a closed session to discuss employee relations pursuant to RCW 42.30.140(4).

**ADJOURNMENT**

There being no further business, the meeting adjourned at 10:00 p.m.

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DON ANDERSON, MAYOR

ATTEST:

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ALICE M. BUSH, MMC  
CITY CLERK

# REQUEST FOR COUNCIL ACTION

<b>DATE ACTION IS REQUESTED:</b> March 21, 2016  <b>REVIEW:</b>	<b>TITLE:</b> Appointing Michael Lacadie to serve on the Community Services Advisory Board through December 15, 2020.  <b>ATTACHMENTS:</b> Candidate Application	<b>TYPE OF ACTION:</b> <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input checked="" type="checkbox"/> MOTION NO. 2016-15 <input type="checkbox"/> OTHER
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**SUBMITTED BY:** Alice M. Bush, MMC, City Clerk on behalf of Mayor Don Anderson.

**RECOMMENDATION:** It is recommended that the City Council confirm the Mayor’s appointment of Michael to serve on the Community Services Advisory Board through December 15, 2020.

**DISCUSSION:** A Notice of Vacancy to fill two (2) unexpired terms on the Community Services Advisory Board was sent to The News Tribune and The Suburban Times and posted on the City’s website and at Lakewood City Hall. One (1) application was filed and transmitted to the Council.

The Advisory Board is to assist the City Council in the following areas:

- A. Conduct public hearings
  - 1. To receive public comments to identify community and housing needs and development of proposed activities; and
  - 2. To review allocation of human services funds and programs.
- B. Recommend to the City Council
  - 1. Programs for funding out of CDBG funds;
  - 2. CDBG and HOME funding allocations, including development of housing program strategies;
  - 3. Suggestions for the Consolidated Plan and other related documents.
  - 4. Funding for human services.

– continued to page 2 -

**ALTERNATIVE(S):** The Council could choose to appoint other candidates, not to confirm any of the appointments or re-advertise for these positions.

**FISCAL IMPACT:** There is no fiscal impact.

_____ Prepared by  _____ Department Director	 _____ City Manager Review
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**DISCUSSION:** - continued from page 1

The Advisory Board is to assist the City Council in the following areas:

- C. Conduct public hearings
  - 1. To receive public comments to identify community and housing needs and development of proposed activities; and
  - 2. To review allocation of human services funds and programs.
- D. Recommend to the City Council
  - 1. Programs for funding out of CDBG funds;
  - 2. CDBG and HOME funding allocations, including development of housing program strategies;
  - 3. Suggestions for the Consolidated Plan and other related documents.
  - 4. Funding for human services.
- E. Perform such other duties and functions related to CDBG, HOME and Human Services funding as assigned by the City Council and in furtherance of the goals and objectives of the CDBG and HOME programs as well as Chapter 8 of the City Code, specifically section 8.9, Health and Human Services.

The Advisory Board shall work in accordance with a work plan as detailed in LMC Chapter 2.68.

COMMUNITY SERVICES ADVISORY BOARD  
APPLICATIONS FILED

Name	MAYOR'S APPOINTMENT 2 unexpired terms through 12/15/16
Michael Lacadie	Appoint through 12/15/16 + an additional 4 year term



RECEIVED

JAN 13 2016

CITY OF LAKEWOOD  
6000 Main Street SW  
Lakewood, WA 98499

CITY OF LAKEWOOD

APPLICATION FOR APPOINTMENT

The information in this document is subject to public disclosure and can be made available to the public.  
(Attach additional pages if necessary to complete answers.)

I wish to be considered for appointment to the following committee, board or commission:

- Arts Commission
- Community Services Advisory Board
- Lakewood's Promise Advisory Board
- Landmarks and Heritage Advisory Board
- Lodging Tax Advisory Committee (Members of this committee must be representative of an agency involved in tourism promotion.)
- Parks and Recreation Advisory Board
- Planning Commission
- Public Safety Advisory Committee
- Salary Commission

**EXPECTATIONS:** Adhere to City of Lakewood's Code of Ethics and regular attendance at meetings is required.

**PLEASE RETURN THIS FORM TO:** City of Lakewood  
City Clerk's Office  
6000 Main Street SW  
Lakewood, WA 98499  
(253) 983-7701 Fax: (253) 589-3774

Name: MICHAEL R. LACADRE  
(Please Print)

Home Address: 10208 101ST AVE CT SW

City: LAKWOOD State: WA Zip: 98498

Home Phone Number: 253-588-8967 E-mail: MRL364@AOL.COM

Present Employer: RETIRED

Address: N/A Work Phone: NONE

Cell: 253-906-3990

LODGING TAX ADVISORY COMMITTEE APPLICANT QUESTIONS:

Are you representing a business that is required to collect lodging tax? Yes No

Are you involved in activities authorized to be funded by revenues received from lodging tax? Yes No

028

Have you previously served or are you currently on one of the Lakewood's Boards, Committees or Commissions? Yes  No  If yes, please explain (include names of Boards, Committees or Commissions and the dates that you served:

PREVIOUSLY ON CDBB FROM BEGINNING TO 2014  
CURRENTLY ON PSEAC & LAKEWOOD SISTER CITY ASSOCIATION

Date available for appointment: ANYTIME

Are you available to attend evening meetings? Yes  No

Are you available to attend daytime meetings? Yes  No

Recommended by: MARIA BARTH

Education: M.A. BUSINESS

Professional and/or community activities: BOARD of DIRECTORS SISTER CITY ASSOCIATION, MEMBER PUBLIC SAFETY CITIZENS ADVISORY COMMITTEE & VOLUNTEER at LAKEWOOD POLICE STATION

Please share some of the experiences or qualifications that you have relating to the work of this board, committee or commission:

FORMALITY of LAKEWOOD CDBB, Puget Sound ENERGY CITIZENS ADVISORY COMMITTEE, USPS CITIZENS ADVISORY COMMITTEE McNEIL ISLAND CORRECTIONAL FACILITY ADVISORY COMMITTEE etc

Please explain why you would like to be part of this board, committee or commission:

I believe all CITIZENS should volunteer for their COMMUNITY & my experience in CDBB makes me a GOOD FIT for this BOARD

I hereby certify that this application and any other materials and/or documents provided in this application process contains no willful misrepresentation and that the information given is true and complete to the best of my knowledge.

Signature:

Michelle Spardi

Date: 1/17/2016

# REQUEST FOR COUNCIL ACTION

<b>DATE ACTION IS REQUESTED:</b> 03/21/2016	<b>TITLE:</b> Authorizing the execution of a collective bargaining agreement with the Teamsters Local #117 from January 1, 2016 through December 31, 2018.	<b>TYPE OF ACTION:</b> <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input checked="" type="checkbox"/> MOTION NO. 2016-16 <input type="checkbox"/> OTHER
<b>ATTACHMENTS:</b> Labor Agreement		

**SUBMITTED BY:** Mary McDougal, Human Resources Manager

**RECOMMENDATION:** It is recommended the City Council authorize the City Manager to execute the collective bargaining agreement (CBA) negotiated between the City of Lakewood and Teamsters Local #117 for the period from 01/01/16 through 12/31/18. This action would also amend previously adopted Ordinances which identify Teamsters represented employees' salaries and benefits.

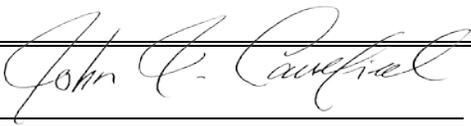
**DISCUSSION:** Representatives for the City of Lakewood and Teamsters have been negotiating since November 2015. Teamsters represents four Community Service Officers. The parties have reached a tentative agreement which has been ratified by the Teamsters membership. The major provisions of the CBA are listed below.

- Three year term: 1/1/2016 – 12/31/2018
- Salaries increased
  - 2% effective January 1, 2016
  - 2% effective January 1, 2017
  - 2% effective January 1, 2018.
- Merit increase of 1% each year; step increases eliminated.
- 3% added to base pay for three employees assigned to code enforcement duties.
- Foreign language pay increased from 2% to 3%.
- For health insurance, City pays equivalent of High Deductible Health Plan plus Health Savings Account contribution; anything over that paid by the employee.

We recommend the City Council authorize the City Manager to enter into this agreement with Teamsters Local #117.

**ALTERNATIVE(S):** The Council could decide not to authorize execution of the Teamsters Agreement however, this negotiated contract is intended to be in the best interest of the City.

**FISCAL IMPACT:** Adoption of this Motion will create an additional fiscal impact of approximately \$43,370 during the term of the agreement, and of approximately \$113,460 over the six year period of 2016 - 2021.

 _____ Prepared by Mary McDougal, Human Resources Manager	 _____ City Manager Review
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# **A G R E E M E N T**

**By and Between**



**Community Service Officers**

**And**

**Teamsters Local Union No. 117**

**Affiliated with the  
International Brotherhood of Teamsters**



**Term of Agreement  
January 1, 2016 – December 31, 2018**

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## NOTICE TO ALL MEMBERS

If you become unemployed, or are off due to an on the-job injury, in the jurisdiction of the Local Union, you will be put on a withdrawal status on request providing all dues and other financial obligations are paid to the Local Union, including the dues for the month in which the withdrawal status is effective.

If you are on a dues check-off with your company and leave for any reason and dues are not deducted, it is your obligation and responsibility to keep your dues current or request a withdrawal.

## AGREEMENT

### ARTICLE 1 – GENERAL

1.01 This Agreement is made and entered into by and between the City of Lakewood, hereinafter referred to as the “Employer” or the “City” and Teamsters Local Union No. 117, hereinafter referred to as the “Union.” The Contract applies to the separate bargaining unit within the Lakewood Police Department comprised of the Employer’s Community Service Officers (also referred to herein as CSO’s). All references in this Contract to “bargaining unit” and/or “employee” and/or “Union” pertain solely to the separate CSO bargaining unit described above and the employees within said bargaining unit and not to any other bargaining unit or employees represented by the Union or any other collective bargaining representative.

1.02 **Management Rights.** Subject to the provisions of the Agreement, management rights and responsibilities shall include, but are not limited to, the following examples:

- A. The City and the Department shall retain all rights and authority to which by law they are entitled.
- B. The City has the right to plan, direct, control and determine all the operations and services of the City, the mission and strategic plans, location of operations, offices, work sites, including permanently or temporarily in whole or in part, the budget and size of the workforce, supervise and direct the workforce, establish the qualifications for employment, recruit, hire, fill vacancies, and assign employees.
- C. The City has the right to modify the workweek, daily work shift, hours of work and/or days off and to determine the need for and schedule of overtime work.
- D. The City has the right to establish reasonable work and performance standards, which include but are not limited to the priority, quality and quantity of work; determine, and assign work and work assignments to be performed and to evaluate employees’ competency and performance of their work assignments.
- E. The City has the right to reassign, evaluate, retain, promote, or transfer employees and determine training needs, methods of training and employees to be trained.
- F. The City has the right to determine operations, in whole or in part including the introduction of any and all methods or equipment; including making facility changes.

- G. The City and the Department have the right to establish, modify and enforce reasonable rules and regulations and operational procedures and guidelines, except that where modification of such rules is otherwise subject to bargaining the City shall provide the Union with the opportunity to bargain.
- H. The City has the right to discipline, suspend, demote, discharge or take other disciplinary action against non-probationary employees for just cause. Scheduling of disciplinary days off will be at the convenience of Department operations, but must be scheduled within six months of the date the discipline has been imposed.
- I. The City has the right to affect a layoff or a reduction in authorized positions because of lack of work, budgetary restraints, organizational changes, or for other legitimate reasons, and recall employees when appropriate. The determination of who shall be laid off shall be consistent with the layoff provisions of this Agreement.
- J. The City has the right to change or eliminate existing methods, equipment or facilities, provided such change does not substantially negatively impact employee safety.
- K. The City shall have the right to take any and all actions necessary in the event of a City declared emergency. Such right shall only extend for the duration of the emergency.

**ARTICLE 2 – NONDISCRIMINATION**

2.01 Neither the Employer, the Union, nor any employee shall in any manner whatsoever discriminate against any employee on the basis of race; color; religion; creed, sex; sexual orientation, marital status; national origin; age; or the presence of any sensory, mental or physical disabilities or the use of trained dog guide or service animal by a disabled person. Neither the Employer nor the Union shall discriminate against any employee in violation of local, state, or federal law.

2.02 No employee shall be discharged or discriminated against for upholding lawful Union activities, fulfilling duties as an officer in the Union or serving on a Union committee or as a member of the Union.

2.03 The term "Employee" as used in this Agreement includes both male and female employees covered by this Agreement. In addition, wherever in this Agreement the masculine gender is used, it is intended it will apply to the female gender as well.

**ARTICLE 3 – RECOGNITION AND UNION SECURITY**

3.01 Only members in good standing in the Union shall be retained in employment. For the purpose of this Article, members in good standing shall be defined to mean employee members of the Union who tender the periodic dues, fees, assessments and initiation fees uniformly required as a condition of acquiring or retaining membership.

3.02 All employees covered by this Agreement shall become members of the Union within thirty-one (31) days from the effective date of this Agreement or within thirty-one (31) days from the date of employment, whichever is later, and shall remain members of the Union in good standing as a condition of continued employment, provided that the right of non-association based on bona fide religious tenets or teachings of a church or religious body of which a public employee is a member is safeguarded as per RCW 41.56.122.

3.03 The Employer shall notify the Union of any new hires within thirty (30) days of employment.

3.04 The Agreement shall apply to all employees covered by this Agreement irrespective of membership or non-membership in the Union.

**ARTICLE 4 – RELEASE TIME FOR UNION BUSINESS REPRESENTATIVE**

4.01 Upon no less than sixty (60) days advance written notice, the Union may request that a bargaining unit employee be granted a leave of absence for up to ninety (90) calendar days for purposes of attending to Union business. Upon receipt of such written request, the Employer will confer with Union representatives regarding such request. The Employer may decline such requested leave of absence if, in the Employer’s judgment, such leave of absence would adversely impact its operations. The decision by the Employer to deny a requested leave of absence for purposes of attending to Union business shall not be made for arbitrary and/or capricious reasons.

4.02 The employee released for leave of absence under this Article shall not be allowed to conduct union business at the City of Lakewood facilities.

**ARTICLE 5 – PAYROLL DEDUCTION**

5.01 **Union Dues and Fees.** Upon the written authorization by an employee and approved by the Union, the Employer agrees to deduct from the wages of each employee the sum certified as initiation fees, assessments, and union dues and deliver the sum to the Union’s Secretary-Treasurer each month, together with a list of those employees involved. If an employee is not to receive a wage or the wage is not a sum sufficient to satisfy the assignment, no collection shall be made from the employee for said month. If dues are not deducted in one (1) month for any reason, they shall be deducted the following month. The amount of such dues, initiation fees and assessments are those currently in effect or as may

hereinafter be established. The deduction of initiation fees may be split as specified on a payroll deduction form.

5.02 **Indemnification and Hold Harmless.** The Union shall indemnify and hold the Employer harmless against any and all claims, demands, suits or other forms of liability that shall arise out of or by reason of action taken or not taken by the Employer in reliance upon signed authorization cards furnished to the Employer by the Union or for the purpose of complying with any of the provisions of this Article.

5.03 The authorization and assignment shall be irrevocable for the term of the applicable contract between the Union and the Employer, or one (1) year, whichever is lesser, and shall automatically renew itself for successive yearly or applicable contract periods thereafter, whichever is the lesser, unless the employee gives written notice to the Employer and the Union at least sixty (60) days and not more than seventy (70) days before any periodic renewal date of this authorization and assignment of any desire to revoke the same.

#### **ARTICLE 6 – DISCIPLINE, DISCHARGE, JUST CAUSE**

6.01 It is understood and agreed that the Employer shall not discharge any employee except for just cause and that no employee shall be discharged or discriminated against in any way because of his/her membership in or for participating in lawful activities on behalf of the Union.

6.02 Written disciplinary actions shall be delivered to the employee who may elect to forward the written disciplinary action to the Union. For the suspension or discharge of any member, the employer shall give written reasons to the employee with a copy of the notice forwarded to the Union.

#### **ARTICLE 7 – SENIORITY LIST**

Twice (2x) annually, the Employer shall prepare and distribute to the Union a seniority list for their bargaining unit. The first list will show the current seniority ranking of employees as of January 31<sup>st</sup> and will be distributed no later than February 15<sup>th</sup>. The second list will show the current seniority ranking of employees as of July 1<sup>st</sup>, and will be distributed no later than July 15<sup>th</sup>.

#### **ARTICLE 8 – BULLETIN BOARDS**

The Employer shall provide suitable space at each work location where Union members are primarily located, for the Union to use as a bulletin board for the posting of notices related to Union business, so long as the matters posted are not inflammatory or political in nature. The Union will be responsible for removing dated materials and will bear all costs in preparing

and posting the bulletin board(s). The Union will maintain the bulletin boards in a professional and orderly fashion.

**ARTICLE 9 – PROBATIONARY PERIOD**

All newly hired or promoted employees must serve a probationary period during which the employee may be terminated, with or without cause. The probationary period shall end one year from the date the employee was hired. Promoted employees shall have the option of returning to their previously held position within 45 calendar days. The probationary period is an extension of the hiring process; therefore, the provisions of the grievance procedure will not apply to employees if they are disciplined or discharged during their initial probationary period.

**ARTICLE 10 – SENIORITY**

10.01 "Seniority" is the amount of continuous service with the City and shall be based on the date of hire as a full-time or part-time employee with the Employer. Part-time employees shall accrue seniority at the following rate: Two thousand eighty (2080) hours compensated will equal one year of seniority. Seniority under this agreement shall date back to the date of hire, but shall not be established until completion of the "probationary period." An employee shall lose seniority under this Agreement for the following reasons:

- A. Retirement,
- B. Voluntary termination,
- C. Discharge for just cause,
- D. Layoff of 15 months or more,
- E. Abandonment of Position – An employee absent from work for three (3) or more days who fails to notify his/her supervisor of the need for time off will be considered to have resigned his/her employment with the City.
- F. Failure to return to work after offer of recall is made:  
If the employee fails to respond within three (3) calendar days after delivery or attempted delivery of a notice of reinstatement from layoff, such notice to be sent by certified mail, return receipt requested, to the employee's last known address on file with the City; or if the employee fails to return to work within fourteen (14) calendar days from the date of delivery or attempted delivery of a notice of reinstatement from layoff, sent by certified mail, return receipt requested, to the employee's last known address on file with the City.
- G. Failure to return to work promptly after an authorized leave of absence.

- H. Absence from work because of a non-occupational illness or injury of six (6) months or more after all available leave banks have been exhausted;
- I. Absence from work because of an occupational illness or injury of six (6) months or more after all available leave banks have been exhausted.

Time Limit Extension: The time limits specified in H and I above, may be extended by mutual agreement between the Employer and the Union.

10.02 City employees whose positions are funded by state or federal funds shall have seniority established in accordance with this Article unless otherwise specified by the provisions of a specific program.

10.03 **Layoffs.** In the event the Employer determines it is necessary to reduce the work force in classifications within the bargaining unit, temporary employees will be laid off first; probationary employees will be laid off second; regular part-time employees will be laid off third and regular full-time employees will be laid off last, based upon seniority as established in Section 10.01 of this agreement.

Such laid off employees will be placed in order of seniority on the reinstatement register. Once the number and classifications of positions to be laid off is determined, the employees with the least seniority shall be displaced.

For layoff purposes, seniority shall first be based on the amount of continuous service within all operations of City government. If seniority is equal, seniority shall be based on civil service standing, with the person attaining the highest ranking on the eligibility list having the greatest seniority. No regular full-time employees shall be laid off or demoted while there are part-time, temporary, project, or probationary employees serving in the same classification in the same bargaining unit. Employees being laid off shall be given a minimum of thirty (30) days notice of layoff. Employees being laid off shall keep the Employer's Human Resources Department informed of their current address and telephone number.

10.04 **Seniority List.** In the event of a potential layoff within the bargaining unit, the Human Resources Department shall publish a seniority list for layoff purposes as addressed in Article 10.03.

10.05 **Recall within Bargaining Unit.** When the Employer recalls employees in the bargaining unit after there has been a layoff in that bargaining unit, it shall first recall those employees who were laid off from the bargaining unit in reverse order of their layoff, if they are available for work. Such recalled employees shall be recalled to vacant positions from the reinstatement register. Such recalled employees who have not remained in paid employment status shall return with City seniority for the purpose of computing wage and fringe benefits, except the period of layoff shall not be counted.

10.06 **Decision to Layoff.** In the event that layoffs within this bargaining unit are deemed by the City to be necessary, the City agrees to bargain the effects of those layoffs with the Union.

The Employer agrees to meet with the Union to discuss the reasons and time-lines for the layoff(s) and to review any suggestions concerning possible alternatives to layoff. On-going discussions shall not preclude the City from moving forward with notifications to employees as identified in this article.

**ARTICLE 11 – HOURS OF WORK AND OVERTIME**

11.01 The basic work day shall be a regularly scheduled primary work day consisting of eight (8) consecutive hours. After submitting the proper paperwork, an alternative work schedule may be approved by the Police Chief and City Manager or their designees provided the alternative schedule does not unduly affect the performance of the position's assigned duties. A regularly scheduled alternative work day consisting of ten (10) consecutive hours, or a 9/80 schedule consisting of 80 hours in a two week period are scheduled over nine working days. The basic work week shall generally be either five (5) consecutive primary work days or four (4) consecutive alternative work days, Monday through Friday; in no event shall a basic work week consist of more than forty (40) hours per week subject to Section 11.02 below. The Employer agrees to provide employees with at least fourteen (14) days written notice of a schedule change.

11.02 A. Overtime shall be paid for authorized hours worked in excess of eight (8) hours per day or ten (10) hours per day (for those members working a 4/10 schedule); and any hours worked in excess of the regularly scheduled work day (for those working the 9/80 schedule), or forty (40) hours per week; Overtime hours worked shall be paid at the rate of one and one-half (1-1/2) times the employee's regular rate of pay, or compensatory time,. At the employee's request, compensatory time shall be earned at time and one-half (1-1/2) the hours for each overtime hour worked with no maximum limit on the number of hours accrued. Overtime is any work performed which is in excess of the established work day or work week.

B. Prior to the end of December, the City will cash out any accumulated compensatory time in excess of sixty (60) hours.

C. **Overtime Wheel.** An overtime wheel will be established to provide equal access to scheduled overtime opportunities by full-time regular Community Service Officers (CSO). Scheduled overtime is overtime scheduled in advance which is not part of a normal work day. Employees will be placed on the overtime wheel based on their bargaining unit seniority, in descending order. The person at the top of the overtime wheel will be offered the scheduled overtime opportunity first. The City will make a reasonable, good faith effort to contact the employee at the top of the wheel for overtime opportunities that arise. That person moves to the bottom of the list, whether he or she accepts the overtime or not. The

only exception to this process will be those situations such as a community debriefing on a serious crime or meetings that are assignment specific which will be offered to the assignment CSO first.

Employees on vacation or sick leave when their turn comes up for scheduled overtime will be offered the next opportunity after their return from vacation or sick leave. In addition, these employees will not lose their place on the wheel because they were on leave.

11.03 **Overtime for Mandatory Appearances outside an employee's regularly scheduled work hours.** A minimum of three (3) hours of overtime pay shall be paid for the following (except where appearance is an extension of his/her regularly scheduled shift and for which normal overtime procedures would apply):

- A. Any appearance in court arising out of the employee's on-duty employment;
- B. When an employee must appear for any mandatory meeting scheduled by the Employer.
- C. Any written or oral department directive or memo issued by a superior officer which requires the employee to attend any other function while off duty.

Pay at the employee's overtime rate shall continue for all hours after the first three (3) hours.

11.04 **Assignment of Talks – Public Appearances.** Any department member assigned a public speaking engagement or directed to appear before a public gathering as a representative of the department shall receive a minimum of three (3) hours overtime if the speech or appearance is performed on other than normal shift or an agreed upon adjusted schedule. In the event the public appearance required more than three (3) hours, the employee shall receive compensation for all time in excess of three (3) hours at the overtime rate, which would otherwise apply.

11.05 **Call-Back.** When an employee is specifically called back outside of his/her regular shift schedule for duty, he/she shall be paid a minimum of three (3) hours at the overtime rate of time and one-half (1-1/2). If the call-back exceeds three (3) hours, the employee shall be compensated at the overtime rate of time and one-half (1-1/2) for all hours actually worked. An employee called back to work shall be paid consistent with the Portal to Portal Act. If an employee is required to return to work to complete duties which were incomplete through the fault of the employee no call back pay shall be paid. In such cases the employee shall be paid at the overtime rate for actual hours worked. No employee shall be compelled to return to work if a duty can be reasonably accomplished the next regularly scheduled shift.

**ARTICLE 12A – WAGES**

12.01 All employees employed in the bargaining unit on the execution date of this Agreement shall be paid in accordance with the salary schedule attached hereto and marked “Appendix A”.

12.02 **Specialty Team Pay.** Employees on a Specialty Team shall receive specialty pay of three percent (3%) above his/her regular rate of pay.

12.03 **Merit based increases** shall remain in effect for the duration of this Agreement. The Union’s agreement to the merit based system was a compromise between the respective positions of the parties and is not intended to establish a binding practice for the future.

The application of merit increase could result in a one percent (1%), two percent (2%), three percent (3%) or four percent (4%) increase depending on the results of the annual performance evaluation. The merit increase amount shall be determined by the use of the current City of Lakewood performance evaluation form. In the event that the City deems changes to be necessary to the City of Lakewood performance evaluation form, the City agrees to bargain the impact with the Union.

12.04 **Foreign Language Pay.** Employees shall receive a bilingual pay allowance of three percent (3%) added to his/her base pay when language skills have been confirmed by testing, an agreed upon language specialist, or such other method as the City shall reasonably determine. Bilingual pay shall apply to employees having conversational proficiency in Cambodian, Laotian, Vietnamese, Spanish, Korean, Russian, and American Sign Language. Such pay increase will be effective as of the next pay period following confirmation of test results.

12.05 **Mileage.** An employee who is authorized to use his/her private vehicle for City business or in the performance of his/her official duties shall receive reimbursement at the maximum rate then permitted by the IRS for actual miles of necessary travel; providing, that if the employee travels from his/her usual place of residence directly to or from a work site other than his/her regular work location, he/she will be reimbursed only for mileage in excess of the distance between the employee’s usual place of residence and his/her regular work location.

**ARTICLE 12B – RETIREMENT BENEFITS/DEFERRED COMPENSATION/TEAMSTERS PENSION**

Deferred Compensation: The City shall match the employee’s contribution by payroll deduction, to a qualified 457 deferred compensation plan in an amount up to but not to exceed three (3) percent of the employee’s base monthly wage.

The City of Lakewood agrees to re-open negotiations during the term of this Agreement upon request of the Union, solely for the purpose of negotiating a supplemental only pension for represented employees covered by this Agreement to participate in the Western Conference of Teamsters Pension Trust (WCTPT). The parties understand and agree that the Union will conduct a membership vote to determine whether the membership will participate in the WCTPT, and that if a majority of members covered by this Agreement vote in favor of participation, all members must participate. The parties further agree that participation shall not result in an increase in pay for any employees covered by this Agreement and that participation would be accomplished by a diversion of wages to the WCTPT.

**ARTICLE 13 – PAID TIME OFF (PTO)**

13.01 **Paid Time Off.** PTO is a benefit granted to employees to continue normal compensation during approved absences. All full-time regular employees shall accrue PTO at the following annualized accrual rates:

1 <sup>st</sup> year	184 hours of leave per year
After the 1 <sup>st</sup> year through 2 years	192 hours of leave per year
After the 2 <sup>nd</sup> through 4 years	200 hours of leave per year
After the 4 <sup>th</sup> through 9 years	216 hours of leave per year
After the 9 <sup>th</sup> through 14 years	248 hours of leave per year
After the 14 <sup>th</sup> through 20 years	280 hours of leave per year
After the 20 <sup>th</sup> year through 29 years	296 hours of leave per year
After 29 <sup>th</sup> year	304 hours of leave per year

- A. Any regular part-time employees shall accrue PTO leave pro-rated to match the FTE percentage and adjusted by actual hours worked.
- B. An employee must use accrued leave prior to taking any unpaid leave.
- C. An employee may elect to retain up to forty (40) hours of PTO (pro-rated by their FTE) for use upon return to work.

13.02 **Paid Time Off Accrual.** Any unused PTO shall be accumulated for succeeding years; however, as of the end of the calendar year, the maximum accrual amount shall not exceed one thousand one hundred (1,100) hours of leave that the employee accrues.

13.03 **Use of Paid Time Off for Employees on Orientation Period.** Employees shall not be eligible to use PTO in the first sixty (60) calendar days of their orientation period for any purpose other than a medical condition for which there is certification from a medical doctor or equivalent medical professional.

13.04 **When Leave is Exhausted.** If the employee exhausts all accrued paid leave, the employee may request shared PTO and/or leave of absence without pay.

13.05 **Shared Time Off.** If an employee depletes their PTO accruals due to medical reasons, the employee may request shared PTO from other employees. Such requests shall be in writing and will be coordinated by the Employer.

Employees may donate PTO to a fellow employee in one (1) hour increments. However, at no time shall an employee be permitted to donate PTO if such donation would cause the employee's PTO bank to fall below forty (40) hours. The forty (40) hour limit is net of pending PTO already scheduled for the employee.

Employees wishing to donate PTO must do so in writing, complying with such reasonable deadlines as necessary to ensure timely payroll processing.

Any unused PTO donated to an employee shall remain in the recipient's accrual bank. Unused donated leave will not be returned to the donor.

13.06 **Payment of Paid Time Off Upon Separation.** Upon separation, an employee (or deceased employee's beneficiary) shall receive payment equal to fifty-seven and one-half percent (57.5%) of such employee's then accrued and unused PTO bank in accordance with FLSA.

13.07 **Absence Due to Illness or Injury.** An employee who is absent, or anticipates being absent, due to illness or injury of the employee or an immediate family member (the definition of family member shall be liberally construed as any individual who plays a significant role in the individual's life. This may include persons not legally related to the individual), shall promptly report to his/her department head or designee as soon as practicable indicating the reasons for and the probable duration of the illness or injury. Employees must ordinarily provide thirty (30) days advance notice when the leave is foreseeable. The employee shall keep his/her department head or designee informed of the duration of the employee's absence.

13.08 Holidays: The following days are recognized as holidays:

New Year's Day	First (1 <sup>st</sup> ) day of January
Martin Luther King Jr. Day	Third (3 <sup>rd</sup> ) Monday in January
Presidents' Day	Third (3 <sup>rd</sup> ) Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 <sup>th</sup>
Labor Day	First (1 <sup>st</sup> ) Monday in September
Veterans' Day	November 11 <sup>th</sup>
Thanksgiving Day	Fourth (4 <sup>th</sup> ) Thursday in November
Day after Thanksgiving	Friday following the fourth (4 <sup>th</sup> ) Thursday in November
Christmas Day	December 25 <sup>th</sup>

Floating Holiday

One (1) at Employee's Choice

13.09 When a recognized holiday falls on a Sunday, the following Monday shall be the recognized holiday. When a recognized holiday falls on a Saturday, the preceding Friday shall be the recognized holiday. Each full time employee (including employees on a 4/10 or other non-standard work schedule) shall be entitled to eight (8) hours holiday pay on the above referenced holidays.

13.10 Floating holidays are accrued annually upon an employee's anniversary date and may not be accumulated. Any floating holiday not utilized prior to an employee's next anniversary date will be forfeited.

**ARTICLE 14 – ON THE JOB INJURIES**

14.01 City employees who sustain an occupational injury or illness while acting in their course of employment and qualify for time loss through Labor & Industries (L&I) shall continue to receive their regular salary for a period not to exceed payment of one hundred sixty (160) work hours.

14.02 If the absence exceeds one hundred sixty (160) hours, the employee shall receive any applicable worker's compensation time-loss benefits directly from L&I. The employee may offset any reduction in regular pay, up to a maximum of one hundred percent (100%), with use of the employee's eligible accrued leave, in line with Department of Labor and Industries rules.

14.03 Effective January 1, 2014, employees shall pay their portion of any industrial insurance premiums as identified by L&I.

**ARTICLE 15 – BEREAVEMENT LEAVE**

15.01 Upon notification to the employee's supervisor, up to three (3) working days without deduction from accumulated paid leave may be taken in the event of the death of the employee's immediate family, domestic partner, guardian, guardian ad litem and/or an attorney in fact for health care, or household member. Upon returning to work, the employee may be required to provide the Employer with the following information about the deceased: his/her full name, location of death (city, state), location of funeral (city, state), and the relationship to the employee.

15.02 Employees qualifying for bereavement leave may receive additional bereavement leave in the event of unusual circumstances or if extensive travel is required to attend a funeral. The number of days an employee may be granted will be based on the individual circumstances surrounding the request and will be approved at the discretion of the Chief or his/her designee.

**ARTICLE 16 – JURY DUTY**

16.01 An employee required by law to serve on jury duty shall continue to be compensated at his/her regular rate of pay for each separate occasion the employee is required to serve. The City reserves the right to request that an employee who is called for jury duty be excused if his/her absence would create a hardship on the operational effectiveness of the Department.

- A. When an employee is notified to serve on jury duty, he/she shall inform his/her immediate supervisor as soon as possible regarding the dates of absence from regular duties.
- B. The employee may be required to report for work for any portion of his/her regularly scheduled shift during which he/she is not actually serving on a jury or waiting to be impaneled. Employees who have time remaining on their shift at the time of release or dismissal from jury duty shall immediately contact his/her supervisor to determine whether they should report for duty.
- C. The employee is not required to report back to his/her regular scheduled shift at the conclusion of jury duty as long as the employee was at jury duty for eight (8) hours or more. The employee will be compensated at his/her regular rate of pay for the full shift.
- D. Jury duty pay, exclusive of mileage or parking, shall be forwarded to the Finance Department.

**ARTICLE 17 – GRIEVANCE PROCEDURE**

17.01 **Grievance Procedure.** Any grievance that may arise between the parties concerning the application or interpretation of this Agreement shall be settled in the manner prescribed by this grievance procedure.

A “grievance” is defined as a claim or dispute by an employee, group of employees, the City or the Union concerning the interpretation or application of the provisions of this Agreement. Should a claim or dispute arise, an earnest effort shall be made to settle such claims or disputes promptly and in the manner hereinafter outlined. As applicable to this article of the CBA, a working day shall be defined as Monday through Friday excluding holidays.

**Step 1:** A grievance may be presented to the Police Chief (or designee), with a copy to the Human Resources Director, by the Union within ten (10) working days of the date when the Union knew or reasonably should have known of the alleged occurrence. The submission shall be in writing, setting forth the nature and facts of the grievance, the articles of this agreement allegedly violated, and the requested remedy. The Police Chief or

designee shall attempt to settle the grievance within ten (10) working days after it has been presented, and shall respond in writing with a copy to the Human Resources Department.

**Step 2:** If the grievance is not settled by the Police Chief, it may be forwarded to the City Manager, with a copy to the Human Resources Director, within ten (10) working days of the Police Chief's response deadline.

The City Manager shall have fifteen (15) working days to review the grievance. The City Manager may elect to call a meeting with the Union to provide insight into the grievance, in which event the City Manager shall have fifteen (15) working days to respond in writing.

**Step 3:** If the grievance is not settled at Step 2, and involves a matter other than discipline, the dispute will be referred to the negotiating committee of both parties. The two committees shall meet within ten (10) working days to consider the dispute. At that meeting, all pertinent facts and information will be reviewed in an effort to resolve the matter through conciliation. The meeting shall be considered a "settlement discussion".

**Step 4:** If the grievance is not settled at Step 2 (for grievances involving discipline), or Step 3 for non-disciplinary grievances, the matter may be submitted upon mutual consent of signatory parties, in writing to mediation within ten (10) working days of the date of the City Manager's deadline or results of the settlement discussion. The Mediator will be selected by mutual consent from a list of potential mediators and any cost of the Mediator shared equally.

**Step 5:** If the grievance is not settled by following appropriate steps above, the matter may be submitted by either of the signatory parties, in writing, to arbitration within thirty (30) working days of the date of the last formal Step taken above. Only the Union, and not individual employees, may take a matter to arbitration. The Arbitrator will be selected by mutual consent, or if no agreement can be reached by alternately striking from a list of potential arbitrators from the Federal Mediation and Conciliation Service (FMCS). The cost of the Arbitrator will be shared equally, while all other costs and expenses including attorney fees will be paid by the party incurring the cost of expense. The Arbitrator may not award retroactivity prior to the date specified in the Step One grievance filing. Any decision of the Arbitrator shall be binding on the parties.

17.02 **Timelines.** All grievances shall be processed in a timely manner. The time limits contained herein are established to settle grievances quickly. The time limits may be extended only by written agreement of the parties. Claims of untimeliness shall be presented by the claiming party in the next written submission of that party under this grievance procedure.

17.03 **Alternative Filing.** In those instances when the discipline involves suspension or discharge of the employee, Step 1 shall not apply, and any grievance must be filed at Step 2 of the Grievance Procedure within ten (10) working days of the suspension or termination. By mutual agreement, grievances may be initiated at any step in the grievance procedure.

17.04        **The provision of this Article** shall not be interpreted to require that the Union process any grievance through the grievance procedure.

17.05        **Civil Service Appeal Constitutes Election of Remedies.** Actions both subject to appeal through Civil Service appeal procedures or grievable under the terms of this Agreement must follow either the grievance procedure contained herein or procedures regarding such appeals to the Civil Service Commission, including applicable deadlines. Under no circumstances may an employee use both the Agreement grievance procedure and Civil Service Commission procedures relative to the same action. If an employee pursues an appeal to a civil service hearing, such action constitutes an election of remedies, and by doing so, he/she agrees to have waived the right to grieve the matter under this Agreement.

**GRIEVANCE FORM**  
**City of Lakewood**

Date \_\_\_\_\_

Employee's Name \_\_\_\_\_ Job Classification \_\_\_\_\_

Employee's Work Location \_\_\_\_\_

Shift \_\_\_\_\_ Home Phone \_\_\_\_\_ Date of Hire \_\_\_\_\_

Cellular Phone (\_\_\_\_) \_\_\_\_\_ Email \_\_\_\_\_

Instructions: Please answer the following questions (*PLEASE PRINT*)

TYPE OF GRIEVANCE:

Discharge  Suspension  Seniority  Other (Specify) \_\_\_\_\_

1. Date & time of violation \_\_\_\_\_

2. Section(s) of contract/policy violated \_\_\_\_\_

3. Exact location violation occurred \_\_\_\_\_

4. Name(s) of witnesses \_\_\_\_\_

5. Name(s) of supervisor(s) involved \_\_\_\_\_

6. What should be done to correct the grievance \_\_\_\_\_

\_\_\_\_\_

Briefly describe what happened \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Employee's Signature \_\_\_\_\_

Supervisor's Response \_\_\_\_\_

\_\_\_\_\_

Supervisor's Signature \_\_\_\_\_ Date \_\_\_\_\_

**ARTICLE 18 – INSURANCE COVERAGE**

18.01 **Medical Insurance.** The City agrees to provide the option of medical insurance to all Teamster Local Union No. 117 City of Lakewood Community Service Officers and their dependents. The City shall pay premiums as identified on Appendix B. The medical insurance plans which are in effect at the time of this Agreement are a choice of HealthFirst 250, High Deductible Health Plan (HDHP) or Group Health Cooperative of Puget Sound \$20 Co-pay Plan , as offered through the Association of Washington Cities Benefit Trust.

- A. The City will pay one hundred percent (100%) of the applicable tiered rate premium for employee and dependent medical coverage for AWC High Deductible Health Plan (HDHP), including identified contributions to a Health Savings Account (HSA)
- B. The employee shall pay any premiums in excess of the equivalent of the HDHP premiums and HSA contributions as stated above. If premiums are less expensive, the difference will be placed into a 457 Deferred Compensation Account.
- C. In case of any plan design changes implemented by AWC effective in 2016, either party has the option to re-open the health care provisions of this Collective Bargaining Agreement. In the event that the HealthFirst 250 Plan is eliminated during the term of the Collective Bargaining Agreement, the parties agree to re-open the health care provisions of this Collective Bargaining Agreement in order to negotiate a suitable replacement plan.

18.02 **Dental Insurance.** The City agrees to provide dental insurance for employees and their dependents. The dental insurance plan in effect at the time of this Agreement is Washington Dental Service Plan E offered through the Association of Washington Cities. The City shall pay one hundred percent (100%) of the premium for Washington Dental Service Plan E.

18.03 **Orthodontia Insurance.** The City agrees to pay one hundred percent (100%) of the premium for orthodontia coverage for the employee’s dependent children. The orthodontia plan in effect at the time of this Agreement is Washington Dental Service Plan II, as offered through the Association of Washington Cities.

18.04 **Vision Insurance.** The City agrees to pay one hundred percent (100%) of the premium for a separate vision plan for employees and their dependents. The vision plan in effect at the time of this Agreement is Vision Service Plan, as offered through the Association of Washington Cities.

18.05 **Life Insurance.** The City agrees to pay one hundred percent (100%) of the premium for a group term life, accidental death and dismemberment insurance policy for each employee in the amount of the employee’s total annual salary rounded up to the next

thousand dollars, to a maximum of \$100,000. The life insurance plan in effect at the time of this Agreement is Standard Insurance Company Policy 625349-C.

18.06 **Survivor Income Life Insurance.** The City agrees to pay one hundred percent (100%) of the premium for a survivor income life insurance policy, which provides a monthly benefit to an employee's eligible spouse and children upon the employee's death. The survivor income life insurance plan in effect at the time of this Agreement is Standard Insurance Company Policy 625349-A.

18.07 **Long Term Disability Insurance.** The City agrees to pay one hundred percent (100%) of the premium for a long-term disability policy with a ninety (90) day waiting period for each employee. The long-term disability insurance plan in effect at the time of this Agreement is Standard Insurance Company Policy 625349-B.

18.08 **Option for Employees Covered by Outside Medical Insurance.** Eligible employees may opt out of medical insurance coverage, providing that proof of current medical insurance is provided and a waiver of coverage is initiated. Alternate medical coverage must be maintained. Proof of current medical coverage will be required at least annually; however, the City may require proof at any time. If the employee opts out of medical coverage, the employee shall receive \$125.00 per pay period. Any additional benefits provided by the City shall be offered to employees covered by this agreement.

#### **ARTICLE 19 – FAMILY & MEDICAL LEAVE ACT**

The City shall adhere to all federal and state mandates in the provisions of the Family and Medical Leave Act and the Washington State Family Care Act.

#### **ARTICLE 20 – UNIFORMED SERVICE EMPLOYMENT AND RE-EMPLOYMENT RIGHTS ACT (USERRA)**

In the event a military reservist is called to the active duty, the Employer agrees to honor and adhere to all provisions of the Uniformed Service Employment and Reemployment Rights Acts (USERRA) of 1994, including when legally required to make pension contributions up to a maximum of two thousand eighty (2080) hours per year, on behalf of an affected employee.

#### **ARTICLE 21 – LABOR MANAGEMENT COMMITTEE**

21.01 A Labor/Management Committee shall be established consisting of three (3) members of Labor, (the Union business representative or designee and two (2) bargaining unit employees appointed by the Union) and three (3) members of the City (the Department Director or designee, and two (2) non-represented personnel appointed by the Department Director).

21.02 The Committee shall be advisory in nature. The Committee shall be used to discuss and investigate issues of common concern, but shall not be used to discuss negotiable issues.

**ARTICLE 22 – CLOTHING AND EQUIPMENT**

Employees required to wear a uniform as their regular clothing will be provided two (2) short sleeve and two (2) long sleeve button-down shirts, two (2) pairs of utility pants or slacks, and one (1) jacket with liner, with the City of Lakewood patch, upon employment. A “coverall” will be provided upon request. Uniforms and all other equipment deemed necessary by the department will be furnished and/or replaced on an as needed basis as determined by the Employer’s designee. The City shall designate two (2) vehicles to be assigned to the CSRT unit. Such vehicles shall be primary to the CSRT unit and be available when needed.

**ARTICLE 23 – DEMOCRATIC, REPUBLICAN, INDEPENDENT VOTER EDUCATION (D.R.I.V.E.)**

The Employer agrees to deduct from the paycheck of all employees who submit authorization cards and are covered by this Agreement voluntary contributions to D.R.I.V.E. D.R.I.V.E. shall notify the Employer of the amounts designated by each contributing employee that are to be deducted from his/her paycheck on each pay period during the month. The phrase “weeks worked” excludes any week other than a week in which the employee earned a wage. The Employer shall transmit to:

D.R.I.V.E.  
International Brotherhood of Teamsters  
25 Louisiana Avenue NW  
Washington, D.C. 20001

The Employer will send on a monthly basis, one check for the total amount deducted along with the name of each employee on whose behalf a deduction is made, the employee’s social security number and the amount deducted from the employee’s paycheck. No such authorization shall be recognized if in violation of state and federal law. No deductions shall be made which is prohibited by applicable law. The International Brotherhood of Teamsters shall reimburse the Employer for the Employer’s actual cost for the expenses incurred in administering the weekly payroll deduction plan.

**ARTICLE 24 – SEVERABILITY AND SAVINGS**

24.01 If any Article or Section of this Agreement or of any Riders thereto should be held invalid by operation of law or by any tribunal of competent jurisdiction, or if compliance with or enforcement of any Article or Section should be restrained by such tribunal pending a final determination as to its validity, the remainder of this Agreement and of any Rider thereto, or the application of such Article or Section to persons or circumstances other than those as

to which it has been held invalid or as to which compliance with or enforcement of has been restrained, shall not be affected thereby.

24.02 In the event that any Article or Section is held invalid or enforcement of or compliance with which has been restrained, as above set forth, the parties affected thereby shall enter into immediate collective bargaining negotiations upon the request of either party for the purpose of arriving at a mutually satisfactory replacement for such Article or Section during the period of invalidity or restraint. If the parties do not agree on a mutually satisfactory replacement within sixty (60) days after the beginning of the period of invalidity or restraint, either party shall be permitted all legal or economic recourse in support of its demands notwithstanding any provision in this Agreement to the contrary.

**ARTICLE 25 – PRESERVATION OF BARGAINING UNIT WORK**

The City agrees for the purposes of preserving work and job opportunities for the employees covered by this Agreement, that the “core” duties presently performed or hereafter assigned to the collective bargaining unit will not be subcontracted, transferred, leased, assigned or conveyed in whole or in part to any other facility, vendor, person or non-unit employee or entity except duties already established by practice utilizing modified duty by fully commissioned personnel.

**ARTICLE 26 – DURATION OF AGREEMENT**

26.01 This Agreement shall be effective from January 1, 2016 through December 31, 2018.

26.02 It is the intent of the parties to this Agreement that negotiations for change or modification shall begin one hundred twenty (120) days, and in no event later than sixty (60) days prior to the termination of this Agreement. The Employer shall pay up to two (2) employees serving as the Union negotiating committee their regular rate of pay for meetings spent in formal negotiations between the Employer and the Union.

Approved by City Council on the \_\_\_\_ day of \_\_\_\_\_, 2016.

**CITY OF LAKEWOOD**

**TEAMSTERS LOCAL UNION  
NO. 117, IBT**

\_\_\_\_\_  
**John J. Caulfield  
City Manager**

\_\_\_\_\_  
**John Scearcy  
Secretary-Treasurer**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**ATTEST:**

\_\_\_\_\_  
Alice M. Bush                      Date  
MMC, City Clerk

\_\_\_\_\_  
Heidi Ann Wachter    Date  
City Attorney

APPENDIX "A"

Community Service Officers

Effective January 1, 2016, the salary range shall be:

2016			2017			2018		
HR	\$21.39	\$27.43	HR	\$21.82	\$28.25	HR	\$22.25	\$29.10
MO	\$3,709	\$4,754	MO	\$3,783	\$4,897	MO	\$3,859	\$5,044
YR	\$44,495	\$57,051	YR	\$45,385	\$58,762	YR	\$46,293	\$60,525

2% COLA effective January 1, 2016, January 1, 2017, & January 1, 2018

1% Merit Increase eligibility annually on anniversary date, retro back to January 1<sup>st</sup> of applicable year.

**Memorandum of Understanding**

**By and Between**

**City of Lakewood  
Community Service Officers**

**And**

**TEAMSTERS LOCAL UNION NO. 117**

**Affiliated With The  
International Brotherhood of Teamsters**

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***Re: Retroactive Payment***

The City of Lakewood shall make payment of any retroactive pay owed, to either current or past members of the Bargaining Unit, within thirty (30) days of the signing of the Current Collective Bargaining Agreement.



**LAKEWOOD ARTS COMMISSION  
REGULAR MONTHLY MEETING**  
Date: Monday, February 1, 2016  
Time: 4:30 PM – 6:00 PM  
Lakewood City Hall Room 3A  
6000 Main Street SW  
Lakewood, WA 98499

**CALL TO ORDER**

Susan Coulter called the meeting to order at 4:35pm.

**ATTENDANCE:**

**Arts Commission Members Present:** Susan Coulter, Kathy Flores, Retha Hayward, Bob Lawrence, Peggy Leach, Phillip Raschke, Barbara Vest, Jean Witte

**Staff:** Dennis Higashiyama Recreation Coordinator, Cameron Fairfield Office Assistant

**Youth Council Liaison:** William Joy

**Council Liaison:** Marie Barth

**Arts Commission Member Excused:** John Munn, Connie Perra,

**Arts Commission Member Absent:** Kurtis Erickson, Tony Lamb

**Guest:** None

**APPROVAL OF MINUTES:** Jean Witte moved and Barbara Vest seconded the motion to approve the minutes from January 4, 2015, meeting. The motion passes.

**PUBLIC COMMENT:** None

**UNFINISHED BUSINESS:**

**Recruitment:** The commission held a discussion about possible additions to the Arts Commission Board. There are still 3 remaining seats open.

**Gravelly Lake and Washington Site for Art:** Dennis led a discussion about the Gravelly Lake and Washington location for art. The committee discussed the amenities on the site including the utilities available. The commission is encouraged to send Dennis the artists contact information so that he can send them the RFP.

**NEW BUSINESS:**

**Budget:** Dennis passed out the proposed 2016 Arts Commission budget. This new system will allow the committee to track the true cost of doing business including all revenues and expenditures throughout the calendar year. Retha Hayward motioned to accept and Phillip Raschke seconded the motion. The motion passes, budget accepted.

**City Hall Art Exhibit:** The commission discussed the Cindy Baij's art exhibit for City Hall. Retha Hayward motioned to accept and Kathy Flores seconded the motion to accept Cindy Baij's art. The motion passes.

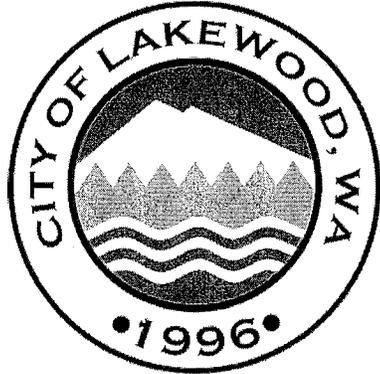
**ADJOURNMENT:** Retha Hayward moved and Barbara Vest seconded the motion to adjourn the meeting. The motion passes. The meeting was adjourned at 5:25pm.

  
Susan Coulter, Chair

  
Dennis Higashiyama, Staff Liaison

**Proposed 2016  
Arts Commission  
Budget**

Item	Amount	Total	Balance
<b>Beginning Balance</b>			<b>\$2,000</b>
Dr. ML King, Jr. Event Essay competition	\$100		\$1,900
National Literacy Month promotion	\$100		\$1,800
MayFest	\$350		\$1,450
Stage, Booth & Activities at SummerFEST	\$200		\$1,250
Banner Updates	\$200		\$1,050
Asian Film Festival	\$1,000		\$50
City Hall Rotating Art Exhibit	\$50		\$0



**LAKWOOD'S PROMISE  
ADVISORY BOARD**

**Thursday February 11, 2016**

**Conference Room 1E – Lakewood  
City Hall, Lakewood, WA 98499**

**7:30 am – 8:30 am Meeting**

**CALL TO ORDER**

Clayton DeNault called the meeting to order at 7:45 a.m.

**ATTENDANCE**

Lakewood's Promise Advisory Board: Clayton DeNault, Mary Dodsworth, Debbie LeBeau, Judi Weldy, Debbie Gist, Echo Curry

Staff Present: Kurt Sample

Guests: Jennifer Clement - Open Doors Program

LPAB members excused: Dr, Lonnie Howard, Ellie Wilson, Marcos Vieyra, Dr. Michele Johnson,

**APPROVAL OF MINUTES:** The minutes for January were approved.

**PUBLIC COMMENT:** None

**INTRODUCTIONS:** Kurt Sample introduced Jennifer Clement who is with the CPSD's Open Doors Program which is a flexible individualized educational opportunity.

**PRESENTATION**

Ms Clement talked about the open Doors Program which works with high-school aged youth. To qualify, young people must be:

- A resident in the Clover Park School District
- Between ages 16 to 21
- Behind in high school credits
- Interested in obtaining a high school diploma, a GED, or improving transition to work or college.
- Able to commit to behavior and attendance requirements.
- Admitted based on program guidelines and space.

Youth receive:

- A case manager who builds and supports an individualized education plan with the student and their family based on his/her college or career goals
- Access to online learning and teacher-led instruction tailored to the student's goals.
- Opportunities to earn credits faster than in a traditional high school environment.
- Flexible scheduling options based on the student's needs
- Assistance with getting a GED, pursuing college goals, finding a job, and/or other services as

needed.

Ms Clement stressed that the goal of the staff team is work hard to be open and be there. A big focus is on forward progress for each student. Students end up in the program for a variety of reasons - health issues, not fitting into a big campus, homelessness, family problems.

Some students have jobs or babies and can access their schooling in person at the campus or online 24/7. The Open Doors program is located in a wing at Clover Park High School. The students are able to use the CPSD food service and busing.

The case management for the program is referred to as success counseling and represents for many of these students, the only stability in their lives. The staff help students with bus passes, attaining food service workers cards, and work permits.

Ms LeBeau added that Ms Clement was instrumental in growing the program and making scores of phone calls to get students on board. The District has changed over time with the "alternative" high school approach and this represents a state funded program that is being modeled in other communities as well.

Board conversation was in support of anything that gives these young people stability, pathways to success and mentoring.

Ms Clement also tries to find internships / work experiences for motivated students. Working at the YMCA or in a hospital are some of her students' requests and LPAB members shared contact information with her.

#### **UNFINISHED BUSINESS**

Mr Sample shared the 2016 work plan with the LPAB. He noted that the signing date for the MOA had changed to April 4th and that he is working on contacting all partners to get them on board. The April 4th date is a regular city council meeting and includes reports from the Youth Council and the CPSD. The City Manager feels it appropriate to have it occur during the regular meeting as a "presentation".

#### **NEW BUSINESS**

No new business

#### **BOARD COMMENT**

Ms Dodsworth informed the LPAB of the City of Lakewood's 20th Anniversary Celebration for the 23rd of February.

Ms Weldy and Ms Curry announced a new collaboration between the Boys and Girls Club and Care Net for a parenting workshop on February 18.

**ADJOURNMENT:** Mr DeNault adjourned the meeting at 8:30 a.m.



Clayton DeNault, Chairman



Kurt Sample, Program Coordinator

# REQUEST FOR COUNCIL ACTION

<b>DATE ACTION IS REQUESTED:</b> February 1, 2016	<b>TITLE:</b> Proposed Cottage Housing Ordinance  <b>ATTACHMENTS:</b> 1) Substitute Draft Ordinance	<b>TYPE OF ACTION:</b> <input checked="" type="checkbox"/> SUBSTITUTE <input type="checkbox"/> ORDINANCE NO. 620 <input type="checkbox"/> RESOLUTION <input type="checkbox"/> MOTION <input type="checkbox"/> OTHER
<b>REVIEW:</b> February 9, 2015 September 28, 2015 November 11, 2015 December 14, 2015 January 9, 2016 January 25, 2015 March 14, 2016		

**SUBMITTED BY:** David Bugher, Assistant City Manager for Development Services.

**RECOMMENDATION:** It is recommended that the Mayor and City Council adopt the Substitute Draft Ordinance attached to this report. If adopted, the Substitute Draft Ordinance would establish land use and development regulations for cottage-style housing development

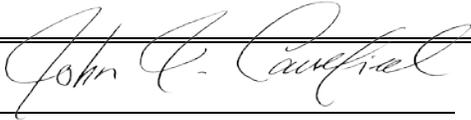
**DISCUSSION:** The Substitute Draft Ordinance has undergone extensive scrutiny by the City Council including multiple reviews and a tour of cottage housing products found in King County. The level of review is not uncommon given that the Substitute Draft Ordinance would increase density above the base levels listed in existing single family residential zoning districts. However, this Substitute Draft Ordinance contains a number of constraints that minimize any negative adverse impacts. Increases in density are controlled by “built-in governors” – in this case, the size of the parcel, a checks and balance system based on reasonable density increases, coupled with a restriction on impervious surface not to exceed 50 percent, and a cottage housing development separation requirement of 400 feet.

Cottage housing regulations contain many moving parts that must work together to obtain the product desired. Staff, in consultation with the Planning Commission, the City Council, public comments, and review of several cottage housing ordinances from other cities, concludes that this proposal falls within an appropriate range of density and design for Lakewood’s primary single family neighborhoods.

To assist the Council in its consideration of the proposal, the following outline has been included with this report. *(See next page.)*

**ALTERNATIVE(S):** The City Council can amend sections of the Substitute Draft Ordinance, or the City Council could take action to deny the Substitute Draft Ordinance

**FISCAL IMPACT:** This project has no fiscal impact on the City.

_____ Prepared by  _____ Department Director	 _____ City Manager Review
--	--

## **DISCUSSION, CONTINUED:**

### Section 1: Process Types and Permits

- Requires an administrative use permit

### Section 2: Residential Use category- land use types and levels

- Single Family Residential Level 5

### Section 3: Administrative Uses

### Section 4: Cottage Housing Title

### Section 5: Purpose - Cottage housing

### Section 6: Applicability

- Where the type of use is permitted and disclaimer

### Section 7: General Provisions

- Requires residential binding site plan and/or condominium declaration process.
- Requires an administrative use permit
- Unit size, 800-1,500 sf
- Community building up to 2500 sf
- Accessory dwelling unit is not permitted

### Section 8: Development Standards

- Density
  - R1 & R2 zone cottage housing is allowed at 3x the base density
  - R3 & R4 zone cottage housing is allowed as 2x the base density
  - Existing single family residential structures may be permitted to remain at discretion of the department
  - Applicant is required to show a site a conceptual site plan to show number of traditional units under conventional development.
    - Highlights environmental constraints
    - Helps determine maximum # of cottage housing units
- Locational Criteria
  - Minimum lot size= .75 acre
  - Cottage housing developments must be separated by 400 feet
- Site Design
  - 4-12 units (minimum and maximum)
  - Dwelling unit and open space requirements
  - Residential binding site plan
  - Slopes and retaining wall
  - Fencing and screening
- Setbacks and building separation
  - 20 foot front, 8 foot side yard,10 foot rear
  - 10 feet between
  - Front yard oriented towards the common open space if not abutting or oriented toward ROW
  - Orientation of yards- discretion given to approver (CDD)
- Minimum lot size
- Lot coverage (all impervious surfaces)
  - 50 %
- Refuse an recycling

- Pedestrian network

#### Section 9: Open Space -

- Minimum 500 sf per DU
- Common open space, minimum of 3,000 sf regardless of the # of DU
- Minimum of 10ft dimension unless part of a pathway or trail
- Subdivisions and short subdivisions, open space on separate tracts
- Divided into no more than 2 areas
- Recreational use improvements required
- Surface water management facilities
- Park areas, setbacks, private open space, and driveways do not qualify
- Landscaping standards, emphasis on tree retention

#### Section 10: Building Design Standards

- High level of design
  - Building height
  - Roofs
  - Entries and porches
  - DU shall not include attached garages- detached garages shall not exceed 250 sf.
    - One garage structure cannot exceed 1000 sf. (total of 4 spaces)
- CDD will review and consider all aspects of the project

#### Section 11: Parking

- Minimum 2.0 spaces per unit
- Additional 15% of total required, designated for guests
- Portion of new on-street parking may be counted towards minimum parking req.
- No carports
- Shared detached garages
  - Size
  - Design compatibility
  - Screening
  - Reserved for parking not storage
  - Clusters must be separated by 20 ft
  - Similar roof lines
  - Parking lot setbacks- 20ft from front & 10 ft side and rear
  - Garage door orientation
  - Not be located between the common open space and units

#### Section 12: Common Area Maintenance

- Must implement a mechanism acceptable by approval authority to maintain all common areas and shared facilities

#### Section 13: Low Impact Development Standards

- LID Strategies and objectives

#### Section 14: Modifications- Cottage Housing

- Applicants may request modifications
- Site constraints
- Adheres to compatibility with neighboring land uses
- Alternative design concept provides a high level of design compatibility and neighborhood character.

#### Section 15: Definitions

SUBSTITUTE ORDINANCE NO. 620

AN ORDINANCE of the City Council of the City of Lakewood,  
Washington, amending Title 18A relative to Cottage Housing.

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;

WHEREAS the Planning Commission for the City of Lakewood has recommended to the Lakewood City Council that amendments to Chapter 18A of the Lakewood Municipal Code pertaining to cottage housing be adopted:

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

Section 1: Section 18A.02.502 LMC entitled "Process Types -- Permits" is amended to read as follows:

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.

**TABLE 3: APPLICATION PROCESSING PROCEDURES**

	<b>Process I Administrative Action</b>	<b>Process II Administrative Action</b>	<b>Process III Hearing Action</b>	<b>Process IV Hearing Action</b>	<b>Process V Legislative Action</b>
<b>Permits</b>	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; Shoreline Conditional Use; Shoreline Variance; Shoreline Substantial Development Permits; Cottage Housing Development (may be considered together with residential binding site plan)	Conditional Use; Major Variance; Preliminary Plat; Major Plat Amendment; Major modification of Process III permits: Shoreline Conditional Use; Shoreline Variance; Shoreline Substantial Development Permit when referred by the Shoreline Administrator; Public Facilities Master Plan; Cottage Housing Development (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 Commission**	Generalized or comprehensive ordinance text amendments; Area-wide map amendments; Annexation; Adoption of new planning-related ordinances;

<b>Impacts</b>	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
<b>Notice &amp; Comment</b>	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
<b>Recommendation</b>	NA	NA	Community Development Department Staff	Planning Commission, except for Final Plat and Development Agreement as noted ** above	Planning Commission
<b>Decision-Making Body</b>	Community Development Director	Community Development Director	Hearing Examiner	City Council	City Council
<b>Appeal</b>	Hearing Examiner Community Development Director's decision on permits noted *** above is appealable to Superior Court.	Hearing Examiner	Superior Court	Superior Court	Superior Court

Section 2: Section 18A.20.300 LMC entitled, “Residential Use Category – Land Use Types and Levels,” is amended to read as follows:

The Residential use category includes permanent living accommodations for individuals or families of varying economic means, including those having special needs. The Residential use category has been separated into the following types based upon distinguishing features such as the type and scale of the structure, ownership pattern; number, age and special needs of individuals who reside in the structure; and any applicable state and/or local licensing requirements.

A. Single-Family Residential. A residential dwelling unit that provides living accommodations for a single individual or family. This category includes development with up to two (2) dwelling units per individual lot, except cottage housing development where multiple detached single-family dwellings are required, does not including accessory dwelling units permitted under LMC 18A.70.310.

Level 1: Detached single-family: conventionally built, manufactured, or modular homes permanently constructed on-site to meet applicable uniform codes, and placed on a permanent foundation as specified by the manufacturer, where each unit is detached from any other unit and located on its own separate legal lot of record. Manufactured and modular homes are subject to the provisions of LMC 18A.50.180, Manufactured Homes on Individual Lots.

Level 2: Two Family Residential: A legal lot of record containing two units, whether attached or detached from each other (including instances where individual units are held in condominium ownership on a commonly owned parcel), but not including units attached to multiple units on other lots, which are instead classified as Single Family - Level 3 (Attached Single Family-multiple). Two Family Residential also includes attached single-family conventionally built or modular homes permanently constructed on-site to meet applicable uniform codes, and placed on a permanent foundation, where each unit is structurally attached to one, and only one, other unit on a separate parcel, so that the units are attached in pairs.

Level 3: Attached Single Family-multiple: Attached single-family conventionally built or modular homes permanently constructed on-site to meet applicable uniform codes, and placed on a permanent foundation, where each unit is structurally attached to at least one other unit, usually on a separate parcel. A maximum of two units may be located on any individual parcel. This term includes “townhouses” and “rowhouses.”

Level 4: Manufactured home parks, subject to the provisions of LMC 18A.70.400, Manufactured Home Parks.

Level 5: Cottage Housing, subject to the provisions of LMC 18A.70.700, Cottage Housing.

Section 3: Section 18A.30.150 LMC entitled, “Administrative Uses – Single-Family Residential Zoning Districts” is amended to read as follows:

The following uses are permitted within the Residential zoning districts, subject to approval of a administrative use permit and all applicable development permits:

A. R1, R2, R3, and R4 Zoning Districts

- ~~1.~~ 1. ~~Detached Single Family Residential (Level 5)~~
- ~~2.~~ 2. Community and Cultural Services (Level 2)
- ~~3.~~ 3. Education (Level 1)
- ~~4.~~ 4. Outdoor Recreation (Level 3)
- ~~5.~~ 5. Public Maintenance Facilities (Level 2)
- ~~6.~~ 6. Public Safety Services (Level 1)

- 76. Religious Assembly (Level 2)
- 87. Electrical Facilities (Level 2)
- 98. Pipelines
- 109. Storm water Facilities (Level 2/3)
- 1140. Waste Transfer Facilities (Level 1)
- 1244. Water Supply Facilities (Level 2/3)

B. R1 and R2 Zoning Districts

1. Expansion of private and commercial equestrian facilities already legally existing within the zone at the time of adoption of this title.

Section 4: A new Section 18A.70.700 LMC which is title-only, encaptioned “Cottage Housing,” is created.

Section 5: Section 18A.70.710 LMC entitled “Purpose and Intent – Cottage Housing” is created to read as follows:

Purpose: 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.

Section 6: Section 18A.70.720 LMC entitled “Applicability – Cottage Housing” is created to read as follows:

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 have control.

Section 7: Section 18A.70.730 LMC entitled “General Provisions – Cottage Housing” is created to read as follows:

- 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 an administrative use permit subject to Process II permit procedures. Adherence to all applicable development standards shall be determined by the City’s Community Development Director as a component of the review process.
- B. Individual cottage units shall contain at least eight hundred (800) and no more than one thousand five hundred (1,500) square feet of gross floor area. A covenant restricting any increases in unit size after initial construction shall be recorded against the property. Vaulted space shall not be converted into habitable space.
- C. A community building of up to 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.

Section 8: Section 18A.70.740 LMC entitled “Development Standards – Cottage Housing” is created to read as follows:

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 community development director, but the extent of the nonconformity shall 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.

4. An applicant for a cottage housing development shall be required to show, through a conceptual site plan, the number of traditional units that could be constructed on the site under conventional development standards and addressing any environmental constraints affecting the property. This number of units shall be used to calculate the maximum number of cottage units that may be constructed on the property.

#### 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, refuse and recycling areas, 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 twenty (20) foot front setback, eight (8) foot side yard setback and a ten (10) foot rear setback.
2. Dwelling units shall be separated from one another by a minimum of ten (10) feet, not including projections.
3. Dwelling units shall maintain a ten (10) foot separation between buildings.
4. Dwelling units not abutting or oriented toward a right of way shall have a front yard oriented towards the common open space.
5. The approval authority may use appropriate discretion, consistent with the intent of this chapter, in determining orientation of yards.

#### E. Minimum Lot Size.

Beyond the density restrictions listed in this chapter, there is no required minimum lot size for lots created through the subdivision process.

#### F. Lot Coverage (all impervious surfaces).

Impervious Surfaces shall not exceed fifty (50) percent. 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.

#### G. Refuse and Recycling.

Refuse and recycling containers shall be screened from view by landscaping or architectural screening, and shall not be located in the front yard setback area, or in locations where smells may be offensive to adjacent properties.

#### H. Pedestrian Network.

Within the confines of the cottage housing development a network of pedestrian pathways shall be provided. Connections to the wider neighborhood shall be made where appropriate and allowed. All such pathways shall be accessible by the general public, except that walkways into and through the cottage housing development may be limited to residents and their guests.

Section 9: Section 18A.70.750 LMC entitled “Open Space – Cottage Housing” is created to read as follows:

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.
9. Landscaping located in common open space areas shall be designed to allow for easy access and use of the space by all residents, and to facilitate maintenance needs. Where feasible, existing mature trees should be retained.

Section 10: Section 18A.70.760 LMC entitled “Building Design Standards – Cottage Housing” is created to read as follows:

A cottage housing development is expected to reflect a coherent and high quality design concept and include architectural elements that ensure compatibility with existing neighborhood development and character. The following design elements are intended to provide compatibility with existing residential environments. Alternative designs may be submitted to the community development director for review and approval, but the community development director must find that any such concepts meet or exceed the design quality of the prescriptive standards, and fulfill the stated purpose and intent of this chapter.

A. Building Height.

1. The maximum building height for dwelling units shall be twenty-five (25) feet.
2. The maximum building height for garages, community buildings, and accessory structures shall be eighteen (18) feet.

B. Roofs.

1. Dwelling units shall have a minimum 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.
3. Cottages shall be a maximum of two (2) stories. Any upper floor shall be located within the roof structure, not below it, in order to reduce building massing as much as possible.

C. Entries and Porches.

1. Each dwelling unit abutting a public right of way (excluding alleys) shall have a primary entry and covered porch a minimum of eighty (80) square feet in size, oriented toward the public right of way. If abutting more than one public right of way, the developer and City shall collaborate with the project proponent to determine which right of way the entrance and covered porch shall be oriented toward.
2. Each dwelling unit shall have an entry and covered porch oriented toward the common open space. If the dwelling unit abuts a public right of way, this may be a secondary entrance, and the minimum porch size shall be fifty (50) square feet. If not abutting a public right of way, this shall be the primary entrance, and the minimum porch size shall be eighty (80) square feet.
4. Covered porches shall be a minimum of six (6) feet deep.

D. Dwelling units shall not include attached garages

- E. Detached garages. Each dwelling unit shall have no more than one detached garage. The size of the garage shall not exceed two hundred and fifty (250) gross square feet in size. Garages can be combined into one garage structure; however, no garage structure may exceed one thousand (1,000) square feet in size for a total not to exceed four garage spaces.

F. Community Development Director Review. The community development director shall consider all aspects of the project, and shall ensure that the project is well designed and compatible with existing and planned development in the vicinity. Possible topics for review by the include community development director (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.

Section 11: Section 18A.70.770 LMC entitled “Parking – Cottage Housing” is created to read as follows:

- A. A minimum of 2.0 parking spaces per cottage shall be provided for the entire development. An additional 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. Carports are prohibited in cottage housing development.

D. Shared detached garages and surface parking design. Parking areas should be located so their visual presence is minimized and associated noise or other impacts do not intrude into public spaces. These areas should also maintain the single-family character along public streets.

1. Shared detached garage structures may not exceed four (4) garage doors per building, and a total of one-thousand (1,000) square feet.

2. For shared detached garages, the design of the structure must be similar and compatible to that of the dwelling units within the development.

3. Shared detached garage structures and surface parking areas must be screened from public streets and adjacent residential uses by landscaping, consistent with LMC 18A.50.430, or architectural screening.

4. Shared detached garage structures shall be reserved for the parking of vehicles owned by the residents of the development. Storage of items which preclude the use of the parking spaces for vehicles is prohibited.

5. Surface parking areas may not be located in clusters of more than four (4) spaces. Clusters must be separated by a distance of at least 20 feet.

6. The design of garages must include roof lines similar and compatible to that of the dwelling units within the development.

7. Parking lots shall be set back at least twenty (20) feet from front property lines and ten (10) feet from external side and rear property lines.

8. Garage doors shall not be oriented toward a public right of way with the exception of an alley.

9. Garages and carports shall not be located between the common open space and the dwelling units.

Section 12: Section 18A.70.780 LMC entitled “Common Area Maintenance – Cottage Housing” is created to read as follows:

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 or shared facilities. Such a mechanism shall include creation of either a homeowners' or condominium association with authority and funding necessary to maintain the common areas.

Section 13: Section 18A.70.790 LMC entitled "Cottage Housing – Low Impact Development Standards" created to read as follows:

A. The proposed site design shall incorporate the use of low impact development (LID) strategies to meet storm water management standards. LID is a set of techniques that mimic natural watershed hydrology by slowing, evaporating/transpiring, and filtering water, which allows water to soak into the ground closer to its source. The design should seek to meet the following objectives:

1. Preservation of natural hydrology.
2. Reduced impervious surfaces.
3. Treatment of storm water in numerous small, decentralized structures.
4. Use of natural topography for drainage ways and storage areas.
5. Preservation of portions of the site in undisturbed, natural conditions.
6. Reduction of the use of piped systems. Whenever possible, site design should use multifunctional open drainage systems such as vegetated swales or filter strips which also help to fulfill landscaping and open space requirements.

Section 14: Section 18A.70.795 LMC entitled "Modifications – Cottage Housing" is created to read as follows:

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.

Section 15: Section 18A.90.200 LMC entitled “Definitions” is amended to read as follows:

#### 18A.90.200- Definitions

**ABANDON OR ABANDONMENT OF WIRELESS TELECOMMUNICATIONS FACILITIES (WTF).** Means:

- a. to cease operation for a period of sixty (60) or more consecutive calendar days;
- b. to reduce the effective radiated power of an antenna by seventy five (75) percent for sixty (60) or more consecutive calendar days unless new technology or the construction of additional cells in the same locality allows reduction of effective radiated power by more than seventy five (75), so long as the operator still serves essentially the same customer base;
- c. to relocate an antenna at a point less than eighty (80) percent of the height of an antenna support structure; or,
- d. to reduce the number of transmissions from an antenna by seventy five (75) percent for sixty (60) or more consecutive calendar days; Provided that non-operation or reduced operation for a period of sixty (60) or more consecutive calendar days to facilitate maintenance, re-design or other changes about which the City was notified in advance shall not constitute abandonment.

**ABSENTEE OWNER.** Any real property owner(s) who customarily resides some place other than the property (whether an estate or business) in question.

**ABUTTING.** Lots sharing common property lines.

**ACCESS.** The way or means by which pedestrians and vehicles enter and leave property.

**ACCESSORY BUILDING -** A detached subordinate building, the use of which is customarily incidental to that of the principal building or to the principal use of the land and which is located on the same tract with the principal building or use.

**ACCESSORY DWELLING UNIT (ADU).** A habitable dwelling unit added to, created within, or detached from and on the same lot with a single-family dwelling that provides basic requirements for living, sleeping, eating, cooking, and sanitation.

**ACCESSORY LIVING QUARTERS.** A single residential dwelling unit that is an attached or detached part of a commercial or manufacturing building, and which is incidental to the commercial or manufacturing use.

**ACCESSORY STRUCTURE.** A structure either attached or detached from a principal building and located on the same lot and which is customarily incidental and subordinate to the principal building or use.

**ACCESSORY USE.** A use of land or of a building customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.

**ACTIVITIES OF DAILY LIVING (ADL) ASSISTANCE.** Provision of personal care services in a state-licensed boarding home for assisted living consisting of at least minimal assistance with the following:

- a. Bathing. Reminding or cuing to wash and dry all areas of the body as needed, stand-by assistance getting into and out of the tub or shower, and physical assistance in steadying the resident during the activity; and
- b. Dressing. Reminding or cuing to put on, take off, or lay out clothing, including prostheses when the assistance of a licensed nurse is not required; stand-by assistance during the activity; and physical assistance limited to steadying the resident during the activity; and

- c. Eating. Reminding or cuing to eat and drink; and physical assistance limited to cutting food up, preparing food and beverages, and bringing food and fluids to the resident; and
- d. Personal hygiene. Reminding and cuing to comb hair, perform oral care and brush teeth, shave, apply makeup, and wash and dry face, hands and other areas of the body; stand-by assistance during the activity; and physical assistance limited to steadying the resident during the activity; and
- e. Transferring. Reminders or cuing to move between surfaces, for example to and from the bed, chair and standing; stand-by assistance during the activity; and physical assistance limited to steadying the resident during self-transfers; and
- f. Toileting. Reminders and cuing to toilet, including resident self-care of ostomy or catheter, to wipe and cleanse, and to change and adjust clothing, protective garments and pads, stand-by assistance during the activity; and physical assistance limited to steadying the resident during the activity; and
- g. Mobility. Reminding or cuing to move between locations on the boarding home premises; stand-by assistance during the activity; and physical assistance limited to steadying the resident during the activity.

**ADEQUATE PUBLIC FACILITIES.** Adequate public facilities means facilities which have the capacity to serve development without decreasing levels of service below locally established minimums.

**ADJACENT.** Lots located across a right-of-way, railroad or street, except limited access roads.

**ADMINISTRATIVE USE PERMIT.** A written decision granted by the Community Development Director to authorize the development or operation of a proposed land use activity subject to special degrees of control.

**AGRICULTURAL USE.** Land primarily devoted to the commercial production of dairy, apiary, furbearing, vegetable, or animal products or of grain, hay, straw, turf, seed, fin fish, or livestock, and that has long-term commercial significance for agricultural production.

**AIRPORT.** Any land area, runway or other facility designed, used or intended to be used either publicly or by any person or persons for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars, and other necessary buildings and open spaces.

**ALLEY.** A public or private way not more than 30 feet wide at the rear or side of property affording only secondary means of vehicular or pedestrian access to abutting property.

**ALTERATION, STRUCTURAL.** Any change or repair which would tend to prolong the life of the supporting members of a building or structure, such as alteration or bearing walls, foundation, columns, beams, or girders. In addition, any change in the external dimensions of the building shall be considered a structural alteration.

**AMATEUR RADIO STATION OPERATORS OR RECEIVE-ONLY ANTENNAS.** Any tower or antenna that is under 70 feet in height and is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive-only antennas.

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

**ANCHOR.** The device to which tie-downs are secured or fastened having a holding power of not less than 4,800 pounds. They include, but are not necessarily limited to, screw auger, expanding

or concrete deadmen type anchors, and are to be constructed as to accommodate "over the top" and "frame" type tie-downs, used singly or in conjunction.

**ANTENNA HEIGHT OR HEIGHT.** When referring to a tower or other Wireless Telecommunications Facilities (WTF), the vertical distance measured from the finished grade of the parcel at the base of the tower pad or antenna support structure to the highest point of the structure even if said highest point is an antenna. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

**ANTENNA SUPPORT STRUCTURE.** Any pole, telescoping mast, tower, tripod, or other structure which supports a device used in the transmitting or receiving of radio frequency signals.

**ANTENNA.** Any exterior apparatus designed for telephonic, radio, data, Internet, or television communications through the sending and/or receiving of electromagnetic waves, and includes equipment attached to a tower or building for the purpose of providing telecommunications services.

**ANTIQUA DEALER.** Any person engaged, in whole or in part, in the business of selling antiques.

**ANTIQUES.** Works of art, pieces of furniture, decorative and household objects, and other such collectibles possessing value or commercial appeal owing to their being made during an earlier period.

**APARTMENT.** A dwelling unit in a multifamily building.

**APPEAL.** A request for review of the Community Development Director's decision concerning matters addressed by the Ordinance to the Planning Commission or a review of the Hearing Examiner's decision to the City Council.

**APPLICANT FOR WIRELESS TELECOMMUNICATIONS FACILITIES (WTF).** Any provider or any person, partnership, or company who files an application for any permit necessary to install, maintain, or remove a WTF within the city.

**APPLICANT.** Any person who makes an application to the City of Lakewood for a development permit.

**ARCADE.** A linear pedestrian walkway that abuts and runs along the facade of a building. It is covered, but not enclosed, and open at all times to public use. Typically, it has a line of columns along its open side. There may be habitable space above the arcade.

**ARCHAEOLOGICAL RESOURCES.** Districts, sites, building, structures, and artifacts with material evidence of prehistoric human life and culture.

**ARCHITECTURAL BARRIERS.** Constructed structures such as walls, signs, rockeries, drainage swales or similar constructed features that impact the required landscape areas.

**ARCHITECTURAL CHARACTER.** The architectural character of a building is that quality or qualities that make it distinctive and that are typically associated with its form and the arrangement of its architectural elements. For example, a prominent design feature may convey the architectural character of a structure. Examples are a distinctive roofline, a turret or portico, an arcade, an elaborate entry, or an unusual pattern of windows and doors.

**ARCHITECTURAL ELEMENTS.** The elements that make up an architectural composition or the building form, which may include such features as the roof form, entries, an arcade, porch, columns, windows, doors and other openings. "Architectural elements" is used interchangeably with "architectural features" in this chapter.

**ARCHITECTURAL SCALE.** The perceived height and bulk of a building relative to other forms

in its context. Modulating facades and other treatments may reduce a building's apparent height and bulk.

**AREA OF SHALLOW FLOODING.** A designated AO or AH zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one (1) to three (3) feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident.

**AREA OF SPECIAL FLOOD HAZARD.** The land in the floodplain subject to a one (1) percent or greater chance of flooding in any given year.

**AT-RISK TIME IN THE COMMUNITY.** The total time, since first being housed in a Type 4 Group Home located within Lakewood, that a person has resided in the community. This includes any time spent in a Type 4 Group Home, whether in Lakewood or elsewhere, as well as any time residing in the community whether or not under DOC supervision. At-risk time in the community does not include any time spent in confinement whether in a jail, prison, pre-release or work camp. Time spent in such facilities shall be tolled for the purpose of calculating summary recidivism rates.

**AUTO WRECKING YARD.** Any property where two (2) or more motor vehicles not in running condition, or the parts thereof, are stored in the open and are not being restored to operation; or any land, building or structure used for the wrecking or storing of such motor vehicles or the parts thereof.

**AUTOMOBILE AND OTHER VEHICLE SALES AREA.** An open area, other than a street, used for the display, sale or rental of two (2) or more new or used motor vehicles or trailers and where no repair work is done except minor incidental repair of motor vehicles or trailers to be displayed, sold or rented on the premises.

**AUTOMOBILE BODY REPAIR.** Those establishments primarily engaged in furnishing automotive vehicle bodywork and painting.

**AUTOMOBILE SERVICE STATION OR GAS STATION.** A building or lot having pumps and storage tanks where fuels, oils or accessories for motor vehicles are dispensed, sold or offered for sale at retail only, repair service is incidental and no storage or parking space is offered for rent.

**AUTOMOBILE WRECKING OR MOTOR VEHICLE WRECKING.** The dismantling or disassembling of motor vehicles or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked motor vehicles or their parts.

**AWNING.** A shelter extending from the exterior wall of a building for the purpose of shielding a doorway or window from the elements and composed of non-rigid materials except for the supporting framework.

**AXIAL SYMMETRY.** The similarity of form or arrangement on either side of a dividing line or plane through the center of an object.

**BACKHAUL NETWORK.** The lines that connect a provider's wireless telecommunications facilities to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

**BALCONY.** An outdoor space built as an above ground platform projecting from the wall of a building and enclosed by a parapet or railing.

**BARN.** A structure used for the storage of farm products, feed, and for housing farm animals and light farm equipment.

**BASE FLOOD.** The flood having a one (1) percent chance of being equaled or exceeded in any given year.

**BASEMENT.** That portion of a building between floor and ceiling, which is partly below and

partly above grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.

**BAY WINDOW.** A window that protrudes from the main exterior wall. Typically, the bay contains a surface that lies parallel to the exterior wall, and two (2) surfaces that extend perpendicular or diagonally from the exterior wall.

**BEACH ACCESS, PUBLIC OR PRIVATE.** Trails or roads that provide access for the public to the beach.

**BED AND BREAKFAST.** A lodging facility comprised of a single residential structure containing up to six units of small-scale temporary lodging which provides a single meal and where the proprietors of the service reside in the structure.

**BIOSOLIDS.** Municipal sewage sludge that is a primarily organic, semisolid product resulting from the wastewater treatment process, and septage that can be beneficially recycled and meets all applicable health regulations.

**BLANK WALLS.** Walls subject to “blank wall” requirements are any ground-level wall over six feet in height measured from finished grade at the base of the wall, and longer than fifty (50) feet measured horizontally. A wall subject to the requirement does not have any significant building feature, such as a window, door, modulation or articulation, or other special wall treatment within that fifty (50) foot section.

**BLOCK.** All land along one (1) side of a street that is between two (2) intersections or intercepting streets, or interrupting streets and a railroad right-of-way, or unsubdivided land or water course.

**BOARDING HOUSE.** A single family dwelling, without an owner occupant, that is rented to a group of unrelated individuals. A boarding house excludes Types 1, 2, 3, and 4 Group Homes as defined in LMC 18.20.300, Use Types and Levels; hotels and motels as defined in LMC 18A.90.200, and excludes state-licensed foster homes.

**BOAT RAMP OR LAUNCH.** An improved sloped surface extending from a shoreland area into an aquatic area suitable for removing a boat from the water and launching a boat into the water from a trailer.

**BOATHOUSE, PRIVATE.** An accessory building, or portion of a building, which provides shelter and enclosure for a boat or boats owned and operated only by the occupants of the premises, and which boathouse is erected on a pier or wharf and/or over a dock or docking slip.

**BUILDING COVERAGE.** The measurement of the gross footprint of all the structures, to include accessory and exempt structures, on a lot. The gross footprint includes all structural elements and projections of a building and includes, but is not limited to; eaves, projections, decks, balconies, elevated patios, breezeways, or canopies.

**BUILDING DIVISION.** The Building Division of the City of Lakewood Community Development Department.

**BUILDING FACADE OR FACADE.** The visible wall surface, excluding the roof, of a building when viewed from a public right-of-way or adjacent property. If more than one (1) wall is predominately visible, the walls may be considered one (1) facade for the purposes of signage. A building facade is measured in gross square feet (gsf) and does not include roof area.

**BUILDING HEIGHT.** The vertical distance from the average of the elevation of the natural, undisturbed topography or the pre-existing grade at all corners of a proposed structure to the highest point of the structure, in accordance with LMC 18A.50.130, Height Standards.

**BUILDING LINE.** A line on the comprehensive plan, zoning map, or plat, parallel to the street right-of-way, indicating the limit beyond which buildings or structures may not be erected, or the

minimum distance as prescribed by the provisions of this ordinance.

**BUILDING OR OCCUPANCY FRONTAGE.** The length of that portion of a building or ground floor occupancy which abuts a street, publicly used parking area or mall appurtenant to such building or occupancy, expressed in lineal feet and fractions thereof.

**BUILDING, ATTACHED.** A building or structure attached to another building or structure by an enclosed interior wall or walls and covered by a roof in common with both structures. A structure connected to another building or structure only by a roof or only by a wall is not considered attached.

**BUILDING, DETACHED.** A building or structure sharing no common wall with another structure, and generally surrounded by open space on the same lot. A structure connected to another building or structure only by a roof or only by a wall is considered to be a detached building.

**BUILDING, PRINCIPAL.** A building devoted to the principal use of the lot on which it is situated.

**BUILDING.** Any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals or property of any kind.

**BULKHEAD.** A vertical wall of steel, timber or concrete used for erosion protection or as a retaining wall.

**BUSINESS.** The purchase, sale, or other transaction involving the handling or disposition of any article, service, substance, or commodity for livelihood or profit; or the management of office buildings, offices, recreational or amusement enterprises; or the maintenance and use of buildings, offices, structures, and premises by professions and trades rendering services.

**CAMOUFLAGE.** To disguise, hide, or integrate with an existing or proposed structure or with the natural environment so as to be significantly screened from view.

**CAMPSITE.** A space provided in a campground or recreational vehicle (RV) park which usually contains a table, stove, parking spur and space for a tent to accommodate a one-family group.

**CANOPY.** A permanent, cantilevered extension of a building that typically projects over a pedestrian walkway abutting and running along the facade of a building, with no habitable space above the canopy. A canopy roof is comprised of rigid materials.

**CAR WASH.** Mechanical facilities for the washing or waxing and vacuuming of automobiles, light trucks, and vans.

**CARETAKER HOME.** An on-site residential dwelling unit of up to two thousand (2,000) square feet providing living accommodations for an individual, together with his/her family, who is employed as a caretaker for a private home, public recreational or community facility, or commercial or industrial establishment. Caretaker units may not be a temporary structure or recreational vehicle and may not remain in residential use if no longer used for caretaker residence.

**CARPORT.** A covered automobile structure open on one (1) or more sides, with direct driveway access for the parking stall(s). A carport may be integrated with, or detached from the primary structure. An attached carport shall have common wall construction with the primary structure.

**CARRYING CAPACITY.** The level of development density or use an environment is able to support without suffering undesirable or irreversible degradation.

**CATTERY.** An enclosure or structure in which any combination of six or more cats that individually exceed seven months of age are kept for breeding, sale, or boarding purposes.

**CELL SITE OR SITE.** A tract or parcel of land that contains wireless telecommunications facilities including any antenna, support structure, accessory buildings, and parking, and may

include other uses associated with and ancillary to Wireless Telecommunications Facilities (WTF).

**CEMETERIES.** Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbiums, mausoleums and mortuaries, when operated in conjunction with and within the boundary of such cemetery.

**CERTIFICATE OF CAPACITY.** A document issued by a service provider indicating the quantity of capacity that has been reserved for a specific development project on a specific property.

**CHANGE OF USE.** A change of use shall be determined to have occurred when it is found that the general character of the use in question has been modified. This determination shall include review of but not be limited to: hours of operation, materials processed or sold, required parking, traffic generation, impact on public utilities, clientele, general appearance and location or a change in use type.

**CITY MANAGER.** The Administrative Director of the City of Lakewood or his/her designee.

**CIRCULATION.** The movement or flow of traffic from one place to another through available routes. Traffic includes a variety of modes of travel including pedestrian, motor vehicle and non-motorized methods such as bicycles.

**CLEAR-VISION AREAS.** A triangular area at intersections or public drives where visual obstructions are to be kept clear as directed by the City Engineer.

**CLOSED RECORD APPEALS.** Administrative appeals under Chapter 36.70B RCW which are heard by the City Council or Hearing Examiner, following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appellate arguments allowed.

**CLUSTER DEVELOPMENT.** A development technique wherein home sites or structures are grouped together, with the remainder of the tract left in open space or common open space.

**COFFEE KIOSK** A coffee kiosk is a small stand-alone structure that provides drive-through service of limited food and beverage items. Coffee kiosks shall not include structures with cooking facilities that require a Type I hood, provide indoor customer seating, or exceed 400 square feet in size.

**CO-GENERATION.** The simultaneous production of electricity and heat energy. The heat is normally used onsite for industrial processes, space or water heating, or production steam. The electric power may be used onsite or distributed through the utility grid, or both. Co-generation units are normally fired with natural gas, but also may be fueled by oil, biomass or other fuels.

**COHABITANTS.** A group not more than five (5) persons not meeting the definition of “family,” living together as a single housekeeping group in a dwelling unit.

**COLLOCATION OF Wireless Telecommunications Facilities (WTF).** The use of a WTF by more than one (1) service provider.

**COMBINED USE BUILDING.** Residential use types in combination with other use types.

**COMMERCIAL ACTIVITY.** Any activity carried out for the purpose of financial gain for an individual or organization, whether profit or non-profit.

**COMMERCIAL VEHICLE.** Any motorized vehicle over six thousand (6,000) gvw, including, but not limited to, a van, truck, truck trailer, utility trailer, tractor, grading machine, bulldozer, scraper, boat, motorized crane, or other construction equipment that is used in the operation of a business or in construction, road grading, or logging activities.

**COMMON OPEN SPACE.** A parcel of land or an area of water or a combination of land and water within a site designed or developed and intended primarily for the use or enjoyment of the

residents of such development.

**COMMUNITY DEVELOPMENT DIRECTOR.** The Director of the Community Development Department of the City of Lakewood or his/her designee.

**COMPREHENSIVE PLAN.** The document, including maps, adopted by the City Council which outlines the City's goals and policies relating to management of growth and prepared in accordance with Ch. 36.70A RCW. The term also includes any adopted subarea plans prepared in accordance with Ch. 36.70A RCW.

**CONCURRENCY.** Ensuring that adequate public improvements or strategies are in place at the time of development, and 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 as noted in the Transportation Capital Improvement Plan.

**CONDITIONAL USE.** A use conditionally permitted in a zoning district as defined by this code but which, because of characteristics particular to each such use, size, technological processes, equipment or, because of the exact location with respect to surroundings, streets, existing improvements, or demands upon public facilities, requires a special degree of control to determine if uses can be made compatible with the comprehensive plan, adjacent uses, and the character of the vicinity.

**CONDOMINIUM.** Real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interest in the common elements are vested in the unit owners, and unless a declaration and a survey map and plans have been recorded. Condominiums must meet all provisions of Chapter 64.34 RCW.

**CONSTRUCTED WETLANDS.** Wetlands that are intentionally created on sites that are not wetlands for the primary purpose of wastewater or stormwater treatment. Constructed wetlands are normally considered as part of the stormwater/wastewater collection and treatment system and must be maintained, but are not the same as wetlands created for mitigation purposes, which are typically viewed in the same manner as natural, regulated wetlands.

**CONTIGUOUS.** Bordering upon, to touch upon, or in physical contact with.

**CORRECTIONAL FACILITIES.** Facilities for holding persons in custody or in detention, including county jails, state prisons, juvenile detention facilities, pre-release facilities, work release facilities, and other facilities to which a person may be incarcerated upon arrest or pursuant to sentencing by court.

**COTTAGE.** A Single Family Detached Dwelling containing at least eight hundred (800) and no more than one thousand five hundred (1,500) 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.

**COURTYARD, INTERIOR COURT.** A space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three (3) or more sides by walls of a building.

**COURTYARD.** A courtyard is an open space usually landscaped, which is enclosed on at least three (3) sides by a structure or structures.

**CROP AND TREE FARMING.** The use of land for horticultural purposes.

**CURB CUT.** A curb cut is a depression in the curb for a driveway to provide vehicular access between private property and the street.

**CURB LEVEL.** Curb level for any building means the level of the established curb in front of such building measured at the center of such front. Where no curb elevation has been established, the mean elevation of the finished lot grade immediately adjacent to a building shall be considered the curb level.

**DANGEROUS WASTE.** Any discarded, useless, unwanted, or abandoned substances including, but not limited to, certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes: have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or are corrosive, explosive, flammable, or may generate pressure through decomposition or other means. Includes wastes designated in WAC 173-303-070 through 173-303-103 as dangerous wastes.

**DAYCARE CENTER.** A daycare facility which operates in a place other than a residence, with no limitation as to the number of clients.

**DAYCARE FACILITY.** A building or structure in which care is regularly provided for a group of children or adults for periods of less than twenty-four (24) hours. Day care facilities include family day care homes and day care centers regulated by the Washington State Department of Social and Health Services or successor agency, as presently defined and as may be hereafter amended (RCW 74.15, WAC 388-73-422).

**DAYCARE, HOME.** A daycare facility which operates in the provider's residence and is subject to a limitation on the number of clients.

**DAYCARE, HOME-BASED.** A daycare facility with no more than twelve (12) persons in attendance at any one time in the provider's home in the family living quarters, including immediate family members who reside in the home.

**DECIBEL.** A unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated by decibels.

**DECIDUOUS TREE.** A tree which loses its foliage annually.

**DECK.** A deck is a roofless, outdoors above ground platform projecting from the wall of a building and supported by piers or columns.

**DEPARTMENT.** The City of Lakewood Community Development Department.

**DESIGN DETAILS.** Architectural or building design details refer to the minor building elements that contribute to the character or architectural style of the structure. Design details may include moldings, mullions, rooftop features, the style of the windows and doors, and other decorative features.

**DESIGN, Wireless Telecommunications Facilities (WTF).** The appearance of WTF, including such features as their materials, colors, and shape.

**DESIGNATED ZONE FACILITY.** Any hazardous waste facility that requires an interim or final status permit under rules adopted under Chapter 70.105 RCW and Chapter 173-303 WAC, and that is not a preempted facility as defined in RCW 70.105.010 or in Chapter 173-303 WAC. A hazardous waste treatment or storage facility is a designated zone facility.

**DEVELOPMENT (for the purposes of Flood Hazard).** Any constructed changes to improved or unimproved real estate, including, but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavator, or drilling operations.

**DEVELOPMENT ACTIVITY.** Any action taken either in conjunction with a use or to make a use possible. Activities do not in and of themselves result in a specific use. Most activities may take place in conjunction with a variety of uses.

**DEVELOPMENT PERMIT.** Any document granting, or granting with conditions, an application for a site plan, building permit, discretionary decision, or other official action of the City having the effect of authorizing the development of land.

**DEVELOPMENT PLAN.** A plan drawn to scale, indicating but not limited to, the proposed use, the actual dimensions and shape of the lot to be built upon, the exact sizes and locations on the lot of buildings already existing, if any, and the location on the lot of the proposed building or alteration, yards, setbacks, landscaping, off-street parking, ingress and egress, and signs.

**DEVELOPMENT STANDARDS.** Regulation of the location and size of development, including but not limited to setbacks, landscaping, screening, height, site coverage, signs, building layout, parking and site design and related features of land use.

**DISCONTINUANCE.** The abandonment or nonuse of a building, structure, sign or lot.

**DISCRETIONARY PERMIT.** A decision which requires special analysis or review due to the nature of the application or because special consideration was requested by the applicant.

**DISTRICT.** An area designated by this title, with specific boundaries, in which lie specific zones, or special purpose area as described in this title.

**DOCK-HIGH LOADING AREAS.** Truck maneuvering areas and loading or unloading areas associated with loading doors that are located above the finish grade.

**DOCKS.** A pier or secured float or floats for vessel moorage, fishing, or other water use.

**DOUBLE-FRONTAGE LOT.** A lot other than a corner lot with frontage on more than one (1) street.

**DRAINAGE DITCH.** A constructed channel with a bed, bank or sides which discharges surface waters into a major or minor creek, lake, pond or wetland.

**DRIPLINE.** A circle drawn at the soil line directly under the outermost branches of a tree.

**DRIVE-THROUGH.** A business establishment, building, or structure which, by design, physical facilities, or services or products format encourages or permits customers to access sales or services from a service window while remaining in their vehicles, with access provided by a dedicated lane or lanes incorporated into the site design.

**DRIVEWAY.** A paved or graveled surface a minimum of fifteen (15) feet in width that provides access via a paved apron to a lot from a public or private right-of-way.

**DUPLEX.** One (1) detached residential building, vertically or horizontally attached, containing two (2) dwelling units totally separated from each other by a one (1) hour firewall or floor, designed for occupancy by not more than two (2) families.

**DWELLING UNIT.** One (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or boarding house, or rental or lease on a weekly, monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure or on the same property, and containing independent cooking, sleeping and sanitary facilities. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit. An efficiency apartment, also known as a studio apartment, constitutes a dwelling unit within the meaning of this title.

**DWELLING.** A building or portion thereof designed exclusively for human habitation, but not including hotels or motel units.

**EASEMENT.** A non-possessory interest in the land of another which entitles the owner of the interest to a limited use or enjoyment of the other's land for the purpose of and to protection from interference with this use by a public or private street, railroad, utilities, transmission lines, walkways, sidewalks, bikeways, equestrian trails, and other similar uses. An easement may be exclusive or include more than one (1) user.

**EFFLUENT.** With regard to water quality, treated or untreated liquid entering the estuary from a point source. With regard to dredging, water, including dissolved and suspended materials, which flows from a dredged material disposal site.

**EQUIPMENT ENCLOSURE.** A structure, shelter, cabinet, or vault used to house and protect the electronic equipment necessary for processing wireless communication signals. Associated equipment may include air conditioning, backup power supplies, and emergency generators.

**ERECT.** The act of placing or affixing a component of a structure upon the ground or upon another such component.

**ESCAPE.** Unauthorized absence from the designated facility boundary or failure to return to such place at the appointed time after having been permitted to leave.

**EVERGREEN TREE.** A tree, often a coniferous tree, which retains its foliage and remains green year round.

**EXCAVATE.** The removal by man of sand, sediment, or other material from an area of land or water for other than commercial or industrial use.

**EXTREMELY HAZARDOUS WASTE.** Any waste which will persist in a hazardous form for several years or more at a disposal site and which in its persistent form presents a significant environmental hazard and may be concentrated by living organisms through a food chain or may affect the genetic constitution of humans or other living creatures and is disposed of at a disposal site in such quantities as would present an extreme hazard to man or the environment. Those wastes designated in WAC 173-303-070 through 173-303-103 as extremely hazardous wastes.

**FACADE.** Any portion of an exterior elevation of a building extending from the ground level to the top of the parapet wall or eaves, for the entire width of the building elevation. A front facade is typically the facade facing the major public street(s). An entry facade is typically the facade with the primary public entry.

**FAMILY.** A person, or two (2) or more persons related by blood or marriage or law living together as single housekeeping unit in a single dwelling. In addition, the following uses shall be accepted as families pursuant to the requirements of state and/or federal law:

- a. Adult family homes licensed pursuant to RCW 70.128.150;
- b. Foster homes for the placement of the disabled, or expectant mothers in a residential setting including, but not limited to, foster family homes licensed pursuant to Chapter 74.15 RCW, community group care facilities licensed pursuant to Chapter 74.15 RCW and crisis residential centers pursuant to Chapter 13.32A RCW; and
- c. Consensual living arrangements of the disabled protected pursuant to the Federal Fair Housing Act amendments.

Secure community transition facilities, as defined in Chapter 71.09 RCW, are not protected under the definition of “family.”

Group Homes, Type 3, 4, and 5, as defined in LMC18A.20.300, Use Types and Levels, are not protected under the definition of “family.”

(For unrelated persons residing together, see “Cohabitants.”)

**FAMILY HOME, FOSTER.** An agency which regularly provides care on a twenty-four (24) hour basis to one (1) or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed.

**FAMILY MEMBERS.** Persons related by blood, marriage or adoption, including foster children.

**FEDERAL INSURANCE RATE MAP (FIRM).** The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk

premium zones for those areas.

**FENCE, SIGHT-OBSCURING.** A fence constructed of solid wood, masonry, metal or other appropriate material that totally conceals the subject use from adjoining uses.

**FILL.** The placement by man of sand, sediment or other material to create new uplands or raise the elevation of the land.

**FINAL DEVELOPMENT PLAN.** A plan or set of plans that comply with the conditions set forth in a preliminary approval and, once approved, authorizes the granting of a discretionary permit.

**FLAGPOLE.** A staff or pole which is designed to display a flag. A flagpole may be freestanding or attached to a building or to a private light standard.

**FLEA MARKET.** Arrangements whereby a person or persons sell, lease, rent, offer or donate to one (1) or more persons a place or area where such persons may offer or display secondhand or junk items.

**FLOOD HAZARD BOUNDARY MAP (FHBM).** The official map issued by the Federal Insurance Administration where the boundaries of the areas of special flood hazards applicable to the city of Lakewood have been designated as Zone A.

**FLOOD INSURANCE STUDY.** The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Hazard Boundary - Floodway Map and the water surface elevation of the base flood.

**FLOOD OR FLOODING.** A general and temporary condition of partial or complete inundation or normally dry land areas from the overflow of inland or tidal waters and/or the unusual and rapid accumulation or runoff of surface waters from any source.

**FLOODPLAIN.** The area adjoining a stream, tidal estuary or coast that is subject to regional flooding. A regional (100-year) flood is a standard statistical calculation used by engineers to determine the probability of severe flooding. It represents the largest flood which has a one (1) percent chance of occurring in any one (1) year in an area as a result of periods of higher than normal rainfall or streamflows, extremely high tides, high winds, rapid snowmelt, natural stream blockages, tsunamis, or combinations thereof.

**FLOODPLAIN MANAGEMENT REGULATIONS.** State or local regulations, and any combination thereof, which provides standards for the purpose of flood damage prevention and reduction.

**FLOODPROOFING.** A combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

**FLOODWAY, REGULATORY.** The channel or the watercourse reasonably required to carry and discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

**FLOOR AREA.** The sum of the gross horizontal areas of the several floors of a building, measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) buildings, but not including attic space providing headroom of less than seven feet or basement if more than fifty (50) percent of the basement is less than grade.

**FLOOR AREA RATIO (FAR).** The floor area ratio of the building or buildings on any lot means the gross floor area of the building or buildings on that lot divided by the gross area of such lot.

**FOOTCANDLE.** A footcandle is a unit used for measuring the amount of illumination on a surface. The amount of usable light from any given source is partially determined by the angle of incidence of the source and the distance to the illuminated surface.

**FREEWAY.** Any section of a highway which has been declared to be a freeway by act or

resolution of the competent establishing authority.

**FRONTAGE ROAD.** A street which is parallel and adjacent to an arterial, and which provides access to abutting properties while relieving them of the effect of street traffic access on to and from an arterial.

**FRONTAGE.** Frontage refers to length of a property line along a public street or right-of-way.

**GARAGE.** An enclosed automobile structure with direct driveway access principally for vehicular equipment such as automobiles, boats, etc., used by the tenants of the building(s). A garage may be integrated with, attached, or detached from the primary structure. See also **PARKING STRUCTURE.**

**GAS ISLANDS.** In conjunction with a motor vehicle service station or convenience commercial use providing gasoline, individual gas islands are comprised of single pumps dispensing single or various grades and types of motor vehicle fuel, or individual banks of pumps dispensing single or various grades and types of motor vehicle fuel, whether or not covered by a single canopy.

**GATEWAYS.** As used in these guidelines, the term gateway refers to those areas which are entranceways into the City of Lakewood and are so designated in the Lakewood Comprehensive Plan.

**GEOLOGIC.** Relating to the occurrence and properties of earth. Geologic hazards include but are not limited to faults, land and mudslides, and earthquakes.

**GOVERNING AUTHORITY.** The City Council of the City of Lakewood.

**GRADE, AVERAGE.** The average elevation of the undisturbed ground prior to construction at all exterior corners of the proposed structure.

**GRADE, FINISHED.** The finished surface of the ground, street, paving or sidewalk.

**GRADE, PRE-CONSTRUCTION.** Prior to any grade, fill or disturbance of soil or vegetation.

**GROSS AREA.** The total sum area of the lot minus public rights-of-way.

**GROSS DENSITY.** A calculation of the number of housing units that is allowed on a property based on the maximum density permitted.

**GROSS SQUARE FEET (GSF).** The sum of the total square footage of any building, lot, property or area.

**GROUND COVER.** Low-growing vegetative materials with a mound or spreading manner of growth that provides solid cover.

**GUYED TOWER.** A wireless communication support structure that is typically over 100 feet tall and is steadied by wire guys in a radial pattern around the tower.

**HABITABLE FLOOR (for purposes of floods).** Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation or a combination thereof. A floor used only for storage purposes is not a "habitable floor."

**HABITABLE ROOM (for purposes of floods).** An undivided enclosed space within a dwelling used for sleeping or kitchen facilities. This term does not include attics, cellars, corridors, hallways, laundries, serving or storage pantries, bathrooms or similar places.

**HABITAT.** The place or type of site where an organism lives; the place occupied by an entire community, such as a freshwater tidal marsh community.

**HAZARDOUS SUBSTANCE.** Any liquid, solid, gas or sludge, including any material, substance, product, commodity or waste, regardless of quantity, that exhibits any of the characteristics or criteria of hazardous waste as described in rules adopted under Chapter 70.105 RCW or in WAC 173-303-090, 173-303-100, 173-303-101, 173-303-102 or 173-303-103.

**HAZARDOUS SUBSTANCE FACILITY BUFFER.** A setback area between the hazardous substance land use facility boundary and the nearest point of the hazardous substance land use

property line, necessary to provide added protection to adjacent land uses or resources of beneficial use. All hazardous waste treatment and storage facilities must maintain at least a fifty (50) foot buffer.

**HAZARDOUS SUBSTANCE LAND USE.** Any use which is permitted under this title and which includes a designated facility or the processing or handling of a hazardous substance.

**HAZARDOUS SUBSTANCE LAND USE FACILITY.** The projected line enclosing the area of all structures and lands on which hazardous substance land use activities occur, have occurred in the past or will occur in the future. This does not include the application of products for agricultural purposes or the use, storage, or handling of hazardous substances used in public water treatment facilities.

**HAZARDOUS SUBSTANCE PROCESSING OR HANDLING.** The use, manufacture, compounding, treatment, synthesis or storage of hazardous substances in excess of the following amounts of cumulative quantities: five thousand (5,000) pounds of solid hazardous substances, five hundred (500) gallons of liquid hazardous substances, six hundred fifty (650) cubic feet of gaseous hazardous substances, or equivalent combination thereof. Hazardous substances shall not be disposed on-site unless in compliance with Dangerous Waste Regulations, WAC 173-303, and any pertinent local ordinances, such as sewer discharge standards.

**HAZARDOUS WASTE.** Any dangerous and extremely hazardous waste as designated pursuant to RCW 70.105, WAC 173-303, including substances composed of radioactive and hazardous components. A moderate risk waste is not a hazardous waste.

**HAZARDOUS WASTE FACILITY.** The contiguous land and structures, other appurtenance and improvements on the land used for recycling, storing, treating, incinerating or disposing of hazardous waste.

**HAZARDOUS WASTE STORAGE FACILITY.** Any designated zone facility which holds hazardous waste for a temporary period not to exceed five (5) years; this does not include accumulation of hazardous waste by the generator on the site of generation, as long as the generator complies with the applicable requirements of WAC 173-303-200 and 173-303-201.

**HAZARDOUS WASTE TREATMENT FACILITY.** Any designated zone facility which processes hazardous waste by physical, chemical or biological means to make such waste nonhazardous or less hazardous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

**HAZARDOUS WASTE TREATMENT OR STORAGE FACILITY, OFFSITE.** Any hazardous waste treatment or storage facility that treats or stores any waste that is generated off the site.

**HAZARDOUS WASTE TREATMENT OR STORAGE FACILITY, ONSITE.** Any hazardous waste treatment or storage facility that treats or stores only that waste that is generated on the site.

**HEARING EXAMINER REVIEW.** A process involving the judgment and discretion of the Hearing Examiner in applying specific decision criteria and other requirements unique to a particular use in the approval of an activity permitted, or permitted conditionally, within a zoning district.

**HEARING EXAMINER.** A person appointed by the City to carry out the functions authorized under LMC 18A.02, Administration, and Chapter 35A.63 RCW.

**HOLIDAY DECORATIONS.** Temporary messages, displays, lighting, or decorations celebrating national, state, local, ethnic, and religious holidays or holiday seasons.

**HOME OCCUPATION.** Any occupation, profession or lawful commercial activity carried on by a resident living on the premises, and in which said activity is secondary to the use of the

dwelling for living purposes, provided that the occupation or profession meets the requirements of LMC 18A.70.250.A and C.

**HOME OCCUPATION, LIMITED.** Any occupation, profession or lawful commercial activity carried on entirely within the dwelling, solely by a resident living on the premises, and which said activity is secondary to the use of the dwelling for living purposes; provided that the limited home occupation meets the requirements of LMC 18A.70.240.A-B.

**HOMEOWNERS' ASSOCIATION.** An incorporated, nonprofit organization operating under recorded land agreements through which each lot owner is automatically a member, and, each lot is automatically subject to a charge for a proportionate share of the common property, and, a charge, if unpaid, becomes a lien against the property.

**HORTICULTURE.** The cultivation of plants, garden crops, trees and/or stock.

**HOTEL.** A single building or a group of detached or semi-detached buildings containing six (6) or more guest rooms or self-contained suites, with parking provided on the site for the use of those staying in the rooms or suites, which is or are designed and used for the accommodation of transient travelers for a period not to exceed thirty (30) days.

**HUMAN SCALE.** The size of a building element or space relative to the dimensions and proportions of a human being.

**IMPERVIOUS SURFACE.** A hard surface area which either prevents or retards the entry of water into the soil mantle as it entered under natural conditions preexistent to development, or that hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions preexistent to development. Common impervious surfaces include but are not limited to rooftops, concrete or asphalt paving, paved walkways, patios, driveways, parking lots or storage areas, grasscrete, and oiled, macadam or other surfaces, which similarly impede the natural infiltration of surface water. Open, uncovered retention/detention facilities shall not be considered impervious surfaces.

**INCIDENTAL USE.** A use that is in conjunction with, and smaller than the main part of a facility or use.

**INCOMPATIBLE USES.** For the purpose of community design, incompatible uses are those uses, including, but not limited to, outdoor storage, utilities equipment and apparatus, and loading and service facilities, which are considered to be visually intrusive, unsightly and which require site design and screening to mitigate the negative impacts to retail, service and office commercial uses and residential development.

**INDUSTRIAL PRETREATMENT FACILITY.** Treatment devices and structures used for the treatment of industrial wastewater prior to being released into a wastewater collection or conveyance system.

**INTERIOR LOT AREA.** Any area of a lot that is not within a required perimeter or buffer area.

**JUDICIAL APPEALS.** Appeals filed by a party of record in Pierce County Superior Court.

**KENNEL.** An enclosure or structure in which any combination of six (6) or more dogs that individually exceed seven (7) months of age are kept for breeding, sale, training, boarding, or sporting purposes.

**KITCHEN.** Any room or rooms, or portion of a room or rooms, used or intended or designed to be used for cooking or the preparation of food.

**LAKE.** A natural or artificial body of water of two (2) or more acres or where the deepest part of the basin at low water exceeds two (2) meters. Artificial bodies of water with a recirculation system approved by the City Engineer are not included in this definition.

**LANDFILL, DEMOLITION.** A solid waste facility for the permanent disposal of demolition

wastes resulting from the demolition or razing of buildings, roads and other man-made structures, consisting of, but not limited to, concrete, brick, bituminous concrete, wood and masonry, composition roofing and roofing paper, steel and minor amounts of other materials. Plaster or other materials likely to produce leachate is not demolition waste.

**LANDFILL, INERT.** A solid waste facility for the permanent disposal of inert materials which are non-combustible and non-dangerous wastes likely to retain their physical and chemical structure including resistance to biological and chemical attack from acidic rainwater.

**LANDFILL, MUNICIPAL SOLID WASTE.** A solid waste facility for the permanent disposal of mixed household, commercial or industrial waste from municipal sources delivered by hauling companies or self-hauled by residents or businesses.

**LANDFILL, SPECIAL WASTE.** A solid waste facility for the permanent disposal of one (1) specific type of waste of limited, known and consistent composition such as an ash monofill, a landspreading disposal facility for biosolids, problem waste landfill or any facility which is not previously defined but is permitted with a state solid waste permit as a "limited purpose landfill."

**LANDFILL, WOOD WASTE.** A solid waste facility with two thousand (2,000) or more cubic yards of capacity for the permanent disposal of wood waste which does not contain chemical preservatives. This does not include wood waste landfills on forest lands regulated under the state Forest Practices Act but does include facilities which use wood waste as a component of fill.

**LANDFILL.** A solid waste facility for the permanent disposal of solid wastes in or on the land which requires a solid waste permit under RCW 70.95.

**LANDSCAPING.** Vegetative cover including shrubs, trees, flowers, ground cover and other similar plant material.

**LARGE-SCALE COMMERCIAL FACILITIES.** Principal, anchoring retail use integrated with other commercial or services uses under common ownership or use exceeding 100,000 square feet of cumulative gross floor area. For this purpose, "under common ownership or use" shall mean a single establishment which shares checkstands, management, a controlling ownership interest, or storage areas, e.g., a hardware/nursery, pharmacy, and/or grocery component associated with a general merchandise store.

**LATTICE TOWER.** A support structure which consists of a network of crossed metal braces, forming a tower which is usually triangular or square in cross-section.

**LOADING SPACE, OFF-STREET.** In space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used and accessible to such deliveries when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

**LOCAL ROAD OR STREET.** A road or street which is used or intended to be used primarily for providing access to abutting properties.

**LOT.** A fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area, and developed or built upon as a unit. The term shall include "tracts" or "parcels".

**LOT AREA.** The total area, in gross square feet (gsf), within the lot lines of a lot, excluding right-of-way. For the purposes of flood regulations, any portion of a lot lying below the ordinary high water mark or lawfully constructed bulkhead shall not be included in a lot area calculation.

**LOT COVERAGE.** The area of a lot covered by a building or buildings, expressed as a percentage of the total lot area.

**LOT DEPTH.** The perpendicular distance measured from the mid-point of the front lot line to the

mid-point of the opposite lot line.

**LOT LINE.** The property line bounding a lot.

**LOT LINE, FRONT.** Normally, the property line separating the lot from the street, other than an alley, from which access is provided to the lot. For the purpose of establishing setback requirements, orientation of the dwelling unit shall be independent of access to the parcel. In the case of a corner lot, the front lot line shall be the property line with the narrow dimension adjacent to the street.

**LOT LINE, REAR.** The lot line which is opposite and most distant from the front lot line and which is in the same plane and runs parallel to the front lot.

**LOT LINE, INTERIOR.** Any property line which is neither a front nor a rear lot line.

**LOT OF RECORD.** A lot that is part of a subdivision recorded, pursuant to statute, with the Pierce County Auditor, or a legally created lot under state and local subdivision regulations in effect at the time of creation or a lot described by metes and bounds, the description of which has been so recorded.

**LOT, BUILDABLE.** A legal lot which is proposed for use in compliance with this title, and has received approval of the water supply and sewage disposal method as appropriate to such use.

**LOT, CORNER.** A lot of which at least two (2) adjacent sides abut streets other than alleys.

**LOT, CUL-DE-SAC.** A lot which has a front lot line contiguous with the outer radius of the turn-around portion of a cul-de-sac.

**LOT, FLAG.** A flag lot is surrounded by abutting lots with an extended access way to a street right-of-way.

**LOT, INTERIOR.** A lot other than a corner lot.

**LOT, THROUGH.** An interior lot having frontage on two (2) streets, and which is not a corner lot.

**LOT, WIDTH.** The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot lines, except that portion of a flag lot that usually forms an extended access way to a street right-of-way.

**LOWEST FLOOR.** For flood purposes, any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a lowest floor.

**LUMEN.** A lumen is a unit used for measuring the amount of light energy given off by a light source.

**MAINTENANCE.** Routine upkeep of existing structure or facilities which are in current use or operation.

**MAJOR COMMERCIAL OR EMPLOYMENT CENTERS.** An integrated planned development within the NC2, CBD, SD, C1, C2, IBP, I1, and I2 zoning districts with contiguous ownership larger than 12 acres in size. Contiguous properties under separate control, but which function as an integrated center and when combined are larger than 12 acres in size, may be considered a major center.

**MANUFACTURED HOME PARK.** A tract of land that was permitted, designed, and maintained under a single ownership or unified control where two (2) or more spaces or pads are provided solely for the placement of manufactured homes for residential purposes with or without charge. A manufactured home park shall not include manufactured home subdivisions or recreational vehicle parks.

**MANUFACTURED HOME SPACE.** An apportioned piece of land within a park designed to accommodate a single manufactured home, also known as a “pad.”

**MANUFACTURED HOME.** A factory-assembled structure that was constructed in accordance with the 1976 or later HUD federal Manufactured Housing Construction and Safety Standards Act in effect at the time of construction, and displays the appropriate HUD or Department of Labor and Industries label,

- a. is suitable for movement along public highways;
- b. is intended solely for human habitation; and
- c. has sleeping, eating and plumbing facilities.

Manufactured homes do not include modular homes or recreational vehicles as herein defined.

For the purpose of flood hazard regulations only, a manufactured home is a structure, transportable in one (1) or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It includes recreational vehicles or travel trailers that are placed on a site for more than one hundred eighty (180) consecutive days.

**MAP.** A representation, usually on a flat surface, of the whole or part of an area.

**MARINA.** Facilities which provide moorage, launching, storage, supplies and a variety of services for recreational, commercial and fishing vessels. They are differentiated from docks and moorages by their larger scale, the provision of significant shore or land-side services and/or the use of a solid breakwater (rock, bulkheading, etc.).

**MAXIMUM DENSITY.** The maximum number of dwelling units allowed per gross acre (dua), excluding accessory dwelling units.

**MEAN HIGH WATER (MHW).** The average height of all high waters over a nineteen (19) year period.

**MINI-WAREHOUSE.** A facility consisting of separate storage units which are rented to customers having exclusive access to their respective units for storage of residential or commercial oriented goods. No business is conducted out of storage units.

**MITIGATE.** To alleviate the negative impacts of a particular action.

**MITIGATION.** Any action that, to some degree, softens the impact of development on critical or sensitive areas. This may include all or any one of the following actions:

- a. avoiding the impact altogether by not taking a certain action or parts of an action;
- b. minimizing impacts by limiting the degree or magnitude of an action and its implementation;
- c. rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- d. reducing or eliminating the impact over time by preservation and maintenance operations; and

- e. compensating for the impact by creation, restoration, or enhancement of critical or sensitive areas to maintain their functional processes, such as natural biological productivity, habitat, and species diversity, unique features and water quality. Any mitigation action or combination of actions may involve monitoring and remedial follow-up measures.

**MOBILE HOME PAD.** That part of a mobile home space which has been reserved for the placement of the mobile home, appurtenant structures, or addition.

**MOBILE HOME PARK.** An area under one (1) ownership designed to accommodate ten or more mobile homes (see Manufactured Home for definition of mobile home).

**MOBILE HOME.** A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, that was constructed prior to June 15, 1976 and/or does not conform to [HUD] Manufactured Housing Construction and Safety Standards Act. Mobile home

does not include recreational vehicles. The appropriate HUD or Department of Labor and Industries label is displayed.

**MOBILE TRANSMISSION FACILITY.** A movable, non-stationary transmission facility that contains wireless telecommunications equipment including any antenna, support structure, accessory structures, and may include other uses associated with and ancillary to wireless telecommunications facilities.

**MOBILE VENDING.** Any for-profit or non-profit business selling food and/or drink at or adjacent to the vehicle or cart in which such items are carried and/or prepared. This definition shall not include businesses providing or offering to provide scheduled delivery of food products to individual residences.

**MODERATE RISK WASTE FIXED FACILITY.** A solid waste transfer facility needing a state solid waste permit which specializes in the collection of household hazardous waste for packaging for transport to a disposal facility for recycling. It may collect limited amounts of hazardous waste from small quantity generators that are businesses which generate hazardous waste in quantities below the threshold for regulation under Washington Dangerous Waste Regulations (RCW 70.105).

**MODERATE RISK WASTE.** Those wastes defined in WAC 173-303-040 as moderate risk wastes. This may include any waste that exhibits any of the properties of hazardous waste but is exempt from regulation under Chapter 70.105 RCW solely because the waste is generated in quantities below the threshold for regulation, and any household waste which is generated from the disposal of substances identified by the Department of Ecology as hazardous household substances.

**MODIFICATION.** The changing of any portion of a wireless telecommunications facility from its description in a previously approved permit, excluding routine maintenance and repair. Examples include, but are not limited to, changes in design or structure, changes in the heights of towers or monopoles, changes in any accessory structures or appurtenances that are affiliated with or support a wireless telecommunications facility.

**MODULAR HOME.** A detached dwelling that is designed for human habitation, is either entirely or substantially prefabricated at a place other than a building site, and is constructed or installed on the site in accordance with the UBC and bearing the appropriate insignia indicating such compliance. Modular homes are also commonly referred to as “prefabricated”, “panelized,” or “factory-built” units.

**MODULATION.** A stepping back or projecting forward of portions of a building facade within specified intervals of building width and depth as a means of breaking up the apparent bulk of a structure's continuous exterior walls.

**MONOPOLE TOWER.** A support structure which consists of a single pole sunk into the ground and/or attached to a foundation.

**MOORAGE.** Piling or a dock, or both, used to secure a boat or barge.

**MOTEL.** A building or group of buildings on the same lot, containing units with separate entrances and consisting of individual sleeping quarters detached or in connected rows, with or without cooking facilities, for rental to transients and guests for compensation.

**MOTOR VEHICLE.** Motor vehicle includes every device capable of being moved upon a public highway and in, upon, or by which any person or property is or may be transported or drawn upon a public highway except for mopeds, bicycles and other devices moved by human or animal power or used exclusively upon stationary rails or tracks.

**MOTOR VEHICLE SERVICE OR REPAIR.** Those establishments engaged in fixing, engine tune-up, adjusting lights or brakes, or supplying and installing replacement parts of or for passenger vehicles and trucks.

**MOTOR VEHICLE SERVICE STATION.** Any premises used for supplying gasoline, oil, minor accessories and services, excluding body and fender repair, for automobiles at retail direct to the customer.

**MOUNT.** The structure or surface upon which wireless telecommunications facilities are mounted. There are three (3) types of mounts:

a. **Building mounted.** A wireless telecommunications facility mount fixed to the roof or side of a building.

b. **Ground mounted.** A wireless telecommunications facility mount fixed to the ground, such as a tower.

c. **Structure mounted.** A wireless telecommunications facility fixed to a structure other than a building, such as light standards, utility poles, water towers, and bridges.

**MULTIFAMILY DESIGN REVIEW.** An administrative process for the purpose of reviewing multifamily development applications for compliance with specific site design, landscape design and building design criteria.

**MULTIFAMILY DWELLING.** Multiple residential units within a single residential structure, or multiple residential structures, which provide separate living accommodations for multiple individuals or families. Multifamily dwelling units are typically under common ownership and management but may be separately owned condominium units on a commonly owned parcel or cooperatively owned.

**MURAL.** A picture on an exterior surface of a structure. A mural is a sign only if it is related by text, logo, or pictorial depiction to the advertisement of any product or service or the identification of any business.

**NATURAL AREAS.** All or portions of a parcel of land undisturbed by development and maintained in a manner which preserves the indigenous plant materials.

**NEIGHBORHOOD PARK OR PLAYGROUND.** An area for recreational activities, such as but not limited to field games, court games, crafts, playground apparatus area, skating, walking, viewing, picnicking, wading pools, swimming pools.

**NET ACREAGE.** The buildable area after the area of street right-of-way has been subtracted.

**NOISE LEVEL REDUCTION (NLR).** Difference in noise level from outside to inside of the building. NLR is a difference, in decibels, between A-weighted sound levels; it depends primarily on the nature of the walls, ceilings, windows, doors and vents and, to a lesser extent, on the amount of sound-absorbing material in the room in which the sound is received. It shall be measured, if so required, by the building official, in a completed and furnished building by application of the testing procedure described in this section.

**NONCONFORMING LOT.** A lot which does not conform to the design or density requirements of the zoning district in which it is located. A non-conforming lot is a lot that was legal when it was created but no longer meets the current area, width, or depth dimensional requirements for the zoning district in which the property is located. Nonconforming lots may be occupied by any permitted use in the district, provided that all other development regulations in effect at the time of development must be met.

**NONCONFORMING STRUCTURE.** A nonconforming structure is one which was lawfully erected in conformance with the regulations in effect at the time of its construction but which no longer conforms to current development standards including, but not limited to design, height,

setback or coverage requirements of the zoning district in which it is located. A structure shall not be considered non-conforming for the purposes of this code if the only nonconforming aspect is failure to comply with the Chapter 18A.50.200, Community Design Standards.

**NONCONFORMING USE.** The use of land, a building or a structure lawfully existing prior to the effective date of this title or subsequent amendments thereto, which does not conform with the regulations of the district in which it is located.

**NONCONFORMITY.** Any land use, structure, lot or sign legally established prior to the effective date of this title or subsequent amendment, which is no longer permitted by or in full compliance with the regulations of this title.

**NON-PROJECT ACTION.** A decision on a policy, plan or program, which is not related to a specific project and/or which affects a significant portion of or the City of Lakewood in its entirety, including but not limited to the adoption or amendment of the comprehensive plan, development regulations, and/or subarea plans, zoning of newly annexed land, area-wide rezones, and zoning map amendments, except for site specific rezones authorized by the comprehensive plan.

**NON-VEGETATIVE GROUNDCOVER.** Bark mulch, gravel and other nonvegetative materials that promote vegetative growth by retaining moisture or preventing weeds.

**NON-WHIP ANTENNA.** An antenna that is not a whip antenna, such as dish antennas, panel antennas, etc.

**NOXIOUS MATTER.** Materials that are capable of causing injury to living organisms by chemical reaction or are capable of causing detrimental effects upon the psychological, social, or economic well-being of human beings.

**NURSERY, HORTICULTURAL.** A place where trees, shrubs, vines, etc. are propagated for transplanting or for use as stocks for grafting and where such flora can be sold.

**NURSING HOME.** A multi-unit or multi-bed facility that are licensed or approved to provide living accommodations and round-the-clock health care and medical supervision.

**OCCUPANCY.** The purpose for which a building is used or intended to be used. The term shall also include the building or room housing such use. Change of occupancy is not intended to include change of tenants or proprietors.

**OCCUPANT.** A person, family, group, or organization who is using or living in a particular building, apartment, or room.

**ODOR CONTROL STRUCTURE.** Equipment or structures appurtenant to wastewater conveyance facilities used to lessen the odors of the liquids being transported.

**OFFICIAL CONTROLS.** Legislatively defined and enacted policies, standards, precise detailed maps and other criteria, all of which control the physical development of the county, and are the means of translating into regulations and ordinances all or any part of the general objectives of the comprehensive plan.

**OFFICIAL MAP.** Maps that show the designation, location and boundaries of the various districts which have been adopted and made a part of this title.

**OFF-SITE.** With respect to mitigation, an area separated from the impact area by a significant distance and that offers little or no opportunity for reestablishing lost values and functions to organisms which originally benefited from the lost habitat.

**OFFSITE HAZARDOUS WASTE TREATMENT OR STORAGE FACILITY.** Any hazardous waste treatment or storage facility which treats or stores wastes that are generated off the site.

**ON-SITE.** With respect to mitigation, an area adjacent to or near the impact area that offers a reasonable opportunity for reestablishing lost values and functions to organisms which originally benefited from the lost habitat.

**ONSITE HAZARDOUS WASTE TREATMENT OR STORAGE FACILITY.** Any hazardous waste treatment or storage facility that treats or stores only those wastes that are generated on the site.

**OPEN HOUSE.** A temporary real estate event where a property owner or his representative opens a structure or structures on one or more contiguous Pierce County Assessor's tax parcels with single or the same ownership, to be inspected by the general public for the sole purpose of sale, rent, or lease of a structure thereon.

**OPEN RECORD HEARING.** A hearing held by a decision-making body who is authorized by the city to conduct such hearings, that creates the city's record through testimony and submission of evidence and information, under procedures prescribed by the city by ordinance or resolution.

**OPEN SPACE.** Land used for farm or forest uses, and any land area that would, if preserved and continued in its present use:

- a. Conserve and enhance natural or scenic resources;
- b. Protect air or streams or water supply;
- c. Promote conservation
- d. Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature preservations or sanctuaries or other open space.

**ORDINARY HIGH-WATER MARK.** That mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on the effective date of this title, or as it may naturally change thereafter; provided, that in any area where the ordinary high-water mark cannot be found, the ordinary high-water mark shall be the line of mean high water.

**ORNAMENTAL TREE.** A tree that is either a conifer or deciduous tree that is accessory, decorative, enhance and accent the general landscaping of the site. Ornamental trees are generally between eight (8) and twenty (20) feet tall at maturity.

**OUTSIDE STORAGE.** All or part of a lot which is used for the keeping of materials, vehicles or products in an open, uncovered yard or in an unwallled building. Such materials may include tractors, backhoes, heavy equipment, construction materials and other similar items.

**OVERLAY DISTRICT.** A defined geographic area where a set of development regulations are established to achieve a specific public purpose. These regulations are in addition to those of the underlying zoning district.

**OWNER.** The owner of record of real property as shown on the tax rolls of the Pierce County Assessor, or a person who is purchasing a piece of property under contract.

**OWNER OCCUPANT.** A property owner, as reflected in title records, that makes his or her legal residence at the site, and actually resides at the site more than six months out of any given year.

**OWNERSHIP.** The existence of legal equitable title to land.

**PACKAGE WASTEWATER TREATMENT PLANT.** A pre-assembled factory built treatment plant.

**PARAPET WALL.** That portion of a vertical building wall that extends above the roof of the building.

**PARCEL.** A lot or plot of land proposed or created in accordance with this Code or prior subdivision ordinance and state law and intended as a unit for the purpose, whether immediate or future, of transfer of ownership. The external boundaries existing as of the date of incorporation of the City of Lakewood shall be used to establish what is a parcel for the purposes of this Code. For parcels which have not been conveyed since that date, the legal description used in the conveyance closest to that date shall control.

**PARKING AREA.** An area accessible to vehicles, which area is provided, improved, maintained, and used for the sole purpose of accommodating a motor vehicle.

**PARKING SPACE.** Any off-street surface area of not less than fifteen (15) feet by eight (8) feet in size, exclusive of maneuvering and access area, permanently reserved for the storage or parking of one (1) vehicle, and connected with an access which affords ingress and egress for vehicles.

**PARKING STRUCTURE.** A building or structure consisting of more than one (1) level, above and/or below ground with one (1) or more common entrances, and used for the parking and/or temporary storage of motor vehicles.

**PARKING, SURFACE.** An off-street, ground level open area, usually improved, for the parking and/or temporary storage of motor vehicles.

**PARKS AND CAMPGROUNDS.** A developed area devoted to overnight temporary use for vacation, and/or recreational or emergency purposes, but not for residential purposes. A camping site may be occupied by a tent, travel trailer or recreational vehicle. Campgrounds shall not include intensively developed commercial uses such as retail stores or gas stations.

**PARTIES OF RECORD.** Persons with legal standing with respect to an application including the applicant, property owner as identified by the records available from the Pierce County assessor's office, or any person who testified at the open record public hearing on the application and/or; Any person who submitted written comments during administrative review or has submitted written comments concerning the application at the open record public hearing, excluding persons who have only signed petitions or mechanically produced form letters.

**PASSIVE RECREATION.** An outdoor leisure time activity which usually occurs in a natural or designed urban setting. Passive recreation may occur in common open lawn areas and, where determined appropriate, critical area buffers, aquifer recharge and flood water storage areas. Activities may include picnicking, sightseeing, walking, hiking, biking, horseback riding, and nature walks. Accessory structures associated with passive recreation include: Playground equipment, picnic shelters and tables, barbecue pits, exercise stations, restroom facilities, benches, directory signs, garbage containers, and landscaped areas.

**PASSIVE RESTORATION.** The use of natural processes, sequences, and timing which occurs after the removal or reduction of adverse stresses without other specific positive remedial action.

**PATIO.** A recreation area adjoining a dwelling which is often paved or a wood platform of thirty (30) inches or less above finished grade.

**PEDESTRIAN-ORIENTED FACADES.** Facades that feature one (1) or more of the following characteristics:

- a. Transparent window area or window displays along at least half the length of the ground floor facade.
- b. Sculptural, mosaic or bas-relief artwork along at least half the length of the ground floor facade.
- c. Pedestrian-oriented space, as defined below.

d. Other measures that meet the intent of the criteria, as approved in conjunction with overall design review approval.

**PEDESTRIAN-ORIENTED SPACE.** An area between a building and a public street or another building that promotes visual and pedestrian access onto the site and that provides pedestrian-oriented amenities and landscaping to enhance the public's use of the space. Pedestrian-oriented spaces include but are not limited to outdoor plazas, arcades, courtyards, seating areas, and amphitheaters. Pedestrian-oriented spaces have:

a. Visual and pedestrian access, including handicapped access, into the site from the public right-of-way.

b. Special textured paved walking surfaces of either concrete or approved unit paving.

c. On-site or building-mounted lighting providing at least four (4) footcandles (avg.) on the ground.

d. Seating; at least four (4) feet of seating area (bench, ledge, etc.) or one (1) individual seat per sixty (60) square feet of plaza area or open space.

e. Landscaping, including trees and seasonal plantings, that defines the space but does not act as a visual barrier to views from the street or adjacent buildings.

f. Site furniture, artwork or amenities such as fountains, kiosks, etc.

g. Pedestrian weather protection or other enclosure, such as an arcade or gazebo.

Generally, pedestrian-oriented spaces shall not have:

a. Asphalt or gravel pavement.

b. Adjacent unscreened parking lots.

c. Adjacent chain-link fences.

d. Adjacent "blank walls" without "blank wall treatment".

**PEDESTRIAN-ORIENTED USE.** A commercial use whose customers commonly arrive on foot, or where signage, advertising, window display and entryways are oriented toward pedestrian traffic on a public sidewalk. Pedestrian-oriented businesses may include restaurants, retail shops, personal service businesses, travel services, banks (except drive-through windows), and similar establishments.

**PENNANT.** A tapered flag having a distinctive triangular form. (See FLAG and STRING PENNANTS)

**PERFORMANCE STANDARDS.** Criterion to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by or inherent in uses of land or buildings.

**PERSON.** Any natural person, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government, or any other person or combination acting as a unit, with legal rights and duties, whether acting by themselves or by a servant, agent, employee, or guardian.

**PERSONAL WIRELESS SERVICE, PERSONAL WIRELESS SERVICE FACILITIES, AND FACILITIES.** (see Wireless Telecommunications Facility).

**PILING.** Wood, concrete or steel posts driven into the bottom in aquatic areas either as mooring devices or to support a dock, float, range marker, or other structure.

**PLAT.** A map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets, and alleys or other division and dedications.

**PLAT, PRELIMINARY.** A neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision consistent with the requirements of the City subdivision regulations and Chapter 58.17

RCW. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

PLAT, SHORT. A legally recorded map or drawing which subdivides a parcel of ground into four (4) or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease or transfer of ownership.

PLAZA. A pedestrian space that is available for public use and is situated near a main entrance to a building or is clearly visible and accessible from the adjacent right-of-way. Typical features include special paving, landscaping, lighting, seating areas, water features, and art.

POST OFFICE, BRANCH. A government operated subdivision of a main post office serving as a base for one (1) or more carrier routes and providing customer postal service.

POST OFFICE, CONTRACT STATION. A privately operated, limited-service postal facility carried on as adjunct to a principal business or use.

PREEMPTED FACILITY. Any hazardous waste facility defined as a preempted facility in RCW 70.105.010 or in Chapter 173-303 WAC. This may include any facility that includes as a significant part of its activities any of the following hazardous waste operations:

- a. Landfill,
- b. Incineration,
- c. Land treatment,
- d. Surface impoundment to be closed as a landfill, or
- e. Waste pile to be closed as a landfill.

PRE-EXISTING WIRELESS TELECOMMUNICATIONS FACILITY (WTF). Any wireless telecommunications facility for which a building permit and/or development permit has been properly issued prior to the date of adoption of this ordinance, including permitted Wireless Telecommunications Facilities (WTFs) that have not yet been constructed, so long as that permit or approval has not expired.

PRELIMINARY APPROVAL. An approval, based upon an application and conceptual plan for a Discretionary Land Use Permit, granted by the Director or Examiner which sets forth certain conditions.

PRESCHOOL. An establishment providing exclusively educational programs for prekindergarten or preschool children, but excluding daycare uses as specified in LMC 18A.20.400, Use Types and Levels.

PRINCIPAL USE. The main use to which the premises are devoted and the principal purpose for which the premises exist.

PROCESSING OR HANDLING OF A HAZARDOUS SUBSTANCE. The compounding, treatment, manufacture, synthesis, use or storage of hazardous substances in excess of the following amounts in bulk quantities: five thousand (5,000) pounds of solid hazardous substances, five hundred (500) gallons of liquid hazardous substances, and six hundred fifty (650) cubic feet of gaseous hazardous substances.

PROJECT ACTION. Any action taken or activity performed in conjunction with a development or to make a use possible, on a specific site or within a defined geographic area. Project actions do not in and of themselves constitute or result in a specific use. A project action involves a decision on a specific project located in a defined geographic area, such as agency decisions to license, permit, fund, or undertake any activity that will directly modify the environment, whether the activity will be conducted by the agency, an applicant, or under contract, or to purchase, sell, lease, transfer, or exchange natural resources, including publicly owned land, whether or not the environment is directly modified.

**PROJECT PERMIT.** Any land use or environmental permit or license required from the City of Lakewood for a project action, including but not limited to building permits, site development permits, grading or other land preparation permits, subdivisions, binding site plans, conditional uses, shoreline substantial development permits, site plan review, site specific rezones authorized by the comprehensive plan and other discretionary or administrative land use permits or approvals; but excluding adoption or amendment of the comprehensive plan and development regulations, zoning of newly annexed land, area-wide rezones, and zoning map amendments except as otherwise specifically included above in this definition.

**PROPERTY MANAGER.** A person or firm charged with the management of land and buildings as a business including renting of property, and keeping the premises and buildings in good condition.

**PROPERTY LINE ADJUSTMENT.** The relocation of a common property line between two (2) abutting properties.

**PROVIDER.** A corporation, company, association, joint stock company, firm, partnership, sole-proprietorship, limited liability company, other entity or individual which provides telecommunications services through the use of wireless telecommunications facilities.

**PUBLIC ACCESS.** Public access to shoreline and aquatic areas either may be achieved through

- a. direct physical access to shoreland and aquatic areas (i.e. boat ramps);
- b. aesthetic access (i.e. viewing opportunities); and
- c. other facilities providing some degree of access to shorelands and aquatic areas.

**PUBLIC FACILITIES.** Public facilities include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, storm waste facilities, parks and recreational facilities and schools. Such facilities include, but are not limited to, water supply electric power, gas and transportation of persons or freight.

**PUBLIC GAIN.** The net gain from combined economic, social, and environmental effects which accrue to the public because of a use or activity and its subsequent resulting effects.

**PUBLIC MEETING.** An informal or formal meeting, workshop, or other public gathering of persons to obtain comments from the public or other agencies on a proposed project permit prior to the City's decision, but is not an open record hearing.

**PUBLIC ON-SITE OPEN SPACE.** A space that is accessible to the public at all times, predominantly open above, and designed specifically for use by the general public as opposed to serving merely as a setting for the building.

**PUBLIC OR SEMI-PUBLIC USE.** A structure or use, owned or operated by a state, county, city, school district or other public or private agency or concern for the benefit of the public generally including schools, fire stations, libraries, community building, museums, child care centers, fairgrounds, and churches but does not include specific uses or structures which are defined separately in this section.

**PUMP/LIFT STATION.** The part of a water collection or distribution system that raises water from a lower to a higher elevation.

**QUALIFIED ARCHITECT OR ENGINEER.** An architect or engineer registered in the state of Washington who, by reason of his/her training and experience, is considered qualified to pass judgment on acoustical design, materials, and methods of construction for the attenuation of noise. The qualifications of the architect or engineer relative to acoustical design must be reviewed and found to be acceptable by the building official.

**QUEUEING.** Specified area for vehicles awaiting service in a drive-through facility, which may include not only the space between point of ingress and the point of service, but also, where

applicable, points of service internal to the drive-through operation. Where a drive-through contains not just one but separate points of ordering, payment, and/or receipt of goods, queuing is considered to apply in between all three points as well as between the ingress point and initial point of service. "Queuing" may be used interchangeably with "stacking."

**RECIDIVISM.** A condition that results when an offender who has served a period of incarceration is subsequently released from confinement and commits a new crime. As applied herein, a recidivating event is any event that results in the filing of criminal charges in any court of competent jurisdiction; or when an offender is administratively adjudicated and judged to have violated the terms of supervision or confinement in a manner that, had he or she been prosecuted in court, would have been equivalent to a misdemeanor, gross misdemeanor or felony crime in the state of Washington. Administrative adjudications are those conducted by DOC, the Indeterminate Sentence Review Board, their successors or their surrogates. Recidivating events include any criminal conduct including those which occur within the Type 4 Group Home.

**RECORDED.** Unless otherwise stated, filed for record with the Auditor of the County of Pierce, State of Washington.

**RECREATION.** The refreshment of body and mind through forms of play, amusement or relaxation. The recreational experience may be active, such as boating, fishing, and swimming, or may be passive such as enjoying the natural beauty of the shoreline or its wildlife. Facilities included as low-intensity recreation include picnic tables, trail signs, unpaved trails and portable restrooms.

**RECREATIONAL VEHICLE PARK.** A plot of ground upon which two (2) or more recreational vehicles are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational, education or vacation purposes.

**RECREATIONAL VEHICLE.** A camping trailer, travel trailer, motor home, truck camper, and any similar vehicular-type units primarily designed as temporary living quarters for recreational, camping or travel use, with or without motor power, being of such size and weight as to be operable over highways without requirement of a special highway movement permit.

**RECYCLING CENTER.** A center for the receiving and storage of recyclable materials such as paper, glass and aluminum. The center would receive materials from the general public. This use may involve some outside storage.

**RECYCLING COLLECTION SITE.** A site with collection boxes or other containerized storage where citizens can leave materials for recycling.

**REHABILITATION.** Infrequent, extensive repair of more than routine nature to existing structures or facilities which are in current use or operation.

**RELIGIOUS ASSEMBLY.** An establishment whose principal purpose is religious worship and for which the principal building or other structure contains the sanctuary or principal place of worship, which may include accessory uses in the main building or in separate buildings or structures such as religious educational class rooms, assembly rooms, library or reading room, recreation hall, and a single dwelling unit for caretaker or clergy and his/her immediate family.

**REMOTE SWITCHING UNIT.** A device or group of devices in a telephone system having the necessary equipment for terminating and interconnecting subscribers' lines, farmer lines, toll lines and inter-facilities trunks, normally dependent on one (1) or more Central Office Switching Units for full operability.

**REPLAT.** The act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat or to increase or decrease the number of lots in the subdivision.

**RESORT.** Any area of land or water used for open land commercial or private recreation where overnight lodging, meals and related tourist services are provided in conjunction with such recreational use.

**RETAIL TRADE.** The sale or rental of goods and merchandise for final use or consumption.

**REVEGETATION.** The planting of vegetation to cover any land areas which have been disturbed during construction.

**RIGHT-OF-WAY.** Land owned, dedicated or conveyed to the public, used primarily for the movement of vehicles, wheelchair, bicycle, and pedestrian traffic. Right-of-way may also include land privately owned, provided that such land has been developed and constructed in compliance with all applicable laws and standards for a public right-of-way.

**RIPARIAN.** Of, pertaining to, or situated on the edge of the bank of a river, stream or other body of water.

**RIPRAP.** A layer, facing, or protective mound of stones randomly placed to prevent erosion, scour or sloughing of a structure or embankment; also, the stone so used. In local usage, the similar use of other hard material, such as concrete rubble, is also frequently included as riprap.

**ROADSIDE STAND.** A temporary structure designed or used for the display or sale of agricultural products primarily produced on the premises upon which such a stand is located.

**ROOM.** Any space in a building enclosed or set apart by a partition or partitions which is habitable and shall be deemed to apply to any room used as a bedroom, a dining room, a living room, a sitting room, a parlor, a kitchen, a sewing room, a library, a den, a music room, a dressing room, a sleeping porch, a sun room, a sun porch, a party room, a recreation room, a breakfast room, a study, and similar uses.

**ROWHOUSE.** A three-story residential structure in which individual dwelling units are attached along at least one (1) common wall to at least two (2) other dwelling unit. Each dwelling unit occupies space from the ground to the roof and no portion of a unit may occupy space above or below another unit, except that townhouse units may be constructed over a common shared parking garage, provided the garage is underground.

**SALVAGE YARD OR JUNKYARD.** A place where waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including, but not limited to, auto and motor vehicle wrecking yards, house wrecking yards, used lumber yards and yards for use of salvaged house wrecking and structural steel materials and equipment.

**SCREENING.** Placement of a wireless telecommunication facility such as a tower or mount among trees or other appropriate vegetation to provide a natural, aesthetic appearance to the location of such wireless telecommunication facility.

**SECONDARY USE.** A use subordinate to the principal or primary use of the property, such as commercial, residential, or industrial uses allowed in each zoning district, etc.

**SECONDHAND DEALER.** Any person engaged, in whole or in part, in the business of buying, selling, trading, or otherwise transferring for value, secondhand or used personal property, metal junk, melted metals, or precious metals and consigned or auctioned goods.

**SECONDHAND PROPERTY/GOODS.** Any and all used or secondhand goods or items of personal property which can be used again for the purpose for which they were originally intended, including, but not limited to, valuable items such as coins with a value greater than their face value, precious metals, precious stones and jewelry.

**SECURITY BARRIER.** A wall, fence, or berm that has the purpose of securing a wireless telecommunications facilities wireless service facility from unauthorized entry or trespass.

**SEPTAGE.** A semisolid consisting of settled sewage solids combined with varying amounts of water and dissolved materials generated from a septic tank system.

**SERVICE AREAS.** Service areas refer to areas, enclosed or open, that contain equipment and uses such as ground level mechanical equipment, utility vaults, loading zones, outdoor storage areas, and trash and recycling areas.

**SERVICE PROVIDER.** The department, district or agency responsible for providing the specific public facility or service.

**SERVICE USES OR ACTIVITIES.** A business which sells the knowledge or work of its people rather than a tangible product.

**SETBACK.** The minimum required distance, measured from the wall line of any structure and a specified line such as a property line or buffer line that is required to remain free of structures unless otherwise provided in this title.

**SEWAGE SYSTEM, ON-SITE.** Any system of piping, treatment devices, or other facilities that convey, store, treat, or dispose of sewage on the property where it originates or on adjacent or nearby property under control of the user where the system is not connected to a public or approved private sewer system.

**SEWAGE COLLECTION SYSTEM.** Pipelines, culverts, and appurtenances which transport wastewater and sewage from points of origin to wastewater treatment plants, or which convey treated wastewater to points of discharge.

**SHADING VEGETATION.** Vegetation planted on the south side of a major creek that generally provides shade from midmorning to midafternoon. Examples of shading vegetation are specified in LMC 18A.50.400, Landscaping.

**SHARED PARKING STRUCTURE.** One structure used to house motor vehicles that combines the parking needs of multiple units.

**SHED, STORAGE.** A structure in which possessions are kept for future use and which is constructed on the owner's property. The owner may not lease the structure or any portion of the storage area to a second party. The structure shall not be used for any form of commercial production or retail sales activities.

**SHOPPING CENTER.** A retail shopping area designed as a unit, with a minimum of six (6) tenant spaces, and which uses a common parking area.

**SHORELINE.** The boundary between a body of water and the land, measured on tidal waters at the landward limit of aquatic vegetation or, where aquatic vegetation is absent, Mean Higher High Water; and on non-tidal waterways at the ordinary high water mark.

**SHORELINE STABILIZATION.** The protection from erosion and sloughing of the banks of tidal or non-tidal streams, rivers or lakes by vegetative or structural means:

a. Vegetative shoreline stabilization is the use of lands that anchor the soil to prevent shoreline erosion and sloughing.

b. Structural shoreline stabilization is the use of riprap, bulkheads, sea walls, or other non-vegetative material to prevent shoreline erosion.

**SIGNIFICANT TREE.** An existing tree which, when measured at four and one-half (4 1/2) feet above ground

a. has a minimum diameter of nine (9) inches for evergreen trees and deciduous trees;

b. has a minimum diameter of six (6) inches for Garry Oaks, also known as Oregon White Oaks, and,

c. Regardless of the tree diameter, is determined to be significant by the Community Development Director due to the uniqueness of the species or provision of important wildlife habitat.

**SINGLE FAMILY ATTACHED DWELLING.** A single-family residential structure that is structurally attached to another single-family residential structure and provides living accommodations for an individual or family. Attached dwelling units may be separate structures located on individual lots or on a commonly owned parcel.

**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.

**SITE PLANNING.** Site planning is the arrangement of buildings, driveways, sidewalks, public open spaces, landscaping, parking, and other facilities on a specific site.

**SKATING RINK.** A commercial facility wherein the rental of skating equipment occurs and an enclosed skating surface for private or public use is provided.

**SLOPE LINE.** The line perpendicular to the contour lines crossing the property.

**SOIL.** Soil means the surface layer of earth supporting plant life.

**SOLID WASTE INCINERATOR.** The processing of solid wastes by means of pyrolysis, refuse-derived fuel or mass incineration within an enclosed structure. These processes may include the recovery of energy resources from such waste or the conversion of the energy in such wastes to more useful forms or combinations thereof. This definition refers to citywide or regional-scale operations and does not include solid waste incineration which is accessory to an individual principal use.

**SOLID WASTE TRANSFER STATION.** The transfer of solid waste materials from route collection trucks to larger capacity semi-trailers for transport to a solid waste disposal site. The transfer activities would be conducted entirely within an enclosed structure. The use may involve a service area for the repair and maintenance of trucks and an outside parking area for trucks.

**SOLID WASTE.** All wastes, including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, discarded commodities, sludge from wastewater treatment plants, seepage from septic tanks, wood wastes, dangerous wastes, and problem wastes.

**SOUND ABSORPTION.** Capacity of the materials and furnishings in a habitable room to absorb sound.

**SOUND LEVEL.** In decibels, the quantity measured by an instrument that satisfies American National Standard Specification for Sound Level Meters, S1.4-1971, or the most recent revision thereof. Sound level is understood to be measured with the A-weighted filter and slow response of the instrument.

**SOUND TRANSMISSION CLASS (STC) OF A PARTITION.** A single figure rating of the sound-isolating properties of a partition, which takes into account the relative importance of the sound transmission loss of the partition at different frequencies. The determination of the sound transmission class of a partition is described in "Determination of Sound Transmission Class," American Society for Testing and Materials, Designation E413-73.

**SOUND TRANSMISSION LOSS OF A PARTITION.** A measure of the sound-isolating properties of a wall, floor, ceiling, window or door, that is characteristic of the partition itself and

not the room of which it is part. The determination of sound transmission loss of a partition, in the field, is described in "Measurement of Airborne Sound Isolation in Buildings," American Society for Testing and Materials, Designation E336-71 or the latest revision thereof.

**SPORTING VEHICLE.** A motor- or wind-powered device used in or on the water or off normal public roads for recreational or sporting purposes.

**STABILIZATION.** The process of controlling or stilling the movement of sand and eroding soil by natural vegetative growth, planting of grasses and shrubs, or mechanical means such as wire net or fencing.

**STACKING SPACE.** The space specifically designated as a waiting area for vehicles whose occupants will be patronizing a drive-in business. Such space is considered to be located directly alongside a drive-in window, facility or entrance used by patrons and in lanes leading up to and away from the business establishment.

**STORAGE.** The parking of vehicles or machinery and/or the placement of equipment, inventory, goods or materials in a location for more than 72 hours or the use of a site for the parking of vehicles or machinery and/or the placement of equipment, inventory, goods or materials in a reoccurring or routine manner, regardless of the time interval.

**STORMWATER CONVEYANCE FACILITIES.** Features such as gutters, pipelines, culverts, manholes, weirs, man-made and natural channels, water quality filtration systems and drywells that convey stormwater.

**STORMWATER MULTIPLE USE FACILITIES.** Stormwater pond facilities that are also developed to allow uses such as parks, recreational, educational and research structures and activities.

**STORY.** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

**STREAMBANK ALTERATION.** Realignment of a stream bank or the entire stream, either within or without its normal high water boundaries.

**STREAM BANK, TOP OF.** That line along the highest elevations at the top of a slope above a channel or stream, where the slope changes to less than ten (10) percent.

**STREET FURNITURE.** The objects placed on or near a sidewalk for use, convenience or enjoyment primarily by pedestrians such as benches or other seating arrangements, trash receptacles, mail and newspaper boxes, kiosks, light poles, and art objects.

**STREET TREE FUND.** A fund established by ordinance for the purpose of allowing the transfer of street improvements including street trees, landscaping and urban design features such as sidewalks and street furniture from one site to another.

**STREET TREE.** A species of tree approved by the City of Lakewood to be planted along street frontages in accordance with the provisions of LMC 18A.50.400, Landscaping.

**STREET WALL.** The construction of buildings adjacent to the edge of the sidewalk and which abut each other or are in very close proximity to one another, to create the effect of a continuous wall of building facades along the sidewalk at the property lines.

**STREET, CUL-DE-SAC.** A street having only one (1) outlet for vehicular traffic, with a turnaround at the closed end and which is not planned to be extended or continued to serve future subdivisions or development on adjacent lands.

**STREET, STUBBED.** A street having only one (1) outlet for vehicular traffic which is constructed to the edge of a property line, and which is to be extended or continued to serve future subdivisions or development on adjacent property.

**STREET.** A public access way located within a thirty (30) feet right-of-way that was created to provide ingress and/or egress to one (1) or more lots, parcels, areas or tracts of land and includes the terms road, highways, lanes, avenue, or similar designation.

**STREETSCAPE.** The streetscape is the visual character and quality of a street as determined by various elements located between the edge of the street and the building face, such as trees and other landscaping, street furniture, lighting, artwork, transit stops, signage, utility fixtures and equipment, and paving treatments. Where there are frequent and wide spaces between buildings, the streetscape will be defined by the pattern of building and open space and the character of that open space.

**STRUCTURAL ALTERATION.** Any change to the supporting members of a building including foundations, bearing walls or partitions, columns, beams, or girders or any structural change in the roof or in the exterior walls.

**STRUCTURE (used in connection with flood regulations only).** A walled and roofed building, a manufactured home, and a gas or liquid storage tank that is principally above ground.

**STRUCTURE.** Anything that is constructed in or on the ground or over water, including any edifice, gas or liquid storage tank, and any piece of work artificially built up or composed of parts and joined together.

**SUBDIVIDER.** Any person who undertakes the subdivision of land for the purpose of ownership or development at any time, whether immediate or future.

**SUBDIVISION.** The act of dividing a parcel or tract of land into smaller lots and tracts.

**SUBDIVISION, FINAL.** The final drawing of the subdivision and dedication prepared for filing for record with the County Auditor and containing all elements and requirements set forth in this Title and Chapter 58.17 RCW.

**SUBSTANTIAL IMPROVEMENT (for the purposes of flood regulations only).** Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either:

- a. Before the improvement or repair is started, or
- b. If the structure has been damaged and is being restored, before the damage occurred.

Substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not the alteration affects the external dimensions of the building. The term does not, however, include:

- a. Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or
- b. Any alteration of a structure listed on the National Register of Historical Places or a State Inventory of Historic Places.

**SURFACE MINING.** Any area or areas within one-half (1/2) mile of each other, where extraction of minerals from the surface results in: Removal of five thousand (5,000) cubic yards of material; or More than three acres of disturbed area; or Mined Slopes greater than thirty (30) feet high land steeper than one (1) foot horizontal to one (1) foot vertical; or more than one (1) acre of disturbed area within an eight (8) acre or greater area when the disturbed area results from mineral prospecting or exploration activities. Surface mines include areas where mineral extraction from the surface occurs by the auger method or by reworking mine refuse or tailings, when these activities exceed the quantity, size, or height threshold listed above. Surface mining shall not include excavations and grading for the purpose of public safety or restoring the land following a natural disaster.

**SURVEY AND MONUMENT.** To locate and monument the boundaries of a partition parcel, road right-of-way or road easement.

**TELECOMMUNICATIONS SERVICE.** The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

**TELECOMMUNICATIONS.** The transmission, between or among points specified by the user, of information of the user's choosing without change in the form or content of the information as sent and received.

**TEMPORARY USE.** A non-permanent structure, use or activity involving minimal capital investment that does not result in the permanent alteration of the site and which is intended to exist or operate for a limited period of time.

**TOWER [FOR THE PURPOSES OF WIRELESS TELECOMMUNICATIONS FACILITIES (WTF)].** Any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennas for telecommunications, including, but not limited to, radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers or personal communications services towers, alternative tower structures and other similar communication purposes. The term includes the structure, all structural supports, and all related buildings and appurtenances.

**TOWNHOUSE.** A two-story residential structure in which individual dwelling units are attached along at least one (1) common wall to at least two (2) other dwelling units. Each dwelling unit occupies space from the ground to the roof and no portion of a unit may occupy space above or below another unit, except that townhouse units may be constructed over a common shared parking garage, provided the garage is underground.

**TOXIC MATERIALS.** A substance (liquid, solid, or gaseous) which by reason of an inherent deleterious property tends to destroy life or impair health.

**TRACT.** Any parcel of land, lot, building site, or contiguous combination thereof devoted to or intended to be devoted to a principal use and any other uses customarily accessory thereto.

**TRAILER, AUTOMOBILE COMMERCIAL.** A vehicle without motor power designed to be drawn by a motor vehicle and which trailer is used or is to be used for carrying goods and property.

**TRANSFER STATION, DROP-BOX.** A solid waste facility requiring a state solid waste permit which is used for placement of a detachable container including the area adjacent for necessary entrance and exit roads, unloading and turn-around areas. The facility normally serves the general public with loose loads and receives waste from offsite.

**TRANSFER STATION.** A solid waste facility requiring a state solid waste permit which is a permanent, fixed supplemental collection and transportation facility, used by person and route collection vehicles to deposit collected solid waste from offsite into a larger transfer vehicle for transport to a disposal facility. It may include baling or compaction activities or recycling facilities.

**TRANSITIONAL HOUSING.** A facility operated publicly or privately to provide housing for individuals or families who might otherwise be homeless and generally have no other immediate living options available to them. Transitional housing shall not exceed a two (2) year period per individual or family.

**TRANSIT-ORIENTED DEVELOPMENT.** Development that is centered around and coordinated in its use and design with a transit station or other transit facility. Transit-oriented development includes a variety of different planning and development projects, but is typically

compact, medium to high density, mixed-use development within walking distance of transit with a focus on pedestrian orientation and creating neighborhood centers, places and/or gathering spots.

**TRANSPARENT GLASS.** Windows that are transparent enough to permit the view of activities within a building from nearby streets, sidewalks and public spaces. Tinting or some coloration is permitted, provided a reasonable level of visibility is achieved. Reflective or very dark tinted glass does not accomplish this objective.

**TREE REMOVAL PERMIT.** An approval granted by the Community Development Department to remove a significant tree(s) within the city.

**TREE.** Any living woody plant characterized by one (1) main trunk and many branches.

**UNIFORM BUILDING CODE (UBC).** The current version of the Uniform Building Code, published by the International Conference of Building Officials.

**UNIQUE AND FRAGILE AREA.** An area of special environmental significance for wildlife habitat, threatened plant communities or natural scenic quality.

**UNLICENSED WIRELESS SERVICES.** Commercial mobile services that operate on public frequencies and are not required to have a FCC license to operate.

**USE CATEGORY.** A group of similar use types that are associated with each other to such an extent that they represent a general land use function.

**USE TYPE.** A group of similar uses that are fundamentally related to each other, contain equivalent characteristics, and which fall within the same use category.

**USE, PERMITTED.** Any use allowed in a zoning district and subject to the restrictions applicable to the specific use.

**USE, PRINCIPAL.** The primary or predominant use of any lot or parcel.

**USE.** The purpose or activity for which land or buildings are designed, arranged, or intended, or for which land or buildings are occupied, maintained, rented, or leased, and includes any manner of performance of such activity with respect to the performance standards of this zoning code. A use often involves the placement of structures or facilities for industry, commerce, habitation, or recreation.

**UTILITIES.** Public facilities including electrical substation, electrical generation facilities, electrical transmission, telephone or communication lines, pipelines, sewer lines, water lines, natural gas lines, or similar transmission facilities, natural gas gate valve and storage facilities, sewage collection and treatment facilities, waste disposal facilities, waste transfer facilities, and water supply facilities.

**UTILITY VEHICLE.** A utility vehicle includes those devices capable of being moved upon a public highway and in, upon, or by which any property or animal is or may be transported or drawn upon a public highway such as utility trailers, horse trailers, and other similar devices, except for devices moved by human or animal power or used exclusively upon stationary rails or tracks.

**VARIANCE.** A modification of regulations of this title when authorized by the hearing examiner after finding that the literal application of the provisions of this title would cause undue and unnecessary hardship in view of certain facts and conditions applying to a specific parcel of property.

**VEGETATIVE GROUNDCOVER.** Low growing vegetation that does not usually exceed one (1) foot in height and eventually grows together to form a continuous mass.

**VETERINARY CLINIC.** Any premises to which animals are brought, or where they are temporarily kept, solely for the purpose of diagnosis or treatment, care, observation or treatment of any illness or injury to domestic or exotic animals.

**WAREHOUSE.** A structure, or part of a structure, for storing goods, wares, and merchandise, whether for the owner of the structure or for others.

**WASTE-TO-ENERGY FACILITY, MUNICIPAL SOLID WASTE.** A combustion plant specializing in disposal of or energy recovery from mixed waste from municipal sources.

**WASTE-TO-ENERGY FACILITY, SPECIAL.** A combustion plant designed to burn more than twelve (12) tons per day and specializing in disposal of or energy recovery from a single type of waste of known and consistent composition, other than municipal waste, such as tires or infectious waste.

**WASTE-TO-ENERGY FACILITY.** Any solid waste facility designed as a combustion plant to dispose of solid waste or to recover energy in a useable form from mass burning, refuse-derived fuel incineration, pyrolysis or any other means of using the heat of combustion of solid waste which requires a state solid waste permit under RCW 70.95.

**WASTEWATER TRANSFER FACILITY.** Equipment, structures, driving and parking surfaces, and appurtenances used for loading wastewater for transport to wastewater treatment facilities.

**WASTEWATER.** Water that carries waste from domestic, commercial or industrial facilities together with other waters which may inadvertently enter the sewer system through infiltration and inflow.

**WATER PURIFICATION FACILITY.** Treatment plants or facilities for disinfecting water.

**WATER SUPPLY, POTABLE.** A water source that complies with appropriate state agency regulations as to quality and quantity for use as a drinking source.

**WESTERN STATE HOSPITAL CAMPUS.** A hospital and surrounding buildings, wards, and related and/or accessory structures, operated and maintained by the state of Washington for the care and treatment of patients affected with acute or chronic mental illness. The campus also includes the operation of an existing child study and treatment center and forensic center, both of which are located on the grounds of the Western State Hospital campus. Mental health facilities, the child study and treatment center, and the forensic center are subject to the public facilities master plan development standards listed in LMC 18A.30.850 as hereafter may be amended. The mental health facilities located at Western State Hospital are considered to constitute an Essential Public Facilities Civic use type.

**WETLAND CREATION.** Alteration, by excavation or other means, of upland areas to allow local hydrologic conditions to convert soils and vegetation to hydric character.

**WETLAND ENHANCEMENT.** An action which results in a long term improvement of existing wetland functional characteristics and processes that is not the result of a creation or restoration action.

**WETLANDS.** Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

**WHIP ANTENNA.** An omnidirectional dipole antenna of cylindrical shape that is no more than six inches in average diameter.

**WHOLESALE.** Establishments primarily engaged in selling merchandise to retailers; industrial, commercial, institutional, or professional business users; or other wholesalers; or acting as agents or brokers and buying for or selling merchandise to such individuals or companies; and professional and commercial equipment suppliers.

**WIRELESS TELECOMMUNICATIONS FACILITIES (WTF), INCLUDING PERSONAL WIRELESS SERVICE.** Personal wireless service facilities, and facilities as defined in Title 47, United States Code, Section 332(c)(7)(C), including all future amendments, and also includes facilities for the transmission and reception of radio or microwave signals used for communication, telecommunication, cellular phone personal communications services, enhanced specialized mobile radio, any other services licensed by the FCC, and any other unlicensed wireless services.

**YARD.** An open area on a lot with a building and bounded on one (1) or more sides by such building, such space being unoccupied land unobstructed from the ground upward.

**YARD SALE.** All temporary and intermittent sales which may be variously referred to as “garage sale,” “lawn sale,” “attic sale,” “rummage sale,” “estate sale,” or any similar casual sale of tangible personal property from a residence or community use which is advertised by any means whereby the public at large is or can be made aware of the sale, and which is clearly secondary to the primary use of the site.

**YARD, FRONT.** An open space on the same lot with the building, between the front wall line of the building, exclusive of steps, and the front property line, including the full width of the lot to its side line.

**YARD, REAR.** An open space on the same lot with the building between the rear wall line of the building, exclusive of steps and accessory buildings, and the rear line of the lot, including the full width of the lot to its side lines.

**YARD, SIDE.** An open, unoccupied space on a lot, between the side wall line of the main building, exclusive of steps, and the side property line of the lot.

**ZONING CERTIFICATION.** A certificate, issued prior to a project permit, stating that the proposed use is in accordance with the requirements and standards of this title

**ZONING DISTRICT.** An area accurately defined as to boundaries and location, and classified by the Zoning Code as available for certain types of uses and within which other types of uses are excluded.

**ZONING.** The regulation of the use of private lands or the manner of construction related thereto in the interest of implementing the goals and policies of the comprehensive plan. Zoning includes both the division of land into separate and distinct zoning districts, and the specific use and development standards that regulate development. Such regulation shall also govern those public and quasi-public land use and buildings that provide for government activities and proprietary type services for the community benefit, except as prohibited by law. State and federal governmental activities are strongly encouraged to cooperate under these regulations to secure harmonious city development.

**Section 13:** Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance.

Section 14: Effective Date. This ordinance shall take place thirty (30) days after its publication or publication of a summary of its intent and contents.

ADOPTED by the City Council this 21st day of March, 2016.

CITY OF LAKEWOOD

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Don Anderson, Mayor

Attest:

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Alice M. Bush, MMC, City Clerk

Approved as to Form:

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Heidi A. Wachter City Attorney

City of Lakewood  
Lakewood City Hall  
6000 Main Street SW  
Lakewood, WA 98499  
(253) 589-2489

**(Legal Notice)**

March 22, 2016

**NOTICE OF ORDINANCE PASSED  
BY LAKEWOOD CITY COUNCIL**

The following is a summary of an Ordinance passed by the City of Lakewood City Council on the 21<sup>st</sup> day of March, 2016.

**SUBSTITUTE ORDINANCE NO. 620**

AN ORDINANCE of the City Council of the City of Lakewood,  
Washington, amending Title 18A relative to Cottage Housing.

This ordinance shall take place thirty (30) days after its publication or publication of a summary of its intent and contents.

The full text of the Ordinance is available at the City Clerk's Office, Lakewood City Hall, 6000 Main Street SW, Lakewood, Washington 98499, (253) 589-2489. A copy will be mailed out upon request.

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Alice M. Bush, City Clerk

**Published in the Tacoma News Tribune:** \_\_\_\_\_

ORDINANCE NO. 620

AN ORDINANCE of the City Council of the City of Lakewood,  
Washington, amending Title 18A relative to Cottage Housing.

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;

WHEREAS the Planning Commission for the City of Lakewood has recommended to the Lakewood City Council that amendments to Chapter 18A of the Lakewood Municipal Code pertaining to cottage housing be adopted:

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

Section 1: Section 18A.02.502 LMC entitled “Process Types -- Permits” is amended to read as follows:

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.

**TABLE 3: APPLICATION PROCESSING PROCEDURES**

	<b>Process I Administrative Action</b>	<b>Process II Administrative Action</b>	<b>Process III Hearing Action</b>	<b>Process IV Hearing Action</b>	<b>Process V Legislative Action</b>
<b>Permits</b>	Zoning certification; Building permit; Design Review; Sign	Administrative Uses; Short Plat; SEPA; Home Occupation;	Conditional Use; Major Variance; Preliminary Plat; Major	Zoning Map Amendments; Site-specific Comprehensive Plan map	Generalized or comprehensive ordinance text amendments; Area-wide

	<p>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</p>	<p>Administrative Variance; Binding Site Plans, Minor Plat Amendment, Major modification of Process II permits; Shoreline Conditional Use; Shoreline Variance; Shoreline Substantial Development Permits;</p>	<p>Plat Amendment; Major modification of Process III permits; Shoreline Conditional Use; Shoreline Variance; Shoreline Substantial Development Permit when referred by the Shoreline Administrator; Public Facilities Master Plan; <u>Cottage Housing Development (may be considered together with residential binding site plan)</u></p>	<p>amendments; Specific Comprehensive Plan text amendments; Shoreline Redesignation, **Final Plat**; **Development Agreement** **No hearing required or recommendation made by Planning Commission**</p>	<p>map amendments; Annexation; Adoption of new planning-related ordinances;</p>
<b>Impacts</b>	<p>Minimal or no effect on others, so issuance of permit is not dependent on others</p>	<p>Application of the standards may require some knowledge of impacts and effect upon others</p>	<p>Potential significant effect on some persons or broad impact on a number of persons</p>	<p>Potential significant effect on some persons or broad impact on a number of persons</p>	<p>Potential significant effect on some persons or broad impact on a number of persons</p>
<b>Notice &amp; Comment</b>	<p>Participation of applicant only</p>	<p>Nearby property owners invited to comment on an application</p>	<p>In addition to applicant, others affected invited to present initial information</p>	<p>In addition to applicant, others affected invited to present initial information</p>	<p>Anyone invited to present information</p>

<b>Recommendation</b>	NA	NA	Community Development Department Staff	Planning Commission, except for Final Plat and Development Agreement as noted ** above	Planning Commission
<b>Decision-Making Body</b>	Community Development Director	Community Development Director	Hearing Examiner	City Council	City Council
<b>Appeal</b>	Hearing Examiner Community Development Director's decision on permits noted *** above is appealable to Superior Court.	Hearing Examiner	Superior Court	Superior Court	Superior Court

Section 2: Section 18A.20.300 LMC entitled, “Residential Use Category – Land Use Types and Levels,” is amended to read as follows:

The Residential use category includes permanent living accommodations for individuals or families of varying economic means, including those having special needs. The Residential use category has been separated into the following types based upon distinguishing features such as the type and scale of the structure, ownership pattern; number, age and special needs of individuals who reside in the structure; and any applicable state and/or local licensing requirements.

A. Single-Family Residential. A residential dwelling unit that provides living accommodations for a single individual or family. This category includes development with up to two (2) dwelling units per individual lot, not including accessory dwelling units permitted under LMC 18A.70.310.

Level 1: Detached single-family: conventionally built, manufactured, or modular homes permanently constructed on-site to meet applicable uniform codes, and placed on a permanent foundation as specified by the manufacturer, where each unit is detached from any other unit and located on its own separate legal lot of record. Manufactured and modular homes are subject to the provisions of LMC 18A.50.180, Manufactured Homes on Individual Lots.

Level 2: Two Family Residential: A legal lot of record containing two units, whether attached or detached from each other (including instances where individual units are held in condominium ownership on a commonly owned parcel), but not including units attached to multiple units on other lots, which are instead classified as Single Family - Level 3 (Attached Single Family-

multiple). Two Family Residential also includes attached single-family conventionally built or modular homes permanently constructed on-site to meet applicable uniform codes, and placed on a permanent foundation, where each unit is structurally attached to one, and only one, other unit on a separate parcel, so that the units are attached in pairs.

Level 3: Attached Single Family-multiple: Attached single-family conventionally built or modular homes permanently constructed on-site to meet applicable uniform codes, and placed on a permanent foundation, where each unit is structurally attached to at least one other unit, usually on a separate parcel. A maximum of two units may be located on any individual parcel. This term includes “townhouses” and “rowhouses.”

Level 4: Manufactured home parks, subject to the provisions of LMC 18A.70.400, Manufactured Home Parks.

Level 5: Cottage Housing, subject to the provisions of LMC 18A.70.700, Cottage Housing.

Section 3: Section 18A.30.150 LMC entitled, “Conditional Uses – Single-Family Residential Zoning Districts” is amended to read as follows:

The following uses are permitted within the Residential zoning districts, subject to approval of a conditional use permit and all applicable development permits:

A. R1, R2, R3, and R4 Zoning Districts

1. Single Family Residential (Level 5)
- ~~2~~4. Community and Cultural Services (Level 2)
- ~~3~~2. Education (Level 1)
- ~~4~~3. Outdoor Recreation (Level 3)
- ~~5~~4. Public Maintenance Facilities (Level 2)
- ~~6~~5. Public Safety Services (Level 1)
- ~~7~~6. Religious Assembly (Level 2)
- ~~8~~7. Electrical Facilities (Level 2)
- ~~9~~8. Pipelines
- ~~10~~9. Stormwater Facilities (Level 2/3)
- ~~11~~10. Waste Transfer Facilities (Level 1)
- ~~12~~11. Water Supply Facilities (Level 2/3)

B. R3 and R4 Zoning Districts

1. Single-Family Residential (Level 4)
2. Type 3 Group Home (Level 1)
3. Hospice Care Center
4. Government Administration Facilities (Level 1)
5. Social Services (Level 2)

Section 4: A new Section 18A.70.700 LMC which is title-only, encaptioned “Cottage Housing,” is created.

Section 5: Section 18A.70.710 LMC entitled “Purpose and Intent – Cottage Housing” is created to read as follows:

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.

Section 6: Section 18A.70.720 LMC entitled “Applicability – Cottage Housing” is created to read as follows:

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.

Section 7: Section 18A.70.730 LMC entitled “General Provisions – Cottage Housing” is created to read as follows:

- 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 five hundred (1,500) 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.

Section 8: Section 18A.70.740 LMC entitled “Development Standards – Cottage Housing” is created to read as follows:

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.

4. An applicant for a cottage housing development may be required to show, through a conceptual site plan, the number of traditional units that could be constructed on the site under conventional development standards and addressing any environmental constraints affecting the property. This number of units shall be used to calculate the maximum number of cottage units that may be constructed on the property.

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.

Section 9: Section 18A.70.750 LMC entitled “Open Space – Cottage Housing” is created to read as follows:

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.

Section 10: Section 18A.70.760 LMC entitled “Building Design Standards – Cottage Housing” is created to read as follows:

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.
3. Cottages shall be a maximum of 1-1/2 stories. Any upper floor shall be located within the roof structure, not below it, in order to reduce building massing as much as possible.

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.

Section 11: Section 18A.70.770 LMC entitled “Parking – Cottage Housing” is created to read as follows:

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.

Section 12: Section 18A.70.780 LMC entitled “Common Area Maintenance – Cottage Housing” is created to read as follows:

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.

Section 13: Section 18A.70.790 LMC entitled "Modifications – Cottage Housing" is created to read as follows:

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.

- 1. The Commission recommends that Section 18A.90.200 be amended to add the following definitions:

Section 14: Section 18A.90.200 LMC entitled "Definitions" is amended to read as follows:

18A.90.200- Definitions

ABANDON OR ABANDONMENT OF WIRELESS TELECOMMUNICATIONS FACILITIES (WTF). Means:

- a. to cease operation for a period of sixty (60) or more consecutive calendar days;
  - b. to reduce the effective radiated power of an antenna by seventy five (75) percent for sixty (60) or more consecutive calendar days unless new technology or the construction of additional cells in the same locality allows reduction of effective radiated power by more than seventy five (75), so long as the operator still serves essentially the same customer base;
  - c. to relocate an antenna at a point less than eighty (80) percent of the height of an antenna support structure; or,
  - d. to reduce the number of transmissions from an antenna by seventy five (75) percent for sixty (60) or more consecutive calendar days; Provided that non-operation or reduced operation for a period of sixty (60) or more consecutive calendar days to facilitate maintenance, re-design or other changes about which the City was notified in advance shall not constitute abandonment.
- ABSENTEE OWNER. Any real property owner(s) who customarily resides some place other than the property (whether an estate or business) in question.

**ABUTTING.** Lots sharing common property lines.

**ACCESS.** The way or means by which pedestrians and vehicles enter and leave property.

**ACCESSORY BUILDING -** A detached subordinate building, the use of which is customarily incidental to that of the principal building or to the principal use of the land and which is located on the same tract with the principal building or use.

**ACCESSORY DWELLING UNIT (ADU).** A habitable dwelling unit added to, created within, or detached from and on the same lot with a single-family dwelling that provides basic requirements for living, sleeping, eating, cooking, and sanitation.

**ACCESSORY LIVING QUARTERS.** A single residential dwelling unit that is an attached or detached part of a commercial or manufacturing building, and which is incidental to the commercial or manufacturing use.

**ACCESSORY STRUCTURE.** A structure either attached or detached from a principal building and located on the same lot and which is customarily incidental and subordinate to the principal building or use.

**ACCESSORY USE.** A use of land or of a building customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.

**ACTIVITIES OF DAILY LIVING (ADL) ASSISTANCE.** Provision of personal care services in a state-licensed boarding home for assisted living consisting of at least minimal assistance with the following:

- a. Bathing. Reminding or cuing to wash and dry all areas of the body as needed, stand-by assistance getting into and out of the tub or shower, and physical assistance in steadying the resident during the activity; and
- b. Dressing. Reminding or cuing to put on, take off, or lay out clothing, including prostheses when the assistance of a licensed nurse is not required; stand-by assistance during the activity; and physical assistance limited to steadying the resident during the activity; and
- c. Eating. Reminding or cuing to eat and drink; and physical assistance limited to cutting food up, preparing food and beverages, and bringing food and fluids to the resident; and
- d. Personal hygiene. Reminding and cuing to comb hair, perform oral care and brush teeth, shave, apply makeup, and wash and dry face, hands and other areas of the body; stand-by assistance during the activity; and physical assistance limited to steadying the resident during the activity; and
- e. Transferring. Reminders or cuing to move between surfaces, for example to and from the bed, chair and standing; stand-by assistance during the activity; and physical assistance limited to steadying the resident during self-transfers; and
- f. Toileting. Reminders and cuing to toilet, including resident self-care of ostomy or catheter, to wipe and cleanse, and to change and adjust clothing, protective garments and pads, stand-by assistance during the activity; and physical assistance limited to steadying the resident during the activity; and
- g. Mobility. Reminding or cuing to move between locations on the boarding home premises; stand-by assistance during the activity; and physical assistance limited to steadying the resident during the activity.

**ADEQUATE PUBLIC FACILITIES.** Adequate public facilities means facilities which have the capacity to serve development without decreasing levels of service below locally established minimums.

**ADJACENT.** Lots located across a right-of-way, railroad or street, except limited access roads.

**ADMINISTRATIVE USE PERMIT.** A written decision granted by the Community

Development Director to authorize the development or operation of a proposed land use activity subject to special degrees of control.

**AGRICULTURAL USE.** Land primarily devoted to the commercial production of dairy, apiary, furbearing, vegetable, or animal products or of grain, hay, straw, turf, seed, fin fish, or livestock, and that has long-term commercial significance for agricultural production.

**AIRPORT.** Any land area, runway or other facility designed, used or intended to be used either publicly or by any person or persons for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars, and other necessary buildings and open spaces.

**ALLEY.** A public or private way not more than 30 feet wide at the rear or side of property affording only secondary means of vehicular or pedestrian access to abutting property.

**ALTERATION, STRUCTURAL.** Any change or repair which would tend to prolong the life of the supporting members of a building or structure, such as alteration or bearing walls, foundation, columns, beams, or girders. In addition, any change in the external dimensions of the building shall be considered a structural alteration.

**AMATEUR RADIO STATION OPERATORS OR RECEIVE-ONLY ANTENNAS.** Any tower or antenna that is under 70 feet in height and is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive-only antennas.

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

**ANCHOR.** The device to which tie-downs are secured or fastened having a holding power of not less than 4,800 pounds. They include, but are not necessarily limited to, screw auger, expanding or concrete deadmen type anchors, and are to be constructed as to accommodate "over the top" and "frame" type tie-downs, used singly or in conjunction.

**ANTENNA HEIGHT OR HEIGHT.** When referring to a tower or other Wireless Telecommunications Facilities (WTF), the vertical distance measured from the finished grade of the parcel at the base of the tower pad or antenna support structure to the highest point of the structure even if said highest point is an antenna. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

**ANTENNA SUPPORT STRUCTURE.** Any pole, telescoping mast, tower, tripod, or other structure which supports a device used in the transmitting or receiving of radio frequency signals.

**ANTENNA.** Any exterior apparatus designed for telephonic, radio, data, Internet, or television communications through the sending and/or receiving of electromagnetic waves, and includes equipment attached to a tower or building for the purpose of providing telecommunications services.

**ANTIQUA DEALER.** Any person engaged, in whole or in part, in the business of selling antiques.

**ANTIQUES.** Works of art, pieces of furniture, decorative and household objects, and other such collectibles possessing value or commercial appeal owing to their being made during an earlier period.

**APARTMENT.** A dwelling unit in a multifamily building.

**APPEAL.** A request for review of the Community Development Director's decision concerning matters addressed by the Ordinance to the Planning Commission or a review of the Hearing Examiner's decision to the City Council.

**APPLICANT FOR WIRELESS TELECOMMUNICATIONS FACILITIES (WTF).** Any provider or any person, partnership, or company who files an application for any permit necessary to install, maintain, or remove a WTF within the city.

**APPLICANT.** Any person who makes an application to the City of Lakewood for a development permit.

**ARCADE.** A linear pedestrian walkway that abuts and runs along the facade of a building. It is covered, but not enclosed, and open at all times to public use. Typically, it has a line of columns along its open side. There may be habitable space above the arcade.

**ARCHAEOLOGICAL RESOURCES.** Districts, sites, building, structures, and artifacts with material evidence of prehistoric human life and culture.

**ARCHITECTURAL BARRIERS.** Constructed structures such as walls, signs, rockeries, drainage swales or similar constructed features that impact the required landscape areas.

**ARCHITECTURAL CHARACTER.** The architectural character of a building is that quality or qualities that make it distinctive and that are typically associated with its form and the arrangement of its architectural elements. For example, a prominent design feature may convey the architectural character of a structure. Examples are a distinctive roofline, a turret or portico, an arcade, an elaborate entry, or an unusual pattern of windows and doors.

**ARCHITECTURAL ELEMENTS.** The elements that make up an architectural composition or the building form, which may include such features as the roof form, entries, an arcade, porch, columns, windows, doors and other openings. "Architectural elements" is used interchangeably with "architectural features" in this chapter.

**ARCHITECTURAL SCALE.** The perceived height and bulk of a building relative to other forms in its context. Modulating facades and other treatments may reduce a building's apparent height and bulk.

**AREA OF SHALLOW FLOODING.** A designated AO or AH zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one (1) to three (3) feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident.

**AREA OF SPECIAL FLOOD HAZARD.** The land in the floodplain subject to a one (1) percent or greater chance of flooding in any given year.

**AT-RISK TIME IN THE COMMUNITY.** The total time, since first being housed in a Type 4 Group Home located within Lakewood, that a person has resided in the community. This includes any time spent in a Type 4 Group Home, whether in Lakewood or elsewhere, as well as any time residing in the community whether or not under DOC supervision. At-risk time in the community does not include any time spent in confinement whether in a jail, prison, pre-release or work camp. Time spent in such facilities shall be tolled for the purpose of calculating summary recidivism rates.

**AUTO WRECKING YARD.** Any property where two (2) or more motor vehicles not in running condition, or the parts thereof, are stored in the open and are not being restored to operation; or any land, building or structure used for the wrecking or storing of such motor vehicles or the parts thereof.

**AUTOMOBILE AND OTHER VEHICLE SALES AREA.** An open area, other than a street, used for the display, sale or rental of two (2) or more new or used motor vehicles or trailers and

where no repair work is done except minor incidental repair of motor vehicles or trailers to be displayed, sold or rented on the premises.

**AUTOMOBILE BODY REPAIR.** Those establishments primarily engaged in furnishing automotive vehicle bodywork and painting.

**AUTOMOBILE SERVICE STATION OR GAS STATION.** A building or lot having pumps and storage tanks where fuels, oils or accessories for motor vehicles are dispensed, sold or offered for sale at retail only, repair service is incidental and no storage or parking space is offered for rent.

**AUTOMOBILE WRECKING OR MOTOR VEHICLE WRECKING.** The dismantling or disassembling of motor vehicles or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked motor vehicles or their parts.

**AWNING.** A shelter extending from the exterior wall of a building for the purpose of shielding a doorway or window from the elements and composed of non-rigid materials except for the supporting framework.

**AXIAL SYMMETRY.** The similarity of form or arrangement on either side of a dividing line or plane through the center of an object.

**BACKHAUL NETWORK.** The lines that connect a provider's wireless telecommunications facilities to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

**BALCONY.** An outdoor space built as an above ground platform projecting from the wall of a building and enclosed by a parapet or railing.

**BARN.** A structure used for the storage of farm products, feed, and for housing farm animals and light farm equipment.

**BASE FLOOD.** The flood having a one (1) percent chance of being equaled or exceeded in any given year.

**BASEMENT.** That portion of a building between floor and ceiling, which is partly below and partly above grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.

**BAY WINDOW.** A window that protrudes from the main exterior wall. Typically, the bay contains a surface that lies parallel to the exterior wall, and two (2) surfaces that extend perpendicular or diagonally from the exterior wall.

**BEACH ACCESS, PUBLIC OR PRIVATE.** Trails or roads that provide access for the public to the beach.

**BED AND BREAKFAST.** A lodging facility comprised of a single residential structure containing up to six units of small-scale temporary lodging which provides a single meal and where the proprietors of the service reside in the structure.

**BIOSOLIDS.** Municipal sewage sludge that is a primarily organic, semisolid product resulting from the wastewater treatment process, and septage that can be beneficially recycled and meets all applicable health regulations.

**BLANK WALLS.** Walls subject to "blank wall" requirements are any ground-level wall over six feet in height measured from finished grade at the base of the wall, and longer than fifty (50) feet measured horizontally. A wall subject to the requirement does not have any significant building feature, such as a window, door, modulation or articulation, or other special wall treatment within that fifty (50) foot section.

**BLOCK.** All land along one (1) side of a street that is between two (2) intersections or intercepting streets, or interrupting streets and a railroad right-of-way, or unsubdivided land or water course.

**BOARDING HOUSE.** A single family dwelling, without an owner occupant, that is rented to a group of unrelated individuals. A boarding house excludes Types 1, 2, 3, and 4 Group Homes as defined in LMC 18.20.300, Use Types and Levels; hotels and motels as defined in LMC 18A.90.200, and excludes state-licensed foster homes.

**BOAT RAMP OR LAUNCH.** An improved sloped surface extending from a shoreland area into an aquatic area suitable for removing a boat from the water and launching a boat into the water from a trailer.

**BOATHOUSE, PRIVATE.** An accessory building, or portion of a building, which provides shelter and enclosure for a boat or boats owned and operated only by the occupants of the premises, and which boathouse is erected on a pier or wharf and/or over a dock or docking slip.

**BUILDING COVERAGE.** The measurement of the gross footprint of all the structures, to include accessory and exempt structures, on a lot. The gross footprint includes all structural elements and projections of a building and includes, but is not limited to; eaves, projections, decks, balconies, elevated patios, breezeways, or canopies.

**BUILDING DIVISION.** The Building Division of the City of Lakewood Community Development Department.

**BUILDING FACADE OR FACADE.** The visible wall surface, excluding the roof, of a building when viewed from a public right-of-way or adjacent property. If more than one (1) wall is predominately visible, the walls may be considered one (1) facade for the purposes of signage. A building facade is measured in gross square feet (gsf) and does not include roof area.

**BUILDING HEIGHT.** The vertical distance from the average of the elevation of the natural, undisturbed topography or the pre-existing grade at all corners of a proposed structure to the highest point of the structure, in accordance with LMC 18A.50.130, Height Standards.

**BUILDING LINE.** A line on the comprehensive plan, zoning map, or plat, parallel to the street right-of-way, indicating the limit beyond which buildings or structures may not be erected, or the minimum distance as prescribed by the provisions of this ordinance.

**BUILDING OR OCCUPANCY FRONTAGE.** The length of that portion of a building or ground floor occupancy which abuts a street, publicly used parking area or mall appurtenant to such building or occupancy, expressed in lineal feet and fractions thereof.

**BUILDING, ATTACHED.** A building or structure attached to another building or structure by an enclosed interior wall or walls and covered by a roof in common with both structures. A structure connected to another building or structure only by a roof or only by a wall is not considered attached.

**BUILDING, DETACHED.** A building or structure sharing no common wall with another structure, and generally surrounded by open space on the same lot. A structure connected to another building or structure only by a roof or only by a wall is considered to be a detached building.

**BUILDING, PRINCIPAL.** A building devoted to the principal use of the lot on which it is situated.

**BUILDING.** Any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals or property of any kind.

**BULKHEAD.** A vertical wall of steel, timber or concrete used for erosion protection or as a retaining wall.

**BUSINESS.** The purchase, sale, or other transaction involving the handling or disposition of any article, service, substance, or commodity for livelihood or profit; or the management of office buildings, offices, recreational or amusement enterprises; or the maintenance and use of

buildings, offices, structures, and premises by professions and trades rendering services.

**CAMOUFLAGE.** To disguise, hide, or integrate with an existing or proposed structure or with the natural environment so as to be significantly screened from view.

**CAMPSITE.** A space provided in a campground or recreational vehicle (RV) park which usually contains a table, stove, parking spur and space for a tent to accommodate a one-family group.

**CANOPY.** A permanent, cantilevered extension of a building that typically projects over a pedestrian walkway abutting and running along the facade of a building, with no habitable space above the canopy. A canopy roof is comprised of rigid materials.

**CAR WASH.** Mechanical facilities for the washing or waxing and vacuuming of automobiles, light trucks, and vans.

**CARETAKER HOME.** An on-site residential dwelling unit of up to two thousand (2,000) square feet providing living accommodations for an individual, together with his/her family, who is employed as a caretaker for a private home, public recreational or community facility, or commercial or industrial establishment. Caretaker units may not be a temporary structure or recreational vehicle and may not remain in residential use if no longer used for caretaker residence.

**CARPORT.** A covered automobile structure open on one (1) or more sides, with direct driveway access for the parking stall(s). A carport may be integrated with, or detached from the primary structure. An attached carport shall have common wall construction with the primary structure.

**CARRYING CAPACITY.** The level of development density or use an environment is able to support without suffering undesirable or irreversible degradation.

**CATTERY.** An enclosure or structure in which any combination of six or more cats that individually exceed seven months of age are kept for breeding, sale, or boarding purposes.

**CELL SITE OR SITE.** A tract or parcel of land that contains wireless telecommunications facilities including any antenna, support structure, accessory buildings, and parking, and may include other uses associated with and ancillary to Wireless Telecommunications Facilities (WTF).

**CEMETERIES.** Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbiums, mausoleums and mortuaries, when operated in conjunction with and within the boundary of such cemetery.

**CERTIFICATE OF CAPACITY.** A document issued by a service provider indicating the quantity of capacity that has been reserved for a specific development project on a specific property.

**CHANGE OF USE.** A change of use shall be determined to have occurred when it is found that the general character of the use in question has been modified. This determination shall include review of but not be limited to: hours of operation, materials processed or sold, required parking, traffic generation, impact on public utilities, clientele, general appearance and location or a change in use type.

**CITY MANAGER.** The Administrative Director of the City of Lakewood or his/her designee.

**CIRCULATION.** The movement or flow of traffic from one place to another through available routes. Traffic includes a variety of modes of travel including pedestrian, motor vehicle and non-motorized methods such as bicycles.

**CLEAR-VISION AREAS.** A triangular area at intersections or public drives where visual obstructions are to be kept clear as directed by the City Engineer.

**CLOSED RECORD APPEALS.** Administrative appeals under Chapter 36.70B RCW which are heard by the City Council or Hearing Examiner, following an open record hearing on a project

permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appellate arguments allowed.

**CLUSTER DEVELOPMENT.** A development technique wherein home sites or structures are grouped together, with the remainder of the tract left in open space or common open space.

**COFFEE KIOSK** A coffee kiosk is a small stand-alone structure that provides drive-through service of limited food and beverage items. Coffee kiosks shall not include structures with cooking facilities that require a Type I hood, provide indoor customer seating, or exceed 400 square feet in size.

**CO-GENERATION.** The simultaneous production of electricity and heat energy. The heat is normally used onsite for industrial processes, space or water heating, or production steam. The electric power may be used onsite or distributed through the utility grid, or both. Co-generation units are normally fired with natural gas, but also may be fueled by oil, biomass or other fuels.

**COHABITANTS.** A group not more than five (5) persons not meeting the definition of “family,” living together as a single housekeeping group in a dwelling unit.

**COLLOCATION OF Wireless Telecommunications Facilities (WTF).** The use of a WTF by more than one (1) service provider.

**COMBINED USE BUILDING.** Residential use types in combination with other use types.

**COMMERCIAL ACTIVITY.** Any activity carried out for the purpose of financial gain for an individual or organization, whether profit or non-profit.

**COMMERCIAL VEHICLE.** Any motorized vehicle over six thousand (6,000) gvw, including, but not limited to, a van, truck, truck trailer, utility trailer, tractor, grading machine, bulldozer, scraper, boat, motorized crane, or other construction equipment that is used in the operation of a business or in construction, road grading, or logging activities.

**COMMON OPEN SPACE.** A parcel of land or an area of water or a combination of land and water within a site designed or developed and intended primarily for the use or enjoyment of the residents of such development.

**COMMUNITY DEVELOPMENT DIRECTOR.** The Director of the Community Development Department of the City of Lakewood or his/her designee.

**COMPREHENSIVE PLAN.** The document, including maps, adopted by the City Council which outlines the City’s goals and policies relating to management of growth and prepared in accordance with Ch. 36.70A RCW. The term also includes any adopted subarea plans prepared in accordance with Ch. 36.70A RCW.

**CONCURRENCY.** Ensuring that adequate public improvements or strategies are in place at the time of development, and 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 as noted in the Transportation Capital Improvement Plan.

**CONDITIONAL USE.** A use conditionally permitted in a zoning district as defined by this code but which, because of characteristics particular to each such use, size, technological processes, equipment or, because of the exact location with respect to surroundings, streets, existing improvements, or demands upon public facilities, requires a special degree of control to determine if uses can be made compatible with the comprehensive plan, adjacent uses, and the character of the vicinity.

**CONDOMINIUM.** Real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interest in the common elements are vested in the unit owners, and unless a declaration and a survey map and plans have

been recorded. Condominiums must meet all provisions of Chapter 64.34 RCW.

**CONSTRUCTED WETLANDS.** Wetlands that are intentionally created on sites that are not wetlands for the primary purpose of wastewater or stormwater treatment. Constructed wetlands are normally considered as part of the stormwater/wastewater collection and treatment system and must be maintained, but are not the same as wetlands created for mitigation purposes, which are typically viewed in the same manner as natural, regulated wetlands.

**CONTIGUOUS.** Bordering upon, to touch upon, or in physical contact with.

**CORRECTIONAL FACILITIES.** Facilities for holding persons in custody or in detention, including county jails, state prisons, juvenile detention facilities, pre-release facilities, work release facilities, and other facilities to which a person may be incarcerated upon arrest or pursuant to sentencing by court.

**COTTAGE.** A Single Family Detached Dwelling containing at least eight hundred (800) and no more than one thousand five hundred (1,500) 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.

**COURTYARD, INTERIOR COURT.** A space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three (3) or more sides by walls of a building.

**COURTYARD.** A courtyard is an open space usually landscaped, which is enclosed on at least three (3) sides by a structure or structures.

**CROP AND TREE FARMING.** The use of land for horticultural purposes.

**CURB CUT.** A curb cut is a depression in the curb for a driveway to provide vehicular access between private property and the street.

**CURB LEVEL.** Curb level for any building means the level of the established curb in front of such building measured at the center of such front. Where no curb elevation has been established, the mean elevation of the finished lot grade immediately adjacent to a building shall be considered the curb level.

**DANGEROUS WASTE.** Any discarded, useless, unwanted, or abandoned substances including, but not limited to, certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes: have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or are corrosive, explosive, flammable, or may generate pressure through decomposition or other means. Includes wastes designated in WAC 173-303-070 through 173-303-103 as dangerous wastes.

**DAYCARE CENTER.** A daycare facility which operates in a place other than a residence, with no limitation as to the number of clients.

**DAYCARE FACILITY.** A building or structure in which care is regularly provided for a group of children or adults for periods of less than twenty-four (24) hours. Day care facilities include family day care homes and day care centers regulated by the Washington State Department of Social and Health Services or successor agency, as presently defined and as may be hereafter amended (RCW 74.15, WAC 388-73-422).

**DAYCARE, HOME.** A daycare facility which operates in the provider’s residence and is subject

to a limitation on the number of clients.

**DAYCARE, HOME-BASED.** A daycare facility with no more than twelve (12) persons in attendance at any one time in the provider's home in the family living quarters, including immediate family members who reside in the home.

**DECIBEL.** A unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated by decibels.

**DECIDUOUS TREE.** A tree which loses its foliage annually.

**DECK.** A deck is a roofless, outdoors above ground platform projecting from the wall of a building and supported by piers or columns.

**DEPARTMENT.** The City of Lakewood Community Development Department.

**DESIGN DETAILS.** Architectural or building design details refer to the minor building elements that contribute to the character or architectural style of the structure. Design details may include moldings, mullions, rooftop features, the style of the windows and doors, and other decorative features.

**DESIGN, Wireless Telecommunications Facilities (WTF).** The appearance of WTF, including such features as their materials, colors, and shape.

**DESIGNATED ZONE FACILITY.** Any hazardous waste facility that requires an interim or final status permit under rules adopted under Chapter 70.105 RCW and Chapter 173-303 WAC, and that is not a preempted facility as defined in RCW 70.105.010 or in Chapter 173-303 WAC. A hazardous waste treatment or storage facility is a designated zone facility.

**DEVELOPMENT (for the purposes of Flood Hazard).** Any constructed changes to improved or unimproved real estate, including, but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavator, or drilling operations.

**DEVELOPMENT ACTIVITY.** Any action taken either in conjunction with a use or to make a use possible. Activities do not in and of themselves result in a specific use. Most activities may take place in conjunction with a variety of uses.

**DEVELOPMENT PERMIT.** Any document granting, or granting with conditions, an application for a site plan, building permit, discretionary decision, or other official action of the City having the effect of authorizing the development of land.

**DEVELOPMENT PLAN.** A plan drawn to scale, indicating but not limited to, the proposed use, the actual dimensions and shape of the lot to be built upon, the exact sizes and locations on the lot of buildings already existing, if any, and the location on the lot of the proposed building or alteration, yards, setbacks, landscaping, off-street parking, ingress and egress, and signs.

**DEVELOPMENT STANDARDS.** Regulation of the location and size of development, including but not limited to setbacks, landscaping, screening, height, site coverage, signs, building layout, parking and site design and related features of land use.

**DISCONTINUANCE.** The abandonment or nonuse of a building, structure, sign or lot.

**DISCRETIONARY PERMIT.** A decision which requires special analysis or review due to the nature of the application or because special consideration was requested by the applicant.

**DISTRICT.** An area designated by this title, with specific boundaries, in which lie specific zones, or special purpose area as described in this title.

**DOCK-HIGH LOADING AREAS.** Truck maneuvering areas and loading or unloading areas associated with loading doors that are located above the finish grade.

**DOCKS.** A pier or secured float or floats for vessel moorage, fishing, or other water use.

**DOUBLE-FRONTAGE LOT.** A lot other than a corner lot with frontage on more than one (1) street.

**DRAINAGE DITCH.** A constructed channel with a bed, bank or sides which discharges surface waters into a major or minor creek, lake, pond or wetland.

**DRIPLINE.** A circle drawn at the soil line directly under the outermost branches of a tree.

**DRIVE-THROUGH.** A business establishment, building, or structure which, by design, physical facilities, or services or products format encourages or permits customers to access sales or services from a service window while remaining in their vehicles, with access provided by a dedicated lane or lanes incorporated into the site design.

**DRIVEWAY.** A paved or graveled surface a minimum of fifteen (15) feet in width that provides access via a paved apron to a lot from a public or private right-of-way.

**DUPLEX.** One (1) detached residential building, vertically or horizontally attached, containing two (2) dwelling units totally separated from each other by a one (1) hour firewall or floor, designed for occupancy by not more than two (2) families.

**DWELLING UNIT.** One (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or boarding house, or rental or lease on a weekly, monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure or on the same property, and containing independent cooking, sleeping and sanitary facilities. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit. An efficiency apartment, also known as a studio apartment, constitutes a dwelling unit within the meaning of this title.

**DWELLING.** A building or portion thereof designed exclusively for human habitation, but not including hotels or motel units.

**EASEMENT.** A non-possessory interest in the land of another which entitles the owner of the interest to a limited use or enjoyment of the other's land for the purpose of and to protection from interference with this use by a public or private street, railroad, utilities, transmission lines, walkways, sidewalks, bikeways, equestrian trails, and other similar uses. An easement may be exclusive or include more than one (1) user.

**EFFLUENT.** With regard to water quality, treated or untreated liquid entering the estuary from a point source. With regard to dredging, water, including dissolved and suspended materials, which flows from a dredged material disposal site.

**EQUIPMENT ENCLOSURE.** A structure, shelter, cabinet, or vault used to house and protect the electronic equipment necessary for processing wireless communication signals. Associated equipment may include air conditioning, backup power supplies, and emergency generators.

**ERECT.** The act of placing or affixing a component of a structure upon the ground or upon another such component.

**ESCAPE.** Unauthorized absence from the designated facility boundary or failure to return to such place at the appointed time after having been permitted to leave.

**EVERGREEN TREE.** A tree, often a coniferous tree, which retains its foliage and remains green year round.

**EXCAVATE.** The removal by man of sand, sediment, or other material from an area of land or water for other than commercial or industrial use.

**EXTREMELY HAZARDOUS WASTE.** Any waste which will persist in a hazardous form for several years or more at a disposal site and which in its persistent form presents a significant environmental hazard and may be concentrated by living organisms through a food chain or may affect the genetic constitution of humans or other living creatures and is disposed of at a disposal site in such quantities as would present an extreme hazard to man or the environment. Those wastes designated in WAC 173-303-070 through 173-303-103 as extremely hazardous wastes.

**FACADE.** Any portion of an exterior elevation of a building extending from the ground level to the top of the parapet wall or eaves, for the entire width of the building elevation. A front facade is typically the facade facing the major public street(s). An entry facade is typically the facade with the primary public entry.

**FAMILY.** A person, or two (2) or more persons related by blood or marriage or law living together as single housekeeping unit in a single dwelling. In addition, the following uses shall be accepted as families pursuant to the requirements of state and/or federal law:

- a. Adult family homes licensed pursuant to RCW 70.128.150;
- b. Foster homes for the placement of the disabled, or expectant mothers in a residential setting including, but not limited to, foster family homes licensed pursuant to Chapter 74.15 RCW, community group care facilities licensed pursuant to Chapter 74.15 RCW and crisis residential centers pursuant to Chapter 13.32A RCW; and
- c. Consensual living arrangements of the disabled protected pursuant to the Federal Fair Housing Act amendments.

Secure community transition facilities, as defined in Chapter 71.09 RCW, are not protected under the definition of “family.”

Group Homes, Type 3, 4, and 5, as defined in LMC18A.20.300, Use Types and Levels, are not protected under the definition of “family.”

(For unrelated persons residing together, see “Cohabitants.”)

**FAMILY HOME, FOSTER.** An agency which regularly provides care on a twenty-four (24) hour basis to one (1) or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed.

**FAMILY MEMBERS.** Persons related by blood, marriage or adoption, including foster children.

**FEDERAL INSURANCE RATE MAP (FIRM).** The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones for those areas.

**FENCE, SIGHT-OBSCURING.** A fence constructed of solid wood, masonry, metal or other appropriate material that totally conceals the subject use from adjoining uses.

**FILL.** The placement by man of sand, sediment or other material to create new uplands or raise the elevation of the land.

**FINAL DEVELOPMENT PLAN.** A plan or set of plans that comply with the conditions set forth in a preliminary approval and, once approved, authorizes the granting of a discretionary permit.

**FLAGPOLE.** A staff or pole which is designed to display a flag. A flagpole may be freestanding or attached to a building or to a private light standard.

**FLEA MARKET.** Arrangements whereby a person or persons sell, lease, rent, offer or donate to one (1) or more persons a place or area where such persons may offer or display secondhand or junk items.

**FLOOD HAZARD BOUNDARY MAP (FHBM).** The official map issued by the Federal Insurance Administration where the boundaries of the areas of special flood hazards applicable to the city of Lakewood have been designated as Zone A.

**FLOOD INSURANCE STUDY.** The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Hazard Boundary - Floodway Map and the water surface elevation of the base flood.

**FLOOD OR FLOODING.** A general and temporary condition of partial or complete inundation or normally dry land areas from the overflow of inland or tidal waters and/or the unusual and

rapid accumulation or runoff of surface waters from any source.

**FLOODPLAIN.** The area adjoining a stream, tidal estuary or coast that is subject to regional flooding. A regional (100-year) flood is a standard statistical calculation used by engineers to determine the probability of severe flooding. It represents the largest flood which has a one (1) percent chance of occurring in any one (1) year in an area as a result of periods of higher than normal rainfall or streamflows, extremely high tides, high winds, rapid snowmelt, natural stream blockages, tsunamis, or combinations thereof.

**FLOODPLAIN MANAGEMENT REGULATIONS.** State or local regulations, and any combination thereof, which provides standards for the purpose of flood damage prevention and reduction.

**FLOODPROOFING.** A combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

**FLOODWAY, REGULATORY.** The channel or the watercourse reasonably required to carry and discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

**FLOOR AREA.** The sum of the gross horizontal areas of the several floors of a building, measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) buildings, but not including attic space providing headroom of less than seven feet or basement if more than fifty (50) percent of the basement is less than grade.

**FLOOR AREA RATIO (FAR).** The floor area ratio of the building or buildings on any lot means the gross floor area of the building or buildings on that lot divided by the gross area of such lot.

**FOOTCANDLE.** A footcandle is a unit used for measuring the amount of illumination on a surface. The amount of usable light from any given source is partially determined by the angle of incidence of the source and the distance to the illuminated surface.

**FREEWAY.** Any section of a highway which has been declared to be a freeway by act or resolution of the competent establishing authority.

**FRONTAGE ROAD.** A street which is parallel and adjacent to an arterial, and which provides access to abutting properties while relieving them of the effect of street traffic access on to and from an arterial.

**FRONTAGE.** Frontage refers to length of a property line along a public street or right-of-way.

**GARAGE.** An enclosed automobile structure with direct driveway access principally for vehicular equipment such as automobiles, boats, etc., used by the tenants of the building(s). A garage may be integrated with, attached, or detached from the primary structure. See also **PARKING STRUCTURE.**

**GAS ISLANDS.** In conjunction with a motor vehicle service station or convenience commercial use providing gasoline, individual gas islands are comprised of single pumps dispensing single or various grades and types of motor vehicle fuel, or individual banks of pumps dispensing single or various grades and types of motor vehicle fuel, whether or not covered by a single canopy.

**GATEWAYS.** As used in these guidelines, the term gateway refers to those areas which are entranceways into the City of Lakewood and are so designated in the Lakewood Comprehensive Plan.

**GEOLOGIC.** Relating to the occurrence and properties of earth. Geologic hazards include but are not limited to faults, land and mudslides, and earthquakes.

**GOVERNING AUTHORITY.** The City Council of the City of Lakewood.

**GRADE, AVERAGE.** The average elevation of the undisturbed ground prior to construction at

all exterior corners of the proposed structure.

**GRADE, FINISHED.** The finished surface of the ground, street, paving or sidewalk.

**GRADE, PRE-CONSTRUCTION.** Prior to any grade, fill or disturbance of soil or vegetation.

**GROSS AREA.** The total sum area of the lot minus public rights-of-way.

**GROSS DENSITY.** A calculation of the number of housing units that is allowed on a property based on the maximum density permitted.

**GROSS SQUARE FEET (GSF).** The sum of the total square footage of any building, lot, property or area.

**GROUND COVER.** Low-growing vegetative materials with a mound or spreading manner of growth that provides solid cover.

**GUYED TOWER.** A wireless communication support structure that is typically over 100 feet tall and is steadied by wire guys in a radial pattern around the tower.

**HABITABLE FLOOR (for purposes of floods).** Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation or a combination thereof. A floor used only for storage purposes is not a "habitable floor."

**HABITABLE ROOM (for purposes of floods).** An undivided enclosed space within a dwelling used for sleeping or kitchen facilities. This term does not include attics, cellars, corridors, hallways, laundries, serving or storage pantries, bathrooms or similar places.

**HABITAT.** The place or type of site where an organism lives; the place occupied by an entire community, such as a freshwater tidal marsh community.

**HAZARDOUS SUBSTANCE.** Any liquid, solid, gas or sludge, including any material, substance, product, commodity or waste, regardless of quantity, that exhibits any of the characteristics or criteria of hazardous waste as described in rules adopted under Chapter 70.105 RCW or in WAC 173-303-090, 173-303-100, 173-303-101, 173-303-102 or 173-303-103.

**HAZARDOUS SUBSTANCE FACILITY BUFFER.** A setback area between the hazardous substance land use facility boundary and the nearest point of the hazardous substance land use property line, necessary to provide added protection to adjacent land uses or resources of beneficial use. All hazardous waste treatment and storage facilities must maintain at least a fifty (50) foot buffer.

**HAZARDOUS SUBSTANCE LAND USE.** Any use which is permitted under this title and which includes a designated facility or the processing or handling of a hazardous substance.

**HAZARDOUS SUBSTANCE LAND USE FACILITY.** The projected line enclosing the area of all structures and lands on which hazardous substance land use activities occur, have occurred in the past or will occur in the future. This does not include the application of products for agricultural purposes or the use, storage, or handling of hazardous substances used in public water treatment facilities.

**HAZARDOUS SUBSTANCE PROCESSING OR HANDLING.** The use, manufacture, compounding, treatment, synthesis or storage of hazardous substances in excess of the following amounts of cumulative quantities: five thousand (5,000) pounds of solid hazardous substances, five hundred (500) gallons of liquid hazardous substances, six hundred fifty (650) cubic feet of gaseous hazardous substances, or equivalent combination thereof. Hazardous substances shall not be disposed on-site unless in compliance with Dangerous Waste Regulations, WAC 173-303, and any pertinent local ordinances, such as sewer discharge standards.

**HAZARDOUS WASTE.** Any dangerous and extremely hazardous waste as designated pursuant to RCW 70.105, WAC 173-303, including substances composed of radioactive and hazardous components. A moderate risk waste is not a hazardous waste.

**HAZARDOUS WASTE FACILITY.** The contiguous land and structures, other appurtenance and improvements on the land used for recycling, storing, treating, incinerating or disposing of hazardous waste.

**HAZARDOUS WASTE STORAGE FACILITY.** Any designated zone facility which holds hazardous waste for a temporary period not to exceed five (5) years; this does not include accumulation of hazardous waste by the generator on the site of generation, as long as the generator complies with the applicable requirements of WAC 173-303-200 and 173-303-201.

**HAZARDOUS WASTE TREATMENT FACILITY.** Any designated zone facility which processes hazardous waste by physical, chemical or biological means to make such waste nonhazardous or less hazardous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

**HAZARDOUS WASTE TREATMENT OR STORAGE FACILITY, OFFSITE.** Any hazardous waste treatment or storage facility that treats or stores any waste that is generated off the site.

**HAZARDOUS WASTE TREATMENT OR STORAGE FACILITY, ONSITE.** Any hazardous waste treatment or storage facility that treats or stores only that waste that is generated on the site.

**HEARING EXAMINER REVIEW.** A process involving the judgment and discretion of the Hearing Examiner in applying specific decision criteria and other requirements unique to a particular use in the approval of an activity permitted, or permitted conditionally, within a zoning district.

**HEARING EXAMINER.** A person appointed by the City to carry out the functions authorized under LMC 18A.02, Administration, and Chapter 35A.63 RCW.

**HOLIDAY DECORATIONS.** Temporary messages, displays, lighting, or decorations celebrating national, state, local, ethnic, and religious holidays or holiday seasons.

**HOME OCCUPATION.** Any occupation, profession or lawful commercial activity carried on by a resident living on the premises, and in which said activity is secondary to the use of the dwelling for living purposes, provided that the occupation or profession meets the requirements of LMC 18A.70.250.A and C.

**HOME OCCUPATION, LIMITED.** Any occupation, profession or lawful commercial activity carried on entirely within the dwelling, solely by a resident living on the premises, and which said activity is secondary to the use of the dwelling for living purposes; provided that the limited home occupation meets the requirements of LMC 18A.70.240.A-B.

**HOMEOWNERS' ASSOCIATION.** An incorporated, nonprofit organization operating under recorded land agreements through which each lot owner is automatically a member, and, each lot is automatically subject to a charge for a proportionate share of the common property, and, a charge, if unpaid, becomes a lien against the property.

**HORTICULTURE.** The cultivation of plants, garden crops, trees and/or stock.

**HOTEL.** A single building or a group of detached or semi-detached buildings containing six (6) or more guest rooms or self-contained suites, with parking provided on the site for the use of those staying in the rooms or suites, which is or are designed and used for the accommodation of transient travelers for a period not to exceed thirty (30) days.

**HUMAN SCALE.** The size of a building element or space relative to the dimensions and proportions of a human being.

**IMPERVIOUS SURFACE.** A hard surface area which either prevents or retards the entry of water into the soil mantle as it entered under natural conditions preexistent to development, or that hard surface area which causes water to run off the surface in greater quantities or at an

increased rate of flow from that present under natural conditions preexistent to development. Common impervious surfaces include but are not limited to rooftops, concrete or asphalt paving, paved walkways, patios, driveways, parking lots or storage areas, grasscrete, and oiled, macadam or other surfaces, which similarly impede the natural infiltration of surface water. Open, uncovered retention/detention facilities shall not be considered impervious surfaces.

**INCIDENTAL USE.** A use that is in conjunction with, and smaller than the main part of a facility or use.

**INCOMPATIBLE USES.** For the purpose of community design, incompatible uses are those uses, including, but not limited to, outdoor storage, utilities equipment and apparatus, and loading and service facilities, which are considered to be visually intrusive, unsightly and which require site design and screening to mitigate the negative impacts to retail, service and office commercial uses and residential development.

**INDUSTRIAL PRETREATMENT FACILITY.** Treatment devices and structures used for the treatment of industrial wastewater prior to being released into a wastewater collection or conveyance system.

**INTERIOR LOT AREA.** Any area of a lot that is not within a required perimeter or buffer area.

**JUDICIAL APPEALS.** Appeals filed by a party of record in Pierce County Superior Court.

**KENNEL.** An enclosure or structure in which any combination of six (6) or more dogs that individually exceed seven (7) months of age are kept for breeding, sale, training, boarding, or sporting purposes.

**KITCHEN.** Any room or rooms, or portion of a room or rooms, used or intended or designed to be used for cooking or the preparation of food.

**LAKE.** A natural or artificial body of water of two (2) or more acres or where the deepest part of the basin at low water exceeds two (2) meters. Artificial bodies of water with a recirculation system approved by the City Engineer are not included in this definition.

**LANDFILL, DEMOLITION.** A solid waste facility for the permanent disposal of demolition wastes resulting from the demolition or razing of buildings, roads and other man-made structures, consisting of, but not limited to, concrete, brick, bituminous concrete, wood and masonry, composition roofing and roofing paper, steel and minor amounts of other materials. Plaster or other materials likely to produce leachate is not demolition waste.

**LANDFILL, INERT.** A solid waste facility for the permanent disposal of inert materials which are non-combustible and non-dangerous wastes likely to retain their physical and chemical structure including resistance to biological and chemical attack from acidic rainwater.

**LANDFILL, MUNICIPAL SOLID WASTE.** A solid waste facility for the permanent disposal of mixed household, commercial or industrial waste from municipal sources delivered by hauling companies or self-hauled by residents or businesses.

**LANDFILL, SPECIAL WASTE.** A solid waste facility for the permanent disposal of one (1) specific type of waste of limited, known and consistent composition such as an ash monofill, a landspreading disposal facility for biosolids, problem waste landfill or any facility which is not previously defined but is permitted with a state solid waste permit as a "limited purpose landfill."

**LANDFILL, WOOD WASTE.** A solid waste facility with two thousand (2,000) or more cubic yards of capacity for the permanent disposal of wood waste which does not contain chemical preservatives. This does not include wood waste landfills on forest lands regulated under the state Forest Practices Act but does include facilities which use wood waste as a component of fill.

**LANDFILL.** A solid waste facility for the permanent disposal of solid wastes in or on the land

which requires a solid waste permit under RCW 70.95.

**LANDSCAPING.** Vegetative cover including shrubs, trees, flowers, ground cover and other similar plant material.

**LARGE-SCALE COMMERCIAL FACILITIES.** Principal, anchoring retail use integrated with other commercial or services uses under common ownership or use exceeding 100,000 square feet of cumulative gross floor area. For this purpose, “under common ownership or use” shall mean a single establishment which shares checkstands, management, a controlling ownership interest, or storage areas, e.g., a hardware/nursery, pharmacy, and/or grocery component associated with a general merchandise store.

**LATTICE TOWER.** A support structure which consists of a network of crossed metal braces, forming a tower which is usually triangular or square in cross-section.

**LOADING SPACE, OFF-STREET.** In space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used and accessible to such deliveries when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

**LOCAL ROAD OR STREET.** A road or street which is used or intended to be used primarily for providing access to abutting properties.

**LOT.** A fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area, and developed or built upon as a unit. The term shall include “tracts” or “parcels”.

**LOT AREA.** The total area, in gross square feet (gsf), within the lot lines of a lot, excluding right-of-way. For the purposes of flood regulations, any portion of a lot lying below the ordinary high water mark or lawfully constructed bulkhead shall not be included in a lot area calculation.

**LOT COVERAGE.** The area of a lot covered by a building or buildings, expressed as a percentage of the total lot area.

**LOT DEPTH.** The perpendicular distance measured from the mid-point of the front lot line to the mid-point of the opposite lot line.

**LOT LINE.** The property line bounding a lot.

**LOT LINE, FRONT.** Normally, the property line separating the lot from the street, other than an alley, from which access is provided to the lot. For the purpose of establishing setback requirements, orientation of the dwelling unit shall be independent of access to the parcel. In the case of a corner lot, the front lot line shall be the property line with the narrow dimension adjacent to the street.

**LOT LINE, REAR.** The lot line which is opposite and most distant from the front lot line and which is in the same plane and runs parallel to the front lot.

**LOT LINE, INTERIOR.** Any property line which is neither a front nor a rear lot line.

**LOT OF RECORD.** A lot that is part of a subdivision recorded, pursuant to statute, with the Pierce County Auditor, or a legally created lot under state and local subdivision on regulations in effect at the time of creation or a lot described by metes and bounds, the description of which has been so recorded.

**LOT, BUILDABLE.** A legal lot which is proposed for use in compliance with this title, and has received approval of the water supply and sewage disposal method as appropriate to such use.

**LOT, CORNER.** A lot of which at least two (2) adjacent sides abut streets other than alleys.

**LOT, CUL-DE-SAC.** A lot which has a front lot line contiguous with the outer radius of the turn-around portion of a cul-de-sac.

**LOT, FLAG.** A flag lot is surrounded by abutting lots with an extended access way to a street

right-of-way.

LOT, INTERIOR. A lot other than a corner lot.

LOT, THROUGH. An interior lot having frontage on two (2) streets, and which is not a corner lot.

LOT, WIDTH. The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot lines, except that portion of a flag lot that usually forms an extended access way to a street right-of-way.

LOWEST FLOOR. For flood purposes, any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a lowest floor.

LUMEN. A lumen is a unit used for measuring the amount of light energy given off by a light source.

MAINTENANCE. Routine upkeep of existing structure or facilities which are in current use or operation.

MAJOR COMMERCIAL OR EMPLOYMENT CENTERS. An integrated planned development within the NC2, CBD, SD, C1, C2, IBP, I1, and I2 zoning districts with contiguous ownership larger than 12 acres in size. Contiguous properties under separate control, but which function as an integrated center and when combined are larger than 12 acres in size, may be considered a major center.

MANUFACTURED HOME PARK. A tract of land that was permitted, designed, and maintained under a single ownership or unified control where two (2) or more spaces or pads are provided solely for the placement of manufactured homes for residential purposes with or without charge. A manufactured home park shall not include manufactured home subdivisions or recreational vehicle parks.

MANUFACTURED HOME SPACE. An apportioned piece of land within a park designed to accommodate a single manufactured home, also known as a "pad."

MANUFACTURED HOME. A factory-assembled structure that was constructed in accordance with the 1976 or later HUD federal Manufactured Housing Construction and Safety Standards Act in effect at the time of construction, and displays the appropriate HUD or Department of Labor and Industries label,

- a. is suitable for movement along public highways;
- b. is intended solely for human habitation; and
- c. has sleeping, eating and plumbing facilities.

Manufactured homes do not include modular homes or recreational vehicles as herein defined.

For the purpose of flood hazard regulations only, a manufactured home is a structure, transportable in one (1) or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It includes recreational vehicles or travel trailers that are placed on a site for more than one hundred eighty (180) consecutive days.

MAP. A representation, usually on a flat surface, of the whole or part of an area.

MARINA. Facilities which provide moorage, launching, storage, supplies and a variety of services for recreational, commercial and fishing vessels. They are differentiated from docks and moorages by their larger scale, the provision of significant shore or land-side services and/or the use of a solid breakwater (rock, bulkheading, etc.).

MAXIMUM DENSITY. The maximum number of dwelling units allowed per gross acre (dua), excluding accessory dwelling units.

**MEAN HIGH WATER (MHW).** The average height of all high waters over a nineteen (19) year period.

**MINI-WAREHOUSE.** A facility consisting of separate storage units which are rented to customers having exclusive access to their respective units for storage of residential or commercial oriented goods. No business is conducted out of storage units.

**MITIGATE.** To alleviate the negative impacts of a particular action.

**MITIGATION.** Any action that, to some degree, softens the impact of development on critical or sensitive areas. This may include all or any one of the following actions:

- a. avoiding the impact altogether by not taking a certain action or parts of an action;
- b. minimizing impacts by limiting the degree or magnitude of an action and its implementation;
- c. rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- d. reducing or eliminating the impact over time by preservation and maintenance operations; and
- e. compensating for the impact by creation, restoration, or enhancement of critical or sensitive areas to maintain their functional processes, such as natural biological productivity, habitat, and species diversity, unique features and water quality. Any mitigation action or combination of actions may involve monitoring and remedial follow-up measures.

**MOBILE HOME PAD.** That part of a mobile home space which has been reserved for the placement of the mobile home, appurtenant structures, or addition.

**MOBILE HOME PARK.** An area under one (1) ownership designed to accommodate ten or more mobile homes (see Manufactured Home for definition of mobile home).

**MOBILE HOME.** A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, that was constructed prior to June 15, 1976 and/or does not conform to [HUD] Manufactured Housing Construction and Safety Standards Act. Mobile home does not include recreational vehicles. The appropriate HUD or Department of Labor and Industries label is displayed.

**MOBILE TRANSMISSION FACILITY.** A movable, non-stationary transmission facility that contains wireless telecommunications equipment including any antenna, support structure, accessory structures, and may include other uses associated with and ancillary to wireless telecommunications facilities.

**MOBILE VENDING.** Any for-profit or non-profit business selling food and/or drink at or adjacent to the vehicle or cart in which such items are carried and/or prepared. This definition shall not include businesses providing or offering to provide scheduled delivery of food products to individual residences.

**MODERATE RISK WASTE FIXED FACILITY.** A solid waste transfer facility needing a state solid waste permit which specializes in the collection of household hazardous waste for packaging for transport to a disposal facility for recycling. It may collect limited amounts of hazardous waste from small quantity generators that are businesses which generate hazardous waste in quantities below the threshold for regulation under Washington Dangerous Waste Regulations (RCW 70.105).

**MODERATE RISK WASTE.** Those wastes defined in WAC 173-303-040 as moderate risk wastes. This may include any waste that exhibits any of the properties of hazardous waste but is exempt from regulation under Chapter 70.105 RCW solely because the waste is generated in quantities below the threshold for regulation, and any household waste which is generated from

the disposal of substances identified by the Department of Ecology as hazardous household substances.

**MODIFICATION.** The changing of any portion of a wireless telecommunications facility from its description in a previously approved permit, excluding routine maintenance and repair. Examples include, but are not limited to, changes in design or structure, changes in the heights of towers or monopoles, changes in any accessory structures or appurtenances that are affiliated with or support a wireless telecommunications facility.

**MODULAR HOME.** A detached dwelling that is designed for human habitation, is either entirely or substantially prefabricated at a place other than a building site, and is constructed or installed on the site in accordance with the UBC and bearing the appropriate insignia indicating such compliance. Modular homes are also commonly referred to as “prefabricated”, “panelized,” or “factory-built” units.

**MODULATION.** A stepping back or projecting forward of portions of a building facade within specified intervals of building width and depth as a means of breaking up the apparent bulk of a structure's continuous exterior walls.

**MONOPOLE TOWER.** A support structure which consists of a single pole sunk into the ground and/or attached to a foundation.

**MOORAGE.** Piling or a dock, or both, used to secure a boat or barge.

**MOTEL.** A building or group of buildings on the same lot, containing units with separate entrances and consisting of individual sleeping quarters detached or in connected rows, with or without cooking facilities, for rental to transients and guests for compensation.

**MOTOR VEHICLE.** Motor vehicle includes every device capable of being moved upon a public highway and in, upon, or by which any person or property is or may be transported or drawn upon a public highway except for mopeds, bicycles and other devices moved by human or animal power or used exclusively upon stationary rails or tracks.

**MOTOR VEHICLE SERVICE OR REPAIR.** Those establishments engaged in fixing, engine tune-up, adjusting lights or brakes, or supplying and installing replacement parts of or for passenger vehicles and trucks.

**MOTOR VEHICLE SERVICE STATION.** Any premises used for supplying gasoline, oil, minor accessories and services, excluding body and fender repair, for automobiles at retail direct to the customer.

**MOUNT.** The structure or surface upon which wireless telecommunications facilities are mounted. There are three (3) types of mounts:

- a. Building mounted. A wireless telecommunications facility mount fixed to the roof or side of a building.
- b. Ground mounted. A wireless telecommunications facility mount fixed to the ground, such as a tower.
- c. Structure mounted. A wireless telecommunications facility fixed to a structure other than a building, such as light standards, utility poles, water towers, and bridges.

**MULTIFAMILY DESIGN REVIEW.** An administrative process for the purpose of reviewing multifamily development applications for compliance with specific site design, landscape design and building design criteria.

**MULTIFAMILY DWELLING.** Multiple residential units within a single residential structure, or multiple residential structures, which provide separate living accommodations for multiple individuals or families. Multifamily dwelling units are typically under common ownership and

management but may be separately owned condominium units on a commonly owned parcel or cooperatively owned.

**MURAL.** A picture on an exterior surface of a structure. A mural is a sign only if it is related by text, logo, or pictorial depiction to the advertisement of any product or service or the identification of any business.

**NATURAL AREAS.** All or portions of a parcel of land undisturbed by development and maintained in a manner which preserves the indigenous plant materials.

**NEIGHBORHOOD PARK OR PLAYGROUND.** An area for recreational activities, such as but not limited to field games, court games, crafts, playground apparatus area, skating, walking, viewing, picnicking, wading pools, swimming pools.

**NET ACREAGE.** The buildable area after the area of street right-of-way has been subtracted.

**NOISE LEVEL REDUCTION (NLR).** Difference in noise level from outside to inside of the building. NLR is a difference, in decibels, between A-weighted sound levels; it depends primarily on the nature of the walls, ceilings, windows, doors and vents and, to a lesser extent, on the amount of sound-absorbing material in the room in which the sound is received. It shall be measured, if so required, by the building official, in a completed and furnished building by application of the testing procedure described in this section.

**NONCONFORMING LOT.** A lot which does not conform to the design or density requirements of the zoning district in which it is located. A non-conforming lot is a lot that was legal when it was created but no longer meets the current area, width, or depth dimensional requirements for the zoning district in which the property is located. Nonconforming lots may be occupied by any permitted use in the district, provided that all other development regulations in effect at the time of development must be met.

**NONCONFORMING STRUCTURE.** A nonconforming structure is one which was lawfully erected in conformance with the regulations in effect at the time of its construction but which no longer conforms to current development standards including, but not limited to design, height, setback or coverage requirements of the zoning district in which it is located. A structure shall not be considered non-conforming for the purposes of this code if the only nonconforming aspect is failure to comply with the Chapter 18A.50.200, Community Design Standards.

**NONCONFORMING USE.** The use of land, a building or a structure lawfully existing prior to the effective date of this title or subsequent amendments thereto, which does not conform with the regulations of the district in which it is located.

**NONCONFORMITY.** Any land use, structure, lot or sign legally established prior to the effective date of this title or subsequent amendment, which is no longer permitted by or in full compliance with the regulations of this title.

**NON-PROJECT ACTION.** A decision on a policy, plan or program, which is not related to a specific project and/or which affects a significant portion of or the City of Lakewood in its entirety, including but not limited to the adoption or amendment of the comprehensive plan, development regulations, and/or subarea plans, zoning of newly annexed land, area-wide rezones, and zoning map amendments, except for site specific rezones authorized by the comprehensive plan.

**NON-VEGETATIVE GROUNDCOVER.** Bark mulch, gravel and other nonvegetative materials that promote vegetative growth by retaining moisture or preventing weeds.

**NON-WHIP ANTENNA.** An antenna that is not a whip antenna, such as dish antennas, panel antennas, etc.

**NOXIOUS MATTER.** Materials that are capable of causing injury to living organisms by chemical reaction or are capable of causing detrimental effects upon the psychological, social, or economic well-being of human beings.

**NURSERY, HORTICULTURAL.** A place where trees, shrubs, vines, etc. are propagated for transplanting or for use as stocks for grafting and where such flora can be sold.

**NURSING HOME.** A multi-unit or multi-bed facility that are licensed or approved to provide living accommodations and round-the-clock health care and medical supervision.

**OCCUPANCY.** The purpose for which a building is used or intended to be used. The term shall also include the building or room housing such use. Change of occupancy is not intended to include change of tenants or proprietors.

**OCCUPANT.** A person, family, group, or organization who is using or living in a particular building, apartment, or room.

**ODOR CONTROL STRUCTURE.** Equipment or structures appurtenant to wastewater conveyance facilities used to lessen the odors of the liquids being transported.

**OFFICIAL CONTROLS.** Legislatively defined and enacted policies, standards, precise detailed maps and other criteria, all of which control the physical development of the county, and are the means of translating into regulations and ordinances all or any part of the general objectives of the comprehensive plan.

**OFFICIAL MAP.** Maps that show the designation, location and boundaries of the various districts which have been adopted and made a part of this title.

**OFF-SITE.** With respect to mitigation, an area separated from the impact area by a significant distance and that offers little or no opportunity for reestablishing lost values and functions to organisms which originally benefited from the lost habitat.

**OFFSITE HAZARDOUS WASTE TREATMENT OR STORAGE FACILITY.** Any hazardous waste treatment or storage facility which treats or stores wastes that are generated off the site.

**ON-SITE.** With respect to mitigation, an area adjacent to or near the impact area that offers a reasonable opportunity for reestablishing lost values and functions to organisms which originally benefited from the lost habitat.

**ONSITE HAZARDOUS WASTE TREATMENT OR STORAGE FACILITY.** Any hazardous waste treatment or storage facility that treats or stores only those wastes that are generated on the site.

**OPEN HOUSE.** A temporary real estate event where a property owner or his representative opens a structure or structures on one or more contiguous Pierce County Assessor's tax parcels with single or the same ownership, to be inspected by the general public for the sole purpose of sale, rent, or lease of a structure thereon.

**OPEN RECORD HEARING.** A hearing held by a decision-making body who is authorized by the city to conduct such hearings, that creates the city's record through testimony and submission of evidence and information, under procedures prescribed by the city by ordinance or resolution.

**OPEN SPACE.** Land used for farm or forest uses, and any land area that would, if preserved and continued in its present use:

- a. Conserve and enhance natural or scenic resources;
- b. Protect air or streams or water supply;
- c. Promote conservation
- d. Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature preservations or sanctuaries or other open space.

**ORDINARY HIGH-WATER MARK.** That mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on the effective date of this title, or as it may naturally change thereafter; provided, that in any area where the ordinary high-water mark cannot be found, the ordinary high-water mark shall be the line of mean high water.

**ORNAMENTAL TREE.** A tree that is either a conifer or deciduous tree that is accessory, decorative, enhance and accent the general landscaping of the site. Ornamental trees are generally between eight (8) and twenty (20) feet tall at maturity.

**OUTSIDE STORAGE.** All or part of a lot which is used for the keeping of materials, vehicles or products in an open, uncovered yard or in an unwallled building. Such materials may include tractors, backhoes, heavy equipment, construction materials and other similar items.

**OVERLAY DISTRICT.** A defined geographic area where a set of development regulations are established to achieve a specific public purpose. These regulations are in addition to those of the underlying zoning district.

**OWNER.** The owner of record of real property as shown on the tax rolls of the Pierce County Assessor, or a person who is purchasing a piece of property under contract.

**OWNER OCCUPANT.** A property owner, as reflected in title records, that makes his or her legal residence at the site, and actually resides at the site more than six months out of any given year.

**OWNERSHIP.** The existence of legal equitable title to land.

**PACKAGE WASTEWATER TREATMENT PLANT.** A pre-assembled factory built treatment plant.

**PARAPET WALL.** That portion of a vertical building wall that extends above the roof of the building.

**PARCEL.** A lot or plot of land proposed or created in accordance with this Code or prior subdivision ordinance and state law and intended as a unit for the purpose, whether immediate or future, of transfer of ownership. The external boundaries existing as of the date of incorporation of the City of Lakewood shall be used to establish what is a parcel for the purposes of this Code. For parcels which have not been conveyed since that date, the legal description used in the conveyance closest to that date shall control.

**PARKING AREA.** An area accessible to vehicles, which area is provided, improved, maintained, and used for the sole purpose of accommodating a motor vehicle.

**PARKING SPACE.** Any off-street surface area of not less than fifteen (15) feet by eight (8) feet in size, exclusive of maneuvering and access area, permanently reserved for the storage or parking of one (1) vehicle, and connected with an access which affords ingress and egress for vehicles.

**PARKING STRUCTURE.** A building or structure consisting of more than one (1) level, above and/or below ground with one (1) or more common entrances, and used for the parking and/or temporary storage of motor vehicles.

**PARKING, SURFACE.** An off-street, ground level open area, usually improved, for the parking and/or temporary storage of motor vehicles.

**PARKS AND CAMPGROUNDS.** A developed area devoted to overnight temporary use for vacation, and/or recreational or emergency purposes, but not for residential purposes. A camping site may be occupied by a tent, travel trailer or recreational vehicle. Campgrounds shall not include intensively developed commercial uses such as retail stores or gas stations.

**PARTIES OF RECORD.** Persons with legal standing with respect to an application including the applicant, property owner as identified by the records available from the Pierce County assessor's office, or any person who testified at the open record public hearing on the application and/or; Any person who submitted written comments during administrative review or has submitted written comments concerning the application at the open record public hearing, excluding persons who have only signed petitions or mechanically produced form letters.

**PASSIVE RECREATION.** An outdoor leisure time activity which usually occurs in a natural or designed urban setting. Passive recreation may occur in common open lawn areas and, where determined appropriate, critical area buffers, aquifer recharge and flood water storage areas. Activities may include picnicking, sightseeing, walking, hiking, biking, horseback riding, and nature walks. Accessory structures associated with passive recreation include: Playground equipment, picnic shelters and tables, barbecue pits, exercise stations, restroom facilities, benches, directory signs, garbage containers, and landscaped areas.

**PASSIVE RESTORATION.** The use of natural processes, sequences, and timing which occurs after the removal or reduction of adverse stresses without other specific positive remedial action.

**PATIO.** A recreation area adjoining a dwelling which is often paved or a wood platform of thirty (30) inches or less above finished grade.

**PEDESTRIAN-ORIENTED FACADES.** Facades that feature one (1) or more of the following characteristics:

- a. Transparent window area or window displays along at least half the length of the ground floor facade.
- b. Sculptural, mosaic or bas-relief artwork along at least half the length of the ground floor facade.
- c. Pedestrian-oriented space, as defined below.
- d. Other measures that meet the intent of the criteria, as approved in conjunction with overall design review approval.

**PEDESTRIAN-ORIENTED SPACE.** An area between a building and a public street or another building that promotes visual and pedestrian access onto the site and that provides pedestrian-oriented amenities and landscaping to enhance the public's use of the space. Pedestrian-oriented spaces include but are not limited to outdoor plazas, arcades, courtyards, seating areas, and amphitheaters. Pedestrian-oriented spaces have:

- a. Visual and pedestrian access, including handicapped access, into the site from the public right-of-way.
- b. Special textured paved walking surfaces of either concrete or approved unit paving.
- c. On-site or building-mounted lighting providing at least four (4) footcandles (avg.) on the ground.
- d. Seating; at least four (4) feet of seating area (bench, ledge, etc.) or one (1) individual seat per sixty (60) square feet of plaza area or open space.
- e. Landscaping, including trees and seasonal plantings, that defines the space but does not act as a visual barrier to views from the street or adjacent buildings.
- f. Site furniture, artwork or amenities such as fountains, kiosks, etc.
- g. Pedestrian weather protection or other enclosure, such as an arcade or gazebo.

Generally, pedestrian-oriented spaces shall not have:

- a. Asphalt or gravel pavement.
- b. Adjacent unscreened parking lots.
- c. Adjacent chain-link fences.

d. Adjacent “blank walls” without “blank wall treatment”.

**PEDESTRIAN-ORIENTED USE.** A commercial use whose customers commonly arrive on foot, or where signage, advertising, window display and entryways are oriented toward pedestrian traffic on a public sidewalk. Pedestrian-oriented businesses may include restaurants, retail shops, personal service businesses, travel services, banks (except drive-through windows), and similar establishments.

**PENNANT.** A tapered flag having a distinctive triangular form. (See FLAG and STRING PENNANTS)

**PERFORMANCE STANDARDS.** Criterion to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by or inherent in uses of land or buildings.

**PERSON.** Any natural person, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government, or any other person or combination acting as a unit, with legal rights and duties, whether acting by themselves or by a servant, agent, employee, or guardian.

**PERSONAL WIRELESS SERVICE, PERSONAL WIRELESS SERVICE FACILITIES, AND FACILITIES.** (see Wireless Telecommunications Facility).

**PILING.** Wood, concrete or steel posts driven into the bottom in aquatic areas either as mooring devices or to support a dock, float, range marker, or other structure.

**PLAT.** A map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets, and alleys or other division and dedications.

**PLAT, PRELIMINARY.** A neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision consistent with the requirements of the City subdivision regulations and Chapter 58.17

**RCW.** The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

**PLAT, SHORT.** A legally recorded map or drawing which subdivides a parcel of ground into four (4) or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease or transfer of ownership.

**PLAZA.** A pedestrian space that is available for public use and is situated near a main entrance to a building or is clearly visible and accessible from the adjacent right-of-way. Typical features include special paving, landscaping, lighting, seating areas, water features, and art.

**POST OFFICE, BRANCH.** A government operated subdivision of a main post office serving as a base for one (1) or more carrier routes and providing customer postal service.

**POST OFFICE, CONTRACT STATION.** A privately operated, limited-service postal facility carried on as adjunct to a principal business or use.

**PREEMPTED FACILITY.** Any hazardous waste facility defined as a preempted facility in RCW 70.105.010 or in Chapter 173-303 WAC. This may include any facility that includes as a significant part of its activities any of the following hazardous waste operations:

- a. Landfill,
- b. Incineration,
- c. Land treatment,
- d. Surface impoundment to be closed as a landfill, or
- e. Waste pile to be closed as a landfill.

**PRE-EXISTING WIRELESS TELECOMMUNICATIONS FACILITY (WTF).** Any wireless telecommunications facility for which a building permit and/or development permit has been

properly issued prior to the date of adoption of this ordinance, including permitted Wireless Telecommunications Facilities (WTFs) that have not yet been constructed, so long as that permit or approval has not expired.

**PRELIMINARY APPROVAL.** An approval, based upon an application and conceptual plan for a Discretionary Land Use Permit, granted by the Director or Examiner which sets forth certain conditions.

**PRESCHOOL.** An establishment providing exclusively educational programs for prekindergarten or preschool children, but excluding daycare uses as specified in LMC 18A.20.400, Use Types and Levels.

**PRINCIPAL USE.** The main use to which the premises are devoted and the principal purpose for which the premises exist.

**PROCESSING OR HANDLING OF A HAZARDOUS SUBSTANCE.** The compounding, treatment, manufacture, synthesis, use or storage of hazardous substances in excess of the following amounts in bulk quantities: five thousand (5,000) pounds of solid hazardous substances, five hundred (500) gallons of liquid hazardous substances, and six hundred fifty (650) cubic feet of gaseous hazardous substances.

**PROJECT ACTION.** Any action taken or activity performed in conjunction with a development or to make a use possible, on a specific site or within a defined geographic area. Project actions do not in and of themselves constitute or result in a specific use. A project action involves a decision on a specific project located in a defined geographic area, such as agency decisions to license, permit, fund, or undertake any activity that will directly modify the environment, whether the activity will be conducted by the agency, an applicant, or under contract, or to purchase, sell, lease, transfer, or exchange natural resources, including publicly owned land, whether or not the environment is directly modified.

**PROJECT PERMIT.** Any land use or environmental permit or license required from the City of Lakewood for a project action, including but not limited to building permits, site development permits, grading or other land preparation permits, subdivisions, binding site plans, conditional uses, shoreline substantial development permits, site plan review, site specific rezones authorized by the comprehensive plan and other discretionary or administrative land use permits or approvals; but excluding adoption or amendment of the comprehensive plan and development regulations, zoning of newly annexed land, area-wide rezones, and zoning map amendments except as otherwise specifically included above in this definition.

**PROPERTY MANAGER.** A person or firm charged with the management of land and buildings as a business including renting of property, and keeping the premises and buildings in good condition.

**PROPERTY LINE ADJUSTMENT.** The relocation of a common property line between two (2) abutting properties.

**PROVIDER.** A corporation, company, association, joint stock company, firm, partnership, sole-proprietorship, limited liability company, other entity or individual which provides telecommunications services through the use of wireless telecommunications facilities.

**PUBLIC ACCESS.** Public access to shoreline and aquatic areas either may be achieved through

- a. direct physical access to shoreland and aquatic areas (i.e. boat ramps);
- b. aesthetic access (i.e. viewing opportunities); and
- c. other facilities providing some degree of access to shorelands and aquatic areas.

**PUBLIC FACILITIES.** Public facilities include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems,

storm waste facilities, parks and recreational facilities and schools. Such facilities include, but are not limited to, water supply electric power, gas and transportation of persons or freight.

**PUBLIC GAIN.** The net gain from combined economic, social, and environmental effects which accrue to the public because of a use or activity and its subsequent resulting effects.

**PUBLIC MEETING.** An informal or formal meeting, workshop, or other public gathering of persons to obtain comments from the public or other agencies on a proposed project permit prior to the City's decision, but is not an open record hearing.

**PUBLIC ON-SITE OPEN SPACE.** A space that is accessible to the public at all times, predominantly open above, and designed specifically for use by the general public as opposed to serving merely as a setting for the building.

**PUBLIC OR SEMI-PUBLIC USE.** A structure or use, owned or operated by a state, county, city, school district or other public or private agency or concern for the benefit of the public generally including schools, fire stations, libraries, community building, museums, child care centers, fairgrounds, and churches but does not include specific uses or structures which are defined separately in this section.

**PUMP/LIFT STATION.** The part of a water collection or distribution system that raises water from a lower to a higher elevation.

**QUALIFIED ARCHITECT OR ENGINEER.** An architect or engineer registered in the state of Washington who, by reason of his/her training and experience, is considered qualified to pass judgment on acoustical design, materials, and methods of construction for the attenuation of noise. The qualifications of the architect or engineer relative to acoustical design must be reviewed and found to be acceptable by the building official.

**QUEUING.** Specified area for vehicles awaiting service in a drive-through facility, which may include not only the space between point of ingress and the point of service, but also, where applicable, points of service internal to the drive-through operation. Where a drive-through contains not just one but separate points of ordering, payment, and/or receipt of goods, queuing is considered to apply in between all three points as well as between the ingress point and initial point of service. "Queuing" may be used interchangeably with "stacking."

**RECIDIVISM.** A condition that results when an offender who has served a period of incarceration is subsequently released from confinement and commits a new crime. As applied herein, a recidivating event is any event that results in the filing of criminal charges in any court of competent jurisdiction; or when an offender is administratively adjudicated and judged to have violated the terms of supervision or confinement in a manner that, had he or she been prosecuted in court, would have been equivalent to a misdemeanor, gross misdemeanor or felony crime in the state of Washington. Administrative adjudications are those conducted by DOC, the Indeterminate Sentence Review Board, their successors or their surrogates. Recidivating events include any criminal conduct including those which occur within the Type 4 Group Home.

**RECORDED.** Unless otherwise stated, filed for record with the Auditor of the County of Pierce, State of Washington.

**RECREATION.** The refreshment of body and mind through forms of play, amusement or relaxation. The recreational experience may be active, such as boating, fishing, and swimming, or may be passive such as enjoying the natural beauty of the shoreline or its wildlife. Facilities included as low-intensity recreation include picnic tables, trail signs, unpaved trails and portable restrooms.

**RECREATIONAL VEHICLE PARK.** A plot of ground upon which two (2) or more recreational vehicles are located, established or maintained for occupancy by recreational

vehicles of the general public as temporary living quarters for recreational, education or vacation purposes.

**RECREATIONAL VEHICLE.** A camping trailer, travel trailer, motor home, truck camper, and any similar vehicular-type units primarily designed as temporary living quarters for recreational, camping or travel use, with or without motor power, being of such size and weight as to be operable over highways without requirement of a special highway movement permit.

**RECYCLING CENTER.** A center for the receiving and storage of recyclable materials such as paper, glass and aluminum. The center would receive materials from the general public. This use may involve some outside storage.

**RECYCLING COLLECTION SITE.** A site with collection boxes or other containerized storage where citizens can leave materials for recycling.

**REHABILITATION.** Infrequent, extensive repair of more than routine nature to existing structures or facilities which are in current use or operation.

**RELIGIOUS ASSEMBLY.** An establishment whose principal purpose is religious worship and for which the principal building or other structure contains the sanctuary or principal place of worship, which may include accessory uses in the main building or in separate buildings or structures such as religious educational class rooms, assembly rooms, library or reading room, recreation hall, and a single dwelling unit for caretaker or clergy and his/her immediate family.

**REMOTE SWITCHING UNIT.** A device or group of devices in a telephone system having the necessary equipment for terminating and interconnecting subscribers' lines, farmer lines, toll lines and inter-facilities trunks, normally dependent on one (1) or more Central Office Switching Units for full operability.

**REPLAT.** The act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat or to increase or decrease the number of lots in the subdivision.

**RESORT.** Any area of land or water used for open land commercial or private recreation where overnight lodging, meals and related tourist services are provided in conjunction with such recreational use.

**RETAIL TRADE.** The sale or rental of goods and merchandise for final use or consumption.

**REVEGETATION.** The planting of vegetation to cover any land areas which have been disturbed during construction.

**RIGHT-OF-WAY.** Land owned, dedicated or conveyed to the public, used primarily for the movement of vehicles, wheelchair, bicycle, and pedestrian traffic. Right-of -way may also include land privately owned, provided that such land has been developed and constructed in compliance with all applicable laws and standards for a public right-of-way.

**RIPARIAN.** Of, pertaining to, or situated on the edge of the bank of a river, stream or other body of water.

**RIPRAP.** A layer, facing, or protective mound of stones randomly placed to prevent erosion, scour or sloughing of a structure or embankment; also, the stone so used. In local usage, the similar use of other hard material, such as concrete rubble, is also frequently included as riprap.

**ROADSIDE STAND.** A temporary structure designed or used for the display or sale of agricultural products primarily produced on the premises upon which such a stand is located.

**ROOM.** Any space in a building enclosed or set apart by a partition or partitions which is habitable and shall be deemed to apply to any room used as a bedroom, a dining room, a living room, a sitting room, a parlor, a kitchen, a sewing room, a library, a den, a music room, a

dressing room, a sleeping porch, a sun room, a sun porch, a party room, a recreation room, a breakfast room, a study, and similar uses.

**ROWHOUSE.** A three-story residential structure in which individual dwelling units are attached along at least one (1) common wall to at least two (2) other dwelling unit. Each dwelling unit occupies space from the ground to the roof and no portion of a unit may occupy space above or below another unit, except that townhouse units may be constructed over a common shared parking garage, provided the garage is underground.

**SALVAGE YARD OR JUNKYARD.** A place where waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including, but not limited to, auto and motor vehicle wrecking yards, house wrecking yards, used lumber yards and yards for use of salvaged house wrecking and structural steel materials and equipment.

**SCREENING.** Placement of a wireless telecommunication facility such as a tower or mount among trees or other appropriate vegetation to provide a natural, aesthetic appearance to the location of such wireless telecommunication facility.

**SECONDARY USE.** A use subordinate to the principal or primary use of the property, such as commercial, residential, or industrial uses allowed in each zoning district, etc.

**SECONDHAND DEALER.** Any person engaged, in whole or in part, in the business of buying, selling, trading, or otherwise transferring for value, secondhand or used personal property, metal junk, melted metals, or precious metals and consigned or auctioned goods.

**SECONDHAND PROPERTY/GOODS.** Any and all used or secondhand goods or items of personal property which can be used again for the purpose for which they were originally intended, including, but not limited to, valuable items such as coins with a value greater than their face value, precious metals, precious stones and jewelry.

**SECURITY BARRIER.** A wall, fence, or berm that has the purpose of securing a wireless telecommunications facilities wireless service facility from unauthorized entry or trespass.

**SEPTAGE.** A semisolid consisting of settled sewage solids combined with varying amounts of water and dissolved materials generated from a septic tank system.

**SERVICE AREAS.** Service areas refer to areas, enclosed or open, that contain equipment and uses such as ground level mechanical equipment, utility vaults, loading zones, outdoor storage areas, and trash and recycling areas.

**SERVICE PROVIDER.** The department, district or agency responsible for providing the specific public facility or service.

**SERVICE USES OR ACTIVITIES.** A business which sells the knowledge or work of its people rather than a tangible product.

**SETBACK.** The minimum required distance, measured from the wall line of any structure and a specified line such as a property line or buffer line that is required to remain free of structures unless otherwise provided in this title.

**SEWAGE SYSTEM, ON-SITE.** Any system of piping, treatment devices, or other facilities that convey, store, treat, or dispose of sewage on the property where it originates or on adjacent or nearby property under control of the user where the system is not connected to a public or approved private sewer system.

**SEWAGE COLLECTION SYSTEM.** Pipelines, culverts, and appurtenances which transport wastewater and sewage from points of origin to wastewater treatment plants, or which convey treated wastewater to points of discharge.

**SHADING VEGETATION.** Vegetation planted on the south side of a major creek that generally provides shade from midmorning to midafternoon. Examples of shading vegetation are specified in LMC 18A.50.400, Landscaping.

**SHED, STORAGE.** A structure in which possessions are kept for future use and which is constructed on the owner's property. The owner may not lease the structure or any portion of the storage area to a second party. The structure shall not be used for any form of commercial production or retail sales activities.

**SHOPPING CENTER.** A retail shopping area designed as a unit, with a minimum of six (6) tenant spaces, and which uses a common parking area.

**SHORELINE.** The boundary between a body of water and the land, measured on tidal waters at the landward limit of aquatic vegetation or, where aquatic vegetation is absent, Mean Higher High Water; and on non-tidal waterways at the ordinary high water mark.

**SHORELINE STABILIZATION.** The protection from erosion and sloughing of the banks of tidal or non-tidal streams, rivers or lakes by vegetative or structural means:

a. Vegetative shoreline stabilization is the use of lands that anchor the soil to prevent shoreline erosion and sloughing.

b. Structural shoreline stabilization is the use of riprap, bulkheads, sea walls, or other non-vegetative material to prevent shoreline erosion.

**SIGNIFICANT TREE.** An existing tree which, when measured at four and one-half (4 1/2) feet above ground

a. has a minimum diameter of nine (9) inches for evergreen trees and deciduous trees;

b. has a minimum diameter of six (6) inches for Garry Oaks, also known as Oregon White Oaks, and,

c. Regardless of the tree diameter, is determined to be significant by the Community Development Director due to the uniqueness of the species or provision of important wildlife habitat.

**SINGLE FAMILY ATTACHED DWELLING.** A single-family residential structure that is structurally attached to another single-family residential structure and provides living accommodations for an individual or family. Attached dwelling units may be separate structures located on individual lots or on a commonly owned parcel.

**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.

**SITE PLANNING.** Site planning is the arrangement of buildings, driveways, sidewalks, public open spaces, landscaping, parking, and other facilities on a specific site.

**SKATING RINK.** A commercial facility wherein the rental of skating equipment occurs and an enclosed skating surface for private or public use is provided.

**SLOPE LINE.** The line perpendicular to the contour lines crossing the property.

**SOIL.** Soil means the surface layer of earth supporting plant life.

**SOLID WASTE INCINERATOR.** The processing of solid wastes by means of pyrolysis, refuse-derived fuel or mass incineration within an enclosed structure. These processes may include the recovery of energy resources from such waste or the conversion of the energy in such wastes to more useful forms or combinations thereof. This definition refers to citywide or

regional-scale operations and does not include solid waste incineration which is accessory to an individual principal use.

**SOLID WASTE TRANSFER STATION.** The transfer of solid waste materials from route collection trucks to larger capacity semi-trailers for transport to a solid waste disposal site. The transfer activities would be conducted entirely within an enclosed structure. The use may involve a service area for the repair and maintenance of trucks and an outside parking area for trucks.

**SOLID WASTE.** All wastes, including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, discarded commodities, sludge from wastewater treatment plants, seepage from septic tanks, wood wastes, dangerous wastes, and problem wastes.

**SOUND ABSORPTION.** Capacity of the materials and furnishings in a habitable room to absorb sound.

**SOUND LEVEL.** In decibels, the quantity measured by an instrument that satisfies American National Standard Specification for Sound Level Meters, S1.4-1971, or the most recent revision thereof. Sound level is understood to be measured with the A-weighted filter and slow response of the instrument.

**SOUND TRANSMISSION CLASS (STC) OF A PARTITION.** A single figure rating of the sound-isolating properties of a partition, which takes into account the relative importance of the sound transmission loss of the partition at different frequencies. The determination of the sound transmission class of a partition is described in "Determination of Sound Transmission Class," American Society for Testing and Materials, Designation E413-73.

**SOUND TRANSMISSION LOSS OF A PARTITION.** A measure of the sound-isolating properties of a wall, floor, ceiling, window or door, that is characteristic of the partition itself and not the room of which it is part. The determination of sound transmission loss of a partition, in the field, is described in "Measurement of Airborne Sound Isolation in Buildings," American Society for Testing and Materials, Designation E336-71 or the latest revision thereof.

**SPORTING VEHICLE.** A motor- or wind-powered device used in or on the water or off normal public roads for recreational or sporting purposes.

**STABILIZATION.** The process of controlling or stilling the movement of sand and eroding soil by natural vegetative growth, planting of grasses and shrubs, or mechanical means such as wire net or fencing.

**STACKING SPACE.** The space specifically designated as a waiting area for vehicles whose occupants will be patronizing a drive-in business. Such space is considered to be located directly alongside a drive-in window, facility or entrance used by patrons and in lanes leading up to and away from the business establishment.

**STORAGE.** The parking of vehicles or machinery and/or the placement of equipment, inventory, goods or materials in a location for more than 72 hours or the use of a site for the parking of vehicles or machinery and/or the placement of equipment, inventory, goods or materials in a reoccurring or routine manner, regardless of the time interval.

**STORMWATER CONVEYANCE FACILITIES.** Features such as gutters, pipelines, culverts, manholes, weirs, man-made and natural channels, water quality filtration systems and drywells that convey stormwater.

**STORMWATER MULTIPLE USE FACILITIES.** Stormwater pond facilities that are also developed to allow uses such as parks, recreational, educational and research structures and activities.

**STORY.** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

**STREAMBANK ALTERATION.** Realignment of a stream bank or the entire stream, either within or without its normal high water boundaries.

**STREAM BANK, TOP OF.** That line along the highest elevations at the top of a slope above a channel or stream, where the slope changes to less than ten (10) percent.

**STREET FURNITURE.** The objects placed on or near a sidewalk for use, convenience or enjoyment primarily by pedestrians such as benches or other seating arrangements, trash receptacles, mail and newspaper boxes, kiosks, light poles, and art objects.

**STREET TREE FUND.** A fund established by ordinance for the purpose of allowing the transfer of street improvements including street trees, landscaping and urban design features such as sidewalks and street furniture from one site to another.

**STREET TREE.** A species of tree approved by the City of Lakewood to be planted along street frontages in accordance with the provisions of LMC 18A.50.400, Landscaping.

**STREET WALL.** The construction of buildings adjacent to the edge of the sidewalk and which abut each other or are in very close proximity to one another, to create the effect of a continuous wall of building facades along the sidewalk at the property lines.

**STREET, CUL-DE-SAC.** A street having only one (1) outlet for vehicular traffic, with a turnaround at the closed end and which is not planned to be extended or continued to serve future subdivisions or development on adjacent lands.

**STREET, STUBBED.** A street having only one (1) outlet for vehicular traffic which is constructed to the edge of a property line, and which is to be extended or continued to serve future subdivisions or development on adjacent property.

**STREET.** A public access way located within a thirty (30) feet right-of-way that was created to provide ingress and/or egress to one (1) or more lots, parcels, areas or tracts of land and includes the terms road, highways, lanes, avenue, or similar designation.

**STREETSCAPE.** The streetscape is the visual character and quality of a street as determined by various elements located between the edge of the street and the building face, such as trees and other landscaping, street furniture, lighting, artwork, transit stops, signage, utility fixtures and equipment, and paving treatments. Where there are frequent and wide spaces between buildings, the streetscape will be defined by the pattern of building and open space and the character of that open space.

**STRUCTURAL ALTERATION.** Any change to the supporting members of a building including foundations, bearing walls or partitions, columns, beams, or girders or any structural change in the roof or in the exterior walls.

**STRUCTURE (used in connection with flood regulations only).** A walled and roofed building, a manufactured home, and a gas or liquid storage tank that is principally above ground.

**STRUCTURE.** Anything that is constructed in or on the ground or over water, including any edifice, gas or liquid storage tank, and any piece of work artificially built up or composed of parts and joined together.

**SUBDIVIDER.** Any person who undertakes the subdivision of land for the purpose of ownership or development at any time, whether immediate or future.

**SUBDIVISION.** The act of dividing a parcel or tract of land into smaller lots and tracts.

**SUBDIVISION, FINAL.** The final drawing of the subdivision and dedication prepared for filing for record with the County Auditor and containing all elements and requirements set forth in this Title and Chapter 58.17 RCW.

**SUBSTANTIAL IMPROVEMENT** (for the purposes of flood regulations only). Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either:

- a. Before the improvement or repair is started, or
- b. If the structure has been damaged and is being restored, before the damage occurred.

Substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not the alteration affects the external dimensions of the building. The term does not, however, include:

- a. Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or
- b. Any alteration of a structure listed on the National Register of Historical Places or a State Inventory of Historic Places.

**SURFACE MINING.** Any area or areas within one-half (1/2) mile of each other, where extraction of minerals from the surface results in: Removal of five thousand (5,000) cubic yards of material; or More than three acres of disturbed area; or Mined Slopes greater than thirty (30) feet high land steeper than one (1) foot horizontal to one (1) foot vertical; or more than one (1) acre of disturbed area within an eight (8) acre or greater area when the disturbed area results from mineral prospecting or exploration activities. Surface mines include areas where mineral extraction from the surface occurs by the auger method or by reworking mine refuse or tailings, when these activities exceed the quantity, size, or height threshold listed above. Surface mining shall not include excavations and grading for the purpose of public safety or restoring the land following a natural disaster.

**SURVEY AND MONUMENT.** To locate and monument the boundaries of a partition parcel, road right-of-way or road easement.

**TELECOMMUNICATIONS SERVICE.** The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

**TELECOMMUNICATIONS.** The transmission, between or among points specified by the user, of information of the user's choosing without change in the form or content of the information as sent and received.

**TEMPORARY USE.** A non-permanent structure, use or activity involving minimal capital investment that does not result in the permanent alteration of the site and which is intended to exist or operate for a limited period of time.

**TOWER [FOR THE PURPOSES OF WIRELESS TELECOMMUNICATIONS FACILITIES (WTF)].** Any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennas for telecommunications, including, but not limited to, radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers or personal communications services towers, alternative tower structures and other similar communication purposes. The term includes the structure, all structural supports, and all related buildings and appurtenances.

**TOWNHOUSE.** A two-story residential structure in which individual dwelling units are attached along at least one (1) common wall to at least two (2) other dwelling units. Each

dwelling unit occupies space from the ground to the roof and no portion of a unit may occupy space above or below another unit, except that townhouse units may be constructed over a common shared parking garage, provided the garage is underground.

**TOXIC MATERIALS.** A substance (liquid, solid, or gaseous) which by reason of an inherent deleterious property tends to destroy life or impair health.

**TRACT.** Any parcel of land, lot, building site, or contiguous combination thereof devoted to or intended to be devoted to a principal use and any other uses customarily accessory thereto.

**TRAILER, AUTOMOBILE COMMERCIAL.** A vehicle without motor power designed to be drawn by a motor vehicle and which trailer is used or is to be used for carrying goods and property.

**TRANSFER STATION, DROP-BOX.** A solid waste facility requiring a state solid waste permit which is used for placement of a detachable container including the area adjacent for necessary entrance and exit roads, unloading and turn-around areas. The facility normally serves the general public with loose loads and receives waste from offsite.

**TRANSFER STATION.** A solid waste facility requiring a state solid waste permit which is a permanent, fixed supplemental collection and transportation facility, used by person and route collection vehicles to deposit collected solid waste from offsite into a larger transfer vehicle for transport to a disposal facility. It may include baling or compaction activities or recycling facilities.

**TRANSITIONAL HOUSING.** A facility operated publicly or privately to provide housing for individuals or families who might otherwise be homeless and generally have no other immediate living options available to them. Transitional housing shall not exceed a two (2) year period per individual or family.

**TRANSIT-ORIENTED DEVELOPMENT.** Development that is centered around and coordinated in its use and design with a transit station or other transit facility. Transit-oriented development includes a variety of different planning and development projects, but is typically compact, medium to high density, mixed-use development within walking distance of transit with a focus on pedestrian orientation and creating neighborhood centers, places and/or gathering spots.

**TRANSPARENT GLASS.** Windows that are transparent enough to permit the view of activities within a building from nearby streets, sidewalks and public spaces. Tinting or some coloration is permitted, provided a reasonable level of visibility is achieved. Reflective or very dark tinted glass does not accomplish this objective.

**TREE REMOVAL PERMIT.** An approval granted by the Community Development Department to remove a significant tree(s) within the city.

**TREE.** Any living woody plant characterized by one (1) main trunk and many branches.

**UNIFORM BUILDING CODE (UBC).** The current version of the Uniform Building Code, published by the International Conference of Building Officials.

**UNIQUE AND FRAGILE AREA.** An area of special environmental significance for wildlife habitat, threatened plant communities or natural scenic quality.

**UNLICENSED WIRELESS SERVICES.** Commercial mobile services that operate on public frequencies and are not required to have a FCC license to operate.

**USE CATEGORY.** A group of similar use types that are associated with each other to such an extent that they represent a general land use function.

**USE TYPE.** A group of similar uses that are fundamentally related to each other, contain equivalent characteristics, and which fall within the same use category.

**USE, PERMITTED.** Any use allowed in a zoning district and subject to the restrictions applicable to the specific use.

**USE, PRINCIPAL.** The primary or predominant use of any lot or parcel.

**USE.** The purpose or activity for which land or buildings are designed, arranged, or intended, or for which land or buildings are occupied, maintained, rented, or leased, and includes any manner of performance of such activity with respect to the performance standards of this zoning code. A use often involves the placement of structures or facilities for industry, commerce, habitation, or recreation.

**UTILITIES.** Public facilities including electrical substation, electrical generation facilities, electrical transmission, telephone or communication lines, pipelines, sewer lines, water lines, natural gas lines, or similar transmission facilities, natural gas gate valve and storage facilities, sewage collection and treatment facilities, waste disposal facilities, waste transfer facilities, and water supply facilities.

**UTILITY VEHICLE.** A utility vehicle includes those devices capable of being moved upon a public highway and in, upon, or by which any property or animal is or may be transported or drawn upon a public highway such as utility trailers, horse trailers, and other similar devices, except for devices moved by human or animal power or used exclusively upon stationary rails or tracks.

**VARIANCE.** A modification of regulations of this title when authorized by the hearing examiner after finding that the literal application of the provisions of this title would cause undue and unnecessary hardship in view of certain facts and conditions applying to a specific parcel of property.

**VEGETATIVE GROUNDCOVER.** Low growing vegetation that does not usually exceed one (1) foot in height and eventually grows together to form a continuous mass.

**VETERINARY CLINIC.** Any premises to which animals are brought, or where they are temporarily kept, solely for the purpose of diagnosis or treatment, care, observation or treatment of any illness or injury to domestic or exotic animals.

**WAREHOUSE.** A structure, or part of a structure, for storing goods, wares, and merchandise, whether for the owner of the structure or for others.

**WASTE-TO-ENERGY FACILITY, MUNICIPAL SOLID WASTE.** A combustion plant specializing in disposal of or energy recovery from mixed waste from municipal sources.

**WASTE-TO-ENERGY FACILITY, SPECIAL.** A combustion plant designed to burn more than twelve (12) tons per day and specializing in disposal of or energy recovery from a single type of waste of known and consistent composition, other than municipal waste, such as tires or infectious waste.

**WASTE-TO-ENERGY FACILITY.** Any solid waste facility designed as a combustion plant to dispose of solid waste or to recover energy in a useable form from mass burning, refuse-derived fuel incineration, pyrolysis or any other means of using the heat of combustion of solid waste which requires a state solid waste permit under RCW 70.95.

**WASTEWATER TRANSFER FACILITY.** Equipment, structures, driving and parking surfaces, and appurtenances used for loading wastewater for transport to wastewater treatment facilities.

**WASTEWATER.** Water that carries waste from domestic, commercial or industrial facilities together with other waters which may inadvertently enter the sewer system through infiltration and inflow.

**WATER PURIFICATION FACILITY.** Treatment plants or facilities for disinfecting water.

**WATER SUPPLY, POTABLE.** A water source that complies with appropriate state agency regulations as to quality and quantity for use as a drinking source.

**WESTERN STATE HOSPITAL CAMPUS.** A hospital and surrounding buildings, wards, and related and/or accessory structures, operated and maintained by the state of Washington for the care and treatment of patients affected with acute or chronic mental illness. The campus also includes the operation of an existing child study and treatment center and forensic center, both of which are located on the grounds of the Western State Hospital campus. Mental health facilities, the child study and treatment center, and the forensic center are subject to the public facilities master plan development standards listed in LMC 18A.30.850 as hereafter may be amended. The mental health facilities located at Western State Hospital are considered to constitute an Essential Public Facilities Civic use type.

**WETLAND CREATION.** Alteration, by excavation or other means, of upland areas to allow local hydrologic conditions to convert soils and vegetation to hydric character.

**WETLAND ENHANCEMENT.** An action which results in a long term improvement of existing wetland functional characteristics and processes that is not the result of a creation or restoration action.

**WETLANDS.** Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

**WHIP ANTENNA.** An omnidirectional dipole antenna of cylindrical shape that is no more than six inches in average diameter.

**WHOLESALE.** Establishments primarily engaged in selling merchandise to retailers; industrial, commercial, institutional, or professional business users; or other wholesalers; or acting as agents or brokers and buying for or selling merchandise to such individuals or companies; and professional and commercial equipment suppliers.

**WIRELESS TELECOMMUNICATIONS FACILITIES (WTF), INCLUDING PERSONAL WIRELESS SERVICE.** Personal wireless service facilities, and facilities as defined in Title 47, United States Code, Section 332(c)(7)(C), including all future amendments, and also includes facilities for the transmission and reception of radio or microwave signals used for communication, telecommunication, cellular phone personal communications services, enhanced specialized mobile radio, any other services licensed by the FCC, and any other unlicensed wireless services.

**YARD.** An open area on a lot with a building and bounded on one (1) or more sides by such building, such space being unoccupied land unobstructed from the ground upward.

**YARD SALE.** All temporary and intermittent sales which may be variously referred to as “garage sale,” “lawn sale,” “attic sale,” “rummage sale,” “estate sale,” or any similar casual sale of tangible personal property from a residence or community use which is advertised by any means whereby the public at large is or can be made aware of the sale, and which is clearly secondary to the primary use of the site.

**YARD, FRONT.** An open space on the same lot with the building, between the front wall line of the building, exclusive of steps, and the front property line, including the full width of the lot to its side line.

**YARD, REAR.** An open space on the same lot with the building between the rear wall line of the building, exclusive of steps and accessory buildings, and the rear line of the lot, including the full width of the lot to its side lines.

**YARD, SIDE.** An open, unoccupied space on a lot, between the side wall line of the main building, exclusive of steps, and the side property line of the lot.

**ZONING CERTIFICATION.** A certificate, issued prior to a project permit, stating that the proposed use is in accordance with the requirements and standards of this title

**ZONING DISTRICT.** An area accurately defined as to boundaries and location, and classified by the Zoning Code as available for certain types of uses and within which other types of uses are excluded.

**ZONING.** The regulation of the use of private lands or the manner of construction related thereto in the interest of implementing the goals and policies of the comprehensive plan. Zoning includes both the division of land into separate and distinct zoning districts, and the specific use and development standards that regulate development. Such regulation shall also govern those public and quasi-public land use and buildings that provide for government activities and proprietary type services for the community benefit, except as prohibited by law. State and federal governmental activities are strongly encouraged to cooperate under these regulations to secure harmonious city development.

Section 15: Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance.

Section 16: Effective Date. This ordinance shall take place thirty (30) days after its publication or publication of a summary of its intent and contents.

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

# REQUEST FOR COUNCIL ACTION

<b>DATE ACTION IS REQUESTED:</b> March 21, 2016	<b>TITLE:</b> Ordinance Amending Sections 12A.9.022, 12A.9.023 and 12A.9.024 related to Street Classifications.	<b>TYPE OF ACTION:</b> <input checked="" type="checkbox"/> ORDINANCE NO. 635 <input type="checkbox"/> RESOLUTION NO. <input type="checkbox"/> MOTION NO. <input type="checkbox"/> OTHER
<b>REVIEW:</b> January 19, 2016	<b>ATTACHMENTS:</b> Ordinance, Study Session Memo dated 1/19/16, SEPA determination dated 3/16/16	

**SUBMITTED BY:** Don Wickstrom, P.E., Public Works Director/City Engineer

**RECOMMENDATION:** It is recommended that the City Council adopt Ordinance # 635 which amends Sections 12A.9.022, 12A.9.023 and 12A.9.024 related to Street Classifications.

**DISCUSSION:** As Council may recall these recommended amendments were last discussed and reviewed by Council at the January 25, 2016 Study Session (See attach Memo). As discussed at the Study Session this was the 1<sup>st</sup> and only comprehensive review of all the current street classifications since incorporation. As in conjunction with Council’s discussion it was discovered that Motor Ave SW from Lexington Ave to Whitman was inadvertently missed for which it has subsequently been included in the amendment. This update is important as those streets that are classified as arterials and which subsequently become part of the Federal Route System are the only city streets that are eligible for certain grant funding. As noted at the January 25<sup>th</sup> Study Session this amendment wouldn’t be brought back for Council adoption until the State Environmental Policy Act (SEPA) had been complied with. Said compliance therewith occurred on March 16, 2016 (See attached Determination of NON-SIGNIFICANCE). (Continued on Page 2).

**ALTERNATIVE(S):** The only alternative is to do nothing which would potentially inhibit the ability to secure grants for those certain streets now being added to the list.

**FISCAL IMPACT:** There is no fiscal impact associated with adopting this amendment.

Prepared by _____  Department Director _____	 City Manager Review
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**DISCUSSION (Continued From Page 1):**

Below is a summary of the proposed Street Classification amendments:

	<b>Street</b>	<b>From</b>	<b>To</b>	<b>Amendment</b>
1	Bridgeport Way W / <u>SW</u>	McChord Drive (south City limits)	Leach Creek (north city limits)	Updated street name.
2	Gravelly Lake Drive	<u>I-5 Northbound On-ramp</u>	Bridgeport Way <u>SW</u>	Updated limits and street name.
3	Interlaaken Drive <u>SW</u>	<u>Short Lane SW</u>	Holly Hedge Lane <u>SW</u>	Updated street name.
4	<u>Main Street SW</u>	<u>Gravelly Lake Drive</u>	<u>108<sup>th</sup> Street SW</u>	New minor arterial (new street added since incorporation)
5	Wildaire Road <u>SW</u>	Gravelly Lake Drive <u>SW</u>	59 <sup>th</sup> Avenue <u>SW</u>	Reclassified to Local Access Road. Main Street replaced this route when Wildaire Road was made a “dead end.”
6	108 <sup>th</sup> Street <u>SW</u>	<u>Main Street SW</u>	Pacific Highway <u>SW</u>	Updated limits to reflect new Main Street.
7	Alfaretta Street <u>SW</u>	Dekoven Drive <u>SW</u>	<u>Gravelly Lake Drive SW</u>	Updated limits to match Federal Route limits.
8	<u>Amber Drive SW</u>	<u>Zircon Drive SW</u>	<u>Sapphire Drive SW</u>	New collector arterial (match existing land use / traffic patterns).
9	Avondale Road <u>SW</u>	<u>Brook Lane SW</u>	Gravelly Lake Drive <u>SW</u>	Updated limits.
10	Berkeley Street <u>SW</u>	<u>I-5 Northbound On-Ramp</u>	Portland Avenue <u>SW</u>	Updated limits.
11	<u>Coral Lane SW</u>	<u>Sapphire Drive SW</u>	<u>Onyx Drive SW</u>	New collector arterial (match existing land use / traffic patterns).
12	Lake Louse Drive <u>SW</u>	104 <sup>th</sup> Street <u>SW</u>	<u>100<sup>th</sup> Avenue SW</u>	Update limits.
13	Meadow Road <u>SW</u>	<u>Brook Lane SW</u>	Ardmore Drive <u>SW</u>	Update street name.
14	<u>Motor Avenue SW</u>	<u>Lexington Avenue SW</u>	<u>Whitman Avenue SE</u>	New collector arterial to match Federal Route.
15	Portland Avenue <u>SW</u>	<u>Boundary Street SW</u>	North Thorne Lane <u>SW</u>	Updated limits.
16	<u>San Francisco Avenue SW</u>	<u>Interstate 5</u>	<u>Addison Street SW</u>	New collector arterial (match existing land use / traffic patterns).
17	<u>Sapphire Drive SW</u>	<u>Amber Drive SW</u>	<u>Coral Lane</u>	New collector arterial (match existing land use / traffic patterns).
18	59 <sup>th</sup> Avenue <u>SW</u>	<u>Main Street SW</u>	Gravelly Lake Drive <u>SW</u>	Updated limits to reflect new public roadways.
19	75 <sup>th</sup> Street <u>W</u>	John Dower Road <u>W</u>	<u>Bridgeport Way W</u>	Updated limits of collector arterial and updated street name.
20	75 <sup>th</sup> Street <u>W</u>	<u>Bridgeport Way W</u>	<u>Lakewood Drive W</u>	Change street class to minor arterial. Extended limits to Lakewood Drive.
21	104 <sup>th</sup> Street <u>SW</u>	<u>Hipkins Road SW</u>	Interlaaken Drive <u>SW</u>	Updated limits.

ORDINANCE NO. 635

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Sections 12A.9.022, 12A.9.023 and 12A.9.024 of the Lakewood Municipal Code relative to arterial classifications.

WHEREAS pursuant to RCW 35.78.010, all jurisdictions are to classify all of its streets according to their function. Classification of streets provides ability to designate travel patterns through the planned land uses and to design street cross sections accordingly. Classification of a street as an arterial makes it part of the Federal Route System, thereby making the street eligible for certain grant funding; and

WHEREAS Lakewood last undertook a comprehensive review of arterial classifications in 2009. Since that time, the City's traffic patterns have changed, prompting the need to reevaluate these classifications; and

WHEREAS Public Works engineering completed a comprehensive review of all current street classifications within the city and determined that some amendments are warranted. A majority of the amendments are to clarify beginning and end limits of classified streets. The major amendments are to provide street classifications to be consistent with actual and proposed land use and associated traffic patterns; and

WHEREAS these proposed street classification amendments has been reviewed through the State Environmental Policy Act (SEPA) and no environmental impacts related to these proposed amendments.

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

Section 1: Section 12A.9.022 LMC entitled "Principal Arterials" is amended to read as follows:

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

The spacing of principal arterials usually varies from about 1 mile in highly developed business areas to 5 miles or more in rural areas. Service to abutting land should be subordinate to the provision of travel service to principal traffic movements; this service should be incidental to the primary functional responsibility of the street. Desirably it is located on community and

neighborhood boundaries or adjacent to but not through principal shopping centers, parks, and other homogeneous areas.

<b>Principal Arterials</b>		
<b>Street Name</b>	<b>From</b>	<b>To</b>
Bridgeport Way W /SW	McChord Drive (South City Limits)	Leach Creek (north city limits)
Custer Road SW & W	88th Street SW	74th Street W
Gravelly Lake Drive	I-5 Freeway Northbound on-ramp	Bridgeport Way W
Lakewood Drive SW	Bridgeport Way SW	74th Street W (north city limits)
Military Road SW	107th Ave. SW (west city limits)	Washington Blvd. SW
South Tacoma Way	112th Street S	South 80th Street (north city limits)
Steilacoom Boulevard SW	Far West Drive (West City Limits)	South Tacoma Way
Washington Boulevard SW	Military Road SW	Gravelly Lake Drive SW
74th Street W	Custer Road W	Lakewood Drive SW
88th Street SW	Steilacoom Boulevard SW	Custer Road SW
100th Street SW	Bridgeport Way SW	South Tacoma Way
112th Street S	South Tacoma Way	Steele Street S

Section 2: Section 12A.9.023 LMC entitled “Minor Arterials” is amended to read as follows:

Minor arterials interconnect with and augment the principal arterial system. Minor arterials connect principal arterials to collector arterials and small generators. They provide service to medium-size trip generators, such as less intensive commercial development, high schools and some junior high/grade schools, warehousing areas, active parks and ball fields, and other land uses with similar trip generation potential. They distribute travel to smaller geographic areas and communities than those identified with the principal arterial system. They provide service to trips of moderate length of a somewhat lower level of travel mobility than principal arterials. The design year ADT is approximately 5,000 to 20,000.

Spacing of minor arterials is usually less than 1 mile in fully developed areas. They provide intra-community continuity and are typically a continuous street with a direct rather than a meandering alignment. They may carry local bus routes. Minor arterials allow for more emphasis on land access than the principal arterial system. They usually do not penetrate identifiable neighborhoods.

<b>Minor Arterials</b>		
<b>Street Name</b>	<b>From</b>	<b>To</b>
Ardmore Drive SW	Steilacoom Boulevard SW	Whitman Avenue SW
Butte Drive SW	116th Street SW	104th Street SW

<b>Minor Arterials</b>		
<b>Street Name</b>	<b>From</b>	<b>To</b>
Custer Road SW	Steilacoom Boulevard SW	88th Street SW
Edgewood Avenue SW	North Gate Road SW	Washington Blvd. SW
Far West Drive SW	112th Street SW	Steilacoom Blvd. SW
Garnet Lane SW	Onyx Drive SW	83rd Avenue SW
Gravelly Lake Drive SW	Bridgeport Way SW	Steilacoom Blvd. SW
Hipkins Road SW	104th Street SW	Steilacoom Blvd. SW
Interlaaken Drive SW	<del>Interlaaken Drive SW</del> <u>Short Lane SW</u>	Holly Hedge Lane SW
Lakeview Avenue SW	111th Street SW	Steilacoom Blvd
<u>Main Street SW</u>	<u>Gravelly Lake Drive</u>	<u>108<sup>th</sup> Street SW</u>
Mount Tacoma Drive SW	Holly Hedge Lane SW	Lexington Avenue SW
Mount Tacoma Drive SW	Motor Avenue SW	Bridgeport Way SW
Murray Road SW	Fort Lewis Gate Entrance	I-5 Northbound On-ramps
North Gate Road SW	Nottingham Road SW	Edgewood Avenue SW
North Thorne Lane SW	Union Avenue SW	I-5 Northbound On-ramps
Nyanza Road SW	Gravelly Lake Drive SW (S)	Gravelly Lake Drive SW (N)
Pacific Highway SW	Gravelly Lake Drive SW	South Tacoma Way
Phillips Road SW	Steilacoom Boulevard SW	Onyx Drive SW
Short Lane SW	104 <sup>th</sup> Avenue SW	Interlaaken Drive SW
Union Avenue SW	Berkeley Street SW	North Thorne Lane SW
Vernon Avenue SW	Veterans Drive SW	116 <sup>th</sup> Street SW
Veterans Drive SW	Nottingham Avenue	Gravelly Lake Drive SW
Whitman Avenue SW	Motor Avenue SW	Ardmore Drive SW
<del>Wildaire Road SW</del>	<del>Gravelly Lake Drive SW</del>	<del>59<sup>th</sup> Avenue SW</del>
40 <sup>th</sup> Avenue SW	100 <sup>th</sup> Street SW	96 <sup>th</sup> Street SW
<u>75<sup>th</sup> Avenue W</u>	<u>Bridgeport Way W</u>	<u>Lakewood Drive W</u>
83 <sup>rd</sup> Avenue SW	Steilacoom Boulevard SW	Garnett Lane SW
84 <sup>th</sup> Street S	South Tacoma Way	Tacoma Mall Boulevard S
87 <sup>th</sup> Avenue SW	Steilacoom Boulevard SW	Onyx Drive SW
93 <sup>rd</sup> Street SW	Whitman Avenue SW	Bridgeport Way SW
96 <sup>th</sup> Street S	40 <sup>th</sup> Avenue SW	Lakewood East City Limits
100 <sup>th</sup> Street SW	Gravelly Lake Drive SW	Bridgeport Way SW
104 <sup>th</sup> Street SW	Butte Drive SW	Hipkins Road SW
108 <sup>th</sup> Street SW	<del>59<sup>th</sup> Avenue SW</del> <u>Main Street</u>	Pacific Highway SW
111th Street SW	112th Street SW	Lakeview Avenue SW
112th Street SW	Gravelly Lake Drive SW	111th Street SW
112th Street SW	Military Road SW	Farwest Drive SW
150th Street SW	Murray Road SW	Lakewood East City Limits

Section 3: Section 12A.9.024 LMC entitled “Collector Arterials” is amended to read as follows:

Collector arterials distribute trips from principal and minor arterials to the ultimate destination, or may collect traffic from local streets and channel it into the principal and minor arterial systems. They carry a low proportion of traffic traveling through the entire subarea; carry a high proportion of local traffic with an origin or destination within that area. Design year ADT is approximately 2,000 to 8,000. They may be on a somewhat meandering alignment and need not be particularly long or continuous.

Spacing is typically about 1/4 mile in developed areas. Collector arterials provide land access service and traffic circulation within residential neighborhoods, commercial, and industrial areas. They may penetrate identifiable residential neighborhoods.

### Collector Arterials

Street Name	From	To
Alferetta Drive SW	Dekoven Drive SW	<del>Meadow Road</del> Gravelly Lake Drive SW
<u>Amber Drive SW</u>	<u>Zircon Drive SW</u>	<u>Sapphire Drive SW</u>
Angle Lane SW	Elwood Drive SW	Hipkins Road SW
Avondale Road SW	<del>Meadow Road</del> Brook Lane SW	Gravelly Lake Drive SW
Berkeley Street SW	I-5 <del>South</del> northbound On-ramps	Portland Avenue SW
Bristol Avenue SW	Lakewood Mall	100th Street SW
Clover Creek Drive SW	Pacific Highway SW	Hillcrest Drive SW
<u>Coral Lane SW</u>	<u>Sapphire Drive SW</u>	<u>Onyx Lane SW</u>
Dekoven Drive SW	Meadow Road SW	Lake Grove Street SW
Dresden Lane SW	Elwood Drive SW	87 <sup>th</sup> Avenue SW
Durango Street SW	Steilacoom Boulevard SW	B&I Parking Lot
Edgewood Avenue SW	Veterans Drive SW	North Gate Road SW
Elwood Drive SW	Angle Lane SW	Dresden Lane SW
Hillcrest Drive SW	Glenwood Avenue SW	Clover Creek Drive SW
Holden Road SW	Military Road SW	Lake Louise Drive SW
Huggins Meyers Rd SW	116 <sup>th</sup> Street SW	112 <sup>th</sup> Street SW
Idlewild Road SW	112 <sup>th</sup> Street SW	104 <sup>th</sup> Street SW
Interlaaken Drive SW	Veterans Drive SW	Lake Steilacoom Dr. SW
John Dower Road SW	Steilacoom Boulevard	Custer Road W
John Dower Road W	Custer Road W	75 <sup>th</sup> Street W
Lake City Boulevard SW	Veterans Drive SW	116 <sup>th</sup> Street SW
Lake Grove Avenue SW	Waverly Avenue SW	Dekoven Drive SW
Lakewood Mall Blvd. SW	Lakewood Mall	Bridgeport Way SW
Lake Louise Drive SW	100 <sup>th</sup> Avenue SW	Holden Road SW
Lake Louise Drive SW	Holden Road SW	104 <sup>th</sup> Street SW
Lake Louise Drive SW	104 <sup>th</sup> Street SW	<del>Lake Louise Drive SW</del> 100 <sup>th</sup> Ave SW
Lake Louise Drive SW	Lake Louise Drive SW	100th Avenue SW
McChord Drive SW	New York Avenue SW	Bridgeport Way SW

Street Name	From	To
Meadow Road SW	<del>Dekoven Drive</del> <u>Brooke Lane SW</u>	Ardmore Drive SW
<u>Motor Avenue SW</u>	<u>Lexington Avenue SW</u>	<u>Whitman Avenue SE</u>
New York Avenue SW	Pacific Highway SW	McChord Drive SW
North Thorne Lane SW	Union Avenue SW	Portland Avenue SW
Nyanza Park Drive SW	Nyanza Road SW	Glenwood Avenue SW
Onyx Drive SW	Zircon Drive SW	87th Avenue SW
Onyx Drive SW	87th Avenue SW	Phillips Road SW
Onyx Drive SW	Phillips Road	Turquoise Drive SW
Phillips Road SW	Onyx Drive SW	Turquoise Drive SW
Portland Avenue SW	<del>Berkeley</del> <u>Boundary Street SW</u>	North Thorne Lane SW
<u>San Francisco Avenue SW</u>	<u>Interstate 5</u>	<u>Addison Street SW</u>
<u>Sapphire Avenue SW</u>	<u>Amber Drive SW</u>	<u>Coral Lane</u>
Waverly Drive SW	Crescent Lane SW	Mount Tacoma Drive SW
West Thorne Lane SW	Union Avenue SW	Portland Avenue SW
Whitman Avenue SW	Ardmore Drive SW	Steilacoom Boulevard SW
Zircon Drive SW	Onyx Drive SW	Turquoise Drive SW
59th Avenue SW	<del>Lakewood Mall</del> <u>Main Street SW</u>	Gravelly Lake Drive SW
75 <sup>th</sup> Street SW	75 <sup>th</sup> Street W	<del>Custer Road W</del> <u>Bridgeport Way W</u>
78th Street SW	Onyx Drive SW	91st Avenue SW
83rd Avenue SW	Washington Boulevard SW	112th Street SW
87th Avenue SW	Dresden Street SW	Steilacoom Boulevard SW
91st Avenue SW	78th Street SW	Zircon Drive SW
100th Street SW	Dekoven Drive SW	Gravelly Lake Drive SW
101st Street SW	Farwest Drive SW	100th Avenue SW
104th Street SW	Lake Louise Drive SW	Butte Drive SW
104th Street SW	<del>Short Lane</del> <u>Hipkins Road SW</u>	Interlaaken Drive SW
112th Street SW	Farwest Drive SW	Butte Drive SW
112th Street SW	Huggins Meyers Road SW	Interlaaken Drive SW

Section 4: Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance.

Section 5: Effective Date. This ordinance shall take place thirty (30) days after its publication or publication of a summary of its intent and contents.

ADOPTED by the City Council this 21st day of March, 2016.

CITY OF LAKEWOOD

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Don Anderson, Mayor

Attest:

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Alice M. Bush, MMC, City Clerk

Approved as to Form:

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Heidi A. Wachter City Attorney

City of Lakewood  
Lakewood City Hall  
6000 Main Street SW  
Lakewood, WA 98499  
(253) 589-2489

**(Legal Notice)**

March 22, 2016

**NOTICE OF ORDINANCE PASSED  
BY LAKEWOOD CITY COUNCIL**

The following is a summary of an Ordinance passed by the City of Lakewood City Council on the 21<sup>st</sup> day of March, 2016.

**ORDINANCE NO. 635**

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Sections 12A.9.022, 12A.9.023 and 12A.9.024 of the Lakewood Municipal Code relative to arterial classifications.

This ordinance shall take place thirty (30) days after its publication or publication of a summary of its intent and contents.

The full text of the Ordinance is available at the City Clerk's Office, Lakewood City Hall, 6000 Main Street SW, Lakewood, Washington 98499, (253) 589-2489. A copy will be mailed out upon request.

Alice M. Bush, MMC, City Clerk

**Published in the Tacoma News Tribune:** \_\_\_\_\_



To: Mayor and City Councilmembers  
From: Don Wickstrom, Public Works Director  
Through: John J. Caulfield, City Manager  
Date: January 19, 2016  
Subject: Street Classification Amendments

**Background**

Pursuant to RCW 35.78.010, all jurisdictions shall classify all of its streets according to their function. Classification of streets provides ability to designate travel patterns through the planned land uses and to design street cross sections accordingly. Classification of a street as an arterial makes it part of the Federal Route System, thereby making the street eligible for certain grant funding.

The City of Lakewood classifies its streets via the Municipal Code (Section 12A.9) under the following functions:

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

**Minor Arterials:** Minor arterials interconnect with and augment the principal arterial system. Minor arterials connect principal arterials to collector arterials and small generators. They provide service to medium-size trip generators, such as less intensive commercial development, high schools and some junior high/grade schools, warehousing areas, active parks and ball fields, and other land uses with similar trip generation potential. They distribute travel to smaller geographic areas and communities than those identified with the

principal arterial system. They provide service to trips of moderate length of a somewhat lower level of travel mobility than principal arterials. The design year ADT is approximately 5,000 to 20,000.

**Collector Arterials:** Collector arterials distribute trips from principal and minor arterials to the ultimate destination, or may collect traffic from local streets and channel it into the principal and minor arterial systems. They carry a low proportion of traffic traveling through the entire subarea; carry a high proportion of local traffic with an origin or destination within that area. Design year ADT is approximately 2,000 to 8,000. They may be on a somewhat meandering alignment and need not be particularly long or continuous.

**Local Access:** The local access street system provides circulation and access for residential neighborhoods away from the arterial system.

### Proposed Street Classification Amendments

Public Works engineering completed a comprehensive review of all current street classifications within the city and determined that some amendments are warranted. A majority of the amendments are to clarify beginning and end limits of classified streets. The major amendments are to provide street classifications to be consistent with actual and proposed land use and associated traffic patterns. A summary of the changes are below. A map and table of all Lakewood classified streets (existing and proposed) is attached.

**TABLE 1: Proposed Street Classification Amendments**

	<b>Street</b>	<b>From</b>	<b>To</b>	<b>Amendment</b>
1	<u>Bridgeport Way W / SW</u>	McChord Drive (south City limits)	Leach Creek (north city limits)	Updated street name.
2	Gravelly Lake Drive	<u>I-5 Northbound On-ramp</u>	<u>Bridgeport Way SW</u>	Updated limits and street name.
3	Interlaaken Drive SW	<u>Short Lane SW</u>	Holly Hedge Lane SW	Updated street name.
4	<u>Main Street SW</u>	<u>Gravelly Lake Drive</u>	<u>108<sup>th</sup> Street SW</u>	New minor arterial (new street added since incorporation)
5	Wildaire Road SW	Gravelly Lake Drive SW	59 <sup>th</sup> Avenue SW	Reclassified to Local Access Road. Main Street replaced this route when Wildaire Road was made a "dead end."
6	108 <sup>th</sup> Street SW	<u>Main Street SW</u>	Pacific Highway SW	Updated limits to reflect new Main Street.
7	Alfaretta Street SW	Dekoven Drive SW	<u>Gravelly Lake Drive SW</u>	Updated limits to match Federal Route limits.
8	<u>Amber Drive SW</u>	<u>Zircon Drive SW</u>	<u>Sapphire Drive SW</u>	New collector arterial (match existing land use / traffic patterns).
9	Avondale Road SW	<u>Brook Lane SW</u>	Gravelly Lake Drive SW	Updated limits.
10	Berkeley Street SW	<u>I-5 Northbound On-Ramp</u>	Portland Avenue SW	Updated limits.

**TABLE 1: Proposed Street Classification Amendments (continued)**

	<b>Street</b>	<b>From</b>	<b>To</b>	<b>Amendment</b>
11	<u>Coral Lane SW</u>	<u>Sapphire Drive SW</u>	<u>Onyx Drive SW</u>	New collector arterial (match existing land use / traffic patterns).
12	Lake Louise Drive SW	104 <sup>th</sup> Street SW	<u>100<sup>th</sup> Avenue SW</u>	Update limits.
13	Meadow Road SW	<u>Brook Lane SW</u>	Ardmore Drive SW	Update street name.
14	<u>Motor Avenue SW</u>	<u>Lexington Avenue SW</u>	<u>Whitman Avenue SE</u>	New collector arterial to match Federal Route.
15	Portland Avenue SW	<u>Boundary Street SW</u>	North Thorne Lane SW	Updated limits.
16	<u>San Francisco Avenue SW</u>	<u>Interstate 5</u>	<u>Addison Street SW</u>	New collector arterial (match existing land use / traffic patterns).
17	<u>Sapphire Drive SW</u>	<u>Amber Drive SW</u>	<u>Coral Lane</u>	New collector arterial (match existing land use / traffic patterns).
18	59 <sup>th</sup> Avenue SW	<u>Main Street SW</u>	Gravelly Lake Drive SW	Updated limits to reflect new public roadways.
19	75 <sup>th</sup> Street <u>W</u>	John Dower Road W	<u>Bridgeport Way W</u>	Updated limits of collector arterial and updated street name.
20	75 <sup>th</sup> Street <u>W</u>	<u>Bridgeport Way W</u>	<u>Lakewood Drive W</u>	Change street class to minor arterial. Extended limits to Lakewood Drive.
21	104 <sup>th</sup> Street SW	<u>Hipkins Road SW</u>	Interlaaken Drive SW	Updated limits.

**Next Steps**

The proposed street classification amendments will be reviewed through the State Environmental Policy Act (SEPA). A SEPA Checklist will be completed to determine any environmental impacts related to these proposed amendments. Public notification of the SEPA Determination will be published and all documents available for public review and comment. After the SEPA review process, an ordinance will be brought to council with the proposed amendments.

Following the local update of the arterial street classifications, it is recommended to designate these arterials on the Federal Route System. This will take several months of application through Washington State Department of Transportation, concurrence from Puget Sound Regional Council, and approval by the Federal Highway Administration.

**CITY OF LAKEWOOD  
DETERMINATION OF NON-SIGNIFICANCE**

**PROJECT NAME:** Lakewood Municipal Code Street Classification Amendments

**PROJECT LOCATION:** City of Lakewood, WA

**ACTION:** Amendments to the City of Lakewood Municipal Code Sections 12A.9.022, 12A.9.023 and 12A.9.024 related to Street Classifications.

**PROJECT PROPONENT:** City of Lakewood Public Works Department

**PROJECT DESCRIPTION:**

The City of Lakewood Public Works Department is proposing to amend the City's Municipal Code (Section 12A.9), specifically the table denoted in Sections 12A.9.022, 12A.9.023 and 12A.0.024 thereof to reflect correct street names and/or their actual beginning and end limits along with adding, deleting or modifying the streets listed therein to include those such City streets which reflect consistency with the actual and proposed land uses and associated traffic patterns. Table I-Proposed Street Classification Amendments is attached as Exhibit A.

The project submittal includes the following environmental information:

1. SEPA Checklist prepared by Don Wickstrom, Public Works Director

**FINDINGS:**

The Responsible Official of the City of Lakewood hereby makes the following findings and conclusions based upon a review of the environmental checklist and attachments, other information on file with the City of Lakewood, and the policies, plans and regulations designated by the City as a basis for the exercise of substantive authority under the Washington State Environmental Policy Act pursuant to RCW 43.21C.060.

1. The proposal is a non-project action.
2. The Public Works Department is proposing to amend certain sections of the Public Works-Transportation Facilities code Section 12A.9. The proposed changes are identified in Exhibit A-Table I: Proposed Street Classification Amendments.
3. The proposal will not adversely affect traffic patterns within the City.

**CONCLUSIONS OF RESPONSIBLE OFFICIAL:**

The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures will be adequately addressed by the City's development regulations and other applicable local, state or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158. The City of Lakewood will not require any additional mitigation measures under SEPA. Pursuant to WAC 197-11-340 (1), a Determination of Non-Significance (DNS) may be issued. This conclusion is based on staff review of the environmental checklist and application materials. The DNS is supported by plans, policies, and regulations adopted by the City of Lakewood for the exercise of substantive authority under SEPA. No comment period is being provided for this DNS.

**EXHIBITS:**

A. Table I: Proposed Street Classification Amendments

Agency: City of Lakewood  
Community Development Department  
6000 Main Street SW  
Lakewood, WA 98499-5013

Date of Issue: March 16, 2016



Frank Fiori, AICP  
Planning Manager/Environmental Official

Note: This DNS will become final on the Date of Issuance. Pursuant to RCW 43.21C.075, LMC 14.02.200 and LMC 18A.02.740, decisions of the Responsible Official may be appealed to the City of Lakewood Hearing Examiner. The decision of the Hearing Examiner in any such appeal will be final. A written notice identifying the grounds for the appeal must be filed within 10 days of the date the Determination of Non-Significance becomes final. Appeals are filed with appropriate fees at the Community Development Department, located at the above address.

**TABLE 1: Proposed Street Classification Amendments**

	<b>Street</b>	<b>From</b>	<b>To</b>	<b>Amendment</b>
1	Bridgeport Way W / SW	McChord Drive (south City limits)	Leach Creek (north city limits)	Updated street name.
2	Gravelly Lake Drive	I-5 Northbound On-ramp	Bridgeport Way SW	Updated limits and street name.
3	Interlaaken Drive SW	Short Lane SW	Holly Hedge Lane SW	Updated street name.
4	Main Street SW	Gravelly Lake Drive	108 <sup>th</sup> Street SW	New minor arterial (new street added since incorporation)
5	Wildaire Road SW	Gravelly Lake Drive SW	59 <sup>th</sup> Avenue SW	Reclassified to Local Access Road. Main Street replaced this route when Wildaire Road was made a "dead end."
6	108 <sup>th</sup> Street SW	Main Street SW	Pacific Highway SW	Updated limits to reflect new Main Street.
7	Alfaretta Street SW	Dekoven Drive SW	Gravelly Lake Drive SW	Updated limits to match Federal Route limits.
8	Amber Drive SW	Zircon Drive SW	Sapphire Drive SW	New collector arterial (match existing land use / traffic patterns).
9	Avondale Road SW	Brook Lane SW	Gravelly Lake Drive SW	Updated limits.
10	Berkeley Street SW	I-5 Northbound On-Ramp	Portland Avenue SW	Updated limits.
11	Coral Lane SW	Sapphire Drive SW	Onyx Drive SW	New collector arterial (match existing land use / traffic patterns).
12	Lake Louse Drive SW	104 <sup>th</sup> Street SW	100 <sup>th</sup> Avenue SW	Update limits.
13	Meadow Road SW	Brook Lane SW	Ardmore Drive SW	Update street name.
14	Motor Avenue SW	Lexington Avenue SW	Whitman Avenue SE	New minor arterial to match Federal Route.
15	Portland Avenue SW	Boundary Street SW	North Thorne Lane SW	Updated limits.
16	San Francisco Avenue SW	Interstate 5	Addison Street SW	New collector arterial (match existing land use / traffic patterns).
17	Sapphire Drive SW	Amber Drive SW	Coral Lane	New collector arterial (match existing land use / traffic patterns).
18	59 <sup>th</sup> Avenue SW	Main Street SW	Gravelly Lake Drive SW	Updated limits to reflect new public roadways.
19	75 <sup>th</sup> Street W	John Dower Road W	Bridgeport Way W	Updated limits of collector arterial and updated street name.
20	75 <sup>th</sup> Street W	Bridgeport Way W	Lakewood Drive W	Change street class to minor arterial. Extended limits to Lakewood Drive.
21	104 <sup>th</sup> Street SW	Hipkins Road SW	Interlaaken Drive SW	Updated limits.

## Street Classification Analysis

J. Howe / D. Winkler - January 2016

Street Name	From:	To:	ADT (2011-2014)	Length (mi)	Center of activity	Bus route	Comm/neighborhood boundary	Adjacent trip generator	Intra-area	Classification	Proposed Amendment Notes
Bridgeport Way W / SW	McChord Drive (South City Limits)	Leach Creek (north city limits)	15,000-27,000	4.4	Y		Y	Y	Y	Principal Arterial	Update Street name
Custer Road SW & W	88th Street SW	74th Street W	17,000-23,000	1.3	Y		Y	Y	Y	Principal Arterial	
Gravelly Lake Drive	I-5-Freeway I-5 Northbound On-ramp	Bridgeport Way W	11,000-29,000	3.4	Y		Y	Y	Y	Principal Arterial	Update limits
Lakewood Drive SW	Bridgeport Way SW	74th Street W (north city limits)	14,000-23,000	1.9			Y	Y	Y	Principal Arterial	
Military Road SW	107th Ave. SW (west city limits)	Washington Blvd. SW	6,800-11,000	1.1			Y	Y	Y	Principal Arterial	
South Tacoma Way	112th Street S	South 80th Street (north city limits)	14,000-27,000	2.0	Y		Y	Y	Y	Principal Arterial	
Steilacoom Boulevard SW	Far West Drive (West City Limits)	South Tacoma Way	13,000-42,000	4.4	Y	212	Y	Y	Y	Principal Arterial	
Washington Boulevard SW	Military Road SW	Gravelly Lake Drive SW	15,000-21,000	1.2		214	Y	Y	Y	Principal Arterial	
74th Street W	Custer Road W	Lakewood Drive SW	22,000	0.1	Y			Y	Y	Principal Arterial	
88th Street SW	Steilacoom Boulevard SW	Custer Road SW	15,000	0.26			Y	Y	Y	Principal Arterial	
100th Street SW	Bridgeport Way SW	South Tacoma Way	16,000-27,000	1.3	Y		Y	Y	Y	Principal Arterial	
112th Street S	South Tacoma Way	Steele Street S	15,000	0.74				Y	Y	Principal Arterial	
Ardmore Drive SW	Steilacoom Boulevard SW	Whitman Avenue SW	11,000	0.35		212				Minor Arterial	
Butte Drive SW	116th Street SW	104th Street SW	4,500	0.35						Minor Arterial	
Custer Road SW	Steilacoom Boulevard SW	88th Street SW	2,600	0.09						Minor Arterial	
Edgewood Avenue SW	North Gate Road SW	Washington Blvd. SW	7,400	0.12						Minor Arterial	
Far West Drive SW	112th Street SW	Steilacoom Blvd. SW	6,500-11,000	1.44						Minor Arterial	
Garnet Lane SW	Onyx Drive SW	83rd Avenue SW	2,000	0.05						Minor Arterial	
Gravelly Lake Drive SW	Bridgeport Way SW	Steilacoom Blvd. SW	6,000-28,000	0.52						Minor Arterial	
Hipkins Road SW	104th Street SW	Steilacoom Blvd. SW	8,000-11,000	1.16						Minor Arterial	
Interlaaken Drive SW	<del>Interlaaken Drive SW</del> Short Lane SW	Holly Hedge Lane SW	4,400	0.79						Minor Arterial	Update limits
Lakeview Avenue SW	111th Street SW	Steilacoom Blvd	5,000-8,000	1.4						Minor Arterial	
Main Street SW	Gravelly Lake Dr SW	108th Street SW	8,000	0.47	Y	part		Y		Minor Arterial	New Minor Arterial
Mount Tacoma Drive SW	Holly Hedge Lane SW	Lexington Avenue SW		0.76						Minor Arterial	
Mount Tacoma Drive SW	Motor Avenue SW	Bridgeport Way SW	3,300-9,000	1.94						Minor Arterial	
Murray Road SW	Fort Lewis Gate Entrance	I-5 Northbound On-ramps	15,000	0.47						Minor Arterial	
North Gate Road SW	Nottingham Road SW	Edgewood Avenue SW		0.23						Minor Arterial	
North Thorne Lane SW	Union Avenue SW	I-5 Northbound On-ramps	6,000	1						Minor Arterial	
Nyanza Road SW	Gravelly Lake Drive SW (S)	Gravelly Lake Drive SW (N)	9,000	1.1		214				Minor Arterial	
Pacific Highway SW	Gravelly Lake Drive SW	South Tacoma Way	6,000-24,000	2.36						Minor Arterial	
Phillips Road SW	Steilacoom Boulevard SW	Onyx Drive SW	1,400-8,400	0.91						Minor Arterial	
Short Lane SW	104th Avenue SW	Interlaaken Drive SW	3,400	0.12						Minor Arterial	
Union Avenue SW	Berkeley Street SW	North Thorne Lane SW	5,000-7,500	0.91						Minor Arterial	
Vernon Avenue SW	Veterans Drive SW	116th Street SW	3,000-4,300	0.49						Minor Arterial	

## Street Classification Analysis

J. Howe / D. Winkler - January 2016

Street Name	From:	To:	ADT (2011-2014)	Length (mi)	Center of activity	Bus route	Comm/neighborhood boundary	Adjacent trip generator	Intra-area	Classification	Proposed Amendment Notes
Veterans Drive SW	Nottingham Avenue	Gravelly Lake Drive SW	6,000-9,000	1.43						Minor Arterial	
Whitman Avenue SW	Motor Avenue SW	Ardmore Drive SW	8,000	0.18						Minor Arterial	
Wildaire Road SW	Gravelly Lake Drive SW	59th Avenue SW		0.27						Minor Arterial	Make Local Access
40th Avenue SW	100th Street SW	96th Street SW	8,500	0.22						Minor Arterial	
83rd Avenue SW	Steilacoom Boulevard SW	Garnett Lane SW	7,500	0.52						Minor Arterial	
84th Street S	South Tacoma Way	Tacoma Mall Boulevard S	13,000-16,000	0.81						Minor Arterial	
87th Avenue SW	Steilacoom Boulevard SW	Onyx Drive SW	9,500	0.37						Minor Arterial	
93rd Street SW	Whitman Avenue SW	Bridgeport Way SW	5,500	0.16						Minor Arterial	
96th Street S	40th Avenue SW	Lakewood East City Limits	7,500	0.88						Minor Arterial	
100th Street SW	Gravelly Lake Drive SW	Bridgeport Way SW	11,000	0.37		212				Minor Arterial	
104th Street SW	Butte Drive SW	Hipkins Road SW	3,000-8,000	0.32						Minor Arterial	
108th Street SW	59th Avenue SW	Pacific Highway SW	509 - 11,962	1.65						Minor Arterial	Update limits
	Main Street SW		7,000-12,000	1.22							
111th Street SW	112th Street SW	Lakeview Avenue SW		0.46						Minor Arterial	
112th Street SW	Gravelly Lake Drive SW	111th Street SW		0.81						Minor Arterial	
112th Street SW	Military Road SW	Farwest Drive SW		0.04						Minor Arterial	
150th Street SW	Murray Road SW	Lakewood East City Limits		3.55						Minor Arterial	
Alferetta Street SW	Dekoven Drive SW	Meadow Road SW Gravelly Lake Drive SW		0.47						Collector Arterial	Update limits to match Federal Route
Amber Drive SW	Zircon Dr SW	Sapphire Drive SW	2,300							Collector Arterial	New Collector Arterial
Angle Lane SW	Elwood Drive SW	Hipkins Road SW	2,300	0.37						Collector Arterial	
Avondale Road SW	Meadow Road SW Brook Lane SW	Gravelly Lake Drive SW	1,200	0.28						Collector Arterial	Update limits
Berkeley Street SW	I-5 Southbound On-ramps I-5 Northbound On-ramps	Portland Avenue SW	4,000-9,500	1.4 1.44						Collector Arterial	Update limits
Bristol Avenue SW	Lakewood Mall	100th Street SW		3.4						Collector Arterial	
Clover Creek Drive SW	Pacific Highway SW	Hillcrest Drive SW	545	0.59						Collector Arterial	
Coral Lane SW	Sapphire Drive SW	Onyx Drive SW	2,300							Collector Arterial	
Dekoven Drive SW	Meadow Road SW	Lake Grove Street SW	1,100	0.15						Collector Arterial	
Dresden Lane SW	Elwood Drive SW	87th Avenue SW		0.01						Collector Arterial	
Durango Street SW	Steilacoom Boulevard SW	B&I Parking Lot	1,200	0.6						Collector Arterial	
Edgewood Avenue SW	Veterans Drive SW	North Gate Road SW	7,500	0.1						Collector Arterial	
Elwood Drive SW	Angle Lane SW	Dresden Lane SW	4,000	0.62						Collector Arterial	
Hillcrest Drive SW	Glenwood Avenue SW	Clover Creek Drive SW		0.17						Collector Arterial	
Holden Road SW	Military Road SW	Lake Louise Drive SW	1,500	0.57						Collector Arterial	

## Street Classification Analysis

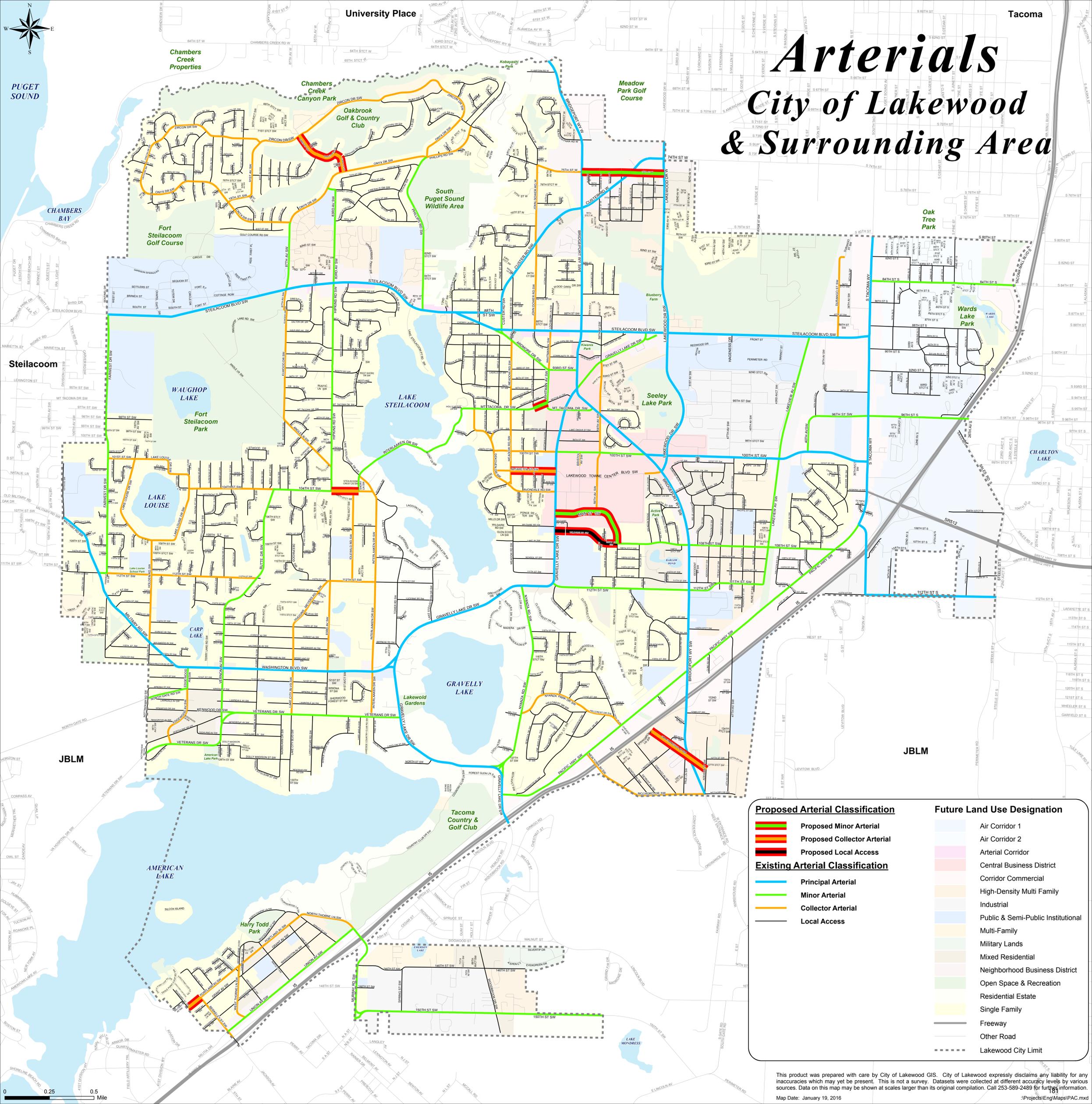
J. Howe / D. Winkler - January 2016

Street Name	From:	To:	ADT (2011-2014)	Length (mi)	Center of activity	Bus route	Comm/neighborhood boundary	Adjacent trip generator	Intra-area	Classification	Proposed Amendment Notes
Huggins Meyers Rd SW	116th Street SW	112th Street SW	1,000	0.26						Collector Arterial	
Idlewild Road SW	112th Street SW	104th Street SW	2,000	0.5						Collector Arterial	
Interlaaken Drive SW	Veterans Drive SW	Lake Steilacoom Dr. SW Short Lane SW	500-4,400	1.22						Collector Arterial	Update limits
John Dower Road SW	Steilacoom Boulevard	Custer Road W	1,300-1,700	0.49						Collector Arterial	
John Dower Road W	Custer Road W	75th Street W		0.43						Collector Arterial	
Lake City Boulevard SW	Veterans Drive SW	116th Street SW	500-1,200	0.8						Collector Arterial	
Lake Grove Avenue SW	Waverly Avenue SW	Dekoven Drive SW		0.46						Collector Arterial	
Lakewood Mall Blvd. SW	Lakewood Mall	Bridgeport Way SW		3.44						Collector Arterial	
Lake Louise Drive SW	100th Avenue SW	Holden Road SW	600	0.56						Collector Arterial	
Lake Louise Drive SW	Holden Road SW	104th Street SW	800	0.43						Collector Arterial	
Lake Louise Drive SW	104th Street SW	Lake Louise Drive SW 100th Avenue SW		0.07 0.45						Collector Arterial	Update street name and limits
Lake Louise Drive SW	Lake Louise Drive SW	100th Avenue SW	N/A	0.38						Collector Arterial	Replace with above
McChord Drive SW	New York Avenue SW	Bridgeport Way SW	N/A	0.6		300				Collector Arterial	
Meadow Road SW	Dekoven Drive SW Brook Lane SW	Ardmore Drive SW	N/A	0.32						Collector Arterial	Update limits
Motor Avenue SW	Lexington Avenue SW	Mount Tacoma Drive SW	4,000							Collector Arterial	New collector arterial to match Federal Route
New York Avenue SW	Pacific Highway SW	McChord Drive SW	1,936	0.09		300				Collector Arterial	
North Thorne Lane SW	Union Avenue SW	Portland Avenue SW	N/A	0.51						Collector Arterial	
Nyanza Park Drive SW	Nyanza Road SW	Glenwood Avenue SW	1,011	0.45						Collector Arterial	
Onyx Drive SW	Zircon Drive SW	87th Avenue SW	1,600-6,600	0.8						Collector Arterial	
Onyx Drive SW	87th Avenue SW	Phillips Road SW	2,500	0.62						Collector Arterial	
Onyx Drive SW	Phillips Road	Turquoise Drive SW	1,800	0.3						Collector Arterial	
Phillips Road SW	Onyx Drive SW	Turquoise Drive SW	1,400	0.3						Collector Arterial	
Portland Avenue SW	Berkeley Street SW Boundary Street SW	North Thorne Lane SW	1,300-2,700	0.91		206				Collector Arterial Collector Arterial	Update limits
San Francisco Avenue SW	Interstate 5	Addison Street SW	2,500	0.38						Collector Arterial	New Collector Arterial
Sapphire Drive SW	Amber Drive SW	Coral Lane	2,300							Collector Arterial	New Collector Arterial
Waverly Drive SW	Crescent Lane SW	Mount Tacoma Drive SW	N/A	0.12						Collector Arterial	
West Thorne Lane SW	Union Avenue SW	Portland Avenue SW		0.31						Collector Arterial	
Whitman Avenue SW	Ardmore Drive SW	Steilacoom Boulevard SW		0.38						Collector Arterial	
Zircon Drive SW	Onyx Drive SW	Turquoise Drive SW	1,000-1,500	2						Collector Arterial	
59th Avenue SW	Lakewood Mall	Gravelly Lake Drive SW	3,700-5,000	2.8						Collector Arterial	

## Street Classification Analysis

J. Howe / D. Winkler - January 2016

Street Name	From:	To:	ADT (2011-2014)	Length (mi)	Center of activity	Bus route	Comm/neighborhood boundary	Adjacent trip generator	Intra-area	Classification	Proposed Amendment Notes
	<u>Main Street SW</u>					part					
<u>75th Street SW</u>	<u>75th Street W</u>	<u>Custer Road W</u>	2,543 - 11,034	0.28						Collector Arterial	
<u>75th Street W</u>	<u>John Dower Rd W</u>	<u>Bridgeport Way W</u>	2,600	0.26						Collector Arterial	Update limits
<u>75th Street W</u>	<u>Bridgeport Way W</u>	<u>Custer Road W</u>	11,000	0.28						Minor Arterial	New Minor Arterial
78th Street SW	Onyx Drive SW	91st Avenue SW	1,000	1.66						Collector Arterial	
83rd Avenue SW	Washington Boulevard SW	112th Street SW	700-7,500	0.5						Collector Arterial	
87th Avenue SW	Dresden Lane SW	Steilacoom Boulevard SW		0.13						Collector Arterial	
91st Avenue SW	78th Street SW	Zircon Drive SW		1.05						Collector Arterial	
100th Street SW	Dekoven Drive SW	Gravelly Lake Drive SW	2,500	0.35		212				Collector Arterial	
101st Street SW	Farwest Drive SW	100th Avenue SW	1,400	2.73						Collector Arterial	
104th Street SW	Lake Louise Drive SW	Butte Drive SW	3,000	0.47						Collector Arterial	
104th Street SW	<del>Short Lane SW</del> <u>Hipkins Road SW</u>	Interlaaken Drive SW		0.07						Collector Arterial	Update limits
112th Street SW	Farwest Drive SW	Butte Drive SW	1,700-2,500	1.72						Collector Arterial	
112th Street SW	Huggins Meyers Road SW	Interlaaken Drive SW	1,600	0.25						Collector Arterial	



# Arterials

## City of Lakewood & Surrounding Area

Proposed Arterial Classification		Future Land Use Designation	
	Proposed Minor Arterial		Air Corridor 1
	Proposed Collector Arterial		Air Corridor 2
	Proposed Local Access		Arterial Corridor
Existing Arterial Classification			Central Business District
	Principal Arterial		Corridor Commercial
	Minor Arterial		High-Density Multi Family
	Collector Arterial		Industrial
	Local Access		Public & Semi-Public Institutional
			Multi-Family
			Military Lands
			Mixed Residential
			Neighborhood Business District
			Open Space & Recreation
			Residential Estate
			Single Family
			Freeway
			Other Road
			Lakewood City Limit

This product was prepared with care by City of Lakewood GIS. City of Lakewood expressly disclaims any liability for any inaccuracies which may yet be present. This is not a survey. Datasets were collected at different accuracy levels by various sources. Data on this map may be shown at scales larger than its original compilation. Call 253-589-2489 for further information.  
 Map Date: January 19, 2016



To: Mayor and City Councilmembers  
From: Don Wickstrom, Public Works Director  
Through: John J. Caulfield, City Manager *John J. Caulfield*  
Date: March 21, 2016  
Subject: 2015-2016 Public Works Capital Improvement Program Status

Public Works budgeted 2015-2016 Capital Improvement program as denoted in the attached table and reflected on the attached map includes **41 projects** totally **\$46,401,779**. Of that 10 projects totaling \$8,343,000 were funded mid to late 2015 via grant awards. In addition it's likely there will be other projects added to the list this year associated with grant wins from the coming 2016 grant cycle. For your convenience also included in the table is a one line synopsis of the status of each project.

Of the entire program there are **2 chip seal projects** totally **\$715,000** of which project 1a is complete with the other project (project 1b) anticipated to be awarded in May. There are **6 asphalt overlay projects** totaling **\$3,480,200** 4 of which (projects 2, 3, 4 & 5) totaling \$1,753,200 are complete with the last 2 (projects 6&7) anticipated to be awarded in May.

There are **19 street and sidewalk improvement projects** totaling **\$33,697,491** of which 3 projects (projects 17, 19 & 21) totaling \$4,428,018 are complete, one project (project 15) totaling \$757,000 is for all practical purposes complete, 3 projects (projects 10, 11 & 16) totaling \$10,503,473 are under construction, one project (project 8) totaling \$4,265,000 is presently out to bid, 3 projects (projects 12, 18 & 26) totaling \$4,162,000 will be awarded prior to the end of this year and 8 projects (projects 9, 13, 14, 20, 22, 23, 24 & 25) totaling \$9,582,000 are in various stages of development from just secured the grant to right of way in condemnation.

There are **4 design only street and sidewalk projects** totaling **\$1,369,000** for which one project (project 30) is complete with the other 3 projects (projects 27, 28 & 29) in only the early design stage.

There are **6 Storm Water management projects** totaling **\$1,208,000** of which 2 projects are complete (projects 31 & 33) totaling \$240,000, one project (project 35) totaling \$300,000 is under construction, 2 projects (projects 32 & 36) totaling \$418,000 are studies and are under consultant contracts and the last project (project 34) totaling \$250,000 is on hold due to work overload.

**Lastly** there are **5 projects** classified as **other improvements** totaling **\$5,932,088** which range from improvements to the PWs O&M shop site (project 37) at \$40,000 which is complete to the Woodbrook Sanitary

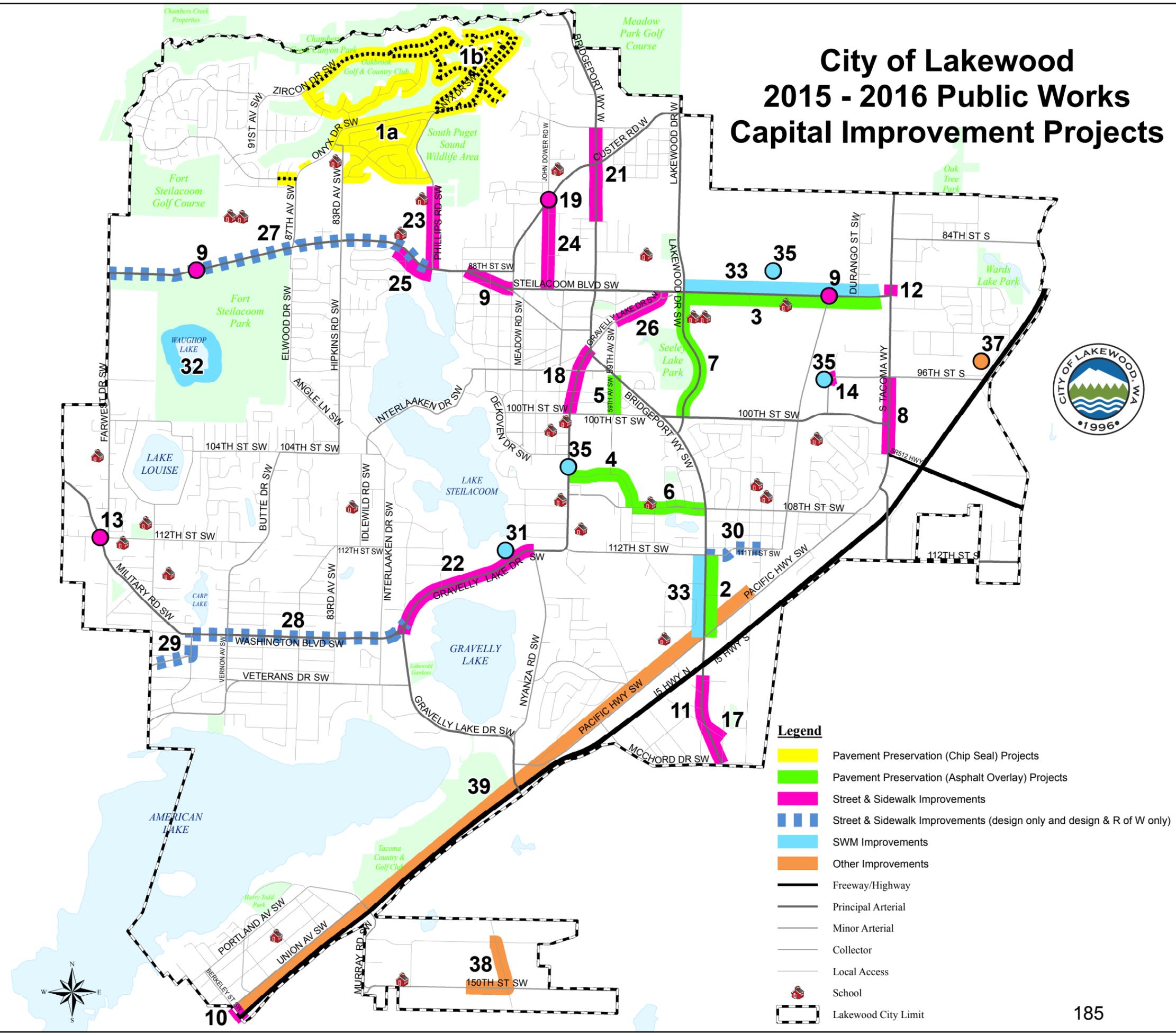
sewer extension (project 38) at \$1,520,000 which is under construction to the Sound Transit right of way safety improvements project (project 39) at \$2,000,000 which is on hold to 2 LED Street Conversion projects (projects 40 & 41) at \$2,372,088 for which one is under construction (project 40) and the other (project 41) will soon be.

A quick over all summary of the **41 projects** of the 2015-2016 capital improvement program is that **13 projects totaling \$7,776,218** are complete, **8 projects totaling \$18,960,560** are either under construction or soon well be, **6 additional projects totaling \$6,304,000** will be under construction by year end and the last **14 projects totaling \$13,361,000** are in various stages of development from on hold to moving towards implementation.

2015-2016 PWs Capital Improvement Projects City of Lakewood			Status
#	Description	Total project cost estimate	
<b>Pavement Preservation (Chip Seal) Projects</b>			
1a	Local Streets Within the Oakbrook 3rd Addition	\$300,000	Complete
1b	Oakbrook Area (actual streets yet to determined)	\$415,000	Preliminary engineering complete, award in May
	Subtotal	<b>\$715,000</b>	
<b>Pavement Preservation (Asphalt Overlay) Projects</b>			
2	Bridgeport Way (112th St to Pac Hwy)	\$410,000	Complete
3	Steilacoom Blvd (Lakewood Dr. to 300 ft. west of So. Tacoma Way)	\$805,000	Complete
4	Main Street (Gravelly Lake Dr. to 108th St.)	\$245,500	Complete
5	59th (100th to Bridgeport)	\$292,700	Complete
6	108th (Main Street to Bridgeport)	\$730,000	90% design, award in May
7	Lakewood Dr. (100th St to Steilacoom Blvd)	\$997,000	90% design, award in May
	Subtotal	<b>\$3,480,200</b>	
<b>Street &amp; Sidewalk Improvements</b>			
8	South Tacoma Way (SR512 to 96th)	\$4,265,000	Out to Bid on March 1st
9	Steilacoom Blvd Safety (Western State Hospital to Lakeview)	\$2,680,000	Preliminary design work complete, in R of W acquisition stage
10	Madigan Access Improvements Phase I & II	\$6,223,039	under construction
11	Bridgeport Way (I-5 to McChord gate)	\$3,760,434	under construction
12	So. Tacoma Way (Steilacoom To 88th)	\$1,800,000	80% designed, R of W being acquired, bid in June
13	Military Rd and 112th Traffic Signal/intersection reconstructior	\$805,000	Consultant to design, anticipate award in September 2017
14	40th Ave and 96th Street Safety Improvements	\$842,000	nothing started & anticipated award 8/2017
15	Lakewood Traffic Signal Phase IV	\$757,000	construction complete waiting on in house work to make it fully operational
16	Lakewood Traffic Signal Phase V	\$520,000	under construction
17	San Francisco (Bridgeport Way to Addison)	\$187,000	Complete
18	Gravelly Lake Dr. (100th St to Bridgeport way)	\$1,962,000	design complete, in condemnation per R of W acquisition, anticipate award in November 2016
19	Custer/John Dower	\$81,018	complete
20	Portland Ave Traffic Calming (Camp Murray Mitigation)	\$15,000	on going
21	Bridgeport Way (83rd St to 75th St)	\$4,160,000	Complete
22	Gravelly Lake Dr. Non-Motorized Trail (112th St to Washington)	\$3,140,000	design funds formally authorized
23	Phillips Rd (Hudtloff to Steilacoom) SR to School project	\$700,000	Grant secured, anticipate design in 2016 with construction award in April 2017
24	John Dower (Custer to Steilacoom) SR to School project	\$750,000	Grant secured, anticipate design in 2016 with construction award in April 2017
25	Steilacoom Blvd (Weller to Phillips) SR to School project	\$650,000	Grant secured, anticipate 30% design in 2016 with construction award in April 2018
26	Gravelly Lake Dr. (59th St to Steilacoom) Sidewalk Impr. Project	\$400,000	Grant secured, funding authorized, anticipate award on July 2016
	Subtotal	<b>\$33,697,491</b>	
<b>Street &amp; Sidewalk Improvements (design only and design &amp; R of W only)</b>			
27	Steilacoom Blvd. (Puyallup St. to Phillips Rd)-Design only	\$1,011,000	Grant secured, funding authorized, agreement with Town of Steilacoom executed & field survey started
28	Washington Blvd (GLD to Edgewood) Street Impr. (Design)	\$77,000	field survey started
29	N Gate Rd/Edgewood (Nottingham-Wash)-Design	\$23,000	field survey started
30	111th/112th St (Bridgeport Way to Kendrick)-Design/RofW only	\$258,000	Design complete, waiting on construction grant funding opportunities
	Subtotal	<b>\$1,369,000</b>	
<b>SWM Improvements</b>			
31	Clover Creek Fish Passage project	\$40,000	complete
32	Waughop Lake Management Plan	\$150,000	Consultant working with Management plan due in July
33	Steilacoom Blvd and Bridgeport Way Stormwater Pipe Repair	\$200,000	complete
34	2016 Stormwater Pipe Repair project	\$250,000	nothing done
35	2016 Stormwater Outfall Retrofit Project	\$300,000	Contract awarded
36	Storm Water Source Control Study for Doe	\$268,000	Consultant working with study complete by September
	Subtotal	<b>\$1,208,000</b>	
<b>Other Improvements</b>			
37	Public Works O&M Shop Building	\$40,000	complete
38	Woodbrook Sanitary Sewer Phase II project	\$1,520,000	Under construction, temporary shut down with restart in fall.
39	Sound Transit Right of Way Safety Improvements	\$2,000,000	On hold
40	LED Street Light Conversion (TPU & LL&P) project	\$2,037,088	Under construction with TPU lights converted and presently converting LL&P
41	PSE LED Street Light Conversion project	\$335,000	agreement executed and anticipate PSE to start conversion in March/April
	Subtotal	<b>\$5,932,088</b>	
	Total	<b>\$46,401,779</b>	

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# City of Lakewood 2015 - 2016 Public Works Capital Improvement Projects



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