

[City Council meeting minutes of April 3 2006](#)

ORDINANCE NO. 412

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Lakewood Municipal Code Title 18A, specifically sections 18A.20.300, 18A.30.110, 18A.30.130, 18A.30.140, 18A.30.150, 18A.30.160, 18A.30.210, 18A.30.230, 18A.30.250, 18A.30.260, 18A.30.330, 18A.30.430, and 18A.50.180; and repealing sections 18A.70.800, 18A.70.810, 18A.70.820 and 18A.70.830 and 18A.70.840, relating to Land Use and Development

WHEREAS, pursuant to Title 36.70A of the Revised Code of Washington, also known as the Washington State Growth Management Act (GMA), the City of Lakewood adopted a comprehensive plan in July of 2000 and a Land Use and Development Code in August of 2001; and,

WHEREAS, staff has had opportunities to work with citizens, real estate developers and project proponents and has identified areas within the Land Use and Development Code where adjustments, amendments and deletions would be appropriate, would benefit the public and would advance the goals and intent of the GMA and the City's Comprehensive Plan; and,

WHEREAS, the City's Planning Advisory Board (PAB) has held a duly noticed public hearing on February 22, 2006, where it heard and considered staff recommendations and public testimony regarding the code changes contained in this Ordinance; and,

WHEREAS, Senate Bill 6593, adopted by the state legislature in March of 2004, preempted local government regulation of manufactured housing, prompting modifications to the City's codes; and,

WHEREAS, the PAB has weighed the changes proposed herein, has recommended their passage, and has found that these amendments are consistent with the City of Lakewood Comprehensive Plan.

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

(Language to be added is underlined, and language to be deleted is ~~struck through~~).

Section 1. That LMC Section 18A.20.300 be amended so that the section reads:

18A.20.300- Residential Use Category - Land Use Types and Levels

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 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.~~ 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, or existing structures that are relocated to a given site in compliance with 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. Manufactured homes, subject to the provisions of LMC 18A.50.180, Manufactured Homes on Individual Lots.

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.

~~B. 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. Modular construction may be utilized.~~

Level 1: Duplexes.

~~Level 2: Residential units developed as a zero lot line development under LMC 18A.70.800.~~

~~C. B. Multifamily Residential Dwelling. Multiple residential units within a single residential structure, or multiple residential structures, which provide separate living accommodations for multiple individuals or families on a single parcel of land, not including manufactured home parks, which are instead treated as a Level 4 Single-Family Detached Dwelling Residential use type. 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. Modular construction may be utilized.~~

~~Level 1: Three (3) or more attached or detached dwelling units on a single parcel of land, in structures comprising six or less units, excluding residential units developed as a zero lot line development under LMC 18A.70.800.~~

Level 2: Seven (7) or more attached or detached dwelling units on a single parcel of land in structures comprising more than six units, ~~excluding residential units developed as a zero-lot-line development under LMC 18A.70.800.~~

Level 3: Multiple, horizontally and/or vertically attached dwelling units combined vertically with and above an allowed commercial use. Commercial uses shall comprise a minimum of fifty (50) percent of the square footage of the ground floor and shall align with the building's street frontage.

~~D~~ C. Co-Housing. A variety of housing options in which a community facility is included for the purpose of such things as communal meals, laundry, recreation or socialization, day care, and/or other functions supportive of voluntary communal living by an organized group. Examples include fraternity/sorority houses; intentional communities; and religious orders, whether or not in conjunction with a Religious Assembly use type.

~~E~~ D. Type 1 Group Home. Publicly or privately operated living accommodations for related or unrelated individuals having handicaps, subject to compliance with all applicable federal, state, and/or local licensing requirements. For the purposes hereof, "handicap" shall mean a physical or mental impairment which substantially limits one or more of the person's major life activities, a record of having such an impairment, or being regarded as having such an impairment; however, the term does not include current, illegal use of or an addiction to a controlled substance.

~~F~~ E. Type 2 Group Home. Publicly or privately operated living accommodations for related or unrelated individuals such as group homes for children, group homes providing an alternate residential setting for families in crisis, and other groups not listed within Type 1, 3 or 4 Group Home Residential use types; all subject to compliance with all applicable federal, state, and/or local licensing requirements.

Level 1: A group home with a maximum of seven (7) residents, plus resident staff.

Level 2: A group home with a maximum of ten (10) residents, plus resident staff.

Level 3: A group home with more than ten (10) residents, plus resident staff.

~~G~~ F. Type 3 Group Home. Publicly or privately operated living accommodations for juveniles under the jurisdiction of the criminal justice system, including state-licensed group care homes or halfway houses for juveniles which provide residence in lieu of incarceration, and halfway houses providing residence to juveniles needing correction or for juveniles selected to participate in state-operated work release and pre-release programs; provided, that the Community Development Director, in his sole discretion, may classify a group home proposing to serve juveniles convicted of the offenses listed under the Type 4 Group Home Residential use type as a Type 4 Group Home for the purposes of

regulation, and any such home shall be sited in accordance with Type 4 Group Home regulations. All are subject to compliance with all applicable federal, state, and/or local licensing requirements.

Level 1: A group home with a maximum of eight (8) residents, plus resident staff.

Level 2: A group home with a maximum of twelve (12) residents, plus resident staff.

Level 3: A group home with more than twelve (12) residents, plus resident staff.

H G. Type 4 Group Home. Publicly or privately operated living accommodations for adults under the jurisdiction of the criminal justice system or other state agency who have entered a pre- or post-charging diversion program, have been involuntarily committed or are participants in some other form of involuntary residential placement, or have been selected to participate in state-operated work/training release or other similar programs as provided in Chapters 137-56 and -57 WAC. Such groups also involve individuals who have been convicted of a violent crime against a person or a crime against property with a sexual motivation and charged or convicted as a sexual or assaultive violent predator. All are subject to compliance with all applicable federal, state, and/or local licensing requirements.

I H. Assisted Living Facilities. A multifamily dwelling facility where at least one individual is at least age fifty-five (55) or has special needs, which provides its residents with round-the-clock living assistance services that may include complete daily meals, personal care, custodial services, supervision of self-administered medication, recreational activities, security, and transportation assistance, subject to compliance with all applicable federal, state, and/or local licensing requirements. The dwelling units may be private or semi-private and may be fully self-contained. This use type does not include hospitals, nursing homes, medical clinics or offices, medical treatment, or multifamily dwellings which do not provide assistance with activities of daily life.

‡ I. Nursing Home. Multi-unit or multi-bed facilities that are licensed or approved to provide living accommodations and round-the-clock health care and medical supervision and which are regulated under Chapter 18.51 RCW, subject to compliance with all appropriate federal, state, and/or local licensing requirements.

Ⓚ J. Hospice Care Center. A homelike, non-institutional facility where services such as symptom and pain management are provided to terminally ill individuals and emotional, spiritual, and bereavement support is offered for the individual and family, and which are regulated under Chapter 70.127 RCW, subject to compliance with all appropriate federal, state, and/or local licensing requirements.

Section 2. That LMC Section 18A.30.110 be amended so that the section reads:

18A.30.110- Purpose - Single-Family Residential Zoning Districts

The Residential 1 (R1) and Residential 2 (R2) zoning districts provide for a continuation of large residential lots in specific areas where a pattern of large lots and extensive tree coverage exists. These zoning districts seek to preserve the identity of these residential areas, preserve significant tree stands and riparian environments along lake shores and within stream corridors, and reduce traffic volumes in the east-west arterial corridors.

The Residential 3 (R3) and Residential 4 (R4) zoning districts are the city's primary residential zones, which provide for single-family dwellings in established residential neighborhoods. The Residential 4 (R4) designation provides for increased residential density through smaller lot sizes and allowance for residential development comprising two units per lot.

Section 3. That LMC Section 18A.30.130 be amended so that the section reads:

18A.30.130- Primary Permitted Uses - Single-Family Residential Zoning Districts

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

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

1. Single-Family Residential Detached Dwelling (Level 1)
2. Type 1 Group Home
3. Type 2 Group Home (Level 1)
4. Daycare Facilities (Level 1)
5. Outdoor Recreation (Level 1/2)
6. Public Maintenance Facilities (Level 1)
7. Transportation Facilities (Level 1)

8. Communication Facilities (Level 1)
9. Electrical Facilities (Level 1)
10. Natural Gas Facilities (Level 1)
11. Sewage Collection Facilities
12. Stormwater Facilities (Level 1)
13. Water Supply Facilities (Level 1)

14. Residential Accessory Uses

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

Maintenance, repair and replacement of existing equestrian structures shall be permitted.

~~B. R3 and R4 Zoning Districts~~

- ~~1. Single-Family Detached Dwelling (Level 2)~~

~~€ B. R4 Zoning District~~

- ~~1. Single-Family Residential-Level 2 Single-Family Attached Dwelling (Level 1)~~

Section 4. That LMC Section 18A.30.140 be amended so that the section reads:

18A.30.140- Administrative Uses - Single-Family Residential Zoning Districts

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

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

1. Type 2 Group Home (Level 2)
2. Community and Cultural Services (Level 1)
3. Daycare Facilities (Level 2)
4. Religious Assembly (Level 1)
5. Social Services (Level 1)
6. Communication Facilities (Level 2)
7. Lodging (Level 1)

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.

~~C. R4 Zoning District~~

- ~~1. Single-Family Attached Dwelling (Level 2)~~

Section 5. That LMC Section 18A.30.150 be amended so that the section reads:

18A.30.150- Conditional Uses - Single-Family Residential Zoning Districts

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. Community and Cultural Services (Level 2)
2. Daycare Facilities (Level 3)

3. Education (Level 1)
4. Outdoor Recreation (Level 3)
5. Public Maintenance Facilities (Level 2)
6. Public Safety Services (Level 1)
7. Religious Assembly (Level 2)

8. Electrical Facilities (Level 2)
9. Pipelines
10. Stormwater Facilities (Level 2/3)
11. Waste Transfer Facilities (Level 1)
12. Water Supply Facilities (Level 2/3)

B. R3 and R4 Zoning Districts

1. Single-Family Residential Detached Dwelling (Level 3 ~~4~~)
2. Type 3 Group Home (Level 1)
3. Hospice Care Center
4. Government Administration Facilities (Level 1)
5. Social Services (Level 2)

Section 6. That LMC Section 18A.30.160 be amended so that the section reads:

18A.30.160- Development Standards - Single-Family Residential Zoning Districts

In addition to the regulations and requirements contained in other sections of this title, the following property development standards apply to all land and buildings in the Residential zoning districts:

A. Density. The maximum density for the Residential zoning districts is the maximum number of dwelling units allowed per gross acre (dua) and shall be as follows:

1. R1 zoning district: 1.45 dua
2. R2 zoning district: 2.2 dua
3. R3 zoning district: 4.8 dua
4. R4 zoning district: ~~6.2~~ 6.4 dua

B. Lot Size. The minimum lot sizes for the Residential zoning districts shall be as follows:

1. R1 zoning district: 25,000 gsf
2. R2 zoning district: 17,000 gsf
3. R3 zoning district: 7,500 gsf
4. R4 zoning district: 5,700 gsf

C. Lot Coverage. All building coverage and impervious surface maximums

stated herein for the Residential zoning districts may be reduced at the time they are applied to individual properties, because of stormwater requirements. For existing lots in the R1 and R2 zoning districts that are less than ten thousand (10,000) gsf in size, the maximum building coverage and maximum impervious surface requirements of the R3 zoning district shall apply. The maximum lot coverage standards for the Residential zoning districts shall be as follows:

1. R1 and R2 zoning districts
 - a. Building coverage: 35%
 - b. Impervious surface: 45%

2. R3 zoning district
 - a. Building coverage: 45%
 - b. Impervious surface: 60%

3. R4 zoning district
 - a. Building coverage: 50%
 - b. Impervious surface: 70%

D. Setbacks. For existing lots in the R1 and R2 zoning districts that are less than ten thousand (10,000) gsf in size, the setback requirements of the R3 zoning district shall apply. The minimum setbacks for the Residential zoning districts shall be as follows, except where increased setbacks due to landscaping and building/fire code requirements apply: No minimum setback is required between attached units.

1. R1 and R2 zoning districts
 - a. Front yard/street setback: 25 feet
 - b. Garage/carport setback: 30 feet
 - c. Principal arterial and state highway setback: 25 feet
 - d. Rear yard setback: 20 feet
 - e. Interior setback: 8 feet

2. R3 and R4 zoning districts
 - a. Front yard/street setback: 10 feet
 - b. Garage/carport setback: 20 feet
 - c. Principal arterial and state highway setback: 25 feet
 - d. Rear yard setback: 10 feet
 - e. Interior setback: 5 feet

Note: No minimum setback is required between attached units.

E. Building Height. The maximum building height, not including any applicable height bonus, in the Residential zoning districts shall be thirty-five (35) feet.

F. Design. Design features shall be required as set forth in LMC 18A.50.200,

Community Design.

G. Tree Preservation. Significant tree identification and preservation and/or replacement shall be required as set forth in LMC 18A.50.300, Tree Preservation.

H. Landscaping. Landscaping shall be provided as set forth in LMC 18A.50.400, Landscaping.

I. Parking. Parking shall conform to the requirements of LMC 18A.50.500, Parking.

J. Signs. Signage shall conform to the requirements of LMC 18A.50.600, Signs.

Section 7. That LMC Section 18A.30.210 be amended so that the section reads:

18A.30.210- Purpose - Mixed Residential Zoning Districts

The purpose of the Mixed Residential 1 (MR1) and Mixed Residential 2 (MR2) zoning districts is to promote residential renewal to small-lot detached single family residential dwellings, attached single-family dwellings, and two-family residential development. ~~duplexes, and townhouses.~~ Small scale multi-family residential development is permitted in the MR-2 zone. These districts provide for moderate residential density using a variety of urban housing types and designs. The mix of housing may take a variety of forms, either mixed within a single site or mixed within a general area, with varied dwelling types. Development standards for the Mixed Residential zoning districts are intended to encourage increased residential densities.

Section 8. That LMC Section 18A.30.230 be amended so that the section reads:

18A.30.230- Primary Permitted Uses - Mixed Residential Zoning Districts

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

A. MR1 Zoning District

1. Single-Family ~~Residential Detached Dwelling~~ (Level 1/2/3)
2. ~~Single Family Attached Dwelling (Level 1/2)~~
32. Co-Housing
43. Type 1 Group Home
54. Type 2 Group Home (Level 1)

65. Community and Cultural Services (Level 1)

- 76. Daycare Facilities (Level 1)
- 87. Outdoor Recreation (Level 1/2)
- 98. Public Maintenance Facilities (Level 1)
- 109. Religious Assembly (Level 1)
- 110. Social Services (Level 1)
- 121. Transportation (Level 1)

- 132. Communication Facilities (Level 1)
- 143. Electrical Facilities (Level 1)
- 154. Natural Gas Facilities (Level 1)
- 165. Sewage Collection Facilities
- 176. Stormwater Facilities (Level 1)
- 187. Water Supply Facilities (Level 1)

198. Residential Accessory Uses

209. Continuation of private and commercial equestrian facilities already legally existing within the zone at the time of adoption of this title. Maintenance, repair and replacement of existing equestrian structures shall be permitted.

B. MR2 Zoning District

- 1. Single-Family ~~Residential Detached Dwelling~~ (Level 1/2), provided that the lot size does not exceed 7,950 sq. ft.
- 2. Single-Family ~~Residential Attached Dwelling~~ (Level 1/2/3)
- 3. Multifamily Dwelling (Level 1)
- 4. Co-Housing
- 5. Type 1 Group Home
- 6. Type 2 Group Home (Level 1)

- 7. Community and Cultural Services (Level 1)
- 8. Daycare Facilities (Level 1)
- 9. Outdoor Recreation (Level 1/2)
- 10. Public Maintenance Facilities (Level 1)
- 11. Religious Assembly (Level 1)
- 12. Social Services (Level 1)
- 13. Transportation (Level 1)

- 14. Communication Facilities (Level 1)
- 15. Electrical Facilities (Level 1)
- 16. Natural Gas Facilities (Level 1)
- 17. Sewage Collection Facilities
- 18. Stormwater Facilities (Level 1)
- 19. Water Supply Facilities (Level 1)

20. Residential Accessory Uses

21. Continuation of private and commercial equestrian facilities already legally existing within the zone at the time of adoption of this title. Maintenance, repair and replacement of existing equestrian structures shall be permitted.

Section 9. That LMC Section 18A.30.250 be amended so that the section reads:

18A.30.250- Conditional Uses - Mixed Residential Zoning Districts

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

A. MR1 and MR2 Zoning Districts

1. Type 2 Group Home (Level 3)
2. Type 3 Group Home (Level 1)

3. Daycare Facilities (Level 3)
4. Education (Level 1)
5. Outdoor Recreation (Level 3)
6. Public Maintenance Facilities (Level 2)
7. Public Safety Services (Level 1)

8. Electrical Facilities (Level 2)
9. Pipelines
10. Stormwater Facilities (Level 2/3)
11. Waste Transfer Facilities (Level 1)
12. Water Supply Facilities (Level 2/3)

B. MR1 Zoning District

1. Single-Family Residential ~~Detached Dwelling~~ (Level 4 ~~3~~)

C. MR2 Zoning District

1. Assisted Living Facilities
2. Nursing Home

Section 10. That LMC Section 18A.30.260 be amended so that the section reads:

18A.30.260- Development Standards - Mixed Residential Zoning Districts

In addition to the regulations and requirements contained in other sections of this title, the following property development standards apply to all land and buildings in the Mixed Residential zoning districts:

- A. Density. The maximum density for the Mixed Residential zoning districts is

the maximum number of dwelling units allowed per gross acre (dua) and shall be as follows:

1. MR1 zoning district: 8.7 dua
2. MR2 zoning district: 14.6 dua

B. Lot size. The minimum lot size for the Mixed Residential zoning districts shall be five thousand (5,000) square feet for one (1) unit, and the following minimum lot size for developments in excess of, ~~plus the following additional square footage for each additional dwelling unit over~~ one (1) unit:

1. MR1 zoning district: 5,000 gsf/unit
2. MR2 zoning district: ~~2,950~~ 3,000 gsf/unit for two or more units

For the purposes of this subsection, development standards regarding minimum lot size shall apply where multiple adjacent parcels are being created or developed with structures simultaneously as part of a common development plan.

C. Lot Coverage. All building coverage and impervious surface maximums stated herein for the Mixed Residential zoning districts may be reduced at the time they are applied to individual properties, because of stormwater requirements. For existing lots in the MR1 and MR2 zoning districts that are less than ~~ten~~ six thousand (~~10~~ 6,000) gsf in size, the maximum building coverage and impervious surface requirements of the R3 zoning district shall apply, ~~otherwise~~ the maximum lot coverage standards for the Mixed Residential zoning districts shall be as follows:

1. MR1 zoning district
 - a. Building coverage 55%
 - b. Impervious surface 70%
2. MR2 zoning district
 - a. Building coverage 60%
 - b. Impervious surface 75%

D. Setbacks. The required setbacks for the Mixed Residential zoning districts shall be as follows, except where increased setbacks due to landscaping and building/fire code requirements apply:

1. MR1 and MR2 zoning districts
 - a. Front yard/street setback: 5 feet
 - b. Garage/carport setback: 20 feet
 - c. Principal arterial and state highway setback: 25 feet
 - d. Rear yard setback: 5 feet
 - e. Interior setback for attached units 0 feet
 - f. Interior setback for detached units: 5 feet

E. Building Height. The maximum building height, not including any applicable height bonus, for the Mixed Residential zoning districts shall be as follows:

1. MR1 zoning district: 35 feet
2. MR2 zoning district: 50 feet

Provided, that when structured parking is provided for attached units, an additional height bonus of ten (10) feet shall apply.

F. Design. Design features shall be required as set forth in LMC 18A.50.200, Community Design.

G. Tree Preservation. Significant tree identification and preservation and/or replacement shall be required as set forth in LMC 18A.50.300, Tree Preservation.

H. Landscaping. Landscaping shall be provided as set forth in LMC 18A.50.400, Landscaping.

I. Parking. Parking shall conform to the requirements of LMC 18A.50.500, Parking.

J. Signs. Signage shall conform to the requirements of LMC 18A.50.600, Signs.

Section 11. That LMC Section 18A.30.330 be amended so that the section reads:

18A.30.330- Primary Permitted Uses - Multi-Family Zoning Districts

The following uses are permitted within the Multifamily zoning districts, subject to approval of a zoning certification and all applicable development permits:

A. MF 1 Zoning District

1. Single-Family ~~Residential Attached Dwelling~~ (Level ~~2/3~~)

B. MF1, MF2, and MF3 Zoning Districts

1. Multifamily ~~Residential Dwelling~~ (Level 1 and 2)
2. Co-Housing
3. Type 1 Group Home
4. Type 2 Group Home (Level 1)
5. Assisted Living Facilities
6. Nursing Home
7. Hospice Care Center

8. Community and Cultural Services (Level 1)

9. Daycare Facilities (Level 1/2)
10. Government Administration Facilities (Level 1)
11. Outdoor Recreation (Level 1/2)
12. Public Maintenance Facilities (Level 1)
13. Religious Assembly (Level 1)
14. Social Services (Level 1)
15. Transportation (Level 1)

16. Communication Facilities (Level 1)
17. Electrical Facilities (Level 1)
18. Natural Gas Facilities (Level 1)
19. Sewage Collection Facilities
20. Stormwater Facilities (Level 1)
21. Water Supply Facilities (Level 1)

22. Residential Accessory Uses

23. Continuation of private and commercial equestrian facilities already legally existing within the zone at the time of adoption of this title. Maintenance, repair and replacement of existing equestrian structures shall be permitted.

Section 12. That LMC Section 18A.30.430 be amended so that the section reads:

18A.30.430- Primary Permitted Uses - Neighborhood Business Zoning Districts

The following uses are permitted within the Neighborhood Business zoning districts, subject to approval of a zoning certification and all applicable development permits:

A. ARC Zoning District

1. Single Family Residential Detached Dwelling (Level 1/2/3)
- ~~2. Single Family Attached Dwelling (Level 1/2)~~
- ~~3~~2. Multifamily Residential (Level 1/3)
- ~~4~~3. Type 1 Group Home
- ~~5~~4. Type 2 Group Home (Level 1/2)

- ~~6~~5. Community and Cultural Services (Level 1)
- ~~7~~6. Daycare Facilities (Level 1/2/3)
- ~~8~~7. Outdoor Recreation (Level 1/2)
- ~~9~~8. Public Maintenance Facilities (Level 1)
- ~~10~~9. Religious Assembly (Level 1)
- ~~11~~10. Social Services (Level 1)
- ~~12~~11. Transportation (Level 1)

- ~~13~~ 12. Communication Facilities (Level 1)
- ~~14~~ 13. Electrical Facilities (Level 1)
- ~~15~~ 14. Natural Gas Facilities (Level 1)
- ~~16~~ 15. Sewage Collection Facilities
- ~~17~~ 16. Stormwater Facilities (Level 1)
- ~~18~~ 17. Water Supply Facilities (Level 1)

- ~~19~~ 18. Business Services
- ~~20~~ 19. Personal Services (Level 1)
- ~~21~~ 20. Professional Offices (Level 1)
- ~~22~~ 21. Rental/Repair Services (Level 1)
- ~~23~~ 22. Sales of General Merchandise (Level 1)
- ~~24~~ 23. Sales of Secondhand Property (Level 1)

- ~~25~~ 24. Residential Accessory Uses
- ~~26~~ 25. Civic Accessory Uses
- ~~27~~ 26. Commercial Accessory Uses

B. NC1 Zoning District

1. Single Family ~~Residential Attached Dwelling~~ (Level ~~1~~/~~2~~/~~3~~)
2. Multifamily ~~Residential Dwelling~~ (Level 1/3)
3. Co-Housing
4. Assisted Living Facilities
5. Nursing Home

6. Government Administration Facilities (Level 1)
7. Community and Cultural Services (Level 1/2)
8. Daycare Facilities (Level 1/2/3)
9. Outdoor Recreation (Level 1/2)
10. Postal Services (Level 1)
11. Public Maintenance Facilities (Level 1)
12. Religious Assembly (Level 1/2)
13. Social Services (Level 1/2)
14. Transportation (Level 1)

15. Communication Facilities (Level 1)
16. Electrical Facilities (Level 1)
17. Natural Gas Facilities (Level 1)
18. Sewage Collection Facilities
19. Stormwater Facilities (Level 1)
20. Waste Transfer Facilities (Level 1)
21. Water Supply Facilities (Level 1)

22. Amusement and Recreation (Level 1)

23. Building/Garden Supply and Nurseries (Level 1)
24. Business Services
25. Convenience Commercial (Level 1)
26. Eating and Drinking Establishment (Level 1/2)
27. Food Stores (Level 1)
28. Personal Services (Level 1/2)
29. Pet Sales and Services (Level 1)
30. Private Training School (Level 1)
31. Professional Offices (Level 1)
32. Rental and Repair Services (Level 1)
33. Sales of General Merchandise (Level 1)
34. Sales of Secondhand Property (Level 1)

35. Residential Accessory Uses
36. Civic Accessory Uses
37. Commercial Accessory Uses

C. NC2 Zoning District

1. Single Family Residential Attached Dwelling (Level ~~1/2/3~~)
2. Multifamily Residential Dwelling (Level 1/3)
3. Assisted Living Facilities
4. Nursing Home

5. Government Administration Facilities (Level 1/2)
6. Community and Cultural Services (Level 1/2)
7. Daycare Facilities (Level 1/2/3)
8. Health Services
9. Outdoor Recreation (Level 1/2)
10. Postal Services (Level 1)
11. Public Maintenance Facilities (Level 1)
12. Religious Assembly (Level 1/2)
13. Social Services (Level 1/2)
14. Transportation (Level 1)

15. Communication Facilities (Level 1)
16. Electrical Facilities (Level 1)
17. Natural Gas Facilities (Level 1)
18. Sewage Collection Facilities
19. Stormwater Facilities (Level 1)
20. Waste Transfer Facilities (Level 1)
21. Water Supply Facilities (Level 1)

22. Amusement and Recreation (Level 1)
23. Building/Garden Supply and Nurseries (Level 1/2)

- 24. Business Services
- 25. Convenience Commercial (Level 1/2)
- 26. Eating and Drinking Establishment (Level 1/2/3)
- 27. Food Stores (Level 1)
- 28. Funeral Services (Level 1)
- 29. Personal Services (Level 1/2)
- 30. Pet Sales and Services (Level 1)
- 31. Private Training School (Level 1/2)
- 32. Professional Offices (Level 1/2)
- 33. Rental and Repair Services (Level 1)
- 34. Sales of General Merchandise (Level 1/2)
- 35. Sales of Secondhand Property (Level 1)

- 36. Limited Manufacturing/Assembly (Level 1)
- 37. Printing and Publishing (Level 1)

- 38. Residential Accessory Uses
- 39. Civic Accessory Uses
- 40. Commercial Accessory Uses

Section 13. That LMC Section 18A.50.180 be amended so that the section reads:

18A.50.180- Manufactured Homes on Individual Lots

A manufactured home that is placed on an individual lot pursuant to this section shall be considered a Single Family, Detached Dwelling, Level 2 1. No manufactured or modular home shall be placed on an individual lot except as provided for in this section or as otherwise provided for in this Title. Such manufactured home shall:

A. Be placed on a permanent foundation as specified by the manufacturer, and the space from the bottom of the home to the ground shall be enclosed by concrete or an approved concrete product which can be either load bearing or decorative, and set up in accordance with building code requirements.

~~B. Be oriented on the lot so that the longest facade is parallel or predominately parallel to the public or private street.~~ Comply with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located, including the development standards of the zoning district.

C. Be comprised of at least two (2) fully enclosed parallel sections each not less than twelve (12) feet wide by thirty-six (36) feet long.

~~D. Be originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of not less than a 3:12 pitch.~~ The manufactured home shall be a new manufactured home or otherwise meet all

requirements for a designated manufactured home as defined in RCW 35.63.160.

~~E. Have exterior siding similar in appearance to siding material commonly used on conventionally built housing. The manufactured home shall be thermally equivalent to the state energy code;~~

~~F. Include either an attached or detached carport or garage.~~

~~G. Include a finished porch or deck for each entrance door.~~

Section 14. That LMC Sections 18A.70.800 through 18A.70.840 regarding Zero Lot Line Residential Development be deleted in their entirety as follows:

~~18A.70.800 – Zero Lot Line Residential Development~~

~~18A.70.810 – Purpose – Zero Lot Line Residential Development~~

~~The purpose of this section is to allow the development of single-family residential dwellings of a design, style, size, and density that will help expand the options for affordable home ownership and high-quality lease and rental units in Lakewood.~~

~~18A.70.820 – Applicability – Zero Lot Line Residential Development~~

~~Zero lot line residential development may be permitted for three (3) or more single-family attached dwelling units in zoning districts where the Single Family Attached Dwelling Level 2 use type is permitted, subject to the applicable standards herein.~~

~~18A.70.830 – General Standards – Zero Lot Line Residential Development~~

~~A. Each unit in a zero lot line residential development may be located on an individual lot or may be combined on a single parcel with lot lines delineating ownership spaces or tracts. The phrase “lot line,” as used in this subsection and this subsection only, shall refer to the boundaries of an ownership area, lot, or tract as located, designated and illustrated on a recorded final plat for condominium development pursuant to the requirements of Chapter 64.32 RCW.~~

~~B. Zoning certification and building permits for zero lot line residential development which has minimum lot sizes smaller than those allowed in the zoning district in which the development is located, subject to the applicable standards of LMC 18A.840, shall only occur subsequent to filing and recording of a final condominium plat pursuant to the requirements of Chapter 64.32 RCW.~~

~~C. Common Walls. At least one (1) wall of each unit shall be in common with and contiguous to another unit, and said common wall shall be located on the lot line.~~

~~D. Density. The density of the zero lot line residential development shall not exceed the density of the underlying zoning district.~~

~~E. Common Open Space. Area dedicated or reserved for common open space shall be in addition to that area dedicated or reserved for roads, utility easements, stormwater detention facilities and other development requirements.~~

~~1. Common open space shall be landscaped to a Type III, Open Space Landscaping standard, except for a minimum five (5) foot wide landscape buffer strip, planted to the requirements of Type I, Vegetative Buffer, LMC 18A.50.425, Landscaping, which shall be required on the inside of the fence along the perimeter of the zero lot line development. This landscape buffer shall be credited toward the common open space requirements.~~

~~2. Common open space shall be owned and maintained in one (1) of the following ways:~~

~~a. If under one (1) ownership, owned and maintained by the ownership.~~

~~b. If held in common ownership by all of the owners of the development, a homeowners' association shall be legally created and recorded, which shall take responsibility, via recorded covenants, for maintenance of the common open space. If such open space is not maintained in a reasonable manner, the City shall have the right to provide for the maintenance thereof and bill the homeowners' association accordingly. A lien against the homeowners' association may be pursued for any such bills that remain _____ unpaid.~~

~~c. Dedicated for public use if accepted by the City Council or other appropriate public agency.~~

~~F. Openings Prohibited on Zero Lot Line Side. The wall of the dwelling located on the lot line shall have no windows, doors, air conditioning units or any other type of opening; provided, however, that atriums or courts shall be permitted on the zero lot line side when the court or atrium is enclosed by three (3) walls of the dwelling unit and a solid wall of at least eight (8) feet in height is provided on the zero lot line. The wall shall be constructed of the same material as exterior walls of the unit. Opaque openings or high level windows above eight (8) feet in height shall be allowed. There is no restriction on openings where a wall is located on a zero lot line facing open space.~~

~~G. Storage of Recreational or Sporting Vehicles. The outdoor parking or storage of recreational and sporting vehicles shall be prohibited within a zero lot line residential _____ development.~~

~~H. Perimeter Buffer. A one hundred (100) percent sight obscuring wall, fence and/or landscaping shall be established along the perimeter boundaries of the zero lot line development, except where the front of dwelling units face a public street. A minimum five (5) foot wide landscape buffer strip, planted to the requirements of Type I, Vegetative Buffer, LMC 18A.50.425, Landscaping, shall be required on the outside of the fence along the perimeter of the zero lot line development. This landscape buffer may be credited toward the common open space requirements, at the discretion of the City.~~

~~I. Garage Access. Single Family Attached Dwelling units shall be designed and constructed so that the garage is not prominent or the focal point of the dwelling when viewed from the street. Such design may include access to the garage via an alley at rear or side of the dwelling units, garages further recessed from the street than the living space of the dwelling, garages utilizing a multi purpose courtyard as driveway and recreational space, and any other design that emphasizes the living space of the dwelling and minimizes the visibility of the garage. The minimum building setback for a garage shall be twenty (20) feet.~~

~~J. Parking. The off street parking spaces required by LMC 18A.50.500, Parking, shall be satisfied as follows:~~

- ~~1. A garage of any size may count toward one (1) of the two (2) required parking spaces for a single family dwelling.~~
- ~~2. A driveway of not less than twelve (12) feet in width and twenty (20) feet in length shall count toward one (1) of the two (2) required parking spaces. A driveway of not less than twenty (20) feet in width and twenty (20) feet in length shall constitute two (2) off street parking spaces.~~

~~18A.70.840 Zone Specific Development Standards~~

~~A. Development standards for zero lot line residential development R4 and MR1 zoning districts are as follows:~~

- ~~1. Minimum lot size. Minimum lot size shall be three thousand (3,000) square feet per unit.~~
- ~~2. Maximum site coverage. Maximum coverage of the gross land area of the development shall be:
 - ~~a. Building coverage: Fifty (50) percent.~~
 - ~~b. Impervious surface coverage: Sixty five (65) percent.~~~~
- ~~3. Each zero lot line residential development shall provide not less than thirty (30) percent of the gross land area for common open space, which shall be concentrated in large areas and designed to provide greenbelts and either passive or active recreation.~~

~~B. Development standards for zero lot line residential development MR2, ARC, NC 1, and NC 2 zoning districts are as follows:~~

- ~~1. Minimum lot size. Minimum lot size shall be two thousand two hundred (2,200) square feet per unit.~~
- ~~2. Maximum site coverage. Maximum coverage of the gross land area shall be:
 - ~~a. Building coverage: Sixty (60) percent.~~
 - ~~b. Impervious surface coverage: Seventy (70) percent.~~~~
- ~~3. Each zero lot line residential development shall provide not less than twenty (20) percent of the gross land area for common open space, which shall be concentrated in large areas and designed to provide greenbelts and either passive or active recreation.~~

~~C. Development standards for zero lot line residential development MF1 zoning district is as follows:~~

- ~~1. Minimum lot size. Minimum lot size shall be one thousand six hundred (1,600) square feet per unit.~~
- ~~2. Maximum site coverage. Maximum coverage of the gross land area shall be:
 - ~~a. Building coverage: Seventy (70) percent.~~
 - ~~b. Impervious surface coverage: Eighty five (85) percent.~~~~
- ~~3. Each zero lot line residential development shall provide not less than ten (10) percent of the gross land area for common open space, which shall be concentrated in large areas and designed to provide greenbelts and either passive or active recreation.~~

Section 15. Severability. If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

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Section 16. Effective Date. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 3rd day of April, 2006.

CITY OF LAKEWOOD

Dr. Claudia B. Thomas, Mayor

Attest:

Alice Bush, MMC, City Clerk

Approved as to form:

Heidi Ann Wachter, City Attorney