

# Ordinance No. 00552

[CITY COUNCIL MEETING MINUTES SEPTEMBER 17, 2012](#)

## ORDINANCE NO. 552

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending the City of Lakewood Comprehensive Plan, including the Future Land-Use and Zoning Maps of the City; amending sections of Title 18A of the Lakewood Municipal Code related to the City of Lakewood Comprehensive Plan; and establishing an effective date

**WHEREAS**, the Washington State Legislature, through Chapter 36.70A RCW, the state Growth Management Act (GMA), intends that local planning be a continuous and ongoing process; and

**WHEREAS**, the GMA requires that the City of Lakewood adopt a comprehensive plan; and

**WHEREAS**, in accordance with RCW 36.70A.130, the adopted comprehensive plan shall be subject to continuing evaluation and review, and amendments to the comprehensive plan shall be considered no more frequently than once every year; and

**WHEREAS**, in compliance with the requirements of the GMA and following abundant public outreach and involvement, the Lakewood City Council adopted the City of Lakewood Comprehensive Plan via Ordinance No. 237 on July 10, 2000; and

**WHEREAS**, the Lakewood City Council, based on review and recommendations of the Lakewood Planning Advisory Board (PAB) that incorporated public input, has subsequently amended the City of Lakewood Comprehensive Plan periodically, including a review required by law in 2004; and

**WHEREAS**, following public meetings and discussions, the Lakewood City Council adopted Title 18A of the Lakewood Municipal Code ("Land Use and Development Code") via Ordinance No. 264 on August 20, 2001; and

**WHEREAS**, the Lakewood City Council, based on review and recommendations of the Lakewood PAB following public input, has subsequently amended Title 18A of the Lakewood Municipal Code periodically, either in conjunction with comprehensive plan amendments or on a standalone basis; and

**WHEREAS**, it is appropriate for a local government to adopt needed amendments to its comprehensive plan to ensure that the plan and implementing regulations provide appropriate policy and regulatory guidance for growth and development; and

**WHEREAS**, the Lakewood PAB, acting as the City's designated planning agency, has reviewed a series of proposed amendments to the City of Lakewood Comprehensive Plan and related development regulations including proposed amendments to the Future Land-Use Map, Zoning Map, and related changes to Title 18A of the Lakewood Municipal Code; and

**WHEREAS**, public participation opportunities, as required by RCW 36.70A.130(2)(a), appropriate to the level of the amendments being reviewed, have been afforded to interested parties via numerous open public meetings, mailings and site postings, and a public comment/hearing period, and public input received through these channels has been duly considered by the Lakewood PAB; and

**WHEREAS**, environmental review as required under the Washington State Environmental Policy Act has resulted in the issuance of a determination of environmental non-significance; and

**WHEREAS**, a 60-day notice has been provided to state agencies prior to the adoption of this Ordinance, and state agencies have been afforded the opportunity to comment per RCW 36.70A.106(1); and

**WHEREAS**, a 60-day notice has been provided to Joint Base Lewis-McChord (JBLM) prior to the adoption of this Ordinance, and JBLM has been afforded the opportunity to comment per RCW 36.70A.530(5); and

**WHEREAS**, following public hearing, the Lakewood PAB forwarded a set of recommendations relative to the 2012 amendments package to the Lakewood City Council via PAB Resolution No. 2012-02; and

**WHEREAS**, the Lakewood City Council has reviewed materials relevant to public input and staff and PAB

recommendations leading up to the proposed 2012 amendments package; and

**WHEREAS**, in accordance with the issues and concerns considered by the Lakewood PAB as reflected in its recommendations, the Lakewood City Council has considered the recommendations of the Lakewood PAB and has determined that it is appropriate to provide for the amendment of certain portions of the City of Lakewood Comprehensive Plan and related sections of Title 18A of the Lakewood Municipal Code as herein specified; and

**WHEREAS**, the Lakewood City Council has considered the required findings in LMC 18A.02.415 as related to each independent zoning map amendment, and hereby finds that the requirements of LMC 18A.02.415 are satisfied; and

**WHEREAS**, after review of the record and recommendations of the Lakewood PAB, the Lakewood City Council finds that the amendments to the City of Lakewood Comprehensive Plan as identified within this Ordinance comply with the requirements of the state Growth Management Act;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1.** The official Future Land-Use Map and Zoning Maps of the City for the below-referenced properties are hereby amended as follows, as shown in Exhibit A hereto:

CPA-2012-01 – MAP AMENDMENT (PORTION)

- 1. Amend the comprehensive plan land-use map to designate the subject property Industrial; and
  
- 2. Amend the zoning map to correspondingly zone the subject property Industrial Business Park (IBP).

Location: The portion of Woodbrook generally bounded by Murray Road SW, 146th Street SW, Spring Street SW, and the southerly City limit abutting JBLM

Assessor's tax parcel no: 0219222005, 0219222006, 0219222008, 0219222012, 0219222019, 0219222034, 0219222035, 0219222041, 0219226009, and 0219226010

CPA-2012-02 – MAP AMENDMENT

- 1. Amend the comprehensive plan land-use map to designate the subject property Air Corridor 1; and
  
- 2. Amend the zoning map to zone the subject property Air Corridor 1 (AC1);

Location: NE corner of 96th Street SW and South Tacoma Way

Assessor's tax parcels no: 5000700010, 5000700020, 5000700030, 5000700041, 5000700051, and 5000700091

CPA-2012-03 – MAP AMENDMENT

- 1. Amend the comprehensive plan land-use map to designate the subject property Corridor Commercial; and

- 2. Amend the zoning map to zone the subject property Commercial 2 (C2).

Location: West side of 40th Avenue SW, generally between 96th and 100th Streets SW to the north and south and Sound Transit property to the west

Assessor's tax parcels no: 0219011071, 0219011075, 0219011083, 0219015001, 0219015002, 0219015003, 5087000090, 5087000100, 5087000110, 5087000121, 5087000131, 5087000140, and 5087000150

**Section 2.** Section 18A.02.120 of the Lakewood Municipal Code is hereby amended as follows:

**18A.2.120- Consistency with Comprehensive Plan**

This title is intended to implement the adopted planning goals and policies of the City of Lakewood represented in its comprehensive plan and other planning documents. Actions initiated under this title shall be consistent with the comprehensive plan as adopted or hereafter amended. Where a provision of this code is found to be in conflict with the comprehensive plan, applicable goals and/or policies of the comprehensive plan shall be evaluated against the code and shall inform an administrative interpretation by the Director as authorized in LMC 18A.02.155 and .200 (generally) apply. A provision of this title that is in addition to another requirement of this title is not in conflict, but shall be considered to be supplementary to one another. (Ord. 264 § 1 (part), 2001.)

**Section 3.** Section 18A.02.810 of the Lakewood Municipal Code is hereby amended as follows:

**18A.2.810- Applicability - Nonconformities**

A. This section shall apply to legally existing nonconformities, except the following:

1. Nonconforming signs as defined in LMC 18A.50.600, Signs, which shall instead be governed by standards set forth in that section.
2. Nonconforming wireless telecommunications facilities as defined in LMC 18A.70.600, Wireless Telecommunications Facilities, which shall instead be governed by standards set forth in that section.
3. Nonconforming mobile home parks as defined in LMC 18A.70.400, Manufactured Home Parks, which shall instead be governed by standards set forth in that section.
4. Permit applications at the time of this title's passage that constitute vested development as defined in LMC 18A.02.350, Vested Rights, which shall instead be governed by standards set forth in that section. Future plans to further develop property shall not constitute a basis for nonconformity status, whether or not documented in public record, except when they constitute a vesting. Nothing in this section shall be construed to require a change in plans, construction, or intended use related to vested development, though it may thereafter be regulated as a nonconformity.
5. Public/institutional uses previously within the Public/Semi-Public Institutional future land-use designation and Public Institutional zoning district which have been redesignated and rezoned in anticipation of surplus sale or other action intended to result in ownership transition to a non-public entity. Existing uses shall be considered conforming for regulatory purposes until the ownership transfer is complete.

(Ord. 483 § 6, 2008; Ord. 264 § 1 (part), 2001.)

**Section 4.** Section 18A.30.630 of the Lakewood Municipal Code is hereby amended as follows:

**18A.30.630- Primary Permitted Uses - Industrial Zoning Districts**

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

A. Industrial Business Park (IBP)

1. Outdoor Recreation (Level 1/2)
2. Postal Services (Level 1/3)
3. Public Maintenance Facilities (Level 1/2)

4. Transportation (Level 1/2/3)
5. Communication Facilities (Level 1/2/3/4)
6. Electrical Facilities (Level 1/2)
7. Natural Gas Facilities (Level 1)
8. Sewage Collection Facilities
9. Stormwater Facilities (Level 1/2)
10. Waste Transfer Facilities (Level 1)
11. Water Supply Facilities (Level 1/2/3)
12. Business Services
13. Convenience Commercial (Level 4)
  
14. Drive-Through Facilities, limited to coffee kiosks
15. Eating and Drinking Establishment (Level 1/2)
- ~~16. Motor Vehicle Sales and Rental (Level 2/3)~~
- ~~17. Motor Vehicle Service and Repair (Level 3)~~
- ~~18. Pet Sales and Services (Level 4)~~
- ~~19. Private Training School (Level 1/2)~~
- ~~20. Professional Offices (Level 1/2/3)~~
- ~~21. Rental and Repair Services (Level 1/2)~~
- ~~22. Sales of General Merchandise (Level 1), limited to that which is accessory and related to on-site manufacturing and production.~~
  
- ~~23. Secondary Manufacturing and Major Assembly (Level 1)~~
- ~~24. Limited Manufacturing/Assembly (Level 1/2/3)~~
- ~~25. Contractor Yards (Level 1)~~
- ~~26. Flex Space (Level 1/2/3)~~
- ~~27. Food and Related Products (Level 1)~~
- ~~28. Industrial Services~~
- ~~29. Motion Picture Production Studios~~
- ~~30. Printing and Publishing (Level 1/2)~~
- ~~31. Research, Development, and Laboratories (Level 1/2)~~
- ~~32. Warehousing, Distribution and Freight Movement (Level 1/2)~~
  
- ~~33. Commercial Accessory Uses~~
- ~~34. Industrial Accessory Uses~~

## B. Industrial 1 (I1)

1. Outdoor Recreation (Level 1/2)
2. Postal Services (Level 3)
3. Public Maintenance Facilities (Level 1/2/3)
4. Public Safety Services (Level 1/2)
5. Transportation (Level 1)
6. Communication Facilities (Level 1/2/3)
7. Electrical Facilities (Level 1/2)
8. Natural Gas Facilities (Level 1/2)
9. Sewage Collection Facilities
10. Stormwater Facilities (Level 1/2)
11. Waste Transfer Facilities (Level 1/2/3)
12. Water Supply Facilities (Level 1/2/3)
13. Bulk Fuel Dealers
14. Buy-Back Recycling Center
15. Convenience Commercial (Level 4)
  
16. Drive-Through Facilities, limited to coffee kiosks
17. Eating and Drinking Establishment (Level 1/2)
18. Funeral Services (Level 2)
19. Manufactured and Modular Homes Sales
20. Motor Vehicle Sales and Rental (Level 4)
21. Motor Vehicle Service and Repair (Level 3/4/5)

22. Pet Sales and Services (Level 4)
23. Private Training School (Level 1/2)
24. Rental and Repair Services (Level 3/4)
25. Storage (Level 1/2/3)
  
26. Primary Manufacturing (Level 1)
27. Secondary Manufacturing and Major Assembly (Levels 1/2)
28. Limited Manufacturing/Assembly (Level 1/2/3)
29. Contractor Yards (Level 1/2)
30. Flex Space (Level 1/2/3)
31. Food and Related Products (Level 1/2)
32. Industrial Services
33. Motion Picture Production Studios
34. Outdoor Distribution and Freight Movement
35. Printing and Publishing (Level 1/2)
36. Research, Development, and Laboratories (Level 1/2)
37. Warehousing, Distribution and Freight Movement (Levels 1/2/3)

38. Commercial Accessory Uses
39. Industrial Accessory Uses

#### C. Industrial 2 (I2)

1. Outdoor Recreation (Level 1/2)
2. Postal Services (Level 3)
3. Public Maintenance Facilities (Level 1/2/3)
4. Public Safety Services (Level 1/2)
5. Transportation (Level 1)
6. Communication Facilities (Level 1/2/3)
7. Electrical Facilities (Level 1/2)
8. Natural Gas Facilities (Level 1/2)
9. Sewage Collection Facilities
10. Stormwater Facilities (Level 1/2)
11. Waste Transfer Facilities (Level 1/2/3)
12. Water Supply Facilities (Level 1/2/3)
13. Bulk Fuel Dealers
14. Buy-Back Recycling Center
15. Eating and Drinking Establishments (Level 1/2)
16. Funeral Services (Level 2)
17. Manufactured and Modular Homes Sales
18. Motor Vehicle Sales and Rental (Level 4)
19. Motor Vehicle Service and Repair (Level 3/4/5)
20. Private Training Schools (Level 1/2)
21. Rental and Repair Services (Level 3/4)
  
22. Sales of General Merchandise (Level 4)
23. Storage (Level 2/3)
  
24. Primary Manufacturing (Level 1/2)
25. Secondary Manufacturing and Major Assembly (Levels 1/2)
26. Limited Manufacturing/Assembly (Level 1/2/3)
27. Contractor Yards (Level 1/2)
28. Flex Space (Level 2/3)
29. Food and Related Products (Level 1/2)
30. Industrial Services
31. Motion Picture Production Studios
32. Outdoor Distribution and Freight Movement
33. Printing and Publishing (Level 1/2)
34. Research, Development, and Laboratories (Level 1/2/3)
35. Warehousing, Distribution and Freight Movement (Levels 2/3)

- 36. Commercial Accessory Uses
- 37. Industrial Accessory Uses

**(Ord. 483 § 20, 2008; Ord. 397 § 12, 2005; Ord. 264 § 1 (part), 2001.)**

**Section 5.** Section 18A.30.730 of the Lakewood Municipal Code is hereby amended as follows:

18A.30.730- Primary Permitted Uses - Military-Related Zoning Districts

The following uses are permitted within the Military-Related zoning districts, subject to approval of a zoning certification and all applicable development permits. Uses that are not listed within the Military-Related zoning districts or permitted as an accessory use are not permitted unless specifically provided for elsewhere in this code. Use types are defined in LMC 18A.20, Use Types and Levels.

The unique nature of these areas may invoke additional, specific standards. New uses within the CZ, AC1, and AC2 zoning districts shall be subject to intensity limitations in accordance with LMC 18A.30.770 and performance standards pursuant to LMC 18A.30.780, and structures in those zones shall be subject to noise attenuation requirements pursuant to LMC 18A.30.790. New public assembly uses are expressly prohibited in the CZ, AC1, and AC2 zoning districts.

A. ML Zoning District

1. Communication Facilities (Level 1)
2. Electrical Facilities (Level 1)
3. Natural Gas Facilities (Level 1)
4. Sewage Collection Facilities
5. Stormwater Facilities (Level 1)
6. Water Supply Facilities (Level 1)
7. Military Installations (Level 2)

B. CZ Zoning District

1. Continuation of uses already legally existing within the zone at the time of adoption of this title. Maintenance and repair of existing structures shall be permitted.
2. Primary permitted uses in the OSR1 and OSR2 zoning districts.
3. Postal Services (Level 3)
4. Communication Facilities (Level 1/2)
5. Electrical Facilities (Level 1)
6. Natural Gas Facilities (Level 1)
7. Sewage Collection Facilities
8. Stormwater Facilities (Level 1/2)
9. Water Supply Facilities (Level 1/2)
10. Manufactured and Modular Home Sales
11. Storage
12. Limited Manufacturing and Assembly
13. Contractor Yards
14. Outdoor Distribution and Freight Movement
15. Warehousing, Distribution, and Freight Movement
16. Agriculture (Level 1/2)

C. AC1 Zoning District

1. Continuation of uses already legally existing within the zone at the time of adoption of this title. Maintenance and repair of existing structures shall be permitted.
2. Primary permitted uses in the I2 zoning district.
3. Primary permitted uses in the OSR1 and OSR2 zoning districts.
4. Communication Facilities (Level 1)
5. Electrical Facilities (Level 1)
6. Natural Gas Facilities (Level 1)
7. Sewage Collection Facilities
8. Stormwater Facilities (Level 1)
9. Water Supply Facilities (Level 1)

10. Motor Vehicle Sales and Rental (Level 2/3)

~~11.~~ Agriculture (Level 1/2/3)

~~12.~~ Residential Accessory Uses, except accessory dwelling units.

D. AC2 Zoning District

1. Continuation of uses already legally existing within the zone at the time of adoption of this title. Maintenance and repair of existing structures shall be permitted.
2. Primary permitted uses in the I1 zoning district.
3. Primary permitted uses in the OSR1 and OSR2 zoning districts.
4. Communication Facilities (Level 1)
5. Electrical Facilities (Level 1)
6. Natural Gas Facilities (Level 1)
7. Sewage Collection Facilities
8. Stormwater Facilities (Level 1)
9. Water Supply Facilities (Level 1)
10. Motor Vehicle Sales and Rental (Level ~~4~~2/3)
11. Agriculture (Level 1/2/3)
12. Residential Accessory Uses, except accessory dwelling units.

(Ord. 308 § 2, 2003; Ord. 264 § 1 (part), 2001.)

**Section 6. Remainder Unchanged.** The rest and remainder of Title 18A of the Lakewood Municipal Code and the Comprehensive Plan Future Land-Use and Zoning Maps shall be unchanged and shall remain in full force and effect.

**Section 7. 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.

**Section 8. Effective Date.** This Ordinance shall be in full force and effect thirty (30) days after final passage.

ADOPTED by the city council of the City of Lakewood this \_\_\_\_ day of \_\_\_\_\_, 2012.

CITY OF LAKEWOOD

\_\_\_\_\_  
Douglas G. Richardson, Mayor

Attest:

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

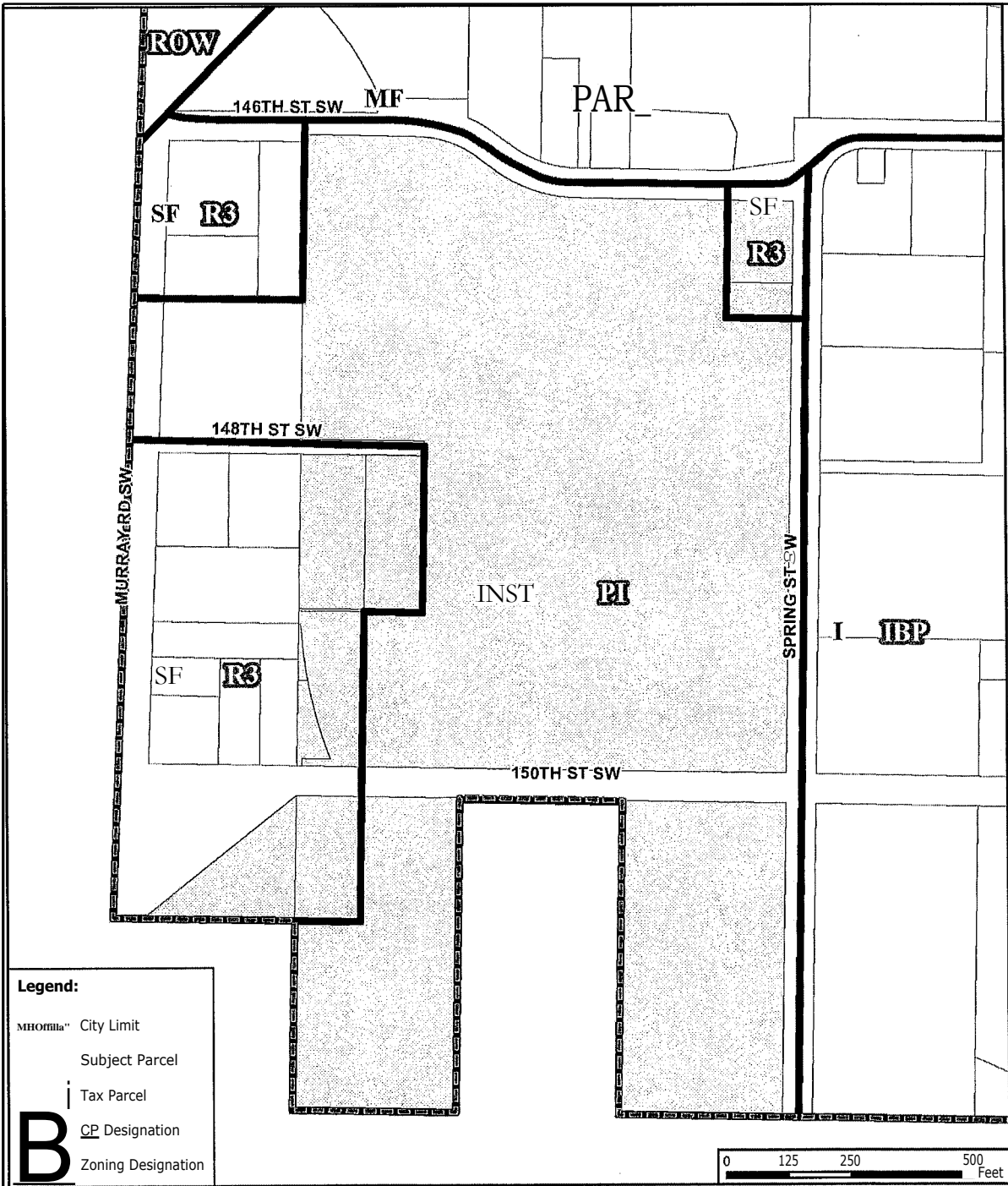
Approved as to Form:

\_\_\_\_\_  
Heidi Ann Wachter, City Attorney

**EXHIBIT A**

EXHIBIT A





**CPA 2012-01**  
**Amend the CP designation from Public & Semi Public**  
**Institutional & Single Family to Industrial**  
**(Rezone from PI & R3 to IBP)**

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September 11, 2012  
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33RD AVCT S

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96TH ST S

Legend:

==== City Limit

Subject Parcel

Tax Parcel

 CP Designation

r:1 Zoning Designation

AIR!

34TH AVCT S

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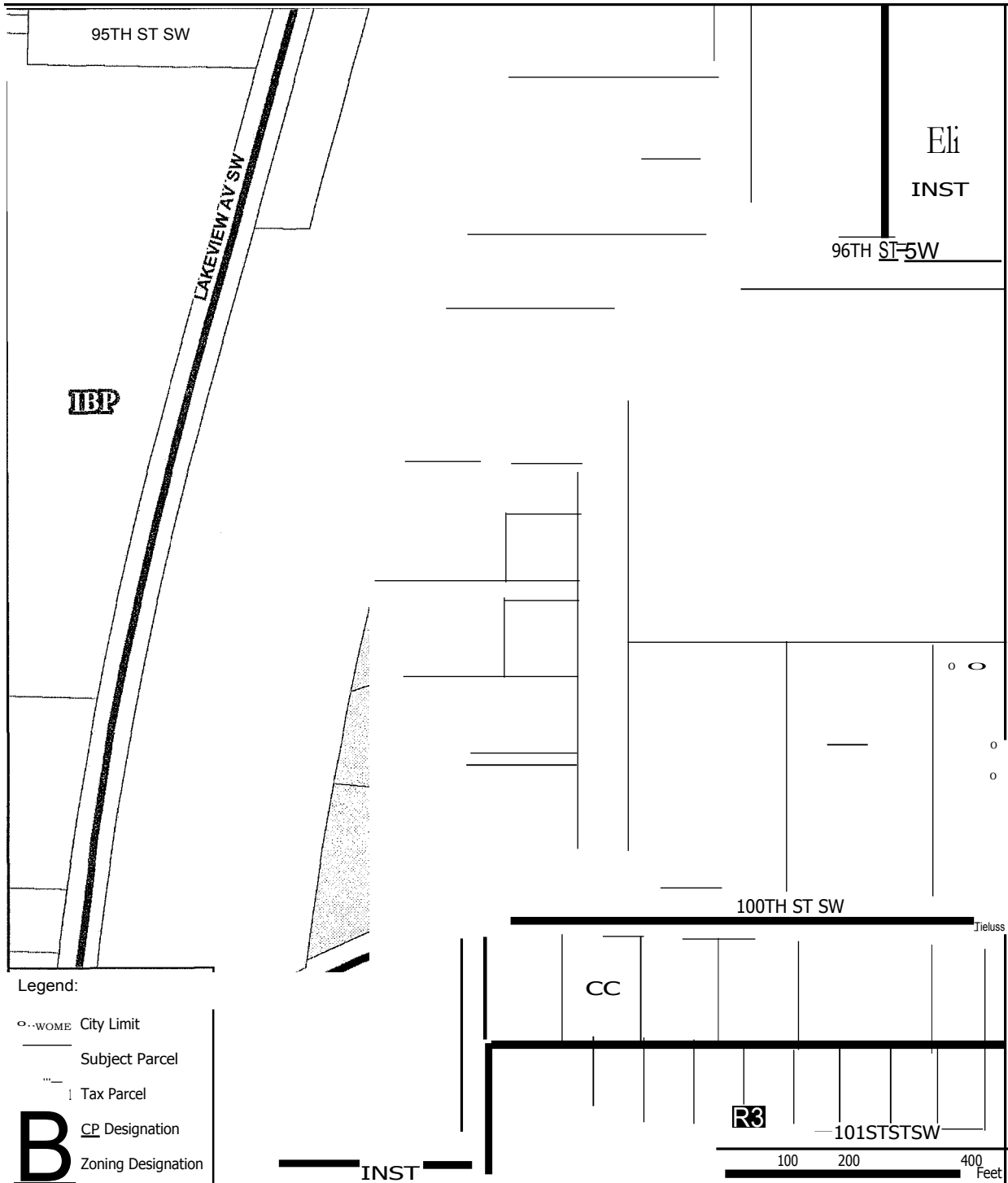
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CPA 2012-02  
Amend the CP designation from Public & Semi Public  
Institutional & Corridor Commercial to Air Corridor 1  
(Rezone from PI & C2 to AC1)

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June 26, 2012  
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CPA 2012-03  
 Amend the CP designation from  
 Industrial to Corridor Commercial  
 (Rezone from II to C2)

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June 26, 2012  
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