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LAKWOOD CITY COUNCIL MINUTES

Monday, August 20, 2001

City of Lakewood

City Council Chambers

10510 Gravelly Lake Drive SW

Lakewood, WA 98499

CALL TO ORDER

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

ROLL CALL

Councilmembers Present: 7 - Mayor Bill Harrison; Deputy Mayor Claudia Thomas; Councilmembers Ann Kirk Davis; Larry Humphrey; Jos   Palmas; Doug Richardson and Sherri Thomas.

Staff Present: City Manager D. Scott Rohlfs; City Attorney Dan Heid; Finance and Systems Director Galen Kidd; Community Development Director David Bugher; Public Works Director Bill Larkin; Police Chief Larry Saunders; Human Resources & Services Director Debi Young and General Services Director/City Clerk Alice Bush.

FLAG SALUTE

The Pledge of Allegiance was led by Councilmember Palmas by request of Mayor Harrison.

REPORTS BY THE CITY MANAGER

City Manager Rohlfs reminded the Council to let City staff know of Council's available dates for scheduling Council Budget workshops.

PROCLAMATIONS AND PRESENTATIONS

Presentation on the Housing and Employment program.

Mr. Chris Ensor, Executive Director, Tacoma Area Coalition of Individuals with Disabilities thanked the Council for Lakewood's human services funding for the housing and employment program. Ms. Jill Kreuger spoke about the Housing and Employment link program to assist eight Lakewood youths although none have yet been served.

PUBLIC COMMENTS

Speaking before the Council were:

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Jim Senko, 10919 101st Avenue SW, announced that Keep Lakewood Beautiful will be holding a dedication of its projects on August 24, 2001, at 1:00 p.m., at the 112th Street and Gravelly Lake Drive SW site.

Richard Rabisa, #2 Thornewood Lane, spoke about the destruction that occurred on Thorne Lane. He recommended that the City consider having a time capsule at the new City Hall.

Kerry Hills, 8913 Dolly Madison SW, expressed concern about the news article on the City's removal of lifeguards from its beaches and recommended that the lifeguards be reinstated. Mayor Harrison explained that the City did not remove lifeguards because of funding but that the lifeguards resigned from their positions because of the conduct of

the patrons at the parks made their work responsibilities difficult.

Dennis Haugen, 6528 Mt. Tacoma Drive SW, spoke about making citizens Committees and City studies available and accessible to the public in libraries and public facilities. He indicated that City officials and staff should not solicit members to serve on City Committees.

Bill Kittrell, Emerald Drive, Lakewood United, announced that the City Council candidates are scheduled to speak at upcoming Lakewood United meetings on Thursdays.

Parley Applegate, Woodbrook Drive, spoke about the Back-to-School festival.

Judy Galbraith, 7325 96th Avenue, 6th Addition of Oakbrook Neighborhood, expressed concern about the downgrading of zoning for single-family in the Oakbrook division. She recommended the elimination of daycare centers, health care and group homes zoning in Oakbrook. She expressed concern about sexual molesters moving across daycare facilities.

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

- A. Approval of the minutes of the City Council meeting of August 6, 2001.
- B. Approval of the minutes of the City Council Study Session of August 13, 2001.
- C. Approval of payroll check numbers 104369 to 104405, in the amount of \$225,266.48, for the period July 16 - 31, 2001.
- D. Approval of claim voucher numbers 15322 to 15462, in the amount of \$1,649,967.37, for the period ending August 9, 2001.
- E. Approval of claim voucher numbers 15463 to 15514, in the amount of \$1,068,723.68, for the period ending August 16, 2001.
- F. Items Filed in the Office of the City Clerk:
 - 1. Lakewood Sister Cities Association meeting minutes of June 14, 2001.

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- 2. City Events Committee meeting minutes of July 19, 2001.
- 3. Redevelopment Advisory Board meeting minutes of June 12 and July 10, 2001.

G. [Resolution No. 2001-23](#)

Declaring certain property as surplus and authorizing its disposal to public entities and charitable nonprofit organizations or as otherwise available under the law.

COUNCILMEMBER DAVIS MOVED TO ADOPT THE CONSENT AGENDA AS PRESENTED. SECONDED BY DEPUTY MAYOR THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

R E G U L A R A G E N D A

ORDINANCES

[Ordinance No. 264](#) repealing Title 18 and Sections 1.36.080, 1.36.100, 1.36.170, 1.36.180, 1.36.190, 1.36.200 and 1.36.220 of the Lakewood Municipal Code; and adopting Title 18A and Section 1.44.040, including recodification of Ordinance No. 258, and amending Sections 1.36.010, 1.36.090, 1.36.110, 1.36.130, 1.36.140, 1.36.150, 1.36.160, 1.36.210, 1.36.230, 1.36.250, 1.36.260, 1.36.280, 1.36.290, 8.24.090 and 8.24.100 of the Lakewood Municipal Code relative to the zoning and land use code.

COUNCILMEMBER RICHARDSON MOVED TO ADOPT ORDINANCE NO. 264. SECONDED BY COUNCILMEMBER DAVIS.

COUNCILMEMBER THOMAS MOVED TO AMEND ORDINANCE NO. 264, TO DECREASE DENSITY AND

APPROXIMATE A 30,000 SQUARE FOOT LOT IN THE R1 ZONE, AMENDING 18A30.160 A.1. FROM 1.5 DWELLING UNITS PER ACRE TO 1.45 DWELLING UNITS PER ACRE. SECONDED BY COUNCILMEMBER PALMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

COUNCILMEMBER RICHARDSON MOVED TO AMEND ORDINANCE NO. 264, TO INCREASE THE SIZE OF DETACHED ACCESSORY BUILDINGS FROM 1,000 SQUARE FEET TO A MAXIMUM OF 1,200 SQUARE FEET AMENDING 18A.59.140 A. SECONDED BY COUNCILMEMBER THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

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COUNCILMEMBER RICHARDSON MOVED TO AMEND 18A.50.310 TO ADD THE FOLLOWING: "THE REQUIREMENTS FOR TREE PRESERVATION SHALL BE PROVIDED IN ACCORDANCE WITH THE DEVELOPMENT STANDARDS OF EACH INDIVIDUAL ZONING DISTRICT AND THE PROVISIONS OF THIS SECTION, AND ARE APPLICABLE TO ALL ZONING DISTRICTS, EXCEPT FOR LOTS UNDER 17,000 SQUARE FEET IN SINGLE FAMILY RESIDENTIAL ZONES"; AND AMEND 18A.50.320. B. 2. A. TO REMOVE THE PHRASE, ". . . EXCEPT FOR LOTS OF 10,000 SQUARE FEET GFS OR LESS IN SIZE IN ANY ZONING DISTRICT." SECONDED BY COUNCILMEMBER THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

MAYOR HARRISON MOVED TO AMEND ORDINANCE NO. 264 TO CORRECT SCHRIVNER'S ERRORS AS FOLLOWS:

1. 18A.70.830 E. (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 II, Vegetative Buffer, LMC 18A.50.425500, 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. 18A.70.830 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 II, Vegetative Buffer, LMC 18A.50.42500, 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.

3. 18A.70.830 J. Parking. The off-street parking spaces required by LMC 18A.-50.500, Parking, shall be satisfied as follows.

4. 18A.90.200 (38). 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.

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5. 18A.90.200 (184). 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, and 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.

6. 18A.90.200 (193). HOLIDAY DECORATIONS. Temporary messages, displays, lighting-celebrating or decorations celebrating national, state, local, ethnic, and religious holidays or holiday seasons.

7. 18A.90.200 (204). INTERIOR LOT AREA. Any area of a lot that is not within a required perimeter or buffer area. ~~In the case of single family residences in residential zones, the entire lot shall be considered the interior lot area.~~

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8. 18A.90.200 (226). LOT LINE, INTERIORSIDE. Any property line which is neither a front nor a rear lot line.

9. 18A.90.200 (245). ~~MAXIMUM LOT SIZE. The size of the largest lot area size, expressed in gross square feet (gsf), permitted for residential short plats subdivisions and subdivisions, but exempting boundary line adjustments.~~

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10. ~~18A.90.200 (246)~~245. MEAN HIGH WATER (MHW). The average height of all high waters over a nineteen (19) year period.

11. ~~18A.90.200 (247)~~246. 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.~~

12. ~~18A.90.200 (248)~~247. MITIGATE. To alleviate the negative impacts of a particular action.

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13. 18A.90.200 ~~(249)~~248. 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.

14. 18A.90.200 ~~(250)~~249. 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.

15. 18A.90.200 ~~(251)~~250. 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).

16. 18A.90.200 ~~(252)~~251. 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.

17. 18A.90.200 ~~(253)~~252. 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.

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18. 18A.90.200 ~~(254)~~253. 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 of 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).

19. 18A.90.200 ~~(255)~~254. 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.

20. 18A.90.200 ~~(256)~~255. 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.

21. 18A.90.200 ~~(257)~~256. 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.

22. 18A.90.200 ~~(258)~~257. 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. ~~As used in these guidelines, the modulated portions shall be at least six (6) feet deep in order to qualify as modulation.~~

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23. 18A.90.200 ~~(294)~~293. 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.

24. 18A.90.200 ~~(295)~~294. 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.

25. 18A.90.200 ~~(296)~~295. 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 unwall building. Such materials may include tractors, backhoes, heavy equipment, construction materials and other similar items.

26. ~~18A.90.200 (297) OVERLAY DISTRICT. A supplementary district which places special restricts or preempts the use of land beyond those required in the underlying zones.~~

27. 18A.90.200 ~~(298)~~296. 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.

28. 18A.90.200 ~~(299)~~297. 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.

29. 18A.90.200 ~~(300)~~298. 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.

30. 18A.90.200 (~~301~~)299. OWNERSHIP. The existence of legal equitable title to land.

40. 18A.90.200 (~~302~~)300. PACKAGE WASTEWATER TREATMENT PLANT. A pre-assembled factory built treatment plant.

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41. 18A.90.200 (~~303~~)301. PARAPET WALL. That portion of a vertical building wall that extends above the roof of the building.

42. 18A.90.200 (~~304~~)302. 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.

43. 18A.90.200 (~~305~~)303. PARKING AREA. An area accessible to vehicles, which area is provided, improved, maintained, and used for the sole purpose of accommodating a motor vehicle.

SECONDED BY COUNCILMEMBER THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

COUNCILMEMBER RICHARDSON MOVED TO AMEND THE OFFICIAL ZONING MAP, DELETING THE R4 ZONING CLASSIFICATION IN THE TILlicUM COMMUNITY, AND REPLACING IT WITH THE R3 ZONING CLASSIFICATION. SECONDED BY COUNCILMEMBER THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

ROLL CALL VOTE WAS TAKEN ON THE AMENDED ORDINANCE NO. 264, RESULTING AS FOLLOWS:

AYES: 7 - HUMPHREY, DAVIS, PALMAS, RICHARDSON, DEPUTY MAYOR THOMAS, THOMAS AND MAYOR HARRISON.

NAYS: 0

ABSENT: 0

AMENDED ORDINANCE NO. 264 WAS DECLARED ADOPTED.

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RESOLUTIONS

[Resolution No. 2001-24](#) amending the fee schedule relative to the new zoning and land use regulations and related codes.

COUNCILMEMBER DAVIS MOVED TO ADOPT RESOLUTION NO. 2001-24. SECONDED BY COUNCILMEMBER PALMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

None.

BRIEFING BY THE CITY MANAGER

None.

CITY COUNCIL COMMENTS

Councilmember Humphrey asked if a description of "Partners for Parks" could be written in the next *City Connections* newsletter.

Councilmember Humphrey asked for a response on how the City determines which organizations are able to lease space at the new City Hall and to give the Council an understanding of the layout of the City Hall spaces.

Councilmember Humphrey asked if the City received a response to the letter that the City sent to the Lake Steilacoom Improvement Club.

Councilmember Humphrey indicated that the lawn at 112th Street and Gravelly Lake Drive SW needed maintenance.

Councilmember Davis spoke about the size and placement of political signs and notifying candidates of the City's political signs code.

Councilmember Thomas asked that the City notify judicial candidates of the City's sign code as well.

Councilmember Palmas commented on a citizen's letter who lives on Lake Steilacoom asking the City to pay for clean up and maintenance of the lake. He requested that a fact sheet be developed to inform citizens of what the City's role is.

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Deputy Mayor Thomas indicated that she will not be in attendance at next week's Council meeting.

Mayor Harrison commented on the Springbrook Neighborhood Association meeting.

Mayor Harrison reported on the Lions Club Health Clinic meeting.

Mayor Harrison commented on the South Sound Korean Liberation Day meeting at Ft. Steilacoom Park on Saturday, August 25, 2001.

Mayor Harrison commented on the Village of Seeley Lake National Night Out event.

Mayor Harrison reported on a sexual predator meeting with the Department of Social and Health Services. A countywide meeting will be held next.

Mayor Harrison reported that Dr. Jim Collins, who lives on Lake Steilacoom at 6828 Wildaire Road, is paying to harvest weeds on Lake Steilacoom today. Dr. Collins invited Councilmembers who are interested in observing the harvest to call Dr. Collins.

Mayor Harrison announced that Council will recess into Executive Session for approximately 60 minutes to discuss personnel matters and potential litigation.

Council recessed into Executive Session at 8:50 p.m. and reconvened at 9:50 p.m. Mayor Harrison announced that Executive Session will be extended for an additional 30 minutes. Council reconvened at 10:20 p.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:25 p.m.

BILL HARRISON, MAYOR

ATTEST:

ALICE M. BUSH, CMC

CITY CLERK