

ORDINANCE NO. 774

AN ORDINANCE AMENDING ORDINANCES 695 AND 696 REGARDING THE SCHEDULE FOR PERIODIC REVIEWS OF, THE 2018 DOWNTOWN SUBAREA PLAN, DEVELOPMENT CODE LOCATED AT LMC TITLE 18B, AND PLANNED ACTION.

WHEREAS, on October 1, 2018, the City of Lakewood City Council adopted Ordinance 695, which established a Downtown Subarea and adopted a Downtown Subarea Plan, added a new Title 18B to the Lakewood Municipal Code (LMC), and amended LMC Sections 18A.02.502, 18A.02.850, 18A.02.855, 18A.20.700(E), 18A.50.425(A)(2), 18A.50.430(A) and (G), 18A.90.200, and the Comprehensive Plan and Land Use Map; and

WHEREAS, on October 1, 2018, the City of Lakewood City Council adopted Ordinance 696, which adopted a SEPA Planned Action related to the Lakewood Downtown Subarea; and

WHEREAS, per Ordinance 695, the Lakewood City Council monitors the impact of the Downtown Code in implementing this Plan at least biennially and amends the Plan and its associated regulations as needed to improve outcomes; and

WHEREAS, per Ordinance 696 Section 4, the Lakewood City Council monitors the progress of development in the designated Planned Action area biennially to ensure that it is consistent with the assumptions of the Ordinance and the Planned Action EIS regarding the type and amount of development and associated impacts and with the mitigation measures and improvements planned for the Planned Action Area; and

WHEREAS, per Ordinance 696 Section 4, the Planned Action Ordinance is reviewed by the SEPA Responsible Official every two (2) years from its effective date in conjunction with the City's regular Comprehensive Plan review or docket cycle, as applicable, to determine the continuing relevance of the Planned Action assumptions and

findings with respect to environmental conditions in the Planned Action Area, the impacts of development, and required mitigation measures (Exhibit B) and Public Agency Actions and Commitments (Exhibit C). Based upon this review, the City may propose amendments to Ordinance 696 or may supplement or revise the Planned Action EIS; and

WHEREAS, per Ordinance 696 Exhibit D, the Planned Action Share Transportation Fees are subject to biennial review to affirm the cost basis; and

WHEREAS, on July 13, 2022, following holding a duly noticed public hearing on the Downtown Subarea Plan, Planned Action, and Development Code (the “DSAP package”) per Ordinances 695 and 696, the City of Lakewood Planning Commission adopted Resolution 2022-05 recommending that the schedule for future reviews of the DSAP package be changed from every two years to every five years and be incorporated into the Lakewood Comprehensive Plan periodic review process per RCW 36.70A.130; and

WHEREAS, on August 22, 2022 the Lakewood City Council held a study session to consider whether to amend any portion of the DSAP package; and

WHEREAS, on September 6, 2022 the City Council held a public hearing on proposed changes to the review schedule of the DSAP package;

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

Section 1. Adoption of City Council Findings.

The Findings of the City Council are adopted as part of this Ordinance.

Section 2. Adoption of Amendments to Ordinances 695 and 696.

Ordinances 695 and 696 are hereby amended as follows:

Ordinance 695:

Urban Design Policies + Strategies

Strategy: Monitor the impact of the Downtown Code in implementing this Plan in 2024 and at least biennially every five (5) years thereafter and amend the Plan and its associated regulations as needed to improve outcomes.

Table 5: Implementation Actions

	Plan Action	Timeline	Department
Urban Design + Land Use	<ul style="list-style-type: none"> Update the City’s Future Land Use Map and Zoning Map to designate the entire Study Area as “Downtown.” 	Short-term	Community Development
	<ul style="list-style-type: none"> Adopt a hybrid form-based code that combines design elements with traditional zoning to regulate Downtown development. Use Overlay Districts, Street Types, Building Frontage Standards, and a simplified list of allowed land uses in the subarea. 	Short-term	Community Development
	<ul style="list-style-type: none"> Adopt standards to address the transition and minimize impacts from more intense development Downtown to lower-density residential neighborhoods. 	Short-term	Community Development
	<ul style="list-style-type: none"> Encourage integrated mixed-use urban development, including housing, in the Downtown. 	Ongoing	Community Development
	<ul style="list-style-type: none"> Train staff on maintenance and implementation of a hybrid form-based development code. 	Short-term	Community Development
	<ul style="list-style-type: none"> Remove underlying deed restrictions and/or covenants that prohibit office, high density residential, and/or mixed-use development or open space. 	Mid-term	Community Development
	<ul style="list-style-type: none"> Conduct a parking study in the Downtown to understand the existing demand for parking and identify opportunities for redevelopment of existing surface parking lots to support the implementation of this Plan. 	Short-term	Community Development
	<ul style="list-style-type: none"> Update the City’s parking requirements to “right size” the requirements based on the results of the parking study and to encourage shared parking and flexibility in meeting parking requirements. The updated parking requirements should consider parking maximums. 	Short-term	Community Development
	<ul style="list-style-type: none"> Monitor the impact of the Downtown Code in implementing this Plan <u>at least biennially in 2024 and at least every five (5) years thereafter</u> and amend the Plan and its associated regulations as needed to improve outcomes. 	Short-term; Ongoing	Community Development

Ordinance 696

Section 4. Monitoring and Review.

A. The City should monitor the progress of development in the designated Planned Action area ~~biennially~~ in 2024 and at least every five (5) years thereafter to ensure that it is consistent with the assumptions of this Ordinance and the Planned Action EIS regarding the type and amount of development and associated impacts and with the mitigation measures and improvements planned for the Planned Action Area.

B. This Planned Action Ordinance shall be reviewed by the SEPA Responsible Official ~~every two (2) years~~ in 2024 and at least every five (5) years thereafter from its effective date in conjunction with the City's regular Comprehensive Plan review or docket cycle, as applicable. The review shall determine the continuing relevance of the Planned Action assumptions and findings with respect to environmental conditions in the Planned Action Area, the impacts of development, and required mitigation measures (Exhibit B) and Public Agency Actions and Commitments (Exhibit C). Based upon this review, the City may propose amendments to this Ordinance or may supplement or revise the Planned Action EIS.

Exhibit D. Transportation Cost Estimates

6. The Planned Action Share Transportation Fees will be incorporated into the City of Lakewood's master fee schedule. Fees shall be subject to ~~biennial~~ review in 2024 and at least every five (5) years thereafter to affirm the cost basis.

Section 3. Remainder Unchanged.

The rest and remainder of the Downtown Subarea Plan, Planned Action and Development Code shall be unchanged and shall remain in full force and effect.

Section 4. Severability.

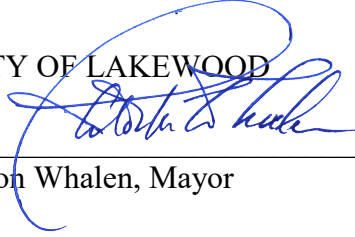
If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 5. 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 19th day of September, 2022.

CITY OF LAKEWOOD



Jason Whalen, Mayor

Attest:



Briana Schumacher, City Clerk

Approved as to Form:



Heidi Ann Wachter, City Attorney