



Lacey Planning Commission Meeting Agenda

Refer to the bottom of the agenda for meeting information.

Wednesday, April 22, 2026

6:00 PM

Council Chambers and Online

1. Call to Order

2. Roll Call

3. Land Acknowledgement

We, the City of Lacey, are on the ancestral land of the Tribal People of the Treaty of Medicine Creek, including the Nisqually Indian Tribe and Squaxin Island Tribe. We acknowledge and remember those Tribal People not recognized today who were absorbed or relocated into other tribes for survival. We recognize the ancestors and their descendants who are still here. We recognize and respect the Tribal People of the Treaty of Medicine Creek as the traditional stewards of this land since time immemorial and their role today in taking care of these lands in perpetuity. We recognize and have the responsibility to call attention to the histories of dispossession, forced removal, and abridged treaty rights that allowed our nation, state, and city to develop as they have today. We recommend that community members read the Medicine Creek Treaty of 1854.

4. Approval of Agenda and Consent Agenda Items

- A. Approval of Agenda
- B. Approval of April 8, 2026 meeting minutes
 - 1. April 8, 2026 Minutes

5. Public Comment

Refer to the bottom of the agenda for instructions on how to provide public comment.

6. Commission Members' Reports

7. Department Report

8. Public Hearing

9. New Business

10. Old Business

- A. **LMC Amendments: Daycare Centers (Docket 02), Parking (Docket 03), and Conversion of Existing Buildings (Docket 08): Hans Shepherd, Senior Planner.** The Planning Commission will review state-required amendments to the Lacey Municipal Code pertaining to permitted locations for child daycare centers, limits on minimum parking, and conversion of existing buildings into housing. The

Planning Commission will hold a public hearing to receive testimony on the draft amendments at a future meeting.

1. LMC Amendments Attachments

11. Communications and Announcements

- A. Planning Commission Calendar

12. Next Meeting - May 13, 2026

13. Adjournment

Attendance and Public Comment

Attend Remote or In-Person

The public may attend the meeting in-person, or you may view or listen to the meeting using one of the following platforms:

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|-----------|---|
| In-Person | Council Chambers at Lacey City Hall 420 College Street SE, Lacey, WA 98503 |
| Zoom: | https://us02web.zoom.us/webinar/register/WN_u2KCstx8SyqtNz0LOjfPaw |
| Website: | https://cityoflacey.org/government/public-meetings/ |
| Facebook: | https://www.facebook.com/cityoflacey |
| YouTube: | https://www.youtube.com/watch?v=3-6sESUsLPI |
| Cable: | Channel 77 with your local cable provider |
| Phone: | (888) 788-0099 or (877) 853-5247 (Webinar ID 856 9793 8701) |

Verbal Public Comment

Each speaker is limited to three minutes. Comments are welcome on matters connected to City business or specific agenda items.

Prior to starting your comments, please provide your:

- a. Name
- b. City of residence or connection to the City
- c. Topic or subject matter of your comments

Those wishing to provide verbal public comment may do so in-person or by Zoom:

| | |
|------------|--|
| In-Person: | Use the sign-up sheet located at the meeting location. |
| Zoom: | Preregister using the following Zoom link no later than two hours prior to the meeting: https://us02web.zoom.us/webinar/register/WN_u2KCstx8SyqtNz0LOjfPaw |

Instructions and access details will be provided once registration is complete.

Written Public Comment

Please email written public comments to PlanningCommission@cityoflacey.org. The comment period will close two hours before the meeting time. Commissioners will receive all written public comments provided by this deadline. Comments may not be addressed during the meeting. All comments are part of the official record.

MINUTES

Lacey Planning Commission Meeting
Wednesday, April 8, 2026– 6:00 p.m.
Lacey City Hall Council Chambers, 420 College St SE – and via Zoom

The meeting was called to order at 6:00 p.m. by Robert Lane

Planning Commission members present: Kyrian MacMichael, Robert Lane, Judith Doyle, Tonya Moore, Jennifer Harju, Aaron Dumas, and Allen Acosta. Staff present: Hans Shepherd, Jennifer Adams, Joey Etter; and Erin Skelley.

Robert noted a quorum present. Tonya read the Land Acknowledgement.

Kyrian MacMichael made a motion, seconded by Judith Doyle to approve the agenda for tonight's meeting. Aaron Dumas made a motion, seconded by Kyrian MacMichael to approve the April 8th minutes. All were in favor, both motions carried.

- 1) **Public Comments:** None
- 2) **Commission Members Reports:** Kyrian MacMichael stated that when she was visiting the Philippines, she stayed in a co-living community. She was very impressed with how wonderful the communal space was and thought it would be a good model for Lacey. Kyrian also mentioned that the Nisqually Indian Tribe needs volunteers for the Paddle to Nisqually Medicine Creek Potlatch.
- 3) **Department Report:** None
- 4) **New Business: Tree Regulation Amendments: Hans Shepherd, Senior Planner.** The Planning Commission received an introduction to proposed tree regulation amendments (2026 Docket Item 11). The Planning Commission also reviewed proposed outreach and engagement associated with the amendments. This was an introductory briefing and the draft amendments will be provided to the Planning Commission at a future meeting.
- 5) **Old Business: Infill Housing Draft Code Amendments: Jennifer Adams, Housing Coordinator.** The Planning Commission conducted a work session to continue the review of draft municipal code revisions to amend regulations for accessory dwelling units and middle housing. This was a briefing only and no formal action was requested. A public hearing on the amendments will be scheduled for a future meeting.
- 6) **Communications and Announcements:** The next meeting will be on April 22, 2026.
- 7) **Next Meeting:** April 22, 2026
- 8) **Adjournment:** 7:10 PM

To hear the full discussion of a specific topic, or the complete meeting, watch the recorded video available on YouTube: <https://www.youtube.com/watch?v=d0IUyd6zUUQ>



STAFF REPORT

Planning Commission
April 22, 2026

Subject: LMC Amendments: Parking (Docket 03), Daycare Centers (Docket 02), and Conversions of Existing Buildings (Docket 08)

To: Planning Commission

Prepared by: Hans Shepherd, CED Senior Community Planner *HS*

Division Review: Ryan Andrews, CED Community Planning Manager *RA*

Department Director: Vanessa Dolbee, CED Director *VD*

Purpose: Briefing

Recommendation: Review only.

Brief: The Planning Commission will receive an update on state-required amendments to city regulations relating to limits placed on parking minimums, permitted locations for daycares, and the conversion of existing buildings for housing. Planning staff, the Lacey Building Official, and Fire Marshal have also had an opportunity to review and will remain actively involved in this update process. The Planning Commission will hold a public hearing to receive testimony on draft amendments at a future meeting.

Prior Review:

March 25, 2026 Planning Commission – [Meeting Link](#)

Attachments:

1. Definitions Code Updates
2. General Provisions Code Updates
3. Parking Code Updates
4. Daycare Center Code Updates

Policy or Legal Alignment:

1. 2026 Community Planning Docket List:
 - a. Docket-02 Child-Care Centers
 - b. Docket-03 Parking Updates
 - c. Docket-08 Conversion of Existing Buildings

Background:

The Washington State Legislature has passed several bills over recent years related to encouraging the development of housing and the development of daycares. These bills included changes to [Chapter 36.70A](#) of the RCW – relating the continuance and implementation of the Growth Management Act (GMA). To remain in compliance with the GMA and avoid preemption by the State Legislature, municipalities planning under the GMA (such as Lacey) must update their municipal codes to reflect these legislative changes.

The Planning Commission was provided with an overview of applicable bills adopted by the state legislature at the March 25th, 2026 Planning Commission Meeting (linked above). These bills included the following:

1. HB [1042](#) Use of Existing Buildings for Residential Purposes (*Code Cities*)
2. HB [1757](#) Existing Buildings Used for Residential Purposes - Various Provisions
3. SB [5509](#) Child Care Centers Zoning
4. SB [5655](#) Child Care Centers – Existing Buildings-Occupancy Load Calculation
5. HB [1183](#) Building Codes and Development Regulations – Various Provisions
6. SB [6015](#) Minimum Parking Requirements - Residential Development
7. SB [5184](#) Parking Reform and Modernization Act

Following this review, Lacey Community and Economic Development staff worked to incorporate state required amendments into the Lacey Municipal Code (Attachments 1-4).

Next Steps:

At the April 22nd, 2026 Planning Commission Meeting, Commissioners will have the opportunity to review proposed updates to the Lacey Municipal Code consistent with this state mandated legislation. Following this review, staff will further refine proposed draft Lacey Municipal Code updates based on commissioner guidance.

The Planning Commission is currently scheduled to host a public hearing to receive testimony on these draft updates on May 27th, 2026.



Chapter 16.06 DEFINITIONS

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16.06.313 Façade modulation

"Façade modulation" a change in building plane, that changes the shape of the exterior massing of the building.

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16.06.391 Key multimodal corridor.

"Key multimodal corridor" means streets designated as key multimodal corridors on the comprehensive land use plan map or zoning map. These corridors are intended to provide a range of options for transportation including pedestrians, bikes, transit and automobiles. Corridors are strategically located to provide an interconnected network of streets that serve and connect key areas of each neighborhood and have special design review requirements under Chapter 14.23.

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16.06.495 Major pedestrian corridor.

"Major pedestrian corridor" means 6th Avenue SE between College and Sleater-Kinney Streets.

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16.06.498 Mass timber construction Mixed-use development (MUD)

"Mass timber construction" a building with structural components primarily made of mass timber products.

16.06.498-499 Mixed use development (MUD)

"Mixed use development (MUD)" means the development of a tract of land or building or structure with two or more different uses such as, but not limited to, residential, office, manufacturing, retail, public or entertainment in a compact urban form.

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16.06.502 Modular construction

"Modular construction" a multistory building constructed of standardized components produced off-site.

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16.06.621 Passive house requirements

"Passive house requirements" the criteria for certification as a passive house by the International Passive House Institute.

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Commented [HS1]: Will need to combine with Infill Housing work

Commented [HS2]: Will need to adjust layers within zoning map
Phase 1: Corridor alignment based on constructed streets
Phase 2: Larger review as part of PBP Update

Commented [HS3]: May need to expand to respond to criteria for newly added conditions within 16.03.040
Exemptions. → D2 and D3 "character defining streetscapes" and "major pedestrian corridor" language

"Residential uses are permitted in all parts of the building except ground floor commercial or retail that is along a major pedestrian corridor, or when the addition of the units would violate applicable building codes or health and safety standards;"

Commented [HS4]: Will need to verify/realign references within LMC

16.06.695A Solar access.

“Solar access” refers to providing an opportunity for sunlight to fall on a property.

16.06.695B Solar energy panel

“Solar energy panel” means a panel device or system or combination of panel devices or systems that relies on direct sunlight as an energy source, including a panel device or system or combination of panel devices or systems that collects sunlight for use in:

- a) The heating or cooling of a structure or building;
- b) The heating or pumping of water;
- c) Industrial, commercial, or agricultural processes; or
- a)d) The generation of electricity.

16.06.696695d Solar skyspace.

“Solar skyspace” means the space between a solar energy device and the sun which must be free of obstructions.

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16.06.747 Upper-level setbackUrban Agriculture.

“Upper-level setback” and “Upper-level stepback” means the required distance between lot line and building façade applied to portions of building above a specified height.

16.06.747748 Urban Agriculture.

“Urban Agriculture” means and includes a range of agricultural activities at various intensities. Agricultural activities falling under this definition include both “Horticulture” and “Limited Animal Husbandry” uses. Urban Agriculture is permitted under limitations considering compatibility with other land uses in the context of the urban environment and associated land use/zoning designations; See Chapter 16.21 LMC Urban Agriculture.

Commented [HS5]: Will need to verify/realign references within LMC

Commented [HS6]: Will need to verify/realign references within LMC

Commented [HS7]: Will need to verify/realign references within LMC

Chapter 16.03 GENERAL PROVISIONS

Sections:

16.03.010 Title

16.03.015 Lacey Comprehensive Plan

16.03.016 Map Overlay

16.03.020 Intent

16.03.030 Interpretation and application

16.03.040 Exemptions

16.03.045 Prior limited rezones

16.03.050 Permitted intrusions into required yards

16.03.055 Minimum density requirements

16.03.060 Manufactured Housing

16.03.065 Residential swimming pools

16.03.070 Fencing standards

16.03.080 Reasonable accommodation

16.03.010 Title.

This title shall be known as the zoning ordinance of the city of Lacey.

16.03.015 Lacey Comprehensive Plan.

A. Purposes of Plan.

1. The primary purpose of the Comprehensive Plan is to define and establish the goals and policies relating to the development of the community as a whole; to indicate the principles and objectives which shall guide the establishment, development and implementation of definite and precise plans, public and private; to provide for the coordination of the many separate plans which govern the development of this community; to officially adopt a program and guide which will enable the city to attain the principles and objectives set forth in Chapter 35.63 RCW and the Growth Management Act (Chapter 36.70A RCW) in the manner provided.
2. Additional purposes of the Comprehensive Plan are:
 - a. To improve the physical and social environment of the City as a setting for human activities; to make it more functional, beautiful, decent, healthful, interesting and efficient;
 - b. To ensure acceptable levels of access, utilities and other public services to future growth and development;
 - c. To promote the public interest, and the interest of the city at large;

Commented [HS1]: Will need to verify International Building Code/Life Safety Requirements

- d. To facilitate the democratic determination and implementation of city policies and development;
- e. To effect coordination in development;
- f. To inject long-range considerations into the determination of short-range actions;
- g. To provide professional and technical knowledge in the decisions affecting development of the city;
and
- h. To guide future development and growth in the city that is consistent with the goals and objectives of the Growth Management Act as defined in RCW 36.70A.020.

B. Description of Plan. The planning horizon for the Comprehensive Plan is twenty years. The Plan is, of necessity, general in its proposals. It must be flexible, since it is impossible to predict all future events which may affect the community. The Plan is not a development regulation, although it makes significant recommendations for future land use. It does not present engineering accuracy, nor does it claim to predict exactly the future use of every parcel of property. It is not intended to retroactively impose compliance with goals, objectives and policies upon existing developed property, but voluntary compliance is encouraged.

C. Plan Elements.

1. Required Elements. The Comprehensive Plan shall contain the following mandatory planning elements as required by the Growth Management Act:

- a. A land use element designating the proposed distribution, location and extent of the uses of land.
- b. A transportation element that is consistent with the land use element and includes land use assumptions, an inventory of facility and service needs, service standards, financing needs and a reassessment of land use, if service standards cannot be met.
- c. A housing element containing an inventory of needs, policies for protection and development of housing for all economic segments of the community and identifying sufficient land for housing.
- d. A climate change and resiliency element that is designed to result in reductions in overall greenhouse gas emissions and that must enhance resiliency to and avoid the adverse impacts of climate change, including efforts to reduce localized greenhouse gas emissions and avoid creating or worsening localized climate impacts to vulnerable populations and overburdened communities.

The climate change and resiliency element shall include the following sub-elements:

- (1) A greenhouse gas emissions reduction sub-element;
- (2) A resiliency sub-element.
- e. A utilities element consisting of an inventory of needs and policies for the development of utilities and the location, proposed location and capacity of all existing and proposed utilities.
- f. A capital facilities element that includes an inventory of all capital facilities, forecast of future needs, proposed location of new or expanded facilities, a six-year funding plan and a reassessment of the land use element, if funding falls short.

2. Optional Elements. The Comprehensive Plan may include additional elements, relating to the physical development within the City; including, but not limited to, economic development, parks and recreation, subarea plans, each of which is consistent with the other elements of the Comprehensive Plan.

3. Future Land Use Map. Illustrates in broad and general terms the desired development of the city during the twenty-year planning period.

D. Adoption. The Comprehensive Plan including elements, maps, technical appendices, and any amendments and associated subarea plans are adopted by ordinance of the city council following a public hearing. Amendments are construed to be consistent with the Comprehensive Plan.

The Comprehensive Plan Future Land Use Map as digitally depicted and publicly accessible through the city of Lacey GIS mapping platform shall be the official Comprehensive Plan--Future Land Use Map. The land use designations shown on this map for the various properties located within the city's urban growth area are hereby the land use designations for those properties. Comprehensive Planning--Future Land Use Map amendment ordinances adopted after the ordinance codified in this chapter shall amend the official Comprehensive Planning--Future Land Use Map.

16.03.016 Map Overlay.

The City of Lacey Shoreline Master Program and its requirements for land use within shoreline areas has been integrated into the Lacey Comprehensive Land Use Plan and zoning code by reference and use of a "Shoreline Master Program overlay" on the official Plan map and zoning map. This map overlay provides shoreline designations and development standards that will be applied consistent with the Lacey Shoreline Master Program. This is intended to be a seamless method of bringing together the Shoreline Master Program and Lacey's other long-range planning and implementation documents, to provide the integration required under the state Growth Management Act.

16.03.020 Intent.

It is the intent of this title to:

- A. Facilitate orderly growth and development of the Lacey urban growth area, consistent with the policies, goals and objectives of the Lacey Comprehensive Plan for the Lacey urban growth area;
- B. Protect the health and general welfare of residents of the Lacey urban growth area;
- C. Promote sound economic development and protect property values;
- D. Preserve and protect vital aspects of the natural environment;
- E. Designate land use districts and provide for compatibility between the several districts;
- F. Provide flexible regulations and controls for the intensity and character of land use;
- G. Provide for the administration and enforcement of the regulations within the Lacey urban growth area.
- H. Provide integration between the Shoreline Management Program and Lacey's Comprehensive Land Use Plan and zoning ordinances.

16.03.030 Interpretation and application.

In their interpretation and application, the provisions of this title shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and general welfare. Nothing in this title is intended to impair, annul or abrogate any easement, covenant or other agreements between parties, public or private; however, whenever the requirements of this title are at variance with the requirements of any lawfully adopted rules, regulations, or ordinances, the most restrictive or those imposing the higher standards shall govern; provided further, that within the shorelines of the city, as defined in the Shoreline Management Act, the provisions of the Shoreline Management Act and the Lacey Shoreline Master Program shall govern; provided, however, that the substantive regulations of this title shall be applicable where they are more restrictive than those of the Shoreline Management Act or the Lacey Shoreline Master Program.

16.03.040 Exemptions.

A. The following structures and uses shall be exempt from the regulations of this title:

1. Wires, cables, conduits, vaults, laterals, pipes, mains, valves or other similar equipment for the distribution to consumers of telephone or other communications, electricity, gas, or water or the collection of sewage, or surface or subsurface water, operated or maintained by a governmental entity or a public utility or other city franchised utilities including customary meter pedestals, telephone pedestals, distribution transformers and temporary utility facilities required during building construction, whether any such facility is located underground or aboveground; but only when such facilities are located in a street right-of-way or in an easement less than twenty-five feet in width. This exemption shall not include any substation located on or above the surface of the ground or any such distribution facility located in an easement of twenty-five feet or more in width which shall be regulated by the provisions of Chapter 11.09 LMC;
2. Railroad tracks, signals, bridges and similar facilities and equipment located on a railroad right-of-way, and maintenance and repair work on such facilities and equipment. This exemption shall not include any facilities and equipment listed as special uses.

B. The enforcing officer may exempt the following from the minimum setback requirements set forth in this title when the structures are located outside the public right-of-way and are obviously intended to serve the public interest: telephone booths and pedestals; utility equipment; mailboxes; bus shelters; public bicycle shelters; or any similar structure or device.

C. Façade modulation and upper-level setbacks are not a required condition of permitting the following types of residential projects:

1. Affordable housing as identified or later amended within RCW 36.70A.030(5);
2. New construction meeting passive house requirements;
3. The retrofit of existing buildings meeting passive house requirements;
4. The conversion of existing buildings to housing or mixed-use development that includes housing;
5. Modular construction; or
6. Mass timber construction.

D. Within commercial, mixed use, and residential zones, when new housing is proposed within an existing building:

1. A change of use permit will not be required when converting an existing building for residential purposes. All other requirements as applicable to residential development within the designated zone shall still apply. A change of use permit may still be required for projects involving emergency and transitional housing elements;
2. Exterior design and architectural requirements shall apply to residential additions consistent with health and safety requirements for the use of interior spaces, to preserve character-defining streetscapes, and in situations where the building is a designated landmark or is within a historic district established through a local preservation ordinance;
3. Residential uses are permitted in all parts of the building except ground floor commercial or retail that is along a major pedestrian corridor, or when the addition of the units would violate applicable building codes or health and safety standards;
4. Unchanged, previously permitted, conditioned portions of the existing building will not be required to meet the current energy code solely because of the addition of new dwelling units. When any other existing building is converted to new dwelling units, changed portions of the building are required to meet the requirements of the current energy code, except if:
 - I. The square footage of new dwelling units does not exceed 2,500 square feet or 50 percent of the total building square footage, whichever is greater;
 - II. The building owner submits documentation, in a form acceptable to the director of the department of community and economic development and the director of the department of public works or their designees, showing the building's residential units' projected energy use intensity is less than or equal to the energy use intensity target in accordance with the clean buildings performance standard in RCW 19.27A.210; or
 - III. In all areas zoned for residential housing, an additional housing unit is created within an existing home;
5. Non-conformity of the existing building to parking, height, setbacks, elevator size for gurney transport, or modulation are only grounds for permit denial of residential additions when the director of the department of community and economic development or the director of the department of public works or their designees provide written findings that the nonconformity is causing a significant detriment to the surrounding area; or
6. A transportation concurrency study under RCW 36.70A.070 or an environmental study under chapter 43.21C RCW will not be required solely based on the addition of residential units within the existing building.

Nothing in this section requires the approval of a building permit application in cases in which the building cannot satisfy life safety standards.

For the purpose of this section, "existing building" means a building that received a certificate of occupancy at least three years prior to the permit application to add housing units.

16.03.045 Prior limited rezones.

A. All uses approved in a limited zoned district prior to the passage of the ordinance codified in this title shall remain a valid use of the property notwithstanding a change to a more restrictive zoning classification by the passage of the ordinance codified in this title.

Commented [HS2]: Do we need to define this/incorporate into LMC 14.23.086 Design Requirements For Zones With Pedestrian Emphasis And Key Multimodal Corridors And Intersections?

<https://lacey.municipal.codes/LMC/14.23.086>

Commented [HS3]: May need to update and expand definition consistent with 14.23.086 Design Requirements For Zones With Pedestrian Emphasis And Key Multimodal Corridors And Intersections?

<https://lacey.municipal.codes/LMC/14.23.086>

Commented [HS4R3]: Will need to adjust layers within zoning map
Phase 1: Corridor alignment based on constructed streets
Phase 2: Larger review as part of PBP Update

Commented [HS5]: 16.06.391 Key multimodal corridor.
"Key multimodal corridor" means streets designated as key multimodal corridors on the comprehensive land use plan map or zoning map. These corridors are intended to provide a range of options for transportation including pedestrians, bikes, transit and automobiles. Corridors are strategically located to provide an interconnected network of streets that serve and connect key areas of each neighborhood and have special design review requirements under Chapter 14.23.

16.06.495 Major pedestrian corridor.
"Major pedestrian corridor" means 6th Avenue SE between College and Sleater-Kinney Streets.

DD. "Zones with pedestrian emphasis" means zoning designations based upon Comprehensive Plan language with expressed intent of emphasizing pedestrian-friendly development. This includes all CBD zones, the mixed use corridor zones, the Hawks Prairie Business District, the neighborhood and community commercial zones, and the moderate and high density residential zones.

B. All property located within a limited zoned district prior to the passage of the ordinance codified in this title shall be allowed those additional uses permitted within the new zoning classification of said property under the terms of the ordinance codified in this title.

C. All limitations and conditions imposed upon properties located in a limited zoned district prior to the passage of the ordinance codified in this title, not relating to the type of uses, shall remain in effect notwithstanding a change in the underlying zoning classification by the passage of the ordinance codified in this title.

16.03.050 Permitted intrusions into required yards.

A. Cornices, eaves and other similar architectural features may project from the foundation wall into any minimum yard setback requirement a maximum distance of two and one-half feet.

B. Open, unwallled and uncovered steps and ramps, not more than four feet in height, may extend into the required front or rear yard setback requirement not more than five feet.

C. Decks and patio covers may be permitted to encroach into all residential district rear yard setbacks, provided a minimum setback of five feet is retained, and provided such deck be not more than thirty inches above existing natural grade measured at deck floor from the highest point, and provided that such patio cover is not enclosed in any manner. A building permit is required.

D. LID facilities are allowed within front, side, and rear yard setbacks.

E. Awnings and marquees may be allowed within required front yards and over sidewalks or public right-of-way in commercial and industrial zones if all the following requirements are satisfied:

1. The director of the department of community and economic development and the director of the department of public works or their designees determine that placement of the awning or marquee within the setback areas or over the public sidewalk does not impede vehicular or pedestrian traffic flow or create any other type of hazard to the public.
2. The awning or marquee is specifically designed to benefit pedestrians by the providing of shelter and creating a friendlier pedestrian environment.
3. That development of an awning or marquee within the setback area or over public sidewalk is consistent with goals of the Comprehensive Development Plan, the standards of the specific zone in which it is proposed to be located and consistent with the character of the surrounding neighborhood.
4. The city's building codes and fire codes are satisfied for the structure and location.

F. For buildings meeting passive house requirements or retrofits of existing buildings to be used for residential housing:

1. The portion of exterior wall assemblies that includes insulation may project up to eight inches into the setbacks on all sides;
2. The building must be allowed to exceed the maximum allowable roof height by eight inches to accommodate additional insulation and 48 inches to accommodate a roof-mounted solar energy panel; and

3. Gross floor area must be measured from the interior face of the exterior walls, which includes drywall, as typically depicted on the architectural floor plans.
4. Nothing in this section limits the director of the department of community and economic development and the director of the department of public works or their designees from requiring a minimum setback of 36 inches between residential dwelling units.

16.03.055 ~~Minimum Residential~~ density requirements.

- A. In all residential zones minimum densities are required. This requirement takes effect when property is divided or developed with multifamily units and requires that plats, short plats, and multifamily units have a density within the range specified in the zone. However, this minimum density provision is not intended to prohibit the construction of a single-family structure on an existing vacant lot. If a lot legally exists, a single-family unit can be built on it whether or not the lot will conform to density requirements; provided, that the unit is located such that it does not preclude future development at the prescribed density.
- B. Within commercial, mixed use, and residential zones, where multifamily housing is permitted, a 50 percent residential density increase above what is identified within the underlying zone, may be permitted provided the additional housing is constructed entirely within an existing building envelope and all applicable health and safety standards, including but not limited to building code, fire, life safety, and design standards, can be met within the building.

16.03.060 Manufactured Housing.

Based upon state law a manufactured home will be considered as any other single-family residence for the purposes of zoning considering allowed uses and required standards. From the standpoint of the city zoning code a manufactured home shall be permitted to be placed anywhere a site-built home is permitted. This provision does not limit whatever protective covenants may apply to properties that may legally prohibit or limit placing of different types of housing. Manufactured housing must meet the same standards and design requirements as any other single-family residence within the same zone. Manufactured housing shall also meet any other requirements specified with the Lacey Municipal Code as permitted and allowed by state law.

16.03.065 Residential swimming pools.

All residential swimming pools, both above and in-ground, shall be located outside of required front yard setbacks and be set back at least five feet from rear and side property lines. Residential swimming pools shall comply with the International Residential Code including structural and barrier requirements.

16.03.070 Fencing standards.

A. Maximum Height.

1. Front Yards. The maximum height of free-standing walls, fences, or hedges placed in the front yard of residential buildings shall be three feet unless a taller masonry wall is required, per the responsible official, to mitigate significant noise impacts.
2. Side or Rear Yard. The maximum height of free-standing walls, fences, or hedges placed in the side or rear yard of residential buildings shall be seven feet unless a taller masonry wall is required, per the responsible official, to mitigate significant noise impacts.

3. Transparent Fencing. The maximum height of any decorative wall or fence which allows visibility, such as wrought iron or split rail fences, shall be eight feet.

B. Chain Link Fencing.

1. All chain link fences shall be set back at least three feet from the back of the sidewalk to allow for landscaping elements to screen the fence.

2. Temporary construction fences are exempt from the above requirements.

C. Prohibited Material. Electrified and other dangerous fences are prohibited. Barbed and razor wire is prohibited in all zones except for light industrial or light industrial/commercial zones where the barbed and razor wire shall be placed on security fences at a minimum height of six feet from the ground. No portion of any barbed or razor wire located on a security fence shall extend into the right-of-way.

16.03.080 Reasonable accommodation.

A. Purpose and Intent. The Federal Fair Housing Act (FFHA) requires that reasonable accommodations be made in rules, policies, practices, or services, when such accommodations may be necessary to afford persons with disabilities equal opportunity to use and enjoy a dwelling in conformance with the Federal Fair Housing Act and the Washington Housing Policy Act.

B. Applicability.

1. A request for reasonable accommodation may be made by any person with a disability, the person's representative, or any entity, when the application of a zoning law or other land use regulation, policy or practice acts as a barrier to fair housing opportunities.

2. A request for reasonable accommodation may include a modification or exception to the rules, standards and practices for siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of his or her choice.

C. Application Requirement.

1. A request for reasonable accommodation shall be submitted on an application form provided by the community and economic development department and shall contain the following information:

- a. The applicant's name, address, telephone number, and email address;
- b. Address of the property for which the request is being made;
- c. The current use of the property;
- d. The basis for the claim that the individual is considered under the Acts;
- e. The code provision, regulation, or policy from which reasonable accommodation is being requested;
- f. What specific accommodation is requested and why the accommodation is necessary to make the specific property accessible to the individual.

D. Review Authority.

1. If no approval is sought other than the request for reasonable accommodation, the request shall be reviewed by the community and economic development director or designee as outlined in provisions in LMC 11.04.030.

2. If a request for reasonable accommodation is submitted for review with a land use application requiring a higher level of review, the review authority making the final land use decision shall concurrently review and make a decision on the request.

E. Review Findings.

1. The written decision to grant, grant with modifications or deny a request for reasonable accommodation shall be based on the following findings:

- a. The housing, which is the subject of the request, will be used by a disabled individual;
- b. The accommodation requested is necessary to make specific housing available to a disabled individual;
- c. Potential impact on surrounding uses;
- d. Physical attributes of the property and structures;
- e. Alternative accommodations which may provide an equivalent level of benefit;
- f. The requested accommodation would not require a fundamental alteration in the nature of a city policy or law, including but not limited to the Lacey Comprehensive Plan and zoning;
- g. The requested accommodation would not impose an undue financial or administrative burden on the city.

2. In granting a request for reasonable accommodation, the reviewing authority may impose conditions of approval deemed reasonable and necessary to ensure that the accommodation complies with the findings.

F. Appeal of Determination. A determination by the reviewing authority to grant, grant with modifications or deny a request for reasonable accommodation may be appealed pursuant to Chapter 11.05 LMC.

Chapter 16.72 OFF-STREET PARKING AND LOADING

Sections:

~~16.72.010 Intent~~

16.72.020 General requirements

16.72.025 Maintenance

16.72.030 District parking requirements

Table 16T-13

16.72.040 Repealed

16.72.045 Repealed

16.72.050 Development standards

~~16.72.010 Intent.~~

~~It is the intent of this chapter to:~~

~~A. Assure that space is provided for the parking, loading and unloading of motor vehicles on the site of premises or uses which attract said motor vehicles;~~

~~B. Provide minimum and maximum standards of space and parking arrangements, and for the movement of motor vehicles into and out of such spaces;~~

~~C. Promote implementation of the city of Lacey Transportation Plan policies to support commute trip reduction programs and more use of transportation choices;~~

~~D. Provide alternatives and incentives to reduce parking needs by utilizing transportation demand management (TDM) strategies;~~

~~E. Reduced parking has benefits, particularly considering opportunities for alternative use of valuable land resources. Less space utilized for parking means additional area for retail space, additional building pads, or more pervious surface and landscaping. Increased retail space can help promote a healthy retail tax base. More pervious surface and landscaping can reduce drainage impacts, and promote more attractive cityscape;~~

~~F. Calm traffic for pedestrian comfort and security on public streets and parking lots by:~~

~~1. Controlling access to sites; and~~

~~2. Allowing parking on the streets in zones with a pedestrian emphasis for separation between the sidewalk and moving automobiles;~~

~~G. Enhance safety for pedestrians and motor vehicle operators;~~

~~H. Encourage the creation of an aesthetically pleasing and functionally adequate system of off street parking and loading facilities.~~

16.72.020 General requirements.

A. Off-street parking spaces and driveways shall not be used at any time for purposes other than their intended use, i.e., the temporary storage of motor vehicles used by persons visiting or having business to conduct on the premises for which the parking is provided. Provided, however, the site plan review committee may approve other uses it deems reasonable that will not adversely impact parking requirements for the primary use of the property such as street merchant pads, temporary seasonal merchandise displays, pedestrian refuge islands, and pocket parks for pedestrian seating and use.

B. Parking space required and intended for use by occupants or users of specific premises shall not be leased or rented to others, nor shall such space be made unavailable through other means to the users for whom the parking spaces are intended. This, however, does not preclude shared parking arrangements approved by the city or other activities approved by the site plan review committee.

C. Except where specifically permitted in certain zoning districts, off-street parking spaces shall not be used for loading or unloading of commercial vehicles larger than those vehicles for which the parking spaces are intended.

D. Whenever a building or a piece of land is put to a use different from the immediately preceding use, or when a building is remodeled, reconstructed or expanded, adequate off-street parking shall be provided consistent with the new use, reconstruction or expansion of the premises (except as permitted within Table 16T-13(6)(e)).

E. Proposed large projects that are defined as major employers or worksites (RCW 70.94.524) shall provide an assessment of the cost of parking space separate from the cost of the area used for building purposes. This information will help the applicant, the city of Lacey and Intercity Transit evaluate opportunities for parking reduction and TDM strategies.

16.72.025 Maintenance.

A. It shall be the responsibility of the property owner to ensure that all off-street parking spaces and areas required by this chapter are maintained for the duration of the improvement or use requiring the parking area.

B. All parking facilities, including curbs, directional markings, handicapped symbols, landscaping, pavement, signs, striping, and wheel stops, shall be permanently maintained by the property owner/tenant in good repair, free of litter and debris, potholes, obstructions, and stored material.

C. Drive aisles, approach lanes, and maneuvering areas shall be marked and maintained with directional arrows and striping to expedite traffic movement. Any area not intended for parking shall be signed as such, or, in areas where curb exists, the curb may be painted red in lieu of signs.

16.72.030 District parking requirements.

A. The requirements for any use not listed herein shall be those of the listed use most similar to the unlisted use. When similarity is not apparent, the enforcing officer and/or the site plan review committee shall determine the minimum and maximum for the unlisted use.

B. For conditional uses, as identified and described in Chapter 11.09 LMC, the parking requirement shall be as provided in that chapter or as determined by the site plan review committee.

C. Residential District. Off-street parking requirements for residential districts are located in Table 16T-13.

D. Commercial, Community Office and Industrial Uses.

1. General Parking Standards--Parking Standard Table.

a. In the several commercial, industrial, community office, and mixed use districts, off-street parking requirements shall be as shown in Table 16T-13; provided, that all of the property is controlled by a single person or corporation, or written agreements for shared parking, acceptable to the city, are filed with the enforcing officer.

~~b. Phased Reduction of Maximum Parking Standards. One technique for transportation demand management (TDM) is to reduce maximum allowable parking spaces. This can be done by slowly phasing down the maximum allowable number of parking spaces over a period of years. This technique has advantages of reducing vehicle trips and conserving urban commercial land that can be used for other purposes. However, this technique has the potential to have a significant adverse impact on the jurisdiction's economic development if other reasonable forms of alternative transportation are not available. This technique should be periodically revisited to consider its viability but should not be implemented until its viability for Lacey is established.~~

~~eb.~~ Minimum Optional Guidelines and Maximum Standards. To promote parking reduction, the optional minimum guideline serves as a suggested parking number but is not mandatory for automobiles except for single-family residential development. Applicants are encouraged to provide less automobile parking than the minimum listed whenever possible based upon being located within one-half mile of a fixed transit route with thirty-minute headway or less, available on-street parking, shared parking within walking distance, on-site vehicle sharing programs, and other factors. The minimum number listed for bicycle parking shall be provided as indicated in the table for both commercial and residential development.

If the number of parking spaces is less than the minimum required, this shall be demonstrated at the time of application to the site plan review committee based upon a parking plan. Upon justification to the satisfaction of the committee, whatever number of parking spaces agreed upon shall be the number required, and this shall be an enforceable condition of the approval.

The maximum parking standards may be increased if the site plan review committee finds compelling reasons to do so. Such determination shall be at the sole discretion of the committee based upon such factors as unique site or use requirements, historical data of a particular use or other relevant factors indicating additional parking is necessary to properly serve a use or uses at a site.

Shared parking agreements are encouraged if the physical relationship between the premises is within convenient walking distance and makes such sharing possible.

2. If more parking spaces than the maximum permitted by Table 16T-13 exist on the subject property, an owner/developer may lease those excess spaces or convert excess spaces into LID facilities where feasible, such as permeable paving or bioretention, until conformance with Table 16T-13 is reached.

a. Shared parking is ~~particularly~~ encouraged when:

- (1) The total number of parking spaces provided is sufficient to meet expected demand; or
 - (2) The uses are operating during different hours and the number of spaces needed for all uses at any one time is satisfied. If permitted, the total number of spaces for a shared arrangement should be no greater than the maximum number of spaces permitted for all uses operating at the same time.
- b. Where adjoining parking facilities of two or more ownerships are developed and designed as one parking facility, a reduction of required parking spaces may be permitted based upon the increased potential opportunity for shared parking and other parking reduction techniques.
- c. The continuation of joint or shared facilities should be assured by a sufficient legal document such as a covenant or reciprocal easement agreement or by participation in a local improvement district or parking association. Joint or shared parking associated with multi-tenant retail and commercial uses will be considered to be a shared parking facility. Lease agreements will satisfy the requirement for a sufficient legal document. However, any new tenant whose parking requirement reduces the total parking available in the shared parking facility below seventy-five percent of the requirements for all uses sharing the facility will be required to provide additional parking (except as permitted within Table 16T-13(6)(e)).
- d. For large projects where a traffic study is required under Chapter 14.21 LMC (Traffic Mitigation and Concurrency) and the proposal has one hundred or more employees, a comprehensive TDM strategy may be proposed to achieve a reduction in minimum parking listed in the parking table. Additionally, a bonus credit towards transportation impact fees may be awarded for reducing parking area pursuant to this section. The reduction in parking permitted and the incentive bonus shall be commensurate with the permanence, effectiveness and demonstrated reduction in off-street parking demand effectuated by such alternative programs.

Alternative programs that may be considered by the enforcing officer and/or site plan review committee under this provision include, but are not limited to, the following:

- (1) Private vanpool operation;
- (2) Transit/vanpool fare subsidy;
- (3) Imposition of a charge for parking;
- (4) Provision of subscription bus services;
- (5) Flexible work hour schedule;
- (6) Capital improvements for transit services;
- (7) Preferential parking for carpools/vanpools;
- (8) Participation in the ride-matching program;
- (9) Reduction of parking fees for carpools and vanpools;
- (10) Establishment of a transportation coordinator position to implement carpool, vanpool and transit programs;

(11) Bicycle parking facilities including associated shower and changing facilities;

(12) Compressed work week;

(13) Telecommuting;

(14) Advancements in technology including autonomous vehicles;

(15) Other techniques and strategies approved by the site plan review committee.

e. Parking reduction under this subsection (D)(2) must provide information regarding the administration of the program to the site plan review committee. The information must include:

(1) Address each individual TDM strategy as part of the transportation impact analysis;

(2) Provide the city with an estimate of peak hour employees as part of their site plan review application and traffic impact analysis;

(3) Provide estimated parking occupancy rates for the development as part of the transportation impact analysis showing average weekday use;

(4) Demonstrate how TDM strategies will be used to minimize the need for parking.

3. The city is hereby authorized to develop parking requirements specific to certain geographic locations or districts rather than individual sites by pooling parking supply in desired locations. Any parking requirements established as part of these programs may deviate from the typical standards contained herein and would be binding on the properties within these locations.

E. Transportation Demand Management Incentives. The site plan review committee shall determine whether the applicant can receive a traffic impact mitigation fee reduction for implementation of TDM strategies that reduce parking needs. Such incentives will be as listed in the following schedule as well as any traffic mitigation credit allowed under LMC 14.21.030. The incentive bonus is as follows:

1. Any developer who builds at the minimum amount of parking allowed shall receive a five percent trip reduction in the calculation of traffic impacts.

2. Any developer who builds at or below the minimum and includes significant strategies from subsection (D)(2)(d) of this section is eligible for an additional five percent trip reduction bonus.

3. Additional bonuses will be allowed under the provisions of LMC 14.21.030.

Table 16T-13

| Use | Unit Measure | Optional Min | Max | Required Bicycle Parking Spaces |
|---------------------------------------|--|----------------|--------------|--|
| BUSINESS PARK | | | | |
| General business park ¹ | Per 1,000 square feet | 2 | 4 | See offices |
| COMMERCIAL⁶ | | | | |
| Banks | Per 1,000 gross square feet | 2 | 3 | See offices |
| Billiard halls | Per table | 1 | 2 | 1 per 20 auto stalls. Minimum of 4 |
| Bowling alleys | Per alley | 3 | 5 | 1 per 20 auto stalls. Minimum of 4 |
| Commercial recreation | Per 1,000 square feet | 3 | 5 | 1 per 20-15 auto stalls. Minimum of 4 |
| Daycare, preschools, nursery schools | Per teacher plus 1 drop-off loading area per 7-6 students | 0.5 | 1 | 1 per 25 auto stalls 5 students . Minimum of 18 . |
| Hotels, motels | Per 1,000 square feet Per room or suite | 1 | 2 | See retail |
| Medical offices | Per 1,000 square feet of GFA | 2 | 4 | See offices |
| Mini storage | Per 100 units or a minimum of 3 spaces plus 2 for permanent on-site managers | 1 | | None |
| Mortuaries, funeral homes | Per 4 seats | 1 | 2 | None |
| Neighborhood commercial shopping area | Per 1,000 square feet | 1 | 2 | See retail |
| Office building | Per 1,000 square feet of GFA | | | 1 per 15 auto stalls. Minimum of 28 . |
| | • With on-site customer service | 2 | 4 | |
| | • Without on-site customer service | 1.5 | 3 | |

Commented [HS1]: Cities are encouraged to consider the adequacy of drop-off space, waiting space, dedicated carpool stalls, and accessibility in the design review process

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|---|---|--------------|-----|--|
| Regional shopping centers, food and drug stores | Per 1,000 square feet of GFA | 3 | 6 | See retail |
| Restaurants | Per 100 square feet of dining area | 1 | 4 | See retail |
| Retail | Per 1,000 gross square feet | 3 | 6 | 1 per 20-15 auto stalls. Minimum of 26 . |
| Retail in mixed use development ² | Per 1,000 gross square feet | 2 | 4 | See retail |
| Service stations (mini marts are retail uses) | Per employee plus per service bay | 0.5 | 1 | None |
| INDUSTRIAL | | | | |
| General industrial | Greatest number of employees on a single shift plus 1 square foot of parking for each square foot of display area plus 1 space for each vehicle owned, leased or operated by the company stored or operated on site. | 0.5 | 1 | See offices |
| Warehouse | Per 1,000 square feet of GFA plus Per 400-500 square feet of GFA used for office or display area | 1 1 | | Minimum of 10. None |
| INSTITUTIONAL | | | | |
| Convalescent facilities, nursing homes | Per 2 patient beds | 1 | 3 | See offices |
| Hospital | Per bed | 0.5 | 1 | See offices |
| Libraries | Per 200 square feet of GFA | 0.5 | 1 | 1 per 20 auto stalls. Minimum of 28 . |
| Schools, elementary and junior high | Per classroom and office | 1 | 1.5 | 1 per classroom. Minimum of 10. |
| Schools, senior high | Per classroom and office plus per each 5 students of designated capacity | 1 | 2 | 1 per five auto stalls. Minimum of 210 . |
| PLACES OF ASSEMBLY | | | | |

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| | | | | |
|--|---|---------------------------|-----|---|
| Places of assembly without fixed seats | Per 1,000 square feet of GFA ³ | 10 | 11 | 1 per 25-20 auto stalls. Minimum of 28 . |
| Places of worship | Per 4 seats | 1 | 2 | 1 per 40-30 auto stalls. Minimum of 48 . |
| Stadiums, auditoriums, gymnasiums, theaters ⁴ | Per 4 seats of the permitted assembly occupants | 1 | 1.5 | 1 per 25-20 auto stalls. Minimum of 48 . |
| RESIDENTIAL^{5,7} | | | | |
| <u>Accessory dwelling unit</u> | Per <u>dwelling unit</u> | 1 | | None |
| <u>Single-family</u> | Per <u>dwelling unit</u> | 2 ¹ | | None |
| <u>Duplexes</u> | Per <u>dwelling unit</u> | 2 | | None |
| <u>Middle Housing Types</u> | Per <u>dwelling unit (lots 6,000 sqft or smaller)</u> | <u>1</u> | | <u>None</u> |
| <u>Middle Housing Types</u> | Per <u>dwelling unit (lots greater than 6,000 sqft)</u> | <u>2</u> | | <u>None</u> |
| <u>Multifamily structures</u> | Per each studio unit <u>dwelling unit</u> | 1 <u>0.75</u> | | 1 per 10-8 auto stalls. 2-4 minimum per <u>building</u> . |
| | Per each 1- or 2- bedroom unit | 1.5 | | |
| | Per each 3- or more- bedroom unit | 2 | | |
| Manufactured home subdivision | Per <u>dwelling unit</u> | 2 | | None |
| <u>Manufactured home parks</u> ⁵ | Per <u>dwelling unit</u> | 1.5 | | None |
| Rooming houses, lodging houses, bachelor or efficiency units | Per occupant | 1 | 3 | None |
| Senior citizen <u>apartments</u> housing | Per 3 <u>dwelling units</u> | 1 | 2 | See <u>multifamily</u> |

1. When calculating need, a lower ratio of five-tenths per one thousand square feet of GFA can be justified when a covenant is attached to the property that limits the occupancy load to ninety-five percent of the parking stalls available. In addition, the SPRC may authorize a parking ratio up to five spaces per one thousand square feet of GFA if the need can be demonstrated.

Commented [HS2]: Options available for adding dedicated carpool stalls and areas for temporary/time restricted parking.

A city may establish parking requirements for staff and visitors of such housing units.

2. If retail space in a mixed-use development exceeds forty percent of the gross floor area of the development, the retail use parking requirements of this section apply to the entire space.

3. Gross square feet does not include enclosed or covered areas used for off-street parking or loading, mechanical floor areas or covered public spaces.

4. School and/or public facility parking spaces may be used provided the facilities are on the same or contiguous parcels within three hundred feet of the theater or auditorium.

5. In manufactured home parks, the parking spaces in excess of one per manufactured home may be grouped in shared parking areas.

6. For single-family residential development, a minimum of two parking spaces is required. Minimum parking requirements do not apply in the following instances (This section does not apply to requirements for parking spaces dedicated for the exclusive use of individuals with disabilities in compliance with the Americans with disabilities act or minimum bicycle parking requirements):

- a) Residences under 1,200 square feet;
- b) Commercial spaces under 3,000 square feet;
- c) Affordable housing;
- d) Ground level nonresidential spaces in mixed-use buildings;
- e) An existing building undergoing a change of use from a nonresidential to a residential use or a change of use for a commercial use will not be required to provide parking in excess of what the previously existing use required.
- f) New construction or the retrofit of existing buildings meeting passive house requirements;
- g) Modular Construction;
- h) Mass timber construction.

7. The following parking configurations apply to residential uses:

- a) Parking spaces in tandem must count towards meeting minimum parking requirements at a rate of one space for every 20 linear feet with any necessary provisions for turning radius. For purposes of this subsection, "tandem" is defined as having two or more vehicles, one in front of or behind the others with a single means of ingress and egress;
- b) Parking spaces may not be required to exceed eight feet by 20 feet, except for required parking for people with disabilities;
- c) If an applicant can clearly demonstrate that meeting applicable minimum off-street parking and tree retention standards makes a proposed residential development infeasible, the site plan review committee may reduce minimum parking standards in alignment with all other requirements of this chapter;
- d) Parking spaces that consist of grass block pavers may count toward minimum parking requirements.
- e) The site plan review committee may require more than .75 spaces per unit for a market rate multifamily development if located in an area with a lack of access to street parking capacity, physical space impediments, or other challenges that would make on-street parking infeasible for the unit.

Commented [HS3]: "Off-street parking may not be required as a condition of permitting a residential project if compliance with tree retention would otherwise make a proposed residential development or redevelopment infeasible;"

f) Developments with recorded covenants for the exclusive dedicated use of seniors or people with disabilities, located within one-quarter mile of a transit stop that receives transit service at least four times per hour for twelve or more hours per day, will not be required to meet minimum parking requirements, subject to the site plan review committee's determination that adequate parking has been provided for staff and visitors of such developments.

a. The site plan review committee may require one or more parking spaces per bedroom if it is determined that a housing development is located in an area with a lack of access to street parking capacity, physical space impediments, or other challenges that would make on-street parking infeasible for the development.

The following notes apply to all of the above uses:

- Minimum automobile spaces listed in the table are optional guidelines provided in LMC 16.72.030(D)(1)(c) (optional minimum guidelines). Minimum parking spaces for bike parking are mandatory.

- **Parking ratios for mixed use development projects shall be determined by calculating the percentage of GFA by use multiplied by the appropriate parking ratio for each use plus a five percent parking reduction for two uses, ten percent parking reduction for three uses and fifteen percent parking reduction for four or more uses.**

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- Parking spaces provided as part of the above/below grade parking amenity identified in Table 14T-12 shall be exempt from all maximum parking requirements.

- All major employers or major worksites, as defined by RCW 70.94.524, shall designate at least five percent of auto spaces as carpool spaces. These spaces must be located as close to the main employee entrance as possible and shall be called out on the site plan.

- Where adjacent roads are designed for on-street parking and approved by the public works director, parking credit may be given for on-street parking.

16.72.040 Repealed

16.72.045 Repealed

16.72.050 Development standards.

A. Parking lot construction shall comply with LMC 14.19.030.

B. Parking area design shall include:

1. Ingress and Egress. The location of all points of ingress and egress to parking areas shall be subject to the review and approval of the city engineer.

2. Backing Out Prohibited. In all commercial and industrial developments and in all residential buildings containing five or more dwelling units, parking areas shall be so arranged as to make it unnecessary for a vehicle to back out into any street or public right-of-way.

3. Parking Spaces--Access and Dimensions. Adequate provision shall be made for individual ingress and egress by vehicles to all parking stalls at all times by means of unobstructed maneuvering aisles. Maneuvering aisles and parking stall dimensions shall be as shown in Tables 16T-18, 16T-19, and 16T-20.

4. Surfacing. All parking areas for more than ~~four~~six vehicles shall be surfaced with permeable paving surfaces in conformance with the current City of Lacey Stormwater Design Manual, asphalt, concrete or similar pavement so as to provide a surface that is durable and dust-free and shall be so graded and drained as to properly dispose of all surface water.

5. Stormwater management is required and shall comply with the current City of Lacey Stormwater Design Manual and shall be subject to the city's review and approval, and shall, moreover, comply with Chapter 15.22 LMC pertaining to community facilities.

6. Parking shall be designed and constructed for a minimum of thirty percent and a maximum of fifty percent of the required number of spaces for compact size cars. An applicant must clearly identify all spaces designed and constructed for compact car use. The enforcing officer and/or site plan review committee may approve the design and designation of the required percentage of spaces for use by compact cars if the applicant demonstrates that no adverse impact will result.

7. Parking area for land uses located outside the city shall be prohibited.

8. Convenient and safe pedestrian access shall be provided. At a minimum, pedestrian features shall include:

a. Raised crosswalks with color and texture (preferably brick or brick-like) where pedestrian access crosses automobile access lanes.

b. Pedestrian lanes shall be designed with texture and color, preferably brick or brick-like accents.

c. Planter areas and vegetated LID facilities shall be designed in consideration of pedestrian access to provide separation from automobile access lanes, to help identify areas for pedestrian access and to make pedestrian access more comfortable and inviting.

d. Pedestrian access shall be designed through a consideration of on-site activity as well as uses and destination sites that are located in the surrounding area. Where parking areas for other destination sites are adjacent to the site, linkage should be provided so customers from one site will not have to get in a car and drive to the next.

e. Lighting shall be provided along designated pedestrian routes to enhance safe walking conditions and to deter crime. Lighting shall be adequate, focused and shielded to illuminate pedestrian paths and to prevent light impacts to adjacent properties. Lights provided for a parking lot shall be designed to provide coverage for both vehicles and pedestrians and may be of a scale appropriate to both. Where pedestrian routes leave a parking lot, pedestrian-scale lighting shall be used.

9. An owner/developer may install parking spaces in phases if a phased schedule has been approved by the enforcing officer and/or site plan review committee. This schedule must specifically indicate when the parking will be provided. The enforcing officer and/or site plan review committee may permit the use of temporary parking areas with appropriate screening as part of a phasing schedule. In addition, the enforcing officer and/or site plan review committee may require a performance assurance device to insure conformance with the requirements of Ordinance 1130.

10. When adequate vehicular access to an approved lot or development is available from a side street, no such access shall be permitted from the front street. Where lots have double frontage, if vehicular

access from a side street or a street of lower functional classification is not available, such access shall be from the street anticipated to carry the least amount of traffic or the street that would have the least conflict with pedestrian traffic.

11. Parking Area and Circulation Design.

a. The city public works department shall have the authority to fix the location, width and manner of approach of vehicular ingress or egress from a building or parking area to a public street and to alter existing ingress and egress as may be required to control street traffic in the interest of public safety and general welfare.

b. Internal circulation of the lot shall be so designed as to minimize conflicts with pedestrians with priority given to pedestrians considering convenience, comfort, safety and security. In-and-out driving time, idling time and time spent looking for a parking space should be a consideration, but should not influence design parameters that reduce pedestrian functionality.

c. Parking areas shall include landscaping as required by Chapter 16.80 LMC. Landscaping shall be designed to provide both functional and aesthetic benefits, be designed to ensure safety for drivers and pedestrians, and avoid creating security dangers for customers or employees.

d. Parking circulation and design shall meet requirements for public transportation and pedestrians under LMC 14.23.084.

C. Bicycle Design Standards.

1. The minimum bicycle rack shall be grouped into four parking stalls for ease of visibility to the public. Bicycle facilities ~~shall~~may be shared among adjoining establishments.

2. Bicycle racks which only support a bicycle front or rear wheel are not permitted. The rack shall be securely mounted to the ground ~~and~~covered, and provide two points of support on the frame to prevent locked bicycles from falling over.

3. Bicycle parking spaces shall be two feet by six feet with no less than a seven-foot overhead and a five-foot maneuvering aisle behind each row of bicycle parking.

4. A bicycle parking area shall be separated from a motor vehicle parking area by a barrier, post or bollard, or by at least five feet of open space behind the maneuvering area.

5. Bicycle facilities shall be located no further from a public entrance than the nearest non-handicapped parking stall.

6. If public bicycle parking is not clearly visible from the main entrance, ~~then~~ directional signs shall be provided.

7. All major employers or major worksites, as defined by RCW 70.94.524, shall provide bicycle parking facilities, lockers, changing areas, and showers for employees who bicycle or walk to work.

Chapter 16.65 DAY CARE FACILITIES

Sections:

16.65.010 Definitions

16.65.020 Family home child care

16.65.030 Child day care centers

16.65.040 Occupancy Load Calculation

16.65.050 Design Guidelines

16.65.010 Definitions.

For the purposes of this title, the following terms shall be defined as listed below and further provided for or later amended in RCW 43.216.010 follows:

A. "Child day care" means the providing-provision of ~~supplemental-parental~~ care and supervision for a child or children who are not related to the provider, on a regular basis for less than twenty-four hours a day and under license by the Washington State Department of Social and Health Services. The term does not include babysitting services of a casual, non-recurring nature or in the child's own home. ~~The term is further not intended to include cooperative, reciprocative child care by a group of parents in their respective homes.~~

B. "Child care facility" means a building or structure in which an agency, person or persons regularly provide care for a group of children for periods of less than twenty-four hours a day. Child day care facilities include family home child care providers, and child day care centers regulated by the Washington State Department of Social and Health Services, as ~~presently~~ defined in ~~Chapter 74.15 RCW and WAC 388-73-422~~ 110-300 or ~~as such statute or regulations may hereafter be~~ later amended.

C. "Family home child care provider" and "family day care provider" means a child care provider who regularly provides early childhood education and early learning services ~~facility licensed by the state where child care is provided~~ for twelve or fewer children in the family living quarters where the licensee resides ~~as provided in RCW 43.215.010(1)(c), except as provided in RCW 43.216.692.~~

D. "Child day care center" and "child care center" means an agency that regularly provides early childhood education and early learning services ~~facility providing regularly scheduled care~~ for a group of ~~thirteen or more children within an age range of one month through twelve years,~~ for periods of less than twenty-four hours.

E. "Early learning" includes but is not limited to programs and services for child care; state, federal, private, and nonprofit preschool; child care subsidies; child care resource and referral; parental education and support; and training and professional development for early learning professionals;

16.65.020 Family home ~~child care provider~~.

Family home ~~child care provider~~ shall be permitted in all zoning districts of the city within a residential dwelling, subject to the following conditions:

Commented [HS1]: Will need to integrate with Infill Housing Updates

- A. Such homes shall comply with all building, fire safety and health codes and obtain a business license from the city for such a business;
- B. The lot size, building size, setback and lot coverage shall conform to the standards of the zoning district in which it is located unless such structure is a legal nonconforming structure;
- C. Such use shall meet the parking requirements of Chapter 16.72 LMC relating to off-street parking and loading;
- D. Each family home child care facility shall be limited to one flush-wall sign having a maximum area of two square feet;
- E. No structural or decorative alteration which will alter the single-family character of an existing or proposed residential structure or be incompatible with surrounding residences will be allowed.

16.65.030 Child day care centers.

A child day care center, licensed by the state of Washington as provided for herein, shall be permitted under the conditions set forth in this section after registration with the city as provided in this chapter, subject to the following conditions:

- A. A child day care center, proposed to be established in ~~any residentially-zoned district,~~ light industrial district, ~~light industrial/commercial district, or the Lacey Historic Neighborhood,~~ shall only be allowed after the issuance of a conditional use permit pursuant to Chapter 11.09 LMC. A child day care center proposed for any other district of the city shall be allowed in the manner specified for such district and subject to the terms of LMC 16.65.030.
- B. All child day care centers, whether required to have a conditional use permit or not, shall comply with all building, fire safety, traffic safety, health code, business licensing, setback, screening, landscaping, parking, signage, lot size, building size and lot coverage requirements of this code including any requirements specific to the district in which said center is located.
- C. No child day care center shall be located in a private family residence unless the portion of the residence to which the children have access is separate from the usual living quarters of the family or is used exclusively for the children during the hours the center is in operation.

16.65.040 Occupancy Load Calculation

When a child care center is operated in a dedicated space within an existing building that has more than one use, the building official must calculate the occupancy load of the child care center based only on the areas in the building where the child care services are provided. This requirement applies when administering and enforcing any of the building codes adopted in accordance with and pursuant to the authority in this chapter.

16.65.050 Design Guidelines

Consistent with Chapter 14.23, the site plan review committee shall impose reasonable restrictions consistent with the designated zone, type of child care facility, and adjacency of residential uses. This may include but is not limited to those restrictions as identified within 14.23.082 Commercial Design Guidelines and applicable 16.80 Landscaping Requirements.

Chapter 16.13 LOW-DENSITY RESIDENTIAL DISTRICT

16.13.020 Permitted uses.

A. Specific types permitted in the low density residential district:

1. Single-family detached structures on individual lots with a density of not more than six units per acre. Single-family detached structures are subject to the design criteria established in LMC 14.23.072;
2. Cottage housing developments as provided in Chapter 16.62 LMC and subject to the design criteria in LMC 14.23.072;
3. Planned residential developments as provided in Chapter 11.10 LMC;
4. Townhouse developments as provided in Chapter 16.61 LMC;
5. Duplexes and triplexes on individual lots, provided design requirements of LMC 14.23.073 are satisfied;
6. Housing for people with functional disabilities.

B. Other or related uses permitted:

1. Accessory buildings or structures clearly incidental to the residential use of the lot, such as buildings or structures for storage of personal property (including boats, recreational vehicles, etc.), or for the pursuit of avocational interests; or structures designed for and related to recreational needs of the residents of a residential complex. All such buildings or structures over sixteen feet in height shall comply with the design requirements of LMC 14.23.071;
2. Urban agricultural uses as permitted and limited under Chapter 16.21 LMC;
3. Home occupations as provided in Chapter 16.69 LMC;
4. Accessory dwelling as defined in LMC 16.06.055;
5. Conditional uses as provided in Chapter 11.09 LMC;
6. The keeping of common household animals or pets; provided, that their keeping does not constitute a nuisance or hazard to the peace, health and welfare of the community in general and neighbors in particular;
7. ~~Family Child day care facilities homes-~~ consistent with this chapter and as provided for in Chapter 16.65 LMC.

Chapter 16.14 LACEY HISTORICAL NEIGHBORHOOD

16.14.020 Permitted uses.

- A. Single-family detached structures on individual lots meeting design requirements of LMC 14.23.074.
- B. Other Related Uses Permitted.
 - 1. Accessory buildings or structures clearly incidental to the residential use of the lot such as storage of personal property or for the pursuit of avocation interests. All such buildings or structures over sixteen feet in height shall comply with the design requirements of LMC 14.23.071;
 - 2. Housing for people with functional disabilities;
 - 3. Urban agricultural uses as provided for and limited under Chapter 16.21 LMC;
 - 4. Home occupation as provided in Chapter 16.69 LMC;
 - 5. Accessory dwelling as defined in LMC 16.06.055 and meeting design criteria of LMC 14.23.071;
 - 6. Conditional uses as provided in Chapter 11.09 LMC, subject to design review;
 - 7. The keeping of common household animals or pets is permitted; provided, that their keeping does not constitute a nuisance or hazard to the peace, health and welfare of the community in general and neighbors in particular;
 - 8. ~~Family Child day care homes~~ facilities consistent with this chapter and as provided for in Chapter 16.65 LMC.

Chapter 16.15 MODERATE-DENSITY RESIDENTIAL DISTRICT

16.15.020 Types of uses permitted.

A. Specific Types Permitted in the Moderate-Density Residential District.

1. Any residential use with a density of at least eight but not greater than sixteen units per acre and any additional bonus density that might be applicable. All parcels over ten acres in size shall provide a mix of housing types with no less than fifty percent of the units designated for multifamily use. The required mix should be integrated throughout the entire site as much as possible. All residential structures are subject to the design criteria established in Chapter 14.23 LMC that is applicable to the particular type of residential use.

2. Housing for people with functional disabilities.

B. Other or Related Uses Permitted.

1. Accessory buildings or structures clearly incidental to the residential use of the lot, such as storage of personal property (including boats, recreational vehicles, etc.), or for the pursuit of avocational interests; or structures designed for and related to recreational needs of the residents of a residential complex. All such buildings or structures over sixteen feet in height shall comply with the design requirements of LMC 14.23.071;

2. Home occupations as provided in Chapter 16.69 LMC;

3. Accessory dwelling as defined in LMC 16.06.055;

4. Conditional uses as provided in Chapter 11.09 LMC;

5. The keeping of common household animals or pets is permitted; provided, that their keeping does not constitute a nuisance or hazard to the peace, health and welfare of the community in general and neighbors in particular;

6. Urban agricultural uses as provided for and limited under Chapter 16.21 LMC;

7. ~~Family Child day care facilities~~ homes consistent with this chapter and as provided for in Chapter 16.65 LMC.

Chapter 16.18 HIGH-DENSITY RESIDENTIAL DISTRICT

16.18.020 Permitted uses.

A. Specific Types Permitted in the High-Density Residential District.

1. Any Residential Use With a Density of at Least Twelve Units per Acre. All parcels over ten acres in size shall provide a mix of housing types with no less than fifty percent of the units designated for multifamily use. The required mix should be integrated throughout the entire site as much as possible. All residential structures are subject to the design criteria established in Chapter 14.23 LMC that are applicable to the particular type of residential use.

2. Housing for people with functional disabilities.

B. Other or Related Uses Permitted.

1. Accessory buildings or structures clearly incidental to the residential use of the lot, such as storage of personal property (including boats, recreational vehicles, etc.), or for the pursuit of avocational interests; or structures designed for and related to recreational needs of the residents of a residential complex. All such buildings or structures over sixteen feet in height shall comply with the design requirements of LMC 14.23.071;

2. Home occupations as provided in Chapter 16.69 LMC;

3. Accessory dwelling as defined in LMC 16.06.055;

4. Conditional uses as provided in Chapter 11.09 LMC;

5. The keeping of common household animals or pets is permitted; provided, that their keeping does not constitute a nuisance or hazard to the peace, health and welfare of the community in general and neighbors in particular;

6. Urban agricultural uses as provided for and limited under Chapter 16.21 LMC;

7. ~~Family Child~~ day care ~~facilities~~ ~~homes consistent with this chapter and~~ as provided ~~for~~ in Chapter 16.65 LMC.

Chapter 16.37 HAWKS PRAIRIE BUSINESS DISTRICT1

16.37.020 Permitted uses.

A. Commercial.

1. Apparel.
2. Automotive supplies.
3. Auto sales including new or used cars, campers, trailers, motorcycles and boats subject to the provisions of LMC 16.37.070(K).
4. Books and stationery.
5. Convenience stores and service stations designed for fueling no more than eight automobiles simultaneously and subject to the provisions of LMC 16.37.070(H).
6. Department stores.
7. Drug stores and pharmacies.
8. Fabric stores.
9. Florists.
10. Food stores.
11. General merchandise.
12. Gifts/specialty.
13. Hobby/special interest.
14. Home appliances/electronics.
15. Home furnishings.
16. Home improvement centers/garden supplies.
17. Jewelry and cosmetics.
18. Liquor.
19. Medical and dental offices and clinics (within multi-tenant buildings).
20. Personal services.
21. Professional services when provided as an integral part of a commercial center.
22. Sporting goods and related stores.

B. Hotels and motels.

C. Convention centers and conference facilities.

D. Eating and Drinking Establishments.

1. Restaurants with drive-through windows shall meet the provisions of LMC 16.37.070(I).

E. Cultural, Entertainment and Recreation.

1. Art galleries.
2. Athletic facilities and health clubs.
3. Bowling alleys.
4. Cinemas.
5. Libraries and museums.

F. ~~Day-Child~~ care facilities ~~when provided as an integral part of a commercial center and in support of the other uses therein.~~

G. Financial Institutions.

1. Banks.
2. Brokerages.
3. Finance companies.
4. Insurance and real estate offices.

H. Residential subject to the provisions of LMC 16.37.070(L).

I. Public Services.

1. Higher education facilities.
2. Vocational schools.
3. Local public services including charitable and service organizations, employment centers, fire stations, police stations and other local government offices.

J. Mass Transit.

1. Bus transfer facilities.
2. Park and ride lots, provided facilities are integrated into a commercial/mixed use site plan and parking facilities are shared with other uses.

K. Offices and Manufacturing.

1. Computer hardware and software development and assembly.
2. Corporate/regional/administrative offices.

~~3. Day care facilities.~~

- ~~3.~~ 43. Electrical equipment research, development, and assembly.

~~54~~. High-tech industry.

~~65~~. Offices and manufacturing.

~~76~~. Photo and optical goods design and development.

~~87~~. Professional and business offices.

~~98~~. Scientific research and development.

~~109~~. Scientific, analytic or control instrument research and development.

~~110~~. Warehouse and distribution activities, when developed in conjunction with a primary function such as business headquarters, research and design, marketing or retail sales and subject to the granting of a conditional use permit.

L. Medical facilities.

M. Other similar and related uses in accordance with the intent of this chapter as determined by the site plan review committee.

N. Urban agricultural uses as provided for and limited under Chapter 16.21 LMC.

Chapter 16.49 CEMETERY

16.49.020 Permitted uses.

A. All uses allowed under the definition of cemetery business as described in RCW Title 68.

B. Urban agricultural uses as provided for and limited under Chapter 16.21 LMC.

[C. Child care facilities consistent with this chapter and as provided for in Chapter 16.65 LMC.](#)

Chapter 11.09 CONDITIONAL USES AND PERMITS

11.09.010 Permitted uses.

Specific uses permitted in accordance with the intent of this chapter, and subject to reasonable conditions imposed by the city, are categorized and identified as follows:

A. Personal or community service facilities such as:

1. Nursery schools and preschools;
2. Child-day care ~~centers-facilities~~ when proposed in those districts specified in Chapter 16.65 LMC;
3. Funeral parlors, mortuaries and crematoria, provided these are permitted uses in the cemetery zone;
4. Senior citizen centers;
5. Nursing homes, convalescent care facilities; and
6. Cemeteries; provided once a cemetery is approved the property shall be designated as cemetery on the city's zoning map.

B. Places of public assembly, including:

1. Churches (or other places of worship);
2. Sports arenas or stadia;
3. Fraternal organizations and lodges; and
4. Private clubs.

C. Public utilities and their appurtenances, such as:

1. Electrical substations;
2. Pumping, lift stations or similar regulatory appurtenances for the transmission or distribution of electricity, natural gas, water and sewage, oil or steam, and storage tanks for any of the above, including water towers;
3. Solid waste disposal facilities, including transfer stations, incinerators and sanitary landfills; and
4. Radio, television or telephone stations; commercial wireless communication facilities are subject to the requirements as specified in Chapter 16.68 LMC.

D. Public safety and emergency response facilities, including:

1. Police stations;
2. Fire stations;
3. Emergency medical centers; and
4. Hospitals.

E. Public and private transport/maintenance facilities, including:

1. Airports, landing strips, heliports or helipads, including waterborne craft;
2. Marinas, docks, piers, or breakwater devices, regardless of size or purpose;
3. Railroad terminals, switching facilities, maintenance or repair shops, and spurs;
4. Bus terminals, storage or maintenance facilities;
5. Automobile parking facilities or structures other than those specifically required in Chapter 16.72 LMC in connection with permitted uses;
6. Corporation yards.

F. Sexual offender secure community transition facilities as defined in RCW 71.09.020, which facilities are mandated by the state of Washington pursuant to Chapter 71.09 RCW. The siting of such facilities shall be subject to the conditions identified in this chapter.

G. Uses which are similar or related to those uses described in subsections A through F of this section.

